

Cherrytree Township Board of Supervisors
Regular Monthly Meeting/Annual Reorganization Meeting
January 2, 2024, 5:30 p.m.

A regular monthly meeting/annual reorganization meeting of the Cherrytree Township Board of Supervisors was held on Tuesday, January 2, 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.

Annual Reorganization

- Descriptions of the resolutions listed below are attached.

Temporary Secretary (motion to appoint)

On a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously, the Supervisors voted to appoint Christine Kurelowech as Temporary Secretary.

Temporary Chairman (motion to appoint)

On a motion made by Rob Kellogg and seconded by Shari Nelson, the Supervisors voted to appoint Jim Waugh as Temporary Chairman of the Board. Jim Waugh abstained.

Resolution #24-01

On a motion made by Rob Kellogg and seconded by Shari Nelson, the Supervisors voted to adopt Resolution #24-01 (Appoint Jim Waugh as Chairman of the Board for 2024). Jim Waugh abstained.

Resolution #24-02

On a motion made by Jim Waugh and seconded by Rob Kellogg, the Supervisors voted to adopt Resolution #24-02 (Appoint Shari Nelson as Co-Chairman of the Board for 2024). Shari Nelson abstained.

Resolution #24-03

On a motion made by Shari Nelson, seconded by Jim Waugh, and carried unanimously, the Supervisors voted to adopt Resolution #24-03 (Appoint Christine Kurelowech as Secretary-Treasurer for 2024).

Resolution #24-04

On a motion made by Rob Kellogg, seconded by Jim Waugh, and carried unanimously, the Supervisors voted to adopt Resolution #24-04 (Appoint Lewis Staub as Roadmaster for 2024).

Resolution #24-05

On a motion made by Shari Nelson and seconded by Jim Waugh, the Supervisors voted to adopt Resolution #24-05 (Adopt the Cherrytree Township 2024 Wage & Salary Schedule). Rob Kellogg abstained.

Resolution #24-06 through Resolution #24-39

On a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously, the Supervisors voted to adopt Resolution #24-06 through Resolution #24-39.

Public Comment

Dave Zdarko thanked Chrissie Kurelowech for helping him during his years as a Supervisor and apologized for forgetting to thank her during his last meeting as Supervisor (December 4, 2023) when he gave his outgoing remarks.

Roger Patterson told the Supervisors that the condition of Cherrytree-Plum Line Road is terrible, with potholes from one end to the other. He also said that he opposes putting salt brine on the roads for dust suppressant because it makes the roads sloppy. Lew Staub, Roadmaster, said that both townships (Cherrytree and Plum) share the maintenance responsibilities for the road and Cherrytree grades it in the spring and Plum is supposed to grade it in the fall. Shari Nelson said that something needs to be done and noted the regular monthly meeting time of the Plum Township Board of Supervisors.

Doug Nelson questioned a vote that took place during the regular monthly meeting held on Monday, December 4, 2023, where Jim Waugh voted to approve an agreement between Cherrytree Township and the Cherrytree Township VFD, when he is both a Township Supervisor and a member of the VFD. Doug Nelson said that Jim Waugh said that he had letters from the Pennsylvania Association of Township Supervisors (PSATS) and the Pennsylvania State Ethics Commission stating that, as a Township Supervisor, he can vote on matters regarding the VFD, even though he is a member of the VFD. Doug Nelson asked Jim Waugh for copies of the letters. Jim Waugh said he spoke on the telephone with the PSATS legal department and received a letter from the Pennsylvania State Ethics Commission regarding whether he can vote on matters related to the VFD. Both opinions were that, as long as the vote does not affect his personal finances, he is allowed to vote as a Township Supervisor on matters affecting the VFD, even though he is a member of the VFD. Jim Waugh said that he had a letter he received from the Pennsylvania State Ethics Commission in his truck and would provide a copy.

Sue McDowell asked the Supervisors if Cherrytree Township could participate in the library card program at Benson Memorial Library. She said that other municipalities pay the library annually so their residents can have free access to the library throughout the year. A library card costs \$15.00 for people who are not covered by their municipalities. If the township decided to pay the library for free access for all of the residents, it would have to pay \$5.00 per resident, which would amount to \$6,540.00 per year. Chrissie Kurelowech noted that it would most likely be less expensive for the township if the residents bought their own library cards at \$15.00 per card and the township reimbursed the residents who wanted the cards. This is because most residents probably would not use the library, yet the township would have to pay \$5.00 per year for each resident. Shari Nelson noted that other residents would like the township to participate in the program. Chrissie Kurelowech will contact Benson Memorial Library to get more information on the program.

Ron Stewart expressed frustration with the length of time it is taking for zoning enforcement to yield results. Jim Waugh noted that the zoning enforcement is a lengthy process involving registered letters, court appearances, and fines. Jeff Nelson asked who

determines the fine amounts and Tim McGrath said that the fines are regulated by the Pennsylvania Municipalities Planning Code. It would be nice to be able to increase the fines. However, if a property owner refuses to appear in court, the fine can increase daily.

Minutes/Treasurer's Report

The minutes, from the regular monthly meeting held on Monday, December 4, 2023, were read, accepted, and approved, on a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously.

The treasurer's report, for December 2023, was read, accepted, and approved, on a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously.

Correspondence

Venango County Tax Claim Bureau – Petition for Judicial Sale

There are 2 properties in the township that are slated to be sold by the Venango County Tax Claim Bureau at the judicial sale scheduled for March 21, 2024. One property is located on Trout Run Road (parcel #03,012.-007.-000) and the other is located on Fleming Alley (parcel #03,010.-001.-000).

Northwest Commission – 2050 Long-Range Transportation Plan

Chrissie Kurelowech reported that the township recently received a link to the Northwest Commission's 2050 Long-Range Transportation Plan, which is open for public comment until January 16, 2024. She told those in attendance that the plan includes a lot of interesting demographic information and that she could forward the link to anyone who is interested in taking a look at it.

PSATS – 2024 Dues

Chrissie Kurelowech reported that the Pennsylvania State Association of Township Supervisors (PSATS) dues for 2024 are \$745.00, which is \$16.00 higher than the dues for 2023. This amount includes the add-on services that the township usually purchases (CDL program and Webinar PowerPASS).

PSATS News Bulletin

Zoning

Permits

None

Zoning Report

Tim McGrath, Zoning Officer, reported that a hearing before the Zoning Hearing Board took place on December 6, 2023 to consider granting a variance to Shane Goodman to construct a billboard approximately 500 sq. ft. in size at 2778 State Route 8. The Zoning Hearing Board denied the request for a variance. Tim McGrath said that Shane Goodman would like to meet with him to review the approved plan (special exception granted on October 4, 2023). Ron Stewart, a member of the Zoning Hearing Board, noted that the billboard must be 50 ft. off the road to satisfy the requirements of the zoning ordinance.

Tim McGrath reported that he recently sent out several enforcement letters and, as a result, Glen and Shannon Nikolaison have been issued a permit for a new shed. Jackson Humanic was sent an enforcement letter for a new garage, but it was discovered that he did obtain a zoning permit and a building permit in 2020 for the

structure, so enforcement has been dropped on his property. The owners of the Bliznesky property at 1220 South Perry Street have not responded. The owner of 1722 Breedtown Road (former Trojak property) has been in contact with Tim McGrath and has made arrangements to have the property cleaned.

Administrative Action

Change Signature Cards on Bank Accounts

Since Shari Nelson replaced Dave Zdarko on the Board of Supervisors, the signature cards for the township's accounts at Farmer's National Bank (General Fund and Titusville Solar Escrow) and PNC Bank (Liquid Fuels) must be updated to include all current Supervisors and the Secretary-Treasurer.

On a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously, the Supervisors voted to change the signature cards on the township's three accounts at Farmer's National Bank to remove David J. Zdarko (Supervisor) and to include James S. Waugh (Supervisor), Robert J. Kellogg (Supervisor), Shari L. Nelson (Supervisor), and Christine C. Kurelowech (Secretary-Treasurer). General Fund accounts included are XX0113 (checking) and XXXXX0237 (savings). One escrow account included is XXXXXX9666 (Titusville Solar). The changes should take place immediately.

On a motion made by Shari Nelson, seconded by Rob Kellogg, and carried unanimously, the Supervisors voted to change the signature cards on the township's two accounts at PNC Bank to remove David J. Zdarko (Supervisor) and to include James S. Waugh (Supervisor), Robert J. Kellogg (Supervisor), Shari L. Nelson (Supervisor), and Christine C. Kurelowech (Secretary-Treasurer). These Liquid Fuels accounts are XXXXXX5512 (checking) and XXXXXX3398 (savings). The changes should take place immediately.

Resolution #24-40 – Destroy Specified Municipal Records – Vote to Adopt

On a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously, the Supervisors voted to adopt Resolution #24-40. 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 Manual. The resolution contains a list of the types of records and the years that will be destroyed.

Committee Reports

VFD

Tom Huffman, VFD Fire Chief, reported that there were 5 calls since the last meeting. All 5 calls were in Venango County. Of the 5 calls, 1 was EMS, 1 was public service (tree), 2 were unintentional alarm system activations, and 1 was a structure fire.

There were 172 calls during 2023 and approximately 935 man hours were spent by VFD members responding to incidents during 2023.

The VFD will be selling raffle tickets for a Dewalt tool set and a \$250 cash prize.

EMA Office

Tim McGrath, Emergency Management Coordinator, asked the Supervisors if the township would consider purchasing a satellite phone that could be used to communicate in the event of a "black swan event" if no other forms of communication are available. The phone would cost the township approximately \$69.00/month to \$89.00/month and a 13-month commitment would be required.

The fee would give the township 50 minutes/month to 60 minutes/month and the unused minutes would carry over from month to month. Sue McDowell asked Tim McGrath if other fire departments and hospitals plan to get the phones to be able to communicate. He said that he would bring it up at the next EMA meeting to see if other communities are purchasing the phones. Jim Waugh said that he thinks it is worth looking into and Shari Nelson agreed.

Road

Lew Staub, Roadmaster, reported that, during the past month, the road crew spent 8 days blowing leaves off of roads, spent 6 days cleaning pipes, spent 7 days pushing trees off of roads, and took apart an old sign post. They spent 1 day scraping bad spots, put antiskid down twice, and plowed and put antiskid down once. The road crew also checked the roads once, cold patched an intersection, spent 3 days mowing brush, and spent 1 day hauling cement chunks to fill a deep ditch. They also put 2 outside lights on sheds and replaced an air compressor switch.

As for equipment, work was performed on the lights and on a hydraulic leak on the 2014 Dodge. Three days were spent working on the lights and the roof on the 2019 JCB backhoe. The blower was taken off of the 2017 Massey Ferguson tractor, the mower was put on, and a blower tire was fixed.

Old Business

There was no "Old Business".

New Business

2024 Clean-Up Weekend

Chrissie Kurelowech said that Tri-County Industries has raised the disposal fee from \$55.00/ton in 2023 to \$80.00/ton in 2024. All other charges (fuel surcharge, drop-off, etc.) will remain the same. Based on the total tons for 2023 (19.56), the increase amounts to an overall increase of about \$489.00. Last year the total cost of Clean-Up Weekend was \$4,075.80 and, based on the same tonnage, it will cost \$4,564.80 in 2024. On a motion made by Shari Nelson, seconded by Jim Waugh, and carried unanimously, the Supervisors voted to schedule Clean-Up Weekend for Saturday, June 1, 2024 and Sunday, June 2, 2024 and to hire Tri-County Industries to provide and remove the dumpsters. Harley Richards will be asked to handle metal scrap collection, as usual. The dumpsters will be delivered on Friday, May 31, 2024 and will be removed on Monday, June 3, 2024. The VFD will monitor the event during the day and access to the dumpsters will be blocked at night.

Sewage Complaints/Enforcement

Chrissie Kurelowech told the Supervisors that Todd Fantaskey, Sewage Enforcement Officer, recently requested a letter from the township stating that he has permission to pursue complaint investigations. Complaints have been recently received on 4 properties in the township: 1032 Trout Run Road (malfunctioning sewage), 1035 Trout Run Road (new trailer placed on property – no permits), 1246 Trout Run Road (malfunctioning sewage), 4145 State Route 8 (septic system repair/replacement with no permit). A lengthy discussion took place regarding the reason behind Todd Fantaskey requesting a letter and the sources of the complaints. Jeff Nelson said that he was the person who complained to Todd Fantaskey about 4145 State Route 8 and accused Jim Waugh of helping the owner of 4145 State

Route 8 replace his septic system and telling people at a VFD event that he did it. Jim Waugh said that the owner of 4145 State Route 8 never dug up his septic system. The Supervisors were in agreement to have Chrissie Kurelowech send a letter to Todd Fantaskey stating that he has permission to pursue complaint investigations.

USDA – New VFD Truck – Request for Letter Showing Community Support

Chrissie Kurelowech told the Supervisors that she recently received a request from the United States Department of Agriculture (USDA) for a letter showing community support for the VFD purchasing a pre-owned truck. The VFD is in the process of obtaining funding through USDA to purchase a pre-owned truck from Bradford Township to replace the current engine (2-21 – 2001 GMC 8500). According to Tom Huffman, VFD Fire Chief, the VFD plans to take out a 15-year loan through USDA, put \$15,000.00 down, use \$20,000.00 in USDA grant funding, and use a state grant each year to make a truck payment of approximately \$900.00/month. Shari Nelson asked if there is a list of requirements from USDA that the VFD must fulfill before being approved for the loan and noted that most people in the community do not know that the VFD is purchasing a truck. Jim Waugh said that he feels the USDA is requesting the letter to make sure the township approves of the VFD taking on debt and that the township and VFD are supposed to work together. A lengthy discussion took place regarding the wording of the letter. The Supervisors agreed that the letter should highlight the community support for the VFD's fundraising efforts throughout the year and say that, because of the support of fundraising efforts, the Supervisors feel there is community support for the purchase of the truck. Chrissie Kurelowech will draft a letter and have the Supervisors review it before sending it to USDA.

The meeting adjourned at 6:55 p.m.

The bills were reviewed by the Board of Supervisors.

Respectfully submitted,

Christine C. Kurelowech, Secretary-Treasurer

The following resolutions were introduced and voted upon, on Tuesday, January 2, 2024, at the regular monthly meeting/annual reorganization meeting of the Cherrytree Township, Venango County, Board of Supervisors, as required by the Second Class Township Code.

- #24-01 Appoint Jim Waugh as Chairman of the Board for 2024.
- #24-02 Appoint Shari Nelson as Co-Chairman of the Board for 2024.
- #24-03 Appoint Christine Kurelowech as Secretary-Treasurer for 2024.
- #24-04 Appoint Lewis Staub as Roadmaster for 2024.
- #24-05 Adopt the Cherrytree Township 2024 Wage & Salary Schedule.
- #24-06 Adopt the Cherrytree Township 2024 Fee Schedule.
- #24-07 Appoint Todd Fantaskey as the Sewage Enforcement Officer for 2024.
- #24-08 Appoint Collin Fantaskey as the Alternate Sewage Enforcement Officer for 2024.
- #24-09 Appoint Donald Deliman to the Vacancy Board for 2024.
- #24-10 Appoint Karen McGrath, Melody Staub, and Austin Armstrong to the Cherrytree Township Planning Commission for 2024.
- #24-11 Appoint Thomas Wilks (3-year term) and Ronald Stewart (3-year term – alternate) to the Cherrytree Township Zoning Hearing Board for 2024.
- #24-12 Appoint Attorney Alan Shaddinger as Cherrytree Township Solicitor for 2024.
- #24-13 Appoint Tim McGrath as Emergency Management Coordinator for 2024.
- #24-14 Designate the first Monday of each month, at 5:30 p.m., as the regular monthly meeting of the Board of Supervisors. If that day is a legal holiday, the meeting will be held on the following evening. All schedule changes will be advertised in the classified section of The Derrick. All township meetings will be held in the manner described in Resolution 615, dated August 23, 1993.
- #24-15 Maintain the 1% wage tax currently in effect and retain the 4 mill property tax rate currently in effect.
- #24-16 Allow the Secretary-Treasurer to pay any bills prior to approval by the Board of Supervisors.
- #24-17 Name Farmers National Bank and PNC Bank as depositories for all township funds.

- #24-18 Set the Treasurer's bond at \$500,000.00 per year.
- #24-19 Send Jim Waugh, Robert Kellogg, and Shari Nelson to the annual PSATS State Conference in Hershey, PA and name Shari Nelson as the voting delegate.
- #24-20 Continue to do driveway installations and bill for the service as specified in the Cherrytree Township 2024 Fee Schedule.
- #24-21 Require all applicants for road permits to pay the township fees as specified in the Cherrytree Township 2024 Fee Schedule. Fees will be held by the township for any and all road repairs that are needed as a direct result of the applicant's operations. An exception to this procedure may be made at the discretion of the Roadmaster or the Board of Supervisors when it is determined that the applicant will conduct any operation that involves excessive long-term projects, heavy truck, drilling, or construction projects that may result in significant damage above and beyond the routine hauling damage amounts.
- #24-22 Continue participation in the Pennsylvania Municipal Retirement System for eligible employees. The Secretary-Treasurer will act as Chief Administrative Officer for the plan.
- #24-23 Retain Mark J. Corey & Associates as Cherrytree Township Engineers for 2024.
- #24-24 Appoint Robert Kellogg as the township's representative to the Oil Creek Area COG.
- #24-25 Name the Titusville Appeals Board as appeal agents for enforcement of the Universal Construction Codes.
- #24-26 Appoint Robert Kellogg as the township's representative to the Venango County Planning Commission.
- #24-27 Use the federal maximum mileage reimbursement rate to compensate employees for their use of personal vehicles while conducting township business.
- #24-28 Allow any Supervisor to act as a voting representative for any appointed position (outside the township) in the event that the designated appointee is unable to attend a meeting.
- #24-29 Declare English the official language for all township business.
- #24-30 Appoint Tim McGrath as Cherrytree Township Zoning Officer for 2024.
- #24-31 Appoint Tim McGrath as Cherrytree Township Floodplain Administrator for 2024.

- #24-32 Appoint Tim McGrath as Cherrytree Township Stormwater Enforcement Officer for 2024.
- #24-33 Retain Construction Code Inspectors, Inc. as Cherrytree Township Building Code Inspectors for 2024.
- #24-34 Appoint Jim Waugh as Cherrytree Township's delegate to the Crawford County Tax Collection Committee.
- #24-35 Appoint Robert Kellogg as Cherrytree Township's alternate delegate to the Crawford County Tax Collection Committee.
- #24-36 Appoint Shari Nelson as Cherrytree Township's second alternate delegate to the Crawford County Tax Collection Committee.
- #24-37 Adopt the Cherrytree Township 2024 Stormwater Management Ordinance Fee Schedule.
- #24-38 Allow the Board of Supervisors to occasionally work for Cherrytree Township, at a rate of \$12.00 per hour, which will be confirmed by the township auditors.
- #24-39 Appoint Attorney Richard Winkler to represent the Cherrytree Township Zoning Hearing Board, at a rate of \$130.00/hour, for 2024.