

CHERRY TOWNSHIP REGULAR MEETING

MARCH 7, 2023

The regular meeting of the Cherry Township Supervisors was held on March 7, 2023 at 7:00 p.m. in the Township Municipal Building. Those present were Mr. Frank Fritz, Mr. David Mishler, Mr. William Smith, and Mrs. Carolyn Yeager. Five residents and visitors were present. Mr. Fritz called the meeting to order with the Pledge of Allegiance.

PUBLIC COMMENT

Ryan, with the Slippery Rock Fire Department presented the statistics for fire calls in Cherry Township for the 2022 calendar year and thanked the Board for the continued support of the fire department. Slippery Rock has three ambulances in service at this time. The Department answered a total of 508 calls during the year, 9 of which were in Cherry Township. They responded to a total of 1457 EMS calls for the year, which was a record high. They have a new engine in service and they are attempting to sell the old engine. They are also waiting for a chassis for a new ambulance.

Robert Hairhoger, with the Marion Township Fire Department also presented the figures for the 2022 calendar year for Marion Fire Department. They responded to a total of 48 fire calls in Cherry Township. Mr. Hairhoger also explained that the Marion Township Fire Department Board of Directors has asked that he visit neighboring Townships to ask for support for their plans to set up an ambulance service in Marion Township. They would like to get an idea of which Townships might be on board to help support the Ambulance Service. We are currently served by Slippery Rock Ambulance and Butler Ambulance. Marion would like the Board to consider interest in a Marion Township Ambulance Service, if it were to be established. They are planning to purchase used ambulances to get started, using money from loans, and with attempting to reach commitments from the area Townships of \$80,000 total. The Board indicated that they would discuss the matter and would let him know their thoughts.

Mr. Reid Campbell and the new chief of the West Sunbury Fire Department, Justin O'Hara, were also present. They provided figures from the 2022 calendar year, as well. West Sunbury responded to 21 calls in Cherry Township in 2022. Justin thanked the Township for the support given to their Fire Department and stated that if we ever get complaints or if we have any concerns or need anything, all we need to do is reach out to him. He would like to maintain the best possible communication as we can have to ensure safety for everyone.

All three fire departments asked if there is any way the Township might help them get a tour of the Iron Mountain facilities. Not only are they interested in seeing where the battery storage will be for the upcoming solar array fields being installed in the Kyle/Atwell Road area, they would just like an overall view of where things are located at the Iron Mountain facility, in general, in case they would ever be called on to lend assistance to the facility in the event of a

fire. Mrs. Yeager will contact Jim Wendelschafer, and she also has a contact at Dimension Energy in Georgia. She will ask for input on this proposal and will get back to the Board at the next meeting.

The minutes of the February 7, 2023 meeting were reviewed. There were no additions or corrections. Mr. Fritz made a motion to approve the minutes. Mr. Smith seconded the motion. All three supervisors voted yes. The motion carried.

The financial report as of March 7 was reviewed. Mr. Fritz made a motion to accept the financial report. Mr. Smith seconded the motion. All three supervisors voted yes. The motion carried.

Mr. Smith gave the Road Master's Report. We dealt with holes and mud all month. Gravel patching was done township wide. Cold patching was done on Pipestem, Beaverdam, Coaltown, and New Hope. We had soft bases on the dirt and gravel roads, so stone was dumped on Roenigk, Brimstone, Swope, Wolford, Pry, Moniteau, and Chambers. The tar and chip we did last summer looks good so far. An underdrain on Wolford was plugged and the ditch was also plugged, which was causing road flooding. Both were cleaned out and the road is now draining. When cleaning the ditch, the backhoe sunk into the swampy area and we had to get the loader from the building to pull it out. Trees were down and cleaned up on Coaltown, Hungarian, and Ferguson. Ditches were cut and cleaned on Saniga, New Hope, and Wolford. Things seem stable as of now.

For the upcoming month, we plan to get the sweeper and grader out to check them over and do maintenance on them. If the weather continues to be warm, we can start cutting sod on New Hope.

Mr. Smith stated that the road crew has put their heads together to make a plan for tar and chipping roads this year. The roads that need to be done are:

Beaverdam (in the dip by Shultheis Farm) Surface treatment

Wolford – from 308 in

North Grubb by Armagost's

Need to put in an apron on Windy at Branchton – trucks in and out of there are tearing up tearing up the intersection.

Atwell

Chip sealing needs done on Sunbury, Pry, Ferguson, Tinker, and south end of Hungarian.

We have around \$72,000 in the budget. Cory from PennDot is coming out on Thursday and will prepare estimates for us. We will review them at the next meeting and will see how much we can do and which roads take priority. Advertising will go in for opening bids in May. Mr. Fritz

made a motion to accept the Road Master's Report. Mr. Mishler seconded the motion. The motion carried.

Mr. Smith gave the Equipment and Maintenance Report. The backhoe was serviced. We repaired the tailgate latches on the GMC. A drum of hydraulic oil was purchased from Triangle Gas in Butler. Mr. Fritz made a motion to accept the Equipment and Maintenance Report. Mr. Mishler seconded the motion. The motion carried.

OLD BUSINESS

Mrs. Yeager reported that the solar array project(s) for Iron Mountain are nearing approval. She has paperwork that needs to be signed and notarized and she will have to take it to the Recorder of Deeds once that is done. Mr. Fritz stated that he will go to Slippery Rock for the notary. Mrs. Yeager will arrange a time to go have that done. The paperwork is a Best Management Practices agreement for the Stormwater Plan approval.

Mrs. Yeager stated that she received notice from Attorney Gallagher that he cannot get Mr. Toomey's attorney, Patrick Casey, to respond to his request on behalf of the Township. Attorney Gallagher had asked that Mr. Toomey consider moving the shooting target area on his property, or put up a sound barrier to cut down on the noise for the residents in the area. Attorney Gallagher indicated that, since Attorney Casey will not respond, the answer from Mr. Toomey is most likely a "no". Mrs. Yeager provided information about a prominent case in the State, regarding the construction of a shooting range on private property. In the case, Barris v. Stroud Township, the Township was ordered to allow Mr. Barris to construct his shooting range and to use it, despite the fact the Stroud Township had a zoning ordinance prohibiting shooting ranges in the area where Mr. Barris resided. The attorneys at the State have advised Mrs. Yeager that Cherry Township does not have a chance to win a case involving a noise ordinance. Cases regarding shooting ranges are all based on the Barris v. Stroud Township case, because it was a big case, where the Courts set a precedence in favor of the land owners. Mr. Mishler asked if the proposed agreement by Mr. Toomey, where he was to be limited to two days a week and one weekend to do the target practice, is still on the table. It would be better than nothing, and better than him shooting every day. Mrs. Yeager will check in with Attorney Gallagher to see where that original proposal stands at this time. Mrs. Yeager will inform the New Hope Road residents of where the matter stands at this time.

There were no public comments at this time.

Mr. Fritz made a motion to adjourn the meeting and to sign checks paying all bills. Mr. Smith seconded the motion. All three supervisors voted yes. The motion carried. The meeting was adjourned at 8:13 p.m.