

MEETING OF THE LOCAL GOVERNMENT COMMISSION

Wednesday, May 9, 2012

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

MEMBERS

Senator Robert D. Robbins, Chairman
Senator Edwin B. Erickson
Senator John H. Eichelberger, Jr.
Senator John P. Blake
Representative Chris Ross
Representative Mauree Gingrich
Representative Thomas C. Creighton
Representative Robert L. Freeman
Representative Steven J. Santarsiero

STAFF

Michael P. Gasbarre, Executive Director
Philip H. Klotz, Assistant Director
David A. Greene, Legal Counsel
Danette H. Magee, Research Associate
Karen S. Bear, Secretary

GUESTS

Chris Yniguez, Senator Robbins' Office
Lee Derr, Senator Eichelberger's Office
Luc Miron, Senator Blake's Office
Kyle Mullins, Senator Blake's Office
Christine Goldbeck, House Republican Research Office
Joan Price, Assessors' Association of Pennsylvania
Brinda Penyak, County Commissioners Association of Pennsylvania
Adrienne Hodson, County Commissioners Association of Pennsylvania
Ed Troxell, Pennsylvania State Association of Boroughs
Ron Grutza, Pennsylvania State Association of Boroughs

As the first order of business, the Members discussed the minutes of the March 28, 2012, business meeting, which were unanimously approved on a motion by Senator Erickson and a second by Representative Freeman. The financial reports for the months of March 2012 and April 2012 were presented, and relevant portions thereof were explained by the Executive Director. The financial reports were unanimously approved on a motion by Representative Freeman and a second by Representative Santarsiero.

At this point, the Commission resolved itself into Executive Session to discuss personnel matters. At the conclusion of the Executive Session, the Members unanimously approved a motion by Representative Gingrich, which was seconded by Senator Erickson, to award merit increases to Commission staff effective January 1, 2013.

Review of the County Commissioners Association of Pennsylvania (CCAP) Resolution 21 of 2011 was next on the agenda. At its October 19, 2011, business meeting, Commission staff was directed to draft possible legislation for the Members' analysis. Resolution 21 supports a procedural change for the disbursement of funds from the special account within the Office of Attorney General that reimburses counties for 65 percent of the salary of the full-time district attorney, to require that disbursements occur on a regular quarterly schedule, rather than the current practice of disbursing funds at irregular intervals based on account balance and accumulation of undefined minimum payments that would be provided per county. The Members were given draft legislation for their perusal. After a brief discussion, the Members agreed unanimously on a motion by Senator Erickson and a second by Senator Blake to have Commission staff draft

appropriate language to be introduced into the Senate and the House of Representatives. CCAP representative Brinda Penyak thanked the Commission for its assistance in this matter.

Technical amendments to the Consolidated County Assessment Law were considered by the Members. The Members were provided with an overview of the changes, as well as draft legislation that would correct language that was inadvertently excluded or included in the original bill. Joan Price, representing the Assessors' Association of Pennsylvania, thanked the Commission for its support in addressing the amendments. The Director stated that the amendments possibly could be included in Senate Bill 1301, Printer's Number 1803, which amends Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes (Pa.C.S.) by granting cities and counties of the first class (Philadelphia) authorization to offer "homestead relief" to owner-occupants of real property. Senator Anthony Williams, who is the prime sponsor of Senate Bill 1301, will be contacted for permission to include the technical amendments in Senate Bill 1301, which Representative Chris Ross consented to offer on the House floor. Senate Bill 1301 unanimously passed the Senate on March 6, 2012, and was referred to the House Urban Affairs Committee on March 12, 2012. The Director also indicated that he would have draft legislation prepared as separate bills for the House and Senate.

On April 23, 2012, the Commission received copies of two proposed Agreements involving the Stroud Area Regional Police Department (SARPD): one between the SARPD and Bloomsburg University, and another between SARPD and East Stroudsburg University. These Agreements were received along with a request that the Local Government Commission review and comment on the documents in accordance with Title 53 of Pa.C.S., Section 2314. This section requires the Commission to review "every agreement between a local government and the Commonwealth, any other state, government of another state or the Federal Government." In accordance with the requirements of Title 53 of Pa.C.S., Section 2314, the Commission is charged with undertaking a "review" of the Agreement and, with 60 days of receiving it, determining whether it is in proper form and compatible with the laws of this Commonwealth. The Commission also has the authority to make a "recommendation."

The Commission's review of the Agreements has revealed that neither Agreement is subject to Commission review; however, it was concluded that the Agreements contain no provisions that facially conflict with Pennsylvania law. The Members of the Commission unanimously agreed to authorize Commission staff to send correspondence detailing the Commission's comments to John Prevoznik, Esquire, who represents the SARPD, on May 9, 2012.

The Director announced that Representative Gingrich has requested a public signing of House Bill 1702, Printer's Number 3331, with Governor Corbett. Representative Gingrich, who is prime sponsor of House Bill 1702, stated that she is awaiting details from the Governor's office and will forward the information to the Commission Members, staff, and other interested parties. House Bill 1702 reenacts and amends Act 581 of 1965, also known as *The Borough Code*. The *Code* involved years of work by many individuals, including the staffs of the Local Government Commission and the Pennsylvania State Association of Boroughs.

As the last order of business, the Director reminded the Commission Members that the next business meeting is scheduled for Wednesday, June 13, 2012, at 8:45 a.m. in Room 14 East Wing-Main Capitol Building.

The meeting adjourned at 9:05 a.m.

ATTESTED: _____

May 10, 2012