

MEETING OF THE LOCAL GOVERNMENT COMMISSION

Wednesday, April 10, 2019

The meeting of the Local Government Commission was called to order by Senator Scott Hutchinson at 8:45 a.m. in Room 14 East Wing-Main Capitol Building, Harrisburg, Pennsylvania, with the following individuals present:

MEMBERS

Senator Scott Hutchinson, Chair
Senator Judy Ward
Senator Timothy P. Kearney
Representative R. Lee James
Representative Dan Moul
Representative Garth D. Everett
Representative Robert Freeman
Representative Christina D. Sappey

STAFF

Philip H. Klotz, Executive Director
David A. Greene, Assistant Director-Legal Counsel
Kristopher J. Gazsi, Associate Legal Counsel
Wanda Snader Dehan, Associate Legal Counsel
Karen S. Bear, Secretary

GUESTS

Justin Leventry, Senator Hutchinson's Office
Cheryl Schriener, Senator Ward's Office
Eric Pauley, Senator Ward's Office
Samuel Arnold, Senator Kearney's Office
Rob Gaertner, House Local Government Committee (R)
Christopher Mulhall, House Local Government Committee (R)
Lisa Schaefer, County Commissioners Association of Pennsylvania
Amy Sturges, Pennsylvania Municipal League
Karey Molnar, Pennsylvania Municipal League
Melissa Morgan, Pennsylvania State Association of Township Supervisors
Ed Troxell, Pennsylvania State Association of Boroughs
Ron Grutza, Pennsylvania State Association of Boroughs
Hayden Rigo, Greenlee Partners

As the first order of business, the Members discussed the minutes of the March 20, 2019, business meeting. After the Director noted that a correction would be made to the misspelling of Representative Freeman's name on the Member attendance listing, the minutes were unanimously approved on a motion by Representative Freeman and a second by Senator Ward. The financial reports for the month of March 2019 were presented, and a detailed explanation was given by the Executive Director. The financial reports were unanimously approved on a motion by Representative Freeman and a second by Representative James.

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Resolutions adopted at the 2018 annual convention of the County Commissioners Association of Pennsylvania (CCAP) were discussed by the Commission Members. The dispositions are as follows:

- Resolution No. 18 – Regarding legislation and other efforts to expand broadband access: Council of State Governments-Eastern Regional Conference Broadband Symposium is scheduled for April 26-27, 2019. The results will be presented to the Members at a later date.**
- Resolution No. 22 – Regarding creation of an authority with municipal participation to provide regionalized emergency response services: Associate Legal Counsel Kris Gazsi is serving on the CCAP Task Force studying this issue.**

Resolutions adopted at the 2018 annual convention of the Pennsylvania State Association of Township Supervisors (PSATS) were discussed by the Commission Members. The dispositions are as follows:

- Resolution No. 5 - Regarding increasing the dedicated ambulance real estate tax limit from 0.5 mils to 1.5 mils without referendum: Commission staff was directed to research this matter.**
- Resolution No. 6 - See Senate Bill 94, Printer's Number 69 (Senator Martin - Prime Sponsor).**
- Resolution No. 8 - See House Bill 283, Printer's Number 256 (Representative Simmons - Prime Sponsor). See Senator Blake's cosponsorship memorandum of March 8, 2019.**
- Resolution No. 10 - See Senate Bill 318, Printer's Number 297 (Senator Yaw - Prime Sponsor).**
- Resolution No. 15 - See Senate Bill 52, Printer's Number 25 (Senator Gordner – Prime Sponsor). See House Bill 575, Printer's Number 582 (Representative Flynn – Prime Sponsor). See House Bill 75, Printer's Number 79 (Representative Rothman – Prime Sponsor).**
- Resolution No. 22 - See Senate Bill 82, Printer's Number 61 (Senator Martin – Prime Sponsor). See House Bill 793, Printer's Number 873 (Representative Greiner – Prime Sponsor).**
- Resolution No. 35 - See Representative Diamond's cosponsorship memorandum of January 4, 2019.**
- Resolution No. 37 - See Senate Bill 70, Printer's Number 47 (Senator Street – Prime Sponsor). See Senate Bill 71, Printer's Number 48 (Senator Street – Prime Sponsor). See Senate Bill 146, Printer's Number 426 (Senator Brooks – Prime Sponsor). See Senate Bill 331, Printer's Number 313 (Senator Brooks – Prime Sponsor). See House Bill 208, Printer's Number 178 (Representative Deasy – Prime Sponsor). See House Bill 209, Printer's Number 179 (Representative Deasy – Prime Sponsor). See House Bill 376, Printer's Number 367 (Representative Owlett – Prime Sponsor). See House Bill 732, Printer's Number 960 (Representative Quinn – Prime Sponsor). See House Bill 802, Printer's Number 895 (Representative M. Keller – Prime Sponsor).**

See House Bill 803, Printer's Number 896 (Representative M. Keller – Prime Sponsor). Also see various Senate and House cosponsorship memorandums.

Resolution No. 38 - See Resolution No. 37, above.

Resolution No. 39 - See Resolution No. 37, above.

Resolution No. 40 - See Resolution No. 37, above.

Resolution No. 44 - See House Bill 1980, Printer's Number 2838 of the 2017-18 legislative session (Representative Saccone - Prime Sponsor).

Resolution No. 45 - Regarding legislation for a more flexible and equitable tax structure for local government: tabled until the results of the Commission's Act 47 Committee are available.

Resolution No. 47 - Regarding increased compensation for township supervisors: staff was directed to work with the municipal associations and report the results to the Members at a later date.

Resolutions adopted at the 2018 annual convention of the Pennsylvania Municipal Authorities Association (PMAA) were discussed by the Commission Members. The dispositions are as follows:

Resolution No. 1 - See Senate Bill 318, Printer's Number 297 (Senator Yaw – Prime Sponsor).

Resolution No. 2 - Regarding inclusion of authorities under the Commonwealth Procurement Code: Commission staff was directed to research this matter.

Resolution No. 10 - See Senate Bill 52, Printer's Number 25 (Senator Gordner – Prime Sponsor).

Resolution No. 20 - See House Bill 406, Printer's Number 1145 (Representative Cox – Prime Sponsor).

Resolution No. 21 - See House Bill 264, Printer's Number 361 (Representative Mako – Prime Sponsor).

The Director presented to the Members a proposal that would amend the Second Class Township Code, the Borough Code and an act relating to incorporated towns to increase the dollar threshold for advertising the sale of municipal real property, which was previously adjusted in 1978. The amendment would provide that real estate owned by a municipality may be sold at a consideration of \$6,000 or less, rather than the current \$1,500, without advertisement or competitive bidding. The amendment to the Second Class Township Code would require that the board of supervisors estimate the value of the real estate upon receipt of an appraisal by a qualified real estate appraiser. Beginning on January 1 of the year immediately following the effective date of the subsection and each January 1 thereafter, the threshold amounts for the sale of real property set forth would be increased by the percentage change in the Consumer Price Index for all Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, for the most recent 12-month period that figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics, immediately prior to the date the adjustment is due to take effect. After a brief discussion, the Members decided unanimously to remove the CPI-U component and add a requirement that a municipality planning to sell real

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estate valued at less than \$6,000 needs to openly announce the sale at a public meeting at least 30 days prior to the transaction. The Members requested that the desired changes be made and the language be drafted for possible introduction.

The publication and distribution of municipal codes to Members of the General Assembly was the next item on the agenda for discussion. Recently the Director was contacted by a Legislator proffering that in the future it would be a better use of taxpayer dollars if the Members of the General Assembly receive electronic notice that updates to the municipal codes are available, rather than receiving hard copies of the supplements. Each Commission Member was given a copy of Section 2.1 of the Local Government Commission Law (Act 102 of 1935) that provides for the duty of the Commission to establish a policy relating to the distribution of the municipal codes and Section 741 of Title 45 (Legal Notices) of the Pennsylvania Consolidated Statutes relating to the electronic publication of municipal codes. After a brief discussion, the Members agreed that henceforth all General Assembly Members will be sent an electronic notice stating that hard copies of updated municipal code supplements will be provided to them unless the Commission receives notification from the Legislator declining the booklets. Also, information will be given to all Legislators outlining how to electronically access the municipal codes.

Under other business, the Director indicated that the agenda for the next Commission meeting on May 8, 2019, would include a review of the 2018 resolutions from the Pennsylvania Municipal League and the Pennsylvania State Association of Boroughs.

The meeting adjourned at 9:20 a.m.

ATTESTED: _____
April 16, 2019