The regular monthly meeting of the Board of Supervisors of Cass Township was held Thursday, May 26th, 2011 at 6:30 PM at the Township Municipal Building, Duncott, Pa.

Present at this meeting were the following: Mike Kulpcavage, Joyce Cutler, Tina Skibiel, John Pritz, Bob Ryan, John Schumann, Paul Fesnock, Elvin Brennan, Shannon Dewald and Joe Geles.

There were others in attendance for this meeting that did not sign in.

Chairman Brian Canfield called the meeting to order.

All recited the Pledge of Allegiance to the Flag.


No officers present for Cass-Foster Police Department. All are attending range qualifications this evening.

Evelyn J. Bergan – Administrative Assistant, also present.

The April 2011 Supervisor Meeting Minutes have been placed at each seat for review. Brian asked the audience to please read them and if there are any corrections, please bring them to the attention of the Board before adjournment. Brian asked for questions and/or comments. Hearing none, he then asked for a motion to approve the April 2011 Supervisor’s Meeting Minutes. Jim made the motion. John seconded. Motion passed.

**Articles on the Agenda this month:**

**Cass Township War Memorial (Monument) Repair** -- Brian explains that the monument out front needs some repair. Jim Kost has done repairs in prior years, however; he is unavailable. Bob Burns, Masonry Contractor, has been referred to the Board by Paul Fesnock. Jim Thomas worked with Bob, and has received a quote in the amount of $3,300.00 ($3,200.00 for repairs and $100.00 for sealing). Since the total is under $4,000.00, the Second Class Township Code states that no further bids need to be obtained. The Board is in agreement that the repairs and mortar sealing to the monument need to be completed and that the price is fair. Brian asked for questions and comments. Hearing none, he asked for a motion to authorize approval of the contract and to proceed with the project as stated – and to hire Bob Burns to complete this project at the amount of $3,300.00. Jim made the motion. John seconded. Motion passed.
New Police Vehicle Loan Authorization – Brian explained that it has been decided by the Board to handle this vehicle purchase the same as the recent excavator purchase as not to deplete Township funds. Therefore; half (50%) of the amount will be paid out of Local Services Tax (LST) fund and the other half (50%) will be paid through a loan through the Miners Bank (two years at 3.25% interest rate). Brian explained that a resolution needs to be adopted in order to authorize Solicitor Edward M. Brennan, Supervisor James D. Thomas; and Administrative Assistant Evelyn J. Bergan to complete and sign any / all necessary loan documentation for this loan. Brian asked for questions and comments. Hearing none, Brian asked for a motion of adopt Resolution # 2011-5 that authorizes Solicitor Edward M. Brennan; Supervisor James D. Thomas; and Administrative Assistant Evelyn J. Bergan to complete and sign any / all the necessary documents for the police vehicle purchase. John made the motion. Jim seconded. Motion passed.

Highridge – Lot 6 Escrow Agreement Re-assignment -- Brian explained that the escrow is currently assigned to Lot 1 which is now complete. SEDCO has formally asked the Board to re-assign the escrow to Lot 6 (presently pad-ready). Brian explains the nature of the escrow agreement stating that it’s a certificate of deposit held by SEDCO in Cass Township’s name. In the event SEDCO would not fulfill the necessary requirements of the SALDO (Subdivision and Land Development Ordinance) on Lot 6; there would be funds there to accomplish completion to satisfy the SALDO requirements. Brian asked for questions and comments. Hearing none, he asked a motion to adopt Resolution # 2011-6 that will authorize our Solicitor to draft and re-assign the third party escrow agreement assigned to Lot 1 to be re-assigned to Lot 6. Jim made the motion. John seconded. Motion passed.

Official Formation – Cass Municipal Authority -- Brian explained that the Board would like to authorize Solicitor Edward M. Brennan to draft a document that will officially form the Cass Municipal Authority. This Authority will aid the Township with several land / property issues. John Pritz, High Road – asked if a resident donates property, will it be sold outright or put out for bid. Hearing no further questions, Brian asked for a motion to adopt Resolution # 2011-7 that will authorize Solicitor Edward M. Brennan, Supervisor James D. Thomas, Administrative Assistant Evelyn J. Bergan to sign any / all documents relating to the Cass Municipal Authority. Jim made the motion. John seconded. Motion passed.

Green Avenue Extension – Brian explained that the Board received a petition in 2010 from residents to open Green Avenue through Shady Lane. The Township / Board will need to approach property owners in that area to discuss the necessary requirements to complete this project. Brian states that some of the property owners will be okay with the changes, some will not, but this extension will address several safety issues – fire and ambulance will no longer be restricted. Jim adds that it will give an extra entrance and exit. John states that it will improve plowing and winter maintenance issues as well. Brian states that Solicitor Ed Brennan’s recommendation to the Board is to adopt a resolution authorizing the selection and appropriation of certain areas with Cass Township for purposes of extending Green Avenue and authorizing the filing of a Declaration of Taking and all necessary action for the acquisition thereof. Brian asked for questions and comments. John Schumann, High Road – Asked how long the proposed road will be since it will be considered a new road. Mike Kulpeavage, High Road – States that an alley is 20 feet. After a brief discussion between residents and Board members, Brian asked for a motion to adopt Resolution # 2011-11; Authorizing the selection and appropriation of certain areas within Cass Township for purposes of extending Green Avenue and authorizing the filing of a Declaration of Taking and all necessary action for the acquisition thereof. John made the motion. Jim seconded. Motion passed.

Conservatorship Action Items – Brian explains that the Board is attempting to petition the court for two more dilapidated properties, they are as follows:

Rennia (Heffron) – S. Birch Lane – Forestville. The Township’s Code Enforcement Officer contacted the owner of this property. Initially, she applied for and was granted a demolition permit. Since that time, she has done nothing and has not had further contact with Benesch and/or the CEO. Due to health and safety issues, the Board will petition the court to gain control of this property.
Feryo – 35 High Road – This is a ½ a double on High Road. It is vacant and has been gutted for over 7 years and has animals and rodents entering into it causing issues to the adjacent neighbor. Brian states that the Township / Board have gone above and beyond to try to work with the home owner to rectify the issues. Finally, after no satisfaction, code enforcement started its process in order to get the home owner to comply without resolve. The homeowner has pleaded not guilty in court. At this point, the Board wishes to petition the court for conservatorship – so the necessary repairs can be done to resolve the health and safety concerns this property currently poses.

Brian asked for questions and comments. Hearing none, Brian asked for a motion to adopt Resolution # 2011-9 to authorize Township Solicitor Edward M. Brennan to proceed with a petition to the Court in order to gain conservatorship of 17 or 0 S. Birch Lane (Rennia / Heffron). John made the motion. Jim seconded. Motion passed.

O’Connor Demolition – Valley Road – Brian explains that this property is also one that needs to be demolished. However, it’s located in an area that serves no purpose to the Township or surrounding neighbors. Therefore; it is not a candidate for conservatorship. The Board has asked Solicitor Edward M. Brennan to contact the owners to find resolve to this issue. Brian asked for questions and comments. Hearing none, he asked for a motion to authorize Solicitor Edward M. Brennan to negotiate demolition of this structure and get the project coordinated / completed with the owner. Jim made the motion. John seconded. Motion passed.

Ceganick Land Dispute (Forestville) – Brian explained that years ago, Ceganick built on Township land and as a solution to this issue, Mike Ceganick is agreeable to a land swap with the Township (Brian shows the area and road on a map). The Board has agreed but wants to keep the existing dirt road open despite the swap. Mr. Ceganick is in agreement. This item has been in litigation with our Solicitor and Mr. Ceganick’s lawyer and the time has come to resolve. Brian asks for questions and comments. Hearing none, Brian asks for a motion to authorize Solicitor Edward M. Brennan to complete and finalize the settlement agreement on behalf of the Township with Mr. Ceganick’s lawyer. John made the motion. Jim seconded. Motion passed.

Direct Energy Contract Renewal – Brian explains two years ago, the Board entered into a contract with Direct Energy to save on the electric bills incurred from street lights; the municipal building; and Forestville Playground lighting. That contract is due to expire. Jim Thomas has researched other options and found that it is in our best interest to re-new the contract with Direct Energy for another two years at a fixed rate that will be less expensive than PPL. Brian asked for questions and comments. Paul Fesnock, S. Maple Avenue -- Asked how many street lights we have. Hearing nothing further, Brian asked for a motion to authorize and approve the Direct Energy contract renewal. Jim made the motion. John seconded. Motion passed.

Onufrey Property (0 Valley Road) Update – Demolition of this structure is complete. There was damage to the adjacent home by the contractor; however, it has nothing to do with the Township. It is to be rectified with the contractor and homeowner and overseen by the County. As explained during prior meetings, this demolition project was awarded to the Township via the Schuylkill County Demolition Program. The Township entered into a cooperation agreement to pay 25% of the total cost. Total cost was $7,299.00. Cass Township owes the County $1,824.75 and must cut a check payable to the Schuylkill County Treasurer in that amount. Brian asked for questions and comments. Hearing none, he asked for a motion to prepare a check for Schuylkill County Treasurer in the amount of $1,824.75 as payment for the Township’s portion of the cooperation agreement. Jim made the motion. John seconded. Motion passed.
**Reading Anthracite Dilapidated Properties Update – Equity Action** – Brian explains that it has been recommended by our Solicitor that the best approach to take in dealing with these properties would be to file an Equity Action. The Township wants Reading Anthracite Company to tear them down. Brian asks for questions and comments. Hearing none, Brian made a motion to authorize Solicitor Edward M. Brennan to file an Equity Action for Reading Anthracite Company to demolish nine (9) dilapidated properties. Jim seconded. Motion passed.

**Personnel Action – Summer Help Hirings** – As summer approaches, we would like to hire our summer workers. The Board is working with CareerLink to obtain funding for hires but as in past years, that doesn’t always work out so we would like to hire as Township employees. Hiring also insures that when the Careerlink 6-week program has exhausted, the kids can work for a few more weeks until the season is over – benefiting the kids as well as the Township. The Board would like to hire (3) summer employees: Evan Heffron, Greg Haney and Ryan Conville. Brian asked for questions and comments. Hearing none, Brian asked for a motion to formally hire Evan Heffron, Greg Haney, and Ryan Conville as summer employees only – no benefits -- $7.25 per hour. John made the motion. Jim seconded. Motion passed.

**Planning Commission:**

*Note: All decisions are based on recommendations from the Planning Commission to the Board of Supervisors.*

May Planning Commission Meeting was held on May 12th, 2011 at 6:30 p.m.

**Melinchock Subdivision – Final Approval** – Brian states that the Planning Commission recommends final approval by the Board of Supervisors at this meeting. Brian asked for questions or comments. Hearing none, Brian asked for a motion to grant final approval for the Melinchock Subdivision. Jim made the motion. John seconded. Motion passed.

**Denise & Elvin E. Brennan Jr. Re-subdivision – Final Approval** – Brian states that the Planning Commission recommends final approval by the Board of Supervisors at this meeting. Brian asked for questions and comments. Hearing none, Brian asked for a motion to grant final approval for the Brennan Re-subdivision. John made the motion. Jim seconded. Motion passed.

**Treasurer’s Report:** Jim presented the April 2011 Treasurer’s Report. He stated that this month’s balance shows a spike in the UCC account balance from the Wegmans commercial expansion project, but will then dwindle due to pay out of plan review and inspection fees. Jim asked for questions and comments. Hearing none, Brian made the motion to accept the April 2011 Treasurer’s Reports. John seconded. Motion passed. The Treasurer’s Reports are on file at the Township office for review upon request.

**Police Report:** Brian states that all Cass-Foster Police Officers are currently at firearm’s qualifications - - as a result, the report will be tabled until next month’s meeting.

**Correspondence:** None.

**Old / New Business:**

**Schuylkill County Office of the District Attorney** – Chief Kuklinski requested a forfeiture funds for the Department’s involvement in hindering drug activity within the County. The Township received a check in the amount of $1,635.45 which will be used towards supplies for the department such as an additional Taser and laptop for the cruiser. Brian thanks District Attorney Goodman and his office for the grant and Chief Kuklinski for completing the necessary paperwork.
**Code Enforcement** – Brian explains that Benesch has been working steadily to tackle several of the blighted property issues. He adds that Code Enforcement Officer, Kyle Kehoe, is also working diligently on other property maintenance issues throughout the Township. Kyle and Chief Kuklinski have been working together on several of the properties with violations.

*Brian states that a big issue this time of year throughout the Community is residents / homeowners NOT cutting their grass. Brian urges everyone to cut your grass!!!*

**Schaeffer’s Hill Road** – Community Development Block Grant (CDBG) Project will be advertised by the County in May - with receipt of bids in June – getting work underway in July when school is out as not to interfere with buses.

**Woodside Road** – Community Development Block Grant (CDBG) Project is moving along and is we are now awaiting it to be cleared environmentally. This will be a fall project.

**Recycle Center / Bins** – Brian states that we are having some real problems with garbage items being discarded into the recycle bins. He would like it to be understood that common sense should be used when throwing things into the bins. Do **not** throw styrofoam, tarps, pools and/or pool parts, bicycles, boat motors, etc. into the bins. Nothing larger than a laundry detergent bottle should be found in the recyclables. Brian states that you are being recorded on camera – you will be cited for littering if you are found on tape littering. Jim states that our employees are going through the bins every day and picking out items that should not be in the bins! John Pritz, High Road – States to shut it down.

**Pipe & Flooding Issue / Duncott / Valley Road** – Brian states that to keep an eye on the situation, even though it’s not our responsibility, our workers will lift the lid often to check to make sure there are no blockages in the pipe. Joe Geles, Valley Road – Asks if the Supervisors have done anything more to resolve this matter. Asked if they could do something before the residents contact Paul Lohin. Brian and Jim both state they will gladly schedule a meeting with Paul Lohin or anyone else that can help. However; Jim states that his opinion is that if there are no further blockages, there will not be any other problems. Brian states that with projects of this nature, there is a lot of work / paperwork that needs to be done; you can’t just do what you want because it’s located within the Township, but the Board members will try to help in any way they can. He said they will look to schedule a meeting with Paul Lohin mid to late June – the residents will be made aware of the date & time so they can attend.

**Discussions from the Audience:**

**Brian Dennion (did not sign in), Rockledge** – Had complaints about speeding in the development and asked for speed limit signs to be installed. Brian states that he is not in opposition for the signs, but the Board needs to check with our engineering firm and Chief of Police beforehand. Brian also states that the stop sign that was initially there will be replaced.

**Joyce Cutler, Oak Lane** – Asked if people don’t weed-wack and there are weeds growing up along a fence, is it a code violation.

**Joe Geles, Valley Road** – Comments for Brian.

**Tina Skibiel, Pine Knot** – Made comment about a problem of tractor trailers coming down from Highridge and parking to rest along Valley Road.

**A resident (did not sign in) requested a pot hole be filled on Dove Lane.**

**Adjournment** – Hearing no further discussions from the audience, Brian asked for a motion to adjourn. Jim made the motion. John seconded. Motion passed. Meeting adjourned.
THE NEXT MONTHLY MEETING OF THE BOARD OF SUPERVISORS OF CASS TOWNSHIP WILL BE HELD ON Thursday, June 30th at 6:30 PM AT THE CASS TOWNSHIP MUNICIPAL BUILDING, DUNCOTT, PA.