

CUMMINGS TOWNSHIP MEETING
MARCH 9, 2021

The Cummings Township Board of Supervisors held their monthly meeting on March 9, 2021 at 2:00 pm at the Cummings Township Municipal Building, with Michael Yohe, Walter Braddock and Richard Bierly present.

Public Attendees: Zoning Liaison Will Wolfe, Larry Shaffer, Bub Rainey, Carl Frech, Keith Miller of Bassett Engineering, Diane Stephenson, Harry Stephenson, Neal and Carol Carson, Donna Bierly, Denise Dieter, Esquire, Chief Nathan DeRemer and Officer Brian Fioretti of the Tiadaghton Valley Regional Police Department

Pledge of Allegiance

Public Participation:

Keith Miller, P.E. – Bassatt Engineering

Keith Miller, P.E. of Bassatt Engineering presented a Change Order for the following two items:

1. Add \$262.00 to the contract amount to cover the portion of the building permit that was for Electric Improvements
2. A twenty-three (23) day time extension to extend the final project completion date from April 6, 2021 to April 29, 2021.

Chairman Yohe made a motion to approve Change Order No.1; seconded by Supervisor Braddock, MCU.

Mr. Miller also presented Pay Application #1 in the amount of \$31,311.71 which amount allows for a 10% retainage in accordance with the contract.

Chairman Yohe made a motion to approve Pay Application #1 in the amount of \$31,311.71; seconded by Supervisor Bierly, MCU.

Gene Zinck – Chairman of Pine Creek Council of Government (COG)

Gene Zinck, Chairman of the Pine Creek Council of Government, spoke to the Board of Supervisors about scheduling one of the quarterly COG meetings at the Cummings Township Municipal Building after Chairman Yohe offered use of the building. However, since the COG meeting dates and locations for 2021 have already been advertised, if Cummings Township would pay for the re-advertisement of a meeting changing the location, the COG would move one of the meetings to the Cummings Township Municipal Building.

A discussion was held and it was the consensus of the Board to have the Pine Creek Valley COG schedule one of its 2022 meetings for the Cummings Township Municipal Building.

Mr. Zinck also provided copies of the Pine Creek Valley COG By-Laws to the Board stating that the By-Laws are going to be updated and are currently being reviewed by members of the COG. He said he is proposing a revision to the By-Laws setting a four year term limit for the Chairperson and at the end of the term the Vice Chairperson would then move into the position.

He said currently one of the items being discussed by the COG is how to regulate Air B&B's, and noted that Watson Township is working on an ordinance to regulate short term rentals using the capacity of the septic system and number of parking spaces available.

Diane Stephenson – Little Pine Creek Road

Resident Diane Stephenson reported that in preparation for PennDOT starting to work on Little Pine Creek Road, electric lines are being put in to facilitate for a traffic signal for one-way traffic while repairs are made to the road which are scheduled to begin in April. She asked the Board of Supervisors if they had any information on the scope of the road project and on possible road closures.

Supervisor Bierly reported that he spoke to the Road Foreman for the project and was advised that one lane of the road would remain open at all times and that the project only consists of working on the washouts.

Diane Stephenson - Cell Towers

Diane Stephenson said that during last month's meeting there was a discussion about converting an abandoned tower into a cell tower for emergency service providers and asked if that meant in an emergency that residents would be able to call 9-1-1.

Chairman Yohe stated he did not believe that would be the case and thought the tower would be for more for official use (i.e. State Police) than individual use.

Gene Zinck, who lives in Watson Township, suggested residents look into an alternative provider such as Starlink which provides internet service via satellite. He said he is aware of individuals who have gone with this provider and installed a satellite at a cost of approximately \$500.00 and additionally pay \$99 per month for service.

Donna Bierly – Jersey Shore Area EMS Membership

Donna Bierly expressed concern over how to get the word out to residents regarding the Township paying for membership to the Jersey Shore Area EMS stating that some residents paid for a membership when they received the flier for ambulance service because they were not aware that as a township resident they would get a free membership. She personally called a lot of residents to make them aware of the free membership to the JSA EMS and posted notices at the Post Office, the Waterville Fire Company and McConnell's store.

Chairman Yohe stated the information was printed on the mailer from JSA EMS and it was posted on the Cummings Township website and the information is also on the Township's FaceBook Page.

Approval of Meeting Minutes:

Chairman Yohe asked for questions or comments on the minutes from the February 9, 2021 monthly meeting, there being none, Supervisor Bierly made a motion to approve the meeting minutes as presented; seconded by Supervisor Braddock, MCU.

Approval of Treasurer's Report:

Supervisor Braddock made a motion to approve the Treasurer's Report as submitted; seconded by Supervisor Bierly, MCU.

Zoning Report:

Zoning Liaison Will Wolfe reported that he had nothing to report from his monthly tour of the Township.

As to the Recreational Vehicle Permit Application, Will said he contacted Code Inspections to request names and addresses for individuals who purchased RV Permits last year and he mailed out the RV Permit information and the permit application to all of those individuals.

Zoning Liaison Wolfe questioned there being a camper on Second Street that was not removed last fall and said he included a note with their permit application regarding the six month period for RV permits.

Supervisor Bierly questioned the status of the trailers being demolished on Sawmill Drive.

Chairman Yohe said the owners were supposed to have agreed to complete the demolition work and said he would follow up on the matter with Vic Marquardt of Code Inspections.

TVRPD Police Report

Chief Nathan DeRemer of the Tiadaghton Valley Regional Police Department presented the following Police Report for the month of February:

1. 2/4/2021 - Ambulance Assist on Walker Trail Road
2. 2/5/2021 - Domestic with gun - Coudersport Pike
3. 2/7/2021 - Ambulance Assist, North Route 44 Hwy.
4. 2/17/2021 - Assist the Public, Little Pine Creek Road
5. 2/19/2021 - Domestic with a gun/harassment, Second Street

One Citation was issued for harassment.

Road Foreman's Report:

Roadmaster Bierly said he had nothing new to report with regard to the roads but reported that the spouting was installed on the Township Building by Gutter Nutz at a cost of \$1,507.50.

Supervisor Bierly also reported that he spoke with Dave Falls who lives on West Drive who said he was willing to sign the paperwork for the Township to take over West Drive.

A discussion was held and Solicitor Dieter said there can be recordable conditions and suggested that one of the Supervisors and Solicitor Dieter meet with the individual to discuss the matter.

It was the consensus of the Board that Supervisor Bierly and Solicitor Dieter meet with Mr. Falls.

Supervisor Braddock reported that the stop sign was knocked down on Ramsey Drive and needs replaced.

Resident Larry Shaffer asked if the Police Department had a device to measure noise levels stating with the nice weather approaching there is an issue with loud motorcycles.

Chief DeRemer indicated that the TVRPD does not have a decibel meter and a discussion ensued regarding regulations for exhaust and the issues with loud motorcycles and other vehicles.

Chief DeRemer pointed out that the Police Department was not hired for traffic control but if residents have an issue they can call 9-1-1 and officers will respond.

Chairman Yohe explained that there was a lot of dialogue about police services, there was a lot of anti-police sentiment and the public did not want a big police presence in the Township. The Board of Supervisors decided to replace the State Police with TVRPD to improve response time to accidents and incidents in Cummings Township.

Waterville Water Association

Donna Bierly reported on behalf of the Waterville Water Association that the Authority has signed off with Sikora Brothers on the new building and the WWA are considering installing between three to five water meters noting that Certified Operator Tom Dent is looking into prices for the meters.

Old Business:

There was no old business presented for discussion.

New Business:

Jade Oakes – Eastern States 100 Trail Race

Jade Oakes of the Eastern States Trail-Endurance Alliance requested use of Township roads for the Eastern States 100, which is a 100 mile trail race, scheduled for Saturday, August 14th.

Supervisor Bierly made a motion to approve the request for the Eastern States 100 Trail Race; seconded by Supervisor Yohe, MCU.

Medical Marijuana Facilities

Chairman Yohe explained that one of the Lycoming County Planning Office's comments on the Township's new zoning ordinance was that Medical Marijuana Facilities should be included as a permitted use in the ordinance for dispensing, transportation and production. He said that all legal permitted uses need to be included in the zoning ordinance, if not, it can be placed anywhere in the Township and the Supervisors would not have any control in it.

Doug Hovey explained that the Medical Marijuana Act authorizes that townships can regulate the location of Medical Marijuana Facilities and the ordinance being proposed for Cummings Township would allow those facilities as a conditional use in the Open Space/Conservation District which requires posting the property and holding a hearing.

Chairman Yohe said the proposed ordinance will be reviewed by the Planning Commission and advertised prior to adoption and the Supervisors are hoping to act on the ordinance at the April meeting and offered copies of the proposed ordinance to residents attending the meeting.

Supervisor Braddock made a motion directing Solicitor Dieter to advertise the proposed ordinance for consideration at the April 13th meeting; seconded by Supervisor Bierly, MCU.

Wine Tasting Event during Sawdust Festival

Chairman Yohe explained that Erika Morgan of *Up The Crick* requested approval to hold wine tastings outside during the Sawdust Festival at the Waterville Fire Company. He noted that she did wine tastings two years ago during the festival and there were no issues.

Chairman Yohe made a motion to allow Erika Morgan to hold wine tastings outdoors during the Sawdust Festival at the Waterville Fire Company; seconded by Supervisor Braddock, MCU.

Motion to sell Township parcel to the Waterville Fire Company

Chairman Yohe explained that prior to the Township purchasing the property for the new township building, the Township needed storage space and the Fire Company conveyed their one-fourth of an acre behind the Fire Hall to the Township for \$1.00. The Township no longer needs the property purchased from the Fire Company and they requested that the Township transfer the property back to the Fire Company.

Chairman Yohe made a motion to transfer title to the real estate to the Fire Company for \$1.00; seconded by Supervisor Bierly, MCU.

Resolution 03-09-2021 - Second Amendment

Solicitor Dieter explained that the proposed Second Amendment Resolution is an effort to let the Federal Government know that this municipality is going to enforce and support the Constitution of the United States and the Commonwealth.

Chairman Yohe made a motion to adopt Resolution 03-09-2021 in support of the Second Amendment of the Constitution of the United States; seconded by Supervisor Bierly, MCU.

CompuGen Proposals

Chairman Yohe presented proposals from CompuGen for Video Conferencing and Broadcast Systems; Video Security System and In-building Networking and EMA Office Setup, explaining that in the event of a natural disaster emergency the EMA Coordinator will have the ability to share information and have live internet connectivity. The costs of the proposals are as follow:

Video Security System	\$ 8,484
Video Conferencing & Broadcast Systems	\$ 2,863
Networking & EMS Office Setup	\$10,099

Chairman Yohe made a motion to approve the proposals from CompuGen for the Video Security System; Video Conferencing & Broadcast Systems and Networking & EMS Office Setup; seconded by Supervisor Braddock, MCU.

Donna Bierly - ACT 13 Home Improvement Funding

Donna Bierly questioned if there are any Act 13 Funds available from the County for home improvements for Cummings Township residents stating that she is aware of several property owners receiving funds through the program but there were other residents who submitted applications that did not receive any funds.

Chairman Yohe said that a presentation was made during a township meeting a couple of years ago about the program where Act 13 Funds would be made available to Cummings Township residents for home repairs. He said he is not sure if there are still funds available to residents but agreed to look into it and try to find a telephone number for residents so they may make contact with the STEP Office about the program.

Correspondence

YMCA Donation Request

The Supervisors received a donation request from the Jersey Shore YMCA and it was noted that \$1,000 was donated to the YMCA in 2020.

Supervisor Braddock made a motion to donate \$1,000 to the Jersey Shore YMCA; seconded by Supervisor Bierly, MCU.

Notices from EXCO Resources for Stroble Unit, 2V Well Permit Renewal in Mifflin Township and for Flook Unit, 3V Well Permit Renewal in Mifflin Township.

Invoices

Supervisor Bierly made a motion to approve the invoices as presented; seconded by Supervisor Braddock, MCU.

Adjournment

There being no further business, Vice Chairman Bierly made a motion to adjourn the meeting; seconded by Supervisor Braddock, MCU.

The meeting was adjourned at 3:37 pm.

Respectfully submitted,

Darlene S. Macklem
Secretary/Treasurer