The regular monthly meeting of the Board of Supervisors of Cass Township was held Thursday, December 22nd, 2011 at 6:30 PM at the Township Municipal Building, Duncott, Pa.

Present at this meeting were the following:

Dolores Kulpavage, Mike Kulpavage, Bob Ryan, Chris Ternowchek, John Schumann, Traci Thomas, Cameron Thomas, James Wentz, Paul Fesnock, Karen Tropp, and Ron Kramer.

Chairman Brian Canfield called the meeting to order.

All recited the Pledge of Allegiance to the Flag.

Roll Call of Officers – James D. Thomas - present, John M. Walaitis – present, Brian P. Canfield -present.

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

Evelyn J. Bergan – Administrative Assistant, present.

The November 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 November 2011 Supervisor’s Meeting Minutes. Jim seconded. Motion passed.

**Note:** Brian stated there was an executive session held on December 12, 2011 to discuss litigation. No formal action was taken.

**Articles on the Agenda this month:**

**Adopt the following Ordinances:**

**Tax Re-adjustment:** Brian states that the tax rate was re-adjusted in 2005 due to excessive funds being deposited into the Light Tax Account. It has occurred again this year and the Board feels it necessary to re-adjust the rate once again. He clarifies that the rate is not increasing – it remains at 4.50 mills, but the split is different - 2.9 mills for General Fund and 1.6 mills for Light Tax Fund. Brian adds that last month, the Board authorized the draft of the Ordinance, as well as advertising. It is the intention of the Board to formally adopt the Ordinance during tonight’s meeting. Brian asks for questions and comments. Hearing none, he asked for a motion to adopt Ordinance # 20111222-1 Re-Adjusting the Tax Rate for Cass Township. John made the motion. Jim seconded. Motion passed. Roll Call of Officers: James D. Thomas –aye. John M. Walaitis – aye. Brian P. Canfield – aye. Unanimous Vote.

**Parking – Oversized Vehicles:** Brian states that this Ordinance has been completed to remedy a problem of oversized vehicles parking in areas within the Township where they should not be parking. He added that a road study has been completed by our engineers and the Ordinance has been advertised.
(As per requirements indicated by the Second Class Township Code). Brian asked for questions and comments. Paul Fesnock, S. Maple Avenue – Asked what does that mean. Brian then asked Chief Kuklinski to add to the explanation of the Ordinance. Tony clarified some of the situations that may apply – specifically mentioning tractor trailers parking overnight in the Pine Knot / Heckscherville area below the Gordon Mountain Road as an example of a violation. John Schumann, High Road – Asked if it should be stated Commercial vehicles instead of Oversized vehicles. After hearing no additional questions or comments, Brian asked for a motion to formally adopt Ordinance #20111222-2 Parking – Oversized Vehicles. John made the motion. Jim seconded. Motion passed. Roll Call of Officers: James D. Thomas – aye. John M. Walaitis – aye. Brian P. Canfield – aye. Unanimous Vote.

Adopt Final 2012 Budget: Jim explained that last month the tentative budget was advertised. However; after review, it was found that the total needed to be changed / increased slightly by a net $1,731.00 because the 2012 recycling grant application was finalized, and this line item increased from $4,500 to $6,231. This change is allowed by the municipality as per the Second Class Township Code. Jim explains how the increased number fits within the income and expenses of the Budget. He then explains that currently our full-time employees do not have short-term disability insurance, and the Board would like to provide them with coverage as they have researched and found it will not be a burden upon the Township to do so. The coverage will cost $1,044.00 per year. The remaining $687.00 will be used towards building / road construction projects. Jim then asks for questions or comments. Hearing none, he states that the balanced budget total is now $657,615.00. Brian asks for a motion to formally adopt the 2012 balanced budget in the amount of $657,615.00. John made the motion. Jim seconded. Motion passed.

Adopt Resolution #2011-20 - Schuylkill County Tax Collection District Appointment of Voting Delegates: Brian states that the agreement with Centax to collect Earned Income Tax will take effect on January 1st, 2012. As before, each municipality must have delegates assigned to serve on the County Tax Collection Committee appointed by the Board of Supervisors. Assigning delegates will be approved via resolution in November or December yearly going forward. Brian states that he offered to serve on the Committee again in 2012 and it was the consensus of the Supervisors that he will be the Primary Delegate for Cass Township. Alternate delegates will be as follows: 1st – James D. Thomas. 2nd – John M. Walaitis. 3rd – C. Michael Kulpcavage. Brian asked for questions and comments. Hearing none, he asked for a motion to adopt Resolution #2011-20 – Schuylkill County Tax Collection District Appoint of Voting Delegates for Cass Township as stated above. Jim made the motion. John seconded. Motion passed.

FEMA (Federal Emergency Management Agency) Hazardous Mitigation Program Resolutions:

Resolution #2011-21 – Designation of Agent: Brian explains that to comply with FEMA, the Township is required to designate a primary contact person and pass a resolution formally stating his / her name. It has been decided that John Walaitis would be named as primary contact person since he has been working closely with benesch engineer Dan Cook to complete all necessary requirements since the flooding occurred. Brian asked for questions and comments. Hearing none, Brian made a motion to adopt Resolution #2011-21 – Designation of Agent – naming John M. Walaitis. Jim seconded. Motion passed.

Resolution #2011-22 – Sub-Applicant Maintenance Agreement Certification: Brian explains that this agreement is part of the Hazardous Mitigation Grant Program. It states that all parties are in agreement that if any property owner applies and receives funding under this program, no disaster assistance for any purpose from any Federal entity may be sought or provided with respect to the property; and FEMA will not distribute flood insurance benefits for that property for claims related to damage occurring after the date of the property settlement, etc. Brian asked for questions and comments. Hearing none, he asked for a motion to adopt Resolution #2011-22 as explained above. John made the motion. Jim seconded. Motion passed.

Formal Action to authorize James D. Thomas to draft and send formal letter to the appropriate agencies on behalf of Cass Township indicating Foster Township’s decision to discontinue the Police Services Agreement effective January 1st, 2012. Brian explained that he would like to take formal action on two items. First, to accept Foster Township’s decision to not continue on with the agreement to provide police services to their Township effective January 1st, 2012. Brian asked for questions and comments.
Hearing none, he made a motion to accept Foster Township’s decision regarding police coverage as stated. Jim seconded. Motion passed.

Brian states the second action is to authorize James Thomas to send letters to the appropriate agencies making them aware of the decision / change and effective date. Brian asked for questions and comments. Hearing none, he made the motion to authorize James Thomas to draft and send letters to the appropriate agencies informing them that Foster Township will no longer be receiving police services from Cass Township effective January 1st, 2012. John seconded. Motion passed.

**Planning Commission:**

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

*The PC held their December Meeting on the 8th--6:30 p.m.*

**Brook Rentals LLC and Ringtown Rentals LLP Subdivision / Revised Minor Subdivision Plan:** Brian explained that the Board received correspondence from our Solicitor recommending conditional approval and signing of the plan. Brian asked for questions and comments. Hearing none, he asked for a motion to grant *conditional* approval and signing of the plan. Jim made the motion. John seconded. Motion passed.

**Highridge / SEDCO / Travel Plaza:** Brian states that some waivers have been granted as requested, however; no action is required by the Board at this meeting.

**Public Hearing / SALDO and Zoning Ordinances:** Brian states that the PC took formal action to hold a Public Hearing on January 12th, 2012 at 6:30 p.m. to run consecutively with their regular monthly meeting. It will be advertised by the Township Solicitor.

**Treasurer’s Report:** Jim presented the November Treasurer’s Report. Jim asked for questions and comments. Hearing none, Brian made the motion to accept the November 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 December 2011 Police Reports. He mentioned the problems that we are having with illegal dumping in and around the recycling bins and stated that he has to give our road crew credit for identifying the culprits on video. Tony also adds (as he holds up a newspaper article) that he would like to thank all of the officers who were involved in the investigation that put John Gill in State prison for operating a meth lab in his home. He states that he is very proud of all the officers involved in that arrest. Brian, on behalf of the Board, thanks Tony and all the officers for all of their hard work and effort throughout the Community and states the Supervisors are very proud of the Department. Brian asked for questions and comments. Hearing none, Brian then made a motion to approve the December 2011 Police Report. Jim seconded. Motion passed. All Police Reports are on file in the Police Department for review upon request.

**Correspondence:** None.

**Old / New Business:**

**Heckscherville Playground / DCNR (Department of Conservation & Natural Resources) Grant Approval:** Brian states that the Township has received confirmation that we have been awarded $40,000.00 for improvements to the Heckscherville Playground. The proposed projects are a basketball court & play structure. Jim suggests maybe decorative lamps as well -- similar to Forestville Playground. Brian states that unfortunately there is not enough funding awarded to construct a walking path at this time. He thanks DCNR for the grant funding award.
Repairs to Duncott Ware Memorial Completed: Brian and Jim both state that Bob Burns did a really nice job with the restoration work. Majority of the work has been completed. However, upon recommendation of Bob, he needs to return in the Spring to fully complete the project. He will be paid $3,100.00 now and $200.00 when he completes the sealing process in the Spring.

Code Enforcement – Brian states the Kyle Keohoe 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.

Zoning Ordinance -- Brian states that the ordinance is in its final stages of completion. The first Public Hearing will be held on January 12th, 2012 at 6:30 p.m. at the Municipal Building.

Thank you to Nancy Whitaker, Township Auditor: Brian took a moment to thank Nancy for auditing for the Township for the past 7 ½ years. Her term expires on December 31st, 2011 and she has decided not to run again.

Discussions from the Audience:

Chris Ternowchek, Flag Lane – Asked what ever happened with the guard rail project.

John Schumann, High Road – Questions and comments relating to existing and ongoing issues at the structure owned by Robert Feryo (High Road) …specifically inquiring about permits & inspections.

Chris Ternowchek, Flag Lane – Asked if the Township could do a little more cutting of brush and trees on the right of way by her residence in order to improve visibility for driving. She also mentioned speeding issues in the area.

Paul Fesnock, S. Maple Ave. – Thanked the Supervisors for getting the Veteran’s Memorial repaired & states the Veteran’s deserve it.

Ron Kramer, Primrose – Asked who is responsible for cleaning up litter on the sides of the (State) roads. He also had complaints that the Cass Ball Field isn’t being maintained by the teams as it should be. The garbage cans were overflowing at times ….it looks horrible for walkers.

Jamie Wentz, W. Elk Lane – Asked Brian what’s next…(referring to Brian’s Supervisor term expiring).

Brian then took a few moments to thank his family and friends and stated that he met and worked with a lot of great people over the years that have helped along the way….all the federal and state agencies and former Supervisors. He thanked everyone at the head table – stating that they are the best team of people and we have all come a long way to accomplish getting this house in order. He thanked all the residents he has served in his 14 year tenure and states that it was a privilege to serve this Township. He made a lot of friends and a few enemies – and that it’s part of the job. He said he got involved in the Township to do a job - and do the best job he could. He added that the right people will continue to help move the Township forward. Brian then presented the Township / Board with a picture of the former Oak Hill Mining Operation (which also contained a picture of the Township building/former Duncott School), and stated that it represents the legacy of the Township - because we can’t forget where we came from…

The photo will be displayed in the Township Office.

Jim then presented Brian with a plaque on behalf of the Board and the residents as a gift of appreciation for his many years of service. Jim thanks Brian and wishes him well in the future.

Chief Kuklinski also presented Brian with a plaque / memorabilia from the Cass-Foster Police Department.
Adjournment – Hearing no further discussions from the audience, Brian asked for motion to adjourn. John made the motion. Jim seconded. Motion passed. Meeting adjourned.

ATTEST: Brian P. Canfield, Chairman
TIME MEETING ADJOURNED: 7:30 PM

ATTEST: James D. Thomas, Vice-Chairman
TIME MEETING ADJOURNED: 7:30 PM

THE NEXT MONTHLY MEETING OF THE BOARD OF SUPERVISORS OF CASS TOWNSHIP WILL BE HELD ON Thursday, January 26th, at 6:30 PM AT THE CASS TOWNSHIP MUNICIPAL BUILDING, DUNCOTT, PA.