

**Freedom Township Board of Supervisors  
Regular Meeting  
December 8, 2021  
7:00 P.M.**

**Board of Supervisors**

Allen Beckett, Chairperson  
Paul Kellett, Vice-Chairperson  
Matt Young

**Township Officials**

Zach Gulden, Township Manager  
Linus Fenicle, Township Solicitor  
Mike Wenschhof, Road Superintendent  
Sherri Hansen, Liberty Twp. Police Chief

**Members of the Public Present**

Ed Buchheit, Mary Buchheit, Herb Milligan, Thad Stultz, Bob Sharrah, Jim Geleta, James Rife, Brett Johnston, Marie Bolin, John Sica, Joe Bowden, Sheila Warthen, Steve Warthen, Dennis McGlaughlin Jr., & Jim Hobbs Jr.

**Call to Order**

Chair Beckett called the Board of Supervisor's Meeting to order at 7:00 P.M.

Mr. Gulden stated that the Board of Supervisors held an executive session after the regularly scheduled meeting on November 4, 2021 for 15 minutes regarding personnel.

Mr. Gulden stated Mr. Young and Chairperson Beckett held an executive session on November 10, 2021 for one hour regarding personnel.

Mr. Gulden stated the Board of Supervisors held an executive session before tonight's regularly scheduled meeting for 15 minutes regarding personnel.

**Public Comment**

Mr. Stultz made comments on how the non-typical waste being spread on certain local farms near his house is causing harm to his family due to its smell. He has been in contact with PA Department of Environmental Protection (DEP) and Adams County Conservation District, and they are looking into the matter. He asked the Board to reach out to the farmer, and ask if they will help control the odor or go back to conventional fertilizer.

The Board agreed that the smell is bad; however, the PA Right to Farm Act has their hands tied. They recommended that Mr. Stultz continue to contact PA DEP to ensure the farmer is following the law.

**Approval of Minutes**

Vice-Chair Kellett made a **MOTION** to approve the Minutes of the November 3, 2021 regular meeting. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (3-0).

**Monthly Expenses**

Vice-Chair Kellett made a **MOTION** to approve the bills in the amount of \$12,033.89 from the General Fund, \$52,822.91 from the Park & Rec Fund, & \$2,265.45 from the Escrow Account. The **MOTION** was **SECONDED** by Mr. Young. The motion carried unanimously (3-0).

**Road Report**

The Public Works Department completed the following tasks in November:

- Mowing, trimming, brush cutting, leaf blowing, and trash pickup along roadways. Clear fallen trees and limbs from roads and berms. Mowing and clearing limbs at Township lot. Load and haul 2A stone to fill holes in berms on Waterworks Road.
- Take down voting equipment and setup for meetings.
- Put tailgate plates and salt spreader on International.
- Sharpened road mower knives.
- Called and had a load of road salt delivered.
- Took pictures of Dodge truck for grant purposes.
- Ed met with Herb to go over International Truck and ride over the snow plowing routes.
- Mike went for physical and medical card to drive new truck.
- Return PA 1 calls.

Public Works Employee	Hours Worked
Mike Wenschhof	142
Herb Milligan	5

Vice-Chair Kellett made a **MOTION** to approve November's Road Report as submitted. The **MOTION** was **SECONDED** by Mr. Young. The motion carried unanimously (3-0).

**EMS, Fire, & Police Reports**

Adams Regional Emergency Medical Service (AREMS) did not submit the monthly report.

Mr. Milligan presented the fire report. Greenmount Fire Department had 8 calls in the month of November:

- 2 in Freedom Township, 2 in Cumberland Township, 3 in Emmitsburg, MD, and 1 in Jackson Township, York County.

- Of those calls, 2 were residential fires, 1 transfer, 1 commercial fire, 1 medical assist, 1 brush fire, 1 inside investigation, and 1 public service.

Ms. Hansen presented the police report. Liberty Township Police worked 25 hours in the month of November. There were zero 911 calls, 41 traffic citations, and 9 written warnings.

### **Old Business**

#### **A. Public drinking ordinance discussion and consideration.**

Mr. Gulden stated that he spoke with Chief Hansen, as requested from the Board, regarding her recommendation on selecting a public drinking ordinance from the samples provided by the Township's solicitor. She recommended the sample ordinance from the PA State Association of Boroughs; however, she recommended removing "imprisonment for ninety (90) days for the third offense and any offence thereafter". She felt fines as a punishment was sufficient.

Chair Beckett made a **MOTION** to approve an advertisement of the Township's intention to adopt the PA State Association of Borough's sample public drinking ordinance with the imprisonment sentence removed. The **MOTION** was **SECONDED** by Vice-Chair Kellett. The motion carried unanimously (3-0).

#### **B. Approval of Resolution 2021-01 for consideration – 2022 budget.**

Vice-Chair Kellett made a **MOTION** to approve Resolution 2021-01. The **MOTION** was **SECONDED** by Mr. Young. The motion carried unanimously (3-0).

#### **C. Approval of Resolution 2021-02 for consideration – appointment of Joyce Beckman of Lockwood Business Support Service to conduct the 2021 audit in place of the elected auditors.**

Mr. Gulden requested this item be tabled to the January 3, 2022 reorganization meeting as requested by the Township Solicitor.

Vice-Chair Kellett made a **MOTION** to table this item until January 3, 2022. The **MOTION** was **SECONDED** by Mr. Young. The motion carried unanimously (3-0).

#### **D. Open the bids for the 2022 stone contract.**

Mr. Gulden opened two bids for the 2022 stone contract - one was from New Enterprise, and the other was from Specialty Granules. The Board inspected the bids.

Mr. Young made a **MOTION** to table this item until January 3, 2022, so staff has time to review. The **MOTION** was **SECONDED** by Vice-Chair Kellett. The motion carried unanimously (3-0).

**E. Approval of hiring Herbert Milligan as an as-needed CDL snow truck driver for consideration. Pay rate of \$25.00/hr was set at 01/04/2021 reorganization meeting.**

Mr. Young made a **MOTION** to hire Herbert Milligan as an as-needed CDL snow truck driver with a pay rate of \$25.00/hr. The **MOTION** was **SECONDED** by Vice-Chair Kellett. The motion carried unanimously (3-0).

**F. Approval of the grant mandated destruction and recycling of the 1994 Dodge truck for consideration.**

Mr. Gulden stated the Township was awarded a \$56,000 grant from the PA Department of Environmental Protection in order to replace the 1994 Dodge 3500 truck. The Township received its replacement, a 2022 Ford F-550, earlier this week. As a condition of grant approval, the 1994 truck must be destroyed. The purpose of the grant is to remove older and higher polluting vehicles from the road. Mr. Gulden stated that Greenmount Fire Department has volunteered to 1) drill a 3" hole in the engine block; 2) cut the chassis; and 3) take the truck to a salvage yard to be recycled – all of which are required by the grant. Mr. Gulden recommended donating the recycling proceeds, old plow, and old salt spreader to the Greenmount Fire Department for their help.

Chair Beckett made a **MOTION** donate the 1994 Dodge truck's salt spreader and plow to the Greenmount Fire Department. The **MOTION** was **SECONDED** by Vice-Chair Kellett. The motion carried unanimously (3-0).

Chair Beckett made a **MOTION** donate all proceeds from recycling the 1994 Dodge truck to the Greenmount Fire Department. The **MOTION** was **SECONDED** by Vice-Chair Kellett. The motion carried unanimously (3-0).

**New Business**

**A. Preliminary/Final Subdivision Plan for Marlin M. Shorb Property.**

Vice-Chair Kellett made a **MOTION** to approve waiving Chapter 195 Section 303 of the Subdivision and Land Development Ordinance (SALDO) – requirement of a separate Preliminary Plan. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (3-0).

Vice-Chair Kellett made a **MOTION** to approve waiving Chapter 195 Section 304.A.28 of the SALDO – requirement of showing drainage facilities. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (3-0).

Vice-Chair Kellett made a **MOTION** to approve waiving Chapter 195 Section 407.E.2 of the SALDO – prohibiting a flag lot. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (3-0).

Vice-Chair Kellett made a **MOTION** to approve modifying Chapter 195 Section 306.A.9 of the SALDO – requirement of a 1" = 1000' vicinity map. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (3-0).

Vice-Chair Kellett made a **MOTION** to approve the Preliminary/Final Subdivision Plan for Marlin M. Shorb Property with the following conditions:

1. Street/corner monument shall be set along a common property line; preferably at the street right-of-way line.
2. Sewage facilities planning approval is required.
3. An executive owner's acknowledgement is required.
4. A note shall be placed on the plan that states all utilities will be installed underground.
5. A note shall be placed on the plan that states prior to issuance of a building permit, an approved Erosion & Sedimentation Control plan is required.

The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (3-0).

Vice-Chair Kellett made a **MOTION** to allow the Township Manager to sign the sewage planning exemption after approval by the sewage enforcement officer. The **MOTION** was **SECONDED** by Mr. Young. The motion carried unanimously (3-0).

**B. Approval of a contract with Gettysburg Stove & Solar in the amount of \$20,691.00 for a 9.90kW roof mounted solar system for consideration.**

Since the project has been budgeted in 2022, the Township's solicitor requested this item be brought back in 2022.

**C. Approval of a contract with Chain Effect in the amount of \$2,745.00 for a new municipal sign for consideration.**

Since the project has been budgeted in 2022, the Township's solicitor requested this item be brought back in 2022.

**D. Approval of the Adams County Planning Department GIS Division Fire Service Area Mapping & Analysis Initiative and a Data Use Authorization Form for consideration.**

Vice-Chair Kellett made a **MOTION** to approve the Adams County Planning Department GIS Division Fire Service Area Mapping & Analysis Initiative and a Data Use Authorization Form. The **MOTION** was **SECONDED** by Mr. Young. The motion carried unanimously (3-0).

**E. Authorization for advertising adoption of per capita tax and earned income and net profits tax ordinance for consideration – (codification project).**

Mr. Fenicle explained that the Township is not increasing or creating new taxes. This is needed in order to finalize the codification project.

Chair Beckett made a **MOTION** to authorize adoption of per capita tax and earned income and net profits tax ordinance. The **MOTION** was **SECONDED** by Vice-Chair Kellett. The motion carried unanimously (3-0).

**F. Authorization of amendments to zoning ordinance and a subdivision and land development ordinance to Township & County Planning Commissions for consideration – (codification project).**

Mr. Fenicle explained this is needed in order to finalize the codification project. Since minor clean-up changes are being recommended to the zoning and SALDO, the Township's and County's Planning Commission's must review before final approval.

Chair Beckett made a **MOTION** to authorize sending the proposed amendments to the zoning ordinance and SALDO to the Township and County Planning Commissions for review and comment. The **MOTION** was **SECONDED** by Mr. Young. The motion carried unanimously (3-0).

**G. Approval of an employment agreement with the Township Manager for consideration.**

Chair Beckett made a **MOTION** to approve the employment agreement with the Township Manager. The **MOTION** was **SECONDED** by Vice-Chair Kellett. The motion carried (2-1). Mr. Young voted nay.

**H. Approval of Resolution 2021-03 for consideration – sets 2022 Manager Salary.**

Mr. Gulden stated this will be Resolution 2021-02 and not 2021-03.

Vice-Chair Kellett made a **MOTION** to approve Resolution 2021-02. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried (2-1). Mr. Young voted nay.

**Other Business**

None

**Staff Reports**

Mr. Gulden stated he completed the following tasks in November:

- Processed 1x well permit.
- Processed 1x subdivision request.

- Worked on new truck grant reimbursement paperwork.
- Processed payment #1 for park project.
- Worked on required state grant yearly reports for electric vehicle charging station.
- Changed PSATS CDL program contact person from Chair Beckett to himself.
- Changed PSATS CDL program roster. Deleted Ed and added Herb.
- Conducted drug/alcohol query on Herb through the US DOT FMCSA drug & alcohol clearing house.
- Set up drug/alcohol test for Herb through PSATS CDL program.
- Completed the 2022 Township tax information form required by the state.
- Completed the 2021 Form 706B for the fire relief audit.
- Renewed Comcast phone, internet, and fax contract.
- Reviewed Marlin Shorb subdivision for zoning compliance.
- Processed monthly bills.
- Processed 2x revenue deposits.
- Handled misc. phone calls.

### **Public Comment**

Mr. Sica thanked Chair Beckett for his service to the Township.

Mr. Hobbs explained that it is his family's farm where the materials are being spread, which is causing the unique smells throughout the Township. He said these materials are cheaper than conventional fertilizer, and his family is trying to make a living. Mr. McGlaughlin stated the materials come from a variety of food facilities, such as Utz and various dairy farms in the area, and they have the proper state permits to spread the materials on farms. He said the materials do not include chemicals and are not harmful in anyway.

Mr. Rife stated the smells from the Hobb's farm are causing his family to become sick.

### **Adjournment**

There being no further business, Chair Beckett made a **MOTION** to adjourn. The **MOTION** was **SECONDED** by Vice-Chair Kellett. Chair Beckett adjourned the meeting at 8:01 P.M.