

MINUTES OF THE OLEY TOWNSHIP BOARD OF SUPERVISORS
MEETING HELD JUNE 13, 2022

The regular meeting was called to order at 7:00 p.m. in the Oley Township Municipal Building by Jeffrey Spatz with Supervisor Edwin Pollock in attendance. Solicitor David Allebach was also in attendance. The Pledge of Allegiance to the American Flag was observed.

Atty. Allebach announced that the Supervisors met in executive session this evening at 6:00 p.m. relative to potential litigation.

The meeting agenda was posted in the meeting room and the township website prior to the start of the meeting. No public comment was heard on any of the listed agenda items.

There being no changes to the May 9, 2022 minutes, a motion was made by Edwin Pollock and seconded by Jeffrey Spatz to approve the minutes of the May 9, 2022 meeting as presented. Jeffrey Spatz – yes; Edwin Pollock - yes. All in favor....motion carried. Action will be tabled on the minutes of the May 23, 2022 meeting until our next meeting since not enough members were present from that meeting to approve the minutes.

The police department report for the month of May 2022 was read indicating 231 calls for the month. Sgt. Wayne Levy reported that an arrest has been made on the ATV thefts and two of the three were recovered, they have several suspects on the dirt bike thefts and they are working with the State Police on this case since they also had some taken in their areas, they are also working on a large fraud case that occurred in our township. Mr. Spatz urged residents to call the police if they see anything that looks suspicious.

The road department report for the month of May 2022 was read. Received one bid for a Used Skid Steer Loader and High Flow Cold Planer from Maloney Macadam, LLC in amount of \$48,000.00. Duane Howard said this skid loader can also be used for street sweeping and snow removal in the Meadow View Farms development. Atty. Allebach is satisfied that the bid package was competitive. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to award the bid for the Used Skid Steer Loader and High Flow Cold Planer to Maloney Macadam, LLC in the amount of \$48,000.00. Jeffrey Spatz - yes; Edwin Pollock – yes. All in favor....motion carried. Mr. Howard said we have a vacancy in the Assistant Road Superintendent position and he would recommend that Trey Miller be appointed to that position. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to appoint Trey S. Miller as Assistant Road Superintendent for the remainder of 2022 at a pay rate of \$26.80 effective June 19, 2022. Jeffrey Spatz – yes; Edwin Pollock – yes. All in favor....motion carried. Mr. Howard said that to establish a brake retarder restriction on Route 73 prior to the Friedensburg Road intersection would require the posting of two signs at a total cost of \$430, before posting of these signs it would be required to send a letter to PennDOT requesting them to perform a traffic study to determine if the brake retarder restriction is warranted, the township would need to reimburse PennDOT for the cost of this traffic study. It was agreed that we would need to know the cost of this traffic study before we commit to having it performed, Mr. Howard will obtain this cost until our next meeting. Mr. Spatz has a concern with the costs associated with establishing this brake retarder restriction and that by posting these signs it may actually make the situation worse by

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truckers being abusive. A resident requested to move the stop sign at the corner of Bertolet Mill Road and Hoch Road and to add a stop sign on Bertolet Mill Road on the Oley Valley Youth League side, this is due to a large tree and it is hard to see the stop sign at the intersection. Both of these roads are state roadways so this would be a PennDOT intersection and a letter would need to be sent to PennDOT to address the signage concern. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to send a letter to PennDOT requesting to move the stop sign at the corner of Bertolet Mill Road and Hoch Road and to add a stop sign on Bertolet Mill Road on the Oley Valley Youth League side. Jeffrey Spatz – yes; Edwin Pollock – yes. All in favor....motion carried. Mr. Howard said there was a concern that full depth reconstruction would be necessary on Main Street between Lynx Drive and 619 Main Street but the contractor restored the road and everything is satisfactory now.

The Fire Chief's report for the month of May 2022 was read indicating a total of fifty-one calls for the month.

The Ambulance Chief's report for the month of May 2022 was read indicating a total of one hundred five calls for the month. They participated in the Oley Valley BASH car parade and standbys at High School graduation, Reading Motorcycle Club drag races, and the Deka Sally Miksiewicz Memorial 5K Run.

The Scott Lutz property located at 41 Moravian School Road is in violation of accumulation of rubbish or garbage and disposal of rubbish, the owner is in a nursing home, the son resides at the property, been to court two times and Mr. Lutz has not shown up, several bench warrants have been issued for his arrest. The Stuart M. Snyder property located at 118 Mill Road is in violation of sanitation, accumulation of rubbish or garbage, disposal of rubbish, and motor vehicles, wood moved out of right-of-way but only one trailer was removed from the woods, more items need to be removed from the woods or another citation will be issued. The Perry Good, Jr. property located at 71 Carriage Circle is in violation of sanitation, motor vehicles, accessory structure maintenance, hearing held and was given sixty days to clean up property.

The Union Church Cemetery Company Subdivision Final Plan had been approved March 14, 2022 but has not yet been recorded and it is beyond the ninety days for recording, we will need to re-approve this plan so that the County will record it. A motion was made by Edwin Pollock and seconded by Jeffrey Spatz to re-approve the Union Church Cemetery Company Subdivision Final Plan, plan number T21-016-D, dated March 8, 2022. Jeffrey Spatz – yes; Edwin Pollock – yes. All in favor....motion carried.

Received the Zoning Hearing Board decision for New Life Bible Fellowship Church granting a variance of Sections 27-503.B.2 and 27-1609.B.6 to increase impervious coverage and expand the parking lot with minimal curbing.

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Received the Zoning Hearing Board decision for Joshua & Jessica Vooz granting a variance of Sections 27-1609.B.5 and 27-1609.B.6 to provide parking on a grass area without improving the parking area with macadam, curbing, internal road systems, landscaping, islands or strips.

The Friedens United Church of Christ and the Richard Yoder & Rachel Stringfellow zoning hearings have been scheduled for June 15, 2022 at 6:30 p.m.

Received letter dated May 31, 2022 from HARB recommending that the Board of Supervisors of Oley Township issue a Certificate of Appropriateness to Anne Gehret for property located at 197 Main Street to replace front porch roof with architectural CertainTeed Landmark series shingles, replace front porch columns with six inch chamfered wood posts and Timberbuild brackets, install four inch porch balustrade railing on front porch, and replace front porch floor with Aeratis Traditions tongue and groove porch flooring, as described on material specifications sheet and shown on drawing dated May 13, 2022. This application was reviewed and discussed. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to issue a Certificate of Appropriateness to Anne Gehret for property located at 197 Main Street to replace front porch roof with architectural CertainTeed Landmark series shingles, replace front porch columns with six inch chamfered wood posts and Timberbuild brackets, install four inch porch balustrade railing on front porch, and replace front porch floor with Aeratis Traditions tongue and groove porch flooring, as described on material specifications sheet and shown on drawing dated May 13, 2022. Jeffrey Spatz – yes; Edwin Pollock – yes. All in favor....motion carried.

Received letter dated May 31, 2022 from HARB recommending that the Board of Supervisors of Oley Township issue a Certificate of Appropriateness to Howard L. Stoltzfus (Brendon & Celine Field, owners) for property located at Old State Road to construct new home and barn using high pitch roof, architectural shingles, stone veneer detail, hardi plank board and batten siding, divided light windows, shed and gable dormer detail as per sketch dated December 22, 2021. This application was reviewed and discussed. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to issue a Certificate of Appropriateness to Howard L. Stoltzfus (Brendon & Celine Field, owners) for property located at Old State Road to construct new home and barn using high pitch roof, architectural shingles, stone veneer detail, hardi plank board and batten siding, divided light windows, shed and gable dormer detail as per sketch dated December 22, 2021. Jeffrey Spatz – yes; Edwin Pollock – yes. All in favor....motion carried.

Received letter dated May 31, 2022 from HARB recommending that the Board of Supervisors of Oley Township issue a Certificate of Appropriateness to Mark Gleason for property located at 3274 Friedensburg Road to install six foot high by fifty-four foot length cedar wood privacy fence alongside of property located approximately two feet to three feet in from property line. This application was reviewed and discussed. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to issue a Certificate of Appropriateness to Mark Gleason for property located at 3274 Friedensburg Road to install six foot high by fifty-four foot length cedar wood privacy fence alongside of property located approximately two feet to three feet in from property line. Jeffrey Spatz – yes; Edwin Pollock – yes. All in favor....motion carried.

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Received letter dated May 31, 2022 from HARB recommending that the Board of Supervisors of Oley Township issue a Certificate of Appropriateness to Damon & Paige Kowolewski for property located at 337 Oley Furnace Road to renovate four door entrances on main house, copy remaining trim from rear hallway door and replicate trim onto all four entry doors, existing wood trim will be replaced with Azek building material; install new screen doors on four entry doors, front of house and rear entry hall doorway will be full view on all doors, rear kitchen doorway to be a half light to include an integrated dog door; original wood entry doors will be painted and repaired but not replaced. This application was reviewed and discussed. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to issue a Certificate of Appropriateness to Damon & Paige Kowolewski for property located at 337 Oley Furnace Road to renovate four door entrances on main house, copy remaining trim from rear hallway door and replicate trim onto all four entry doors, existing wood trim will be replaced with Azek building material; install new screen doors on four entry doors, front of house and rear entry hall doorway will be full view on all doors, rear kitchen doorway to be a half light to include an integrated dog door; original wood entry doors will be painted and repaired but not replaced. Jeffrey Spatz – yes; Edwin Pollock – yes. All in favor....motion carried.

Received letter dated May 31, 2022 from HARB recommending that the Board of Supervisors of Oley Township issue a Certificate of Appropriateness to Lumina Settlement Services, Inc., (Ronald Bortz, owner) for property located at 449 Main Street to install three signs, two along Main Street on either side of existing posts and one sign on building as per the design as submitted with application, finding of fact is that the sign on the building will not be visible from the public roadway. This application was reviewed and discussed. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to issue a Certificate of Appropriateness to Lumina Settlement Services, Inc., (Ronald Bortz, owner) for property located at 449 Main Street to install three signs, two along Main Street on either side of existing posts and one sign on building as per the design as submitted with application. Jeffrey Spatz – yes; Edwin Pollock – yes. All in favor....motion carried.

Received letter dated May 31, 2022 from HARB recommending that the Board of Supervisors of Oley Township issue a Certificate of Appropriateness to Rob Adams (Realty Line, LLC, owner) for property located at 401 Main Street to rebuild front porch with Aeratis Heritage tongue and groove 3.311 inches wide and install a metal standing seam roof. This application was reviewed and discussed. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to issue a Certificate of Appropriateness to Rob Adams (Realty Line, LLC, owner) for property located at 401 Main Street to rebuild front porch with Aeratis Heritage tongue and groove 3.311 inches wide and install a metal standing seam roof. Jeffrey Spatz – yes; Edwin Pollock – yes. All in favor....motion carried.

The tax collector submitted individuals to be exonerated for the 2017 and 2021 per capita taxes as listed. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to exonerate the tax collector from collecting the 2017 and 2021 per capita taxes as listed. Jeffrey Spatz – yes; Edwin Pollock – yes. All in favor....motion carried.

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Incoming communications:

1. Request dated May 11, 2022 from Denise Grim of 649 Covered Bridge Road for a well isolation distance exemption per Chapter 72.33 of the Pennsylvania Code in order to relocate her water well, the proposed well will encroach on the regulated isolation distances for drainfields, septic tanks and agricultural land, the proposed well would be twenty-four feet from the neighboring farm and sixty-seven feet from a creek. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to grant a well isolation distance exemption per Chapter 72.33 of the Pennsylvania Code to relocate the water well which will encroach on the regulated isolation distances for drainfields, septic tanks and agricultural land and the proposed well will be twenty-four feet from the neighboring farm and sixty-seven feet from a creek. Jeffrey Spatz – yes; Edwin Pollock – yes. All in favor....motion carried.

2. Letter dated May 12, 2022 from Entech Engineering notifying us that the Oley Township Municipal Authority is filing a Public Water Supply Permit application to DEP for Well #3 modifications and asking us to complete a Municipal Land Use Letter that is to be submitted with the permit application to DEP. A motion was made by Edwin Pollock and seconded by Jeffrey Spatz to authorize the Secretary to complete the Municipal Land Use Letter for Entech Engineering for Oley Township Municipal Authority Well #3 off of Oley Furnace Road for modifications for the replacement of the pump and motor on the public water supply system. Jeffrey Spatz – yes; Edwin Pollock – yes. All in favor....motion carried.

3. Letter received June 8, 2022 from Community Anniversary Celebration Committee inviting Oley Township to participate in the parade on September 10, 2022 at 1PM with raindate of September 11, 2022. The Supervisors indicated they would participate in some fashion in this parade.

Atty. Allebach said we cannot close on the Trails End Lane property until September or October of this year after the conclusion of the sale of the conservation easement but we can lease the land to the successful bidder until the sale can be completed. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to authorize the Chairman and Secretary to execute a Ground Lease with Jeffrey A. & Kathleen A. Updegrove for a parcel of land consisting of approximately 59.036 acres located between Trails End Lane and Pennsylvania Route 73 for a term of one year commencing on June 15, 2022 and ending on June 14, 2023. Jeffrey Spatz – yes; Edwin Pollock – yes. All in favor....motion carried. Atty. Allebach said a deed of correction needs to be filed to correct the actual acreage of the property. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to authorize the Chairman and Secretary to execute the Deed of Correction for the Trails End Lane property correcting the legal description so as to conform to the survey prepared by Spotts, Stevens & McCoy. Jeffrey Spatz – yes; Edwin Pollock – yes. All in favor....motion carried.

Duane Howard said LTL Consultants is in the process of preparing specifications for a new salt shed construction.

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Mr. Spatz said the cost of a seventy inch monitor screen with a mounting bracket to hang on the meeting room wall would cost approximately \$900, he will continue to work on this.

The financial report was called for and read. A motion was made by Edwin Pollock and seconded by Jeffrey Spatz to accept the financial report and pay all the bills and salaries. Jeffrey Spatz – yes; Edwin Pollock - yes. All in favor....motion carried.

Public comment:

1. John Hughes – He resides at 409 Main Street and has noticed a lot of semi-tractor trailers traveling through Main Street. Marie Haas believes they are getting confused at the roundabout and get onto Main Street by accident. Sgt. Wayne Levy said he will instruct the police officers assigned in the Oley area to watch for trucks traveling on Main Street. Duane Howard said he will look at the signage we have posted on Main Street not allowing trucks on this roadway and possibly update some of this signage.

2. Daniel Schaeffer – He expressed a concern he has on his most recent sewer and water bill that was high due to not being able to read the meter for several quarters and receiving estimated billings for those quarters, he feels there should be more oversight of the Municipal Authority. Mr. Spatz said he spoke with the Municipal Authority regarding this issue and they will communicate better with the customers on matters such as this.

3. James Coker – Asked when the Joshua & Jessica Vooz zoning hearing will be held. It was stated that this hearing had already been held and we received the decision from the Zoning Hearing Board on this matter. Mr. Coker said this is a preserved farm which has a conservation easement placed on it and would not be able to establish a parking lot on the property. It was explained that this is why the variance was required since they could not pave or stone the parking area, the Berks County Land Preservation Board was agreeable to parking on a grass area since that could then still be farmed, this is why a variance was required since our ordinance requires parking to be on a paved or stoned surface.

The next regular meeting will be held Monday, July 11, 2022 at 7:00 P.M.

Mr. Spatz indicated that this will be the final meeting that our Solicitor, David Allebach, will be attending as he is heading into retirement and he was presented with a parting gift that was purchased and given by the Supervisors and Secretary to Atty. Allebach and we wish him a happy retirement. Kenneth Picardi of the same firm will be attending our meetings as our legal counsel.

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A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to adjourn the meeting at 8:10 p.m. Jeffrey Spatz – yes; Edwin Pollock – yes. All in favor....motion carried.

Respectfully submitted,

Shirley M. Moyer
Secretary/Treasurer

Cc: J. Spatz
M. Hoch
E. Pollock
D. Allebach
N. Ulrich