

**MOUNT JOY TOWNSHIP SUPERVISORS
WORKSHOP MEETING AGENDA
VIRTUAL MEETING**

Join Zoom Meeting

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Meeting ID: 996 8491 7964

Passcode: 653952

**Thursday, June 3, 2021
7:00 P.M.**

Call to Order-Roll call was taken for every vote

Present: John Gormont, Chairman; Jeff Patterson, Terry Scholle, Bernie Mazer

Also Present: Susan J. Smith, Solicitor; Shane Wise, Road Crew; Zac Fringer, Road Crew; Shannon Hare, Zoning Officer and Code Enforcement Officer and Secretary

Absent: David Updyke, Vice-Chairman

Supervisor Patterson read an open letter from the supervisors to the residents and property owners of Mount Joy Township.

**OPEN LETTER FROM THE SUPERVISORS
TO THE RESIDENTS AND PROPERTY OWNERS OF MOUNT JOY TOWNSHIP**

As Supervisors we serve the Township. We do so with the best interests of the Township in mind, in consideration of our authority and duty under the law, and to the best of our abilities.

Controversial matters often come before the Board for decision. In addressing such matters the Supervisors are respectful of the diverse views of the public as well as those of individual Supervisors. At all times the Supervisors understand the decisions rest on our collective shoulders. The Supervisors are also aware that, because of controversy, some decisions made by the Board may be divisive and not acceptable to every member of the community of Mount Joy.

In the past year, the Supervisors have been aware of increasingly aggressive negative comments and communications targeting individual supervisors and Township professional staff and consultants. The Board recognizes that these comments and communications most likely stem from controversy surrounding the solar facility application and the Board's decision to hold public meetings remotely. By this letter, the Supervisors signing below specifically address the comments claiming corruption and

misconduct. The Supervisors affirmatively state that in all matters directly and indirectly related to the application and remote meetings – the consideration and adoption of the Zoning Ordinance and provisions specific to the solar facility use, the conduct of the public hearings on the solar facility application, the holding of public meetings, the performance of state-law mandated duties, and the administration of all Township ordinances and policies – no Supervisor, staff member, or consultant, including the Township’s Secretary, Zoning Officer, Open Records Officer, solicitor or engineer, has witnessed, suspected or in any way acted in a corrupt or otherwise unlawful or inappropriate manner.

Chairman Gormont stated that he will place a “discussion item” on the agenda for June 17, 2021 on when to reopen the Township office to the public. Part of that discussion will also be about continuing the remote access.

Public Comment-None

Correspondence

- Email dated May 26, 2021 from Danielle Helwig ACATO Secretary regarding the Secretary Luncheon and Conference.

Business

- Cemetery Road Discussion. Chairman Gormont explained that Cemetery Road, which is off of Solomon Road, has a very steep grade. Chairman Gormont suggests that the road crew reduced the 12% grade to a 3% grade. He said that it would probably cost \$8,000-\$9,000 in materials.
- American Rescue Act Application Discussion. Solicitor Smith gave an update on the American Rescue Act. She stated that municipalities under 50,000 residents received indirect notice to submit an application for funds. She stated that DCED is responsible for the applications. There are application requirements for the Township’s Dun and Bradstreet number. It also calls for the expiration date of SAM. The federal government uses SAM to account for monies. According to DCED’s announcement Tuesday, the application needs to be submitted in 5 days, no later than June 7, 2021. Solicitor Smith encouraged the Board to start to consider how to use these monies.
- Comcast Agreement. Solicitor Smith that progress is being made with the Comcast Agreement. The current contract continues until there is a new one.
- Brookview Solar 1 Conditional Use Application for Solar Energy Decision. Mr. Patterson moved, seconded by Mr. Gormont, that, based on the findings of fact and conclusions of law, the Board of Supervisors of Mount Joy Township to approve the application for a conditional use for a solar energy use as described in the Application and at public hearing, subject to the following conditions:
 1. A decommissioning bond in the amount of \$3,533,372.00 issued by a bonding company or federal or Commonwealth chartered lending institution provided such bonding company or lending institution is authorized conduct such business within

the Commonwealth, shall be submitted to the township in accordance with Section 401.II.10.i. Updates of the decommissioning costs shall be submitted to the Township every five years, by January 31 of the update year. Based on the update, the decommissioning performance bond shall be modified to reflect the then-current decommissioning costs. (Modification of condition volunteered by Brookview on June 17 and 24, 2020)

2. Panels and array framing shall be composed of non-reflective materials.
3. Upon selection of the specific panel and final siting of the panels, an updated glare analysis shall be submitted. In the event the glare analysis indicates that the panel, framing and/or the panel siting will cause a glare condition impacting other property owners or the public traveling on public roads, mitigation measures shall be identified and implemented to redress the glare condition.
4. The contract for the installation of landscaping shall be submitted to the Township and shall include terms that reflect the requirements of the Zoning Ordinance addressing planting methods and maintenance.
5. While respecting normal construction practice and seasons, required landscaping shall be installed as soon as possible during the development of the project.

The Board strongly encourages Applicant to:

- i. buy American in the purchase of panels and other components; and,
- ii. buy local in the purchase of landscape plants and trees.

Chairman Gormont and Supervisor Patterson voted yes, Supervisors Mazer and Scholle voted no. Mr. Mazer moved, seconded by Mr. Scholle to deny the application. Supervisors Mazer and Scholle voted yes, Chairman Gormont and Supervisor Patterson voted no. Solicitor Smith stated that by operation of law, because of a tie vote, the application is denied.

Executive Session (if necessary) The Board entered into both deliberation and executive session after adjournment. The subject of deliberation was the Brookview Decision. The subject of executive session was possible resulting litigation.

Adjournment. With no further business to be discussed by the Board, Mr. Patterson moved, seconded by Mr. Scholle, to adjourn the meeting. Motion carried unanimously. Meeting adjourned 7:32 p.m.

Respectfully submitted by,

Shannon M. Hare
Secretary

