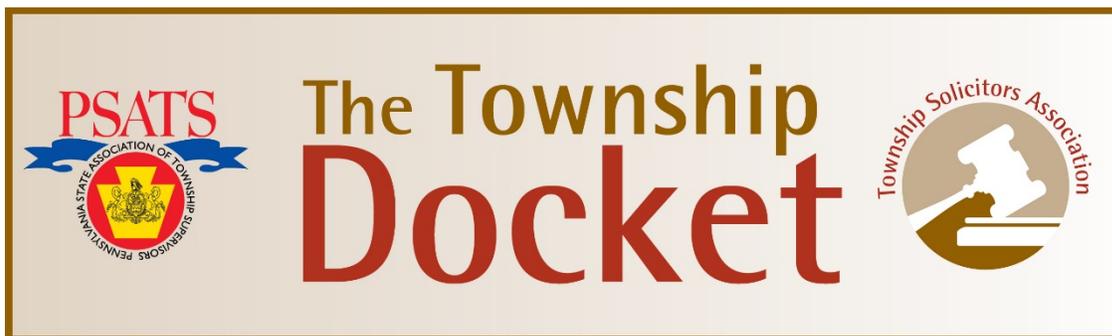


Click [here](#) if you are having trouble viewing this message.



November 9, 2020

---

Welcome to The Township Docket.

This new biweekly newsletter for members of the Pa. State Association of Township Solicitors is intended to focus on news and matters of interest to solicitors, share case updates in a more timely manner, and provide details about upcoming training opportunities.

Feel free to let us know what you think of this new concept. Email comments and suggestions to [scoburn@psats.org](mailto:scoburn@psats.org).

---

## Headlines

### **Solicitors Allowed to Carry Six Distance-Learning Credits into 2021; Take Advantage with PSATS' Virtual Solicitors Seminar TOMORROW**

The PA CLE Board has announced that it will permit Groups 1 and 2 to carry forward into 2021 up to six distance-learning credits earned this year but completed after the applicable 2020 compliance deadline. In addition, live virtual CLEs will count as live (uncapped) credits in 2021.

You can earn five of those CLE credits tomorrow, November 10, at PSATS' final [Virtual Solicitors Seminar](#). In this seminar, you will learn about best practices for conducting public meetings during COVID-19, current issues on Act 13 preemption, solar developments at the township level, police reform efforts, and the top 10 HR mistakes and how to help your township clients avoid them.

### **Supreme Court Tosses Conflict Finding and \$30K Restitution Order Against Township Supervisor**

The Pennsylvania Supreme Court recently reversed a decision of the State Ethics Commission that a township supervisor violated the Ethics Act's conflict-of-interest rules by approving the timesheets of his son, a township employee. The court ruled that the township supervisor does not have to make restitution to the commission in the amount of \$30,000. For more information about *Sivick v. State Ethics Commission*, [click here](#).

## **Political Subdivision Tort Claims Act Does No Bar Section 1983 Claims Brought Through Wrongful Death and Survival Statutes**

In *Evans v. Columbia County*, No. 1:20-CV-00722, 2020 WL 6135673 (M.D.Pa. Oct. 19, 2020), a federal district court rejected arguments by county prison officials that wrongful death and survival claims against them were barred by the Political Subdivision Tort Claims Act because the claims were based on federal law.

## **Authority Board Members Present but Not Voting Do Not Count Toward Quorum**

In *SEDA-COG Joint Rail Authority v. Carload Express, Inc.*, \_\_\_ A.3d \_\_\_, 2020 WL 5823494 (Pa. Oct. 1, 2020), the Pennsylvania Supreme Court ruled that the Municipalities Authorities Act incorporates the common-law rule that a simple majority (a majority of voting members who make up a quorum) carries the vote. In this case, six of 16 members recused themselves from voting. The court ruled that only six votes of the remaining 10 members were needed.

---

## **Legislative/Regulatory News**

### **Comprehensive Rewrite of MPOETC Regulations Proposed**

The Municipal Police Officers' Education and Training Commission published new proposed regulations for the Municipal Police Officer Education Act in the Pennsylvania Bulletin on October 17. Comments from interested parties are due by November 16.

### **Flurry of Bills Affecting Municipalities Becomes Law**

Below is a short summary of numerous new Pennsylvania laws:

- Act 106 – Permits operation of personal delivery devices that deliver packages; authorizes local governments to prohibit them on local roads and pedestrian areas if they are deemed a hazard.
- Act 108 – Makes fire police and officers, directors, and volunteers of volunteer fire departments and ambulance corps eligible for workers' compensation coverage.
- Act 112 – Requires disclosure of identifiable health information to law enforcement, fire departments, and EMS in counties under disaster emergencies based on communicable diseases.
- Acts 91 and 93 – Provides aid for fire and emergency services, including elimination of 20% cap on real estate tax credits.

---

## **Upcoming Educational Offerings**

For a full list of PSATS' educational offerings, go to [learn.psats.org](http://learn.psats.org).

### **Best Practices for Managing Short-Term Rentals in Your Township – 11/17 Webinar (no CLE)**

The use of short-term rentals continues to explode around Pennsylvania and the United States. In this webinar, Shawn McGlynn will review the current state of short-term rentals in Pennsylvania and provide best practices for how to best regulate them. [Click here](#) to register.

### **Claims of Racism at Your Doorstep: What is a Township to Do? – 12/2 Webinar (1 CLE)**

What happens when a claim of racism is made against your police department and the newspaper and TV reporters appear at your meeting? What should you do before such a claim is made; what should you do when a claim is made; and what should you do going forward? This webinar will leave you better prepared for what might appear at your township. [Click here](#) to register.

### **RTKL, Sunshine, and Ethics, Oh My! – 12/8 Virtual Class (3 CLE, 1 Ethics)**

This virtual class will provide best practices on how to more efficiently handle tricky (and common) RTKL requests, ensure smooth and legal public meetings, including remote meetings, avoid tripping up township officials with conflicts of interest and other Ethics Act problems, and much more. [Click here](#) to register.

### **Employment Law Update: Things You May Have Missed During Quarantine – 12/10 Webinar (1 CLE)**

This program will provide an overview of recent and upcoming developments in employment law. Whether your township has one employee or one hundred, the program will address lessons learned from 2020, proactive strategies to plan for changes in the law, and recommendations for new policies and practices in 2021. [Click here](#) to register.

---

## **Township Video News**



Find out how often you should be checking the status of your employees' driver's licenses. Also, [click here](#) to catch up on previous Questions of the Week. (0:50)



4855 Woodland Drive  
Enola, PA 17025