

**FREEDOM TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING  
SEPTEMBER 9, 2020  
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

**EXECUTIVE SESSION**

An executive session was held from 7:00 p.m. – 7:08 p.m. to discuss the Middle Creek Conference Center Conditional Use decision.

**MEMBERS OF THE PUBLIC PRESENT**

Herb Milligan, Mary Buchheit, & Denise Travis (stenographer).

**CALL TO ORDER**

Chair Beckett called the Board of Supervisor's Meeting to order at 7:09 p.m.

**PUBLIC COMMENT**

None

**Approval of the Middle Creek Conference Center Conditional Use decision for consideration**

Chair Beckett made a **MOTION** to approve the Alan D. Trider Revocable Trust Dated June 23, 2005 rural events venue conditional use application for 2047 Pumping Station Road with the following conditions:

1. As conditional use applications are site specific, this approval is only valid for the Freedom Township parcel in its entirety at the time of submittal. Any conveyance of any portion of the lands within Freedom Township shall be a violation of this approval. The applicant may add additional lands to the parcel, but may not utilize any additional structures for this use without prior Board approval. The applicant may with proper approvals subdivide and convey away any lands not within the borders of Freedom Township without any modification or review of this conditional use permit.
2. The applicant may utilize the property without the addition of additional screening, installation of landscaping elements, additional lighting, or changes to parking. This condition is only in reference to the conditional use zoning requirements and does not confer any approvals as to compliance with any other law or ordinance such as ADA or

Pennsylvania Department of Labor and Industry commercial codes and /or compliance with any other licensing or inspection requirement. It is the sole responsibility of the applicant to inspect the property for safety and compliance with all licensing requirements. The applicant may, after obtaining proper permits, alter or improve the property to ensure compliance with all safety and licensing codes.

3. The applicant may enter into rental agreements for such uses as weddings, funerals, reunions, business or religious or other retreats, parties, reunions, fund raisers, etc. with a maximum attendance of 199 persons. The applicant may apply for special event permits for larger events following the regulations in Freedom Township's special events ordinance.
4. No outdoor (or in structures substantially open to the outdoors) amplified sound may be generated by this use between the hours of 9 PM and 8 AM. This includes, but is not limited to: amplified music, warning buzzers and back up beepers, intercom speakers, and public address systems. Indoor events shall terminate amplified sound by 9 PM on weekdays and 11 PM on weekends and state recognized holidays, except on December 31- January 1 of every year, events may end at 1:30 AM on January 1. Agricultural, landscaping activities, and HVAC equipment are specifically exempted from this prohibition. Four documented violations of this provision (either separate dates or only the same date if occurring after oral or written was actually received by either the applicant or the agent for the applicant on site) shall require the applicant to re-apply for the conditional use with a corrective plan. The Township may at such times, either accept the corrective plan, accept the corrective plan and add additional reasonable conditions either related or un-related to noise, or revoke the conditional use in its entirety if the use is deemed incompatible with the objective criteria of the code.
5. No other business may be located on this parcel. This prohibition does not include the catering of on location events, but does include the use of the kitchen facilities for offsite events. No restaurant, distillery, bar, brewery, winery or winery tasting room may be housed at the facility. A small gift/ convenience shop or vending machines for the exclusive use of the attendants may be established, but no signage visible from public right of ways may be erected for any such shop. Signage indicating any of the prohibited uses or advertisement of their availability on the premises shall be considered proof of a violation of this condition. Applicant may erect signage in compliance with prevailing Freedom Township codes.
6. As the application is for a rural retreat center, no permanent residences other than one for a caretaker (and family if applicable) may be established. The facility shall not be used as a home mailing address for anyone other than a caretaker (and family). No timeshare or other condominium use shall be permitted.
7. The facility shall not be used for trade shows, paid admission concerts, flea markets, car shows, etc. or other such events where the public is invited to attend an event where

tickets are sold primarily for the attraction and not for the sponsoring entity. This prohibition does not include fund raising events such as dinner dances or socials.

8. The property shall only be leased in its entirety and shall not engage in a hotel use where individual rooms are leased to transient guests, or multiple parties simultaneously, excluding any lease with the previously mentioned caretaker. The maximum lease period shall be 7 consecutive days with any one party and 75 days in any calendar year. No minimum lease period is required and consecutive events within the hours of operation on the same calendar day are permitted.
9. The applicant may not expand the use beyond the existing structures. The applicant, after obtaining the proper permits, may remodel, rebuild but not expand the existing structures for the rural retreat use. Any expansion, erection of new structures or facilities that alter the manner or intensity of the rural retreat use shall, at the discretion of the zoning officer, require re-submission for a conditional use permit and the Freedom Township Supervisors shall at that time be permitted to modify existing or attach additional reasonable conditions on the entire rural retreat center, and shall not be limited to only the expanded structures, use.
10. The applicant may lease land or structures for agricultural purposes only. No lease or other contractual obligation shall be entered into to convey or permit any use other than that expressly authorized by this conditional use. Prohibited uses include, but are not limited to: parking or storage of vehicles for others, rental of storage units, processing of food or waste products, slaughtering or rendering of animals, recycling of materials not generated on site, manufacturing or distribution of products, the collection or processing of forestry products from offsite locations, the offering for sale or rent of any product or service not related to the temporary rental use of the rural retreat center.

The **MOTION** was **SECONDED** by Mr. Young. The motion carried unanimously (3-0).

#### **APPROVAL OF MINUTES**

Vice-Chair Kellett made a **MOTION** to approve the Minutes of the August 12, 2020 public hearing. The **MOTION** was **SECONDED** by Mr. Young. The motion carried unanimously (3-0).

Vice-Chair Kellett made a **MOTION** to approve the Minutes of the August 12, 2020 regular meeting. The **MOTION** was **SECONDED** by Mr. Young. The motion carried unanimously (3-0).

#### **APPROVAL OF BILLS IN THE AMOUNT OF \$9,083.37 FROM THE GENERAL FUND, \$46,210.10 FROM THE HIGHWAY AID FUND, & \$102,208.01 TRANSFER FROM THE CD TO GENERAL FUND FOR CONSIDERATION**

Chair Beckett made a **MOTION** to approve the bills in the amount of \$9,083.37 from the General Fund, \$46,210.10 from the Highway Aid Fund, & \$102,208.01 transfer from the CD to

General Fund. The **MOTION** was **SECONDED** by Vice-Chair Kellett. The motion carried unanimously (3-0).

### **ROAD REPORT**

The road crew completed the following tasks in August:

- String trimming, brush cutting, trash pick-up, road mowing, debris clean-up, and tree removal along roadways;
- Mowing and clean-up at Township lot;
- Cold patch repairs at various areas;
- 2A gravel repairs on dirt roads and berms;
- Seal coating by Hammaker on Chapman, Natural Dam, Shorbs Mill, Wenschhof, and areas on Middle Creek Roads;
- A.C. repaired and recharged on John Deere Tractor by Barlow Ag Services;
- Maintenance on tractor and mower; and
- Return PA 1 calls and misc.

<b>Road Crew Employee</b>	<b>Hours Worked</b>
Mike Wenschhof	95
Ed Wenschhof	35

Vice-Chair Kellett made a **MOTION** to approve August'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) did not submit the EMS report.

The fire report was read by Mr. Mulligan: 7 calls for the month of August – 4 residential fires, 1 commercial fire, 1 medical emergency, and 1 request for fire police. Of those calls, 5 were to Freedom Township and 2 in Liberty Township. Mr. Mulligan also presented a letter from the fire department showing the current year fund raising losses due to COVID-19. The Board asked the fire department to provide an income/loss statement for the period dated 01/01/2020 – 10/01/2020 for the budget workshop meeting.

The Board directed Mr. Gulden to seek quotes in order to provide gasoline & diesel tanks at the fire department's property to be paid for by the Township. This will help the fire department save money through bulk fuel purchases.

## **OLD BUSINESS**

### **A. Approval of the Adams County Court of Common Pleas Order & Stipulation, regarding the tax assessment appeal of tax parcel 25D16-0007-000 (Middle Creek Conference Center), for consideration.**

Mr. Fenicle stated the property is currently situated in Freedom (Gettysburg Area School District) and Liberty Townships (Fairfield Area School District); however, all of the property and improvements are taxed in Liberty & Fairfield Schools. He said this agreement, which is now agreed upon between all parties, will require all property and improvements in Freedom Township be taxed in Freedom Township & Gettysburg Area School District and all property and improvements in Liberty Township will be taxed in Liberty Township & Fairfield Area School District. Mr. Fenicle requested approval from the Board to sign the Order & Stipulation on their behalf.

Mr. Young made a **MOTION** to approve the Adams County Court of Common Pleas Order & Stipulation, regarding the tax assessment appeal of tax parcel 25D16-0007-000 and allow Mr. Fenicle to sign on the Boards behalf. The **MOTION** was **SECONDED** by Vice-Chair Kellett. The motion carried unanimously (3-0).

## **NEW BUSINESS**

### **A. Approval of Resolution 2020-10 for consideration (Adams County Uniform Construction Code Shared Board of Appeals' procedure & fee schedule).**

Vice-Chair Kellett stated that he does not like that the fee is set at \$1,050.00. Mr. Fenicle stated the proposed fee would not cover all of the expenses for a Board of Appeals' hearing; however, it helps cover some of the costs to the Township. He also stated these hearings are extremely rare.

Mr. Young made a **MOTION** to approve Resolution 2020-10. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (3-0).

### **B. Approval of an advertisement for a budget workshop to be held at the Township on October 14, 2020 at 7:00 PM with the regular meeting to follow for consideration.**

Vice-Chair Kellett made a **MOTION** to approve an advertisement for a budget workshop to be held at the Township on October 14, 2020 at 6:45 PM. The **MOTION** was **SECONDED** by Chair Beckett. The motion carried unanimously (3-0).

### **C. Township meeting room usage request – Cross Keys Village Amateur Radio Club.**

Ms. Buchheit explained the club is requesting the Township's meeting room in order to take a government exam.

Mr. Young stated he does not believe the Township should be renting out the meeting room.

Mr. Gulden stated he recommends charging a \$50.00 cleaning fee due to COVID-19. This will cover the cost for the Township's cleaning person to clean the room after usage.

Chair Beckett made a **MOTION** to allow the Cross Keys Village Amateur Radio Club to utilize the Township's meeting room with the following conditions:

1. They shall pay a \$50.00 cleaning fee per usage; and
2. They cannot use the room until after the General Election in November.

The **MOTION** was **SECONDED** by Vice-Chair Kellett. The motion carried (2-1). Mr. Young voted Nay.

**D. Authorize Township Manager to apply for a .gov domain name, [WWW.FREEDOMTOWNSHIPPA.GOV](http://WWW.FREEDOMTOWNSHIPPA.GOV), for consideration.**

Mr. Gulden stated there is a \$400.00 fee to apply for the .gov domain name. The Board agreed to keep the current website address.

**OTHER BUSINESS**

Vice-Chair Kellett stated Mr. Young was correct regarding the internship pay during last month's meeting. He said payment was settled with the intern without use of Township money.

The Board directed Mr. Gulden to obtain quotes from Cumberland Township, Liberty Township, and Carroll Valley Borough for 20 hours per month police coverage.

**PUBLIC COMMENT**

Mr. Milligan asked about the Middle Creek Conference Center fire box cards. The Board stated he should talk with the Adams County 911 Center.

**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 8:06 p.m.