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June 17, 2021

Township Video News



TVN's Question of the Week | Meeting Minutes Ingredients

Learn what to include in – and leave out of – your township's meeting minutes. Also, [click here](#) to catch up on previous Questions of the Week. (1:09)

Latest News

Reminder on Meetings, Masks, and the COVID-19 Emergency Declaration

As we reported yesterday, Gov. Tom Wolf's COVID-19 emergency disaster declaration is now officially ended with the adoption of [HR 106](#) and certification of the ballot questions that amended the Pennsylvania Constitution. The disaster declaration ending triggered the expiration of parts of Act 15 which means **fully** virtual meetings are no longer permitted by that law.

[Act 15 of 2020](#) allowed all local government types to conduct fully virtual or teleconference meetings while the governor's emergency disaster declaration was in effect. Since the disaster declaration has been terminated, townships of the second class should go back to pre-declaration conditions and conduct in-person or hybrid meetings. Hybrid meetings must have a physical meeting location where the public may attend in-person, as well as a virtual option, and supervisors may participate in-person or virtually. While some other local government codes have specific requirements for an in-person quorum, the Second Class Township Code does not have any such provisions. The Sunshine Law does require a physical meeting location for the public to participate.

In addition, as previously reported, the General Assembly passed and the governor signed [Act 21 of 2021](#) (*HB 854*). This law extends, through September 30, 2021, the suspension of many regulatory statutes and orders, rules, or regulations put in place as part of the governor's COVID-19 disaster declaration. This includes the mask order for unvaccinated individuals (*which is expected to end no later than June 28*) and many other orders that waived Department of Health and other regulations. As Act 15 of 2020 was an act of the legislature, not an order of the governor, it was not extended by Act 21 of 2021.

Webinar Slated on PennDOT Funding Opportunity

The state Department of Transportation will accept applications for the 2021 Transportation Alternatives Set-Aside Program **from June 28 until October 15**. \$18 million will be available for projects that enhance pedestrian and bicycle facilities, improve access to public transportation, create safe routes to schools, preserve historic transportation structures, provide environmental mitigation, create trails that serve a transportation purpose, and promote safety and mobility. Local governments are eligible to apply.

An informational webinar on this upcoming grant opportunity will be held on **June 23 at 1 p.m.** and interested townships are strongly encouraged to participate. Webinar details can be found on page 22 of the TASA Guidance by [clicking here](#). The TASA Guidance also provides details on the application process and eligible projects. Questions about the TA Set-Aside program can be directed to RA-pdTASA@pa.gov or 717.775.3276.

On This Day in History.....

On June 17, 1885, the dismantled Statue of Liberty arrives in New York Harbor after being shipped across the Atlantic Ocean in 350 individual pieces packed in more than 200 cases. Intended to commemorate the American Revolution and a century of friendship between the U.S. and France, the copper and iron statue, which was reassembled and dedicated the following year in a ceremony presided over by U.S. President Grover Cleveland, became known around the world as an enduring

symbol of freedom and democracy.

Legislation & Policy



The House and Senate were in session yesterday and are now in recess. Both chambers are scheduled to return to Harrisburg on Monday, June 21

Senate Passes Special Permit Bill

Yesterday, the Senate passed HB 765 (*PN 1420*) which would amend Title 75 (*Vehicles*) of the Pennsylvania Consolidated Statutes to prohibit the state Department of Transportation from requiring municipal indemnification when a third party with a special event permit has already provided indemnification to the Department. HB 765 has passed the House and the Senate and will be presented to the Governor.

Senate Communications & Technology Committee Approves 5G Legislation

Yesterday, the Senate Communications & Technology Committee approved SB 769 (*PN 898*) which would provide for the regulation of small wireless facilities in municipal rights-of-way. This legislation would authorize municipalities to charge an annual fee for the use of the right-of-way, not exceeding \$270 per small wireless facility or \$270 per new utility pole with a small wireless facility and would set the maximum permitted height of the pole and small cell facility at 50-feet. SB 769 would also require small cells to comply with restrictions in place in underground utility districts and would allow municipalities to develop reasonable design guidelines to minimize aesthetic impact. Municipalities would have 60 days to review applications for collocation on preexisting structures and 90 days for the installation of a new structure with attached small wireless facilities. SB 769 is now before the full Senate. As currently written, SB 769 and HB 1621, which is before the House, are identical.

Township officials should keep in mind that as currently written, SB 769 and HB 1621 would only apply to small cell wireless facilities and poles within the right-of-way; zoning and other local ordinances are preserved. Additionally, this legislation provides municipalities with the maximum allowable authority and control including underground utilities, within the confines of the FCC order.

House Local Government Committee News

Yesterday, the House Local Government Committee approved HB 1170 and HB 1351.

HB 1170 would create a process for a municipality to enter a contract for services when it first advertises a bid for services and no bids are received. This legislation would authorize municipalities that have advertised for bids twice and received none to then contract for services with any provider not otherwise disqualified by law.

HB1351 would amend the second class township code by prohibiting the surcharge of an elected or appointed official by a township auditor when the official acted in good faith based on a written, nonconfidential opinion of the township's solicitor or an opinion of the township's solicitor publicly stated at an open meeting of the township and recorded in the meeting minutes. This bill would also amend the second class township code by allowing, in addition to the appointment of an individual, the appointment of a partnership, limited partnership, association or professional corporation as the township's manager.

HB 1170 and HB 1351 and now before the full House.

Learn

PSATS educational events will be listed as follows: Mondays – All webinars; Tuesdays – Administrative; Wednesdays – Planning/Zoning; Thursdays – Public Works; Fridays – Public Safety. Click on the title of the class for more information and to register.

Everything you NEED to Know about Pavement Preservation!

This session will explore all of the essentials to ensure that your township's pavement preservation projects are a success. You will learn about proper site selection, site prep, lab testing and choosing the correct aggregate and emulsion.



[Fayette County - 7/13/21](#)
[Cambra County - 7/22/21](#)

CDL - Probable Cause Training for CDL Supervisory Personnel

This workshop addresses these federal requirements by providing supervisory personnel with a working understanding of the federal CDL regulations, including on-the-job probable cause procedures.

- [8/11/21 - Crawford County](#)
- [8/12/21 - Clearfield County](#)
- [8/18/21 - Beaver County](#)
- [8/19/21 - Fayette County](#)
- [8/25/21 - Blair County](#)
- [8/26/21 - Warren County](#)
- [9/20/21 - Cumberland County](#)
- [9/30/21 - Montgomery County](#)
- [10/4/21 - Lycoming County](#)



CMV/CDL Records Management

This workshop will review CMV/CDL employee and vehicle paperwork, including pre-employment inquiries regarding a CDL applicant's past drug and alcohol test results and driving safety reports; requests for CMV driver's license information; annually reviewing each CMV driver's qualification to continue driving; CMV daily vehicle inspection, maintenance, and repair reports; the employer's required policy on CDL drug and alcohol testing; and a general overview of all the CDL regulations.

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- [8/18/21 - Beaver County](#)
- [8/19/21 - Fayette County](#)
- [8/25/21 - Blair County](#)
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- [9/20/21 - Cumberland County](#)
- [9/30/21 - Montgomery County](#)
- [10/4/21 - Lycoming County](#)



2021 Engineers Fall Seminar

This full-day seminar is designed to meet the educational interests and busy schedules of consulting engineers by providing a focused overview of important issues of interest to municipal engineers



and their local government clients.

[9/28/21 - East](#)

[10/14/21 - Central](#)

[10/21/21 - Southeast](#)

Pennsylvania State Association of Township Supervisors

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