

CUMMINGS TOWNSHIP MEETING  
FEBRUARY 8, 2022

The Cummings Township Board of Supervisors held their monthly meeting on February 8, 2022 at 2:00 pm at the Cummings Township Municipal building, with Walter Braddock and Richard Bierly present and Michael Yohe attending via videoconference.

**Also in attendance:** Jennifer Topper, Rod Chambers, John Grand, Donald Stevenson of Penn Core Consulting, Tom Oberhouse, Donna Bierly, Les Ritter and Jeff Markley of the Waterville Fire Company, Tom Mussington, Craig Bierly, Bub Rainey, and Sergeant Fioretti of the Tiadaghton Valley Regional Police Department

**Pledge of Allegiance**

**Public Participation:**

**John Grand Campground**

Donald Stevenson of Penn Core Consulting spoke to the Supervisors about John Grand's Campground being developed off the Coudersport Pike. He has reviewed the plans with Township Engineer Dennis Norman and stated that the plans to be submitted are in compliance with the Township Zoning Ordinance specifically the setback and buffer requirements for the campground.

Mr. Stevenson said that he has been working with DEP and PennDot to make sure the plans meet their requirements. He is also working with the Sewage Enforcement Officer and DEP on a large volume on-lot septic system.

The only issue he has is the 100 foot setback and buffer requirement for campsites in the Township's Zoning Ordinance. He would like to address that requirement by either requesting a Zoning Variance or an amendment to the Zoning Ordinance prior to submitting plans for Phase II of the campground.

A discussion was held regarding the setback requirements and whether the Land Development Plans must be presented to the Planning Commission for review. Chairman Yohe stated if the current plans are in compliance, there is no need for the Planning Commission to review them, adding that the plans must be submitted to Zoning Officer Roger Hoy.

**Tom Oberhouse**

Tom Oberhouse, who built a home on the former "Point House" property, asked the Supervisors if the Township would consider shifting its easement to Pine Creek 15 to 20 feet downstream closer to Little Pine Creek which would move it further from his home. He said he was aware of the easement when they purchased the property and understands if the Township cannot move its location.

Supervisors Bierly and Braddock said they would both like to look at the area to determine if it would be feasible to move the easement.

Chairman Yohe suggested that Mr. Oberhouse work with his engineer, Dennis Norman, to give the Board of Supervisors a drawing as to what he is proposing. He said the Township spent a lot of money to preserve the right of way.

**Recreation Committee Report:**

Donna Bierly reported that Saar's Tree Service submitted the lowest quote to remove the trees in the Township Park but the trees have not yet been removed.

Donna also reported that Lillie Langoise, Director of the Recreation Committee, is working on an Act 13 Mini-Grant through Lycoming County for the playground which is due by February 28th. The Committee would like to purchase a handicapped swing at a cost of between \$1,000 and \$3000, and believes it will look favorable on the grant application. The Committee does not believe a permanent surface needs placed underneath the swings and that rubber mulch will be sufficient.

The Committee is also planning to replace the volley ball court with a pickle ball court. The Committee received a comment about the possibility that the pickle ball court would create noise in addition to the noise already created by the zip line at the park.

Donna stated that the Board of Supervisors previously approved \$30,000.00 for permanent surface for under the adult swings. However, the Committee has decided not to move forward with the permanent surface because as they worked with Play World, the cost for the surface and installation kept increasing. In addition, two additional trees would need to be cut down and the Committee does not want to lose anymore shade trees at the park.

The Committee is now considering using rubber mulch under the adult swings which is what was used under the zip line. Rick Bierly stated that Ely Associates would need a down payment for one-half the cost of the rubber mulch by the end of February which would be approximately \$2,900.00.

After a brief discussion, Supervisor Braddock made a motion to approve payment for one-half the cost of the rubber mulch using Act 13 Funds; seconded by Supervisor Bierly, MCU.

**Approval of Meeting Minutes:**

Chairman Yohe asked for questions or comments on the minutes from the January 3<sup>rd</sup> Reorganization Meeting or the January 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 Braddock made a motion to approve the Treasurer's Report as submitted; seconded by Supervisor Bierly, MCU.

**Zoning Liaison Report:**

Zoning Liaison Todd Carmer was not present for the meeting.

## **TVRPD Police Report**

Sergeant Fioretti presented the following Police Report for January:

### **Incidents**

1. 01/16/2022 – 22-0125 – Ambulance Assist, North Route 44 Hwy
2. 01/18/2022 – 22-0155 – Reckless Driver, North Route 44 Hwy
3. 01/22/2022 – 22-0172 – Ambulance Assist, Bierly Drive
4. 01/29/2022 – 22-0230 – MVA, Little Pine Creek Road

### **Citations/Arrests**

Immediate Notice of Accident to Police - 1

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

Roadmaster Bierly reported that he has been working with Craig Bierly and recommended that Craig be appointed to take over the Roadmaster position.

A brief discussion was held and Chairman Yohe thanked Rick Bierly for his years of service as the Roadmaster.

Supervisor Braddock made a motion to appoint Craig Bierly as Roadmaster; seconded by Chairman Yohe, the motion was approved with Supervisors Braddock and Yohe voting in favor of the motion and Supervisor Bierly abstaining due to a conflict of interest.

Craig Bierly presented the following Roadmaster's report:

- Cindered roads after recent storms
- New backhoe is working well
- Issue with power to the plow, Jeff Kreger of Pine Creek Valley Service Center and he was unable to find the problem. Craig plans to follow up with someone who has experience with Western Plows and try to obtain schematics for the plow

## **Solicitor's Report:**

Chairman Yohe contacted the Drier Law Office and told them there was no need for them to attend the meeting.

## **Old Business:**

There was no old business presented for discussion.

## **New Business:**

### **Donation Requests**

Chairman Yohe reported that the Township received donation requests from the Jersey Shore Library and the Jersey Shore Area YMCA. The requests were discussed and it was suggested that a \$1,000 be donated to both organizations, which was the amount donated in 2021.

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

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

### **Spending ARP Funds**

Chairman Yohe explained that the Township received funds through the American Rescue Plan Act (ARPA) last year and to date none of the funds have been spent. The Township has been waiting for the Federal Government to finalize regulations on how the money may be spent.

Secretary Macklem explained that currently the township has received \$13,509.76 and will receive the second payment later this year bringing the total of ARPA funds to a little over \$27,000.00. The final rule for the ARPA Funds provides an option for municipalities to take a onetime election for Lost Revenue. The onetime election will be for the entire amount of the ARPA grant and is the most flexible category. Once elected, ARPA funds would be transferred to the General Fund and may then be spent on any provision of government services.

Annual Project and Expenditure Reports are required to be submitted by April 30<sup>th</sup> of each year and funds must be spent by December 31, 2024.

A discussion was held regarding use of the funds, reporting requirements and whether the Township must adopt a resolution or by motion select the spending category for the ARPA Funds.

### **Waterville Water Association**

Donna Bierly spoke to the Supervisors about ongoing issues with locating water leaks and recent water leaks and mentioned locations of recent leaks in the township. She said the Water Association is again looking into purchasing four meters to help with locating water leaks in the future.

Certified Operator Tom Dent indicated that four meters would be a good start and he is in the process of getting prices through CoStars. Eventually the Water Association would like to purchase meters for all customers and at the present time there are 80 customers.

Donna reported that Tom Dent, the Certified Operator for the Association, signed a contract for an additional two years. She said he is very good with the customers, and that the Waterville Water Association as a whole is working well.

The Supervisors previously offered to assist with the cost of the meters and Donna asked if the Township could provide funding to the Water Association to purchase the four new meters.

Chairman Yohe said while he supports the Township assisting with the cost of the meters he would like to set up a meeting with the Waterville Water Association and Solicitor Drier to get advice as to what the Water Association is obligated to do and to discuss the future of the Water Association.

Donna Bierly also reported the Waterville Water Association is working with Local Representative Joe Hamm on applying for a grant through the County for up to \$500,000 to drill a new well.

### **Citizens Hose EMS**

Secretary Macklem received a telephone call from Gerard Banfill of Citizen's Hose EMS and he was very appreciative of the Township's donation made in exchange for membership of township residents. Mr. Banfill offered to bring the ambulance to the township and put it on display when there is a township meeting or during a special event at the Waterville Fire Company.

Chairman Yohe thought that was a great idea and would give Citizen's Hose EMS visibility as well as making them part of the community.

### **Waterville Fire Company Fisherman's Breakfast**

Donna Bierly announced that the Waterville Fire Company is having a Fisherman's Breakfast on April 2<sup>nd</sup> starting at 5:00 am.

### **Correspondence**

None.

### **Invoices**

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

### **Adjournment**

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

The meeting was adjourned at 3:00 pm.

Respectfully submitted,

Darlene S. Macklem  
Secretary/Treasurer