

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS
May 16, 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. Dale Kerr, Mr. Robert Jesteadt, Sr., Mr. Thomas Smith and Mrs. Kelly Livermore. (7:20 PM: Mr. Saunders entered the meeting)

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. Welling Fruehauf, Mr. Ron Olsen, Mr. Larry Coble

TREASURER'S REPORT: A motion was made by Mr. Kerr 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. Kerr to pay the bills. Second by Mr. Jesteadt. All in favor. Motion carried.

MINUTES: Motion made by Mr. Kerr to accept the April 18, 2012 minutes. Second by Mr. Jesteadt. All in favor. Motion carried.

BID AWARD/PAVING OF STANFORD ROAD: A motion was made by Mr. Jesteadt to accept/award the Stanford Road Paving bid to Youngblood Paving for \$148,327.00. Second by Mr. Kerr. All in favor. Motion carried.

CORRESPONDENCE:

- A. **Richard Smith:** Requesting a variance on Lot 102R Pfeifer Road. There is currently a 75' setback. He is requesting to build the house at 55' due to the topography of the land. The road department needs to verify the location of the townships drain swale. Motion to table made by Mr. Jesteadt. Second by Mr. Kerr. All in favor. Motion carried.
- B. **PennDOT:** Response from the request for the installation of a UPS at the traffic signal on 422.
- C. **SPC:** Various training opportunities. Mrs. Livermore has the information.
- D. **DGS:** The salt contract for 2012-2013 was not rebid but instead renegotiated. There was a slight decrease (1%) effective August 1, 2012 with monthly fuel adjustments.
- E. **UPMC:** MLR rebate. The township has to quantify the number of people employed in 10-11.
- F. **CH2MHILL:** Municipal Notice (GP-11) maintenance, testing, repair, rehabilitation or replacement of water obstructions and encroachments. GP-8 temporary road crossing Columbia Gas transmission line 134 replacement.
- G. **DCNR:** Planning module for Land Development (Sewage Treatment Plant). A motion was made by Mr. Kerr to approve Resolution 2012-08 (Resolution for Plan Revision for New Land Development – DCNR) Second by Mr. Jesteadt. All in favor. Motion carried.
- H. **FDOT:** Sign Regulations

- I. **GANNETT FLEMING:** Agreement for Road Study for Weight Limit. Mr. Jesteadt made a motion to approve the agreement with Gannett Fleming in the amount of \$5,000. Second by Mr. Kerr. All in favor. Motion carried.

PUBLIC COMMENT: None

At 7:20PM, Mr. Saunders entered the meeting.

COMMITTEE UPDATES:

Planning Commission:

Fruehauf Plan: Ron Olsen gave an overview of the plan. A motion made by Mr. Jesteadt to approve the plan with noted storm water management to include the recording of a plan and potential agreement. Second by Mr. Saunders. All in favor. Motion carried.

BCATO:

Conference is being held on May 17, 2012.

COG:

No Report.

ROAD DEPARTMENT REPORT:

- A. Currie Road: Paving on Currie Road by Penndot will occur May 17, 2012.
- B. 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.
- C. Protech Asphalt: A letter was received from Old Republic Surety regarding the use of a contractor other than Protech. The road foreman will figure out how many yards needed on what the township would like to have single sealed. Protech will be contacted to inquire if they would be willing to seal what the township has identified in lieu of the bond claim.
- D. Flinner Road Speed Limit. Mr. Dave Thomas requested a speed limit sign be posted on Flinner Road. An engineer study needs completed and the township has no one to enforce it. Mr. Kerr made a motion to deny the request. A second was made by Mr. Jesteadt. All in favor. Motion carried.

OLD BUSINESS:

- A. Darlene Oliver Building Permit: Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- B. National Flood Insurance Ordinance. Motion to table made by Mr. Saunders. Second by Mr. Kerr. 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. Saunders. 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: After a discussion for a separate ordinance of temporary structure, the board determined that a separate ordinance was not required. A motion was made by Mr. Kerr and second by Mr. Saunders to approve for the solicitor to meet with the planning commission to review proposed changes/updates to the current SALDO. All in favor. Motion carried.
- B. Gas Lease: Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- C. Road Department Truck: Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- D. Real Estate Closing: Motion to schedule the closing with Dale Kerr acting on behalf of the township and upon review and approval of the solicitor made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- E. Road Worker: Motion to table made by Mr. Kerr. Second by Mr. Jesteadt. All in favor. Motion carried.
- F. Intern: Bob Swartwout began his internship on May 9, 2012.

SOLICITORS COMMENTS: None

SECRETARY'S COMMENTS:

ADJOURNMENT: Motion by Mr. Kerr to adjourn at 9:02 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)

