

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS**

August 10, 2009

7:00 p.m.

CALL TO ORDER: The Muddy Creek Township Board of Supervisors was called to order by Mr. Saunders at 7:01 p.m. The Pledge of Allegiance was recited.

ROLL CALL: Those present included Mr. Rick Saunders, Mr. Sean Gramz, Mrs. Kelly Livermore, and Mr. Thomas Smith. Mr. Dale Kerr entered the meeting at 7:06 PM.

NOTICE OF RECORDING POLICY: Mr. Saunders requested for anyone in the meeting to acknowledge the use of a recording device. Mr. Gramz acknowledged a recording device.

VISITORS: Bob Badger, Audrey Badger, Nikolette Ball, Dennis Ball, John Conrad, John Marak, Larry Coble, Mark Beacom

TREASURER'S REPORT/FINANCIAL STATEMENT: Motion made by Mr. Saunders to approve pay the bills. Second by Mr. Gramz. All in Favor. Motion Carried.

MINUTES: The June 22, 2009 meeting minutes were presented. Motion by Mr. Saunders to approve, second Mr. Gramz. All in favor. Motion carried.

PUBLIC COMMENT:

Mr. Conrad asked what the Road Township Department hours of operation.
Mr. Marak introduced himself as a retired constable. He stated that with the increase in solicitation and higher number of forced entries, he is suggesting that the township issue solicitation permits. He cites two reasons why the issuance of permits would be beneficial. The first being income for the borough (township). The second being the police would know who is in the borough (township). The Board of Supervisors will consider his request later.

At 7:11 PM, Mr. Dale Kerr assumed the Chair duties of the meeting.

PLANNING COMMISSION REPORT:

No report.

ROAD DEPARTMENT REPORT:

Mr. Saunders reported that the road department has been completing work around the building/garage. They will be installing the salt brine tank.

CORRESPONDENCE:

- A. Dennis Ball Request for Modification: Mr. Ball requested modification to the 70' set back in the front of his property. He claimed error on his part in measuring the distance from his property line when pouring the footer to his house. Mr. Ball is actually within the 50 foot building line which was recorded by the developer when the plan was approved and recorded. He also wants to build an additional driveway on his property. The Board of Supervisors have requested for Mr. Ball to complete a driveway permit application for the next meeting.

OLD BUSINESS:

- A. EIT Tax Audit: Motion to table by Mr. Kerr, second by Mr. Saunders. All in favor. Motion carried.
- B. Debra Allen Property: Motion to table made by Mr. Gramz, second by Mr. Saunders. All in favor. Motion carried.
- C. Sheaffer Property: Mrs. Livermore provided an update from the BCO. On July 1, 2009 citations were filed with the MDJ. The MDJ mailed summons following week in the regular mail and has received no response. MDG mailed summons via certified mail on July 28, 2009 and as of this date, there has been no receipt for the certified mail. Mr. Kerr recommended to Mr. Beacom that Mr. Sheaffer retrieve his mail. Motion to table made by Mr. Kerr. Second made by Mr. Gramz. All in favor. Motion carried.
- D. UCC Appeals Board: Lancaster Township is presenting the request to its UCC Appeals Board Members. Motion to table made by Mr. Kerr. Second made by Mr. Saunders. All in favor. Motion Carried.
- G. UCC Permits: Mrs. Livermore updated the status of the properties with suspected structural damage. The BCO reported that no structural damage exists. There is no report on the swimming pool permit complaints. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- H. Traffic Signal Insurance: Mrs. Livermore reported that the traffic signals located at Pilot and State Route 422 and I – 19 and State Route 422 are insured. Mr. Saunders motioned to remove from agenda. Second by Mr. Kerr. All in favor. Motion carried.
- I. PCS Speed Limit Request/Traffic Sign Maintenance: Mr. Kerr presented a letter received from Penn Dot which identified the results of a traffic study on State Route 488. The results are noted that reducing the speed limit to 35 M.P.H. is not justified. The Portersville Christian School Administrator was invited to attend the meeting to discuss the illuminated signage at the school. He will be again invited to the next meeting. Motion to remove the speed limit request from the agenda made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- J. Diesel Fuel Bid: Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- K. Holding Tank Ordinance: The most recent copy of the draft ordinance was distributed. Mr. Gramz made the request to changed 7.1.D to Department. Mr. Saunders made a motion to authorize Mr. Smith to advertize ordinance for adoption. Second by Mr. Kerr. All in favor.

NEW BUSINESS:

- A. Pa Conservation Works: Mrs. Livermore explained the detail of the grant to be submitted. The grant request will consist of insulating the garage, vestibule, office and restroom and replacing existing lighting to make the building more energy efficient. The grant request identifies that the seasonal worker will perform the duties of the non contract work. Mrs. Livermore request for the board to commit \$2,286 to pay for the work completed by the seasonal worker. The seasonal worker will be a newly created position with no benefits. Mr. Saunders motion to submit the grant, authorize Mr. Kerr to sign on behalf of the board of supervisors and allocate \$2286 for matching funds. Motion seconded by Mr. Kerr. All in favor. Motion carried.

- B. Resolution 09-13: Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

- C. Sale of the computer: Mr. Gramz made a motion to sell the surplus computer for \$150.00. Second made by Mr. Saunders. All in favor. Motion carried.

- D. 2010 Budget: Mrs. Livermore is working on preparing past years expenditures for the upcoming budget preparation. Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.

- E. Meeting Location: Mrs. Livermore presented an offer to rent the space at the current location of the Administrative office for the regular township meetings for 65.00/month. The move would not take place until January 2010 at which time a notification would need to be made changing the January meeting location. Motion to accept the offer of 65.00/month from Muddy Creek Plaza for the monthly meetings made by Mr. Saunders. Second by Mr. Gramz. All in favor. Motion carried. A letter will be sent to Portersville EMS notifying them of the change in venue.

SOLICITORS COMMENTS: Mr. Smith requested to enter into executive session to discuss litigation.

SECRETARY COMMENTS: None.

Executive Session: Motion by Mr. Saunders to enter into executive session at 8:27PM, second by Mr. Kerr. All in favor. Motion carried. Motion by Mr. Saunders at 8:42 PM to end the executive session, second by Mr. Kerr. All in favor. Motion carried.

ADJOURNMENT: Motion by Mr. Saunders at 8:48 PM to adjourn, second Mr. Kerr. All in favor.
Motion carried.

MUDDY CREEK TOWNSHIP SUPERVISORS

Dale Kerr, Chairman

Rick Saunders

Sean Gramz

Kelly A. Livermore, Secretary/Treasurer

(Seal)

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS**

August 24, 2009

7:00 p.m.

CALL TO ORDER: The Muddy Creek Township Board of Supervisors was called to order by Mr. Saunders at 7:08 p.m. The Pledge of Allegiance was recited.

ROLL CALL: Those present included Mr. Rick Saunders, Mr. Sean Gramz, Mrs. Kelly Livermore, and Mr. Thomas Smith. Mr. Dale Kerr entered the meeting at 7:15 PM.

NOTICE OF RECORDING POLICY: Mr. Saunders requested for anyone in the meeting to acknowledge the use of a recording device. None.

VISITORS: Pat Moore, Annette Sudano, Jeff Smith, Bob Badger, Audrey Badger, Larry Coble, John Conrad, Mark Beacom, Peg Brenneman

TREASURER'S REPORT/FINANCIAL STATEMENT: Mr. Gramz asked how the Diesel was being tracked, what the pipe was purchased for and the location of the pipe previously purchased for the stock pile late 2008. Mr. Gramz also questioned if the concrete was included in the original estimate of \$7,000 for the system from capital expenditures line item. Mr. Gramz requested information on what roads that the pipe was used. Motion to pay invoices presented made by Mr. Kerr, second by Mr. Saunders. All in favor. Motion carried. Note that check 8957 and 8958 were dated for July 1, 2009 and were not included in the check register. Mrs. Livermore will correct the check register to reflect the two checks.

Mr. Kerr assumed the chair of the meeting at 7:16 PM.

MINUTES: The August 10, 2009 meeting minutes were presented. Motion by Mr. Saunders to approve, second Mr. Kerr. All in favor. Motion carried.

CORRESPONDENCE:

- A. Butler County Safety Seminar on October 7, 2009. Motion to enroll Mr. Flinner, Mr. Hempfling and Mr. Watson in the class made by Mr. Kerr. Second by Mr. Gramz. All in favor. Motion carried.
- B. Penn Dot Press Release. Information regarding the upcoming construction of West Park Road Bridges has been made public and will be on the Muddy Creek Township website.
- C. JB Mills and Fabricating, Inc. A request for a road bond has been made by JB Mills and Fabricating.

PUBLIC COMMENT:

Mrs. Pat Moore asked about HB 1500 and the proposed per capita cost for State Police coverage. Mr. Saunders explained that it would be beneficial for the residents to contact state legislators. The supervisors were asked to send a letter to the local legislators regarding the per capita cost. The supervisors agreed to send letters.

Mr. John Conrad asked about the diesel fuel and the CD Diesel invoice.

Mr. Jeff Smith, Executive Director of Butler COG, introduced himself and thanked the Board of Supervisors for their membership to COG. COG is working to save municipalities money. A crack sealing machine is being purchased through COG. Additionally, Mr. Smith added that he will be willing to write letters of support for grants being applied for by municipalities. He distributed the annual COG report from 2008. Mr. Smith also added that Cranberry may be willing to help with a joint UCC appeals board.

PLANNING COMMISSION REPORT:

The alternate members appointed to the Muddy Creek Township Planning Commission terms as follows:

Pat Moore	One year	expiration 12/31/2010
Bob Badger	Two years	expiration 12/31/2011
Larry Coble	Three years	expiration 12/31/2012

Mr. Gramz presented the recommendation of the planning commission for Mr. Dale Scheffler's application to subdivide. The recommendation is for the preliminary/final submissions for the said plan be denied or granted an extension by request of the applicant. This recommendation is made in compliance with the Muddy Creek Township SALDO. It is noted that Mr. Scheffler has not attended the previous two planning commission meetings to present his application. Mrs. Livermore has sent a letter to Mr. Scheffler to remind him of the next planning commission meeting. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

ROAD DEPARTMENT REPORT:

The Road Department has been applying oil to roads – Kildoo, Sawyer, Cheeseman, Brenneman and Walker. Mr. Kerr is checking to verify if the last date to order oil is 9/15/09. Mr. Flinner will be providing square yard and gallon estimates for the roads.

OLD BUSINESS:

- A. Dennis Ball: Mr. Ball withdrew his modification request. Motion to remove from agenda made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- B. EIT Tax Audit: Motion to table by Mr. Saunders, second by Mr. Kerr. All in favor. Motion carried.
- C. Debra Allen Property: Motion to table made by Mr. Saunders, second by Mr. Kerr. All in favor. Motion carried.
- D. Schaffer Property: Mrs. Livermore will contact the BCO to inquire if there are any additional issues. If there are not other issues, the citation can be withdrawn. A motion was made by Mr. Saunders to withdraw the citation if no additional issues are identified and the township not being responsible for any fees incurred when Mr. Sheaffer was served by the constable. Mr. Kerr seconded. All in favor. Motion carried. Mr. Beacom commented for that if there are constable fees charged to the township, he should be notified.
- E. UCC Appeals Board: No information to report. Motion to table made by Mr. Saunders. Second made by Mr. Kerr. All in favor. Motion Carried.

- F. UCC Permits: No information to report. Motion to table made by Mr. Saunder. Second by Mr. Kerr. All in favor. Motion carried.
- G. Diesel Fuel Bid: Mrs. Livermore will have the bids for letting at the next scheduled supervisor meeting on September 14, 2009. Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- H. Holding Tank Ordinance #61: Motion made by Mr. Saunders to adopt Ordinance #61 – Muddy Creek Township Sewage Holding Tank Ordinance. Second by Mr. Gramz. All in favor. Motion carried. Motion by Mr. Saunders to remove from agenda made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- I. Holding Tank Maintenance Agreement: The supervisors will review the template. Motion to table made by Mr. Saunders. Second by Mr. Gramz. All in favor. Motion carried.
- J. Resolution 09-14 EIT Tax Committee: Motion to adopt Resolution 09-14 with Mr. Saunders as the primary member, Mr. Kerr as the first alternate and Mr. Gramz as the second alternate. Second by Mr. Gramz. All favor. Motion carried.
- K. 2010 Budget: Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.

NEW BUSINESS:

- A. Diesel Metering System: Mr. Gramz motioned that a pump with metering system be used on the diesel tank. If there is not currently a pump with a metering system, Mr. Saunders seconded the motion. A form should be completed for each disbursement of fuel in equipment and vehicles. The form should include mileage for vehicles.
- B. Check Signing Procedures: Mr. Gramz questioned about the procedures for signing checks and who is authorized to sign township checks. For the record, there are four individuals authorized to sign checks which is filed with the financial institution. Mr. Kerr, Mr. Saunders, Mr. Gramz and Mrs. Livermore. The checks must have three signatures which do not all have to be supervisors.
- C. Quarterly Budget Reports: Mr. Gramz requested for budget to actual for quarterly meetings. Mrs. Livermore stated that she will produce those reports but as the Treasurer cannot provide accurate balances at this time until the accountant finalizes the audit and reviews the current account.
- D. Training: Mr. Gramz requested approval to attend the Developing and Managing Your Municipal Budget for \$60 in Armstrong County on 9/15/2009. Motion to approve Mr. Gramz request made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

SOLICITORS COMMENTS: None.

SECRETARY COMMENTS: Requested approval to attend the Developing and Managing Your Municipal Budget in Armstrong County on 9/15/2009 for \$60. Mrs. Livermore will cover the cost of the training for herself which reimburses the township for a previous training missed for personal reasons that also cost \$60.

Mrs. Livermore reported that the township will receive a refund (\$45.55) from the PA Dept. Of Revenue.

ADJOURNMENT: Motion by Mr. Kerr at 8:30 PM to adjourn, 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)