

MINUTES OF THE OLEY TOWNSHIP BOARD OF SUPERVISORS  
MEETING HELD JUNE 12, 2023

The regular meeting was called to order at 7:00 p.m. in the Oley Township Municipal Building by Jeffrey Spatz with Supervisor Mark Hoch 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 twenty-four hours prior to the start of the meeting. No public comment was heard on any of the listed agenda items.

A change was indicated to the May 8, 2023 minutes on page one, paragraph five, line fourteen....add "The Solicitor instructed Mr. Spatz that he could vote on the road work bids." between "Inc." and "A". A motion was made by Jeffrey Spatz and seconded by Mark Hoch to approve the minutes of the May 8, 2023 meeting as corrected. Jeffrey Spatz – yes; Mark Hoch – yes. All in favor....motion carried. Action will be tabled until our next meeting on the minutes of the May 8, 2023 workshop meeting.

Mr. Spatz announced that an executive session will be held immediately following this meeting for personnel, potential litigation, and real estate matters.

The police department report for the month of May 2023 was read indicating 247 calls for the month.

The road department report for the month of May 2023 was read. The scheduled road work for Moravian School Road will begin June 26, 2023 by Asphalt Maintenance Solutions, LLC.

There was no Fire Chief's report for the month of May 2023.

The Ambulance Chief's report for the month of April 2023 was read indicating a total of 71 calls for the month and report for the month of May 2023 was read indicating a total of 86 calls for the month.

The Richard Hartline property located at 336 Main Street is in violation of failing to call for final inspection on a building permit, next steps to be followed when permit expires for not getting proper inspections.

Received letter dated June 1, 2023 from HARB recommending that the Board of Supervisors of Oley Township issue a Certificate of Appropriateness to Robert & Shelli Brooks for property located at 1822 Limekiln Road to construct a twenty-four foot by twenty foot addition to the east side of the existing dwelling, hardiplank siding, standing seam metal roof, Anderson 400 six over six vinyl exterior with wood interior windows, Anderson series panel fiberglass door with top light with four window transom, all gutters on entire structure to be changed to half round black metal, porch posts to be chamfered Azek material one inch by six inch with crown detail to match existing detail, finding of fact is that this structure is

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approximately four hundred feet off of Limekiln Road slightly disguised by vegetation and barn and is a secondary exposure. This application was reviewed and discussed. A motion was made by Mark Hoch and seconded by Jeffrey Spatz to issue a Certificate of Appropriateness to Robert & Shelli Brooks for property located at 1833 Limekiln Road to construct a twenty-four foot by twenty foot addition to the east side of the existing dwelling, hardiplank siding, standing seam metal roof, Anderson 400 six over six vinyl exterior with wood interior windows, Anderson series panel fiberglass door with top light with four window transom, all gutters on entire structure to be changed to half round black metal, porch posts to be chamfered Azek material one inch by six inch with crown detail to match existing detail. Jeffrey Spatz – yes; Mark Hoch – yes. All in favor....motion carried.

Received letter dated June 6, 2023 from Oley Township Planning Commission recommending that the Board of Supervisors of Oley Township approve the Boone – Lot Annexation of 2023 Sketch Plan of Record, plan number GOTWAL0024, dated March 10, 2023. This plan was reviewed and discussed. Atty. Picardi said he found some discrepancies in the legal descriptions and what is on the plan, he recommends that we can take action to approve the plan but do not sign or release the plan until he determines that these legal descriptions and the plan are satisfactory. A motion was made by Jeffrey Spatz and seconded by Mark Hoch to adopt Resolution #636-23 to approve the Boone – Lot Annexation of 2023 Sketch Plan of Record, plan number GOTWAL0024, dated March 10, 2023, subject to the approval of the legal descriptions by the Township Solicitor and payment of all engineering and legal costs incurred. Jeffrey Spatz – yes; Mark Hoch – yes. All in favor....motion carried.

Received letter dated June 6, 2023 from Oley Township Planning Commission recommending that the Board of Supervisors of Oley Township waive the land development requirements for Doxa Holdings, LLC for property located at 3095 West Philadelphia Avenue to construct an accessory structure in the rear of the property for the placement of solar panels and garage/storage area with the understanding that this is a very unique circumstance in that this is an area that was subject to a prior land development approval and this proposal is not a substantial alteration to impervious but subject to engineering/zoning review and no further development of the structure is permitted beyond the intended use for a garage/storage area. This plan was reviewed and discussed. Kerwin Mast was in attendance regarding this waiver request. Mr. Spatz asked if there will be walls around the proposed structure. Mr. Mast said there will be walls but no garage doors at this time. A motion was made by Jeffrey Spatz and seconded by Mark Hoch to waive land development requirements for Doxa Holdings, LLC for property located at 3095 West Philadelphia Avenue to construct an accessory structure in the rear of the property for the placement of solar panels and garage/storage area with the understanding that this is a very unique circumstance in that this is an area that was subject to a prior land development approval and this proposal is not a substantial alteration to impervious but subject to engineering/zoning review and no further development of the structure is permitted beyond the intended use for a garage/storage area. Jeffrey Spatz – yes; Mark Hoch – yes. All in favor....motion carried.

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Incoming communications:

1. Email received June 7, 2023 from LTL Consultants that they received a call from Service Electric Cablevision TV inquiring about required permits for upcoming work in Oley Township as follows: installing fiberoptic cable to each home in township, construction methodology includes mostly directional boring with limited trenching, construction will take place in existing roadway right-of-way. Mr. Spatz feels there should be some type of inspection process. Ryan Wessner does not feel we can inspect due to it being a utility, they want to begin this work in August 2023. Atty. Picardi said we could setup an escrow with Service Electric Cablevision TV for this project. Mr. Wessner will have Jessica Adams of LTL Consultants schedule a meeting with them and the Supervisors. Atty. Picardi said for general contractors we require a hold harmless indemnification agreement and to add us as additional insured, he is not sure whether we can require this of them.

Received pay application #2 in amount of \$51,398.00 from Dutchman Contracting, LLC for the Salt Shed Project and this is being recommended for payment by LTL Consultants. A motion was made by Jeffrey Spatz and seconded by Mark Hoch to approve pay application #2 in amount of \$51,398.00 for Dutchman Contracting, LLC for the Salt Shed Project. Jeffrey Spatz – yes; Mark Hoch – yes. All in favor....motion carried.

The traffic calming workshop meeting was held this evening prior to this meeting and it has been recessed until Monday, July 10, 2023 at 6:00 p.m.

Atty. Picardi prepared the Stormwater Controls and Best Management Practices Operations & Maintenance Agreement for the Alexandria Hrasok & David Immendorf property located at 407 Oley Furnace Road and we received the documents that were executed by Ms. Hrasok and Mr. Immendorf. A motion was made by Mark Hoch and seconded by Jeffrey Spatz to authorize the Chairman and Secretary to execute the Stormwater Controls and Best Management Practices Operations & Maintenance Agreement for the Alexandria Hrasok & David Immendorf property. Jeffrey Spatz – yes; Mark Hoch – yes. All in favor....motion carried.

Atty. Picardi prepared the Land Development, Improvements, and Inspection Agreement and the Financial Security and Cash Escrow Agreement for the Berks County Nonprofit Development Corporation and these documents were sent to them for their review and execution but we have not yet received the documents nor the cash escrow. It was mentioned that the building permit has already been issued for this project. Atty. Picardi said we could possibly retract the building permit until these documents are executed. Ryan Wessner will send Atty. Picardi a copy of the building permit that was issued which may have a note stating that no work can begin until these documents have been executed and the cash escrow posted. A motion was made by Jeffrey Spatz and seconded by Mark Hoch to authorize the Chairman and Secretary to execute the Land Development, Improvements, and Inspection Agreement and the Financial

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Security and Cash Escrow Agreement for the Berks County Nonprofit Development Corporation property after the property owner executes these documents. Jeffrey Spatz – yes; Mark Hoch – yes. All in favor....motion carried.

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

Public comment:

1. Stephen Levan – The contractor replacing the water mains on Main Street is doing a nice job. He has heard of a “fly by night” contractor that has been doing driveway paving in the area.

2. Sharon Moll – Asked what is going to be done with the drop-off along Covered Bridge Road. Duane Howard will look at this roadway to determine what can be done.

The next regular meeting will be held Monday, July 10, 2023 at 7:00 P.M.

A motion was made by Jeffrey Spatz and seconded by Mark Hoch to retire to executive session at 7:46 p.m. relative to personnel, potential litigation, and real estate matters. Jeffrey Spatz – yes; Mark Hoch – yes. All in favor....motion carried. A motion was made by Jeffrey Spatz and seconded by Mark Hoch to reconvene the meeting at 8:16 p.m. Jeffrey Spatz – yes; Mark Hoch – yes. All in favor....motion carried.

A motion was made by Jeffrey Spatz and seconded by Mark Hoch to adjourn the meeting at 8:17 p.m. Jeffrey Spatz – yes; Mark Hoch – 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