

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

Wednesday, August 16, 2023

The meeting of the Local Government Commission (Commission) was called to order by Senator Scott Hutchinson at 9:05 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 Timothy P. Kearney
Senator Carolyn T. Comitta
Representative Robert Freeman
Representative Christine Sappey
Representative Ismail Smith-Wade-El**

STAFF

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

GUESTS

**Representative Tarah Probst
Representative Abigail Salisbury
Justin Leventry, Senator Hutchinson's Office
Matthew Deegan, Senator Hutchinson's Office
Christine Zubeck, Senator Brown's Office
Sam Arnold, Senator Kearney's Office
Emily Eyster, Senator Comitta's Office
Arianna Genna, Representative Freeman's Office
Teresa Leitner, Representative James' Office
Jon Castelli, House Local Government Committee (D)
Joshua Walker, House Local Government Committee (R)
Lindsay Ewing, House Local Government Committee (R)
Eric Jespersen, Pennsylvania Geospatial Coordinating Board
Jennie Shade, Pennsylvania Municipal Authorities Association
Ed Troxell, Pennsylvania State Association of Boroughs
A.C. Stickel, Pennsylvania State Association of Elected County Officials
Joe Gerdes, Pennsylvania State Association of Township Supervisors
Brian Rengert, Pennsylvania State Association of Township Supervisors
Barbara Huesken, Pennsylvania NewsMedia Association
Drew Lemon, Greenlee Partners**

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The Executive Director made a statement that the in-person and virtual meeting was being recorded and conducted with both Member and Commission staff participation. On Friday, August 4, 2023, 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, August 14, 2023, 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, the Members reviewed the minutes of the June 21, 2023, business meeting, which were unanimously approved on a motion by Senator Kearney and a second by Representative Freeman. The financial reports for the months of June and July 2023 were presented, and an explanation was given by the Executive Director. The financial reports were unanimously approved on a motion by Representative Freeman and a second by Senator Kearney.

An amendment to the Municipal Consolidation or Merger Act (Chapter 7, Subchapter C, of Title 53 of the Pennsylvania Consolidated Statutes) was discussed by the Members. The proposed Commission bill would amend the Act by providing clarity on the consolidation or merger process when initiated by petition of electors, establish membership of the transitional planning committee and consolidation or merger agreement advisory committee, and provide for mediation procedures in approving a consolidation or merger agreement. The Consolidation or Merger Act provides for the processes for municipal consolidation or merger, dependent upon how the consolidation or merger is initiated. The existing provisions of the Act do not adequately describe the method for consolidation or merger when initiated by petition of electors without a home rule charter, and do not provide for mediation procedures if needed, or timeline flexibility. This bill would provide a formal structure for the transitional planning committee and the consolidation or merger agreement advisory committee, which would help to ensure that all affected municipalities are equally represented in the consolidation or merger negotiations. The bill would also allow for the court of common pleas to intercede and appoint mediators and extend timelines if necessary to finalize municipal negotiations. Finally, the bill would allow municipalities to maintain some grant eligibility for a period after a consolidation or merger became effective. This proposal was shared with the Department of Community and Economic Development (DCED) and other local government associations for review and comment. The Director stressed that this piece of legislation is in the development stages and will be presented to the Members for consideration at an upcoming business meeting.

Proposed Commission meeting dates for September through December 2023 were presented to the Members for their consideration. After a brief discussion, the Members unanimously agreed on a motion by Representative Freeman and a second by Senator Kearney to the remaining 2023 Commission business meeting dates: Wednesday, September 20, 2023; Wednesday, October 18, 2023; Wednesday, November 15, 2023; and December 13, 2023.

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Commission staff is continuing to research potential Commission legislation that was discussed at the June 21, 2023, business meeting. Draft legislation regarding the recognition for volunteers and receipt of financial reports will be submitted to the Commission Members for review and consideration at a later business meeting, along with resolutions for possible introduction adopted at the Pennsylvania State Association of Township Supervisors' annual convention.

This year the Commission's third annual Local Government Symposium is scheduled to be held on Thursday, October 19. Research Analyst Julia Frey is finalizing the schedule, which will involve four panels with differing municipal topics, such as land use issues, emergency services, consolidation and merger, and technology in local governments. Attorney Samuel Wiser of Salzmann Hughes, P.C., who is the scheduled guest speaker during the luncheon hour, will be discussing current legal issues affecting local municipalities.

The Director announced that the Commission's mandate database should be publicly accessible in the very near future. The Commission has been working with the Legislative Data Processing Center (LDPC) for the past six months to develop a program that would enable the Commission's mandate database to be available to the public. Currently, the LDPC is performing a system test pilot with the expectation that the database will officially be activated in the next few months. In 1981, the Commission initiated a long-range project to study mandates imposed by the Commonwealth upon political subdivisions. The project resulted, in part, with development of a database that dealt with broadly defined mandates, consisting of duties imposed or authorized by the State Constitution and statutes. Staff identified nearly 8,000 discrete mandates. Each located mandate was described by an array of operational and functional characteristics that was intended to create a comprehensive and reviewable inventory of mandates for use by the General Assembly, political subdivisions, and academicians. Commission staff continues to maintain the mandate database by updating it whenever it is affected by statute or change to the Pennsylvania Constitution.

As the last order of business, the Director stated that he and Assistant Director Kris Gazsi have met, thus far, with 51 of the 63 new legislators sworn in during the end of the 2021-2022 legislative session and the current 2023-2024 legislative session.

The next Commission business meeting is scheduled for Wednesday, September 20, 2023, at 9:00 a.m. in 515 Irvis Office Building. At that meeting, the Members will be reviewing the Commission's proposed budget requests for the 2024-2025 fiscal year, so Member attendance is encouraged. All budget requests are to be submitted to the Budget Secretary by September 30, 2023.

The meeting adjourned at 9:25 a.m.

ATTESTED: _____
September 14, 2023