

## **MEETING OF THE LOCAL GOVERNMENT COMMISSION**

**Wednesday, October 30, 2019**

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

### **MEMBERS**

**Senator Scott E. Hutchinson, Chair**  
**Senator Timothy P. Kearney**  
**Representative R. Lee James**  
**Representative Dan Moul**  
**Representative Garth D. Everett**  
**Representative Robert Freeman**  
**Representative Christina D. Sappey**

### **STAFF**

**David A. Greene, Executive Director**  
**Kristopher J. Gazsi, Assistant Director**  
**Wanda S. Dehan, Legal Counsel**  
**Julia Frey, Research Analyst**  
**Jaren Bittinger, Intern**  
**Karen S. Bear, Executive Assistant**

### **GUESTS**

**Justin Leventry, Senator Hutchinson's Office**  
**Cynthia Urban, Senator Martin's Office**  
**Matt Maniskas, Senator Schwank's Office**  
**Samuel Arnold, Senator Kearney's Office**  
**Brianna Medevich, Representative Freeman's Office**  
**Christopher Mulhall, House Local Government Committee (R)**  
**Melissa Anese, County Commissioners Association of Pennsylvania**  
**Amy Sturges, Pennsylvania Municipal League**  
**Holly Lubart, Pennsylvania NewsMedia Association**  
**Ed Troxell, Pennsylvania State Association of Boroughs**  
**Joe Gerdes, Pennsylvania State Association of Township Supervisors**  
**Hayden Rigo, Greenlee Partners**

As the first order of business, the Members discussed the Commission budget requests for Fiscal Year (FY) 2020-2021. The Director noted that the aggregate proposed budget for the Commission's general operating is significantly less than the FY 2019-2020 budget request, with the requested amount for FY 2020-2021 totaling \$1,132,462.00. The Director noted that the line items for Senate medical and prescription drug benefits were increased by 8.5 percent upon an estimate and consulting with the Office of the Senate Chief Clerk. A discussion ensued regarding two of the proposed line items: (1) salaries, and (2) education, meetings and conferences. After deliberation, Representative Freeman made a motion, which was seconded by

Representative Everett, to maintain the amount requested for salaries and alter the proposed line item amount for education, meeting and conferences by reducing the figure from \$7,000 to \$5,000, as was allotted in the previous FY 2019-2020 budget. The Director explained to the Members that he originally increased the proposed education, meeting and conference line item from \$5,000 to \$7,000 to include Commission support staff for relevant educational opportunities but acknowledged that previously established caps had not been reached. The Members voted 6-1 to approve the amended budget request with Representative James casting the dissenting vote. After reviewing the amended proposed budget, the Members voted 6-1 on a motion by Representative Everett and a second by Representative Freeman to submit the proposed FY 2020-2021 Commission budget request to the Budget Secretary. Representative James cast the dissenting vote.

The Chairman then requested a motion to approve the Commission code account request for FY 2020-2021 in the amount of \$0.00. The requested decrease is a result of having a sufficient code account fund balance and the foreseen consolidation of the County Code into Title 16 of the Pennsylvania Consolidated Statutes. Recent consolidations of the Borough Code (Title 8) and the Third Class City Code (Title 11) have also attributed to the ample fund balance. Upon consolidation, the printing of the aforementioned Titles becomes the responsibility of the Legislative Reference Bureau (LRB), thus precluding the necessity for a separate printing. The Members unanimously agreed to the proposed FY 2020-2021 code account request on a motion by Representative Everett, which was seconded by Representative Moul. The deadline for all FY 2020-2021 budget submissions to the Budget Secretary is October 31.

The next item to be discussed was the revision of the First Class Township Code. The Executive Director turned the meeting over to Wanda Dehan, Commission Legal Counsel, who gave a presentation to the Members regarding the proposed revisions to the First Class Township Code. Ms. Dehan stated the legislation aims to modernize and recodify the Code, an effort that has not been attempted in the last 70 years. The Commission, in concert with a working group from the Pennsylvania State Association of Township Commissioners (PSATC) in association with the Pennsylvania Municipal League, has since early 2016 reviewed the Code by removing obsolete provisions, incorporating language to reflect case law and current practices, standards and requirements, updating archaic language or language in conflict with other statutes, consolidating common subjects, and adding some language, as relevant, that had been part of previous significant recodifications. Those recodifications are the Borough Code reenacted in 2012, the Third Class City Code reenacted in 2014, and the Second Class Township Code reenacted in 1995. In addition to Commission staff, the working group consisted of township commissioners and managers from each of PSATC's three regions (central, west and east) as well as PSATC staff and legal counsel. The working group typically met every three months and only included changes in the draft for which the stakeholders were able to reach consensus.

Ms. Dehan highlighted the most significant changes proposed by the working group. During the presentation, Ms. Dehan responded to a variety of questions posed by the Members on the subjects of the ward system, recycling fees, sidewalks and eminent domain. Ms. Dehan also addressed several comments regarding advertising and other issues that were submitted to Representative Freeman by the Pennsylvania NewsMedia Association. The Members concurred that many questions still remain and anticipate amendments to the bill during the Committee process. Although the Members foresee additional work on the bill, the Members unanimously

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agreed on a motion by Representative Everett and a second by Representative Freeman to draft the bill for introduction into the House of Representatives. The ultimate goal is to develop an up-to-date Code. Upon the First Class Township Code recodification bill going through the legislative process and being enacted into law, the Commission staff envisions working with the LRB to place the Code into [Title 73](#) (Townships) of the Pennsylvania Consolidated Statutes, which has occurred with the Borough Code ([Title 8](#)) in 2014 and the Third Class City Code ([Title 11](#)) in 2015.

Members discussed the minutes of the September 25, 2019, business meeting, which were unanimously approved on a motion by Representative Freeman and a second by Representative James. The financial reports for the month of September 2019 were presented, and an explanation was given by the Executive Director. The financial reports were unanimously approved on a motion by Representative James and a second by Representative Freeman.

As the last order of business, the Director stated that the next Commission business meeting is scheduled for November 20, 2019, at 8:45 a.m. in Room 14 East Wing-Main Capitol Building at which time the Commission's 5-Year Report will be presented to the Members.

The meeting adjourned at 9:50 a.m.

ATTESTED: \_\_\_\_\_  
November 12, 2019