

MEETING OF THE LOCAL GOVERNMENT COMMISSION

Wednesday, December 9, 2015

The meeting of the Local Government Commission was called to order by Senator John Eichelberger, Jr., at 8:45 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 Mauree Gingrich
Representative Kate Harper
Representative Robert L. Freeman
Representative Mary Jo Daley

STAFF

Philip H. Klotz, Executive Director
David A. Greene, Assistant Director-Legal Counsel
Danette H. Magee, Research Associate
Karen S. Bear, Secretary

GUESTS

Lee Derr, Senator Eichelberger's Office
Justin Leventry, Senator Hutchinson's Office
Nathan Akers, Senator Hutchinson's Office
Kyle Mullins, Senator Blake's Office
Wanda Snader, House Republican Research Office
Rob Gaertner, House Republican Research Office
Ed Troxell, Pennsylvania State Association of Boroughs
Ron Grutza, Pennsylvania State Association of Boroughs
Elam Herr, Pennsylvania State Association of Township Supervisors
Robb Green, Pennsylvania State Association of Elected County Officials
Judy Moser, Pennsylvania State Association of Elected County Officials

As the first order of business, the Members discussed the minutes of the November 18, 2015, business meeting, which were unanimously approved on a motion by Representative Ross and a second by Senator McGarrigle. The financial report for the month of November 2015 was presented, and a detailed explanation was given by the Executive Director. The financial report was unanimously approved on a motion by Representative Ross and a second by Senator Blake. The Commission Members will receive monthly updates on the Commission's fiscal health during the continuation of the budget impasse.

Robb Green, President of the Pennsylvania State Association of Elected County Officials (PSAECO), thanked the Commission Members and staff for all of the assistance that has been

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provided to PSAECO this year. He also expressed his appreciation that House Bill 239, Printer's Number 2334, was signed into law by the Governor on November 24, 2015, as Act 63 of 2015. Act 63 amends the County Pension Law to further provide for supplemental benefits by: (1) adding the definition "Cost-of-living index"; (2) providing for the calculation and application of cost-of-living adjustments given to retired county employees; (3) requiring the County Retirement Board (Board) to have an actuarial note prepared before approving a cost-of-living adjustment, and authorizing the Board to grant a cost-of-living adjustment only if delineated county pension funding criteria are met; and (4) directing the Board to report the funding level calculation to the Public Employee Retirement Commission.

Mr. Green stated that he would also like House Bill 1062, Printer's Number 1377, enacted this legislative session. House Bill 1062 would amend the Public Welfare Code and repeal statutory provisions that require county nursing homes to pay 10 percent of the non-federal share of Medicaid costs. Counties are responsible for 10 percent of the non-federal cost of services for Medical Assistance for public nursing home care on behalf of persons at each public medical institution operated by a county, county institution district or municipality and the amount expended in each county for aid to families with dependent children on behalf of children in foster family homes or child-caring institutions, plus the cost of administering such assistance. House Bill 1062, which is prime-sponsored by Representative Killion, was recommitted to the House Appropriations Committee.

A resolution adopted at the 2015 annual convention of the County Commissioners Association of Pennsylvania was discussed by the Commission Members. The disposition is as follows:

Resolution No. 4 – Tabled. The resolution states that CCAP "supports legislation to specifically delineate in statute that governmental immunity includes the county and its tax claim bureau's liability arising out of the possession, care, custody or control of real estate obtained or held in repository through the Real Estate Tax Sale Law and the Municipal Claim and Tax Lien Law."

A resolution adopted at the 2015 annual convention of the Pennsylvania State Association of Township Supervisors was discussed by the Commission Members. The disposition is as follows:

Resolution No. 12 - Commission staff was instructed to draft an amendment to be introduced into the Senate of Pennsylvania and the House of Representatives.

Resolution 15-12 would amend Article 16, Section 1601, of the Second Class Township Code by specifically authorizing townships to impose penalties and late fees on solid waste rates and charges, sewer rental fees, water rents, and charges for township services that are delinquent by no less than 30 days after the billing date. Draft language was provided to the Members for their review and comment. After a brief discussion, the Members unanimously agreed on motion by Representative Gingrich, and a second by Representative Harper, to introduce the amendatory language into the Senate of Pennsylvania and the House of Representatives.

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The Members unanimously approved a motion by Senator McGarrigle, which was seconded by Representative Ross, to approve the renewal of the janitorial services contract with Klass Act Kleaning & Maintenance, Inc. The term of the contract commences on January 1, 2016, and will end on December 31, 2016. The contract specifies that compensation shall not exceed \$563.79 per month, which is an increase of 1.5 percent from the previous contract. The last contract increase was 2012.

As the last order of business, the Executive Director apprised the Members that the Commission's January 27, 2016, business meeting will be held at 8:45 a.m. in Room 14 East Wing-Main Capitol Building. At that meeting, the Members will review the legislation for the Pennsylvania State Association of Township Supervisors' Resolution 15-12 and the annual memorandum of understanding with the Department of General Services for warehouse storage for the municipal code inventory.

The meeting adjourned at 9:05 a.m.

ATTESTED: _____
February 2, 2016