

CUMMINGS TOWNSHIP MEETING
SEPTEMBER 14, 2021

The Cummings Township Board of Supervisors held their monthly meeting on September 14, 2021 at 6:00 pm at the Cummings Township Municipal Building, with Michael Yohe, Walter Braddock and Richard Bierly present.

Public Attendees: Zoning Liaison Todd Carmer, Carl Frech, Karen Purvis, Jim and Connie Mitcheltree, Donna Bierly, Joseph T. Mussington, Damien Mariano, Robert B. Sheets, Chief Nate DeRemer of the Tiadaghton Valley Regional Police Department, Dennis Norman, P.E. and Denise Dieter, Esquire

Pledge of Allegiance

Public Participation:

Carl Frech

Resident Carl Frech asked whether the Supervisors have plans to place the railroad ties along the sidewalk at the Township Building that are in bad shape and was told By Supervisor Bierly that the railroad ties will be removed and stones will be used to replace them.

Donna Bierly

Donna Bierly reported that she spoke with Charlene Sawyer about the cemetery by the old church and she indicated that it may be owned by the Fire Company. She also noted that there has not been any additional vandalism at the Township Park.

Chairman Yohe said the Board will provide a copy of the Deed and copies of the Township ordinances to Solicitor Dieter for her to complete the chain of ownership for the cemetery.

Recreation Committee

Donna Bierly reported that the pavilion at the Park is still being rented and the Park was used heavily over the Labor Day Weekend.

Approval of Meeting Minutes:

Chairman Yohe asked for questions or comments on the minutes from the August 10, 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 Todd Carmer reported that the owners of the camper on Second Street came to an agreement and were supposed to issue a check to the Township for an RV permit but

they moved out without doing so. He also said that the corner of First and Third Street has been mowed and weeds are becoming a problem again at the corner of First Street and Route 44, stating that he will reach out to the property owner about the weeds.

Todd said he is in the process of reviewing the Zoning Ordinance with regard to the two car pavilion being constructed at 40 Ramsey Drive and noted that Vic Marquardt has not issued any permits for the property.

TVRPD Police Report

Chief Nate DeRemer Tiadaghton Valley Regional Police Department presented the following Police Report for the month of August:

1. 08/01/2021 – Reckless Driver, Ramsey Drive
2. 08/02/2021 - Ambulance Assist, North Route 44 Hwy
3. 08/05/2021 - House Fire, Oliver Drive
4. 08/08/2021 - Theft, Ramsey Drive
5. 08/11/2021 - 911 Hang up, Elder Lane
6. 08/11/2021 - MVA, North Route 44 Hwy
7. 08/12/2021 - Road and Driving, Route 414 Hwy
8. 08/14/2021 - Ambulance Assist, Lower Pine Bottom Road
9. 08/15/2021 - Ambulance Assist, Little Pine Creek Road
10. 08/17/2021 - Assist the Public, Second Street
11. 08/18/2021 - MVA, North Route 44 Hwy
12. 08/21/2021 - Animal Complaint, Second Street
13. 08/23/2021 - Assist the Public, Little Pine Creek Road
14. 08/29/2021 - Ambulance Assist, North Route 44 Hwy

Citations/Arrests

None

Road Foreman's Report:

Roadmaster Bierly made the following report:

- Cleaned ditches along Dam Run Road with the Trac Vac
- Dug a small ditch along the bike path that goes into the Township Park to help with water runoff
- Cut brush down along Sawmill Drive and Park Drive, at the Park and along Dam Run Road
- Installed the street sign for Lightning Bug Lane on the Township's right of way
- Placed topsoil and seeded an area of the Mitcheltree yard damaged by the township's snow plow
- Mark's Pest Control sprayed for insects at the Township Building
- Stroble's pressure washed the Township Building and windows

Old Business:

None

New Business:

Central Structures Final Pay Application

Supervisor Braddock made a motion to approve Central Structures Change Final Pay Application #6 in the amount of \$25,602.25 based on the recommendation of Bassett Engineering; seconded by Supervisor Bierly, MCU.

The Board noted that there was a final walk through of the garage and salt shed and the structure is considered complete.

Ordinance 09.14.2021 – Zoning Ordinance Amendment of Section 5.10.4 relative to Communication Antennas

Chairman Yohe explained that the Zoning Ordinance Amendment came about because of the Conditional Use Application submitted by AT&T for a communication antenna that was subsequently denied by Vic Marquardt because it did not comply with Section 5.10.4. of the Zoning Ordinance with regard to the size of the antennae. After further review of Section 5.10.4. of the Zoning Ordinance it was that the consensus to amend the Zoning Ordinance with regard to surface area dimensions (square footage rather than lineal measurements). The Cummings Township Planning Commission reviewed and recommends approval of the Ordinance which amends the square footage of surface area to 18 feet.

Supervisor Bierly made a motion to adopt Ordinance 09.14.2021 amending Section 5.10.4. of the Zoning Ordinance relative to the square footage for Communication Antennas; seconded by Supervisor Braddock, MCU.

Paving Project at the Township Building

Chairman Yohe explained that the Board would like to have a base coat of pavement put on the stoned areas of the parking lot at the municipal building to avoid tearing up the stone in the parking lot with the snow plow this winter.

A discussion was held and Supervisor Bierly made a motion to advertise for bids for paving; seconded by Supervisor Braddock, MCU.

CompuGen Proposal for security cameras for Township Park

Chairman Yohe explained that he met with CompuGen, the company that installed the security system at the township building, regarding installing video security system at the Park in an effort to deter vandalism and the proposal from CompuGen for security cameras with installation totaled \$4,129.00.

A discussion was held regarding the proposal and whether one or two cameras would be sufficient to cover the Park and Karen Purvis suggested contacting Entrada Technologies for a price on a security system.

Chairman Yohe agreed to do additional research and contact Entrada Technologies to request a proposal and further discussion was tabled.

Terminate SPCA Real Estate Sales Agreement

Chairman Yohe reported that a meeting was held with the property owners in Tiadaghton Timbers regarding the SPCA property and after two years of dialogue with those residents they would not agree to release the covenants for the property which the Township was going to purchase and then trade it for the DCNR property currently being leased by the Township.

He said at this point the Board should terminate the sales agreement with the SPCA and upon termination the SPCA has agreed to send the Township a charitable donation receipt for the earnest money paid by the Township which is approximately \$2,000.00.

Supervisor Braddock made a motion to terminate the sales agreement with the SPCA; seconded by Supervisor Bierly, MCU.

West Drive

Chairman Yohe explained that in working with the Solicitor and Township Engineer, it has been determined that the first step in order for the Township to take ownership of West Drive would be for the residents living along West Drive to form a Homeowner's Association. This is necessary in order for the residents to take ownership of the creek access area along West Drive. He said that a small group meeting with property owners will be held to determine if residents would agree to form an Association or if the matter should be dropped and the homeowners would continue to maintain the road.

Denise noted that Dennis Norman, PE indicated his search found two Deeds of Dedication from the West family to Cummings Township, one from the 1960's and one from the 1970's. After obtaining copies of those deeds it was determined that the Deeds of Dedication were never accepted by the Township and she will be preparing a Declaration to be recorded at the courthouse that will indicate that even though the Deeds of Dedication were recorded it was without the consent or acceptance by the Township.

AT&T Land Development Plan – Telecommunication Antennae

Chairman Yohe explained that AT&T submitted a land development plan to replace an abandoned television tower and building with a new telecommunications tower and compound on State Forest and Game Lands along Ramsey Road with Lycoming County Planning who administer the Township's Subdivision & Land Development Ordinance.

He said the County has requested the Township review the proposal and provide a review letter with any comments on the proposal the Board may have or return the review letter with "no comment". Chairman Yohe noted that the proposal complies with the Township's Zoning Ordinance.

Chairman Yohe made a motion to recommend approval of the Land Development Plan and provide a review letter with "No Comment" from the Township; seconded by Supervisor Bierly, MCU.

AT&T Conditional Use Application

Solicitor Dieter explained that the Township has 60 days to review and schedule a Conditional Use Hearing on the AT&T Conditional Use Application and she will coordinate scheduling the hearing with the Board of Supervisors.

Resolution 09-14-2021

Supervisor Bierly made a motion to adopt Resolution 09-14-2021 accepting ownership of Ramsey Drive and a portion of Elizabeth Drive to be recorded with a map of the roads at the Lycoming County Courthouse; seconded by Supervisor Braddock, MCU.

Correspondence

1. ARD Operating, LLC, Notice of Intent for Consumptive Use of Water for drilling and development at COP Tract 685, Pad B; Tract 731 Pad C; Tract 731 Pad D and Tract 731 Pad E; all located in Cummings township
2. Letter from the Wayne Township Landfill offering hauling services to assist with Fall leaf waste clean-up for a minimal hauling charge

Invoices

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

Executive Session

An Executive Session was called at 6:50 pm to discuss a personnel issue and it was announced that the Board of Supervisors would not be going back to regular session at the end of the Executive Session.

Adjournment

Chairman Yohe made a motion to adjourn the meeting; seconded by Supervisor Braddock, MCU.

The meeting was adjourned at 7:10 pm.

Respectfully submitted,

Darlene S. Macklem
Secretary/Treasurer