

MINUTES OF THE OLEY TOWNSHIP BOARD OF SUPERVISORS
MEETING HELD APRIL 8, 2024

The regular meeting was called to order at 7:00 p.m. in the Oley Township Municipal Building by Lisa Schaeffer with Supervisor 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 March 11, 2024 regular minutes and joint workshop minutes, a motion was made by Edwin Pollock and seconded by Lisa Schaeffer to approve the minutes of the March 11, 2024 regular and joint meetings as presented. Lisa Schaeffer – yes; Edwin Pollock - yes. All in favor....motion carried.

The police department report for the month of March 2024 was read indicating 233 calls for the month.

The road department report for the month of March 2024 was read. The following bids were received for Select Base Repair and Overlay:

Ronnie G. Folk Paving, Inc. - \$237,815.80

H&K Group, Inc. - \$209,840.56

New Enterprise Stone & Lime Company, Inc. - \$206,038.40

Bracalente Construction, Inc. - \$227,561.97

Construction Masters Services, LLC - \$226,745.00

A motion was made by Edwin Pollock and seconded by Lisa Schaeffer to award the Select Base Repair and Overlay project to New Enterprise Stone & Lime Company, Inc. in the amount of \$206,038.40. Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

Received the following three quotes for a 2024 F-600 truck all which are COSTARS prices:

Manderbach Ford - \$127,094.00

Fred Bean Ford/Boyertown - \$132,599.00

Tom Masano Ford - \$125,396.00

Mrs. Schaeffer said two of the quotes indicate the upfitting will be performed by Levan's Machine Shop which is her employer but she receives no financial gain from this sale. Atty. Picardi said he has no problem with Mrs. Schaeffer voting on this matter. A motion was made by Edwin Pollock and seconded by Lisa Schaeffer to purchase a 2024 F-600 4X4 SD regular cab with upfitting from Tom Masano Ford in amount of \$125,396.00. Edwin Pollock – yes; Lisa Schaeffer – yes. All in favor....motion carried. The grant application was submitted to Berks County Conservation District for the Reider/Mill Road project. A motion was made by Lisa Schaeffer and seconded by Edwin Pollock to authorize advertising for bids for the Reider/Mill Road project. Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried. The radar feedback signs will again be placed on township roads.

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The Fire Chief's report for the month of March 2024 was read indicating a total of 38 calls. Michael Kline would like to discuss a funding model for emergency services at a workshop session with the Supervisors. It was agreed to schedule a workshop session on Monday, May 13, 2024 at 6:00 p.m. to discuss a funding model for emergency services.

The Ambulance Chief's report for the month of March 2024 was read indicating a total of 77 calls. Todd Kegerise said they should be receiving the 2023 Ford F450 ambulance sometime over this summer, the total estimated cost is \$307,438 and he is requesting another loan from the Land Fund in the amount of \$225,000 to cover the remaining balance of this unit on delivery. It was indicated that the ambulance does have an existing loan for the 2019 unit with a current balance of \$72,083.35 remaining to be paid on this loan, that loan was for two percent for an eleven year period. Atty. Picardi suggested to prepare an amendment to this current loan and roll the remaining balance and the new loan request into one loan. Action on this matter will be tabled until next month until we can review the existing loan document. Mr. Kegerise also mentioned the recent article in the Reading Eagle regarding the EMS crisis throughout the country due to lack of funding and personnel.

The Allen & Susan Standhardt property located at 15 Rose Virginia Road is in violation of unsafe structures and equipment, sanitation, weeds, and chimney repairs, citation filed. 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 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 Brandy Lynn Brigman property located at 8 Rose Virginia Road is in violation of yard exception for accessory buildings and structures, citation filed. The Edward & Catherine Zadvydas property located at 62 School Lane is in violation of nuisance glare and inadequate lighting. Notice of violation issued to Allentown Cement Company, Inc. for property located at 1478 Memorial Highway for sanitation, accumulation of rubbish or garbage, disposal of rubbish. The Gary R. Gift properties located at 3282 Friedensburg Road is in violation of sanitation, accumulation of rubbish or garbage, disposal of rubbish. A stop work order was issued to Cro-Arms, LLC for property located at 959 Memorial Highway for construction without permits.

A motion was made by Lisa Schaeffer and seconded by Edwin Pollock to recess the meeting at 7:29 p.m. in order to conduct public hearings on a proposed Zoning Ordinance amendment to provide building coverage and impervious coverage limits in the Agricultural Preservation District and the modification of the Agricultural Security Area to include two applications. Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried. A motion was made by Lisa Schaeffer and seconded by Edwin Pollock to reconvene the meeting at 7:37 p.m. Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

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Received letter dated April 1, 2024 from HARB recommending that the Board of Supervisors of Oley Township issue a Certificate of Appropriateness to Jeremy & Amy Larson for property located at 468 Main Street to replace gutters with six inch half round metal gutters and repair bricks on the chimney with lime mortar if possible but deny the issuance of a Certificate of Appropriateness for the replacement of the standing seam metal roof with ABM metal panels as per submitted in the application, HARB would recommend the replacement to be standing seam or asphalt shingles. This application was reviewed and discussed. Mr. Larson said the cost of a standing seam roof would be \$31,000 versus the ABM metal panels at a cost of \$10,500. Mrs. Schaeffer said she understands that the reason HARB denied the replacement of the roof with ABM metal panels is that the quality of this material is not the same as standing seam and as per a realtor on the board felt that this could lower the value of the home. Mr. Larson said he read that the ABM metal panels do have a forty year warranty. Mr. Pollock said he would have a concern with leakage if the ABM metal panels are used due to exposed fasteners. Mr. Larson said he would prefer a steel roof rather than asphalt shingles. A motion was made by Lisa Schaeffer and seconded by Edwin Pollock to issue a Certificate of Appropriateness to Jeremy & Amy Larson for property located at 468 Main Street to replace gutters with six inch half round metal gutters and repair bricks on chimney with lime mortar if possible but deny the issuance of a Certificate of Appropriateness for the replacement of the standing seam metal roof with ABM metal panels as per submitted in the application, this application will be returned to the Oley Township Historical Architectural Review Board for their review again. Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

Received letter dated April 1, 2024 from HARB recommending that the Board of Supervisors of Oley Township issue a Certificate of Appropriateness to Jessica R. Rohrbach for property located at 181 Bertolet Mill Road to install fence on sides and back of property approximately two feet from property line and two feet from sewer easement, fence to connect to existing white vinyl fence on either side, fence to consist of three rail boards on round posts with wire fencing and includes two three foot man gates and two eight foot vehicle gates made of wood, fence to be approximately four feet tall. This application was reviewed and discussed. A motion was made by Lisa Schaeffer and seconded by Edwin Pollock to issue a Certificate of Appropriateness to Jessica R. Rohrbach for property located at 181 Bertolet Mill Road to install fence on sides and back of property approximately two feet from property line and two feet from sewer easement, fence to connect to existing white vinyl fence on either side, fence to consist of three rail boards on round posts with wire fencing and includes two three foot man gates and two eight foot vehicle gates made of wood, fence to be approximately four feet tall. Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

Received letter dated April 3, 2024 from Oley Township Planning Commission recommending that the Board of Supervisors of Oley Township approve the Toll Bell III Subdivision Final Plan, plan number D-23-112, dated March 7, 2024. This plan was reviewed and discussed. A motion was made by Edwin Pollock and seconded by Lisa Schaeffer to adopt Resolution #648-24 to approve the Toll Bell III Subdivision Final Plan, plan number D-23-112, dated March 7, 2024. Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

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Received March 15, 2024 from Lloyd & Ruthann Zook an Escrow Agreement for the Lot Subdivision (Zook) review fees being held in escrow. This plan was briefly reviewed and discussed. A motion was made by Lisa Schaeffer and seconded by Edwin Pollock to authorize the Vice Chairman and Secretary to execute the Lot Subdivision (Zook) Escrow Agreement. Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

Received proposals from Seidel Planning & Design and Urban Research & Development Corporation to perform updates to the Oley Township Zoning Ordinance. A joint workshop session with the Oley Township Planning Commission will be scheduled to have each of these firms make a presentation, date to be determined.

Incoming communications:

1. Letter dated March 27, 2024 from PA DEP informing us of a meeting on April 23, 2024 at 10:00 a.m. to discuss the application submitted for a major permit modification of the Pioneer Crossing Landfill in Exeter Township.

A motion was made by Lisa Schaeffer and seconded by Edwin Pollock to adopt Resolution #649-24 to include the Joshua E. Noll properties located in Alsace Township in the Agricultural Security Area of Oley Township. Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried. A motion was made by Lisa Schaeffer and seconded by Edwin Pollock to adopt Resolution #650-24 to include the Robert A. Noll properties located in Alsace Township in the Agricultural Security Area of Oley Township. Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

Received letter dated March 11, 2024 from Berks County Planning Commission providing their comments on the proposed Zoning Ordinance amendment to provide building coverage and impervious coverage limits in the Agricultural Preservation District. Received letter dated April 3, 2024 from Oley Township Planning Commission recommending that the Supervisors adopt the proposed Zoning Ordinance amendment to provide building coverage and impervious coverage limits in the Agricultural Preservation District. Atty. Picardi said this proposed amendment has been advertised for adoption this evening. A motion was made by Lisa Schaeffer and seconded by Edwin Pollock to adopt Ordinance #391 amending Chapter 27 (Zoning) of the Oley Township Code of Ordinances to provide building coverage and impervious coverage limits in the Agricultural Preservation District. Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

The request from the Oley Valley High School BASH Committee to hold a Senior Car Cruise on May 31, 2024 at 7:00 p.m. at the Oley Fire Company fairgrounds was tabled from last meeting as there was a concern with the proposed route and the amount of the fire police personnel this would require. Kevin Bieber contacted a member of the committee and the route will now be a right on Jefferson Street, right on Main Street, right on Oley Furnace Road, right

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on Stitzer Road, right on Water Street, left on Main Street, left on Jefferson Street, left on fairgrounds. A motion was made by Edwin Pollock and seconded by Lisa Schaeffer to permit the Oley Valley High School BASH Committee to hold an Oley Valley High School Senior Car Cruise on May 31, 2024 at 7:00 p.m. beginning and ending at the Oley Fire Company fairgrounds as per the designated route and authorize the use of Fire Police for traffic control. Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

The request from Oley American Legion to hold the annual Memorial Day Parade on May 26, 2024 at 6:00 p.m. was tabled from last meeting as there was a concern with the parade participants disbursing after the services on the cemetery and the need to have Main Street closed for a return of the parade to the High School. Kevin Bieber contacted an Oley Legion member and they agreed that the route will now be from the Oley High School and proceeding west on Main Street to Frieden’s Cemetery and eliminate the return route after the services. A motion was made by Lisa Schaeffer and seconded by Edwin Pollock to allow the use of the route as requested for the Memorial Day Parade on May 26, 2024 and authorize the police and fire police to block the roads and direct traffic as required and authorize “No Parking” signs to be posted along Main Street between Lynx Drive and Water Street. Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

Atty. Picardi said the Volunteer Park was donated to the township and has a deed restriction that it has to be used as public property, this is a binding restriction, one option is to go back to the person that originally donated it to the township and ask them to rescind this restriction but that person is now deceased, we could apply to the Orphan’s Court to have them lift this deed restriction in order to sell the property but we would need to make a presentation to the court as to why they should lift this deed restriction such as not well used or criminal activity occurring. A motion was made by Lisa Schaeffer and seconded by Edwin Pollock to authorize the Solicitor to pursue our options to sell the Volunteer Park property. Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

Our Solicitor provided us with several municipal personnel policies which are currently being reviewed in order to make amendments to our current policy.

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

The following public comment was heard:

1. Stephen Levan – There is a large amount of debris and scaling under the bridge on Hoch Road. Duane Howard said repairs had been made to the abutment seats approximately five years ago, all bridges are routinely inspected and recommendations made as to repairs needed, he has not received any recently on this bridge, the estimate just to paint the bridge was \$600,000.

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2, Richard Schlegel – The Stuart Snyder property on Mill Road looks like a recycling center with junk all around the property. Mrs. Schaeffer said she will contact our zoning officer to make an inspection of this property.

3. Todd Kegerise – The fire at Bortz’s Chain Saw Shop on March 31, 2024 was handled well by the fire services that responded.

The next regular meeting will be held Monday, May 13, 2024 at 7:00 P.M.

A motion was made by Lisa Schaeffer and seconded by Edwin Pollock to retire to executive session at 8:13 p.m. relative to litigation. Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried. A motion was made by Lisa Schaeffer and seconded by Edwin Pollock to reconvene the meeting at 8:35 p.m. Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

A motion was made by Lisa Schaeffer and seconded by Edwin Pollock to authorize the sum not to exceed \$3,000 as a contribution toward expert witnesses in an ongoing litigation matter consistent with the position of our Planning Commission. Lisa Schaeffer – yes; Edwin Pollock – yes. All in favor....motion carried.

A motion was made by Lisa Schaeffer and seconded by Edwin Pollock to adjourn the meeting at 8:37 p.m. 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