

**Cherrytree Township Board of Supervisors**  
**Regular Monthly Meeting**  
**April 2, 2018**

A regular monthly meeting of the Cherrytree Township Board of Supervisors was held on Monday, April 2, 2018, at 6:30 p.m., at the township building. In attendance were Emery Fiely and Dave Zdarko, Supervisors, and Christine Kurelowech, Secretary-Treasurer.

**Call to Order**

Emery Fiely called the meeting to order.

**Pledge**

**Administrative Action**

**2018 Paving (Cherrytree Road) – Open and Review Bids**

Six bids were received to pave two parts of Cherrytree Road. The areas included in the project 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 county will contribute \$50,000.00 towards the project. Bids were submitted by Joseph McCormick, Inc., Kingsview Enterprises, Glenn O. Hawbaker, IA Construction Corporation, Sharon Paving, and Russell Standard. After opening and reviewing the bids, on a motion made by Emery Fiely and seconded by Dave Zdarko, the Supervisors voted unanimously to award the contract to the lowest bidder, Sharon Paving, for \$128,916.76. The full bid results are attached.

**2018 Seal Coating – Open and Review Bids**

Four bids were received to seal coat three stretches of road within the township. The areas included in the project 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). Bidders could submit a bid for one road, two roads, or all three roads. Bids were received from Suit-Kote, Russell Standard, Midland Asphalt, and Jefferson Paving. After opening and reviewing the bids, on a motion made by Dave Zdarko and seconded by Emery Fiely, the Supervisors voted unanimously to award the contract (including Option #1, Option #2, and Option #3 – all three roads) to the lowest bidder, Suit-Kote, for \$36,866.01. The full bid results are attached.

**2018 E-1 Prime Dust Suppressant – Open and Review Bids**

Three bids were received for 50,000 gallons of liquid E-1 Prime dust suppressant. The Supervisors opened and reviewed the bids, the lowest being the bid submitted by Suit-Kote for \$69,850.00, which is significantly higher than the lowest bid submitted in 2017. Russell Standard and Midland Asphalt were the two other bidders. A discussion took place regarding whether or not the township should continue to spend money on oil for dust suppressant. Emery Fiely noted that he would like to stop using oil and use the oil money to put more gravel on the roads, which are in dire need of it. Chrissie Kurelowech said that the DEP should

know by the end of April whether or not townships will be permitted to use salt brine during 2018. Last year, the township oiled in front of homes and put down salt brine in between. However, there is litigation taking place that could put an end to townships being permitted to use salt brine right out of wells for dust suppressant. Chrissie Kurelowech noted that, since the last meeting, she was told that a “clean brine” plant is located in the Titusville Industrial Park and could be an option for 2018 if the DEP cannot permit brine, directly from wells, being put on roads any longer. The clean brine would be free to the township, but the township would have to pay the cost of having someone transport and apply the product to the roads. Carl Hazen suggested cutting back on the amount of oil that is put down and Ron Stewart suggested not putting oil on the roads in front of cemeteries. Mark McDowell told the Supervisors that, if they decide to put just one strip down the middle of the roads, to make the strip wide. He also said that salt brine does not work. Carl Hazen said he would like to have the option to pay to have MC-70 put down in front of his house and Emery Fiely said he is opposed to having the residents participate in such a program. If residents pay for material to be put down on the road in front of their houses, they will take ownership of the road and be upset when the township grades up the oil, etc. Emery Fiely said that, if oil is not used, something will be put down. On a motion made by Emery Fiely and seconded by Dave Zdarko, the Supervisors voted unanimously to table the bids and reconsider them at a special meeting on Monday, April 23, 2018, at 6:30 p.m. They decided they would like to obtain quotes on gravel and see if the DEP makes a decision on salt brine before making a decision on the liquid E-1 Prime bids. The full bid results are attached.

**Pipe Quotes – Review Quotes**

Five quotes were received for several pipes and bands that will be needed during 2018. Quotes were received from Interstate Pipe & Supply, Chemung Supply, Walsh Equipment, Titusville Pipe & Supply, and Seigworth Road Supply. On a motion made by Dave Zdarko and seconded by Emery Fiely, the Supervisors voted unanimously to accept the lowest quote, submitted by Chemung Supply, for \$5,268.18. The full bid results are attached.

**2018 Stone RFO – Discuss Quantities – Vote to Seek Quotes**

On a motion made by Emery Fiely and seconded by Dave Zdarko, the Supervisors voted unanimously 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 special meeting that will take place on Monday, April 23, 2018, at 6:30 p.m. The 2018 quantities are the same as those that were desired last year, but much of the gravel was not purchased because the township became low on funds as the year went on. The 7,200 tons of 2RC that was supposed to be tailgated during 2017 was never purchased.

<i>Item</i>	<i>2017 Tons</i>
AS1 Antiskid	2,300
2RC Gravel – Tailgate Delivery	7,200
2RC Gravel – Stockpile	500
AASHTO#57 Type C	600
2A Limestone	150

## **Public Comment**

Tim McGrath said that he does not like confrontation and arguing and that the last couple township meetings have been difficult, noting that we are all friends and neighbors. He feels that the Supervisors are blurring the lines between responsibilities and emotions and said they are public servants, in office to serve the public. Tim McGrath also said that there is a rule book for a reason and that emotions have to be put aside when making decisions. The public is trusting the Supervisors to govern without emotion. He said that he was one of the people who recently questioned Jim Waugh as to the reason the road crew was out on a Saturday when the temperature was 43 degrees. He had just come from a meeting where discussion was held about the township being low on funds and was surprised to see the road crew out on a weekend, considering the temperature. He feels that removing the cameras that point at the garage was a “knee-jerk” reaction and that the Supervisors have done a disservice to the community by removing them. The community paid for the equipment and now services and equipment have been put at risk because the cameras have been removed. Tim McGrath said that, as Fire Chief, he has asked the VFD to put cameras in the trucks because he has responsibilities. He noted that he is not against the Supervisors, but sometimes the lines are blurred and that the community is counting on the elected officials. Emery Fiely responded by apologizing for removing the cameras. He said that Jim Waugh brought up the subject (road crew schedule) in the incorrect way and that he took the cameras down to prevent it from happening again. He said, if a Supervisor has a problem with an employee, he needs to go to the employee and to talk to him. Emery Fiely also said he would consider putting the cameras back up if they are not used to penalize the road guys because they are top-notch. Ron Stewart noted that he feels it was acceptable to use the cameras in the manner they were used, but that it should not have surfaced at a public meeting. Steve Anderson noted that cameras are also used to protect the employees, for example, if an accident occurs, cameras might be needed for workers compensation. Jeff Nelson noted that if the cameras were reviewed without probable cause, it was wrong. Dave Zdarko said he took Jim Waugh’s comments as a personal attack. Emery Fiely said that he appreciated the input.

## **Minutes/Treasurer’s Report**

The minutes, from the regular monthly meeting held on Monday, March 5, 2018, were read, accepted, and approved unanimously, on a motion made by Emery Fiely and seconded by Dave Zdarko.

The treasurer’s report, for March 2018, was read, accepted, and approved unanimously, on a motion made by Emery Fiely and seconded by Dave Zdarko.

## **Correspondence**

Venango Conservation District – Dirt, Gravel & Low-Volume Roads Workshop

*The Venango County Conservation District will hold a Dirt, Gravel & Low-Volume Roads workshop on Friday, April 20, 2018, in Franklin.*

Mid-American Natural Resources – Third Party Utility Provider

*Chrissie Kurelowech presented the Supervisors with information and a contract for Mid-American Natural Resources, which is a third-party utility provider. A representative from the company would like the township to purchase gas and electric from Mid-American Natural Resources, instead of purchasing it from National Fuel and Penelec, promising lower rates. The Supervisors were not in favor of switching utility providers at this time.*

PSATS News Bulletin

PSATS – 2018 Proposed Resolutions

## **Zoning**

### **Permits**

Z-2018-03    Scott Anderson    301 Turkey Farm Road    new shed

### **Zoning Report**

Ben Breniman, Zoning Officer, reported that he sent an enforcement letter to a property owner near the intersection of Route 8 and Route 417 after a complaint had been filed alleging the property owner to be in violation of several zoning/junk yard regulations. He said he was supposed to meet with the property owner, but that the property owner did not answer his phone on the day they had planned to meet. Ben Breniman reported that it looks like the property owner is parking cars on the property line, but says he does not have any cars within 20 feet of the property line. At one time, PennDOT required him to put up a fence, but he does not have the money to continue. The property owner said he might be able to earth berm around the cars, making them not visible from the road. Ben Breniman will continue to work towards a solution with the property owner.

Ben Breniman also reported that he will continue to try to contact the man who owns the partially demolished trailers on Black Road in an effort to get him to finish the demolition and remove the materials from the property.

## **Committee Reports**

### **VFD**

Don Deliman reported that there were 22 calls since the last meeting. Of the 22 calls, 1 was a building fire, 5 were EMS, 3 were motor vehicle accidents, 8 were public service, 1 was an assist to EmergyCare (invalid – patient refused treatment), and 4 were dispatched and cancelled.

The spring shoots have ended and were not as profitable as in other years, with the VFD only making \$1,496.58. Attendance was low this year. The fall shoots will begin on September 18, 2018.

Tickets are available for the VFD's annual gun raffle, which is scheduled for Saturday, June 23, 2018.

The VFD was established on June 14, 1968, making 2018 the 50<sup>th</sup> anniversary. The VFD is in the process of planning something in recognition of this important milestone.

VFD members and the road crew recently moved the VFD's shed to another location on the township's property. This was necessary to allow the road crew to repair a water leak under the shed.

### **EMA Office**

Tim McGrath, Emergency Management Coordinator, reported that Venango County has recently changed the name of its emergency management group to the Department of Public Safety.

On April 11, 2018, Tim McGrath will attend a meeting at the courthouse to go over some bills that are before the state senate right now and how they could affect the township.

Tim McGrath would like to attend emergency management training on April 22, 2018 in Hershey, PA. Since his son lives in Hershey, PA, he asked the Supervisors if the township would cover the actual cost of his gas for the trip. The Supervisors were in agreement to pay Tim McGrath's actual gas expenses for the

trip and asked him to give his receipt(s) to Chrissie Kurelowech for reimbursement when he returns.

### **Road**

Lew Staub, Roadmaster, reported that the road crew plowed and anti-skidded 11 times, anti-skidded 2 times, hauled gravel to soft spots for 2 days, ran the grader on 3 roads, ditched for 1 day, fixed bad spots on 3 roads, spent 1 day pushing trees off of roads, spent 1 day throwing limbs off of roads, checked the roads once, and moved the VFD's shed to fix the water line.

Also during the month, the road crew worked on the floor drains in the garage, fixed a tire on the JCB backhoe, changed the front blade and shoes on the 2009 International, changed the wing blades on the 2002 International, and cleaned all of the equipment.

### **PennDOT Agility Program**

#### **Dirt, Gravel & Low-Volume Roads Program**

Discussion was held about two programs that could be used to benefit the township roads. Mark McDowell mentioned a program during the meeting held on March 5, 2018, where PennDOT would put millings down on township roads. Chrissie Kurelowech discussed this with Josh Montgomery, PennDOT Municipal Services Representative, and he said the only program that PennDOT offers is the Agility Program, where PennDOT would improve a township road, but the township would be required to trade labor (mowing, etc.) in return. He said this could be costly to the township and estimated the cost of putting millings on 1 mile of dirt road to be over \$100,000.00. If the township "paid the \$100,000.00 off" by mowing for PennDOT, the township would be mowing for decades.

Chrissie Kurelowech said she recently talked to a contractor who encouraged the township to get involved with the Dirt, Gravel & Low-Volume Roads program offered through the Venango County Conservation District. He said other townships are getting a lot of roads improved for little or no money through the program and mentioned the benefits Cornplanter Township has received. Cherrytree Township participated in the program years ago, but in recent years, the application process has become more complicated and the township has not applied. The Supervisors were in favor of getting involved in the program again and asked Chrissie Kurelowech to get someone from the road crew registered for training. At least one person at the township must attend training for a day in order for the township to be able to participate in the program. The training expires after a certain number of years.

### **Old Business**

#### **SM60 Bush Hog Mower - Municibid**

Chrissie Kurelowech reported that the SM60 Bush Hog Mower that was listed on [www.municibid.com](http://www.municibid.com) did not sell. There were several bids, but the \$6,000.00 reserve was not met. However, two people called her after the auction ended to express interest and to see if the township still planned to sell the mower. On a motion made by Emery Fiely and seconded by Dave Zdarko, the Supervisors voted unanimously to relist the SM60 Bush Hog Mower on [www.municibid.com](http://www.municibid.com) and to lower the reserve to \$3,500.00.

**1991 Henderson Chief Spreader - Municibid**

Chrissie Kurelowech reported that the 1991 Henderson Chief Spreader sold for \$22.00 on [www.municibid.com](http://www.municibid.com). The winner called and plans to pick up the spreader later in the week.

**Remaining Old Spreaders**

There are still two old spreaders that the road crew no longer uses and would like to sell. On a motion made by Emery Fiely and seconded by Dave Zdarko, the Supervisors voted unanimously to list the two old spreaders on [www.municibid.com](http://www.municibid.com) with no reserve.

**New Business**

**Butler County Sewage Association – Fix Deeds**

Chrissie Kurelowech reported that Alan Shaddinger, Township Solicitor, has been working on removing Butler County Sewage Association from deeds for property owners who still have the association's septic system regulations attached to their deeds. A few years ago, the township agreed to cover the legal fees to have the deeds fixed. Recently, Alan Shaddinger has made a request to Butler County Sewage Association (now Municipal Code Association) to assign all of the Butler County Sewage Association agreements to Cherrytree Township. He is currently waiting for a response. He has a draft agreement for the property owned by James and Annmay Christie on Buxton Road and has asked the township how it wishes to proceed with the other property owners. Option #1 is to send letters to all of the property owners with existing agreements asking them to consider a revised agreement in order to relieve themselves of the escrow requirement. Option #2 is to alert the property owners that if they intend to sell their properties in the future, the township will want a new agreement from the property owners outlining the obligations of the new property owners. Option #3 would be for the township to pass a new ordinance that would impose requirements for maintenance on property owners. This ordinance would replace the existing agreements. However, Alan Shaddinger feels that the agreements provide the township with protection that the ordinance would not. The Supervisors were in agreement to pursue Option #1. Chrissie Kurelowech will notify Alan Shaddinger of the decision.

**Speeding on Miles Road**

Steve Anderson asked the Supervisors if they would consider putting up signage on Miles Road, near Cherrytree Road, to slow down drivers. There has been a lot of speeding in that area and there are frequently several small children there now. The road crew will take care of it.

The bills were reviewed by the Board of Supervisors.

The meeting adjourned at 8:10 p.m.

Respectfully submitted,

Christine C. Kurelowech, Secretary-Treasurer

