

MEETING OF THE LOCAL GOVERNMENT COMMISSION

Wednesday, September 30, 2015

The meeting of the Local Government Commission was called to order by Senator John Eichelberger, Jr., at 8:50 a.m. in 14 East Wing–Main Capitol Building, Harrisburg, Pennsylvania, with the following individuals present:

MEMBERS

Senator John H. Eichelberger, Jr., Chairman
Senator Thomas J. McGarrigle
Senator Scott E. Hutchinson
Senator John P. Blake
Representative Chris Ross
Representative Kate Harper
Representative Mary Jo Daley

STAFF

Philip H. Klotz, Executive Director
David A. Greene, Assistant Director-Legal Counsel
Kris Gazsi, Associate Legal Counsel
Karen S. Bear, Secretary

GUESTS

Senator Judith Schwank
Lee Derr, Senator Eichelberger's Office
Justin Leventry, Senator Hutchinson's Office
Nathan Akers, Senator Hutchinson's Office
Kyle Mullins, Senator Blake's Office
Bill Casey, Senator Schwank's Office
John Fulton, Representative Freeman's Office
Wanda Snader, House Republican Research Office
Rob Gaertner, House Republican Research Office
Lisa Schaefer, County Commissioners Association of Pennsylvania
John Brosious, Pennsylvania Municipal Authorities Association
Amy Sturges, Pennsylvania Municipal League
Karey Molnar, Pennsylvania Municipal League
Ed Troxell, Pennsylvania State Association of Boroughs
Ron Grutza, Pennsylvania State Association of Boroughs
Robb Green, Pennsylvania State Association of Elected County Officials
Don Petrille, Pennsylvania State Association of Elected County Officials
Brad Jacobs, Pennsylvania State Association of Elected County Officials
Judy Moser, Pennsylvania State Association of Elected County Officials
Jean Marfizo King, Pennsylvania State Association of Elected County Officials
Mary Ann Bennis, Pennsylvania State Association of Elected County Officials
Tammy Shearer, Pennsylvania State Association of Elected County Officials
Diane Marburger, Pennsylvania State Association of Elected County Officials
Joe Regan, Fraternal Order of Police

As the first order of business, the Members discussed the minutes of the June 10, 2015, business meeting, which were unanimously approved on a motion by Representative Ross and a second by Senator Hutchinson. The financial reports for the months of June, July and August 2015 were presented, and a detailed explanation was given by the Executive Director. The financial reports were unanimously approved on a motion by Representative Ross and a second by Senator McGarrigle. A lengthy discussion ensued as to the options available to the Commission that would allow for the continued payment of the Commission's financial obligations during the 2015-2016 budget impasse. The Members unanimously approved on a motion by Representative Ross and a second by Representative Harper to borrow \$100,000 from the Commission Code Account and transfer the monies to the Commission's General Account so that payroll and other expenses could be satisfied through October. The Commission Members requested monthly updates on the Commission's fiscal health during the continuation of the budget impasse.

Senator Judy Schwank of Berks County presented to the Commission Members a draft of a proposed amendment to Act 101 of 1988 (Municipal Waste Planning, Recycling and Waste Reduction Act) that would authorize a fee for operating a municipal recycling program. The amendment would allow a municipality other than a county to impose and collect reasonable fees and charges to provide for the costs of collecting, transporting, processing and marketing recyclable materials. Senator Schwank gave a synopsis as to the need for the amendment and then opined that she and Senator Patrick Browne of Lehigh County have worked together on this issue and thought this proposed legislation would pass more quickly if the Commission was involved in the amendment going forward. Senator Schwank thanked the Commission staff for the remarkable help that has been provided to her and Bill Casey of her staff regarding the matter. Senator Schwank then requested the Commission Members' sponsorship of the proposed legislation. After an extended discussion, the Members advised Senator Schwank that it would prove more advantageous if she and Senator Browne introduce the legislation themselves. The Members also offered that the Commission staff would readily continue to help with the legislation. Senator Schwank thanked the Commission Members for their consideration.

An amendment to House Bill 907, Printer's Number 1125, was requested by the directors of the County Tax Claim Bureaus that would allow the bureaus to post a notification of proceedings at a location on or near the property and reasonably conspicuous to the owner and general public. House Bill 907 would amend the Real Estate Tax Sale Law to establish statutory posting requirements, adding a definition for "posted" or "posting." The purpose of the bill is to establish standardized requirements for posting tax delinquent property prior to a potential or actual sale of the property. The bureau directors asked that an option be included in the legislation that would allow for the reasonably conspicuous posting of notices in the event that a notice could not be affixed in a specified manner. The Members unanimously approved on a motion by Representative Ross and a second by Senator Blake to introduce the amendment to House Bill 907. Currently, House Bill 907 passed the House (198-0) and is on second consideration in the Senate.

Robb Green, President of the Pennsylvania State Associations of Elected County Officials (PSAECO) stated that his Association supports House Bill 239, Printer's Number 1887. House Bill 239 amends the supplemental benefits provisions in the County Pension Law, which requires the County Retirement Board to review the cost-of-living at least once every three years and, when reviewing, authorizes the board to adjust the percentages based on the cost-of-living index at the time of review. House Bill 239 adds language to this section to clarify that any cost-of-living increase does not have to be retroactive to the date of the last cost-of-living adjustment.

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Mr. Green explained that the bill, which passed the House (200-0) and is now in the Senate Appropriations Committee, should be passed in a timely manner in order for the county retirement boards to review the cost-of-living within the period mandated. Senator Eichelberger and Representative Harper offered their assistance in getting the bill through the legislative process.

Donald Petrille, representing the Registers' of Wills & Clerks of Orphans' Courts Association of Pennsylvania, reported that a directive mandating the use of computer systems by the Administrative Offices of the Pennsylvania Courts (AOPC) will be burdensome to those county offices that primarily deal with county records. The proposed computer system will duplicate systems most counties have in place, and ask counties to set aside millions of dollars in investments made at public expense. Mr. Petrille reported that the Registers' Association is working on a compromise whereby the counties would keep their systems, and AOPC would receive information that it believes it needs in its administration of the Unified Judicial System, of which county filing officers are not a part. Mr. Petrille stated his Association's opposition to the mandating of the AOPC computer system, and that he would bring to the Commission at a later date possible legislative solutions and remedies should the attempts to compromise fail.

As the last order of business, the Executive Director apprised the Members that the Commission's October 21, 2015, business meeting will be held at 8:45 a.m. in Room 14 East Wing-Main Capitol Building. At that meeting the Members will be presented with the Commission's 2016-2017 budget requests. All budget requests for fiscal year 2016-2017 are due in the Budget Secretary's office by October 31.

The meeting adjourned at 9:35 a.m.

**ATTESTED: _____
October 9, 2015**