

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS
April 18, 2012
7:00 PM**

CALL TO ORDER: The Muddy Creek Township Board of Supervisors was called to order at 7:00 PM by Mr. Dale Kerr. Pledge of Allegiance was recited.

ROLL CALL: Those present included Mr. Rick Saunders, Mr. Dale Kerr, Mr. Robert Jesteadt, Sr. Mr. Thomas Smith and Mrs. Kelly Livermore.

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: Kevin Gray, John Ceresa, Bob Skrak, Jim Myers, Bob Badger, Audrey Badger, Eileen Adams, Bill Adams, Mark McClymonds, Adam Thoma and Earl Thoma.

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

ADMINISTRATIVE ACTION (Invoices): Motion made by Mr. Saunders to pay the bills. Second by Mr. Jesteadt. All in favor. Motion carried.

MINUTES: Motion made by Mr. Kerr to accept the March 21, 2012 minutes. Second by Mr. Jesteadt. All in favor. Motion carried.

A motion was made by Mr. Kerr to amend the motion made at the March 21, 2012 meeting rejecting the Stanford Road Paving bids to tabling the bids. Second motion made by Mr. Jesteadt. All in favor. Motion carried.

BID OPENING:

Bids were received until 3:00 PM on Wednesday, April 18, 2012 for the sale of the parcel 240-4F135-1C owned by Muddy Creek Township.

Bid results are as follows:

Portersville Valve	\$35,500
Dale and Dianne Hassinger	\$30,030
William Belsterling	\$32,500
Norb Belsterling	\$40,750
James G Myers	\$51,501
Eileen Adams	\$25,000

A motion was made by Mr. Saunders to accept/award the bid to James G. Myers for \$51,501. Second by Mr. Jesteadt. All in favor. Motion carried.

CORRESPONDENCE:

- A. Sue Taimuty: Submitted a letter of interest for the Auditor Position. Mr. Saunders made a motion to appoint Ms. Taimuty as auditor. Second by Mr. Jesteadt. All in favor. Motion carried.
- B. Caruso and Caruso: Copy of the 2011 DCED audit report is available for review.
- C. Chuck Smith: Requesting a variance to the driveway ordinance to permit the installation of a driveway waiving 42 feet to the east for the driveway location. Mr. Saunders made a motion to approve the request for a variance. Second by Mr. Jeasteadt. All in favor. Motion carried.
- D. Unemployment Compensation: Weekly pay out for last year's seasonal worker.
- E. Rex Energy: Drilling/Well Location in Lancaster Township

PUBLIC COMMENT:

Mr. John Ceressa, from Lake Arthur Estates, has asked the board to address the issue of dogs barking nonstop for 12 hours. He has already talked to the owner's of the trailer park and does not feel the issue is resolved. Muddy Creek Township does not have a nuisance ordinance that addresses this issue. This is private property and needs to be addressed by the property owner. Mr. Ceressa has also asked about storm water management in the park. The board informed him that this is private property and that his issues should be addressed and resolved by the property owners.

COMMITTEE UPDATES:

Planning Commission:

Muddy Creek Township Lot Line Revision. Mr. Saunders made a motion to approve the lot line revision plan. Second by Mr. Jesteadt. All in favor. Motion carried.

BCATO:

A motion was made by Mr. Saunders and seconded by Mr. Jesteadt to approve Mrs. Meisel and Mrs. Livermore's attendance at the spring conference to be held on May 17th. The cost for each is \$25.00. A motion was made by Mr. Saunders to donate a \$25.00 gift card for the association conference. Second by Mr. Kerr. All in favor. Motion carried.

COG:

No Report.

ROAD DEPARTMENT REPORT:

- A. Borough Roads: There has been no action on the proposed addendum to the maintenance agreement. Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- B. Protech Asphalt: No response from the letter sent to the bond company. Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.

C. Currie Road: Mr. Skrak gave an outline of the proposed work on Currie Road. He estimates that the total cost of the project will be \$80,000. Mr. McClymonds stated that there were some storm water issues. A 36" pipe runs along the roadway until it reaches the Penn dot driveway. Penn dot previously installed 2 – 18" pipes which is not adequate to handle the water. Mr. Skrak will investigate to determine what size it requires and will have it replaced with an adequate size pipe. The Muddy Creek Township road department can examine the road that crosses Currie road to determine what can be done to assist with storm water. Mr. Skrak has asked for partnership is bearing the cost of the project. Mr. Gray stated that the paving of the bridge approaches will begin at the Fisher Road/Currie Road Intersection. Mr. Skrak stated that they can pave down to the intersection.

(Mr. Kerr stepped out of the meeting at 7:28 PM and re entered 7:29 PM).

OLD BUSINESS:

- A. Darlene Oliver Building Permit: Motion to table made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- B. National Flood Insurance Ordinance. Motion to table made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- C. Township Building: The engineer is working on the land development plan. Motion to table made by Mr. Kerr. Second by Mr. Jesteadt. All in favor. Motion carried.
- D. Hufnagel (Adams) Driveway Permit: Motion to table for further review made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.

NEW BUSINESS:

- A. Temporary Structures: An ordinance needs to be developed to address permits for temporary trailers (construction or office). The ordinance needs to include location, length of time and utilities.
- B. Gas Lease: Rex Energy has offered \$1,500/acre for the gas lease rights. Mr. Saunders made a motion to check with Rex Energy and determine if the township owns the rights at the Perry Highway Property. Second by Mr. Kerr. All in favor. Motion carried.
- C. Road Department Truck: Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- D. Land Sales Agreement: Motion to approve the sales agreement made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- E. Paving Bid: Motion to table the bid for Stanford Road paving made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.

SOLICITORS COMMENTS: None

SECRETARY'S COMMENTS: Mrs. Livermore stated that she would be in Pittsburgh on April 30th for BCO training.

ADJOURNMENT: Motion by Mr. Saunders to adjourn at 8:28 PM. Second by Mr. Jesteadt. All in favor. Motion carried.

MUDDY CREEK TOWNSHIP SUPERVISORS

Dale Kerr, Chairman

Rick Saunders

Robert J. Jesteadt, Sr.

Kelly A. Livermore, Secretary/Treasurer

(Seal)