Typed: December 17th, 2014

The regular monthly meeting of the Board of Supervisors of Cass Township was held Thursday, November 25th, 2014 at 6:30 PM at the Township Municipal Building, Duncott, PA.

Present at the meeting were the following: Mike Sorokach, Ed Drasdis, Bob Ryan, Joe Smulley, Lynn Schies, Craig Schies, Chris Ternowchek, Sharon Wentz, Robert Wentz, John Lenick, John Pritz, Anna Marie Cason, Eugene Cason, Jake Smulley, Ann Marie Studlack, Andrew Studlack Jr., Elvin Brennan, Tom Graydus, and Karen Smulley. There are (2) illegible names on the sign-in sheet.

Chairman John M. Walaitis called the meeting to order.

All recited the Pledge of Allegiance to the Flag.


Edward M. Brennan, Solicitor – absent.

Evelyn J. Bergan, Administrative Assistant – present.

Dave Cromyak, Patrolman – Cass Township Police Department – present.

John states that the October 2014 meeting minutes have been placed at your seats. Please review them and inform the Board by the end of this meeting if you feel there are changes necessary. John asks for a motion to accept the minutes as typed. Mike makes the motion. James seconds. Motion passed. All reply aye – in favor.

Audience Discussion: Please raise your hand; state your name & address for the record.

Chris Ternowchek, Flag Lane – Asks Officer Cromyak if patrols have been increased since the most recent home invasion in her area – adding that she hasn’t seen police in (3) weeks. Officer Cromyak responds that he personally sits and patrols in that area, but he will pass the information onto the Chief, as well as, the other officers in the Department.

Tom Graydus Sr., S Maple Ave – Questions the Board about the status of his situation with code enforcement stating that since Ed Brennan got involved, he is now going to be the prosecutor in the case, and asks why the taxpayers should have to pay for it. John Walaitis addresses Tom and states that during the last court hearing heard in front of Judge Rossi, Tom was told that the clock is ticking and that his code issues must be in order before the next court date. John asks Tom to clarify that statement is true. Tom states that it is, but asks John if he stopped to look at the property – because there are no issues. John states he did not stop to look at the property. Tom again states that he feels getting Solicitor
Brennan involved is not right because the taxpayers will have to pay for it. Mike (Kulpcavage) states that Tom came to the last month’s meeting asking for help from Solicitor Brennan, as well as the Board, stating that he was unfairly charged with violations and citations. John states that the Board asked our Solicitor to investigate and he is doing so – but if Tom would like to the Township to now not get involved, that’s his choice. Tom goes on to say that he received 15 violations in (1) day in the amount of $5,000 – and nobody else in the Township is getting that many. He states that he doesn’t understand the violations either – asking John what does supply of product mean? John states he would assume it would be whatever product Tom has stored on his property. Tom states he comes to these meetings and asks questions but doesn’t get any answers. He adds that he spoke to John (Walaitis) about this situation previously and John stated he would take care of it, but he didn’t take care of it. John replies that he did take care of it - he asked our Solicitor to contact Code Enforcement, as well as, the Judge, to find out more about the case. John states that he will also stay in contact with Solicitor Brennan along the way to be kept informed of updates. Tom asks if he’ll receive another 15-30 citations in the meantime.

Joe Smulley, Forestville – Asks who will pay the fees if Solicitor Brennan gets involved in Tom Graydus’ code enforcement issues. John replies the Township. Joe asks who will Ed Brennan be representing...the Township or Tom Graydus? John replies the Township.

Lynn Schies, Forestville – Asks Mike about transactions that were printed on a detailed report she obtained through a Right-To-Know Request which (2) checks were made payable to Donohue Excavating for the work done at the Line Avenue Culvert Project. Mike states he wouldn’t be able to respond without viewing the reports. Evelyn stated that she could explain – the initial payment check was prepared, but then it was decided (by the Board and Engineers) that we would retain some funds to be paid when all issues at the site were satisfactory. Another check of lesser amount was processed and sent as payment. The initial check was voided and it will show on November’s reports.

Jake Smulley, Forestville – States that last month he asked about his payments and asks Mike if the Board looked into it. Mike replies yes, they were recorded as EIT instead of AMT and that has since been resolved, but he would now like to review the numbers. First, Mike reads the memo received from Berkheimer which reads as follows:

*Big Diamond Speedway has made (3) payments to date for 2014. They were for April, May, and June. The remittances for all (3) months were significantly lower than what they should have been based on the Township’s reports to us. The analysis of what has been paid and what we calculated as owed is attached. The current owners have paid nothing for 2012 and 2013 to date either.*

Mike states that Berkheimer also forwarded a chart which shows that Big Diamond Speedway paid $5,392.75 for April, May, and June (2014) and of that amount $1,159.12 were penalties resulting in an actual tax payment of $4,233.63. Mike goes on to explain
that Big Diamond Speedway still owes $14,287.55. Jake asked if that’s what he owes for the whole year. Mike states no, that’s what you still owe for just those (3) months (April, May, and June – 2014). Jake asks if the Board believes the numbers that their counters are providing. Mike replies yes. Jake asks Mike to provide the numbers for the March race. Mike states 203 in attendance in the pits. Jake said they didn’t have a race in March. Mike replies yes, you did. Jake asks Mike about the September race. Mike states the attendance for the September race was 1673. Jake then polls the Board members by asking Mike if he thinks it’s fair that he pays $5,000 in tax for one race. Mike states yes, I do. Jake asks John if he thinks it’s fair. John states if the attendance numbers warrant the tax payment, yes, I do. Jake asks James if he thinks it’s fair for him to have to pay $5,000 in tax for one race. James replies no, I do not. Jake thanks James for his response. Jake asks what he owes for the year. Mike states that the tax for the year is $26,192.35 (Amusement Tax - 2014). Jake asks if that is at 5% or 10%. Mike replies the numbers I gave you are based on 5%. Jake asks if this will be in the minutes. Mike replies yes.

Joe Smulley, Forestville – Comments the amount discussed is more than the Board members make in a year. Mike replies more than Joe makes as well, and states that we all know how Joe gets paid...under the table.

Joe then questioned the Board about a CAT 953 Track Loader that was rented to construct the road leading into the site of the new building – stating that he knows it was rented for $2,400 and figures it costs about $500 to move it...he asks how many hours was it used? John states 34-35 hours. Joe asks why we are renting a machine and not using Al Roman’s equipment. John said because we can’t pick up dirt and haul it with a dozer.

Lynn Schies, Forestville – Asked if the New Building Fund can be added to the Treasurer’s Report. Mike states that it can and it’ll be added starting in the New Year.

Jake Smulley, Forestville – Stated that he previously asked about bathrooms at the Forestville Playground and was wondering about the status of that request. Mike replied the Board has not looked into it yet, but it’s on the list.

Chairman Walaitis closes audience discussion.

**Floodplain Ordinance Amendment** – John states that last month, the Board adopted the revised Floodplain Ordinance, they named it Ordinance # 389 (same as the existing Ordinance). It has since been noted that the new Ordinance needs a different number assigned to it. John asks for a motion re-name Ordinance # 389 to Ordinance # 2014-389. Mike makes the motion. James seconds. Motion passed. All reply “aye” -- in favor.

**Light Tax Fund – Advertise Ordinance # 2014-1225** -- John states that the current tax rate split has overfunded the LTF so in order to remedy that, the Board needs to pass an Ordinance to **re-adjust** the rate. The new rate (split) will be 3.33 mills (74%) for the
General Fund; and 1.17 (26%) for the Light Tax Fund - giving the total of 4.50 mills. John asked for a motion to advertise Ordinance # 2014-1225 as discussed. James makes the motion. Mike seconds. Motion passed. All reply “aye” – in favor.

**Approve Patton & Zipay Audit Proposal** – John states that the Board received a proposal from our accountants to perform the 2014 audit – the cost is not to exceed $3,900. John asks for a motion to accept the proposal. Mike makes the motion. James seconds. Motion passed. All reply “aye” – in favor.

**2015 Budget Advertisement** – John asks for a motion to advertise the 2015 Budget. Mike makes the motion. James seconds. Motion passed. All reply “aye” – in favor.

**Appoint Alternate Zoning Officer** – John explains that it’s necessary for the Board to appoint an alternate zoning officer in the event that Kyle Kehoe is unavailable. John asked for a motion to appoint Christopher Madera as the alternate. Mike makes the motion. James seconds. Motion passed. All reply “aye” – in favor.

**Planning Commission** – The Commission held their meeting and approved the following submissions; it is their recommendation to the BOS to take formal action to approve them as well.

*Leonard Subdivision/ Boundary Line Adjustment:* John made a motion to approve. Mike seconds. Motion passed. All reply “aye” – in favor.

*Former St. Kieran’s Church Property Subdivision:* John made the motion to approve. James seconds. Motion passed. All reply “aye” – in favor.

*Edward J. Drasdis Annexation:* James made the motion to approve. John seconds. Motion passed. All reply “aye” – in favor.

**Vacancy on the PC** – John states that since Luke’s passing, there is currently an opening on the Planning Commission. Any resident wishing to hold the position should contact the Board.

**Treasurer’s Report:** Mike read the Treasurer’s report. John makes the motion to accept the report as read. Mike seconds. All in favor; motion passed. Any resident wishing to review the reports may do so during normal business hours as they are on file in the Municipal Office. John makes a motion to pay all outstanding bills as can be paid at this time. James seconds. Motion passed. All reply “aye” – in favor.

**Municipal Authority Report:** John states the MA did not hold a meeting. No update.
Police Department Report: Patrolman Dave Cromyak reads the report. John makes a motion to accept the report as read. Mike seconds. All in favor; motion passed. Report is on file in the Police Department for review.

Correspondence: John states that any mining/blasting issues can be reported to DEP / Bureau of Mines at 570-621-3118.

Road Foreman's Report: James read his report. John makes the motion to accept the RF’s report as read. Mike seconds. All in favor; motion passed.

Old/New Business:

Brick Donation Drive for New Township Building & Condors Complex: John states that we will hold a brick donation drive for the new building. Any and all donations will be accepted. This will project will move forward in the New Year.

After no further business at hand, John asks for a motion to adjourn. James makes the motion. Mike seconds. All in favor; motion passed; meeting adjourned.

Time meeting adjourned: 6:55 PM.

ATTEST: James A. Wentz, Vice-Chairman
Time of Adjournment: 6:55 PM

ATTEST: James A. Wentz, Assistant Secretary
Time of Adjournment: 6:55 PM

The next monthly Supervisor's Meeting of the Township of Cass will be held on Thursday, December 18th, 2014 at 6:30 PM at the Cass Township Municipal Building.