

## **MEETING OF THE LOCAL GOVERNMENT COMMISSION**

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**Wednesday, January 29, 2020**

The meeting of the Local Government Commission (Commission) was called to order by Senator Scott Hutchinson at 8:50 a.m. in Room 14 East Wing-Main Capitol Building, Harrisburg, Pennsylvania, with the following individuals present:

### **MEMBERS**

**Senator Scott E. Hutchinson, Chair**  
**Senator Judy Ward**  
**Senator Judith L. Schwank**  
**Senator Timothy P. Kearney**  
**Representative Dan Moul**  
**Representative Garth Everett (via telephone)**  
**Representative Robert Freeman (via telephone)**  
**Representative Christina D. Sappey (via telephone)**

### **STAFF**

**David A. Greene, Executive Director**  
**Kristopher J. Gazsi, Assistant Director**  
**Wanda S. Dehan, Legal Counsel**  
**Danette H. Magee, Senior Research Analyst**  
**Julia Frey, Research Analyst**  
**Karen S. Bear, Executive Assistant**

### **GUESTS**

**Justin Leventry, Senator Hutchinson's Office**  
**Cynthia Urban, Senator Martin's Office**  
**Cheryl Schriener, Senator Ward's Office**  
**Matt Maniskas, Senator Schwank's Office**  
**Samuel Arnold, Senator Kearney's Office**  
**Rob Gaertner, House Local Government Committee (R)**  
**Christopher Mulhall, House Local Government Committee (R)**  
**Ashley White, County Commissioners Association of Pennsylvania**  
**Melissa Anese, County Commissioners Association of Pennsylvania**  
**John Brosious, Pennsylvania Municipal Authorities Association**  
**Jennie Shade, Pennsylvania Municipal Authorities Association**  
**Amy Sturges, Pennsylvania Municipal League**  
**Kaitlin Errickson, Pennsylvania Municipal League**  
**Ed Troxell, Pennsylvania State Association of Boroughs**  
**Joe Gerdes, Pennsylvania State Association of Township Supervisors**  
**Melissa Morgan, Pennsylvania State Association of Township Supervisors**  
**Joe Regan, Fraternal Order of Police**  
**Hayden Rigo, Greenlee Partners**

As the first order of business, the Members discussed the minutes of the November 20, 2019, business meeting, which were unanimously approved on a motion by Senator Schwank and a second by Senator Kearney. The financial reports for the months of November and December 2019 were presented, and an explanation was given by the Executive Director. The financial reports were unanimously approved on a motion by Senator Kearney and a second by Senator Ward.

John Brosious, representing the Pennsylvania Municipal Authorities Association (PMAA), gave a brief presentation to the Members regarding PMAA's desire to review and modernize the Municipal Authorities Act. Mr. Brosious explained that the Act has not been revised since its inception in 1935 and would appreciate technical assistance from the Commission staff to update the Act. Mr. Brosious gave several examples as to why the Act needs to be reorganized and restructured, and emphasized that no major substantive changes to the Act are anticipated. It was reported by Mr. Brosious that the last change to the Act occurred in 2003, when after a three-year draft process, a section on tapping fees was added. PMAA staff anticipates the necessary project will be lengthy. After an extended discussion, the Members unanimously agreed to authorize Commission staff to assist the PMAA in its endeavor to modernize the Act. The Director assured the Members that any proposed revisions to the Act would be provided to them for their review.

The Director advised the Members that the County Code is ready to be introduced in the Senate, with Senator Martin designated as the prime sponsor. Introduction in the Senate is the second step of the two-step process in modernizing the County Code. In March 2011, the Commission, along with other various stakeholders, began the arduous process of revising the County Code and the Second Class County Code with the purpose of integrating the two codes, as well as updating outdated or archaic language and making provisions of the codes consistent where practicable. With the County Code revision bill having gone through the legislative process and being enacted, effective December 24, 2018, the next step is to place the County Code into Title 16 (Counties) of the Pennsylvania Consolidated Statutes, which has occurred with the Borough Code (Title 8) and the Third Class City Code (Title 11). Assistant Director Kris Gazsi outlined the process involved and how Title 16 would be structured. It was emphasized by Mr. Gazsi that no substantive changes have been made to the County Code since it became enacted in 2018.

Next on the agenda for discussion was establishing business meeting dates for 2020. Historically, Commission business meetings have been conducted on Wednesday mornings at 8:45 a.m. Due to Committee conflicts, attendance at the Commission monthly meetings has become an issue. The Members were provided with a listing of possible 2020 meeting dates that occur on Mondays and Wednesdays. After a brief exchange, the Members unanimously decided on a motion by Senator Schwank and a second by Senator Ward to continue scheduling business meetings for Wednesdays with an adjusted start time of 8:30 a.m. The agreed upon meeting dates for 2020 are as follows: March 18, 2020; April 8, 2020; May 13, 2020; June 10, 2020; July 8, 2020; September 23, 2020; October 21, 2020; November 18, 2020; and December 9, 2020.

An update on the Commission's 2019-2020 legislative package was presented to the Members for their review. During this legislative session thus far, the Commission has introduced 29 bills. The Executive Director stated that three bills are awaiting the Governor's signature and 14 bills are either on consideration or have passed at least one chamber. The three bills to be

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signed by the Governor are Senate Bill 690, Printer’s Number 829; Senate Bill 691, Printer’s Number 830; and Senate Bill 692, Printer’s Number 831. The legislation is a three bill package that increases from \$1,500 to \$6,000 the threshold for when municipal real estate must be advertised prior to sale to the highest bidder. Prior to selling real estate valued at \$6,000 or less without advertisement or competitive bidding, a municipality must make a public announcement of a governing body’s intention to sell the real estate at a regular or special meeting at least 30 days prior to the sale.

The Director announced that he is scheduling meetings with Senate and House Leadership to discuss the Commission’s progress and future goals. Attendance by the Commission Members for these gatherings is encouraged.

At the March 18, 2020, business meeting, the Members will have the opportunity to review two consolidated drafts that would amend the Neighborhood Improvement District (NID) Law. Commission Legal Counsel Wanda Dehan has been working with the Pennsylvania Downtown Center to address several issues. A NID is a limited geographic area within a municipality in which a special assessment is levied for the purpose of promoting the economic and general welfare of the district and municipality.

The Director announced that the Commission will be celebrating its 85<sup>th</sup> Anniversary next year and to commemorate the occasion he suggested organizing a symposium for local government researchers, practitioners and policymakers. Mr. Greene envisions the political neutral symposium to be similar to the one conducted by the Rockefeller Institute of Government in New York. The one-day conference would examine several aspects of local government. After a brief discussion, the Members concurred with Mr. Greene that such a seminar would be beneficial. Mr. Greene will periodically update the Members during the planning process.

As the last order of business, the Director announced that in order to accommodate the session calendar there will not be a business meeting in February. The next business meeting will be Wednesday, March 18, 2020, at 8:30 a.m. in Room 14 East Wing-Main Capitol Building.

The meeting adjourned at 9:30 a.m.

ATTESTED: \_\_\_\_\_  
February 7, 2020