

**Cherrytree Township Board of Supervisors  
Regular Monthly Meeting  
March 4, 2019**

A regular monthly meeting of the Cherrytree Township Board of Supervisors was held on Monday, March 4, 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**

Ron Stewart reported that the project to rehabilitate the Miller Farm Bridge has been put on hold while more studies are performed to assess the impact it will have on the fish in Oil Creek.

**Minutes/Treasurer's Report**

The minutes, from the regular monthly meeting held on Monday, February 4, 2019, 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 2019, was read, accepted, and approved, on a motion made by Jim Waugh, seconded by Dave Zdarko, and carried unanimously. Chrissie Kurelowech mentioned that, while the treasurer's report only showed financial activity for the month of February, the township received its 2019 liquid fuels tax and turnback allocation on March 1, 2019. The liquid fuels tax amounted to \$215,683.71 and the turnback for Dempseytown-Gresham Road amounted to \$24,240.00. The liquid fuels tax is \$4,906.33 higher than last year and is \$5,629.42 higher than the estimate made by the state last fall. Cherrytree Township will send \$720.00 of the liquid fuels money to Troy Township for maintenance of a small portion of Shriner Road and Oil Creek Township, Crawford County, will send \$1,680.00 to Cherrytree Township for maintenance of a small portion of Dempseytown-Gresham Road.

**Correspondence**

Venango County Board of Elections – 2019 Elections – Use of Polling Place  
*The Venango County Board of Elections sent confirmation that the township building will be used as a polling place for the upcoming primary election (May 21, 2019) and general election (November 5, 2019), if the township Supervisors have no objection. The Supervisors were in agreement to continue to allow the township building to be used as a polling place.*

PSATS News Bulletin

*Discussion was held regarding the state police tax being proposed by Governor Tom Wolf. Based on population, the cost to Cherrytree Township would be \$12,320.00 per year. Pennsylvania State Association of Township Supervisors (PSATS) opposes this legislation. Don Deliman suggested*

*using the county sheriff's office instead of the state police and many in attendance agreed with him.*

## **Zoning**

### **Permits**

Z-2019-01	Brad and Shirley Keyes	2136 Cherrytree Road	grooming salon in existing house
Z-2019-02	Matthew Vargason	1081 Trout Run Road	new storage building

### **Zoning Report**

There was no zoning report.

## **Administrative Action**

### **E-1 Prime/EDP-30 (Emulsified Dust Palliative)–50,000 Gal. Each–Open Bids**

Chrissie Kurelowech explained that dust suppressant options other than E-1 Prime and EDP-30 had been explored during the month. Woodcock Township is having great success with soybean oil purchased in Conneautville. However, it costs \$2.95/gallon and about \$9,516.70/mile, so the price is far more expensive than all of the other options. Chrissie Kurelowech also looked into purchasing clean brine from Fluid Recovery Services in Franklin. The clean brine would cost about \$.07/gallon, which would cost the township about \$10,500.00. Additionally, the township would have to hire someone with a truck to pick up the brine in Franklin and apply it to the township roads. She contacted Jack Fox, who applied salt brine on the roads 2 years ago and he estimated that it would cost between \$.16/gallon and \$.20/gallon to apply the brine, which would cost the township between \$24,000.00 and \$30,000.00. He said that he now works for Rick Ristau and would check with him to see if they would be interested in doing it and to get an exact price. However, Jack Fox also said that the clean brine is very ineffective in suppressing the dust, as compared to the brine off the wells. With that being said, the Supervisors reviewed bids submitted by Russell Standard Corporation, Suit-Kote Corporation, and Midland Asphalt Materials Incorporated. A lengthy discussion took place regarding E-1 Prime and EDP-30. Earl Koon, of Suit-Kote Corporation, explained the difference in the products. He said E-1 Prime yields a better result because it contains 43% asphalt, whereas EDP-30 only contains 30% asphalt. He suggested using #9 stone, as opposed to antiskid, on top of the E-1 Prime. EDP-30 does not need stone put on top of it after it is applied. Lew Staub, Roadmaster, said that he felt the EDP-30 did not hold up well at all when it was used last summer on Fairview Road (between Cherrytree Road and Route 8). He said it was gone after a month. Mark McDowell agreed that the EDP-30 did not seem very effective. The Supervisors seemed to agree that they thought it held up well. Dave Zdarko noted that EDP-30 needs to be built up and suggested applying it twice during the summer. Emery Fiely noted that there is always a problem with potholes in the center of the road and suggested the road crew oil one lane, let it sit for a period of time, then go back and oil the opposite lane. This way, less of the oil will come up off the road before it has time to dry. On a motion made by Jim Waugh, seconded by Dave Zdarko, and carried unanimously, the Supervisors voted to accept the lowest bid, submitted by Midland Asphalt Materials Incorporated, for approximately 50,000 gallons of E-1 Prime (Option #1) at a cost of \$1.65/gallon (\$82,500.00 total). The full bid results are attached. The Supervisors discussed possibly further testing EDP-30 this summer by applying a small amount, most

likely on Fairview Road, to see if multiple applications make a difference. No decision was made on this.

**Seal Coat (Parts of Cherrytree Road, Dutch Hill Road, Old Route 8) – Open Bids**

Bids were received from Russell Standard Corporation, Suit-Kote Corporation, Midland Asphalt Materials Incorporated, and Jefferson Paving to seal coat parts of Cherrytree Road, Dutch Hill Road, and Old Route 8. The bid specifications gave the bidders 2 options. Option A was for approximately 19,630 square yards of material and included Cherrytree Road (Fairview Road to South Perry Street (1.34 mile) and 100 ft. culvert between Fairview Road and Sopher Road) and Dutch Hill Road (.50 mile from city line south). Option B was for everything included in Option A plus Old Route 8 (Breedtown Road to the city line (.99 mile) and a 100 ft. culvert between Breedtown Road and Black Road). A total of 33,822 square yards of material were included in Option B. On a motion made by Dave Zdarko, seconded by Jim Waugh, and carried unanimously, the Supervisors voted to award the contract (Option B) to the lowest bidder, Russell Standard Corporation, with a cost of \$1.483/square yard, totaling \$50,158.02.

**2019 Stone RFQ – Discuss Quantities – Vote to Seek Quotes**

On a motion made by Jim Waugh, seconded by Emery Fiely, and carried unanimously, the Supervisors voted to seek quotes for the types and quantities of gravel listed below. Chrissie Kurelowech will send out an RFQ (Request for Quote) and have the quotes due before the next regular monthly meeting, which is scheduled for Monday, April 1, 2019, at 6:30 p.m. The Supervisors will review the quotes at that time. The 2019 quantities are the same as those that were desired last year.

<i>Item</i>	<i>2018 Tons</i>
<i>AS1 Antiskid</i>	<i>2,300</i>
<i>2RC Gravel – Tailgate Delivery</i>	<i>7,200</i>
<i>2RC Gravel – Stockpile</i>	<i>500</i>
<i>AASHTO#57 Type C</i>	<i>600</i>
<i>2A Limestone</i>	<i>150</i>

**Resolution #19-40 – 2019 Stormwater Management Fee Schedule**

On a motion made by Emery Fiely, seconded by Jim Waugh, and carried unanimously, the Supervisors voted to adopt Resolution #19-40 (2019 Stormwater Management Fee Schedule). At the beginning of the year, the Supervisors voted to adopt a Stormwater Management Fee Schedule that included a \$25.00 fee to have Ben Breniman complete a small stormwater management permit (basically, a calculation sheet) on all projects, no matter how small. This is because, when the township applied for a grant through the Dirt, Gravel, and Low-Volume Roads program, it was discovered that every project, no matter how small (garden shed, detached garage, etc.), needs to have a stormwater permit. For small projects, this permit is just a calculation sheet showing that there is not enough impervious surface to warrant a stormwater permit involving an engineer. The Supervisors did not want to add the \$25.00 stormwater permit fee onto the zoning fee and increase the cost to the residents. Consequently, they adopted Resolution #19-40, which removes the \$25.00 flat fee for a stormwater permit for small projects. Ben Breniman, Zoning Officer, will continue to do the stormwater permits for small projects, but the cost of his time will be paid by the township. The applicant will

only be required to pay for a stormwater permit when more than an hour of Ben Breniman's time is required (larger projects). This will keep the township in compliance with stormwater regulations and permit costs low for the applicants.

## **Committee Reports**

### **VFD**

Don Deliman, VFD 1<sup>st</sup> Assistant Chief/Treasurer, reported that there were 17 calls since the last meeting. Of the 17 calls, 1 was a building fire, 7 were EMS, 2 were MVAs with no injuries, 1 was a water problem, 2 were public service, 2 were dispatched and cancelled, and 2 were alarm system activations. Don Deliman noted that 30% of the calls were mutual aid to other departments.

The spring shoots began on Tuesday, February 26, 2019 and will continue to be held every Tuesday through April 16, 2019. Last week, 8 shoots took place. Doors open at 5:30 p.m. with shoots beginning at 6:00 p.m.

District Magistrate Andrew Fish swore in the fire police at the most recent VFD meeting (Monday, February 11, 2019).

The VFD held its annual VFD appreciation dinner on Saturday, March 2, 2019.

### **EMA Office**

There was no EMA report.

### **Road**

Lew Staub, Roadmaster, reported that the road crew anti-skidded 5 times, plowed and anti-skidded 12 times, checked roads twice, cut up 5 trees, and fixed 6 small washouts. They also put 3 loads of salt in the shed and met with Russell Standard about projects out for bid. Emery Fiely installed lights in the garage.

As for equipment, the shoes were changed on the 2009 International front plow, spreader and wing lights were put on all trucks, a wheel bearing went out on the 2014 Dodge, the wing on the 2002 International was fixed, a rim on the 2002 International broke, and a front axle and new rear tires were put on the JCB backhoe.

## **Old Business**

### **Driveway Pipes**

Over the past several months, the township has been trying to figure out how to charge sales tax on the driveway pipe installation service that is offered to residents. Many townships charge sales tax on the pipe only, but not on the labor and gravel to install the pipe. They have the residents go purchase the pipes themselves, pay sales tax, and then the township installs the pipes and charges the residents for gravel and labor, but no sales tax. This relieves the township of the responsibility of forwarding the sales tax to the state, but keeps the township in compliance. It was questionable as to the reasoning behind only charging sales tax on the pipe and not the gravel and labor. Chrissie Kurelowech said that Emery Fiely recently told her that he feels the other townships are charging sales tax only on the pipes because, by having the residents purchase the pipes themselves and pay sales tax on the pipes, the pipes are their property and, consequently, their responsibility for maintenance. Furthermore, the township can install the pipes without charging sales tax because the work is performed within the township's right-of-way, like any other township work. Chrissie Kurelowech reached out to PSATS to confirm that Emery Fiely's justification for charging sales tax on the

pipe, and not the gravel and labor, was accurate and was told that it was. Chrissie Kurelowech asked the Supervisors if they would be in favor of having the residents purchase their own pipes, at Lew Staub's direction. This would mean that the township would not have to be involved with the collection of sales tax. They were in agreement to require residents to purchase their own pipes and notify the township when they are ready for installation. It was noted that Lew Staub must specify exactly what pipe (size, material, etc.) must be purchased and if the resident chooses to purchase a pipe that does not meet the specifications determined by Lew Staub, the township will not install the pipe. Chrissie Kurelowech will work with Lew Staub to develop some sort of standardized specification sheet that he can use to check off the proper size, material, etc. of each pipe on a case-by-case basis. The resident can then take the specification sheet and purchase the correct pipe.

### **New Business**

#### **Furnace**

Emery Fiely suggested replacing the aging furnace that is located in the closet attached to the meeting room. It has been repaired recently and he feels that it should be replaced with a newer, high-efficiency furnace. Additionally, he suggested adding air conditioning to keep the building cool. The other Supervisors were in favor of seeking quotes. Chrissie Kurelowech will contact a few heating and cooling businesses to obtain quotes to be discussed at the next meeting.

### **Adjournments**

The meeting adjourned at 7:45 p.m.

The bills were reviewed by the Board of Supervisors.

Respectfully submitted,

Christine C. Kurelowech, Secretary-Treasurer