

**IN-PERSON AND LIVESTREAM BUSINESS MEETING OF THE LOCAL GOVERNMENT COMMISSION**

**Wednesday, November 15, 2023**

The meeting of the Local Government Commission (Commission) was called to order by Senator Scott Hutchinson at 9:02 a.m. in Room 515 Irvis Office Building with the following Commission Members, staff and guests participating in-person and remotely:

**MEMBERS**

**Senator Scott E. Hutchinson, Chair  
Senator Cris Dush  
Senator Rosemary M. Brown  
Senator Carolyn T. Comitta  
Representative Robert Freeman  
Representative Christine Sappey  
Representative R. Lee James  
Representative Dan Moul**

**STAFF**

**David A. Greene, Executive Director  
Kristopher J. Gazsi, Assistant Director  
Martin A. Toth, Associate Legal Counsel  
Julia Frey, Research Analyst  
Karen S. Bear, Executive Assistant  
Sonya I. Ebersole, Fiscal Administrator**

**GUESTS**

**Justin Leventry, Senator Hutchinson's Office  
Matthew Deegan, Senator Hutchinson's Office  
Sam Arnold, Senator Kearney's Office  
Emily Eyster, Senator Comitta's Office  
Noah Glattke, Senator Langerholc's Office  
Teresa Leitner, Representative James' Office  
Mary Yoder, Senate Local Government Committee (R)  
Jon Castelli, House Local Government Committee (D)  
Lindsay Ewing, House Local Government Committee (R)  
Kelly Robertson, PA Department of Community and Economic  
Andrew Sheaf, PA Department of Community and Economic Development  
Terri Cunkle, PA Department of Community and Economic Development  
Jennie Shade, Pennsylvania Municipal Authorities Association  
Frank Mazza, County Commissioners Association of Pennsylvania  
Amy Sturges, Pennsylvania Municipal League  
Kaitlin Errickson, Pennsylvania Municipal League  
Ed Troxell, Pennsylvania State Association of Boroughs  
Ron Grutza, Pennsylvania State Association of Boroughs  
Logan Stover, Pennsylvania State Association of Boroughs  
Joe Gerdes, Pennsylvania State Association of Township Supervisors**

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Barbara Huesken, Pennsylvania NewsMedia Association  
Jaxon White, LNP Media Group  
Clint Cullison, Greenlee Partners  
Becca Zelner, Greenlee Partners

The Executive Director made a statement that the in-person and virtual meeting was being recorded and conducted with both Member and Commission staff participation. On Wednesday, November 1, 2023, notice of the meeting was posted on the committee meeting pages of the Senate of Pennsylvania and the House of Representatives through the Legislative Data Processing Center. The meeting agenda was posted on the Commission's website, [www.lgc.state.pa.us](http://www.lgc.state.pa.us), on Monday, November 13, 2023, and outside of the Commission's office located at 506 Irvis Office Building. Any questions on agenda items for consideration by the Commission were addressed during the meeting. After adjournment, the recording of the meeting will be posted on the Commission's website at [www.lgc.state.pa.us](http://www.lgc.state.pa.us).

As the first order of business, the Director informed the Members that the Commission's current two-year Westlaw contract for online legal research expires January 31, 2024. A copy of the renewal contract was given to the Members for their perusal. The proposed 60-month contract shows an overall increase of 10 percent from the current agreement and would include a 3 percent increase in each of the following years. The contract provides for more advanced research capability by offering access to national materials. After some discussion, the Members agreed unanimously on a motion by Senator Dush and a second by Representative Freeman to accept Thomson Reuters' contract for the Westlaw program.

A possible amendment to the Municipal Consolidation or Merger Act of the Pennsylvania Consolidated Statutes was discussed by the Members. The amendment would provide clarity on the consolidation or merger process when initiated by petition of electors, establish membership of the transitional planning committee and consolidation or merger agreement advisory committee, and provide for mediation procedures in approving a consolidation or merger agreement. The Consolidation or Merger Act provides for the processes for municipal consolidation or merger, dependent upon how the consolidation or merger is initiated. The existing provisions of the Act do not adequately describe the method for consolidation or merger when initiated by petition of electors without a home rule charter, and do not provide for mediation procedures, if needed, or timeline flexibility. The bill would provide a formal structure for the transitional planning committee and the consolidation or merger agreement advisory committee, which would help to ensure that all affected municipalities are equally represented in the consolidation or merger negotiations. The bill would also allow for the court of common pleas to intercede and appoint mediators and extend timelines if necessary to finalize municipal negotiations. Finally, the bill would allow municipalities to maintain some grant eligibility for a period after a consolidation or merger becomes effective. This proposal was shared with the Pennsylvania Department of Community and Economic Development (DCED) and constructive feedback was incorporated into the final language of the bill. Both Andrew Sheaf and Terri Cunkle from the DCED expressed their appreciation for the Members' consideration of the legislation. Ms. Cunkle relayed her professional experience with two municipalities for which this legislation would have been

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especially useful. After a discussion, the Members agreed to review the language and consider the proposed amendment at a future meeting.

Research Analyst Julia Frey and Associate Legal Counsel Marty Toth reported that the third annual Symposium was a success. A total of 155 people attended the October 19 Symposium-65 in person and 90 virtual. Planning for next year's symposium has commenced, and Ms. Frey encouraged input for topic suggestions. Mr. Toth offered his thanks to all who attended the networking event at the conclusion of the Symposium.

The Members reviewed the minutes of the October 18, 2023, business meeting, which were unanimously approved on a motion by Senator Brown and a second by Representative Sappey. The financial reports for the month of October 2023 were presented, and an explanation was given by the Executive Director. The financial reports were unanimously approved on a motion by Representative Freeman and a second by Representative James.

Commission Members unanimously approved a motion by Representative James and a second by Representative Freeman for the Director to explore the economic feasibility of hiring an entry level research analyst. Recently, the Commission has been approached to conduct several in-depth studies. Due to the current staffing and workload, the Director proposed hiring an entry-level research analyst to provide staffing continuity and aid Commission staff to meet project obligations. The Director will provide the requested information to the Members at the next business meeting.

At the October 18, business meeting, the Members approved introducing an amendment to the Second Class Township Code that would streamline the method of filling a vacancy on the board of township supervisors in the event of an appointment deadlock. Members debated the option of making board vacancy selections party specific as outlined in the County Code and requested the Director explore the suggestion with the applicable local government associations. The Director reported that the counsel he received last month from the local government associations was to exclude language that would make board vacancy selections party specific. As a result, prime sponsors for amendments identical to that introduced for the Second Class Township Code will be sought for the First Class Township Code and the Borough Code.

The Chairman and the Director thanked the members of the Pennsylvania State Association of Elected County Officials (PSAECO) for hosting the Commission Members and staff at its annual legislative luncheon on Tuesday, November 14, 2023. PSAECO is an association consisting of representatives from all Pennsylvania statewide county row office associations. PSAECO works collaboratively with the General Assembly, the Governor's office, and the judiciary to pursue policy objectives beneficial to the citizens of Pennsylvania's 67 counties.

As the last order of business, the Director stated that the next Commission business meeting is scheduled for Wednesday, December 13, 2023, at 9:00 a.m. in 515 Irvis Office Building. At that meeting, the Members will be reviewing possible legislation and discussing the Director's performance evaluation.

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**The meeting adjourned at 9:42 a.m.**

**ATTESTED: \_\_\_\_\_  
December 6, 2023**