

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS**

April 17, 2013

7:00 PM

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

ROLL CALL: Those present included Mr. Rick Saunders, Mr. Kerr, Mr. Jesteadt, Mr. 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: Mr. Larry Coble, Mr. Tom Clay.

TREASURER'S REPORT: A motion was made by Mr. Saunders to accept the treasurer's report for the month of March. Second by Mr. Jesteadt. All in favor. Motion carried.

ADMINISTRATIVE ACTION (Invoices): Motion made by Mr. Saunders to pay the bills General Fund checks 10630-10655. Second by Mr. Jesteadt. All in favor. Motion carried.

MINUTES: Motion made by Mr. Saunders with a second by Mr. Jesteadt to adopt the March 20, 2013, minutes. All in favor. Motion carried.

CORRESPONDENCE:

- A. PSATS: 2013 Proposed Resolutions and Bylaw Changes
- B. West Penn Power: Electric Choice for Customers
- C. MS: Bike Escape to the Lake: Bicycle event scheduled to occur on Yellow Creek, Kelly Road, Route 488 and Route 19, and West Park Road. Saturday, June 8th leaving SVHA at 7 AM and approximately 1300 cyclists.
- D. Penn Dot: Notice of Turn back deposit of \$20,080.00

PUBLIC COMMENT: None

COMMITTEE UPDATES:

- Planning Commission:
No April Meeting. Upcoming Plan reviews: Ringle Lot Line Revision and Wack/Schandelmeyer Lot Line Revision.
- BCATO:
Mr. Kerr made a motion to approve for Mrs. Livermore and Mrs. Meisel to attend the Spring Convention on May 21 at a cost of \$25.00 per person. Mr. Jesteadt seconded the motion. All in favor. Motion carried.
- COG:
COG insurance increased 30%. Grants are being made available for alternative fuel. COG is compiling information on leasing equipment.
- ACT 32 COMMITTEE:
No report.

ROAD DEPARTMENT REPORT:

- A. Protech Asphalt: A motion was made by Mr. Saunders to approve the Mutual Release Agreement from Old Republic Surety Company for the sum of \$17,768.50. Second by Mr. Jesteadt. All in favor. Motion carried.
- B. Flagger Training: Flagging Training was completed by the Road workers on Thursday, April 4, 2013.
- C. Red Truck: Mr. Kerr made a motion to sell the 2000 International and to list the details on the website for municipal/governmental sale only at this time. Second by Mr. Saunders. All in favor. Motion carried.
- D. PSATS CDL: Random test completed.
- E. Adjust Caster: A motion was made by Mr. Saunders to approve the road department either purchases or construct adjust casters for the broom at a cost of \$300.00. Second by Mr. Jesteadt. All in favor. Motion carried.

OLD BUSINESS:

- A. Indemnity Agreement for HOP: Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- B. Sewage and Assessment Permit Ordinances: Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- C. Prospect Multi Municipal Authority: No report. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- D. Construction Trailers: Requirements for septic permits for holding tanks. Mr. Duncan is still working with DEP to obtain a final decision. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- E. Ag Securities: Mrs. Livermore will have the committee and documents ready for the May meeting. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- F. EIT Funds: SRASD Legal Counsel provided a counter offer that SRASD is willing to split the amount of funds in the account but will assume no further liability. Mr. Kerr made a motion to send correspondence to SRASD that Muddy Creek Township will keep the funds in the bank account until January 2015 and at that time will discuss the distribution of the funds. Second by Mr. Saunders. All in favor. Motion carried.

NEW BUSINESS:

- A. General Fund Account Variance: First quarter 2013 was distributed to the Supervisors.
- B. Intermunicipal Agreement for Winter Maintenance: Mr. Saunders approved for Mr. Smith to prepare an ordinance for the adoption of an intermunicipal agreement with Portersville Borough for winter maintenance. Second by Mr. Jesteadt. All in favor. Motion carried.
- C. Stormwater Management Ordinance: Mrs. Livermore will contact the Butler County Planning Commission to inquire if amendments can be made to the Riparian Buffer.
- D. Sewage Holding Tank Agreement: A motion was made by Mr. Kerr and seconded by Mr. Jesteadt to approve the Sewage Holding Tank Agreement for Brian LaChance, East Portersville Road. All in favor. Motion carried.
- E. Granny Flat: A motion was made by Mr. Kerr to approve the Parson agreement. Second by Mr. Jesteadt. All in favor. Motion carried.
- F. Junk Cars: A motion was made by Mr. Kerr to send a letter to Mr. Gordon about junk yards and the requirement of the junk yard permit. Second by Mr. Jesteadt. All in favor. Motion carried.

- G. Newsletter: A motion to approve the printing of the spring edition of the newsletter was made by Mr. Saunders. Second by Mr. Jesteadt. All in favor. Motion carried.
- H. Quality Stone: Perry Highway adding a storage facility does not need a land development plan as an accessory to the office/showroom facility.
- I. Trencher Rental Agreement: A motion was made by Mr. Saunders and seconded by Mr. Jesteadt to approve the agreement to rent the trencher from Mr. Dan Thomas for two years at a cost of \$590.00. All in favor. Motion carried.
- J. Intern: Mrs. Livermore is having difficulty finding an intern. A motion by Mr. Kerr was made that Mrs. Livermore could consider a person looking to re-enter the workforce as a training opportunity. She is to check with PSTAS U/C about the potential impact of future claims. The motion was seconded by Mr. Saunders. All in favor. Motion carried.
- K. Open Permit: Mrs. Livermore will be sending out letter to property owners with open permits to either get a final inspection or extension.
- L. Wallace Road: There have been issues with an abandoned roadway being used as a driveway at 117 Wallace Road. It is not properly ditched and mud is being transported onto the roadway from trash hauler because of a dumpster sitting on the property. A letter was sent to the property owner to clean up the roadway and cease and desist the use of the second driveway. No action on the part of the property owner has occurred. A motion to approve the road department to property ditch the roadway for proper drainage was made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- M. Training: Mrs. Livermore will be attending training about affordable health care in Cranberry on 4/18. The office may be closed for the day depending on the length of the program.

SOLICITORS COMMENTS: No Comment.

SECRETARY'S COMMENTS: None

ADJOURNMENT: Motion by Mr. Saunders to adjourn at 8:29 PM. Second by Mr. Kerr. All in favor. Motion carried.

MUDDY CREEK TOWNSHIP SUPERVISORS

Dale Kerr, Chairman

Rick Saunders

Robert J. Jesteadt, Sr.

Kelly A. Livermore, Secretary/Treasurer

(Seal)