

CLAY TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
September 11, 2023

The Supervisors of Clay Township met on a regularly scheduled meeting date of September 11, 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 Bob Lynn of Hanover Engineer, Township Engineer.

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

Tim Lausch called the Meeting to order at 6:33 p.m.

Meeting Minutes

Gary Landis made a motion, seconded by Keith Martin to approve the August 14, 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 August 2023. * The motion was unanimously approved.

Visitors

1. Ephrata Public Library

Danielle Shumate, Volunteer, and Abigail Balmer, Interim Director spoke on behalf of the Ephrata Public Library.

Demand for library services continues to grow, total circulation of materials increased 38% in 2022. Reference services, technology assistance and readers' advisory continue to be in high demand. A yearlong digital literacy and workforce development grand funded by the Department of Labor & Industry was completed and a second round of funding was awarded for 2024. The

Summer Reading Program had participation from 3,264 children and the GO Lancaster program had participation from 1,272 children.

Danielle and Abigail expressed appreciation on behalf of the Library for the continued support from Clay Township.

The Board of Supervisors thanked them for all the work the Library does for the members of the community.

2. Arthur and Lori Kemler – Ackley Circle Stormwater Concerns

The Kemler's expressed concerns with the continued stormwater issues on Ackley Circle from construction of a new home above their property.

There was discussion on possible modifications that could be made to swale, issues with the level spreader and the grading of existing features.

It was agreed that all stormwater controls should be in place upstream prior to making any changes on the Kemler's property.

Hanover Engineering will shoot the elevation of the Kemler's driveway to assist in planning corrections.

3. Indian Run Road Stormwater Concerns

Tom Zartman Jr and Kelly Fry expressed concerns with stormwater runoff from the property located at 415 Indian Run Road.

There is concern over the green houses and additional impervious area added around the buildings. The water is flowing down the dirt paths of the property and onto the Fry's property near their shed and house. The Fry's have owned the property for 33 years and never had this much water flow into the back of their property.

There was discussion on Act 15 which under certain criteria exempts High Tunnel structures from stormwater planning.

Tom Zartman was going to reach out to the owner of the property regarding the issues and will contact Keith Martin regarding the conversation.

Keith Martin and Township Staff will also visit the property in conjunction with the yearly stormwater facility inspections.

Engineer's Report

1. Nolt Spreading LLC – Waiver of Land Development

Gary Nolt and Carl Nolt reviewed the waiver of land development request with the Board of Supervisors. Nolt Spreading owns a fertilizer business on East Woodcorner Road and would like to construct a 9,360-sf building to store existing fertilizer products to keep them dry and have easier access to load.

Bruce Leisey explained that the building falls under Act 15 for stormwater planning, there will be no additional employees/traffic and the building will be inspected under the commercial building code.

Gary Landis asked if the stormwater from the new building will run off on East Woodcorner Road.

Carl Nolt said he would like to put stormwater controls in to reduce the water runoff and also plant trees along the building towards the road.

The Board of Supervisors was very appreciative of any steps the Nolt's are willing to take to help reduce the level of stormwater running off onto the road and offered the services of Hanover Engineering to help with the planning.

Keith Martin made a motion, seconded by Gary Landis to approve the request for a waiver of land development and for the Township to cover the expenses incurred from Hanover Engineering for stormwater controls planning review. * The motion was unanimously approved.

Visitors Con't

4. Home Towne Square Residents

Russ Begly, Gary Goodhart and Carol Collins residents of Home Towne Square and members of the HOA Board expressed concerns over escrow being released when there is a punch list of items that still need addressing by Landmark prior to turning over ownership to the HOA.

Items discussed were condition of storm drains, condition of roads, condition and functionality of basins, repairs completed by HOA to main entrance pavers and community pool.

The Board of Supervisors encouraged the HOA to continue working with Landmark to resolve the issues.

No decisions were made at this time.

Engineer's Report Con't

2. Home Towne Square Phase 4A – Escrow Release Request

Bob Lynn reviewed the escrow release request with the Board of Supervisors.

Keith Martin made a motion, seconded by Tim Lausch to approve release of escrow in the amount of \$121,283.40, retaining a balance of \$72,920.81 for remaining improvements as outlined in the Hanover Engineering letter dated 8/17/23. * The motion was approved with Tim Lausch and Keith Martin voting yes and Gary Landis voting no.

3. Home Towne Square Phase 4B – Escrow Release Request

Bob Lynn reviewed the escrow release request with the Board of Supervisors.

Keith Martin made a motion, seconded by Tim Lausch to approve release of escrow in the amount of \$63,953.17, retaining a balance of \$64,474.67 for remaining improvements as outlined in the Hanover Engineering letter dated 8/17/23. * The motion was approved with Tim Lausch and Keith Martin voting yes and Gary Landis voting no.

Gary Landis expressed concerns for releasing escrow for Home Towne Square with the problems that have been identified by the HOA.

Bob Lynn stated that no escrow funds were being released for improvements related to the issues identified by the HOA.

4. Scott Witmer SWMP – As Built Plan

Bob Lynn reviewed the as-built plans with the Board of Supervisors.

Gary Landis made a motion, seconded by Keith Martin to approve the as-built plans condition on compliance with the Hanover Engineering letter dated 9/8/23. * The motion was approved unanimously.

Old Business

1. Marlin and Wanda Martin SWMP – Request to Withdraw Plan

Bruce Leisey informed the Board of Supervisors that the new owner of the property, Mark Weaver, would like to withdraw the stormwater management plan started by the Martin's. Mr. Weaver is not interested in pursuing the plan/improvements on the site.

Keith Martin made a motion, seconded by Gary Landis to approve the withdraw request for the stormwater management plan. * The motion was approved unanimously.

New Business

1. Approve 2024 Minimum Municipal Pension Obligation

Bruce Leisey reviewed the obligation with the Board of Supervisors. The minimum obligation for the Township is \$23,992, Pension State Aid will offset some of that cost.

Gary Landis made a motion, seconded by Keith Martin to approve the 2024 MMO for Pension in the amount of \$23,992. * The motion was unanimously approved.

2. Approve and Execute Intermunicipal Agreement for Hackman Road Bridge Repairs

Bruce Leisey reviewed the Agreement with West Cocalico Township with the Board of Supervisors.

Gary Landis made a motion, seconded by Tim Lausch to approve and execute the agreement with West Cocalico Township to make repairs to the Hackman Road bridge. * The motion was approved unanimously.

3. Confirm Fire Police

Bruce Leisey informed the Board of Supervisors that Phil Myers and Dan Martin would like to join the Durlach Mt Airy Fire Company as Fire Police members.

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

4. Request for Fire Police Services

Bruce Leisey received a request for the Durlach Mt Airy Fire Company to provide fire police services at Ephrata Fair, New Holland Fair and Bird-in-Hand Balloon Fest.

Keith Martin made a motion, seconded by Gary Landis to approve the request for fire police services. * The motion was approved unanimously.

5. Discussion on Stream & Watershed Restoration Grant Application

Bruce Leisey reviewed the grant guidelines and project scope with the Board of Supervisors. The project would repair erosion on the stream banks at Wissler Road and Middlecreek Road. The grant would cover the cost of the permit necessary to complete the work and the owner of the property would complete the work at their expense.

Keith Martin made a motion, seconded by Gary Landis to authorize Hanover Engineering to complete the grand application and submit on behalf of the Township. * The motion was approved unanimously.

Bills to be Paid

General Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the General Fund bills totaling \$41,539.64 for the month of August. * The motion was approved unanimously.

Rec Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Recreation Fund bills totaling \$1,026.34 for the month of August. * The motion was approved unanimously.

Sewer Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Sewer Fund bills totaling \$4,587.70 for the month of August. * 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 10:05 P.M. * The motion was approved unanimously.

Clay Township Board of Supervisors

Timothy Lausch, Chairman

Keith Martin, Vice Chairman

Gary Landis, Secretary