

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

A regular monthly meeting of the Cherrytree Township Board of Supervisors was held on Monday, June 6, 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**

Jeff Nelson expressed concern regarding the intersection of Buxton Road and Cherrytree Road. When approaching the intersection heading north on Cherrytree Road, it is very difficult to see traffic on Buxton Road due to trees that need trimmed. According to Jeff Nelson, this makes the intersection unsafe. Jim Waugh noted that the township's tractor is in need of repair and is waiting for parts to arrive, so the township will not be able to remove anything within the right-of-way soon. However, Buxton Road is maintained by PennDOT, so PennDOT is also responsible if the trees are located within PennDOT's right-of-way. Chrissie Kurelowech noted that the township has sent letters in the past to the current property owner and to the previous property owner in an effort to have the trees trimmed or removed, but the problem has never been resolved.

**Minutes/Treasurer's Report**

The minutes, from the regular monthly meeting held on Monday, May 2, 2022, 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 2022, was read, accepted, and approved, on a motion made by Jim Waugh, seconded by Dave Zdarko, and carried unanimously.

**Correspondence**

PennDOT Newsletter

DEP – Titusville Solar, LLC – NPDES Permit Application - Technical Deficiencies

*The Pennsylvania Department of Environmental Protection (PA DEP) has issued a technical deficiency letter to Titusville Solar, LLC regarding its recent National Pollutant Discharge Elimination System (NPDES) permit application. The letter includes a list of 12 technical deficiencies that must be corrected by July 6, 2022. If the technical deficiencies are not corrected, PA DEP could deny the application.*

PSATS News Bulletin

**Zoning**

**Permits**

Z-2022-05 Tim and Karen McGrath

1066 Cherrytree Road 32' by 44' pole building

### **Zoning Report**

Chrissie Kurelowech reported on behalf of Ben Breniman, Zoning Officer, that enforcement letters were recently sent 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). Ben will inspect the property on Black Road and the property at 1220 South Perry Street and, if no improvements have been made, will file citations at District Magistrate Fish's office. He is still trying to have an enforcement letter delivered to the owner of 903 Fairview Road by a constable, but as of yet the constable has been unable to deliver the letter due to various issues.

Ben Breniman was contacted by Kris Bloom recently regarding a property line dispute near the intersection of State Route 8 and State Route 417. There is little the township can do, in terms of zoning enforcement, at this time due to the fact that the property line dispute is in the process of being resolved by the courts.

### **Administrative Action**

#### **Venango County Fire and EMS Feasibility Study**

The Venango County Commissioners have asked each municipality in the county to complete a "Letter of Intent" to engage the Department of Community and Economic Development (DCED) in a feasibility study on the future of fire and EMS companies in their municipalities. Franklin, Oil City, and Sugar Creek are concerned about staffing and funding issues that departments are facing and have decided to ask DCED to conduct a feasibility study on the future of fire and EMS companies in their municipalities. The Venango County Commissioners feel that all municipalities in the county should be included in the study, but without the approval of the majority of the municipalities, the study will not be able to be conducted countywide. According to the Venango County Commissioners, the study will not cost the municipalities anything and the municipalities and the county will not be obligated to follow recommendations made by DCED. Jim Waugh said that he is against participating in the study because he feels this is an attempt to combine fire departments within the county, which would cost the taxpayers more money because Cherrytree Township would be tied to paid fire departments, not solely volunteer as it is now, and, because of Cherrytree Township's remote location within the county, he feels that combining fire departments would compromise the safety of residents. On a motion made by Dave Zdanko and seconded by Rob Kellogg, the Supervisors voted against completing a "Letter of Intent" regarding a DCED fire and EMS feasibility study within Venango County. Jim Waugh abstained.

#### **Municipal Insurance Quotes - Review**

The township's municipal insurance (commercial package and workers compensation insurance) renews on July 1, 2022. The commercial package includes property, general liability, cyber liability, automobile (both township and VFD), inland marine, crime, umbrella, and public official liability. Currently, the township purchases the commercial package and workers compensation insurance for township employees through Barr's Insurance. The carrier for the commercial package is Selective and the carrier for the workers compensation insurance for township employees is AmTrust. The workers compensation insurance for the VFD is through the State Workers Insurance Fund (SWIF). Last year, the commercial package cost \$12,974.00, workers compensation insurance for

township employees cost \$8,306.00, and workers compensation insurance for the VFD cost \$9,082.00, which totals to \$30,362.00 for the year (July 1, 2021 – June 30, 2022). Chrissie Kurelowech presented quotes from 3 agencies (Barr’s Insurance, Matson Insurance, and Franklin Insurance) to the Supervisors. Matson Insurance and Franklin Insurance both noted that the workers compensation insurance for the VFD should not be through SWIF and, instead, should be combined with the workers compensation insurance for the township employees. Chrissie Kurelowech explained that, several years ago, due to new legislation, private insurance companies stopped writing workers compensation insurance policies for volunteer fire companies and the only option was SWIF. According to Matson Insurance and Franklin Insurance, private companies have started writing policies for volunteer fire companies again and the township could greatly benefit by covering the VFD and the township employees through AmTrust, a private carrier. Both agencies were unable to submit a quote for workers compensation insurance because Barr’s Insurance is already selling AmTrust workers compensation insurance to the township to cover the township employees, so Barr’s Insurance would need to make changes to include both the township employees and the VFD on the AmTrust policy and to cancel the SWIF coverage. However, a representative from the township could sign a form that would select another agency as the township’s “Agency of Record”, which would allow another agency to obtain policies for the township through carriers currently only accessible by Barr’s Insurance. For the commercial package, Barr’s Insurance quoted \$13,012.00 (Selective), Matson Insurance quoted \$13,306.00 (Glatfelter), and Franklin Insurance quoted \$11,145.00 (Astra). All quotes included employment practices liability coverage, which pertains to discrimination, sexual harassment, wrongful termination, etc. As for workers compensation coverage, Barr’s Insurance quoted \$6,351.00 (AmTrust) or \$6,485.00 (Encova) for the township employees and \$9,100.00 (SWIF) for the VFD. On a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously, the Supervisors voted to purchase the commercial package (July 1, 2022 – June 30, 2023) through Franklin Insurance (Astra) for \$11,145.00 and to make Franklin Insurance the township’s “Agency of Record”, giving Franklin Insurance permission to obtain a quote for a workers compensation insurance policy that includes the township employees and the VFD. The Supervisors were in agreement to accept the price quoted by Franklin Insurance, when it is received, for workers compensation insurance (township employees and VFD) as long as it is lower than the price proposed by Barr’s Insurance (\$6,351.00 (AmTrust) plus \$9,100.00 (SWIF)).

## **Committee Reports**

### **VFD**

Tim McGrath, VFD Chief 3, reported that there were 22 calls since the last meeting. Of the 22 calls, 2 were in Crawford County and 20 were in Venango County. Both of the calls in Crawford County were building fires. Of the calls in Venango County, 1 was a building fire, 1 was a brush fire, 5 were EMS, 1 was an MVA with no injuries, 1 was a search for a person, 1 was public service, 7 were dispatched and canceled, 1 was a malfunctioning smoke detector, 1 was an unintentional activation of a smoke detector, and 1 was a severe weather standby. The VFD has had 84 calls so far this year and has logged 348 man hours.

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 was able to remove 5 – 6 truckloads of old equipment and junk from the building during Clean-Up Weekend.

### **EMA**

There was no report.

### **Road**

Lew Staub, Roadmaster, reported that the road crew checked roads twice, spent 3 days cleaning pipes, tail ditches, and tree limbs, graded 4 roads, spent 2 days tearing up oil on Trout Run Road with the grader and backhoe, and spent 4 days ditching. They reinstalled a driveway pipe on Cherrytree Road, ditched with the grader and backhoe in spots on 3 roads, fixed a pipe washout on Cherrytree Road, put grass seed matting along Pioneer Road, and spent 12 days putting gravel down with Hasbrouck Sand & Gravel. The road crew also unloaded blocks from Shingledecker Welding, mowed the yard 3 times, fixed washouts on 3 roads, dug a soft spot out and filled it with limestone, repaired a headwall on Cherrytree Road, pushed 2 trees off, smashed dumpsters, and spent 2 days working on Cherrytree Road and Fairview Road washouts.

As for equipment, the oil was drained and changed on the 2007 JCB backhoe rear axles, a coolant leak on the grader was temporarily fixed, the lift arm on the grader was fixed, and a new clutch fan, wiring harness, and radiator were ordered for the 2017 Massey Ferguson tractor.

Lew Staub said that the township would start putting brine down on Wednesday, noting that the gravel has been slower this year because only 3 – 5 trucks are being used by Hasbrouck Sand & Gravel due to fuel prices.

### **Old Business**

There was no “Old Business”.

### **New Business**

There was no “New Business”.

### **Adjournments**

The meeting adjourned at 6:25 p.m.

The bills were reviewed by the Board of Supervisors.

Respectfully submitted,

Christine C. Kurelowech, Secretary-Treasurer