

Wednesday, July 2, 2014
REGULAR MONTHLY MEETING
MUNICIPAL BUILDING – MILLER SHAFT

Chairman Cooper opened the meeting at 7:00 pm., with the salute to the flag.

Roll call: Supervisor William Cooper – present; Supervisor Rick Olshavsky – present; Supervisor Jeffrey Kostan – present; Solicitor C.J. Webb – absent.

PUBLIC PARTICIPATION

Casey Castel again addressed the Board regarding the damaged pipe that runs across his lane and why the Township is not going to repair it. The issue of the township being a MS-4 municipality was questioned, and Supervisor Cooper stated to Mr. Castel that Portage Township does not qualify under the MS4 Act because the Township is too small. Supervisor Cooper showed Mr. Castel a map that showed that the pipe started on Kalanoski's property. Supervisor Olshavsky said that the pipe just runs across the road into the ditch that is on Kalanolski's property then runs underneath Castel Lane. Supervisor Olshavsky explained to Mr. Castel without a survey being done we won't really know where everything is specifically located. Under advisement of our solicitor, Supervisor Olshavsky then instructed Mr. Castel put his request in writing stating everything that transpired, the people involved, with the installation of the pipe that was installed some time in 1991, and what has happened to present. Once received from the Castel family, the Board and Solicitor will review and take it into consideration to see what can or cannot be done.

Bill Offman stated the "guys did a good job"; but, Bill Kline's place needs to be looked at. Bill cannot get out of his driveway. Supervisor Cooper said that the township should be up there the following day to repair and fill in what needs to be done.

Rick Weakland addressed the Board regarding are they going to do any blacktopping on Robel Road. Needs a ditch fixed that was worked on the previous year and has yet to be blacked topped. He stated if the Township is not going to fix it he can do it himself. Also he is willing to cut trees himself if given the permission unless the Township is going to cut them. He continues to smash his mirrors and something needs to be done. Supervisor Olshavsky told Mr. Weakland that he cannot see any reason the Township cannot take care of this. He noted that was approved last year and will inform the Road Master.

Denny Squillario informed the Board of noise from the trucks using their jake break coming down Route 53 early in the morning, and asked the Board if they can do something about it. Supervisor Cooper told him he can mention it to Amfire and also to Inter Power.

Glenn Calderwood addressed the Board regarding the water running down Fowler Lane on the other side of the road from his house and the overgrown grass on the Miller property. Supervisor Kostan told Mr. Calderwood they will get up to the area where he is speaking of to look at the issues.

Bob Lutz also commented on the Miller property concerning the grass. He said that Mr. Miller has been placed in a nursing home and a company of an unknown name, apparently owns this residence. Mr. Lutz feels the company should be responsible with the upkeep of cutting the grass which has not been done. He is asking the Township for help in finding a solution in getting the grass cut. The Board will check into possibly finding a family member for some information to see who is responsible in maintaining the grass and upkeep.

Bill Koval, of Fowler Lane, spoke of his residence getting water in his basement since the road was fixed by his place. This also will be looked at by the Supervisors.

Chairman Cooper spoke of the meeting the Supervisors had with Amfire regarding the ongoing issues and explained that Amfire had some specs on how many trucks are coming through Shoemaker Circle and are trying to limit the truck traffic during loading of the train. Supervisor Cooper stated that a number of trucks may be coming from Inter Power. Supervisor Olshavsky said that he contacted Inter Power to set up a meeting concerning the truck traffic and to coordinate hauling days with Amfire. Supposedly they had an agreement with Cooney Bros when they owned it to haul on it. Amfire does want to have a meeting with Inter Power to coordinate hauling days.

Supervisor Cooper stated that the study being done by the Consulting firm has not been returned to Amfire yet. Supervisor Cooper also stated that there will be a weight limit placed on the road but they will still be allowed to use it. Amfire is going to have to bond the road.

Renee Maul of Shoemaker Circle stated that she is frustrated and felt that Supervisor Olshavsky in a TV interview was representing Amfire not the residents. In the defense for the Supervisors, Supervisor Cooper wanted the public to know that every time there are questions, he calls PSATS of Harrisburg regarding any questions pertaining to this matter. Supervisor Cooper related that the Supervisors do not have the authority to tell them to break the train. Supervisor Cooper also feels that the best thing for this situation is for Amfire is to construct an alternate route. He feels this will happen but will definitely take time. Once the ten-ton weight limit is approved for the road, the road can be bonded. If the road is damaged and not repaired, the Township can use the bond money to repair the road. Amfire is quite willing to bond the road, and even if the Township refused to accept the bond, the road can still be used. When asked why the road is not bonded now, Supervisor Cooper said that all the necessary paperwork is not complete, but the engineer study is done. A resident questioned the road safety issues and bonding of the road. Supervisor Cooper reiterated that the Township has to accept the bond. They are then allowed to run that road.

Supervisor Olshavsky questioned Ms. Maul regarding the interview he had with the TV personnel after two meetings ago. He questioned exactly what was said he was certain this interview was done two meetings ago.

A discussion occurred concerning Amfire requesting a variance on Mine Road for further expansion of refuse pile. Supervisors have no knowledge of this. Also stated was that Mine Road is bonded by the historical society. Supervisor Cooper said he did not believe the road was bonded and discussed a conversation he had with Amfire over who owned the road. The Township owns 725 feet of the road according to what is recorded on township maps. Supervisor Olshavsky said that it has been mentioned to the Board the historical implications of the Soman Mine in that area. The dynamite shed is still there.

Supervisor Olshavsky stated to the residents that Amfire has put new water guns in place to help with dust control. They have new wind screens ordered and are revamping the poles to hold the new screens. Al Maul discussed Amfire using water to clean the roads, and this is killing the trees along the road. Supervisor Cooper said that he asked for Amfire to not put the water down but to only use the sweeper trucks. Supervisor Cooper said that he will check with Amfire to see what they are doing.

Another resident asked about the road study for Shoemaker Circle for a ten-ton weight limit asking if the Township is saying this is a safe route? Supervisor Cooper stated to the residents the only way this problem is going to be resolved is to build a new road. But in saying this, Supervisor Cooper warned this is just going to take time. Amfire is keeping track of their trucks. Inter Power also has a lot of trucks. The Supervisors will try to meet with Inter Power to get these trucks coordinated to keep truck traffic down.

A resident asked Supervisor Cooper if he mentioned to Harrisburg about the trucks and safety, which Supervisor Cooper had not. But at the time, when he talked with Harrisburg, what was related to Supervisor Cooper was that there is no way to keep the trucks off the road because it is a public road. We can try to cut it down with the trucks and put signs up for children at play to help in whatever way the Township can.

Also discussed was the coal stock pile coal fire. Supervisor Kostan stated he was under the impression it was out. The Supervisors did have numerous complaints regarding this and told all to call their complaints to the Department of Environmental Protection, Ebensburg, PA.

Approval of Minutes

June 4, 2014 Regular Monthly Meeting

Supervisor Olshavsky made a motion to approve the June 4, 2014, Regular Monthly Meeting Minutes as presented. Supervisor Kostan seconded the motion. **Motion carried 3-0.** Supervisor Olshavsky – yes; Supervisor Cooper – yes; Supervisor Kostan – yes.

Secretary's Report

The secretary's report was presented to the Board and Supervisor Cooper made a motion to accept the secretary's report as presented. Supervisor Olshavsky seconded the motion. **Motion carried 3-0.** Supervisor Olshavsky – yes; Supervisor Cooper – yes; Supervisor Kostan – yes.

Road Master's Report

The Road Master's report was presented to the Board by Supervisor Cooper which included the following:

- Brushed hogged on Guiggstown Road, Hufford Road, Church Street
- Repaired Township machinery- tractor mower, brakes and rotors on pick-up and dump truck (2007)
- Cleaned drains and catch basins
- Replaced stop signs in Martindale and Township roads and a school bus sign on Zimmerman Lane.
- Pavement work on Blair Street, Shady Springs Road, Allen Street, Cemetery Road and Laurel Road
- Cleaned up debris from heavy rains on Cemetery Road, Chappel's Hill, Allen Street
- Cleaned out drains from water damage
- Trimmed trees on Allen Street
- Conducted traffic control for the Sewer Authority

Supervisor Kostan made a motion to approve the Road Masters Report. Supervisor Cooper seconded.

Motion carried 3-0. Supervisor Olshavsky – yes; Supervisor Cooper – yes; Supervisor Kostan – yes.

Code Enforcement Officer's Report

The Code Enforcement Officer's Report was presented to the Board by Supervisor Cooper which included the following:

- Complaints regarding property on Farren Street with overgrown grass – contacted homeowner and will cut grass.
- Complaint regarding property on Plane Road with overgrown grass – in the process of contacting owner.
- Complaint regarding property on Jamestown Road – abandoned house with garbage scattered – currently in the process of finding the owner with a valid address for receiving mail.

Supervisor Cooper made a motion to approve the Code Enforcement Officer's Report with Supervisor Kostan seconding the motion. **Motion carried 3-0.** Supervisor Olshavsky – yes; Supervisor Cooper – yes; Supervisor Kostan – yes.

Old Business

Discussion of Amfire complaints was held under public participation.

Follow up for the CCBCEA contact for stop work policy regarding if they find that a person doing the work does not have a permit they can stop the work and contact the Township. However they are requesting the Township have a contact person. Supervisor Olshavsky made a motion to appoint Ruby Moore as the contact person for CCBCEA. Supervisor Kostan seconded the motion. **Motion carried 3-0.** Supervisor Olshavsky – yes; Supervisor Cooper – yes; Supervisor Kostan – yes.

New Business

Variance for Amanda Penrod

Supervisor Olshavsky stated Ms. Penrod lives between the Borough and the Township. In talking with the Solicitor he advised that a signature cannot be required from a borough resident when it is something concerning the Township. She has met all other requirements so it is advisable to accept the variance. Supervisor Olshavsky made a motion to accept the variance with Supervisor Cooper seconding the motion. **Motion carried 3-0.** Supervisor Olshavsky – yes; Supervisor Cooper – yes; Supervisor Kostan – yes.

New 2-Way Radio for New 2014 Truck

Supervisor Olshavsky stated that with the new truck soon to be here, a new 2-way radio is needed that is compatible with the other 2-way radio's the Township currently has. The cost of the 2-way radio is \$457.45 including installation. Supervisor Olshavsky made a motion to purchase this radio at \$457.45 installed with Supervisor Kostan seconding. **Motion carried 3-0.** Supervisor Olshavsky – yes; Supervisor Cooper – yes; Supervisor Kostan – yes.

New Computer Proposal and Service Agreement

Supervisor Olshavsky explained the need to purchase a new computer system for the office. A price quote and service agreement was received from Advanced Office Systems, Inc. of Richland. Supervisor Olshavsky made a motion to purchase the new computer system package and service agreement as proposed. Supervisor Cooper seconded the motion. **Motion carried 3-0.** Supervisor Olshavsky – yes; Supervisor Cooper – yes; Supervisor Kostan – yes.

Nicholson Subdivision

Supervisor Olshavsky said that everything was ok with the Subdivision other than the paper maps are to be provided. This is in the Shoemaker Circle. Supervisor Olshavsky made a motion to accept the Subdivision contingent the maps are provided with Supervisor Kostan seconding the motion. **Motion carried 3-0.** Supervisor Olshavsky – yes; Supervisor Cooper – yes; Supervisor Kostan – yes.

Adjourn

Supervisor Cooper made a motion to adjourn the meeting, Supervisor Olshavsky seconding. (8:00 pm)

Those who attended the meeting: Glenn Calderwood, Casey Castel, Joe Walters, Renee Maul, Francis Maul, Alfred Maul, Paul Maul, Dennis Squillario, Rick Weakland, Bob Lutz, Amanda Petrunak, Justin Dennis

Respectfully submitted by Michelle Kostan, Township Secretary

Minutes subject to approval by the Board.