



Forum

LOCAL GOVERNMENT COMMITTEE ROUNDTABLE

Lawmakers Share Opinions on Stormwater Regulations, Firefighter Crisis, the Prevailing Wage, and More

PSATS brought together a panel of state senators and representatives, all leaders of their respective Local Government Committees, to find out where they stand on the issues confronting Pennsylvania's townships.

BY JILL ERCOLINO / MANAGING EDITOR

When leaders and members of the House and Senate Local Government Committees gathered for an unscripted roundtable on the final day of PSATS' Educational Conference, they ping-ponged through a list of challenges facing townships.

In between, some took jabs at the state's enforcement of stormwater regulations, questioned Gov. Tom Wolf's

proposed severance tax to fund infrastructure improvements, and railed against the prevailing wage. All, however, agreed that lawmakers need to work with municipalities, not against them.

"I believe in empowering communities...[and] we need to tackle reforms in Harrisburg to give you the ability to run the most efficient and effective local governments you can," Sen. Scott Martin, majority chair of the Senate Local Government Committee, said.

"As your legislators, we are your conduits to Harrisburg," said Rep. Dan Moul, majority chair of the House Local Government Committee. "You bring us your issues and your problems, and we try to convince 203 people in the House and 50 in the Senate that we need to fix this. That's the huge challenge."

During the hour-and-a-half discussion, the panel of four lawmakers answered questions submitted by PSATS members during the conference, many of which focused on the Association's legislative priorities.

Republicans Martin and Moul were joined by two Democrats, Sen. Judy Schwank, a member of the Senate Local Government Committee, and Rep. Bob Freeman, minority chair of the House Local Government Committee. Charlie Gerow, CEO of Quantum Communications in Harrisburg, was the moderator.

Here are some highlights from the discussion.

Issue: Pennsylvania's spotty high-speed internet coverage

The numbers are staggering. Nearly 1 million Pennsylvanians lack high-speed internet access

One of Gov. Tom Wolf's goals in his second term is to provide this service to every Pennsylvanian by 2022. Proposed funding would come from a severance tax on energy producers.

"We have a lot of catchup work to do," Schwank said, "and we need to act quickly to implement the plan the governor is talking about."

Freeman agreed: "This is a bold and imaginative plan."



Moderator
Charlie Gerow



Moul and Martin weren't as enthusiastic.

"If this was easy or inexpensive, then we would already be done," Moul said, noting that in the commonwealth's remotest corners where homes and people are sparse, the significant cost of building broadband infrastructure would outweigh the return and waste millions of dollars.

Eventually, he added, technology will catch up with the public's need. In

fact, Moul hopes he sees the day when Pennsylvanians can get their internet service through a satellite dish. "The day that happens," he says, "all that fiber optic cable becomes obsolete. That's the conundrum."

Martin said he supports partnerships for broadband expansion over imposing another tax on natural gas companies and other industries.

"We're sitting on the Saudi Arabia of natural gas deposits, but what do we do: We say, 'We're going to find a new way to tax you, a new way to regulate you, and use it to fund education and now we're going to use it to fund every other project in the commonwealth,'" Martin said. "To me, that's frustrating."

Panelists on the Local Government Committee Roundtable were, from left, Sens. Judy Schwank and Scott Martin, moderator Charlie Gerow, and Reps. Dan Moul and Bob Freeman.

Issue: MS4s and stormwater management

When the discussion turned to municipal separate storm sewer systems, or MS4s, it became clear that township officials aren't the only ones concerned about the state Department of Environmental Protection's enforcement of stormwater regulations.

Martin wants the inconsistencies to stop. ➤



Martin on stormwater regulations

"I've sat in meetings with our localities, and I've heard one thing said, and six months later it's completely different. The target keeps moving."



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"If we have expectations set forth by the U.S. Environmental Protection Agency and the federal government, the state should make it easier for municipalities to meet them," he said, "but I've sat in meetings with our localities, and I've heard one thing said and six months later it's completely different. The target keeps moving."

Moul isn't a fan of local stormwater fees, which municipalities and stormwater authorities may impose to cover the costs of state- and federally mandated system upgrades.

"In my neck of the woods, it affects everyone," he said. "They're collecting \$1.2 million to \$1.4 million per year for four years before they even have their first project on the books."

He shared the story of a neighbor who had to choose between buying his monthly medication or paying the township's \$80 stormwater fee.

"We should all call the governor's office and demand that he ask the [DEP] secretary to put this on hold until we get some real standardization," the Adams County lawmaker said. "I've never seen a piece of legislation that was so poorly guided and so poorly managed at the state level than this one."

Meanwhile, Schwank has seen a lot of cooperation in her district, where local leaders have formed a regional committee to address MS4 issues. "Water doesn't know political boundaries, so we have to work together," she said, adding that the state should incentivize

regional stormwater partnerships.

Freeman says he'd like to see more "green" approaches taken to manage stormwater. In his community, for instance, officials curbed flooding at a local park by creating a wetland to stop rain water from spilling over into other areas of the municipality.

"We spend a lot of money on major engineering projects with a lot of steel and concrete when maybe all you really need is a wetland," the lawmaker said. "Sometimes, we are better served by going with time-honored projects."

Issue: The loss of volunteer firefighters

For years, state officials have been trying to come up with solutions to revitalize Pennsylvania's volunteer fire companies, which are losing members at a steady pace.

The Senate Resolution 6 report, their latest attempt to address the crisis, proposed a number of programs and incentives, including tax credits, to recruit and retain volunteers and was released this past November. PSATS President Shirl Barnhart served on the SR6 Commission.

Schwank said a local fire chief asked her about the report and resulting legislation at the company's recent banquet.

"One thing he said hit home with me. He said, 'Judy, a little tax credit is not helpful. You know what that means to me? \$50 a year,'" she said, noting that funding for firefighting gear and equipment, which are more high-tech and expensive than ever, would be more valuable to local fire companies.

"He made it clear to me that if he didn't have to spend time selling hoagies and running chicken barbecues, he could do a better job of protecting this community," Schwank said. "We've got to fine-tune our approach to this."

Freeman likes the idea of low-inter-

est mortgage programs for firefighters while Martin has introduced legislation to exempt local fire companies from paying tax on food sales.

"It means the state is going to be giving up a little bit of money, but why wouldn't we do it?" Martin asked. "Why wouldn't we support their efforts and make it easier for them?"

Moul wondered the same thing after sharing a story about a small fire company that made a fundraising paperwork error and was fined \$8,000. He said "disconnected bureaucrats" and nonsensical rules are also making it difficult for volunteer fire companies to stay afloat.

"We need somebody somewhere to shake it up for these fire companies," he said.

Issue: Reforming Pa.'s prevailing wage law

PSATS has been at the forefront of advocating prevailing wage reforms, a move that Martin said he supports. In Lancaster County, he said, the prevailing wage, which must be paid to workers when the total cost of a local project exceeds a certain threshold, added \$14 million to a school project.

"I want our government entities and school districts to pay what the local market demands," Martin said, "and until we do that, this injustice will continue."

Issue: Fees for State Police coverage

The fee for State Police coverage is like the natural gas severance tax: Every

Schwank on high-speed internet

"We have a lot of catchup work to do, and we need to act quickly to implement the plan the governor is talking about."





Moul on firefighter shortage

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related to funding is nothing more than a solution looking for a problem. The reason I say that is this: The stats don't bear [the need] out,” he said. “Forty-five percent of incidents the State Police respond to are in municipalities that have their own police.”

Philadelphia, for example, has its own police force. However, the State Police responds to more than 30,000 calls there. Under the governor's proposal, the city's residents would not be charged the per-capita fee.

Martin contends that instead of providing more funding to the State Police, Harrisburg needs to restructure law enforcement in Pennsylvania to mirror that of other states, which have countywide sheriff's departments, metro police departments, and State Police who patrol the highways.

“We have created an overlapping mess,” he said, “and the solution isn't going to come from the funding side.”

Issue: Radar use by local police

Pennsylvania is the only state in America that doesn't allow local police to use radar to nab speeders. PSATS has been in front of the issue by lobbying lawmakers to enact legislation that would open the door for *all* certified police officers to have access to this tool.

“I live on a township road, and I get mad because I can't walk on my road because people are speeding,” Schwank said. “I don't understand why we don't get this done.”

Freeman agreed: “This is something

that is long overdue.”

“People argue that it's a moneymaker,” Martin added, “but this is about local neighborhoods and keeping people safe. For me, it's a no-brainer.”

Moul didn't state his position. “This is a mixed bag for me,” he said. “All of the townships in my district want it, but most residents do not.”

Issue: Elected auditors

It's no secret that the relationship between township supervisors and the elected auditors can be a bit rocky at times, but does it make sense to eliminate the auditor position?

Currently, townships may opt to hire a certified public accountant to perform their audit, but the wages of supervisor-employees must still be set by the elected auditors, which makes eliminating the position tricky, Moul said.

“What I don't like to see is that some of the positions are used as political tools to get back at somebody,” Schwank said.

“My belief is in the ability of local governments to have more control, [and] that townships should have choices,” Martin said. “If they want to use the elected auditors, fine. If not, they should be able to eliminate them in favor of a CPA.”

Freeman contends that elected auditors play an important oversight role and would be reluctant to eliminate the position. “I'm a belt and suspenders kind of person,” he said. “I believe in a second set of eyes looking at the books.” ♦

budget cycle, it resurfaces.

Under Gov. Wolf's latest proposal, municipalities who rely on full-time State Police protection would be assessed a population-based fee, anywhere from \$8 to \$166 per capita. PSATS, guided by resolutions passed by members, opposes the fee.

“This issue has been around a long time, and the governor has moved in the right direction with the sliding scale,” Freeman said, “but there is no easy answer to this.”

Moul, however, said the fee is a bad idea. “That would be double taxation, and there's no way,” the lawmaker said to the audience amid applause and cheers.

Martin also questioned the need for the per-capita fee.

“Everything that's being proposed



Freeman on State Police fee

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