

CLAY TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
August 12, 2024

The Supervisors of Clay Township met on a regularly scheduled meeting date of August 12, 2024, 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.

Jennifer Mejia informed the audience that an Executive Session was opened at 5:51 PM to discuss potential litigation and was closed at 6:28 PM. No decisions were made, and no action was taken.

**Meeting Minutes**

Gary Landis made a motion, seconded by Keith Martin to approve the July 8, 2024, meeting minutes meeting. \* The motion was unanimously approved.

**Treasurer's Report**

Keith Martin made a motion, seconded by Gary Landis to approve the July 2024 Treasurer's Report. \* The motion was unanimously approved.

## **Visitors**

### 1. Rebecca Leas, 501 Constitution Drive – Hackman Road Traffic Concerns

Ms. Leas expressed her concerns with the speeding and large truck traffic on Hackman Road. Ms. Leas asked the Board of Supervisors if there is something that can be done to draw attention to the walkers who are crossing Hackman Road and to inform drivers of the speed limit.

Bruce Leisey stated that he spoke with the NLCRPD and they are aware of the speeding concerns. Hackman Road is on the punch list to have a speed study conducted by NLCRPD.

## **Engineer's Report**

### 1. Lori and Arthur Kemler – Stormwater Construction and Maintenance Agreement

Jennifer Mejia informed the Board of Supervisors that the Agreement has been drafted and reviewed by the Kemler's.

Lori and Arthur Kemler voiced their concerns with having maintenance liability responsibility of the improvements on a neighbor's property. The Kemler's stated they cannot control the actions of their neighbor on their own property.

There was discussion on possible modifications to the Kemler's driveway that may help resolve the water runoff problem the Kemler's are experiencing without placing new pipes in the township right-of-way.

Bob Lynn will shoot the elevations of the Kemler's driveway and review with Township Staff.

### 2. Wyndale – Escrow Release Request

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

Keith Martin made a motion, seconded by Gary Landis to approve the escrow release request in the amount of \$206,291.49, retaining a balance of \$554,250.91 as outlined in the Hanover Engineering letter dated August 6, 2024.

### 3. 1640 Kleinfeltersville Road – Modification to Small Project Design

Bob Lynn informed the Board of Supervisors that the applicant combined two (2) parcels for construction of a new house and amenities. As part of the combination of the parcels, the

Township has permitted in the past, only one 1,000 SF stormwater exemption, while both 1,500 SF small projects were allowed. The applicant is requesting a modification to allow the additional 1,000 SF stormwater exemption to be permitted if addressed with runoff volume control as a small project.

Gary Landis made a motion, seconded by Keith Martin to allow the second lot 1,000 SF stormwater exemption to be utilized on the combined lot. \* The motion was unanimously approved.

4. 1080 Forest Hill Road – Modification to AG Stormwater Exemption

Bruce Leisey informed the Board of Supervisors that the applicant has a 9.8 acre lot and the AG Stormwater Exemption is based on a 10 acre lot. The applicant is requesting a permit for a 3072 sf equipment shed and additional driveway. After the applicant utilizes the exemption and small project, there will still be an additional 2,000 sf impervious.

Keith Martin made a motion, seconded by Gary Landis to approve the diminimis relief request to allow 9.8 acre instead of the required 10 acres for the AG stormwater exemption. The additional impervious will be prorated on the lot size. \* The motion was unanimously approved.

Bruce Leisey and Bob Lynn will investigate at what acres diminimis relief should be considered and how to determine what extra square footage percentage should be allowed.

5. Zimmerman Streambank Restoration Project – Payment Application #1

Bob Lynn reviewed the payment application with the Board of Supervisors. Bob stated that the work is significantly completed, and plantings will be done in the next 60 days or so.

Gary Landis made a motion, seconded by Keith Martin to approve payment application #1 in the amount of \$181,313.02 as outlined in the Hanover Engineering letter dated 7/29/2024. \* The motion was unanimously approved.

6. Scott & Jennifer Althouse – Stormwater Mgt Plant 24-07

This item was tabled at this time as plan was not ready for review and possible approval.

## **Old Business**

### 1. 227/229 Woodcorner Road – Defer Enforcement of Notice of Violation

Jennifer Mejia informed the Board of Supervisors that a detailed project status update was not provided by the applicant as requested. Jennifer has reached out to the applicant and their counsel stating that an update is needed to continue deferment of NOV enforcement.

Landis Zimmerman, Nevin Zimmerman and Mark Weaver (husband of Maria) members of the Zimmerman Trust asked for an update on the NOV's issued for the property and what are the next steps to move forward.

There was discussion on the NOV's and the process that needs to occur for land planning.

### 2. Discussion on Restricting Access to Snyder Lane from Clay School Road

Bruce Leisey stated that there was discussion at the July 23, 2024 meeting and that the Planning Commission did not recommend any changes to the access to Snyder Lane at this time. Bruce reviewed the peak traffic counts with the Board of Supervisors and audience.

The Board of Supervisors agreed not to make any changes to Snyder Lane at this time.

### 3. 101 Ackley Circle – Grass Swale Repair

Bruce Leisey informed the Board of Supervisors that seeding, and stabilization has been completed on the south side of the driveway and a follow-up visit will be done to verify the grass has grown in.

## **New Business**

### 1. Short Term Rental Ordinance

Bruce Leisey informed the Board of Supervisors that there has been interest from residents on short term rentals that the current ordinance should be adopted at this time. Bruce stated that Township Staff is still working on details including allowing accessory structures to be used as short-term rentals and limiting the number of bedrooms allowed.

Keith Martin made a motion, seconded by Gary Landis to adopt Ordinance #081224 to provide regulations governing short-term rentals within the Township. \* The motion was unanimously approved.

2. Approve Penn Dot Winter Maintenance Service Agreement

Bruce Leisey reviewed the five-year agreement with the Board of Supervisors.

Keith Martin made a motion, seconded by Gary Landis to approve the winter maintenance service agreement in the amount of \$19,960.32 year one, \$20,359.53 year two, \$20,766.72 year three, \$21,182.05 year four and \$21,605.69 year five. \* The motion was unanimously approved.

3. Adopt Stop Sign Ordinance

Due to a clerical modification, this item was tabled at this time.

4. Approve 2025 Municipal Pension MMO

Bruce Leisey reviewed the 2025 minimum municipal obligation with the Board of Supervisors. The minimum obligation for the Township is \$30,826.00 with Pension State Aid offsetting some of that cost.

Keith Martin made a motion, seconded by Gary Landis to approve the 2025 minimum municipal obligation in the amount of \$30,826.00. \* The motion was unanimously approved.

**Bills to be Paid**

General Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the General Fund bills totaling \$156,925.81 for the month of July. \* The motion was approved unanimously.

Rec Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Recreation Fund bills totaling \$8,395.59 for the month of July. \* The motion was approved unanimously.

Sewer Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Sewer Fund bills totaling \$5,753.37 for the month of July. \* The motion was approved unanimously.

Capital Reserve Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Capital Reserve Fund bills totaling \$227,200.33 for the month of July. \* The motion was approved unanimously.

Liquid Fuel Fund

Keith Martin made a motion, seconded by Gary Landis, to approve the Liquid Fuel Fund bills totaling \$197,404.42 for the month of July. \* The motion was approved unanimously.

**Manager’s Report**

Bruce Leisey informed the audience that after the July 30, 2024 meeting, Gary Landis tendered his resignation effective August 30, 2024. Bruce stated that once the resignation is officially accepted, the Township will go through the process of appointing a new Supervisor.

Keith Martin made a motion, seconded by Tim Lausch to regretfully accept the resignation of Gary Landis effective August 30, 2024 and expressed their appreciation of all the years of service Gary has given to the Township. \* The motion was approved unanimously.

**Executive Session**

Keith Martin made a motion, seconded by Gary Landis to enter into Executive Session at 9:04 PM. to discuss personnel issues and potential litigation. \* The motion was approved unanimously.

Keith Martin made a motion, seconded by Gary Landis to exit Executive Session at 9:53 PM. \* The motion was approved unanimously.

No decisions were made.

**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 10:00 P.M. \* The motion was approved unanimously.

Clay Township Board of Supervisors

\_\_\_\_\_  
Timothy Lausch, Chairman

\_\_\_\_\_  
Keith Martin, Vice Chairman

\_\_\_\_\_  
Gary Landis, Secretary