

BUSINESS MEETING OF THE LOCAL GOVERNMENT COMMISSION

Wednesday, September 29, 2021

The meeting of the Local Government Commission (Commission) was called to order by Senator Scott E. Hutchinson at 9:00 a.m. with the following Commission Members, staff and guests participating:

MEMBERS

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

STAFF

**David A. Greene, Executive Director
Kristopher J. Gazsi, Assistant Director
Karen S. Bear, Executive Assistant**

GUESTS

**Cheryl Schriener, Senator Judy Ward's Office
Aaron Weltner, Senator Judy Ward's Office
Matt Maniskas, Senator Schwank's Office
Sam Arnold, Senator Kearney's Office
Nick Miller, Intern, Representative Freeman's Office
Mary Yoder, Senate Local Government Committee (R)
Rob Gaertner, House Local Government Committee (R)
Ashley White, County Commissioners Association of Pennsylvania
Brianna Petitti, County Commissioners Association of Pennsylvania
Amy Sturges, Pennsylvania Municipal League
Kaitlin Errickson, Pennsylvania Municipal League
Ed Troxell, Pennsylvania State Association of Boroughs**

At 9:02 a.m. the Members resolved themselves into Executive Session to confer about two personnel matters involving the hiring of Associate Legal Counsel and the annual evaluation/retention of the Executive Director. At 9:30 a.m. the Members returned to public session and voted unanimously on a motion by Representative Freeman and a second by Representative Moul to authorize the Commission to tender an offer of employment to Martin A. Toth for the position of Commission Associate Legal Counsel at a starting salary of \$63,000 with an adjustment to \$65,000 following a satisfactory six-month evaluation. The Members also voted unanimously on a motion by Representative James and a second by Senator Dush to grant the Executive Director a satisfactory rating on his performance evaluation and to extend his tenure

with the Commission by one year at a salary increase of 3.3 percent. Mr. Greene thanked the Commission Members and staff for their support.

The Members discussed the minutes of the July 14, 2021, business meeting, which were unanimously approved on a motion by Representative James and a second by Senator Kearney. The financial reports for the months of July and August 2021 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.

The Executive Director shared with the Members a listing of legislative proposal topics that resulted from the September 21, 2021, joint public hearing of the Senate and House Local Government Committees on positives experienced by local governments during the COVID-19 emergency. The following items are recommended for research, drafting and presentation to the Commission Members as possible Commission-sponsored legislation:

- **Changes to Act 511 of 1965--Tying earned income tax deadlines to Pennsylvania Department of Revenue deadlines.**
- **Remote Public Participation--Establishing broadly enabling guidelines for permanent remote public participation in municipal meetings to preserve existing rights to public comment while preserving the integrity of municipal official action. The goal is to present this item to the Members for discussion at the October 27, 2021, business meeting.**
- **Exploring the broadening of strictures on physical quorum requirements under, at least the following circumstances:**
 - **Emergencies;**
 - **Permanently for governing bodies; and**
 - **Permanently for advisory boards and commissions.****The goal is to present this item to the Members for discussion at the October 27, 2021, business meeting.**
- **Providing guidance for the broadcast and preservation of recordings of virtual municipal proceedings. The goal is to present this item to the Members for discussion at the October 27, 2021, business meeting.**
- **Amending Title 53 (Municipalities Generally) Chapter 11, Subchapter B (Emergency Seat of Government) and Subchapter C (Emergency Succession of Officers) to apply to other emergency situations.**

Representative James requested that a summary be provided which outlines what was discussed at the joint hearing. The Executive Director stated that he would gather the information and share the material with the Members.

Commission Research Analyst Julia Frey is finalizing preparations for the Commission's Symposium slated for Thursday, October 21, 2021. To date, there are 78 registrants with a few more reservations expected. Approximately two-thirds of the registrants have opted to attend the

BUSINESS MEETING OF THE LOCAL GOVERNMENT COMMISSION

Page 3 – September 29, 2021

Symposium remotely while the remaining registrants plan to attend in-person. Each panel discussion will be moderated by a Commission Member, and the various municipal associations will participate in roundtable discussions that preliminarily include topics relating to finance, technology, and intergovernmental cooperation.

The Executive Director reported that Assistant Director Kris Gazsi spoke at the Commission's inaugural Legislative Lunch and Learn Series on August 25, 2021. Mr. Gazsi's presentation is entitled, *Basics of Municipal Financial Recovery: The Structure of Act 47*. The forum was for legislative attorneys, legislators, and staff to learn and collaborate on issues related to municipal law. The Lunch and Learn seminar was approved for 1 hour of continuing legal education (CLE) credit. The Executive Director thanked the Pennsylvania Commission on Sentencing for aiding the Commission in its planning of the seminar.

At the July business meeting, Ms. Frey, along with Kyle Kopko and Jonathan Johnson, Executive Director and Senior Policy Analyst, respectively, of the Center for Rural Pennsylvania (Center), discussed the Commission and the Center conducting a short demographic survey of elected municipal officials to gather information that will help the Commission and the Center better understand the individuals who serve as elected municipal officials and why they choose to serve their communities. The survey's deadline has passed, and the results will be revealed at the Commission's Symposium on Thursday, October 21, 2021. The Executive Director thanked the Pennsylvania Municipal League, the Pennsylvania State Association of Boroughs, and the Pennsylvania State Association of Township Supervisors for their assistance in disseminating the survey via electronic mail to all elected municipal officials from their membership lists.

As the last orders of business, the Executive Director announced that the next Commission business meeting will be conducted on Wednesday, October 27, 2021, at 9:00 a.m. Attendance at this meeting is encouraged since all 2022-2023 fiscal year budgets must be submitted to the budget secretary. In the past, budget submissions were due by October 31; however, unbeknownst to the Commission the submission date was recently adjusted to October 6. As a result, future Commission budgets will be discussed during the September business meetings. The Members were also apprised that Commission-sponsored House Bill 1591, House Bill 1350 and Senate Bill 877 have seen some movement. House Bill 1591, Printer's Number 2139, (sponsored by Representative Knowles) passed both Chambers and has been presented to the Governor for his signature. House Bill 1350, Printer's Number 1465, (sponsored by Representative James) passed the House and was referred to the Senate Local Government Committee, and Senate Bill 877, Printer's Number 1124, (sponsored by Senator Kearney) was recently introduced and was referred to the Senate Local Government Committee.

The meeting adjourned at 9:55 a.m.

ATTESTED: _____
October 20, 2021