

Cherrytree Township Board of Supervisors
Regular Monthly Meeting
Monday, February 3, 2025, 6:00 p.m.

A regular monthly meeting of the Cherrytree Township Board of Supervisors was held on Monday, February 3, 2025, at 6:00 p.m., at the township building. In attendance were Rob Kellogg and Shari Nelson, Supervisors, and Christine Kurelowech, Secretary-Treasurer.

Call to Order

Shari Nelson called the meeting to order.

Pledge

Moment of Prayer

Shari Nelson led those in attendance in a moment of prayer.

Public Comment

Ken Bryan, Venango County Commissioner, asked the Supervisors to consider passing an ordinance to legalize ATV, side-by-side, and snowmobile use on all or some township roads. The ordinance would require anyone wanting to operate an ATV, side-by-side, or snowmobile on township roads to purchase a permit through Venango County. The township would be part of the Oil Region ATV Association, which would handle permitting and some enforcement activities. A permit would cost \$50.00, with the county receiving an \$8.00 portion, the townships receiving a \$20.00 portion, and the Oil Region ATV Association receiving \$22.00 to be used to purchase signs, trail cams, insurance, and private property. The Oil Region ATV Association plans to use the private property that it purchases to create off-road trails. The \$20.00 portion of each permit fee, for the townships, would be put into a fund for all of the townships who participate and divided based upon mileage. Some townships will make all of their roads accessible, while others will only make certain designated roads accessible. In order to operate on a township road, an ATV, side-by-side, or snowmobile would need to display a sticker to show that it has been permitted to do so. Motorcycles and dirt bikes would be exempt. Each rider would need to be at least 16 years of age and hold a valid driver's license. Each permitted ATV, side-by-side, and snowmobile would need to be properly registered and insured. Additionally, riders would be required to wear helmets and mufflers would need to keep exhaust below 99 decibels. Ken Bryan told those in attendance that 22 municipalities in Venango County have already agreed to participate, 18 of which have returned signed ordinances, and, if Cherrytree Township plans to participate, an ordinance would need to be signed by the end of March. He noted that the county and the Oil Region ATV Association plan to start selling stickers for ATVs, side-by-sides, and snowmobiles in March of 2025. Ken Bryan also told those in attendance that, according to a recent survey, 75% of those surveyed are in favor of legalizing ATV, side-by-side, and snowmobile use on roads throughout Venango County. He said that passing the ordinance would generate more revenue for the township and that the feedback has been positive from counties where similar ordinances have been passed. He also said that the state supports it. Tim McGrath asked Ken Bryan if the vehicles would need to be "street worthy" and Ken Bryan said that they would need to have lights on the front and back, but would not be required to have turn signals. Tim McGrath asked if the \$50.00 registration fee would be for one vehicle or for one person and Ken Bryan said that each \$50.00 permit would be for one vehicle, but multiple people could ride the same

vehicle. Each permit holder would be responsible for anyone riding the permitted vehicle. Tim McGrath asked if the township would have a list of all registered vehicles and Ken Bryan said that a list could be provided. Tim McGrath also asked if the sticker would be required to be in the same location on each vehicle and Ken Bryan said that the sticker would need to be on the front of an ATV and on one of the bars on a UTV (Utility Task Vehicle). Doug Nelson asked Ken Bryan what type of insurance would be required for permitted vehicles and Ken Bryan assured those in attendance that the township would have no additional liability as a result of legalizing ATV, side-by-side, and snowmobile use on township roads. Tim McGrath asked Ken Bryan if the township would be required to erect signs and Ken Bryan said that the township would need to erect the signs, but that the Oil Region ATV Association would pay for the signs.

Minutes/Treasurer's Report

The minutes, from the regular monthly meeting/annual reorganization held on Monday, January 6, 2025, were read, accepted, and approved, on a motion made by Shari Nelson and seconded by Rob Kellogg.

The treasurer's report, for January of 2025, was read, accepted, and approved, on a motion made by Rob Kellogg and seconded by Shari Nelson.

Correspondence

Venango County Assoc. of Township Officials – Spring Dinner – March 29, 2025
The Venango County Association of Township Officials will hold its Annual Spring Dinner on Saturday, March 29, 2025, at Sandycreek Township Volunteer Fire Department. Reservations can be made through March 18, 2025. Shari Nelson plans to attend.

PSATS News Bulletin

Venango County Tax Claim Bureau – Petition for Judicial Sale

A hearing will be held on April 24, 2025, at the Venango County Courthouse, regarding properties that will soon go up for judicial sale. Any property owners, creditors, etc. should appear at the hearing to show cause, if they have any, to prevent the properties from being sold at judicial sale, free and clear of claims, mortgages, liens, ground rents, charges, and estates. The properties listed were not sold during the last judicial tax sale (September 10, 2024) because each property's upset sale price was not met. There is one property in the township on the list and it is located on Dutch Hill Road (parcel #03,010.-009.-000).

Zoning

Permits

Z-2024-18	Joseph Kaster	1132 Old Petroleum Center Road	new mobile home
Z-2025-01	Andrew Prichard	2270 Petroleum Center Road	new detached garage

Zoning Report

Chrissie Kurelowech told those in attendance that Cypress Creek Renewables' project to build a solar farm in the township (permit # Z-2022-04 – Titusville Solar, LLC) has been terminated. The township sent notification to Cypress Creek Renewables in mid-December of 2024 that permit #Z-2022-04 had expired. In late December of 2024, the Venango County Conservation District sent a letter to Cypress Creek Renewables stating that a "Notice of Termination" (NOT) for the project had been received and that a final site inspection had been conducted and all regulatory requirements had been met. Additionally, the letter said that the

Venango County Conservation District approved the NOT for Cypress Creek Renewables/Titusville Solar, LLC and that the permit for the project had been terminated, effective December 20, 2024. Chrissie Kurelowech said that she closed the escrow account for Titusville Solar, LLC and sent the following items to Cypress Creek Renewables (specifically, to Ben Manuel):

- Copy of the road bore permit that was canceled on January 8, 2025
- Copy of road permit #23-005, that was canceled on January 8, 2025, and the original bond, in the amount of \$35,690.00, required for permit #23-005
- Original decommissioning bond, in the amount of \$905,657.80
- Original bond required for the “Agreement for Financial Security for Completion of Stormwater Management Facilities”, in the amount of \$977,996.55
- Check #26701, made out to Titusville Solar, LLC and dated January 23, 2025, in the amount of \$620.00, which is the balance of the escrow account that was required as part of the “Agreement to Reimburse Cherrytree Township for Professional Service Fees Incurred by Township for Review, Processing & Inspections Related to Administration of Stormwater Management Regulations and Subdivision and Land Development Regulations”

Tim McGrath, Zoning Officer, asked Lew Staub, a property owner involved in the project, if Cypress Creek Renewables/Titusville Solar, LLC left his property in good condition when the project was terminated and Lew Staub said that he was satisfied.

Tim McGrath reported that a solar company other than Cypress Creek Renewables recently expressed interest in putting a solar farm on a 20-acre to 30-acre area located at the intersection of Route 8 and Turkey Farm Road. He suggested that the solar company check with the company that owns the gas wells on the property, before pursuing the project, to make sure that a solar farm would be allowable on the property. Tim McGrath has not heard back from the solar company yet.

Tim McGrath told those in attendance that he was recently contacted by a potential buyer of “The Playhouse”, located at 2521 Petroleum Center Road. The potential buyer would like to put a cat rescue kennel on the parcel. Part of the property is zoned as R/A (Residential/Agricultural) and part is zoned as C/I (Commercial/Light Industrial).

Tim McGrath reported that someone put a “shed” that looks like a home on a property on Cherrytree Road, between Route 8 and Buxton Road. A permit is not required for a shed on skids, but the structure looks like a dwelling, not a typical shed. Chrissie Kurelowech said that she contacted the property owner, regarding permits, because she was notified through PA-1 Call that a holding tank was being installed. Tim McGrath said that he would investigate.

Tim McGrath told Shari Nelson that he will try to attend the next Planning Commission meeting (Monday, March 3, 2025 after the regular monthly meeting of the Board of Supervisors), but he is not yet certain whether he will be able to make

it. He said that he will give his notes from previous meetings to Shari Nelson, regardless of whether or not he attends the next meeting.

There is a property on Old Route 8 that is allegedly being transformed into an elderly care facility, but no permits have been issued. Tim McGrath said that he has not been able to make contact with the property owner yet, but will continue to investigate.

Administrative Action

Oil Valley Gravel, LLC – 2025 Events – Discuss/Vote

Discussion continued regarding the 2025 events for Oil Valley Gravel, LLC. The topic was discussed during the regular monthly meeting/annual reorganization of the Board of Supervisors that was held on January 6, 2025. The following is an excerpt from the minutes of that meeting:

“Chrissie Kurelowech told the Supervisors that she was recently contacted by Adam Diem, who represents Oil Valley Gravel, LLC. He is requesting permission from the township to use township roads for two events (organized bike races/bike rides) during 2025. The Roughneck Gravel Roubaix will be held on May 23, 2025 and May 24, 2025, while the Rock Oil Foliage Frenzy will be held on October 18, 2025. Chrissie Kurelowech told the Supervisors that there are six routes included in the events and that the following township roads are included in some or all of the routes: Drake Well Road, Miller Farm Road, Carter Road, Old Petroleum Center Road, Pioneer Road, Stone Springhouse Road, Fairview Road, and Cherrytree-Plum Line Road. She noted that one of the routes (McKinney – 250 miles) takes place overnight. Oil Valley Gravel, LLC has always provided proof of insurance to the township before its events. A discussion took place about the township’s liability if an accident were to occur during any of the events. Jim Waugh noted that he was concerned about liability because he recently learned, from the Township Solicitor, that the township could be held liable for an ATV, side-by-side, or snowmobile accident, if the township had an ordinance permitting ATVs, side-by-sides, and snowmobiles on township roads. The Supervisors decided to ask the Township Solicitor for his opinion on the matter before granting permission to Oil Valley Gravel, LLC for the upcoming events. Chrissie Kurelowech will contact Alan Shaddinger and will share his opinion at the next regular monthly meeting, which is scheduled for Monday, February 3, 2025.”

Chrissie Kurelowech reported that Alan Shaddinger, Township Solicitor, suggested passing an ordinance and implementing permit fees for events such as bike races/rides. Regarding liability, he said that Section 6109 of the Pennsylvania Vehicle Code grants immunity from harm to PennDOT in the case of an accident, but it does not grant immunity to the municipality. However, the municipality could have some immunity under the Pennsylvania Governmental Immunity Law. Alan Shaddinger also suggested having Oil Valley Gravel, LLC add Cherrytree Township as an “additional insured” on the liability insurance covering the events. On a motion made by Rob Kellogg and seconded by Shari Nelson, the Supervisors voted to send a letter of approval to Oil Valley Gravel, LLC for its two 2025 events (Roughneck Gravel Roubaix (May 23, 2025 – May 24, 2025) and Rock Oil Foliage Frenzy (October 18, 2025)) and to require Oil Valley Gravel, LLC to add Cherrytree Township as an “additional insured” to the liability insurance covering the events. Chrissie Kurelowech will also send the VFD’s contact information to Oil Valley Gravel, LLC in case fire police are needed.

Committee Reports

VFD

Tom Huffman, VFD Fire Chief, reported that there were 10 calls since the last meeting, 1 of which was in Crawford County and 9 of which were in Venango County. The call in Crawford County was a building fire. Of the calls in Venango County, 3 were EMS, 1 was an MVA with injuries, 1 was an MVA with no injuries, 1 was to assist police or another governmental agency, 2 were public service, and 1 was dispatched and canceled.

The VFD is selling tickets for a gun raffle that will be held with Rouseville Volunteer Fire Department on Saturday, March 1, 2025. The event will be held at the Rouseville Community Center.

The spring shoots will begin on Tuesday, February 25, 2025, and will be held every Tuesday evening through Tuesday, April 15, 2025. The doors will open at 5:30 p.m. and the shooting will begin at 6:00 p.m.

Tom Huffman reported that the VFD is considering having the township/VFD building painted and is in the process of obtaining quotes. Possible colors are red and/or gray. The Supervisors were not opposed to having the building painted, but Shari Nelson noted that she would like to see the color(s) before the project gets underway.

EMA Office

Tim McGrath, Emergency Management Coordinator, reported that an EMA meeting and a training session will be held during February of 2025.

Road

Lew Staub, Roadmaster, reported that the road crew plowed and put antiskid down 15 times, put antiskid down (no plowing) 5 times, spent 5 days pushing snow back with the grader, and pushed drifts back 5 times. They spent 3 days stacking antiskid and ordered 20 more loads of antiskid (approximately 454 tons).

As for equipment, the wheel studs and a hydraulic leak were fixed on the 2014 Dodge. Also, front brake pads were put on the 2014 Dodge and the stabilizer was repaired. New DEF (Diesel Exhaust Fluid) housing was put on the 2017 Massey Ferguson tractor. The bed started to fall off of the 2009 International and the road crew jacked it up about 6 inches and slid it forward to repair. The road crew needs to fix a tie rod on the 2007 JCB backhoe and also needs to replace a bearing in the spreader on the 2002 International.

Old Business

2025 Clean-Up Weekend

Chrissie Kurelowech reported that she contacted R.K. Virgile Trucking, regarding 2025 Clean-Up Weekend, and was told that the cost to provide dumpsters will be \$4,000.00, which is unchanged from last year. Clean-Up Weekend will be held during the first full weekend in June, which is Saturday, June 7, 2025 and Sunday, June 8, 2025.

New Business

Planning Commission – Meeting Scheduled for Monday, March 3, 2025

The Planning Commission will hold a public meeting on Monday, March 3, 2025, immediately following the regular monthly meeting of the Board of Supervisors, which will begin at 6:00 p.m. The purpose of the meeting is to propose and discuss amendments to the Cherrytree Township Zoning Ordinance.

The meeting adjourned at 6:38 p.m.

The bills were reviewed by the Board of Supervisors.

Respectfully submitted,

Christine C. Kurelowech, Secretary-Treasurer