

MINUTES OF THE OLEY TOWNSHIP BOARD OF SUPERVISORS
MEETING HELD FEBRUARY 12, 2024

The regular meeting was called to order at 7:00 p.m. in the Oley Township Municipal Building by Jeffrey Spatz with Supervisors Lisa Schaeffer and Edwin Pollock in attendance. Solicitor David Allebach 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 December 11, 2023 and December 29, 2023 minutes, a motion was made by Jeffrey Spatz and seconded by Edwin Pollock to approve the minutes of the December 11, 2023 and December 29, 2023 meetings as presented. Jeffrey Spatz – yes; Lisa Schaeffer – abstained; Edwin Pollock – yes. Two in favor, one abstained....motion carried. There being no changes to the January 8, 2024 minutes, a motion was made by Jeffrey Spatz and seconded by Lisa Schaeffer to approve the minutes of the January 8, 2024 meeting as presented. Jeffrey Spatz – yes; Lisa Schaeffer – yes; Edwin Pollock - abstained. Two in favor, one abstained....motion carried.

The police department report for the month of January 2024 was read indicating 219 calls for the month.

The road department report for the month of January 2024 was read. A motion was made by Lisa Schaeffer and seconded by Edwin Pollock to authorize the purchase of 55 gallons of NAPA tractor hydraulic and transmission fluid at a cost of \$899.99. Jeffrey Spatz – yes; Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried. The Mill Road stabilization project would qualify for a Dirt and Gravel Grant, deadline to submit application is April 1, 2024. A motion was made by Lisa Schaeffer and seconded by Edwin Pollock to authorize LTL Consultants to apply for a Dirt and Gravel Grant for the Mill Road stabilization project. Jeffrey Spatz – yes; Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried. Received email from John DiVenanzio of 2 Coach Lane requesting to lower speed limit on Route 662 in the area of Bertolet Mill Road, Mine Lane, and DeTurk Road and also post warning signs on Route 662 indicating these approaching roadways. Since Route 662 (Memorial Highway) is a state roadway this request will need to be forwarded to PennDOT. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to send a letter to PennDOT requesting that they investigate whether the speed limit could be reduced on Memorial Highway in the areas of Bertolet Mill Road, Mine Lane, and DeTurk Road and whether warning signage could be posted along Memorial Highway of these approaching roadways. Jeffrey Spatz – yes; Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to authorize the purchase of a Zero Turn Bad Boy Maverick 54 mower from Pikeville Equipment at a cost of \$6,800. Jeffrey Spatz – yes; Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried. Trees were removed by Lee's Tree Care due to an emergency during a storm from Kauffman Road and Bertolet Mill Road at a cost of \$1,480.

MINUTES OF THE FEBRUARY 12, 2024 MEETING CONTINUED

The Fire Chief's report for the month of January 2024 was read indicating a total of 40 calls. A Pennsylvania Emergency Management Agency grant was awarded to them in the amount of \$16,757.46 and this will be used for debt reduction on the tanker truck loan.

The Ambulance Chief's report for the month of January 2024 was read indicating a total of 80 calls. A Pennsylvania Emergency Management Agency grant was awarded to them in the amount of \$15,000.00 and this will be used for debt reduction on the ambulance loan.

Mrs. Schaeffer completed a Berks County Emergency Management training for elected officials program. Todd Kegerise spoke with Sal Dipippa who is the Emergency Management Coordinator for Earl Township and is a regional coordinator for Pike Township and Mr. Dipippa is reluctant to becoming the regional coordinator for Oley at this time since he has both Earl and Pike.

The Allen & Susan Standhardt property located at 15 Rose Virginia Road is in violation of unsafe structures and equipment, sanitation, weeds, and chimney repairs. 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 Richard Hartline property located at 336 Main Street is in violation of failing to call for final inspection on a building permit, progress inspection scheduled. The Francisco Pantoja-Gusman property located at 274 Wiest School Road is in violation for failure to obtain demolition permit, meeting with zoning officer and getting permits together for building. The Perry R. Good, Jr. property located at 71 Carriage Circle is in violation of unsafe structure and equipment, sanitation, accumulation of rubbish or garbage, disposal of rubbish. The Cro-Arms, LLC property located at 959 Memorial Highway is in violation of failure to obtain driveway permit, building permit, zoning permit, drainage plan submission. The Cro-Arms, LLC property located at 959 Memorial Highway is in violation of failure to obtain sign permit. A notice of violation was issued to Brandy Lynn Brigman for property located at 8 Rose Virginia Road for yard exception for accessory buildings and structures.

Received letter dated January 31, 2024 from HARB recommending that the Board of Supervisors of Oley Township issue a Certificate of Appropriateness to Michael D. Shirk for property located at 30 Hafer Road to remove and repoint stucco on original house which sits on 1700's stone foundation and a rebuilt interior in the 1930's, remove existing enclosed porch and garage, adding two story front gable façade addition to be built of horizontal hardi cement siding, porch level façade will be repointed original stone with siding detail at door, doors to be fiberglass paneled with sidelights, roof material to be asphalt architectural shingles, front porch to consist of either vinyl or composite posts and balustrades for front and sides, newly constructed garage to be built with horizontal hardi cement siding, fiberglass paneled garage doors, red brick foundation between garage doors, rear addition to use same materials, windows

MINUTES OF THE FEBRUARY 12, 2024 MEETING CONTINUED

to be vinyl six over six with the exception of front exposure to be aluminum clad window simulated divided light, dormers to be removed, refer to plans for all specific details including submitted materials list, finding of fact is that this structure is six hundred to seven hundred feet off the public roadway with a visible front exposure and side and rear exposures very minimal. 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 Michael D. Shirk for property located at 30 Hafer Road to remove and repoint stucco on original house which sits on 1700's stone foundation and a rebuilt interior in the 1930's, remove existing enclosed porch and garage, adding two story front gable façade addition to be built of horizontal hardi cement siding, porch level façade will be repointed original stone with siding detail at door, doors to be fiberglass paneled with sidelights, roof material to be asphalt architectural shingles, front porch to consist of either vinyl or composite posts and balustrades for front and sides, newly constructed garage to be built with horizontal hardi cement siding, fiberglass paneled garage doors, red brick foundation between garage doors, rear addition to use same materials, windows to be vinyl six over six with the exception of front exposure to be aluminum clad window simulated divided light, dormers to be removed, refer to plans for all specific details including submitted materials list. Jeffrey Spatz – yes; Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

Received letter dated January 31, 2024 from HARB recommending that the Board of Supervisors of Oley Township issue a Certificate of Appropriateness to Renewal by Andersen (Keith Coccozza, owner) for property located at 70 Bertolet Mill Road to replace eleven double hung windows with Fibrex double hung windows, grille or muntin pattern to be on exterior of window, windows to be constructed as close to the original window frame as possible. 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 Renewal by Andersen (Keith Coccozza, owner) for property located at 70 Bertolet Mill Road to replace eleven double hung windows with Fibrex double hung windows, grille or muntin pattern to be on exterior of window, windows to be constructed as close to the original window frame as possible. Jeffrey Spatz – yes; Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

Received January 30, 2024 from LTL Consultants the DEP Sewage Facilities Planning Module for the Toll Bell III Subdivision. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to adopt Resolution #646-24 to submit to DEP the Sewage Facilities Planning Module for the Toll Bell III Subdivision for their approval as a revision to the Official Sewage Facilities Plan of Oley Township. Jeffrey Spatz – yes; Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

Letter dated February 8, 2024 from Oley Township Planning Commission recommending that the Board of Supervisors of Oley Township direct the Oley Township Planning Commission to perform a global review of the current Oley Township Zoning Ordinance. Atty. Allebach suggested to have Brandywine Conservancy or another such agency look over our ordinance to

MINUTES OF THE FEBRUARY 12, 2024 MEETING CONTINUED

recommend changes, we should obtain at least two proposals for this project. A motion was made by Lisa Schaeffer and seconded by Edwin Pollock to authorize our Solicitor to obtain at least two proposals from firms to review our current Zoning Ordinance. Jeffrey Spatz – yes; Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

Letter dated February 8, 2024 from Oley Township Planning Commission recommending that the Board of Supervisors of Oley Township consider proposed modifications and/or additions for the Oley Township Zoning Ordinance to add the following: Section 27-403.A.(6) Maximum Regulations; (a) Maximum Allowable Building Coverage: 10%; (b) Maximum Allowable Lot Coverage: 15%. A motion was made by Lisa Schaeffer and seconded by Edwin Pollock to authorize our Solicitor to advertise for adoption the maximum regulations for building coverage and lot coverage as proposed. Jeffrey Spatz – yes; Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

The tax collector submitted individuals to be exonerated for the 2022 and 2023 per capita taxes. A motion was made by Lisa Schaeffer and seconded by Edwin Pollock to exonerate the tax collector from collecting the 2022 and 2023 per capita taxes for the individuals as listed. Jeffrey Spatz – yes; Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

Our Solicitor prepared an amendment to the Land Development Agreement for the Oley Township Municipal Authority New Water Storage Tank to relieve the Developer of the obligation to deposit with the Township the Financial Security and relieve Developer to enter into a Financial Security Agreement with the Township. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to authorize the Chairman and Secretary to execute the amendment to the Land Development Agreement for the Oley Township Municipal Authority New Water Storage Tank to relieve the Developer of the obligation to deposit with the Township the Financial Security and relieve Developer to enter into a Financial Security Agreement with the Township. Jeffrey Spatz – yes; Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

Kim Seidel, Chairman of Oley Township Municipal Authority, introduced the Authority engineers, Kim Mazur and Christopher Hannum of Entech Engineering, to review the wastewater plant treatment and disposal alternatives study. Mr. Hannum said the purpose of this study, which was paid for by Earl Township, is to evaluate the existing capacity of the Oley Township Wastewater Treatment Plant (WWTP) since Earl Township had made a request for four hundred equivalent dwelling units (EDU's). This study also summarizes alternatives to potentially expand the WWTP to accept this additional sewage flow from Earl Township as well as additional flow from future connections within Oley Township. Mr. Hannum said if the WWTP is expanded, that would require Oley Township to update the Act 537 Sewage Facilities Plan which was last done in 1994. Most of the equipment at the WWTP was last upgraded in 1997 and coming to end of life and will need to be upgraded in the near future, the projected cost at this point is approximately \$7 million which take approximately five years to complete.

MINUTES OF THE FEBRUARY 12, 2024 MEETING CONTINUED

Larger systems are easier to operate and not as many problems hydraulically and biologically. It is more economical to have more users on the system to spread out the costs and put less of a financial burden on the Authority. Mr. Spatz asked if we would be taking any leachate into the plant from Earl Township. Mr. Hannum said he would recommend not to take leachate into the plant, from what he has been told by Earl Township is that this would be all residential sewage. Mr. Spatz asked how many additional EDU's would Oley Township be allotted. Mr. Hannum said at this point they have seventy-five EDU's factored in for Oley Township. Mr. Spatz asked if all these EDU's would be used up if we provide public sewer to Water Street and Pleasantville. Mr. Hannum feels that most of the EDU's would be used up if we provide sewer to these two areas. Atty. Allebach asked if there is a cost estimate for updating the Act 537 Sewage Facilities Plan. Mr. Hannum said he does not have a cost estimate but this could be negotiated with Earl Township to pick up some of the cost of this update since the addition of accepting Earl Township sewage would be triggering us to perform this update. Mr. Hannum feels that the Municipal Authority and the Oley Township Board of Supervisors should have a workshop to discuss this project in more detail prior to presenting it to Earl Township. A motion was made by Jeffrey Spatz and seconded by Edwin Pollock to schedule a joint workshop meeting of the Oley Township Municipal Authority and Oley Township Board of Supervisors on March 11, 2024 at 5:30 p.m. to discuss the wastewater treatment plant treatment and disposal alternatives study. Jeffrey Spatz – yes; Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

Incoming communications:

1. Email received February 8, 2024 from Mid-Atlantic Interstate Transmission, LLC informing us that FirstEnergy is applying for a General NPDES permit for stormwater discharges associated with construction activities associated with the removal of approximately 5.3 miles of an existing overhead transmission line and associated utility poles in Exeter and Oley Townships and requesting the township to complete the Municipal Notification of Planned Development for Chapter 102 Permits form. A motion was made by Jeffrey Spatz and seconded by Lisa Schaeffer to authorize the Secretary to complete the Municipal Notification of Planned Land Development for Chapter 102 Permits for Mid-Atlantic Interstate Transmission, LLC for removal of approximately 5.3 miles of an existing overhead transmission line and associated utility poles. Jeffrey Spatz – yes; Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

2. Email received February 5, 2024 from Leonard Burton of Pagoda Pacers regarding the Oley Valley Country Classic. Mr. Burton was in attendance and thanked the Supervisors for the use of the roadways for this annual event, he also presented the Oley Fire Company Ambulance with a \$2,000 check as a donation from last year's event.

Mr. Spatz said that since the Traffic Calming Policy has been adopted, the Local Traffic Advisory Committee will need to schedule a meeting. Mr. Spatz urged everyone to speak with their legislators about passing legislation which would allow local police departments to use radar for speed enforcement.

MINUTES OF THE FEBRUARY 12, 2024 MEETING CONTINUED

Atty. Allebach will advertise for a public hearing to be held April 8, 2024 at 7:30 p.m. to include the Robert A. Noll and Joshua E. Noll properties located in Alsace Township into the Oley Township Agricultural Security Area.

Duane Howard could not find any other information for the diesel fuel pump replacement. It was agreed to discontinue with this project, but in order to use the ARPA funding we will apply it to a roadwork project this year.

Received notification from Acorn Hill, the current host of our website, that they will be retiring their virtual private server by June 1, 2024 and provided several options on website hosting. Mrs. Schaeffer will investigate our options until next month.

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

The following public comment was heard:

1. Stephen Levan – Asked about the status of the violation at 336 Main Street. Mr. Spatz said the zoning officer reports that a progress inspection has been scheduled, he will check with LTL Consultants as to the status of this inspection.

2. Matthew Walker – He would like to request permission to amend the deed on his property in order to build a home on this lot. Mr. Spatz instructed Mr. Walker to put this request in writing and include a detailed siting of the location on the lot where this home is to be constructed.

The next regular meeting will be held Monday, March 11, 2024 at 7:00 P.M.

A motion was made by Lisa Schaeffer and seconded by Jeffrey Spatz to adjourn the meeting at 8:23 p.m. Jeffrey Spatz – yes; Lisa Schaeffer – yes; Edwin Pollock. All in favor....motion carried.

Respectfully submitted,

Shirley M. Moyer
Secretary/Treasurer

Cc: J. Spatz
L. Schaeffer
E. Pollock
K. Picardi
D. Allebach
N. Ulrich