



# **2016-2018 PSAB Resolutions**

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## **2016 PSAB Resolutions**

### **Resolution 2016-1**

**BE IT RESOLVED**, that PSAB seek legislation to eliminate the ability of Act 47 designated municipalities to impose additional taxes on non-residents without their prior consent.

### **Resolution 2016-2**

**BE IT RESOLVED**, that PSAB support municipal police radar use in SB 535, HB 71 & HB1300 and similar speed timing technologies.

### **Resolution 2016-3**

**BE IT RESOLVED**, that PSAB seek legislation to revise compensation schedules/rates for elected borough officials.

### **Resolution 2016-4**

**BE IT RESOLVED**, that PSAB seek legislation to enable boroughs to participate in the Commonwealth's health insurance plans.

### **Resolution 2016-5**

**BE IT RESOLVED**, that PSAB seek legislation amending Pa State Highway Law to establish consistent and equal maintenance practices on state roads that traverse borough communities.

### **Resolution 2016-6**

**BE IT RESOLVED**, that PSAB opposes any enactment of a severance tax on natural gas which eliminates the Local Impact Fee.

### **Resolution 2016-7**

**BE IT RESOLVED**, that PSAB support legislation which amends the Covered Device Recycling Act making it a more stable and comprehensive, manufacturer implemented recycling infrastructure providing effective collection standards for all municipalities.

### **Resolution 2016-8**

**BE IT RESOLVED**, that PSAB support the decrease of the number of State House and Senate Representatives.

### **Resolution 2016-9**

**BE IT RESOLVED**, that PSAB support legislation changing the assessment of lands divided by boundary lines to correct inequities to boroughs in Title 53 Pa.C.S. Section 8818.

### **Resolution 2016-10**

**BE IT RESOLVED**, that PSAB seek legislation that addresses the costs for municipal police court appearance and fine-associated labor expense.

### **Resolution 2016-11**

**BE IT RESOLVED**, that PSAB support HB 1394 and similar legislation which enables boroughs to enact and enforce ordinances that regulate the planning, management, implementation, construction and maintenance of storm water facilities and to assess reasonable and uniform fees for such.

### **Resolution 2016-12**

**BE IT RESOLVED** that PSAB seek legislation which amends Prevailing Wage Law to exempt from minimum wage scales the process of roadway milling maintenance on local roads.

**Resolution 2016-13**

**BE IT RESOLVED**, that PSAB seek legislation that would increase the allocations of the Foreign Fire Insurance Tax returned to volunteer firefighters' relief associations.

**Resolution 2016-16**

**BE IT RESOLVED**, that PSAB investigate and consider seeking legislation which mediates the impacts of the Philadelphia Super Credit (PHL wage tax) on surrounding municipalities.

**2017 PSAB Resolutions**

**Resolution 2017-1**

**BE IT RESOLVED**, that PSAB pursue legislation on body camera policy uniformity that police departments are now using to protect enforcement of our state and municipal laws.

**Resolution 2017-2**

**BE IT RESOLVED**, that PSAB support SB 159 and similar legislation which requires home improvement contractors to provide proof of worker's compensation insurance thereby protecting the levels of the Uninsured Employer's Guarantee Fund.

**Resolution 2017-3**

**BE IT RESOLVED**, that PSAB support legislation charging municipalities over 4,000 in population utilizing state police service a per person fee.

**Resolution 2017-4**

**BE IT RESOLVED**, that PSAB seek to protect municipalities from additional EPA regulations (MS-4 permitting) on the Chesapeake Bay initiatives.

**Resolution 2017-5**

**BE IT RESOLVED**, that PSAB seek legislation on funding for municipalities who have county, state and federal facilities in their communities that are exempt from taxation.

**Resolution 2017-6**

**BE IT RESOLVED**, that PSAB support legislation amending Local Option Small Games of Chance law (Act 92-2013) to remove the aggregated monetary prize limit.

**Resolution 2017-7**

**BE IT RESOLVED**, that PSAB seek legislation which increases the threshold required to petition the Court of Common Pleas in Section 818 of the Borough Code from 5% to 15%.

**Resolution 2017-8**

**BE IT RESOLVED**, that PSAB continue to pursue legislation enabling electronic speed control devices such as radar & lidar for purposes of speed control by municipal police agencies.

**Resolution 2017-9**

**BE IT RESOLVED**, that PSAB continue to seek legislation increasing compensation schedules for elected borough officials which have not been revised for over 21 years.

**Resolution 2017-10**

**BE IT RESOLVED**, that PSAB oppose any efforts by Distributed Antenna Systems (DAS) providers or communications tower/antenna contractors to exempt these facilities from municipal land use and rights of way regulation or to grant them utility status or right to the use of eminent domain.

**Resolution 2017-11**

**BE IT RESOLVED**, that PSAB calls on the PA General Assembly to re-evaluate the Covered Devices Recycling Act of 2010 and seek changes to help correct its failure to foster recycling of electronic devices by residents by removing the manufacturer's weight quota or temporarily lifting the landfill disposal ban until a better solution is enacted.

**Resolution 2017-12**

**BE IT RESOLVED**, that PSAB seek legislation authorizing counties or councils of governments to levy reasonable fees on waste generated within their borders to pay for these required recycling programs.

**Resolution 2017-13**

**BE IT RESOLVED**, that PSAB seek legislation that would implement a \$15 fee to amend Act 45/1999 to increase the current fee on construction or building permits to remediate blight in Pennsylvania communities.

**Resolution 2017-14**

**BE IT RESOLVED**, that PSAB seek legislation to provide funding for the provision of registration plate reader technology to be used for local law enforcement needs.

**Resolution 2017-15**

**BE IT RESOLVED**, that PSAB support, protect and defend those boroughs of the commonwealth that own, operate and maintain not for profit community electric systems from any federal, state or county legislation leading to burdensome, unnecessary and expensive regulation; and be it further **RESOLVED**, that PSAB vigorously oppose any legislative, regulatory or policy measure that seeks to manage the internal affairs, finances and interests of locally elected borough officials and their communities.

**Resolution 2017-16**

**BE IT RESOLVED**, that PSAB seek legislation amending Acts 39 and 166 of 2016 to prohibit the on-premises consumption sale of any alcoholic beverage within the limits of any dry municipality; and be it further **RESOLVED**, that this legislation include an amendment enabling municipalities the local option of placing a question on the ballot to prohibit sales for on-premises consumption.

**Resolution 2014-1 (RA-17)**

**BE IT RESOLVED**, that PSAB supports and affirms the police powers of municipalities throughout the Commonwealth to assess reasonable and sufficient fees to recover true and actual costs resulting from managing, maintaining and preserving municipal rights-of-way; and be it further **RESOLVED**, that PSAB support municipal police powers to establish necessary fee schedules, amended from time to time, to cover the true and actual costs resulting from maintaining these rights-of-ways.

**Resolution 2014-2 (RA-17)** *RA indicates reauthorization for an additional 3-year period as a priority for PSAB*

**BE IT RESOLVED**, that PSAB support the Pa State Mayors Association in its efforts to establish the use of municipal police radar and other electronic technologies for the purposes of safe vehicular traffic in all of our Commonwealth's municipalities.

**Resolution 2014-5 (RA-17)**

**BE IT RESOLVED**, that PSAB supports amendment to Section 1141 of The Borough Code adding the ability of borough council to enact the office of borough manager as one person, a partnership, an association or professional corporation; and be it further

**RESOLVED** that PSAB encourage boroughs to explore opportunities enabled by regional cooperation and shared municipal management services.

**Resolution 2014-6 (RA-17)**

**BE IT RESOLVED**, that PSAB seek legislation to amend The Borough Code Section 1302 increasing the cap of 30 mills levied for general borough purposes to 35 mills prior to petitioning the court for an additional 5 mills.

**Resolution 2014-7 (RA-17)**

**BE IT RESOLVED**, that PSAB closely engage the Pennsylvania Department of Transportation as it implements various programs resulting from Act 89 of 2013; and be it further

**RESOLVED** that the association exercise discriminating diligence and involved oversight in the expansion of the Dirt, Gravel and low volume local roads program, appropriate distributions from the newly created multi-modal fund, a fair implementation of the Traffic Signal, bridge bundling and the fee for local use programs.

**Resolution 2014-8 (RA-17)**

**BE IT RESOLVED**, that PSAB support House Bill 1607, an amendment to the PA Underground Utility Protection Law (One Call), which seeks to transfer the enforcement of the law from the PA Department of Labor & Industry to the Pennsylvania Public Utility Commission and eliminates all exemptions under the law; and be it further

**RESOLVED**, that if any interest groups retain their exemptions under the law, PSAB will oppose the bill.

**Resolution 2014-9 (RA-17)**

**BE IT RESOLVED**, that PSAB support Senate Bill 444 and similar legislation which comprehensively amends the Right-to-Know law; and be it further

**RESOLVED** that PSAB seek amendments to the Right-to-Know law that capture municipal costs & administrative expense resulting from requests from commercial interests.

**Resolution 2014-10 (RA-17)**

**BE IT RESOLVED**, that PSAB support House Resolution 100 and similar legislation which provides for a comprehensive cost review of the financial impact of the 2008 Right-to-Know Law changes which resulted in several unintended consequences.

**Resolution 2014-11 (RA-17)**

**BE IT RESOLVED**, that PSAB support Senate Bill 733 and similar legislation which amends Title 45 (Legal Notices) affording municipalities the option to electronically publish Legal Notices on their own websites.

**Resolution 2014-12 (RA-17)**

**BE IT RESOLVED**, that PSAB support Senate Bill 1111 and similar legislation which splits the costs of arbitration evenly between parties in negotiations, promotes public arbitration proceedings and levels the playing field between labor and the municipality's ability to pay.

**Resolution 2014-13 (RA-17)**

**BE IT RESOLVED**, that PSAB pursue legislation which seeks to modernize the procurement process through P3 (Public-Private Partnership) contractual agreements; and be it further **RESOLVED** that PSAB support House Bill 1838 and similar legislation which authorizes the development and implementation of municipal friendly P3 agreements.

**Resolution 2014-14 (RA-17)**

**BE IT RESOLVED** that PSAB support Senate Bill 985 and similar legislation which allows for an optional elimination of the position of local elected tax collector by municipal resolution.

**Resolution 2014-15 (RA-17)**

**BE IT RESOLVED**, that PSAB pursue legislation to provide reimbursement to boroughs for any and all costs incurred through the hiring, outfitting and training of its law enforcement officers should any such officer leave the employment of the hiring/training borough and come under the employ of another municipal law enforcement agency within a designated time period.

**Resolution 2014-16 (RA-17)**

**BE IT RESOLVED** that PSAB support House Bill 544 and similar legislation which amends the Recreational Use of Land liability law to expand its protections for landowners who allow their land to be used for recreational purposes like hunting, fishing and boating.

**Resolution 2014-17 (RA-17)**

**BE IT RESOLVED**, that PSAB oppose House Bill 1651 and any similar legislation which creates a single statewide pension system for police.

**Resolution 2014-19 (RA-17)**

**BE IT RESOLVED**, that PSAB urge Congress & the President to amend the Biggert-Waters Flood Insurance Reform Act of 2012 to delay the phase-in of full risk insurance rates; and be it further **RESOLVED**, that PSAB urges Congress to enact S. 1926 and HR3370 of 2014 which would accomplish the necessary steps to mitigate the unintended consequences of the Biggert-Waters Flood Insurance Reform Act of 2012.

**Resolution 2014-20 (RA-17)**

**BE IT RESOLVED**, that PSAB urge Congress & the federal Department of Transportation to adopt tougher safety standards for existing DOT111 and new rail tank cars which travel through Pennsylvania boroughs on a daily basis transporting dangerous goods.

**Resolution 2016-17 (RA-17)**

**BE IT RESOLVED**, that PSAB support HB 1417 and similar legislation which maintains an adequate Pa Universal Service Fund.

**2018 PSAB Resolutions**

**Resolution 2018-01**

**BE IT RESOLVED**, that PSAB pursue legislation to amend the Municipal Claims and Tax Liens Law to clarify municipalities' authority to lien real property for unpaid utility rates including storm water fees.

**Resolution 2018-02**

**BE IT RESOLVED**, that PSAB support legislation to help stem the fiscal crisis in Pa. communities by enabling taxpayer equity and providing a reliable source of revenue through state reimbursement of tax-exempt properties.

**Resolution 2018-03**

**BE IT RESOLVED**, that PSAB support legislation requiring municipalities with a population of 3,500 or greater to pay for State Police coverage, form their own police departments or contract for regional services.

**Resolution 2018-04**

**BE IT RESOLVED**, that PSAB support the Association of Mayors of the Boroughs of Pennsylvania in its efforts to establish the use of Municipal Police Radar and other electronic technologies for the purpose of safe vehicular traffic in all of our commonwealth municipalities.

**Resolution 2018-05**

**BE IT RESOLVED**, that PSAB seek to protect municipalities from additional EPA regulation (MS-4 permitting) for the Chesapeake Bay initiatives which is causing serious budgeting problems for municipalities.

**Resolution 2018-06**

**BE IT RESOLVED**, that PSAB continue to seek legislation that addresses the costs for municipal police court appearance and fines associated labor expense.

**Resolution 2018-07**

**BE IT RESOLVED**, that PSAB seek legislation amending the PA Municipalities Planning Code (MPC) that:

- Permit a single, substantive review that would include the use, design and engineering details of a development and provide for one public input opportunity and local approval action;
- Provide for one, consolidated hearing in which all land development and zoning matters associated with a development application can be considered;
- Provide for a formalized review process be established where coordinator would oversee joint state and local agency reviews;
- Intergovernmental agreement be encouraged to create a single, shared review and approval process for subdivision and land development projects;
- The Commonwealth take a leadership role in providing technical assistance to promote the creation of a joint local land development review process.

**Resolution 2018-08**

**BE IT RESOLVED**, that PSAB pursue legislation amending Section 1202 of The Borough Code to:

- Specify the required NIMS training for Council Members;
- Specify the appointment and certification of the EMC and Deputy EMC;
- Specify requirement of NIMS in emergency management preparedness;
- Specify the requirements of Emergency Operation Plans (EOP) and Incident Action Plans (IAP) and their biannual reviews and updates.

**Resolution 2018-09**

**BE IT RESOLVED**, that PSAB seek legislation that lost wages be included as a part of the actual expenses may be reimbursed to the EMC/ Deputy EMC for mandator certification training and on-site coordination of an actual disaster.

**Resolution 2018-10**

**BE IT RESOLVED**, that PSAB oppose any efforts—which eliminates the local earned income tax collection districts authorized under Act 32 and replace it with a statewide collection system.

**Resolution 2018-11**

**BE IT RESOLVED**, that PSAB seek legislation to increase the \$25,000 threshold at which the Prevailing Wage Law currently applies, to an inflation adjusted amount of at least \$200,000 and continue to adjust for inflation in future years and to; alternatively allow local governments and school districts to opt out of or be exempt from prevailing wage law requirements.

**Resolution 2018-13**

**BE IT RESOLVED** that PSAB seek legislation amending current elections laws, to allow the county Election and Voter Registration Office, the county Board of Elections and the President Judge of each county to oversee the Local Municipal Election petition challenges and appeals, simplifying the process and improving constituent confidence in a free, fair and open election process.

**Resolution 2018-14**

**BE IT RESOLVED**, that PSAB oppose legislation to amend the Urban Redevelopment Law to require a county of the second class to create a land bank program where an existing multi-municipal land bank already exists under the Pennsylvania Land Bank Act (Act 153 of 2012)

**Resolution 2018-15**

**BE IT RESOLVED**, that PSAB seek legislation to clarify that financial institutions holding mortgages have a vested right in any property for which they hold a mortgage and therefore can be held responsible for the maintenance and condition of the property and for any violations regarding the same when a property becomes the responsibility of a financial institution.

**Resolution 2018-16**

**BE IT RESOLVED**, that PSAB oppose any legislation that would strip municipalities of their legal authority to regulate wireless facilities both within and outside the public rights-of-way, limit a municipality's ability to negotiate and collect reasonable fees for collocation on municipal infrastructure, or mandate municipal cooperation.

**Resolution 2018-17**

**BE IT RESOLVED**, that PSAB oppose any legislation that would require municipalities to permit full-time police officers to purchase pension credit for prior part-time or full-time police service that the officers provided to another police department.

**Resolution 2018-18**

**BE IT RESOLVED**, that PSAB oppose efforts to eliminate the local earned income tax collection districts authorized under Act 32 of 2008 and replace with a statewide collection mechanism.

**Resolution 2015-4 (RA-18)** *RA indicates reauthorization for an additional 3-year period as a priority for PSAB*

**BE IT RESOLVED**, that PSAB seek legislation providing for an annual revenue sharing program for municipalities relating to tax exempt real property and establishing the Tax-Exempt Property Municipal Assistance Fund through DCED and funded by revenue generated by the 18% Johnstown Flood Tax.

**Resolution 2015-5 (RA-18)**

**BE IT RESOLVED**, that PSAB support legislation to conduct a review of Act 55 of 1997, the Institutions of Purely Public Charity Act.

**Resolution 2015-6 (RA-18)**

**BE IT RESOLVED**, that PSAB oppose any legislative proposal that would lessen the standard for tax-exempt properties.

**Resolution 2015-7 (RA-18)**

**BE IT RESOLVED**, that PSAB seek support for a Property Tax Independence Act which would replace school property tax with a combination of Personal Income/Sales & Use taxes.

**Resolution 2015-8 (RA-18)**

**BE IT RESOLVED**, that PSAB seek Prevailing Wage amendments to increase the current threshold to \$200K with an indexing mechanism, and be it further **RESOLVED** that local governments and school districts would be given the ability to opt out of the prevailing wage scales should they so choose.

**Resolution 2015-10 (RA-18)**

**BE IT RESOLVED**, that PSAB urge the General Assembly to address serious reforms to Act 111 leveling the playing field in negotiations.

**Resolution 2015-12 (RA-18)**

**BE IT RESOLVED**, that PSAB support legislation requiring municipalities with a population of 4,000 or greater to pay for State Police coverage, form their own police departments or contract for police services.

**Resolution 2015-13 (RA-18)**

**BE IT RESOLVED**, that PSAB pursue legislation providing for a funding program to aid communities to identify and document orphan gas and oil wells in their respective areas in the state of Pennsylvania.

**Resolution 2015-14 (RA-18)**

**BE IT RESOLVED** that PSAB oppose any legislation that would reduce the amount or allocation of Act 13 Impact Fees paid to boroughs affected by gas exploration activities.

**Resolution 2015-16 (RA-18)**

**BE IT RESOLVED**, that PSAB support the ability for municipal police to use the same motor vehicle speed-timing equipment as the Pa State Police.

**Resolution 2015-17 (RA-18)**

**BE IT RESOLVED**, that PSAB support legislation which would enable municipal police to use the same motor vehicle speed-timing equipment as the Pa State Police.

**Resolution 2015-18 (RA-18)**

**BE IT RESOLVED**, that PSAB support the Association of Mayors of the Boroughs of Pennsylvania (AMBPa) in its effort to establish the use of Municipal Police Radar and other electronic technologies for safe vehicular traffic in all our commonwealth's municipalities.

**Resolution 2015-20 (RA-18)**

**BE IT RESOLVED**, that PSAB urge the US Senate and House of Representatives to support funding of the CDBG program, as well as full funding for other critically important housing and community and economic development programs empowering cities and counties in the country to continue addressing unique affordable housing and neighborhood revitalization needs.

**Resolution 2015-21 (RA-18)**

**BE IT RESOLVED**, that PSAB support creating access to telecommunication and broadband facilities serving the Nationwide Public Safety Broadband Network known as “PA-FirstNet”

**Resolution 2015-23 (RA-18)**

**BE IT RESOLVED**, that PSAB support legislation allowing “Core Communities” to host a new class of liquor license to increase economic development and to allow a public safety impact fee to be collected.