

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS**

November 9, 2009

7:00 p.m.

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

ROLL CALL: Those present included Mr. Dale Kerr, Mr. Rick Saunders, Mr. Sean Gramz, Mrs. Kelly Livermore, and Mr. Thomas Smith. Mr. Saunders stepped out of the meeting from 7:00PM to 7:02PM.

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: Audrey Badger, Bob Badger, Annette Sudano.

TREASURER'S REPORT/FINANCIAL STATEMENT: Motion made by Mr. Gramz to pay the bills presented. Second by Mr. Saunders. All in favor. Motion carried.

MINUTES: The October 26, 2009 meeting minutes were presented. Motion by Mr. Saunders to accept the minutes, second Mr. Kerr. All in favor. Motion carried

CORRESPONDENCE:

2008 Preliminary Audit Report presented to the board. Motion by Mr. Saunders to invite Caruso and Caruso to a public meeting to present the 2008 audit. Second by Mr. Kerr. All in favor. Motion carried.

PUBLIC COMMENT:

Mrs. Sudano asked about the 2008 audit presented in the Butler Eagle.

PLANNING COMMISSION REPORT:

Nothing to report. The November meeting has been cancelled due to no business. Mr. Smith recommended that Mr. Gramz request letters of resignation from those members of the commission who expressed an interest in resigning from the board.

ROAD DEPARTMENT REPORT:

The road department received quotes for the replacement of the identified roof at the garage. The work will require a permit. Mrs. Livermore will contact the engineer to work with the road department to meet the requirements of the UCC.

The road department continues to ditch and berm roads.

OLD BUSINESS:

- A. EIT Tax Audit: Motion to table by Mr. Saunders, second by Mr. Kerr. All in favor. Motion carried.
- B. Debra Allen Property: The Township received a letter from Mrs. Allen stating that the surveyor had to finish and she will then present the application. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- C. Intergovernmental Agreement with Portersville Borough/Muddy Creek Township: The Portersville Borough council is reviewing the agreement. Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- D. EIT/LST Quotes: Quotes were received from Keystone Municipal Services, Centax, and Berkheimer. The Board of Supervisors will review the quotes. Motion to table made by Mr. Saunders, second by Mr. Kerr. All in favor. Motion carried.
- E. Purchasing Procedures: Mrs. Livermore requested to table. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- F. Levis Road/Road Bonding: Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- G. Ordinance 41 Violation: Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- H. 2010 Budget: Motion to table made by Mr. Saunders, second by Mr. Kerr. All in favor. Motion carried.

NEW BUSINESS:

- A. AFLAC: Mr. Saunders made a motion for the payroll deduction of AFLAC insurance. Second by Mr. Kerr. All in favor. Motion carried.
- B. Resolution 09-16: Motion to adopt resolution 09-16 “ A resolution requiring the elected or appointed real estate tax collector to maintain a joint banking account for real estate taxes in the name of the tax collector and Muddy Creek Township and designating a depository for the joint real estate tax account” made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- C. Mirror on Miller Road: Penn dot reviewed the request for the installation of a mirror on Miller Road and Route 488. Permission by the township should be sought from the property owner where the mirror would be located.

SOLICITORS COMMENTS: None

SECRETARY’S COMMENTS: None

ADJOURNMENT: Motion by Mr. Saunders at 7:35 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
November 23, 2009
7:00 p.m.**

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

ROLL CALL: Those present included Mr. Dale Kerr, Mr. Rick Saunders, Mrs. Kelly Livermore, and Mr. Thomas Smith. Mr. Gramz was absent from the meeting.

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: Audrey Badger, Bob Badger, Annette Sudano.

TREASURER'S REPORT/FINANCIAL STATEMENT: Motion made by Mr. Saunders to pay the bills presented. Second by Mr. Kerr. All in favor. Motion carried.

MINUTES: The October 26, 2009 meeting minutes were presented. Motion by Mr. Saunders to accept the minutes, second Mr. Kerr. All in favor. Motion carried

CORRESPONDENCE:

DEP/Fike Associates: Moor Mine proposed change post mining permit.

MESA: Engineering Position letter of interest for 2010.

UPMC Renewal Quotes

Dean Erdner: Informed Board of Supervisors that he will not seek reappointment to the Planning Commission. Motion to accept Mr. Erdner's resignation letter by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

Caruso: December 7, 2009 – 2008 Audit Presentation

PUBLIC COMMENT:

Mrs. Taimuty asked about obtaining a variance for the setback for her daughter to build on Sechan Road. Mrs. Taimuty was directed to make a formal request to the Muddy Creek Township Planning Commission.

PLANNING COMMISSION REPORT:

No report.

ROAD DEPARTMENT REPORT:

The three roof repair quotes were reviewed. A motion was made by Mr. Saunders to hire Robert J. Obrien contractor in the amount of \$7,989.00 to repair the roof at the garage. Funds to be used from the Building Fund account. Second by Mr. Kerr. All in favor. Motion carried.

OLD BUSINESS:

- A. EIT Tax Audit: Motion to table by Mr. Saunders, second by Mr. Kerr. All in favor. Motion carried.
- B. Debra Allen Property: Mrs. Allen will attend the next Planning Commission meeting. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- C. Intergovernmental Agreement with Portersville Borough/Muddy Creek Township: The Portersville Borough council is reviewing the agreement. Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- D. EIT/LST Quotes: Motion by Mr. Kerr to invite Berkheimer Tax Associates to make a presentation at the December 7, 2009 meeting. Second by Mr. Saunders. All in favor. Motion carried. Motion to table quotes discussion made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- E. Purchasing Procedures: At the request of Mrs. Livermore, motion to remove from the agenda by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- F. Levis Road/Road Bonding: It is estimated that the cost to complete the core samples and engineering study for Upper Stanford, Bauder School, Bauder Mill, and Levis Roads will cost \$6,735.00. Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.
- G. Ordinance 41 Violation: Motion to remove from the agenda made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- H. 2010 Budget: Motion to advertise the 2010 budget with noted changes made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried. The budget will be forwarded to the Board of Supervisors prior to advertisement.

NEW BUSINESS:

- A. 2010 Meeting Schedule: A discussion on changing the meeting days to one per month and the selection of which day was held.
- B. Winter Maintenance Position: Motion was made by Mr. Saunders for the creation of the Winter Maintenance Position as an on call position for \$10.00/hour effective December 15, 2009. Michael Watson to be rehired for the position. Second by Mr. Kerr. All in favor. Motion carried.
- C. Spray Irrigation Maintenance Agreement: Mr. Saunders motioned to approve the revised maintenance agreement. Second by Mr. Kerr. All in favor. Motion carried.

- D. Hazardous Mitigation: Mr. Vaughn Badger represented Muddy Creek Township at the recent county hazardous mitigation meeting. He questioned if the township has flood insurance and noted that future grants may be impacted if the township does not carry flood insurance.

SOLICITORS COMMENTS: None

SECRETARY'S COMMENTS: Mrs. Livermore noted that she is unable to confirm the payment of the 2008 Local Services Tax. Mrs. Livermore questioned whether the LST can be used for payment of the Fire Department's Worker's Compensation Insurance. Both Mr. Kerr and Mr. Saunders agreed that the LST can be used for Worker's Compensation Insurance payment. Mrs. Livermore will provide a total of 2008 LST for the next meeting.

A motion was made by Mr. Saunders to enter into executive session to discuss personnel matters at 8:30 PM. Second by Mr. Kerr. All in favor. Motion carried.

A motion was made by Mr. Saunders to end the executive session at 8:44PM. Second by Mr. Kerr. All in favor. Motion carried.

ADJOURNMENT: Motion by Mr. Saunders at 8:45 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)