

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS
September 19, 2012
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. Dale Kerr, Mr. Robert Jesteadt, Sr., Mr. Rick Saunders 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: Donald Hutchins, Darlene Oliver, Rintha Miller, Mike and Mary Jo Ferson, Pate hone, Patricia Bendel, David Oliver, Same Hon, Matt Hone

TREASURER'S REPORT: A motion was made by Mr. Saunders to accept the treasurer's report for the month of August. 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. Saunders to accept the August 15, 2012) minutes. Second by Mr. Jesteadt. All in favor. Motion carried.

RATIFY ACTION: A motion was made by Mr. Saunders to ratify the action to advertise for separate bids to construct a steel band a pole building for the township. Second by Mr. Jesteadt. All in favor. Motion carried.

BID OPENING:
POLE BUILDING

NAME	ADDRESS	AMOUNT	Alternate
SWEDE CONSTRUCTION	890 SIMPSON HOWELL ROAD ELIZABETH, PA 15037	\$74,500.00	\$72,900.00
HECKMANS LANDSCAPING	61 MINE STREET STONEBORO, PA 16153	\$42,192.00	+\$1,500.00
P&W CONSTRUCTION	125 RAGAN ROAD PROSPECT, PA 16502	\$48,700.00	\$52,500.00

STEEL BUILDING

NAME	ADDRESS	AMOUNT
SWEDE CONSTRUCTION	890 SIMPSON HOWELL ROAD ELIZABETH, PA 15037	\$95,750.00
HECKMANS LANDSCAPING	61 MINE STREET STONEBORO, PA 16153	\$66,650.00

CORRESPONDENCE:

Old Republic Surety: The calculated area was provided. A motion by Mr. Saunders to contact Mr. Knapko to request his assistance in determining the areas that needs to be addressed by the contractor. Second by Mr. Jesteadt. All in favor. Motion carried.

Penn dot: Response received from letter sent concerning detour route during I-79 bridge replacement project.

PCS: Cease and Desist Order issued to Darlene Oliver. Mrs. Oliver is going to request to withdraw the building permit application. She will only use the mobile home for storage and will not connect any utilities. When FEMA releases the FIRM map, Mrs. Oliver can again apply for a building permit for the mobile home at that time. The board and solicitor explained the options to Mrs. Oliver in regards to getting a Letter of Map Amendment or to hire an engineer to identify the base flood level.

Dynamis: NPDES Permit renewal for Pilot.

Berkheimer: EIT Tax Collected for 2010 and 2011.

PSATS: July Unemployment Compensation

USDA: Grant for backhoe withdrawn due to limited funding.

Butler County: CAFR report.

Officer of the Auditor General: Pension Fund to receive \$7,152.21 for 2013. Foreign Fire Tax to receive \$13,408.45 for this year, the estimated 2013 liquid fuels fund is \$84,427.69.

PUBLIC COMMENT: Mike and Mary Jo Ferson: A recent fatal accident in front of their property has caused concern by the property owners. Mr. Ferson claims that numerous accidents have occurred at this location since he has moved into the house in 1986. He has requested for someone to take a look at what can be done to minimize the amount of accidents. Mr. Kerr will contact Mr. Ferson to look at the road.

COMMITTEE UPDATES:

Planning Commission:

Lasko Plan: Scheduled for review by the planning commission at the October meeting. Mr. Lasko is planning on a 2 lot subdivision. A Sewage Planning Module Component 2 needs completed.

LaChance Land Development: Mr. LaChance wants to install a mobile ice cream stand on his property on East Portersville Road. He needs to obtain an HOP. The SEO along with DEP was on the property and could not located a suitable location for septic. Mrs. Livermore will check to inquire if all possible septic alternatives have been explored.

BCATO:

The fall conference will be held on October 23rd at the Slippery Rock Municipal Building with dinner provided. A motion by Mr. Saunders to approve Mrs. Livermore's attendance at the conference at a cost of \$15.00. Second by Mr. Jesteadt. All in favor. Motion carried.

COG:

No meeting.

ROAD DEPARTMENT REPORT:

- A. Borough Roads: The winter maintenance agreement is still in effect. The township will maintain the extensions and invoice the borough for the maintenance.
- B. Protech Asphalt: See correspondence.

OLD BUSINESS:

- A. Flood Management Ordinance: A motion to table was made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- B. UCC Appeals Board. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- C. Indemnity Agreement for HOP: Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- D. Oliver(Stanford Road): See Correspondence.

NEW BUSINESS:

- A. 2013 Budget: The preliminary budget needs to be completed by October 17th, final preliminary budget November 21st, advertise on November 30th, adopt the budget on December 19, 2012
- B. Annual Septic Hardship Application/Agreement: Motion to approve the Grubbs (Pfeifer Road) Application/Agreement made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- C. Ordinance 63.2: Weight Limit Study: Motion to adopt Ordinance 63.2 made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- D. Office Hours: The administrative office will be open on Monday and Wednesday 9:00 to 3:00 PM and Thursday 9:00 to 12:00 PM. Fridays will be by appointment. Motion to approve the office hours made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- E. Newsletter: Motion to approve the printing of the newsletter made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- F. Garage Door Phone Quotes: Motion to approve for the solicitation of phone quotes for garage doors for the new building made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- G. Trick or Treat: To be scheduled for October 31, 2012 from 6:00 PM to 7:30 PM.
- H. Safety Training: Motion made by Mr. Saunders to approve for two road workers and one secretary to attend the BCATO safety training on October 10, 2012 at a cost of \$10.00 each. Second by Mr. Jesteadt. All in favor. Motion carried.
- I. EMS: Seeking local support for 2 part time positions. Need more information.
- J. Pension 2013: The minimum obligation for the pension fund for 2013 is estimated at \$4,952.00 which does not include the state reimbursement.

SOLICITORS COMMENTS: None

SECRETARY'S COMMENTS: None

EXECUTIVE SESSION: A motion was made by Mr. Kerr at 8:20 PM to enter into executive session. Second by Mr. Saunders. All in favor. Motion carried. A motion was made by Mr. Saunders at 8:45PM to end the executive session. Second by Mr. Jesteadt. All in favor. Motion carried.

REJECT/AWARD BIDS FOR BUILDING:

A motion was made by Mr. Saunders to table the bid award/reject. Second by Mr. Jesteadt. All in favor. Motion Carried

ADJOURNMENT: Motion by Mr. Saunders to adjourn at 8:47 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)