

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS**

February 16, 2011

7:00 p.m.

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. Rick Saunders, Mr. Sean Gramz, 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: Ms. Pat Moore, Mr. Howard Stanford, Ms. Darlene Oliver, Mr. David Oliver

TREASURER'S REPORT: Copies of the treasurer's report for the month ending January, 2011 was reviewed. Motion to accept the report made by Mr. Kerr, second by Mr. Gramz. All in favor. Motion carried.

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

MINUTES: Motion to accept the January 19, 2011 minutes made by Mr. Kerr. Second motion made by Mr. Saunders. All in favor. Motion carried.

CORRESPONDENCE:

- A. **RE Gas Development:** Request for an address for the Cheeseman Gas Well. Mrs. Livermore will provide a driveway application and send a letter to RE energy notifying them that correspondence will be with the property owner.
- B. **Karen Trettel:** Request for an extension of time on her lot line revision application. Motion made by Mr. Saunders and second by Mr. Gramz to approve an extension until June 17, 2011. All in favor. Motion approved.
- C. **UPMC Group Agreement:** Mr. Kerr made a motion to approve the agreement with UPMC for the road department medical insurance. Second by Mr. Saunders. All in favor. Motion carried.
- D. **Jason Boosel** Request for an extension on building permit (addition) 140 American Chestnut Lane. Motion made by Mr. Kerr to approve the extension for six months with notification made to MDIA. Second by Mr. Saunders. All in favor. Motion carried.
- E. **Geokinetics:** Permit request for seismic testing on West Park Road: Motion made by Mr. Saunders that Geokinetics will need to bond the road and the permit will be signed when the road is bonded. Second by Mr. Kerr. All in favor. Motion carried.
- F. **Portersville Borough:** (2) Request payment for Park and Ride electric and workers compensation.

- G. Armstrong Cable: Rate adjustment notice.
- H. PA DEP (Storm water plan): Deadline to enact the Act 167 Storm water Management Ordinance is June 1, 2011
- I. Rex Energy (2): Notice of Intent Minor Road Crossing for an access road with a proposed horizontal Utica shale well pad, Notice of intent erosion and sediment control general permit for earth disturbances on Cheeseman property. Send notice to DEP that the contractor will be responsible to meet the requirement so of the driveway, overweight and septic ordinance requirements.
- J. PA DEP: (Nastasi) approval for small flow treatment system permit five year approval.
- K. PSATS News Bulletin
- L. PSATS Road and Bridge Safety Improvement Award
- M. Butler County Humane Society: Municipal surrender contract.
- N. Butler County Marcellus Shale: conference to be held on March 8, 2011 at Butler County Community College.
- O. Allegheny Wood Products: Are requesting a road bond application to haul on West Park Road.
- P. Kirk Brethauer: Agreement to remove mobile home. On a motion made by Mr. Saunders to approve the agreement and approve for Mr. Kerr to sign the agreement. Second by Mr. Gramz. All I favor. Motion carried.

PUBLIC COMMENT:

None.

COMMITTEE UPDATES:

- A. Planning: Mr. Gramz was voted as Chair, Mr. Hutchins as Vice Chair and Mr. Hynes as Secretary if he accepts. Ms. Hinkle was contacted to provide updated information and asked to respond if she was unable to fulfill her duties. Mrs. Slater attended the last meeting but wants more time to decide if she wants to be a member of the Planning Commission.
- B. Butler County Association of Township Officials: Work on the upcoming convention to be held on May 19th.
- C. Butler County Council of Governments: None
- D. Butler County Tax Collection Committee: None.

ROAD DEPARTMENT REPORT:

- A. Bid for Aggregate/Road Oil Bids were open for aggregate and road oil:

ROAD OIL The contract was awarded to Russell Standard contingent upon review of bid documents and required documentation.

NAME	MC70	E3
Suit Kote Corporation 10965 McHenry Street Meadville, PA 16335	\$3.29	\$2.15
Russell Standard PO Box 802 Mars, PA 16046	\$3.184	\$2.067

AGGREGATE The contract was awarded to McClymonds Supply contingent upon review of bid documents and required documentation.

NAME	#2A	#3	Limestone Sand	1B Limestone
ALLEGHENY MINERAL PO BOX 1022 KITTANNING, PA 16201	\$16.00	\$16.25	\$15.75	\$17.50
MCCLYMONDS SUPPLY AND TRANSIT CURRIE ROAD BOX 296 PORTERSVILLE, PA 16051	\$13.50	\$14.00	\$12.75	\$15.00
QUALITY AGGREGATES 4955 STEUBENVILLE PKE SUITE 245 PGH PA 15205	\$14.00	N/A	\$12.85	\$15.90

Bid for Kelly Road Paving and Single Seal projects: Mr. Saunders motioned to approve the bid of the Kelly Road Paving and Single Seal projects. Second by Mr. Kerr. All in favor. Motion carried.

OLD BUSINESS:

- A. Darlene Oliver Building Permit: Ms. Oliver has three parcels of land. One parcel is .19 acres on which a mobile home is located. The mobile home was removed in January. She applied for a building permit to install another mobile home. The location of them mobile home is in the current flood plain. It however is not on the 2011 map to be released this year. Ms. Oliver can wait until the 2011 flood map is released or she will have to develop a flood plan. She also has to either dissolve the .19 acre through a subdivision application or turn the mobile home so that it is completely on the .19 acres. Her permit is being held until she determines what she wants to do with her mobile home and her property. Motion to table made by Mr. Kerr. Second by Mr. Gramz. All in favor. Motion carried.
- B. Trash Collection Ordinance: Motion to remove from the agenda made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- C. EIT Tax Audit: Motion to table made by Mr. Saunders. Second by Mr. Gramz. All in favor. Motion carried.
- D. National Flood Insurance Ordinance : Mr. Smith has the model first draft that needs to be submitted to DCED for review. Mr. Kerr motioned for the approval to send the draft to DCED for review. Second by Mr. Gramz. All in favor. Motion carried.
- E. Butler County Storm Water Management: Motion made by Mr. Saunders for Mr. Smith to coordinate with Mr. Thompson the review of the ordinance and forward to

- Mrs. Livermore to be sent to DCED for review. Second by Mr. Kerr. All in favor. Motion carried.
- F. Septic Testing/Site Location: Motion by Mr. Kerr to contact Mr. Spurdute to perform a survey of the property to be paid for from the building fund. Second by Mr. Saunders. All in favor. Motion carried.
 - G. DOC Workforce Application: DOC staff was on site to inspect the location. The Lieutenant is requiring that someone needs to be on site at all times and the phone needs to be locked up and all of the hunting equipment removed from the premises.
 - H. Intern Grant: The Township scored high on the application but only two grants were awarded to a COG or municipality in financial distress. The township does have budgeted \$3,000 for an intern. Mrs. Livermore requested approval to hire an intern for \$9.00 for approximately 30 hours a week for ten weeks. Motion to approve Mrs. Livermore's request made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
 - I. Backhoe purchase: Demo on hold until March. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
 - J. Traffic Lights: Bronder is checking on the price. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
 - K. Flood Plain Administrator: On a motion by Mr. Kerr and Second by Mr. Saunders, Mr. Tom Thomas has been appointed as the Flood Plain Administrator for Muddy Creek Township. All in favor. Motion carried.
 - L. Ordinance 61: The seo has to do more research.

NEW BUSINESS:

- A. College Student Community Service: Mrs. Livermore received a request for a college student to perform community service at the township office for one of her classes. The insurance coverage has already been confirmed by Rodger Insurance. Mrs. Livermore will oversee the program. A request for approval to permit the college student to perform community service as no cost to the township and with the oversight of the program being completed by Mrs. Livermore. Motion to approve Mrs. Livermore's request made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- B. Diesel Fuel Bid: Motion to approve the bidding of Diesel Fuel made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- C. Road Bond Agreement: Mr. Smith will review the current agreement to ensure that it complies with the ordinance. Motion for Mr. Smith the review and make necessary changes to be presented at the next meeting made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- D. PSATS conference: Motion to approve for Mr. Kerr to attend the conference with a registration fee of \$175.00 plus room accommodations/travel expenses made by Mr. Saunders. Second by Mr. Gramz. All in favor. Motion carried.
- E. Office Furniture: Approved in the budget is \$2,000 for office furniture. Mrs. Livermore has requested to purchase a lap top computer not to exceed \$800 and a credenza and printer stand not to exceed \$1200. Motion to approve Mrs. Livermore request made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- F. SALDO: Mr. Gramz made a motion to amend the fee schedule by \$25.00 to include a copy of the SALDO when an applicant is paying for a land development and/or subdivision application. Second by Mr. Saunders. All in favor. Motion carried.

- G. Road Engineering Study: Mr. Saunders made a motion to have the engineer perform a study on the following roads: Stone Church, Kildoo, Burnside, Yellow Creek, West Park, Sunset, Kelly and Pfeifer. Second by Mr. Kerr. All in favor. Motion carried.
- H. Butler County Mitigation Plan: Mr. Saunders made a motion to accept the Butler County Mitigation Plan. Second by Mr. Kerr. All in favor. Motion carried.

SOLICITORS COMMENTS: According to the UCC, the BCO should grant an extension of a building permit. Mrs. Livermore will contact MDIA for the extension of the Boosel permit.

SECRETARY'S COMMENTS: Mrs. Caruso is working with an IRS tax advocate to resolve the outstanding tax issues. An answer should be finalized by March 31, 2011.

EXECUTIVE SESSION: A motion was made at 8:35PM by Mr. Kerr to enter into executive session to discuss tax notifications. Motion second made by Mr. Saunders. All in favor. Motion carried. A motion was made by Mr. Saunders at 8:44 PM to terminate the executive session. Second by Mr. Gramz. All in favor. Motion carried.

ADJOURNMENT: Motion by Mr. Saunders to adjourn at 9:28 PM, second Mr. Gramz. All in favor. Motion carried.

MUDDY CREEK TOWNSHIP SUPERVISORS

Dale Kerr, Chairman

Rick Saunders

Sean Gramz

Kelly A. Livermore, Secretary/Treasurer

(Seal)