

Cherrytree Township Board of Supervisors
Regular Monthly Meeting/Annual Reorganization Meeting
January 3, 2023, 6:00 p.m.

A regular monthly meeting/annual reorganization meeting of the Cherrytree Township Board of Supervisors was held on Tuesday, January 3, 2023 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.

Annual Reorganization

- Descriptions of the resolutions listed below are attached.

Temporary Secretary (motion to appoint)

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

Temporary Chairman (motion to appoint)

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

Resolution #23-01

On a motion made by Rob Kellogg and seconded by Dave Zdarko, the Supervisors voted to adopt Resolution #23-01 (Appoint Jim Waugh as Chairman of the Board for 2023). Jim Waugh abstained.

Resolution #23-02

On a motion made by Jim Waugh and seconded by Rob Kellogg, the Supervisors voted to adopt Resolution #23-02 (Appoint Dave Zdarko as Co-Chairman of the Board for 2023). Dave Zdarko abstained.

Resolution #23-03

On a motion made by Rob Kellogg, seconded by Jim Waugh, and carried unanimously, the Supervisors voted to adopt Resolution #23-03 (Appoint Christine Kurelowech as Secretary-Treasurer for 2023).

Resolution #23-04 through Resolution #23-39

On a motion made by Rob Kellogg, seconded by Jim Waugh, and carried unanimously, the Supervisors voted to adopt Resolution #23-04 through Resolution #23-39.

Public Comment

Ron Stewart questioned how the members of the Zoning Hearing Board and the Planning Commission are selected. Chrissie Kurelowech said that the people appointed to the Planning Commission for 2023 were the same people who served in 2022. Tracy Zdarko was the only appointment to the Zoning Hearing Board because she was the only member who was appointed to a 1-year term in 2022. Until 2022, the township had always appointed people to the Zoning Hearing Board each year (appointed the entire Zoning Hearing Board), as opposed to appointing people to serve terms that expire at different times. According to the Pennsylvania Municipalities Planning Code (PA MPC), the terms should be 3-year terms and should be staggered. In 2022, Jeff Nelson was appointed to a 3-year term, Thomas Wilks was appointed to a 2-year term, Tracy Zdarko was appointed to a 1-year term, Charles Sampson was appointed to a 3-year term as an alternate, and Ron Stewart was appointed to a 2-year term as an alternate. So, at the beginning of 2024, the township will need to fill 2 vacancies on the Zoning Hearing Board, the position currently held by Thomas Wilks and the position currently held by Ron Stewart (alternate).

Ron Stewart also questioned the qualifications necessary to hold the position of Zoning Officer. Tim McGrath, Zoning Officer, said that construction experience and knowledge of zoning are important to be successful in the position. Jim Waugh noted that, when Ben Breniman resigned from the position, Chrissie Kurelowech contacted several municipalities in Venango County and Crawford County to obtain names of people who perform zoning administration and enforcement in the area. She asked several people if they would have any interest in serving as the Zoning Officer in Cherrytree Township and there was no interest.

Minutes/Treasurer's Report

The minutes, from the regular monthly meeting held on Monday, December 5, 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 December 2022, was read, accepted, and approved, on a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously.

Correspondence

PA Department of the Auditor General – Municipal Pension Distress Score

The PA Department of the Auditor General has notified the township that the score of the 2022 distress determination for the township's pension plan is zero. According to the letter, "to obtain a distress score of zero, the funded ratio of all your municipality's pension plans combined must be 90 percent or greater". Cherrytree Township's funded ratio is 100 percent.

PSATS – 2023 Dues

Chrissie Kurelowech asked the Supervisors if they wished to continue the township's membership in PSATS (Pennsylvania State Association of Township Supervisors) for 2023 and, if so, if they wished to continue to receive the same services in 2023. The annual invoice always includes several add-on services that the township usually declines, reducing the cost. The Supervisors were in agreement to continue membership in PSATS and to continue to receive the same services as were received in 2022.

PSATS – Public Officials Day at the PA Farm Show

PSATS is encouraging all Supervisors and Secretaries to attend Public Officials Day at the PA Farm Show on January 11, 2023 and to attend a special brunch on the same day.

Venango County Association of Township Officials – 2023 Dues

Chrissie Kurelowech asked the Supervisors if they wished to continue the township's membership in the Venango County Association of Township Officials for 2023 and they were in favor of doing so. On a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously, the Supervisors voted to continue membership in the Venango County Association of Township Officials for 2023.

Zoning

Permits

None

Zoning Report

Tim McGrath, Zoning Officer, reported that he still has not been able to make contact with the owners of 1220 South Perry Street (Bliznesky), regarding junk accumulation, but will continue to try.

He recently visited with a neighbor of 1721 Dempseytown-Gresham Road to obtain more information on an issue with a travel trailer and a malfunctioning septic system. He needs to find out exactly where Todd Fantaskey, Sewage Enforcement Officer, is at this point in the enforcement process.

As for the proposed solar farm on Route 8, Cypress Creek Renewables sent a letter with a check for \$10,000.00 to the township on December 5, 2022. It was received on December 12, 2022 and the check was deposited on December 13, 2022. The original permit for the solar farm expired and, according to the zoning ordinance, the applicant must pay the application fee again to extend the permit for another 180 days. Tim McGrath said a letter was sent to Cypress Creek Renewables to let them know that the township has received the second application fee and that the application is currently being reviewed. The township will respond this week. According to the zoning ordinance, the original permit must be pulled when it expires, but the applicant can extend time by paying another application fee. Dave Zdarko asked Tim McGrath how many times an applicant can get a time extension by paying an additional application fee and Tim McGrath said that there is no limit.

Tim McGrath told the Supervisors that he plans to submit an annual report to them in February.

Administrative Action

Resolution #23-40 – 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 #23-40. 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 17 calls since the last meeting. Of the 17 calls, 3 were in Crawford County and 14 were in Venango County. All of the calls in Crawford County were building fires. Of the calls in Venango County, 1 was a building fire, 5 were EMS, 1 was an MVA with injuries, 2 were MVAs with no injuries, 1 was a search for a person on land, 1 was public

service, 1 was dispatched and canceled, 1 was a sprinkler activation due to malfunction, and 1 was a smoke detector activation due to malfunction.

There were 205 calls during 2022 and 896 man hours were spent responding to incidents.

Tom Huffman told those in attendance that an EMT (Emergency Medical Technician) training course will begin on January 29, 2023 at Venango Technology Center.

EMA Office

Tim McGrath, Emergency Management Coordinator, reported that Tim Dunkle is no longer the Venango County Public Safety Director, but that Mark Seigworth is temporarily in the position. The vacancy left by Tim Dunkle will be filled soon.

Road

Lew Staub, Roadmaster, reported that, during the past month, the road crew spent 8 days blowing leaves off of roads, spent 4 days cleaning pipes, fixed an intersection, cut trees twice, and washed out the trucks twice. They checked roads once, plowed and put antiskid down 5 times and put antiskid down (without plowing) 10 times.

As for equipment, 4 hydraulic lines were changed on the grader and a hose was replaced on the 2009 International. The 2009 International had to be towed back to the garage where a bad ground was discovered. On the 2014 Dodge, the front right wheel bearing was replaced, as well as 2 brake calipers and brake pads, and the plow was fixed. Additionally, the parking brake on the 2014 Dodge is in the process of being replaced. The spreader bearing was replaced on the 2002 International. A battery terminal, the alternator, and tie rod ends were replaced on the 2007 JCB backhoe.

Old Business

There was no “Old Business”.

New Business

Jury Duty

Chrissie Kurelowech told those in attendance that the township office would be closed on Monday, January 9, 2023 due to jury duty.

Liquid Fuels Audit Report – 2018 Through 2021

The township’s Liquid Fuels Tax Fund, for the years of 2018, 2019, 2020, and 2021, was recently audited by the PA Department of the Auditor General and there were no audit findings. A detailed report has been filed in the township office and is also available online at www.PaAuditor.gov.

STV Inc. – Bridge Inspection Report – Barker Bridge

The township has received a report from STV Incorporated regarding an inspection of Barker Bridge that took place on October 21, 2022. On a scale of 0 to 5, with 0 being the most critical and 5 being the least critical, there was one recommendation marked 3 (“add to scheduled work”), which was to update approach guiderail. There were also several recommendations marked 4 (“add to programmed work”) including repair delaminated area in cheek wall, repave both approaches, repair spalling, and remove downed tree.

Township Building/VFD - Paint

Chrissie Kurelowech told the Supervisors that Stacey Armstrong, a VFD member, recently asked if the township would be willing to split the cost of painting the hallway in the township building because it has not been painted in many years and is in need. The Supervisors agreed that the township would be willing to pay for half of the cost of the paint and supplies needed for the project.

Executive Session

Executive Session – Legal Issue

The Supervisors, the Zoning Officer, and the Secretary-Treasurer went into an executive session at 6:29 p.m. and returned at 6:55 p.m. Upon returning from the executive session, Jim Waugh told those in attendance that the executive session was held to discuss a legal issue, specifically correspondence recently received from Alan Shaddinger, Solicitor.

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 3, 2023, 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.

- #23-01 Appoint Jim Waugh as Chairman of the Board for 2023.
- #23-02 Appoint David Zdarko as Co-Chairman of the Board for 2023.
- #23-03 Appoint Christine Kurelowech as Secretary-Treasurer for 2023.
- #23-04 Appoint Lewis Staub as Roadmaster for 2023.
- #23-05 Adopt the Cherrytree Township 2023 Wage & Salary Schedule.
- #23-06 Adopt the Cherrytree Township 2023 Fee Schedule.
- #23-07 Appoint Todd Fantaskey as the Sewage Enforcement Officer for 2023.
- #23-08 Appoint Collin Fantaskey as the Alternate Sewage Enforcement Officer for 2023.
- #23-09 Appoint Donald Deliman to the Vacancy Board for 2023.
- #23-10 Appoint Karen McGrath, Melody Staub, and Austin Armstrong to the Cherrytree Township Planning Commission for 2023.
- #23-11 Appoint Tracy Zdarko (1-year term) to the Cherrytree Township Zoning Hearing Board for 2023.
- #23-12 Appoint Attorney Alan Shaddinger as Cherrytree Township Solicitor for 2023.
- #23-13 Appoint Tim McGrath as Emergency Management Coordinator for 2023.
- #23-14 Designate the first Monday of each month, at 6:00 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.
- #23-15 Maintain the 1% wage tax currently in effect and retain the 4 mill property tax rate currently in effect.
- #23-16 Allow the Secretary-Treasurer to pay any bills prior to approval by the Board of Supervisors.
- #23-17 Name Farmers National Bank and PNC Bank as depositories for all township funds.

- #23-18 Set the Treasurer's bond at \$500,000.00 per year.
- #23-19 Send Jim Waugh, David Zdarko, and Robert Kellogg to the annual PSATS State Conference in Hershey, PA and name Jim Waugh as the voting delegate.
- #23-20 Continue to do driveway installations and bill for the service as specified in the Cherrytree Township 2023 Fee Schedule.
- #23-21 Require all applicants for road permits to pay the township fees as specified in the Cherrytree Township 2023 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.
- #23-22 Continue participation in the Pennsylvania Municipal Retirement System for eligible employees. The Secretary-Treasurer will act as Chief Administrative Officer for the plan.
- #23-23 Retain Mark J. Corey & Associates as Cherrytree Township Engineers for 2023.
- #23-24 Appoint Robert Kellogg as the township's representative to the Oil Creek Area COG.
- #23-25 Name the Titusville Appeals Board as appeal agents for enforcement of the Universal Construction Codes.
- #23-26 Appoint Robert Kellogg as the township's representative to the Venango County Planning Commission.
- #23-27 Use the federal maximum mileage reimbursement rate to compensate employees for their use of personal vehicles while conducting township business.
- #23-28 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.
- #23-29 Declare English the official language for all township business.
- #23-30 Appoint Tim McGrath as Cherrytree Township Zoning Officer for 2023.
- #23-31 Appoint Tim McGrath as Cherrytree Township Floodplain Administrator for 2023.
- #23-32 Appoint Tim McGrath as Cherrytree Township Stormwater Enforcement Officer for 2023.

- #23-33 Retain Construction Code Inspectors, Inc. as Cherrytree Township Building Code Inspectors for 2023.
- #23-34 Appoint Jim Waugh as Cherrytree Township's delegate to the Crawford County Tax Collection Committee.
- #23-35 Appoint David Zdarko as Cherrytree Township's alternate delegate to the Crawford County Tax Collection Committee.
- #23-36 Appoint Robert Kellogg as Cherrytree Township's second alternate delegate to the Crawford County Tax Collection Committee.
- #23-37 Adopt the Cherrytree Township 2023 Stormwater Management Ordinance Fee Schedule.
- #23-38 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.
- #23-39 Appoint Attorney Richard Winkler to represent the Cherrytree Township Zoning Hearing Board, at a rate of \$130.00/hour, for 2023.