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Newsletter of the Township Emergency Management Association

November 2022

Latest News

Make Sure Your Township Budgets for EMC Training

Now is the time to begin working with your township to make sure it includes a line item in the 2023 budget for you to attend our Spring 2023 Emergency Management Seminar at the Hershey Lodge on April 23 for the latest update on important local emergency management issues. Your township should also budget for our Fall 2023 Emergency Management Tabletop Exercise Seminar later next year.

PSATS 2022 Stormwater Conferences Now Virtual

Has your township seen an increase in storm-related flooding? Learn how other townships are using best practices for stormwater management to address this statewide problem at the 2022 PSATS Virtual Stormwater Conference. Choose the technical track or policy track as appropriate.

If you are a member of a township stormwater operations staff, select the technical track. If you have managerial and administrative stormwater responsibilities, select the policy track. Emergency management coordinators might find it most effective to attend both sessions.

Click on the appropriate link below to register for one or both tracks to learn effective and state-of-the-art practices for improving your overall stormwater management program from a wide variety of township officials and consulting engineers.

[Virtual Technical Track on Nov. 9](#)

[Virtual Policy Track on Nov. 10](#)

Each event starts at 9 a.m. and concludes by 3:15 p.m. **Registration is \$150 per person** for each track and includes a certificate of attendance and all workshop presentation materials.

Legal Update

Court Upholds Forced Sale of Property with Continued Maintenance Problems

In [North Coventry Twp. v. Tripodi](#), No. 1023 C.D. 2020, 2022 WL 4088309 (Pa.CmwltH.

Sept. 7, 2022), the court affirmed a trial-court order compelling a sale of property with continued maintenance problems because the owner repeatedly ignored court orders aimed at addressing those problems.

The township first obtained injunctive relief against Tripodi, the property owner, in 2008 when the court entered an order with a settlement agreement whereby Tripodi agreed to sell the property and provide access to a master who would conduct inspections and oversee work on the property. The trial court later found the company in contempt of many of its orders and ordered it to pay fees and place money into escrow for the master's use.

After additional contempt petitions, the trial court ordered Tripodi to pay more than \$60,000 to the master and almost \$35,000 in attorney's fees and costs to the township. It later noted that the company's failure to comply might result in the sale of the property and that Tripodi must deliver the master a \$500,000 check or personal financial information. It finally ordered the sale of the property. The Commonwealth Court ruled that the trial court did not abuse its discretion in issuing the order forcing the sale.

Legislative Report

Legislative Session Ends

The 2021-2022 legislative session has come to a close as no further days are scheduled to consider legislation. Both House and Senate will return briefly after the election to vote on leadership for the 2023-2024 legislative session. While the session technically ends November 30, the General Assembly has not considered legislation after the general election in more than a decade.

In the final days and hours, many bills fell short. A package of bills that would have made it easier to obtain permits to perform needed maintenance in streams to prevent flooding did not make it through the Senate, despite moving forward in the final days. While Right-to-Know Law reform was an active subject of debate, the weak reforms under consideration also fortunately stalled. PSATS will pursue member priorities in the new session seeking better solutions with the new General Assembly.

These bills were signed into law November 3, 2022:

- Act 99 of 2022 (HB 103) creates a felony offense for assaulting a law enforcement officer if the person intentionally or knowingly caused or attempted to cause the law enforcement officer to come into contact with body fluids or feces. Act 99 takes effect January 2, 2023.
- Act 104 of 2022 (HB 397) increases the time limit on additional funding for merged fire and EMS companies from the Fire Company and EMS Grant program from 10 to 20 years. The cap on fire grants is increased from \$15,000 to \$20,000 per fire company and from \$10,000 to \$15,000 per EMS company.
 - In addition, Act 104 creates new programs funded by the fireworks tax in Act 74 of 2022. This includes a loan forgiveness and tuition assistance program for active volunteer firefighters and volunteer EMS providers of up to \$1,000 per year for full-time students and \$500 per year for part-time students; scholarships for EMS personnel and reimbursement for EMS agency recruitment and retention costs; fireworks public safety education; reimbursement to bomb squads for storage and destruction of illegal fireworks; and capital grants for municipal and combination fire departments and emergency services training centers.
 - Act 104 also requires the Office of the State Fire Commissioner to make online access to training through an education certification management system, including registration, transcripts, and certificates. The act extends the deadline for the State Fire Advisory Board's report to change the Fire Relief Funding Formula and Fire Relief Services from November 30, 2022, to December 31,

2023. The act allows volunteer fire tax credits to be established by resolution in addition to ordinance. Act 104 addresses several PSATS resolutions. Sections 7813(B)(3) and 7823(b)(3) take effect in 60 days; the rest took effect November 3, 2022.

- Act 121 of 2022 (HB 1988) authorizes the Municipal Police Officers' Education and Training Commission (MPOETC) to certify Pennsylvania State System of Higher Education campus police officers that have completed MPOETC training. In addition, the act provides for certification of school police officers. Act 121 took effect November 3, 2022.
- Act 126 of 2022 (HB 2210) amends Act 135 of 2008 to include land banks as a "party in interest" that may petition the court to become a conservator, with the ability to bring residential, commercial, and industrial buildings into municipal code compliance when the owners of these properties do not comply with these codes. Act 126 takes effect January 2, 2023.
- Act 130 of 2022 (HB 2398) regulates the operation of highly automated vehicles (HAVs) with and without a driver and authorize testing conditions for these vehicles, including platooning. The act directs the state Department of Transportation to oversee and regulate the operation of HAVs. Various effective dates.
- Act 145 of 2022 (SB 153) increases the maximum allowable weight for commercial vehicles powered by electric batteries from 80,000 to 82,000 pounds. Act 145 takes effect January 2, 2023.
- Act 149 of 2022 (SB 439) makes permanent the optional \$15 county fee for each deed and mortgage recorded, which is used to demolish blighted property. Act 149 takes effect January 2, 2023.
- Act 151 of 2022 (SB 696) requires the state and local governments to notify affected individuals within seven business days following determination of a breach of personal information, such as driver's license number, financial account numbers or credit or debit card numbers, medical and health insurance information, and username and password. The bill requires local governments to notify the district attorney of the breach within three business days. Act 151 takes effect May 2, 2023.
- Act 155 of 2022 (SB 1027) allows a 17-year-old to train for an interior firefighting module with live burns if they have permission to engage from a fire chief and a parent or guardian. The minor must be under the supervision of a credentialed Pennsylvania State Fire Academy Instructor. Act 155 addresses a PSATS resolution. Act 155 takes effect January 2, 2023.
- Act 158 of 2022 (SB 1152) requires law enforcement officers to report overdose incidents to an overdose information network no later than 72 hours after the overdose. Municipal officials and police chiefs can receive data from the network on overdose spikes in their community. Act 158 takes effect January 2, 2023.

Upcoming PSATS Educational Opportunities

Virtual Classes

[Emergency Management Fall Seminar - Virtual Class - 12/8/22](#)

This full-day, virtual class is designed for everyone responsible for your municipality's emergency management program, including elected officials, municipal managers, road crew/public works personnel, and most important, local emergency management coordinators. We encourage your entire emergency management team to register and attend this informative and interactive virtual session together to learn how to use inexpensive "thought exercises" to improve your local emergency management program.

In-person Classes

[Flagger Training](#)

PSATS is offering in-person, instructor-led flagger training for individuals who have flagging responsibilities on public roads. Others who would benefit from this course include — especially during an emergency — township road crews and public works departments, utility companies working on low-volume roads, local law enforcement personnel, and tow-truck drivers, as well as township managers and elected officials to understand the importance of flagging and budgetary needs. This course meets the PennDOT Publication 408 flagger training requirements. Click on the link above to see the current list of classes.

PSATS PowerPass-Eligible Webinars

[Webinar – What Township Records Are Confidential? – 11/16/22](#)

In this webinar, Tricia Springer, an experienced practitioner before the Office of Open Records, will provide the latest insight into what is confidential and what cannot be considered confidential in the workplace. She will use real-world examples to make sure that your records are properly protected and will discuss the increasing use of electronic data in the workplace and who can access that data.

TEMA Q&A

Q: How do other townships inform motorists of the number to call when a traffic signal is out due to a storm?

A: Some townships are putting a visible sticker on the signal box facing motorists alerting them to the phone number they can call to report the malfunctioning traffic signal. Additionally, some townships are pre-installing connections to hook up an emergency generator to their most critical traffic signals as a mitigation measure to reduce the number of accidents during power outages.

Q: Is there a list of the types of firefighter training that is offered by the State Fire Commissioner?

A: Yes. The Office of the State Fire Commissioner maintains [a list of this training](#) online. The State Fire Academy provides this training, and more information is available on its [website](#).

Q. We are considering asking our township secretary to become our public information officer (PIO). Are there any online courses we can review on what is needed to be a PIO?

A: Yes, the Federal Emergency Management Agency maintains a number of online courses, one of which is the [“IS-29.A: Public Information Officer Awareness”](#) self-study class. This class is designed to familiarize participants with the concepts underlying the PIO role. The course provides a basic understanding of the PIO function for those new to the position and gives those at the executive level the necessary knowledge of the PIO's roles and responsibilities during an emergency.

This monthly newsletter for members of the Township Emergency Management Association focuses on news and matters of interest to municipal emergency management personnel and provides details on upcoming training opportunities. To access previous editions, log onto www.psats.org and look under the “Newsroom” tab. Email comments and suggestions to TEMA Coordinator James Wheeler at jwheeler@psats.org.



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