

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

Voting delegates
are invited to
Hershey on
Friday, October 15
to conduct
PSATS' 2021
Annual Business
meeting.

Happy Birthday PSATS!

One hundred years ago, PSATS, your member service organization was born! On May 5, 1921, Governor William Sproul signed a law creating the State Association of Township Supervisors to bring together a single voice for the challenges facing most communities in Pennsylvania, especially roads. It has been an exciting 100 years, and while roads are still a major challenge for townships and Pennsylvania, the challenges and responsibilities for townships have continued to grow.

Mark Your Calendars for October 14 and 15!

While pandemic restrictions forced the cancellation of the 2021 PSATS Annual Educational Conference where we planned to celebrate our 100th birthday, you should mark your calendars for two special events this fall.

First, on **Friday, October 15**, voting delegates are invited to Hershey to conduct **PSATS' 2021 Annual Business meeting**, hear committee reports, elect PSATS leadership, and most importantly, adopt resolutions that will guide state association policy in Harrisburg and Washington, DC. All are welcome with priority registration going to voting delegates.

The night before, **Thursday, October 14**, the Pennsylvania Leadership Institute will host a **Centennial Celebration of PSATS' First 100 Years** in the Great American Hall at Hershey Lodge. This fun filled historic evening, complete with dinner and light entertainment, is not to be missed! Some PSATS Standing Committees will also meet Thursday afternoon. Stay tuned over the coming weeks for more registration information about committee meetings and the business session, as well as the Centennial Celebration. While these events will not replace our Annual Conference, you will not want to miss them!

New Rules Released for Federal Funds

The U.S. Treasury released an Interim Final Rule for the American Rescue Plan funding that all townships will receive soon. The 131-page regulation provides additional guidance about eligible uses and information about reporting. In the initial review, **there is significant new information about the allowable uses**, including calculations for lost revenue, restrictions on premium pay, and clarification that water, sewer, and broadband does include stormwater and more, and details on allowable uses for responding to the pandemic and offsetting its negative economic impacts.

To help you navigate the rules, PSATS continues to provide updated materials on **psats.org**, on the COVID-19 Info page. This includes a recording of a Town Hall held on May 14 and a copy of the presentation.

Treasury reiterated that municipalities with populations of *less than* 50,000, also known as non-entitlement communities, do **NOT** need to apply for the federal funding from Treasury. Funding for smaller communities will come from the commonwealth. Only municipalities with *more than* 50,000 residents, as well as counties and the states, need to apply directly to Treasury for for these funds.

Township officials should continue to evaluate their options and patiently plan how to



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SB 312 would allow townships to charge a reasonable fee for commercial requests which are intended to generate revenue.

best benefit their communities. Be sure to find or request a valid DUNS number (*free*), which will be needed for reporting (*go to fedgov.dnb.com or call 1-866-705-5711.*)

Don't Miss 2021 Virtual Conference Workshops!

PSATS is currently **hosting more than 60 of the 2021 Conference workshops** through its virtual classroom. Learn from experts from across the commonwealth on a wide variety of township administration, public safety, public works, and planning and zoning topics and gain valuable knowledge and insight that you can immediately put to work to benefit your township. Classes include 2021 Employment and Labor Law Potporri, Social Media Tips and Guidelines, Case Studies in Code Enforcement, Strategic Planning for Fire Service Operations, and much more! Go to learn.psats.org to view the full selection of workshops, which are available live and on-demand! Effective June 1, members can still buy the conference workshop pass for \$99 to view the recorded sessions.

Capitol Roundup

Right-to-Know Law Reform Moves Forward — Two important Right-to-Know Law reform bills recently saw action in the Senate:

SB 312 would allow townships to charge a reasonable fee for commercial requests which are intended to generate revenue. SB 312 is before the Senate.

SB 552 would allow townships to petition the Office of Open Records for relief from a vexatious requester. The bill is now before the Senate Appropriations Committee.

PSATS Testifies at Legislative Hearings — Over the last few weeks, PSATS Director of Government Relations Joe Gerdes has testified before several legislative committees on behalf of PSATS and its members. Here is a summary:

Gerdes testified before the **Senate Communications and Technology Committee** on the expansion of **5G wireless technology**, the need for this expansion to be done in an orderly fashion in compliance with land use and right-of-way management ordinances.

Gerdes presented testimony to a joint hearing of the **House and Senate Environmental Resources and Energy Committees** on the implementation of Act 34 of 2020 and Act 26 of 2017 by the state Department of Environmental Protection. He states that the acts were intended to **simplify the municipal sewage planning process** but have been interpreted differently by DEP.

Gerdes testified before the **Senate Environmental Resources and Local Government Committees** on SB 275, which would preempt municipalities from adopting any policy that would **restrict utility connections or services based upon the source of energy**.

To read the testimonies, go to psats.org and choose "Legislation & Policy" and then "Legislative Testimony."

Pennsylvania Loses Congressional Seat — The U.S. Census Bureau announced that the U.S. population now exceeds 331 million. The Bureau released state counts and while Pennsylvania now has more than 13 million residents, we grew slower than the nation and will lose one congressional seat.

Municipal and county data will be released by September 30.

Municipal Indemnification Bill Passes House — The state House has passed **HB 765**, which would prohibit the state Department of Transportation from requiring

SB 478 would allow a municipality to enter into a contract for services when it advertises for bids but none are received.

municipal indemnification for third party special event permits. PSATS supports the bill, which is now before the Senate Transportation Committee.

PSATS Comments on Regulations — PSATS recently submitted comments in opposition to two regulatory proposals: U.S. Environmental Protection Agency rules on Underground Storage Tanks and state Department of Environmental Protection fees on WQM and NPDES permits. Both regulations would be unfunded mandates. The comments are posted on psats.org, under Legislation & Policy, and Letters to Agencies.

Agenda Legislation Moves Forward — **SB 554** would amend the Sunshine Act to require local governments to post a meeting agenda with all voting items at least 24 hours before a meeting on a website, if it has one, or at its building and meeting place. A local government could add unadvertised items to the agenda by majority vote. SB 554 is before the Senate Appropriations Committee.

Legislation Moves Forward — These bills of interest to townships have seen recent action in the General Assembly:

SB 83 would create a **secondary education fire training pilot program** for high school students.

SB 478 would allow a municipality to enter a contract for services when it advertises a bid for services but **no bids are received**.

HB 141 would mandate that all subdivision and land development ordinances contain a **non-building waiver provision** exempting nonbuilding lots from the normal subdivision process until the applicant was ready to develop the property.

HB 221 would amend the Local Tax Enabling Act to authorize local governments to use up to 25% of revenue from an **open space tax** for maintenance and development regardless of the method of acquisition or purchase.

HB 764 would amend the Child Protective Services Law to provide employers with the **ability to hire employees on a provisional basis** on par with the 45-day provisional hiring window currently authorized for child-care providers. This could affect summer municipal hires.

HB 1144 would allow **salt brine from conventional oil and gas wells** to be used for road maintenance activities, including dust control and winter maintenance.

To view legislation, go to www.legis.state.pa.us.

COVID News

For the most up-to-date information, go to psats.org and choose **COVID-19 Resources** and subscribe to the **PSATS Morning News e-newsletter** by emailing memberservices@psats.org.

Commonwealth Revises Gathering Limits — **Gathering limits** for indoor events are now 50% of maximum occupancy and outdoor events are 75% of maximum occupancy.

Mitigation Orders to Lift on May 31 — On **May 31**, the Commonwealth will lift **all** mitigation orders, except for the masking order. The masking order will be lifted when 70% of eligible Pennsylvanians adults are fully vaccinated.

When the mitigation orders are lifted, townships should continue to refer to Centers for Disease Control guidance for ongoing COVID-19 safety measures and procedures. PSATS will continue to provide resources for you at psats.org. Municipalities can continue to offer more restrictions if they choose.

Don't Miss PSATS Training Opportunities

For more information, go to learn.psats.org!

Virtual Class on Payroll with Quickbooks — PSATS is offering a three-part virtual series on using QuickBooks Payroll. Sessions will be held May 20, 27, and June 3.

Essentials of Township Public Safety — PSATS is offering a two-part virtual series that will discuss fire service, emergency management, ambulance service, and much more. Sessions will be held June 8 and 10.

In-Person Flagger Training in May and June — PSATS will host classes in Erie County and more during June.

This and That...

Be sure to check this section each month, where you will find important reminders and information.

- **DEP Accepting Applications for Grant Programs** — The state Department of Environmental Protection is accepting applications for the **Municipal Recycling Program Performance Grant (Section 904 Grants) until December 31, 2021** for eligible materials that were recycled and marketed in calendar year 2020. Awards are based on the weight of source-separated recyclable materials recovered by municipal recycling programs. To learn more, go to pacodeandbulletin.gov and choose the April 17, 2021 issue of the *Pennsylvania Bulletin*.
- **CFA Accepting Applications for Multimodal Transportation Fund** — The Commonwealth Financing Authority is accepting grant applications for its Multimodal Transportation Fund **until July 31**. Note this is different than the Multimodal Transportation Fund through the state Department of Transportation. Funds may be used for the development, rehabilitation, and enhancement of transportation assets, streetscape, lighting, sidewalk enhancement, pedestrian safety, and more. To learn more, go to dced.pa.gov/programs/multimodal-transportation-fund/.
- **Townships Eligible for Federal Vaccination Tax Credit** — Townships that voluntarily provide paid sick and family leave to their employees due to COVID-19 between April 1, 2021, and September 30, 2021, are eligible for federal tax credits. The paid leave may include leave taken to receive or recover from COVID-19 vaccinations. The tax credits are applied against the employer's share of the Medicare tax and are refundable, which means the employer is entitled to payment of the full amount of the credits if it exceeds the employer's share of the Medicare tax. Townships may claim the tax credit when they file their quarterly federal Form 941. To learn more, go to irs.gov/newsroom and choose "Fact Sheets."
- **FCC Collecting Broadband Experiences, Speed App Data** — The Federal Communications Commission is collecting broadband information to create maps that display fixed and mobile broadband availability, or lack of access. Township officials and their residents are encouraged to participate and **tell the FCC about their access or lack of access**. Participants may share their broadband experience by filling out a short form detailing their lack of connectivity or download a Speed Test App to show actual broadband speeds. To participate, go to fcc.gov/BroadbandData/consumers.
- **USDA Increases Limits for Water, Wastewater Loans** — The U.S. Department of Agriculture is increasing funding limits for loans under the Revolving Fund Program for water and wastewater infrastructure projects in rural America from \$100,000 to \$200,000. The funds may be used to extend and improve water and waste disposal systems, including pre-development costs, and for small short-term capital improvement projects that are not part of regular operations.
For more information about the program, contact Tom Wellington, acting water and environmental program director for Pennsylvania, at Thomas.wellington@usda.gov or 717-237-2188.
- **Susquehanna River Basin Commission Offers Water Level Monitoring Grants** — The Susquehanna River Basin Commission is offering a new grant program to support the collection and reporting of water level data in groundwater production wells in the basin. Municipalities and municipal authorities that have existing SRBC permits groundwater are eligible to apply. Applications are due **June 30, 2021**.

Grants may be used for projects not currently collecting water level data from their wells or may be used to upgrade or replace equipment. Grants of up to \$1,500 per source are available, with a facility cap of \$7,500 per year. Go to srbc.net to learn more.