

**Cherrytree Township Board of Supervisors**  
**Regular Monthly Meeting**  
**May 12, 2025, 6:00 p.m.**

A regular monthly meeting of the Cherrytree Township Board of Supervisors was held on Monday, May 12, 2025, at 6:00 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**

**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 \$0.49/gallon (\$73,500.00). 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 \$0.49/gallon (\$73,500.00). The full bid results are attached.

**Stone RFQ (First) – Rescind Award of Item 7 (2A Limestone – Stockpile)-Vote**

In March of 2025, the township put out a Request for Quote (RFQ) for various types and quantities of stone and, at the regular monthly meeting of the Board of Supervisors that was held on Monday, April 7, 2025, the Supervisors awarded/rejected the items in the RFQ. Item #7 (2A Limestone – Stockpile, 150 tons) was awarded to IA Construction Corporation (See table below). However, IA Construction Corporation contacted the township several days later and said that the price quoted was an error and that the 2A Limestone could not be sold for \$22.40/ton. After consulting with the PennDOT Municipal Services Representative, Chrissie Kurelowech told IA Construction Corporation that the Supervisors could vote, at the regular monthly meeting scheduled for Monday, May 12, 2025, to rescind the decision to award Item #7 and to, instead, reject Item #7. Since the township put out a second RFQ (to be reviewed on Monday, May 12, 2025), for rejected items, 150 tons of 2A Limestone (stockpile) could be added to it and quotes could be considered during the regular monthly meeting scheduled for Monday, May 12, 2025. On a motion made by Shari Nelson, seconded by Rob Kellogg, and carried unanimously, the Supervisors voted to rescind their decision, made on Monday, April 7, 2025, to award Item #7 (2A Limestone- Stockpile, 150 tons) to IA Construction Corporation, and to, instead, reject the quote received for Item #7 from the only bidder, IA Construction Corporation.

<i>Item #</i>	<i>Item Description</i>	<i>Tons</i>	<i>Cost Per Ton</i>	<i>Total Cost</i>	<i>Vendor</i>	
7	2A Limestone – Stockpile	150	\$22.40	\$3,360.00	IA Construction Corp.	<b>Awarded on April 7, 2025/Decision rescinded on May 12, 2025</b>

**Stone RFO (Second) - Review Quotes - Vote**

Quotes for stone from Hasbrouck Sand & Gravel and IA Construction Corporation were reviewed by the Supervisors. The quotes were received in response to a second Request for Quote (RFQ) that was put out by the township for items/quantities that were previously rejected/misquoted. The lowest bidders and prices for each item appear in the table below.

A lengthy discussion took place about whether to award or to reject Item #2 (2A Limestone – Tailgate Delivery, 1,400 tons), which was intended for Cherrytree-Plum Line Road. The lowest quote for 1,400 tons of 2A Limestone to be tailgated on Cherrytree-Plum Line Road, from the Carey farm to Route 27 (approximately 0.90-mile), was \$44,660.00. Cherrytree Township and Plum Township share maintenance responsibilities for Cherrytree-Plum Line Road (approximately 1.8-mile), but Plum Township is not interested in splitting the cost of the tailgated 2A Limestone with Cherrytree Township. Chrissie Kurelowech said that she recently spoke with the PennDOT Municipal Services Representative, Buddy Miller, and he said that the best solution is for the townships to find a way to get along and, if that does not work, Cherrytree Township could take over maintenance responsibilities for the road and receive Plum Township’s Liquid Fuels money for 0.90-mile of the road. However, this would only amount to about \$3,300.00 per year for Cherrytree Township. Chrissie Kurelowech also said that she spoke to Alan Shaddinger, Township Solicitor, about the possibility of entering into a legal agreement with Plum Township to divide the maintenance as it was divided many years ago (informal understanding), with Cherrytree Township maintaining the end towards Fairview Road and Plum Township maintaining the end towards Route 27. Alan Shaddinger said that he has helped municipalities with similar agreements in the past and that such an agreement would give Cherrytree Township the ability to sue Plum Township if Plum Township fails to maintain its designated section of the road. Chrissie Kurelowech asked the Supervisors if they felt that Plum Township would enter into a legal agreement that would split the maintenance responsibilities (based on location) and Rob Kellogg said that he felt they would not sign it. Jim Waugh, who attended a recent regular monthly meeting of the Plum Township Board of Supervisors, said that he asked the Plum Township Supervisors about entering into a legal agreement and they said that they would have to speak to the PennDOT Municipal Services Representative, Buddy Miller, about it first. The Supervisors were all in agreement that Chrissie Kurelowech should contact Alan Shaddinger to have him begin working on a legal agreement for the townships. However, there was some question as to which end of the road Cherrytree Township would maintain and which end of the road Plum Township would maintain. Chrissie Kurelowech thought that Cherrytree Township would take the 0.90-mile section that is attached to Fairview Road, but when it was brought up for discussion, Rob Kellogg stated that he felt Cherrytree Township should take the 0.90-mile section from the Carey farm to Route 27, stating that the stretch of road would not need significant maintenance once the 2A Limestone was put down. Since the Supervisors were not in agreement as to which end of the road

Cherrytree Township should maintain, if both townships were to enter into a legal agreement, it was decided that Chrissie Kurelowech would ask Alan Shaddinger to draft an agreement that will allow the townships to choose sections of road just before signing. This way, Alan Shaddinger can work on the agreement now while the townships are still discussing the details, such as which township will be assigned to each section of road. After deciding to pursue entering into a legal maintenance agreement with Plum Township, the Supervisors were unsure as to whether the township should purchase the 1,400 tons of 2A Limestone for Cherrytree-Plum Line Road this year. Rob Kellogg felt that Cherrytree Township should purchase the 1,400 tons, even though Plum Township will not contribute, to prevent the road from getting worse and being more expensive to repair in the future. Shari Nelson was opposed to Cherrytree Township paying for all of the 2A Limestone on a road that is shared between both townships and Jim Waugh, as discussion unfolded on the matter, decided that Cherrytree Township should let it go until the road gets worse. The Supervisors discussed whether or not PennDOT would allow 2A Limestone to be purchased for an emergency road repair later in the year after being rejected on an RFQ earlier in the year. Chrissie Kurelowech will check with Buddy Miller on this. On a motion made by Jim Waugh, seconded by Shari Nelson, and carried unanimously, the Supervisors voted to award Item #1 (2RC Gravel – Tailgate Delivery, 5,000 tons) to the lowest bidder, Hasbrouck Sand & Gravel, Inc. (\$13.39/ton for a total of \$66,950.00), to award Item #3 (2A Limestone – Stockpile, 150 tons) to IA Construction Corporation (\$29.90/ton for a total of \$4,485.00), and to reject Item #2 (2A Limestone – Tailgate Delivery, 1,400 tons). The full bid results are attached.

<i>Item #</i>	<i>Item Description</i>	<i>Tons</i>	<i>Cost Per Ton</i>	<i>Total Cost</i>	<i>Vendor</i>	
1	2RC Gravel – Tailgate Delivery	5,000	\$13.39	\$66,950.00	Hasbrouck Sand & Gravel, Inc.	<b>Awarded</b>
2	2A Limestone – Tailgate Delivery	1,400	\$31.90	\$44,660.00	IA Construction Corp.	<b>Rejected</b>
3	2A Limestone – Stockpile	150	\$29.90	\$4,485.00	IA Construction Corp.	<b>Awarded</b>

**Paving – South Perry Street – Review Bids and Vote**

Bids to pave an approximate 1.10-mile stretch of South Perry Street, from the city line, west into the township, were opened, read aloud, and reviewed by the Supervisors. The bid packet included two items. Item #1 was for 1,685 tons of Superpave 19.0 mm binder course and Item #2 was for 4 tons of Superpave 9.5 mm scratch course (to be placed over 4 cross pipes). Bids were received from 6 companies: Glenn O. Hawbaker Inc., IA Construction Corporation, Shields Asphalt Paving Inc., Protech Asphalt Maintenance Inc., O. Cross Paving LLC, and Lindy Paving Inc. On a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously, the Supervisors voted to accept the bid submitted by the lowest bidder, Glenn O. Hawbaker Inc., for an approximate total of \$131,556.50. This includes Item #1 (\$76.90/ton for a total of \$129,576.50) and Item #2 (\$495.00/ton for a total of \$1,980.00). The full bid results are attached. It is specified in the contract that the paving project must be completed by July 31, 2025.

**Seal Coat – Breedtown Road and South Perry Street – Review Bids and Vote**

Bids to seal coat parts of South Perry Street and Breedtown Road were opened, read aloud, and reviewed by the Supervisors. Bidders were given three options. Option A (Item 1A) was for approximately 30,614 square yards (SY) of single asphalt seal coat (Polymer Modified) to be furnished and applied to both Breedtown Road (approximately 1.70-mile, from Old Route 8 to Cherrytree Road) and South Perry Street (approximately 1.10-mile from the city line, west into the township). Option B (Item 1B) was for approximately 18,980 SY of single asphalt seal coat (Polymer Modified) to be furnished and applied to Breedtown Road (approximately 1.70-mile, from Old Route 8 to Cherrytree Road). Option C (Item 1C) was for approximately 11,634 SY of single asphalt seal coat (Polymer Modified) to be furnished and applied to South Perry Street (approximately 1.10-mile from the city line, west into the township). Bids were received from 4 companies: Suit-Kote Corporation, Jefferson Paving Corporation, Russell Standard Corporation, and Midland Asphalt Materials, Inc. On a motion made by Jim Waugh, seconded by Shari Nelson, and carried unanimously, the Supervisors voted to accept the bid submitted by the lowest bidder, Suit-Kote Corporation, for Option A (Item 1A), for \$1.85/SY, totaling approximately \$56,635.90 (30,614 SY). The full bid results are attached. According to the contract, the project cannot begin until August 14, 2025, without prior approval from the township, and must be completed on or before September 14, 2025. New pavement will be put down on South Perry Street (approximately 1.10-mile from the city line, west into the township) earlier in the summer.

**Zoning Hearing Board – Resignation – Vote to Accept**

On a motion made by Shari Nelson, seconded by Jim Waugh, and carried unanimously, the Supervisors voted to accept the resignation of Jeff Nelson from the Zoning Hearing Board. Jeff Nelson announced his resignation from the Zoning Hearing Board at the regular monthly meeting of the Board of Supervisors that was held on Monday, April 7, 2025, and later submitted a written resignation.

**Planning Commission – Removal of Member - Vote**

On a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously, the Supervisors voted to remove Melody Staub from the Planning Commission.

**Resolution #25-42 – Appoint New Member to Fill Vacancy on Planning Comm.**

On a motion made by Rob Kellogg, seconded by Shari Nelson, and carried unanimously, the Supervisors voted to adopt Resolution #25-42, appointing Tucker Gregg to fill the vacancy left by Melody Staub on the Planning Commission. On January 6, 2025, Melody Staub was appointed to a 4-year term on the Planning Commission and Tucker Gregg will serve the remainder of the term.

**Zoning Complaints**

Chrissie Kurelowech presented several anonymous complaints (zoning enforcement) to the Supervisors. The first complaint was regarding the absence of shrubs at 1306 Cherrytree Road. On October 4, 2023, the Zoning Hearing Board granted a special exception to the owners of 1306 Cherrytree Road to allow them to operate a commercial automotive repair facility on the property. One of the conditions of approval, according to the formal decision written by Attorney Richard Winkler (Cherrytree Township Zoning Hearing Board Solicitor), was

*“Within six months of this approval, the Applicants shall plant buffering such as shrubs that will be quick growing along the Buxton Road side of the property for the length of the garage building and storage area, in order to shield from noise and sight”.* According to the complaint, no buffering has been planted. The second complaint was regarding junk/garbage accumulation and people possibly living in a travel trailer or an unpermitted mobile home at 2223 Cherrytree Road. The third complaint was regarding junk/garbage accumulation at 2249 Cherrytree Road. The fourth complaint was regarding junk/garbage accumulation and people living in multiple travel trailers and/or unpermitted mobile homes on the vacant lot next to 2429 Cherrytree Road. Chrissie Kurelowech told the Supervisors that, additionally, someone stopped in the township office to complain about junk/garbage accumulation on several properties along Trout Run Road. On a motion made by Jim Waugh, seconded by Shari Nelson, and carried unanimously, the Supervisors voted to pursue zoning enforcement on the owners of the properties for which complaints were received. Chrissie Kurelowech will pass the complaints along to Tim McGrath, Zoning Officer.

### **Public Comment**

Isaac Coon, Oil Region ATV Association President, told the Supervisors that he was willing to answer any questions about the efforts being made by the association to legalize ATV, side-by-side, and snowmobile use on municipality-owned roads throughout the county. Ron Stewart asked Isaac Coon if Oil Creek State Park is going to allow use on roads within the park and Isaac Coon said that the association is still talking to the park about it. The Supervisors had no questions.

### **Minutes/Treasurer’s Report**

The minutes, from the regular monthly meeting held on Monday, April 7, 2025, were read, accepted, and approved, on a motion made by Jim Waugh, seconded by Rob Kellogg, and carried unanimously.

The treasurer’s report, for April 2025, was read, accepted, and approved, on a motion made by Shari Nelson, seconded by Jim Waugh, and carried unanimously.

### **Correspondence**

Pennsylvania Department of Agriculture – Spotted Lanternfly Information  
*A representative from the Pennsylvania Department of Agriculture (PA DA) recently stopped at the township office and left several pamphlets and signs to inform the public about the threat of the spotted lanternfly, how to prevent the spread, and how to report sightings. Businesses, agencies, and organizations are required to obtain a spotted lanternfly permit, through PA DA, to move goods or vehicles.*

PSATS News Bulletin  
PennDOT - Newsletter

### **Zoning**

#### **Permits**

None

#### **Zoning Report**

There was no Zoning Report.

## **Committee Reports**

### **VFD**

There was no report from the VFD. Chrissie Kurelowech reported that she recently contacted Alan Shaddinger, Township Solicitor, regarding the possibility of passing a “false alarm ordinance” that would fine property owners for false fire alarms after a certain number occur within a 12-month period. Alan Shaddinger said that he has reservations about passing such an ordinance, but that “*it is becoming common for municipalities to adopt ordinances that authorize volunteer fire departments to collect costs for services for fighting fires*”. He said that he is currently looking into it. Jim Waugh noted that the number of false alarms generated by Cross Creek Resort has been low recently, but that he still thinks having a false alarm ordinance in place is a good idea. Chrissie Kurelowech will continue to work with Alan Shaddinger on drafting an ordinance.

### **EMA Office**

There was no report.

### **Road**

Lew Staub, Roadmaster, reported that, during the past month, the road crew spent 5 days blowing leaves off of roads, put antiskid on the blacktops once, spent 6 days scraping roads with the grader, checked the roads once, marked roads for paving and seal coating, fixed 2 STOP signs, and spent 7 days ditching on 4 roads. They fixed a soft spot on Cherrytree-Plum Line Road, mowed the yard 3 times, ran the weed eater once, and spent 2 days cleaning storm damage. Lew Staub also reported that he recently spoke with a representative from Shields Paving about paving 50 ft. at the end of Sopher Road (off of Route 8) when the company paves Route 8 for PennDOT. He was not given a “yes” or a “no”, just a “maybe”.

As for equipment, the spreader was taken off of the 2002 International, the 2017 Massey Ferguson tractor was torn down for a new water pump, and work was performed on the 2007 JCB backhoe. Work was also performed on the lights on the 2017 Massey Ferguson tractor and on new rear brakes on the 2009 International. The 2009 International was inspected.

## **Old Business**

### **Clean-Up Weekend – Saturday, June 7, 2025 & Sunday, June 8, 2025**

Chrissie Kurelowech reminded those in attendance that Clean-Up Weekend will take place on Saturday, June 7, 2025 and Sunday, June 8, 2025. She noted that Don Deliman and Jim Waugh will not be able to monitor the event and collect donations for the VFD this year and that the VFD will need to find other volunteers.

## **New Business**

### **HB 502**

Karen McGrath expressed her concern about the Shapiro Administration’s effort to push HB 502 forward and she asked the Supervisors what the community can do to preserve the area and to oppose HB 502. HB 502 would allow the state to place grid-scale power plants wherever it wants, with no regard for local zoning regulations. It is part of the Shapiro Administration’s “Lightning Plan”. According to the Pennsylvania Association of Township Supervisors (PSATS), “*HB 502 would create a “RESET (Reliable Energy Siting and Electric Transition) Board”, made up of state cabinet officials and appointees from business and labor and those 7 will decide final siting (location) approval of any new electric generating facilities of 25*

*megawatts or more, including commercial solar facilities, and new battery energy storage systems of 10 megawatts or more. The new board could approve new facilities at any site unless the property is zoned for residential use or the project was previously denied by the municipality at the same location. Projects could go straight to the RESET Board for approval, bypassing any municipal zoning approval process.”* Karen McGrath said that we cannot let the state take away our voices and Shari Nelson noted that the state is trying to remove local government altogether. The Supervisors encouraged people in the community to contact state representatives, state senators, and to circulate petitions in an effort to oppose HB 502. Shari Nelson said that PSATS is fighting HB 502 as well. Lew Staub said that the time to voice opposition is now, not later, noting that Cherrytree Township fought the state on being forced to pass a stormwater ordinance many years ago. A political discussion ensued between Jim Waugh and Mark McDowell.

The meeting adjourned at 7:15 p.m.

The bills were reviewed by the Board of Supervisors.

Respectfully submitted,

Christine C. Kurelowech, Secretary-Treasurer