

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS
ORGANIZATIONAL MEETING AGENDA
January 3, 2011
7:00 p.m.**

CALL TO ORDER: The Muddy Creek Township Board of Supervisors Organizational Meeting was called to order by Mr. Saunders at 7:00 p.m.

ROLL CALL: Those present included Mr. Dale Kerr, Mr. Rick Saunders, Mr. Sean Gramz and Mrs. Livermore.

PLEDGE OF ALLEGIENCE:

RECOGNIZE NEWLY ELECTED SUPERVISOR/OFFICIALS: None

CHAIRPERSON: Motion by Mr. Saunders to nominate Mr. Kerr, second Mr. Gramz. All in favor. Motion carried.

VICE-CHAIRPERSON: Motion by Mr. Kerr to nominate Mr. Saunders, second Mr. Gramz. All in favor. Motion carried.

SECRETARY/TREASURER/PERMIT ISSUANCE OFFICER: Motion by Mr. Kerr to appoint Kelly Livermore as Secretary/Treasurer and Permit Issuance Officer, second Mr. Saunders. All in favor. Motion carried.

WAGE AND SALARY RESOLUTION 2011-02: Motion by Mr. Saunders to adopt Resolution 2011-02. Second by Mr. Kerr. All in favor. Motion carried.

TREASURER'S BOND: Motion by Mr. Kerr establishing the bond amount at \$300,000.00 for the year 2011, second Mr. Saunders. All in favor. Motion carried.

ROADMASTER: Motion by Mr. Saunders to appoint Chairman and Vice Chairman to share the duties of road master. Second by Mr. Kerr. All in favor. Motion carried.

VACANCY BOARD: Motion by Mr. Kerr to appoint Mr. Robert Ondo, if accepted, to the vacancy board. Second by Mr. Saunders All in favor. Motion carried.

BCATO REPRESENTATIVE: Motion made by Mr. Kerr to appoint Mrs. Livermore and Mrs. Meisel as the township's representative at the Butler County Association of Township Officials. Second by Mr. Saunders. All in favor. Motion carried.

BUTLER COUNTY COUNCIL OF GOVERNMENTS: Motion made by Mr. Kerr to appoint Mrs. Livermore as the township's representative at the Butler County Council of Governments. Second by Mr. Saunders. All in favor. Motion carried.

DEPOSITORY: Motion by Mr. Kerr selecting First National Bank for the Township's accounts, second Mr. Saunders. All in favor. Motion carried.

NEWSPAPER PUBLICATIONS: Motion by Mr. Kerr designating The Butler Eagle, second Mr. Saunders. All in favor. Motion carried.

2011 MEETING SCHEDULE: Motion by Mr. Kerr to schedule monthly meetings of the Board of Supervisors on the third Wednesday of each month at 7:00 PM at the Muddy Creek BBQ. Second Mr. Saunders. All in favor. Motion carried.

PLANNING APPOINTMENT: Mr. Kerr made a motion to appoint Mr. Don Hutchins to a one year term beginning 1/1/2011 and ending on 1/31.2011. Second by Mr. Saunders. All in favor. Motion carried. Motion to appoint Mr. Bill Hynes to four year term ending on December 31, 2014. Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

STATE CONVENTION DELEGATE: Motion made certifying Mr. Dale Kerr as delegate to the 2011 State Convention made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

STATE CONVENTION VOTING DELEGATE: Motion certifying Mr. Dale Kerr as the voting delegate to the 2011 State Convention made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried

MILEAGE REIMBURSEMENT: Motion by Mr. Kerr setting rate by IRS (.51/mile) second Mr. Saunders. All in favor. Motion carried.

FEE SCHEDULE: Motion by Mr. Kerr to adopt Resolution 2011-01 with amendments setting the Township's 2011 Fee Schedule, second Mr. Gramz. All in favor. Motion carried.

HOLIDAY FOR NON-UNION EMPLOYEES: Motion by Mr. Kerr setting the holiday as follows: News Years Day, Christmas Day, Thanksgiving Day, Veteran's Day, Memorial Day, Labor Day, and the 4th of July, excluding part time Non –union and seasonal employees, second Mr. Saunders. All in favor. Motion carried.

SEWAGE ENFORCEMENT OFFICER: Motion by Mr. Kerr to appoint Doug Duncan, second Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.

ALTERNATE SEWAGE ENFORCEMENT OFFICER: Motion by Mr. Kerr to appoint Chuck Smith, if he accepts, second Mr. Gramz. All in favor. Motion carried.

BUILDING CODE ENFORCEMENT AGENCY: Motion by Mr. Kerr to adopt resolution 2011-03 appointing Professional Code Services as the Building Code Enforcement Agency. Second Mr. Saunders. All in favor. Motion carried.

SOLICITOR: Motion by Mr. Kerr to appoint Mr. Thomas Smith, second Mr. Saunders. All in favor. Motion carried.

ENGINEER: Motion by Mr. Kerr to appoint Gannett Fleming as the engineer, second Mr. Gramz. All in favor. Motion carried.

ALTERNATE ENGINEER: Motion by Mr. Kerr to appoint MESA as the alternate engineer, second Mr. Gramz. All in favor. Motion carried.

CERTIFIED PUBLIC ACCOUNTANTS: Motion by Mr. Kerr to adopt Resolution #2011-04 appointing the Firm of Caruso & Caruso to perform the 2010 Annual Financial Audit at a cost not to exceed \$4110.00, second Mr. Saunders. All in favor. Motion carried.

REAL ESTATE TRANSFER TAX COLLECTOR: Motion by Mr. Kerr reappointing Butler County Recorder of Deeds, second Mr. Saunders. All in favor. Motion carried.

EARNED INCOME TAX/ LOCAL SERVICES TAX COLLECTOR: Motion by Mr. Kerr to appoint Berkheimer Tax Administrator to collect the Current and Delinquent Local Services Tax and the Earned Income Tax. Second by Mr. Saunders. All in favor. Motion carried.

FIRE DEPARTMENT: Motion made by Mr. Saunders to appoint Portersville-Muddy Creek Township Volunteer Fire Department as the Muddy Creek Township Fire Company.

EMA COORDINATOR: Motion by Mr. Kerr to appoint Mr. Vaughn Badger, if he accepts, second Mr. Kerr. All in favor. Motion carried.

ADJOURNMENT: Motion by Mr. Kerr at 7:20 p.m. to adjourn, second Mr. Saunders. All in favor. Motion carried.

MUDDY CREEK TOWNSHIP SUPERVISORS

Dale Kerr, Chair

Eric Saunders, Vice Chair

Sean Gramz, Supervisor

ATTEST:

Kelly Livermore
Secretary/Treasurer

(Seal)

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS**

January 19, 2011

7:00 p.m.

CALL TO ORDER: The Muddy Creek Township Board of Supervisors was called to order at 7:03 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: Andrew Gerwig, Matt Gerwig, John Gerwig, Eric Naughton, Jack Papan, Kirk Brethauer, Lt. Tom Hill

TREASURER'S REPORT: Copies of the treasurer's report for the month ending November was reviewed. 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. Second by Mr. Saunders. All in favor. Motion carried.

MINUTES: Motion to accept the December 15, 2010 minutes made by Mr. Saunders with the. Second motion made by Mr. Kerr. Mr. Gramz abstained from the vote due to his absence at the December 15th meeting. All in favor. Motion carried.
Motion to accept the January 3, 2011 Organizational Meeting minutes made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

CORRESPONDENCE:

- A. CWS (Chlystek & White Services) Audit for the Worker' Compensation policy for the 2010 calendar year.
- B. IUOE: Letter of Understanding to update the Health Care from UPMIC EPO 2 to HAS 1250/100 at a cost of \$457.29 per employee. Motion made by Mr. Saunders to approve the update to the current contract regarding the health insurance coverage. Second by Mr. Kerr. All in favor. Motion carried.
- C. Act 44 Pension Disclosure: The union Central Pension fund counsel responded to a request for disclosure that they are not required to complete the disclosure because they are not contracted by the municipality.
- D. Carol/Kirk Brethauer: Requesting an extension from 30 days to 180 days to remove a mobile home once they have completed the building of a new home on their lot. A motion was made by Mr. Kerr to approve the request from thirty day to 180 days provided that the utilities to the mobile home being vacated are disconnected within thirty days of receiving the occupancy permit. Second by Mr. Saunders. All in favor. Motion carried.
- E. Butler County Election Bureau: The board was presented with the ballot approval certification.

- F. Butler County Department of Emergency Service: A letter has been forward to the Lake Arthur Estates informing them that they had been assigned an incorrect address and needed to change their address to 2025 New Castle Road.
- G. Nastasi/Small Flow Agreement: Motion by Mr. Saunders and second by Mr. Kerr to approved the Nastasi Small Flow Agreement.
- H. Redevelopment Authority of Butler: Request to identify blighted properties.
- I. Victim Outreach Intervention Center: Request for a donation of \$1,000.
- J. Prospect Library: Thank you for the donation.

PUBLIC COMMENT:

None.

COMMITTEE UPDATES:

- A. Planning: Trettel subdivision being reviewed.
- B. Butler County Association of Township Officials: No meeting.
- C. Butler County Council of Governments: None
- D. Butler County Tax Collection Committee: None.

ROAD DEPARTMENT REPORT:

- A. Bid for Aggregate/Road Oil: A motion to bid the Aggregate and Road Oil using the same quantities as 2010 made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

OLD BUSINESS:

- A. Granny Flat Application (Bev Miller): Mrs. Miller requested that the building permit and granny flat applications be withdrawn. Motion to remove from the agenda made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- B. Trash Collection Ordinance: Motion to table made by Mr. Kerr. Second by Mr. Saunders. 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 Rate Map/Project: Mr. Smith is working on a draft. Motion to table made by Mr. Saunders. Second by Mr. Gramz. All in favor. Motion carried.
- E. Butler County Storm Water Management: Motion to table made by Mr. Saunders. Second by Mr. Gramz. All in favor. Motion carried.
- F. Septic Testing/Site Location: Motion to table made by Mr. Kerr. Second by Mr. Gramz. All in favor. Motion carried.
- G. DOC Workforce Application: Application submitted for work at the township garage. Mrs. Livermore will inquire about the insurance coverage. Motion to approve made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.

NEW BUSINESS:

- A. PA State Police: Lt. Hill presented the Board of Supervisors with information on state police coverage in Muddy Creek Township.

- B. Traffic Lights: Build up of snow occurs only on the red lights because of the visor. Bronder recommends that the visor be changed to one that is open on the bottom to inhibit the accumulation of snow. Bronder will provide prices and check with Penn dot to inquire if additional approval is required.
- C. Municipal Intern Grant: Mrs. Livermore has been preparing a grant to be submitted to Local Government Association to hire a college student as an intern to perform records management duties as well as develop a newsletter. Motion to approve the application made by Mr. Saunders. Second by Mr. Gramz. All in favor. Motion carried.
- D. Professional Services Agreement: On a motion by Mr. Saunders and second by Mr. Kerr, approval for the Caruso/Caruso agreement to audit the 2010 finance was approved. All in favor. Motion carried.
On a motion by Mr. Gramz and second by Mr. Kerr, approval for the PCS agreement appointing PCS as the building code official was made. All in favor. Motion carried.
On a motion made by Mr. Saunders and second by Mr. Gramz, approval for the Gannett Fleming Agreement to serve as township engineer for 2011 was made. All in favor. Motion carried.
- E. DCED Survey of Financial Condition: Motion by Mr. Saunders with a second by Mr. Gramz to approve the Survey of Financial Condition report. All in favor. Motion carried.
- F. Ordinance 61 Holding Tank Ordinance: Invite Mr. Duncan to the next meeting to further discuss. Motion to table made by Mr. Saunders. Second by Mr. Gramz. All in favor. Motion carried.
- G. Declaration of CMV Only Emergency: According to the CDL guidelines, the road workers can only work 15 straight hours and require 12 hours off unless a CMV emergency is declared. The road master should inform Mr. Flinner who can complete the form and post it at the garage.
- H. Backhoe Purchase: Discussion was held on the purchase of a new backhoe. Mr. Saunders wants to operate the CAT and JCB machines to compare. The CAT will be delivered to the township garage on February 15th for demo. Mr. Kerr will contact Walsh Equipment to demo the JCB.
- I. Flood Plain Administrator: Mr. Kerr made a motion to appoint a Mrs. Livermore as temporary Flood Plain Administrator. Motion seconded by Mr. Saunders. All in favor. Motion carried.
- J. Schaffer Holding Tank Ordinance: Mrs. Livermore will contact Mr. Schaffer to get the agreement signed and recorded.

SOLICITORS COMMENTS: None.

SECRETARY'S COMMENTS: Darlene Oliver has applied for a building permit to remove an existing and replace it. In looking at the flood plain map, the property that the mobile home is currently on is in the flood zone. Mrs. Livermore will confirm that the foundation is located in the flood zone before contacting Ms. Oliver. If the mobile home is currently in the flood zone, she will need to comply with the flood management ordinance.

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 8:45 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)