

CUMMINGS TOWNSHIP MEETING  
JULY 12, 2022

The Cummings Township Board of Supervisors held their monthly meeting on July 12, 2022, at 6:00 pm at the Cummings Township Municipal building, with Michael Yohe, Walter Braddock and Richard Bierly present

**Also in attendance:** Sgt. Fioretti of TVRPD, Les Ritter, Donna Bierly, James Capel, Karen Purvis, Carl Frech, Paul Sattazahn, Bub Rainey, Kim Shainline, Damien Mariano, Jeff Markley and Marc Drier, Esquire

**Pledge of Allegiance**

**Lord's Prayer**

**Public Participation:**

Resident Damien Mariano asked when the AT&T Tower would be completed, and Chairman Yohe told him the tower is to be completed by the end of October.

Chairman Yohe said he followed up with Comcast and they did a site visit, and they are looking into removing the old television cables.

Resident Kim Shainline asked if Comcast has any plans to expand the internet to Little Pine or areas in the township beyond Waterville.

Chairman Yohe said he asked about rural internet expansion projects and learned the closest project for rural internet expansion was in Blanchard. He said he did point out that the Jersey Shore School District provides tablets to students for on-line learning and the representative said he may be able to take that information back to Comcast.

A discussion was held about the need for expanding the internet throughout the township and Carl Frech suggested that residents send letters to Representative Joe Hamm who may be able to assist with getting internet service expanded throughout the community.

**Recreation Committee Report:**

Donna Bierly reported that the pickle ball court is completed and ready to use and the pads for the musical instruments are finished but the instruments have not been installed.

**Approval of Meeting Minutes:**

Chairman Yohe asked for questions or comments on the minutes from the June 7, 2022, 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:**

Chairman Yohe presented the Zoning Report for the month in the absence of Zoning Liaison Jeff Markley and reported that due to an issue with DEP, the development of the Grand Campground has been delayed.

Chairman Yohe also reported that Zoning Officer Roger Hoy is continuing to work on two code violations under the International Maintenance Code in Waterville and one violation may be resolved but the township may need to take further action on the other violation.

### **TVRPD Police Report:**

Sgt. Fioretti of the Tiadaghton Valley Regional Police Department provided the following report for June.

#### **Incidents**

1. 06/05/22 - 22-1295 – Ambulance assist, Ramsey Drive
2. 06/05/22 – 22-1396 – Theft, Little Pine Creek Road
3. 06/07/22 – 22-1314 – 911 Hang Up, Elizabeth Drive
4. 06/07/22 – 22-1318 – Ambulance assist, Sassafras Lane
5. 06/13/22 – 22-1360 – Domestic, Limbaugh Road
6. 06/17/22 – 22-1406 – Ambulance assist, Coudersport Pike
7. 06/18/22 – 22-1415 – Assist Public, Ramsey Road
8. 06/19/22 – 22-1422 – Animal sick/injured, North 44 Highway
9. 06/21/22 – 22-1439 – Ambulance assist, North 44 Highway
10. 06/23/22 – 22-1458 – Retail Theft, North 44 Highway

#### **Citations/Arrests**

Theft by deception – 2

Retail Theft - 1

#### **Waterville Fire Company**

Chairman Yohe said he believes the TVRPD monthly report provides useful information for the public and lists services provided to the township and noted that the report is posted on the township's website.

Chairman Yohe said periodically the Board receives a report from the Waterville Fire Company of the call out information and, since the Township provides substantial financial support to the fire company, he would like to have a monthly call report from the Fire Company to post on the website. He said many residents are not aware of everything the fire company does other than respond to structure fires and posting a report on the website is a way to keep the public informed of its activities.

After a brief discussion, Chairman Yohe made a motion to require a monthly activity report from the Waterville Fire Company to post on the township's website; seconded by Supervisor Bierly, MCU.

**Roadmaster's Report:**

Supervisor Bierly presented the following Roadmaster's report on behalf of Craig Bierly:

- Mowing;
- Repaired washed out areas along Dam Run Road;
- Park maintenance

Supervisor Bierly requested approval to hire Dustin Chaffin on a part-time basis for park maintenance only.

Chairman Yohe made a motion to hire Dustin Chaffin on a part-time basis for park maintenance; seconded by Supervisor Braddock, MCU.

**Solicitor's Report:**

Solicitor Marc Drier presented Ordinance 07-12-2022 amending Zoning Ordinance 11-20-2020 (Wind Energy Facility/Solar Energy Farm).

Chairman Yohe made a motion to adopt Ordinance 07-12-2022 amending Zoning Ordinance 11-20-2020 as presented; seconded by Supervisor Bierly, MCU.

**Old Business:**

No old business was presented for discussion.

**New Business:**

**CompuGen Teleconference Upgrade Proposal**

Chairman Yohe explained that since the township building is used for emergency services communication purposes the Board purchased telephones and audio-visual aids and installed StarLink at the building to have the ability during a natural disaster to communicate with other entities.

During the past year, it became clear that the current teleconferencing system is not sufficient for clear communication. CompuGen provided a proposal to upgrade the current equipment to correct the problem in the amount of \$3,281.00.

Chairman Yohe made a motion to accept the proposal from CompuGen in the amount of \$3,281.00 to upgrade the teleconferencing system; seconded by Supervisor Bierly, MCU.

**Mileage Rate**

Supervisor Braddock made a motion to approve increasing the mileage rate to \$.625 per mile consistent with the IRS mileage rate effective July 1, 2022; seconded by Supervisor Bierly, MCU.

## **Rubber Playground Surface**

Sealing and repairing the rubber playground surface at the park was tabled for discussion until a quote for the work is received.

## **Resolution No. 07-12-2022 – West Drive**

Solicitor Drier presented Resolution No. 07.12.2022 for consideration listing conditions the Township will adhere to after accepting a Deed of Dedication of West Drive. The conditions the Township and David Falls agreed to listed in the Resolution are as follows:

1. “No Parking” signs will be erected along the Drive.
2. No oil and/or gas pipeline will be allowed under the Drive.
3. The Drive, which ends at a fence, will never be extended beyond the fence area, and in fact the Township intends to create a cul-de-sac ending the Drive before it reaches the current fence.
4. Any stop signs at the Route 44 intersection with the Drive, if ever intended, will be placed only on the guardrail side of the road, subject to PennDOT regulations.

Solicitor Drier indicated that by adopting the Resolution in effect the Supervisors are agreeing to take ownership of West Drive.

A discussion was held regarding an existing right-of-way and Condition No. 2 of the resolution and Solicitor Drier stated that the Board may adopt the resolution and if it is legally impossible to adhere to the intention of any of the conditions, then it becomes a legal impossibility.

Chairman Yohe discussed the requirements for a cul-de-sac on West Drive prior to the Township becoming eligible to receive liquid fuel funds for the road.

Chairman Yohe made a motion to adopt Resolution No. 07-12-2022 contingent on Solicitor Drier to research the right of way to make sure there are no conflicts with the Resolution; seconded by Supervisor Bierly, MCU.

## **Correspondence**

1. Copy of DEP review letter for the Preliminary Hydrogeologic Studies for the Grand Campground
2. 2021 Annual Drinking Water Quality Report
3. Certificate of Appreciation for Friend of Pine Creek Membership in PCPA
4. Notice from Lycoming County Conservation District of Dirt, Gravel, and Low Volume Roads Training on November 2<sup>nd</sup> & 3<sup>rd</sup> in Williamsport  
\*\*Note: One person representing the municipality is required to attend an ESM course every 5 years to maintain program eligibility.
5. Thank you note from Jersey Shore Summer Recreation, Inc. - \$500 donation

## **Culvert Replacement on Dam Run Road**

Dennis Norman, P.E. asked the Supervisors if they were ready to proceed with replacing the culvert on Dam Run Road. The project was discussed in 2016 and the project was eligible for Dirt & Gravel funds, but the Township decided not to fund the project which then became ineligible for Dirt & Gravel funds. The estimated cost for the culvert replacement project in 2016 was \$116,000 and the estimated cost of the project is now \$180,000.00.

According to Dennis, if the Township does the work without going through the Dirt & Gravel Road program, prevailing wages will not apply, and the estimated cost would be \$100,000.00. He also pointed out that a DEP permit is required and work on the project cannot be done between October 1<sup>st</sup> and December 31<sup>st</sup> per DEP.

A discussion was held, and it was the consensus of the Board that Dennis Norman, P.E. proceed with the design work for the culvert replacement project and apply for the DEP permit.

## **Invoices**

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

## **Adjournment**

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

The meeting adjourned at 7:00 pm.

Respectfully submitted,

Darlene S. Macklem  
Secretary/Treasurer