

West Goshen Township
Sewer Authority
December 14, 2020
6:00 PM

Agenda for Teleconference Special Meeting

1. Pledge of Allegiance.
2. Roll Call for Sewer Authority Board members.
3. Schedule of Solicitor Interviews:
 - 6:00 PM – 6:30 PM Lamb McErlane
 - 6:30 PM – 7:00 PM Unruh Turner Burke & Frees
 - 7:00 PM – 7:30 PM Buckley Brion
 - 7:30 PM – 8:00 PM Siana Law

There are four firms interviewing. Each interview is scheduled for a 25 minute period to be followed by a 5 minute break after each interview.

- Each firm will present one interviewee.
- 5 min for candidate introduction
- 20 min +/- 5 min for the interview Q&A.

All Board public discussion/deliberation will commence after all candidates have been interviewed.

4. Discussion/Deliberation and Vote.

Discussion/Deliberation by Authority Board

All information provided by the candidates shall be open for discussion/deliberation during the deliberations, to include: responses to the RFP; responses to the clarifying questions; candidate introduction, and; responses to the interview questions.

Public Comment

Public comment will commence after Board members have provided comments and discussion.

Vote

As a majority of votes is needed to select a solicitor, if there is no majority for one candidate, a second round of votes will be cast with any candidate receiving no votes in the prior round being dropped from consideration in the subsequent round. This process shall continue until a solicitor is selected.

5. New business.

Adjourn

Procedures for Tele-conference

TELECONFERENCE INSTRUCTIONS

Sewer Authority Special Meeting

Mon, Dec 14, 2020 6:00 PM - 8:30 PM (EST)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/454396805>

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

Access Code: 454-396-805

Please note that we may have members of the public joining our teleconference.

The [Office of Open Records](#) has issued the following advisory regarding [Pennsylvania's Sunshine Act](#) and the coronavirus (COVID-19).

Last updated March 31 at 9:07 a.m.

Note: Check online at:

<https://openrecordspennsylvania.com/2020/03/11/the-sunshine-act-and-covid-19/>

This advisory relates to all meetings governed by the Sunshine Act; it is not limited to emergency meetings.

As a starting point, it's key for agencies to remember that transparency builds trust, especially in times of crisis.

The [Sunshine Act](#) is clear that public meetings should be held at public buildings with open public participation whenever possible. If an official emergency declaration prevents that from happening, a meeting via teleconference, webinar, or other electronic method that allows for two-way communication is generally permissible.

Any agency taking that step must provide a reasonably accessible method for the public to participate and comment pursuant to Section 710.1 of the Sunshine Act. That method should be clearly explained to the public in advance of and during the meeting.

Further, the Office of Open Records strongly recommends that any agency holding such a meeting record the meeting and proactively make the recording available (preferably online) so that a full and complete record of the meeting is available to the public.

[35 Pa.C.S. § 7501\(d\)](#) allows agencies under a “declaration of disaster emergency” (here’s the [March 6 disaster emergency declaration](#) signed by Governor Wolf and [information about the declaration](#)) to suspend the need to comply with certain “formal requirements.” In context, any such suspensions must be related to the emergency in some way.

Some agencies are governed by laws which add requirements beyond those included in the Sunshine Act. For example, both the Borough Code and the Third Class City Code explicitly require that a majority of members

be physically present for purposes of determining a quorum. In such cases, the provisions of 35 Pa.C.S. § 7501(d) can come into play. The OOR encourages agencies to consult with their solicitors on such issues.

Agencies, solicitors, and members of the public with any questions are welcome to contact the OOR. Using [the OOR contact form](#) is the best way to reach us at this time, as we are all working remotely.

Guidance from the Pennsylvania District Attorneys Association

The Pennsylvania District Attorneys Association has also issued guidance related to the Sunshine Act, which [can be read here \(PDF\)](#).

On April 20, 2020 Governor Wolf signed Senate Bill 841 that allows remote municipal meetings during the COVID-19 Emergency.

See Title 35 Pa.C.S.A. §§5701 – 5741. The change in the law allows hearings, meetings, proceedings, or other business to be conducted through the use of authorized telecommunications device until the expiration or termination of the COVID-19 disaster emergency.

Link here: <https://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=2020&sessInd=0&act=15>

In addition, section 7501(d) of Title 35 has been amended in the same bill to provide for temporary suspension of formal requirements in other emergencies declared either by the Governor or of the governing body of the political subdivision affected by the disaster emergency. A quorum of physically present members is not required if a quorum is otherwise established by participating members through authorized telecommunication device. This provision does not expire at the end of the COVID-19 disaster.