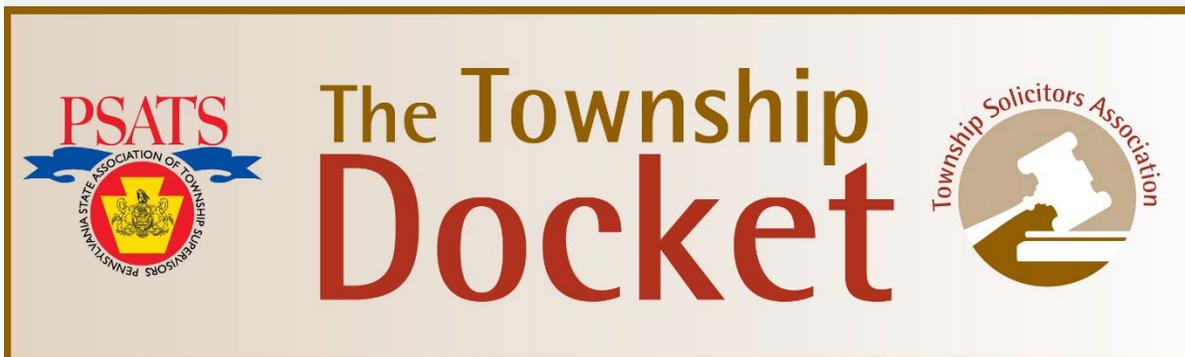


Click [here](#) to view this email in your browser.



## Newsletter of the Pennsylvania State Association of Township Solicitors

March 14, 2022

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### Headlines

#### **Tomorrow Is Deadline for Townships to Submit Online Gaming Local Share Grant Applications**

Please make sure that your clients know that the Commonwealth Financing Authority is accepting grant applications for its \$100 Million Statewide Local Share Grants until **March 15**. There is no local match required. Townships are eligible to apply for these grants, which can be used for many projects that improve the quality of life in their communities. Eligible uses include acquisition, construction, demolition, infrastructure, purchase of vehicles, machinery and/or equipment; planning, consulting and design costs related to planning projects; engineering; and design. Click [here](#) for the grant application.

#### **Penn State Extension Hosting Utility-Scale Solar Webinar**

On March 15 at noon, Penn State Extension will host a webinar on ordinances that have been adopted or are being considered to regulate utility-scale solar energy installations. To register, go to [www.bit.ly/solarMarch15](http://www.bit.ly/solarMarch15).

#### **PSATS Offering Fundamentals of Zoning Virtual Class w/CLE**

Next Tuesday, March 22, PSATS will be hosting a virtual class — Fundamentals of Zoning – The Why and How of Zoning — which is a great opportunity for a refresher or for newer attorneys to get up to speed on all sorts of zoning-related issues. Attorneys from McNees Wallace & Nurick, the sponsor of the PSATS Solicitors Association, will be presenting this two-credit class. For more information or to register, click on the link in the Upcoming Educational Opportunities section below.

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### Recent Decisions

In *County of Delaware v. Delaware County Regional Water Quality Control Authority*, \_\_\_ A.3d \_\_\_, 2022 WL 619580 (Pa.Cmwth. March 3, 2022), the court ruled that a

municipality retains statutory authority under the Municipality Authorities Act to dissolve and/or obtain an authority after the authority enters into a contract to sell its assets but before complete performance of that contract has occurred.

In this case, DELCORA, an authority created by the county, agreed to sell its assets to Aqua. The county countered that act by adopting an ordinance directing the authority to wind up its affairs. DELCORA argued that the county, by enacting the ordinance, was intentionally interfering with the contract between it and Aqua and that the contract should proceed.

The Commonwealth Court disagreed with DELCORA and found that the county ordinance was enforceable “to the extent it directs the termination/dissolution of DELCORA and dictates that, after termination/dissolution is underway, DELCORA must engage in conduct necessary to effectuate the transfer of its assets and the assumption of its liabilities/obligation by the County.” It also found, reading Sections 5622(a) and 5607(d)(4) and (13) of the Municipality Authorities Act together, that a “municipality may invoke its power under section 5622(a) to demand that the authority terminate and/or convey its assets to the municipality at any time prior to the complete performance of that contract.”

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## Legislative Update

Last week, the board of directors of the National Association of Towns and Townships (*all PSATS member townships are also members of NATaT*) adopted its 2022 platform on federal issues impacting townships. These include transportation, telecommunications and cybersecurity, emergency responders, the census, and federal preemption. Click [here](#) for more.

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## Upcoming Educational Offerings

### [Fundamentals of Zoning - The Why and How of Zoning – 3/22/22 Virtual Class \(2 CLE\)](#)

Supervisors who enact zoning ordinances must understand the purpose and function of zoning. This workshop explains why we have zoning, how we implement it, and the tools it affords townships to protect the public's health, safety, and welfare. The workshop is intended to educate both the newest supervisors and the ones who have seen it all. We will discuss the legal roles of supervisors and others, zoning hearings (including conditional uses), and several other important aspects of zoning ordinances that are often overlooked or misunderstood.

### [Fair Housing Fundamentals for Townships – 3/30/22 Webinar \(1 CLE\)](#)

Learn from the fair housing team at the Pennsylvania Human Relations Commission about practical steps that you can take to stay in compliance with fair housing laws and promote equitable housing opportunities in your municipality.

### [Conducting Internal Investigations and Minimizing Township Liability – 4/20/22 Webinar \(1 CLE\)](#)

With a heightened focus on diversity and inclusion, there is a spotlight on responses to alleged

discrimination and harassment inside and outside of the workplace. This webinar is designed to help township supervisors and their staff identify issues that require rapid response and the process and procedures necessary to effectively address these issues, as well as conduct an objective and thorough investigation to ensure the safety and equal treatment of employees and constituents and minimize liability.

**[2022 Solicitors Spring Seminar – 4/25/22 In-Person \(5 CLE\)](#)**

This seminar will cover a wide variety of emerging and important trends and issues vital to the practice of every municipal solicitor. Topics will include an update on municipal HR and personnel management issues; ethics, fraud, and other high crimes by township officials; zoning; fair housing requirements; and “Politicians and Residents Say the Darndest Things.” Do not miss this opportunity to hear from experts and network with your peers from around the state.



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This biweekly newsletter for members of the Pennsylvania State Association of Township Solicitors is intended to focus on news and matters of interest to solicitors, share case updates in a timely manner, and provide details about upcoming training opportunities. Email comments and suggestions to Scott Coburn at [scoburn@psats.org](mailto:scoburn@psats.org).



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