

**Cherrytree Township Board of Supervisors**  
**Regular Monthly Meeting**  
**May 2, 2022**  
**6:00 p.m.**

A regular monthly meeting of the Cherrytree Township Board of Supervisors was held on Monday, May 2, 2022, at 6:00 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**

Ernie McCain thanked those involved in widening the curve on Pioneer Road last summer and said that the work really helped the situation. However, he noted that heavy rain over the winter caused erosion and the road has many ruts and is back to being 1-lane. Lew Staub, Roadmaster, said that the road crew would haul more gravel to the area to resolve the problem. Jean Thompson suggested the road crew get some sort of ground cover growing on the bank for erosion control.

Roger Patterson said that there is an 8 – 10 ft. drop-off on Cherrytree Road between South Perry Street and Route 27 (near the old Garfield property). He said it keeps creeping in and needs attention.

Roger Patterson asked the Supervisors if an engineer looked at Breedtown Road Culvert #3 (near Breedtown Cemetery) before putting the project out for bid. Chrissie Kurelowech said that the township engineer visited Breedtown Road Culvert #3 and took pictures before applying for a permit through PA DEP (Pennsylvania Department of Environmental Protection) and putting the project out for bid. Roger Patterson told those in attendance that the contractor asked him why the culvert needed replaced because it looked like new headwalls were needed, but nothing else. Lew Staub said that the cement floor washed out 6 – 8 years ago, which is the reason the water was creeping along the headwalls. Jim Waugh noted that the township has had cones up for some time due to the water washing out the walls.

**Minutes/Treasurer's Report**

The minutes, from the regular monthly meeting held on Monday, April 4, 2022, were read, accepted, and approved, on a motion made by Jim Waugh, seconded by Dave Zdarko, and carried unanimously.

The treasurer's report, for April 2022, was read, accepted, and approved, on a motion made by Dave Zdarko, seconded by Rob Kellogg, and carried unanimously.

**Correspondence**

John DeLacio-Act 14, 67, and 68 Notification-Donald Deliman-1984 Buxton Road  
*The township has been notified that Donald Deliman has applied to the Pennsylvania Department of Environmental Protection (PA DEP) for a National Pollutant Discharge Elimination System (NPDES) permit and a Water Quality Management Part II permit with the intention of installing a single residence sewage treatment plant at 1984 Buxton Road.*

## Venango County – County Infrastructure Bank

*Venango County is proposing the creation of an “Infrastructure Bank” program that would allow municipalities to obtain low-interest loans for public transportation and infrastructure projects. By grouping projects together, the county would be able to get low-interest loans and pass the savings along to the municipalities. This type of program has been successful in other counties, such as Dauphin County and Butler County.*

PennDOT Newsletter

## Zoning

### Permits

Z-2022-04	Carmen and Antoinette Paliotta/Lewis Staub	4201 William Flinn Highway	commercial energy facility
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### Zoning Report

Ben Breniman, Zoning Officer, reported that he has issued permit Z-2022-04 for a commercial energy facility at 4201 William Flinn Highway, following the Zoning Hearing Board’s ruling at a hearing held on November 18, 2021. The township was legally bound to issue the permit and Ben Breniman had Alan Shaddinger, Solicitor, review the draft. The permit includes a list of 14 conditions that Cypress Creek Renewables voluntarily agreed to meet such as maintaining a buffer of trees around the facility. There have been rumors that there could soon be a change of ownership of Titusville Solar, LLC, which means that the permit issued might not be valid and the new owner could be required to reapply. Ron Stewart asked the Supervisors if they are still “fighting” to prevent solar companies from developing in the township and Jim Waugh said that the township is not against solar development and has recently issued a zoning permit and approved a stormwater management plan (with a lengthy list of conditions) for a solar farm.

Ben Breniman recently sent enforcement letters to four property owners who are in violation of the zoning ordinance. A property on Black Road (near Route 8) (1 owner) contains several vehicles and a motor home that is being occupied. Junk is accumulating again and is beginning to spread into the field at 1220 South Perry Street (2 owners). There are numerous travel trailers located at 903 Fairview Road (1 owner). He has received notification that the 2 owners of 1220 South Perry Street signed for their enforcement letters, but no signatures have been received from the other 2 property owners (Black Road and Fairview Road). He asked the Supervisors if they would be in favor of hiring a constable to serve the property owners with the enforcement letters because it is important that the property owners acknowledge receipt before going before the district magistrate. One constable that Ben Breniman could hire would charge \$65.00/hour plus mileage. The Supervisors were in agreement to hire a constable and Ben Breniman said that he would try to find a constable with a lower rate, if one exists.

## Administrative Action

### Hire New Road Worker - Vote

Jim Waugh told those in attendance that he and Dave Zdarko held an executive session on Thursday, April 7, 2022 to discuss hiring Rob Kellogg to fill the vacant road worker position. On a motion made by Jim Waugh and seconded by Dave Zdarko, the Supervisors voted to hire Rob Kellogg as a road worker (Full-Time Class A), effective April 25, 2022, at an hourly rate of \$18.00/hour. Rob Kellogg abstained. Since Rob Kellogg is a Supervisor, the Cherrytree Township Board of Auditors will need to hold a public meeting to approve his wages.

**Salt Brine – 150,000 Gallons – Open and Review Bids**

One bid was received for approximately 150,000 gallons of salt brine (PA DEP approved) to be delivered and applied as directed by the township for the purpose of suppressing dust. Seneca Mineral Company bid \$0.43/gallon (\$64,500.00). On a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously, the Supervisors voted to accept the only bid submitted for approximately 150,000 gallons of salt brine (PA DEP approved), from Seneca Mineral Company, for \$0.43/gallon.

**Stone RFQ – Vote to Accept Amended Item #5 (2A Limestone) Results**

At the regular monthly meeting held on Monday, April 4, 2022, quotes for stone were received from Allegheny Aggregates, Inc., Allegheny Mineral Corporation, Hillside Stone, LLC, Hasbrouck Sand & Gravel, Glenn O. Hawbaker, Inc., and IA Construction Corporation. The Supervisors voted to award Item #1, Item #2, Item #3, and Item #4 to the vendor with the lowest quote, Hasbrouck Sand & Gravel, and Item #5 to the vendor with the lowest quote, IA Construction Corporation (\$16.00/ton). However, IA Construction Corporation called on April 5, 2022 and asked the township to disregard its quote because it was made in error. Chrissie Kurelowech explained that she checked with the PennDOT Municipal Services Representative and was told that the township could either disregard the quote or hold IA Construction Corporation to it, but that there could be repercussions if the township chooses to hold IA Construction Corporation to a quote that was made in error. The Supervisors were in agreement to disregard the quote for Item #5 (2A Limestone) submitted by IA Construction Corporation for \$16.00/ton (\$2,400.00) and award Item #5 (2A Limestone) to the vendor that submitted the next lowest quote, Allegheny Mineral Corporation, for \$23.50/ton (\$3,525.00). On a motion made by Dave Zdanko, seconded by Rob Kellogg, and carried unanimously, the Supervisors voted to accept the amended RFQ (Request For Quote) results, awarding Item #5 (2A Limestone) to Allegheny Mineral Corporation for \$23.50/ton (\$3,525.00) (approximately 150 tons). The amended full RFQ results are attached.

<i>Item #</i>	<i>Item Description</i>	<i>Tons</i>	<i>Cost Per Ton</i>	<i>Total Cost</i>
1	AS1 Antiskid	2,300	\$8.59	\$19,757.00
2	2RC Gravel – Tailgate Delivery	14,400	\$9.48	\$136,512.00
3	2RC Gravel – Stockpile	500	\$9.48	\$4,740.00
4	AASHTO#57 Type C	600	\$13.48	\$8,088.00
5	2A Limestone	150	\$23.50	\$3,525.00

**Resolution #22-43 – Deliman Single Residence Sewage Treatment Plant**

On a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously, the Supervisors voted to adopt Resolution #22-43, approving a single residence sewage treatment plant for Donald J. Deliman at 1984 Buxton Road.

**Committee Reports**

**VFD**

Tom Huffman, acting VFD Fire Chief, reported that there were 16 calls since the last meeting. Of the 16 calls, 3 were in Crawford County and 13 were in Venango County. Of the calls in Crawford County, 2 were building fires and 1 was dispatched and canceled. Of the calls in Venango County, 4 were building fires, 3 were EMS, 4 were MVAs, 1 was public service, and 1 was dispatched and canceled.

Tickets are available for the VFD's annual gun raffle, which will take place on Saturday, June 18, 2022 at the Chapmanville Fire Hall. The doors open at noon and the gun raffle starts at 1:00 p.m. Tickets can be purchased for \$10.00 from any VFD member or at the township office.

The VFD is currently raffling a \$500.00 gas card online for \$10.00 a chance.

### **EMA**

Tim McGrath, Emergency Management Coordinator, said that he has not heard from Tim Dunkle or Janis Cochran, of the Venango County Department of Public Safety, recently.

### **Road**

Lew Staub, Roadmaster, reported that the road crew spent 3 days fixing spots from washouts, 1 day dragging roads, 1 day scraping roads with the grader, 3 days hauling gravel to soft spots, and 3 days cleaning pipes and ditches. They also stacked gravel, checked roads for bond release, and spent 1 day cold patching blacktops. Additionally, the road crew delivered a 78" pipe to Breedtown Road Culvert #3 to be used by the contractor. The Breedtown Road Culvert #3 project is complete, with the exception of guide rails. Lew Staub asked Chrissie Kurelowech to contact the contractor (McLallen Construction) to make sure the guide rails are not placed in front of any entrances to the Breedtown Cemetery. Shingledecker's Welding has started working on Fairview Road Culvert #1. More deterioration has occurred since Shingledecker's Welding quoted the job 2 years ago, so an extra load of concrete and more rebar will be needed. Shingledecker's Welding has offered to cover the cost of the extra rebar if the township pays for the extra concrete.

As for equipment, the trucks were cleaned, a front bucket blade was put on the 2019 JCB backhoe, the headlight was fixed on the 2014 Dodge, and Casey Rapp fixed the 2002 International (extensive repairs involving the following parts: fan, radiator, shroud, both coolant tanks, both radiator hoses, both belts and tensioners, cam sensor). Work was performed on the 2007 JCB backhoe battery, the 2009 International was inspected, the spreaders were taken off the 2002 International and the 2009 International, and the wing was taken off the 2002 International.

Lew Staub asked the Supervisors if they were in favor of tearing up the old oil on Trout Run Road before putting new gravel and salt brine down. The Supervisors agreed that the oil (E-1 Prime, MC-70, etc.) is in bad shape and needs removed. The road crew will scarfire the road before putting down new gravel and salt brine.

Lew Staub noted that gravel will be tailgated to various roads throughout the township beginning on May 10, 2022.

### **Old Business**

#### **Executive Session – Thursday, April 7, 2022 – Personnel (Vacant Road Worker Position)**

See "Administrative Action"/"Hire New Road Worker – Vote".

### **New Business**

There was no "New Business".

### **Adjournments**

The meeting adjourned at 6:45 p.m.

The bills were reviewed by the Board of Supervisors.

Respectfully submitted,

Christine C. Kurelowech, Secretary-Treasurer