

CUMMINGS TOWNSHIP MEETING
DECEMBER 13, 2022

The Cummings Township Board of Supervisors held their monthly meeting on December 13, 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: Carl Frech, Paul Sattazahn, Karen Purvis, Donna Bierly, Kevin Black, Jeff Markley, Don Peters, Bub Rainey, Sergeant Brian Fioretti of the Tiadaghton Valley Regional Police Department and Marc Drier, Esquire

Pledge of Allegiance

Lord's Prayer

Public Participation

Karen Purvis

Karen Purvis asked by Mr. Hileman was permitted to speak for over thirty minutes during New Business at the November meeting about the museum. She said he was not on the meeting agenda and should have been required to follow the three minute rule that is applied during public participation during township meetings.

Chairman Yohe apologized and said he was not aware the presentation from Mr. Hileman would take that much time.

A discussion was held regarding the museum including the allocation of space to display memorabilia and forming a committee that includes individuals that have family history in the area and individuals from neighboring townships to get a broader perspective.

Waterville Water Association

Donna Bierly reported on behalf of the Waterville Water Association on the meeting with DEP Representative Sophia Root that included a tour of the water facilities.

During the tour some corrosion was found on the outside one of the one pipes in the old water building, which is minor but will have to be addressed. Donna noted that since the corrosion is on the outside of the pipe, it will not affect the water quality.

DEP Representative Root was impressed with the new water building but had concerns about the water tank on the hill which was installed in 1991.

According to Donna, when the new Water Association Committee took over five years ago there were no prior records so there is no way to know when the tank was last inspected. Sophia Root expressed her concern about the tank and stated that the tank must be inspected. Ms. Root was also pleased with the report presented by Certified Operator Tom Dent.

Donna also reported that the Waterville Water Association is no longer on a water mandate or conservation mandate, adding the water supply and water pressure are good and there are currently no leaks in the water lines.

Donna Bierly also reported on the \$250,000 grant the Waterville Water Association received from Lycoming County that was ARP funds which will be used to drill the new well. It is hoped that the new well will be located next to the current well and current research indicates the depth of the well will be approximately 50 feet.

Recreation Committee Report

Donna Bierly reported that the portable toilets have been removed from the park and the pickle ball court net will need to be taken down before winter.

The zipline has not yet been repaired and Chairman Yohe suggested taking the zipline down for the winter if Willow World cannot fix it this year. Mrs. Bierly agreed to follow up with Willow World about the repairs and will request it be taken down if they are unable to repair it this year.

Approval of Meeting Minutes

Chairman Yohe asked for questions or comments on the minutes from the November 7, 2022 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

Chairman Yohe presented the Zoning Report on behalf of Roger Hoy, stating there were no Zoning or RV permits issued during the month of November.

He said there are four outstanding Zoning and IPMC violations including the Haneyville Campground violation, however the township received information that allowed for the violation to be cancelled.

He reported that two of the violations are scheduled to go before the Magistrate and one notice of violation has been sent out requesting voluntary compliance by December 23rd.

Solicitor Drier reported that those two properties are in violation of the International Maintenance Property Codes adopted by the township, stating the property owners did not respond sufficiently to those violation notices. The citations were issued and were sent to the District Judge on November 29th but were not filed in that office by the staff until December 8th and at this point the hearing dates have not been set.

TVRPD Police Report

Sergeant Fioretti presented the following report for the month of November:

Incidents

1. 11/05/2022 – 22-2638 – North Route 44 Hwy, MVA
2. 11/06/2022 – 22-2652 – Little Pine Creek Road, Abandoned 911 Call
3. 11/11/2022 – 22-2712 – Ramsey Drive, Assist the Public
4. 11/12/2022 – 22-2715 – North Route 44 Hwy, Assist Fire Department
5. 11/12/2022 – 22-2723 – Carson Road, Ambulance Assist
6. 11/14/2022 – 22-2738 – Huntley Road, Burglary
7. 11/27/2022 – 22-2826 – North Route 44 Hwy, Ambulance Assist

Citations/Arrests

None

Waterville Fire Company Report

Waterville Fire Department

Waterville, PA

This report was generated on 12/5/2022 7:53:03 PM



Count of Incidents by Incident Type for Incident Status for Date Range

Incident Status(s): All Incident Statuses | Sort By: IncidentType | Start Date: 11/01/2022 | End Date: 11/30/2022

INCIDENT TYPE	# INCIDENTS
111 - Building fire	1
320 - Emergency medical service, other	1
321 - EMS call, excluding vehicle accident with injury	2
444 - Power line down	1
463 - Vehicle accident, general cleanup	1
611 - Dispatched & cancelled en route	2
800 - Severe weather or natural disaster, other	1
815 - Severe weather or natural disaster standby	1
Total Incidents	10

Incident Date	Address	Incident Type
11/05/2022	N RT 44 HWY * ZINK FORK RD HWY, Cummings (Township of), PA 17776	Vehicle accident, general cleanup
11/06/2022	SLATE RUN RD, Brown (Township of), PA 17769	Power line down
11/11/2022	N ROUTE 44 HWY, Cummings (Township of), PA 17776	Severe weather or natural disaster standby
11/11/2022	N ROUTE 44 HWY, Cummings (Township of), PA 17776	Severe weather or natural disaster, other
11/12/2022	CARSON RD, Pine (Township of), PA 17776	EMS call, excluding vehicle accident with injury
11/15/2022	Old Post Office RD, McHenry (Township of), PA 17723	Building fire
11/18/2022	ROUTE 414 HWY, Cummings (Township of), PA 17776	Emergency medical service, other
11/20/2022	ZINCK FORK RD * FRANCIS FARM R, Cummings (Township of), PA 17776	Dispatched & cancelled en route
11/24/2022	MAIN ST, Salladasburg, PA 17740	Dispatched & cancelled en route
11/27/2022	N ROUTE 44 HWY, Cummings (Township of), PA 17776	EMS call, excluding vehicle accident with injury
		Total incidents: 10

Chairman Yohe noted that the incidents for the month were in Cummings, McHenry, Brown, and Watson Township and in Saladasburg, adding that only one of the ten incidents was a fire and said the Fire Company should not be taken for granted.

Chairman Yohe also listed the Fire Company Officers for 2023:

President – Keith Orgitano
Vice President – Jim Capel
Secretary – Tiffany Young
Treasurer – Tracy Chaffin
Director – Tom Mussington
Chief – Jason Young
Assistant Chief – Jeff Markley

Road Foreman's Report:

Roadmaster Craig Bierly reported that the plows and spreaders are on the trucks and are ready for snow removal. The "private road" sign was taken down on West Drive. The new skid-steer is enroute from Texas and has been for the last month, not sure when it will arrive. Road salt, anti-skid and cinders are stocked up.

Supervisor Bierly reported that PennDot Representative Barry Garverick looked at the DSA work done on Dam Run Road and said it was good and the township should pay the contractor for the project.

The Board also discussed engineering work being completed by Dennis Norman, PE for Dam Run Road, and the survey needed for the cul-de-sac on West Drive and work is expected to begin next year.

Solicitor's Report:

Solicitor Drier reported that there are still some possible zoning amendments that the Planning Commission and Supervisors will be reviewing including regulations for solar wind energy and short-term rentals.

A discussion was held about zoning amendments and the Board's efforts to do everything possible to maintain the natural beauty of the area. A review of the sample ordinances provided by Solicitor Drier for short-term rentals was also discussed.

Old Business:

There was no old business presented for discussion.

New Business:

2023 Budget

Chairman Yohe presented a power point presentation outlining the 2023 Budget indicating the Board's long-standing commitment to have township employees do road maintenance to improve road quality in order to do it at a lower cost with not only more consistent quality, but more timely completion, and more control of when things are done.

Funds are allocated to continue to support the activities, the growth and success of the Waterville Fire Company. The Board would like to continue to support and evolve the Township's capabilities in Emergency Management.

The Supervisors want to continue to improve the Park for the use and enjoyment by township residents and will continue to look for other recreational enhancement opportunities.

The Board would like to continue to evolve and improve the township website and other communication tools.

There are funds allocated to support other activities that serve to enhance public safety, roads and the quality of life in the township through some targeted donations.

Chairman Yohe said that each year as a group of supervisors the budget is put together by looking back at the prior year and in 2022 some of its key accomplishments were in the area of public safety with the continued relationship with the TVRPD, Jersey Shore EMS and Lock Haven EMS.

The Township has used Act 13 Impact fees and liquid fuel funds for the continued maintenance and improvements to Dam Run Road. This is important because the Board believes it is our primary emergency outlet to and from Waterville in the event of the closure of State Rte. 44.

The Township assumed road maintenance for West Drive and made improvements to that road; continued to work with the Waterville Fire Company in various areas; and have continued to fund improvements to the public park in Waterville. Improvements to the park in 2022 included the addition of a pickleball court and some playground equipment for small children.

Improvements were made to the Cummings Township/Emergency Management Center, which included upgrading our communications capability via the installation of Starlink that will be used as a backup in the event our hardwired internet connection or telephone go out of service. In 2023, the Board will continue to make minor upgrades to the technology in the Emergency Management office.

The Supervisors have continued to work primarily through the Pine Creek Valley Council of Governments (COG) to help keep PennDOT and the County focused on road improvements that continue to be needed on State Route 44 and State Route 4001 (Little Pine Road).

In review of the figures on the Budget Summary, it shows the assets and revenues or the total funds the township has on deposit and projected fund commitments that are available for 2023.

- It is projected the balance of all funds will be approximately \$3.4 million dollars. 2
- 2023 budgeted expenditures are estimated to be \$634,000;
- \$493,000 budgeted for general projected expenses and \$141,000 set aside for capital expenditures;
- Capital Expenditures include a commitment made three years ago to help fund a portion of the new compressed air foam truck for the Waterville Fire Company.

The township has approximately \$3.4 million dollars in total assets and anticipated revenues; and \$634,000 budgeted for expenditures in 2023, leaving a balance of approximately \$2.7 at the end of next year.

Most of public road safety funds are allocated from Act 13 Funds and in 2023 funding will be used for maintenance and improvements to Dam Run Road and other township roads.

The Board began to work with Dennis Norman, PE, Lycoming County, LTAP and the Soil Conservation District during COVID to frame out a potential five-year plan to help improve, stabilize and ensure Dam Run Road continues to be viable which is not something that can be tackled all at one time. It will require a lot of analysis to identify not only what improvements need to be made to the road but also to identify possible funding sources.

Based on satisfactory results during 2021 and 2022, the township budgeted for the continuation of police services through the newly created Lycoming Regional Police Commission. The contract for police services is for three years at a fixed rate of \$25,000 per year.

Finally, Act 13 funds in the amount of \$141,000 were budgeted to support the fire company truck and to make minor upgrades to the township building; \$7,000 for improvements to the park; and \$11,550 donation JS EMS and LH EMS to not only offset some of their rising costs, like diesel fuel increases, but to also benefit township residents by providing each household with a free membership.

Supervisor Braddock made a motion to approve the 2023 Budget as submitted; seconded by Supervisor Bierly, MCU.

Tax Levy Resolution 12.3.2022

Supervisor Bierly made a motion to adopt Tax Levy Resolution 12-02-2022 setting the real estate tax rate for 2023 at .00 mills; seconded by Supervisor Braddock, MCU.

Schedule Reorganization Meeting

Supervisor Braddock made a motion to schedule the Reorganization Meeting for January 3, 2022 @ 2:00 pm with the Monthly Meeting to immediately follow the Reorganization Meeting; seconded by Supervisor Bierly, MCU.

Spruce Road Right of Way/Maintenance Assumption

Chairman Yohe explained that the Supervisors were approached at the last meeting by residents living along Spruce Road about the township taking over a portion of the road for township maintenance. Discussion was deferred to allow the Board to assess the situation and decide if it was something it would want to entertain.

Chairman Yohe said the question is whether the township wants to the ownership of the right of way for the purpose of maintenance, adding there are six parcels along Spruce Road. He said he was not initially in favor of the idea because it may not be consistent with other decisions made by the Board but after looking at it, he said Spruce Road is essentially an extension of Sawmill Drive. He pointed out that the township is looking at maintaining a section of the road and does not include any driveways.

Solicitor Drier said it would be a relatively simple procedure for the township to take over the right of way for Spruce Road which is similar to the procedure followed for West Drive, including obtaining easements from property owners. He said that Chairman Yohe provided copies of the Deeds for properties along Spruce Drive to the Solicitor who verified the current private easement on the deeds.

Supervisor Braddock asked what the width of the right of way for the road was and was told it is 20 feet wide. He also expressed concerns about other residents that share a driveway would potentially request that the township take care of their road. He said Spruce Drive does not meet PennDot requirements and there is no cul-de-sac to turn around at the end of the road.

Supervisor Bierly said it would be an alley just like Ramsey Drive and PennDot Representative Barry Garverick estimated the cost to make improvements to Spruce Road at \$40,000, but Supervisor Bierly calculated that it would be closer to \$35,000 because township employees would be doing the labor on the road.

Supervisor Braddock pointed out that nothing was mentioned during the road tour to put that black top on Spruce Road and said he was concerned the Board will set a precedence where anyone could request the township to take over their road.

Chairman Yohe asked the Solicitor what the Board is allowed to do and his opinion on the issue of setting a precedence.

Solicitor Drier advised the Board that it has discretion to take over the road and as far as setting a precedence, there's not a strict precedence, as the Board is not making a rule for everybody, it's a unique situation. He said the Board may be criticized because it is benefiting a few people but legally it is within the Board's discretion.

A discussion was held regarding the possibility of taking an additional 13 feet of right of way along Spruce Drive widening it to 33 feet and adding a cul-de-sac in order to receive liquid fuel funds in the future. The right of way widths of all roads in the township were discussed as well as future development and dealing with developments from long ago.

Chairman Yohe made a motion that the township take over the right of Spruce Drive for maintenance purposes; seconded by Supervisor Bierly. The motion passed 2-1 with Supervisors Yohe and Bierly voting in favor of the motion and Supervisor Braddock voting against the motion.

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 3:25 pm.

Respectfully submitted,

Darlene S. Macklem
Secretary/Treasurer