

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

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Marcellus Shale, Transportation Funding Reports Favorable to Townships

In recent weeks, two state commissions released reports on two issues that are having a major impact on municipalities statewide: natural gas drilling and transportation. Both studies offer the prospect of additional funding for townships.

The first came from the **Marcellus Shale Advisory Commission**, which unanimously supported a local impact fee on natural gas extraction, saying the levy would help communities on the front lines cover the maintenance costs of roads and bridges, emergency response, fire and police protection, public water and sewer systems, land use planning, and permit review and enforcement, to name a few. The commission also agreed that Harrisburg should put aside any plans to mandate uniform statewide zoning criteria for natural gas extraction activities.

PSATS Executive Director David M. Sanko served on the 30-member commission, chaired by Lt. Gov. Jim Cawley.

“The report recognizes the significant role that local government plays in preserving Pennsylvania’s quality of life,” Sanko said. “By embracing a local impact fee, the commission is helping to avoid potential property tax increases. At the same time, the commission endorsed the preservation of local common-sense zoning over a state-mandated, ‘one-size-fits-all’ solution. This ensures that our local leaders and citizens maximize the benefits of natural gas exploration and minimize the negative impacts.”

Many of the commission’s 96 recommendations focus on protecting Pennsylvania’s natural resources. For example, the report recommends amending the state’s Oil and Gas Act to increase the setback between gas and water wells from 200 feet to 500 feet. The report also includes several recommendations for improving emergency response, such as assigning 9-1-1 addresses and GPS coordinates to wellpad sites and posting emergency contact information for first responders. In addition, the report recommends that predrilling notices be provided to host and adjacent municipalities within 2,500 feet of a drill site.

The state legislature is expected to consider a number of the recommendations in the fall, including measures authorizing a local impact fee. While there are numerous impact fee proposals being discussed, **Senate Bill 1100** has received the most attention. The bill would allocate more than half of the revenues from a local impact fee to host municipalities, host counties, and nonhost municipalities in a host county and comes the closest to addressing the commission’s overall recommendations.

SB 1100, however, also contains language that would impose uniform statewide zoning criteria for natural gas extraction activities. PSATS is urging the legislature to remove this provision from the proposal.

Earlier this month, the **Transportation Funding Advisory Commission** released its



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The Transportation Funding Advisory Commission's plan would eventually provide municipalities with \$300 to \$400 million a year for local transportation projects.

report, which recommended a common-sense, networkwide approach to repairing the commonwealth's roads, bridges, and mass transit systems. The study provides a road map for the state to raise \$2.5 billion a year to fund transportation infrastructure improvements.

Two Association representatives, Assistant Executive Director Elam M. Herr and Jim Decker, a supervisor for Stroud Township in Monroe County, served on the 40-member commission.

"This state-appointed group did some things that others before it haven't: It recognized the vital role that local roads and bridges play in Pennsylvania's transportation system; it listened to local government; it treated municipalities as partners; and it responded with a doable, long-term solution that is going to put the commonwealth's transportation system back on the road to recovery," Sanko said.

The commission's plan, to be phased in over the next five years, would eventually provide municipalities with around \$300 million to \$400 million a year for local transportation projects. When added to the \$300 million that local governments currently receive in liquid fuels funding, this would represent a substantial increase.

The panel recommended that the state raise the money by indexing outdated license and registration fees, uncapping the oil company franchise tax, shifting partial funding for the State Police to the general fund, modernizing vehicle inspection and registration requirements, and consolidating mass transit programs and services. The General Assembly is expected to consider the plan during the fall session.

To view the reports, log onto www.psats.org and choose "Reports" under the "Legislation and Policy" tab.

Capitol Roundup

General Assembly Schedules Fall Session; PSATS Testifies on Prevailing Wage; Legislation Would Repeal Sign Mandate

General Assembly returns for fall session in mid-September — The state Senate will return to session on September 19 and the state House of Representatives on September 26. This fall, the legislature is expected to focus on Marcellus Shale-related legislation, including the imposition of a local impact fee, and consider recommendations from the Transportation Funding Advisory Committee. School choice and the privatization of state liquor stores are expected to be major issues, along with common-sense reforms for mandate relief — particularly bidding and advertising reforms that PSATS has strongly promoted.

PSATS testifies on prevailing wage — In August, PSATS testified before the House Labor and Industry Committee in support of **House Bill 1271**, which would exempt municipalities from paying the prevailing wage on certain paving projects. During the hearing, the Association presented several examples to illustrate the financial impact that a 2008 Pennsylvania Supreme Court decision has had on its members. The court decision opened the door for routine maintenance projects, such as paving, to fall under prevailing

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wage requirements.

For a copy of the testimony, log onto www.psats.org and choose “Testimony” under the “Legislation and Policies” tab.

Toomey to introduce legislation to repeal sign mandate — U.S. Sen. Pat Toomey recently announced that he will introduce legislation to repeal U.S. Department of Transportation regulations that require municipalities to upgrade street signs to meet new retroreflectivity standards by 2018.

Toomey said his goal is to alleviate the burden that this regulation places on municipalities and taxpayers, who should not be forced to foot the bill for expensive federal mandates.

DEP Ends Classroom SEO Training Program

Effective immediately, the only funded and approved state Department of Environmental Protection training for sewage enforcement officers will occur online at <http://seotraining.org> since the agency’s announcement that it will no longer fund classroom training.

State law requires DEP to train SEOs and historically, DEP funded the SEO Training Program with revenue from planning module permit fees. Now, instead of funding training with revenue from these fees, DEP plans to authorize third-party providers to offer fee-based continuing education classes to SEOs. Currently, the timeframe for developing this process and any subsequent training is unknown.

SEOs play a huge role in protecting the commonwealth’s water supply and their importance cannot be understated. PSATS understands the critical nature of having certified SEOs available because state law requires townships to employ or contract with a primary and alternate SEO. While this new directive means that SEOs and the local governments that appoint them must bear the cost of this training, be assured that PSATS remains committed to providing high-quality training at an affordable price. We will provide additional information to you as soon as DEP finalizes this new approach.

For more information about DEP’s decision to no longer fund the SEO Training Program, contact John Diehl, DEP’s chief of Act 537 Management Section, at jdiehl@pa.gov and copy saveseo@psats.org or call him at (717) 783-2941.

State Mandates Survey Coming Soon!

Senate Resolution 323 directed the state’s Local Government Commission to form a task force to estimate the costs of mandates to municipalities and identify ways to provide some relief.

As part of the study, PSATS will be conducting a statewide survey with the commission, the Pennsylvania State Association of Boroughs, the Pennsylvania League of Cities and Municipalities, and the Pennsylvania State Association of Township Commissioners. The survey focuses on those mandates that the associations identified as

The unfunded
mandate survey
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mandates.

the most burdensome for their members and that have a basis in state law, since the General Assembly has the ability to change the laws to provide relief. *(For more details about the survey, see Page 22 of the August 2011 issue of the Pennsylvania Township News.)*

The survey will arrive in townships soon. Local officials are being asked to calculate the financial impact of certain mandates and provide suggestions for relief from the most severe mandates. Townships that have an email address on file with PSATS will receive an electronic link to the survey to complete online. All others will receive the survey in the mail.

Please take the time to complete and return the survey. Your responses will help us determine how much certain state mandates are costing townships. For more information, email PSATS Research Analyst Melissa Morgan at mmorgan@psats.org or call the Association at (717) 763-0930.

Training Opportunities for Township Officials

Several workshops for township officials will be held in the coming months. For more information or to register, log onto www.psats.org and choose “Training” and then “PSATS Workshops” or call PSATS at (717) 763-0930.

The following workshops are scheduled in September and October:

Funding Solutions: Grantwriting — This workshop will help attendees demystify the sometimes overwhelming process of grantwriting and teach the basics of finding, writing, and managing grants. The instructors will discuss the best ways to contact funding sources and provide valuable techniques on how to secure funds despite fierce competition. You will leave ready to take action for your township.

This workshop will be held from 9 a.m. to 4 p.m. on the following dates:

- **September 14** — Hazle Township Building, Luzerne County
- **September 21** — Goshen Township Building, Shawville, Clearfield County
- **September 27** — Cranberry Township Building, Butler County

The fee for PSATS members is \$115 and includes tuition, materials, and refreshments. The nonmember fee is \$140.

Teaching Safe Cycling Skills to Children — Township police who conduct bicycle rodeos and *anyone else* interested in learning how to teach bicycle safety skills to school-age children should register to attend a **free** workshop being held at six locations in September and October.

The course, Teaching Safe Cycling Skills to Children, is offered through the Pennsylvania Safe Routes to School Resource Center as part of the state Department of Transportation’s Safe Routes to School Program. Funded by the Federal Highway Administration, this federal initiative was created by Congress to enable and encourage students to walk and bicycle to school.

The course is scheduled from 8 a.m. to 3 p.m. on the following dates:

- **September 14** — Lackawanna Public Safety Center, Jessup, Lackawanna County
- **September 20** — Murrysville Municipal Building, Westmoreland County
- **September 21** — Vernon Township Building, Meadville, Crawford County

The Comprehensive Municipal Finance workshop will help those with no formal accounting background understand financial reporting, multiyear budgets, and cash management.

- **September 27** — Upper Merion Township Building, King of Prussia, Montgomery County
- **October 18** — Old Lycoming Township Building, Williamsport, Lycoming County
- **October 21** — PSATS Training Center, Enola, Cumberland County

To attend, register online at www.saferoutespa.org. For more information, contact the Pennsylvania Safe Routes to School Resource Center, which is administered by PSATS, at info@saferoutespa.org or (717) 763-0930.

Comprehensive Municipal Finance — This course will provide attendees with an understanding of the principles behind municipal accounting, financial reporting, budgeting, and fiscal decisionmaking. Developed for those with no formal accounting background, this course will help attendees achieve an outstanding treasury function by focusing on clear, concise financial reporting. Topics will include simplified financial reporting, multiyear budgets, using an operation income structure, capital budgeting with real returns, escrow fund management, and cash management.

This workshop will be held from 9 a.m. to 4 p.m. on the following dates:

- **October 13** — Bald Eagle Township Building, Millhall, Lycoming County
- **October 17** — Unity Township Building, Latrobe, Westmoreland County
- **October 27** — Lancaster County Public Safety Training Center, Manheim

The fee for PSATS members is \$115 and includes tuition, materials, and refreshments. The nonmember fee is \$140.

Parliamentary Procedure — This workshop is for appointed and elected officials who have little or no experience with parliamentary procedure or for those who want a refresher on the basics. The three-hour interactive session will focus on procedural rules for conducting official municipal meetings and will include a discussion of the Sunshine Law. Please note that parliamentary procedure is different from Roberts Rules of Order, which is designed for meetings of larger groups.

The workshop will be held from 1 to 4 p.m. Wednesday, **October 26**, at the PSATS Training Center in Enola, Cumberland County. The fee for PSATS members is \$75 and the nonmember fee is \$100.

The federal
Assistance to
Firefighters
Grant program is
accepting
applications until
September 9,
2011!

This and That...

Be sure to check this section each month, where you will find important reminders and information about upcoming events that your township won't want to miss.

- **Want to find grant opportunities?** — To serve you better, PSATS continually compiles information about the latest federal and state grant opportunities. To find resources for your township, log onto www.psats.org and choose "Grants & Funding" from the "Member Resources" tab. Be sure to stop by often since this page is updated regularly.

- **Looking for ways to fund your local volunteer fire company?** — The Assistance to Firefighters Grant gets firefighters and first responders the essentials they need to be safe and effective on the job. The program provides funding for firefighting and EMS equipment and vehicles, personal protective equipment, training programs, and facility improvements. The deadline to apply is **September 9, 2011**. For more information or to apply, log onto www.fema.gov/firegrants.

- **DCNR surveying training needs on green and sustainable practices** — The state Department of Conservation and Natural Resources is conducting an online survey that is asking participants to share their green and sustainable training needs. The information will be used to develop webinars for a free statewide training program.

To complete the survey, log onto www.psats.org before **September 16, 2011**, and choose the survey link under "Latest News." or go directly to:

www.dcnr.state.pa.us/SelectSurveyNet2/TakeSurvey.aspx?SurveyID=m210552

- **Hazard mitigation assistance available** — Townships interested in receiving predisaster and flood mitigation assistance should submit an application to the Pennsylvania Emergency Management Agency by **November 4, 2011**.

For more information, log onto www.psats.org and choose "Grants & Funding" under the "Member Resources" tab.

- **DEP accepting applications for municipal recycling performance grants** — The state Department of Environmental Protection is accepting applications from municipalities for Section 904 recycling performance grants until **December 30, 2011**. Due to the limited amount of funding, the formula has been changed to reduce individual grants by 40 percent.

For more information, log onto www.depweb.state.pa.us (Keyword: "Recycling Grants") or contact Mark Vottero of the Bureau of Waste Management at mvottero@state.pa.us.

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