

CLAY TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
April 10, 2023

The Supervisors of Clay Township met on a regularly scheduled meeting date of April 10, 2023, at the Clay Township Municipal Office, 870 Durlach Road, Stevens, Pennsylvania, at a time and place duly established to hold such a meeting and advertised and posted in accordance with the Second Class Township Code and the Sunshine Law. The meeting agenda was posted in accordance with the Second-Class Township Code and the Sunshine Law.

Supervisors present were Tim Lausch, Chairman, Keith Martin, Vice-Chairman and Gary Landis, Secretary.

Also, present was Bruce Leisey, Township Manager, Wendy Hackman, Administrative Assistant, and Jennifer Mejia of Mejia Law Group, Township Solicitor.

Also attending were those listed on the meeting attendance sheet, which is attached to these Minutes.

Tim Lausch called the Meeting to order at 6:30 p.m.

Meeting Minutes

Gary Landis made a motion, seconded by Keith Martin to approve the March 13, 2023 meeting minutes. * The motion was unanimously approved.

Treasurer's Report

Keith Martin made a motion, seconded by Gary Landis to approve the Treasurer's Report for March 2023. * The motion was unanimously approved.

Engineer's Report

1. Hackman Living Trust – Time Extension Request

Ted Cromleigh informed the Board of Supervisors that a 90-day time extension is being requested to take action on the plan.

Gary Landis made a motion, seconded by Keith Martin to approve the time extension request. * The motion was unanimously approved.

2. Hackman Living Trust – Request for Deferral of Water Connection Requirements of Chapter 26 of the Township Code of Ordinances

Ted Cromleigh reviewed the deferral request with the Board of Supervisors. The deferment is requested until the Municipality or a future development plan would extend the public water main to within 150’ of the site. Notation will be placed on the plan of record identifying the deferment. It will also be included on the Deed for the Property. If a future extension of the public water system should occur and the main is located along the Hackman Road frontage of the lots individual service lateral connections will be made for connection to the water system. The proposed new dwelling is located 311’ from the nearest point of the EJA water main.

The PA Second Class Township Code states that a property owner can only be required to connect to the Authority’s water system when the water system abuts the property and water service is available and the principal building is within 150’ of the water system or the principal building has no supply of water safe for human consumption.

The Hackman subdivision will construct an on-site well on Lots 1 and 2 at the time of development of each individual lot. At this time there are no plans for new construction on Lot 2 only Lot 1 will be developed. The well will be tested for sufficient quantity and quality in accordance to PA DEP.

There was discussion on the wording and interpretation of the Ordinance.

Ted Cromleigh stated that a letter was received from Dan Becker stating that a hook up was not required at this time.

Dwight Yoder stated that with the deferral if the Authority extends the water main within in 150’ of the property, the owners would be required to hook up.

Gary Landis expressed his concerns with the deferral. Gary stated he feels there were other appropriate options and he doesn’t want to see other houses being constructed and requesting the same deferral.

Keith Martin made a motion, seconded by Gary Landis to approve the deferment request to extend public water and require a note be placed on the deed and plan noting the deferment. * The motion was approved with Gary Landis voting no and Keith Martin and Tim Lausch voting yes.

Visitors

1. Art and Lori Kemler, 102 Ackley Circle

Art and Lori Kemler shared their concerns with the Board of Supervisors regarding the new dwelling construction at 101 Ackley Circle. The Kemler’s have concerns with water run from the new construction.

Bruce Leisey stated that he and Bob Lynn have been working with the owner to correct the issues with the down spouts and grading on the north and rear sides.

Keith Martin asked that the issue be added to the monthly Engineer's Report for follow up.

Engineer's Report - Cont

3. YWAM – Approval to Forward Text Amendment to LCPC for Comments

Dwight Yoder, Gibbel Kraybill & Hess, LLP, reviewed the draft Text Amendment with the Board of Supervisors. The draft Text Amendment will create a new Educational and Institutional Campus Overlay Zoning District which will apply to the parcels currently owned by YWAM.

Dwight Yoder explained that the draft Text Amendment would be sent to Lancaster County Planning Commission for their comments. After comments are received, Clay Township's Planning Commission will review and forward any comments to the Clay Township Board of Supervisors. A public hearing will be held for comment and approval by the Clay Township Board of Supervisors.

Tim Lausch inquired how the proposed text amendment change to the properties will affect the current tax base.

Dwight Yoder stated that the parcels located along 322 will generate about the same amount of tax base.

Dwight Yoder stated that the YWAM Master Plan will include 2 access points and street scape along 322 with no parking.

Keith Martin stated he would like a date placed on the plan when the second access point will be completed.

Gary Landis made a motion, seconded by Keith Martin to approve forwarding the Text Amendment to Lancaster County Planning Commission for their review and comment and then the Clay Township Planning Commission for their review and comment. * The motion was unanimously approved.

4. YWAM – Review and Potential Approval of Waiver of Land Development

Todd Shoaf, Pioneer Management, reviewed the waiver of land development with the Board of Supervisors. YWAM is requesting a waiver of the requirement to process a land development plan for proposed development of a 37+/- acre property. The property is currently improved with various residential and accessory buildings and uses. The applicant proposed to construct a

“common area” building addition between two existing buildings with one of the existing buildings proposed to be converted to a 40 bed dormitory and the other existing building proposed to be converted to a multi-purpose room. YWAM notes that a special exception was requested of and approved by the Clay Township Zoning Hearing Board to allow the short-term lodging. The proposed common area will be used as common open space and restrooms for the dormitory residents and will provide a connect between the dormitory and the multi-purpose uses.

There was discussion on sewer calculations, public water connection, adequate access for emergency service vehicles, walking path lighting and easements between the properties for parking.

Tim Lausch asked why a waiver of land development was being requested instead of going through land development.

Todd Shoaf said a major concern was the cost and time to process a land development plan for a 2,980 sf addition.

Dwight Yoder stated the waiver request was limited to the dorm building.

Tim Lausch asked if there would be adequate water for a dorm building on site.

Todd Shoaf said there is safe and adequate water from the well currently on site. YWAM will provide testing documentation to the Township.

Gary Landis expressed his concerns with utilizing an on site well with a public building this size.

Dwight Yoder stated that extending the line from Enterprise Road would be very expensive and complex with the current site conditions.

It was agreed to table a decision on the waiver request till the May 25, 2023 meeting to give YWAM time to gather water testing results, finalize easements and receive a response back from the Lincoln Fire Company for emergency services.

5. John Nolt – Execute SWM, MOU and Plan

This item was tabled at this time.

Old Business

1. Review and Potential Approval of Seal Coating Bid and Change Order

Bruce Leisey reviewed the seal coating bid with the Board of Supervisors. The total bid for 144,125.00 sq yards was \$238,526.88 from Martin Paving Inc.

Public Works staff reviewed the identified roads and proposed only completing 78,792 sq yards of seal coating this year. Gary Calik was going to contact Martin Paving and see if the price would be the same with the reduction of square yards being done.

Keith Martin made a motion, seconded by Gary Landis to award the 2023 Seal Coating Bid to Martin Paving Inc, contingent on the approval of the requested Change Order. * The motion was unanimously approved.

New Business

1. Appoint new EAJA Representative

Gary Landis made a motion, seconded by Keith Martin to appoint Jonathan Zimmerman as Clay Township's EAJA representative to finish out the 2023 term of Greg Schmuck. * The motion was unanimously approved.

2. Approve Resolution to Modify Public Works Work Schedule

Bruce Leisey informed the Board of Supervisors that the Public Works department has requested to modify their summer work schedule from June 1st to August 31st each year.

Gary Landis made a motion, seconded by Keith Martin to approve Resolution 041023 to modify the Public Works department work schedule from June 1st to August 31st to 6:00 AM to 2:30 AM.

* The motion was unanimously approved.

3. Approve Advertising for Joint Audit Meeting

After review of date, Keith Martin made a motion, seconded by Gary Landis to approve advertising of the Joint Audit Meeting on May 1, 2023 at 7:30 PM. * The motion was unanimously approved.

4. Approve Advertising of Ordinance to Renew Comcast Franchise Agreement

Jennifer Mejia stated that she would like to advertise the Ordinance for approval at the May 8, 2023 meeting.

Gary Landis made a motion, seconded by Keith Martin to approve advertising of the Ordinance for adoption at the May 8, 2023 meeting. * The motion was unanimously approved.

5. Award Line Painting Bid through Co-Op

Bruce Leisey reviewed the bid with the Board of Supervisors.

Keith Martin made a motion, seconded by Gary Landis to award the line painting bid to A-1 Traffic Control Products, Douglassville PA. Bid quantities were Single Yellow 140,000 LF at \$.055/LF, Double Yellow 65,000 LF at \$.055 LF and Single White 105,000 LF at \$.10 LF for a total amount of \$19,975.00. * The motion was unanimously approved.

6. Review PSATS 2023 Proposed Resolutions

Bruce Leisey reviewed the PSATS 2023 Proposed Resolution with the Board of Supervisors and agreed on a voting choice.

Executive Session

None

Bills to be Paid

General Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the General Fund bills totaling \$169,331.69 for the month of March. * The motion was approved unanimously.

Rec Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Recreation Fund bills totaling \$7,597.65 for the month of March. * The motion was approved unanimously.

Sewer Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Sewer Fund bills totaling \$2,919.60 for the month of March. * The motion was approved unanimously.

Reports for the Month

1. EMS Providers
2. Engineer's Report
3. Manager's Report
4. Zoning Officer's Report

Adjournment

Keith Martin made a motion, seconded by Gary Landis, to adjourn the meeting at 9:41 P.M. * The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

Keith Martin, Vice Chairman

Gary Landis, Secretary