

**FREEDOM TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING  
October 10, 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**

Roger Johnson, Brenda Snyder, Mary Buchheit, Daniel Ohler, & Ed Wenschhof

**CALL TO ORDER**

Chair Beckett called the Board of Supervisor's Meeting to order at 7:25 p.m.

**PUBLIC COMMENT**

None

**APPROVAL OF MINUTES**

Vice-Chair Kellett made a **MOTION** to approve the Minutes of the September 12, 2018 meeting. The **MOTION** was **SECONDED** by Mr. Young. The motion carried unanimously (3-0).

**CONSIDERATION / APPROVAL OF BILLS IN THE AMOUNT OF \$18,851.88 FROM THE GENERAL FUND.**

Vice-Chair Kellett made a **MOTION** to approve the financial report and bills in the amount of \$18,851.88. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (3-0).

**ROAD REPORT**

The road crew completed the following tasks in September:

- Clean rock and silt from culvert area on McGlaughlin Road (clogged from recent heavy rains).
- Ditching and reshaping gabion stone at Knorr and Scott Road intersection (complaint about runoff water).
- Place gabion/rip rap stone at box culvert on Boyle Road at wash out areas (Hobbs hauled stone & Bigham backhoe work).
- Closed Scott and Shorbs Mill Roads due to flooding over roadways (9<sup>th</sup> & 10<sup>th</sup>).

- Front tires installed on tractor (Mar-Bar).
- One load of salt delivered (Morton).
- Clean-up misc. scrap iron and old fuel tank and took to CSR for recycling.
- Misc. string trimming, brush cutting, trash pickup, and leaf and debris cleanup on roadways.

Road Crew Employee	Hours Worked	Mileage
Mike Wenschhof	82	0
Ed Wenschhof	33	0
Allen Beckett	0	0

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

**EMS & FIRE REPORTS**

Mr. Gulden said no EMS or Fire Reports were submitted for September. Mr. Ohler said the paperwork is at the station and he will bring it in soon.

Mr. Gulden also said that the Board has been invited to the Fairfield Fire Department’s open house and fire truck dedication on October 14<sup>th</sup> at 1:00PM.

**OLD BUSINESS**

**A. Discussion of the Natural Dam Road Bridge project.**

Chair Beckett made a **MOTION** to hire KPI Technology to determine the appropriate size pipe or box culvert for the Natural Dam Road Bridge project. The **MOTION** was **SECONDED** by Vice-Chair Kellett. The motion carried unanimously (3-0).

**B. Consideration of the proposed Ordinance 2018-03, which repeals and replaces Section 513 in the Subdivision and Land Development Ordinance.**

- **The next step is to forward the proposed ordinance to the Adams County Planning Department and the Township’s Planning Commission for review and comment.**

Mr. Gulden presented the following proposed amendment to Section 513 in the Subdivision and Land Development Ordinance to the Board, which was written by the Adams County Planning Department:

**ORDINANCE NO. \_\_\_\_\_ OF 2018****AN ORDINANCE OF THE TOWNSHIP OF FREEDOM, ADAMS COUNTY, PENNSYLVANIA, AMENDING AND SUPPLEMENTING THE FREEDOM TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (ORDINANCE NO. ----- OF -----).**

**BE IT ENACTED, ADOPTED, AND ORDAINED** by the Township of Freedom, Adams County, Pennsylvania, by the Freedom Township Board of Supervisors, and it is hereby **ENACTED, ADOPTED, AND ORDAINED** by the authority of the same as follows:

**SECTION I: TEXT AMENDMENT:**

Section 513 of the Freedom Township Subdivision and Land Development Ordinance is hereby removed and shall be replaced with the following:

**513 Dedication of Land, or Payment of Fees**

1. Purpose: The purpose of this section is to implement the *Freedom Township Recreation Plan* of 2018, as specifically enabled by Section 503(11) of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.
2. General Requirement: This section applies to residential subdivision and / or land development proposals that would result in the development of three (3) or more dwelling units, cumulatively, on a property following the effective date of Section 513. The provisions of Section 513 shall not apply to any plan application, whether preliminary or final, pending at the time of enactment of Section 513.
3. Land Dedication: Applicants subject to the requirements of this section shall dedicate to the Township land suitable for park and recreation use. The amount of land to be dedicated shall be 0.024 acres for every dwelling unit, as may be amended by resolution of the Board of Supervisors from time to time. Land to be dedicated shall be identified on the Preliminary Plan and Final Plan submission where both Preliminary Plan and Final Plan submission is required. Where only Final Plan submission is required, the land to be dedicated shall be depicted on the Final Plan submission.
4. Quality of Land to Be Dedicated: The land to be dedicated to the Township for parks and recreation purposes shall be suitable for the provision of parks and recreation facilities. The dedicated land shall comply with the following requirements.
  - a. The dedicated land shall not be located within any floodway.
  - b. No more than ten percent (10%) of the dedicated land may include designated wetlands or hydric soils.

- c. No more than twenty percent (20%) of the dedicated land may include slopes exceeding eight percent (8%).
  - d. The dedicated land shall not include any existing or proposed infrastructure facilities including, but not limited to, stormwater management facilities, pump stations, utility or transmission line rights-of-way, or roads.
  - e. The dedicated land shall not include any area with confirmed or suspected environmental hazards, or other areas that may pose a health or safety concern.
  - f. The dedicated land shall not include land that contributes to any required setback, buffer, or other protection area that may be required by this Ordinance or any other Township ordinance.
  - g. The dedicated land shall meet the lot requirements of Section 407 of this Ordinance. However, the dedication of land oriented in a flag or panhandle lot configuration shall not be authorized.
  - h. The dedicated land shall be located in a manner that furthers goals and objectives found in applicable state, county, regional, and adjoining municipal parks and open space planning, specifically to encourage the development of a regional parks, recreation, and open space network.
5. Quantity of Land to Be Dedicated: Any land to be dedicated to the Township for parks and recreation purposes shall be a minimum of one (1) acre in size, not including any designated wetlands, hydric soils, or slopes exceeding eight percent (8%).
6. Improvement of Land to Be Dedicated: Where parks and recreation land dedication is proposed, the land to be dedicated shall be improved in accordance with the following.
- a. Recreation facilities shall address recreation facility deficits as identified in the *Freedom Township Recreation Plan*, as adopted or amended. The applicant shall provide recreation facilities in accordance with the following table

<u>Dwelling Units</u>	<u>Total Number of Recreation Facilities</u>
24 or fewer	1
25 to 49	2
50 to 75	3
76 to 99	4
100 to 199	5
200 to 299	6
300 to 399	7
400 or more	8, plus 1 additional facility for every 150 additional dwelling units beyond 400.

Recreation facilities shall include, but are not limited to, trails, playground areas, basketball courts, volleyball courts, tennis courts, softball and / or baseball fields, soccer and / or football fields, and pavilions. The mix of recreation facilities shall be determined and approved by the Township Supervisors.

- b. Recreation facilities shall be provided with safe and convenient access by pedestrian, bicycle, and automobile modes of transportation. The site shall be provided with appropriate means to allow for maintenance and / or emergency vehicle access. Where new recreation facilities are located adjacent to existing recreation facilities or other sites where the provision of recreation or open space facilities is likely in the future, a system of pedestrian / bicycle trails shall be provided to allow safe and convenient movement from one site to another.
  - c. Recreation facilities shall not be divided by either public or private streets.
  4. Recreation facilities shall be suitably landscaped either by retaining existing vegetation and wooded areas and / or by a landscaping plan designed to enhance the facilities through the installation of plantings which are consistent with the purposes of this section.
  - d. Recreation facilities shall be conveniently accessible to the general public to improve the utility of the facilities and to promote use of the facilities by the residents. The recreation facilities shall also be located in a manner that respects the privacy needs of those existing or future residents who adjoin the site.
  - e. The construction of required recreation facilities shall be bonded in accordance with applicable posting of financial security requirements of this Ordinance.
7. Payment of Recreation Fee in Lieu of Land Dedication: In lieu of dedicating park and recreation land to the Township, an applicant may choose to pay a recreation fee to the Township. The amount of the recreation fee shall be \$1,809.19 for every dwelling unit, as may be amended by resolution of the Board of Supervisors from time to time. The payment of recreation fees in lieu of land dedication shall meet the following requirements.
- a. The Township shall administer the collected fees in accordance with the requirements set forth in Section 503(11) of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.
  - b. The applicant shall pay the required recreation fees prior to the approval and signature by the Township Supervisors of the Final Plan. Where a residential subdivision or land development plan is approved in phases, the applicant shall

pay the required recreation fees prior to the approval and signature of each phase.

- 8. Combination of Land Dedication and Payment of Recreation Fees: Nothing herein shall prevent an applicant from proposing a combination of park and recreation land dedication and payment of recreation fees to satisfy the requirements of this Section. Where proposed, the combination of land dedication and payment of recreation fees shall meet the following requirements.
  - a. The combination of land dedication and payment of recreation fees shall result in an equivalent amount of park and recreation land provided for Township residents when compared to the amount of park and recreation land provided by the utilization of either the land dedication or the payment of recreation fees provision.
  - b. The amount of land to be dedicated shall continue to be of sufficient size to provide for necessary parks and recreation facilities or shall be combined with land already dedicated to the Township for parks and recreation use on an adjoining parcel.
  - c. The Township Supervisors shall determine, at their discretion, whether a proposed combination of land dedication and payment of recreation fees shall be approved.”

**SECTION II: EFFECTIVE DATE**

The Ordinance shall be effective on and as of -----.

ENACTED AND ORDAINED into an Ordinance this \_\_\_\_ day of -----, -----.

ATTEST:

TOWNSHIP OF FREEDOM  
ADAMS COUNTY, PENNSYLVANIA  
FREEDOM TOWNSHIP SUPERVISORS

\_\_\_\_\_

\_\_\_\_\_

(SEAL)

\_\_\_\_\_

\_\_\_\_\_

Vice-Chair Kellett said he does not like the proposed land dedication amount of 0.024 acres for every dwelling unit. He does not believe it is enough and would prefer changing it to 0.15. Mr. Gulden said he recommends keeping the land dedication amount at 0.024 acres for every dwelling unit, because the Planning Department uses a specific formula to determine that amount. Solicitor Fenicle said developers usually just pay the fee.

Chair Beckett made a **MOTION** to forward the proposed amendment to Section 513 of the Subdivision and Land Development Ordinance to the Adams County and Freedom Township Planning Commissions for review and comment with one change: change the land dedication amount from 0.024 acres for every dwelling unit to 0.15. The **MOTION** was **SECONDED** by Vice-Chair Kellett. The motion carried unanimously (3-0).

### **NEW BUSINESS**

#### **A. Consideration / approval of an advertisement of a notice of the Township's intent to appoint Joyce Beckman of Lockwood Business Support Service to conduct the 2018 audit in place of the elected auditors.**

Vice-Chair Kellett made a **MOTION** to approve an advertisement of a notice of the Township's intent to appoint Joyce Beckman of Lockwood Business Support Service to conduct the 2018 audit in place of the elected auditors. The **MOTION** was **SECONDED** by Mr. Young. The motion carried unanimously (3-0).

#### **B. Resolution 2018-08 - Disposition of Records**

Vice-Chair Kellett said this resolution will help Mr. Gulden clean-up old records that are no longer needed. State law requires a resolution be passed before any of the documents may be thrown away.

Chair Beckett made a **MOTION** to approve Resolution 2018-08 – Disposition of Records. The **MOTION** was **SECONDED** by Vice-Chair Kellett. The motion carried unanimously (3-0).

### **OTHER BUSINESS**

Vice-Chair Kellett made a **MOTION** to congratulate Mr. Gulden on his wedding on October 13<sup>th</sup> and wish them both the best of luck. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (3-0).

### **STAFF REPORTS**

A. Manager / Zoning Officer

B. Solicitor

**PUBLIC COMMENT**

None

Mr. Gulden reminded the public that the Board of Supervisors will meet on November 7<sup>th</sup> instead of the 14<sup>th</sup>.

**ADJOURNMENT**

There being no further business Vice-Chair Kellett made a **MOTION** to adjourn. The Motion was **SECONDED** by Mr. Young. Chair Beckett adjourned the meeting at 8:15 p.m.