



## 2023 Proposed PSATS Resolutions

*The following resolutions will be considered by the membership at the PSATS' Annual Educational Conference and Exhibit Show. The sponsor and the Resolutions Committee's action is noted below each resolution. During the voting session on April 24, resolutions with "Support" will be treated as if they have a motion and a second and will be up for discussion and a vote. Resolutions with "Oppose" will need a motion and a second from voting delegates from two different county associations (not including the sponsor) to be brought up for discussion and a vote. When voting, a "yes" vote is to adopt the resolution as written as official PSATS policy. A "no" vote will be to oppose the resolution as written. Resolutions that are approved by the voting delegates will become Association policy for five years or until accomplished, whichever is shorter.*

**23-01 RESOLVED**, That PSATS seek legislation to require that all commercial vehicles be equipped with and use a Professional Commercial Navigation System to navigate electronically, taking into consideration the weight and length of vehicles, AND FURTHER, that exclusions may be provided for garbage trucks, emergency apparatus, school buses, local delivery trucks, and local service vehicles.

**FRANKLIN COUNTY**

**SUPPORT**

**23-02 RESOLVED**, That PSATS seek legislation to provide an alternative means of generating revenue for the maintenance and repair of local roads due to a reduction in Liquid Fuels taxes from alternative energy motor vehicles (*e.g., electric, propane, liquified natural gas, hydrogen, etc.*).

**BUCKS COUNTY**

**SUPPORT**

**23-03 RESOLVED**, That PSATS seek to amend the Second Class Township Code to provide for a dedicated millage for the maintenance and repair of township roads.

**BUCKS COUNTY**

**SUPPORT**

**23-04 RESOLVED**, That PSATS seek legislation to amend Section 3362 of Title 75 (*Vehicles*) of the Pennsylvania Consolidated Statutes to set the default speed limit on unposted unpaved roads, including dirt and gravel and tar and chip roads, at 35 mph instead of the current 55 mph.

**2,000 – 5,000 POPULATION COMMITTEE**

**OPPOSE**

**REASON FOR ACTION:** *The committee felt that tar and chip roads should not fall under the definition of unpaved roads as it is being used as a cost-effective treatment on paved roads. The committee adopted an alternative resolution, 23-05, without the reference to tar and chip.*

**23-05 RESOLVED**, That PSATS seek legislation to amend Section 3362 of Title 75 (*Vehicles*) of the Pennsylvania Consolidated Statutes to set the default speed limit on unposted unpaved roads, including dirt and gravel, at 35 mph instead of the current 55 mph.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-06 RESOLVED**, That PSATS seek legislation to exempt township employees in townships with a population of less than 1,000 residents from the requirement to have a commercial drivers' license (CDL) to operate a township's commercial motor vehicles within the township.

**CLARION COUNTY**

**OPPOSE**

**REASON FOR ACTION:** *The committee agreed that CDL licenses are a concern for townships but felt the population threshold and reference to township boundaries in this resolution would be too limiting. The committee also preferred language that addresses specific classes of CDL licenses and different training requirements. The committee adopted an alternative approach with Resolution 23-07.*

**23-07 RESOLVED**, That PSATS seek legislation to authorize experienced municipal employees with a Class A or Class B CDL license to provide entry-level driver training to new municipal employees, as an alternative to mandatory training, prior to taking the driving test and written examination to obtain a Class B CDL license.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-08 RESOLVED**, That PSATS seek legislation to amend the Pennsylvania Prevailing Wage Law to exclude projects where a non-public body is paying the project costs.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-09 RESOLVED**, That PSATS seek legislation to amend the Right-to-Know Law (*Act 3 of 2008*) to authorize local agencies to ask if requested documents will be used for resale, business solicitation, or financial gain and allow agencies to charge a reasonable fee to cover all costs associated with fulfilling these commercial records requests, including labor costs for time spent traveling, duplicating documents, and providing online responses.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-10 RESOLVED**, That PSATS seek to amend Section 917 of the Second-Class Township Code to eliminate the requirement for annual advertisements when appointing a CPA, AND FURTHER, that an advertisement be required in the first year that a CPA is appointed and again if a township decides to use elected auditors.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-11 RESOLVED**, That PSATS seek to amend Section 407 of the Second Class Township Code to authorize townships to convene a vacancy board meeting to fill a vacancy on the board of supervisors before the conclusion of the 30-day window if the remaining supervisors are unable to agree, AND FURTHER, to authorize petitions to the court of common pleas to fill vacancies immediately after the remaining supervisors fail to fill the position and the vacancy board chair position is vacant or if vacancies occur for a quorum or more of the board of supervisors.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-12 RESOLVED**, That PSATS seeks to sunset provisions for Act 17 of 2020 benefits for municipal personnel that contract COVID, consistent with the expiration of other pandemic-related emergency benefits.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-13 RESOLVED**, That PSATS seek legislation to permit municipalities with excess police pension funds from a disbanded or defunct municipal police department to transfer these unencumbered funds to another municipal police pension fund within the Commonwealth.

**BUCKS COUNTY**

**SUPPORT**

**23-14 RESOLVED**, That PSATS seek legislation that would authorize municipalities to negotiate with other police department(s) for pension service credits for police officers with prior full-time service.

**LEBANON COUNTY**

**SUPPORT**

**23-15 RESOLVED**, That PSATS seek legislation to amend Section 3751(b)(2) of Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes to increase the fees that local police departments may charge for police report requests from \$15 to \$30.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-16 RESOLVED**, That PSATS oppose any effort, legislative or otherwise, to infringe upon townships' ability to charge appropriate stormwater management fees on property owners.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-17 RESOLVED**, That PSATS seek legislation to exempt Pennsylvania agriculture from municipal separate storm water sewer system (MS4) requirements mandated under the Federal Clean Water Act.

**COLUMBIA COUNTY**

**OPPOSE**

**REASON FOR ACTION:** *The committee questioned whether agriculture was directly affected by MS4 requirements on municipalities and did not feel it was appropriate to exempt farmers when municipalities must comply with these rules.*

**23-18 RESOLVED** That PSATS seek legislation that municipalities and municipal authorities levying stormwater management fees provide for unlimited offsetting credits to those fees for the following:

- a. Each acre of compliance under each of the following: a National Resources Conservation Service (NRCS) or County Conservation District approved Conservation Plan, an Erosion and Sediment Plan, an Act 38 Nutrient Management Plan, and/or an implemented NRCS Comprehensive Nutrient Management Plan;
- b. Each approved Manure Management Plan;
- c. Erosion controlling structures including diversion ditches, grass waterways, stone waterways and terraces;
- d. NRCS or County Conservation District approved manure holding structures;
- e. Each acre of forested, wooded, or grass field, or open space; and
- f. Positive ratios of pervious to impervious areas.

**COLUMBIA COUNTY**

**SUPPORT**

**23-19 RESOLVED**, That PSATS seek legislation to provide additional means of funding for emergency medical services and to engage in efforts to obtain additional sources of funding for emergency medical services.

**CRAWFORD COUNTY**

**SUPPORT**

**23-20 RESOLVED**, That PSATS seek legislation to require that emergency service providers that offer membership to their organization give amnesty to members from any fees or charges for services provided that are not covered by the members' insurance, AND FURTHER, that such providers honor amnesty given by other emergency services providers to their members.

**COLUMBIA COUNTY**

**SUPPORT**

**23-21 RESOLVED**, That PSATS seek legislation to authorize municipalities to enact ordinances regulating the land application of biosolids (*both Class A and Class B*) to address the following:

- Land application of biosolids near perennial or intermittent streams, occupied dwellings, exceptional value wetlands, seasonal high water tables, regional groundwater tables, and steep slopes of 15% or greater;
- Notification of adjoining landowners where the land application of biosolids is proposed;
- Testing of biosolids materials for contaminants;
- Water quality sampling from streams where biosolids are land-applied for analysis of temperature, dissolved oxygen, conductivity, pH, total phosphorus, total suspended solids, ammonia, total Kjeldahl nitrogen, nitrate/nitrite nitrogen, biochemical oxygen demand, total organic carbon, surfactants, copper, fecal coliform bacteria, and *Escherichia coli* form bacteria;
- Prohibiting land-application of biosolids by a municipal water/sewer authority on preserved farmland;
- Limiting perfluorooctane sulfonic acid (PFOS) and perfluorooctanoic acid (PFOA) in biosolids being land-applied; and
- Incorporating applicable state watershed standards and regulations (*ex. Delaware River Basin Commission standards*).

**NORTHAMPTON COUNTY**

**SUPPORT**

**23-22 RESOLVED**, That PSATS seek legislation to repeal a portion of the Burial Grounds Act [9 Pa.C.S.A. §301] that require a municipality to post funds into a permanently held lot care fund.

**BUCKS COUNTY**

**SUPPORT**

**23-23 RESOLVED**, That PSATS seek legislation to repeal a portion of the Burial Grounds Act [9 Pa.C.S.A. §301(a)] requiring a municipality to annually set aside funds in a permanent lot care fund from the sale of lots, and construction and sale of crypts and niches in columbaria.

**BUCKS COUNTY**

**SUPPORT**

**23-24 RESOLVED**, That PSATS seek legislation to repeal a portion of the Real Estate Licensing and Registration Act [9 Pa.C.S.A. §304(a)(1)] requiring a municipality to have a valid registration certificate from the State Real Estate Commission to sell cemetery lots, crypts and niches in columbaria.

**BUCKS COUNTY**

**SUPPORT**

**23-25 RESOLVED**, That PSATS seek legislation confirming that municipalities may require owners of short-term rentals to comply with licensing, permitting, and inspection requirements, regardless of whether the municipality has zoning.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-26 RESOLVED**, That PSATS seek legislation to amend the state Manufactured Housing Improvement Act (36 P.S. 1658) to authorize the owner of a pre-owned manufactured home to relocate the home and attest to and assume liability for the condition of the structure if the homeowner cannot find a U.S. Department of Housing and Urban Development-licensed contractor willing to certify the proper anchoring and structural condition of the pre-owned manufactured home.

**CUMBERLAND COUNTY**

**SUPPORT**

**23-27 RESOLVED**, That PSATS oppose any policies or regulations from the state Department of Environmental Protection that would limit the ability of municipalities to determine how best to enforce their recycling ordinances, AND FURTHER, that PSATS oppose any efforts to withhold grant monies if a municipality fails to comply with the department's recycling policies.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-28 RESOLVED** That PSATS urge the state Department of Environmental Protection to expedite approval of a waiver process from certain permitting criteria for elevated boardwalks in wetlands when used for educational and interpretive purposes under 25 Pa. Code, Chapter 105, Dam Safety and Waterway Management.

**CENTRE COUNTY**

**SUPPORT**

**23-29 RESOLVED**, That PSATS seek legislation to amend Act 12 of 2016 to require more public input when wastewater and water facilities are proposed to be acquired by private utilities by requiring the selling municipality or authority to publicize the proposed sale for at least 180 days and to require at least one public meeting prior to the municipality or authority's vote on the sale and to mail at least one letter by first class mail to each ratepayer prior to the 180-day notification period.

**OVER 10,000 POPULATION COMMITTEE**

**OPPOSE**

***REASON FOR ACTION:** The committee felt that the requirement for a notice via first class mail would be an unfunded mandate on townships. The committee adopted an alternative resolution, Resolution 23-30, without the notice by first class mail.*

**23-30 RESOLVED**, That PSATS seek legislation to amend Act 12 of 2016 to require more public input when wastewater and water facilities are proposed to be acquired by private utilities by requiring the selling municipality or authority to publicize the proposed sale for at least 180 days and to require at least one public meeting prior to the municipality or authority's vote on the sale.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-31 RESOLVED**, That PSATS seek legislation to amend Act 12 of 2016 to prohibit for-profit private utilities from acquiring municipal and authority owned water and sewer systems based on "fair market value" as defined in Act 12 instead of "book value" which was the valuation method used prior to Act 12, AND FURTHER, that "fair market value" be used when purchasing water or sewer systems from distressed municipalities or municipal authorities.

**BUCKS COUNTY**

**SUPPORT**

**23-32 RESOLVED**, That PSATS seek legislation to amend Act 12 of 2016 to permit for-profit private utilities to purchase only distressed municipal and authority-owned water and sewer systems.

**BUCKS COUNTY**

**SUPPORT**

**23-33 RESOLVED**, That PSATS seek legislation to require for-profit privately operated water and sewer utility companies to comply with the same mandates as municipally owned systems not operating for profit regarding capital plans, environmental compliance, and similar such mandates.

**BUCKS COUNTY**

**OPPOSE**

**REASON FOR ACTION:** *The committee felt that this resolution was not addressing a township issue.*

**23-34 RESOLVED**, That PSATS seek legislation to require that a municipality served by a municipal authority approve the sale of the authority's assets to a private entity.

**BUCKS COUNTY**

**OPPOSE**

**REASON FOR ACTION:** *The committee felt that this was not a township issue as municipal authorities are independent and determine their own processes.*

**23-35 RESOLVED**, That PSATS urge the Independent Regulatory Review Commission to reject the proposed carbon dioxide budget trading program regulation, AND FURTHER, this resolution serves as the Association's official public comment on the proposed carbon dioxide budget trading program regulation.

**INDIANA COUNTY**

**SUPPORT**

**23-36 RESOLVED** That PSATS seek legislation to authorize community solar facilities, which are small, local solar facilities shared by multiple voluntary community subscribers who receive credit on their electricity bills for their share of the power produced.

**CENTRE COUNTY**

**SUPPORT**

*The following resolutions are identical to standing resolutions that would have otherwise gone off the books in 2023 and were previously considered by the delegates. The committee sponsored and supported these resolutions.*

**23-37 RESOLVED**, That PSATS seek legislation to implement the Senate Resolution 323 Unfunded Mandate Report's recommendation to establish a municipal mandate impact statement as part of the legislative process to identify legislation that would have a fiscal impact on local governments and require the commonwealth to share the cost of any new municipal mandate based on this statement unless overridden by a two-thirds vote of the Senate and House.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-38 RESOLVED**, That PSATS urge the state Department of Transportation to authorize the use of single yellow lines on local roads as a guide for motorists, to help them navigate better in the dark and during inclement weather.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-39 RESOLVED**, That PSATS seek legislation to amend Section 212.402(a)(7) of Title 67 (*Vehicles*) of the Pennsylvania Code to read: Mowing operations along roads with less than 5,000 ADT shall not require a shadow vehicle, provided that appropriate signage is used at the beginning and the end of the mowing zone.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-40 RESOLVED**, That PSATS seek legislation to amend Title 42 (*Judicial Code*) of the Pennsylvania Consolidated Statutes, Section 3573 (*municipal corporation portion of fines*), to authorize municipalities that provide local police service through their own department, regional police department, or by contract with another municipality to keep all fines from citations issued by local police within their jurisdiction.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-41 RESOLVED**, That PSATS seek legislation to amend Section 217.8 of Act 111 of 1968 (*Collective Bargaining by Police and Firemen*) to require both parties involved in arbitration to equally share the costs of compensating the third member of the board of arbitration and all other expenses incurred by the board.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-42 RESOLVED**, That PSATS seek legislation to amend Section 3205(a)(8) of the Second Class Township Code to increase the cap for the dedicated ambulance real estate tax from .5 mills to 1.5 mills before a referendum is required, AND FURTHER, that the other municipal codes be similarly amended to increase the caps on the dedicated ambulance tax.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-43 RESOLVED**, That PSATS seek legislation to establish a flexible tax structure for local government and ensure that the tax burden is shared equitably among all categories of taxpayers, including individuals, businesses and industry, and that it shall include, but not be limited to, property, revenue, business, and income taxes.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-44 RESOLVED**, That PSATS seek legislation to require state agencies, commissions, and authorities to comply with municipal land development and zoning ordinances when developing state-owned land.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-45 RESOLVED**, That PSATS seek legislation to amend Section 7(a.1)(2) of the state's Sewage Facilities Law (*Act 537 of 1966*) to increase the \$25 maximum fee for verification of siting requirements for 10-acre septic system exemptions and allow the local agency to set a fee to cover its costs of verifying these exemptions.

**RESOLUTIONS COMMITTEE**

**SUPPORT**



**23-46 RESOLVED**, That PSATS seek legislation to amend Article V-A of the Pennsylvania Municipalities Planning Code (*Act 247 of 1968, as amended*) to authorize municipalities to use traffic impact fees for the following activities:

- 1) Construction, acquisition, and expansion of municipal facilities not identified in the capital improvements plan;
- 2) Repair, operation, and maintenance of existing or new capital improvements;
- 3) Upgrading, updating, expanding, or replacing capital improvements that serve existing land uses to comply with stricter safety, efficiency, environmental, and regulatory standards; and
- 4) Preparation of the land use assumptions plan and the capital improvements plan, which are required for the adoption of a transportation impact fee ordinance.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-47 RESOLVED**, That PSATS seek legislation to amend the Second Class Township Code to provide a mechanism for townships to recover expenses incurred due to arbitrary, capricious, retaliatory, or punitive actions of the township's board of elected auditors.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-48 RESOLVED**, That PSATS seek legislation to amend the Pennsylvania Prevailing Wage Law (*Act 442 of 1961*) to increase the threshold for compliance from \$25,000 to \$500,000 for all projects.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-49 RESOLVED**, That PSATS seek legislation to amend the Covered Devices Recycling Act of 2010 to create a more stable and comprehensive manufacturer-implemented electronics recycling infrastructure AND FURTHER, that such changes provide for year-round collection of electronics waste in a manner consistent with convenience standards relevant to both rural and urban populations and alleviate the immediate financial pressures faced by local governments because of this act.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-50 RESOLVED**, That PSATS seek legislation to clarify that banks and lending 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 bank or lending institution.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-51 RESOLVED**, That PSATS oppose any legislation that would dissolve municipalities into unincorporated territory governed by the county.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-52** RESOLVED, That PSATS oppose any legislation to remove or amend Section 303(c) of the Municipalities Planning Code (*Act 247 of 1968, as amended*), and thereby require that all land use ordinances be consistent with and comply with the provisions of the municipality's and county's comprehensive plan.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-53** RESOLVED, That PSATS oppose legislation to establish a mandatory, single state pension system for municipal employees, require the mandatory participation of local government employees in the system, and/or remove from local control the administration of local pension and benefit plans.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-54** RESOLVED, That PSATS oppose legislation to amend the Urban Redevelopment Law to require a county to create a land bank program where a multi-municipal land bank already exists under the Pennsylvania Land Bank Act (*Act 153 of 2012*).

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-55** RESOLVED, That PSATS 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.

**RESOLUTIONS COMMITTEE**

**SUPPORT**

**23-56** RESOLVED, That PSATS oppose any legislation that would designate the state as the collector of the local earned income tax.

**RESOLUTIONS COMMITTEE**

**SUPPORT**