

**FREEDOM TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING  
AUGUST 08, 2018  
7:00 P.M.**

**BOARD OF SUPERVISORS**

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

**TOWNSHIP OFFICIALS - PRESENT**

Zachary Gulden, Township Manager  
Linus Fenicle, Township Solicitor

**MEMBERS OF THE PUBLIC – PRESENT**

Ed Wenschhof

**CALL TO ORDER**

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

**PUBLIC COMMENT**

None

**APPROVAL OF MINUTES**

Vice-Chair Kellett made a **MOTION** to approve the Minutes of the July 11, 2018 meeting. The **MOTION** was **SECONDED** by Mr. Young. The motion carried unanimously (3-0).

**CONSIDERATION / APPROVAL OF BILLS IN THE AMOUNT OF \$10,328.03**

Vice-Chair Kellett made a **MOTION** to approve the financial report and bills in the amount of \$10,328.03. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (3-0).

**ROAD REPORT**

The road crew completed the following tasks in July:

- String trimming, trash pick-up, mowing along roadways and Township lot.
- Closed roads due to flooding on Scott & Shorbs Mill Road and creek crossing on Gordon Road.
- Clear tree from McGlaughlin Road and misc. debris from culverts from storms.
- Had International Truck inspected at Sanders Garage
- Hammaker completed the sealcoating on the roads per bid contract.
- Misc. repairs on road mower and replace hydraulic hose on loader.

<b>Road Crew Employee</b>	<b>Hours Worked</b>	<b>Mileage</b>
Mike Wenschhof	88	0
Ed Wenschhof	49	60
Allen Beckett	0	0

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

### **EMS & FIRE REPORTS**

Adams Regional Emergency Medical Service (AREMS) had a total of two calls to Freedom Township for the month of July.

The Greenmount Fire Department had a total of eight calls for the month of July. Their calls included: three residential fires, two water rescues, one commercial fire, one brush fire, and one down utility wire. Of those calls, one was to Freedom Township, two were to Cumberland Township, one to Carroll County, MD, one to Carroll Valley, two to Frederick County, MD, and one to Liberty Township.

### **OLD BUSINESS**

#### **A. Consideration of adoption of Resolution 2018-06 (2018 Updated Fee Schedule)**

Mr. Gulden said that this proposed fee schedule was on the Township's website for a 30-day public review per request of the Board. No comments were received.

Chair Beckett made a **MOTION** to approve Resolution 2018-06. The **MOTION** was **SECONDED** by Vice-Chair Kellett. The motion carried unanimously (3-0).

#### **B. Consideration of adoption of Resolution 2018-07 (Southwest Joint Comprehensive Plan)**

Mr. Gulden said the Township conducted a public hearing on Resolution 2018-07 before this meeting, which was the last required step before the Board could consider adoption. He said that he is required to mail a certified copy to the County if approved by the Board.

Vice-Chair Kellett made a **MOTION** to approve Resolution 2018-07. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (3-0).

#### **C. Consideration of adoption of Zoning Text Amendment Ordinance 2018-02 (Repeal and Replace Golf Course Community Amendment)**

Mr. Gulden said the Township conducted a public hearing on the proposed Ordinance 2018-02 in June, which was the last required step before the Board could consider adoption. He said that he is required to mail a certified copy to the County if approved by the Board.

Vice-Chair Kellett made a **MOTION** to approve Ordinance 2018-02. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (3-0).

**D. Consideration of adoption of the Stormwater Management Design Assistance Manual provided by KPI Technology.**

Chair Beckett made a **MOTION** to table this matter. The **MOTION** was **SECONDED** by Vice-Chair Kellett. Mr. Young asked why this was being tabled. Chair Beckett said he is waiting on clarification from the engineer. The motion carried unanimously (3-0).

**NEW BUSINESS**

**A. Discussion of Recreation Fees**

Mr. Gulden said that the adopted Southwest Joint Comprehensive Plan includes a recreational study. This study is required in order for the Township to consider adoption of a recreation fee. The recreational study did show a strong deficiency in recreational areas in and around Freedom Township. He said that he recommends that the Township consider adoption of a recreation fee in order to fund future recreation projects. Mr. Gulden presented the Board with the following proposed amendment to the Subdivision and Land Development Ordinance:

ORDINANCE NO. \_\_\_\_\_

An Ordinance of the Township of Freedom, Adams County, Pennsylvania, Amending the Freedom Township Subdivision & Land Development Ordinance.

WHEREAS, the Board of Supervisors of Freedom Township has determined that it is appropriate to amend the Freedom Township Subdivision & Land Development Ordinance to repeal and replace the standards and criteria for the Dedication of Lands for Local Recreation and Other Public Sites and to make certain other revisions:

THEREFORE, it is hereby enacted and ordained by the Board of Supervisors of Freedom Township, Adams County, Pennsylvania as follows:

**Section 1.** Article V – Improvement and Construction Requirements, Section 513, Dedication of Lands for Local Recreation and Other Public Sites, is deleted in its entirety and replaced by the following:

**SECTION 513: CONTRIBUTION FOR RECREATION PURPOSES**

1. It is the policy of the Municipality to provide recreational facilities for all the residents of the Municipality in accordance with the adopted Recreation Plan. Centralized facilities are preferred over local neighborhood facilities. New and additional facilities at the centralized location are required in direct proportion to increases in the population of the Municipality. Developers causing increases in

the population of the Municipality by adding new residential dwelling units must share in the cost of providing additional recreation facilities.

2. The Municipality may require land to be dedicated, and if agreeable to the developer, require the construction of recreational facilities, or payment of a fee in-lieu thereof.
3. A contribution for recreational purposes shall be made at the rate set or amended by resolution of the Board of Supervisors from time to time, payable upon and as a condition of making application for a building permit pursuant to the ordinances of this Municipality.
4. The requirements of Section 513 shall be noted upon the Final Subdivision and Land Development Plan which notation shall be deemed not to constitute a lien or encumbrance on the title of the land.
5. All fees paid to the Municipality for this purpose shall be deposited in a capital reserve fund established as provided by law. Fees in such fund may be combined for investment purposes, if permitted by law, but shall be used only for the acquisition of land or capital improvements for open space, park and recreation purposes.

**Section 2.** Repealer. All provisions of previous Ordinances of the Township of Freedom which are contrary to this Ordinance are expressly repealed.

**Section 3.** Savings Clause. In all other respects, the Code of the Township of Freedom shall remain as previously enacted and ordained.

**Section 4.** Severability. The provisions of this Ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid to unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses, or part of this ordinance.

**Section 5.** Effective Date. This Ordinance shall take effect in accordance with law.

Mr. Gulden said that there is existing language on recreation in the Subdivision and Land Development Ordinance, but it only recommends a donation.

Mr. Young said he does not think a recreation fee is necessary.

Chair Beckett said that he wants to increase the quality of life for residents in Freedom Township, and building recreation areas would help do that.

Vice-Chair Kellett said the fee would be minimal and would allow the Board to invest in recreation in the future. He said this is a good way to create recreation for kids without the need to raise taxes.

Chair Beckett said the Township has nothing to offer its residents in regards to recreation right now.

Mr. Young said he does not have a problem having large developments paying the fee, but he has a problem with an individual paying the fee. He said the money received will be so minimal that it will not be worth the hassle.

Vice-Chair Kellett made a **MOTION** to forward the proposed recreation fee amendment presented by Mr. Gulden to the Adams County and Freedom Township Planning Commissions for review and comment. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (2-1). Mr. Young dissented.

### **OTHER BUSINESS**

**A. The Zoning Hearing Board has appointed a new Solicitor – Adam D. Boyer. No action is necessary.**

The Board acknowledged the appointment.

**B.** Vice-Chair Kellett said the Board received an email that requested the Township adopt a resolution which supports the continuance of the collection of the Earned Income Tax (EIT) from the York Adams Tax Bureau instead of the State of Pennsylvania. He said the Pennsylvania General Assembly is currently discussing a new law that would switch the collection of the EIT from local agencies to the State. The Board agreed that they do not support sending a resolution.

### **STAFF REPORTS**

#### **A. Manager / Zoning Officer**

Mr. Gulden said there was one right-to-know request, one zoning permit issued (garage), and one complaint in the month of July. The complaint was that Hammaker broke a mailbox during the sealcoating project. Mr. Gulden said that Hammaker did pay the resident, and they were satisfied. He also said that he created a new special event permit application.

#### **B. Solicitor**

None

### **PUBLIC COMMENT**

None

**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 7:45 p.m.