

**MUDDY CREEK TOWNSHIP  
BOARD OF SUPERVISORS**

**June 22, 2011**

**7:00 PM**

**CALL TO ORDER:** The Muddy Creek Township Board of Supervisors was called to order at 7:04 PM by Mr. Dale Kerr. Pledge of Allegiance was recited.

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

**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:** Mr. Bob Badger, Mrs. Audrey Badger, Mr. Ed Robinson, Jr. Jim Willard, Mr. Jim Butler, Ms. Belinda Arndt, Mr. Stanley Grubbs, Mr. Jim Lary, Mr. Don Hutchins, Mr. Kevin Hadley, Mr. Dave Johnston.

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

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

**MINUTES:** Motion to accept the May 18, 2011 minutes made by Mr. Kerr. Second motion made by Mr. Saunders. All in favor. Motion carried.

**CORRESPONDENCE:**

- A. SRASD: Earned Income Tax Account
- B. Central Pension Fund Report
- C. PA One Call: Board Meeting July 27, 2011
- D. UPMC: Not renewing contracts between UPMC and Highmark.
- E. Bronder: Renewal of Traffic Signal Maintenance Agreement. On a motion by Mr. Saunders and second by Mr. Kerr to approve the 2011-2012 contract at no fee increase. All in favor. Motion carried.
- F. US Department of Commerce: Census instruction to obtain local information.
- G. Group Against Smog and Pollution: Outdoor Wood Fired Boiler Regulations
- H. PSATS: Legal Defense Partnership Pamphlet
- I. John Cerean: Complaint regarding garbage. This complaint is located in Lake Arthur Estates who have regulations addressing trash collection. This should be addressed between the park owners and the tenants.
- J. Wagner Electric: Notice of rate increase.
- K. Philip Lope: Mystical Fireworks Group requesting a letter from MCT to conduct firework testing and display in the township. On a motion by Mr. Saunders and second by Mr. Kerr. Mr. Smith will prepare a letter. All in favor. Motion carried. On a motion by Mr. Saunders and second by Mr. Kerr, an ordinance will be developed to identify regulations for the display of fireworks in the township. All in favor. Motion carried.
- L. Karen and Norman Linke: Thank you for responding to the trash complaint.

## **PUBLIC COMMENT:**

Ed Robinson: Prospect Borough interested in forming a sewer authority to include Muddy Creek Township. The Prospect Borough agreement with Moraine Sewer Agreement will expire next year. Potential funding has been identified by Mr. Robinson through DCED and Pennvest. Additionally, the treatment of well drilling (grey) water is worth exploration. This would create an income to assist in the sustainment of the plant and expansion of the residential system. Mr. Saunders noted that the township wants people from the community to have information on this proposal. A community committee is recommended to obtain input. This project is in the very exploratory stages. It is estimated to take five years for the biological processing plant to be implemented. A feasibility study is being completed. Copies of the study will be made available to the supervisors.

## **COMMITTEE UPDATES:**

### A. Planning:

Hadley Subdivision: The Hadley subdivision/lot line revision plan was reviewed and approved by the commission. Mr. Hadley presented his plan to the Board of Supervisors. Mr. Kerr made a motion to approve the plan. Mr. Saunders seconded the motion. All in favor. Motion carried.

### B. Butler County Association of Township Officials: No meeting.

### C. Butler County Council of Governments: No meeting.

## **ROAD DEPARTMENT REPORT:**

Badger Hill Road Water Run Off: Someone from the road department needs to meet with Mr. Luster to identify the size of the pipe needed.

422 Auction: Mr. Thoma requested to install a pipe on Fisher Road/Currie Road to replace or install a new pipe, install a box culvert and cover pipe with dirt. He says that he is willing to pay for the materials or can do the work with his employees. Trucks are running over the pipe and crushing it and getting stuck in the culvert and he pulls them out. Mr. Flinner should meet with Mr. Thoma by Tuesday, June 27, 2011.

The ditches on Ragan Road need cleaned. This needs addressed by the road department.

Protech Asphalt: Mr. Lang from Protech Asphalt was present. The Board of Supervisors discussed with Mr. Lang that the single seal completed by his company in 2010 in Muddy Creek Township was failing and that the entire sections of the roadways completed in 2010 need to be reapplied. Mr. Lang requested that an extension on the current warranty be extended. On a motion by Mr. Saunders and second by Mr. Kerr, the warranty of the single seal by Protech in 2010 will be extended one year. The bond must remain in place for one year.

## **OLD BUSINESS:**

- A. Darlene Oliver Building Permit: Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- B. National Flood Insurance Ordinance. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- C. Traffic Lights: The cost for the visors is \$1356.32. No decision made.
- D. EIT Nonresident: Mrs. Livermore contacted Berkheimer. Mr. Leonard stated that the implementation of Act 32 on 1.1.2012 will negate the nonresident collection due to the fact that all employers will then be required to collect earned income tax. Mr. Saunders made a motion to remove from the agenda. Second by Mr. Kerr. All in favor. Motion carried.
- E. Hardship Hookups:
  - Debra Allen: Completed application with physician note. Mr. Saunders motioned to approve the application. Second by Mr. Kerr. All in favor. Motion carried.
  - Stan Grubbs: Mr. Grubbs was present at the meeting. He claims that he purchased the parcel from his father and not aware of the agreement between his father and the township. Because there was not follow up by the township, Mr. Saunders made a motion to grant an exemption to Mr. Grubbs. Second by Mr. Kerr. All in favor. Motion carried. Mr. Grubbs will be required to request an annual exemption. The exemption is non transferrable.

## **NEW BUSINESS:**

- A. Backhoe Finance: Mr. Gramz needs to be added as a signer for the financing of the backhoe. Motion to add Mr. Gramz made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- B. IRS Abatement: The bank sent the levy to the IRS before the abatement was reviewed. The IRS has applied this to the township account. The tax advocate is working to abate the second and third quarter of 2007. Motion to table made by Mr. Kerr. Second by Mr. Saunders. Motion carried.
- C. Malfunctioning Septic Systems: Motion to table requested by Mrs. Livermore. Mr. Saunders made a motion to table. Second by Mr. Kerr. All in favor. Motion carried.
- D. Emergency Declaration: Motion to ratify declaration of an emergency on May 18, 2011 at 9:18 PM due to the severe rainfall and storm damage made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- E. Stanford Road Project: Motion made by Mr. Saunders to obtain quotes for the drilling and casing of a water well at Stanford Road building. Second by Mr. Kerr. All in favor. Motion carried.

**SOLICITORS COMMENTS:** None

**SECRETARY'S COMMENTS:** Mrs. Livermore will be out of the office from July 7 to July 17 and will return July 18, 2011. Ms. Arndt will be in the office to assist with questions.

**ADJOURNMENT:** Motion by Mr. Kerr to adjourn at 8:45PM, second Mr. Saunders. All in favor.  
Motion carried.

**MUDDY CREEK TOWNSHIP SUPERVISORS**

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Dale Kerr, Chairman

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Rick Saunders

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Sean Gramz

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Kelly A. Livermore, Secretary/Treasurer

(Seal)