

CUMMINGS TOWNSHIP MEETING  
NOVEMBER 14, 2023

The Cummings Township Board of Supervisors held their monthly meeting on November 14, 2023, at 2:00 pm at the Cummings Township Municipal building, with Michael Yohe, Walter Braddock, and Richard Bierly present.

**Also in attendance:** Donna Bierly, Larry Shaffer, Craig Bierly, Paul Sattizahn, Jeff Markley, and Don Peters

**Pledge of Allegiance**

**Lord's Prayer**

**Public Participation**

**Donna Bierly**

Resident Donna Bierly stated there has been more traffic on Spruce Road than normal and requested the Board to install either a "No Outlet" or "Dead End" sign.

During a brief discussion, Supervisor Bierly said a new street sign is needed on First Street and a No Overnight Parking sign needs to be replaced at the church.

It was the consensus of the Board to install signage on Spruce Road and to replace the First Street and No Overnight Parking signs.

**Larry Shaffer**

Resident Larry Shaffer asked for an update on the cleanup of the Pennycoff property, stating the property owner took care of the one trailer, but it is his understanding of the zoning ordinance that the other trailer also has to be removed because there is not a permanent resident on the property.

After a brief discussion, the Board requested Zoning Liaison Jeff Markley follow up on the matter.

**Approval of Meeting Minutes**

Chairman Yohe asked for questions or comments on the minutes from the October 10, 2023, 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.

### **Recreation Committee Report**

Donna Bierly reported that the handicapped portable toilet was removed from the park but the Committee opted to keep the other portable toilet on site because residents are still using the park and pickleball court.

Chairman Yohe reported that the CXT restroom will be installed at the park at the beginning of December.

### **Zoning Report**

Zoning Liaison Jeff Markley reported there were 19 RV permits issued in 2023.

Chairman Yohe presented the monthly zoning report on behalf of Zoning Officer Roger Hoy stating there was one zoning and building permit issued to Phil Kurtz for an addition.

Zoning Officer Hoy is currently working on four violations that fall under the Zoning Ordinance and/or the International Property Maintenance Code. According to Chairman Yohe, Solicitor Drier has filed paperwork with the Magistrate's Office for the Sweigart violation involving the cleanup of English Island.

### **Lycoming Regional Police Report**

Chairman Yohe presented the monthly police report for October, stating officers responded to six incidents which included one arrest for fraud in Cummings Township.

### **Waterville Fire Company Report**

The Waterville Fire Company report was presented by Jeff Markley who provided an overview of incidents for the Fire Company for the month of October, stating there were 11 incidents, eight were in Cummings Township, one in Brown Township, one in McHenry Township, and one in Watson Township. Total man hours for the Fire Company for the month was 49.17 hours.

Jeff also announced that the Fire Company is holding a Pajama Christmas Party for children on December 9<sup>th</sup> at the fire hall.

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

Chairman Yohe presented the monthly Solicitor's Report:

1. Filed the Magistrate's Complaint against the Sweigarts.
2. Prepared Resolution 11.14.23.02 regarding Change Orders.
3. Prepared Resolution 11.14.23.02 regarding Donations.
4. Revised Park Rules and drafted a Pavilion Rental Application
5. Pursuing liquid fuel funds for West Drive.
6. Assisting with answering questions for codification of the Zoning Ordinance

## **Roadmaster's Report:**

The Roadmaster's Report for the month is as follows:

1. Removal of leaves and mowing
2. Repaired damage to grass area in park after the Apple Butter Festival
3. Removed a fallen tree on Dam Run Road, and the root ball had to be dug out and a shelf was created and that area was filled in with riprap
4. Installed plows and spreaders on trucks

## **Old Business:**

### **2024 Budget – Preliminary Approval**

Chairman Yohe explained the preparation and procedure for adopting the 2024 Budget with residents in attendance.

In review of the 2024 Preliminary Budget, he explained the total expenditures, which includes a \$140,000.00 in capital expenditures for the new compressed air foam system fire truck for the Waterville Fire Company. He said the new truck should be delivered to the Fire Company in February.

The Board is setting aside \$37,000.00 for the Pine Creek Valley Heritage Museum which includes purchasing cameras, display materials, and renovations to the building. However, before the Board spends too much money on the museum it would like to be sure there will be enough volunteers to staff the Museum.

Also, \$75,000.00 is being set aside for the culvert installation on Dam Run Road; \$40,000 for recreation to replace the existing pickleball court with two pickleball courts that are regulation courts; and donations to both Jersey Shore Area EMS and Lock Haven EMS in return for memberships for Cummings Township residents.

The projected amount the Township will receive from Act 13 funds in 2024 is \$550,000.00, which is a conservative estimate and is the same as the estimate for 2023. Although the Township received over \$600,000.00 in 2023, the Board felt it appropriate to be conservative and use the same estimate for 2024.

The Township is ending the year with a projected \$3,072,777 in assets; estimates 2024 revenues at \$3,827,234; and expenditures at \$614,169 with a yearend balance of \$3,213,065.

After the Township finished the building renovations and construction of the municipal garage, the Board promised not to spend more Act 13 Funds than it receives each year and to put the surplus in the bank and to date has been able to keep that promise.

Chairman Yohe made a motion to approve the 2024 Preliminary Budget; seconded by Supervisor Bierly, MCU.

## **New Business:**

### **2023 Audit**

Chairman Yohe made a motion to appoint Lea Ann Plessinger to perform the 2023 Audit; seconded by Supervisor Bierly, MCU.

### **Letter of Understanding For Auditing Services**

Chairman Yohe made a motion to approve the Letter of Understanding for auditing services with Lea Ann Plessinger, CPA; seconded by Supervisor Bierly, MCU.

### **Resolution 11.14.23.01 – Change Orders**

Chairman Yohe explained that there were a couple of issues that came up and the Board decided to create resolutions setting procedural guidelines for the Supervisors.

Resolution 11.14.23.01 provides protocol for change orders when there is a cost overrun on a project that's in progress; rather than one Supervisor immediately approving a change order if it is more than ten percent (10%) of the total contract amount, at least two Supervisors must approve it unless it is an immediate, life-saving situation, in which case one Supervisor may approve it. This procedure was not followed by the Board and is in direct conflict with the Second Class Township Code.

Supervisor Bierly made a motion to adopt Resolution 11.14.23.01 as presented; seconded by Supervisor Braddock, MCU.

### **Resolution 11.14.23.02 – Resource Donations**

Chairman Yohe explained that the purpose of Resolution 11.14.23.02 is to set the protocol for the use of township resources, which includes people, equipment, or materials, to any private individual or entity. Resource donations will require prior approval by the Board of Supervisors at a public meeting prior to starting any work.

After a brief discussion, Chairman Yohe made a motion to adopt Resolution 11.14.23.02 to set the protocol of resource donations; seconded by Supervisor Bierly, MCU.

### **Waterville Water Association Donation**

Chairman Yohe explained that the Township Employees worked during the months of May, June and July to clear off land owned by the Water Association. It was necessary for the Water Association to clear the parcel to drill a back-up well, adding the Water Association received a grant from the State for a new well but the parcel had to be cleared off before test drilling could be done.

The Board, after the fact, is approving the work done by the Township and calculated the value of the donation at \$8,893.86 which includes personnel, equipment, dumpster rentals and the cost to haul away debris.

Chairman Yohe made a motion to approve the donation to the Waterville Water Association in the amount of \$8,893.86; seconded by Supervisor Bierly, MCU.

**Correspondence:**

Donation request from Jessica Servano, Development Director of the River Valley Regional YMCA requesting a donation in support of the Brick House Program which is a teen program that provides a safe space for youth to go to after school.

After a brief discussion, Supervisor Bierly made a motion to approve a \$1,000 donation in support of the Brick House Program; seconded by Supervisor Braddock, MCU.

**Invoices**

Chairman Yohe made a motion to approve the invoices as presented; seconded by Supervisors Braddock, MCU.

**Adjournment**

Prior to adjournment, Resident Don Peters congratulated Supervisor Braddock on being re-elected for another term as Supervisor and thanked the Board for scheduling some of the monthly meetings for the afternoon enabling him to attend meetings. He also thanked the Board of Supervisors for their service.

There being no further business, Chairman Yohe adjourned the meeting at 2:55 pm.

Respectfully submitted,

Darlene S. Macklem  
Secretary/Treasurer