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## Newsletter of the Township Engineers Association

February 2022

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### Latest News

#### **IRRC Approves UCC Regulation**

The state's Independent Regulatory Review Commission approved a regulatory update to the Uniform Construction Code that adopted nearly all provisions of the 2018 International Code Council codes, as directed by the UCC Review and Advisory Council. The new regulation will take effect February 14, 2022. [Click here](#) to view the regulation.

#### **Recorded PSATS Town Hall on Final ARP Rule Available**

If you were unable to attend the PSATS Town Hall virtual presentation on the final rule for the American Rescue Plan (ARP) and the significant new flexibility it provides, [click here](#) to view the recording or [click here](#) to view the slideshow. For more information about the final rule and links to U.S. Treasury documents, [click here](#) for PSATS' American Rescue Plan page.

#### **Road and Bridge Safety Improvement Contest Accepting Entries from Pa. Townships**

The Pennsylvania Highway Information Association has launched its annual Road and Bridge Safety Improvement Award program for 2022. The contest is now taking applications from PSATS member townships. The program recognizes townships' use of highway user fees for needed community safety improvements and culminates in a presentation to the winners at PSATS' Annual Conference at the Hershey Lodge on April 25, 2022. Click [here](#) to download a copy of the entry brochure. The entry deadline is March 4, 2022.

#### **Register Today for PSATS' 2022 Annual Conference**

If you have not yet registered for an exhibit booth at our upcoming conference at the Hershey Lodge from April 24-27, do so today! Go to [conference.psats.org](https://conference.psats.org), click on the red "Register Here" button, and then choose the blue "Exhibitor" button to register as an exhibitor.

## DEP Releases Draft 2022 Water Quality Report

The state Department of Environmental Protection (DEP) has released its draft Pennsylvania 2022 Integrated Water Quality Monitoring and Assessment Report on the health of streams and lakes statewide. Waters are assessed for one or more of four uses: drinking water, fish consumption, aquatic life, and recreational use, and are determined to be attaining or impaired. For this report, DEP expanded assessment of waterways to include an additional 5,844 stream miles and 25,742 public lake acres and reassessed 5,334 miles of streams and 14,262 public lake acres. Comments on the report may be submitted until March 1. [Click here](#) to learn more about water quality for your township clients.

## 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 additional \$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. [Click here](#) for more information.

## Townships Receive SAM.gov SPAM

PSATS received several reports about suspicious emails claiming to be SAM.gov registration renewals, often saying that users will need to pay a fee to renew their information. **The System for Award Management (SAM), through which townships received their federal COVID funds, is a 100% free government website.** The U.S. government will never send an email requesting payment to register or update information.

Consider contacting your township clients to make sure they are on the lookout for email addresses that try to mimic government addresses, for example, "[sam-registration-gov@gsasam.com](mailto:sam-registration-gov@gsasam.com)." In general, emails from the federal government will come from a **.gov** or a **.mil** email account.

Encourage your township clients to look at both the sender's display name and the sender's email address to verify if it is a legitimate email. If they are suspicious, **they should not respond or click on any links.** If your clients received an unsolicited email claiming or implying affiliation with the U.S. government (*or which a reasonable person could confuse with an official message from the government*), encourage them to:

- Forward the email to the Federal Trade Commission Unsolicited Consumer Emails program at [spam@uce.gov](mailto:spam@uce.gov).
- Report the contact to the Federal Bureau of Investigation's [Internet Crime Complaint Center](#).

## Applications for Certified Host Municipality Inspectors Reimbursement Due March 31

The state Department of Environmental Protection has announced that the deadline for applications for the 2021 Host Municipality Inspector Program is March 31, 2022. Reimbursements are made to any municipality that has a municipal waste landfill, resource recovery facility, or commercial hazardous waste storage, treatment, and disposal facility. Applications must be submitted online through [www.esa.dced.state.pa.us](http://www.esa.dced.state.pa.us). Questions should be directed to Allen Bardar, Bureau of Waste Management, at [abardar@pa.gov](mailto:abardar@pa.gov) or (717) 787-2553. Additional information is also available on the department's website at [www.dep.pa.gov](http://www.dep.pa.gov) by searching for "Host Municipality Inspector."

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## Legal Update

### PSATS Supports Township Member in Long-Running Quarry Dispute

PSATS recently filed a brief in support of New Hanover Township, Montgomery County, in

*Gibraltar Rock, Inc. v. Pennsylvania Dep't of Env'tl. Prot.*, No. 78 MAP 2021, in which the state Supreme Court will decide whether the Environmental Hearing Board correctly ruled that the Department of Environmental Protection (DEP) may not issue surface mining permits because of contamination-related concerns on the property and an adjoining property.

After many years of legal battles between the applicant, which sought to conduct mining operations, and the township, including a fight over special exceptions imposed by the township, the Environmental Hearing Board rescinded permits issued by DEP. It found that pumping water out of the quarry would draw contaminated water toward the property and that the quarry would adversely impact water quality. The Commonwealth Court reversed that decision and ordered the Environmental Hearing Board to remand the matter back to DEP so that it could guide the applicant on the conditions necessary for it to obtain permits. Interestingly, after initially issuing the permits, DEP reversed course and stands with the township and against the issuance of the permits.

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## Legislative Report

The following is an updated summary of legislation affecting townships that is under consideration by the General Assembly. Please note that the status of these bills may have changed.

The following bill was recently reported out of the Senate Local Government Committee:

[HB 221](#) would amend the Local Tax Enabling Act (Act 511 of 1965) to authorize local governments to use up to 25% of revenue from the open space tax to maintain and develop open space regardless of how that space was acquired or purchased.

The following bills were recently reported out of the House Labor and Industry Committee:

[HB 1104](#) would amend the Uniform Construction Code to require commercial permit holders to keep a copy of the UCC permit on the worksite until work is completed, preferably on display, along with the name of the general contractor and subcontractors.

[HB 1790](#) would amend the Uniform Construction Code to require code officials to perform all required inspections and provide a written description of any violations, including references to the applicable codes. The bill would also require the state Department of Labor and Industry to investigate complaints about code administrators and take corrective action for just cause, including remedial education and decertification. Permit applications would be required to include a notice to this effect.

The following bills were recently reported out of the House Transportation Committee:

[SB 153](#) would increase the maximum allowable weight for commercial vehicles powered by electric batteries from 80,000 to 82,000 pounds.

[HB 2216](#) would consolidate the law creating the Pennsylvania Infrastructure Bank into Title 74 of the Pennsylvania Consolidated Statutes.

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## Training Opportunities (*many PDH eligible*)

### Calling All Subject Matter Experts!

PSATS continues to host numerous in-person and virtual educational events targeted at both township engineers and municipal officials as detailed below. If you are interested in sharing your

expertise for an in-person or virtual presentation on any topic of interest to our audience, please contact Education Director Scott Coburn at [scoburn@psats.org](mailto:scoburn@psats.org).

### **In-Person Classes**

[Duties of a Zoning Hearing Board - 2/22/22 - Chester County](#)

[Duties of a Zoning Hearing Board - 3/3/22 - Butler County](#)

[Duties of a Zoning Hearing Board - 3/8/22 - Cumberland County](#)

From making decisions on contentious public issues to learning the ins and outs of the Municipalities Planning Code, being a member of a zoning hearing board can be a challenge. In these classes, Elam Herr, PSATS' former assistant executive director and current chair of the East Hempfield Township, Lancaster County, zoning hearing board will help you to better navigate this challenge. Topics will include procedures for deciding variances and special exceptions, handling hearing-related questions, Ethics Act requirements, and much more. Attendees will also learn specific, practical tips that will leave them better prepared for their next meeting or hearing. While this course is geared toward newer zoning hearing board members, those looking for a refresher on their obligations will also benefit.

[PSATS SEO Precertification Academy - 3/28-4/1, 2022](#)

The PSATS SEO Precertification Academy is designed to teach the basic skills a future sewage enforcement officer (SEO) needs to know to work for a local agency. If your firm is looking to develop new SEOs, they will need to take this course as a prerequisite to taking the state certification exam. Register them now as space is filling up.

[2022 Engineers Spring Seminar - 4/25 & 4/26, 2022](#)

It is never too early to plan for the 2022 Engineers Spring Seminar, which will be held in-person the mornings of April 25 & 26, 2022, in conjunction with the PSATS Annual Conference in Hershey. Eligible for three PDHs (Professional Development Hours) per day. Click on the link above to register.

### **PowerPass-Eligible Webinars**

[Webinar - Where We Ride: Bicycle And Pedestrian Networks and Improvements - 2/23/22](#)

Do all streets and roads need to be "complete"? Not all do, but enough to create a network that allows bicyclists and pedestrians to travel to their regular destinations. Selecting township roads for the network and prioritizing locations for improvement are processes that must build on previous planning efforts and current usage, assess the level of improvement needed to make biking and walking feel comfortable, and consider facility maintenance responsibilities.

[Webinar - State Police and Municipal Truck Fleets - 3/2/22](#)

During this one-hour webinar, troopers from the State Police Motor Carrier Enforcement Office will discuss several important requirements that all municipalities must meet to ensure they are conducting safe and legal commercial motor vehicle operations.

[Webinar - What Your Public Works Director Wants You to Know - 3/23/22](#)

Your township's public works staff have unique perspective, knowledge, history, and information that greatly benefit elected officials and senior employees. Confronted daily with the challenge of solving problems with finite resources, they are your front line for issues that matter to your constituents. This webinar will help you understand township public works infrastructure, operations, and management so that you can better respond to residents and lead your community.

### **Virtual Classes**

[Demystifying Grant Seeking: Tools & Tips For Success - Virtual Class - 3/10/22](#)

Join fundraising master trainer, Chad Barger, CFRE, for a session focused on seeking grant support for township projects and programs. The session begins with an overview of the role of grant funding in an organization and the prerequisites for seeking grant support. Chad will then provide insight on how to identify grant opportunities, tips for writing a successful grant

application, and tools for managing the grant-seeking process.

[Duties of a Zoning Hearing Board - 3/15/22 - Virtual](#)

See description under In-Person Classes.

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This monthly newsletter for members of the Pennsylvania State Association of Township Engineers focuses on news and matters of interest to municipal engineers and provides details on upcoming training opportunities. You can access past newsletters under the “Newsroom” tab when you are signed in at [psats.org](http://psats.org). Email comments and suggestions to James Wheeler at [jwheeler@psats.org](mailto:jwheeler@psats.org).

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**Pennsylvania State Association of Township Supervisors**

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