

MINUTES OF THE OLEY TOWNSHIP BOARD OF SUPERVISORS  
MEETING HELD AUGUST 14, 2023

The regular meeting was called to order at 7:01 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 twenty-four hours prior to the start of the meeting. No public comment was heard on any of the listed agenda items.

Atty. Picardi announced that an executive session was held on July 10, 2023 to discuss personnel matters.

There being no changes to the July 10, 2023 minutes, a motion was made by Mark Hoch and seconded by Jeffrey Spatz to approve the minutes of the July 10, 2023 meeting as presented. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

The police department report for the month of July 2023 was read indicating 212 calls for the month. Mr. Spatz said concerns were brought up in our workshop session of police officers sitting watching traffic where there are no white lines on the roadway such as the Oley Mennonite Church and Oley Volunteer Park. Ray Serafin said the officers need to complete their reports in the vehicles and the Oley Mennonite Church and some other areas where they sit have the best areas to connect their computers.

The road department report for the month of July 2023 was read. Duane Howard said the Reider Road/Mill Road bridge is still sitting idle and closed since last month's flooding. Mr. Spatz said the embankment supporting Mill Road is our number one concern, there is a lot of erosion, he feels we need to have a geotechnical engineer to assess this. Mr. Spatz also said guiderail should be installed for safety along Mill Road. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to authorize an expenditure not to exceed \$3,500 to hire a geotechnical engineer consultant to assess the bridge and embankment for Reider Road/Mill Road. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried. A motion was made by Jeffrey Spatz and seconded by Mark Hoch to extend the current declaration of disaster emergency from August 7, 2023 to September 11, 2023. 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 authorize the installation of guiderail with linear footage to be determined by the Road Superintendent from south side of the intersection from Mill Road and Reider Road to be installed using PennDOT specifications and using all necessary signage according to PennDOT specifications. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried. The CMS Construction Services contract for the Main Street overlay project was to be completed by August 31, 2023 and there would be \$250 per day liquated damages assessed beyond that date, this could not be completed due to the water main replacement project not yet being completed. The overlay is now scheduled for either the week of September 11, 2023 or September 25, 2023. A motion was made by Jeffrey

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Spatz and seconded by Mark Hoch to extend the completion date of the overlay project on Main Street for the CMS Construction Services contract until October 9, 2023. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried. Two trees on Main Street at the Gehret farm property with one dead and the other one leaning and three dead ash trees on Wiest School Road will need to be removed, an estimate for removal is between \$4,500 to \$5,000. Atty. Picardi said we could bill the property owners for the removal of these trees but we would need to have an ordinance in place in order to do this. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to authorize Lee Tree Care to remove five trees at a cost not to exceed \$5,000. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

The Fire Chief's report for the month of July 2023 was read indicating a total of 55 calls for the month.

The Ambulance Chief's report for the month of July 2023 was read indicating a total of 84 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, citation to be filed. Stop work order issued to Brian M. Miller, II & Kaylee A. Wallace for property located at 2876 West Philadelphia Avenue for building a detached garage without any permits, citation issued. The Brandy Lynn Brigman property located at 8 Rose Virginia Road is in violation of failing to obtain zoning permit for installation of shed, shed to be moved or a survey to be done for disputing property lines. Notice of violation issued to Allen & Susan Standhardt for property located at 15 Rose Virginia Road for unsafe structures and equipment, sanitation, and weeds. The Bradley K. Auge, Jr. property located at 413 Main Street is in violation of obstruction of sight distance at intersection, shrubbery trimmed from the corner. Notice of violation issued to Kevin S. Mitchell for property located at 3339A Friedensburg Road for unsafe structures and equipment, temporary safeguards, sanitation, accumulation and disposal of rubbish or garbage, electrical facilities, and electrical equipment. The Matthew & Marisa Horne property located at 711 Main Street is in violation of weeds. Enforcement notice issued to Harold C. Hetrick for property located at 387 Bertolet Mill Road for a campground without a permit. Notice of violation issued to Zachary A. Mennig for property located at 146 Water Street for on-lot sewage disposal system not being pumped out and sewage displaced onto the surface of the ground. Notice of violation issued to Old Roman Catholic Church Diocese of PA, Inc. for property located at 5813 Oley Turnpike Road for unsafe structures and equipment, sanitation, accumulation and disposal of rubbish or garbage. Notice of violation issued to John, Renald J. & Lorrai Bertolami for property located at 10 Hoch Road for sanitation and weeds. Recommendation from Ryan Wessner of LTL Consultants to update our zoning ordinance as it pertains to lot coverage or maximum impervious, it was suggested that he bring this recommendation before the Planning Commission.

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Received letter dated July 31, 2023 from HARB recommending that the Board of Supervisors of Oley Township issue a Certificate of Appropriateness to Timothy & Sarah Kershner for property located at 301 Main Street for construction of a picket fence, pickets to be red cedar with one inch spacing between pickets, posts with finials and cross braces to be pressure treated pine with scalloped pattern, height to be six foot at highest point and approximately five and one half feet at mid-posts between the posts, fence to be located from the driveway to the barn and facing Water Street, see attached drawing for all details, finding of fact is that there are similar fences in the Historic District and HARB generally does not recommend a six foot fence but due to this property being located at a busy intersection safety and privacy concerns were taken into consideration. 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 Timothy & Sarah Kershner for property located at 301 Main Street for construction of a picket fence, pickets to be red cedar with one inch spacing between pickets, posts with finials and cross braces to be pressure treated pine with scalloped pattern, height to be six foot at highest point and approximately five and one half feet at mid-posts between the posts, fence to be located from the driveway to the barn and facing Water Street, see attached drawing for all details. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

Received letter dated August 8, 2023 from Oley Township Planning Commission recommending that the Supervisors review Section 22A-706 of the Stormwater Management Ordinance and increase the fee paid into the Stormwater Control and BMP Operation & Maintenance Fund to \$300 per year for a total amount of \$3,000. Atty. Picardi feels that LTL Consultants should recommend a cost for each one based on the project.

The tax collector submitted individuals to be exonerated for the 2020, 2021, and 2022 per capita taxes as listed. A motion was made by Mark Hoch and seconded by Edwin Pollock to exonerate the tax collector from collecting the 2020, 2021, and 2022 per capita taxes as listed. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

Incoming communications:

1. Email dated July 31, 2023 from Leonard Burton of Pagoda Pacers requesting permission to hold the Oley Valley Country Classic ten mile and five kilometer foot race on November 4, 2023 beginning at 9:00 a.m. which will begin and end at the Oley Fire Company fairgrounds. Barry Goodhart was in attendance and explained the routes of the races, he also said a portion of the proceeds from this function will be donated to the Oley Fire Company Ambulance. A motion was made by Jeffrey Spatz and seconded by Mark Hoch to permit Pagoda Pacers Athletic Club to hold the Oley Valley Country Classic ten mile and five kilometer foot race on November 4, 2023 at 9:00 a.m. beginning and ending on the Oley Fire Company fairgrounds and authorize “No Parking” signs to be posted for this event on Main Street from Water Street to the entrance of Oley Fire Company from 8:00 a.m. to 12:00 p.m. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

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2. Application received July 31, 2023 from Berks County Bicycle Club requesting permission to hold the Shoo-Fly Invitational Bike Ride on September 30, 2023 from 7:00 a.m. to 3:00 p.m. beginning and ending at the Oley Fire Company grounds at 26 Jefferson Street. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to allow the Berks County Bicycle Club to hold the Shoo-Fly Invitational Bike Ride on September 30, 2023 as per the designated route in our township. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

3. Letter dated August 1, 2023 from Breakthrough Bike Challenge requesting permission to hold a fundraising bike ride on September 10, 2023 from 7:30 a.m. to 2:00 p.m. beginning and ending at Daniel Boone Homestead. It was indicated that we have not received a certificate of insurance naming Oley Township as an additional insured on the insurance policy. There was discussion as to the use of Main Street since it is currently under construction and not sure as to when the project will be completed. A motion was made by Mark Hoch and seconded by Edwin Pollock to allow the Breakthrough Challenge to hold the Breakthrough Challenge Bike Ride on September 10, 2023 as per the designated route in our township subject to receiving a certificate of insurance naming Oley Township as an additional insured on the insurance policy and accompanied by an appropriate endorsement, no use of Main Street from Jefferson Street to Friedensburg Road due to road construction, and any alternate routes approved by the Road Superintendent. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

4. Letter received August 8, 2023 from John Lewis of 247 Wiest School Road indicating that the bridge located on this roadway does not allow for the continuous flow of large rocks and debris which causes a backup and subsequent flooding. Duane Howard looked at this bridge and he has contacted LTL Consultants to check into obtaining a permit to clean out the stream at the bridge, he said ten years ago double pipes were installed. We will check if a permit is necessary since we are currently under the emergency declaration.

The traffic calming workshop meeting was held this evening and has been recessed until Monday, September 11, 2023 at 6:00 p.m., we hope to have a corrected draft traffic calming policy to review at that meeting.

A motion was made by Jeffrey Spatz and seconded by Mark Hoch to adopt Ordinance #389 to amend the Oley Township Non-Uniformed Pension Plan to change the definition of compensation to include overtime in the compensation used to calculate a plan member's benefit contributions. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

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A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to adopt Ordinance #390 amending Ordinance #387 (Agritainment/Agritourism) to correct typographical errors. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried. Atty. Picardi said his office will reimburse the township for the cost of this advertising since the errors were made by his firm.

Atty. Picardi prepared the Stormwater Controls and Best Management Practices Operations & Maintenance Agreement for the Oley Township Municipal Authority property located at 539 Old State Road and we received the documents that were executed by Oley Township Municipal Authority. A motion was made by Mark Hoch and seconded by Edwin Pollock to authorize the Chairman and Secretary to execute the Stormwater Controls and Best Management Practices Operations & Maintenance Agreement for the Oley Township Municipal Authority property. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

The parking restrictions and traffic patterns during the Oley Fair were discussed. A motion was made by Mark Hoch and seconded by Edwin Pollock to authorize no parking on either side of Main Street between Friedensburg Road and Lynx Drive from 8:00 a.m. Thursday, September 21, 2023 to 11:00 p.m. Saturday, September 23, 2023, no left turn from the Oley Fire Company as needed, Main Street and Jefferson Street up to the fairgrounds entrance to be made one way when necessary, and all traffic to exit north on Jefferson Street as necessary. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

The financial report was called for and read. 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; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

No public comment was heard.

The next regular meeting will be held Monday, September 11, 2023 at 7:00 P.M.

A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to retire to executive session at 8:28 p.m. relative to personnel matters. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried. A motion was made by Jeffrey Spatz and seconded by Mark Hoch to reconvene the meeting at 9:14 p.m. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

A motion was made by Mark Hoch and seconded by Edwin Pollock to authorize an expenditure not to exceed \$3,650.00 for additional police overtime effective immediately through and including October 9, 2023. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

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A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to adjourn the meeting at 9:16 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