

**MUDDY CREEK TOWNSHIP  
BOARD OF SUPERVISORS  
November 20, 2013  
7:00 PM**

**CALL TO ORDER:** The Muddy Creek Township Board of Supervisors was called to order at 7:03 PM by Mr. Dale Kerr. Pledge of Allegiance was recited.

**ROLL CALL:** Those present included Mr. Dale Kerr, Mr. Rick Saunders, Mr. Thomas Smith and Mrs. Kelly Livermore. Mr. Jesteadt entered the meeting at 7:17 PM.

**NOTICE OF RECORDING POLICY:** Mr. Kerr requested for anyone in the meeting to acknowledge the use of a recording device. No one acknowledged a recording device.

**VISITORS:** Mr. William Feracioly, Jr., Mr. Ralph Porter, Jr., Mr. Dean Gearhart, Mr. Tom Thompson (township engineer).

**TREASURER'S REPORT:** A motion was made by Mr. Saunders to accept the treasurer's report for the month of September. Second by Mr. Kerr. All in favor. Motion carried.

**ADMINISTRATIVE ACTION (Invoices):** Motion made by Mr. Saunders to pay the bills General Fund checks (10868-10913). Second by Mr. Kerr. All in favor. Motion carried.

**MINUTES:** Motion made by Mr. Saunders with a second by Mr. Kerr to adopt the October 16, 2013 meeting minutes. All in favor. Motion carried.

**CORRESPONDENCE:**

- A. US Bankruptcy Court: Hearing Rescheduled(Love: Stanford Road)
- B. PA Department of Revenue: Change of Employer Withholding Payment frequency.
- C. Olsen and Associations: 2014 Engineering Services Proposal
- D. The Science of Shale: Seminar at BC3: 11.21.13 at 7:00 PM.
- E. People's Natural Gas: Requesting a list of road projects for 2014.
- F. United Concordia: Renewal Rates for 1/1/2014-12/31/2015. A motion to approval renewal of dental coverage with United Concordia for a two year term to expire on 12/31/15 made by Mr. Saunders and seconded by Mr. Kerr. All in favor. Motion carried.
- G. Highmark: A motion to renew the vision agreement with Highmark to expire on 12/31/2014 made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- H. Operating Engineers Construction Industry and Misc. Pension Fund: 2012 Report
- I. Township News: A copy of the newsletter is available in the office.
- J. Census bureau: Suspending Boundary and Annexation Survey for 2014.
- K. Portersville VFD General Account: Profit/Loss 2012 and 2013. Mr. Saunders commented that the air packs that the fire department has are getting old and hard to replace. It is going to cost an estimated \$180,000 to replace all of the air packs.
- L. Portersville MC Vol. Fire Dept Relief Assoc: Profit/Loss 2012/2013.
- M. EMC: 30 Renewal Notice.
- N. PSATS: Legal Defense Newsletter.
- O. Prospect Library: Statistics.
- P. AECOM: Chapter 105 Water Obstruction and Encroachment GP Act 14,67,68 and 127 Notifications.
- Q. Rex Energy: DEP permit for Adams Well (Burns Property) (4 Wells).

\*Mr. Jesteadt joined the meeting at 7:17 PM.

**PUBLIC COMMENT:** Mr. William Feracioly (243 Bauder Mill Road) voiced concerns about excavation occurring on the opposite side of the road (Adams Property). Concerned about runoff across the road. Previously (approx. 16-17 years ago) the driveway to the property (243 Bauder Mill Road) washed out from the run off. Mr. Adams did inform the township that the excavating was for agricultural purposes to enlarge the alfalfa field on the parcel. The township engineer with be investigate to insure that runoff is not occurring.

### **COMMITTEE UPDATES:**

- **Planning Commission:** Porter Lot Line Revision: Motion made by Mr. Saunders to approve the request to waive the alternate septic testing on each parcel, 2 foot contours and approve the plan. Second by Mr. Kerr. All in favor. Motion carried.

Mr. Hynes called to inform the Board of his resignation effective 12.31.13. He has one year left on his term. Mr. Hite sent correspondence that he is interested in completing Mr. Hite's term.

Mr. Jancse's term will expire on 12.31.13. He sent correspondence that he is interested in serving another term.

Vernon Kerry: Submitting a plan for a lot line revision to dedicate a lot to the Portersville Christian School Church.

Freuhauf Mfg. Is working on plans to build a machine shop where the bus garage was planned. He is working on updating his original plan.

- **BCATO:**  
No meeting until January.  
BCATO is preparing a resolution to request that billboards be taxable.
- **COG:**  
Mr. Jesteadt provided group purchasing information.
- **ACT 32 COMMITTEE:**  
No report.

### **ROAD DEPARTMENT REPORT:**

- A. **Guiderails:** A motion was made by Mr. Saunders to approve the agreement with Bethlehem Wiring and Fencing to install the guiderails on Bauder Mill road by December 31, 2013 weather permitting. A second was made by Mr. Jesteadt. All in favor. Motion carried.
- B. **Three Year Road Plan:** A copy of the plan was provided to the supervisors.

## **PERMITS ISSUED:**

### Driveway Permits:

Kelner Way: Mr. Kelner was asked to attend the Board meeting to further discuss his stormwater plan. He has not completed his paperwork.

### Septic Permits:

Penndot (contractor): Have not complied with the agreement by having an alarm installed on the temp tank or provided pumping receipts. The seo will contact the manager on the site to follow up.

### Building Permits:

Erin Guidish has removed the mobile home from the property.

Kerr: Home (Hy Spy Drive).

## **OLD BUSINESS:**

- A. Indemnity Agreement for HOP: Motion to table by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- B. Wallace Road: Mr. Gearhart was at the meeting to discuss the runoff onto the road and the construction performed on his property. The engineer will meet with Mr. Gearhart at his property to inspect what was installed and inform Mr. Gearhart what needs corrected.
- C. Oliver Small Flow: Motion to table made by Mr. Saunders. Seconded by Mr. Jesteadt. All in favor. Motion carried.
- D. 2014 Draft Budget: A motion was made by Mr. Saunders to advertise the draft budget for public view. Second by Mr. Jesteadt. All in favor. Motion carried.
- E. New Building Cost Estimates: It is estimated that the new building will cost \$135.00 per square foot.

## **NEW BUSINESS:**

- A. December Board Meeting: A motion to cancel the December 18, 2013 meeting and reschedule the monthly meeting to December 19, 2013 was made by Mr. Kerr and seconded by Mr. Saunders. All in favor. Motion carried.
- B. Granny Flat: Motion made by Mr. Saunders to approve Ruth Dietrich granny flat with doctors not submitted in Feb. 2014. Second by Mr. Kerr. All in favor. Motion carried.
- C. Granny Flat: Motion to approve non medical granny flat (Grubbs) made by Mr. Kerr and seconded by Mr. Saunders. All in favor. Motion carried.
- D. Electric Supplier: A motion to approve for the township secretary to enroll with an electric provider (Ambit) to save .11/Kwh made by Mr. Jesteadt. All in favor. Motion carried.
- E. DeSuta: SWM Operations and Maintenance Agreement: Motion to approve the operations and maintenance agreement with an escrow amount of \$30,700.00 made by Mr. Saunders. Seconded by Mr. Kerr. All in favor. Motion carried.
- F. Tree Cutting: Getting Quotes for tree cutting for beginning of 2014.
- G. Election Write In Results:
  - 6 year auditor: Diana Miller
  - 4 year auditor: Eileen Adams
  - 2 year auditor: Diana Miller
  - Constable: Thomas Marak
  - Minority Inspector of Elections: Darlene Dietrich

**SOLICITORS COMMENTS:** None.

**SECRETARY'S COMMENTS:** None

**ADJOURNMENT:** Motion by Mr. Saunders to adjourn at 8:10PM. Second by Mr. Jesteadt. All in favor. Motion carried.

**MUDDY CREEK TOWNSHIP SUPERVISORS**

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Dale Kerr, Chairman

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Eric "Rick" Saunders

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Robert J. Jesteadt, Sr.

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Kelly A. Livermore, Secretary/Treasurer

(Seal)