

CHERRY TOWNSHIP REGULAR MEETING

JANUARY 2, 2024

The regular meeting of the Cherry Township Supervisors was held on January 2, 2023 at 7:32 p.m. in the Township Municipal Building. Those present were Mr. William Smith, Mr. David Mishler, Mr. Gary Blausler, and Mrs. Carolyn Yeager. One resident was in attendance and Mr. Hairhoger, from the Marion Township Fire Department, attended briefly to review the annual reports he prepared for the Board.

Mr. Smith called the meeting to order. Mrs. Sonya Kremer, 237 Hilltop Acres, was present to discuss a situation at the end of the road, where the busses come in and turn around. The culvert is collapsing and, although they have tried to repair it and put markers up to show where the ditch is, the busses keep going off the edge and continue to break down the end of the culvert. Mr. Smith explained that we have done some work at the end of Hilltop Acres Lane to try to remedy some of the issues there; however, we are not permitted, by State law, to do work on any private lane within the Township. Mrs. Kremer asked for information about who to approach so the residents on Hilltop Acres Lane can get some support to help fix the road. Mr. Smith indicated she should contact PennDot, and they can explain what the residents need to do to even attempt to get the road approved by PennDot for the Township to take over. Mr. Mishler also recommended that she contact the bus company to let them know that the turn-around is becoming an issue at the end of the road.

Robert Hairhoger was present to review the reports he provided for the activity of the Marion Township Fire Department and Rescue and Emergency services for the 2023 calendar year. He noted that if we ever have any issues that we need help with, please contact them and they will do all they can to help us out.

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

The financial report as of January 2, 2024 was reviewed. Mr. Smith made a motion to accept the financial report. Mr. Blausler seconded the motion. All three supervisors voted yes. The motion carried.

Mr. Smith gave the Road Master's Report. Two days were spent doing winter maintenance. Skid was put down, even though there wasn't much snow, because the roads were icy. Gravel patching was done on all dirt and gravel roads one time, and we are in the middle of making a second trip around, doing more patching. Ditches and culverts were cleaned on Harrisville and

Grubb. A stop sign was fixed at the corner of New Hope and Branchton. Trees were down and cleaned up on Chambers, Moniteau, and Swope. For the upcoming month, we will keep up with winter maintenance, gravel patch, and do additional road work as needed. Mr. Mishler made a motion to accept the Road Master's Report. Mr. Blauser seconded the motion. The motion carried.

Mr. Smith gave the Equipment and Maintenance Report. Repairs were made to the backhoe. The rear bucket light was repaired, the throttle cable was stuck and we repaired that. The inner rear fender was rotted out, so we welded it and painted it. A light bar was installed on it for better lighting when we are working in the dark. The battery box was rusty, so we cleaned that up and painted it. A headlight was replaced. We called Brian at Bowers Industrial and had him look at the servo switch on the valve body of the backhoe. It is not returning to the dig position when we are done using it. The parts to make the repair are quite costly, so we are looking at finding them somewhere for less money. We don't have to have this feature, but it makes it a lot easier to use if it is working. We will pursue our options in the next couple of months. The backhoe was lubed and serviced.

The front tire on the mower was replaced. When we went to move it inside, the tire was blown. All summer equipment has been stored in the equipment building. The spreader on the Mack truck was adjusted so it will spread skid more evenly. Mr. Mishler made a motion to accept the Equipment and Maintenance Report. Mr. Blauser seconded the motion. The motion carried.

OLD BUSINESS

Mrs. Yeager updated the Board about the septic complaint at 210 Pipestem Road. Collin was out to assess the situation and stated that sewage was laying on top of the ground and that, due to the extensive testing Doug Duncan did at the site, he doesn't believe further testing will get the Jenkins's anywhere. The system has failed, and the soils are not good enough to install another conventional system. It is recommended that a small flow treatment facility be put in, so he is going to make arrangements for a soil scientist to come out and assess the situation before deciding where to make the discharge point for the small flow facility. This will be a long process, but Mr. Jenkins stated that he wants to get the septic issue fixed, regardless of the fact that he was lied to before he purchased the property and was told the system was fixed and working. Michael Gallagher indicated to Mrs. Yeager that the court case against the Jenkins's had been put on hold, but not dismissed, until we see how the repair situation progresses. He advised that the Board keep up with the situation and not let it slip away, because the system is in failure at this point. After a brief discussion, the Board asked Mrs. Yeager to notify Collin Fantaskey that they would like a monthly report about the progress with regard to this septic issue. She will send him a written notice of the Board's request.

In light of complaints received by the Board from Township residents regarding lack of tax collector services in the Township, the Board and Mike Gallagher have been pursuing the possibility of the County Treasurer taking over collection of real estate taxes for the Township. Due to the threat of a law suit, and because we are getting an increasing number of complaints from the residents, Attorney Gallagher has drafted a letter to the County, requesting that Diane Marburger take over collection of our taxes. Mr. Smith made a motion that the Board sign and present the letter to the County, requesting such action. Mr. Mishler seconded the motion. The letter was signed and Mrs. Yeager will forward the letter to the appropriate County offices, as indicated on the letter.

NEW BUSINESS

Mrs. Yeager presented paperwork for First National Bank and for PLGIT, to update signers on all Township bank accounts, removing Frank Fritz and adding Gary Blausner. The supervisors signed all documents as required, and Mrs. Yeager will return the paperwork to the respective banks.

Mrs. Yeager presented correspondence from Mike Gallagher regarding meeting agendas with regard to the law mandating control over meetings. Attorney Gallagher reiterates that nothing can be discussed at a meeting unless it has been properly placed on the agenda prior to the meeting. Agendas must be posted on the website and at the building at least 24 hours in advance of a meeting. Mrs. Yeager tries to have the information posted on the Sunday before each meeting. Anyone wishing to have an item discussed at the meeting, must give prior notice to the Secretary. Several Statewide court decisions have come down in favor of citizens, where an issue not listed on an agenda was discussed at a meeting. The only exception to the law is an issue that is an emergency; however, only if that issue does not involve the Board approving an expenditure of public funds. Mrs. Yeager stated that we have done well with following the law, but we must be careful to keep strictly to items on the agenda, as posted.

PUBLIC COMMENT

Mrs. Kremer stated that she will be attending as many Township meetings as she can, and is interested in helping to make the Township a better place for the residents. She would like to offer her assistance anywhere she may be able to help out.

Mr. Smith made a motion to adjourn the meeting and to sign checks to pay all bills. Mr. Mishler seconded the motion. All three supervisors voted yes. The motion carried. The meeting was adjourned at 8:17 p.m.