

**REGULAR MONTHLY MEETING**  
**Wednesday, July 3<sup>rd</sup>, 2013 AT 7:00 PM**  
**Municipal Building – Miller Shaft**

Chairman Olshavsky opened the meeting at 7:01 PM.

**Roll Call:** Supervisor Richard Olshavsky – present; Supervisor Elwood Selapack – present; Supervisor Jeff Kostan - present; Solicitor C.J. Webb- present.

**Public Participation:**

Mr. Richardson, Fowler Lane questioned when the widening of Fowler Lane would begin. Supervisor Selapack said that releases need to be signed before the project can begin. The water project has improved the condition of the road somewhat. Mr. Richardson also mentioned repairing his driveway, making Fowler lane one-way and the need to raise the manhole in front of his house. Supervisor Olshavsky said he would contact the roadmaster.

The need to repair the pot holes on Sandy Lane was discussed.

Mr. James Nicholson, Shoemaker, requested that the Supervisors request a meeting with Mr. Jay Winters, Department of Environmental Protection, for the next Township meeting to explain Amfire's plans for their refuse dump and the air quality situation in the area. Amfire modified their process of cutting of the coal, making the coal dust finer. The finer coal dust may have an effect on respiratory disease in the area. He requested that Amfire be a responsible and ethical corporation and place silos over its coal piles so that they get better air quality. He also requested contacting the schools and colleges in the area to do an air quality test. Supervisor Selapack said he would contact Mr. Winters to have a meeting scheduled.

Mr. Robert Brickley, Robel Road, expressed his concerns on Robel Road and the enforcement of the 1995 Storm Water Management Ordinance. He has contacted several agencies, and all admit there is a problem up there. Also discussed was that the money used to pay for the new tractor and to build a new garage could be better spent on our roads to prevent water rush outs and knows at least 25 other places that could cause a safety issue which could result in the Township being sued, if not repaired.

Supervisor Selapack said that the tractor/boom was purchased for safety reasons to prevent accidents to our road crew. Liquid Fuels funds can be used for road maintenance and also to purchase equipment. Supervisor Olshavsky said that the Boom was being considered for some time, and the Township looked into leasing and other options and found purchasing to be the best option. Supervisor Olshavsky also stated that the Township tries to correct all road problems as soon as we know of the problem. We know the issues on Robel Road and will get up there to do repairs the best we can.

A discussion occurred concerning using heavy grade stone in the ditch to alleviate safety issues on Fowler Lane. Supervisor Olshavsky discussed the large amount of water that would push water onto private properties out of the present pathways. The Township looked at Fowler Lane with the Township engineers, and can't find a good solution for the problem without interrupting the right-of-way.

#### **Approval of Minutes:**

A motion was made by Supervisor Olshavsky and seconded by Supervisor Kostan to approve the June 5<sup>th</sup>, 2013, Regular Meeting minutes as presented. **Motion carried, 3-0.**

A motion was made by Supervisor Olshavsky and seconded by Supervisor Selapack to approve the June 19<sup>th</sup>, 2013, Special Meeting minutes as presented. **Motion carried, 3-0.**

#### **Secretaries Report:**

The Secretary's report was presented and contained written and email correspondence, which was included as part of the meeting record. Supervisor Selapack made a Motion to approve the Secretaries Report. Supervisor Kostan seconded the Motion.

**Motion carried, 3-0**

#### **Roadmaster's Report:**

The Road Master's report included the following:

1. Black topped Albright, Hufford Hill and Sonman Ave. doing gutter work into the catch basins and pipes so heavy rains would not wash it out and block pipes,
2. Cleared trees on Hufford Hill,
3. Did some brush hogging on various township roads,
4. Cleared drains from storm damage,
5. Along with the Sewer Authority, jetted pipes on Miller Shaft Road and installed guardrail,
6. Repaired machinery as needed,
7. Bermed Allen Street and Albright Avenue and lowered the catch basins on Albright Ave.

Supervisor Selapack made a motion to accept the Road Master's Report. Supervisor Kostan seconded the motion. **Motion carried, 3-0.**

#### **Code Officer's Report:**

The Code Officers report included the following:

1. Dilapidated property on Front Street and Rapsky Lane. Contacted owner of property but did not receive a response. Responded to complaint on burning,
2. Responded to barking dog complaint on Oil Circle Drive. Township sent a letter to the property owner
3. Burning on East Wesley Avenue,
4. Unregistered car parked on Township right of way on First Street

Supervisor Olshavsky made a motion to accept the Code Officer's report, and Supervisor Selapack seconded the motion. **Motion carried, 3-0.**

**Old Business:** None.

**New Business:**

Advertisement in 104<sup>th</sup> Annual Fall Convention Booklet

Supervisor Olshavsky made a motion, seconded by Supervisor Selapack to purchase a \$50.00 advertisement for the 104<sup>th</sup> Annual Fall Convention Booklet. **Motion carried, 3-0.**

Advertise for Weight Limit for Township Roads Ordinance

Supervisor Olshavsky made a motion, seconded by Supervisor Selapack to advertise for an Ordinance to include all roads in Portage Township that require weight limit restrictions. **Motion carried, 3-0.**

Resolution 2013-5, Settlement Agreement With L. Thomas

Portage Township Solicitor, Attorney Calvin J. Webb, II, discussed the previous litigation regarding Larry Thomas which has been ongoing since September 2011. Attorney Webb presented a Settlement Agreement and General Release signed by Mr. Thomas to give up any and all claims he may have regarding any wage compensation, vacation or sick leave. As compensation, Mr. Thomas would receive a check in the amount of \$2,000.00 (before taxes) for vacation and sick time owed. All other litigation already signed, Attorney Webb recommended approval of the Settlement Agreement. Attorney Webb recommended approval of the Resolution which approves the Agreement. Supervisor Olshavsky made the motion to approve the Resolution 2013-5, and Supervisor Selapack seconded the motion. **Motion carried, 3-0.**

Variance for Rudolph Chelednik

Supervisor Olshavsky made a Motion to approve a 6 foot Variance from the adjoining property, for Rudolph Chelednik, 733 E. Wesley Avenue, to install a carport on his property. Supervisor Selapack seconded the Motion. **Motion carried, 3-0.**

S&T Bank Certificate of Deposit

Supervisor Olshavsky said that certificate rates are at a low, and to get a higher rate would have to tie up the money for 2-3 years. As discussed at the June 5<sup>th</sup> meeting, the CD was being considered to pay for the Boom Tractor, but the Liquid Fuels account was used for the purchase. Supervisor Olshavsky made a Motion to invest the money in a Money Market

account with 1<sup>st</sup> Summit Bank at a rate comparable to CD rates. Supervisor Selapack seconded the Motion. **Motion carried, 3-0.**

**Adjourn:**

On a Motion to adjourn was made by Supervisor Olshavsky. The meeting was adjourned at 7:42 P.M.

Those visitors signing the sign in sheet were: James Nicholson, Tom Richardson, John Waksmunski, Bob Brickley, Bill Cooper, Justin Dennis, Sarah Wolford, Todd McCabe, Bob Lutz and John Nicholson.

Submitted by Ruby Moore, Secretary

**MINUTES SUBJECT TO APPROVAL BY THE BOARD**