

MINUTES OF THE OLEY TOWNSHIP BOARD OF SUPERVISORS  
MEETING HELD NOVEMBER 14, 2022

The regular meeting was called to order at 7:00 p.m. in the Oley Township Municipal Building by Jeffrey Spatz with Supervisors Mark Hoch and Edwin Pollock in attendance. Solicitor Kenneth Picardi was also in attendance. The Pledge of Allegiance to the American Flag was observed.

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.

Mr. Spatz announced that the Supervisors met in executive session this evening at 6:15 p.m. relative to personnel.

The police department report for the month of October 2022 was read indicating 215 calls for the month. Reviewed the radar feedback sign reports and it was noted that there are high speeds on Jefferson Street from the school entrance to Stitzer Road. Chief Ray Serafin was asked to monitor this area for speeding violations.

The road department report for the month of October 2022 was read. Received letter dated October 27, 2022 from LTL Consultants, Ltd. recommending final payment in amount of \$69,689.50 to CMR Construction, Inc. for the Bertolet Mill Road Culvert Replacement Project. A motion was made by Jeffrey Spatz and seconded by Mark Hoch to approve pay application #1 (final) for CMR Construction, Inc. in amount of \$69,689.50 for the Bertolet Mill Road Culvert Replacement Project. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor...motion carried. The skid loader will be used for snow removal in the Meadow View Farms development and the best plow for the skid loader attachment would be a Prodigy wing plow which could be purchased from Stork's Plows in amount of \$4,350. A motion was made by Mark Hoch and seconded by Edwin Pollock to authorize the purchase of a Prodigy wing plow for use on the skid loader from Stork's Plows in amount of \$4,350. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried. Duane Howard will check on some dead ash trees along public roadways that may need to be removed.

There was no Fire Chief's report for the month of October 2022.

The Ambulance Chief's report for the month of October 2022 was read indicating a total of seventy-nine calls for the month.

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 and they will not take any responsibility of the property and the son who lives there is currently in jail. 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, performing a monthly inspection and owner complied with moving trailers out of the woods. Notice of violation issued to VAE, LP property located at 6048 Oley Turnpike Road for signs, permit application submitted but denied since they will need to submit for HARB review, a civil citation

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is being issued. Stop work order issued to Mark Smolarski, Jr. for property located at 54 Carriage Circle for permit required for a lean-to structure, citation issued. The Diane L. Searfoss property located at 3047 Friedensburg Road is in violation of property maintenance, handrail required along front stairs. Ryan Wessner said he recently attended a training session and there are several items that should be addressed in our Zoning Ordinance, he will provide a list of these items for our review and consideration.

Received letter dated October 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 install DeVinci synthetic slate roofing to be used on main house and back addition as per materials submitted, install two double-hung simulated divided light Marvin six over six windows on west facing side of house at kitchen (this is a secondary exposure), construct west facing landing from kitchen using all elements as was previously approved for front porch. 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 install DeVinci synthetic slate roofing to be used on main house and back addition as per materials submitted, install two double-hung simulated divided light Marvin six over six windows on west facing side of house at kitchen, construct west facing landing from kitchen using all elements as was previously approved for front porch. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

Received letter dated October 31, 2022 from HARB recommending that the Board of Supervisors of Oley Township issue a Certificate of Appropriateness to Nathan Pletscher (307 W Main Street, LLC, owner) for property located at 305 Main Street to recap existing capped window and door trim with aluminum to include third story front façade windows which were not capped and any other windows that are not currently capped, no other features including but not limited to eaves, wood trim, or chimneys will be capped or altered. 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 Nathan Pletscher (307 W Main Street, LLC, owner) for property located at 305 Main Street to recap existing capped window and door trim with aluminum to include third story front façade windows which were not capped and any other windows that are not currently capped, no other features including but not limited to eaves, wood trim, or chimneys will be capped or altered. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

Received letter dated October 31, 2022 from HARB recommending that the Board of Supervisors of Oley Township issue a Certificate of Appropriateness to Stellar Homes, LLC for property located at 2693 West Philadelphia Avenue to replace existing wood and existing vinyl windows with a vinyl window as per information submitted with exception of the seven second floor front façade windows, all woodwork to be retained (window frames, window headers, brackets at the eaves) and other decorative features on building to be retained, the existing

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summer kitchen must be retained and cannot be demolished. This application was reviewed and discussed. A motion was made by Jeffrey Spatz and seconded by Mark Hoch to issue a Certificate of Appropriateness to Stellar Homes, LLC for property located at 2693 West Philadelphia Avenue to replace existing wood and existing vinyl windows with a vinyl window as per information submitted with exception of the seven second floor front façade windows, all woodwork to be retained (window frames, window headers, brackets at the eaves) and other decorative features on building to be retained, the existing summer kitchen must be retained and cannot be demolished. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

Received variance application from Oley Township Municipal Authority for property located at 539 Old State Road from Sections 27-1701.H.1.b (maximum woodland disturbance area) and 27-1701.D.1 (maximum steep slope disturbance area). Mr. Spatz said they have redesigned the basin in order to save more of the trees on the property. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to support and have no opposition to the Oley Township Municipal Authority variance application from Section 27-1701.H.1.b which requires the woodland disturbance to not exceed twenty percent and they are requesting thirty-six percent for the tank and detention basin and Section 27-1701.D.1 which requires the steep slope disturbance to not exceed twenty percent and they are requesting fifty-six percent. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

Received variance application from Steven D. & Donna R. Lorah for property located at 18 Clay Slate Road from Section 27-603.D (side yards). A concern was expressed with this structure being very close to the neighboring property line, but it was agreed to not take a position on this application.

Incoming communications:

1. Letter dated November 3, 2022 from Entech Engineering notifying us that the Oley Township Municipal Authority is filing a public water supply permit application to construct a new water storage tank and install water main 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 Jeffrey Spatz and seconded by Mark Hoch to authorize the Secretary to complete the Municipal Land Use Letter for Entech Engineering for Oley Township Municipal Authority for the construction of a new water storage tank and install water main at 539 Old State Road. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

2. Letter dated November 4, 2022 from Mark H. Koch informing us that his clients, Brendon and Celine Field, would like to sell the 54.13 acre parcel that is located off of Reiff Road to a third party and want to know what procedure to follow in order to permit the sale of this property since the township had deed restricted the two parcels and they were annexed together. Mr. Spatz said it was made clear at the auction of this property that these parcels could

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not be separated. Mr. Hoch said we could generate extra tax revenue if we allow the separation of these parcels. Atty. Picardi will research the records to determine whether it would be permissible to separate the two parcels.

3. Letter received November 11, 2022 from Christmas in the Valley Committee requesting “No Parking” designation on Main Street and the closing of Main Street, Deturk Road, Lynx Drive and Friedensburg Road on December 17, 2022 from 6:00 p.m. to 9:00 p.m. for the annual Christmas Caroling event. Kevin Bieber spoke to the committee and informed them he would not have enough manpower to close down Main Street up to Lynx Drive, he would suggest closing Main Street at Water Street and Jefferson Street and post no parking signs on Main Street from Water Street to Lynx Drive. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to grant permission to Christmas in the Valley to hold the annual Christmas caroling event on December 17, 2022 from 6:00 p.m. to 9:00 p.m., authorize posting of no parking signs on Main Street between Water Street and Lynx Drive, authorize closing of Main Street from Water Street to Jefferson Street and Friedensburg Road from Legion Drive to Main Street, and authorize the use of Fire Police for this event. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

Atty. Picardi said he is making some final changes to the small wireless draft ordinance amendment and we can then advertise for adoption since the public hearing has now been held. Mr. Spatz questioned some of the insurance language in the draft under Section 10.L.(6), he would suggest that after “coverage cannot be obtained for a commercially reasonable premium” to add “and no alternative coverage is available in the commercial marketplace.” Atty. Picardi will review this section and make appropriate changes. A motion was made by Jeffrey Spatz and seconded by Mark Hoch to authorize advertising for adoption the Small Wireless Ordinance amendment subject to rewording some of the sections in the draft. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

Atty. Picardi said the Agritainment and Agritourism draft ordinance amendment can be advertised for adoption since the public hearing has now been held. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to authorize advertising for adoption the Agritainment and Agritourism Ordinance amendment. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to adopt Resolution #623-22 requiring and directing the township tax collector to implement and comply with the provisions of Pennsylvania Act 57 of 2022. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

A change was indicated to the October 10, 2022 minutes on page one, paragraph six, line 17....add “,based on concern with setting a precedent” after the word “no”. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to approve the minutes of the October 10, 2022 meeting as corrected. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock - yes. All in favor....motion carried.

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The financial report was called for and read. Mr. Spatz has a concern with the amount of hours spent on the inspection of the Bertolet Mill Road Culvert Replacement Project by LTL Consultants. A motion was made by Mark Hoch and seconded by Edwin Pollock to accept the financial report and pay all the bills and salaries. Jeffrey Spatz – yes, with concerns on the LTL Consultants bill; Mark Hoch – yes; Edwin Pollock - yes. All in favor....motion carried.

Public comment:

1. Maria Bogdonova-Peifer – Expressed a recycling concern since a lot of trash companies have stopped accepting recyclables. Mr. Spatz said we had in the past offered recycling drop-off at the township building but it was being abused by people throwing all their garbage in the dumpsters, it became very costly for the township, complaints from neighboring properties of debris blowing around, and a lot of broken glass on the parking lot.

The next regular meeting will be held Monday, December 12, 2022 at 7:00 P.M.

A motion was made by Edwin Pollock and seconded by Mark Hoch to adjourn the meeting at 8:28 p.m. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

Respectfully submitted,

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Shirley M. Moyer  
Secretary/Treasurer

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