The regular monthly meeting of the Board of Supervisors of Cass Township was held Thursday, September 29th, 2011 at 6:30 PM at the Township Municipal Building, Duncott, Pa.

Present at this meeting were the following: Mike Kulpcavage, Margaret Doyle, Marybeth (Doyle) Matz, Chris Ternowchek, Bob Rizzardi, Tina Skibiel, Joyce Cutler, Joe Cutler, Robert J. Buglia, Karen Tropp, Paul Fesnock, Bob Ryan, Joe Geles, and John Schumann.

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.

Edward M. Brennan – Solicitor, present.

The September 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 made a motion to approve the September 2011 Supervisor’s Meeting Minutes. Jim seconded. Motion passed.

Note: Brian stated there was an executive session held on September 19th, 2011 to discuss litigation. No formal action was taken.

Articles on the Agenda this month:

Formal Launch of Township Website and Logo (www.casstownship.org) – Brian explains that the Township now has a new website and a new logo. He then introduced David Haupt and Michael Jesky of Precision Design Company who has designed the website. David and Michael gave an overview of the website. Brian asked for questions and comments. Hearing none, Brian thanked them for all they did to make the website a success. David states it was a pleasure to work with the Township.

Police Personnel Action -- Brian explains that last month, the Board took action to re-establish the positions and hourly rates of Corporal and Sergeant in our Police Department, in addition to, accepting the resignation of Officer Shawn Mowery. Chief Kuklinski then explained the process of how he chose candidates to fill these positions, and stated that he presented the candidates to both the Cass and Foster Township Boards of Supervisors. Favorable background checks and interviews have been completed. He states that on his recommendation to both Boards, he would like to recognize two individuals for promotion.
Officer Danielle Mowery has been in police work for 7 years and was previously employed in Lebanon County, and Officer Dennis Levan who has been in police work for 15 years and is a retired United States Army helicopter pilot. He also currently trains our military to fly helicopters. Both candidates are dedicated officers to Cass-Foster Police Department.

Chief Kuklinski would like to fill the part-time vacancy by hiring Officer David Cromyak.

Brian asked if there were any questions or comments. Hearing none, he made a motion to hire David Cromyak as a part-time police officer at a rate of $16.45 per hour – no benefits – with a probationary period of (1) one year. Jim seconded. Motion passed.

Brian then made a motion to promote Officer Danielle Mowery to Corporal at a rate of $16.70 per hour – no benefits – with a probationary period of (6) six months. Jim seconded. Motion passed.

Brian made a motion to promote Officer Dennis Levan to Sergeant at a rate of $16.90 per hour – no benefits – with a probationary period of (6) six months. Jim seconded. Motion passed.

At this time, Chief Kuklinski asks Chairman Brian Canfield to administer the Oath of Office and Swearing In of all three officers.

**Low Road Guiderail Bid Opening** – Brian explains that there is an area by Skavinsky’s on the Low Road that has been a site where there have been many near mishaps in the past. The Township would like to address this safety issue at this time. Over the past few months, several options had been discussed between the Board members and the homeowners. It was found that to increase safety, guide rail installation was the best option. Our engineers sent bid packets out to 3-4 different companies that install guide railing. Only one was returned with an estimate of $4,790.00. They came in slightly higher than the targeted price of $4,000, but its close enough for everyone to agree upon. This did not require public advertising due to the estimated cost being less than $10,000. Robert Buglia, Shady Lane – Suggested it be put out for bid again in hopes of obtaining a lower bid. Brian asked for other questions or comments. Hearing none, he made a motion to approve the bid received by Morgan Rail in the amount of $4,790.00 pending engineer’s review for installation of 130 feet of guide rail in the location of Low Road and Skavinsky’s.

Jim seconded. Motion passed.

**2012 Schuylkill County Community Development Block Grant (CDBG) Application** – Brian explains that annually the County receives funds which are divided up by the Commissioners and distributed among non-entitlement municipalities to fund programs within the municipalities. The Board would like to adopt the necessary resolutions to apply for County CDBG funds for Schaeffer’s Hill, Woodside and Condor Lane / Low Road. Brian asked for questions and comments. Hearing none, he asked for a motion to adopt Resolution # 2011-15 which authorizes Alfred Benesch & Company to apply for CDBG funding on behalf of Cass Township for Schaeffer’s Hill Road. Jim seconded. Motion passed.

Brian then made a motion to adopt Resolution # 2011-16 which authorizes Alfred Benesch & Company to apply for CDBG funding on behalf of Cass Township for Woodside Road. Jim seconded. Motion passed.

Brian made a motion to adopt Resolution # 2011-17 which authorizes Alfred Benesch & Company to apply for CDBG funding on behalf of Cass Township for Condor Lane / Low Road. Jim seconded. Motion passed.

**21 South Maple Avenue (Shrupski) Conservatorship** – Brian gives an overview and explains the history and the issues that have existed on this property. He also explained that through court proceedings because of code violations, it has come under the control of the Township – and now, Mr. and Mrs. Arlan Wagner would like to purchase this property since it is adjacent to their home. They would like to purchase the
property for $8,500. Solicitor Brennan states that the Board is agreeable to sell it for that price as long as Wagner’s are in agreement to bring the property up to code. He explains that there are still processes that may take place such as appeals by the owner, etc., however; his recommendation is to have the Board of Supervisors authorize him to petition the court to allow sale of this property to Mr. and Mrs. Arlan Wagner in the amount of $8,500. Brian asked for questions and comments. Hearing none, he made a motion to authorize Solicitor Ed Brennan to petition the court to allow sale of 21 South Maple Avenue (formerly the Shrupski Residence) to Mr. and Mrs. Arlen Wagner in the amount of $8,500. Jim seconded. Motion passed.

**Ordinances:** Brian explains that it is Solicitor Brennan’s recommendation to the Board to adopt the following Ordinances:

*Earned Income and Net Profits Tax* – Solicitor Brennan explains that this is nothing new – residents already have this tax deduction from their paychecks. The intent of this Ordinance is to conform with the earned income and net profits tax currently imposed by the Taxing Authority to the Local Tax Enabling Act, as amended and restated by Act 32 of 2008, and to do so within a timeframe required by Act 32. Centax will collect the 1% rate collections. Brian asks for questions and comments. Hearing none, he makes a motion to adopt Ordinance # 2011-09-01 – Earned Income and Net Profits Tax (EIT). Jim seconds. Roll call of Officers: James Thomas – aye. Brian Canfield – aye. Motion passed. Ordinance passed.

*Rental Housing* – Solicitor Brennan explains that we have properties being bought from people out of the area at a very cheap price. A lot of times, the landlords are not properly taking care of the properties, as we have seen with the Shrupski property. This Ordinance will require landlords to register and have their properties inspected for code violations – forcing these properties to be maintained by the responsible parties. It is not meant to target legitimate landlords – only those who refuse to comply. Surrounding municipalities have already adopted ordinances similar to this one in order to address these types of issues. Brian asked for questions and comments. Hearing none, he made a motion to adopt Ordinance # 2011-09-02 – Rental Housing Registration Ordinance. Jim seconded.


*Real Estate Registry* – Solicitor Brennan explains that this Ordinance will give information to the Township more quickly than processes presently in place. It’s a way to be sure a sale of a property does not occur with code or property violations. Ultimately, this ensures betterment of Cass Township’s general health, safety, welfare and property of all residents. Marge Doyle, Shady Lane – Asked how the Township finds out this information. Brian asked for other questions and comments. Hearing none, he made a motion to adopt Ordinance # 2011-09-03 – Real Estate Registry Ordinance. Jim seconded.


*Fire Insurance Escrow Account* – Solicitor Brennan explains that the intent of this Ordinance is to establish an escrow for the removal, repair or securing of buildings within the Township damaged by fire and to satisfy delinquent taxes and other municipal claims relating to fire issues. The State will ensure that the insurance companies withhold funds (in escrow) from the property owners until the burnt property is demolished and discarded properly. The purpose is to discourage abandonment and to prevent urban blight and deterioration as we have experienced in the past with several burned properties. Brian asked for questions and comments. Hearing none, he made a motion to adopt Ordinance # 2011-09-04 – Fire Insurance Escrow Account Ordinance. Jim seconded.


*2011 HEART Compliance Amendment* – Brian explains that Conrad Siegel Actuarial Company oversees the Police Pension Plan currently in place for Jack Harley. They have reviewed the plan and it’s their recommendation that the Board amend the present Ordinance in order to comply with the 2011 HEART Amendment. Brian asks for questions and comments. Hearing none, he makes a motion to authorize
Solicitor Ed Brennan to draft and advertise (when applicable) the 2011 HEART Compliance Amendment. Jim seconded. Motion passed.

**Appointment of Patton & Lettich to Perform 2011 DCED Audit** --
Brian explains that it is again time to address the issue of the annual audit on our finances. Accounting Firm Patton & Lettich has performed the audit the past few years and does a good job for us. They have submitted a proposal to complete the audit with the amount not to exceed $3,700 – Brian noted this is the same price as last year. Brian asked for questions and comments. Hearing none, he makes a motion to accept Patton & Lettich’s proposal – not to exceed $3,700 – to complete the 2011 DCED Audit. Jim seconded. Motion passed. Brian adds that this audit will be performed IN ADDITION TO our quarterly audits performed by our elected auditors.

**Trick – Or – Treat Night** – Brian states that our Trick-or-Treat night will be held on the same evening as Foster Township and Minersville Borough – Thursday, October 27th – 6 to 8 p.m. Brian asked for questions or comments. Hearing none, he states that no action is necessary – information only – however, it will be advertised in the Republican Herald Community Calendar.

**Planning Commission:**

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

Brian states that the Commission is waiting to hear from Brook Rentals, LLC and Ringtown Rentals, LLC. The deadline is October 27th, 2011. No action by the Supervisors necessary at this time.

**No submissions by deadline -- The PC will not hold their monthly meeting on October 13th, 2011.**

**Treasurer’s Report:** Jim presented the August Treasurer’s Report. Jim asked for questions and comments. Hearing none, Brian made the motion to accept the August 2011 Treasurer’s Report and pay all outstanding bills as can be paid at this time. Jim 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 September 2011 Police Reports. Tony asked for questions and comments. Paul Fesnock, South Maple Avenue – Asked how it was going up at the stop sign by the school. Hearing nothing further, Brian then made a motion to approve the September 2011 Police Report. Jim seconded. Motion passed.

**Correspondence:**

**DEP Letter** – Brian states a letter was received from DEP regarding the flooding and blockage issues that have presented themselves during flooding on Valley Road affecting the homes here in Duncott. They are looking for the Township to commit to maintaining the waterway by noting several things. One is that we agree to install a trash rack in the culvert, in addition to, regularly cleaning out the debris. Brian said he called Paul Grella and stated that the Township’s hands are tied – we don’t own the land, we don’t own the stream, and we don’t own the vault – but we are monitoring it to a certain degree. We had the probation crew clean it out and cut trees and our road crew has been checking on the vault for blockages and debris. He states that this discussion was before the last flood. During the most recent flood, and as an emergency situation, our road crew dug a trench that allowed the water to escape at a faster rate which saved the roadway and the homes across the street from getting a high volume of water. This is an issue that is still not resolved but we will do our best to rectify the problems with the appropriate parties – hopefully in the very near future. Joe Geles, Valley Road – Thanked Brian for allowing the crew to dig the trench at the vault – he said that’s what saved us and you deserve a big pat on the back. Brian added that it was a group effort.
Fireman’s Relief Allocation – Brian states we received the notice stating that the State Allocation this year is $20,236.94 – total is higher than last year. The Board has 60 days to distribute to the fire companies – but the checks will be sent out soon.

Old / New Business:

Code Enforcement – Brian states the Kyle Kehoe of Benesch has been working with our police dept. on several code-related issues. The process of getting these issues under control is moving along nicely.

Feryo Property, High Road – Brian states that this property was gutted and left that way. There are several issues present and causing torment to Mrs. Eister who lives on the other half of the double-block structure. An administrative search warrant was issued to enter the property. No structural issues were found. Feryo is required to obtain a building permit to do the necessary improvements and meet code requirements. However, at this time, the Board will push for the common wall to be insulated by Mr. Feryo.

Grigalonis Property, Flag Lane -- Another hearing is scheduled for October 17th.

Schaeffer’s Hill Project – A final punch list is being completed.

FEMA – Flood paperwork for grant funding is being completed by the Township & Township Engineers.

Discussions from the Audience:

Margaret Doyle, Shady Lane – Asked if anyone recalled the fatal accident by Skavinsky’s many years ago. She also addressed Brian and stated that she is feeling better and would like to return to perform the 3rd quarter audit. She added that it seems that the residents on Shady Lane are getting a lot of water & states that it’s coming from above them. Maybe some macadam could be installed to divert the water away from the homes.

Robert Buglia, Shady Lane – Asked when the Township will be opening Green Avenue – people have the alley blocked and you can’t get through for doctor’s appointments or anything. He also had complaints about getting water on his property.

Joe Cutler, Oak Lane – Asked if anything was happening with (water / flood) improvements on Oak Lane.

Joyce Cutler, Oak Lane – States that there are several issues on Oak Lane that need to be addressed in order to improve the water / flooding issues in that area.

Marge Doyle, Shade Lane – Asked if estimates would be submitted to FEMA.

Paul Fesnock, N. Maple Ave. – States that Blythe never fixed the hole (he mentioned at last month’s meeting).

*Brian thanks the Township Road Crew, Cass-Foster Police Department, and the Community Fire Departments for all of their help and efforts during the most recent flood.*
**Adjournment** – Hearing no further discussions from the audience, Brian made a motion to adjourn. Jim seconded. Motion passed. Meeting adjourned.

ATTEST: Brian P. Canfield, Chairman  
TIME MEETING ADJOURNED: 8:09 PM

ATTEST: James D. Thomas, Vice-Chairman  
TIME MEETING ADJOURNED: 8:09 PM

THE NEXT MONTHLY MEETING OF THE BOARD OF SUPERVISORS OF CASS TOWNSHIP WILL BE HELD ON **Tuesday, October 25th at 6:30 PM** AT THE CASS TOWNSHIP MUNICIPAL BUILDING, DUNCOTT, PA.