

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

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American Rescue Plan Final Rule Expands Uses

The U.S. Department of the Treasury has released the final rule for the American Rescue Plan funds on January 6, 2022. The more than 400-page rule broadens the allowable uses of the funds. While the final rule does not take effect until April 1, 2022, local governments may take advantage of the new rules now if it will benefit them.

Of note, the final rule includes a simplified lost revenue provision that gives each township a \$10 million standard allowance for lost revenues, or up to the total amount of your award, without the need to calculate lost revenues. If your township chooses to take the one-time standard allowance, your entire award may be spent on nearly anything that would normally be paid for from your general fund, including roads and bridges. This option provides townships with wide flexibility. Please note that you cannot mix the standard allowance with the lost revenue calculation. Other categories were expanded as well, including responding to COVID-19 and water and sewer.

To help townships better understand the new rule and determine how to best use these funds to benefit their townships, PSATS has put together several resources. Enclosed with the NewsBulletin is an [updated fact sheet](#) that explains the new uses, as well as what to expect with the annual report that will be due April 30, 2022. We also encourage you to go to psats.org and choose the American Rescue Plan page on the red bar. Here you will find links to a PSATS recorded webinar explaining the new rule, as well as links to key Treasury documents. As always, feel free to contact PSATS directly with questions.

Have You Registered for the Annual Conference?

PSATS urges every township to send at least one delegate to the 2022 Annual Educational Conference and Exhibit Show. The knowledge gained can help your community save money, plan for the future, and explore new ways of serving residents.

The 2022 theme of "Together Again" is particularly fitting after two canceled conferences. This year's conference will feature some don't-miss events, including:

- The "Together Again" Welcome Back Reception Sunday evening (*free to all conference registrants*);
- The "Roaring '20s" Reception Monday evening (*\$35 per person*)
- The Legislative Grassroots Reception Tuesday evening (*No need to be based to Harrisburg to meet with your state legislators!*)

Of course, there will also be close to 70 informative workshops, plus speakers, general sessions (*including the all-important resolutions voting Tuesday morning*), nearly 300 exhibitors, and ample opportunities for networking with your fellow township officials from across the state.

PSATS' 2022 Annual Conference and Exhibit Show: You can't afford to miss it! Register today at conference.psats.org.

NEW PSATS CONFERENCE EVENT: Show Off Your Township Spirit in the Parade of Flags. Display your community pride and celebrate our being together again by participating in the township parade of flags at the upcoming PSATS Annual Conference. If your township has a flag (*or chooses to create one*), you can sign up a conference attendee from your township to be the flag bearer and participate in a procession of township flags



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Act 96 creates a
Pennsylvania
Broadband
Development
Authority
to disburse
state and federal
funds to expand
broadband to
unserved and
underserved
areas.

following the posting of the colors at the opening session of the conference on Monday morning. Watch for more details and instructions for registering to be part of this inspiring event in April. See you in Hershey!

Capitol Roundup

Pennsylvania to Receive \$4 Billion in New Federal Highway Funds — The state Department of Transportation announced that the federal Bipartisan Infrastructure Law will provide an estimated \$4 billion in new federal highway and bridge dollars over five years, including an estimated \$1.6 billion from a new federal bridge program.

The press release noted that PennDOT and local governments can look forward to new and expanded competitive grant opportunities across all transportation modes, as well as support for the expansion of an electric vehicle charging network. Stay tuned for more.

NATaT Urges Feds to Broaden Eligibility for Transportation Grants — The National Association of Towns and Townships recently asked the Federal Highway Administration to direct state departments of transportation to prioritize communities with populations under 5,000 for Surface Transportation Block Grant Funds. The group argued that this step will achieve the original legislative intent of adding local roads and direct those funds to smaller entities with limited resources. Approximately \$65 billion will be distributed through the program. All PSATS member townships are automatically members of NATaT.

PSATS Comments on Reapportionment Maps — PSATS commented to the Legislative Reapportionment Commission on the draft House reapportionment map. PSATS policy on redistricting is not to split municipalities, which is also prohibited by the Pennsylvania Constitution. PSATS provided these comments because 45 townships were split.

Bill Would Allow Voluntary Online Legal Notices — [HB 2148](#) would authorize local governments to **voluntarily/place legal notices** on a website, in addition to the required newspaper advertisement. If the newspaper failed to timely publish the advertisement, the ad placed on the website, along with proof of publication and payment, would satisfy the legal requirements for advertising. PSATS supports HB 2148, which has passed the House and is now before the Senate.

Governor Signs New Acts — Gov. Tom Wolf recently signed the following new acts:

- [Act 96 of 2021](#) (*HB 2071*) creates a **Pennsylvania Broadband Development Authority** to disburse state and federal funds for the expansion of broadband to unserved and underserved areas, coordinate broadband development, and produce a statewide broadband development plan. This addresses a PSATS resolution.
- [Act 97 of 2021](#) (*SB 208*) amends the **Municipalities Planning Code** to clarify that a municipality may not require a developer to post a bond of more than 110% of the costs of the improvements. The act further clarifies that a municipality may, prior to release at the time of completion and certification by its engineer, retain 10% of the estimated cost of the remaining improvements. Act 97 takes effect February 20, 2022.

To view the new acts, go to legis.state.pa.us and search for the bill number.

IRRC Approves UCC Regulation — The Independent Regulatory Review Commission approved a regulatory update to the Uniform Construction Code that adopting early all provisions of the 2018 International Code Council codes, as directed by the UCC Review and Advisory Council (RAC). The new regulation will take effect February 14. To view the new regulation, go to www.irrc.state.pa.us and look under “Recent IRRC Orders.”

Townships should note that the CQR program will not alter redistricting data but will be used in the Bureau's population estimates and for funding that uses 2020 Census Data.

Challenges to 2020 Census Results Now Accepted

The U.S. Census Bureau is accepting requests by local officials to review their official 2020 Census housing counts for processing errors in its [2020 Census Count Question Resolution Operation](#). Through the formal review process, the bureau ensures that housing and population counts are correctly allocated to 2020 Census tabulation blocks. Challenges may be submitted **through June 30, 2023**.

Townships interested in submitting a request through this process should be aware that Census tabulation block data is not yet available for Pennsylvania municipalities but is expected to be available soon. Meanwhile, township officials may contact the Governor's Center for Local Government Services at the state Department of Community and Economic Development toll-free at 1-888-223-6837.

Township officials should note that the CQR program will not alter redistricting data but will be used in the Census Bureau's population estimates program and for funding that uses 2020 Census data. To learn more, go to [psats.org](#), scroll down and choose "More News" and search for "Census," which will provide you with links to the Census CQR program.

Local Government Legislation Moves Forward

The following bills of interest to townships recently saw action in the General Assembly: [SB 696](#) would require local governments to notify affected individuals within seven days following determination of a **breach of personal information**.

[SB 861](#) would authorize Pennsylvania to **join the EMS Compact** and make it easier for EMS personnel to move across state boundaries in performing their duties.

[HB 221](#) would authorize local governments to use up to 25% of revenue from the **open space tax** for maintenance and development of open space regardless of the method of acquisition or purchase.

[HB 764](#) would allow employers to **hire employees for childcare** on a provisional basis on par with the 45-day provisional hiring window currently authorized for childcare providers. This would include employees hired for township recreational programs.

[HB 844](#) would prohibit **personal public employee information** from being subject to collective bargaining.

[HB 845](#) would require public employers to **post notice of a final proposed collective bargaining agreement** with any public employee union on the public employer's website at least 14 days prior to acceptance and 30 days after acceptance. Final arbitration awards must be posted within two business days of the award date and for 30 days afterwards. A proposed agreement, a final arbitration award, and all documents submitted to the board of arbitration would be public information.

[HB 1341](#) would authorize **municipal-owned three-axle motor vehicles** to exceed the 58,400-pound maximum gross weight limits if the gross weight is not more than the vehicle's gross vehicle weight rating or 66,000 pounds, whichever is less.

[HB 2042](#) would require public employers to notify nonmembers of a collective bargaining unit annually and prior to hire that they have no obligation to make payments to the union.

[HB 2048](#) would prohibit public employers from **deducting political contributions** from employee payroll, except as required by a grandfathered contract. The bill would not apply to police or firefighter unions under the Police and Firemen Collective Bargaining Act.

To view these bills, go to [legis.state.pa.us](#) and enter the bill number in the upper-right hand corner.

Don't Miss PSATS Training Opportunities!

Don't miss these in-person and virtual training options! Go to learn.psats.org for details.

PSATS Webinar Powerpass: Many townships purchased a PSATS Webinar Powerpass for 2022, which authorizes you to attend any and all webinars offered this year, which are available live and on-demand! Don't forget to take advantage of the opportunity to attend online training at no additional cost to your township!

Duties of a Zoning Hearing Board: Learn the ins and outs of the Municipalities Planning Code and how to navigate the challenges of being a zoning hearing board member. Encourage your ZHB members to attend an in-person in Chester County on **February 22**, Butler County on **March 3**, and Cumberland County on **March 8**.

Basic Training for Secretaries and Administrators: This in-person class will be offered in Cumberland County on **March 22**, Chester County on **March 24**, and Centre County on **April 7**! This is your opportunity to learn the most important issues township secretaries and managers need to know, including budgeting, purchasing, meeting management, human resources, and public engagement.

QuickBooks for Beginners: This virtual class will be held in two half-day sessions on **March 10 and 17** and is designed to provide attendees with a fundamental understanding of QuickBooks Accounting software.

Demystifying Grant Seeking: Tools & Tips for Success: This virtual class will be held **March 10** and will provide an overview of grant funding, as well as writing a successful grant application.

This and That...

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

- **Just Do It! Recognize Township Leaders** — Don't miss these upcoming opportunities to nominate your township, its officials, and even youth organizations for various awards.
 - [PSATS Youth Awards: March 1](#)
 - [PSATS Excellence in Intergovernmental Cooperation Award: March 4](#)
 - [Road & Bridge Safety Improvement Awards: March 4](#)
- For more information, go to psats.org. Select the "Programs & Services" tab and then "PSATS Award Programs."
- **Grants Available for Historic Preservation** — Grant applications are being accepted **until March 1** for construction and project grants for historic resources that are listed or eligible for listing in the National Register of Historic Places. Local governments are eligible to apply for these grants through the Keystone Historic Preservation Grant program administered by the Pennsylvania Historical & Museum Commission. To learn more, go to phmc.pa.gov and look under "News."
- **USDA Has Low-Interest Loans for Water, Wastewater Projects** — The U.S. Department of Agriculture has historically low interest rates of 1.25% to 2.125% for loans from the [Water & Waste Disposal Loan & Grant Program](#). The funds can be used to help build, expand, and repair your community's drinking water, wastewater, stormwater, and sanitary solid waste disposal systems. Projects must be located in a municipality with 10,000 people or less. For more information about the program, contact the Office of Water and Environmental Programs at 717-237-2188.
- **LCB Accepting Applications to Reduce Underage and Dangerous Drinking** — The state Liquor Control Board is accepting applications for grants to fund programs that discourage and reduce underage and dangerous drinking. Municipal police departments may apply for these grants until **March 18**. To learn more, go to lcb.pa.gov and choose "Education" and then "Programs."
- **IFO 2021 Natural Gas Impact Fees Up** — The Independent Fiscal Office released its 2021 estimate for the natural gas impact fees. The total estimate is \$233.8 million, a \$87.6 million increase from collections for 2020. The primary reasons are due to a higher average annual price of natural gas and reduced collections from aging wells.