

**Cherrytree Township Board of Supervisors
Regular Monthly Meeting
July 1, 2019**

A regular monthly meeting of the Cherrytree Township Board of Supervisors was held on Monday, July 1, 2019, 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

There was no "Public Comment".

Minutes/Treasurer's Report

The minutes, from the regular monthly meeting held on Monday, June 3, 2019, were read, accepted, and approved, on a motion made by Jim Waugh, seconded by Dave Zdarko, and carried unanimously.

The treasurer's report, for June 2019, was read, accepted, and approved, on a motion made by Emery Fiely, seconded by Dave Zdarko, and carried unanimously.

Correspondence

Venango County Assessment Office – Open Building Permits
PennDOT Newsletter

Zoning

Permits

Z-2019-10 Dave and Tina Zdarko 443 Shreve Road new deck

Zoning Report

Ben Breniman, Zoning Officer, reported that he has been working with Kris Bloom, who owns a property near the intersection of State Route 8 and State Route 417, to erect a fence and/or create a berm to shield a junkyard. However, Kris Bloom and the owners of neighboring properties disagree on the location of the property lines. There is a "lane" that connects Route 8 and Route 417 and nobody knows who owns it. A recent property survey was conducted and the surveyor split the lane (16 ½ feet) in half, giving the property owner on each side 8 ¼ feet. Ben Breniman is hoping the dispute among the neighbors will soon be resolved and the junkyard will be shielded.

Administrative Action

2019 Workers Compensation Insurance (Township)

Chrissie Kurelowech said that last year, the premium for the workers compensation insurance for township employees, through Selective, was \$10,105.00. This year (July 1, 2019 – June 30, 2020), the premium will decrease to \$9,600.00. However, the insurance agent presented a quote from a different company, Amtrust, for \$8,015.00. The deductibles and limits on the Amtrust policy are all the same as on the Selective policy. Chrissie Kurelowech noted that the City of Oil City is insured with Amtrust. On a motion made by Jim Waugh, seconded by Dave Zdarko, and carried unanimously, the Supervisors voted to move the workers compensation insurance coverage, for the township employees, from Selective to Amtrust, effective July 1, 2019.

Chrissie Kurelowech said that the insurance agent suggested adding “Employee Dishonesty with Faithful Performance” coverage (\$100,000.00 limit), at a cost of \$881.00 per year, to the township’s commercial package, which is through Selective, and that it appeared as part of the premium. Last year, the premium for the township’s commercial package (buildings, vehicles, inland marine, public officials’ liability, etc.) was \$12,487.00 and this year it is increasing to \$13,065.00 plus \$881.00 for the new coverage. She explained that the agent suggested the extra coverage because, even though the secretary-treasurer and tax collector are bonded, it does not mean that the township would immediately receive a check to cover theft, if it occurred. Rather, the insurance company would first attempt to seize personal assets of the secretary-treasurer or tax collector to cover the amount stolen. The added coverage would also be used if any other employee stole money, equipment, tools, etc. from the township. After some discussion, on a motion made by Emery Fiely, seconded by Jim Waugh, and carried unanimously, the Supervisors voted to remove the “Employee Dishonesty and Faithful Performance” coverage (\$881.00) from the township’s commercial package, effective July 1, 2019.

EDP-30 (Emulsified Dust Palliative)

Chrissie Kurelowech asked the Supervisors if they wished to test EDP-30 (Emulsified Dust Palliative) again on Fairview Road this year. It had been discussed at a meeting earlier in the year, but no decision was made. EDP-30 is a dust suppressant that has been out for 3 or 4 years. It is a little less expensive than the E-1 Prime the township uses now and it does not require stone. It is also environmentally friendly. Last year, EDP-30 was tested on Fairview Road, between Cherrytree Road and Route 8, because there are many road conditions on that stretch (sun, shade, clay, gravel). Some people liked the product and others did not. However, everyone seemed to be in agreement that the road did not retain any of the product and that it is completely gone now. After some discussion, the Supervisors decided against testing EDP-30 again and decided to test salt brine from Seneca Mineral instead. They decided to use the brine on Stone Springhouse Road because there is a decent amount of gravel there. Chrissie Kurelowech said she was recently told by a representative of Seneca Mineral that 4,500 gallons of brine would cover 1 mile of road (14’ wide) and that the average cost this year is \$.40 per gallon. On a motion made by Jim Waugh, seconded by Emery Fiely, and carried unanimously, the Supervisors voted to purchase 1 tank of salt brine from Seneca Mineral and have it applied to Stone Springhouse Road, between the spots that are oiled in front of homes.

Committee Reports

VFD

Don Deliman, VFD Treasurer, reported that there were 17 calls since the last meeting. Of the 17 calls, 2 were building fires (Titusville), 10 were EMS, 1 was to assist police or other governmental agency (provided fire police), 2 were public service, and 2 were dispatched and cancelled.

The VFD's annual gun raffle was held on Saturday, June 22, 2019. Don Deliman told those in attendance that \$8,074.10 was taken in on the day of the raffle and \$9,000.00 was taken in before the day of the raffle. The total of all of the expenses is not yet known, but he hopes to know exactly how much money the VFD made on the event by next month's meeting.

Within the next month or so, the VFD will be sending fund drive letters to township residents.

The VFD has received 2 new SCBAs (self-contained breathing apparatus) that will cost about \$14,000.00. A grant for approximately \$11,500.00 will be put towards the equipment, but the VFD will need to pay the difference.

EMA Office

There was no report.

Road

Low Staub, Roadmaster, reported that the road crew graded and raked 11 roads, mowed along 23 roads, fixed spots on 11 roads, cut 4 trees up, and ditched 5 roads (6 miles). They spent 2 days opening pipes with the backhoe and mowed the yard 3 times. They also oiled and chipped 8 roads.

As for equipment, a new muffler was put on the JCB backhoe. Additionally, the front cutting edge and outrigger pads were changed on the JCB backhoe.

Old Business

Horse Ring

At the last meeting, Kristy Gould asked the Supervisors for permission to repair the existing horse ring and use it for horse shows throughout the year. She said that she, along with other volunteers, had already cleaned a lot of brush from the area and that there were volunteers and materials to repair the horse ring and make it usable again. However, the Supervisors were cautious in granting permission because they were concerned about taking on the liability and the effect that it might have on the township's insurance expenses. Since the last meeting, Chrissie Kurelowech contacted the township solicitor, Alan Shaddinger, for his opinion. She reported that Alan Shaddinger recommended the township lease the property to a "responsible organization" and he said that leasing it would reduce the risk to the township, but would not necessarily eliminate it. Don Deliman looked into getting insurance for the horse ring to cover the VFD, if the township were to lease the property to the VFD, and found that the VFD's current insurance carrier would not accept the risk. He said other insurance carriers will insure horse rings and that he would contact his agent for help in finding a quote for coverage. Jim Waugh asked Emery Fiely and Dave Zdanko if they would consider transferring the entire property that the horse ring sits upon to the VFD, in an effort to relieve the township of any liability associated

with the horse ring. The property in question is an 8 ½ acre parcel located at the intersection of Cherrytree Road and Buxton Road. Don Deliman noted that, if the VFD ever applies for a loan to construct a new building, it will not be able to get it if the VFD does not own the property the new building would be built upon. He said when Robinson's Golden Rule Wallpaper, Inc. gave the property to the township, it had to be used for "municipal purposes" and that, years ago, someone from the VFD was supposed to have the property transferred to the VFD, but instead, just had the "municipal purposes" requirement removed from the deed. Jim Waugh suggested transferring the deed to the VFD with the stipulation that, if the VFD ever dissolves, ownership of the property would revert back to the township. Dave Zdarko suggested subdividing the property and said that he would not want to make the township's property landlocked. Emery Fiely said he would be in favor of subdividing the 8 ½ acres to allow the VFD to own the property where the horse ring is located and Jim Waugh said he would check into subdividing the property. No decision was made.

Miller Farm Bridge

Chrissie Kurelowech gave an update on the Miller Farm Bridge replacement project. PennDOT recently contacted the township regarding an ordinance that may need passed by the township, in the near future, that would allow PennDOT to acquire rights-of-way to complete the Miller Farm Bridge project. She sent a list of questions to PennDOT and obtained a lot of information on the project. Miller Farm Bridge is a county bridge, so she questioned why the township is involved with the replacement and was told that the PennDOT Right-of-Way Department was asked by the county to do the right-of-way work. The county could have hired a consultant and the townships (Cherrytree and Oil Creek, Venango County) would not have been involved at all. She also asked why rights-of-way are needed because it was the township's understanding that the bridge was going to be removed, taken somewhere for restoration, and returned. According to the PennDOT representative, "The current bridge is a 154 feet single span, single lane truss bridge that is 16.2 feet in length. It was built in 1888 and is open to traffic with a 7 ton weight restriction. The existing bridge will be replaced with a two-lane, two-span bridge that is 22 feet curb-to-curb, on the existing alignment with minor modifications to both approaches to accommodate a wider structure and possible roadway grade adjustments. The roadway improvement will extend 200 feet from either end of the bridge". Chrissie Kurelowech asked if PennDOT or the county would be covering any expenses incurred by the township during the process of passing a new ordinance and was told that, "PennDOT RW is acquiring the R/W for them (the county), there will be costs involved. PennDOT will be paying the claims. If we have to file a DT (Declaration of Taking), then we have Office of Chief Counsel and Central Office Harrisburg involvement as well, we will seek reimbursement for these costs, minus the 5% that the locals are obligated to incur". She asked if PennDOT is going to cover legal and advertising expenses involved with passing the ordinance and was told, "They will be reimbursed 95% if this is a reimbursable expense". PennDOT is asking the township to draft the ordinance, yet, based on sample ordinances provided by PennDOT, the township does not have the needed information to draft the ordinance because the township has had no involvement in the project thus far. The Supervisors had many concerns, one being that the township might be required to provide winter maintenance to the section of Miller Farm Road that is close to the bridge.

Currently, no winter maintenance is provided. They were in agreement that the township should not have to incur any expenses related to the project because Miller Farm Bridge belongs to the county. Additionally, the bridge is located within Oil Creek State Park. Jim Waugh suggested the Pennsylvania Department of Conservation & Natural Resources (DCNR) pay for the township expenses related to the project, since the bridge is within the park. Chrissie Kurelowech will continue to get more clarity on PennDOT's expectations of the township and will report on the project at the next meeting. She has contacted the secretary at Oil Creek Township, Venango County, and learned that the Oil Creek Township Supervisors share the same concerns and have the same questions as the Cherrytree Township Supervisors.

New Business

There was no "New Business".

Adjournments

The meeting adjourned at 7:14 p.m.

The bills were reviewed by the Board of Supervisors.

Respectfully submitted,

Christine C. Kurelowech, Secretary-Treasurer