

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS**

April 13, 2009

7:00 p.m.

CALL TO ORDER: The Muddy Creek Township Board of Supervisors was called to order by Mr. Kerr at 7:00 p.m. The Pledge of Allegiance was recited.

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

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

VISITORS: Tom Clay, Larry Cable, Audrey Badger, Robert Badger, Gerri Walter, Mark Beacom.

BID OPENING/AWARD: Bids for Aggregate, Oil and Single Seal were opened by Mr. Kerr and Mr. Saunders.

Aggregate:

Company Name	#2A Limestone	#3 Limestone	Limestone Sand	#8 Limestone
Allegheny Mineral PO Box 1022 Kittanning, Pa 16021	\$14.30/Ton	\$14.40/Ton	\$13.50/Ton	\$15.50/Ton
Quality Aggregates, Inc 4955 Steubenville Pike, PGH, PA 15205	\$13.00/Ton	\$13.50/Ton	\$12.35/Ton	\$14.84/Ton
McClymonds Currie Road Portersville, PA 16051	\$13.00/Ton	\$13.50/Ton	\$12.25/Ton	\$14.50/Ton

Mr. Saunders made a motion to award the aggregate contract to McClymond's Supply and Transit. Second by Mr., Kerr. All in Favor. Motion carried.

Oil:

Company Name	MC 70 (Per gal.)	CRS 2 (Per gal.)
Glenn O Hawbaker 106 Hawbaker Industrial Blvd. Grove City, PA 16127	\$2.83	\$1.86
Russell Standard Corp. PO Box 802 Mars PA 16046	\$1.83	\$2.80
Suit Kote Meadville 10965 McHenry St. Meadville, PA 16335	\$2.838	\$1.79
TDF Services, Inc. PO Box 111 Oakmont, PA 15139	\$2.78	\$1.92

Mr. Saunders made a motion to postpone the award of the Oil bids until the April 27, 2009 Supervisor's meeting. Second made by Mr. Kerr. All in favor. Motion carried.

Single Seal Coat:

Company Name	Unit Price	Total
Glenn O Hawbaker 106 Hawbaker Industrial Blvd. Grove City, PA 16127	\$1.13 sq/yd	\$52,420.70
Russell Standard Corp. PO Box 802 Mars PA 16046	\$1.368 sq/yd	\$63,461.52
Suit Kote Meadville 10965 McHenry St. Meadville, PA 16335	\$1.537 sq/yd	\$71,301.43

Mr. Saunders made a motion to award the Single Seal contract to Glenn O. Hawbaker. Second by Mr. Kerr. All in favor. Motion carried.

FINANCIAL STATEMENT: Motion made by Mr. Saunders to approve Mrs. Livermore and Mrs. Meisel to attend the Spring Township Convention in Butler at a cost of \$25.00 per person. Second by Mr. Kerr. All in Favor. Motion carried. Motion by Mr. Saunders to pay bills. Mr. Kerr Seconded the motion. All in favor. Motion carried.

MINUTES: The March 9, 2009 meeting minutes were presented. Motion by Mr. Kerr to approve, second Mr. Saunders. All in favor. Motion carried.

CORRESPONDENCE:

Butler County Earned Income Tax Collection: Motion made by Mr. Kerr to identify Mr. Saunders as the voting delegate for Muddy Creek Township. Second motion made by Mr. Saunders. All in favor. Motion carried.

PUBLIC COMMENT:

Mr. Mark Beacom, attorney representing Dan and Susan Shaffer had questions concerning the paperwork and process needed for the Shaffers. Mr. Gramz explained that the business being operated on the property requires compliance with the land development ordinance. There have been issues in the past with the current septic which needs to be retested. Mr. Beacom explained that the Shaffers are operating a towing business to gain the state's towing business. They have removed the equipment in the building and have set up an office trailer. They are interested in moving their current business location from Route 528 to this location. Mr. Beacom declares that Mr. Shaffer never received a certified letter from the Magisterial District Justice.

PLANNING COMMISSION REPORT:

The April meeting was held on April 9, 2009. No new business to report.

OLD BUSINESS:

- A. EIT Tax Audit: Mrs. Livermore has retrieved the records from Mr. Paparone. Mr. Smith recommended that a meeting be scheduled with the supervisors and Mr. Smith to clarify the next step in the process.

- B. Debra Allen Property: Mrs. Allen called on April 10, 2009 to inform the township that she is working with a surveyor to develop her parcel. Motion to table made by Mr. Saunders, second by Mr. Kerr. All in favor. Motion carried.

- C. Myers Small Flow Permit: Mr. Myers system is not currently operational as reported by Mr. Doug Duncan, SEO. His paperwork is up to date. He has the bonds in place. Mrs. Livermore is currently waiting for a copy of the current bond but the insurance company does claim that it is current. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

- D. Levis Road: No response from the property owner. Mrs. Livermore will follow up with a phone call. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

- E. Flinner Property: Mr. Kerr motioned to table, second by Mr. Saunders. All in favor. Motion carried.

- F. Road Department Employee: Motion made by Mr. Saunders to hire Ms. Patricia Hall as the seasonal road worker effective 4-6-09 at a rate of \$9.00/hour. Second by Mr. Gramz. All in favor. Motion carried.

- G. Resolution 09-11: Motion made by Mr. Saunders to adopt resolution 09-11 "Authorizing certain township employees to purchase goods or order services on behalf of the township within specified budget categories, and setting spending limits for such purchases and orders." Second by Mr. Kerr. Mr. Gramz opposes. Motion carried.

NEW BUSINESS:

- A. Borough Work Invoice: Motion made by Mr. Saunders to send an invoice to Portersville Borough for services provided by the township road department. Second by Mr. Gramz. All in favor. Motion carried.
- B. Sewage Inspection: Motion made by Mr. Kerr to send a letter requesting inspection of the property located on Route 19. Second by Mr. Gramz. All in favor. Motion carried.
- C. Permitting Process: Mr. Gramz introduced for discussion the township's current permit application process and the responsibility for ordinance compliance. Mr. Gramz made a motion that he review all permit applications for accuracy of information. No second made. Motion dies. Mr. Kerr made a motion for Mr. Gramz to review all building permit applications. Second motion by Mr. Saunders. Mr. Gramz opposes. Motion carries. Mr. Gramz commented that someone else needs to do it.

Noted corrections 4-27-09: (Mr Gramz contends that Mr. Saunders stated that he would not vote. Mr. Saunders contends that he stated that he would not vote on the proposed motion).

SOLICITORS COMMENTS:

In accordance with the Armstrong Franchise Agreement, the township should be receiving a check for the first quarter.

SECRETARY COMMENTS: None

EXECUTIVE SESSION:

Motion by Mr. Kerr at 8:25 PM to enter into executive session, second by Mr. Saunders. All in favor. Motion carried. Motion at 8:29 PM to end executive session by Mr. Kerr, second by Mr. Saunders. All in favor. Motion carried.

- A. Secretary /Treasurer: Motion made by Mr. Saunders to increase the Secretary/Treasurer hourly rate by .50 in accordance with the second thirty day review. Second made by Mr. Saunders. All in favor. Motion carried.

ADJOURNMENT: Motion by Mr. Kerr at 8:30 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)

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS**

April 27, 2009

7:00 p.m.

CALL TO ORDER: The Muddy Creek Township Board of Supervisors was called to order by Mr. Kerr at 7:09 p.m. The Pledge of Allegiance was recited.

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

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

VISITORS: Pat Moore, Bob Badger, Audrey Badger, and Larry Cable.

FINANCIAL STATEMENT: Motion made by Mr. Kerr to approve pay the bills. Second by Mr. Saunders. All in Favor. Motion Carried. Motion made by Mr. Kerr to close the Payroll Account. Second by Mr. Saunders. All in Favor. Motion Carried.

MINUTES: The April 13, 2009 meeting minutes were presented. Motion by Mr. Kerr to approve, second Mr. Saunders. Mr. Gramz requested a correction to the minutes. All in favor. Motion carried.

CORRESPONDENCE:

Eisler Letter: Update the Board of Supervisors on the status of the building permit.

McHattie Letter: Update the Board of Supervisors on the status of the building permit and requesting an extension to the permit.

PUBLIC COMMENT:

Mr. Badger requested clarification on the Highway Aid bills to be paid and the balance.

PLANNING COMMISSION REPORT:

No new business to report.

OLD BUSINESS:

A. **EIT Tax Audit:** Mrs. Livermore will coordinate a meeting with the supervisors to determine details of the claims and the process to handle claims.

B. **Debra Allen Property:** Motion to table made by Mr. Kerr, second by Mr. Saunders. All in favor. Motion carried.

C. **Shaffer Property:** No new information. Motion to table made by Mr. Kerr, second by Mr. Gramz. All in favor. Motion carried.

- D. Myers Small Flow Permit: Motion to remove from agenda made by Mr. Saunders, second by Mr. Kerr. All in favor. Motion carried.
- E. Levis Road: Mrs. Livermore will contact both property owners. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- E. Flinner Property: Mr. Saunders motioned to table, second by Mr. Kerr. All in favor. Motion carried.
- F. Resolution 09-12: Motion to renumber 09-11 – “Public Meeting Policy” to 09-12 made by Mr. Saunders, second by Mr. Kerr. All in favor. Motion carried.
- G. UCC Appeals Board: Muddy Creek Township needs to identify an appeals board. Motion to table made by Mr. Saunders, second by Mr. Kerr. All in favor. Motion carried.
- H. Miller Letter: Mrs. Livermore has not contacted the property owner as she does not have a correct address. Motion to table made by Mr. Kerr, second by Mr. Gramz. All in favor. Motion carried.

NEW BUSINESS:

- A. 2009 Road Work Plan: Provided by Mrs. Livermore as a draft. Supervisors are requested to review and make notes on any additional information needed on the report.
- B. Single Seal Award: Motion made by Mr. Saunders rejects all bids. Second by Mr. Kerr. All in favor. Motion Carried.
- C. Oil Bid Award: Motion by Mr. Kerr to award MC 70 and CRS to Russell Standard. Second by Mr. Saunders. All in favor. Motion Carried.
- D. Purchasing Procedures Proposal: A draft of procedures for purchasing was presented by Mrs. Livermore. Supervisors are requested to review and make notes on any additional information needed in the procedures.
- E. PO Box 117: Motion made by Mr. Saunders to return all mail to sender. Second made by Mr. Kerr. All in favor. Motion carried.
- F. Seasonal Worker: Patricia Hall resigned effective April 24, 2009. Motion made by Mr. Kerr to hire Mr. Michael Watson as seasonal worker at a rate of \$9.00 effective April 28, 2009. Second by Mr. Saunders. All in favor. Motion carried.

SOLICITORS COMMENTS: None

SECRETARY COMMENTS: None

EXECUTIVE SESSION:

Motion by Mr. Saunders at 7:46 PM to enter into executive session, second by Mr. Kerr. All in favor. Motion carried. Motion at 7:50 PM to end executive session by Mr. Saunders, second by Mr. Kerr. All in favor. Motion carried.

A. Caruso and Caruso Accountants: Motion made by Mr. Kerr to appoint Caruso and Caruso as Power of Attorney to handle Internal Revenue Service contact. Second by Mr. Saunders. All in favor. Motion carried.

ADJOURNMENT: Motion by Mr. Kerr at 7:53 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)