

IN-PERSON AND LIVESTREAM BUSINESS MEETING OF THE LOCAL GOVERNMENT COMMISSION

Wednesday, February 9, 2022

The meeting of the Local Government Commission (Commission) was called to order by Senator Scott E. Hutchinson at 9:00 a.m. in Room 515 Irvis Office Building with the following Commission Members, staff and guests participating in-person and remotely:

MEMBERS

Senator Scott E. Hutchinson, Chair
Senator Judy Ward
Senator Cris Dush
Senator Timothy P. Kearney
Representative Dan Moul
Representative Jerry Knowles
Representative Robert Freeman
Representative Christina D. Sappey

STAFF

David A. Greene, Executive Director
Kristopher J. Gazsi, Assistant Director
Martin A. Toth, Associate Legal Counsel
Danette H. Magee, Senior Research Analyst
Julia Frey, Research Analyst
Karen S. Bear, Executive Assistant
Sonya I. Ebersole, Fiscal Administrator

GUESTS

Justin Leventry, Senator Hutchinson's Office
Matthew Deegan, Senator Hutchinson's Office
Nathan Akers, Senator Judy Ward's Office
Aaron Weltner, Senator Judy Ward's Office
Matt Maniskas, Senator Schwank's Office
Sam Arnold, Senator Kearney's Office
Bre Medevich, Representative Freeman's Office
Mary Yoder, Senate Local Government Committee (R)
Rob Gaertner, House Local Government Committee (R)
Jon Castelli, House Local Government Committee (D)
Shannon Keith, House Communications Office (D)
Rick Vilello, Department of Community and Economic Development
Evelyn Chianelli, Department of Community and Economic Development
Ashley White, County Commissioners Association of Pennsylvania
Jennie Shade, Pennsylvania Municipal Authorities Association
Amy Sturges, Pennsylvania Municipal League
Kaitlin Errickson, Pennsylvania Municipal League
Barbara Huesken, Pennsylvania NewsMedia Association
Ed Troxell, Pennsylvania State Association of Boroughs

IN-PERSON AND LIVESTREAM BUSINESS MEETING OF THE LOCAL GOVERNMENT COMMISSION

Page 2 – Februaru 9, 2022

**Ron Grutza, Pennsylvania State Association of Boroughs
Eric Feder, Pennsylvania State Association of Elected County Officials
Thaddeus Hill, Greenlee Partners
Bonnie Dawson**

The in-person and virtual meeting was recorded and conducted with both Member and Commission staff participation. On Wednesday, February 2, 2022, notice of the meeting was posted on the committee meeting pages of the Senate of Pennsylvania and the House of Representatives through the Legislative Data Processing Center. The meeting agenda was posted on the Commission's website, www.lgc.state.pa.us, on Monday, February 7, 2022, and outside of the Commission's office located at 506 Irvis Office Building. Any questions on agenda items for consideration by the Commission were addressed during the meeting. After adjournment, the recording of the meeting will be posted on the Commission's website at www.lgc.state.pa.us.

As the first order of business, Associate Legal Counsel Martin Toth presented to the Members suggested language amending Title 71 (State Government), Article IV, Section 451 (State Planning Board). Mr. Toth explained that the amendment would increase from six to eight the number of ex-officio members serving on the State Planning Board (Board). The additional members appointed to the Board would be the Director of the Pennsylvania Emergency Management Agency and the Chair of the Historical and Museum Commission. With the two additions, the number of members required for a quorum would increase from thirteen to fourteen members. The Board is an advisory board currently consisting of 25 members, 15 of whom are appointed by the Governor. Rick Vilello, Deputy Secretary of Community Affairs and Development within the Department of Community and Economic Development (DCED) stated that the Board addresses many matters throughout Pennsylvania, but recently the Board has been focusing on waterway and stormwater management issues. Mr. Vilello advised the Members that adding the two representatives to the Board would be beneficial. After a brief discussion, the Members unanimously decided on a motion by Representative Freeman and a second by Representative Moul to introduce the language into both the Senate and the House of Representatives, with Senator Kearney and Representative Freeman as prime sponsors.

The Members reviewed the minutes of the January 19, 2022, business meeting, which were unanimously approved on a motion by Senator Kearney and a second by Senator Ward. The financial reports for the month of January 2022 were presented, and an explanation was given by the Executive Director. The financial reports were unanimously approved on a motion by Senator Dush and a second by Representative Moul.

Revised language to the Sunshine Act amendment, as suggested by the Members at the December 16, 2021, business meeting, was reviewed. At the December meeting, the Members unanimously decided to further define the categories of allowed public speakers and expand language providing for methods of public comment in the event of technical issues with remote streaming. The proposed language provides municipalities with contingencies if technical breakdowns occur during meetings and offers clear standards facilitating optional internet broadcast of and acceptance of virtual public comment at meetings by political subdivisions and authorities. These provisions are optional and would impose no further requirements on a political subdivision or authority that holds a public meeting without virtual public comment or

IN-PERSON AND LIVESTREAM BUSINESS MEETING OF THE LOCAL GOVERNMENT COMMISSION

Page 3 – February 9, 2022

internet broadcast. After a lengthy discussion, the Members unanimously decided on a motion by Representative Moul and a second by Representative Freeman to introduce the language into both Chambers, with Senator Dush and Representative Knowles as prime sponsors.

It was announced by the Director that the 2021 final report of the joint survey of elected municipal officials conducted by the Center for Rural Pennsylvania and the Commission would be distributed later in the day to all Members of the General Assembly and other interested individuals. The report, which may be found on the Commission’s website, www.lgc.state.pa.us, surveyed municipal officials on key areas relating to demographics, municipal statistics, and public service.

Since the January business meeting, there has been considerable movement of Commission sponsored legislation. The Director reported that Senate Bill 991, Printer’s Number 1301, was voted unanimously from the Senate State Government Committee and is now on first consideration in the Senate. Senate Bill 991 would amend Title 11 (Cities) of the Pennsylvania Consolidated Statutes (Pa.C.S.) by replacing and repealing the City Classification Law of 1895 to update and simplify the city classification process and permit Second Class A and Third Class cities to remain in their current classification in most cases regardless of population changes unless they qualify for, and actively choose, a change of class. Senate Bill 478, Printer’s Number 503, and Senate Bill 479, Printer’s Number 504, both are on third consideration in the House. Senate Bill 478 would amend Act 78 of 1979 to authorize political subdivisions and authorities to enter contracts for *services* when two consecutive advertisements fail to induce bids. Senate Bill 479 would amend the Municipalities Financial Recovery Act, or “Act 47,” by specifying additional ethical compliance requirements for the appointees, recovery coordinators and receiver, who work directly with financially distressed municipalities on behalf of the DCED. Also, Senate Bill 1052, Printer’s Number 1371, was introduced and referred to the Senate Local Government Committee. Senate Bill 1052 is the companion bill to House Bill 2253, Printer’s Number 2609. Both bills would revise the emergency powers provisions of Title 53 (Municipalities Generally) of the Pa.C.S. to further authorize the designation of a temporary seat of government, provide for emergency succession of officers during an emergency, and expressly authorize remote public meetings for specified municipalities during emergencies. The Director also noted that Commission staff has through the past month and a half aided in forming five additional pieces of legislation for other legislators and has fielded over 116 inquiries for work assistance.

As the last order of business, the Executive Director announced that the next business meeting is scheduled for March 23, 2022, in Room 515 Irvis Office Building at 9:00 a.m. The March meeting will be conducted in-person.

The meeting adjourned at 9:33 a.m.

ATTESTED: _____
March 1, 2022