The regular monthly meeting of the Board of Supervisors of Cass Township was held Thursday, March 29th, 2012 at 6:30 PM at the Township Municipal Building, Duncott, Pa.

Present at this meeting were the following: Dee Kulpcavage, Bob Rizzardi, Paul Fesnock, John Pritz, Joe Sternick, Suzanne Scribbick, Marge Shoemaker, Chris Ternowchek, Angelita Scribbick, Mike Scribbick, Jessica Holley, Margaret Doyle, Marybeth Matz, Tina Skibiel, and John Schumann.

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.

Chief Anthony M. Kuklinski, Cass Township Police -- present.

Evelyn J. Bergan – Administrative Assistant, present.

Edward M. Brennan – Solicitor, present

The February 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 February 2012 Supervisor’s Meeting Minutes. John made the motion. Mike seconded. Motion passed.

Articles on the Agenda this month:

Resolution to Authorize Benesch to submit the Forestville Playground Improvements Grant to DCNR (Department of Conservation & Natural Resources) on behalf of Cass Township: Jim explains that the Board would like to submit an application for grant funding to complete continued improvements to the playground such as the re-design of the basketball court, as well as, adding a small child play structure. In order to do so, we must pass a resolution to allow Benesch to submit. Jim asked for questions and comments. Hearing none, he asked for a motion to adopt Resolution # 2012-07 authorizing Benesch to submit the grant application for Forestville Playground Improvements to DCNR. John made the motion. Mike seconded. Motion passed.

Proposal for Engineering Services for Heckscherville Playground Improvements: Jim states that Benesch has submitted a proposal in the amount of $10,000.00 – $6,300 for design plus an additional $2,700 which includes administration fees, as well as, overseeing the project until completion. Jim asked for questions and comments. Angelita Scribbick, Valley Road – Asked why we are spending money on the playground – no one is ever there. Hearing nothing further, Jim asked for a motion to approve the Benesch proposal not to exceed $10,000.00 for engineering / design services relating to the Heckscherville Playground. John made the motion. Mike seconded. Motion passed.
**Purchase Playground Equipment for Heckscherville Playground through Costars Membership:** Jim states that in order to purchase playground equipment / structures, we had our engineers obtain four quotes from Bitting Recreation, Inc. (an authorized member of the State COSTARS network). The Board chose the option that seemed to suit the community best. Bitting is also offering a considerable discount if we order by 3/30/2012 – the total for these items is not to exceed $24,500.00. Jim asked for questions or comments. John Pritz, High Road – Commented that no one uses the playgrounds or the lighting on the walking paths. Hearing nothing further, Jim asked for a motion to approve the Game Time playground structure purchase from Bitting Recreation, Inc. in the amount not to exceed $24,500.00. John made the motion. Mike seconded. Motion passed.

At this time, Solicitor Brennan enters the meeting and requests an executive session. Jim calls the session. Session concludes. Meeting resumes at 7:07 p.m.

**Schuylkill County Tax Claim Bureau:** Jim states that Schuylkill County Tax Claim Bureau has removed the following parcels from their tax rolls and is asking the municipality for abatement consent for the four parcels listed: 05-05-0015.001; 05-06-0120.001; 05-08-0001.000; and 05-88-0029.000. The Board will take action on each separately at this time.

*05-05-0015.001 – James & Patricia Withelder Property / Cherry Valley Road – The Board will disapprove the County’s request for this parcel. In their letter, they state that the structure was razed by fire and is completely gone. That is not true. The structure is burned out but still remains. Our Solicitor will speak to the County to find resolve to this matter. Jim asked for questions or comments. Hearing none, Jim asks for a motion to disapprove the tax abatement request from Schuylkill County Tax Claim Bureau relating to this parcel / property. John makes the motion. Mike seconded. Motion passed.*

*05-88-0029.00 – Cass Coal Company – The Board will approve the County’s request for this parcel. Jim asked for questions and comments. Hearing none, he asked for a motion to approve the County’s request for tax abatement. John made the motion. Mike seconded. Motion passed.*

*05-08-001.000 – Forino Property – The Board will approve the County’s request for this parcel. Jim asked for questions and comments. Hearing none, he asked for a motion to approve the County’s request for tax abatement. John made the motion. Mike seconded. Motion passed.*

*05-06-0120.001 – Rose Smith Property – The structure has been razed and is gone. The Board will approve the County’s request for this parcel. Jim asked for questions and comments. Hearing none, he asked for a motion to approve the County’s request for tax abatement. John made the motion. Mike seconded. Motion passed.*

**Ordinance Amending the Cass Township UCC Ordinance to Require Permits for Certain Accessory Structures & Certain Alterations or Repairs to Residential Buildings:** Jim explains that when the UCC (Uniform Construction Code) was initially adopted, it stated no building permits necessary for accessory structures regardless of the size of the structure. Mike states that he worked with Ed Bosack (of Benesch) and revisions to the Ordinance have been made. The Board would like to take formal action tonight to adopt the amendments. The specific changes are: no permit necessary for accessory structures under 650 square feet, as well as, no permit necessary to replace residential heating units in homes. Jim asked for questions and comments. Hearing none, he asked for a motion to adopt Ordinance # 2012-02 amending the original UCC ordinance as discussed. Mike made the motion. John seconded. Motion passed. Roll Call of Officers: Mike Kulpcavage – aye. John Walaitis – aye. Jim Thomas – aye. Unanimous Vote.

**Resolution to Amend UCC Permit Fee Schedule:** Jim explains that in accordance with amending UCC ordinance, the Board must amend to the fee schedule as well. He asked for questions and comments. Hearing none, he asked for a motion to adopt Resolution # 2012-08 as explained. John made the motion. Mike seconded. Motion passed.
**AMT / Amusement Tax Ordinance:** Solicitor Brennan explains that in 1983 the original Ordinance was passed. He has reviewed the original as requested by the Board. It has been revised and will be incorporated into the Township Codification -- sections have been renumbered and a listing of exemptions has been added. Ed recommends adoption at this meeting. Jim asks for questions and comments. Hearing none, he asks for a motion to codify and amend the original Amusement Tax Ordinance of 1983 and in its place, adopt **Ordinance # 2012-03** as explained. Mike made the motion. John seconded. Motion passed. Roll Call of Officers: Mike Kulpcavage – aye. John Walaitis - aye. Jim Thomas – aye. Unanimous Vote.

**Service Agreement for the Purpose of Verifying the Amusement Tax:** Jim explains that to verify numbers in accordance with the Amusement Tax, the Board would like to hire a company that will attend events to count attendance on behalf of the Township. Mike did the research and found four security agencies whose hourly rates varied. The lowest quote was KRE Security / Investigations, Inc. with an hourly rate of $17.50 / worker. Jim asked for questions and comments. Hearing none, Jim made a motion to hire KRE Security, Inc. at a rate of $17.50 per hour per worker for the purpose of verifying amusement tax counts. Mike seconded. Motion passed.

**Duncott Fire Company Status:** Jim explains that last month the Board discussed several issues relating to Duncott Fire Company and the fact that they do not respond to fires within the Community. It is the intent of the Board to take formal action tonight to formally recognize Duncott Fire Company as an inactive fire company within Cass Township. Jim asked for questions and comments. Hearing none, Jim asked for a motion to formally recognize Duncott Fire Company as 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 March Meeting was held.**

Brook Rentals – At their December meetings, both the Planning Commission and the Board of Supervisors granted conditional approval of the plan. It has now passed the grace period and the plan has not been recorded. Therefore, Solicitor Brennan recommends that the Board disapproves the plan for failure to meet the conditions, as well as, failure to record the plan. Jim asked for questions and comments. Hearing none, he asked for a motion to disapprove the plans for the reasons discussed. John made the motion. Mike seconded. Motion passed. (As required, Jim will construct a letter to be sent to Jack Edwards).

**Treasurer’s Report:** Mike presented the February 2012 Treasurer’s Report. Jim asked for questions and comments. Hearing none, Jim made the motion to accept the February 2012 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 Kuklinski read the March 2012 Police Report. Jim asked for questions and comments. Hearing none, Jim asked for a motion to approve the March 2012 Police Report as read. Mike made the motion. John seconded. Motion passed. All Police Reports are on file in the Police Department for review upon request.

Tony stated that since the weather is getting nice, the tagging of abandoned vehicles by the police department will now resume and continue throughout the Township. He explained that this is a compliance issue, as well as, a health and welfare issue. Since the program was started, over 500 abandoned / junk vehicles have been removed from Cass Township. That number will continue to grow. If you have any of these vehicles on your property, please have them removed. The only way you can keep a vehicle like this is if you keep it in a garage where it cannot be seen in clear view.
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.

FEMA / PEMA Hazardous Mitigation Program Update: John states that FEMA has conducted a survey of the affected areas. We are now waiting for them to contact us to perform a walk through.

Jenkins Property Update – Solicitor Brennan states that he believes since HRG, Inc. has completed the soil contamination review, the Township can now approach the Kerwick Family with full disclosure of the property. It will be their option to purchase it or not. If not, we can go back to Court. The Township resolved the nuisance issues and we can now dissolve the conservatorship.

Discussions from the Audience:

Chris Ternowchek, Flag Lane – Commented about the parking along the ball field at Quandel’s – stating that there are ‘no parking’ signs there – do they get ticketed.

Marge Shoemaker (765 Valley Road); Suzanne Skibbick; Mike and Angelita Skibbick, Valley Road – Asked why the Township will no longer maintain & plow their driveway / dirt access road leading to their homes (Pine Knot).

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