

Liberty Township Board of Supervisors, Adams County, PA
39 Topper Road, Fairfield, PA 17320
June 7, 2022, Board of Supervisors Meeting Minutes

The Board of Supervisors of Liberty Township, Adams County met Tuesday, June 7, 2022, at 6 PM at the Township Municipal Building located at 39 Topper Road, Fairfield, PA 17320. The meeting was streamed live on Liberty Township's YouTube Channel.

Present: Chairman Walter Barlow, Vice Chairman Robert Keilholtz, Supervisor Brandon Lowe, Solicitor John Lisko, Chief Sherri Hansen, and Secretary/Treasurer Wendy Peck.

At 6 PM Mr. Barlow called the meeting to order. He then temporarily adjourned the regular meeting and called the Zoning/SALDO Hearing to order.

ZONING/SALDO HEARING FOR ORDINANCE CODIFICATION

Mr. Lisko asked everyone planning to give testimony to take an oath. The following people took an oath: Judie Hogan, Bill Jacobs, Walter Barlow, Robert Keilholtz, Brandon Lowe, Sherri Hansen, and Wendy Peck.

Secretary Wendy Peck: Secretary Peck testified that all steps were taken to properly advertise and distribute the ordinance in accordance with required regulations.

Fairfield Fire Chief Bill Jacobs: Chief Jacobs asked that the Supervisors consider editing *Part II: General Legislation 112. Open Burning* to add the phrase "or dangerous conditions" so it reads "*Whenever the Fire Chief or the Fire Company Line Officer who is in command of the scene finds that open burning is in violation of this ordinance or dangerous conditions, the command officer may order the owner or operator to take corrective action in a manner satisfactory to the fire company, or the Fire Chief or the Fire Company Line Officer who is in command of the scene may order the owner or operator to allow access to the land by the fire Chief or his designee to take such action.*" Mr. Lisko addressed Chief Jacob's suggestion and after a lengthy discussion of the items in the ordinance, Chief Jacobs was satisfied that any dangerous conditions were already covered within the text of the ordinance, and he withdrew his original comment. Chief Jacobs expressed his objection to requiring the house numbering signs to have letters of at least four inches. After some discussion, it was determined that the "premises identification" and address requirements are covered in the following 2015 International Codes adopted as the UCC: Section 501 of the International Building Code, Section 505 of the International Fire Code, and Section R319.1 of the International Residential Code for One- and Two-Family Dwellings, requiring that address numbers be Arabic numerals or alphabet letters, a minimum of four inches high, with a minimum stroke width of 0.5 inch, and of contrasting color. Chief Jacobs accepted the explanation and withdrew his objection.

Chairman Walter Barlow: Mr. Barlow presented comments from the Adams County Office of Planning and Development. "*The Office of Planning and Development has reviewed the proposed amendments to the Liberty Township Zoning Ordinance and offers the following comments:* A. *General Comment - Process: We recognize that the proposed amendments are incorporated into Liberty Township's codification process. We are comfortable with this approach, provided that the amendment adoption requirements of the Municipalities Planning Code regarding amendments to the Zoning Ordinance are achieved.* B. *General Comment - Content: We recognize that most of the proposed amendments to the Zoning Ordinance involve either updates to the cross-references to other laws / statutes, updates to various administrative processes of the Ordinance, or other "clean-ups" to ordinance language. We are comfortable with these amendments as presented.* C. *Forestry: We recognize that the proposed amendments include the addition of "Forestry" as a permitted use in the ROC and CI Districts. We support these additions, acknowledging that the Municipalities Planning Code requires that "Forestry" be listed as a permitted use in all zoning districts. In addition to the proposed additions, we recommend that the permitted use listing for "Forestry" in the R District be presented using the same format as that proposed for the ROC and CI Districts. Currently, there is no cross-reference to the forestry standards of Section 350-301.G in the "Forestry" use listing in the R District.* Summary: *The Office of Planning and Development is comfortable with the proposed amendments to the Zoning Ordinance. We further are comfortable with these amendments being incorporated into the Ordinance through the Township's ordinance codification process. The Office of Planning and Development has reviewed the proposed amendments to the Liberty Township Subdivision and Land Development Ordinance and offers the following comments:* A. *General Comment - Process: We recognize that the proposed amendments are incorporated into Liberty Township's codification process. We are comfortable with this approach, provided that the amendment adoption requirements of the Municipalities Planning Code regarding amendments to the Subdivision and Land Development Ordinance are achieved.* B. *General Comment - Content: We recognize that most of the proposed amendments to the Subdivision and Land Development Ordinance involve either updates to the cross-references to other laws / statutes or updates to various administrative processes of the Ordinance (for example, the engineer fee arbitration process). We are comfortable with these amendments as presented.* C. *Lot Additions: We note the amendments to Section 202 and 308 involving lot additions. Given the issues the Township has recently faced with regard to approved lot additions not being implemented properly, we strongly support the proposed amendments to these sections. Requiring draft deed language for the enlarged property resulting from the lot addition, and requiring the removal of separately described tracts within the enlarged property, will help the Township to ensure that the resulting properties conform to the intent of the Township lot addition approvals. We note that a variety of other Adams County municipalities have already incorporated similar language in their Subdivision and Land Development Ordinance. The above stated, we recommend consideration of a minor addition to the proposed language to ensure that the Township receives confirmation that the deed for the enlarged property is properly recorded. For proposed Section 275-308.G, we suggest that the first sentence be revised to read as follows. "A copy of the recorded deed for the enlarged property shall be recorded within ninety (90) days of approval of the lot addition plan, and a copy of*

the recorded deed shall be provided to the Township upon its recording." We offer, in addition, one technical amendment construction comment. For Sections N and O of the amendment document, the ordinance section references should read "Section 275-202" and "Section 275-308" respectively. With these minor adjustments, we strongly recommend that this amendment be adopted as part of the codification process. Summary: The Office of Planning and Development is comfortable with the proposed amendments to the Subdivision and Land Development Ordinance. We further are comfortable with these amendments being incorporated into the Ordinance through the Township's ordinance codification process." The Board of Supervisor considered the comments and agreed that they were not significant enough to warrant immediate adoption, but would consider incorporating the changes to the ordinances at a future update. Mr. Barlow stated that Washington Township, Franklin County had sent a written notice that they had no comments.

Planning Commission Chair Judie Hogan: Judie Hogan testified that "During a June 2, 2022, meeting, the Liberty Township Planning Commission considered the above subject SALDO amendments, described in Schedule A of the proposed Code Adoption Ordinance, and has no comments other than to recommend that the Supervisors address the most recent Adams County Planning Office comments from the office's memo dated June 1, 2022. If those are addressed, the Planning Commission recommends that the Supervisors take the following action with regard to the amendments and that the Planning Commission also believes that the SALDO amendments are in accordance with the objectives of the Joint Strategic Plan for Adams County, the comprehensive plan formally adopted by Liberty Township."

At 6:38 PM Mr. Barlow closed the Zoning/SALDO Hearing and brought the regular meeting back to order.
Codification Ordinance: Mr. Barlow made a motion to adopt the codification ordinance as is. Mr. Keilholtz seconded the motion. All voted yes, and the motion passed.

Public Comments: None.
Supervisor Comments: None.

Minutes: Mr. Keilholtz moved to accept the minutes of the May 3 Board of Supervisors meeting. Mr. Lowe seconded the motion. All voted yes, and the motion passed. Mr. Barlow moved to accept the minutes of the May 10 Road Bid meeting. Mr. Keilholtz seconded the motion. All voted yes, and the motion passed. Mr. Barlow moved to accept the minutes of the May 19 Subdivision/Lot Addition Meeting. Mr. Lowe seconded the motion. Mr. Keilholtz abstained from voting. Mr. Lowe voted yes. Mr. Barlow voted yes. The motion passed.

Treasurer's Report:

LIBERTY TOWNSHIP, ADAMS COUNTY - TREASURER'S REPORT -As of May 31, 2022 Presented at June 7, 2022 BOS Meeting

ACNB-GenOper		\$333,277.92	PLGIT - Liquid Fuels	\$75,432.85
PLGIT-Gen Res		\$306,732.54	ACNB - Escrow	\$10,376.13
PLGIT - Cap Res		\$122,187.15	ACNB - ARP Funds	\$66,389.03
		\$762,197.61		

Type	Date	Num	Name	Memo	PD AMT	Balance
01.100 · GEN OPER & PAYROLL - ACNB (Checking Account)						192,039.05
Deposit	04/30/2022			Interest	13.05	192,052.10
Check	05/02/2022	12623	John M. Lisko	Solicitor Fees	-1,140.00	190,912.10
Deposit	05/03/2022			Deposit	102,648.65	293,560.75
Deposit	05/04/2022			Deposit	4,800.00	298,360.75
Deposit	05/04/2022			Deposit	2,932.45	301,293.20
Deposit	05/05/2022			Deposit	500.00	301,793.20
Check	05/05/2022	ACH	BMO -PLGIT Card	PLGIT CREDIT ACCOUNT	-1,669.66	300,123.54
Deposit	05/06/2022			Deposit	2,268.12	302,391.66
Deposit	05/09/2022			Deposit	833.86	303,225.52
LiabCheck	05/10/2022	12626	Sec Benefit RetServ	610257	-236.98	302,988.54
Check	05/10/2022	12627	Rabold's Services	Invoice 26198	-106.00	302,882.54
Check	05/10/2022	12628	West Penn Power	100090757368	-154.43	302,728.11
Check	05/10/2022	12629	LEAF	100-4990181-001	-78.00	302,650.11
Check	05/10/2022	12630	B & C Auto Menders	RO 7058	-3,319.81	299,330.30
Check	05/10/2022	12631	Keilholtz, Jr., Robert E.	Reimburse - CDL Physical	-50.00	299,280.30
Check	05/10/2022	12632	Munsee, Bridget	Mileage Reimbursement	-5.85	299,274.45
Check	05/10/2022	12633	PA Municipal Code All	39190	-1,267.00	298,007.45
Check	05/10/2022	12634	Gettysburg Times	Cust 159232	-265.26	297,742.19

Check	05/10/2022	12635	Total Tech Solutions	Invoice 8194	-450.00	297,292.19
Check	05/10/2022	12636	Shealers Septic Serv	Inv 33250	-60.00	297,232.19
Check	05/10/2022	12637	Comcast-Phone	901156234	-189.00	297,043.19
Check	05/10/2022	12638	Motorola Solutions	16179639	-1,462.50	295,580.69
Deposit	05/10/2022			Deposit	33.00	295,613.69
Check	05/10/2022	ACH	ACNB	Payroll - Dir Dep Ser Charge	-29.06	295,584.63
Deposit	05/10/2022			Deposit	18,016.24	313,600.87
Paycheck	05/12/2022	ACH	Haywood, Richard K		-196.51	313,404.36
Paycheck	05/12/2022	12624	Pecher, Bruce E.		-198.68	313,205.68
Paycheck	05/12/2022	12625	Barlow, Walter M		-828.45	312,377.23
Paycheck	05/12/2022	ACH	Hansen, Sherri		-1,812.53	310,564.70
Paycheck	05/12/2022	ACH	Ilko {Tax Collector}, Jessica L.		-838.12	309,726.58
Paycheck	05/12/2022	ACH	Peck, Wendy J.		-1,118.14	308,608.44
Paycheck	05/12/2022	ACH	Roosen, Christopher M.		-1,316.02	307,292.42
Paycheck	05/12/2022	ACH	Ilko, Jessica		-58.32	307,234.10
Paycheck	05/12/2022	ACH	Munsee, Bridget		-420.09	306,814.01
Deposit	05/12/2022			Deposit	1,850.31	308,664.32
Check	05/12/2022	ACH	Intuit QuickBooks	Monthly fee for payroll service	-26.00	308,638.32
LiabCheck	05/13/2022	ACH	PA Dept. of Revenue	1641 9699	-260.68	308,377.64
LiabCheck	05/13/2022	ACH	US Treasury Dept/IRS	23-2110946	-1,694.04	306,683.60
Deposit	05/18/2022			Deposit	727.83	307,411.43
LiabCheck	05/18/2022	12374	SecBenRet Services	610257	-354.43	307,057.00
Deposit	05/19/2022			Deposit	6,954.62	314,011.62
Check	05/20/2022	12639	John M. Lisko	Solicitor Fees	-1,596.00	312,415.62
Deposit	05/20/2022			Deposit	33,143.71	345,559.33
Check	05/23/2022	12640	Aero Energy	Cust 59990	-1,054.02	344,505.31
Check	05/24/2022	12641	Gettysburg Times	Cust 159232	-1,769.36	342,735.95
Check	05/24/2022	12642	Verizon Wireless	Acct 621280772-00001	-184.87	342,551.08
Check	05/24/2022	12643	Hamiltonban Townshi	SepticInsp Fee 8B17-0052---00	-10.00	342,541.08
Check	05/24/2022	12644	General Code	GC00116837	-695.00	341,846.08
Paycheck	05/26/2022	12645	Keilholtz, Jr., Robert E.		-521.05	341,325.03
Paycheck	05/26/2022	12646	Barlow, Walter M		-713.90	340,611.13
Paycheck	05/26/2022	ACH	Haywood, Richard K		-641.39	339,969.74
Paycheck	05/26/2022	ACH	Ilko {Tax Collector}, Jessica L.		-203.45	339,766.29
Paycheck	05/26/2022	ACH	Munsee, Bridget		-479.60	339,286.69
Paycheck	05/26/2022	12647	Pecher, Bruce E.		-707.68	338,579.01
Paycheck	05/26/2022	ACH	Peck, Wendy J.		-1,118.14	337,460.87
Paycheck	05/26/2022	ACH	Roosen, Christopher M.		-1,741.80	335,719.07
Paycheck	05/26/2022	ACH	Ammerman, Cory M.		-172.55	335,546.52
Paycheck	05/26/2022	ACH	Hansen, Sherri		-1,812.53	333,733.99
LiabCheck	05/27/2022	ACH	PA Dept. of Revenue	1641 9699	-312.26	333,421.73
LiabCheck	05/27/2022	ACH	US Treasury Dept/IRS	23-2110946	-2,101.06	331,320.67
Deposit	05/31/2022			Deposit	1,957.25	333,277.92
Total 01.100 · GEN OPER & PAYROLL - ACNB (Checking Account)					141,238.87	333,277.92

100.00 · PLIGT State

77,423.70

Deposit	04/30/2022			Interest	7.82	77,431.52
Check	05/24/2022	683	Foster F Wineland, Inc	C02658 Backhoe- 5/10/22	-1,770.22	75,661.30
Check	05/24/2022	684	New Enterprise Stone	Acct 93038	-228.45	75,432.85

Total 100.00 · PLIGT State

-1,990.85 75,432.85

10.100 · Liberty Township Escrow	No Activity	10,376.13
95.100 · PLGIT Gen Reserve Fund		306,533.60
Deposit 04/30/2022	Interest	99.47 306,633.07
Deposit 05/31/2022	Interest	99.47 306,732.54
Total 95.100 · PLGIT Gen Reserve Fund		198.94 306,732.54
30.101 · PLIGIT Capital Reserve Fund		122,096.51
Deposit 04/30/2022	Interest	45.32 122,141.83
Deposit 05/31/2022	Interest	45.32 122,187.15
Total 30.101 · PLIGIT Capital Reserve Fund		45.32 122,187.15
ACNB ARP FUND		66,383.48
Deposit 04/30/2022	Interest	2.73 66,386.21
Deposit 05/31/2022	Interest	2.82 66,389.03
		5.55 66,389.03

**Interest not available at time of report.*

Mr. Lowe moved for acceptance of the May Treasurer's report. Mr. Keilholtz seconded the motion. All voted yes, and the motion passed.

Expenses: Mr. Keilholtz moved for retroactive approval of the 05/04/22 – 06/07/2022 expenses. Mr. Lowe seconded the motion. All voted yes, and the motion passed. Mr. Barlow moved for retroactive approval of the 04/24-05/07/2022 payroll. Mr. Lowe seconded the motion. All voted yes, and the motion passed. Mr. Keilholtz moved for retroactive approval of the 05/08-05/21/2022 payroll. Mr. Lowe seconded the motion. All voted yes, and the motion passed. Mr. Lowe moved for approval of the 05/22-06/04/2022 payroll. Mr. Keilholtz seconded the motion. All voted yes, and the motion passed.

Police Officer's Report – Chief Hansen reported on the May Police Department activities which included working 363.5 hours in Liberty Township, driving 2066 miles, and using 156.8 gallons of fuel. Other activities included: 17 911 incidents; 48 traffic citations, 3 faulty equipment, 9 warnings, 2 misdemeanor/felony arrests, 0 non-traffic and 3 PSP calls. Service to Freedom Township included: Working 25 hours with 2 911 incidents, 38 traffic citations, and 13 warnings. Service to Highland Township included: Working 25 hours with 3 911 incidents, 27 traffic citations, and 10 warnings. Officer Roosen had two DUIs this month. Car #2 had warranty work, oil change, inspection and tire rotation. A power train warning light came on and it is scheduled for service on Friday. Mr. Keilholtz asked if the work was under warranty. Chief Hansen replied that the transmission had a five-year warranty. In accordance with the Police Policy manual, Body Cam videos over 60 days have been purged. Chief Hansen attended a mandatory JNET conference in Hershey, PA. The department is participating in Pennsylvania's Roving DUI patrols from June 20-July 4, 2022.

Zoning Officer's Report – Mr. Barlow reported seven land use permits and one well permit were issued in May bringing in \$750 in fees.

- **2650 Bullfrog Road Ongoing Zoning Violations** – Mr. Barlow reported that he expected the trailer to be demolished in July. It was reported that the owner has obtained a land use permit, but not the demolition permit. Mr. Keilholtz stated that he would confirm that the property owner has obtained the demolition permit.
- **3257 Bullfrog Road Ongoing Zoning Violations** – It was reported a hearing was held recently and it seemed that the court was allowing the property owner an extension of 120 days. Mr. Barlow asked the Solicitor for advice on other options to bring the property in to compliance. There was some discussion regarding the cost of litigation against the property owner. No action was taken beyond allowing the Code Enforcement officer to continue with enforcement proceedings.
- **340 Brent Road Unpermitted Earth Disturbance** – It was reported that the DEP has given the property owner a deadline of August 30 to bring the property back in to compliance.
- **SEO Report**
 - **Christ Apostolic Church 25A18-0007---000 14051 Stahley Rd:** Conducted a site visit on May 18, 2022, was given an overall site plan, which I have for the Township. The plan shows locations of septic tanks and drainfield areas, I went to all the areas and saw no malfunction or any indication of a sewage malfunction. From what I could gather this was built in the 1970/s by Grove and used as a retreat area for customers. Reviewing old Township files, the septic areas were approved by the Township. This establishment has several septic areas and it appears can handle sewage flows from large events.
 - **Operation Second Chance 17912 Harbaugh Valley Rd Parcel 25B18-0024---000:** Conducted a site visit on May 24, 2022, was given an overall site plan/ which I am trying to obtain a copy for the Township. The plan shows locations of septic tanks and drainfield areas. I went to all the areas and saw no malfunction or any indication of a sewage malfunction. From what I could

gather this was built in the 1970s as a Lutheran camp and used as summer camp, weekend camp. Reviewing old Township files, the septic areas were approved by the Township. This establishment has several septic areas and it appears that it can handle sewage flows from the current events. The current use appears to be much smaller than the use in the 1970s. The current use is for wounded military personnel and their families to get away for a long weekend, they have four cabins, a meeting/meal area and rec/exercise area.

- o **Septic Program Pumping Inspection Violations** – The SEO has been contacted and is following up with citations for the outstanding properties.

The Chairman reported on the Request for Reapproval of Subdivision at this time. – **Mr. Barlow made a motion for conditional approval of a 2008 Subdivision/Lot Addition Plan for 6 Summer Trail - Parcel 25B17-0106A—000, on the condition that ACOPD confirms that the re-issued plan is consistent with the original plan filed and approved in 2008.** It was noted that a new plan duplicating the original needed to be issued to reflect the new property owners. **Mr. Keilholtz seconded the motion. All voted yes, and the motion passed.**

Roadmaster Report – Mr. Barlow reported that the Road Department drove 1,244.9 miles. The logs showed the department used 104.7 gallons of gasoline, and used 52 gallons of on-road diesel fuel and 56.1 gallons of off-road diesel. He went on to report that ditching work was performed for Hamiltonban Township per the intergovernmental agreement. Hamiltonban Township will be working with Liberty Township for road projects in exchange for the hours provided. The department started bridge preparations on Old Waynesboro Road on both sides of the bridge today, applying epoxy sealant. New Enterprise is coming on Friday to blacktop McGlaughlin Road from township line to Freedom Township. The upper part of the road McGlaughlin Road will be shut down to through traffic on Friday. On Monday we plan to close the entire road to through traffic. The Roadmaster summarized the report from LTAP on the site distance, and all areas of concern have been addressed. Vegetation was causing a site distance issue on Bullfrog Road near Stoops Road. We would like to thank property owner Ken Farabaugh for helping us address that issue and assisting with the removal of the bush. The backhoe was repaired and is now back in service.

Planning Commission Report: Chair Judie Hogan stated that the Planning Commission had no submissions and did not meet on May 18, but did meet on June 2, 2022 to review the SALDO Codification Ordinance.

- **Request for ReApproval of 2008 Subdivision/Lot Addition Plan for 6 Summer Trail - Parcel 25B17-0106A—000** – This was covered earlier in the meeting.

Secretary/Treasurer: The Secretary announced that an application to the Agricultural Security Area was received on May 31, 2022 for parcel 25D18-0027---000.

Old Business

- **Update on Cable Franchise Fee Contract** – Mr. Lisko stated that there has been no update and will provide an update at the next meeting.
- **Status of Request to PennDOT for Traffic Signs on PA Route 16** – PennDOT has approved the request to place traffic signs on PA Route 16 advising of the restriction of truck traffic on Orchard Road.
- **Letter from Property Owner Regarding Lot Addition Deed Requirements-** **Mr. Barlow made a motion to have the Secretary draft a letter to the property owner stating that the township will add his comments to the property file and take no further action at this time. Mr. Keilholtz seconded the motion. All voted yes, and the motion passed.**

New Business Public Comments: None.

New Business

- **Carmel of Jesus Mary & Joseph Tax Appeal** – **Mr. Barlow made a motion to refrain from having the township being involved in the tax appeal. Mr. Keilholtz seconded the motion. All voted yes, and the motion passed.**
- **Request from Community Media for ARPA Funds** – **The Board reviewed a request from Community Media for ARPA funds. After some discussion, Mr. Barlow made a motion to decline to make a donation of ARPA funds to Community Media. Mr. Keilholtz seconded the motion. All voted yes, and the motion passed.**
- **Insurance Bids Review** – Five companies were contacted to bid only the current insurance company responded with a renewal quote. Mr. Keilholtz stated that he would provide additional insurance provider contacts so that more bids could be obtained.
- **Fire Boxes** – The Board Reviewed Adams County's request for approval of changes to the fire box maps as part of the process of transitioning to Next Generation 911 (NG-911). The change was to update the fire box maps to accurately reflect coverage areas. **Mr. Barlow made a motion to accept the changes as presented. Mr. Keilholtz seconded the motion. All voted yes, and the motion passed.**

At 7:28 PM Mr. Barlow made a motion to adjourn the meeting. Mr. Keilholtz seconded the motion. All voted yes, and the motion passed. The next monthly Board of Supervisors meeting is scheduled for Tuesday, July 5, 2022, at 6 PM at the Township Municipal Building.

Respectfully submitted,



By Wendy Peck, Secretary/Treasurer