

Cherrytree Township Board of Supervisors
Regular Monthly Meeting
May 6, 2024, 5:30 p.m.

A regular monthly meeting of the Cherrytree Township Board of Supervisors was held on Monday, May 6, 2024, at 5:30 p.m., at the township building. In attendance were Jim Waugh, Rob Kellogg, and Shari Nelson, 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.

Administrative Action

Financial Update

Chrissie Kurelowech gave a brief financial update before the Supervisors opened and reviewed bids for salt brine and paving. She said that \$180,000.00 was carried over into the General Fund from 2023. There is currently about \$360,000.00 in Liquid Fuels and the township will receive \$45,000.00 in County Liquid Fuels Aid to put towards paving Old Route 8. The total of the township's General Fund carry-over, Liquid Fuels money, and County Liquid Fuels Aid is \$585,000.00. She estimates that \$116,598.00 will be needed to cover the grader payment, salt, gravel, and the Old Route 8 pipe replacement. This leaves about \$468,402.00 to spend on road materials/projects, but a large portion of that total is money that was carried over into the General Fund at the end of the year and the township has been consistently carrying over about \$150,000.00 for the past several years. Without knowing if the township will face equipment failures or other unforeseen expenses before the end of the year, she did not recommend spending the entire \$180,000.00, or even a large portion of the \$180,000.00, that was carried over into the General Fund from 2023.

Salt Brine – 150,000 Gallons – Review Bids and Vote

One bid was received for approximately 150,000 gallons of salt brine (not regulated by PA DEP, guaranteed to contain at least 25% chlorides) to be delivered and applied, as directed by the township, for the purpose of suppressing dust. Seneca Mineral Company bid \$0.47/gallon (\$70,500.00). On a motion made by Jim Waugh, seconded by Shari Nelson, and carried unanimously, the Supervisors voted to accept the only bid submitted, for approximately 150,000 gallons of salt brine (not regulated by PA DEP, guaranteed to contain at least 25% chlorides), from Seneca Mineral Company, for \$0.47/gallon (\$70,500.00).

Old Route 8/Black Road – Paving – Review Bids and Vote

Bidders had two options for the paving project on Old Route 8 and Black Road: Option A (Old Route 8 from Route 8 to the township line and Black Road from Route 8 to Old Route 8 – approximately 1.68 miles) and/or Option B (Old Route 8 from just south of Breedtown Road to the township line - approximately 1.00 mile). The township will receive \$45,000.00 in 2023-2024 County Liquid

Fuels Aid to be used towards paving the stretch of Old Route 8 that runs from Breedtown Road to the township line, so that stretch of road (Option B) will need to be paved during the summer of 2024. However, the Supervisors were also considering paving Old Route 8 in its entirety and Black Road from Route 8 to Old Route 8 (Option A), during the summer of 2024, depending upon the bids received. Bids were received from 6 companies: IA Construction Corporation, Glenn O. Hawbaker Inc., Shields Asphalt Paving Inc., Protech Asphalt Maintenance Inc., Cross Paving LLC, and Lindy Paving Inc. Chrissie Kurelowech said that each option included three items (Option A – 1A, 2A, 3A) (Option B – 1B, 2B, and 3B). The first item (1A, 1B) was the pavement itself, the second item (2A, 2B) was for berming with 2RC gravel, and the third item (3A, 3B) was for an asphalt prime coat to be sprayed on the berms after berming with 2RC gravel. She said that Troy Cyphert, PennDOT Municipal Services Representative, said that the township can eliminate items from the bids, if they wish, so if the Supervisors would rather have the road crew do the berming after the new pavement is put down, they can vote to only award Option A (Item 1A only) or Option B (Item 1B only). However, Troy Cyphert recommended berming with 2RC gravel and spraying with an asphalt prime coat to prevent the road from crumbling on the edges and to ensure that the contractor will stand behind the warranty on the pavement if a defect occurs. The bids were opened and read aloud. On a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously, the supervisors voted to accept the bid submitted by IA Construction Corporation, for Option A (Item 1A only) at an approximate cost of \$216,677.50. This includes paving the full 1.68 miles (Old Route 8 from Route 8 to the township line and Black Road from Route 8 to Old Route 8). Items 2A (berming with 2RC gravel) and 3A (asphalt prime coat sprayed on the berms after berming with 2RC gravel) were not awarded, so the road crew will do the berming after the pavement is put down. The full bid results are attached.

Seal Coat – Discuss – Possibly Vote to Seek Bids

On a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously, the Supervisors voted to seek bids to seal coat approximately 1.68 miles (Old Route 8 from Route 8 to the township line and Black Road from Route 8 to Old Route 8). Bids will be opened and reviewed at the regular monthly meeting scheduled for Monday, June 3, 2024. There are differing opinions on whether new pavement should be seal coated immediately or if it should be given a year to cure. Chrissie Kurelowech said that Troy Cyphert, PennDOT Municipal Services Representative, does not recommend seal coating new pavement until it has had time to cure and suggested that the township wait until next spring to seek bids. Lew Staub, Roadmaster, is concerned about salt damaging the new pavement before a seal coat is put down if the township waits until next spring. He said that he was recently told by a contractor that the new pavement does not need to cure. Furthermore, it was the township's practice many years ago to seal coat new pavement the same summer the new pavement was put down. The Supervisors will consider bids at the next regular monthly meeting.

Resolution #24-42 – Increase Auditor Compensation - Vote

Chrissie Kurelowech presented Resolution #24-42 (Increase Auditor Compensation) to the Supervisors for consideration. The General Assembly of Pennsylvania enacted Act 10 of 2024, which allows second class townships to raise the pay for elected/appointed auditors to a maximum of \$18.00/hour. Chrissie

Kurelowech explained that the auditor pay has been \$10.00/hour for many years and that the low pay makes it difficult to find people willing to serve as auditors. She said that the pay can be left at \$10.00/hour or increased up to \$18.00/hour. In recent years, the elected/appointed auditors have worked 8 – 12 hours a year. After a brief discussion, the Supervisors agreed to raise the auditor pay to \$15.00/hour. On a motion made by Shari Nelson, seconded by Rob Kellogg, and carried unanimously, the Supervisors adopted Resolution #24-42, which raises the auditor pay to \$15.00/hour. The increase in compensation will take effect for each auditor entering office after the effective date of the resolution, so the current auditors will not see a pay increase unless they begin new terms.

Cherrytree Township VFD–Fire Police–Memorial Day Parade–Vote to Approve

On a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously, the Supervisors voted to approve the request made by the American Legion Post 368 for the Cherrytree Township VFD to provide traffic control at the Memorial Day Parade that is scheduled for Monday, May 27, 2024.

Complaint – Junk Accumulation

A formal complaint regarding the condition of 1733 Buxton Road was presented to the Supervisors. On the complaint form, the complainant stated that the property contains “several unlicensed vehicles, a large boat, 2 tractors, and junk in the front of the house right next to the road”. On a motion made by Shari Nelson, seconded by Jim Waugh, and carried unanimously, the Supervisors voted to authorize Tim McGrath, Zoning Officer, to pursue enforcement in an effort to get the property cleaned. He will soon be in contact with the property owner.

Public Comment

Barb Zdarko asked the Supervisors for their thoughts on subdividing and transferring part of the property on the corner of Buxton Road and Cherrytree Road to the VFD to be used to construct a new building. She asked if any of the Supervisors had talked to citizens and, if so, how the citizens feel about it. She said she feels that most people do not know anything about it and asked if there are similar VFD/township situations in the area (VFD and township are located in a building that is owned by the township). She noted that, if the township does not help the VFD, the township will be forced to pay Titusville Fire Department to provide services, which would be expensive. Jim Waugh said that he suggested transferring the property because the VFD cannot get a grant for a new building unless it owns the property where the building will be constructed. Barb Zdarko asked if the property is suitable for a septic system and Jim Waugh said that he already looked into it and that it is. Shari Nelson said that she has talked to several people about transferring a parcel to the VFD and has not found any VFD/township in the area that has a similar situation. She also said that many people she has talked to do not believe the community can support a new building because they feel that people do not rent fire departments as often as they did in the past. Robert VanValkenberg noted that the VFD lost the gun shows that took place in the past because the building is too small. Barb Zdarko asked if the VFD has any new members and Jim Waugh said there are some new young people, but they all work. Ron Stewart noted that Grand Valley VFD is struggling and could close in the near future. Someone named two VFDs in Crawford County that have recently closed and Don Deliman named a VFD in Venango County that has recently closed. Jim Waugh noted that most VFDs own their own buildings and pay their own bills and that Cherrytree Township VFD is fortunate to have the township provide a building and pay for a portion of the expenses. Shari Nelson

said, if the VFD builds a newer, bigger building, it may lose the financial support of the township. Barb Zdarko asked if the VFD needs a new building because of the trucks and Jim Waugh said that the VFD will need to build a new building or put an addition on the existing building to accommodate larger trucks. She also asked what the VFD will do if the land is transferred from the township and Jim Waugh said that the land will remain unchanged if the VFD cannot get a grant for a new building. He noted that a congressman is trying to push legislation through that would replace any VFD building that is more than 40 years old. He also said that the VFD's move into a new building could be done in steps and, when asked by Ron Stewart what the first step would be, he said that the first step would be to start renting out the building. Ron Stewart noted that only a handful of VFD members do all of the work and Robert VanValkenberg said that most people who live in the township do not belong to the VFD. Jeff Nelson said that, in the minutes from the regular monthly meeting held on Monday, April 1, 2024, it says that Tim McGrath said the VFD would not expect the township to continue to financially support the VFD if a new building were to be constructed, but in the minutes from the regular monthly meeting held on Monday, November 7, 2022, it says that Jim Waugh said that it would be nice if the township continued to financially support the VFD if a new building were to be constructed. Jeff Nelson also noted that Tim McGrath said, at the regular monthly meeting held on April 1, 2024, that maintenance of a new building should not matter to the Supervisors, yet last year there were weeds that were 3 ½ feet tall and garbage near the sheds. He said that the property looked terrible and that it certainly matters to the public and to the neighbors. Jeff Nelson also said that, during earlier meetings of the Board of Supervisors, he asked that the VFD provide a plan before the Supervisors vote to transfer the property, and he thought Don Deliman had one, but when he asked Tom Huffman, VFD Fire Chief, Tom Huffman said that he was not worrying about it until after the election. Jeff Nelson told those in attendance that he has made phone calls and measured and that there are setback issues, stormwater issues, and wetland issues with the parcel of land that the Supervisors are considering transferring to the VFD and that he feels that the VFD needs to get its "ducks in a row" and present a plan before the Supervisors vote. He said there are many questions that need answered and suggested that there is something "fishy" going on. Heather VanValkenberg responded by noting that the VFD is a volunteer organization. Robert VanValkenberg questioned the amount of money that the VFD should spend on a plan, etc., before owning the property. Jeff Nelson said that a new building cannot be constructed within 80 feet of "top of bank" and that the VFD should know this. He asked Jim Waugh if he would agree that a better plan could be presented to the community before the Supervisors vote and Jim Waugh said that there is a plan. A brief argument between Jim Waugh and Jeff Nelson took place. Jeff Nelson asked Jim Waugh to pass the message along to the VFD that the community would like to see a plan. Ron Stewart said that everything Jeff Nelson asked of the VFD is probably what the other Supervisors, Rob Kellogg and Shari Nelson, would like to see as well. Shari Nelson noted that she asked for a plan at the last regular monthly meeting (April 1, 2024) and her request was disregarded. Steve Anderson asked where the township would have room to expand if the VFD builds a new building in stages and uses the new building as a social hall while still storing equipment in the old building. Don Deliman responded by saying that the township would still have over 2 acres. Jim Waugh said that he is not sure the VFD should build a new building because other VFDs are closing everywhere and the economy is bad. Don Deliman said he would bring a plan to the next regular monthly meeting (Monday, June 3, 2024).

Minutes/Treasurer's Report

The minutes, from the regular monthly meeting held on Monday, April 1, 2024, were read, accepted, and approved, on a motion made by Shari Nelson, seconded by Jim Waugh, and carried unanimously.

The treasurer's report, for April 2024, was read, accepted, and approved, on a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously.

Correspondence

Venango County—2024 Household Hazardous and Electronic Waste Collection
Household hazardous and electronic waste will be collected at the Venango County Recycling Center (134 Hangar Drive, Franklin, PA 16323) from 9:00 a.m. until 1:00 p.m. on June 1, 2024, August 3, 2024, and November 2, 2024. To participate, contact Noble Environmental at www.nobleenviro.com or (412) 567-6566 to register. For more information, visit www.cherrytreetwp.com.

Venango County Department of Public Safety—Emergency Management Handbook
The Pennsylvania Emergency Management Agency (PEMA) has updated its Emergency Management Handbook for Elected Officials. The Venango County Department of Public Safety sent a copy to the township and it is also posted on PEMA's website.

PSATS News Bulletin

Zoning

Permits

Z-2024-06 Bret and Jennifer 226 Dutch Hill Road 30' by 32' detached garage
Guntrum

Z-2024-07 Brent Mader 1717 Buxton Road 28' by 44' addition to existing home

Zoning Report

Tim McGrath, Zoning Officer, reported that there were 2 permits issued during the month.

He told those in attendance that he and Chrissie Kurelowech attended a Zoom meeting on April 15, 2024, with Josh Lippert, FEMA Community Assistance Contact, and Alex Shreffler, of the Venango County Regional Planning Commission, regarding floodplain compliance. Participation in the National Flood Insurance Program (NFIP) is voluntary, except in the state of Pennsylvania, where participation is mandatory. During the meeting, discussion was held on the permitting process and enforcement. Three properties were found to be in violation. One property has an unsecured propane tank, one has an unsecured propane tank and travel trailer, and one is in the process of a renovation. Tim McGrath noted that, if substantial renovations take place in the floodplain, the property owner could be required to bring the entire property into compliance, which would most likely be very costly. Discussion was held regarding the challenges that the township faces due to this mandate. Chrissie Kurelowech will attend a FEMA Community Assistance Visit for Community Officials, hosted by the Venango County Planning Commission and Josh Lippert, FEMA Community Assistance Contact, on May 13, 2024, in an effort to gain more information on floodplain compliance.

Tim McGrath also reported that the Cherrytree Township Planning Commission has held several meetings recently (from 6:00 p.m. – 8:00 p.m. on Tuesday evenings) to go through the zoning ordinance in an effort to close loopholes and make it more residential friendly. For example, one of the ideas being proposed is to allow any resident to erect a fence right next to the property line without obtaining a permit. The ordinance would, however, contain regulations for fences being erected on commercial properties. The people who are going through the ordinance would like to give the residents as much freedom as possible.

Tim McGrath said that he is still working to resolve issues with junk at 1722 Breedtown Road and 681 Stone Springhouse Road (intersection of Fairview Road and Stone Springhouse Road). Jeff Nelson noted that there is a small lot on Turkey Farm Road, just off of Route 8, that is filling up with junk. Steve Anderson said someone is living in a shed on the property, has no septic system, and has erected a mailbox. Tim McGrath said that he would take care of it.

Committee Reports

VFD

Don Deliman, VFD Trustee, reported that there were 12 calls since the last meeting. Of the 12 calls, 2 were structure fires, 2 were fire calls to assist (Crawford County), 1 was dispatched and canceled, 1 was a gas leak, 1 was an MVA with injuries, and 5 were public service.

The annual gun raffle will be held on Saturday, June 22, 2024. The doors will open at 3:30 p.m., food will be available at 4:00 p.m., and the gun raffle will begin at 4:30 p.m. Almost every VFD member has tickets to sell and tickets are also available in the township office.

Don Deliman also reported that the VFD will be monitoring Clean-Up Weekend (Saturday, June 1, 2024 and Sunday, June 2, 2024), as in recent years.

The VFD should soon be receiving the truck it is purchasing from Bradford Township. A grant/loan through the United States Department of Agriculture (USDA) was obtained by the VFD to purchase the used truck.

Don Deliman noted that the letters on the sign in front of the VFD/township building are in terrible condition and need replaced. The VFD will discuss purchasing new letters at its next meeting.

EMA Office

Tim McGrath, Emergency Management Coordinator, reported that he attended a Venango County EMA meeting, on April 24, 2024, where he learned that the Venango County EMA will have a role in determining costs related to floodplain permitting and enforcement. He also was told that the requirements to serve as a local Emergency Management Coordinator have changed and there is now significantly more training that will be required. This is concerning, especially because the Emergency Management Coordinator is a volunteer position at many municipalities.

Road

Lew Staub, Roadmaster, reported that, during the past month, the road crew spent 4 days sweeping the blacktops, cut up 5 trees and pushed them off of the roads, spent 2 days filling holes on 3 roads, spent 5 days grading roads, and spent 1 day cleaning-up a landslide with a backhoe. They mowed the yard twice, fixed a STOP sign, met with 4 paving companies (paving project on Old Route 8 and Black

Road), and spent 15 days ditching 7 roads (8 ½ miles). McGregor Excavating replaced a pipe on Old Route 8.

As for equipment, the spreaders were taken off of the 2009 International and the 2002 International.

Old Business

There was no “Old Business”.

New Business

Change Meeting Time

On a motion made by Jim Waugh, seconded by Shari Nelson, and carried unanimously, the Supervisors voted to change the meeting time for future regular monthly meetings of the Board of Supervisors to 6:00 p.m. on the first Monday of each month. If the first Monday is a holiday, the meeting will be held the next evening, on Tuesday.

The meeting adjourned at 6:40 p.m.

The bills were reviewed by the Board of Supervisors.

Respectfully submitted,

Christine C. Kurelowech, Secretary-Treasurer