



# Municipal Reporter

**MOON TOWNSHIP**



**Sustainability  
Edition**

**Inside:  
COVID-19 Information and Resources**

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## Gold Certified Sustainable PA Community

# Moon Township

Appears on the Cover with a Photo of an Eco-Friendly Rain Garden

PROFILE BY ALLISON FORD  
DIRECTOR OF COMMUNICATIONS/  
COMMUNITY PROGRAMMING  
MOON TOWNSHIP

*The Moon Township Board of Supervisors continues to implement the Sustainability Strategic Plan during 2020. The strategic plan guides and establishes sustainable policies, initiatives and decision-making to improve the health and livelihoods of all who live, learn, work and play in Moon Township.*

*Moon Township is very proud of our Gold Certification status in The League's Sustainable Pennsylvania Community Certification program as well as our achievements in the Sustainable Pittsburgh Challenge. We*

*made significant progress with funding sources and plans for resource management including: storm water, tree canopy loss and a tree management plan for all parks in township and riparian buffer plans, as well as new and exciting initiatives such as "return to meadows," "no mow zones," sustainable trail building, a native species plant nursery, Robin Hill Fleur de Lune sensory garden and a meadow trail plan.*

*The long-term health and prosperity of our community is of paramount importance to Moon Township, and we want to ensure that sustainability is at the forefront of our planning and decision-making. Moon Township will work to enhance the livelihoods and experiences for all.*

*We aim to establish sustainable policies and to enact sustainable procedures and practices throughout Moon Township. Our goal is to advocate, communicate, educate and integrate environmentally sustainable, economical and equitable values within our community and beyond.*

*Sustainability is supported by three pillars: environmental, economy, and equity. It is our responsibility to leverage the benefits of all three so that we can continue to provide a premier place for our current and potential stakeholders to live, work, learn and play.*

*The Moon Township Memorial Garden is just one of many sustainable initiatives the township is taking. The garden is located between the Municipal and Public Safety buildings on Beaver Grade Road. The Memorial Garden features three eco-friendly rain gardens and a brick walkway circling a central flag and memorial site.*

*In addition, some recent sustainable successes achieved by the township include coordinating the planting of 20 native species trees in Moon Park with Tree Pittsburgh and other volunteer groups and establishing township parks and playgrounds as tobacco-free zones. □*

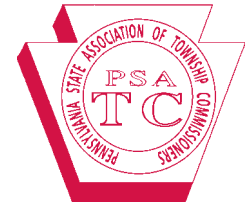




# Municipal Reporter



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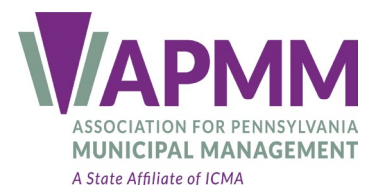
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# Our Mission

To strengthen, empower and advocate for effective local government.

The League is a nonprofit, nonpartisan organization established in 1900 as an advocate for Pennsylvania's 3rd class cities. Today, The League represents participating Pennsylvania cities, boroughs, townships, home rule communities and towns that all share The League's municipal policy interests. Our Board of Directors oversees the administration of a wide array of municipal services including legislative advocacy (on both the state and federal levels), publications designed to educate and inform, education and training certification programs, membership research and inquiries, programs, and group insurance trusts.

We are continually monitoring the needs of our members and are committed to providing the Commonwealth's municipalities with cost-effective programs and services required to meet the distinct needs of their communities.

The *Municipal Reporter* is a publication of the Pennsylvania Municipal League, the Pennsylvania State Association of Township Commissioners and the Association for Pennsylvania Municipal Management. It is published three times a year.

Opinions expressed by authors and advertisers are not necessarily those of the officers, members and staff of The League. Original articles on subjects of interest to municipal officials are welcome, but subject to review by editorial staff. The publisher has the right to reject unsuitable advertising.

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#StrengthThroughEngagement

## COVER - SUSTAINABLE PA GOLD CERTIFIED MOON TOWNSHIP



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# Mark Your Calendar

*Please note that we are working to meet your educational/training needs during this COVID-19 pandemic. Several of our in-person conferences will now be virtual events. As future events could be subject to change, please click the calendar link to our website above to verify details.*

**PELRAS Conference**  
**Available in May**

*Virtual Event – Recorded Sessions*

**Sustainability Conference**  
**June 24**

*Virtual Live Event*

**APMM Annual Conference**  
**Available late June**

*Virtual Event – On-demand Library Accessible via APMM Website*

**PennPRIME Board of Trustees Meeting**  
**September 16**

*Lancaster Marriott at Penn Square*

**PennPRIME Risk Management Conference**  
**September 17-18**

*Lancaster Marriott at Penn Square*

**ICMA Annual Conference**  
**September 23-26**

*Virtual Conference*

**Municipal Leadership Summit**  
**October 1-4**

*Omni William Penn Hotel, Pittsburgh*

**NLC City Summit**  
**November 18-21**

*Tampa, FL*

**PML.org**

# The League President's Message



**MATTHEW PACIFICO**  
**MAYOR, CITY OF ALTOONA**



Pennsylvania Municipal  
**League**

*First and foremost, I hope everyone is well. As we struggle through these difficult times and bear through the pain and suffering, it is always helpful to observe what programs, resources and services your colleagues are employing. This is at the core of what The League brings to its members; the ability to learn from each other. It is not surprising local government officials are at the forefront of this effort to bring creative and innovative approaches to this pandemic.*

*I encourage you to visit The League website at [PML.org](http://PML.org) and learn from the vast amount of available information. In the coming weeks, you will be hearing from us regarding legislative action at the federal level. We will need your help to convince our congressional delegation of the need for resources at the local level. Please be safe.*

*Sincerely,*

A handwritten signature in black ink, appearing to read "m. pacifico". The signature is stylized and cursive.

*Matthew Pacifico*



# The League Executive Director's Message

*Welcome to the first ever interactive electronic version of our Municipal Reporter magazine. With so many of you working remotely, we felt this was the best distribution method. We attempted to maintain our original sustainability theme but recognized information related to the pandemic was necessary. I hope you conclude we struck the appropriate balance.*

*Please know your League is "all in" with our partners at the National League of Cities in a campaign to cause a "Stimulus 4" package that will contain much deserved resources for local governments. There can be no recovery for the country or the commonwealth without the recovery of every city, borough, town and township. Be sure to heed our action calls and make sure your congressional representative and our senators hear your voice.*

*Be safe,*



*Richard J. Schuettler*



**RICK SCHUETTLER**



Pennsylvania Municipal  
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# 2020 ANNUAL MUNICIPAL LEADERSHIP SUMMIT SAVE THE DATE

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**League News . . .**

# *Inside* **The League**



**JOHN BRENNER**

*Wow, the difference a few months can make. Only two months ago, thousands of local government officials from all over the nation gathered in Washington D.C. for the National League of Cities' Congressional City Conference. It was a "handshake free zone" when we listened to Speaker Pelosi, former Speaker Ryan, Mayor Bloomberg and Trump Administration officials all talk about the looming pandemic that made its way to Washington state during our gathering. Seems like a lifetime ago.*

*Within a few days of our return home from the conference, our children's schools closed. By St. Patrick's Day, we were all sheltering in place. COVID-19 impacted Southeastern Pennsylvania communities, especially in the collar counties, just outside Philadelphia. Governor Wolf and Health Secretary Levine began their regiment of daily news briefings as we learned what social distancing really meant.*

*The League cancelled our scheduled in-person PELRAS labor management conference and our own Capitol Conference.*

*Thanks to our transition to the cloud a few short years ago and an upgrade in hardware technology, including newer laptops, our staff of 23 people transitioned rather smoothly to the remote workplace. Our home offices, living rooms, kitchens and patios became our workspaces. We held our first ever remote Board of Directors meeting – one of the best attended, by the way.*

*District meetings became distance meetings and as always, you, our members adapted and thrived. That's why you are local government leaders. You rise to the challenge and you work your hearts out to make your community better. Even, and especially, during a crisis. You have managed during a recession, floods and other natural disasters. Now you rise to meet the challenge of today's unique crisis.*

*Your League is here to help. We have been focusing on sharing updated and pertinent information, advocating for state and federal help, working to understand the impact on insurance and workers' compensation through our Trusts, and continuing our training efforts from a safe distance.*

*Mayors and local leaders have been utilizing their League colleagues across the Commonwealth to stay in touch, stay informed and communicate with our state and federal officials with one voice. We have a long way to go. Not only to get re-opened but to fully grasp the community impact of the loss of life in our cities, towns, townships and boroughs. We must comfort our families, mourn our losses and learn as many lessons as possible. We have new heroes to add to our list, namely our incredible health care workers – doctors, nurses, techs, janitors, truck drivers and everyone working in the health care system and in the supply chain. As we struggle with a new reality of lost revenues and shortened staffs, we must recognize and support the work of all of our many community partners who have stepped up.*

*Your League will continue to be here as we work together to strengthen our communities.*

*God bless and stay safe.*

*From Inside The League,*

A handwritten signature in black ink that reads "John S. Brenner". The signature is written in a cursive, flowing style.

**John S. Brenner**

# How Indiana Borough is Building a Sustainable Future

BY KYLE MUDRY, COMMUNICATIONS AND GRANTS COORDINATOR  
INDIANA BOROUGH  
ARTICLE ORIGINALLY FEATURED IN NLC CITIESPEAK 2/12/20

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Western Pennsylvania, home to coal mines and natural gas wells, might not be the first place you think of when picturing a clean energy transition, but Indiana Borough, Pennsylvania wants to change your preconceptions. It's one of many smaller communities across the country that are embracing sustainability and renewable energy as a way towards the future.

Chartered in 1816 as the county seat of Indiana County, Indiana Borough strives to be a welcoming and sustainable place to live, work and play. As a gold-certified community in the [Sustainable PA Community Certification Program](#), the municipality is acknowledged for progress in areas such as community design and land use; renewable and energy efficiency; health and wellness;

intergovernmental cooperation; recycling and waste reduction; fiscal controls; and internal management and operations.

In addition, Indiana Borough is designated as a bronze-level [Walk Friendly Community](#) for its commitment to ensuring pedestrian safety and has been recognized as a [Tree City USA Community](#) since 2009 for its sustainable urban forestry program. Not stopping there, last year Indiana Borough officially became the first [SolSmart Designee](#) in Western Pennsylvania.

SolSmart is led by The Solar Foundation and the International City/County Management Association (ICMA) and funded by the U.S. Department of Energy to help communities remove barriers and create better local markets

for solar energy. With technical assistance from SolSmart, Indiana Borough has made changes to its local permitting processes, as well as planning & zoning procedures – making it easier and more affordable for homes and businesses to install solar.

“Indiana Borough joins a distinct group of communities around the country that have been recognized for encouraging solar development at the local level,” said Nick Kasza, program manager at the National League of Cities.

Working with SolSmart is just one of a few ways Indiana Borough has begun to adopt and grow solar within the community. The municipality also partnered with the nonprofit organization Solar United Neighbors to launch the Indiana County Solar Co-op, which ran through 2019.

Solar co-ops take advantage of collective purchasing power to make it easier and cheaper to install solar. Participants select a single installer through an open and competitive bidding process. The contractor awarded the bid then provides personalized proposals for all co-op members at the discounted group rate. Essentially, the bigger the co-op, the better the deal to go solar.

It was Indiana Borough’s Council President, Peter Broad, who first stood up during a presentation by

Solar United Neighbors in 2018 and stated a desire for a solar co-op in Indiana County. He asked borough staff to be active partners in getting one launched.

“It seemed to me that the borough was in an ideal position to serve as a clearinghouse for people interested in installing solar panels on their homes: everyone knows who we are and where we are, so making the contacts would be easy,” said Peter Broad. Additional partners in the co-op include Evergreen Conservancy and the Indiana County Sustainable Economic Development Task Force.

Indiana’s co-op grew to become one of the most active in the state in terms of the raw number of participants and the percentage of people who signed contracts. Solar production in Indiana County has jumped 66 percent as a direct result of the co-op. Upon completion of the co-op, a free solar tour was held for the public to educate attendees on solar through first-hand testimonies of co-op participants.

Due to the success of last year, Indiana Borough and Solar United Neighbors are teaming up again in 2020 for a second round of the Indiana County Solar Co-op. Details were announced during the [2020 Pennsylvania Solar Congress](#), the state’s premier solar education and advocacy event, which was held in Indiana County in February.

Indiana Borough plans to continue growing out its solar market. They already have an expedited permitting process and made complying with regulations easy. They are integral to a county-wide solar co-op. They’ve begun to retrofit stop signs in high traffic areas with solar batteries for more visibility during night hours. Also, just last summer, a project by the borough and the county to connect downtown Indiana Borough with a regional trail network via a bike lane was completed.

The new trailhead for that project? It’s lit with solar lighting. Despite being located in a region mainly seen as a hub of coal and natural gas production, this community foresees a bright future ahead – powered mostly with solar energy.

□



# Indiana Borough's 8th Street Parking Lot Transformed into Sustainable Community Asset

BY KYLE MUDRY, COMMUNICATIONS AND GRANTS  
COORDINATOR, INDIANA BOROUGH

Last year, Indiana Borough worked with local partners to connect a recreational and commuter trail known as the Hoodlebug Trail to the borough's historical downtown district. As this project was underway, Indiana Borough independently decided to retrofit a parking lot designated to become the location for the extended trail's new northernmost trailhead.

This parking lot – referred to as the 8th Street Lot – was previously in poor condition according to the borough. Borough staff wanted to spruce up the lot in preparation of the incoming trailhead to better fit the borough's theme as a welcoming community. In addition, staff also wanted to use the lot's retrofit as a demonstration piece for best sustainable practices.

A few things were done to help accomplish these goals. The entire lot was repaved, green infrastructure such as rain gardens and recycled parking stops were implemented, and an electric vehicle charging station was installed. The trailhead itself is also equipped with bike racks, a mechanical bike repair station and solar lighting.

Through merely restriping the lines within the lot, all of these new amenities were able to be included without having to sacrifice additional parking spaces. Indiana Borough's newly renovated 8th Street Lot highlights that with enough forward thinking, even something such as a parking lot can be transformed into a sustainable asset for a community. □





# Sustainable Pennsylvania Community Certification

The Sustainable Pennsylvania Community Certification, a project of the Pennsylvania Municipal League and Sustainable Pittsburgh, is a voluntary performance recognition program to help municipalities achieve their sustainability goals to save money, conserve resources, and encourage innovation. It is intended to bring recognition to municipalities that are applying the policy and practice of sustainability as their way of operating in order to advance community prosperity. Focused on municipal operations, policies, and practices, the certification also serves as a mechanism for sharing best practices for creating a more sustainable Pennsylvania.

The program provides communities with an online structure and performance platform for recognition as they adopt sustainable policies and practices. The certification – Platinum, Gold, Silver, Bronze, or Associate level – is free and strictly voluntary. The program helps municipalities progress from whatever their municipal practices are or have been in the past toward achieving a Sustainable future.

## League Member\*

## Platinum Certification

- Cranberry Township\*
- Lancaster City\*
- Millvale Borough
- Pittsburgh City\*

- Ross Township
- State College Borough\*
- Warwick Township

## Gold Certification

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- Baldwin Borough
- Bradford Woods Borough
- Butler Township
- Carnegie Borough
- Castle Shannon Borough
- Chambersburg Borough\*
- College Township\*
- Connellsville City
- Dormont Borough\*
- Doylestown Township
- East Goshen Township
- Ebensburg Borough\*
- Etna Borough\*
- Ferguson Township\*
- Forest Hills Borough\*
- Frazer Township
- Gettysburg Borough\*
- Green Tree Borough\*
- Greenville Borough
- Halfmoon Township\*
- Harris Township\*
- Haverford Township
- Homestead Borough\*
- Indiana Borough\*
- Latrobe Borough
- Lower Merion Township\*
- McCandless, Town of
- Meadville City
- Middletown Township
- Monaca Borough
- Montgomery Township
- Moon Township\*
- New Britain Borough
- O'Hara Township
- Ohio Township
- Patton Township\*
- Penn Hills, Municipality of
- Philadelphia City\*
- Pine Township
- Reading City\*
- Scott Township
- Sewickley Borough\*
- South Fayette Township\*
- Springfield Township
- Susquehanna Township
- Upper Allen Township
- Upper St. Clair Township\*
- Wilkes-Barre City\*
- York Township

## Silver Certification

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- Bridgeport Borough
- Brighton Township
- Chadds Ford Township
- Churchill Borough
- Collier Township
- Donora Borough
- Edgewood Borough
- Edgeworth Borough
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- Ellwood City Borough\*
- Findlay Township
- Harrisburg City\*
- Heidelberg Borough
- Hopewell Township
- Lock Haven City\*
- Lower Paxton Township\*
- Monroeville, Municipality of
- Mt. Lebanon
- New Brighton Borough
- New Castle City\*
- New Garden Township
- Norristown, Municipality of\*
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- Slippery Rock Borough
- Upper Dublin Township
- West Chester Borough\*
- West Homestead Borough
- West Norriton Township\*
- Whitmarsh Township
- Winfield Township
- Wright Township

## Bronze Certification

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- East McKeesport Borough
- Eldred Borough
- Harrison Township
- Londonderry Township
- New Wilmington Borough
- North Versailles Township
- Swissvale Borough
- Tarentum Borough\*
- Verona Borough

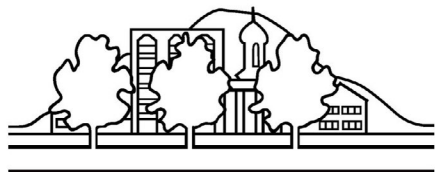
## Associate Certification

- Braddock Borough
- Harmony Borough

For more information, visit: [sustainablepacommunitycertification.org](http://sustainablepacommunitycertification.org)

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# SUSTAINABILITY IN STATE COLLEGE BOROUGH



## A Platinum Sustainable Community In PA

State College Borough is located in “Happy Valley,” Centre County, Pennsylvania and is home to the Pennsylvania State University’s flagship campus. Due in part to this institution’s influence, the borough’s population varies by age, ethnic background and stage in life. Although Centre County is known for its forested mountains and farmed valleys, State College offers a unique combination of small-town charm in an urban environment. State College is part of a larger entity known as the Centre Region Council of Governments. A unique multi-governmental system, each municipality maintains their own identity but shares the cost of larger investments like regional parks, libraries, planning and enforcement.

An increase in population and infrastructure development has led to the urbanization of Centre County. In order to meet the demands and consequences of such progression, the borough prioritizes informing the public about sustainability and incorporating sustainable practices into the development of our community.

### Sustainability Committee

#### Mission:

*To improve economic efficiency and the development of the State College Borough while protecting and restoring its ecological systems and enhancing the well-being of borough residents and visitors through sustainable practices and planning.*

## GREENHOUSE GAS EMISSIONS REDUCTION INITIATIVE

In 2006, environmentally concerned citizens approached Penn State’s Center for Integrated Regional Assessments about the possibility of completing a greenhouse gas inventory for the borough. A Penn State course was developed in which students worked with faculty and borough members to compile data and complete the first inventory. This inventory was the basis for Resolution 944, passed by Borough Council in 2007. Resolution 944 declared State College a Climate Protection Community, which committed the borough to a greenhouse gas emissions reduction strategy, and established municipal and community goals for emissions reduction. These goals address areas of transportation, waste, public health, energy usage and stormwater management. Two other greenhouse gas inventories have been completed since 2006.

In order to begin coordinating these various sustainability efforts, the Borough Arborist was promoted to Environmental Coordinator. In addition to managing local efforts, the borough’s Environmental Coordinator also serves on the Centre Region Technical Advisory Group, a collection of regional experts that use data and recommendations to draft a regional climate adaptation plan for Centre County. Required to document on progress, regular reports are given to council and the community.

## STATE COLLEGE BOROUGH SUSTAINABILITY PLAN 2022

Under the guidance of Resolution 944, the Manager’s Committee on Sustainability was established in 2010 with the Environmental Coordinator assigned as chair. Comprised of members of each department in the borough, the committee meets once a month to provide updates and help coordinate and develop sustainability projects and initiatives for the borough. The work group was tasked with developing, coordinating and implementing a borough-wide sustainability action plan.

The borough’s first Sustainability Plan was passed by council in 2018 with the overall goal to reduce net greenhouse gas emissions by 10% of the 2007 levels by 2022 and to continue to be a Climate Protection Community. Tasks and objectives were established in areas of waste reduction, transportation, urban tree canopy, energy, stormwater management and water conservation. The plan also addresses aspects of community development like public space utilization, economic vitality and operations, environmental planning, zoning, smart growth and resiliency.



## Greener Transportation

Analysis of the greenhouse gas inventory shows that the highest emissions contributor for the borough is from the transportation sector. Resultantly, the borough works to provide and accommodate greener forms of transportation in efforts to reduce our community footprint.

Getting more people on bikes has been a successful sustainability initiative for our community. The borough uses the League of American Bicyclists' performance recognition program to evaluate its biking efforts and was awarded silver as a Bicycle Friendly Business. The borough partners with the Centre Region Planning Agency and Centre Bike, the region's bike advocacy group, to plan and develop year-round social, educational and incentive programs and events for bikers. A participant in National Bike to Work Day and National Bike Month, the borough hosts a series of activities targeted at bikers throughout the month of May.

State College has taken steps to change the culture of the community's transportation habits. Leading by example, 85% of the borough's fleet vehicles have been converted to hybrid. An employee bike fleet and community bike share are now available for use. Electric charging stations were installed in the borough's Beaver Avenue Garage with hopes to encourage the use of electric cars and provide a service for those already using them. Vanpool programs are available with our CATA public transportation system. The borough has also made infrastructure improvements to support sustainable transportation, mandating the installation and regular maintenance of over 90 miles of sidewalks, 9.5 miles of on-street bike routes and 4 miles of off-road multi-use trails.

## Recycling and Waste Reduction

Waste management, in general, does include indirect emissions generated from the breakdown of solid and liquid waste. The diversion of solid and green waste from landfills has been a priority for the borough. In 2012, the Borough Public Works Department established a green waste recycling program. This was the first green waste recycling program established east of the Mississippi and enables residents to have the option to divert their food waste from the landfill into their yards in the form of compost. Organics are collected with our curb-side pick-up then transferred to our compost facility. This compost is free for all borough residents and available for purchase by non-residents.

Multi-family housing units and commercial properties have different challenges than residential properties when it comes to waste reduction. The borough recognizes this uphill battle and works with regional recycling authorities and property owners to develop educational materials and community programs targeted at these types of properties.

## Sustainable Communities Collaborative

Pennsylvania State University has been a great resource for the community's sustainability efforts. The Sustainable Communities Collaborative (SCC), a division of Penn State's Sustainability Institute, is one example. Piloted in 2013, this program unites students and professors from Penn State with community partners to form a support system for local issues. The program allows students to put their "education in action" by giving them the opportunity to apply what they learn to real world problems. Since 2013, the SCC has assisted the borough with over 70 sustainability projects involving over 600 Penn State students and accounting for thousands of hours and dollars of actual work. By participating in this program, the borough is able to magnify its sustainability efforts and create innovative ideas. □



# Health and Well-being and the Role of Local Government

BY KENNETH S. THOMPSON, MD, MEDICAL DIRECTOR, PENNSYLVANIA PSYCHIATRIC LEADERSHIP COUNCIL

---

The currently unfolding COVID-19 Pandemic is an illustration, however unfortunate, of how communities play a more significant role in people's health than the healthcare system does. When it comes to medical care, while new treatments may be in the offering, the best we can currently do with this illness is try to keep very ill patients breathing and for others, offer medications to reduce fever and cough. At present, there is no cure for the infection. It is the public health officials and local government authorities that are leading; building up the capacity to test for the disease, tracking and quarantining those with the disease and their contacts: exercising government powers to close schools, venues and businesses to keep people from congregating and offering the public guidance about what they can do to reduce transmission and improve our chances of keeping people healthy.

What the public needs to minimize the loss of life from this pandemic is highly-informed, imaginative and compelling leadership across all levels of government. How governments acquit themselves during this crisis is paramount. This is not just about the role of public health departments, though that

role is crucial. It's about the whole of government and how it leads and responds.

It is not typically recognized that governmental leadership is just as essential in promoting and protecting health in "normal times" as it is now. Our society, so permeated with the wonders of medical technology, often acts as though good health and well-being are the product of good medical care. While it is true that medical care, especially primary health services, can help a population stay healthy and recover from illness, it is also true that the circumstances of people's daily lives have a more profound effect. This goes beyond the health habits of people, like what they eat, how much they drink or if they smoke. It encompasses what their income is, what work they do, where they live, who they live with and much more. These "social determinants of health and well-being" are the waters we swim in and our health depends on the quality of the water.

While it is true that genetics contribute to our health and well-being, it is not as much as we might imagine. Mapping out the burdens of ill health clearly shows a geographic pattern, with the worst health clustering in the most

economically challenged and socially isolated communities. Taking Allegheny County as an example, there are pronounced differences in the average age of mortality and the rates of morbidity between communities that vary by income and wealth with their associated racial/ethnic differences. People living in the wealthy communities live much longer and are in better health than people living in the old mill towns or inner-city neighborhoods. Statistically speaking, each step a person takes up the economic ladder reduces their health burden. There is a common saying in use now by public health and community development professionals – "It's not your genetic code that drives your health, it's your zip code!"

Details of how we live and where we live are determined in large measure by the powers of local government (land use, directed investment, taxation, education, health, public safety, services, human services, partnerships with other community institutions, etc.). This means that local governments are intimately involved in the health and well-being of their constituents. In Pennsylvania, this responsibility is written directly into Municipal Planning Code. It is

not possible to say that health and well-being are the sole province of the health department. Considerations of how to develop a community; how to lead a community into the future, is about constructing a physical and social environment where all people can thrive. Any development that keeps people excluded and directs investment away from them worsens their health and well-being. Development that improves the conditions where people live, improves their health and well-being. Efforts that make community improvements sustainable also protect the community's health and well-being.

This is not just about investment in active and passive recreation assets, like bike lanes and green space, though these are important. And this is not just about efforts to end air, water and soil pollution,

essential as this is. This is a call for more, for affordable housing, improved schools, inexpensive public transportation and a living wage. It is a call for taking local steps that mitigate the extent and effects of child poverty in our communities. It is about supporting a wide range of community mutual aid initiatives and support for volunteering that engages the residents of a community in the life of that community – in part because health and wellness spring from being fully engaged in our lives and the lives of the people around us.

Imaginative local government has the power to convene and lead its residents to unleash their capacities to make a community thrive. The challenge is to invest in, create and sustain the most physically and socially healthful communities – people and place combined

– we can imagine. The future calls for communities where the focus on achieving inclusive, sustainable and equitable health and well-being is at the top of community aspirations. Today, as our communities struggle with COVID-19, it's clear that community leaders need to figure out how to mobilize all possible resources to address the emerging needs of a socially distanced population: to engage in the challenging decision of if, when and how to reopen social interactions; and envision how our communities and are society are going to operate in the future. Perhaps, if there is to be anything COVID-19 is teaching us, it is that what we all do together for each other, even when disease forces us apart, is the key to our future mutual health and well-being. □



Taking steps to prevent labor and employment issues is a far better strategy than trying to mitigate them after the fact. We partner with municipalities in every corner of the Commonwealth, helping them address potential risks and create work environments where people and public service can thrive. We'd like to do the same for you.

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# Leading by Example: Local Action on Climate Change

BY HEIDI KUNKA, LEED AP BD+C, CC-P, ENERGY PROGRAM SPECIALIST AT PA DEP

In the absence of federal action on climate change, many state and local governments across the United States are standing up and taking the lead. In January 2019, Governor Wolf issued Executive Order 2019-01, “Commonwealth Leadership in Addressing Climate Change and Promoting Energy Conservation and Sustainable Governance.” This order established the first greenhouse gas (GHG) reduction goal for the Commonwealth: 26 percent reduction of net GHG emissions statewide by 2025 from 2005 levels, and an 80 percent reduction by 2050 from 2005 levels. In April 2019, Governor Wolf also released the Pennsylvania Climate Action Plan 2018 and made the announcement that the Commonwealth would be joining the U.S. Climate Alliance.

The Pennsylvania Climate Action Plan 2018 recommends “lead by example in commonwealth and local government practices and assets” as one of 19 key strategies for reducing GHG emissions statewide. To support municipalities and counties in leading by example, the Pennsylvania Department of Environmental Protection (DEP) Energy Programs Office launched the Local Climate Action Assistance Program in 2019. Funded by the State Energy Program of the U.S. Department of Energy, this DEP program trains college students across the state to assist 20 municipalities – boroughs, townships, counties and cities – in

developing local GHG inventories, climate-related vulnerability assessments and climate action plans over the course of one year. The program is a win-win, whereby students receive real-world experience and local governments get the gift of human capital. DEP plans to offer this program again beginning in July 2020. If your local government is interested in participating, please contact Heidi Kunka at [hkunka@pa.gov](mailto:hkunka@pa.gov).

In addition, the Pennsylvania Climate Action Plan recommends a range of specific actions in energy, transportation and facility construction and operations that local governments can take to reduce GHG emissions and perhaps even save money in doing so. Let’s look at a few.

## **Track energy and water usage via Energy Star Portfolio Manager.**

Establish an energy management plan for public facilities. “You can’t manage what you don’t measure” is one of the most famous mantras of the building industry. An energy management plan is a document that includes an integrated approach to all aspects of energy management, including short- and long-term reduction strategies. One of the key requirements of developing this plan is to establish an energy baseline against which future reductions will be measured and progress can be tracked. [Energy Star Portfolio Manager](#) is a free, online tool that enables building owners to benchmark and track their energy use.

**Maximize on-site renewable energy generation and purchase Renewable Energy Credits.** The U.S. Department of Energy’s Office of Energy Efficiency and Renewable Energy provides [tools and resources](#) on a variety of renewable energy sources to help state and local governments use these technologies to strengthen a community’s energy security and improve environmental quality by reducing GHG emissions.

**Pursue high-performance building standards.** Consider Energy Star and Leadership in Energy & Environmental Design (LEED) certification, as well as Net Zero and Passive House standards, for new construction and major renovation of public facilities. The LEED rating system demands increased energy efficiency and use of renewables for your buildings, but also has the added benefit of helping buildings adapt to the impacts of climate change via numerous green infrastructure features, such as rain gardens and vegetated swales, as well as encouraging the use of native and thus more resilient vegetation.

A recent focus of the building industry is to reduce the amount of GHG emissions generated via the production and use of materials in the built environment, or embodied carbon. The LEED rating system has an increased emphasis on embodied carbon via several credits that require life cycle impact considerations, including

the global warming potential of building products.

### Require energy efficient and alternative fuel use in fleet vehicles.

DEP has several incentives available to assist local governments in their pursuit of more energy efficient, alternative fuel vehicles. Our [Driving PA Forward program](#) offers a variety of incentives, including rebates for Level 2 electric vehicle (EV) chargers, which can charge a vehicle in 4-6 hours. We also offer our [Alternative Fuel Incentive Grants \(AFIG\)](#) to local governments for the purchase of alternative fuel fleet vehicles. Local governments should also promote our [Alternative Fuel Vehicle \(AFV\) rebates](#) to their citizens, as this incentive is meant for individuals who purchase eligible EVs or plug-in hybrid electric vehicles (PHEVs).

### Enroll facility managers in energy efficiency training.

PA DEP also offers discounted energy efficiency training for facility managers of local government buildings. [Building Operator Certification \(BOC\)](#) is a multi-day, in-person training that provides competency in the following areas: energy efficient heating, ventilation and air-conditioning (HVAC); building controls and lighting; benchmarking energy performance; as well as indoor environmental quality. Our two current offerings of BOC began in

March 2020 in Chester County and Allegheny County. In March, DEP also hosted a BOC and Building Retuning conference in State College, whereby facility managers convened to learn about best practices in energy efficiency.

Another valuable PA DEP resource offered to local governments that assists them in adapting to climate change is our [energy assurance webpage](#). Energy assurance entails ensuring that adequate fuel supplies are available in the event of emergencies such as extreme weather events, which will increase due to climate change. In early 2020, DEP hosted several in-person workshops on energy assurance for local governments throughout the Commonwealth. Materials and resources from these workshops are available on our energy assurance webpage.

### Implement climate resilience in public facilities, such as least impact backup power generation and climate resilient vegetation.

Resilience can be defined as the “ability of an entity – e.g., asset, organization, community, region – to anticipate, resist, absorb, respond to, adapt to and recover from a disturbance.” DEP, in concert with their contractor, the Pennsylvania Municipal League (The League), has recently developed [webinars and other resources](#) to educate local governments about how they can

utilize energy efficiency to become more resilient in the face of climate change. For instance, the term “passive survivability” depicts how a person can shelter-in-place during a prolonged power outage due to the increased insulation and air sealing of their building that enables their indoor temperature to remain more constant for a longer period than traditional structures.

### Learn from best practices within and outside of Pennsylvania.

The League hosts two Sustainability Conferences per year, one in the spring and one in the fall. Attending conferences such as these is recommended, so you can learn from others and network with your peers who are already leading the way in their climate initiatives.

Even if we immediately stop emitting all GHGs, we would still have numerous climate impacts to deal with as a result of those that are already in the atmosphere from the time of the Industrial Revolution. The sooner we take action to reduce the emissions, the less severe the impacts will be. The Pennsylvania Climate Action Plan 2018 serves as a call to action for all state/local government leaders, citizens and businesses in the Commonwealth. We must all take collective action in order to preserve the health of our planet for future generations. □

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*All facts and figures are as of December 31, 2019.*





# COVID-19 RESOURCES FOR LOCAL LEADERS

Advocacy Efforts  
Stimulus 4

Coronavirus Crisis  
Related Legislation

League  
Resolution

NLC/Bloomberg  
COVID-19: Local  
Action Tracker

CDC Guidance  
& Information

Impact on Right  
to Know Law

PELRAS  
COVID-19 Update

COVID-19:  
Working Remotely

PA Depart. of  
Health Guidance

## Community Response

*Below are just a few great examples of member community response during these unprecedented times. For many more, be sure to check out [The League's COVID-19 Weekly Update](#) emailed to you every Friday.*

- [Carlisle Area Emergency Response Fund converts \\$77,000 in donations into community aid during coronavirus](#)
- [Councilwoman Sihelnik is pleased to announce "Cultivating Community," a new collaborative initiative focused on historic victory gardening and food security in the City of Reading](#)
- [Gettysburg Borough and Main Street Gettysburg are teaming up to help businesses reopen when the COVID-19 pandemic subsides](#)
- [Peters Township Initiates Neighbors Helping Neighbors Program which enables people with a high risk of contracting COVID-19 to get food and goods delivered to their homes](#)
- [Lancaster Cares was formed with a lead gift of \\$250,000 from the Community Foundation. Since then, more than 600 people have given nearly \\$900,000 to be sure that our friends and neighbors are cared for](#)
- [While people across the state are staying home, one community is rallying volunteers to help out at-risk populations, Cranberry Township now has a community response team](#)
- [Residents in Williamsport can now get updates regarding COVID-19 on their phones with "Text Williamsport."](#)

For daily updated COVID-19 information & resources for local leaders, visit:

[PML.org/covid-19-resources-for-local-leaders](https://pml.org/covid-19-resources-for-local-leaders)

# Coronavirus: The “Black Swan” Event that has Disrupted Energy Markets and the Economy

BY COMMODITIES MANAGEMENT GROUP

ARTICLE WRITTEN/PROVIDED IN EARLY APRIL

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In Constellation’s [March Market Intel Webinar](#), our chief economist and market analysts examined events relative to how coronavirus is affecting and may affect the natural gas and power markets. The term “Black Swan” refers to Nassim Nicholas Taleb’s popular book that explores events that have a low probability or predictability but have high consequences. The last Black Swan event was the financial crises of 2008/2009. It appears that coronavirus is the latest Black Swan.

During the webinar, Constellation’s Commodities Management Group (CMG) discussed data and analytics related to the energy demand shock brought about by the spread of coronavirus domestically and globally. Air travel is down drastically, and that trend has continued to accelerate as states and the federal government have

moved to shut down whole sectors of economic activity in order to halt the spread of coronavirus. The federal government and numerous governors have shut down bars, restaurants, gyms, concerts, sporting events and gatherings of more than a few people.

Additionally, most companies have stopped events, severely curtailed travel and moved their workforces out of central locations to work-at-home solutions. These actions are having a profound effect on the demand for energy as economic activity is grinding to a halt or has been severely curtailed at home and abroad.

## **Oil Price War between Saudis and Russia**

The coronavirus originated in China late in the fourth quarter of last year and disrupted China’s

economy driving oil demand in Asia down by approximately 4 million barrels per day. Falling global demand for oil in Asia placed downward pressure on crude oil in what was already an oversupplied market. Since 2016, the Organization of the Petroleum Exporting Countries (OPEC), led by its largest producer, Saudi Arabia, had partnered with Russia, the world’s second largest oil producer, in an effort to curb production to support oil prices. That partnership fell apart on March 9 when Russia announced that it would not make cuts to oil production in cooperation with plans announced by Saudi Arabia for an additional 1.5 million barrels per day in the teeth of a flagging oil market.

Oil prices collapsed 25%, the single largest daily dollar-per-barrel decline since the 1991 Gulf War. The collapse of the global crude

oil market occurred at the same time that coronavirus escalated in Europe and the United States combined, for a severe blow to equities, commodities, and nearly every asset class. U.S. stocks have lost 30% of their value over the past ten days.

## Potential for Curtailed Production, Oil and Gas Demand

In our February Webinar, we discussed the effects of low crude oil, natural gas liquids, and natural gas prices on the producers of those products, noting that prices for all hydrocarbons were at multi-year lows and in some cases, all-time lows. Low prices have been forcing producers to cut capital expenditures, sell assets, abandon projects and reduce borrowing. Since last month, crude oil has fallen \$25 per barrel, an amount equal to \$109 billion on an annualized basis.

To put this into some perspective; in a single month the oil market shed an amount of annual revenue equal to nearly one and a half the times the total annual revenue of the U.S. wholesale natural gas industry (i.e., approximately \$68 billion per year at current production and current price). Domestic natural gas and oil producers cannot make sufficient returns on invested capital at the current low-price levels. Most

forecasters (note: Constellation does not “forecast” energy prices) have now pivoted their view to one where production of oil and gas will fall in 2020 in response to very low prices coupled with near-term demand being curtailed.

## What's Next?

Our CMG team has been talking about the potential for low oil prices to actually support natural gas prices in the mid- and longer term as producers would need to cut spending, resulting in falling production. In fact, the scenario for low oil prices potentially supporting the natural gas market accelerated at a rapid pace recently. However, the coronavirus presents the potential for lower demand not just for oil and refined petroleum such as jet fuel and gasoline, but also for reduced demand for natural gas as well. The question for all of us centers on the severity and duration of the current crises.

China appears to be “turning back on.” Many sources are reporting that Chinese factories are ramping up and this is corroborated by satellite imagery and reports by various news agencies. South Korea seems to have blunted the number of cases of coronavirus, according to Reuters, and achieved a downward trend in infections, raising hopes that Asia’s largest epidemic outside of China may be abating. The good news from

China and South Korea has been outweighed in Italy, a global hotspot for coronavirus, where the death toll appears to still be rising. The broader question for the next two or three months is: “Is the U.S. on a trajectory similar to South Korea, or Italy?”

**We will continue to closely monitor the situation and evaluate additional measures to [support our customers and communities as needs arise](#). We wish everyone safety and health as we all navigate these challenging times. □**



# Despite COVID-19, Employers Are Not Exempted From Labor Law Compliance

BY HOBART J. WEBSTER, ESQUIRE AND GRETCHEN K. LOVE, ESQUIRE, CAMPBELL DURRANT, P.C.

Many municipal employers in Pennsylvania are being asked to continue to provide essential services, while ensuring the safety of municipal employees and the public. Staying abreast of evolving recommendations from the Governor, the Secretary of the Department of Health and the Center for Disease Control requires additional time and mental capacity. While managing through the global pandemic presents some uncertainty, there have been no exemptions or extensions of time for municipalities to comply with federal and state law. Simply put, the labor and employment liability that existed pre-COVID-19 has not changed. In this article, we will address several important labor and employment tasks that municipal managers are required to perform even though the manner in which your employees work may have changed.

## **Employers must continue to process grievances, follow the terms of their CBAs and be mindful of mandatory negotiations timelines.**

None of the emergency orders that have been issued by Pennsylvania

government officials to date suspend collective bargaining agreements (or the deadlines contained therein with respect to grievance processing) or otherwise curtail bargaining obligations. Negotiation and arbitration deadlines still exist and have not been postponed as a result of the COVID-19 pandemic. While face-to-face negotiations may be postponed until it is safe to resume such activity, municipalities must be ready to meet all deadlines and should consider online negotiations, when feasible. These deadlines include demanding negotiations with uniformed personnel by June 30, 2020, responding timely to any such demand from a union, and being ready to either demand interest arbitration or to respond to such a demand within the required timeframe.

Some unions may decide not to demand interest arbitration, gambling that a municipality misses its opportunity to pursue interest arbitration. For non-uniformed collective bargaining units, there may be an initial knee-jerk reaction to execute a contract extension to push off

labor negotiations. All municipal employers should be ready for these possibilities and consult with labor counsel to strategically respond. Economic uncertainty creates an opportunity for real labor concessions that promote fiscal sustainability.

## **Harassment investigations must continue, and employees must be able to file new complaints.**

An employer's obligation to accept and investigate harassment claims from their employees does not stop because of the COVID-19 pandemic. When an employee makes a complaint of harassment, whether formal or informal, an employer must take immediate steps to address the complaint. In order to do so, employers are obligated to investigate the complaint, stop the alleged conduct and protect the involved parties from retaliation. It is also very important that employers make it possible for employees to lodge complaints, even when they are working remotely.

As savvy municipal managers know, timely investigation of a

complaint will not only yield the best information and evidence, but it will also enhance the employer's credibility with the complainant, which is a critical component of reducing litigation risk. Timely investigations can also help an employer identify and resolve internal problems before they get worse. Given that every complaint is a potential lawsuit, employers should investigate each complaint in a manner that will hold up in court, if necessary.

Now may actually be the easiest and most efficient time to conduct a prompt, thorough and effective investigation. That is particularly true for any outstanding investigations that, for one reason or other, have not been completed. If you have questions about how to conduct your investigation, or need an outside investigator, immediately contact your labor counsel.

### **Continue to require hourly employees working remotely to accurately track their time.**

Wage and hour lawsuits are extremely expensive and often impossible to defend. Smart municipal managers know that it is essential that non-exempt, hourly employees track their time when working at the office, and it is equally crucial to take steps to prevent non-exempt employees from working off the clock or working unapproved overtime when working remotely. Under the Fair Labor Standards Act ("FLSA"), employers must pay non-exempt employees for all time worked. Remote work presents tricky time recording issues. How do you know when an employee is working or not working?

Municipal managers need to provide employees with reliable systems to accurately track their time worked for purposes of wage payment. Remote non-exempt employees must be "clocking in" and "clocking out" during the workday. Remote employees need to track all work time, not just the time spent working during normal business hours. Failure to appropriately track time worked and compensate accordingly for non-exempt employees exposes a municipality to significant liability.

It is essential that municipal managers remind non-exempt employees that checking, reading and responding to work-related emails or text messages is "work" that should be recorded as time on the clock. If employees are not capturing this work time, you must hold them accountable.

It is much cheaper and safer to pay for a few minutes of overtime and correct the problem than it is to deal with the liability created by uncompensated work in the future. At minimum, municipal employers should review their time entry policies and practices with their labor counsel to ensure FLSA compliance.

### **Know where your employees are located while they are working. It could matter a lot.**

Under normal circumstances, municipal managers know where their employees are during work hours, and that should continue to be the case, even when employees are working remotely. In Pennsylvania, many counties and municipalities, including Philadelphia and

Pittsburgh, have passed human resources ordinances providing enhanced leave benefits and non-discrimination protections for employees working within their municipal borders. These ordinances typically provide greater benefits and protections than state or federal law.

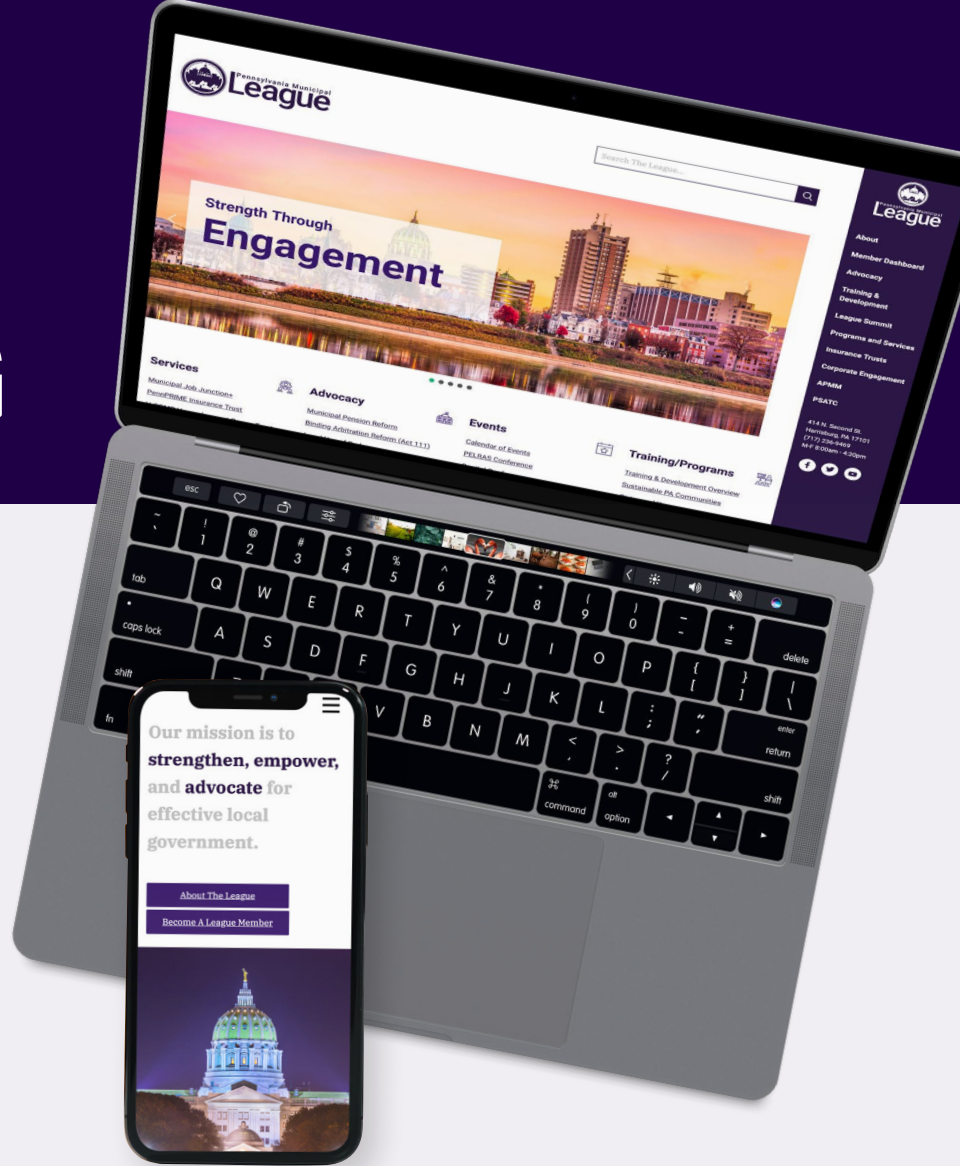
For example, employees who reside and work remotely in Pittsburgh are covered by Pittsburgh's new mandatory Paid Sick Leave Act. To the extent your municipality provides sick leave benefits that are less than what is required by Pittsburgh's local ordinance, your municipality would be required to provide Pittsburgh's minimum paid sick leave if your remote employee works as little as 35 hours from their home.

Pittsburgh's Paid Sick Leave Act is just one of numerous local ordinances that exist across the Commonwealth. Municipal managers should know where their employees are working remotely and what additional ordinance may be applicable. Reach out to your labor counsel to determine which local ordinances may impact employees working remotely. □



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**U·COMP**  
Unemployment Compensation Trust

# COVID-19 and Unemployment

BY DEBBIE GROSS, U·COMP MEMBER SERVICE REPRESENTATIVE

Municipal employers have been affected in many ways during the COVID-19 crisis. One of the important decisions that our municipalities are grappling with is that of unemployment and the issues around it.

Below are some important points that the Pennsylvania Department of Labor and Industry would like for employers to remember regarding unemployment during the COVID-19 outbreak. Labor and Industry strongly encourages employees who are unable to work due to COVID-19 to work with their employers in order to first use any available paid leave for the following reasons:

- ⇒ You tell an employee to stay home because they are at risk for contracting or spreading COVID-19.
- ⇒ If an employee has COVID-19 and they cannot come to work.
- ⇒ If your employees are told to isolate or quarantine due to COVID-19.

Once the employer and employee have resolved the above issues, Labor and Industry urges the employer to encourage

the employee to open an unemployment claim.

HB 68 which was signed by the Governor and has become Act 9 states:

This legislation requires employers to provide a notice about the availability of the UC (unemployment) program to employees at the time of separation. The notification must include the following information:

- ⇒ UC benefits are available to workers who are unemployed and meet UC law requirements.
- ⇒ An employee may file a claim in the first week that employment stops, or hours are reduced.
- ⇒ Information and assistance on a claim is available on the department's website and toll-free number, which an employer shall provide.
- ⇒ Information the employee needs in order to file:
  - Full legal name;
  - Social security number; and

- If not a citizen or resident, authorization to work in the United States.

If employees are experiencing a busy signal at the Pennsylvania Department of Labor and Industry when attempting to file a claim by phone at 1-888-313-7284, they may also file online at:

<https://www.paclaims.pa.gov/UCEN/Welcome.asp>

Or they may file and mail a hard copy of their claim. The link to the hard copy claim document is:

[https://www.uc.pa.gov/Documents/UC\\_Forms/UC-42\(I\).pdf](https://www.uc.pa.gov/Documents/UC_Forms/UC-42(I).pdf)

The U·COMP program provides additional information for members.

A free, non-binding proposal may be obtained by contacting:

Debbie Gross  
by email at [dgross@pml.org](mailto:dgross@pml.org)  
Or by calling  
1-800-922-8063,  
ext \*254.





# Protecting Employees Continuing to Report to Municipal Facilities

BY PENNPRIME INSURANCE TRUSTS

Employees are your most important resource. Maintaining their health and safety has always been a top priority and is even more critical now. Police, firefighters, Wastewater Treatment Plant and Water Distribution operators, certain Public Works employees, and even some office workers must continue to perform essential activities at municipal facilities. One of many measures to protect these employees is to clean and disinfect your buildings that remain in use. This has been identified as a crucial measure by the Pennsylvania Department of Health and signed into order by the Governor. The specifics of the order are listed below.

## Order of the Secretary of the Pennsylvania Department of Health Directing Building Safety Measures

Where a business is authorized to maintain in-person operations pursuant to the orders issued by the Governor and Secretary

of Health on March 19, 2020, as subsequently amended, including businesses operating pursuant to exemptions from those orders, owners of buildings of at least 50,000 square feet used for commercial, industrial or other enterprises, including but not limited to facilities for warehousing, manufacturing, commercial offices, airports, grocery stores, universities, colleges, government, hotels and residential buildings with at least 50 units, shall implement the following cleaning protocols in those areas where operations are conducted:

- (1) in addition to maintaining pre-existing cleaning protocols established in the facility, as specified in paragraph (2) below, clean and disinfect high-touch areas routinely in accordance with [CDC guidelines](#), in spaces that are accessible to customers, tenants or other individuals;

- (2) maintain pre-existing cleaning protocols established in the facility for all other areas of the building;
- (3) ensure that the facility has a sufficient number of employees to perform the above protocols effectively and in a manner that ensures the safety of occupants and employees; and
- (4) ensure that the facility has a sufficient number of security employees to control access, maintain order and enforce social distancing of at least six feet, provided the security employees are otherwise responsible for such enforcement.

Governor Wolf's order, effective April 6, 2020 at 12:01 a.m., can be found in its entirety by clicking [here](#). □



# Working from Home is an Opportunity to Learn

If you are one of many municipal employees who are on the front lines continuing to provide essential services to our communities, we deeply value and appreciate your valiant efforts. If you are doing your part to flatten the curve by working from home, you can optimize this time by participating in remote training opportunities.

## Safety Training

The Pennsylvania Bureau of Workers' Compensation (BWC) continues to provide many free options for general safety training on their website. [Live webinars](#) and [safety videos](#) can be accessed on any device and are available on a variety of topics including Chemical Safety (SDSs), Hand and Power Tools, Dog Bites, Back Safety, and many more. BWC also provides live webinars that meet the requirement for [annual training to recertify Safety Committee members](#). Each person on your committee can choose the day/time that is most convenient for them and will receive a certificate indicating their completion for your official records. Safety Committee members can utilize the BWC website for additional [safety resources](#) to get a jump ahead on preparing for future monthly meetings. These include PowerPoint presentations, posters, mobile apps, publications and safety talk ideas. By engaging yourself in learning opportunities now, when you return to your normal work environment, you can prevent accidents and injuries to yourself and your coworkers. □

# Cyber Security

The current pandemic is proliferating opportunities for hackers. Breaches in code caused outsiders to be able to enter Zoom meetings and interject vulgarities. Other commonly used apps might have threats not yet determined. The FBI has found novel computer viruses being generated from what appears to be valid COVID-19 communications.

As much of our workforce has migrated to their houses, a whole new array of computer security issues are surfacing. Some employers have provided workers with laptops and other devices that have not been updated with firewalls, malware detection and other security features that are standard when working in the office environment. While trying to juggle work, home schooling their children and keeping connected to friends and family, dedicated employees sometimes use their personal devices and work devices interchangeably to get the job done. Unfortunately, not all devices have adequate security. Another risky scenario presents itself when employees transfer work documents to their personal computing devices from their secured work cloud via flash drive or via their personal email addresses. The list goes on. [Malwarebytes](#) and [Norton](#) offer these helpful tips for protecting your computing devices and data while working remotely. Their websites also provide articles to keep you updated on the most recent cybercriminal activity.

Businesses across the globe are completely rethinking their fundamental operating strategies and how they do business. Cyber security needs to be among these issues being reconsidered. Local government has the responsibility to ensure that the sensitive data they store regarding law enforcement, tax collection, employee records and other areas are protected from cyber threats. They also need to assess whether they have the financial resources to recover from a security breach. Now is a great time to discuss your current cyber coverage with your insurance carrier. □

# Employee Sustainability: A Unique Look at Our Most Valuable Resource

One definition of [sustainable](#) is “using a resource so that the resource is not depleted or permanently damaged.” Incorporating this definition into safety and risk management easily translates into “using a **human** resource so that the **human** resource is not depleted or permanently damaged.” As users of human resources, every employer has a responsibility to maintain a sustainable workforce by focusing on injury prevention and wellness.

The following list (in italics) contains [sustainable agriculture practices](#). Let’s explore how these same practices can be transformed into sustainability for human resources.

## *Rotating crops and embracing diversity.*

Rotating crops is similar to rotating employees through different job assignments during the same day. This practice can achieve many benefits such as relieving repetitive motion issues, limiting exposure to sun/heat and preventing complacency by providing respite from mundane tasks.

Embracing diversity is not limited to employing people who are different from each other and have different backgrounds. Embracing diversity also includes encouraging employees from varying levels and different departments within the organization to interact and provide input on important projects. For example, a public works laborer could be included in a meeting with the engineer designing the new municipal complex.

## *Planting cover crops.*

Cover crops protect soil health just like Personal Protective Equipment (PPE) protects human health. Establishing a strong safety program that holds employees accountable for wearing and caring for PPE can reduce the frequency and severity of injuries.

## *Reducing or eliminating tillage (plowing) prepares fields for planting but can cause a lot of soil loss.*

Similarly, a traditional reactive approach to safety prepares employees for continuity in operations, but can cause time

loss for injured workers, fatigued employees working overtime to fill-in, time wasted rescheduling and many more hidden costs. Proactive methods, which involve creating a culture of positive safety behaviors, not only prevent injuries, but also improve operations overall.

## *Applying integrated pest management (IPM).*

In the safety realm, Integrated Risk Management (IRM) is also a growing practice. It involves defining the risks for each department and how those risks intertwine with the entity’s overall risks so they can be mitigated or transferred for the benefit of the entire organization, its employees and community.

## *Integrating livestock and crops can be a recipe for more efficient, profitable farms.*

Local government can use a parallel strategy to integrate employees from different departments for more efficient safety and profitable operations. As an example, let’s say that a toolbox in the Public Works Department tipped over due to too

# HomErgonomics

many drawers being out at once and heavier tools being placed at the top. An employee from that department could share this valuable learning experience with office employees regarding their filing cabinets which have a similar potential for causing an accident and injury.

## *Adopting agroforestry practices by mixing trees or shrubs into their operations.*

Private and public sector employees are comprised of the same flesh and bones. By mixing standard, widely-accepted safety practices used in the private sector into their operations, municipal employers can provide equivalent tools and methods to protect employee, community and property resources while also offering taxpayer savings.

## *Managing whole systems and landscapes.*

This is no different than managing municipal entities and their communities. Sustainable workplaces treat all human resources, full-time, part-time, seasonal, uniformed, non-uniformed, volunteers, service providers, contractors and residents as integral to the operations – valued for their role in promoting best practices and reducing accidents and injuries.

To achieve *employee sustainability*, defined as “using a human resource so that the human resource is not depleted or permanently damaged,” each employer must commit to **being** and supporting pollinators who encourage safe and healthy behaviors. □

Injuries are an equal opportunity perpetrator. While Police and Public Works operations top the list for on-the-job risks in the municipal environment, office workers must also consider their health and safety exposures. If you are one of many employees who have transitioned to working from home, take a moment to assess and redesign your work space to prevent awkward and uncomfortable postures, eyestrain or other issues.

Expensive equipment labelled “ergonomic” is not necessary. With some basic knowledge and creativity, your make-shift home office can be improved into a better space. Whether your new norm is keyboarding at a kitchen counter, a table on your deck or, if you are fortunate, an actual desk, [OSHA](#) has a Computer Workstation eTool that can be used to evaluate and adjust your work area. If you prefer live action learning, this 3.5 minute clip available from the [Wall Street Journal](#) demonstrates all the relevant points and provides suggestions for modifying a less-than-perfect workstation with items commonly found at home. But... just say no to sitting on the floor or your bed which could cause improper body alignment. Working on a computer shouldn't resemble a game of Twister.

Sitting too much? [Quitting Sitting](#) will motivate you to move and groove and also teach you how to put that high-top bar counter to good use by setting up a standing work station. If “shake, rattle and roll” is more a description of your body parts than a dance style, then add some stretching into your “quarantine” as illustrated by [Healthline](#). Other helpful hints for remaining healthy while working from home can be found at [fitbit](#). In addition, remember to wash your hands frequently and practice Safe Separation and Elimination of Contagions, Trauma, and Sicknesses, also known as, Safe SECTS.

If you'd like some assistance in setting up a better work-away-from-work space, contact me for a virtual review at [clees@pml.org](mailto:clees@pml.org). □



**Member**  
The League's  
Business Leaders Network

# Legislative Status Report STATE



PREPARED BY AMY STURGES, LEAGUE DIRECTOR OF GOVERNMENTAL AFFAIRS – [asturges@pml.org](mailto:asturges@pml.org)  
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*All legislation can be found on the General Assembly's website:  
[legis.state.pa.us](http://legis.state.pa.us)*

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Spring 2020 marks more than the half-way point in our current legislative session. Normally, at this time in the session, we are anticipating the start of budget season. However, as with every other aspect of life, the coronavirus has forced most legislative items to the back burner. Instead, March and April brought rule changes in the House and Senate that accommodate remote voting and the capitol was closed to the public. Legislation that is moving is, for the most part, specific to COVID-19. Please see our [website](#) for information on all COVID-19 related legislation.

The state's Independent Fiscal Office is projecting a budget gap of over \$4 billion when the General Assembly and Administration do turn their attention to the budget which is due June 30.

Following the budget, the General Assembly will be in recess until mid-September. When they pick things back up in the fall, the November election will be on the minds of most. All of the House is up for re-election and half of the Senate. To date, 18 members are not returning, including the current Speakers, Representative Turzai and Senator Scarnati.

# Recently Enacted Legislation

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**Act 9 of 2020**  
**House Bill 68 (PN 3499)**  
**Signed: March 27**  
**Effective: Immediately**

**Act 9** eliminates the one-week waiting period for unemployment compensation, and relieves employers from being charged for unemployment claims related to COVID-19. It also clears the way for extended federal unemployment benefits and expected federal benefits for self-employed individuals and independent contractors.

**Act 10 of 2020**  
**House Bill 1232 (PN 3500)**  
**Signed: March 27**  
**Effective: Immediately**

**Act 10** extends the deadlines for paying and filing state income tax returns to follow federal deadlines, which have been moved to July 15. It also requires the Department of Community and Economic Development to coordinate with local governments to extend the local tax filing and payment date for Earned Income Tax to coincide with the new federal and state date of July 15. It also transfers up to \$50 million in state funds to be used to help hospitals, nursing facilities and EMS providers to purchase medical equipment and supplies to address COVID-19.

**Act 15 of 2020**  
**Senate Bill 841 (PN 1623)**  
**Signed: April 20, 2020**  
**Effective: Immediately**

**Act 15** amends Title 35 (Health and Safety) in a number of ways. Following are the provisions impacting local government:

First, Chapter 75, Section 7501 concerning the general authority of local governments during emergency declarations is amended establishing the blanket authority to hold a meeting without a physical quorum present in any one location. A quorum may be established through the use of telecommunications devices.

Second, a new subchapter is added to Title 35 concerning local government meetings during the COVID-19 emergency declaration. This subsection is only in effect for the duration of the Governor's emergency declaration.

A political subdivision and its boards, commissions, departments and agencies (entity) may conduct business through the use of an authorized telecommunications device defined as a device which permits, at a minimum, audio communication between individuals. A physical quorum is not required, but there must be a quorum of members through the use of telecommunications devices.

To the extent practicable, advance notice of a meeting shall be posted on the entity's website or in a newspaper of general circulation, or both. Notice shall include the date, time and technology to be used and how the public can participate. If a meeting is called without advance notice and under exigent circumstances to address COVID-19 related issues, draft minutes of the meeting must be posted within 20 days or before the entity's next meeting, whichever is earlier. Notice of meetings to consider applications, plats, plans,

submissions, appeals or curative amendments not related to the COVID-19 emergency declaration must be provided 5 days prior to the meeting by a posting on the entity's website or in a newspaper of general circulation, or both.

To the extent practicable, entities must allow public participation in meetings, hearings or other proceedings through telecommunication or written comments.

For approvals, applications, plats, plans, submissions, appeals or curative amendments received or pending as of the Governor's declaration, the days provided to satisfy the statutory time limits are suspended for 30 days from the effective date of this act to give the entities time to prepare for remote meetings. Written notice of the 30-day suspension shall be provided to each applicant. Applicants can request that a meeting or hearing proceed before the 30-day suspension is lifted. Granting such a request is at the entity's discretion. If granted, the applicant and each party to the proceeding shall be deemed to have waived any challenge to the proceedings. At the end of the 30-day suspension, the statutory time limits will resume.

A third amendment concerns property tax relief and is also limited to the COVID-19 emergency. For property taxes due by December 31, 2020, a municipal taxing district has the option to collect the tax at the prescribed discount rate through August 31, 2020, or to waive any fee or penalty otherwise associated with a late

payment if payment is made in full by December 31, 2020. Such action would be accomplished with the adoption of a resolution that is then delivered to the tax collector.

#### **Act 17 of 2020**

**House Bill 1869 (PN 3582)**

**Signed: April 29, 2020**

**Effective: Immediately**

**Act 17** amends Title 35 (Health and Safety), providing authorization

for the Department of Health (DOH) to grant Basic Life Support Ambulance (BLS) staffing waivers. DOH would permit an EMS agency to file for a waiver from staffing requirements for extraordinary reasons as determined by the department on a case-by-case basis and in the best interest of the EMS system and patient care. Waivers would expire in three years.

The act also requires municipal employers to automatically grant a Heart and Lung benefit claim to police and fire personnel if they contract COVID-19 or have to be quarantined. The requirement for an employee to prove the injury was caused in the performance of his duties is waived. The act limits the benefit to 60 days.

# Legislation of Interest

## **Senior Citizen Tax Reduction Incentive Act**

### **House Bill 974 (PN 3593)**

would create the Senior Citizen Reduction Incentive Act allowing municipalities to establish a senior citizen tax reduction incentive volunteer exchange program in which senior citizens would receive a real property tax credit in exchange for their volunteer service. The volunteer service provided by a program participant would be required to enhance and directly benefit the municipality.

The real property tax credit rate would be established by the municipality and would not exceed the total amount of real property taxes that are owed by the program participant. Each volunteer hour provided by a participant would be compensated with a real property tax credit which would be no less than the minimum hourly wage required by the Minimum Wage Act of 1968.

Municipalities would be able to use public or private funding sources to support this program.

*Location: Passed House, April 21, 2020*

## **Local Government Capital Project Loan Fund**

### **House Bill 1822 (PN 3595)**

would amend Article XVI-D of the Fiscal Code pertaining to the Local Government Capital Project Loan Fund. It would change the definition of municipality by increasing the population requirement from 12,000 to 15,000 in order to apply for a loan.

Additionally, the bill would increase the amount of a loan for purchasing equipment from \$50,000 to \$150,000; it would increase the amount of a loan for purchasing, constructing, renovating or rehabilitating facilities from \$100,000 to \$250,000; and it would change the interest rate to the 10-year U.S. Treasury rate rounded to the closest quarter point, not to exceed two percent and it would increase the term of the loan from 10 to 15 years.

*Location: Passed House, April 21, 2020*

## **Commingling of Motor Fuel**

**House Bill 2233 (PN 3276)** would amend Title 75 (Vehicles) allowing political subdivisions and volunteer services (i.e. fire, ambulance and rescue squads) to commingle their tax exempt motor fuel in common storage tanks.

Each exempt entity, a political subdivision and/or volunteer service, would be able to enter into a commingling agreement, and such an agreement would include provisions for purchase, delivery, use and safety. Each entity would also be responsible for their own recordkeeping of their use of the tax exempt motor fuel. The storage tank would need to be located on the property of the political subdivision, and each exempt entity in the commingling agreement would need to separately contract with a distributor for purchase and delivery of fuel.

*Location: Passed House; Senate Transportation Committee, April 20, 2020*

## **Tax Exemption and Mixed-Use Incentive Program Act**

**Senate Bill 352 (PN 1192)** would allow local taxing authorities to provide tax incentives for new construction and improvements on industrial, commercial, business and residential properties in deteriorated areas designated by a community.

The bill, cited as the Tax Exemption and Mixed-Use Incentive Program Act, would allow a taxing authority, by ordinance or resolution, to exempt from real property tax the assessed value of improvements or new construction on blighted property. The taxing authority would designate an area as deteriorated and hold a public hearing determining that area's boundaries. Adjacent municipalities and taxing authorities may collaborate to determine boundaries or implement similar tax exemption schedules. A yearly tax abatement schedule terminates after 10 years when the property would be assessed and taxed at full value, including increased property values. The tax exemption would not terminate with the sale or exchange of the property.

A taxing authority may rescind an ordinance or resolution designating an area as deteriorated if the improvements or construction has accomplished the goal of revitalizing the deteriorated area. Additionally, if a serious violation exists on a property within five years following the completion of the new construction, that is not corrected, the taxing authority would be entitled to receive a proportional amount of taxes. The bill further designates regulations, standards and eligibilities for the program.

Realty transfer taxes shall not be affected by the purchase or sale of a property under the program except for specific sales or transfers outlined in the bill.

**Location:** *Received Second Consideration in the House, March 25, 2020*

## **Removal of Municipal Officers**

**Senate Bill 1068 (PN 1584)** proposes an amendment to Article IX of the PA Constitution adding an additional provision for removal of municipal officers. The new provision gives the PA General Assembly the authority to pass legislation directing the removal of municipal elected officials for cause, including absenteeism and dereliction of duty. This would be in addition to the current removal provisions in the Constitution. A similar bill passed the House last year, but was stalled when the sponsor left office to run for a judicial seat.

**Location:** *Senate Local Government Committee, March 11, 2020*

## **Public Notice of the Sale or Lease of Water or Sewer Systems**

**House Bill 406 (PN 2831)** would add a new chapter to Title 53 (Municipalities Generally) regarding public notice and public meetings prior to the sale of a water or sewer system. These requirements are in addition to any open meeting requirements under the Sunshine Act.

The bill requires a municipal corporation to hold at least one advertised public meeting not more than 60 days or fewer than 7 days prior to entering into an agreement with a purchaser or lessee. Notice of the public meeting shall be in all municipalities served

by the water or sewer system. The potential purchaser or lessee must attend the meeting. Notice of the public meeting must be advertised once a week for two successive weeks in a newspaper of general circulation prior to entering into a contract to sell or lease a water or sewer system owned or operated by a municipality or a municipal authority that would require dissolution by the municipality.

**Location:** *Passed House; Senate Consumer Protection Committee, February 19, 2020*

## **Redevelopment and Environmental Liability**

**House Bill 1737 (PN 2439)** amends the Economic Development Agency, Fiduciary and Lender Environmental Liability Protection Act. The bill adds land banks to the list of economic development agencies thereby removing them from any environmental liability on properties they purchase for redevelopment.

**Location:** *Passed House; Senate Environmental Resources and Energy Committee, February 19, 2020*

## **Borough Electric and Gross Receipts Tax**

**Senate Bill 958 (PN 1514)** would amend Title 8 (Boroughs and Incorporated Towns) providing that the sale of electric power to a borough for resale inside the limits of the purchasing borough, and the sale of electric power by a borough inside the limits of the borough, would be exempt from the gross receipts tax.

**Location:** *Awaiting Third Consideration in the Senate, May 13, 2020*

## **Increasing the Threshold of the Public Works Contractors' Bond Law**

### **Senate Bill 207 (PN 1513)**

would amend the Public Works Contractors' Bond Law of 1967 increasing the contract threshold for a bond from \$10,000 to \$100,000. Further, this bill would specify that the security must be in the form of a performance bond, payment bond, irrevocable letters of credit or an escrow account.

*Location: First Consideration in the Senate, February 5, 2020*

## **Workers' Compensation for Integral Emergency Service Members**

**Senate Bill 94 (PN 940)** amends the Workers' Compensation Act by including members of volunteer firefighter departments, fire companies and ambulance corps as eligible for workers' compensation. Additionally, this bill would provide workers' compensation eligibility to certain emergency responders on state game land.

This bill would define "members of volunteer fire departments or volunteer fire companies" as any of the following: an active volunteer firefighter who responds to emergency calls; a member of a fire police unit affiliated with a volunteer fire department or fire company; an officer or director of a volunteer fire department or fire company; or a participating member who provides necessary operational support to the volunteer fire department or fire company, but does not respond to emergency calls. The term would not include a social member of either a volunteer fire department or fire company.

It would also define "members of volunteer ambulance corps"

as any of the following: an active volunteer ambulance corpsman who responds to emergency calls; an officer or director of a volunteer ambulance corps; or a participating member of a volunteer ambulance corps who provides necessary operational support to the volunteer. This term would not include a social member of an ambulance corps.

Lastly, whenever members of volunteer fire departments or fire companies, ambulance corps or rescue and lifesaving squad members are injured while performing their duties on state game land, the members would be deemed employees of the PA Game Commission and thusly eligible for workers' compensation.

*Location: Passed Senate; House Labor and Industry Committee, February 4, 2020*

## **Right to Know Law: Commercial Requests**

**House Bill 283 (PN 3150)** would amend the Right to Know Law concerning records requested for a commercial purpose.

Commercial purpose would be defined as the use of a record for the purpose of: selling or reselling any portion; obtaining names and addresses for the purpose of commercial solicitation; or for any other purpose which the requester can reasonably expect to generate revenue. The bill would provide that use of a record by a nonprofit educational or scientific institution for research, or use of a record by the news media, a journalist or author does not constitute a commercial purpose.

In terms of written requests, an agency would be allowed to require a requester to certify, in

writing, whether the request is for a commercial purpose. Certification would be proscribed by the Office of Open Records, and a false certification is subject to penalty.

The legislation would authorize agencies to charge additional and reasonable fees, approved by the Office of Open Records, for responding to commercial requests. Exceptions for these fees would include a request for records that are subject to fees established in law or regulations that would not be subject to this act, and a request for records from an attorney on behalf of a client if the records would not be used for a commercial purpose by either the attorney or client. The bill would also clarify that with any fees, an agency and requester may enter into a contract that provides for an alternative fee arrangement.

*Location: Passed House; Senate State Government Committee, January 24, 2020*

## **Sunshine Act: Posting of Meeting Agendas**

**House Bill 1069 (PN 2529)** would amend the Sunshine Act requiring the posting of agendas by agencies prior to public meetings wherein official business is conducted.

The agency, if it has a public website, would be required to post a meeting agenda, including items that may or may not be the subject of deliberation or action, at least 24 hours prior to a meeting. The agency would also be required to post the agenda at the meeting location, at the agency's principal office and provide agenda handouts to meeting attendees.

An agency would not be permitted to take action on an item that was not included in the posted agenda



except under these circumstances: emergency business relating to a real or potential emergency involving a clear and present danger to life or property regardless of whether public notice was provided; business arising within 24 hours of the meeting that a resident or tax payer brings to the agency's attention; business arising within 24 hours of the meeting that is *de minimus* and does not involve expenditure of funds or entering into a contract; and business arising during a meeting from a resident or taxpayer that is not on the agenda.

An agency would be allowed to add an item to an agenda by a majority vote of the individuals present and voting, and may subsequently take action on the newly added agenda item. The agency would be required to post the new agenda no later than one business day following the meeting at which the agenda was changed.

**Location:** Passed House; Senate State Government Committee, January 24, 2020

### First Class Township Code

#### **House Bill 2073 (PN 3052)**

encompasses the modernization of

the First Class Township Code. The bill passed the House in January and is slated for Senate action this spring. The goal is to get the bill to the Governor's desk by the end of the session which is November 30, 2020. Please see the PSATC tab of our website for information and other resources related to the Rewrite.

**Location:** Passed House; Senate Local Government Committee, January 23, 2020

### Urban Redevelopment Authority Act

**House Bill 1860 (PN 2940)** would amend the Urban Redevelopment Authority Act authorizing all forms of local government to create a redevelopment authority. The law is currently limited to cities, and boroughs with a population of 10,000.

**Location:** Passed House; Senate Urban Affairs and Housing Committee, January 23, 2020

### Maintenance of Open Space

**House Bill 908 (PN 1029)** would amend the Open Space Law allowing municipalities to use funds from an Open Space Tax

on the maintenance of any land designated as open space, not just land acquired with revenue from an Open Space Tax.

**Location:** Passed House; Senate Local Government Committee, January 23, 2020

### Statewide Police Canine Training Standards

**House Bill 2186 (PN 3095)** would amend Title 53 (Municipalities Generally) establishing a statewide canine team and canine specialty team training and certification standards.

This bill would require the Municipal Police Officers' Education and Training Commission and State Police to coordinate and create standard canine team training and certification following the standards set by the U.S. Police Canine Association. These standards would need to be reviewed and updated every two years or as necessary when the U.S. Police Canine Association's standards change.

**Location:** House Judiciary Committee, January 10, 2020 □





# Legislative Status Report **FEDERAL**



## Getting Residents Online in a Pandemic Crisis

**NLC CITIESPEAK APRIL 8, 2020**

**NLC HELD A WEBINAR ON THIS TOPIC ON APRIL 2.**

**[CLICK HERE](#) TO DOWNLOAD THE RECORDING OF THE WEBINAR.**

As of this writing, most Americans are currently under a state or local order restricting movement. Thousands of schools, workplaces, and community and religious centers have closed for extended periods of time to limit the spread of COVID-19. During this time, residents have been asked to learn, work, worship, access healthcare and socialize from home using technology – but too many of them are unable to do so. Too many households lack in-home broadband, either because the infrastructure does not exist where they live, because the options are

too slow to support modern tools like video conferencing, or because they can't afford to subscribe. In response, federal, state, local and private actors are taking steps to try and get these households connected as soon as possible.

When working to connect your residents to broadband, devices and support, it is important to ensure the opportunities you provide for people to connect center around safety and equity. Provide information in [multiple languages](#) so that it is equally available to everyone in the

community. Consider hiring trusted community messengers to help spread important information about safe access to community networks and programs.

### **Help Your Residents Access Free and Low-Cost Broadband Plans**

The nation's largest internet service providers, as well as many smaller ones, offer discounted internet subscriptions, and have expanded these offerings in light of the crisis. The [National Digital](#)

[Inclusion Alliance](#) maintains a list of free and low-cost offerings geared towards community leaders and digital inclusion practitioners, while [EveryoneOn](#) has published a service locator tool that can be shared directly with residents. Many of these programs are intended to work in tandem with the federal low-income Lifeline subsidy program to pay for the service, and eligible residents can enroll through their ISP.

Reach out to the ISPs in your community to verify their offerings and find out how you can share information about availability and enrollment through city communications. Residents are likeliest to take advantage of subsidies and discounts if they find out about them through trusted venues. Since traditional sources for trusted information sharing, such as church gatherings, libraries and community events, are temporarily suspended, you may need to be creative. Consider partnering with your local school districts to share information about internet access through flyers distributed at lunch and breakfast pick-ups.

## Help Residents Access Free Devices

Even if your residents have a fixed home broadband service or mobile hotspot, they may not have devices to connect to the internet with. Your community may already have nonprofit organizations devoted to refurbishing and distributing used computers for households in need, such as the Midwest-based [PCs for People](#). Local leaders should collaborate with these organizations to

connect residents in need with devices they can use. In light of social distancing guidelines, your local refurbisher may also offer a curbside option, so that residents can pick up a refurbished, sanitized laptop without needing to enter a storefront or warehouse. Local refurbishers may be able to partner with your local school lunch distribution or Meals on Wheels deliveries to get laptops and other devices to the households who have requested them.

If you have businesses in your community eager to help, you can connect them with the [Cristina Foundation](#), which serves as a national clearinghouse between companies with decommissioned computers and refurbishers in need of new supplies.

## Leverage Public Wi-Fi Options

Municipalities across the country have often witnessed the crowds that gather at restaurants, libraries and parks that offer free Wi-Fi when testing time draws near. Now that many of those free Wi-Fi providers have shuttered and schools are closed, students, their families and others with low-grade or no Wi-Fi option will be looking for free ways to access the internet. As a local leader, you can be thinking creatively about how to keep as many free Wi-Fi locations available to your community.

If your community has its own public networks, expand those existing networks to encourage social distancing. If possible, inward facing networks for closed public buildings and parks should be turned outward to parking areas and nearby residences to allow

residents to access them while at a safe distance. In addition, consider establishing new networks in areas with little or no connectivity [like low income housing developments](#). This will require developing adequate infrastructure to support the new networks, including appropriate backhaul capacity and Wi-Fi hotspots.

Regardless of your strategy for increasing connectivity, think about how to ensure the network is used safely for the highest purpose. In some cases, gaming and high-quality video streaming may reduce network speed. You may ask free device providers to limit certain content to encourage safe use and prevent clogging the network. Additionally, consider providing template policies to houses of worship, nonprofits and other partners who may be willing to turn their networks public to increase community access.

Prepare to provide technical support to residents who need information about how to access the network or may need help troubleshooting a device concern. Develop protocols with your 311 department if an individual calls with questions. Think creatively about how to enlist the help of volunteers, students or other partners to fill technical support needs.

## Partner with the Private Sector

Hundreds of ISPs have committed to FCC Chairman Ajit Pai's [Keep Americans Connected Pledge](#) to not terminate residential or small business service for nonpayment, waive late fees and open Wi-Fi hotspots publicly for the next

60 days. Many ISPs have gone above and beyond that pledge to suspend data caps, increase speeds and directly support local connectivity projects in schools and communities. Check with your local providers to confirm that they have signed on to the pledge, as well as any additional measures they may be taking to support your community. In particular, consider asking ISPs and other businesses to cover parking lots of closed businesses or other areas where residents can access them at a safe distance.

### Connect with Your State Leadership

Most states have a designated broadband leader, usually in the governor's office, in charge of overall state broadband planning. During the pandemic, some state broadband leaders have responded by developing tools specifically geared towards emergency broadband access and affordability. You can access a list

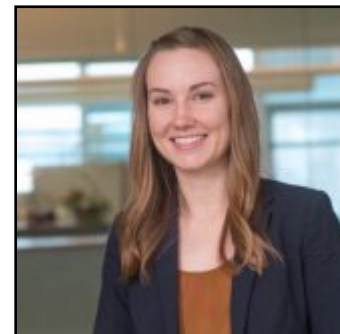
of state broadband contacts via the National Telecommunications and Information Administration's [State Broadband Leaders Network](#). Contact your state's broadband leadership to find out what additional state resources may be available to your community. □

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### About the Authors:



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*Stacy Richardson is the Program Director for Urban Innovation at the National League of Cities.*

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# Public Finance

## COVID-19 and Cash Flow Finding Answers to a Once-in-a-Lifetime Challenge

BY JAMIE SCHLESINGER, DIRECTOR, PFM

Over the last two decades, local governments have experienced a variety of financial challenges of varying degrees: from the economic aftershocks of September 11, to the Great Recession of 2008 and the subsequent road to recovery. But these events have affected different municipalities in different ways and to different degrees.

The current challenges posed by the COVID-19 virus present a completely new – and nationwide – threat to municipalities. The combination of multiple factors has raised the question from many PFM clients, “What can we do to prepare for the loss of revenue that is likely to come?”

In this article, we hope to offer some details on a few options municipalities have to address

COVID-19-caused cash flow problems as the economic picture continues to evolve.

### **A different problem**

The challenges posed by the COVID-19 economic shutdown are both familiar and unique to municipalities:

#### ***What is familiar?***

***Low treasury rates:*** With uncertainty in the markets, municipal bond holders began selling their bonds and buying U.S. treasuries, which led to a decrease in treasury rates and a dislocation between taxable and tax-exempt markets.

***Short-term interest rates at zero percent:*** In order to spark economic activity and buoy sinking markets,

the Federal Reserve lowered rates to near-zero as it did during the Great Recession.

***Liquidity:*** Local governments are experiencing a lack of liquidity at a time of critical need.

***Uncertainty:*** Grave budget uncertainty exists now and will continue for the next couple of years, mostly as it relates to revenue.

***Pressure:*** External pressure to cut expenses or dip into reserves – or both – as a result of reduced cash flow.

#### ***What is new?***

***Lack of consumption and cash flow:*** Businesses are experiencing cash flow challenges of their own

brought on by closures, resulting in a loss of revenue for municipalities.

**Hampered response:** With financial institutions receiving a high volume of requests for assistance from private-sector businesses, there is likely to be a slowdown in processing those requests, resulting in a delayed response to requests from municipalities.

More than anything, the biggest challenge is that all of these elements — the old and the new — are happening at the same time, creating an environment that municipalities haven't seen before, and are not, understandably, well-prepared to address.

## Options for municipalities

Considering the “perfect storm” of these factors, and questions we've received from clients about potential cash flow relief, PFM has compiled information on solutions to provide some help in the coming months. Here are the two most common options for municipalities to anticipate cash flow challenges:

### Revenue Anticipation Notes (RAN)

**What is it?** RANs are short-term loans used to provide cash flow assistance. Applicants for this loan commit to repay the loan via future remaining revenues. The RAN must mature by December 31, 2020 per

the Local Government Unit Debt Act (LGUDA), if guaranteed.

**How much can a municipality potentially borrow?** Municipalities will calculate the size of transaction/projected monthly cash flow deficits based on recent cash flow projections.

**How is this product financed?** RANs are issued primarily through banks.

**How long until these notes mature?** RANs mature by the end of the fiscal year.

**How long will it take to execute this transaction?** Applicants should receive funds between 30-60 days from authorization.

What are the benefits?

- ▶ Are quickest to execute
- ▶ Do not require a credit rating

What are the drawbacks?

- ▶ Must be repaid within the same fiscal year
- ▶ Have an increased risk, due to the short duration of the loan

### Debt Restructuring

**What is it?** Debt Restructuring is a refunding of all or a portion of

the principal payments (possibly taxable) remaining in the 2020 calendar year providing upfront debt service relief.

**How much can a municipality potentially borrow?** The potential amount is based on timing and the amount of the remaining 2020 debt service payments.

**How is this product financed?** Debt restructuring is primarily financed through bonds, but may also be financed through a bank loan.

**How long until this product matures?** The duration of this option lasts no longer than the useful life of original asset (consult your bond counsel).

**How long will it take to execute this transaction?** Applicants should receive funds between 60-100 days from authorization.

What are the benefits?

- ▶ May be accomplished with just a refunding bond issue
- ▶ May be financed over a longer period of time

What are the drawbacks?

- ▶ May take somewhat longer to execute
- ▶ Have a higher cost
- ▶ Will likely require a credit rating

- ▶ Will likely have to be done on a taxable basis

In anticipation of these or other solutions, we recommend two other steps:

***Establish an updated cash flow***

***projection:*** In articles over the last several years, we've emphasized the importance of drafting cash flow projections and keeping them updated. This is especially important right now. Whether your municipality is considering a RAN or not, you should create two monthly cash-flow projections for the remaining year: one for a baseline scenario, and one for a worst-case scenario.

***Slow down potential capital***

***needs:*** If you have capital projects that require cash, consider stopping them, slowing them down or financing them. This will open up liquidity possibly for operations. This step should involve a consultation with your municipality's legal advisors.

All municipalities' needs will be different in this new environment of economic uncertainty, and you may have specific questions about whether these or other options are appropriate for you. Above everything, don't panic. Rely on your team of experts — including your financial advisor — to create a way forward that maintains the stability of your municipality and the safety of its investments.

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*Jamie Schlesinger is a director in PFM's Malvern office. His experience includes capital planning and structuring tax-exempt and taxable bond issues, bank loans and bond pools. □*

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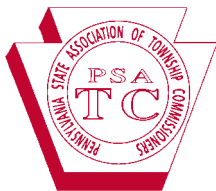
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# PSATC President's Message



**DAVE ZARNICK  
COMMISSIONER  
BUTLER TOWNSHIP**



**PML.org/PSATC**

*Greetings Fellow Elected Officials,*

*Spring is here and we are seeing new growth and changes in our communities, especially during this unprecedented time.*

*As I have stated before, in order to grow as a community, it is imperative that we assess our current sustainability initiatives to determine areas where we can improve. This sentiment is more true now than ever, as communities are facing barriers just to sustain, yet alone grow, as a result of the COVID-19 pandemic. Butler Township, the municipality I serve, has worked hard these past few months to think outside the box to utilize our resources effectively and communicate transparently to our township about necessary changes to keep everyone in our community safe.*

*Even before COVID-19, Butler Township had a long history of commitment to saving taxpayer dollars, using resources efficiently, and applying best practices in municipal government and community development. As a result of these efforts, Butler Township was distinguished among local governments by achieving Gold status, given by the Sustainable Pennsylvania Community Certification program. Being recognized for applying the policy and practice of sustainability in order to help Butler Township prosper, makes us a community that families want to be a part of. At the heart of our operations is the commitment to continuous improvement, both in our policy and practice. This has led us to being a model for sustainability, specifically in the areas of intergovernmental cooperation, public engagement, recycling and waste reductions, and fiscal control.*

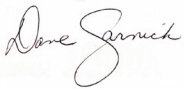
*Butler Township's effort to sustain best practices has an immediate positive impact on our residents and ensures we maintain a vibrant community, even during turbulent times. Seeing the growth of interest and involvement based upon our initiatives, I would encourage other communities to concentrate their efforts on areas that will help their communities not just sustain, but grow. Sustainability measures help protect the health, safety and property of those in*

your community, while maintaining your municipality as a place where people want to live, work and play.

Sustainability is the theme of this issue, and is also what has enabled both PSATC and The League to continue to be able to provide a quality educational conference for elected officials. The Municipal Leadership Summit will be held in Pittsburgh at the beautiful Omni William Penn Hotel from October 1-4, 2020. I am looking forward to seeing you at this next joint venture.


In closing, I wish to express my sincere gratitude and amazement at our communities during the COVID-19 pandemic. The people in our communities have stepped up to make masks, collect supplies or donations, and in countless other ways, to support those who need it most. In addition, to the professionals across all of our communities who are on the front lines giving tirelessly of themselves – THANK YOU, from all of us.

Respectfully,

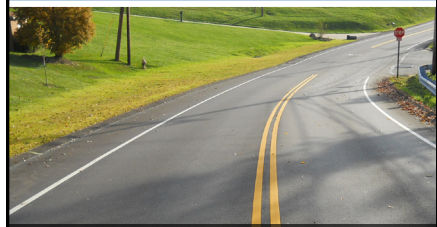


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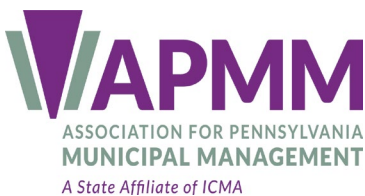
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# APMM President's Message



**AMY ROCKWELL**  
CITY ADMINISTRATOR  
CITY OF LOWER BURRELL



**APMM.net**

**Greetings to my fellow APMM Members!**

*This edition of the Municipal Reporter reflects my final chapter as the President of the Association for Pennsylvania Municipal Management. The APMM Executive Committee and 2020 Conference Committee have been hard at work this year with meetings and planning to support the development of the profession of municipal management. With the onslaught of COVID-19 and its impacts on our municipalities, it has provided APMM with a unique opportunity to transform our in-person operations to online platforms. As an organization APMM supports our members' professional development and prides itself on recognizing our membership's needs. We are delighted about the opportunity to provide a completely transformed annual conference and professional development program. Stay tuned for more details!*

*We are planning exciting learning opportunities surrounding timely educational sessions focusing on leadership and current events in the media. The speakers and sessions are being finalized and will be listed on our website at [APMM.net](http://APMM.net). We welcome you to join us and invite you to virtually Pull Up a Chair.*

*Sustainability is the focus of this spring issue. I encourage you to read the articles and find inspiration for your community. Many communities are basing their planning processes from the perspective of sustainable priorities. Simply stated, we need to consider meeting the current needs of the community without impacting the future needs of our communities. There are a variety of rating systems throughout the country which help identify goals and challenges to identify the community priorities and strengthen areas which may be considered deficient.*

*Sustainability gives us new opportunities to partner with our school district and neighboring communities. It allows for opportunities to work and think outside of the box to improve quality of life for current residents while attracting new residents and businesses. This allows for new and unique partnerships along the way.*

*COVID-19 has presented us with new challenges during a time of uncertainty and anxiety. It is providing opportunities for our communities to make good decisions and allowing us to focus on providing resilient services to our residents. The challenge of social distancing has impacted our services to provide for physical distancing for the safety of our employees and communities. How we continue to provide support and services to the community may look significantly different in the future. The economic impacts and the future of public health are just being evaluated and a plan for sustainable recovery remains to be developed. In a time of uncertainty, it allows us the opportunity to be resilient. This event is testing our leadership abilities on every level and I have no doubt that you, my colleagues, will come through this with flying colors!*

*It has been an honor and a privilege to lead this organization, and I want to express my sincere thanks to the Pennsylvania Municipal League staff. Thank you to my Conference Chair Greg Primm for his dedication to an outstanding program for 2020. As I hand over the gavel to my successor Rick Mellor, I thank you all for an excellent year and know that the organization is in capable hands as we continue with our strategic planning.*

**Respectfully,**

**Amy Rockwell**



# APMM Annual Conference Update

**APMM's Annual Conference is now being offered as a VIRTUAL EVENT! Registration is available at [www.apmm.net](http://www.apmm.net). These informative sessions will be conveniently located in an on-demand library accessible via the APMM website.**

## Session Information

### **Ready or not, Here it Comes**

How Disruptive Technologies coming out of the Pittsburgh region will impact our communities and what local governments can do to prepare for and utilize these innovations to deliver more efficient and smarter services to its residents.

### **Opinion Matters, Strategic Communication**

In an age when news and information can blast across the planet in a blink, effective strategic communication is a critical element of any successful outreach campaign. It's also key to establishing and defending a community's reputation. In today's 24/7 news cycle, the availability of social media technologies makes proper and timely communication even more necessary. This session will explore how to deliver your message to the public, how to send your message and effective crisis management.

### **Can You Say Redevelopment?**

Whether redeveloping a business district or revitalizing an older neighborhood, there are successes, stalls in the process and sometimes unintended results. This session will focus on Lawrenceville Corporation's continuing role in neighborhood business development and the issues it continues to address. Their "vibe" is walkable and welcoming, entrepreneurial energy and old Pittsburgh charm meets modern edge. You'll also hear from the Urban Development Authority of Pittsburgh, where they believe successful economic development is not just about building projects, it's about building people and forming mutually beneficial partnerships to transform the places in which we live for the betterment of all.

### **The Race is Really the Prize: Ecodistrict Planning and Aggregated Action**

The greater Pittsburgh region has a history of innovative leadership in green building and is now helping to define the national conversation on sustainability planning. An ecodistrict describes a community whose plan considers both the physical assets of a community as well as the community's resource flows, such as food, energy, water, mobility, air quality and social equity. This presentation will share the emerging trends that are defining ecodistricts and urban planning and how the concept is being implemented nationally and regionally in Etna, Millvale and Sharpsburg.

### **Updates in Active Shooter, ALICE and Outdoor Active Shooter**

Deputy Sheriff Jason Tarap of the Allegheny County Sheriff's Office will provide the latest updates and issues with Active Shooter training, ALICE and Outdoor Shooter.

## APMM ListServ



APMM implemented a member listserv via Gaggle Mail. To communicate with the group, simply direct your email to [apmm@gaggle.email](mailto:apmm@gaggle.email).

[www.apmm.net](http://www.apmm.net)

## Student Outreach Ambassadors Needed

APMM is developing an outreach program for middle schools, high schools, and colleges. The goal is to motivate students to consider careers in local government.

If you are interested in learning more about becoming an outreach Ambassador, please submit your name and contact information to the form located in the Members Only section of [www.apmm.net](http://www.apmm.net).

# APMM Membership Update

## New/Reinstated Members

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**Full Member**

**Ms. Kristina Belcastro**

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## In-Transition Members

- **Robert Glisson**, former Manager, Valley Township, Chester County
- **Gregory Prowant**, former Manager, New Hanover Township, Montgomery County
- **Aaron Sukenik**, former Manager, Elizabeth Township, Allegheny County



**The Pennsylvania Municipal League**  
provides support through its many training programs and services . . .



Pennsylvania Municipal  
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## Training and Development

### Training

- ⇒ Municipal Leadership Summit/League Training Events
- ⇒ Online Training
- ⇒ PA Construction Codes Academy (PCCA)
- ⇒ Energy Code Training
- ⇒ Floodplain Management Training
- ⇒ PA Training Hub (PATH)

### Programs

- ⇒ Sustainable Pennsylvania Community Certification
- ⇒ Civics and You: Your Key to Pennsylvania Local Government e-book
- ⇒ PA Municipal Internship Program (PA MIP)
- ⇒ PA Municipal Administration Training Center (PA MATC)
- ⇒ University-Community Network (UCN)

## Insurance Trusts

- ⇒ PennPRIME Property & Liability Trust/PennPRIME Workers' Compensation Trust\*
- ⇒ Unemployment Compensation Trust (U-COMP)\*

## Programs and Services

- ⇒ Public Employer Labor Relations Advisory Service (PELRAS) – *free to League Members*
- ⇒ Municipal Utility Alliance (MUA) Electricity Procurement Program
- ⇒ EfficientGov GrantFinder Program – *free to League Members*
- ⇒ Local Public Procurement Program (L3P)
- ⇒ Pennsylvania Local Government Investment Trust (PLGIT)
- ⇒ Municipal Job Junction+ (MJJ+) – *free to League Members*

Members of these programs and services also receive newsletters and/or special publications designed to keep them up to date on the latest developments pertaining to these topics. For information on any of the above services, please contact us at 800-922-8063 or 717-236-9469 or visit our website.

\*Members of The League enjoy reduced membership fees when joining these programs.

**PML.org**



# Municipal Reporter

Pennsylvania Municipal League  
414 North Second Street • Harrisburg, PA 17101



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