

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS**

August 18, 2010

7:00 p.m.

CALL TO ORDER: The Muddy Creek Township Board of Supervisors was called to order by Mr. Saunders at 7:03 p.m. The Pledge of Allegiance was recited.

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

NOTICE OF RECORDING POLICY: Mr. Saunders requested for anyone in the meeting to acknowledge the use of a recording device. No one acknowledged a recording device.

VISITORS: Bob Badger, Audrey Badger, Pat Moore.

TREASURER'S REPORT: Mrs. Livermore provided copies of the treasurer's report for the month ending July. Motion to accept the report made by Mr. Saunders, second by Mr. Gramz. All in favor. Motion carried.

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

MINUTES: Motion to table meeting minutes made by Mr. Gramz. Second by Mr. Saunders. All in favor. Motion carried.

CORRESPONDENCE:

- A. **Dawson Geophysical:** Dawson sent correspondence that they will not be doing any testing in Muddy Creek Township. Motion to release road bond made by Mr. Saunders. Second by Mr. Gramz. All in favor. Motion carried.
- B. **Kathleen Brandenburg-Eury:** Correspondence received from Ms. Eury noting that she is experiencing storm water issues on her property. On a recommendation made by Mr. Smith, solicitor, a letter should be sent to the local Penn dot office with the residents letter to request assistance with the issue since it lies on a state route.
- C. **PEMA Final Action Request:** Snow storm grant was received. Motion to approval final action and close grant made by Mr. Saunders. Second by Mr. Gramz. All in favor. Motion carried.
- D. **Auditor General:** The annual audit of the Portersville-Muddy Creek Township VFRA was received and is available for review.
- E. **Andrasko and Associates:** Complete test results will be made available when payment in full is received.
- F. **Schaffer Escrow Account:** (Maintenance 3) Signature Cards. Requirement of three signatures for the account. Motion to approve the account made by Mr. Saunders. Second by Mr. Gramz. All in favor. Motion carried.
- G. **Butler County Commissioners Advisory Council:** Offsite response plan for Moraine is available in the township administrative office.
- H. **Kirk Road Residence:** A thank you letter was received from Kirk Road Residence (Dimarco) commenting on the high quality of work done by the road department and the resurfacing of the road.
- I. **Pa DEP:** Thomas Subdivision was approved.

PUBLIC COMMENT:

None.

COMMITTEE UPDATES:

- A. Planning: Meeting was cancelled due to lack of quorum. Training is being made available through the Butler County Planning Commission. On a motion made by Mr. Saunders and second by Mr. Gramz, Muddy Creek will cover the expenses for any member who wants to attend the sessions.
- B. Butler County Association of Township Officials: Does not meet in the summer.
- C. Butler County Council of Governments: No update
- D. Butler County Tax Collection Committee: Berkheimer has been named the local Act 32 tax collector.

ROAD DEPARTMENT REPORT:

- A. Stone Church Road (Slater/Stevenson Property) & West Park Road/Selvaggio and Luster property: Reports for the roads along with the weight limit should be forwarded in the next week.
- B. Penn Dot Flagger Training: If the road department is going to serve as flaggers, there are mandated Penn Dot training requirements.
- C. Kirk Road Paving Project: Mr. Flinner is to make written note of any conditions not met by the contract as part of the contract.
- D. Ragan Road: Mr. Jedstead needs to have ditching and drain pipes installed to manage the storm water. On a motion by Mr. Saunders and seconded by Mr. Gramz, Mr. Thompson (engineer) is to be contacted to examine the road and the storm water flow and make recommendation to alleviate the storm water flow onto the township road way.

OLD BUSINESS:

- A. Schaffer Holding Tank: A bank account has been establish (Maintenance 3) for the maintenance of the tanks. Mr. Schaffer's check was returned due to insufficient funds. Mr. Schaffer will be invoiced in accordance with resolution 2010-01. Mr. Saunders made a motion to remove from the agenda. Second by Mr. Kerr. All in favor. Motion carried.
- B. Trash Collection Ordinance: Mr. Vogel has a schedule conflict and was not able to attend. Motion to table made by Mr. Saunders. Second by Mr. Gramz. All in favor. Motion carried.
- C. EIT Tax Audit: Mr. Smith will coordinate the scheduling of a meeting between SRASD and Muddy Creek Township. Motion to table made by Mr. Saunders. Second by Mr. Gramz. All in favor. Motion carried.
- D. Debra Allen Property: Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

- E. Relay Switch – Pilot Traffic Lights: A motion to purchase a generator from Sam's Club not to exceed \$1500 made by Mr. Saunders. Second by Mr. Gramz. All in favor. Motion carried.

- F. USDA Grant: Status of grant is still pending.

- G. National Flood Insurance Rate Map/Project: A joint meeting with FEMA, Lancaster Township Residents and Muddy Creek Township Residents has been approved for either September 28 or 30th at the Zion English Lutheran Church on Perry Highway. Mrs. Livermore is to choose the date and notify Lancaster Township as well as distribute letters to identified property owners. She will also work with the Lancaster Township Zoning Officer to publish in the Butler Eagle.

- H. PA Labor and Industry: Way to Work Program. Alicia Burren was hired but on the day she was to begin, she never reported to work or the career link office. She is unable to be located. On a motion by Mr. Saunders and second by Mr. Gramz, this item can be removed from the agenda. All in favor. Motion carried.

- I. Butler County Storm Water Management: The letter was sent to the Butler County Commissions. The Commissioners postponed the adoption of the resolution at the July meeting.

- J. Electrical Wire (Howe Property): The BCO sent a cease and desist letter. Motion to table made by Mr. Saunders. Second by Mr. Gramz. All in favor. Motion carried.

- K. Road Bonding Ordinance: On a motion made by Mr. Saunders to table. Second by Mr. Gramz. All in favor. Motion carried.

NEW BUSINESS:

- A. Portersville Borough Winter Maintenance Agreement: Final payment was received for the 2009-2010 winter storm fees. Mr. Smith and Mr. Gramz requested a copy of the agreement. Motion to table made by Mr. Saunders. Second by Mr. Gramz. All in favor. Motion carried.

- B. 2011 Budget Schedule:

Meet with Road Department for Plan	September, 2010
Draft Budget Due to Secretary	October 1, 2010
Preliminary Budget:	October 20, 2010
Approve Preliminary Budget:	November 17, 2010
Advertise Budget:	November 23, 2010
Adopt Budget:	December 15, 2010

- C. Reclamation (Lake Arthur South): Mrs. Livermore reported that Mr. Kerr met with the representative from DEP and the contractor. They have set up an office trailer for DEP and will begin shortly. They will work through the winter, weather permitting.

- D. Permanent Storage Trailer: Mrs. Livermore reported that Mr. Kerr was looking into the purchase of a storage trailer for the road department. PMF rentals will cost about \$1200 to \$1500. Mr. Saunders recommended checking other places.

- E. Act 46: Mr. Smith recommends that a review be made based in individual requests.
- F. Revenue Increase: Mr. Gramz was looking for ways to increase the township revenue. The Board needs to develop a budget and then identify means to fund the budget shortfall.

SOLICITORS COMMENTS: Mr. Smith noted that Mrs. Christy's request to reduce sentence to house arrest was denied. Her restitution was decreased by \$5,000 due to the IRS abating penalties and late fees.

SECRETARY'S COMMENTS: The cost of the refrigerator for the office was \$130.00. On a motion by Mr. Gramz and second by Mr. Saunders approval was granted for the expenditure of the refrigerator purchase. All in favor. Motion carried.

The Secretary/Treasurer will be amending hours beginning on September 7. Monday, Tuesday, Thursday 8-4 and Wednesdays 10-6. A motion to approve the hours was made by Mr. Gramz. Second by Mr. Saunders. All in favor. Motion carried.

Executive Session: A motion was made by Mr. Saunders at 8:29PM to enter into executive session to discuss real estate matters. Second by Mr. Gramz. All in favor. Motion carried.

A motion was made by Mr. Saunders to end the executive session at 9:03PM. Second by Mr. Gramz. All in favor. Motion carried.

Mr. Saunders made a motion to table the township property on Perry Highway. Second by Mr. Gramz. All in favor. Motion carried.

ADJOURNMENT: Motion by Mr. Gramz at 9:04 PM to adjourn, second Mr. Saunders. All in favor. Motion carried.

MUDDY CREEK TOWNSHIP SUPERVISORS

Dale Kerr, Chairman

Rick Saunders

Sean Gramz

Kelly A. Livermore, Secretary/Treasurer

(Seal)