

**MUDDY CREEK TOWNSHIP
BOARD OF SUPERVISORS
February 17, 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. Rick Saunders, Mr. Sean Gramz, Mrs. Kelly Livermore, and 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 acknowledged a recording device.

VISITORS: Mr. Bob Badger, Ms. Audrey Badger, Ms. Gerri Walter, Ms. Susan Taimuty and Ms. Janel Meier.

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

MINUTES: Motion to accept the January 20, 2010 minutes with the correction that Mr. Sean Gramz was present made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.

CORRESPONDENCE:

DEP: Stage I and II bond release from Ancient Sun, Inc.
Caruso and Caruso: 2007 and 2008 Final Report
UPMC Health Agreement for 2010 Health Insurance

PUBLIC COMMENT:

Ms. Sue Tamuity requested a variance of the setback for the construction of a home. Ms. Tamuity was requested by the Board of Supervisors to identify the setback so that a definitive variance request can be made. The topography presented at the Planning Commission meeting did not reflect slope. Ms. Tamuity has not located the pins on the property as of this date. Mr. Kerr stated that Ms. Tamuity's drawings need corrected to reflect the location of the house. Ms. Tamuity requested an extension of 60 days for her variance request.

Motion by Mr. Saunders to approve a sixty day extension on the variance request. Second by Mr. Gramz. All in favor. Motion carried

PLANNING COMMISSION REPORT:

Mrs. Livermore will serve as the recording secretary. The Planning Commission meetings will be held on the fourth Thursday of each month beginning in March. Motion by Mr. Kerr to advertise the planning commission meeting schedule. Second by Mr. Gramz. All in favor. Mrs. Livermore will advertise the meeting schedule.

ROAD DEPARTMENT REPORT:

Mr. Hempfling reported that the roof contractor claims to have identified rust on the old part of the roof that needs to be checked. Mr. Kerr will investigate the extent of the rust for further action.

On a motion by Mr. Kerr and seconded by Mr. Saunders, the following bids will be let for opening on March 17, 2010:

Kirk Road: Bituminous as prepared by Penndot
Single Seal: As prepared by Penndot for Yellow Creek, Guillard, Ragan, Sawyer, and Kirk.
20,000 +/- gallons of E3 and MC70
Diesel fuel
Aggregate as identified by the road foreman

Core Testing: Mr. Saunders motioned to contact Gannet Fleming to pursue core testing on the following roads: Cheeseman, Kirk, Bauder School, Stanford, Levis, Bauder Mill and Johnson to begin the process for weight limit identification. Second by Mr. Kerr. All in favor. Motion carried. Mrs. Livermore will obtain a price quote to insure that the engineering fee is within the identified budget.

OLD BUSINESS:

- A. EIT Tax Audit: Mr. Smith will review the information to date and set up a meeting with the school district and the board of supervisors.
- B. Debra Allen Property: Mrs. Allen has to make an official submission and Lancaster Township will need to review and approve the plan. Motion to table made by Mr. Saunders. Second by Mr. Gramz. All in favor. Motion carried.
- C. Relay Switch – Pilot Traffic Lights: Motion to table made by Mr. Saunders. Second by Mr. Kerr. All in favor. Motion carried.
- D. Auditor Positions: Mr. Kerr will contact Mr. Ondo, vacancy board. Motion to table made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.

NEW BUSINESS:

- A. DCED: Completion of Survey of Financial Condition
- B. Penndot Outreach: Mrs. Livermore attended the meeting. West Park Road three bridges to be closed at the same time.
- C. Preliminary 2009 Audit completed by Caruso and Caruso.
- D. Unemployment Compensation applied for by Seasonal Worker.
- E. EIT/LST Collection: Questions are being asked about the collection of taxes for 2010. Residents are confused about whom to send taxes to because Keystone

sent out notices for quarterly submission. Also, received one call from a resident disappointed that the board of supervisors switched to Berkheimer.

- F. W-2's and W-9's for 2009 are on file in the office for the board to review.
- G. Portersville-Muddy Creek VFD is having a public hearing for a loan of \$180,000 to buy a new building. The hearing is scheduled for 2.28.
- H. Complaints are received in the administrative office from a resident on Walker Road that other residents are plowing snow onto the road way making travel difficult. Mrs. Livermore will send notices to the residents on Walker Road outlining snow removal issues.
- I. Alice Wahl: Motion to remove Mrs. Wahl from the payroll effective 2.20.10. Second by Mr. Kerr. All in favor. Motion carried.
- J. Winter Wages (Seasonal Worker): Motion to add funds to the winter seasonal wages made by Mr. Kerr. Second by Mr. Saunders. All in favor. Motion carried.

SOLICITORS COMMENTS: None

SECRETARY'S COMMENTS: None.

ADJOURNMENT: Motion by Mr. Saunders at 8:10 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)