

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

Wednesday, October 19, 2022

The meeting of the Local Government Commission (Commission) was called to order by Senator Scott E. Hutchinson at 9:00 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 Judy Ward
Senator Cris Dush
Senator Timothy P. Kearney
Representative R. Lee James
Representative Dan Moul
Representative Jerry Knowles
Representative Robert Freeman
Representative Christina Sappey**

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

**Justin Leventry, Senator Hutchinson's Office
Matthew Deegan, Senator Hutchinson's Office
Nathan Akers, Senator Judy Ward's Office
Aaron Weltner, Senator Judy Ward's Office
Matt Maniskas, Senator Schwank's Office
Mary Yoder, Senate Local Government Committee (R)
Kyle Scheaffer, House Local Government Committee (R)
Jon Castelli, House Local Government Committee (D)
Rick Vilello, PA Department of Community and Economic Development
Brianna Petitti, County Commissioners Association of Pennsylvania
Amy Sturges, Pennsylvania Municipal League
Kaitlin Errickson, Pennsylvania Municipal League
Ed Troxell, Pennsylvania State Association of Boroughs
Ron Grutza, Pennsylvania State Association of Boroughs
Tammy Shearer, Pennsylvania State Association of Elected County Officials
A.C. Stickel, Pennsylvania State Association of Elected County Officials
Joe Gerdes, Pennsylvania State Association of Township Supervisors
George Bivens, Pennsylvania State Association of Township Supervisors**

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

Page 2 – October 19, 2022

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, October 7, 2022, 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, October 17, 2022, 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.

The Members reviewed the minutes of the September 14, 2022, business meeting, which were unanimously approved on a motion by Senator Dush and a second by Representative Sappey. The financial reports for the month of September 2022 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 Representative Jerry Knowles.

The Pennsylvania State Association of Boroughs' (PSAB) resolutions adopted from 2020-2022 were reviewed by the Members for possible addition to the Commission's legislative package for the 2023-2024 legislative session. PSAB Director of Government Affairs Ed Troxell and Assistant Director of Government Affairs Ron Grutza were in attendance to address the Members' questions. The following is a list of recommended PSAB proposals, and the favored actions determined by the Commission Members:

- Amend MCTLL to clarify a municipality's authority to lien real property for unpaid utility rates and amend the MPC to permit a single, consolidated review process (Resolution 18-01 and Resolution 18-07). Commission staff was instructed to do further review and present the findings to the Commission Members during the 2023-2024 legislative session.
- Permit lost wages to be included as a part of the actual expenses which may be reimbursed to the EMC for mandatory certification training (Resolution 18-09). Commission staff was instructed to draft legislation for possible introduction in the 2023-2024 legislative session.
- Increase compensation schedules for elected borough officials by establishing a CPI escalator (Resolution 17-09). Commission staff was instructed to draft legislation for possible introduction in the 2023-2024 legislative session.

Tammy Shearer, President of the Pennsylvania State Association of Elected County Officials (PSAECO) and Cumberland County Recorder of Deeds, extended an invitation to the Commission Members and staff to attend PSAECO's annual luncheon to be held on Thursday, November 17, 2022, at the West Shore Country Club. PSAECO Members are honored to have Pennsylvania Auditor General Timothy DeFoor in attendance at this year's event. Mr. DeFoor was previously a member of PSAECO during his tenure as Dauphin County Controller.

The Executive Director thanked the Members and staff who participated in this year's Local Government Symposium held on Thursday, October 6, 2022. The theme of the day-long Symposium was *Looking Forward: Local Government in an Evolving Landscape*, with presentations given by both academic scholars and local government practitioners. Those presentations may be found by visiting the Commission's website at www.lgc.state.pa.us. Planning has begun for the 2023 Symposium with a date to be announced in early 2023.

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

Page 3 – October 19, 2022

The Executive Director apprised the Members on the status of Commission sponsored legislation. It is hopeful that a few additional bills will be signed into law prior to the end of the 2021-2022 legislative session, which ends November 30, 2022.

- Senate Bill 589, Printer's Number 714, would amend the Home Rule Charter and Optional Plans Law by providing mechanisms for distressed municipalities to pursue home rule. This bill passed the Senate (49-0) and is sponsored by Senator Kearney.
- Senate Bill 807, Printer's Number 989, would amend Title 57 (Notaries Public) by eliminating a fee and further providing for the registration of notary signatures. This bill, which is sponsored by Senator Judy Ward, passed the Senate (49-0) and is on second consideration in the House of Representatives.
- Senate Bill 831, Printer's Number 1760, would amend Title 16 (County Code) by consolidating the County Code. This bill sponsored by Senator Dush passed the Senate (50-0) and was referred to the House Local Government Committee (HLGC). The HLGC is expected to vote on the bill during a committee meeting scheduled for Monday, October 24, 2022.
- Senate Bill 1130, Printer's Number 1827, would amend the Sunshine Act by facilitating internet broadcast of local meetings and permit public comment by telecommunications device. The bill sponsored by Senator Dush was re-referred to the Senate Appropriations Committee.

The Executive Director provided the Members with a memorandum to be distributed to the members of PSAECO and the County Commissioners Association of Pennsylvania explaining the process of consolidating municipal codes. The memorandum states among other things that during the consolidation process, the Commission carefully reviews a freestanding act side-by-side with a consolidated draft and compiles a detailed section-by-section analysis. Commission staff regularly discusses proposed changes with Commission Membership and actively solicits outside stakeholder input. It is the Commission's goal to ensure that, during this process, government and practitioner business continues as normal. Because of this, the Commission deliberately acts to ensure that substantive changes are kept to a minimum. Following the consolidation of a municipal code into the Pennsylvania Consolidated Statutes, practitioners may review the provisions of the former Code in specific titles (e.g., Title 8 (Boroughs and Towns), Title 11 (Cities), Title 16 (Counties)). The entirety of the Pennsylvania Consolidated Statutes is available online at www.legis.state.pa.us/cfdocs/legis/LI/Public/cons_index.cfm.

As the last order of business, the Executive Director announced that the next business meeting is scheduled for Wednesday, November 16, 2022, at 9:00 a.m. in Room 515 Irvis Office Building. At that meeting, Representative Donna Bullock will be making a presentation to the Members requesting the Commission staff complete a study on tangled real estate titles.

The meeting adjourned at 9:55 a.m.

ATTESTED: _____
November 4, 2022