

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS**

October 21, 2015

7:00 PM

CALL TO ORDER: The Muddy Creek Township Board of Supervisors was called to order at 7:05 PM by Mr. Dale Kerr. Pledge of Allegiance was recited.

ROLL CALL: Those present included Mr. Dale Kerr, Mr. Rick Saunders, Mr. Bob Jesteadt, 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.

TREASURER'S REPORT: A motion was made by Mr. Saunders to accept the treasurer's report for the month of September, 2015. Second by Mr. Jesteadt. All in favor. Motion carried.

ADMINISTRATIVE ACTION (Invoices): Motion made by Mr. Saunders to pay the bills General Fund checks (GF 11707-11742,); Payroll (9/24/15, 10/13/15); electric (10/13/15). Second by Mr. Jesteadt. All in favor. Motion carried.

MINUTES:

A motion was made by Mr. Saunders to approve the September 16, 2015 meeting minutes. Second by Mr. Jesteadt. All in favor. Motion carried.

CORRESPONDENCE:

Local 66 Contract Amendment: A motion was made by Mr. Saunders and seconded by Mr. Jesteadt to approve the amendment the union contract Article Twenty-Five, Section 1. "The current rate is set at \$2.09" remove plus thirty cents per hour for a total of two dollars and thirty nine cents per hour. All in favor. Motion carried.

Local 66 Pension Unit Value: Adjusted Pension rate of contribution from \$2.09 to \$2.18. A motion to approve the increase made by Mr. Saunders and seconded by Mr. Jesteadt. All in favor. Motion carried

Operating Engineers Construction Industry and Misc Pension Fund: 2014 Fund Status: Not in critical status.

PSATS Legal Defense Partnership

Butler Department of Emergency Services: Local EMC compliance with Title 35 (training)

PA Auditor General: Portersville Muddy Creek Township 2012-2014 Audit (2 findings: one failure to keep equipment roster and second for unauthorized expenditures.)

Penndot: 2016 Estimate: \$117,280.89 and \$20,080

VISITORS: Patricia Boyd, Doris James, Mr. Pete Mathieu, Constable Tom Marak

PUBLIC COMMENT: None

COMMITTEE UPDATES:

PLANNING COMMISSION:

James/Boyd Subdivision: Ms. Patricia Boyd and Mrs. Doris James were present to discuss the James/Boyd Subdivision.

Plan being submitted as Preliminary/Final.

The Planning Commission recommended approval with the following conditions:

1. Note for adding 25' right of way on Lot 2 on Kirk/Stone Church.
2. Note that septic on primary lot was installed prior to May 15, 1972.
3. Approve Waiver for secondary septic on Lot 2
4. Approve Waiver for including 2' contours.

A motion was made by Mr. Saunders and seconded by Mr. Jesteadt to approve the waiver for the secondary septic testing on Lot 2 and waive the 2' contour requirement with conditional approval of the plan pending DEP approval of the sewage planning module and the addition of the 25 foot right of way on Lot 2 on Kirk Road and Stone Church Road and the note added that the septic on the primary lot was installed prior to May 15, 1972. All in favor. Motion carried.

Ms. Boyd requested that the use of the existing agriculture entrance onto the proposed parcel of the Boyd/James subdivision be approved for use as a driveway for the proposed residence. Ms. Boyd stated that using the proposed driveway will require additional work and require a retaining wall being built. Mr. Kerr asked Ms. Boyd if the proposed driveway was marked on Kirk Road. Mr. Saunders explained that the agriculture entrance does not meet the driveway ordinance requirement for sight distances. Mr. Kerr and Mr. Saunders will both visit the location Kirk Road and will be back in touch with Ms. Boyd.

SALDO: Mr. Smith and Mrs. Livermore will review the recommended changes to the SALDO.

COG: No report.

ROAD DEPARTMENT REPORT:

Sechan Road: The Road Department will continue to patch and maintain.

Freightliner: A motion to ratify the approval of the Chairman, Dale Kerr, to sign documents for the purchase of the truck and license plate transfer on behalf of Muddy Creek Township was made by Mr. Saunders and seconded by Mr. Jesteadt. All in favor. Motion carried.

PERMITS ISSUED:

Septic Permits:

Granny Flat Annual Renewal: A motion was made by Mr. Saunders and seconded by Mr. Jesteadt to approve the annual renewal of the Dietrich and Grubbs Agreements. All in favor. Motion carried.

Building Permit:

Baker (Pfeifer Road): Porch/Roof

Leight (Yellow Creek Road): Porch/Roof/foundation

Peffer (Stanford Road): Garage

DuToit (E. Portersville Road): Entry on house

Jabaut (Yellow Creek Road): Porch/Roof

*Mr. Jesteadt inquired about the parcel on Stone Church Road.

SWM Plan: None

Over Posted Weight Permit:

A motion was made by Mr. Saunders and seconded by Mr. Jesteadt to approve the release of the Ervin Byler bond (Yellow Creek Road- Perez Property to Route 488). All in favor. Motion carried.
Matson Lumber: Levis Road
Keystone Clearwater – Pfeifer Road

Driveway Permit:

Magnoni Driveway: Installed a second driveway with no permit. Mrs. Livermore will contact him again to obtain approval for a second driveway and permit or remove the driveway.

Ringle Driveway: The township engineer performed an inspection on the driveway during a recent heavy rain. The engineer reported that there is no runoff onto the roadway at this time. Mr. Ringle provided the township with a plan that reflects the actual percent grade. Mrs. Livermore will send a letter to Mr. Ringle that the driveway is permissible at this time but that it must be maintained and that when the impervious surface equals 5,000 square feet or greater, he must comply with the stormwater management ordinance.

Road Occupancy Permit: Markwest Levis Road (road cut) *need to meet with township

Matson Lumber – Levis Road
Keystone Clearwater – Pfeifer

Assessment Permit: None

UNFINISHED BUSINESS:

Building: A motion was made by Mr. Saunders and seconded by Mr. Jesteadt to reject all bids for the township building. All in favor. Motion carried.

Prady Land Development. Mr. Nath will contact the property owner to have the facility inspected for non residential.

Budget: Preliminary Budget

NEW BUSINESS:

Guiderail: A motion to approve the agreement between Muddy Creek Township and Bethlehem Wire/Fence in the amount of \$6,105.00 for the installation of the guiderail on Yellow Creek Road was made by Mr. Saunders and seconded by Mr. Jesteadt. All in favor. Motion carried.

SEO: The Board of Supervisors will keep the contract with the SEO.

SOLICITORS COMMENTS: None.

SECRETARY'S COMMENTS: None

ADJOURNMENT: Motion by Mr. Saunders to adjourn at 8:03 PM. Second by Mr. Jesteadt. All in favor. Motion carried.

MUDDY CREEK TOWNSHIP SUPERVISORS

Dale Kerr, Chairman

Eric "Rick" Saunders

Robert J. Jesteadt, Sr.

Kelly A. Livermore, Secretary/Treasurer

(Seal)