

**MUDDY CREEK TOWNSHIP  
BOARD OF SUPERVISORS**

**June 16, 2010**

**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. Sean Gramz, Mrs. Kelly Livermore, and Mr. Thomas Smith. Mr. Rick Saunders was absent.

**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:** Pat Moore, Larry Coble.

**TREASURER'S REPORT:** Mrs. Livermore provided copies of the treasurer's report for the month ending May. Correction to the report: Date should reflect month of May. Motion to accept the report made by Mr. Kerr, second by Mr. Gramz. All in favor. Motion carried.

**ADMINISTRATIVE ACTION (Invoices):** Motion made by Mr. Gramz to pay the bills presented. Second by Mr. Kerr. All in favor. Motion carried. Mr. Gramz inquired if the township is listed as additional insured for the Portersville Fire Department Workers Compensation Policy.

**MINUTES:** Motion to accept the minutes of May 19, 2010 made by Mr. Gramz. Second by Mr. Kerr. All in favor. Motion carried. Motion to table until the next meeting made by Mr. Kerr. Second by Mr. Gramz. All in favor. Motion carried.

**CORRESPONDENCE:**

Gannett Fleming: Revised Agreement for Road Bonding: Motion to accept the agreement for road bonding in the amount of \$7,000 made by Mr. Kerr. Second by Mr. Gramz. All in favor. Motion carried.

Doug Duncan: Submitted an adjustment to his fee schedule. Motion to accept the adjusted fee schedule made by Mr. Kerr. Second by Mr. Gramz. All in favor. Motion carried.

Central Pension Fund: Annual Funding Notice made available for review.

Bronder Technical Service: Traffic Signal Maintenance Renewal at the same cost as the current contract (\$450.00) per quarter. Motion to renew the contract with Bronder Technical Service for the maintenance of the traffic signals at Pilot and I-79 made by Mr. Gramz. Second by Mr. Kerr. All in favor. Motion carried.

UPMC: Extended coverage letter made available for review.

Andrew M. Menchyk: Schaaf Variance Request withdrawn.

IRS: 2007 (three quarters) penalties/interest: Notice was received for payment of the three identified quarters penalties and interest. Mrs. Livermore spoke to a representative from the IRS

and has requested and received a 30 day hold on the account pending the outcome of the abatement request and appeal.

Pa DOR: A notice was received by the Pa Department of Revenue claiming a discrepancy in the 2005 income tax submitted. Mrs. Livermore contacted the Pa DOR and there appears to be a lack of communication between their departments. MCT is in good standing.

### **PUBLIC COMMENT:**

None.

### **COMMITTEE UPDATES:**

- A. Planning: The Commission met on May 27th. A review of the Deb Allen Land Development application was discussed.
- B. Butler County Association of Township Officials: Does not meet in the summer.
- C. Butler County Council of Governments: No update
- D. Butler County Tax Collection Committee: No update

### **ROAD DEPARTMENT REPORT:**

- A. Stone Church Road (Slater/Stevenson Property) & West Park Road: Motion to table made by Dale Kerr. Second by Mr. Gramz. All in favor. Motion carried.
- B. 2010 costs for truck repairs: Mrs. Livermore will submit for next meeting.
- C. Kirk Road Paving Project: The project is completed.
- D. Levis Road/Badger Hill Road: Mr. Kerr made a motion for Mrs. Livermore to contact the engineer to investigate the run off at the Selvaggio and Luster properties. Motion seconded by Mr. Gramz. All in favor. Motion carried.

### **OLD BUSINESS:**

- A. EIT Tax Audit: The deadline for claims is June 30th. Mr. Gramz made a motion to table. Second made by Mr. Kerr. All in favor. Motion carried.
- B. Debra Allen Property: Motion to table made by Mr. Gramz. Second by Mr. Kerr. All in favor. Motion carried.
- C. Relay Switch – Pilot Traffic Lights: Motion to table made by Mr. Gramz. Second by Mr. Kerr. All in favor. Motion carried.
- D. Appraisal of Township Property: The appraisal for the property was completed. On a motion by Mr. Kerr and seconded by Mr. Gramz, Mrs. Livermore will have a sign placed on the property to gauge the interest in the property prior to either pursuing an auction or bid process. On a motion by Mr. Kerr and seconded by Mr. Gramz, Mrs. Livermore will contact the SEO to request a Pit/Perk test.

- E. Office – Stanford Road: Motion to table made by Mr. Kerr. Second by Mr. Gramz. All in favor. Motion carried.
- F. Lane Reflection Signage Inventory: Motion to table made by Mr. Gramz. Second by Mr. Kerr. All in favor. Motion carried.
- G. Seasonal Worker Evaluation: Motion to table made by Mr. Gramz. Second by Mr. Kerr. All in favor. Motion carried.
- H. Schaaf Variance: Motion by Mr. Gramz to remove from the agenda. Second by Mr. Kerr. All in favor. Motion carried.
- I. USDA Grant: Motion to appoint Mrs. Livermore as the point of contact for the USDA grant made by Mr. Gramz. Second by Mr. Kerr. All in favor. Motion carried. Motion made by Mr. Gramz to submit the grant requesting \$25,961 for the purchase of a backhoe with the township committing \$50,000 toward the purchase. Mr. Kerr seconded the motion. All in favor. Motion carried.
- J. National Flood Insurance Rate Map/Project: Mrs. Livermore will make the map and information available for three days for the township residents to review. She will send letters to residents along the waterways in Muddy Creek Township. Motion by Mr. Kerr to approve Mrs. Livermore to send letters and make the maps available. Seconded by Mr. Gramz. All in favor. Motion carried.
- K. PA Labor and Industry: Way to Work Program. Mrs. Livermore requested approval to submit an application for the way to work program. Motion to approve request made by Mr. Kerr. Second by Mr. Gramz. All in favor. Motion carried.

**NEW BUSINESS:**

- A. McConnell's Mill Construction Project: Mrs. Livermore presented the information that she received regarding the proposed park and ride.
- B. Resolution 2010-08: Authorization Electronic Access to Penn Dot Systems: Motion to accept resolution 2010-08 made by Mr. Kerr. Second by Mr. Gramz. All in favor. Motion carried.
- C. DEP: Heron Ridge STP: Permit was approved.
- D. 2006 EIT Claims: Berkheimer will work with the township to research the 72 claims.
- E. Butler County Storm Water Management Ordinance: A meeting was held on June 15. The ordinance is complex and will have impact on the township.
- F. Professional Liability Insurance: Motion by Mr. Gramz to award the Professional Liability insurance beginning July 2, 2010 thru July 1, 2011 to Rodger Insurance Group as an annual cost of \$1792.00. Second by Mr. Kerr. All in favor. Motion carried.

G. Schaffer Holding Tank Agreement: On a motion by Mr. Gramz and seconded by Mr. Kerr, Mrs. Livermore is asked to request stamped drawings of the parcel with the locations of the holding tanks identified. All in favor. Motion carried.

H. Backhoe: A motion to table was made by Mr. Kerr and seconded by Mr. Gramz. All in favor. Motion carried.

**SOLICITORS COMMENTS**: None.

**SECRETARY'S COMMENTS**: Mrs. Livermore will be out of the office on 6.17.10 for training and out of the office 6.21-6.23.10.

**ADJOURNMENT**: Motion by Mr. Kerr at 8:47 PM to adjourn, second Mr. Gramz. 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)