

**HICKORY TOWNSHIP  
BOARD OF SUPERVISORS  
REGULAR MONTHLY MEETING  
September 6, 2022**

The regular monthly meeting of the Hickory Township Board of Supervisors held at the Hickory Township Municipal Building was called to order at 7:00 p.m. by Chairperson William W. Dean.

**Supervisors Present:** William W. Dean  
Michael E. Hall  
Christopher J. Fabian

**Staff Present:** Jason Medure – Solicitor  
Lisa Schlemmer - Secretary/Treasurer  
Lt. Chad Adams – Hickory PD

**Other Attendees:** Andrew Henley                      Marcelyn Fowler  
Andrew Richards                      Linda Warso  
Becki Stiger                      John Warso  
Gary Finley                      Tom Houston

Motion to accept the minutes from the August 1<sup>st</sup> regular meeting without correction was made by Supervisor Hall and seconded by Supervisor Fabian. All in favor. Motion carried.

The August Treasurer's Report and bill summaries were presented. Motion to pay the current bills, payroll and all regular and incoming bills was made by Supervisor Fabian. Seconded by Supervisor Hall. All in favor. Motion carried.

Report of Police Activities for August: 3 traffic warnings; 1 traffic citation; 6 administrative activities; 11 assists (police, fire, EMS & public); 7 property checks; 6 false alarms; 1 suspicious activity; 2 simple assaults; 1 disabled vehicle; 2 road hazards; 1 animal complaint; 1 fleeing or attempting to elude arrest; 1 erratic driver complaint; 1 custody dispute; 1 under age drinking; 1 access device fraud; 6 special event; 1 reportable crash; 1 non-reportable crash; and 1 vehicle maintenance.

**Building Permits:**

<b>Applicant</b>	<b>Address</b>	<b>Proposed Improvement</b>
Todd & Stephanie Chamberlain	1815 Eastbrook Road	Replace and reconfigure back deck, stairs and add a new landing area

**Announcements:** None

**Public Comments:** Marcelyn Fowler has been a resident of Sunview Drive since 1958. She said that she and other neighbors have maintained the entire length of Sunview Drive with no assistance from the Township since 1978 such as grass cutting, planting of trees, ditches, driveway culverts, etc. It was incredulous to her that there was absolutely no communication with any of the homeowners on Sunview Drive about the water drainage, the pipe installation or the paving. She voiced her displeasure with the recent road work having left remaining water drainage issues all along Sunview Drive. She presented pictures showing the accumulation of water along four (4) properties from a recent rain storm. The road surface is so high that her mailbox is now too low. The grates on Brandy Way are so full that there is "stuff" growing out of the grates and the mosquitos are breeding in them terribly. Supervisor Hall stated that he cleaned out the Brandy Way grates in 2021 and that the silt fabric in the top of the grates would be removed once the final house was built on the lane. He said that the removal of the silt fabric would alleviate the issues that she mentioned. Ms. Fowler wanted to know why an expert in drainage was not consulted, especially given the fact that the work that was done has left so many problems. Supervisor Dean said that this was always how they go about road work. He asked her to leave copies of her pictures and said that the Township would look into her claims.



Gary Finley voiced ongoing complaints about the owner of 113 Marshall Place stating that he saw construction materials being restacked in the burn ring area last week. He reported this newest complaint to the Zoning Officer on September 1<sup>st</sup>. The Zoning Officer replied that letters were posted on the premises within two (2) hours of the Finley complaint on September 1<sup>st</sup>. Mr. Finley saw said posted letters stating that he went up onto the porch of the house to make sure that the notices were properly secured since it was windy. Mr. Finley voiced frustration over why the owner has not been cited for illegal burning and bringing rubbish construction materials into the township. The Zoning Officer explained that notices of violation have to be properly served, which is an issue in this case. Mr. Finley found it unbelievable that the Township is not privy to special investigative avenues to locate people to serve notices. Solicitor Medure refuted the Finley contention in this regard and explained record sources, record availability and the difficulties in this arena.

**Old Business:** Initial square yardage calculations for paving patch material concerning Road Project 22-37002-001 were found to be 37.73 square yards short. This resulted in Protech Asphalt Maintenance, Inc. billing an additional \$17,474.34 beyond their original bid amount. Supervisor Fabian made a motion to approve said overage. Motion was seconded by Supervisor Hall. All in favor. Motion carried.

**New Business:** Supervisor Fabian made a motion to pass Resolution #2022-09 naming Supervisor Dean the authorized signatory for the *UPMC Health Plan Annual Employer Group Agreement for Hickory Township* and related insurance renewal documents. Motion was seconded by Supervisor Hall. All in favor. Motion carried.

Supervisor Hall made a motion to approve the tax exoneration of Timothy Pander in accordance with Lawrence County Tax Assessment Resolution #36915 dated August 3, 2022. Motion was seconded by Supervisor Fabian. All in favor. Motion carried.

Supervisor Hall made a motion to amend the Agenda in the interest of taking action on the Devil's Elbow Road culvert collapse. Motion was seconded by Supervisor Fabian. All in favor. Motion carried. Supervisor Hall then made a motion seeking permission to proceed with a grant application through the Lawrence County Conservation District Office seeking funding assistance and project guidance. Supervisor Hall also requested as part of the motion that either he or Supervisor Dean be given the authority to sign any documentation relative to said grant application in the interest of moving forward as soon as possible. Motion was seconded by Supervisor Fabian. All in favor. Motion carried. A brief update on the matter consists of the following: The Lawrence County Conservation District representatives have surveyed the area and advised that an updated scoring system permits this project to be considered for grant assistance. The Township engineers have viewed the compromised area of Devil's Elbow Road and formulated a temporary fix. The temporary fix has been implemented and consisted of filling a 9' deep crevice with aggregate to bolster the compromised roadway. The Township awaits a decision on the grant application, completion of a comprehensive engineered plan and DEP approval permits for the project which could take 6-7 months. Truck traffic on Devil's Elbow Road will be temporarily prohibited due to concerns about the weight limits on a compromised roadway. "No truck" road signs will be placed at either end in the very near future. Obviously, the road will have to be closed when the culvert is replaced, but there is no definitive time table for this project. Cooler temperatures and winter weather could also become a factor in whether or not the road can remain open before the culvert replacement project is undertaken.

Supervisor Hall had an opportunity to speak with a PennDOT representative who was in the area of Eastbrook-Nehsannock Falls Road garage. A plethora of issues were discussed with the PennDOT representative, such as: 1) the failure of PennDOT to communicate with the Township about any work projects or maintenance; 2) PennDOT's failure to clean out their ditches and grates when requested and the impact thereof to Township roads causing Township residents to foot the bill for fixes; 3) PennDOT's failure to maintain the batteries for the warning lights on the one-lane bridge on S.R. 168 (despite a number of accidents at said bridge closure); 4) PennDOT's position that their small District 11 budget precludes them from fixing the S.R. 168 bridge, yet a multitude of bridges in District 11 have been fully replaced, multiple tar and chip projects have been done this summer and we have just learned that Eastbrook-Neshannock Falls Road will be widened and paved; and 5) PennDOT has neither erected the horse and buggy signage on State Routes in the Township nor implemented their plan for the intersection of S.R. 108 and 388 after their 2019 traffic study. No answers were provided. Supervisor Fabian added that PennDOT is contracting out all of the ditch and drain/grate cleaning. The Township has not been advised of what areas may be included in this contract work.

Motion to adjourn the meeting at 7:40 P.M. was made by Supervisor Hall and seconded by Supervisor Fabian. All in favor. Motion carried.