Typed: August 25th, 2014

The regular monthly meeting of the Board of Supervisors of Cass Township was held Thursday, July 31st, 2014 at 6:30 PM at the Township Municipal Building, Duncott, PA.

Present at the meeting were the following: Mike Sorokach III, Joe Smulley, Lynn Schies, Chris Ternowchek, Frank Zukas, Tina Skibiel, Harriet Kostura, Desiree Dermo, Elvin Brennan, Joe Geles, John Olenick, Sharon Wentz, R.J. Wentz, Donna Kalovcak, John Kalovcak, Andrew Studlack Jr., Don Melochek, Karen Smulley, Ron Kramer, John Pritz. There is one (1) illegible name/signature on the sign-in sheet.

Vice - Chairman James A. Wentz called the meeting to order.

All recited the Pledge of Allegiance to the Flag.


Edward M. Brennan, Solicitor – present.

Evelyn J. Bergan, Administrative Assistant – present.

Leo Securda, Patrolman – Cass Township Police Department – present.

James states that the June 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. James makes the motion to accept the minutes as typed. Mike seconds. Motion passed. All answered aye -- in favor.

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

Frank Zukas, SEDCO – Frank explains that a few years ago, there were (2) land development plan projects in Highridge Business Park that required bonding (Lot # 3 - Travel Plaza and Lot # 6 – was to be used for a “spec” building). Frank explains the history of both and states that he is here this evening to ask the Board to approve (2) items. First, to remove or reduce the municipal lien on Lot # 3 as all inspections have been satisfied and the engineering firm has no objections. Second, when lien was placed on Lot #6, it was filed to an incorrect parcel number. Frank is asking for that to be corrected. Again, the Township engineering firm has no objections to the lien being corrected/revised and placed on the correct parcel number. Solicitor Brennan states that all the changes requested are appropriate and he recommends the Board take action this evening.
Joe Geles, Valley Road – Thanks John Kalovcak for reinforcing the fence so the children who attend Child Development won’t be able to go underneath and fall into the mine waterway. He then addresses James and states that he has concerns with the waterway, but has had no luck over the years with DEP or FEMA in relation to flooding – he feels one of the Board members should call DEP on his behalf as he does not feel it’s his place.

John Olenick Forestville – Thanks the road crew for fixing Blue Lane and states they did a good job.

Don Melochek, 18 Owl Road – States that as the Board is aware, he has been in litigation with his neighbors for quite some time. He built his house 11 years ago and is now being sued for storm water damage. He states that water runs off the mountain and there used to be a roll curb along Owl Road, but it was removed – now all the water runs down his driveway and into the neighbor’s property. He would like the Township to replace the roll curb since the road is wearing away. Mike asked Don if a curb existed on Owl Lane before he built his home? Don replied yes. Mike then asked, if it was the construction of his driveway and home that caused the curb to be damaged and removed? Don admits that it may have been removed during construction of his home, but it could’ve been removed during the sewer project. Don states he understands why the Township doesn’t want to get involved because of the litigation issues, but he’s getting sued to have a storm water management plan and asks what is the storm water management plan (or ordinance) currently in place. James states that the Township does not currently have a storm water ordinance. Mike corrects James by stating that we do have an Ordinance -- and this item falls under Planning Commission and the SALDO (Subdivision And Land Development Ordinance). Ed Brennan agrees and addresses Don explaining that back when he built his house everything was under Schuylkill County and he should’ve had to submit all plans and building applications to them prior to building the home. Ed adds that he wishes Don well; but the Board will not get involved in lawsuits with neighbors – and it is his recommendation to the Board that they not get involved.

Lynn Schies, Forestville – Addresses James and asks for a start date for work to be completed (relating to the Line Avenue Project). She said there’s a pond in her yard; no work has been done in a month; her yard doesn’t look the same, and she can’t put up with it. She asked if anyone was out to see it. James states he was and he wasn’t happy with it, but he said he was surprised when asked last month how everything was, Lynn responded “good” and this month, there are complaints. Lynn said she was good with the bridge work. James explains what needs to be done and that her complaint needs to be addressed as a separate issue. Lynn states she needs a date for that work to start, or she’s contacting a lawyer. James states that it’s on the list. Lynn states that she counted (12) catch basins on Schaeffer’s Hill….she only wants (1).
Joe Smulley, Forestville – States he sees that the State was up at the property that the Township bought and asked the status of the HOP. Mike and James state that the driveway from SR 901 is sufficient for an entrance, but not an exit. Joe asks where the money is coming from and says it will cost thousands of dollars. He then asks if an environmental study was done on the property prior to the purchase – adding that it would show were the asbestos is buried. Solicitor Brennan states that an environmental review was not necessary. Joe said he’ll show everyone wear the asbestos is buried.

John Pritz, High Road – States that an environmental study was not necessary, but it could’ve been done. He again states he disagrees with the purchase of the property.

Tina Skibiel, Pine Knot – States that Joe Smulley is complaining about spending thousands of dollars; and then John Pritz states the Township should spend more money on an environmental review that’s not necessary! She then asks what the status is of the Cherry Valley Waterline Project. Mike states we are waiting on the approval of easements from Reading Anthracite.

Sharon Wentz, Low Road – Explains to Tina that an environmental review would protect the Township.

John Pritz -- States that Jim Thomas and Mike Kulpcavage were both told about the underground pipes, asbestos, and the sewer system on that property.

Lynn Schies -- Asks what the status is with the new building and if this one is sold yet. Mike states that we are getting things in order to move forward with the new building and no, this building is not sold yet, but the Board is looking at our options.

Elvin Brennan, Forestville – Asked where the $10,000 came from. Mike answered General Fund.

John Pritz – States as soon as you (the Board) got money from the top of the hill (referring to Highridge), you start blowing it.

Robert Wentz, Low Road – States we don’t need an architect to build a Township Building; we don’t have the money to pay an architect – get a plan design and put up a building – no need for an architect...we aren’t Foster Township.

Joe Smulley – Had more comments about asbestos being found on the property and how much it will cost the Township to dispose of it. Mike Kulpcavage asked Joe if he knew what would help with the cost. Joe said what. Mike said our tax money. Joe then got loud and was asked to leave the premises.

Andy Studlack, Woodside – Asked the Board if they have ever openly had a discussion about raising taxes because of the construction of a new building. Mike answers no. Evelyn
asks where Andy heard that. He said he was just wondering. Evelyn states that she has not heard any Board members talk about raising taxes.

Desiree Dermo – daughter of the deceased Richard Dermo – owner of 33 S. Maple Avenue – which recently burned. Desiree states that she heard certain individuals were upset with her family because the Township stepped in and boarded up the structure after the fire. She wants everyone to know that she was hurt and embarrassed after hearing that, because it was not the intent to leave it open, but it was a shock for everyone involved. Her husband was going to close it up, but then the Township so kindly did so instead. She said she is extremely grateful for what was done because it helped them out during this difficult time – and stated the family will pay the fees for boarding up the structure. James states that apologizes for the family’s loss and didn’t know about reimbursement of costs. Mike confirms that there is an invoice for reimbursement.

Don Melochek, Owl Road – Asked the Board what his options are. Ed Brennan states that Don cannot ask the Township to pay for something that was taken out by his contractors. Solicitor Brennan advised Don to check with Schuylkill County – they should have all the records if protocol was followed during the building process. Don asks if he can install a roll curb where the original one existed. Solicitor Brennan explains that a resident cannot perform work in the Township right-of-way unless the Township allows it. Ed states that he has spoken to Don’s neighbor’s attorneys and this is an ongoing issue. Ed says he wishes Don well, but the Township simply will not get involved.

Hearing nothing further, James ends the audience discussion and moves on to the items on tonight’s agenda:

**Resolution # 2014-09** – Open “New Building Fund” – Miners Bank: Mike makes the motion. James declines, stating he is going to table the motion for further discussion with the other supervisor.

**Resolution # 2014-10** – Transfer $10,000 – General Fund to New Building Fund: Mike makes the motion. James declines, stating he is going to table the motion for further discussion with the other supervisor.

**Open bids – Road Program:** James states there was only (1) bid from Pennsy Supply and he reads the bid totals. He states the BOS need to review the bid, and he makes a motion to accept the bid pending BOS review. Mike seconds. Motion passed. Both reply ‘aye’ – in favor.

**Member Resignation – PC Member – Barb Reichert:** James states that Barb is resigning and makes a motion to accept her resignation. Mike seconds. Motion passed. Both reply ‘aye’ in favor.
Member Appointment(s) – PC Members: James makes a motion to appoint John Olenick to fill a PC vacancy. Mike seconds. Motion passed. James makes a motion to appoint Anne Kurtek to fill the second PC vacancy. Mike seconds. Motion passed. Both reply ‘aye’ – in favor.

Motion to Satisfy Changes to Highridge Lots #3 and #6 – Solicitor Brennan asks the Board to take action on the requests brought to their attention by Frank Zukas this evening – to satisfy the municipal lien on Lot #3 and to correct the parcel number on Lot #6. Mike makes the motion. James seconds. Motion passed. Both reply ‘aye’ – in favor.

Line Avenue Final Payment – The contractor was paid $13,433.14; however, because seeding is not sufficient at this time, $2,000 is being held until all issues are resolved. Mike makes a motion to withhold $2,000 from the Estate of Martin Donohue as discussed. James seconds. Motion passed. Both reply ‘aye’ -- in favor.

Resolution #2014-11 – Modify Zoning Fee Schedule: Solicitor Brennan states that the zoning fee schedule needs to be modified – the commercial fees need to be higher than the residential fees and it is his recommendation that the Board take action to increase the fees accordingly – commercial fees will be $3,000/residential $1,000. James makes a motion to adopt Resolution #2014-11 as discussed. Mike seconds. Motion passed. Both reply ‘aye’ in favor.

Planning Commission: Meeting was held on July 10th, 2014 -- PC granted conditional approval on Keystone Boulevard CNG Fueling Station Submission.

Treasurer’s Report: Mike read the Treasurer’s report; and makes note that the 2013 Liquid Fuels Audit has been completed with no findings. James made the motion to accept the report as read. Mike seconds. Motion passed. Both reply ‘aye’ in favor. Any resident wishing to review the reports may do so during normal business hours as they are on file in the Municipal Office. James makes a motion to pay all outstanding bills as can be paid at this time. Mike seconds. Motion passed. Both reply ‘aye’ – in favor.

Municipal Authority Report: A meeting was held on July 24th – James reads the notation from the agenda which reads as follows: The Authority informed the property owners (that were sent letters regarding parcels for sale) that the price per square foot is $.40. Property owners must notify the Authority by August 7th if they would like to alter their property lines (if their neighbors are in agreement).

Zoning Authority: Nothing to Report.
**Police Department Report:** Officer Leo Securda reads the report prepared by Chief Clink. James makes the motion to accept the report. Mike seconds. Motion passed. Both reply 'aye' in favor. Report is on file in the Police Department for review.

**Correspondence:** None.

**Road Foreman's Report:** James read his report. Mike makes the motion to accept the report as read. James seconds. Motion passed. Both reply 'aye' in favor.

**Old/New Business:**

**Code Enforcement/Engineer's Report:** James reminds the audience that any homeowner who is making modifications to their driveway needs to obtain a driveway permit.

After no further business at hand, James asks for a motion to adjourn. Mike makes the motion. James seconds. Motion passed; meeting adjourned. Both reply 'aye' -- in favor.

Time meeting adjourned: 7:15 PM.

ATTEST: James A. Wentz, Vice-Chairman
Time of Adjournment: 7:15 PM

ATTEST: James A. Wentz, Assistant Secretary
Time of Adjournment: 7:15 PM

The next monthly **Supervisor's Meeting** of the Township of Cass will be held on **Thursday, August 28th, 2014 at 6:30 PM** at the Cass Township Municipal Building.