

**Cherrytree Township Board of Supervisors
Regular Monthly Meeting
March 5, 2018**

A regular monthly meeting of the Cherrytree Township Board of Supervisors was held on Monday, March 5, 2018, at 6:30 p.m., at the township building. In attendance were Emery Fiely, Jim Waugh, and Dave Zdarko, Supervisors, and Christine Kurelowech, Secretary-Treasurer.

Call to Order

Emery Fiely called the meeting to order.

Pledge

Moment of Prayer

Jim Waugh led those in attendance in a moment of prayer.

Public Comment

The meeting room was filled with people concerned about the possibility of the township discontinuing use of oil as a dust suppressant on the dirt roads. Mark McDowell urged the Supervisors to continue oiling the dirt roads and said that, just because people live on dirt roads, it does not mean that they are not citizens. Emery Fiely explained that the township is low on funds this year and that he would be in favor of cutting the oil if there is not enough money after the numbers come in for the paving and seal coating projects. Last year, the township oiled in front of homes, but used free salt brine in between homes. He noted that the dirt roads are in dire need of gravel and that, when considering gravel and man hours supplied by the township, the oil cost the township almost \$60,000.00 last year. The township was only able to purchase half the gravel it had intended to, during 2017, due to low funds. People in attendance questioned the township's financial situation and the Supervisors cited truck repairs and the cost of replacing a culvert on Old Route 8 as major reasons that the funds are lower than in previous years. Mark McDowell noted that PennDOT has millings and that the township can sign up for a PennDOT program and get roads paved for little or no cost. The Supervisors agreed that it is worth looking into and Mark McDowell said he would make contact with someone from PennDOT and have that person call the township office with details. Lew Staub noted that the township participated in a program years ago where mowing was traded for materials and services from PennDOT and it would take many, many years to pay for PennDOT to pave township roads, if it was the same program mentioned by Mark McDowell. Carl Hazen and Luke Gray said that they cannot mow their yards in the summer without breathing in excessive amounts of dust and Luke Gray noted that discontinuing oil will lower his property value. Carl Hazen said that he would be willing to take an increase in taxes to keep the oil and suggested having the residents pay for the oil, if they want it, in front of their homes. Emery Fiely said other townships have had residents pay for their own oil, but it is not recommended. Both Dave Zdarko and Emery Fiely said that they are not trying to eliminate oil. Emery Fiely explained that he does not want to spend \$60,000.00 on oil only to have it patched and regraded when holes appear. If salt brine is used, at no cost to the township, the road crew can grade bad spots and reapply salt brine. There is still no dust if salt brine is used and it is free. Chrissie Kurelowech noted that other townships in the area do not use oil and have not used it for years, citing Oil Creek Township, Crawford County, as an example. However, due to ongoing litigation, salt brine might not be an option for 2018 and beyond. She

said she talked to Curtis LeSuer, of DEP, and was told that DEP should be able to tell the townships by the end of April whether or not salt brine can continue to be used on the roads. Jim Waugh said the township is not required to put down any dust suppressant and many townships do not. Mark McDowell said the roads will wash away without oil and Emery Fiely said that the problem with the dirt roads is that there is no gravel on them. Ron Stewart asked Jeff Langworthy, a former Supervisor, to share his opinion with those in attendance. Jeff Langworthy said oiled roads will hold up better and salt brine will cause the roads to be messy in the spring. He said the township tried another dust suppressant, while he was a Supervisor, that worked great, but it became cost prohibitive. He brought up borrowing money as an option. Rick Ristau, of Ristau Drilling, LLC (a brine spreader), told those in attendance that, even if DEP permits salt brine, it cannot be spread until May 15, 2018 because the frost has to be out of the road first. Jim Waugh noted that he knows the people want oil and he is not in favor of taking it away at this time. He suggested delaying seal coating until 2019 and continuing to oil. Emery Fiely said that he does not want to take oil away, but he wants to make sure that the township has enough money to make it through the end of the year. He said if the township can afford it, oiling will continue.

Jamey Miller questioned the reason behind Venango County failing to fund the culvert replacement on Old Route 8. Chrissie Kurelowech explained that, once the township applied for Act 13 funding through the county, the cost of the project drastically increased. The original estimate was \$24,700.00, but the township was unable to have it replaced for over a year after applying for a permit from DEP because it took that long to get a permit. After waiting so long, the estimate went to \$50,000.00, at which time the Supervisors decided to apply for Act 13 money through Venango County, since the culvert could be deemed structurally deficient by the township engineer. Once the engineer prepared the Act 13 application, added guiderail, etc., the estimate increased to \$57,000.00. The final step in obtaining Act 13 money was to seek PennDOT's approval. PennDOT suggested putting concrete at the bottom of the culvert pipe, increasing the estimate to \$75,000.00. By adding concrete, the township most likely would have had to go back to DEP for a permit revision, which would have delayed the project again. The Supervisors were not in favor of taking PennDOT's suggestion and adding the concrete, so Venango County denied the application.

Ginny Pokoj told the Supervisors that Stone Springhouse Road is being lost. She said that, when she purchased her home, salt brine was being used and the road was firm, but with log trucks, ATVs, and even 18-wheelers, the sides of the road are vanishing. Emery Fiely said that the roads need to be built up again with gravel. She also mentioned the owners of a horse farm, at the intersection of Stone Springhouse Road and Fairview Road, parking in the middle of the road. Emery Fiely said he would look into it. She suggested putting speed limits on the dirt roads and Jim Waugh noted that traffic studies would have to be done and it would take years.

Ron Stewart said that he wished the people in attendance would come to the meetings every month and Emery Fiely said that he, too, was happy to see so many residents coming out and taking part in the township meeting.

Dan Webb told the Supervisors that Hamilton Corners Road is in desperate need of gravel.

John Clark noted that President Trump is all about infrastructure and more could be done to improve the township roads. Specifically, he said there is a lot of gravel in the ditches that needs to be put back on the roads and the roads need arced. Rick Neely (road crew) said that the gravel in the ditches contains dirt and is not suitable to put back on the roads. Consequently, he feels the township needs to put more good gravel on the roads.

Zoning

Permits

Z-2018-02 Leon B. Myers, Jr. and Carolyn Myers 904 Fairview Road new machine shed for agricultural use

Zoning Report

Ben Breniman, Zoning Officer, reported that one permit was issued during the month for a new machine shed.

Minutes/Treasurer's Report

The minutes, from the regular monthly meeting held on Monday, February 5, 2018, were read, accepted, and approved, on a motion made by Jim Waugh, seconded by Emery Fiely, and carried unanimously.

The treasurer's report, for February 2018, was read, accepted, and approved, on a motion made by Emery Fiely, seconded by Jim Waugh, and carried unanimously.

Correspondence

Venango County Tax Claim Bureau – Petition for Judicial Sale

Two properties in Cherrytree Township will soon be up for sale if the property owners do not pay delinquent taxes.

PSATS News Bulletin

Administrative Action

2018 E-1 Prime Bidding – 50,000 Gallons – Vote to Advertise

On a motion made by Emery Fiely, seconded by Jim Waugh, and carried unanimously, the Supervisors voted to put 50,000 gallons of E-1 Prime, to be used as dust suppressant, out for bid. Bids will be accepted until 6:30 p.m. on Monday, April 2, 2018, at which time they will be opened and reviewed.

2018 Paving (Cherrytree Rd.) - Vote to Advertise

On a motion made by Jim Waugh, seconded by Dave Zdarko, and carried unanimously, the Supervisors voted to put the 2018 paving project (Cherrytree Road) out for bid. The areas included are Cherrytree Road from Fairview Road to South Perry Street (approximately 1.34 miles) and a 100 ft. stretch on Cherrytree Road, near Miles Road (over culvert repaired during 2017). The 1.34 mile stretch from Fairview Road to South Perry Street is part of a county aid project that the Supervisors previously committed to doing. The township will receive \$50,000.00 towards the project, which is estimated, based on 2017 bids, to cost approximately \$140,000.00. Bids will be accepted until 6:30 p.m. on Monday, April 2, 2018, at which time they will be opened and reviewed.

2018 Seal Coating - Vote to Advertise

On a motion made by Jim Waugh, seconded by Dave Zdarko, and carried unanimously, the Supervisors voted to put the 2018 seal coating (Turkey Farm Road, Cherrytree Road, South Perry Street) out for bid. The areas included are Turkey Farm Road from Route 8 to Shreve Road (approximately .80 mile), Cherrytree Road from Buxton Road towards Route 8 (approximately .80 mile), and South Perry Street from the city line towards Cherrytree Road (approximately 1.10 miles). Bids will be accepted until 6:30 p.m. on Monday, April 2, 2018, at which time they will be opened and reviewed.

Committee Reports

VFD

Don Deliman reported that there were 20 calls since the last meeting. Of the 20 calls, 4 were fires (1 in Titusville (building), 1 on Buxton Road (chimney), 1 on Dutch Hill Road (brush), and 1 was a Penelec pole fire), 11 were EMS, 1 was an MVA with no injuries, 3 were public service (1 lift assist, 1 tree down, and 1 disabled vehicle), and 1 was dispatched and cancelled.

The Ham Shoots began on Tuesday, February 6, 2018 and have not been doing well so far this year. On the first two Tuesday nights, there were no shoots, the third had 6, and the fourth had 14. The VFD is hoping the shoots get better because they are a good source of income. Emery Fiely suggested moving them to weekends when more people are available to attend. Don Deliman noted that other departments in the area that hold shoots on the weekends have seen a slow start this year as well. However, the VFD will discuss the idea at their next meeting. The Ham Shoots are held every Tuesday (sign ups start at 5:30) through March 27, 2018.

The flea markets will start in April. The tentative dates are April 14, May 12, June 9, and September 8. A craft bazaar will be held on October 13, 2018.

EMA Office

Tim McGrath, Emergency Management Coordinator, reported that he recently attended a meeting for public officials, at Franklin High School, regarding reducing the Route 8 corridor from 4 lanes to 2 lanes. It is estimated that keeping and maintaining the 4 lane road will cost approximately 30 – 50 million dollars. His feeling is that it will, most likely, stay 4 lanes, it's a matter of figuring out how to get private entities to fund some of it and how to allocate money short-term.

Road

Lew Staub, Roadmaster, reported that the road crew plowed and anti-skidded 10 times, anti-skidded 5 times, checked roads once, spent 4 days hauling gravel to soft spots, and dragged 10 roads. They spent a day opening pipes with the backhoe, fixed washouts on 5 roads, and ran the grader on 2 roads.

As for equipment, the wing blades on the 2009 International were replaced and the trucks were cleaned twice.

Lew Staub said that 10 pipes need replaced and asked the Supervisors if they want to obtain quotes or continue to buy locally. The Supervisors were in agreement to get quotes for the pipes.

Chrissie Kurelowech asked the Supervisors if they would like to try to sell the SM60 Bush Hog side mount rotary cutter and the Henderson spreader again on www.municibid.com. Last year, the SM60 Bush Hog side mount rotary cutter was listed but never sold because the reserve was not met and the Henderson spreader sold for \$10.00 but the buyer never picked it up, despite being contacted multiple times. The Supervisors agreed to list the SM60 Bush Hog side mount rotary cutter with a \$6,000.00 reserve and to list the Henderson spreader with no reserve if the original buyer fails to pick it up within 10 days of being notified. There are 2 other spreaders that the road crew would like listed on www.municibid.com and Chrissie Kurelowech will list them when the road crew gets them outside and cleaned so pictures can be taken.

Old Business

Executive Meeting Held on February 8, 2018

Emery Fiely told those in attendance that the Supervisors held an executive meeting on February 8, 2018 to discuss the issue Jim Waugh brought up during the February 5, 2018 meeting regarding the road crew being out on a Saturday when the temperature was 43 degrees. Emery Fiely and Dave Zdarko were in attendance and Jim Waugh refused to attend. Emery Fiely said the road crew was out getting rid of ice and he feels the overtime is not excessive. Emery Fiely also said the road crew should be commended because they are devoted and good and that he does not like it when a Supervisor slams them. Jim Waugh asked where “executive meeting” is found in the Pennsylvania Second Class Township Code and noted that an “executive session” can take place during a public meeting, but an “executive meeting” cannot take place outside of a public meeting. Terri Fiely read from the Township Supervisor’s Handbook (provided by the PA Department of Economic Development) regarding executive sessions and Jim Waugh made references to the PA Sunshine Act. No agreement between the Supervisors was reached on the matter. Jamey Miller suggested calling the township solicitor to have him specify what can and cannot be done during executive sessions.

New Business

Removal of Security Cameras

Emery Fiely told those in attendance that he felt Jim Waugh misused the security cameras by noting the actions of the road crew at the meeting held on February 5, 2018. Emery Fiely made a motion to remove both security cameras that point at the township garage and to install them in the meeting room inside the township building. Dave Zdarko seconded the motion. Jim Waugh demanded a roll call vote, which then took place with Emery Fiely voting “Yes”, Dave Zdarko voting “Yes” and Jim Waugh voting “No”. Jim Waugh said that he was using the cameras to investigate complaints he received from township residents and that he is passionate about doing what is right for the citizens. Don Deliman said that the VFD paid for half of the cameras and Emery Fiely responded by saying that the VFD is free to keep theirs.

Executive Session

On a motion made by Jim Waugh, seconded by Emery Fiely, and carried unanimously, the Supervisors voted to go into executive session and left the room. After about 10 minutes, the Supervisors returned and said they discussed a complaint about a road not being plowed and resolved the problem.

Pump

Dave Zdarko said the drains are filled in the garage and an electric pump is needed. He asked the other Supervisors if they would be in favor of purchasing an electric pump and they were in agreement to make the purchase.

Shed

Dave Zdarko said that the VFD’s shed behind the building will soon need moved to allow the road crew to repair a water line that runs to the garage. He was considering placing it along the end of the building, but Don Deliman said that the VFD needs the space for parking when answering calls. Don Deliman suggested moving it backwards and leaving it behind the building. No decision was reached.

The bills were reviewed by the Board of Supervisors.

The meeting adjourned at 8:25 p.m.

Respectfully submitted,

Christine C. Kurelowech, Secretary-Treasurer