

Cherrytree Township Board of Supervisors  
Regular Monthly Meeting  
June 1, 2020  
6:30 p.m.

A regular monthly meeting of the Cherrytree Township Board of Supervisors was held on Monday, June 1, 2020, at 6:30 p.m., at the township building. In attendance were Jim Waugh, Dave Zdarko, and Rob Kellogg, Supervisors, and Christine Kurelowech, Secretary-Treasurer.

**Call to Order**

Jim Waugh called the meeting to order.

**Pledge**

**Moment of Prayer**

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

**Public Comment**

Don Deliman asked the Supervisors when Dempseytown-Gresham Road will be graded because there are many potholes on it. Lew Staub, Roadmaster, said that the road crew is waiting until a decision is made on dust suppressant before grading the road.

Don Deliman expressed concern about the deep ditches that are eating into roads, specifically Cherrytree Road (dirt section between South Perry Street and the township line). Jim Waugh said that the township has been looking into purchasing gabion baskets that would be filled with stone and placed in the ditches in an effort to make the ditches shallow. Lew Staub said that he recently contacted Lane Metals in Pulaski, PA to get an idea of the cost to purchase baskets to repair ditches in 3 spots on Cherrytree Road, Fairview Road, and Stone Springhouse Road. The cost of the baskets would be \$9,000.00 - \$10,000.00 and the cost of the stone to fill them with 4 in. to 6 in. sandstone would be about \$6,000.00. Marlay Shollenberger, of Seneca Mineral Company, noted that gabion baskets can also be purchased from Seneca Mineral Company. Lew Staub said that another option to repair the ditches would be to place large shale in them.

Carl Hazen asked the Supervisors to put pressure on a property owner who has a field entrance driveway that is washing out and damaging Dempseytown-Gresham Road. Jim Waugh said that he does not feel that the township can deny a property owner access to their property, even if an alternative driveway exists. Carl Hazen suggested the township charge the property owner for damage to the road caused by the driveway.

Carl Hazen asked the Supervisors when the township plans to replace the pipe at the intersection of Dempseytown-Gresham Road and Route 27. Lew Staub said that the pipe belongs to PennDOT and that it is PennDOT's responsibility to replace it.

Pastor Shawn Johnson, of 2079 Cherrytree Road, asked the Supervisors if the township would clean a ditch that is diverting water from Cherrytree Road onto his property. He said the ditch is filled with sediment and has leveled off, causing water to flood his yard. A lengthy discussion ensued regarding whether or not the township can legally perform work outside of the township's right-of-way, which is 16 ½ feet from the center of the road. Lew Staub said a tail ditch was created 25 – 30 years ago to divert water off of Cherrytree Road and that the township has the right to clean a ditch outside of the right-of-way if the ditch is causing a water problem on the road. Pastor Shawn Johnson said that the ditch needs cleaned out and is running 75 – 100 feet onto his property. Mark McDowell said that he felt if the township put the tail ditch in and the ditch is plugged, that it is the township's responsibility to clean it out. Jim Waugh said he would go look at the situation. No decision was made.

## **Minutes/Treasurer's Report**

The minutes, from the regular monthly meeting held on Monday, May 4, 2020, were read, accepted, and approved, on a motion made by Dave Zdarko, seconded by Rob Kellogg, and carried unanimously.

The treasurer's report, for May 2020, was read, accepted, and approved, on a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously.

## **Correspondence**

State Workers Insurance Fund – VFD Workers Compensation 2020 Renewal

*The premium for the VFD's workers compensation insurance, through the State Workers Insurance Fund (SWIF), is estimated to increase from \$7,903.00 in 2019 to \$9,240.00 in 2020. The policy renews on July 1, 2020.*

## **Zoning**

### **Permits**

Z-2020-03	James and Leigh Reed	467 Stone Springhouse Road	porch with roof
Z-2020-04	Shari Nelson	415 Old Route 8	no impact home business

### **Zoning Report**

There was no report.

## **Administrative Action**

### **Salt Brine – 150,000 Gallons – Open Bids**

One bid was received for approximately 150,000 gallons of PennDOT and PA DEP approved salt brine to be applied to various roads as directed by the township. Seneca Mineral Company bid \$.33/gallon for a total of \$49,500.00. Chrissie Kurelowech noted that she had recently been in contact with Paul Weaver, who also delivers and applies salt brine. Paul Weaver charges \$50.00 per load, which is about 4,000 gallons, and says that his product is the same product that Seneca Mineral Company uses. She contacted Curtis LeSuer, of PA DEP, to confirm that the product does not require a permit and was told that it does not require a permit, but that the products Paul Weaver and Seneca Mineral Company offer are not exactly the same. She contacted Troy Cyphert, PennDOT Municipal Services Representative, and was told that Seneca Mineral Company's product has a higher calcium content and is more effective. Marlay Shollenberger, of Seneca Mineral Company, said that the salt brine offered by his company is guaranteed to have a calcium content of 25%. According to Troy Cyphert, Paul Weaver's product contains 10% - 20% calcium and varies depending upon which well the brine comes from. Troy Cyphert was also concerned about how readily available Paul Weaver's product would be, especially if the township would like to brine roads immediately after they are graded. Chrissie Kurelowech contacted several townships that use Paul Weaver's product and the other townships were satisfied with the results, but said they have had to apply the product multiple times a year to keep the dust suppressed, depending upon the weather. Marlay Shollenberger said another reason Seneca Mineral Company's product is more effective than Paul Weaver's product is because Seneca Mineral Company uses a different application process. Most likely, the product used by Seneca Mineral Company will not need to be applied multiple times a summer. On a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously, the Supervisors voted to award the contract for approximately 150,000 gallons of salt brine to Seneca Mineral Company at a cost of \$.33/gallon, totaling \$49,500.00.

### **Snowplow Blades – Discuss Selling**

The township has snowplow blades that do not fit the plows and should be sold. There are two 9 ft. by 6 in. Western Pro blades and two 4 ft. by 6 in. carbide blades. Lew Staub suggested contacting the City of Titusville and Oil Creek Township (Crawford County) to see if they would be interested in buying them because they might be able to use them on their plows. He estimated the total value of the blades to be around \$200.00. On a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously, the Supervisors voted to sell the blades.

## **Committee Reports**

### **VFD**

Tom Huffman, VFD 1st Assistant Chief, reported that there were 14 calls since the last meeting. Of the 14 calls, 2 were building fires, 1 was a vehicle fire, 5 were EMS, 1 was an MVA with injuries, 1 was a search for a person, 1 was a gas leak, 2 were public service, and 1 was dispatched and cancelled.

Due to COVID-19 restrictions, the 19<sup>th</sup> Annual 15 Gun Bash that was scheduled for Saturday, June 27, 2020 has been cancelled for now, along with the Car Cruise and Chicken BBQ. Dave Zdanko asked if the VFD could sell tickets and raffle the guns, but not actually have the public attend the event in person. Jim Waugh said that they have not been able to sell tickets because they are not allowed to sit anywhere to sell them, like in front of stores, due to COVID-19. Tom Huffman noted that it is hard to ask people for money right now with so many people unemployed. He said that the VFD could possibly hold fundraising events later in the year, but the department is unsure at this point. Pastor Shawn Johnson offered to advertise the VFD's events on the Breedtown Baptist Church's website.

### **EMA Office**

Tom Huffman, VFD 1st Assistant Chief, gave an EMA report previously submitted by Tim McGrath, Emergency Management Coordinator. Tim McGrath, along with 3 other members of the VFD, recently toured Cross Creek Resort to look at the facility as a possible staging area in case a COVID-19 outbreak occurs in the area. He contacted Venango County EMA to let them know that Cross Creek Resort would be a great facility to use and Venango County EMA contacted the U.S. Army Corps of Engineers to let them know that a field hospital could be set up at Cross Creek Resort in the event of an outbreak. Jim Waugh noted that Cross Creek Resort is a good set-up for a field hospital because each room has an outside entrance.

The VFD is continuing to follow CDC guidelines when answering calls. Venango County EMA has given the VFD some N95 masks and disposable respirators. The VFD has been made aware of Venango County EMA directives regarding how a department will be dispatched for possible or known COVID-19 calls. Tim McGrath has read the guidelines on the use of Personal Protective Equipment (PPE) to the VFD.

### **Road**

Lew Staub, Roadmaster, reported that the road crew ditched for 3 days on 2 roads, checked the roads once, stacked 2B gravel, mowed the yard 4 times, replaced 2 STOP signs, fixed holes on 2 roads, went to town for gas, and spent 2 days cold patching 4 roads. They installed 5 driveway pipes and 5 crossover pipes. They graded 3 roads and spent 2 days hauling materials to assist Shingledecker's Welding with the culvert repair on Breedtown Road (near airport). Allegheny Wood Products spent 3 days repairing damages from logging on Lamey Road. Hasbrouck Sand & Gravel spent 6 days graveling 5 roads (approximately 5 ½ - 5 ¾ miles).

The brake canister on the 2009 International was repaired. New front tires and rims were put on the 2007 JCB backhoe. The road crew unloaded snowplow blades and grader blades from Chemung Supply.

Ron Stewart asked if there is criteria used to determine which roads receive gravel each summer. Lew Staub said the roads that have received gravel were down to the base and the gravel was needed to cover large rocks.

Mark McDowell asked if hauling materials for Shingledecker's Welding was specified in the quotes and Lew Staub said it was. By hauling materials and using the pipes previously purchased from Shingledecker's Welding, the township's cost was decreased. Lew Staub said he has already designated places to use all of the pipes that the township purchased from Shingledecker's Welding.

Mark McDowell asked why there is white paint on Dempseytown-Gresham Road and Lew Staub said the road crew will soon be installing a new pipe where the road is marked with white paint.

## **Old Business**

### **Clean-Up Weekend – Saturday, June 6, 2020 & Sunday, June 7, 2020**

The annual Clean-Up Weekend will be held on Saturday, June 6, 2020 and Sunday, June 7, 2020 from 7:00 a.m. until 7:00 p.m. Dumpsters will be placed behind the township maintenance garage. The VFD will monitor the event, which is free for residents. Non-residents will be requested to make a donation of \$5.00/trunk load or \$10.00/truck load to the VFD. No hazardous waste, tires, or covered electronic devices will be accepted. Harley Richards will be on hand to collect metal.

## **New Business**

### **Planning Commission – Solar Meeting**

A meeting of the Cherrytree Township Planning Commission must be held to review and discuss sample solar development regulations. Once the commission makes its recommendations to the Board of Supervisors, the Board of Supervisors can begin the process of passing a curative amendment to the zoning ordinance that includes the new regulations. A 6-month moratorium on solar development was passed by the Supervisors in March of 2020 and, since then, the Cherrytree Township Planning Commission has been unable to meet to review sample regulations due to COVID-19 restrictions. The Supervisors decided to schedule the meeting for Friday, June 12, 2020 at 6:00 p.m. and suggested inviting Alan Shaddinger (Solicitor), Ben Breniman (Zoning Officer), and representatives from the solar companies that have contacted the township regarding solar development.

## **Adjournments**

The meeting adjourned at 7:07 p.m.

The bills were reviewed by the Board of Supervisors.

Respectfully submitted,

Christine C. Kurelowech, Secretary-Treasurer