

**MUDDY CREEK TOWNSHIP  
BOARD OF SUPERVISORS  
November 16, 2011  
7:00 PM**

**CALL TO ORDER:** The Muddy Creek Township Board of Supervisors was called to order at 7:01 PM by Mr. Dale Kerr. Pledge of Allegiance was recited.

**ROLL CALL:** Those present included Mr. Rick Saunders, Mr. Dale Kerr Mr. Thomas Smith and Mrs. Kelly Livermore. Mr. Sean Gramz was absent.

**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:** Ms. Pat Moore, Mr. Dan Moore, Mr. Bob Badger, Mrs. Audrey Badger, Mr. Larry Coble, Mr. Ron Parson, Ms. Tiffany Cihonski, Mr. Mike Endler, Mr. Michael Vennum, Mr. Steve Harris, Mr. Tom Thompson.

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

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

**MINUTES:** Motion to accept the October 26, 2011 minutes made by Mr. Saunders. Second motion made by Mr. Kerr. All in favor. Motion carried.

**CORRESPONDENCE:**

- A. Pipeline Emergency Response Planning Information: A training booklet was received from Paradigm.
- B. Mr. Chuck Smith, Alternate SEO, submitted a septic reconstructive planning form. The Board is requiring Mr. Smith to obtain an alternate site prior to the issuance of a septic permit.

**PUBLIC COMMENT:**

No comment

**COMMITTEE UPDATES:**

Planning Commission:

Moore Plan: Mr. Saunders motioned to approve the Moore Lot Line Revision. Second by Mr. Kerr. All in favor. Motion carried.

Rex Energy: A motion was made by Mr. Saunders to approve the Rex Energy/Cheeseman meter station land development plan to include the waiving of a developers agreement, location of a well on the site and on lot sewage. Second by Mr. Kerr. All in favor. Motion carried.

Mr. Saunders motioned to appoint Mr. Bob Badger and Ms. Pat Moore as Planning Commission alternates. Second by Mr. Kerr. All in favor.

BCATO: No report.

COG: No report.

### **ROAD DEPARTMENT REPORT:**

- A. Borough Roads: A letter was sent to Portersville Borough. Mr. Kerr will attend the upcoming Borough Council meeting. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- B. Grader Storage: Mr. Saunders motioned to approve the use of Charles D'Angelos garage for storage of the new backhoe at a cost of \$100/month not to exceed \$400. Second by Mr. Kerr. All in favor. Motion carried.
- C. Protech Asphalt: A meeting to inspect the roads with the bond's consultant is scheduled for Monday, November 21, 2011. Mrs. Livermore will contact Mr. Knapko.
- D. 422 Auction: Mr. Saunders reported that Currie Road will be patched this year, milled and paved to the Penn Dot entrance next year. A joint project with Penndot, McClymonds Supply and 422 Auction along with the township.

### **OLD BUSINESS:**

- A. Darlene Oliver Building Permit: Motion to table made by Mr. Saunders. Second by Mr. Kerr. 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. Hardship Hookups: Mr. Parson was present to request that he be grandfathered for the hardship hookup on the property of his mother, Mary Parson. The Board explained that he must comply with the ordinance.
- D. Fireworks Display Ordinance: Motion to remove from the agenda made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- E. Sewage Ordinance: Mr. Smith and Mr. Duncan continue to work on this issue. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- F. Newsletter: A draft was distributed. Motion to remove from the agenda by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- G. Township Building: No report on the LOMA from Mr. Sperdute. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- H. 2012 Budget: Motion to advertize for public viewing made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- I. Hufnagel (Adams) Driveway Permit: Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

### **NEW BUSINESS:**

- A. IRS Adjustment Bond Claim: A claim in the amount of \$4,321.73 has been requested. Motion to sign the release made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

- B. Rex Energy: Driveway Permit. The approval letter for the E & S was received. Motion to remove from the agenda made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- C. Appoint CPA for 2012 Audit. Motion to advertize the appointment of a CPA to perform the 2012 audit made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- D. Act 84: Adjusts bidding requirement effective 1.1.2012.
- E. Seasonal Worker: Accepted position and completed requirements. Motion to approve the hiring of Mr. Michael Watson made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

**SOLICITORS COMMENTS**: None.

**SECRETARY'S COMMENTS**:

A resident wants to place a second mobile home on their lot and eventually connect it to their current mobile home. They want to wait because they do not have the funds to connect it now. They do not need a permit to move it onto their property. Mrs. Livermore will send a letter stating that they may not use or occupy the mobile home until proper permits and inspections have occurred.

Mrs. Livermore attended the PennDot/ SAI meeting to get information about the replacing of I-79 bridges over route 422. Now is the time to address any concerns about the project. The projected construction will begin 2013 and continue through 2014.

**EXECUTIVE SESSION**: A motion was made at 8:30 PM by Mr. Saunders to enter into executive session to discuss contract negotiations. Second by Mr. Kerr. All in favor. Motion carried. Motion to exit executive session made by Mr. Saunders at 8:45 PM. Second by Mr. Kerr. All in favor. Motion carried.

**ADJOURNMENT**: Motion by Mr. Saunders to adjourn at 8: 47PM, second Mr. Kerr. All in favor. Motion carried.

**MUDDY CREEK TOWNSHIP SUPERVISORS**

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Dale Kerr, Chairman

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Rick Saunders

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Sean Gramz

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Kelly A. Livermore, Secretary/Treasurer

(Seal)

**MUDDY CREEK TOWNSHIP  
BOARD OF SUPERVISORS  
November 29, 2011  
7:00 PM**

**CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE:** The meeting was called to order at 7:01 PM by Chairman Dale Kerr.

**NOTICE OF RECORDING POLICY:** Mr. Kerr requested that anyone with a recording device acknowledge the recording of the meeting. No one acknowledged a device.

**VISITORS:** Mr. Bob Badger, Ms. Audrey Badger, Mrs. Vivian Caruso

**TREASURERS REPORT:** No report

**ADMINISTRATIVE ACTIONS:** Mr. Saunders made a motion to pay the bills presented. Second motion made by Mr. Gramz. All in favor. Motion carried.

**MINUTES:** Motion to approve the meeting minutes of November 16, 2011 made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried. Mr. Gramz abstained due to his absence at the meeting.

**CORRESPONDANCE:** None

**PUBLIC COMMENT:** None

**COMMITTEE UPDATES:**

PLANNING COMMISSION: No report

COG: No report

BCATO: No report

**2010 Audit:** \*\*Mrs. Vivian Caruso, CPA provided the board with the 2010 audit. Mrs. Livermore will let Mrs. Caruso know how many copies of the report the township needs.

**ROAD DEPARTMENT REPORT:**

- A. **Borough Road Conditions:** Mr. Kerr proposed that an agreement be made with the borough for the township to plow Stanford, West Park, and Cheeseman in exchange for the borough plowing Bloomfield School Road. There would no fees billed by either municipality. The borough would be responsible to plow Levis Road. Mr. Kerr made a motion to present this proposed change to the current winter maintenance agreement. The agreement will have annual termination with either party having the ability to cancel the contract with ten days written notice. Motion for Mr. Kerr to present the amended contract at the borough monthly meeting made by Mr. Kerr. Second by Mr. Gramz. Mr. Gramz states

that he has reservations. Mr. Saunders abstained from making a decision on the agreement. All in favor. Motion carried.

- B. Equipment Storage: Motion to approve the agreement to store the grader or backhoe at CD Diesel for \$100.00 per month made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- C. Protech Asphalt: Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- D. 422 Auction: Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

### **OLD BUSINESS:**

Motion made by Mr. Kerr to table the following:

- A. Darlene Oliver Building
- B. Flood Management Ordinance
- C. Hardship Hookups
- D. Sewage Ordinance
- E. Township Building
- F. Hufnagel Driveway (Adams)
- G. Union Contract

Second by Mr. Saunders. All in favor. Motion carried

- H. 2012 Budget: Motion made by Mr. Saunders to advertize the proposed 2012 budget made by Mr. Saunders. Second by Mr. Gramz. All in favor. Motion carried.

### **NEW BUSINESS:**

- A. Brine Tank Line: Motion to approve for the purchase of a brine tank line made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- B. CAO (Pension Fund) Resolution 2011-11: Motion to appoint the secretary/treasurer as the chief administrative officer for the pension fund via resolution made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

**SOLICITORS COMMENTS:** None

**SECRETARY COMMENTS:** None

**ADJOURNMENT:** Mr. Saunders made a motion to adjourn the meeting at 7:40 PM. Second by Mr. Kerr. All in favor. Motion carried.

**MUDDY CREEK TOWNSHIP SUPERVISORS**

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Dale Kerr, Chairman

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Rick Saunders

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Sean Gramz

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Kelly A. Livermore, Secretary/Treasurer

(Seal)