

CLAY TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
June 12, 2023

The Supervisors of Clay Township met on a regularly scheduled meeting date of June 12, 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, Bob Lynn of Hanover Engineer, Township Engineer 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 6:31 p.m.

**Meeting Minutes**

Keith Martin made a motion, seconded by Gary Landis to approve the May 8, 2023 meeting minutes. \* The motion was unanimously approved.

**Treasurer's Report**

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

**Visitors**

1. Noise concerns from residents in Clearview Gardens

Dennis Lausch, Wayne Jenkins, Robert Frantz and Colette Frantz residents of Clearview Gardens expressed their concerns with the sound level coming from the Thursday evening events being held at Ephrata Community Church.

There was discussion on how loud the music and bass drums are at the events and the duration of the events. All residents stated that the bass drums can be felt inside the house and the sound level makes it difficult to watch TV and sleep.

Joel Bomberger, organizer of the event, stated that he did meet with Dennis Lausch to discuss his concerns with the sound level of the events. Joel stated that the sound tech did dial back the sound decimals by 10 decimals for the last event. Joel said he wants attendees to be able to hear the speakers and enjoy the music inside and outside of the tent but, understand the concerns of the residents hearing the music in their houses.

There was discussion on possibly adjusting the level between speakers and music, not having the music amplified, start with the music and end the night with speakers and no music after 9:00 PM.

The Board of Supervisors asked Joel Bomberger to take into consideration the concerns of the neighbors and make appropriate adjustments to the events.

The Board of Supervisors asked the residents to contact Township Staff on Friday after the next event and provide an update.

### **Engineer's Report**

#### 1. YWAM – Review and Discussion on Waiver of Land Development Waiver Request

Ken Weaver, Weaver Co and Dan Fisher, Pioneer Management were present on behalf of YWAM.

Jennifer Mejia reviewed the Easements Agreements with the Board of Supervisors. Jennifer also informed the Board of Supervisors that the entire building will be equipped with a fire sprinkler system and that system will be monitored. Lincoln Fire Company will also visit the site, to define an emergency plan in case of an incident.

Gary Landis stated that he spoke to fire company drivers and they have concerns with using the mulch path as an access point.

Keith Martin stated that he understood the mulch path was not necessarily meant as an access for emergency equipment but, if needed could be used in an emergency.

Gary Landis stated he understands the cost of hooking up to public water but, feels YWAM should hook up to public water to service this new expansion.

Tim Lausch stated that hook up would be required with the YWAM Master Plan.

Keith Martin stated that there is a large financial commitment to hook up and at this point the Overlay District has not been approved and YWAM cannot move forward without that approval.

Ken Weaver stated that the water storage tanks will be put in to supply the fire sprinkler system.

Keith Martin made a motion, seconded by Tim Lausch to approve the request of Waiver of Land Development contingent on execution of Agreements outlined in packet. \* The motion was approved with Gary Landis voting no and Keith Martin and Tim Lausch voting yes.

2. 280 West Girl Scout Road – Approve and Execute Agreement to Relocate Drainage Easement

Bruce Leisey reviewed the request with the Board of Supervisors. The property was recently sold and during the presale process, it was discovered and disclosed that the drainage easement that was located through the middle of the property when the lot was subdivided had been relocated. It was also discovered that the plan recording of the drainage easement was never corrected for the new location.

Jon Stoner, current owner, said the ditch was in the current location when he bought the property. Mr. Stoner also requests the Township to share in the cost of the Agreement approximately \$1,200.

Keith Martin made a motion, seconded by Gary Landis to approve and execute the Agreement to Relocated Drainage Easement for 280 West Girl Scout Road. \* The motion was unanimously approved.

Keith Martin made a motion, seconded by Tim Lausch to authorize the Township to contribute \$500.00 towards the cost of the updating processing. \* The motion was unanimously approved.

Jennifer Mejia also stated that the Agreement requires a note to be included on the deed regarding the easement which will hopefully provide for Notice to future owners.

3. Marlin and Wanda Martin SWMP – Update

Bob Lynn informed the Board of Supervisors that the Martin's property was sold, and it is his understanding that the new owner of the property intends to complete the plan process. But there has been no NPDES approval and no revised plans have been received.

Township Staff will reach out to counsel for the Martin's to get an update on the project status.

4. 175 Ice House Hill Road – Request for Second Driveway Entrance Road

Bruce Leisey reviewed the request with the Board of Supervisors.

The Board of Supervisors asked Township Staff to invite the property owner to attend a meeting to discuss the request and explain hardship necessitating a second driveway on the property.

5. Scott Witmer – Review and Approve Escrow Release Request

Bob Lynn reviewed request with the Board of Supervisors. The applicant has requested release in the full amount of \$8,889.50. Bob stated that the required improvements have been completed and the As-Built Plans will be received as part of the NPDES permit process.

Gary Landis made a motion, seconded by Keith Martin to approve the escrow release request in the full amount of \$8,889.50 as outlined in the Hanover Engineering letter dated 2/6/23. \* The motion was unanimously approved.

6. Approve Temporary Closure of West Girl Scout Road at Stony Lane for tree removal

Bruce Leisey reviewed the request with the Board of Supervisors. Bruce explained that Kyle Parks, Parkway Tree, is requesting to set a crane in the intersection to remove a dead ash tree. The road would be closed for approximately 4 hours, road closed signs and flaggers will be on site to help with traffic.

Keith Martin made a motion, seconded by Gary Landis to approve the temporary road closure request on 6/13/23 as coordinated with Township Staff. \* The motion was unanimously approved.

7. Zimmco – Request for Time Extension

Bruce Leisey reviewed the time extension request with the Board of Supervisors. Bruce stated that they are currently still waiting for a Highway Occupancy Permit from PennDOT.

Gary Landis made a motion, seconded by Keith Martin to grant a 120 day time extension request till 10/23/23. \* The motion was unanimously approved.

8. 227 Woodcorner Road – Request for Time Extension

Bob Lynn reviewed the request with the Board of Supervisors. Bob informed the Board of Supervisors that based on discussion with Lancaster County Conservation District, the applicant and McCarthy Engineering the plan presented will require significant revision and additional input from PA DEP.

Keith Martin made a motion, seconded by Gary Landis to approve the 6 month time extension request as outlined in the McCarthy Engineering letter dated 6/9/23. \* The motion was unanimously approved.

**Old Business**

None

**New Business**

1. Adopt the 2018 International Property Maintenance Code (IPMC), 2018 International Residential Code (IRC) and 2018 International Building Code (IBC)

Jennifer Mejia informed the Board of Supervisors that she is working on this update with Township Staff and will have all information at next meeting for approval.

This item was tabled at this time.

2. Park Rental Request for Lacrosse Lessons

Bruce Leisey reviewed the request with the Board of Supervisors. Township Staff received a request to rent a field at Snyder 2 for private lacrosse lessons. The request would be for weekdays from June – August.

Gary Landis made a motion, seconded by Keith Martin to approve the request contingent on Township Staff receiving a Certificate of Insurance, copy of Child Abuse Clearances and payment of \$25.00 per day fee. \* The motion was unanimously approved.

3. Authorize Execution of DEP Growing Greener Grant Support Letters

Bruce reviewed the letters with the Board of Supervisors. The support letters are for proposed projects by East Cocalico Township and Cocalico Creek Watershed Association.

Keith Martin made a motion, seconded by Gary Landis to approve signing of the support letters. \* The motion was unanimously approved.

4. Approve Use of Road for Lancaster Bicycle Club Ride

Bruce Leisey reviewed the request with the Board of Supervisors. The Lancaster Bicycle Club Ride is being held on August 20, 2023. Roads utilized in Clay Township will be Rt 322, Durlach Road and Indiantown Road.

Gary Landis made a motion, seconded by Keith Martin to approve the request, contingent on receiving a Certificate of Insurance. \* The motion was unanimously approved.

5. Review Draft Short Term Rental Ordinance

This item was tabled at this time to allow Township Staff to make some additional modifications.

6. Approve Change Order #2 and Payment of 2023 Seal Coat Project

Bob Lynn reviewed the Changer Order from Martin Paving with the Board of Supervisors. The Changer Order is to rectify the bid/contract quantities with the quantities used with a net increase in the amount of \$9,452.96.

Gary Landis made a motion, seconded by Keith Martin to approve the Change Order in the amount of \$9,452.96. \* The motion was unanimously approved.

Keith Martin made a motion, seconded by Gary Landis to approve payment to Martin Paving in the amount of \$139,845.84 for final payment on the 2023 seal coat project. \* The motion was unanimously approved.

7. MTF Grant Letter of SWM Maintenance Responsibilities

Bob Lynn reviewed the letter with the Board of Supervisors. PennDOT has requested confirmation that the Township will be responsible for maintenance of the stormwater management facilities associated with the 322 Intersection project.

Gary Landis made a motion, seconded by Keith Martin to authorize Bruce Leisey to sign the letter on behalf of the Township. \* The motion was unanimously approved.

**Executive Session**

None

**Bills to be Paid**

General Fund

Gary Landis made a motion, seconded by Keith Martin, to approve the General Fund bills totaling \$173,193.03 for the month of May. \* The motion was approved unanimously.

Rec Fund

Gary Landis made a motion, seconded by Keith Martin, to approve the Recreation Fund bills totaling \$660.76 for the month of May. \* The motion was approved unanimously.

Sewer Fund

Gary Landis made a motion, seconded by Keith Martin, to approve the Sewer Fund bills totaling \$7,837.73 for the month of May. \* The motion was approved unanimously.

Liquid Fuel Fund

Gary Landis made a motion, seconded by Keith Martin, to approve Liquid Fuel Fund bills totaling \$139,845.84 for the month of May. \* 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 9:39 P.M. \* The motion was approved unanimously.

Clay Township Board of Supervisors

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Timothy Lausch, Chairman

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Keith Martin, Vice Chairman

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Gary Landis, Secretary