

MINUTES OF THE OLEY TOWNSHIP BOARD OF SUPERVISORS  
MEETING HELD DECEMBER 11, 2023

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 twenty-four hours 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 November 11, 2023 and November 13, 2023 minutes, a motion was made by Mark Hoch and seconded by Edwin Pollock to approve the minutes of the November 11, 2023 and November 13, 2023 meetings as presented. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

The police department report for the month of November 2023 was read indicating 177 calls for the month.

The road department report for the month of November 2023 was read. Atty. Picardi has drafted a Temporary Access Agreement for Township Snow Plowing Vehicles with David W. & Kymberly Beyer of 152 Reider Road, this will be sent to the Beyers' for execution. Mr. Spatz directed Duane Howard to take a video to keep in the file prior to the first snowfall of the area that will be used to turn trucks around during winter maintenance so we have that as a baseline in the event any damages are reported. A motion was made by Mark Hoch and seconded by Edwin Pollock to authorize the Chairman and Secretary to execute the Temporary Access Agreement for Township Snow Plowing Vehicles between Oley Township and David W. Beyer & Kymberly Beyer. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried. Received revised quote from Clark Industrial Supply in amount of \$2,200 for service to the Case Loader, it was determined that some of this work could be done in-house. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to authorize Clark Industrial Supply to service the Case Loader at a cost of \$2,200. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried. It was agreed to remove the solar radar feedback sign for the winter months so that it will not get damaged during winter storms.

The Fire Chief's report for the month of November 2023 was read indicating a total of 31 calls. Michael Kline introduced Sal Dipippa who is the Emergency Management Coordinator for Earl Township and also serves as a regional coordinator for some surrounding municipalities, each municipality would have a deputy appointed, there are intergovernmental agreements that are executed by all the municipalities, if we would have an interest in this we should advise Earl Township Supervisors. It was suggested to schedule a workshop sometime in January 2024 to discuss all the details.

There was no Ambulance Chief's report for the month of November 2023.

MINUTES OF THE DECEMBER 11, 2023 MEETING CONTINUED

The Allen & Susan Standhardt property located at 15 Rose Virginia Road is in violation of unsafe structures and equipment, sanitation, and weeds, working to clean up property. The Kevin S. Mitchell property located at 3339A Friedensburg Road is in violation of unsafe structures and equipment, temporary safeguards, sanitation, accumulation and disposal of rubbish or garbage, electrical facilities, and electrical equipment, citations issued and DEP given all information regarding outdoor storage of chemicals. The BSRE Holdings, LLC property located at 41 Moravian School Road is in violation of sanitation, motor vehicles, accumulation of rubbish or garbage and disposal of rubbish, exterior has been cleaned up. The Richard Hartline property located at 336 Main Street is in violation of failing to call for final inspection on a building permit, filed citation and will revoke permits. The Francisco Pantoja-Gusman property located at 274 Wiest School Road is in violation for failure to obtain demolition permit. The Matthew Hauck property located at 3043 Friedensburg Road is in violation of sanitation, accumulation of rubbish or garbage, and disposal of rubbish.

Received November 14, 2023 from Richard & Constance Yoder an Escrow Agreement for the Lot Subdivision (Yoder) review fees being held in escrow. This plan was briefly reviewed and discussed. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to authorize the Chairman and Secretary to execute the Lot Subdivision (Yoder) Escrow Agreement. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

Received November 16, 2023 from Daniel E. Levensgood an Escrow Agreement for the Toll Bell III Subdivision review fees being held in escrow. This plan was briefly reviewed and discussed. A motion was made by Jeffrey Spatz and seconded by Mark Hoch to authorize the Chairman and Secretary to execute the Toll Bell III Subdivision Escrow Agreement. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

Incoming communications:

1. Letter dated November 14, 2023 from Kevin D. Bieber resigning effective immediately as an elected Auditor of Oley Township due to his recent appointment to the Oley Township Municipal Authority. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to accept the resignation of Kevin D. Biever as an elected Auditor of Oley Township effective November 14, 2023. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

2. Letter dated November 24, 2023 from New Life Bible Fellowship Church requesting a reduction of the financial security requirement for the parking lot expansion project based on work completed to date. Received letter dated December 6, 2023 from LTL Consultants recommending a release of the full amount of \$224,839.40 for the New Life Bible Fellowship Church parking lot expansion project. A motion was made by Jeffrey Spatz and seconded by Mark Hoch to approve Escrow Release #1 (final) for New Life Bible Fellowship Church Parking Lot Expansion Project in the amount of \$224,839.40 for improvements completed subject to all engineering and legal fees being paid. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

MINUTES OF THE DECEMBER 11, 2023 MEETING CONTINUED

3. Letter received December 1, 2023 from Christmas in the Valley Committee requesting “No Parking” designation on Main Street between Water Street and Lynx Drive and the closing of Main Street from Water Street to Jefferson Street and Friedensburg Road from Legion Drive to Main Street on December 16, 2023 from 6:00 p.m. to 9:00 p.m. for the annual Christmas Caroling event. 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 16, 2023 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.

Mr. Spatz said that since the Traffic Calming Policy has been adopted, the Local Traffic Advisory Committee will need to schedule a meeting.

Atty. Picardi said we are awaiting the responses from the Agricultural Security Area applicants as to whether they would agree to pay for the costs associated with this process.

Request from Ross Stiver & Amanda O’Driscoll to post “No Fishing, No Diving, No Loitering” signs on Fisher Mill Road bridge. Atty. Picardi researched the Pennsylvania Motor Vehicle Code and reviewed the section referenced by Mr. Stiver & Ms. O’Driscoll which references stopping, standing, or parking, his interpretation of this section is that it is in reference to vehicles and not pedestrians, we could not prohibit individuals from standing on the bridge. Mr. Stiver provided us with photographs of individuals sitting on lawn chairs fishing from the bridge and vehicles parked along the roadway. Chief Ray Serafin provided the definitions of stopping, standing, or parking that is referenced in the motor vehicle code, this is related to vehicles. Mr. Spatz said he is not willing to install signage that is not enforceable. Chief Serafin said property line issues are a civil matter because the police officers cannot make decisions as to where property lines are located. Mr. Spatz directed Chief Serafin to look into all the complaints received from Mr. Stiver & Ms. O’Driscoll and the officers responses to these complaints.

Duane Howard needs more time to research the fuel pump replacement.

Atty. Picardi prepared the Stormwater Controls and Best Management Practices Operations & Maintenance Agreement for the Berks Career and Technology Center Phase III Subdivision located on Friedensburg Road and we received the document that was executed by Berks Career and Technology Center. 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 Berks Career and Technology Center Phase III Subdivision located on Friedensburg Road. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

MINUTES OF THE DECEMBER 11, 2023 MEETING CONTINUED

Atty. Picardi prepared the Installation, Operation and Maintenance Agreement for Residential Sewage Disposal Holding Tanks for the Zachary A. Mennig property located at 146 Water Street. Mr. Spatz said Mr. Mennig was not made aware of the \$850 required for this agreement, \$350 is for the legal fees for preparation and recording the document and \$500 for costs associated with inspecting, collecting, transporting, and disposing of the contents of the holding tanks or repairing or correcting malfunctions and currently Mr. Mennig does not have the funds to pay this \$850. Mr. Spatz is suggesting that the township waive the \$350 legal fee cost for this agreement due to Water Street not having public sewer as is outlined in the township Act 537 Official Sewage Plan, if this was done when it was discussed Mr. Mennig would not have to install the holding tanks. A motion was made by Jeffrey Spatz and seconded by Mark Hoch to waive the \$350 legal fees for the preparation and recording of the Zachary A. Mennig Holding Tank Agreement based on Water Street not having public sewer as outlined in the township Act 537 Official Sewage Plan. 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 authorize the Chairman and Secretary to execute the Installation, Operation and Maintenance Agreement for Residential Sewage Disposal Holding Tanks for the Zachary A. Mennig property located at 146 Water Street subject the execution of the agreement by Mr. Mennig and receiving the \$500 inspection costs. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

The financial report was called for and read. It was noted that on the XpressWAY Div. of Brook Ledge, Inc. stone hauling invoices for the bridge washouts during the flooding event in July 2023 they did not charge a hauling fee which amounted to \$5,400. It was agreed to send a thank you letter to XpressWAY Div. of Brook Ledge, Inc. for their donation of hauling fees for stone in July 2023. 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, January 8, 2024 at 7:00 P.M. Budget adoption and financial closeout meeting to be held Friday, December 29, 2023 at 8:00 A.M. Reorganization meeting to be held Tuesday, January 2, 2024 at 6:00 P.M.

A motion was made by Jeffrey Spatz and seconded by Mark Hoch to adjourn the meeting at 8:03 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, L. Schaeffer, K. Picardi, D. Allebach, N. Ulrich