

Typed: April 24th, 2024

The regular monthly meeting of the Board of Supervisors of Cass Township was held on Thursday, March 28th, 2024 at 7pm at the Municipal Building – Duncott.

Present at the meeting: See sign-in sheet (attached).

Brenda Helt calls the meeting to order.

All recited the Pledge of Allegiance to the Flag.

Roll Call of Officers:

Michael Sorokach III – present.

Elvin E. Brennan Jr. – present.

Brenda M. Helt – present.

Other attendance/attendees:

Mark Semanchik, Solicitor – present.

Evelyn J. Bergan, Secretary – present.

Chairperson Helt states that the February 2024 Supervisors Meeting Minutes have been placed at each seat. She makes a motion to approve the minutes if there are no corrections or omissions. Seconded by Sorokach. Motion passed. Roll Call: Unanimous Favorable Vote.

Helt opens the meeting for public comment.

Jim Quinn, Valley Road – Asked if the Board has an update regarding the merger of the fire companies that was presented to them back in January. Solicitor Semanchik replies that the Board has asked him to do some research on how Clover Fire Company became incorporated – and if Jim could provide him with the Articles of Incorporation to review that would be very beneficial – and if that happens, it could be placed on the agenda for next month’s meeting. Jim agrees to the request.

Rick Pielacha, Forest Lane – Asks for an update on the property he has made complaints about near his residence owned by Castle Coal Company. Solicitor Semanchik states that the coal company views the property as a buffer between any mining activity and the residential properties – so they have no intention of doing anything with it because they see it as unimproved wood lands/forest land. Rick continues to express his disapproval of the condition of the property and feels that the coal company should do something to maintain its appearance. Solicitor Semanchik states that he will reach out to the coal company once again and ask them to put their response in writing.

Joseph Kavanaugh, Forest Lane – Asks if there is an update on the police department. Solicitor Semanchik states that the update is that there is no update – we have requested the assistance of the District Attorney’s Office; the Attorney General’s Office; and the Pennsylvania State Police. Joe asks when it was requested. The Solicitor replies that it was the 2nd or 3rd week of February. Joe states that he is asking because he spoke with the State Police and the District Attorney’s Office – and both state they aren’t involved in anything – and the Attorney General’s Office would only be involved on the recommendation of the District Attorney – so the District Attorney apparently has nothing to recommend to the Attorney General’s Office. Solicitor Semanchik provides all of the dates that requests were made to the District Attorney’s Office and State Police – and he reads one of the letters aloud (copy attached) – he asks for the names of the persons to whom Joe spoke to during his conversations. Joe provided those names – and asked for the record, whose lock and key is the evidence room and locker room under right now – the Townships? The Solicitor responds those are rooms are located within the municipal building so until there is a lawful authorized inventory done, based on his recommendation to the Board of Supervisors, no one is entering them. Joe asks about retrieving his gun belt – stating that is his personal property and the Township is withholding property of another which under the crimes code is theft. Solicitor Semanchik states he doesn’t care whose property is in there - until a lawful authorized inventory of items is performed, no one enters those rooms. Joe states that all he wants is his belt – he will wear his body cam and/or all the Supervisors can accompany him into the room to retrieve the gun belt because he doesn’t want to spend additional money to buy another one. He then states that he doesn’t even have to enter the room – one or all of the Supervisors can go in and retrieve it – he doesn’t care how it’s done – just that he gets his belt. Solicitor Semanchik states that he understands Joe’s request, but by the same token, when Judge Hale asked for the Supervisors to go into the room to get the \$575.00 in cash that is supposed to be in there because it’s evidence in a criminal prosecution case and the \$575.00 can’t be found – who should assume responsibility for that? He goes on to state that he will not allow any of the elected officials to be held responsible until some lawful enforcement agency responds to our request. The District Attorney’s Office was here looking for the \$575.00 – they wanted to make sure it was turned over to the County – they were here waiting for it – it was supposed to come from the same evidence room that we have no idea what has been removed from it – so he will not subject these Supervisors to any criticism of removing anything from that room. Joe asks if it could have happened when the other evidence room was broken into. The Solicitor responds that it’s funny that Joe mentions that because this Township Board of Supervisors has a report which states there was an inventory done of that room that was performed - not only by a local officer from this Department - but also from the District Attorney’s Office – and there was an inventory submitted (supposedly) to the District Attorney’s Office – but we can’t get a copy of that either so until somebody responds to the Township’s request to come to the building and conduct a lawful inventory, access will be denied. He apologizes to Joe for the inconvenience. This discussion continued. The Solicitor states that as he told the State Police when they called him on Joe’s behalf – when the

inventory is complete, Joe can have his gun belt and whatever other items that belong to him; he asks Joe to help the Township accomplish getting the inventory done – to please contact the DA's office – contact whomever Joe had contacted previously – the sooner we get this done, the sooner Joe gets his items. Joe agrees to the request. This very lengthy discussion continued...

Rick Pielacha, Forest Lane – Asks who purchased the former Yurkonis property. Chairperson Helt states John & Kathy Roshannon. Rick asks if we have a new Tax Collector. Helt responds yes, Barbara Conville was appointed at the last meeting; she's located in Heckscherville.

Hearing no further questions or comments, Helt closed the public discussion and moves on to the Agenda items:

PSATS Life Insurance – Non-working Supervisors – Solicitor Semanchik states that the Township has been contacted by PSATS; they are asking us to update our information. He states the Township's records have been researched back to the year 2000 to see whatever documentation could be provided. He asks the Board to authorize him to draft a letter to submit our response in order to comply with the Association's request for information. Helt makes the motion. Seconded by Sorokach. Motion passed. Roll Call: Unanimous Favorable Vote.

Use of Field – Minersville Little League – Helt states that we have received MLL's annual request to use Fanny's field by Condors Complex. Helt makes a motion to approve their request. Seconded by Sorokach. Motion passed. Roll Call: Unanimous Favorable Vote.

Alternate Zoning Enforcement Officer – Helt explains that a representative of Benesch is our primary zoning officer; however, there are times when an alternate zoning officer can be utilized. Code Enforcement Officer Nick Hazlett has offered to serve as alternate. Helt calls for a motion to appoint Nick Hazlett to serve as Code Enforcement Officer and Alternate Zoning Officer with a fee of \$850.00 per month. Sorokach makes the motion. Helt seconds. Motion passed. Roll Call: Helt – aye. Sorokach – aye. Brennan – no response.

Resolution – Use of Liquid Fuels funds – Blue Lane & Condors Complex Drive – Sorokach explains that these (2) roads intersect with a Township road and a State highway. This resolution can be sent into PennDOT and would allow some liquid fuels funds to offset the cost of maintenance to these roads. They are not eligible for annual LF's money because they don't meet criteria; it's a one-time improvement option. Helt calls for a motion to approve the Resolution. Seconded by Brennan. Roll Call: Unanimous Favorable Vote.

Forestville Playground – Ongoing Issues – Helt states that the Board understands that there are unhappy residents since the signs were placed at the playgrounds not allowing animals; however, the Board made that decision because the garbage container at the Forestville Playground was filled with bags of dog feces – and there are also people who don't clean-up after their pets – so with the summer approaching, the Township Supervisors would like to have the playgrounds clean so the children can play in a safe environment. Sorokach adds that he was at the Forestville playground to check on the vandalism and garbage that was thrown there and he was approached by residents who were not happy with the decision. He explains that this decision was made – not just by him – but by all (3) Supervisors – and it was done due to problems that are and have been occurring at the playground for some time. Helt states that they are discussing some changes. Sorokach explains a grant that the Township is applying for that, if awarded, would provide funds for security and upgrades. This discussion continued.

Treasurer's Reports – Copies of the Treasurer's Reports are placed at each seat. Helt makes a motion to approve the report(s) as printed. Seconded by Sorokach. Motion passed. Roll Call: Unanimous Favorable Vote.

Planning Commission/Engineer's Report –

Solar Collectors – Minersville High School – Solicitor Semanchik states that this item needs to be reviewed; the scope of the project needs to be determined; it also needs to be determined whether the Planning Commission and/or Zoning Officer would need to be involved. Helt makes a motion to accept the report. Brennan seconds. Motion passed. Roll Call: Unanimous Favorable Vote.

Police Department Report: Nothing to report.

Road Foreman's Report: A copy of the report is placed at each seat. Sorokach reads the report – and gives an update on issues that occurred during the month. He also explains that Reading Anthracite Company's mining operation was destroying a portion of Thomaston Road – so he contacted them and they have since poured a concrete slab which fixed the problem. He also adds that next week he will be attending Environmentally Sensitive Maintenance Training – Schuylkill County Dirt & Gravel Low Volume Road Maintenance Program. He explains that he is attending this training so the Township is eligible to receive funding from the County to help improve our roads. Helt makes a motion to accept the report. Seconded by Brennan. Motion passed. Roll Call: Unanimous Favorable Vote.

Code Enforcement Report – Nick Hazlett reads his report. Helt makes a motion to accept the report. Seconded by Sorokach. Motion passed. Roll Call: Unanimous Favorable Vote.

Correspondence: *None.*

Executive Sessions: *Helt states that the Board met in executive session on March 21st at 6pm – and again prior to this meeting starting at 6:15pm to discuss ongoing issues.*

Old/New Business: *None.*

Motion to Adjourn:

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

Meeting adjourned at 7:44pm.

ATTEST: *Brenda M. Helt, Chairperson*

SEAL:

ATTEST: *Elvin E. Brennan Jr., Supervisor*

03/28/24
BOS Mtg

PLEASE PRINT:

Mike Kelperauge

Judy Mull

BRIAN MULL

G. Karanayts

John Kelly

J. Finn

Chris TERNOWCHAK

Rick & Barb Grelaska

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March 6, 2024

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District Attorney Michael A. O'Pake
Schuylkill County District Attorney's Office
Schuylkill County Courthouse
401 North Second Street
Pottsville, PA 17901

| Supervisors - please initial & date: | |
|--------------------------------------|------------------|
| <i>Jh</i> | <i>3-21</i> |
| <i>MM</i> | <i>3/24/2024</i> |
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RE: Cass Township Request Investigations

Dear Mr. O'Pake:

On behalf of the Cass Township Board of Supervisors, request is made of your Office to conduct investigations related to the following, and based upon information previously provided:

1. Investigation of unaccounted-for funds in the amount of \$575.00 related to the John Adam Gill, Jr., prosecution and Judge Hale's Order of January 18, 2024 - Docket No. MD-198-2023; and
2. The misuse of the PennDOT process and other Pa. Law Enforcement Information Systems by a former member of the Township's Police Department

Should additional information be necessary, please contact me directly.

Very truly yours,



Mark Semanchik, Esquire

MS:alz

cc: Cass Township