

Cherrytree Township Board of Supervisors
Regular Monthly Meeting
August 3, 2020
6:30 p.m.

A regular monthly meeting of the Cherrytree Township Board of Supervisors was held on Monday, August 3, 2020, at 6:30 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

Don Deliman asked the Supervisors if anything is being done to resolve the problem with deep ditches washing away the roads in the township. Jim Waugh said that the Supervisors plan to purchase shale that will be placed in deep ditches in various places throughout the township.

Don Deliman said that there was some talk of paving the 2 new parking spots, and possibly the parking lot, in front of the township building last year. He told the Supervisors that, if they plan to pave the parking spots, they need to move the flag poles to another place in the yard before doing so.

Ernie McCain asked the Supervisors if they had given any consideration to widening Pioneer Road and cleaning the ditches along Pioneer Road since he brought it to the table for discussion at the last meeting, held on Monday, July 6, 2020. Jim Waugh said that he had not had time to visit Pioneer Road yet and Rob Kellogg noted that the township needs to determine exactly where the water is coming from (which property) before formulating a plan. Ernie McCain noted that the road crew recently graded Pioneer Road and improved the situation by 70%, but that it still needs attention. Dave Zdarko asked Lew Staub, Roadmaster, if the township has the equipment to cut a bank back along the road in an effort to make the road wider, or if a contractor would have to do the job and Lew Staub said equipment would be needed that the township does not have (bulldozer and excavator), so a contractor would need to be hired. Another Pioneer Road resident said that Shreve Road has been brined, ditched, and graveled multiple times this summer, but Pioneer Road has only been graded and it did not occur until last week. Jim Waugh told the Pioneer Road residents that the township has not forgotten about them.

Roger Patterson told the Supervisors that there is dust on the dirt roads and that the salt brine is not working. He said the salt brine is a mess and sloppy when it rains. Furthermore, he spotted the road crew putting rock salt down in certain spots. Lew Staub noted that the township has used approximately 3 cubic yards of rock salt on very dusty sections of the roads for the past 20 years, even when E-1 Prime was used for dust suppressant. Both Mark McDowell and Roger Patterson said that the salt brine cannot be hosed off vehicles and Mark McDowell suggested that the township give residents certificates to get their cars washed. Lew Staub said that the salt brine is doing the job and Dave Zdarko said that the roads he has been on look good. Jim Waugh noted that several residents have told him they love the salt brine. Mark McDowell said that the township oiled in front of his house for 40 years and asked the Supervisors if his taxes would be cut now that the township is using salt brine.

Minutes/Treasurer's Report

The minutes, from the regular monthly meeting held on Monday, July 6, 2020, were read, accepted, and approved, on a motion made by Dave Zdarko, seconded by Jim Waugh, and carried unanimously.

The treasurer's report, for July 2020, was read, accepted, and approved, on a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously.

Correspondence

STV, Inc. – Bridge Inspection Report – Stone Springhouse – April 6, 2020

The bridge on Stone Springhouse Road was recently inspected. Chrissie Kurelowech presented the inspection report to the Supervisors and said that Lew Staub had already reviewed it. The highest priority recommendations were 2 on a scale of 0 to 5, with 0 being the most critical.

Venango County – 2021 County Aid Application

Applications for 2021 County Aid are due on Friday, September 25, 2020. Chrissie Kurelowech said that she and Lew Staub had discussed potential projects and thought that requesting money to put towards paving .50 mile of Dutch Hill Road might be a good idea. Lew Staub said that Dutch Hill Road has not seen new pavement since the late 1980s. Chrissie Kurelowech said she discussed the project with Troy Cyphert, PennDOT Municipal Services Representative, and he said that he thought the Venango County Commissioners would be receptive to the project and that the township should contribute at least 40% - 50%. He would not recommend requesting more than \$30,000.00. The Supervisors were in favor of applying for 2021 County Aid to put towards paving .50 mile of Dutch Hill Road. Chrissie Kurelowech said she would contact Troy Cyphert to schedule a site visit and that the Supervisors would need to pass a resolution at the meeting scheduled for Monday, September 8, 2020 in order to meet the application deadline.

Venango County Association of Township Officials – 108th Annual Convention

The 108th annual convention of the Venango County Association of Township Officials will be held on Wednesday, September 30, 2020 at the Oakland Township Fire Hall. Chrissie Kurelowech told the Supervisors to let her know if they planned to attend and she would make reservations.

PSATS News Bulletin

Zoning

Permits

Z-2020-07 Angela Mayhorn 5421 State Route 417 new carport

Zoning Report

There was no report.

Administrative Action

Resolution #20-45 – Destroy Tax Collector Records (2002 – 2010)

On a motion made by Jim Waugh, seconded by Dave Zdarko, and carried unanimously, the Supervisors voted to adopt Resolution #20-45. This resolution permits the Secretary-Treasurer to destroy records that the township is no longer required to keep, as specified by the Pennsylvania Municipal Records Retention Manual. The resolution contains a list of the types of records and the years that will be destroyed. Chrissie Kurelowech said that Resolution #20-45 includes tax collector records for the years 2002 through 2010.

Shale – Vote to Purchase 350 Tons

On a motion made by Jim Waugh, seconded by Dave Zdarko, and carried unanimously, the Supervisors voted to purchase 350 tons of shale that will be used in ditches on various roads throughout the township. Later in the meeting, Dave Zdarko asked Lew Staub if the shale could be used to improve Pioneer Road and he said the smaller pieces could possibly be used.

Committee Reports

VFD

Jim Waugh read a report submitted by Tom Huffman, VFD 1st Assistant Chief. There were 13 calls since the last meeting. Of the 13 calls, 1 was a building fire, 7 were EMS, 1 was an MVA with no injuries, 1 was an oil or other combustible liquid spill, 1 was a power line down, 1 was a lift assist, and 1 was dispatched and cancelled.

The VFD will hold its annual car cruise and barbecued chicken dinner on Saturday, August 29, 2020. Due to COVID-19 restrictions, the event will be drive-through only.

EMA Office

There was no report.

Road

Lew Staub, Roadmaster, reported that the road crew mowed 13 days on 30 roads, graded 12 roads, brined 6 days, and mowed the yard twice. Hasbrouck Sand & Gravel tailgated gravel on 4 roads and Shingledecker's Welding replaced a pipe on Breedtown Road. The road crew also cut 2 trees up, ditched spots on 2 roads, checked the roads once, and installed 1 driveway pipe.

The grader recently had a flat tire and Franklin Service and Supply replaced the flat tire with a tire the township had.

Lew Staub told the Supervisors that the City of Titusville recently asked him if the township would be able to mow some areas within the city, as the township used to do several years ago. He felt that the township's mower is too wide to be used within the city, but said that the decision would need to be made by the Supervisors. The Supervisors were not in favor of using township resources to mow within the City of Titusville.

Old Business

None

New Business

Ordinance 02-2020 – Recommendations from Planning Commission

Chrissie Kurelowech gave each Supervisor a draft copy of Ordinance 02-2020, a curative amendment to the township's zoning ordinance that includes regulations pertaining to solar development. She also gave each Supervisor a copy of the minutes from the Cherrytree Township Planning Commission's public meeting that took place on Monday, July 27, 2020. The minutes contain recommendations for the Supervisors, made by the planning commission, regarding the proposed ordinance. She explained that, after the planning commission's most recent meeting, she only made 2 changes to the draft ordinance. First, she added the definition of "glare" because Jamey Miller, of the planning commission, noted that it was missing. Secondly, on Page 14, in the "Access" section, she added a sentence to describe how the distance between the panels should be calculated, specifying that there must be 20 ft. between panels measured when the panels are parallel to the ground in a horizontal position. She told the Supervisors that the draft ordinance and recommendations were for their review. The Supervisors will hold a public hearing regarding Ordinance 02-2020 on Monday, August 24, 2020 at 6:00 p.m. A special meeting of the Board of Supervisors will be held at 6:30 p.m. on Monday, August 24, 2020 for the purpose of voting on Ordinance 02-2020.

Jamey Miller, a member of the Cherrytree Township Planning Commission, asked the Supervisors to make changes to Ordinance 02-2020 that would require a solar farm to be located on property that is already zoned as Commercial/Light Industrial (C/I), as opposed to allowing such a project to be permitted in a Rural/Agricultural (R/A) district by conditional use. He warned that when it is time to decommission a large solar farm (at least 250 kilowatts), the company who owns it will turn its back and leave the township with the expense of decommissioning. He said the life of a solar farm is 35 – 40 years and the companies that say they will handle decommissioning at the end of a solar farm's life

have not decommissioned any solar farms yet. He feels that a large solar farm is commercial in nature and should not be permitted in areas throughout the township that are not zoned as Commercial/Light Industrial (C/I).

Sue McDowell asked the Supervisors if the township could see more tax revenue from a solar farm located in a Commercial/Light Industrial (C/I) district, as opposed to a solar farm located in a Rural/Agricultural (R/A) district. Jim Waugh said that he did not know. Sue McDowell said it would be important to have answers to all of the questions, such as whether or not properties located in Commercial/Light Industrial (C/I) districts are taxed at a higher rate, before passing Ordinance 02-2020. Jim Waugh noted that he recently heard that water running off solar panels contains toxins that are absorbed into the ground.

A discussion took place between Jamey Miller and Jim Waugh regarding whether or not the township could use the zoning ordinance to prevent certain businesses from locating in the township. Jim Waugh said he was told by an attorney from the Pennsylvania Association of Township Supervisors (PSATS) that the township cannot keep a business out. Jamey Miller said that the township can use zoning to keep certain types of businesses out and that he does not believe a landfill is a permitted use in the Commercial/Light Industrial (C/I) zone. If it is not a permitted use, then a property owner wishing to start a landfill in the Commercial/Light Industrial (C/I) zone, would need to come to the township for a special exception or conditional use before being granted permission. Ron Stewart noted that, in Florida, the municipality has to accommodate all uses by making sure there is an area zoned for any use that may exist.

Tom Wilks told those in attendance that he has been approached by solar companies wishing to lease his property. He said they are using grant money and he fears, when the grant money runs out, they will be bankrupt and the township will be stuck with the task of decommissioning the solar farms. He warned the Supervisors that the township needs to evaluate the risks surrounding solar farms wisely and said that solar farms have failed across the United States.

Jamey Miller noted that he is not opposed to solar farms, but that he just wants them to be permitted the right way. He used an example of a Wal-Mart Supercenter. He said he would have no problem with a Wal-Mart Supercenter being built in a Commercial/Light Industrial (C/I) zone within the township, but that it would make no sense to build one on Turkey Farm Road, which is zoned as Rural/Agricultural (R/A). He feels a large solar farm, like a Wal-Mart Supercenter, is a commercial venture and should not be permitted anywhere in the township other than in a Commercial/Light Industrial (C/I) zone.

Adjournments

The meeting adjourned at 7:10 p.m.

The bills were reviewed by the Board of Supervisors.

Respectfully submitted,

Christine C. Kurelowech, Secretary-Treasurer