

PSATS NewsBulletin

FEBRUARY-MARCH 2011

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BY: MMA

A MONTHLY
NEWSLETTER
CONTAINING THE
LATEST
INFORMATION
ON LEGISLATION
AND NEWS OF
INTEREST TO
TOWNSHIPS

**Corbett requested
that the General
Assembly increase
outdated bidding
limits and allow
legal advertising
on websites or in
community
papers.**

Governor Unveils Proposed 2011-2012 State Budget

Calls for Mandate Relief, Withholding State Police Fine Money

Gov. Tom Corbett unveiled his plan for the commonwealth's 2011-2012 state budget earlier this month. The \$27.3 billion spending plan contains no new taxes or increased fees and calls for the commonwealth to go back to its precession 2008-2009 spending levels.

Corbett has recommended consolidating programs and line items to streamline government. He also wants to cut administrative costs in state agencies and eliminate discretionary spending and "walking around money." Under the plan, 1,000 vacant state government jobs would go unfilled and an additional 500 positions would be cut.

Education took one of the biggest hits with \$1.5 billion in cuts for school districts and a 50-percent reduction in funding for state-owned and state-supported universities. Corbett asked school employees to accept wage freezes and wants school districts to put all proposed property tax increases that are above the rate of inflation up for a referendum vote.

Corbett, however, did ask lawmakers to provide school districts and local governments with mandate relief. The governor specifically requested that the General Assembly increase outdated bidding limits and allow legal advertising on websites or in community papers.

The governor also supported additional cadet classes for the Pennsylvania State Police, which would increase the number of troopers to 4,400. While he *did not* ask for a per-capita fee on municipalities that rely on the State Police for protection, the governor recommended that all State Police fine money collected in these communities — a figure estimated around \$6.75 million — go directly to pay for the additional cadets. Municipalities that provide local police service would continue to receive the fine revenue.

While the proposed budget does not call for a severance tax on natural gas drilling, Corbett did create a Marcellus Shale Advisory Commission. The group will address the industry's impact on communities and promote efficient, environmentally sound, and cost-effective natural gas development. PSATS Executive Director David M. Sanko will serve on the 29-member commission, chaired by Lt. Gov. Jim Cawley. Other appointees include state and local government officials, academicians, industry experts, business leaders, and environmental groups.

To promote economic development, the governor supported the phase-out of the Capital Stock and Franchise Tax and authorized the secretary of community and economic development to expedite permit reviews in other agencies, including PennDOT and DEP,



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Under the proposal, DCED's Shared Municipal Services, Land Use Planning and Technical Assistance, and Floodplain Management Programs would be combined into the Municipal Assistance Program with a small funding increase.

when those projects would create jobs.

At the state Department of Community and Economic Development, the governor has suggested that the Shared Municipal Services, the Land Use Planning and Technical Assistance, and the Floodplain Management Programs be combined to create the Municipal Assistance Program with a small funding *increase* compared to 2010-11. The Main Street and Elm Street programs would also be combined to create Keystone Communities and receive an increase. At the state Department of Environmental Protection, the Sewage Facilities Planning, Sewage Enforcement, Municipal Recycling, and Municipal Recycling Performance grants would all be decreased from 2010-11 funding levels. At PennDOT, a small increase in liquid fuels funds is predicted for the 2012 disbursements (*which was estimated prior to rising gas prices*).

The budget now goes before the General Assembly for its consideration. If the proposal is approved and makes it to the governor by June 30, it will be the first on-time budget in nine years.

In the meantime, PSATS will work to preserve funding that benefits townships. The Association is also ramping up efforts to win support for common-sense reforms that would increase bidding limits and expand legal advertising options.

For more information on the proposed budget, log onto the Members' Only section of www.psats.org to watch a webinar that PSATS staff recently presented.

To review the governor's budget and related information, log onto www.psats.org and choose "Governor's Proposed Budget" in the upper right corner of the home page. Township officials may also check out Corbett's new open government website, which provides detailed information on state revenues and expenditures. You can access it by logging onto www.psats.org and choosing "Open Government" on the right side of the home page.

Capitol Roundup

Census 2010 Data Released; Bidding Bills Move Forward; Corbett Nominates More Advisers

Read on to learn the latest on issues of interest to township officials:

Pennsylvania's Census 2010 results now available — The Census 2010 results by municipality are available by logging onto www.psats.org and choosing the Census link under "In the News." This spreadsheet, which lists all municipalities and compares their 2000 and 2010 results, was prepared by the Penn State Data Center, Pennsylvania's partner with the Census Bureau. For additional Census 2010 results for Pennsylvania, log onto the data center's website, pasdc.hbg.psu.edu. If you need help getting your township's data, call PSATS at (717) 763-0930.

Townships can appeal their results through the U.S. Census Bureau's Count Question Resolution Program, which will accept challenges June 1, 2011, through June 1, 2013. It is important to have accurate numbers since your liquid fuels distributions and eligibility for state and federal programs is based on this official count. For more information about the CQR Program, log onto www.psats.org and choose the Census link.

Workshops held statewide in May and June will cover key ways that municipalities can make the most of their Census 2010 numbers, from planning for the future to challenging their count.

Please note: The U.S. Census Bureau and the Pennsylvania State Data Center, in partnership with the state Department of Community and Economic Development and the Pennsylvania Local Government Training Partnership, will conduct 20 workshops throughout the commonwealth in May and June. These workshops will cover ways that municipalities can make the most of their Census numbers, from planning for the future to challenging the Bureau's figures. For more information or to register, log onto www.palocalgovtraining.org and choose "Community and Economic Development Series" in the upper left corner or call PSATS at (717) 763-0930.

A similar workshop, "Making the Most of Your Township's Census 2010 Results" will be held on Tuesday, April 19, from 1:15 to 2:30 p.m. at the PSATS Annual Educational Conference and Trade Show in Hershey.

Bidding bills move forward — The Senate Local Government Committee has approved a package of local government bills that would increase the required bidding limits. This includes **Senate Bill 283 (PN 257)**, which would amend the Township Code to raise the minimum purchase amount that requires the advertisement of bids from \$10,000 to \$25,000 and the minimum purchase amount that requires telephone quotes from \$4,000 to \$7,000. In addition, the bill would direct the state Department of Labor and Industry to adjust these amounts annually based on the Consumer Price Index. The package is now before the Senate Appropriations Committee.

Similar bidding legislation was also recently introduced in the House and referred to the House Local Government Committee. **House Bill 278 (PN 231)** would amend the Township Code to raise the minimum purchase amount that requires the advertisement of bids from \$10,000 to \$25,000 and the minimum purchase amount that requires telephone quotes from \$4,000 to \$10,000. HB 278 would also direct the state Department of Labor and Industry to adjust these amounts annually based on the Consumer Price Index.

Despite movement in the Senate and the support of Gov. Corbett, these common-sense reforms face obstacles in both chambers. Therefore, township officials are urged to contact their senators and representatives and ask them to vote for these reforms, which would decrease local government costs without impacting state coffers. To support your case, townships are encouraged to provide legislators which additional information, including how much your township spent in advertising costs in the last three years.

Finally, township officials whose legislators are sponsoring SB 283 or HB 278 should be sure to thank them and ask how they can help move the bills forward (*see below*). For copies of the bills, log onto www.legis.state.pa.us and type in the bill number in the upper right corner of the page.

Sponsors of SB 283: Senators Baker, Alloway, Boscola, Brubaker, Earll, Eichelberger, Erickson, Ferlo, Folmer, Gordner, Greenleaf, Kasunic, McIlhinney, Orie, Piccola Rafferty, Robbins, Scarnati, Smucker, Vance, Waugh, M. White, D. White, and Yaw.

Sponsors of HB 278: Representatives M.K. Keller, Aument, Baker, Bear, Benninghoff, Bloom, Boback, Boyd, Brooks, Causer, Christiana, Clymer, Cox, Creighton, Culver, Cutler, Delozier, Denlinger, Ellis, Everett, Farry, Fleck, Gabler, Geist, Gerber, Gillespie, Gingrich, Grell, Grove, Haluska, Harhart, Harper, Harris, Helm, Hennessey, Hess, Hickernell, Kauffman, Killion, Knowles, Major, Marshall, Marsico, Masser, Metcalfe,

Corbett has
nominated George
Greig as secretary
of agriculture.
He is a township
supervisor for
Conneaut
Township,
Crawford County.

Millard, Miller, Moul, Oberlander, O'Neill, Payne, Peifer, Perry, Pickett, Pyle, Quigley, Quinn, Rapp, Reed, Reichley, Roae, Rock, Ross, Saylor, Scavello, Schroder, Simmons, Sonney, Stern, Stevenson, Swanger, Tallman, Tobash, Truitt, Turzai, Vereb, Vulakovich, and Watson.

Corbett nominates Secretary of Agriculture and Adjutant General — Gov. Tom Corbett has nominated George Greig as secretary of agriculture. A Crawford County farmer, Greig currently is a supervisor for Conneaut Township and president of the Crawford County Association of Township Officials.

In addition, Corbett has nominated retired Maj. Gen. Wesley Craig as adjutant general of Pennsylvania to oversee the Department of Military and Veterans Affairs. From Oreland, Montgomery County, Craig has more than 30 years of military experience. He retired in 2006 from the U.S. Army as commanding general of the 28th Division, Pennsylvania National Guard.

Lawmakers Consider Local Government Legislation

Since the beginning of the new legislative session, the General Assembly has considered several bills of interest to townships. Below are summaries of those that have moved forward in the last few weeks.

Sprinkler systems in one- and two- family residential dwellings — **House Bill 377 (PN 844)** would amend the Pennsylvania Construction Code Act to exclude one- and two-family residential dwellings from installing automatic sprinkler systems. Builders would be required to notify the buyer of the costs and benefits of sprinklers. Those that choose not to install such a system would be required to put in fire-protection floors. The bill has passed the House and is before the Senate Labor and Industry Committee.

In addition, HB 377 would allow log-wall construction in residential structures if it meets certain standards.

State Police fine money — **Senate Bill 237 (PN 722)** would amend Title 42 (*Judiciary*) of the Pennsylvania Consolidated Statutes to stipulate that only municipalities that have populations under 3,001 or that provide at least 40 hours a week of local police protection could receive State Police fine monies. Money not given to municipalities would be used for State Police cadet training. This bill is before the Senate.

Oversight of gas and hazardous liquid pipelines — **Senate Bill 325 (PN 710)** would authorize the Pennsylvania Public Utilities Commission to oversee and regulate all pipeline operators in the commonwealth in compliance with federal law. The bill also authorizes civil penalties for violators. SB 325 is currently before the Senate.

SB 325 would not put the PUC in charge of rates or ratemaking and pipelines would not be considered public utilities. In addition, the bill would limit the PUC's oversight of landfill gas distribution systems.

Elected tax collectors — **House Bill 715 (PN 729)** would amend the Local Tax Collection Law to allow the county treasurer to fulfill the duties of a municipal tax collector if that office is vacant. Municipalities would have to enter into an agreement with the county that cannot exceed one calendar year. This legislation would not apply in class

SB 303 would amend the Hazardous Sites Cleanup Act to require that penalties be deposited into the Hazardous Sites Cleanup Fund.

2A counties. HB 715 is before the House.

Intergovernmental agreements — **House Bill 197 (PN 712)** would amend Title 53 (*Municipalities Generally*) of the Pennsylvania Consolidated Statutes to make changes to the existing requirement that agreements between a local government and the federal government, the commonwealth, or the government of another state be submitted to the Local Government Commission for review and recommendation. This legislation is currently before the House Appropriations Committee.

HB 197 would exempt the following types of contracts and agreements between local governments and the commonwealth from the bill's review process: those necessary to respond to a disaster or local emergency; those of a routine nature, such as for public improvements or maintenance; those for state grants and loans; those for cooperative purchasing; those that are authorized by statute or regulation and by which the commonwealth delegates all or a portion of its enforcement responsibilities to a local government; and those expressly authorized by statute or regulation and through which a local government provides a service on behalf of the commonwealth.

Hazardous Sites Cleanup Fund — **Senate Bill 303 (PN 280)** would amend the Hazardous Sites Cleanup Act to require that penalties be deposited into the Hazardous Sites Cleanup Fund. This bill is currently before the Senate.

Clean and Green treatment of land used for non-coal surface mining — **House Bill 143 (PN 317)** would amend the Pennsylvania Farmland and Forest Land Assessment Act (*Act 3 19 of 1974*) to allow the owner of property subject to a preferential assessment to lease or devote the land to small non-coal surface mining. The bill provides that rollback taxes would be applied to the land, and the fair market value of the land would be adjusted. HB 153 has passed the House and is before the Senate Agriculture and Rural Affairs Committee.

Clean and Green treatment of land used for oil and gas drilling — **House Bill 144 (PN 711)** would amend the Pennsylvania Farmland and Forest Land Assessment Act (*Act 3 19 of 1974*) to change when the rollback taxes and fair market value can be applied from when the well site restoration report is *approved* to when it is *submitted* to the state Department of Environmental Protection. Under the bill, rollback taxes and fair market value assessments would continue to be limited to the land that does not comply with Clean and Green uses. HB 144 has passed the House and is before the Senate Agriculture and Rural Affairs Committee.

Mark Your Calendars for America's Town Meeting

The National Association of Towns and Townships will host its annual conference, America's Town Meeting, September 6-8, 2011, at the Hyatt Regency Washington on Capitol Hill. The event provides local leaders from across the country with important opportunities to meet with their members of Congress and help make the voice of towns and townships heard in the nation's capital.

For more information or to register, log onto www.natat.org or call NATaT toll-free at (866) 830-0008.

Monday morning
will feature
workshops on gas
well drilling,
stormwater, and
legislative issues,
while Tuesday's
general session
will give delegates
the opportunity to
vote on the
Association's
policy positions.

Township Officials Still Have Time to Register for PSATS' Annual Conference and Trade Show

For 89 years, the PSATS Annual Educational Conference and Trade Show has been the "one-stop shop" where township officials can easily and conveniently learn more about their duties and responsibilities, set Association policy, and visit with vendors who specialize in local government services and products.

As many supervisors and employees have found, the annual conference is an excellent investment. Therefore, if your township still doesn't have anyone registered to attend this year's event, April 17 to 20 at the Hershey Lodge, now is the time to change that! Below are a few more reasons why someone from every township should be a part of PSATS' 89th Annual Educational Conference and Trade Show, which promises to be the largest and most informative one yet:

General sessions: The general sessions, held each morning of the conference, will again focus on a wide range of important issues for townships. Special workshops are scheduled immediately after Monday's opening session on gas well drilling and stormwater issues, two pressing issues for many communities. Another session that morning will review legislative issues that are expected to be "hot" in Harrisburg.

During Tuesday's business session, delegates will vote on resolutions, changes to the bylaws, and elect officers to lead the Association.

On Wednesday, PSATS has scheduled a "Meet the New Cabinet Secretaries" Forum with the secretaries of environmental protection, community and economic development, and transportation. This is a good opportunity to learn how the Corbett administration plans to address issues important to your township.

Workshops: With almost 100 workshops scheduled, this year's conference promises to provide something for everyone. If you have not yet made the decision to attend, please refer to the list of workshops posted at www.psats.org or published in each issue of the *Pennsylvania Township News*. There, you will find a broad array of timely, educational topics that PSATS is once again offering its members.

Exhibit show: Another popular event at the conference is the exhibit show, which is the largest of its kind in Pennsylvania. In response to member requests, we have extended the exhibit show hours this year. In addition, we will have close to 300 vendors and state agencies on hand inside and out to discuss the latest products and services available to townships. And on Monday and Tuesday mornings, from 7:30 to 8:30 a.m., stop by the main exhibit hall for a free continental breakfast with our exhibitors.

The Sixth Annual Legislative Reception: Join forces with other township officials and meet with your state lawmakers to do some grassroots lobbying at the Association's Sixth Annual Legislative Reception and Grassroots Lobbying Day, which will be held from 5 to 6:30 p.m. Monday, April 18, at the Commonwealth Keystone Building in Harrisburg. (PSATS will provide transportation from Hershey to the event.) The free reception will again be co-sponsored by PSATS, the state Department of Agriculture, and its home-grown PA Preferred providers, who will be offering the food and drink. Other sponsors are the Broadband Cable Association of Pennsylvania, Malady and Wooten, and Smith

**Meet PSATS
Executive Director
David Sanko on
Monday and
Tuesday mornings
during the open
forum, "Donuts
with Dave."**

Barney. Be sure to preregister as we are nearly at capacity!

Shuttle service: Because of limited parking at the Hershey Lodge, PSATS will again offer free satellite parking and a shuttle bus service between the Hershey Lodge and the nearby Giant Center from 7 a.m. to 10 p.m. Monday and Tuesday. The satellite shuttle area, which will be clearly marked, features covered seating, restrooms, and vending machines for your convenience. PSATS will also be running shuttles during the same hours between the Hershey Lodge and the other host hotels.

Meet the executive director: There will also be an open forum with our Executive Director David M. Sanko from 7:30 to 8:30 a.m. on Monday and Tuesday mornings in Cocoa Suite 5. Ask whatever you want during "Donuts with Dave."

Registration information: For more information about signing up for the conference, please call PSATS at (717) 763-0930 or log onto www.psats.org to download a registration form or register online.

New Online Clearinghouse Focuses on Sewage Management Resources

A new website is now available that will provide valuable resources and information to townships developing, implementing, or maintaining a sewage management program. The Sewage Management Clearinghouse, created by PSATS in cooperation with the state Department of Environmental Protection, can be accessed through www.psats.org.

The Sewage Management Clearinghouse will help township officials who are looking for ideas and suggestions on how to develop, structure, and implement a sewage management program, which provides the framework for properly functioning onlot systems and safe drinking water, or improve an existing one. The site also suggests ways to educate the public on why they should maintain their systems and how an SMP benefits the community overall.

The online clearinghouse explains sewage management, stresses its importance, and provides information under the following categories:

- **Sewage Management and Its Place Within the Law** — Provides background information on how sewage management fits within Act 537 and the accompanying DEP regulations and how a township should incorporate a sewage management program into its Act 537 official plan.
- **Sewage Management Program Description** — Provides a general overview of what an SMP should look like.
- **Components of a Sewage Management Program** — Gives detailed information about the various parts of an SMP, including how to inventory a community's onlot systems, educate the public, set up the legal, technical, and administrative structures of an SMP, manage and regulate service providers, and enforce the program.
- **Resources** — Provides access to a wide variety of relevant materials, including public education examples, sample documents targeting property owners and

Townships that want to set up a sewage management program should attend the training session scheduled for Sunday, April 17, during the PSATS Annual Educational Conference in Hershey.

service providers, and technical resources available from DEP.

- **Property Owner Information** — Provides basic information about how onlot systems work and why they need to be properly maintained.

To access the clearinghouse, log onto www.psats.org and either select the “Sewage Management Clearinghouse” button on the right side of the home page. The clearinghouse can also be accessed through www.seotraining.org.

Sewage Management is Topic of Sunday Workshop at PSATS’ Annual Conference

Township officials who want to learn more about sewage management should make plans to attend a workshop being held Sunday, April 17, during PSATS’ 89th Annual Educational Conference and Trade Show in Hershey. Titled “Sewage Management for Township Officials: Protecting Your Township from Malfunctioning Onlot Systems,” the session is scheduled from 12:30 to 4 p.m. in Wild Rose A.

The presenters will teach township officials about the importance of sewage management and the need for regular onlot system maintenance. Practical information about how to create, implement, administer, and enforce a sewage management program will be the focus of the training.

The cost is \$75 per person and preregistration is recommended. To sign up, log onto www.psats.org and select “PSATS Workshop Registration” on the left side of the home page or call the Association at (717) 763-0930.

State Asks Townships to Help Inventory Brownfields

Pennsylvania will showcase its most marketable brownfields to a national audience of redevelopment agencies, real estate developers, and property owners at the Economic Redevelopment Forum, held in conjunction with the National Brownfields 2011 Conference, April 3-5, in Philadelphia.

Township officials are being asked to help with the effort by entering information about brownfields available in their community at PASiteSearch.com. This interactive database was created by the state Departments of Environmental Protection and Community and Economic Development in partnership with the Pennsylvania Economic Development Association and the Team Pennsylvania Foundation. *Note: Properties will remain listed on the site beyond the conference as long as townships wish to keep them active.*

Team PA will be available to provide support and technical assistance to townships. For technical questions, e-mail Jim Neuschwander at jim@teampa.com or call him at (717) 233-1375. All other questions should be directed to PEDAs Kim Cossar at KimberlyCossar@wannerassoc.com or (717) 236-2050. Additional information about the brownfield inventory is available at <http://teampa.com/brownfields>.

A fire insurance escrow ordinance requires insurers to send claim payments to your township to cover delinquent taxes and the cost of removing, repairing, or securing fire damaged property in your township.

Townships: Send Your Most Recent Fire Insurance Escrow Ordinance to the Governor's Center

A fire insurance escrow ordinance can help your township protect its bottom line. With one, when a fire damages property in your community, the insurer will send the claim payments to your township to cover delinquent taxes and the cost of removing, repairing, or securing the building.

Under Act 93 of 1994, however, an insurer does not have to escrow fire-loss funds if a township has not filed its ordinance with the Governor's Center for Local Government Services.

"We're asking townships to do three things to make sure they are fully protected," says Sean Sanderson, a local government policy specialist with the center. "First, go to our website to find out if we have your most up-to-date ordinance listed there. If we don't, then send it to us. And finally, if your township has not adopted a fire insurance escrow ordinance, consider doing so."

To review your township's ordinance, log onto www.newpa.com. Click on "Get Local Gov Support" on the right side of the page, choose "Local Governments Online," and then "Fire Insurance Escrow Ordinances." Finally, click on your county name to find your township and its ordinance.

To submit an updated or newly adopted ordinance to the center, send a hard copy and a cover letter with a contact name and title, township name and county, and township phone number to: Sean Sanderson, Governor's Center for Local Government Services, 400 North St., Fourth Floor, Harrisburg, PA 17120-0225.

For more information, call Sanderson toll-free at (888) 2 CENTER (223-6837).

Townships
are urged to
participate in an
online survey
about local
road and bridge
funding being
conducted by
the State
Transportation
Advisory
Committee.

This and That...

Be sure to check this section each month, where you will find important reminders and information about upcoming events that your township won't want to miss.

- **Correction of COSTARS phone number** — The phone number for COSTARS that appeared on Page 5 of the January 2010 *NewsBulletin* is incorrect. The correct number is (866) 768-7827. We sincerely apologize for the error.

- **Townships urged to participate in local transportation needs survey** — The State Transportation Advisory Committee has commissioned a study to investigate the maintenance and funding of local roads and bridges. Based on the results, recommendations for improved local highway and bridge funding will be made.

Townships are urged to participate by completing a short online survey by **April 28**. To participate, log onto www.psats.org and choose the link under "In the News." A project fact sheet with additional details is also available.

For more information, contact the study's deputy project manager, Brian Funkhouser, at (717) 763-7212, Ext. 2083, or at bfunkhouser@gfnet.com.

- **Does your township have unclaimed property?** — The State Treasury's Bureau of Unclaimed Property is looking for the owners of more than \$1.5 billion in unclaimed property. Your township could be one of the recipients. Find out by logging onto www.patreasury.org and choosing "Search for Unclaimed Property" on the right side of page or call the bureau toll-free at (800) 222-2046. Remember, it's free to search for and recover your township's unclaimed property.

- **Proposed bylaws changes sent to townships; resolutions available** — The proposed bylaws changes that will be considered at PSATS' 89th Annual Educational Conference in April were mailed to all township secretaries and county associations in early March.

Each township and county association will receive a copy of the 2011 proposed PSATS resolutions, along with the Resolutions Committee's actions, with this issue of the *PSATS NewsBulletin*.

Both documents are available by logging onto the Members' Only portion of www.psats.org. If you have questions or need additional copies of the resolutions, call the Association at (717) 763-0930 or e-mail PSATS Research Analyst, Melissa Morgan, at mmorgan@psats.org.

- **County organization may request township ordinances** — The County Commissioners Association of Pennsylvania is working with the state Department of Community and Economic Development to update the E-Library, an electronic library that features local government documents, such as comprehensive plans and land use ordinances. CCAP is currently updating the library and may contact your township for copies of your most current ordinances.

- **Correction of website address** — The website listed for the state Department of Environmental Protection's Riparian Forest Buffer Guide, which appeared on Page 6 of the January 2011 *NewsBulletin*, was incorrect. The correct website is www.elibrary.dep.state.pa.us. Log on and choose "Technical Guidance Final Document" and then type "Riparian Forest Buffer" in the search box. We apologize for the error.