While townships are required to comply with current mitigation orders, what your public meeting will look like is ultimately a decision of the board of supervisors. Throughout the pandemic, townships need to be flexible and can consider providing remote or alternative meeting options to ensure public safety until the commonwealth returns to a pre-COVID-19 normal.

Gov. Tom Wolf and state Secretary of Health Rachel Levine issued an order for Mitigation, Enforcement, and Immunity Protections that took effect November 27, 2020, and replaced all earlier orders. The order addresses telework, in-person operations, and gathering limits. Temporary orders impacting gathering limits and business capacity were in effect from December 12, 2020 until January 4, 2021 at 8 a.m.

As of January 4, 2021 at 8:01 a.m. gathering limits for indoor events are 10 percent for facilities with a maximum occupancy of less than 2,000, and business capacity is 75 percent of the certificate of occupancy.

As such, townships anticipating that attendance will exceed these caps should conduct meetings by teleconference, videoconference, or a hybrid combination of in-person and remote (livestreaming, teleconference, or videoconference) to best fit their community needs. If your township does not offer remote public access to meetings, it must, to the extent practicable, permit comments to be submitted by mail or email.

In-Person Meetings

- Maintain social distancing of at least 6 feet from other people.
- Set up meeting rooms to accommodate social distancing.

Remote Meetings: Special Rules During the Statewide Emergency Declaration

Act 15 of 2020 clarifies that all municipalities, for the duration of a statewide emergency declaration, may conduct public meetings and hearings by teleconference or videoconference provided all board members can hear and comment, as well as providing for public participation to the maximum extent practicable.

Act 15 applies to all township boards and commissions, including townships that operate under a home rule charter. Act 15 clarifies that meetings held via teleconference or videocon-
ference do not require a physical presence of a quorum at a meeting location. *(Note: Township supervisors could participate in a remote meeting before Act 15 because there is no legal requirement for a quorum to be physically present under the Second Class Township Code.)*

Advance notice of a meeting that will be held virtually must be posted on the township’s website, if it has one, in a legal advertisement, or both. Public notice must include the date, time, technology to be used, and public participation information. When advertising meetings for 2021, consider advertising as a combination or hybrid of live and remote options. If circumstances warrant switching to remote only, post the change on the township’s website as noted here, with at least a 24-hour notice.

To the extent possible, teleconference, videoconference, or allowing written comments submitted to a designated email address or by U.S. mail are all options. A combination of more than one method is preferred. If the public will not be able to view or listen to the meeting in person or remotely, the township should record *(audio or video)* the meeting and make the recording available after the meeting, or, at a minimum, provide copies of the draft minutes within 48 hours of the meeting to provide transparency about the board’s discussions and actions at the meeting.

In addition, minutes from an emergency meeting related to the COVID-19 emergency, which does not require a public notice, must be made available within 20 days of the meeting.

### Alternative Meeting Options

Township officials can consider alternative meeting options. These include:

- Remote meetings, including teleconferences *(landline or cell)* or videoconferences.
- Livestreaming meetings or recording and posting an audio or video recording.
- Having one or more board members call in and participate remotely in a live meeting.
- Holding meetings outside, in the parking lot, drive-in style, in a pavilion, or in a different location, such as a garage, that allows for social distancing.
- Posting agendas in advance and providing for pre-meeting submission of comments by email or mail or allowing residents to call in during the meeting.
- Posting meeting minutes or a meeting summary within a few days of the meeting.

### Securing Remote Videoconferencing Meetings

The Federal Bureau of Investigation has provided guidance for safely holding remote meetings:

- Require a different password for each meeting.
- Do not share a link to the meeting or the required password on social media. Instead, instruct residents to contact the township directly for the link and password.
- Restrict screen sharing options to the host only.
- Ensure that participants are using the updated version of these applications.
- Update your township’s telework policy to address physical/information security requirements.

### Additional Resources

- [State Order on Mitigation, Enforcement, and Immunity Protections](#)
- [CDC/EPA Cleaning & Disinfecting Guidance](#)
- [Office of Open Records Guidance on the Sunshine Act and the Coronavirus](#)
- [Pennsylvania District Attorneys Association Guidance](#)

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If your township is conducting videoconference meetings, such as through Zoom, be sure to hold such meetings safely and follow the FBI suggestions in column two on this page.