

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

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Capitol Roundup

Legislative Session Ends — The 2019-2020 legislative session has ended. This means that any bill that has not made it to the governor's desk has "died" and will need to be reintroduced in the new session to begin its legislative journey.

State Budget Finalized — Gov. Tom Wolf signed a final \$35.5 billion 2020-2021 state budget package, which includes the commonwealth's remaining \$1.3 billion in federal CARES funding. The final budget does not include any State Police fees.

The budget was balanced using transfers from restricted funds, including \$100 million from the Rainy Day Fund, \$50 million from the Recycling Fund, \$45.5 million from several PennVEST funds, \$6 million from the Volunteer Fire and EMS Loan Program, and \$2 million from the Local Government Capital Project Loan Fund.

In addition, any unspent CARES funding as of December 1 must be returned to the commonwealth, including any funds allocated to the counties. These funds will be transferred to the state Department of Corrections.

Included in the budget package is an authorization for local governments to use alternative tax anticipation notes that mature at the end of the next fiscal year, but not later than December 31, 2022 to help manage cash flow during the COVID-19 emergency.

The Pennsylvania State Police received an increase of \$37 million. However, the PSP budget received less from the General Fund and the Motor License Fund than in previous years, with the balance coming from federal CARES dollars and a transfer from the Firearms Record Checks Account.

The budget bill includes a state Department of Conservation and Natural Resources Regional ATV Pilot Program for state forest lands in the northcentral portion of the state. DCNR would be required to consult local community leaders, create the pilot area, and sell tags for access to these trails.

Finally, the Keystone Communities program contains \$9 million for community development and municipal assistance throughout this commonwealth.

Nearly Every County to Share \$368 Million in FCC Broadband Money — The Federal Communications Commission has announced that 327,000 rural Pennsylvanians in every county except Northampton will gain access to high-speed Internet service through the Rural Digital Opportunity Fund Phase 1 auction. 13 providers, including SpaceX satellites, won bids to provide service to 184,505 households and businesses that are currently unserved at a cost to the fund of \$368.7 million. Additional auctions will be held to fund further service to millions of unserved Americans.

Nearly all locations will receive broadband with speeds of at least 100/20 Mbps, which is four times faster than the "Netflix speed" benchmark. Of these, 64% will get gigabit-speed broadband. Providers must meet periodic buildout requirements to reach all assigned locations by the end of the sixth year. They are incentivized to build out to all locations as fast as possible. To see the number of households that will be served in your county and the cost, go to psats.org and look for the broadband article under Latest News.

LCB Waives 2021 Liquor License Fees — The Pennsylvania Liquor Control Board has waived an estimated \$27.7 million in 2021 license fees for retail licensees most impacted by the pandemic, including restaurant, retail dispenser, club, catering club, and hotel licenses.



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Pennsylvania has issued a series of COVID-19 orders that apply to townships and PSATS is providing the resources to help our members navigate these requirements.

About \$4 million of the waived fees would have gone to host municipalities. Townships that host these facilities should receive a partial payment by March 2021, no payment in September 2021, and a partial payment in March 2022.

PUC Declares DAS Owners as Public Utilities — In accordance with a recent Pennsylvania Supreme Court decision, the Pennsylvania Public Utility Commission has declared distributed antenna system (DAS) network owners as telecommunication public utilities and is requiring all DAS owners and operators not currently operating under the jurisdiction of the PUC to apply for a certificate of public convenience.

COVID News

As state orders change at a rapid pace, go to psats.org and choose **COVID-19 Resources** for the most up-to-date information and guidance, a PSATS member service. See the enclosed fact sheets to help you determine the **best options for conducting your meetings** and **how to keep your employees safe**. Additional fact sheets on parks and recreation, public works, and more, as well as guidance on the other orders are available on the COVID-19 Resource page. For the latest, subscribe to the **PSATS Morning News e-newsletter** by emailing memberservices@psats.org.

Extension signed — On November 24, Gov. Tom Wolf renewed his Proclamation of Disaster Emergency for the COVID-19 pandemic for an additional 90 days.

Commonwealth Issues Mandatory Orders — The Commonwealth has issued a series of new and revised orders, including temporary orders that apply to townships.

Gathering limits: Temporary gathering limits are 10 for indoors and 50 for outdoors. On January 4 at 8 a.m., these temporary limits will expire and gathering limits for indoor events will be 10% for facilities with a maximum occupancy of less than 2,000 and outdoor events will be 15% for facilities with a maximum occupancy of less than 2,000.

Meetings: If you consider your public meeting to be a temporary gathering, you should cap your physical attendance at 10 people. If you consider your public meeting to be a business function, your attendance should not exceed 50% of the facility or meeting room capacity. Note that the maximum business capacity will return to 75% of the facility or meeting room on January 4 at 8 a.m.

In either event, townships exceeding the cap should conduct meetings by teleconference or videoconference or offer hybrid meetings that will combine in-person and livestreaming, teleconference, or videoconference options. For more options and ideas, see the enclosed fact sheet.

Keep in mind that if the public will not be able to view or listen to the meeting in-person or remotely, the township should record (*audio or video*) the meeting and make the recording available after the meeting, or, at a minimum, provide copies of the draft minutes within 48 hours of the meeting, in order to provide transparency about the board's discussions and actions at the meeting.

Mask order: Facemasks are required by the commonwealth's new mask order, including areas both inside and outside of local government facilities.

Travel quarantine: Townships should require employees to comply with the commonwealth's travel quarantine area, which requires any Pennsylvanian who travels to another state, and anyone who visits from another state, to have a negative COVID-19 test within 72 hours prior to entering Pennsylvania or during the 10-day quarantine period. Townships may require employees to provide proof of a negative test to shorten the leave and may require employees with a negative test to return to work.

Go to psats.org
and choose
“COVID-19
Resources” for
updated Fact
Sheets to help
your township
navigate the
latest orders.

Telework: The orders require telework unless impossible. For in-person operations, townships must follow the requirements below.

Keeping employees and the public safe: For in-person operations, townships must implement measures to keep employee’s safe, including masks, temperature screenings for employees, staggered work times, restricting visitors from the building, and following CDC cleaning guidance. See the enclosed fact sheet for more information.

If an employee becomes sick: Your township must have a plan in place for what to do if an employee contracts, or is exposed to, COVID-19. This includes identifying and notifying employees or others at the township who were in close contact (*within about six feet for about 15 minutes*) with the person and required cleaning according to CDC guidance.

Temporary orders: Until January 4, the following are suspended: youth sports, indoor operations at gyms, in-person extracurricular school activities, in-person dining, and in-person, indoor entertainment businesses.

For more details on these orders, see the enclosed fact sheets and go to psats.org and choose **COVID-19 Resources**. The articles and updated fact sheets on this important member resource will help township officials to determine the best way to keep themselves, their employees, and the public safe.

Governor Signs New Acts

Gov. Tom Wolf recently signed the following into law, which took effect on November 25 unless noted otherwise.

COVID-19 notification — Act 112 of 2020 directs the state secretary of health to release identifiable COVID-19 health information to 9-1-1 centers and emergency responders in each county while the governor’s disaster emergency proclamation is in effect. Emergency responders must follow all federal and state laws and confidentiality standards. Act 112 took effect November 3.

Small Games of Chance — Act 118 of 2020 allows organizations with club licenses to use proceeds for operating expenses during the governor’s emergency declaration that would normally be required to be used for charitable purposes. This authorization will continue for up to one year after the end of the emergency.

Liquid Fuels Exemption — Act 129 of 2020 authorizes municipalities and volunteer fire departments to sign agreements to commingle tax-free motor fuels in bulk storage tanks.

Pipeline Emergency Response Plans — Act 130 of 2020 requires pipeline companies carrying natural gas liquids through highly populated areas to provide emergency response plans to the Pennsylvania Public Utility Commission, the Pennsylvania Emergency Management Agency and the county Emergency Management Coordinator. Act 130 addresses a PSATS resolution and takes effect January 24, 2021.

CDL Requirements — Act 131 of 2020 requires a commercial driver to notify their employer if cited, charged, or arrested for violating a federal or state law or a local ordinance regulating vehicle traffic. Act 131 also provides an exemption from CDL requirements for municipal employees during a snow or ice emergency if the properly licensed employee is not available or if it is determined that additional assistance is needed.

Broadband Funding Program — Act 132 of 2020 creates a \$5 million broadband program to provide grants for highspeed broadband service infrastructure deployment in unserved areas of Pennsylvania. Act 132 addresses a PSATS resolution.

PSATS' 2021 Conference Materials Are Now Online!

Nothing is more important than the health and safety of our members. The vaccine rollout combined with the end of flu season makes April an ideal time to have perhaps the first approved large gathering in almost a year! To help you plan, detailed information about PSATS' 2021 Annual Educational Conference & Exhibit Show **April 18-21** in Hershey is now in your hands and online at **conference.psats.org**!

The online conference registration and lodging reservation system will open at **9 a.m. Tuesday, January 12**. Please review the bright orange instruction sheet on top of your conference packet. If you are rolling your 2020 conference registrations over to 2021, you will need to go back into that registration, review it, make necessary adjustments, sign up for new events, and make changes to badge information for your registrants.

PSATS canceled all hotel reservations so you will need to reserve your rooms after you have reviewed and finalized your registration. For more details and a refresher on the registration process, watch the instructional video at **conference.psats.org**.

Members can call the PSATS conference registration help desk at (717) 763-0930, ext. 190, on **January 12** from 9 a.m. to 4:30 p.m. and from January 13 to April 16, 8:30 a.m. - 4:30 p.m.

PSATS will provide up-to-date details on the conference in the Morning News e-newsletter, the Pa. Township News, and at the conference website.

In the meantime, mark your calendar for **April 18-21** and make plans to head to Hershey for what promises to be an exciting conference and centennial celebration

Grant and Funding Resources Available

Townships can take advantage of the grant and funding resources below:

The **Pennsylvania Fish and Boat Commission** is accepting applications for **Boating Facility Grants** to help townships improve public recreation boat facilities until **December 30, 2020**. To learn more, go to **www.fishandboat.com** and choose "News."

Townships in Cameron, Elk, McKean, and Potter County may apply for grants from the **Pennsylvania Fish and Boat Commission** for projects that benefit the **Sinnemahoning Creek Watershed**. Eligible projects include stormwater conservation (*including best maintenance practices for dirt and gravel roads*), riparian buffer plantings, and purchasing property for fishing and boat access. Applications are due **January 23, 2021**. To learn more, go to **www.fishandboat.com** and choose "News."

The **Office of State Fire Commissioner** is accepting applications for the 2020 round of **Fire Company and Emergency Medical Service Grants** until **January 25, 2021**. To learn more, go to **osfc.pa.gov**.

DEP is accepting applications for a new round of **Section 902 Recycling Grants** until **January 29, 2021**. To learn more, go to **pacodeandbulletin.gov** and choose the November 21, 2020 edition of the *Pennsylvania Bulletin*.

The **USDA** is currently accepting applications for its **Community Facilities Direct Loan & Grant Program** for projects from **broadband to public works, to emergency services** and more. Townships with populations of 20,000 or less are eligible to apply and priority is for municipalities with a population of 5,500 or less and low-income communities. To learn more, go to **www.rd.usda.gov/programs-services/community-facilities-direct-loan-grant-program/pa** and find your local office to apply: **www.rd.usda.gov/contactpage/pennsylvania-contacts**.