

**BOARD OF SUPERVISORS MEETING
MAY 21, 2020**

**CALL TO ORDER
THE PLEDGE OF ALLEGIANCE
APPROVAL OF THE MINUTES OF MAY 7, 2020 MEETING**

POLICE REPORT

PUBLIC COMMENTS

CHAIRMAN'S COMMENTS

PLANNING

Request for fireworks permit 706 Milton Grove Road 6/26/20

Current status of legal action against Shree Punit LLC re: sewage violation

OLD BUSINESS

None

NEW BUSINESS

Resolution seeking the reopening of Lancaster County

Review draft supplement to Township Personnel Manual regarding temporary telecommuting policy

Acknowledgement of PennDOT use of right of way/easement at Mummau Park

CORRESPONDENCE

*LCPC Receipt of community plan review – Zoning Ordinance Amendment – Medium Density R-2 to Mixed Use – Mount Joy Twp
LCPC Recommends approval for Zoning Ordinance Amendments – Wireless Facilities – East Hempfield Twp
LCPC Recommends approval for Zoning Ordinance Amendments – Retaining Walls – East Hempfield Twp
LCPC Receipt of Community Plan Review – Zoning Ordinance Amendment – VR and VC Zones – East Hempfield Twp*

APPROVAL OF THE DISBURSEMENT LIST

Transfer \$100,000.00 from General to Capital Fund

RECEIVED
MAY 18 2020

05/15/2020

Dear Rapho Township Board of Supervisors,

I am requesting a permit to hold a fireworks display. It will be held at Garber Farms, Milton Grove Road, Mount Joy on the evening of Friday June 26, 2020 between 9:30pm and 10:00pm. There is no rain date. The purpose of the show is to celebrate Independence Day and raise funds for a charitable organization called Milagro Initiative. I expect approximately 500 people to attend. It seems like a popular thing to say nowadays so I will state it here for the record in case it's an issue: We will insure that the audience exercise safe 'social distancing' and even wear masks if necessary.

This show will not be for profit. I have a certificate for successfully completing the Pyrotechnics Guild International, Inc. Display Operator Certification Course. I have verified that the proposed shoot site is at acceptable and safe distances from spectators and buildings.

The classification of fireworks is class B (1.3g)

Thank you for your consideration.

Tim Good

TOWNSHIP OF RAPHO
Lancaster County, Pennsylvania

RESOLUTION NO. _____

A RESOLUTION SEEKING THE IMMEDIATE REOPENING OF LANCASTER COUNTY, PENNSYLVANIA, INCLUDING RAPHO TOWNSHIP

WHEREAS, on April 6, 2020, Pennsylvania Secretary of Health Rachel Levine, MD, issued an Order outlining the safety measures to be taken by employees and customers of businesses which are open either as a “life-sustaining business” or via a waiver; and

WHEREAS, the aforementioned Order provides common-sense measures which the Secretary of Health has determined provide a safe environment for employees and customers to conduct business; and

WHEREAS, the aforementioned Order could certainly provide safety for all other businesses; and

WHEREAS, On March 19, 2020, Pennsylvania Governor Wolf ordered all “non-life-sustaining businesses” to close, with a vague and confusing list of “life-sustaining businesses”; and

WHEREAS, On March 27, 2020, Pennsylvania Governor Wolf issued a “Stay at Home Order” for Lancaster County, including Rapho Township; and

WHEREAS, Pennsylvania Governor Wolf allowed businesses not on the “life-sustaining businesses” list to seek waivers until April 3, 2020. Criteria for such waivers was not made clear and the list of those granted waivers has not been provided to the public; and

WHEREAS, many residents of Lancaster County and Rapho Township have been laid off and/or furloughed resulting in decreased or eliminated incomes to support their families; and

WHEREAS, many businesses in Lancaster County and Rapho Township have lost most, if not all, of their revenues and many will have a difficult time recovering and remaining in business as this business closure continues; and

WHEREAS, municipalities in Lancaster County, including Rapho Township, are seeing, and will continue to see, our Earned Income Tax revenues decrease; and

WHEREAS, the continued decline of municipal Earned Income Tax revenue will most certainly result in a significant increase in 2021 real estate property taxes for our taxpayers to allow much needed municipal services to continue; and

WHEREAS, Pennsylvania Governor Wolf has established a “Phased Reopening Plan” which provides unrealistic and arbitrary thresholds for Lancaster County, arbitrarily places Lancaster County in the same region as Philadelphia for the purposes of reopening, and arbitrarily bases the ability to reopen on the raw number of positive cases of COVID-19 over a 14 day period while continuing to push for increased testing which will undoubtedly result in the increase of the raw number of positive, possibly asymptomatic, cases; and

WHEREAS, given the aforementioned criteria of Pennsylvania Governor Wolf's "Phased Reopening Plan", the economy of Lancaster County and Rapho Township could remain closed for several more months; and

WHEREAS, the residents and businesses of Lancaster County and Rapho Township cannot afford to have our economy arbitrarily closed for several more months without severe and permanent negative consequences; and

WHEREAS, the reopening of the economies of Lancaster County and Rapho Township could allow the reopening of businesses but would not require it, thus businesses wishing to remain closed would certainly be permitted to do so and residents who wish to remain at home would certainly be permitted to do so; and

WHEREAS, our local hospitals are not seeing the significant surge previously anticipated and most inpatient severe cases are those within the most vulnerable at-risk groups, including over 70 years of age with significant underlying medical conditions; and

WHEREAS, the average deceased age from COVID-19 at our local hospital is currently 77 and approximately 75% of deceased patients have been residents of skilled and long-term care facilities; and

WHEREAS, according to the data available for this area, the average resident of Lancaster County and Rapho Township has a very low chance of contracting COVID-19 (positive test results have accounted for 0.3% of County residents), and an even lower chance of contracting life-threatening complications from COVID-19, and a far lower chance of dying from COVID-19 (deaths have accounted for 0.03% of County residents, with no Rapho Township deaths to this point); and

WHEREAS, Rapho Township understands that our most vulnerable residents must be protected, but also understands that the remainder of our businesses and residents must be given the opportunity to move on with their lives and be given the opportunity to financially survive this pandemic.

NOW, THEREFORE IT BE RESOLVED, that this Board of Supervisors seeks the immediate reopening of Lancaster County and Rapho Township; and

BE IT FURTHER RESOLVED, that this Board of Supervisors supports the continued efforts of our State and local leaders to institute common-sense safety precautions to protect employees and customers of businesses which choose to reopen.

TOWNSHIP OF RAPHO
Lancaster County, Pennsylvania

By: _____
Jere Swarr, Chairman

Attest: _____
Mark Erb, Secretary

{SEAL}

**RAPHO TOWNSHIP TEMPORARY TELECOMMUTING POLICY
SUPPLEMENT TO PERSONNEL POLICY
ADOPTED BY RAPHO TOWNSHIP BOARD OF SUPERVISORS**

Purpose

In the event of an emergency such as inclement weather or a pandemic, or under other extenuating circumstances, Rapho Township may allow or require administrative staff members to temporarily work from home or telecommute, to ensure continuity of Township operations. Telecommuting may be appropriate for some duties, but not necessarily viable for all positions. This policy is not intended to address telecommuting arrangements that may be implemented as a reasonable accommodation to an employee with a disability. Those situations will be addressed on an individual basis.

Guidelines

- A. Rapho Township may require or allow on an approved basis, employees in certain positions to work remotely during an emergency or under other extenuating circumstances. Preferably, preparations should be made in advance or as soon as practicable to allow remote work if necessary in emergency circumstances. This includes determining appropriate equipment needs, such as hardware, software, and telephone and data lines. Even with advance preparation for remote work, there may be times where telecommuting employees will be required to be on site at the Township office to fulfill their job duties.

Procedures

- A. An administrative employee may request or the Township Manager may initiate a discussion about a temporary telecommuting arrangement.
 1. In cases where an employee initiates a request to telecommute, the employee must provide the specific reason(s) for the request along with a detailed plan for accomplishing job duties to the Township Manager for consideration.
 2. The Manager will review the employee's job responsibilities and determine if the job functions and duties are appropriate for a telecommuting arrangement, in conjunction with the extenuating circumstance, including equipment needs, workspace design considerations, and scheduling issues.
- B. Telecommuting may be fixed and ongoing, such as working a set number of hours from an alternate location each week, or it may be limited in duration, such as working from home for a few days or intermittently.
- C. If a longer-term arrangement is requested, the Township Manager and employee will complete a Telecommuting Agreement. The agreement shall specify the days/times telecommuting will occur and the work to be completed by the employee. Agreements may be discontinued at any time at the sole discretion of the Township.

- D. Telecommuters are expected to be actively working during the agreed upon hours of work and must be available to communicate via email or telephone or via any other means of virtual communication. Daily contact between the employee and the Manager should occur to verify that the employee is actively working as well as to resolve any problems that may arise. Telecommuting may require more frequent interaction and communication between the telecommuter and the Manager and other employees. Communication must be at a level consistent with employees working at the office or in a manner and frequency appropriate for the job and the individuals involved.
- E. During established work hours, family care demands shall not compete with work. Remote working arrangements are not to be used as a substitute for child care. In the event of an emergency child care situation, it is the responsibility of the employee to communicate the situation to his/her supervisor.

Work Environment and Equipment

- A. The employee will establish a suitable work environment within his/her home for work purposes, in compliance with local, state, and federal guidelines. The area should be free from obvious safety hazards and suitable for the type of work being performed by the employee. Rapho Township will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture or lighting, nor for repairs or modifications to the home office space. An employee may be required to document, via photographs, the work environment at the request of the Manager.
- B. The employee will provide an isolated area to work that is free from background noise and other distractions and can easily be segregated. To the extent feasible, callers should not hear pets, children, television sets or other non-business sounds.
- C. An employee's workspace should also prohibit the ability of non-employees to review sensitive information the employee may be accessing. Employees should limit non-employee access to an employee's working environment as much as possible during work hours.
- D. Equipment in the employee's workspace should be free of recognized hazards that would cause physical harm, such as frayed or exposed wires or obstructions impairing visibility and movement. File cabinets and storage closets should be arranged so drawers and doors do not open into walkways. Phone lines, electrical cords, and extension wires should be secured under a desk or alongside a baseboard to avoid injury.
- E. Rapho Township will determine the equipment needs for each employee on a case-by-case basis, in accordance with its standard policies and procedures. Unbudgeted items shall follow Township-approved guidelines for purchases. Equipment supplied by the Township is to be used for Township purposes only. The Township's contracted IT consultant will be made available to review these equipment needs with management and employees and to provide support to employees in emergency telecommuting situations. Where licenses explicitly permit, an employee may install software on a personally owned device with

Township prior approval. Employees may not install or download any other software without approval.

- F. Employees are responsible for obtaining and maintaining reliable and secure/encrypted internet access at their homes, with enabled wireless network security features. Additional technology security features may be required, as recommended by the Township's contracted IT consultant. Internet connection at home is the property of the employee, and no limitations and/or restrictions on internet usage outside of working hours is implied.

Security and Safety

Consistent with Rapho Township's expectations of information security for employees who have a physical presence working at the office, telecommuting employees will be expected to ensure the protection of confidential information accessible while working from home. Any information that is considered confidential or protected will not be removed from Township premises unless expressly approved in a written Telecommuting Agreement or approved in advance by the Township Manager.

Employees must report work-related injuries sustained remotely, in accordance with the Township Personnel Manual. The Township may be responsible for any work-related injuries under the applicable state Workers' Compensation laws, but this liability is limited to injuries resulting directly from work and only if the injury occurs in the designated home/remote work area. The Township is not responsible or liable for injuries to third persons and/or members of the employee's family sustained on premises controlled by the employee or by third parties.

Policies

Rapho Township policies and procedures remain in effect while telecommuting. Telecommuting employees are expected to adhere to all applicable Township policies while working remotely.

Leave used on a scheduled telecommuting day will be administered under the same provisions as leave used on days an employee would otherwise report to his/her regular work location. Requests for time off must be communicated to the Manager via email in a timely manner.

Time worked

- A. Employees should not assume that emergency telework arrangements are approved for any specified period of time, and Rapho Township may require employees to return to regularly scheduled, in-office work at any time in its sole discretion.
- B. The employee and the Manager shall mutually agree upon a daily work plan. The Manager will adjust the work plan based upon Township operational priorities.
- C. Telecommuters, at management discretion, may be required to record hours worked in addition to providing detail of the agreed-upon tasks and projects to work on and complete. Telecommuting employees will be required to accurately

record all hours worked. Employees who are classified as non-exempt under the Fair Labor Standards Act must obtain advanced approval prior to working in excess of their scheduled hours per day and hours per work week and should only be accessing their network systems during their scheduled work hours.

Tax Consequences/Zoning Compliance

- A. Employees remain responsible for tax consequences, if any, of working from home and for conformance to any local or state laws and zoning regulations.

I hereby acknowledge that I have received this amendment to the Personnel Manual and I understand the standards described herein.

Employee signature

Date of receipt



May 21, 2020

Logan Gabler
American Engineers Group, LLC
441 Friendship Road
Harrisburg, PA 17111

Re: Letter Notification of Section 4(f) Right of Way Use

Dear Mr. Gabler:

On behalf of the Rapho Township Board of Supervisors, I can confirm that the small area of right-of-way conversion and temporary construction easement proposed by PennDOT from Mummau Park (located in Rapho Township and Manheim Borough) will not adversely affect the use of the park as a recreational facility. The Township understands that compensation for the right-of-way conversion and temporary construction easement will be negotiated with PennDOT's Right of Way Unit during final design of the project. Further, we understand that PennDOT will incorporate the following measures into the project design to mitigate disruption to Mummau Park:

- Half-width construction maintaining a single lane of traffic for the construction duration
- Temporary traffic signals for the entrance to Mummau Park and for the Kelsey property in the NW quadrant
- Entrance to Logan Park from SR 0772 cannot be maintained; Detour signs will be placed directing parking towards the parking lot at the end of Snyder Street and Ferdinand Street as well as using the parking area of Mummau Park for Logan Park parking
- Pedestrian crosswalk from Mummau Park will be maintained throughout the construction duration with a temporary pedestrian crosswalk signal
- Due to the proposed bridge being a single-span structure, the pier will be eliminated and a rock stream plug placed along the edge of the stream with the area behind backfilled with stream material, maintaining normal channel width throughout the area
- Following construction, the temporary construction easements upstream and downstream of the proposed bridge will be restored with plantings similar to those used in previous downstream restoration efforts

Sincerely,

Sara M. Gibson
Township Manager

Cc: Jim Fisher, Manheim Borough