

the PACOG News

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Pennsylvania's Keystone for Intergovernmental Cooperation

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PACOG

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2021 Local Government Excellence Awards

The 2021 Annual Governor's Awards for Local Government Excellence, sponsored by the Department of Community and Economic Development, the Governor's Center for Local Government Services, was held virtually on May 19, 2021.

Municipalities were recognized for their successes in undertaking innovative projects and initiatives. Local government officials were selected from their local government associations and recognized for their exemplary service and dedication to local government in Pennsylvania.

Following are the award winners:

*** **PACOG Individual Award Winner** was **Eugene Miller** from Oil Region COG, Pinegrove Township (Venango County), and current President of PACOG

*** **Intergovernmental Cooperation Winner – Lower South Valley COG and Mountain COG**, for a COVID-19 regional code enforcement partnership

*** **Promoting Community/Economic Revitalization Winners-Tri-COG Land Bank** (Allegheny County), City of Clairton (Allegheny County) and City of Aliquippa (Beaver County)

Building Community Partnerships Winners – Fountain Hill Borough (Lehigh County) and AllOne Foundation (NEPA – North Eastern Pennsylvania Alliance)

Innovative Community/Government Initiatives Winners- Plainfield Township (Northampton County) and South Whitehall Township (Lehigh County)

Responding to Adversity Winners – Local Government Academy (Allegheny County) and Delaware County

Innovative Planning & Sound Land Use Practices Winner- Lehigh Valley Planning Commission

Information Technology Winners- Town of McCandless (Allegheny County) and Millbourne Borough (Delaware County)

Fiscal Accountability and Best Management Practices Winners- Worcester Township (Montgomery County) and Northampton County

PACOG Congratulates All the Award Winners!

All COGs are encouraged to start thinking NOW about their successes. And prepare to apply for an award next year!

COG Talk... What's Happening in Our COGs?

Dan Guydish, Executive Director of Mountain COG, suddenly passed away on May 3, 2021. He had been the Executive Director of the Mountain COG since 2005. In 2015, he was the PACOG Individual Award Winner at the Annual Governor's Awards for Local Government Excellence, sponsored by the Department of Community and Economic Development. His involvement in local government included being a member of council in West Hazleton Borough from 1987 to 1994, with four years as council president, and then two terms as mayor from 1994 to 2002. He taught social studies in the Hazleton Area School District, and his teaching career spanned 30 years. After retiring from the Hazleton Area School District he was an adjunct professor of history and political science at Luzerne County Community College. He was also membership director for the Greater Hazleton Chamber of Commerce for 15 years.

Turtle Creek Valley COG was awarded a \$125,000 grant for their cloud based, open source civic software project, codeNforce. The goal was to have the property maintenance workflow, occupancy inspection work flow and report functions operating smoothly by the end of the contract period. It will be an excellent, affordable tool to assist municipalities with their code enforcement efforts.

The League of American Bicyclists recognized the **Centre Region Council of Governments (CRCOG)** as a silver level Bicycle Friendly Business (BFB). This designation places the CRCOG alongside over 1,400 businesses across the country contributing to the movement to build a more Bicycle Friendly America.

Capital Region COG (CapCOG) is preparing for their Annual Surplus Equipment and Vehicle Auction on Wednesday, July 21. The auction supports CapCOG. It will be held in South Middleton Township - Leaman Park and begins at 9:00 AM. Food trucks will be on site for refreshments and a notary will be available for title transfers. In March, members and guests gathered for CapCOG's 50th Anniversary Annual Dinner and a successful evening of networking and information sharing.

The **Southwestern PA Commission (SPC)** is committed to making a difference and keeping their region connected and moving forward. SPC works with local, state and federal partners to plan for the continued growth of the area. SPC helps counties, cities, municipalities and townships access more than \$35 billion state and federal transportation and economic development funds allocated to the region through 2045. They are striving to enhance the region's competitiveness in the national and global markets.

Beaver County Regional Council of Governments (BCRCOG) will hold its annual Local Government Conference at Antoline Park in Monaca Borough on Thursday, August 19, 2021. It is a collaboration of Beaver County township, borough, county, and COG government officials providing education on changes and issues local governments are facing. The Regional Resilience Report, a collaboration with BCRCOG, the Beaver County Chamber of Commerce, the Beaver County Partnership, and RiverWise was recently published, and discussed how to move ahead in the future.

SEDA-COG Metropolitan Planning Organization has a draft plan that prioritizes transportation investments in 8 member counties: Clinton, Columbia, Juniata, Mifflin, Montour, Northumberland, Snyder and Union. Public comment on the plan was welcomed from residents in the member counties.

Adams County COG meets monthly to discuss those matters that affect the county and its members, which includes 34 municipalities and 6 school districts. The COG was founded 11 years ago and since its formation, the meetings have included all the key players in the county: the county commissioners, economic development officials, our state representatives (both state and federal), county planning personnel, the state police, and our tourism arm, Destination Gettysburg. Meetings focus on issues of mutual interest, with an environment to allow members to freely ask and answer questions and share information. The COG has an active Legislative Committee with a list of legislative priorities that include broadband expansion, infrastructure funding, prevailing wage, radar/lidar, right-to know, and stormwater issues to name a few. The intent of the monthly meetings is to keep the members and the key players mutually informed.

PACOG Spring Board of Delegates Meeting

The in-person Spring 2021 PACOG Board of Delegates Meeting was canceled because of COVID-19 and replaced with a teleconference phone call on Friday, April 23, 2021, at 1:30 PM. The usual agenda items of membership updates, financial actuals, and consultant activities were covered. Interactive discussions among participants on a wide variety of topics (intergovernmental agreements, equipment rentals, COG meeting participants, COG activities, etc.) took place. Of particular note was a consensus decision to have a one-day PACOG 2021 Annual Conference at Centre Region COG in State College, rather than join PSAB at their Fall Conference in Erie. The date of Friday, October 22, 2021 has been formalized for the 2021 PACOG Annual Conference.

Local Government Commission and PACOG

The Pennsylvania Local Government Commission (LGC) is an agency of the General Assembly that provides a forum for statewide municipal associations, representing different types of municipalities and officials, and others to express their views directly before legislators from both caucuses in the Senate and House. It works with these and other stakeholders in proposing legislation for the betterment of Pennsylvania's local governments. Toward this end, the LGC is hosting an in-person and online Symposium in Harrisburg on Thursday, October 21, 2021. The Symposium will feature presentations and panels addressing activities and issues relevant to local governments in Pennsylvania.

As the leading association advancing intergovernmental cooperation in the Commonwealth, PACOG has requested to participate in the Symposium and talk about the importance of and future opportunities for councils of governments (COGs) and other intergovernmental organizations. Our presentation will highlight accomplishments of intergovernmental organizations and suggest legislative changes and other actions to enable our COGs to better fulfill their potential. If you have any suggestions regarding the content of the presentation, please contact Linda Costa at lcosta@boroughs.org

USDA Rural Development Loan and Grant Program

The United States Department of Agriculture (USDA) Rural Development is a federal government agency with a mission to improve the quality of life in rural America through financing projects serving populations under 20,000. The USDA Rural Development has loan and grant funding programs available for a variety of projects, including infrastructure improvements, business development, housing, high-speed internet access, and projects for community facilities such as schools, emergency responder, public safety and health care. For more information, visit www.rd.usda.gov/pa, and select Community Facilities Direct Loan & Grant Program in PA.

REAL ID

The Department of Homeland Security has postponed the enforcement date for REAL ID from October 1, 2021, to May 3, 2023, in response to COVID-19 and the national emergency declaration.

REAL ID is a federal law that affects how states issue driver's licenses and ID cards if they are going to be acceptable for federal purposes, such as boarding a domestic commercial flight, or entering a military installation or federal facility that requires ID.

Beginning May 3, 2023, Pennsylvanians will need a REAL ID-compliant driver's license, identification card, or another form of federally-acceptable identification (such as a valid passport or military ID) to: board domestic commercial flights; enter a military base; enter a federal facility that requires ID at the door.

REAL ID is optional for Pennsylvania residents. You will be able to get either a REAL ID driver's license or identification card, or a standard driver's license or identification card. Go to www.penndot.gov for more information.

911 Advisory Board

Gary Myers, from Capital Region COG, and PACOG 3rd Vice President, was appointed by Governor Wolf to the 911 Advisory Board, representing PACOG. The 911 Advisory Board was established by Act 12 of 2015, and was created to advise the Pennsylvania Emergency Management Agency (PEMA) on the administration and operation of 911 systems in the Commonwealth. The board is working on the steps towards a statewide “Next Generation 911 System,” that would encompass the elements of design, build, integrate, test and go live.

Juneteenth

On June 17 President Biden signed a bill that, effective immediately, will officially establish June 19 as [Juneteenth National Independence Day](#), a US federal holiday commemorating the end of slavery in the United States. The day's name is a blending of the words June and nineteenth. It commemorates **June 19, 1865**: the day that Union Army Maj. Gen. Gordon Granger rode into Galveston, Texas, and told slaves of their emancipation. That day came more than two years after President Abraham Lincoln issued the [Emancipation Proclamation](#) on January 1, 1863. Even after Lincoln declared all enslaved people free on paper, that hadn't necessarily been the case in practice. With Biden's signature, Juneteenth is the **first holiday to be approved since Martin Luther King Jr. Day**, which was established in 1983.



American Rescue Plan Funding

The American Rescue Plan (ARP) Act of 2021 signed by President Biden has allocated \$6.15 billion to Pennsylvania counties, metropolitan cities, and local government units to support COVID-19 response efforts, replace lost revenue, support economic stabilization for households and businesses, and address systemic public health and economic challenges.

The U.S. Department of Treasury has established that local governments that are **NOT** metropolitan cities or counties – called non-entitlement units of local government (NEUs) – must access the funds through the Commonwealth by visiting the PA Department of Community and Economic Development (**DCED**)’s **Single Application webpage** (www.dced.pa.gov). (To navigate through the application process, refer to DCED’s ARPA Single Application Navigation Guide on the DCED website.) DCED has been tasked with administering the non-entitlement local government distribution of funds. The application process has opened and DCED invites all non-entitlement municipalities to apply for the funding.

Allocation of funds to NEUs is based on the proportion of the population in the NEU as a share of the total population of all NEUs in the state. Local governments will receive funds in two tranches: 50% beginning in June/July 2021 and the balance approximately 12 months later. Due to the U.S. Treasury Department’s requirements that states disburse all funding within 30 days of the state receiving the local funds, DCED strongly recommends local governments apply for funding as soon as possible.

Recipients who receive funds may use these funds to:

- **Support public health expenditures**
- **Address negative economic impacts caused by the public health emergency**
- **Replace lost public sector revenue**
- **Provide premium pay for essential workers**
- **Invest in water, sewer, and broadband infrastructure**

Within the above categories, there is broad flexibility for recipients to decide how best to use this funding to meet the needs of their communities. Funds must be allocated by December 31, 2024 and spent by December 31, 2026.

DCED and the U.S. Treasury are now requiring all applicants to have a DUNS & SAM registration. There is no charge to register or maintain your municipality SAM registration.

Applicants should be prepared with the following information required by Treasury:

- Local government name, Entity’s Taxpayer Identification Number, DUNS number, and address
- Authorized representative name, title, and email
- Contact person name, title, phone, and email
- Financial institution information (e.g., routing and account number, financial institution name and contact information)
- Total NEU budget (defined as the annual total operating budget, including general fund and other funds, in effect as of January 27, 2020) or top-line expenditure total (in exceptional cases in which the NEU does not adopt a formal budget)
- Award Terms and Conditions Agreement (as provided by Treasury to be signed)
- Assurances of Compliance with Title VI, Civil Rights Act of 1964 (Treasury provided, to be signed)

Questions? If you have questions about ARP, the funding application, the NEU allocation, SAM registration or any other aspect of the program, call the Governor’s Center for Local Government Services at 888-223-6837. Or, email covidarpa@pa.gov or visit the DCED website, <https://dced.pa.gov>, COVID-19 Funding Resources, Funding & Programs, Federal Programs.

Enacted Legislation

- **Act 33** - amends the **Real Estate Tax Sale Law** to require pre-registration to qualify to bid at a tax sale.
- **Act 34** – amends Titles 53 & 68 to **exempt small businesses run by minors (less than 18 years old) from requirements to get a business license** from a municipality or planned community.
- **Act 36** – amends Title 75 (Vehicles) to **prohibit the Department of Transportation from requiring municipalities to indemnify the Department as a condition for approving special event permits for third party sponsored events** when the third party has already provided indemnification to the Department.
- **Act 37** – sets up a **process for local governments to develop micro-enterprises in downtown business communities**, and to continue the fight against blight, through the re-use of buildings in downtowns, and to move people from social programs to employment.
- **Act 50** – establishes the small wireless facilities deployment act. **Preserves local zoning authority over “small wireless facilities” in the public rights of way.**
- **Act 65** – amends the **Sunshine Act** to **require a public agency to post public meeting agendas** at the meeting location, at the agency’s office location, and on the agency’s website, if they have one, no later than 24 hours prior to a meeting, and to prohibit an agency from taking official action on items not in the meeting agenda.

Pending Legislation

- **HB 955 and SB 252** – would modernize the state mandate that requires municipalities and school districts to publish all public notices in a printed local newspaper, **by allowing advertising requirements to be met through a menu of print and electronic options.**
- **HB 290** – would **aid non-profits and volunteer first responder organizations** by allowing the online operation and reveal of contest winners of raffles/drawings which is not currently allowed. This would expire when the COVID-19 disaster emergency expires or on May 1, 2022, whichever happens later.
- **HB 927** – would **replace property tax revenues with a combination of state/local sales/income taxes**, and ensure that local school districts receive the same revenue as the year prior to enactment.
- **HB 988** – would **repeal the 2017 changes to the fireworks law** that allowed residents to purchase and set-off powerful fireworks (nuisance fireworks).
- **SB 296** – **requires law enforcement officers to knock and announce themselves** when serving a warrant, and wait at least 15 seconds for a response.

Ending Governor Wolf’s Pandemic Emergency Declaration

The Constitutional amendments passed by voters on statewide ballot referendums on May 18, gave the General Assembly the authority on Thursday, June 10, 2021, to end Governor Tom Wolf’s pandemic emergency declaration with a simple majority vote. Resolutions to formally close the 16-month state of emergency passed first by a 30-20 margin in the Senate, and later in the House, 121-81. The actions are effective with these votes.

The final language did contain some compromises. While ending the disaster declaration, most of the nearly 500 regulatory changes (e.g. allowing recent retirees to supplement hospital and other medical staff, maximizing the number of vaccine providers, improving vaccine distribution, etc.) taken under Wolf’s original and renewed disaster declarations remain intact through September. Keeping the regulatory changes in place for the short term (three months) allows time to determine what COVID-19 rules should be kept, which need to be kept to prevent federal funds from being blocked, which should be kept for policy reasons, and which should be sunsetted.