

CUMMINGS TOWNSHIP MEETING  
MAY 11, 2021

The Cummings Township Board of Supervisors held their monthly meeting on May 11, 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, Carl Frech, Bill Koppenheffer, Donna Bierly, Diane Stephenson, Keith Miller, P.E. of Bassatt Engineering, Al Horakal, Paul Sattazahn, Dennis Bernhardt, Gaylen Beach, and Chief Nathan DeRemer 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 provided an update to the Board on the Garage and Salt Shed Project and presented Change Order No. 2 from Central Structures, LLC, requesting a 28 day extension changing the completion date to May 27, 2021. The time extension is necessary due to the delays caused by cracking in the concrete slab and Bassatt Engineering recommended approval of the Change Order.

Supervisor Bierly made a motion to approve Change Order No. 2 extending the completion date for the project to May 27, 2021; seconded by Supervisor Braddock, MCU.

Mr. Miller also submitted Pay Application No. 3 from Central Structures, LLC in the amount of \$74,889.00 for payment.

Supervisor Bierly made a motion to approve Pay Application No. 3 in the amount of \$74,889.00 to Central Structures, LLC; seconded by Supervisor Braddock, MCU.

**Gaylen Beach**

Gaylen Beach questioned the Supervisors why he is required to get an RV Permit for the camper he has on his property located on Third Street.

Chairman Yohe explained that the Township's Zoning Ordinance is based on the Municipal Planning Code and Article 9 of the Zoning Ordinance pertains to flood plain management and which is based on DCED and FEMA requirements; specifically, Section 5.07 of Article 9 of the Zoning Ordinance requires that RV's in the flood plain have to be permitted and are allowed to be on site for a maximum of 180 days. The RV Permit requirement in the Cummings Township Zoning Ordinance is not specific just to the floodplain and a permit is required for campers in all areas of the Township.

**Bill Koppenheffer – Waterville Water Association**

Bill Koppenheffer of the Waterville Water Association spoke to the Supervisors about the Township's water easement and agreement with Mr. Sweigart to tap onto the waterline.

A discussion was held and Chairman Yohe agreed to follow up with the Township Solicitor to ensure all the proper documentation has been completed.

#### **Carl Frech – Removal of Old Cable Lines**

Resident Carl Frech reported that during one of the recent storms a large tree fell across the road taking down power and old cable lines. PennDot moved a lot of the old cable lines off of the road but they are still relatively close to the road, adding that the cable runs for miles in each direction, and Mr. Frech has safety concerns about the old cable lines being close to the roadway.

Mr. Frech said he tried contacting Comcast and the PUC but was unable to reach an agent and finally contacted Representative Joe Hamm's Office and they are assisting him with contacting Tri-County Rural Electric, owner of the utility poles, about removing and cleaning up the old cable lines.

#### **Dennis Bernhardt**

Resident Dennis Bernhardt requested the Supervisors plant arborvitae along the border of the Park and his property to help alleviate noise from activities at the Park.

A discussion was held and it was the consensus of the Board to look into planting arborvitae between the Township Park and Mr. Bernhardt's property.

#### **Donna Bierly – Pavilion Rentals**

Donna Bierly reported that the Recreation Committee recently turned down approximately seven reservation requests for the pavilion at the park due to Covid restrictions and usage of the pavilion was on a "first come/first serve" basis. However, due to the Governor lifting all Covid restrictions at the end of May, the Committee is now taking reservations and has taken three reservations for June 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> which will be posted at the pavilion. She said that the Covid Regulations provided by Solicitor Dieter have been posted and another "No Smoking" sign has and a smoker's post has been added to the park.

#### **Paul Sattazahn**

Resident Paul Sattazahn suggested the Supervisors contact Brownie's Signs about installing the refurbished bells for the Township and also thanked the Board for paying for Lock Haven EMS memberships for residents living within the Lock Haven EMS service area of the Township.

#### **Approval of Meeting Minutes:**

Chairman Yohe asked for questions or comments on the minutes from the April 14, 2021 monthly meeting, there being none, Supervisor Braddock made a motion to approve the meeting minutes as presented; seconded by Supervisor Bierly, MCU.

#### **Approval of Treasurer's Report:**

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

### **Zoning Liaison Report:**

Zoning Liaison Will Wolfe reported that he has issued four letters advising individuals that they would need to purchase an RV permit for campers located on Second and Third Street.

Zoning Liaison Wolfe said during his monthly tour of the Township he noticed a camper on Sawmill Drive and noted that the owner will need to get an RV Permit.

Will also reported that during his tour of the Township that two individuals approached his vehicle and he was harassed about Zoning and his position as Zoning Officer, and due to this incident, Will said he would resign his position as Zoning Liaison effective immediately.

The Board of Supervisors accepted his resignation and thanked Will for his 31 years of service to Cummings Township as both Secretary/Treasurer, Zoning Officer and most recently as the Zoning Liaison.

### **TVRPD Police Report**

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

1. 4/2/2021 – Assist public, Pine Bottom Drive
2. 4/3/2021 - Fires, Little Pine Creek Road
3. 4/12/2021 - Police Miscellaneous, Second Street
4. 4/17/2021 - Assist Other, Pine Bottom Drive
5. 4/23/2021 - Ambulance Assist, Waterville
6. 4/23/2021 - Sex Offenses, Second Street

Chief DeRemer indicated that there is no danger to the public associated with Incident No. 6 listed above.

He also reported that the TVRPD attended the Sawdust Festival and handed out fishing poles to children to answered questions for officers.

Chief DeRemer also noted that two cabins were broken into in McHenry Township, one on Truman Road and the other on Rte. 414 toward Cammal.

### **Road Foreman's Report:**

Roadmaster Bierly made the following report:

- Repaired handicapped parking space on Church Street
- Worked on building the bike ramp from the DCNR Rail/Trail into the Township Park
- Cleaned up bank behind the township building
- Attended Road Tour with County and LTAP Officials on Dam Run Road – repairs for safety; another tour of the road has been scheduled for May 25<sup>th</sup>
- Charles Construction are scheduled to pave at the park including the area of the exercise units and the handicapped parking space and other areas
- The Supervisors are moving forward with making West Drive a public road

Chairman Yohe explained the purpose of the tour of Dam Run Road with County and LTAP Officials stating that the Supervisors see Dam Run Road as the only reliable emergency access out of the Waterville area. As a result of discussions with the County about water runoff and other related programs we learned of grant funds and other assistance and the meetings are to get input on how to improve the road and get grant funds to make those improvements. The road has been divided into five sections and there is a separate plan for each section of the road along with funding options and grants.

### **Old Business:**

There was no old business presented for discussion.

### **New Business:**

#### **Ordinance No. 05-11-2021 – Medical Marijuana Facilities**

Chairman Yohe explained that Ordinance No. 05-11-2021 is an amendment to the Zoning Ordinance adding permitted uses in relation to Medical Marijuana i.e. growing, distribution and store fronts. There are permitted uses that must be provided for in the Zoning Ordinance and by including a use in the ordinance it allows the Township to have input as to the restrictions placed on the use and where the use is located in the township.

Chairman Yohe made a motion to adopt Ordinance 05-11-2021 as presented; seconded by Supervisor Braddock, MCU.

#### **Application for County Aid**

Chairman Yohe made a motion to approve submission of the Application for County Aid for liquid fuel funds in the amount of \$934; seconded by Supervisor Bierly, MCU.

### **Correspondence**

Letter from Lycoming County regarding the 2020 Lycoming County Multi-Jurisdictional Hazard Mitigation Plan (HMP) adopted April 19, 2021 by the Lycoming County Commissioners requesting that the Township consider adopting the 2020 HMP.

Letter from Lycoming County with information on the Community Development Block Grant Program (CDBG) for Lycoming County municipalities with less than 4,000 residents. Eligible activities include housing, community infrastructure, economic development and public services.

### **Invoices**

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

**Adjournment**

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

The meeting was adjourned at 3:00 pm.

Respectfully submitted,

Darlene S. Macklem  
Secretary/Treasurer