

MINUTES OF THE OLEY TOWNSHIP BOARD OF SUPERVISORS
MEETING HELD JANUARY 9, 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 prior to the start of the meeting. No public comment was heard on any of the listed agenda items.

Donna Ott objects to the approval of the December 12, 2022 minutes since the memorandum from Odette Wilkens was not referenced in the minutes. It was noted that there was mention of this memorandum in the December 12, 2022 minutes but we do not list the entire wording of a document in the minutes. Mrs. Ott said there was no reference to this document in the November 14, 2022 minutes. Mr. Spatz indicated that the November 14, 2022 minutes were approved at our last meeting, we will review these minutes to determine whether there would be a need to amend those minutes to reflect this memorandum. There being no changes to the December 12, 2022, December 29, 2022, and January 3, 2023 minutes, a motion was made by Jeffrey Spatz and seconded by Mark Hoch to approve the minutes of the December 12, 2022, December 29, 2022, and January 3, 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 December 2022 was read indicating 155 calls for the month. Mr. Spatz said we continue to receive complaints relative to speeding on all roadways.

The road department report for the month of December 2022 was read. Received a quote from Lee Tree Care in amount of \$2,990 for the removal of ash trees at 667 Old State Road and Oley Meadows. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to authorize Lee Tree Care to remove ash trees at 667 Old State Road and Oley Meadows at a cost of \$2,990. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

The Fire Chief's report for the month of December 2022 was reading indicating a total of thirty-five calls for the month, there were a total of 394 calls for the year of 2022.

The Ambulance Chief's report for the month of December 2022 was read indicating a total of ninety-six calls for the month, there were a total of 1,036 calls for the year of 2022.

The Tyler Spier property located at 353 Water Street is in violation of rubbish, sanitation, accumulation of rubbish or garbage and disposal of rubbish, the owner contacted the Zoning Officer to work on compliance and clarification about items on the property.

MINUTES OF THE JANUARY 9, 2023 MEETING CONTINUED

Received from LTL Consultants, Ltd. on January 4, 2023 the 2023 SEO fees which they are requesting us to adopt and they also list two additional Sewage Enforcement Officers that we need to appoint – Charyn Ayoub and Erik Conklin. A motion was made by Jeffrey Spatz and seconded by Mark Hoch to adopt Resolution #630-23 to change certain fees charged for sewage enforcement activities. 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 appoint Charyn Ayoub and Erik Conklin as additional Sewage Enforcement Officers for 2023. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

Received letter dated January 3, 2023 from HARB recommending that the Board of Supervisors of Oley Township issue a Certificate of Appropriateness to Humberto Rojo (Wagner Farms, owner) for property located at 6213 Oley Turnpike Road to reface sign at restaurant to be a two-sided acrylic panels set into the existing frame, all dimensions to match existing sign, artwork and colors as per sample submitted, sign at Route 662 and Oley Turnpike Road will be a one-sided poly and metal sign with same dimension as existing sign as per artwork submitted, the petting zoo sign will be removed and not replaced. New artwork was provided this evening which removed the spatula and changed the shade of red. 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 Humberto Rojo (Wagner Farms, owner) for property located at 6213 Oley Turnpike Road to reface sign at restaurant to be a two-sided acrylic panels set into the existing frame, all dimensions to match existing sign, artwork and colors as per sample submitted January 9, 2023, sign at Route 662 and Oley Turnpike Road will be a one-sided poly and metal sign with same dimension as existing sign as per artwork submitted, the petting zoo sign will be removed and not replaced. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

Received letter dated January 3, 2023 from HARB recommending that the Board of Supervisors of Oley Township deny the issuance of a Certificate of Appropriateness to Rob Adams (Realty Line, LLC, owner) for property located at 401 Main Street to install a metal railing on the front porch, recommendation would be to install an appropriately proportioned full wood railing after a HARB review of sketches or photographs. This application was reviewed and discussed. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to deny the issuance of a Certificate of Appropriateness to Rob Adams (Realty Line, LLC, owner) for property located at 401 Main Street to install a metal railing on the front porch but encourage to re-apply for this project to install an appropriately proportioned full wood railing. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

Letter dated January 3, 2023 from Oley Township Historical Architectural Review Board providing us with their recommended amendments to the Small Wireless Facility Design Manual. It was agreed to table the review of these amendments until after the joint workshop session that is scheduled on January 23, 2023 with the HARB and Planning Commission to finalize a joint recommendation on proposed changes to be made to this draft.

MINUTES OF THE JANUARY 9, 2023 MEETING CONTINUED

Received letter dated January 3, 2023 from Oley Township Planning Commission recommending that the Board of Supervisors of Oley Township reject the Berks Career and Technology Center Subdivision – Phase III Final Plan, plan number E-03-0485-0010, dated October 26, 2021, for all the reasons as listed in the December 2, 2021 review letter from LTL Consultants, Ltd., unless a request for waiver extending the review time period beyond the date of February 9, 2023 is received. A motion was made by Jeffrey Spatz and seconded by Mark Hoch to reject the Berks Career and Technology Center Subdivision – Phase III Final Plan, plan number E-03-0485-0010, dated October 26, 2021, for all the reasons as listed in the December 2, 2021 review letter from LTL Consultants, Ltd., unless a request for waiver extending the review time period beyond the date of February 9, 2023 is received. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

Received letter dated January 3, 2023 from Oley Township Planning Commission recommending that the Board of Supervisors of Oley Township waive Sections 22-301.5 (public notification requirements) and 22-808.4.I (driveway access from street) of the Subdivision and Land Development Ordinance for Friedens UCC Subdivision Final Plan, plan number 2021-006. This plan was reviewed and discussed. A motion was made by Mark Hoch and seconded by Edwin Pollock to waive Sections 22-301.5 (public notification requirements) and 22-808.4.I (driveway access from street) of the Subdivision and Land Development Ordinance for Friedens UCC Subdivision Final Plan, plan number 2021-006. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

The Zoning hearing that had been scheduled for December 19, 2022 at 6:30 p.m. for the Oley Township Municipal Authority and Donna & Steven Lorah variance applications has been continued until January 30, 2023 due to the properties not being posted with the legal notice as required. This posting was to be performed by the Code Enforcement Officer from LTL Consultants, there was discussion as to the costs associated with continuing this hearing due to the properties not being posted. A motion was made by Jeffrey Spatz and seconded by Mark Hoch to send an invoice to LTL Consultants for all extra costs associated with the Oley Township Municipal Authority and Donna & Steven Lorah zoning hearings associated with the continuance of this hearing. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

Oley Township Municipal Authority has requested that one of their new employees be permitted to be added onto the township healthcare insurance group plan and the Authority would reimburse the township for all costs associated with this. This had been allowed in the past due to them only having one employee that requires health insurance and they are not able to secure a group plan for one employee. A motion was made by Mark Hoch and seconded by Edwin Pollock to allow an Oley Township Municipal Authority employee to be added onto the township group health insurance plan with all associated costs being reimbursed to the township. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

MINUTES OF THE JANUARY 9, 2023 MEETING CONTINUED

Incoming communications:

1. Letter dated January 5, 2023 from Donna DeSanto Ott informing us that by passing the Small Wireless ordinance amendment it will make it more difficult for the township to deny a permit application on the basis of aesthetics.

Received letter dated December 16, 2022 from Berks County Agricultural Land Preservation Board informing us the Pennsylvania State Agricultural Land Preservation Board approved the enrollment of the Trails End Lane property (40.1 acres) into the Agricultural Conservation Easement Program. Jeffrey and Kathy Updegrove were in attendance regarding the Trails End Lane which they are purchasing from the township. Mr. & Mrs. Updegrove would like to construct a sixty foot by one hundred forty foot building with a twenty-seven foot drying bin that would be used for grain and equipment storage, they showed us on a plan where this would be located which would not be visible from any public roadway, they plan to make the building either charcoal grey or black and use metal siding on the outside of the building, they are requesting an amendment to the conditions in order to use metal siding. Mr. Spatz said he would have a concern with other potential bidders on this property because some of them backed out because they knew they could not use metal siding on buildings. Mr. Spatz feels the Supervisors need to visit the site of the proposed construction prior to our next meeting for fact finding and informational purposes before taking action on this request. Atty. Picardi said we could contact the other bidder on the property explaining that the township is considering amending the agreement to allow a metal storage shed on the property and have that person sign a waiver that this would not have affected his bid amount on the property.

The salt shed construction project was discussed relative to stormwater controls. Mr. Hoch said it was suggested by the Township Engineer to install a two foot ditch with gravel on either side of the building to control the stormwater runoff from this building and it was agreed to install this.

Received request from All County & Associates, Inc. to have Operation and Maintenance Agreements prepared for planning module submissions for the Etheridge property at 265 Wiest School Road for a small flow treatment facility to service the sewage disposal needs of the existing three-bedroom house and for the Savory property at 2693 West Philadelphia Avenue for a small flow treatment facility to service the sewage disposal needs of the existing four apartment unit and one commercial unit building. Atty. Picardi will prepare the necessary Operation and Maintenance Agreements for the Etheridge and Savory properties until our next meeting.

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.

MINUTES OF THE JANUARY 9, 2023 MEETING CONTINUED

Public comment:

1. Donna Ott – She can prepare a transcript of the public hearing on the Small Wireless ordinance amendment from the recording she has to determine what was actually said by individuals at that hearing.

A motion was made by Mark Hoch and seconded by Edwin Pollock to retire to executive session at 7:56 p.m. relative to personnel. 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 8:31 p.m. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

The next regular meeting will be held Monday, February 13, 2023 at 7:00 P.M.

A motion was made by Jeffrey Spatz and seconded by Mark Hoch to adjourn the meeting at 8:32 p.m. Jeffrey Spatz – yes; Mark Hoch – yes; Edwin Pollock – yes. All in favor....motion carried.

Respectfully submitted,

Shirley M. Moyer
Secretary/Treasurer

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