The regular monthly meeting of the Board of Supervisors of Cass Township was held Tuesday, February 28th, 2012 at 6:30 PM at the Township Municipal Building, Duncott, Pa.

Present at this meeting were the following:

Mike Sorokach III, Michael Sorokach IV, Tina Skibiel, Joyce Cutler, Bob Ryan, Deb Palewicz, Tom Palewicz, Joe Halko, Robert May, Marian Halko, Merri Lynn Craig, Joe Boylan, John Schumann, Chris Ternowchek, Charlie Kostura, Diane Kehler, and Joe Geles.

Chairman James D. Thomas called the meeting to order.

All recited the Pledge of Allegiance to the Flag.

Roll Call of Officers – John M. Walaitis – present; Mike Kulpcavage – present; James D. Thomas – present.

Corporal Danielle Mowery, Cass Township Police – present.

Evelyn J. Bergan – Administrative Assistant, present.

The January 2012 Supervisor Meeting Minutes have been placed at each seat for review. Jim asked the audience to please read them and if there are any corrections, please bring them to the attention of the Board before adjournment. Jim asked for questions and/or comments. Hearing none, he then asked for a motion to approve the January 2012 Supervisor’s Meeting Minutes. John made the motion. Mike seconded. Motion passed.

Articles on the Agenda this month:

Public Hearing: SALDO Amendments & Proposed Zoning Ordinance – Jim opens the hearing. He explains the issues being addressed and states that proper advertising has been done. He adds that this is the second hearing required before adoption – the first was held consecutively with the Planning Commission’s regular monthly meeting on January 15th, 2012. Solicitor Ed Brennan then explains the Subdivision and Land Development Ordinance (SALDO) Amendments, as well as, the proposed Zoning Ordinance. Jim asks for questions or comments. Hearing nothing further, he concludes and closes the Public Hearing. A legal transcript (typed by Court Stenographer Susan Grube) will be on file for review in the Township Office when received from / by our Solicitor.

Solicitor Ed Brennan then stated he would like to make note of areas of a new law referring specifically to House Bill # 1950 relating to the Natural Gas and Marcellus Shale Companies. He gave an overview of some of the regulations listed in the bill and read a press release printed by an individual named Bud George and stated that this bill, in his opinion, is a travesty and he wants the municipalities to understand what it states. He said that Representative Neal Goodman voted against the bill but the Governor signed it. He added that if any resident or government official feels they are in disagreement with the legislation, they can feel free to contact Senator Argall. Because of this recent legislation, the proposed Zoning Ordinance will need to be revised.
Taxpayer Bill of Rights Ordinance: Jim states that this ordinance allows political subdivision enforcement of local taxes. Jim asked for questions and comments. Hearing none, he asked for a motion to authorize Solicitor Brennan to advertise the ordinance. John made the motion. Mike seconded. Motion passed.

Weight Limit Ordinance: Jim explains that over the past few years, the Board has been reviewing all Township ordinances. It was necessary for most of them to be revised to fit the current daily operations of the Township. The Board has asked and authorized our Solicitor to review the current weight limit ordinance and draft a revision that complies with regulations required by the State. Jim asked for questions and comments. John Schumann, High Road – Asked about bonding with the Natural Gas and Marcellus Shale companies. Hearing nothing further, Jim asked for a motion to authorize Solicitor Ed Brennan to advertise the revised Weight Limit Ordinance. John made the motion. Mike seconded. Motion passed.

Amusement Tax Ordinance: Jim states that this is another ordinance that the Board has requested our Solicitor review and draft an updated version. Ed Brennan recommends adding exclusions for firehouses and churches and / or church-related events. Jim asked for questions and comments. John Schumann, High Road – Asks if non-profit organizations such as Rotary and Lions Clubs could be excluded as well. Hearing no further discussion, Jim asked for a motion to authorize Solicitor Ed Brennan to advertise the ordinance. John made the motion. Mike seconded. Motion passed.

Uniform Construction Code (UCC) Accessory Structure Amendments Ordinance: Jim explains that the Board has requested that Benesch make some necessary revisions to our UCC permitting requirements – specifically addressing accessory structures, decks, and some home heating units. Jim asks for questions and comments. John Schumann, High Road – Asks if the revisions will address prefabricated garages as accessory structures. Hearing nothing further, Jim states that Board is intending to adopt the revised Ordinance and Fee Schedule at next month’s Supervisor’s Meeting. He then asks for a motion to authorize Solicitor Ed Brennan to advertise the Ordinance as discussed. Mike made the motion. John seconded. Motion passed.

Police Pension Plan Ordinance: Jim states that the Board has been advised by our actuarial firm, Conrad Siegel, Inc., that we need to make changes to the police pension plan regarding the Heart and Lung requirements for police officers as mandated by State Law as well as the Internal Revenue Service (IRS). Note: Cass Police Department does not currently have any full-time officers. Jim asked for questions and comments. Hearing none, Jim asked for a motion to adopt the changes to the police pension plan as explained. Mike made the motion. John seconded. Motion passed.

Update Trustee List for Police Pension Plan: Jim explains that the Charles Schwab account lists trustees that are not currently up to date. The Board would like to retain Evelyn as a trustee of the account with the secondary being named as the current Chairman of the Board – specifically referring to whoever that person may be during that year. Jim asks for questions and comments. Hearing none, Jim asked for a motion to approve changes to the trustee information to the police pension plan as explained. John made the motion. Mike seconded. Motion passed.

Liquid Fuels Resolution for Electronic Submission: Jim explains that we would like to submit our MS-965 Actual Use Report electronically. He states that the report is a tool used by the Pennsylvania Department of Transportation (PennDOT) to report expenses paid by the Liquid Fuels Allocation from the previous year. It must be completed annually in order for us to receive further funding. We currently submit by paper copy but PennDOT recommends we now submit electronically. Jim asks for questions and comments. Hearing none, Jim asks for a motion to adopt Resolution 2012-5 allowing the Township to submit the MS-965 Report to PennDOT in electronic version. John made the motion. Mike seconded. Motion passed.
Woodside Road Storm Water Drainage Improvements – Proposal for Engineering Services: Jim explains that we received a proposal from Benesch for engineering costs related to the storm water drainage improvement project on Woodside Road. The cost breaks down to preparation - $6,950.00 with an additional $3,400.00 to oversee the project – a total cost of $10,350.00. Jim asks for questions and comments. Hearing none, he asks for a motion to approve the proposal as explained. John made the motion. Mike seconded. Motion passed.

Purchase of a (Commercial Grade) Scag Zero Turn Lawn Mower: Jim explains that our road crew personnel requested this purchase when the 2012 budget was being completed. The Board would like to take formal action to allow the purchase of the mower since they feel it’s a beneficial piece of equipment. A quote was obtained from Kramer’s Power Equipment in the amount of $6,300 – however; to cover attachments and/or any additional costs that may incur, Jim would like to ask for a motion to approve the purchase as explained – not to exceed $7,000.00. Jim asked for questions and comments. Hearing none, Jim asked for a motion to approve this purchase. John made the motion. Mike seconded. Motion passed.

Green Avenue Declaration Amendment: Jim explained that the Board is in the process of opening Green Avenue but the present declaration needs to be amended due to some corrections relating to the names listed as property owners. Jim asks for questions and comments. Joyce Cutler, Oak Lane – Asked where it is (location). John Schumann, High road – Asked if the Board was looking to open any other alley ways in that area. Hearing no further comment, Jim asked for a motion to authorize Solicitor Ed Brennan to amend the Green Avenue Declaration as explained. Mike made the motion. John seconded. Motion passed.

Duncott Hose Company – Fire Relief Funds: Jim explains that as residents may be aware, the Board no longer recognizes Duncott as an active fire company as they do not respond to fire calls. It is their stance that any / all State Fire Relief Funds they received in the past and are still holding should be returned to the Township to be re-distributed to the remaining active fire companies. Duncott members are in disagreement with the Board and will not turn-back the money even though it’s only purpose is to purchase fire related items. The Board would like to move forward with legal action to recover the funds from Duncott to redistribute to the active companies. Jim asks for questions and comments. John Schumann, High Road – Asks if there is any documentation stating if a fire company closes, they need to require funds and equipment. Ed Brennan commented on the language used in the original document forming the fire company, as well as, stated that they should not be holding any funds. Jim states that this decision is made in the best interest of the Township / Community. Hearing no further comment, Jim asks for a motion to authorize Solicitor Ed Brennan to proceed with legal action to recover State Fire Relief funds from Duncott Hose Company since they are inactive. John made the motion. Mike seconded. Motion passed.

Planning Commission:

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

No February Meeting was held.

Brook Rentals – the 90 period for approval of plans has expired. Solicitor Ed Brennan will contact their attorney for discussion on this matter.

Treasurer’s Report: Mike presented the January 2011 Treasurer’s Report. Jim asked for questions and comments. Hearing none, Jim made the motion to accept the January 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.
All Police Reports are on file in the Police Department for review upon request.

Correspondence: None.

Old / New Business:

Code Enforcement – Code Enforcement Officer Kyle Kehoe of Benesch continues to work with Cass Police Department on several code-related issues throughout the Township.

Jim runs through a summary of issues noted on the monthly Benesch Property Maintenance Report and urges residents & property owners to please cut their grass and maintain your properties.

Heckscherville Playground / DCNR Grant: Jim states that at next month’s meeting, the Board will take action to submit the grant application for Heckscherville Playground Improvements.

Discussions from the Audience:

Mary Lynn Craig, 742 Fountain St., Ashland – Had questions and comments about the handling of wind turbines and natural gas drilling in Cass Township.

Ben Craig, 742 Fountain St., Ashland – Commented about wind turbines.

Joyce Cutler, Oak Lane – Thanks the road crew for work done on Oak Lane.

Adjournment – Hearing no further discussions from the audience, Jim asked for motion to adjourn. John made the motion. Mike seconded. Motion passed. Meeting adjourned.

ATTEST: James D. Thomas, Chairman
TIME MEETING ADJOURNED: 7:47 PM

ATTEST: C. Michael Kulpcavage, Vice-Chairman
TIME MEETING ADJOURNED: 7:47 PM

THE NEXT MONTHLY MEETING OF THE BOARD OF SUPERVISORS OF CASS TOWNSHIP WILL BE HELD ON Thursday, March 29th, at 6:30 PM AT THE CASS TOWNSHIP MUNICIPAL BUILDING, DUNCOTT, PA.