

CUMMINGS TOWNSHIP MEETING  
MARCH 28, 2023

The Cummings Township Board of Supervisors held their monthly meeting on March 28, 2023, 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:** Donna Bierly, Karen Purvis, Les Ritter, Larry Shaffer, Jade Oakes, and Zoning Liaison Jeff Markley

**Pledge of Allegiance**

**Lord's Prayer**

**Public Participation**

**Larry Shaffer**

Resident Larry Shaffer reported that industrial equipment is being stored on the former Vince Bierly property.

It was the consensus of the Board that Zoning Liaison Jeff Markley investigate the matter and determine if there is a zoning violation or violation under the International Property Maintenance Code.

**Karen Purvis**

Resident Karen Purvis noted that there is a "Detour Sign" by her home that was installed by the contractor making repairs to Little Pine Creek Road that needs to be removed. The Supervisors said they would ask Roadmaster Craig Bierly to remove the sign.

Karen also questioned whether the Township had a "Dog Leash" law because there continues to be dogs in the community running loose.

A discussion was held and it was suggested that residents refer to the Lycoming County website under licenses for dogs which states that dogs are to be kept under the control of their owner at all times. The dog can be controlled either by a leash or if they are well trained and under the control of their owner, they are not allowed to run loose. It was suggested that residents call 9-1-1 and police officers will respond and enforce the State Law.

**Recreation Committee Report**

Donna Bierly of the Recreation Committee reported that Saar's are working on removing the trees in the park where the DCNR restroom will be installed.

She also reported that the zip line has been repaired and the swing seats and handicapped swing have been installed and are also being used heavily. In addition, the portable toilet will be installed earlier this year at the park on April 1<sup>st</sup>.

**Approval of Meeting Minutes**

Chairman Yohe asked for questions or comments on the minutes from the February 14, 2023, 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**

Zoning Liaison Jeff Markley reported that the RV permit applications have been sent out and one permit has been issued.

Chairman Yohe provided the Zoning Report from Zoning Officer Roger Hoy, that included one zoning permit being issued for a five (5') addition to a house and there are two outstanding violation notices, and the property owners were granted an extension to May 1<sup>st</sup> to correct the violations on their properties.

### **Lycoming Regional Police Report**

There was no one present from the Lycoming Regional Police Report; however, the written report was made available to residents in attendance.

### **Waterville Fire Company Report**

Les Ritter of the Waterville Fire Company presented an overview of the incidents for the Waterville Fire Company for the month of February. There were nine calls for the month of February, three were in Cummings Township and six were in McHenry Township.

Les Ritter announced that the Waterville Fire Company has scheduled its Fisherman's Breakfast for April 1<sup>st</sup> from 6:00 am to 9:00 am.

### **Roadmaster's Report:**

Supervisor Bierly provided the Roadmaster's Report on behalf of Craig Bierly who was not present for the meeting.

1. The new Skid Steer was delivered, and the grader was picked up by CH Waltz & Sons
2. The spreader and plow were removed from the Dodge Dump Truck
3. Mower maintenance including sharpening the mower blades
4. Sweep roads and cleaned intersections
5. Removed sod and mud off the berms of the road
6. Removed tree limbs from the park

Supervisor Bierly also reported that Roadmaster Craig Bierly would like to purchase a wood chipper to help with removal of trees in the township. The estimated cost for a woodchipper is \$23,430.40 through CoStars which includes shipping costs.

A discussion was held about the request to purchase a wood chipper which included the possibility of renting rather than purchasing a chipper. Further discussion was tabled to the April meeting.

Supervisor Bierly said he met with a representative of DCNR and measured out an area on Dam Run Road of 3,200 feet in length, 18 feet wide, six inches deep, in order for the Township to make application through the Lycoming Soil & Conservation District for a Dirt & Gravel Road Project. He said the estimate for the project is \$106,000.00 and will fall under the Prevailing Wage Act because the cost is over \$25,000.00.

If approved the Soil & Conservation District will pay for everything and the Township will have to provide in-kind services totaling \$1,500.00 and purchase DSA estimated to cost \$3,000.00 for the project. The Dirt and Gravel Road Application must be submitted this year and, if approved, the work will be done in 2024.

Supervisor Bierly also reported he has been approached by several residents about adding additional pickleball courts at the park.

A discussion was held and it was the consensus of the Board to table further discussion of the matter to the April meeting.

Supervisor Bierly questioned the status of the changes to be made to the township right-of-way/pathway through the former Pointe House property to Pine Creek.

It was the consensus of the Board follow up with Dennis Norman, P.E. and provide the drawing for the right of way to Solicitor Drier to prepare the new right of way agreement and to have it properly recorded at the Lycoming County Courthouse.

Supervisor Bierly also questioned whether the Township Engineer finished the drawings and received the permit from DEP to install a bottomless culvert, and repair washout and pull off areas, on Dam Run Road. It was agreed that Supervisor Bierly would follow up with Dennis Norman, P.E. on the project.

### **Solicitor's Report:**

There was nothing to report on behalf of Solicitor Drier who was not present at the meeting.

### **Old Business:**

There was no old business presented for discussion.

### **New Business:**

#### **Acknowledgement and Indemnification Agreement – Waterville Volunteer Fire Company**

Chairman Yohe explained that the Acknowledgement and Indemnification Agreement is between Cummings Township and the Waterville Volunteer Fire Company and is a formalization of agreements that are already in place between the Township, DCNR and the Fire Company for the use of the DCNR property leased by the Township next to the Fire Company used for the Sawdust Festival and Apple Butter Festival.

Chairman Yohe made a motion to approve the Acknowledgement and Indemnification Agreement as presented; seconded by Supervisor Braddock, MCU.

## **Resolution 03-14-2023 – Wheeland Lumber Company Road Bond Renewal**

Supervisor Bierly made a motion to adopt Resolution 03-14-2023 renewing the Road Bond for Wheeland Lumber Company to bond 3.10 miles of Dam Run Road; seconded by Supervisor Braddock, MCU.

## **Jersey Shore Branch YMCA Donation Request**

Chairman Yohe made a motion to donate \$1,000.00 to the Jersey Shore Branch YMCA; seconded by Supervisor Bierly, MCU.

## **Jade Oakes-Hatt – Eastern States 100**

Jade Oakes-Hatt requested the Township approve the PennDot Road Use Permit for the Eastern States 100 scheduled for August 12<sup>th</sup> and 13<sup>th</sup> allowing participants to cross State roads located in the Township.

Supervisor Braddock made a motion to approve the Road Use Permit; seconded by Supervisor Bierly, MCU.

## **Donna Bierly**

Resident Donna Bierly requested that the Township Supervisors follow up on Federal funds being distributed through Lycoming County to municipalities again this year for home repairs. Chairman Yohe agreed to follow up on the program.

## **Karen Purvis**

Resident Karen Purvis requested a sign be installed on the road to the township park that road must be kept open for emergency vehicles. She also suggested that the township install rubber bumper stops in the parking spaces at the park.

## **Waterville Water Association – New Well**

A discussion was held regarding finding a location for a second well in Waterville and whether DEP has the authority to deny the Authority the right to drill a second well on its property.

## **Correspondence**

- (1) Notice of PennDOT Municipal Outreach Program scheduled for April 20<sup>th</sup> from 4:00 to 6:00 pm in Montoursville
- (2) Memo from PSATS – 2023 Proposed By-Law Amendment for a Dues Increase
- (3) Thank you note from Dylan Mundrick, Bus 323, for installing the “School Bus Turn Around” signs on Little Pine Creek Road

## **Invoices**

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

**Adjournment**

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

The meeting was adjourned at 3:00 pm.

Respectfully submitted,

Darlene S. Macklem  
Secretary/Treasurer