

**Hamilton Township Board of Supervisors**  
**Regular Meeting Minutes**  
**Monday, April 6, 2020**  
**Abbreviated Meeting due to Coronavirus-19**

**CALL TO ORDER:** The meeting was called to order at 7:00 pm with the Pledge of Allegiance by Stephanie A. Egger.

Supervisors present were Ronald L. Weidner, Timothy D. Beard, III and Michael A. Strausbaugh. Also, present were: Solicitor, Ronald Tomasko, from the firm of Tomasko and Koranda P.C. and Secretary Stephanie A. Egger.

**PUBLIC COMMENTS:** None    No public in attendance.

**NEW BUSINESS:**

1. Adoption of Resolution NO. 2020-41

**RESOLUTION NO. 2020-41**

**DECLARATION OF LOCAL STATE OF DISASTER EMERGENCY**

**WHEREAS**, on March 13, 2020, United States President Donald J. Trump issued a Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) outbreak, pursuant to Sections 201 and 301 of the National Emergencies Act (50 U.S.C. §132b-5), finding and proclaiming that the COVID-19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020:

**WHEREAS**, on March 6, 2020, pursuant to Section 7301(c) of the Emergency Management Services Code, 35 Pa. C.S. § 7101, *et seq.*, Governor Tom Wolf issued a Proclamation of Disaster Emergency, proclaiming the existence of a disaster emergency across the Commonwealth of Pennsylvania as a result of the spread of coronavirus or COVID-19;

**WHEREAS**, COVID-19 presents the spreading both nationwide and within Hamilton Township, Adams County and therefore may endanger the health, safety and welfare of a substantial number of persons residing in Hamilton Township and which likewise threatens to create substantial public health, medical, and emergency response burdens within Hamilton Township, Adams County; and

**WHEREAS**, immediate proactive emergency management measures are required to mitigate and reduce the severity of this public health emergency for purposes of protecting the health, safety and welfare of residents in Hamilton Township, Adams County; and

**NOW, THEREFORE**, we, the undersigned Board of Supervisors of Hamilton Township, pursuant to the provisions of Section 7501(b) of the Pennsylvania Emergency Management Services Code, (35 Pa C.S. § 7101 *et seq.*), do hereby declare the existence of a local disaster emergency in Hamilton Township, Adams County;

**FURTHER**, the effect of this Declaration of Local Disaster Emergency is to activate the response and recovery aspects of any and all applicable local emergency management plans and to authorize the furnishing of aid and assistance thereunder;

**FURTHER**, we direct the Hamilton Township Emergency Management Coordinator and response team, to coordinate the activities of emergency response, to take all appropriate action needed to alleviate the effects of this medical emergency, to aid in the restoration of essential public services, and to take any other emergency response and recovery action deemed necessary to respond to this disaster emergency;

**AND FURTHER**, we authorize the Hamilton Township Emergency Management Coordinator, to act as necessary to meet the current exigencies, including but not limited to the employment of temporary workers, rental of equipment, and entry into such contracts and agreements as may be required to meet the emergency, all without regard to the time-consuming procedures and formalities normally prescribed by law, mandatory constitutional requirements excepted.

**AND FURTHER**, we declare that this declaration shall remain in effect until terminated by the Board of Supervisors.

**NOW THEREFORE**, this Resolution No. 2020-41 is

**DECLARED** this 6<sup>th</sup> day of April 2020.

Motion to approve Ronald Weidner, Second Timothy Beard.

**Motion carried by unanimous vote.**

2. Adoption of Ordinance No. 2020-140

**AN ORDINANCE OF THE TOWNSHIP OF HAMILTON, ADAMS COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING AND SUPPLEMENTING THE HAMILTON TOWNSHIP TAX COLLECTION POLICY (APPROVED UNDER THE AUTHORITY OF THE ACT OF MAY 29, 1935 (P.L. 244, NO. 102) REVISED DECEMBER 31, 2003**

**RECITALS**

**WHEREAS**, The Township of Hamilton, Adams County, Commonwealth of Pennsylvania, (the “Township”) is a local and political subdivision organized and existing under the laws of the Commonwealth of Pennsylvania (the “Commonwealth”); and

**WHEREAS**, The Township is a taxing district as defined in the Local Tax Collection Law, 72 P.S. § 5511.2

**WHEREAS**, a novel coronavirus (now known as “COVID-19”) emerged in Wuhan, China, began infecting humans in November 2019, and has since spread throughout the world, including the United States; and

**WHEREAS**, on March 11<sup>th</sup>, 2020, the World Health Organization declared the COVID-19 virus a pandemic; and

**WHEREAS**, the Governor’s Office of the Commonwealth of Pennsylvania issued a Proclamation of Disaster Emergency on March 6<sup>th</sup>, 2020, due to the spread of COVID-19 under the authority of 35 Pa.C.S. § 7301, *et seq.* that authorized the suspension of certain procedures and formalities prescribed by law and urged counties to “act as necessary to meet the current exigencies;” and

**WHEREAS**, The Board of Supervisors for Hamilton Township issued a Declaration of Disaster Emergency on April 6<sup>th</sup>, 2020, recognizing the existence of a disaster emergency in Adams County due to COVID-19; and

**WHEREAS**, the Governor mandated the closure of physical non-life-sustaining businesses, effective March 21<sup>st</sup>, 2020, and has urged “social distancing” measures to prevent the spread of COVID-19; and

**WHEREAS**, the Federal Government has extended the deadline for filing federal taxes for a period of 90 days until July 15<sup>th</sup>, 2020, due to the economic impact of the virus; and

**WHEREAS**, the Board of Supervisors recognizes that the finances of many taxpayers of Adams County, Hamilton Township will be negatively affected by the closure of local businesses, layoffs of employees, and uncertainty in the financial markets; and

**WHEREAS**, The County and Hamilton Township have statutory discretion to impose penalties for late payment of taxes of up to ten percent (10%), pursuant to 72 P.S. § 5511.10; and

**WHEREAS**, The Township issued RESOLUTION NO. 19 of 2000 on JANUARY 6, 2000, which established a ten percent (10%) penalty fee for taxpayers who fail to make payment within four months of the tax notice and a two percent (2%) discount for taxpayers who pay within two months of the tax notice; and

**WHEREAS**, The Township desires to mitigate the economic impact of COVID-19 on Township taxpayers by using its statutory discretion to reduce penalties for late tax payments and by extending the 2% discount for a period of sixty days for payments related to taxable year 2020.

**BE IT ENACTED AND ORDAINED** by the Township of Hamilton, Adams County, Pennsylvania, and it is hereby **ENACTED AND ORDAINED** by the authority of the same, as follows:

**SECTION 1.** The foregoing Recitals to this Ordinance are incorporated herein and made a part hereof.

**SECTION 2.** All provisions of Hamilton Township Ordinance No. 140 of 2000 are incorporated herein and made a part hereof.

**SECTION 3.** A tax payment shall be considered “late” if not paid within four (4) months of the tax notice. For taxable year 2020 only, all late tax payments received by October 31<sup>st</sup>, 2020, shall be assessed a penalty of zero percent (0%) of the taxpayer’s tax liability. All late 2020 tax payments received after October 31<sup>st</sup>, 2020, shall be assessed a penalty of ten percent (10%) of the taxpayer’s tax liability.

**SECTION 4.** All tax payments for taxable year 2020 received by June 30<sup>th</sup>, 2020, shall receive a two percent (2%) discount of the tax liability. This discount shall not be applied in addition to the two percent (2%) discount for tax payments within sixty days of the tax notice under Section I of Ordinance No. 140 of 2000. Therefore, the maximum discount a taxpayer may receive for taxable year 2020 is two percent (2%) for any payment received by June 30<sup>th</sup>, 2020.

**SECTION 5.** Except as amended herein, all other provisions of Ordinance No. 140 of 2000 shall remain in full force and effect for taxable year 2020.

**SECTION 6.** For payments related to tax years other than 2020, tax collectors are directed to apply the 10% penalty for late payments in accordance with Section I of Ordinance No. 140 of 2000.

**SECTION 7.** This Ordinance shall be effective on April 6, 2020.

**IN WITNESS WHEREOF**, the present Ordinance has been duly enacted, and ordained

this \_\_\_\_ day of \_\_\_\_\_, 2020.

**Motion to approve by Timothy D. Beard, Second Ronald Weidner**  
**Motion carried by unanimous vote.**

3. Approval to pay the bills for the General Fund and one invoice for the State Fund.

Motion to approve by Ronald Weidner, second Timothy Beard  
Motion carried by unanimous vote.

4. No other emergent business brought before the board.

5. Request from Burkentine and Sons Builders, Inc. for a reduction of the Bond held in reserve of 81 EDU’s for the Cedar Ridge Development. The engineer presented a recommendation for reduction in the amount of Nine Thousand Three Hundred Sixty Dollars and No Cents (\$9,360.00) which will provide a \$0 balance remaining.

Motion to approve by Ronald Weidner, second by Michael Strausbaugh, Approved by unanimous vote.

6. Request from Burkentine and Sons Builders, Inc. for a reduction of the bond held for public improvement for the Cedar Ridge Development. The township engineer presented a recommendation for reduction in the amount of Seventy-Six Thousand Nine Hundred Ten Dollars and No Cents (\$76,910.00) providing a remaining balance of Sixty-Six Thousand Six Hundred Fifty-One Dollars and Sixty Cents (\$66,651.60).

Motion was made by Ronald Weidner, second by Timothy Beard. After discussion regarding the remainder of corrections to be made, a unanimous vote approved the reduction.

Approved 5/4/2020

All other business will be addressed at the next regularly scheduled Board of Supervisors Meeting, scheduled for Monday, May 4, 2020.

Please be wise, stay home, safe and healthy.

All meetings are open to the public as prescribed by the Sunshine Act.

Motion to Adjourn by Ronald Weidner, second by Michael Strausbaugh.  
A unanimous vote was had. Meeting adjourned 7:10 pm

Taken and transcribed by

Stephanie Egger  
Office Manager/Secretary