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

Present at this meeting were the following: John Schumann, Mike Kulpcavage, Bob Ryan, Joyce Cutler, Chris Ternowchek, and Paul Fesnock.

Chairman Brian Canfield called the meeting to order.

All recited the Pledge of Allegiance to the Flag.


Cass-Foster Police Chief Anthony M. Kuklinski - present.

Evelyn J. Bergan – Administrative Assistant - present.

The May 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 May 2011 Supervisor’s Meeting Minutes. Jim made the motion. John seconded. Motion passed.

**Articles on the Agenda this month:**

**Adoption of Emergency Operations Plan** -- Brian explains that the Emergency Management Agency would like to adopt a basic plan throughout all municipalities in Schuylkill County. This plan will supersede any / all previously documented plans. Brian asked for questions and comments. After hearing none, John made the motion. Jim seconded. Motion passed

**Highridge Lot 6 Escrow Agreement – Authorization of Signature for Agreement** – Brian states that last month, the Third Party Escrow Agreement from Lot 1a to Lot 6 as requested by Schuylkill Economic Development Corporation (SEDCO) was explained. On the recommendation of our Solicitor, the Board formally approved authorization of the request at that time. The Agreement is now complete and the Board would like to formally authorize and sign the Agreement (Resolution # 2011-13). Brian asked for questions and comments. Hearing none, Brian made a motion to adopt Resolution # 2011-13 – Completed Third Party Escrow Agreement for Highridge Lot 6. Jim seconded. Motion passed.

**Ceganick Land Dispute – Authorization of Signatures for the Settlement Agreement** – Brian states that last month, the Board took formal action to authorize Solicitor Ed Brennan to complete and finalize the Settlement Agreement with Mr. Mike Ceganick’s lawyer. Solicitor Brennan has completed the
agreement and is now advising the Board authorize and sign the agreement. Brian asked for questions and comments. Hearing none, Brian asked for a motion to authorize the Settlement Agreement between Cass Township Board of Supervisors and Michael S. Ceganick. Signatures will be provided by the Supervisors, Evelyn and Solicitor Ed Brennan as necessary. Jim made the motion. John seconded. Motion passed.

**Uniform Construction Code (UCC) Revisions** – Brian explained that in 2010, the State made revisions to the UCC stating that no building permits were required for accessory structures, but municipalities have the option to override and require permits for these structures. The Board approached our engineering firm to amend this, as well as review by our Solicitor. John Schumann, High Road – Had questions about permits needed for portable garages and stated there is a gray area with permits for them since they are not permanently attached. Brian asked for any other questions or comments. Hearing none, he asked for a motion to amend the Township’s Uniform Construction Code to require building permits for accessory structures that are greater than or equal to 200 square feet (and portable garages) pending engineering firm and solicitor reviews. Structures under 200 square feet will not require a building permit at this time. Jim made the motion. John seconded. Motion passed.

**Zoning / SALDO Public Hearing** – Brian explains the purpose is to hold the second public hearing for the new Zoning ordinance; as well as obtain comment on the proposed amendments necessary to the Subdivision and Land Development Ordinance (SALDO). The Public Hearing will be scheduled for Thursday, July 28th at 6:30 pm at the Municipal Building. Brian asked for questions and comments. Hearing none, he made a motion to advertise the public hearing and finalize any/all necessary documents. Jim seconded. Motion passed.

**New Earned Income Tax (EIT) Ordinance – Act 32** – Brian explains Act 32 and states that the Schuylkill County Tax Collection Committee (STTC) majority voted for Centax (for the record, Cass voted no in order to retain Berkheimer). Starting in January 2012, Centax will be our tax collector for Earned Income Tax (EIT) and Local Services Tax (LST). Brian attended the most recent STTC meeting, and explained that all municipalities must construct and adopt a new EIT Ordinance in order to make all municipalities uniform. Brian then forwarded a copy of the sample ordinance to Solicitor Ed Brennan to review and recommendations. Brian asked for questions and comments. Hearing none, he asked for a motion to authorize Solicitor Ed Brennan to prepare a draft the EIT Ordinance and advertise upon completion. Jim made the motion. John seconded. Motion passed.

**Forestville Playground Project – Final Payment Authorization** – Brian states that Landis Deck has completed the necessary work at the Forestville Playground and the project is now complete. Our engineering firm has recommended final payment in the amount of $1,295.34. Brian asked for questions and comments. Hearing none, Brian asked for a motion to authorize final payment to Landis Deck as per our engineer’s recommendation in the amount of $1,295.34. 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.

June Planning Commission Meeting was held on June 9th, 2011 at 6:30 p.m.

**Brook Rentals, LLC and Ringtown Rentals, LLC** – Brian states that at their June meeting, the Planning Commission took formal action to table their decision for 30 days (until the July 14th 2011 Planning Commission meeting). A formal letter was provided to the applicant by Solicitor Ed Brennan, stating they would be given the option to file an extension if a request letter was submitted to the Planning Commission. Today (June 30, 2011) is the deadline and no letter was received. Normally, the Commission does not hold a meeting unless there are new submissions; however, the
Board recommends they hold their July meeting in order to take action on this submission. Brian asked if there were any questions or comments. Hearing none, Brian made the motion to allow the Planning Commission to conduct a July meeting in order to take formal action on the submission. Jim seconded the motion. Motion passed.

**Treasurer’s Report:** Jim presented the May 2011 Treasurer’s Report. Jim asked for questions and comments. Hearing none, Brian made the motion to accept the May 2011 Treasurer’s Report and pay all outstanding bills as can be paid at this time. John seconded. Motion passed. The Treasurer’s Reports are on file at the Township office for review upon request.

**Police Report:** Cass-Foster Police Chief Anthony M. Kuklinski read the May 2011 and June 2011 Police Reports. Tony asked for questions and comments. Hearing none, Brian made a motion to approve the May 2011 Police Report. Jim seconded. Motion passed. Brian then asked for a motion to approve the June 2011 Police Report. John made the motion. Jim seconded. Motion passed. Brian commended Tony and his Officers’ efforts and stated that they are doing a nice job for Cass and Foster Townships. Tony then added that the Township received a donation in the amount of $200.00 from the Reading Off-Road Riders Club – sent as a token of thanks for the assistance of CFPD during their recent race event.

**Correspondence:**

**Yocko’s Ball Field Request** – Brian states that the Board has received a request from Yocko’s for the use of the Cass Township Ball Field for the 2011 season. Brian contacted Scott Brennan for his input and recommendation. Recommendation was made to approve the request. Brian asked for questions and comments. Hearing none, Brian made a motion to approve Yocko’s request to use the Cass Township Ball Field the 2011 season. Jim seconded. Motion passed.

**Old / New Business:**

**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, Solicitor Brennan, and Chief Kuklinski have been working collectively 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** – Cass Township was awarded $122,000.00 through two Schuylkill County Community Development Block Grants (CDBG). A pre-construction meeting will be held here at the municipal building on July 5th at 9 a.m.

**Woodside Road** – Community Development Block Grant (CDBG) Project is moving along. The environmental clearance is complete. Cass Township will receive an engineering proposal in the near future for this project. This will be a fall project.

**Playground Equipment for both Forestville and Heckscherville** -- Brian states that there is additional funds remaining in our playground fund to purchase some additional equipment and mulch for the playgrounds. The Board’s intention is to purchase mats for underneath the swings, garbage receptacles, and a picnic table. The Board will work with our Engineer to obtain quotes via COSTARS (formerly known as the State Piggyback program).

**21 South Maple Avenue / aka Shrupski Property** – Brian states that this property has been a nuisance for some time. On June 24, 2011, there was a court hearing, and the Judge ruled in the Township’s favor due to the property owner failing to bring the property up to code in a timely manner. Jim states that we need
to provide the Judge with final plans. Under Conservatorship, the Township does not own it, but controls the property. The Township can sell with the intent of rehabilitating the property, and accept the proceeds from it to recover expenses to date. Our road crew workers secured the property, cut the grass & cleaned it up. To recoup Township funds, their fees will be applied via a lien on the property.

**IRS Gas Mileage Reimbursement Increase** – Brian states the IRS mileage rate increased to 55.5 cents per mile through the remainder of 2011. No action is necessary since the rate automatically adjusts as per formal action taken at the August 28th, 2008 Supervisor’s Meeting.

**Schuylkill Headwaters Association** – Brian states that several years ago, Paul Lohin approached the Board and asked them to join as a member -- which they did. Brian states that the Association recently conducted a tour of the Pine Knot Watershed. Supervisors Jim Thomas and John Walaitis were in attendance, and stated that it was very informative. They also stated it was very interesting and that the Association does a lot of positive projects, not only in Cass Township, but throughout the County, and are to be commended for their positive efforts.

**Ceganick – Cass Township Settlement / Land Swap Agreement** -- Brian stated that for the record, he would like it noted that the access road running along this property – the one that has always been an access road to the back yards of residents living in the area – will remain an access road for those residents. Any present or future arguments about it will be forwarded to the police. Paul Fesnock, S. Maple Avenue – Asks if the Township will plow it.

**Discussions from the Audience:**

**Chris Ternowchek, Flag Lane** – Asks if there is a noise ordinance in the Township. She also states that there are trees located on Flag Lane that should be removed due to problems with visibility for traffic.

**Paul Fesnock, S. Maple Avenue** – Would like the Board to adopt an ordinance stating that neighbors and residents are not permitted to own pet snakes.

**Bob Ryan, Fig Road** – Stated again that there should be a walking path at the Heckscherville Playground. Valley Road is a dangerous highway to walk.

**Joyce Cutler, Oak Lane** – Asked if the Township will install a fence around a pit behind the Onufrey property.

**Paul Fesnock, S. Maple Avenue** – Asked for an update on the repairs to the monument.

Brian states that the comment printed in Thunder Enlightening about the flags at the monuments was unnecessary. A call could have been made to the Township Office or to one of the Supervisors and the flags would’ve been changed out. He would like to thank his Dad for replacing them.

Brian adds that during construction on Schaeffer’s Hill, the road will be closed at times. One of the Supervisors will notify Quandel Concrete that the road will be closed.

**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.

**ATTEST:** Brian P. Canfield, Chairman

**TIME MEETING ENDED:** 7:17 PM

** Seal:**

**ATTEST:** James D. Thomas, Vice-Chairman

**TIME MEETING ADJOURNED:** 7:17 PM

**THE NEXT MONTHLY MEETING OF THE BOARD OF SUPERVISORS OF CASS TOWNSHIP WILL BE HELD ON Thursday, July 28th at 6:30 PM AT THE CASS TOWNSHIP MUNICIPAL BUILDING, DUNCOTT, PA.**