

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS**

March 9, 2009

7:00 p.m.

CALL TO ORDER: The Muddy Creek Township Board of Supervisors was called to order by Mr. Kerr at 7:05 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. Tom Smith.

VISITORS: Pat Moore, Bob Badger, Audrey Badger.

FINANCIAL STATEMENT: Motion by Mr. Saunders to pay bills. Mr. Kerr Seconded the motion. All in favor. Motion carried. Mr. Gramz requested that the fax line be eliminated and that a piggy back agreement be instated to include the fax line on the main administrative office telephone line.

MINUTES: The February 23, 2009 meeting minutes were presented. Motion by Mr. Kerr to approve, second Mr. Saunders. All in favor. Motion carried.

CORRESPONDENCE:

- A. COG Meeting/Agenda was distributed for review.
- B. In accordance with PA 67, 68, and 127 notifications, SAI Consulting Engineers notified the township of PA DEP general permit applied for by SAI Consulting Engineers for replacement of the existing McConnell's Mill Bridge as well as an addition of a 25,000 square foot park and ride facility, intersection improvements, ramp removal, drainage replacement, and associated road work. Mr. Kerr made a motion to forward the proposal to the township engineer for review and comment. Second by Mr. Saunders. Mr. Gramz opposed. Motion carried.
- C. In accordance with PA Acts 14, 67, 68 and 127, Penn Dot has notified the township of a PA DEP 105 waiver to place rock protection and/or remove sediment/debris under the bridge that carries State Route 079, Segment 950 over a Tributary to Yellow Creek to prevent scour along the bridge abutments. No comments made.
- D. Notification was received by PA DEP that Mr. John Brown has received renewal of General Permit for Small Flow Treatment Facility (PAG-04) effective February 5, 2009. Permit No. PAG049291

PUBLIC COMMENT: None.

PLANNING COMMISSION REPORT: None.

OLD BUSINESS:

- A. EIT Tax Audit: A motion was made by Mr. Saunders for Mrs. Livermore to invoice the Slippery Rock School District for 50% of the costs incurred for the audit of the files. Second by Mr. Kerr. All in favor. Motion carried. Mr. Smith will send a request to Papparone. A motion was made by Mr. Kerr for the township to send a letter to Mr. Papparone to retrieve the township's records. Second by Mr. Saunders. All in favor. Motion carried.

- B. Debra Allen Property: Motion to table made by Mr. Saunders, second by Mr. Kerr. All in favor. Motion carried.
- C. Resolutions 09-03 thru 09-09:
 Motion made by Mr. Saunders to adopt Resolution 09-03, second by Mr. Kerr. All in favor. Motion carried.
 Motion made by Mr. Saunders to adopt Resolution 09-05, second by Mr. Kerr. All in favor. Motion carried.
 Motion made by Mr. Saunders to adopt Resolution 09-06, second by Mr. Kerr. All in favor. Motion carried.
 Motion made by Mr. Saunders to adopt Resolution 09-07, second by Mr. Kerr. All in favor. Motion carried.
 Motion made by Mr. Saunders to adopt Resolution 09-08, second by Mr. Kerr. All in favor. Motion carried.
 Motion made by Mr. Saunders to adopt Resolution 09-09, second by Mr. Kerr. All in favor. Motion carried.
 Copies of the policies will be forwarded to the union representative for approval and signature. Upon return from the union, Mr. Kerr will approve the policy and each employee will be asked to review and sign off on the policy to be included with the resolution as well as each personnel file.
- D. Salt Shed and Salt Brine: Mr. Kerr motioned to table, second by Mr. Saunders. All in favor. Motion carried.
- E. Levis Road: Motion by Mr. Kerr to table, second by Mr. Saunders. All in favor. Motion carried.
- F. Flinner Property: Mr. Kerr motioned to table, second by Mr. Saunders. All in favor. Motion carried.
- G. Lettering on the truck: The lettering is completed. A motion to remove from the agenda made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.

NEW BUSINESS:

- A. Seasonal Employee: Mr. Saunders motioned for the approval to advertise for the hiring of a seasonal road department employee. Second by Mr. Kerr. All in favor, Motion carried.
- B. Road Maintenance Plan: A road plan for 2009 was prepared by Penn dot to cover the seal coat of identified highways. A motion was made by Mr. Kerr to bid the seal coat as well as bid for 20,000 gallons more or less of the E-3 and MC70 separate from the seal coat. Bids should be received and open for the next scheduled township meeting. Second by Mr. Saunders. All in favor. Motion carried. Mr. Gramz requesting a five year plan. Mr. Kerr presented a three year plan prepared by the Road Department Foreman. Discussion was held regarding the plan. Mr. Gramz would like a detailed plan which identifies proposed costs of future projects.
- C. Township mowing: A discussion was held regarding the mowing on township road ways.
- D. Litchko/Stevenson Subdivision Plan: The subdivision plan submitted by each of the stated has not had any activity. A motion made by Mr. Saunders to remove from the agenda, second by Mr. Kerr. All in favor. Motion carried.
- E. Spending Limits: Mr. Gramz questioned whether a policy or resolution was in place that limits the amount an employee can spend without obtaining approval. Mr. Smith is going to check his files for a copy of the resolution. Mr. Gramz motioned to enact a purchasing/requisition system for the township. No second was made on the motion. The motion dies. Mr. Gramz motioned to develop a resolution to identify spending limits. No second was made on the motion. The motion dies.

- F. Postage: Mrs. Livermore discussed the potential benefit for the use of stamps.com for postage. The cost of the service is \$16.00/month which does not include the actual postage. Mr. Saunders asked Mrs. Livermore to investigate the program and report back.

SOLICITORS COMMENTS: None

SECRETARY COMMENTS: None

EXECUTIVE SESSION:

Motion by Mr. Kerr at 8:14 PM to enter into executive session, second by Mr. Saunders. All in favor. Motion carried. Motion at 8:17 PM to end executive session by Mr. Kerr, second by Mr. Saunders. All I favor. Motion carried.

- A. Secretary/Treasurer Wages: Motion to increase the Secretary/Treasurer wages .50 per hour in accordance with the 30 day review, effective March 6, 2009, was made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

ADJOURNMENT: Motion by Mr. Saunders at 8:30 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**

March 23 2009

7:00 p.m.

CALL TO ORDER: The Muddy Creek Township Board of Supervisors was called to order by Mr. Kerr at 7:06 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. Tom Smith.

VISITORS: Pat Moore.

FINANCIAL STATEMENT: Motion made by Mr. Kerr to approve Mrs. Livermore to attend the Secretary Training in Elk County. Second by Mr. Saunders. 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: None.

PUBLIC COMMENT: None.

PLANNING COMMISSION REPORT:

- A. **APA:** Mrs. Livermore requested on behalf of the Muddy Creek Township Planning Committee to join the American Planners Association. Mr. Kerr made the motion for Muddy Creek Township to join the APA both national and regional chapters. Second by Mr. Gramz. All if favor. Motion carried.
- B. **March Planning Meeting:** The March Planning Committee meeting was held on March 12, 2009. The committee reviewed the request of the Butler CDC Underground Storage Tank sites. Mr. Gramz provided a list of suspected underground storage tank sites.
- C. **Checklist:** Mr. Gramz continues to work on the development of a subdivision check list for applications being accepted at the township office.

OLD BUSINESS:

- A. **EIT Tax Audit:** Mrs. Livermore forwarded an invoice to the Slippery Rock School District. She was instructed to also follow up with a letter to Mr. Papparone to retrieve all of Muddy Creek Township Records.
- B. **Debra Allen Property:** Motion to table made by Mr. Gramz, second by Mr. Kerr. All in favor. Motion carried.
- C. **Myers Small Flow Permit:** Chuck Smith claims to have made a final inspection on the system. He contends that if his 2008 invoice is reviewed it should be noted. Mrs. Livermore has not been able to locate the noted invoice. Mr. Duncan has agreed to visit the owner and inquire about the necessary tests, etc.

- D. Salt Shed and Salt Brine: Mr. Kerr motioned to remove from the agenda, second by Mr. Saunders. Mr. Gramz opposed. Motion carried. Mr. Gramz has requested the labor costs associated with the project.
- E. Levis Road: Motion by Mr. Saunders to send a letter to the property owner inquiring about the status of the driveway permit. Second by Mr. Kerr. All in favor. Motion carried.
- F. Flinner Property: Mr. Kerr motioned to table, second by Mr. Saunders. All in favor. Motion carried.
- G. Road Department Employee: The applications for the seasonal position were presented to the supervisors. Mr. Saunders made the motion that following the interview process, the best applicant be hired. Second by Mr. Kerr. All in Favor. Motion carried.

NEW BUSINESS:

- A. Aggregate Bids: A motion was made by Mr. Kerr to add the 2009 Aggregate Bids to the Maintenance Project Bids. Second by Mr. Saunders. All in favor. Motion carried.
- B. Shaffer Property: A motion was made by Mr. Saunders to send a letter to the property owner inviting them to discuss the status of their land development plan and the cease and desist letter. Second by Mr. Kerr. All in favor. Motion carried.
- C. Township Logo/Seal: Mrs. Livermore requested approval to implement a contest to create a logo/seal for Muddy Creek Township. An award to be determined would be presented to the winning logo which would be adopted by the Board of Supervisors as the official logo/seal. Mr. Kerr motioned to approve the request. Second by Mr. Saunders. All in favor. Motion carried.
- D. Township Purchasing /Requisition Form and Procedures: Mrs. Livermore developed a form to be used for the purchase of supplies. It will include a justification for the purchase and noted contact if an emergency purchase. It will allow for the tracking of project costs and provide for a more accurate budget account. It adheres to the Muddy Creek Township Resolution 0405 as well as the Second Class Township Code. A recommendation was made to increase the spending limits identified in the resolution 0405.
- E. Resolution 0405: A motion was made by Mr. Saunders to increase the spending limit of the Road Crew Foreman and Township Secretary to \$500.00 with an advance notification to the Township Treasurer for any single purchase amount over \$350.00. Second by Mr. Kerr. Mr. Gramz opposed. Motion carried.
- F. 2008 Audit: The audit has not been complete. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- G. Meeting Policy: Mr. Saunders motion to accept Resolution 09-11 *Adopting a Public Meeting Policy*. Second by Mr. Kerr. All in favor. Motion carried.
- H. Road Department Mowing/Brush Cutting: Mowing needs to be scheduled for township roads before Memorial Day and July 4th. It is anticipated that forty hours of brush cutting will be needed and should be done in the very near future.
- I. UCC Appeals Board: Mr. Gramz questioned the status of a UCC Appeals Board. There is currently not one identified for Muddy Creek Township. Mr. Gramz will check with COG.
- J. Kelner Appeal: Mr. Gramz asked about the status of the Kelner appeal timeline. Mr. Smith reported that he has not had any communication in regards to the Kelner appeal and the thirty day appeal deadline has expired.

SOLICITORS COMMENTS: None

SECRETARY COMMENTS: None

EXECUTIVE SESSION:

Motion by Mr. Kerr at 8:14 PM to enter into executive session, second by Mr. Saunders. All in favor. Motion carried. Motion at 8:17 PM to end executive session by Mr. Kerr, second by Mr. Saunders. All I favor. Motion carried.

- A. Seasonal Road Worker: Motion to Interview Mr. Nicklas, Ms. Hall, Mr Raisley and Mr. Watson for the position. Second by Mr. Saunders. All in favor. Motion carried.

ADJOURNMENT: Motion by Mr. Kerr at 8:18 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)