

CLAY TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING MINUTES  
December 9, 2024

The Supervisors of Clay Township met on a regularly scheduled meeting date of December 9, 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 Luke Rohrer, 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.

Keith Martin, acting as Chairman for the meeting, called the Meeting to order at 6:30 p.m.

**Meeting Minutes**

Tim Lausch made a motion, seconded by Luke Rohrer to approve the November 11, 2024. \* The motion was unanimously approved.

**Treasurer's Report**

Luke Rohrer made a motion, seconded by Tim Lausch to approve the November 2024 Treasurer's Report. \* The motion was unanimously approved.

**Visitors**

None

## **Engineer's Report**

### 1. Tyler Enck – Lot Add-On Plan #24-09

Tom Matteson, Diehm & Sons reviewed the plan with the Board of Supervisors. The plan proposes to reconfigure the boundaries of three parcels located on the West side of Seglock Road, resulting in a 5.828 acre parcel Lot 3B, a 1.648 acre parcel lot 3A and a 2.631 acre parcel Lot 4. Lots 3B and 4 are already developed with existing single family dwellings and no construction is planned at this time for Lot 3A. Testing for primary and replacement sewage systems has been provided on Lot 3A.

Tim Lausch made a motion, seconded by Luke Rohrer to approve the following waivers, modification and deferral as outlined in the Hanover Engineering letter dated 11/21/24. \* The motion was unanimously approved.

#### Section 402.C(4)(f) and Section 407 – Wetlands Study

The applicant is requesting a deferral of the requirement of providing a wetland study until such time that construction is proposed on Lot 3A. The justification provided states that there is no new construction or earthwork proposed as part of the plan. The applicant feels that the location of any potential wetlands has no bearing on the lot add-on. The applicant notes that they have included Note #10 on the plan to ensure that the wetlands are identified before any construction or earthwork is ever undertaken on the Lot 3A.

#### Section 403.D.17(f) – Finished Floor Elevations of Residential Units

The applicant is requesting a waiver of the requirement to provide the finished floor elevation of all residential units. The applicant notes that Lots 3B and 4 have existing dwellings. The applicant feels that the finished floor elevations for the dwelling are meaningless in the context of the add-on plan and states that no construction, grading or excavation is proposed.

#### Section 602.K.2 – Dedication of Additional Right-of-Way

The applicant is requesting a modification of the requirement for the dedication of additional right-of-way. The applicant states that the plan provides the additional right-of-way at the required widths along the frontage, but it is not to be dedicated at this time, in accordance with the Commonwealth Court's decision in Board of Supervisors vs. Fiechter (1989). The applicant notes that instead of "proposed" right-of-way, which is dedicated to the Township, the plan shows the full required right-of-way as "reserved". The applicant feels that this ensures that the setbacks are other aspects of the plan respect the full right-of-way width, should it ever be dedicated, but does not require the actual dedication of the additional right-of-way at this time.

#### Section 610.A.3(b) – Replacement Sewage Location

The applicant is requesting a waiver of the requirement to provide replacement sewage system locations for Lots 3B and 4. The justification provided states that Lots 3B and 4 are already developed with existing single-family dwellings with sewage systems. The applicant further states that parcels are being added to Lots 3B and 4 only making them larger and increasing the area available for replacement sewage systems in the future. The applicant indicates that testing for primary and replacement sewage systems has been provided for Lot 3A.

Luke Rohrer made a motion, seconded by Tim Lausch to approve the lot add-on plan contingent on compliance with the Hanover Engineering letter dated 11/21/24. \* The motion was unanimously approved.

2. Paul B – Waiver of Land Development Request and request to consider placement of “clean stone” in the proposed trailer display area as “pervious surface”

Jere High, Facilities and Safety Manager for Paul B Zimmerman Inc, reviewed the waiver of land development with the Planning Commission. The plan proposes to construct a 75’ x 200’ gravel trailer parking area which currently a grass area. A portion of the trailer parking is within a utility easement, which includes the water, sewer and gas services to the property. The area would have 2A stone installed. Based on recorded plans, Stormwater Note #1 documents that 0.75 acres of additional future impervious can be installed and accommodated in the stormwater management design for the detention basin. Additional lighting will be added for the area.

There was discussion on utilizing pervious stone in the area where the easement is located and impervious in the rest. It was agreed since there is stormwater capacity currently available that all impervious stone could be installed in the area.

Luke Rohrer made a motion, seconded by Tim Lausch to approve the waiver of land development request as per the narrative to SALDO Appendix 15 submitted. \* The motion was unanimously approved.

3. Gary Martin – Waiver of Land Development Request

Bruce Leisey reviewed the request with the Board of Supervisors. The plan is to construct a 20x46 addition to an existing storage building on the property located at 180 Woodcorner Rd. No new impervious will be added with the addition. The addition would be used for warehousing and storage of supplies for plumbing, heating and air conditioning repair and installation business.

Luke Rohrer made a motion, seconded by Tim Laush to approve the waiver of land development request as per the narrative submitted by the applicant. \* The motion was unanimously approved.

4. Clayland Commons – Preliminary Plan Time Extension Request

Bruce Leisey reviewed the request the Board of Supervisors.

Tim Lausch made a motion, seconded by Luke Rohrer to grant the time extension request until 2/10/2025 to take action of the plan. \* The motion was unanimously approved.

5. Austin Startoni – Escrow Release and Waiver of “As Built”

Bob Lynn reviewed the requests with the Board of Supervisors. The applicant has completed all required improvements and has adequately addressed punch list items. All required inspections have been requested. There is no objection to release the remaining escrow in the amount of \$4,531.00 and waiver of as-built plans.

Tim Lausch made a motion, seconded by Luke Rohrer to approve the waiver of as-built plans as outlined in the Hanover Engineering letter dated 12/2/24. \* The motion was unanimously approved.

Luke Rohrer made a motion, seconded by Tim Lausch to approve the final escrow release of \$4,531.00 as outlined in the Hanover Engineering letter dated 12/2/24. \* The motion was unanimously approved.

**Old Business**

1. 227/229 Woodcorner Road – Discuss and Decision on Extension to Deferral Enforcement of Notice of Violation

Richard Hoover, Hoover Building Specialists, LLC, reviewed the progress report dated 11/11/24-12/09/24 with the Board of Supervisors. Mr. Hoover noted that pumping records were submitted to the Township from Sonlight Services and a walk through has been scheduled with Associated Building Inspections on 12/10/24.

Jennifer Mejia reminded Clair Zimmerman that since a tenant has left, that tenant should not be replaced at this time.

Keith Martin stated that this is the type of forward movement that the Board of Supervisors have been looking for and encouraged everyone to keep the project moving in this direction.

2. Decision to Extend Temporary Burn Ban

Keith Martin said that he spoke with the Fire Companies and they feel lifting the burn ban is appropriate.

No action was taken, and the Burn Ban will expire on 12/10/24 at midnight.

## **New Business**

### 1. Approve and Execute Change Order #1 for New Salt Shed Project

Bob Lynn reviewed the Change Order with the Board of Supervisors. The Township Public Works staff conducted the excavation portion of the project and the contractor agreed to the change which reduced the price by \$20,000.00.

Luke Rohrer made a motion, seconded by Tim Laush to approved Change Order #1 dated 11/25/24 reducing the contract costs by \$20,000.00. \* The motion was unanimously approved.

### 2. Approve Advertising 2025 Meeting Dates

Bruce Leisey reviewed the dates with the Board of Supervisors. There was discussion on more consistency with meeting start times, Bruce explained that some of the Planning Commission members are self employed a later start time works better for their schedules.

Tim Lausch made a motion, seconded by Luke Rohrer to approve advertising of the 2025 Meeting Dates schedule. \* The motion was unanimously approved.

### 3. Approve Sub-Division Account Refunds

Wendy Hackman reviewed the refunds with the Board of Supervisors. There is a refund from an invoice overpayment and an invoice recoding request.

Luke Rohrer made a motion, seconded by Tim Lausch to approve the Sub-Division Account refunds as detailed on the Bills To Be Paid for month. \* The motion was unanimously approved.

### 4. Approve C.M. High Traffic Signal Maintenance Proposal

Bruce Leisey reviewed with the Board of Supervisors. The Proposal includes the 2025 Preventative Maintenance Inspections and Recommendations for Repairs in the amount of \$1,395.00.

Tim Laush made a motion, seconded by Luke Rohrer to approve the 2025 C.M High Traffic Signal Maintenance Proposal and authorize Bruce Leisey to sign proposal. \* The motion was unanimously approved.

5. Approve Advertising for Conditional Use Hearing 1500 Laurel Drive

Bruce Leisey reviewed the request for the Conditional Use Hearing for 1500 Laurel Drive to use the property as a short-term rental with rentals in excess of 120 days per year.

Luke Rohrer made a motion, seconded by Tim Lausch to approve advertising of the hearing on 1/6/25 at the Board of Supervisor's Re-Organization meeting. \* The motion was unanimously approved.

6. Approve Advertising for December 17, 2024 Special Meeting.

Bruce Leisey stated that the December AM meeting is scheduled for 12/17/24 to approve the budget and pay any remaining 2024 invoices.

Tim Lausch made a motion, seconded by Luke Rohrer to approve advertising of the 12/17/2024 Board of Supervisors meeting starting at 10:30 AM. \* The motion was unanimously approved.

**Executive Session**

Tim Lausch made a motion, seconded by Luke Rohrer to enter into Executive Session at 7:53 PM to discuss Personnel Issues and Potential Litigation. \* The motion was unanimously approved.

Luke Rohrer made a motion, seconded by Tim Lausch to exit Executive Session at 8:24 PM. \* The motion was unanimously approved.

No decisions were made at this time.

**Bills to be Paid**

General Fund

Luke Rohrer made a motion, seconded by Tim Lausch, to approve the General Fund bills totaling \$41,902.98 for the month of November. \* The motion was approved unanimously.

Rec Fund

Luke Rohrer made a motion, seconded by Tim Lausch, to approve the Recreation Fund bills totaling \$145.88 for the month of November. \* The motion was approved unanimously.

Sewer Fund

Luke Rohrer made a motion, seconded by Tim Lausch, to approve the Sewer Fund bills totaling \$4,753.29 for the month of November. \* 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**

Tim Lausch made a motion, seconded by Luke Rohrer, to adjourn the meeting at 8:34 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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Luke Rohrer, Secretary