

Typed: November 17th, 2021

The regular monthly meeting of the Board of Supervisors of Cass Township was held on Wednesday, October 27th, 2021 at 6:30pm at the Township's Municipal Building, Duncott, PA.

Present at the meeting were: Mary Lou Bergan, Ann Marie Studlack, Joyce Cutler, Chris Bentz, Karen Sonnon, Catherine Bentz, Donna Rae Purcell, George Pytko, Chris Ternowchek, Antoinette Purcell, Andy Studlack Jr., Pete Kasinecz, Bud Spotts, and Tina Skibiell.

Brenda Helt calls the meeting to order.

All recited the Pledge of Allegiance to the Flag.

Roll Call of Officers:

Brenda M. Helt – present.

David W. Califf – absent.

Elvin E. Brennan Jr. - present.

Other attendance/attendees:

Evelyn J. Bergan, Secretary – present.

Sean Logsdon, Solicitor – present.

Gerard E. Daley, Chief - CTPD – present.

Chairperson Helt states that the minutes from the September 2021 Supervisor's meeting have been placed at each seat. She calls for a motion to dispense the reading of the minutes if there are no corrections or omissions. Brennan makes the motion. Helt seconds. Motion passed.

Roll Call: Unanimous Favorable Vote.

Helt opens the meeting for public comment. Please state your name and address for the record.

Joyce Cutler, Oak Lane – asks where Dave (Califf) is again tonight. Brenda replies that we don't have an answer. Joyce suggests that Chief Daley make a visit to Dave's residence to see if he is still at his residence – and if he is, tell him that he is getting paid and needs to report to the Township building to do the job. Chief Daley states that he sees Califf coming and going from his house – so he is still there. This leads to another discussion about Dave. Attorney Logsdon states that we have discussed this over that last couple of meetings; it wouldn't be appropriate for an employee to approach Dave – but Elvin states that he has been speaking with him and has told him that people are asking about him and so Dave is aware and understands that he has an obligation as a Township Supervisor – but we also discussed (if he hasn't voluntarily vacated the seat) the limited ways that his seat could forcibly be vacated – it's virtually impossible and takes a long time. Hopefully he either shows up or gives us an

indication that he is resigning and then the seat could be declared vacant. Joyce states that this is just not right. Chairperson Helt adds that she knows his house was purchased from Reading Anthracite Company – and she was told that he was supposed to be moved out by July (2021) – she is not aware of the agreement he has with RAC, but she has heard that he is still living at the residence. She adds that she did inquire about him not coming to the meetings because of the people’s concerns, but she was told it’s an elected position and there is nothing that she or Supervisor Brennan can do – because they did not put him into the seat, he was voted in by the residents of the Township. This discussion continued.

Pete Kacinecz, Willow Lane – questions the Board members about a rumor he heard that the Township is going to survey Township-owned properties and will give the residents an option to buy them. Chairperson Helt explains the Board members have been working on this for some time; they want the properties/land appraised without any of the structures that have been built on them. Those property owners will be given the first chance to purchase the currently Township-owned property that is closest to their property which will extend their property lines. This discussion continued relating to leases that were and were not paid over the years, as well as, other issues, etc.

Donna Rae Purcell, Willow Lane – states that her lease is ready to expire. Helt and Brennan both explain that there will be no longer any lease renewals because those properties are going to be sold. Helt explains that the property that Donna was leasing from the Township will be offered to her first to purchase; if she does not want to purchase it, it will go out for bid for someone else to purchase.

Bud Spotts, Willow Lane – had questions about adverse possession. The Solicitor explains that when there is a lease, it is no longer adverse. He adds that there is also the element of being a Township and the land being public property – which in certain circumstances prevent adverse possession. The Township’s stance is that none of those properties are subject to adverse possession – and in that way, they can be surveyed, subdivided, and sold to the adjoining property owners to extend their yards.

There is then a discussion about “the road” that runs through these properties. Road Master Brennan states that it’s not a road. Residents of Willow Lane state that it was plowed by the Township for a few years and then it stopped. Elvin states that a lot of places were plowed before he got into office – but there is no way - if it’s not a Township road - that it can be done – because if something happens to the trucks while on private property – or if a truck hits one of the garages... This discussion continued onto several other issues.

Chris Ternowchek, Flag Lane – asked Elvin if macadam will be placed on the roads before winter where the waterlines were installed. Elvin responds yes, there is supposed to be. Brenda adds that is Minersville’s project.

Antoinette Purcell – had complaints that there was no signage on the roads for drivers for either the Township paving project – or Minersville’s waterline project.

Hearing nothing further from the audience, Helt moves on to the Agenda items:

Chris Bentz – Paving – Shady Lane: Chris introduces himself and states that he is speaking on behalf of his mother Catherine Bentz who resides at 33 Shady Lane. He proceeded to explain the events that took place relating to the recent paving of Shady Lane – stating that it stopped short of where the road was previously paved – he was told by Road Master Brennan that he consulted with the Township Solicitor; and it was determined that the paving should only be done to where the liquid fuels map indicated. Chris disagrees with this decision based on several issues which he explained in detail. Chris states that he would like to know what he has to do to get the last 66’ of the road paved. Attorney Logsdon states that we were going off of the liquid fuels map – and to pave it any further than what it indicates would not make any sense since we do not receive liquid fuels funds for the rest of the road because the Township doesn’t own it. Dave Walasavage of ARRO Consulting, Inc. then gave his explanation of the events that took place. This led to a very lengthy heated discussion between Chris Bentz, Attorney Logsdon, Dave Walasavage, and Road Master Brennan. Chairperson Helt addresses Chris and states that a call will be made to John Davis of PennDOT – then she and Supervisor Brennan will have an executive session where this issue will be discussed; and they will get back to Chris with a response. Helt makes a motion to close this discussion. Brennan seconds. Motion passed. Roll call: Unanimous Favorable Vote.

Trick-or-Treat Night – Helt states that the Township will follow Minersville’s date & time which is Sunday, 10/31/2021 – 6pm to 8pm. Raindate: November 1st – 6pm to 8pm. She makes a motion to set the date and time. Brennan seconds. Motion passed. Roll Call: Unanimous Favorable Vote.

Treasurer’s Reports: Helt states that the public summary and the list of transactions for the month of September 2021 have been placed at each seat; she makes a motion to accept the reports as printed and to pay all outstanding bills that can be paid at this time. Brennan seconds. Motion passed. Roll Call: Unanimous Favorable Vote.

Planning Commission / Engineer’s Report –

Dave Walasavage gives an update. Helt asks Dave to make a visit to Woodside Road to determine what needs to be done.

Helt makes a motion to accept the ARRO Consulting report. Brennan seconds. Motion passed. Roll Call: Unanimous Favorable Vote.

Police Report: Chief Daley reads the police report. Helt makes a motion to accept the report as read. Brennan seconds. Motion passed. Roll Call: Unanimous Favorable Vote. Reports are on file in the Police Department for review upon request.

Road Foreman's Report: Helt states that there is copy at each seat. She calls for a motion to accept it as printed. Brennan makes the motion. Helt seconds. Motion passed. Roll Call: Unanimous Favorable Vote. Reports are on file with the Road Department for review upon request.

Correspondence – Nothing.

Old / New Business:

Tunnel Road – Conservatorship: Attorney Logsdon states that in order to close this out, certain documents are still needed from the Contractor. He states that after those are obtained, we will return to court and request that the conservatorship be ended and then a decision can be made by the BOS as to what will be done with the property.

Maintenance Agreement – Oak Lane: Attorney Logsdon states that he is still working on getting approval from FEMA. Antoinette Purcell asks if the Township is paying for the work that is being done. Chairperson Helt explains that Gula wants to lease (3) of the properties – but we have to ask FEMA for permission for him to lease them – so at this point, we don't know if we will be able to lease them. She states that yes, the Township is paying for the work being done to get the FEMA approval. Antoinette asks what Gula wants to use it for. Helt states that he can't make money off it – so it will only be leased so he can maintain it. Antoinette states that the rumor is that he will be making camping spots there. Elvin states that is on his own property. Helt states that was investigated by the Township – and since he didn't go through zoning, he can't open a campground or rent to campers. Antoinette asks who cuts the grass now. Joyce states that Mike Gula and her husband Joe currently cut the grass – and she feels that it's a waste of Township money paying a lawyer because there was never a problem with them sharing the duties of cutting the grass – she doesn't understand what the issue is. This discussion continued.

School Proclamation – Attorney Logsdon explains the School Choice Proclamation Resolution – re: National School Choice Week. The BOS can vote on it at the next meeting.



Cass Township Board of Supervisors

1209 Valley Road, Pottsville, PA 17901

Telephone: 570.544.5370

Fax: 570.544.3158

www.casstownship.org

E-mail: supervisors@casstownship.org

***Motion to Adjourn:** With no further business, Helt makes a motion to adjourn. Brennan seconds. Motion passed. Roll Call: Unanimous Favorable Vote.*

Meeting adjourned.

ATTEST: Brenda M. Helt, Chairperson

TIME MEETING ENDED: 7:36pm

ATTEST: Elvin E. Brennan Jr., Vice-Chairperson

TIME MEETING ENDED: 7:36pm

