

CUMMINGS TOWNSHIP MEETING  
AUGUST 13, 2024

The Cummings Township Board of Supervisors held their monthly meeting on August 13, 2024, at 6:00 pm at the Cummings Township Municipal building, with Michael Yohe, Walter Braddock and Charles Rogers present.

**Also in attendance:** Jim & Connie Mitcheltree, Carl Frech, James Capel, Mike Crist, Donna Bierly, Larry Shaffer, Ray Wirth, James Lees, Tom Mussington, Karen Purvis, Don & Cheri Peters, Wm. Dennis Buttorff, EMA and Dance Drier, Esquire

**Pledge of Allegiance**

**Lord's Prayer**

**Public Participation**

Tom Mussington spoke to the Supervisors on behalf of the Waterville Fire Company about a possible fundraising event at the Fire Hall next July and requested approval to use the Township's parking lot and the ball field for parking. He said the fire company is looking at July 26-27, 2025, and would like approval from the Board prior to moving making a commitment for the event.

A discussion was held and it was suggested that the fire company would have to work closely with the Township employees to avoid damaging the ball field. Chairman Yohe pointed out that a Special Event Agreement would be needed for the fire company to use the DCNR property for the event and that takes nine months to process.

Supervisor Rogers made a motion to approve the request for parking for the July fundraising event; seconded by Supervisor Braddock, MCU.

**Approval of Meeting Minutes**

Chairman Yohe asked for questions or comments on the minutes from the July 9, 2024, monthly meeting; there being none, Supervisor Braddock made a motion to approve the meeting minutes as presented; seconded by Supervisor Rogers, MCU.

**Approval of Treasurer's Report**

Supervisor Rogers made a motion to approve the Treasurer's Report as submitted; seconded by Supervisor Braddock, MCU.

Secretary/Treasurer Macklem requested approval to renew two Act 13 Fund Certificates of Deposit, one at Woodlands Bank, and one at Jersey Shore State Bank. Woodlands Bank is offering five (5%) percent for seven months and four and one-half (4.5%) percent for fifteen months; Jersey Shore State Bank is offering at four and three-fourths (4.75%) percent for ten months.

Secretary/Treasurer Macklem also provided interest rates offered by PLGIT which were higher than the rates offered at local banks and requested approval to invest an additional \$300,000.00 of Act 13 Funds.

Chairman Yohe made a motion to authorize the Secretary/Treasurer to renew the Certificates of Deposit at Jersey Shore State Bank and Woodlands Bank and to invest additional Act 13 Funds in the best diversified investments at her discretion; seconded by Supervisor Braddock, MCU.

### **Recreation Committee Report**

Recreation Committee Member Karen Purvis reported a problem with the Jersey Shore YMCA bringing a bus load of children to the Cummings Township Park on July 26<sup>th</sup> without a reservation.

Donna Bierly also indicated that she and Rick were with Karen when she spoke to Representatives at the YMCA and it was not a good situation.

Chairman Yohe explained that he did not receive a response to the email he sent to the Director of the YMCA and noted that his email stated that the park is not a public park that it is the Cummings Township Park for the primary benefit and use of Cummings Township property owners and residents.

Chairman Yohe said it is not the intent to prohibit others from enjoying the park but a little consideration is appreciated. He also suggested that in the future, the police department should be contacted to take care of the matter and members of the Recreation Committee and/or township residents should not confront these individuals directly.

Karen also indicated that the park was extremely busy last Sunday and the bike rack at the park was full and she requested that an additional bike rack be installed.

It was the consensus of the Board to install another bike rack at the park.

### **Zoning Report**

Chairman Yohe reported that no new zoning permits were issued and there is one subdivision for the Planning Commission to review.

The Zoning Officer is continuing to work with the Solicitor on the Property Maintenance Code Violation for the trash on English Island.

### **Lycoming Regional Police Report**

Chairman Yohe provided the monthly police report on behalf of the Lycoming Regional Police Department that included five incidents, most of which were EMS related, and one Criminal Trespass Citation issued by officers.

### **Waterville Fire Company Report**

James Capel of the Waterville Fire Company reported 22 calls for the month of July, and 10 of the calls were in Cummings Township for a total of 149 man-hours for the month.

According to Jim, 12 calls were received between August 9<sup>th</sup> and 11<sup>th</sup> due to flooding from Hurricane Debby. He said members started to prepare for the storm Thursday, started working at 6:00 am Friday and finished at 3:00 am on Saturday morning. He said there were two water rescues in Carson Town and on Sunday the members travelled to Knoxville, PA, and searched for a missing person and Monday they were in the Trout Run area which was devastated by flooding.

Members of the fire company also continuously checked areas in Waterville and Ramsey Village for water issues during the storm.

The Supervisors commended the fire company for the number of hours volunteers put in last month and thanked them for their service during last week's flood.

### **Emergency Management Coordinator Report**

EMC Denny Buttorff reported on the flood damage caused by Hurricane Debby which devastated Carson Town and English Center affected 53 buildings and four of those buildings collapsed.

He also reported that the Jersey Shore Area Water Authority had two feet of water in all their buildings. The Authority has two ponds and one dam that will hold water and the Authority is in the process of getting them repaired and because Larry's Creek changed its location and a boil water advisory was issued to local residents.

Denny explained that when an Emergency Declaration is signed, as soon as the water starts to recede, officials must get out and start gathering information on damaged properties, primarily how high the water is on the buildings, the contents in the building and in this instance, all the information must be gathered and provided to PEMA by August 30<sup>th</sup>. In addition, Denny explained that for the County to receive Federal funds, damages must total at least \$24 million dollars.

### **Roadmaster's Report**

Roadmaster Craig Bierly reported that employees graded and rolled Dam Run Road and mowed various areas throughout the township.

### **Solicitor's Report**

Attorney Dance Drier reported on the Lippert Magistrate's Hearing, explaining that Mr. Lippert was given a time limit to remove the truck full of junk on his property and when Zoning Officer Hoy rechecked the property, he confirmed that the truck had not been removed and at that point a fine was imposed on Mr. Lippert by the Magistrate. Two days after being fined, Mr. Lippert removed the truck from the property.

**Old Business**

**Short-Term Rental Ordinance**

Chairman Yohe reported that the Board of Supervisors provided information gathered from the public during hearings held to discuss the Short-Term Rental Ordinance to the Solicitor. Revisions were made to the ordinance and the ordinance will be considered for approval at the September meeting.

**New Business**

**Waterville Fire Company Insurance Reimbursement**

Chairman Yohe discussed how Cummings Township supports the Waterville Fire Company financially by budgeting for capital expenditures; Act 13 in lieu of fire tax monies; and a standing agreement to pay fifty (50%) percent of the cost of their auto insurance premium. He said recently he and Secretary/Treasurer Darlene Macklem met with Fire Chief Jason Young and Tracy Chaffin, Treasurer of the fire company to review the fire company's insurance premiums and to request that the Township pay one-half of the total cost for all insurance coverage.

Secretary/Treasurer Macklem provided the following cost breakdown for insurance coverage for the Fire Company:

<u>INSURANCE COVERAGE</u>	<u>PREMIUM</u>
Property	\$2,573.00
Crime	\$128.00
Portable Equipment	\$3,314.00
Auto	\$9,923.00
General Liability	\$1,121.00
Management Liability	\$365.00
Excess Liability	\$750.00
Total Premium	<u>\$18,174.00</u>
Worker's Compensation (PA SWIF)	<u>\$4,561.50</u>
<b>Total Cost of Insurance</b>	<b><u><u>\$22,735.50</u></u></b>
One-half Cost of Insurance	\$11,367.76
Less Township Payment for one-half of Auto Insurance	4,961.50
Less Township Payment for Worker's Compensation (PA SWIF)	<u>4,561.50</u>
Balance due from Cummings Township	<b>\$ 1,844.75</b>

Chairman Yohe made a motion that the Township pay the additional amount of \$1,844.75 which totals one-half the total cost of insurance coverage for 2024 and going forward pay one-half the total cost of the annual premium for all insurance coverage for the Waterville Fire Company; seconded by Supervisor Rogers, MCU.

### **Act 13 In Lieu of Fire Tax Payment – Waterville Fire Company**

Chairman Yohe made a motion to approve the payment of \$17,000.00 in lieu of Fire Tax for 2024 from Act 13 Funds to the Waterville Fire Company; seconded by Supervisor Rogers, MCU.

### **West Drive Resident's Drilling Concerns**

Resident Don Peters spoke on behalf of residents owning property along one side of West Drive in the Township that are not included in gas drilling leases. He explained that EQT is in the process of drilling in an area that adjoins that side of West Drive and residents are requesting that EQT enter into gas leases for their properties.

A discussion was held and it was agreed that it may be appropriate for the Solicitor to investigate various avenues to assist with requiring EQT to lease those properties along West Drive.

**Correspondence:** Range Resources – Appalachia, LLC - Notice of Intent for Consumptive Use at Ogontz 3H, 7H, & 9H

### **Invoices**

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

### **Adjournment**

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

Chairman Yohe adjourned the meeting at 7:40 pm.

Respectfully submitted,

*Darlene S. Macklem*

Darlene S. Macklem  
Secretary/Treasurer