

ANNUAL BUSINESS MEETING AGENDA
MONDAY, AUGUST 31, 2020

- I. Call to Order – Dwight D. Hoare
- II. President’s Remarks – Dwight D. Hoare
- III. Nominating Committee Report – Craig A. Bubb
- IV. New Officer Introduction
- V. Articles of Association Amendments
- VI. Introduction of Newly Appointed Regional Directors:
 - a. **Region Four Director:** David Vollero, York County Solid Waste & Refuse Authority
 - b. **Region Six Director:** Melissa Radovanic, Greater Johnstown Water Authority
 - c. **Region Seven Director:** Steve Disney, Bradford City Water Authority
- VII. PMAA Committee/Department Reports – These reports can be found on our website under the Virtual Conference Menu
 - a. Unemployment Compensation Committee Trustees Report – Submitted by John Agnello, Chair
 - b. PA One Call Board Representative – submitted by Mike Kyle,
 - c. PMRS Board Representative – submitted by Tom Deitzler
 - d. PLGIT Board Representative – submitted by Sandra Bartosiewicz
 - e. Organizational Development Committee – submitted by Mike Kyle
 - f. Information & Technology Report – submitted by Craig Fahnestock
 - g. Communications Report – submitted by Melinda Schultz
- VIII. Legislative Report – Jennie Shade
- IX. Adoption of PMAA Resolutions – Jennie Shade
- X. Incoming President’s Remarks – Thomas Zeuner
- XI. Call for Adjournment

ARTICLES OF ASSOCIATION

PENNSYLVANIA MUNICIPAL AUTHORITIES ASSOCIATION

I. NAME

The name of the Association shall be the Pennsylvania Municipal Authorities Association.

II. PURPOSES

This Association is formed for the purpose of organizing the various Municipal Authorities created and organized under the Pennsylvania Municipal Authorities Act of 1935, as amended, the Pennsylvania Municipal Authorities Act of 1945, as amended, the Parking Authority Law of 1947, as amended, **and the Urban Redevelopment Law of 1945, as amended**, with a view of providing to the members of the Association a medium for the exchange of ideas on mutual problems, for the dissemination of information pertaining to authorities and for the further purpose of presenting a united point of view in respect to legislation and for the general progress and advancement of municipal authorities in the Commonwealth of Pennsylvania.

A further purpose of this Association is to assist member authorities on a local basis by establishing geographical regions within the Commonwealth which have ready accessibility of authorities in each region to each other, and which have common problems with the purpose of assisting in closer coordination and cooperation between member authorities in each region and broader member participation of member authorities in each region.

III. MEMBERSHIP

Any municipal authority organized in Pennsylvania under any of the Acts of Assembly set forth in Article II is entitled to membership in this Association, the type of membership to be determined as follows:

1. *Active Membership* – Any municipal authority shall be eligible for Active Membership in the Association. Such authority shall pay annual dues determined in accordance with Article IX of these Articles of Association.
2. *Honorary Life Membership* - Any person who shall have made an outstanding contribution to the advancement of Municipal Authorities may, after nomination by the Board of Directors of the Association, be elected by the Active Members as an Honorary Life Member.
3. *Associate Membership* - Any person, firm, or corporation shall be eligible for Associate membership in this Association. Such membership may be subject to the approval of the Board of Directors of the Association. Associate Members shall pay annual dues as determined in accordance with Article IX of these Articles of Association.
4. Concurrently with becoming a member of any category, an applicant agrees to comply with the Ethics Code of the Association.

IV. REGIONS AND ORGANIZATION OF REGIONAL MEMBERS

1. The Board of Directors shall establish geographic regions within the Commonwealth of Pennsylvania. In determining the boundaries of regions the Board of Directors shall give consideration to the size of the regions thus created; the accessibility of member authorities to each other in said regions; the probability of common problems arising in the various regions and the desirability of communications on a local basis between the members of the region and such of other factors as the Board of Directors may deem desirable.
2. All regional organizations shall be an integral part of the total organization of this Association and be under the control and direction of the officers and directors of this Association.
3. The number of regions and the boundaries of any region may be altered or changed by the Board of Directors. Changes in the number of regions or in the boundaries of any region shall

not be effective sooner than the next succeeding annual conference following the annual conference at which the proposed change or changes are announced. Any director elected from a region where the boundary shall have been changed shall nevertheless continue as a director until the termination of the term for which he was elected.

4. Organization. As set forth in paragraph 5 below and Article VI hereof a director shall be elected from each region. Such director shall be considered the operating head and be responsible to this Association for activities within his region during his term as director. The duties of a regional director shall among other things, consist of:
 - a. Appointing a Membership Committee,
 - b. Appointing a Nominating Committee,
 - c. Appointing such other committees as are required to effectively develop and pursue regional activities.

5. There ~~shall be~~ **should be whenever possible** a minimum of two (2) meetings each year of the members of each region, one of which shall be at least ninety (90) days and not more than 150 days prior to the Annual Conference of the Association. If a vacancy on the Board of Directors of a region shall be scheduled to occur as of the succeeding Annual Conference, the meeting shall serve as the nominating meeting at which time nominations will be received by the director in charge of the region for candidates for director from that region. The nomination shall be sent to the principle office of this Association within 10 days of the regional meeting which office is herewith charged with the duty of preparing an official ballot and forwarding one to each member authority in that region. Said notice shall be sent not less than 60 days prior to the date of the annual meeting of members of this Association. The authority shall register its vote on the ballot, have the ballot certified by the secretary and returned to the principal office of this Association at least 20 days prior to the annual meeting of the members of this Association. Within ten days of the receipt of the ballots, the principal office shall inform all member authorities within that region of the name and address of their newly elected director. **In the event a timely nominating meeting cannot take place to fill a vacancy, the Board may appoint an interim Director pending the scheduling of a nominating meeting.**

In the case of a tie vote for the office of Regional Director, the tie vote will be broken by the drawing of lots in the presence of P.M.A.A.'s Executive Director, and the candidates or their authorized representatives at a mutually acceptable time and place.

6. The Board may declare vacant the office of a Director or Assistant Director if such Director or Assistant Director is declared of unsound mind by an order of court, or convicted of felony, or for any other proper cause, or if, within 60 days after notice of his or her selection, the Director or Assistant Director does not accept such office either in writing or by attending a meeting of the Board, or a regional meeting in the case of an Assistant Director.
7. Costs. The Board of Directors may authorize the payment by the Association of such regional expenses, as it deems proper.
8. No region shall have the right to levy, assess, or collect dues from any member authority.
9. Regions shall be accountable to the Association for all funds accumulated in the course of their activities. Accountability shall be through the medium of a written report to the Association which shall be submitted prior to the Annual Conference each year by the Regional Director. Post-function accumulated surplus funds for any one region shall not be in excess of \$2,000.00. Funds shall be maintained in accounts as directed by the Board of Directors.
10. Each region in addition to a regional director as provided for herein, shall also elect an assistant regional director for a term to run concurrent with that of the regional director. To be

qualified as an assistant regional director, a person shall be either an officer, board member, or management employee of an authority which is an Active Member of the Association. Such person shall not have served as an officer or director of the Association during the three-year period immediately preceding his/her election. The term of any assistant regional director who (1) ceases to be either an officer, board member, or management employee of an authority which is an Active Member, or (2) is elected or appointed as a Director or officer of the Association, shall immediately and automatically terminate.

- a. The duties of the Assistant Regional Director shall be to assist the regional director in all matters pertaining to the region's activities and in the absence or inability to act of the regional director to temporarily carry on his normal activities. Such activities and responsibilities shall include representing the region at meetings of the board of directors with full voting rights.
- b. In case of a vacancy in the office of Regional Director, the Assistant Regional Director shall succeed automatically as Regional Director for the remainder of the term of the preceding Regional Director. A vacancy in the office of Assistant Regional Director shall be filled by vote of the region, at a meeting as soon as possible after the vacancy arises.
- c. In the event that the regional director is not an authority board member, then, an effort shall be made to obtain an assistant regional director who is an authority board member.

V. ASSOCIATE MEMBER BOARD REPRESENTATIVE

1. The PMAA bylaws hereinafter provide for the establishment of an Associate Member Committee. The committee shall elect the Associate Member Board Representative.
2. Associate Member Committee
 - a. This committee shall consist of ten members, one from each of the ten PMAA regions. All committee members must be an Association Member of PMAA, and not someone who would otherwise be eligible to be an Active Member of PMAA.
 - b. Each Regional Director shall make one appointment for their respective Committee seat.
 - c. Terms on the committee shall be three years and shall coincide with the term of the appointing Regional Director. One of the major roles of the committee is to elect the Associate Member Board Representative from its own committee membership. Other roles of the Associate Member Committee shall include the following:
 - Solicit new Associate Members
 - Put on training sessions at annual conference
 - Assist in soliciting sponsors for conference and other training events.
3. Associate Member Board Representative — PMAA Board Seat
 - a. The Associate Member Committee shall elect a member of its own committee to serve as the PMAA Associate Member Board Representative. The candidate receiving the most votes shall become the Associate Member Board Representative, and a majority vote of the Associate Member Committee members shall not be necessary to elect the Associate Member Board Representative.
 - b. The term of the Associate Member Board Representative shall be three years. The Associate Member Board Representative shall not be permitted to succeed him/herself, and if, at the end of the three-year term the Associate Member Committee has not elected a successor, the seat would remain vacant until filled through election. The Associate Member Board Representative shall not be eligible to serve as an officer of the Association, but will have all of the voting rights and other privileges and responsibilities as any other PMAA Board Member.
 - c. The Associate Member Board Representative shall serve as the liaison between the Associate Member Committee and the Board of Directors, and shall also perform any other functions as determined by the Board of Directors. The President and Executive Director shall remain the spokespersons for PMAA, and the Associate

Member Board Representative shall not make public declarations representing PMAA or speak for PMAA unless so authorized by the Board of Directors.

VI. BOARD OF DIRECTORS

1. The management, affairs, property, and business of the Association shall be vested in a board of directors, consisting of the immediate past president, president, president elect, Second Vice President, Associate Member Board Representative, and one director of each region created by the board of directors. Directors from each region shall be elected in accordance with the provisions of Article IV of these bylaws. Each director shall be elected for a term of three years. No director shall succeed himself, except that any director elected to fill an unexpired term may be re-elected for the succeeding three-year term. Each director shall serve until his successor is elected and qualifies.
2. To be qualified as a regional director, a person shall either be an officer, board member, or management employee of an authority which is an Active Member of the Association, and such person shall not have served as a director of the Association during the three-year period immediately preceding election or appointment as such Director. The term of any Director who (1) ceases to be a board member, officer or management employee of an authority which is an Active Member, or (2) is elected or appointed as an officer of the Association, shall immediately and automatically terminate.
3. Regular meetings of the Board of Directors shall be held from time to time and at such place as the President or the Executive Committee may designate, provided, however, that the President shall call a meeting upon the request of a majority of the Board of Directors.
4. A majority of the authorized number of members of the Board of Directors (whether or not vacancies exist) shall be necessary at all meetings to constitute a quorum for the transaction of business. Any action of the Board of Directors at such meetings shall require a majority of the members of the Board then in office.
5.
 - a. An Executive Committee of the Board is hereby established, consisting of the President, the Vice President, the Second Vice President, the immediate Past President, the Second Past President and the Executive Director (non-voting). During the absence or incapacity of any such officer, the Board may appoint, as alternate member of such Committee, another member of the Board to serve during such period of absence or incapacity. The Executive Committee shall have all the powers of the Board in the management of the affairs of the Association, except that the Executive Committee shall not have any power or authority as to the following:
 - (i) the filling of vacancies in the Board; or
 - (ii) the amendment or repeal of any resolution of the Board.
 - b. The Board may create, from time to time, such other standing or special committees as it may designate by resolution, with such duties as it may so designate. The President shall appoint all members of such committees from among the Directors of the Association or officers, board members or employees of Active Members, or Honorary or Associate Members.
 - c. No committee, other than the Executive Committee, shall, pursuant to resolution of the Board or otherwise, exercise any of the powers or authority vested by these bylaws, or the Nonprofit Corporation Law of 1988, in the Board as such, but any such committee may make recommendations to the Board, or Executive Committee, concerning the exercise of such powers and authority.
 - d. The establishment of any committee of the Board, and the delegation thereto of power and authority, shall not alone relieve any Director of the fiduciary duty of such Director to the Association.
 - e. A majority of the committee members in office designated to a committee, or designated to replace them as provided in this section, shall be present at each

meeting to constitute a quorum for the transaction of business, and the acts of a majority of the committee members in office designated to a committee, or their replacements, shall be the acts of the committee.

- f. Each committee shall keep regular minutes of its proceedings, and report such proceedings periodically to the Board.

VII. OFFICERS

1. The Nominating Committee of the Association shall consist of the five most recently elected, living, past presidents of the Association. The Immediate Past President shall be the Chairman of the Committee. A quorum of the Committee shall be three. The Nominating Committee shall meet each year on or before April 1, to prepare a recommendation for the office of Second Vice President, and if there are vacancies in the office of Vice President or President (after giving effect to automatic succession) a recommendation for that office. The President, Vice President and Second Vice President are herein collectively called the "Senior Officers". The Committee shall also make recommendations for the other offices provided for in these By-Laws. The Committee may recommend more than one person for an office. In preparing these recommendations, the Nominating Committee shall make a reasonable effort to adhere to the provisions set forth in Paragraph 2 of this Article, recognizing the need to attempt to balance the officers based upon such considerations as the types of authorities represented, board members as well as management employees, and geographic location.
2. For the purposes of nominating and electing Senior Officers, two areas are hereby established as follows: Eastern Area - Regions 1, 2, 3, 4 and 5 and Western Area - Regions 6, 7, 8, 9, and 10. A qualification for the office of Second Vice President, in addition to those set forth in Article VII, Section 6 (a) hereof, shall be, if it is reasonably possible, as follows: affiliation with a member authority located in the applicable Area in accordance with the following basis of annual rotation: Eastern Area and Western Area. In the event of a vacancy in the office of a Senior Officer at the time the Nominating Committee meets, it shall also, if it is reasonably possible, recommend a candidate to fill the vacancy in the applicable office (after the operation of the Section 6(a) of Article VII) who shall be a person from the same Area as the Area in which the person causing the vacancy was located, in order that there shall always be, to the maximum extent possible, one Senior Officer from each of the two Areas.
3. At end of each Annual Meeting, the person ending the term as Second Vice President shall automatically succeed to the office of Vice President, and the person ending the term as Vice President shall automatically succeed to the office of President.
4. The following officers shall compose the Executive Committee of the Pennsylvania Municipal Authorities Association: President, Vice President, Second Vice President, Immediate Past President, Second Past President and Executive Director (non-voting).
5. The officers of the Association shall consist of a President, Vice President, a Second Vice President, a Secretary, a Treasurer, and an Executive Director. The offices of Secretary, Treasurer and Executive Director are not inconsistent and the same person may hold one or more said offices.
6. Term-
 - a. The President, Vice President and Second Vice-President shall each serve for a one year term beginning at the end of each Annual Meeting, and ending at the end of the next succeeding Annual Meeting. The Second Vice President shall be elected by the members at each Annual Meeting of the Association. The qualifications for the office of Second Vice President, in addition to the qualification set forth in Article VII, Section 2, shall be as follows: Holding a position as an officer, board member, or a management employee of an authority which is an active member of the

Association and in addition, having served as a Regional Director for not less than three years, or be completing a three year term as Regional Director at the meeting at which the person is to be elected as Second Vice President.

- b. If a person serving as Senior Officer of the Association ceases to be a board member, officer, or management employee of a member Authority, his tenure and succession rights as a Senior Officer shall be terminated as of the end of the next Annual Meeting following his severance from a member authority.
- c. Vacancies in the position of President and Vice President, shall, whether caused by resignation, death or otherwise, be filled by the automatic succession of the Vice President or the Second Vice President respectively.
- d. The Secretary and the Treasurer shall be elected for one year by the Board of Directors and shall serve until their successors are selected and qualify. If either or both of said offices are held by the Executive Director and the employment of the Executive Director with this Association is terminated, the office or offices held by the Executive Director shall be vacated as of the date of termination of his employment as Executive Director.

7. Duties of Officers –

- a. The President shall preside at all meetings and shall be an *ex-officio* member of all standing committees.
- b. The Vice President during the absence or disability of the President shall preside at all meetings.
- c. The Secretary shall issue notices for all meetings, shall keep minutes of all meetings, and shall have charge of the books, reports and records of the Association.
- d. The Treasurer shall have custody of all monies, and securities of the Association and shall keep regular books of accounts. He shall disburse the funds of the Association as may be ordered by the Board of Directors or Executive Committee, taking proper vouchers for such disbursements and shall render to the Association from time to time as may be required of him, an account of all his transactions as Treasurer and of the financial condition of the Association. He shall perform all duties incident to his office or those required of him by the Board of Directors. He shall give bond for the faithful performance of his duties in such amount and with securities as the Board of Directors may determine. At the expiration of his term he shall turn over all the books, records and monies of the Association to his successor.
- e. The Executive Director shall be a full-time employee appointed by the Board of Directors to serve at the pleasure of the Board of Directors and shall be paid a salary to be fixed from time to time by the Board of Directors. The Executive Director shall direct, supervise, and carry out all policies of the Board of Directors. He shall manage the business affairs of the Association. He shall prepare the Association budget for the approval of the Board of Directors and supervise and administer the financial affairs of the Association. He shall assist in representing the Association, to the Legislature and its agencies and to all governmental and private agencies. He shall appoint, supervise and may discharge the employees of the Association. He shall supervise the editing, publishing and distribution of the official publications, reports and surveys of the Association. He shall be responsible for the field service of the Association through personal visits to members and prospective members. He shall be responsible for arrangements necessary to conduct all meetings and conferences of the Association.

VIII. MEETINGS

1. The members of the Pennsylvania Municipal Authorities Association shall meet annually (in conference) to discuss the problems, outlooks and possibilities of the Association. The conference shall be at a time and place fixed each year by the Board of Directors of the said Association. This conference shall be held coincident with the annual meeting. Adequate

notice of the meeting will be given.

2. Special meetings shall be called by either the President or Executive Committee from time to time, upon five (5) days written notice. The notice shall set forth the purpose for which the meeting is called and no other business shall be transacted except as set forth in the call.
3. Resolutions shall be submitted to any meeting whether annual or a special meeting of the Members only if they are filed with the office of the Association not less than thirty (30) days prior to the date for the meeting in which they are to be presented. Copies of said resolutions shall be available for examination by all members to whom copies shall be made available upon request in writing.
4. Roberts Rules of Order Newly Revised, shall govern the procedure at all meetings of the Association to the extent applicable and not inconsistent with these bylaws.
5. The Solicitor to the Board of Directors shall serve as parliamentarian at the annual meeting. In his absence, the presiding officer of the meeting shall designate his/her replacement.

IX. DUES

Annual dues for each class of member shall be payable in such amount, at such time, as the Active Members shall determine at a regular or special meeting. Dues as thus determined shall remain effective until changed by action of the Active Members.

X. REPRESENTATION

1. At all meetings of the Association, each active member shall be entitled to one vote and shall be represented by a delegate chosen by its own Board of Directors.
2. Only representatives of active members shall be eligible for election to the Board of Directors of the Association.

XI. NO PRIVATE BENEFIT – DISTRIBUTION OF ASSETS UPON DISSOLUTION

Confirming the public purposes of the Association, as set forth in Article II hereof, no part of the net earnings, surplus, or assets of the Association shall at any time inure to the benefit, directly or indirectly, or be distributable to, any person or entity other than a municipal authority, municipality, or other government corporation under the laws of Pennsylvania. In the event the Association is dissolved, the Board of Directors, after paying or making provision for the payment of all debts and liabilities of the Association, shall distribute its remaining assets to the municipal authorities who constitute the Active Members of the Association on the date when dissolution proceedings of the Association are commenced. Such assets shall be divided among the Active Members of the Association in the same proportions as the total amount of dues paid by each such Member in the three calendar years proceeding the date of the start of such proceedings bears to the aggregate of all dues paid by all Active Members during the same period.

XII. INDEMNIFICATION

1. The Association shall indemnify, to the fullest extent permitted by law, all persons who may serve or who have served at any time as officers, directors, assistant directors, committee members, trustees or employees (collectively "Employees") of the Association and their heirs, administrators, successors and assigns, against any and all judgments against such persons in any action, suit, or proceeding in which they, or any of them are made parties or a party by reason of being or having been Employees of the Association where there is a final judicial determination that the act of the Employee which gave rise to the action, suit or proceeding was, or the Employee in good faith reasonably believed that such act was, within the scope of the office or duties of such person; provided the Employee being indemnified shall have given to the Association timely prior written notice of the claim of such Employee for such indemnification. For this purpose, notice shall be deemed to be timely if given not later than fourteen (14) days after the commencement of the action resulting in the judgment for which

indemnification is claimed.

2. When an action is brought against an Employee and either (a) it is alleged that the act which gave rise to the claim was within the scope of the office or duties of the Employee, or (b) the Board of Directors of the Association determines that such act was within the scope of such office or duties, or that the Employee, in good faith, reasonably believed the act was within the scope of such office or duties, then upon written request of the Employee, made not more than fourteen (14) days after the commencement of the action, the Association shall defend the action on behalf of the Employee, at its own expense, or at its option, provide independent representation for the Employee, also at the expense of the Association; and the Association shall also pay on behalf of such Employee amounts payable in any settlement, which settlement has been approved by a disinterested majority of the Board of Directors of the Association, or in the absence thereof, approved by independent counsel for the Association.
3. Notwithstanding the foregoing sections of this resolution, (i) the Association shall not indemnify an Employee where there is a final judicial determination that the act of the Employee which gave rise to the action, suit or proceeding, constituted a crime, actual fraud, actual malice or willful misconduct and (ii) the Association shall not provide any legal defense where the Board of Directors of the Association reasonably determines that the act of the Employee which gave rise to the action, suit or proceeding constituted a crime, actual fraud, actual malice or willful misconduct.

XIII. ARTICLES OF AMENDMENT

The Articles of Association or bylaws to be adopted by the Association may be amended at any regular or special meeting upon thirty (30) days notice of the proposed amendments to be given to each member of the Association.

Adopted	1-9-43	Amended	9-30-64
Amended	7-13-44	Amended	9-9-69
Amended	11-30-45	Amended	9-26-73
Amended	6-28-46	Amended	9-15-74
Amended	10-15-48	Amended	7-2-75
Amended	10-25-49	Amended	9-20-78
Amended	9-17-52	Amended	3-1-81
Amended	10-5-54	Amended	4-25-86
Amended	10-26-55	Amended	8-30-93
Amended	9-25-56	Amended	8-29-94
Amended	9-24-58	Amended	8-30-99
Amended	10-7-59	Amended	9-12-05
Amended	9-20-61	Amended	9-8-08
		Amended	4-16-13

Government Relations Report

*Submitted by Jennie Shade, Director of Government Relations
Jennifer Case, Government Relations Liaison
August 28, 2020*

COVID-19 PANDEMIC ACTIONS

PUC Emergency Order

PUC Chairman Gladys Brown Dutrieuille plans to address the termination moratorium of PUC regulated utilities at the Commission's August 27th public meeting. She also sent a letter on August 10th seeking public comment on the issue where she states that any move from an absolute moratorium would require customer protections.

Municipal System Moratorium Letter

On August 17th, Representative Austin Davis (Allegheny) and 30 Democrats sent a joint letter asking the governor to issue a moratorium on terminating water and wastewater service provided by municipal systems. They noted that these systems do not fall under the Public Utility Commission's emergency order that followed Wolf's March 6th Proclamation of Disaster Emergency for COVID-19.

National Special Districts Coalition

On July 27th, PMAA co-signed a letter to Senate Leaders McConnell and Schumer urging S. 4308, the Special Districts Provide Essential Services Act, be included in the impending COVID-19 relief package.

PMAA Supports Infrastructure Bill

On April 22nd PMAA sent a letter to Senators Casey and Toomey regarding the association supporting the passage of an infrastructure bill. Such stimulus would provide financial assistance for authorities to address aging infrastructure systems throughout the Commonwealth.

PMAA strongly believes that an infrastructure package consisting of grants will enable its members to undertake necessary system repairs. It would be difficult for the cost of such repairs to be borne by our members' ratepayers, whose economic situation may not see relief at any time in the foreseeable future.

DHS LIHEAP Letter

On March 25th, PMAA along with 50 other signatories worked on and sent a letter to the Pennsylvania Department of Human Services urging them to extend the Low Income Home Energy Assistance Program (LIHEAP) season and relieve other administrative and regulatory obstacles for households in need of utility assistance, including the allowance of LIHEAP cash and crisis grants to be used for heat related water services.

Coronavirus Aid, Relief, and Economic Security (CARES) Act

- \$2 trillion to small business and employees
- Funding for Pennsylvania local governments (does NOT include municipal authorities) for those with over 500,000 residents
- To our knowledge, municipal authorities are NOT eligible for funding under act

Municipal Authority Guidance

On March 18th, PMAA released a notice providing guidance to municipal authorities during the COVID-19 pandemic. The notice encouraged municipal authorities to initiate continuity of operations and preparedness response plans, as well as enact measures to assist anticipated economic impact on customers, including but not limited to the below guidance:

- Placing moratorium on shutoffs
- Restoring service to previously shutoff customers
- Suspending or waiving late charges or fees
- Instituting payment assistance plans

EPA's Water Utility COVID-19 Financial Impact Tool

EPA's Water Infrastructure and Resiliency Finance Center has released the Water Utility COVID-19 Financial Impact Tool to help drinking water, wastewater, and stormwater utilities assess the financial impact of the COVID-19 pandemic on the utility's cashflow. Once answering a series of questions, the utility can access a spreadsheet that automatically calculates the changes for a utility's revenues and expenses by looking at current 2020 monthly financials versus the average monthly financials of the utility's 2019 audited financial statement.

GOVERNOR SIGNS TEMPORARY FIVE-MONTH PENNSYLVANIA BUDGET– FISCAL YEAR 2020/2021

On May 29th, Governor Tom Wolf signed into law a five-month, stop-gap state budget as well as its accompanying legislation, which the General Assembly finalized on May 28th. The spend total was \$25.1 billion for fiscal year 2020/2021 which starts July 1st. Most of the spend total flat funds a full fiscal year of education, human services programs, state pension plan payments and the Commonwealth's debt service. All other government operations are funded at the same level as fiscal year 2019/2020 for five months. This leaves the General Assembly and Governor to determine how to pay for the other seven months of fiscal year 2020/2021.

HOUSE SPEAKER TURZAI RESIGNS

On June 10th, House Speaker Mike Turzai (Allegheny) announced on the floor of the House that he would leave office and the speakership on June 15th, before the end of his term. In January, Turzai announced he would not seek reelection in the fall and that he will move on to a career in the private sector. He accepted a position as General Counsel at Essential Utilities, formally known as Aqua America.

HOUSE SPEAKER ELECTION

On June 22nd House Majority Leader Bryan Cutler (Lancaster) was elected by his peers in a unanimous floor vote to serve as House Speaker for the remainder of this legislative session, ending November 30th. This comes after the resignation of former House Speaker Mike Turzai. The House Republican Caucus met after and elected Majority Whip Kerry Benninghoff (Centre, Mifflin) to replace Cutler as majority leader, which led to the election of Representative Donna Oberlander (Armstrong, Clarion, Forest) to replace Benninghoff as majority whip.

LAW ENACTED

HB 1003 (Representative Keith Gillespie – York) allows the Pennsylvania Fish and Boat Commission to directly issue citations to owners who fail to mark their dams. It also updates the definition of “run-of-the-river dams” to require adequate markings. The signs and buoys are of a design and content determined by the PA Fish & Boat Commission to warn the swimming, fishing and boating public of the hazards posed by the dam.

Any person who fails to mark new or existing run-of-the river dams commits a summary offense of the first degree (\$250 fine) for the first offense and a misdemeanor of the third degree (\$250 to \$5,000 fine). With respect to maintenance of signs and buoys, any person who fails to comply commits a summary offense of the second degree (\$150) for the first offense and a summary offense of the first degree (\$250) for any subsequent offense.

The bill passed the House (Y: 194/N: 0) and the Senate (Y:49/N: 0) and was signed by the Governor (**Act 39 of 2020**) on July 1, 2020.

HB 1860 (Representative Mark Longietti – Mercer) allows municipalities of any size to create a redevelopment authority. This amends current law which allows only municipalities of 10,000 or more to create redevelopment authorities.

The bill passed the House (Y: 173/N: 21) and the Senate (Y: 49/N: 1), and was signed by the Governor (**Act 58 of 2020**) on July 14, 2020.

HB 2455 (Representative John Lawrence – Chester, Lancaster) requires the plan for COVID-19 testing pursuant to the federal Paycheck Protection Program and Health Care Enhancement Act as well as subsequent reporting be submitted to the General Assembly. In addition, the bill adds language regarding a Cooperation Agreement and an Effect of Cooperation Agreement between the City of Pittsburgh and the Pittsburgh Water and Sewer Authority.

The bill passed the House (Y: 201/N: 1) and the Senate (Y: 50/N: 0), and was signed by the Governor (**Act 70 of 2020**) on July 23, 2020.

LEGISLATION

HB 1069 (Representative Aaron Bernstine – Lawrence) requires a public agency to post public meeting agendas on its website no later than 24 hours prior to a meeting as well as prohibit an agency from taking official action on items not included on the meeting agenda. Changes may be made to the agenda during a meeting upon majority vote of the individuals present and voting. Additionally, it specifies that an updated agenda must be posted on a publicly accessible

website, if one is available, and at the agency's principal office location no later than the first business day following the meeting.

Bill Status: Passed the House (Y: 196/N: 0) on January 14, 2020, and voted out of Senate State Government Committee on July 13, 2020.

HB 1563 (Representative Dan Moul – Adams) amends the Municipality Authorities Act allowing an owner of a multiple unit property served by a single meter to request a rate study and subsequent adjustment of water and sewer rates. The current version of the bill (P.N. 2128) creates a multitude of problems to a complex issue. PMAA opposes the bill and testified at a hearing of the Senate Local Government Committee on July 14, 2020. The Pennsylvania State Association of Township Supervisors provided written testimony also opposing the bill.

Bill Status: Passed the House (Y: 197/N: 4) on June 26, 2020, and referred to the Senate Local Government Committee. Senate Local Government Committee public hearing held on July 14, 2020 (PMAA testified).

HB 1808 (Representative Ryan Mackenzie – Berks, Lehigh) classifies post-use plastics as raw materials for manufacturing following the utilization of advanced recycling technologies. The bill was amended in the House Environmental Resources and Energy Committee which was PMAA negotiated language providing for the utilization of waste source separation and clarifies the applicability and scope of advanced recycling.

Bill Status: Voted out of House Environmental Resources and Energy Committee, as amended on June 10, 2020. Passed the House (Y: 155/N: 46) on July 7, 2020 and referred to the Senate Environmental Resources and Energy Committee.

HB 2583 (Representative Dave Zimmerman – Lancaster) amends the Municipality Authorities Act requiring the election of municipal authority board members rather than appointment made by the incorporating municipality. Terms are set at six years with one-third of the board up for election every municipal election. It also removes the provision in the Municipality Authorities Act that a member of the board may be removed for cause by the court of common pleas of the county in which the authority is located. PMAA vehemently opposes the bill on a myriad of levels.

Bill Status: Introduced on June 8, 2020 and referred to the House Local Government Committee.

HB 2597 (Representative John Lawrence – Chester) amends the Public Utility Code (Title 66) requiring voter input/ratepayer approval prior to the sale of a publically managed water or sewer system in the Commonwealth. If a majority of ratepayers vote against the proposed sale via referendum, then the Public Utility Commission would be required to disapprove the sale. Representative Lawrence also filed an amendment with the same language to HB 1718 (Representative Austin Davis – Allegheny).

Bill Status: Introduced on July 1, 2020 and referred to the House Consumer Affairs Committee.

HB 2635 (Representative Seth Grove – York) transfers certain special funds including the Environmental Stewardship Fund, Recycling Fund and others into the General Fund. Until the special fund transfers occur and all funds under them are used for managing diminished cash flow resulting from the Governor's COVID-19 disaster emergency declaration, state agencies may not participate in the Municipal Liquidity Facility Program established under the federal CARES Act.

Bill Status: Introduced on June 29, 2020 and referred to the House Appropriations Committee.

HB 2743 (Representative Jason Ortity – Allegheny) amends Title 45 (Legal Notices) by modernizing advertising requirements by allowing authorities and local governments to advertise public notices either electronically or in printed format by choosing from a menu of options. PMAA and the other local government associations provided input for the legislation and support it.

Bill Status: Introduced on August 6, 2020 and referred to the House Local Government Committee.

HB 2746 (Representative Christina Sappey – Chester) amends the Public Utility Code (Title 66). The bill is identical to HB 2597 by Representative John Lawrence. In addition, the bill provides a water ratepayer bill of rights to ensure transparency and accountability. It requires the acquiring utility to provide an annual privatization report for the potential new ratepayers which includes the average residential billing amounts of the acquiring utility, purchases it has made in the last 10 years that were previously owned by a municipal authority or municipality as well as other crucial provisions.

Bill Status: Introduced on August 6, 2020 and referred to the House Consumer Affairs Committee.

SB 915 (Senator Gene Yaw – Lycoming) amends Title 3 (Agriculture) provides protections for fertilizer application particularly in the Chesapeake Bay region. In particular, it provides standards regarding the application of fertilizer to turf

along with provisions regarding labels and labeling and all professional fertilizer applicators must be certified in proper application techniques and best management practices for the disposition of funds.

Bill Status: Passed the Senate (Y: 49/N: 1) on May 27, 2020 and referred to the House Agriculture and Rural Affairs committee.

SB 1222 (Senator John Disanto – Dauphin, Perry) amends Title 45 (Legal Notices) which allows authorities and local governments to advertise public notices either electronically or in printed format by choosing from a menu of options. The bill is similar to HB 2743.

Bill Status: Introduced on June 30, 2020 and referred to the Senate Local Government Committee.

SB 1234 (Senator Thomas Killion – Delaware) provides constituents and small businesses with expanded utility bill payment assistance as the economy recovers. In particular, it utilizes flexible funds available under the Federal CARES Act to assist customers who have been economically displaced as a result of the pandemic. The PUC would receive \$25 million for public utilities and PENNVEST would receive \$25 million for water and wastewater providers.

Bill Status: Introduced on August 18, 2020 and referred to the Senate Consumer Protection and Professional Licensure Committee.

CO-SPONSOR MEMOS

Utility Assistance

Senator Steven Santarsiero (Bucks) circulated a co-sponsorship memo regarding legislation he plans to introduce to direct CARES money for utility assistance across the Commonwealth. The proposed legislation appropriates money to the traditional LIHEAP program for assistance to lower-income individuals and it also appropriates money to assist middle income individuals and families who have fallen behind on their utility bills. Utility companies would apply through the Department of Human Services for assistance on behalf of residential customers. Eligible utilities include: **municipal-owned authorities**, electric distribution companies, natural gas distribution companies, heating oil companies, liquid propane companies, water companies, wastewater companies, and electric cooperatives.

Public Safety Authorities

For the past year, PMAA has been working with Senator Tim Kearney (Delaware) and his staff in drafting legislation to add public safety services to the permitted projects under the Municipality Authorities Act. Specifically, public safety project is defined as fire protection services, emergency medical services (EMS), and administrative support to coordinate these services.

Senator Mike Regan (Cumberland), Chair of the Senate Veterans Affairs and Emergency Preparedness Committee and his staff has conducted a series of roundtable discussions this summer among all interested parties including senators and staff of both parties, PMAA, the County Commissioners Association of Pennsylvania (CCAP), the other local government associations (Boroughs, Cities, Townships), and fire and EMS representatives to discuss the draft legislation and share ideas and concerns. PMAA supports the concept and will continue to work with all parties to reach a final draft.

CHESAPEAKE BAY UPDATE

PMAA serves as an action leader for the wastewater sector and participated in the following Chesapeake Bay meetings:

Action Leaders Meeting

On July 10th, the DEP Chesapeake Bay Program Office held a virtual Pennsylvania Phase 3 Watershed Implementation Plan (WIP) Action Leaders Meeting to review progress updates and outline next steps, action items and timelines.

State Team Meeting

On July 20th, the DEP Chesapeake Bay Program Office held a virtual Pennsylvania Phase 3 WIP State Team Meeting, which is open to the public. Along with action leader progress updates, presentations were given on communication and engagement as well as local action.

Phase 3 WIP Newsletter

The DEP Chesapeake Bay Program Office now has a new monthly newsletter to showcase progress and updates on the statewide Phase 3 WIP. The newsletter highlights activities from partnering counties, agencies, and action team leaders.

PROPOSED REGULATIONS AND TECHNICAL GUIDANCE DOCUMENTS

Proposed Manganese Water Quality Standard Published in PA Bulletin

A proposed manganese water quality standard was published in the PA Bulletin on July 25th. The proposal sets a new numeric human health criterion for manganese of 0.3 mg/L in Chapter 93.8 – Water Quality Criteria For Toxic

Substances, and would delete the existing 1 mg/L standard in order to protect human health from the neurotoxicological effects of manganese.

In addition, the proposal offers two alternatives for a point of compliance with the manganese water quality standard: the point of all existing or planned surface potable water supply withdrawals; or all surface waters (that is, near the point of discharge). Public comments are due by September 25th by accessing [eComment](#) or by email at RegComments@pa.gov. A subject heading of the proposed rulemaking and a return name and address must be included in each transmission.

To gather additional public comment, the EQB will hold three virtual public hearings for the purpose of accepting comments on this proposed rulemaking. The hearings will be held on three days, September 8th, 9th and 10th. For hearing information, visit www.dep.pa.gov (select Public Participation, then Environmental Quality Board (and scroll down to Public Hearings)).

Proposed Chapter 105 (Dams and Waterways) Permit Revisions

On July 21st the EQB virtually met to consider proposed revisions to DEP's Chapter 105 regulations, Dam Safety and Waterway Management. The regulations have not been substantially revised since 1991. The proposed revisions are designed to provide additional waivers, focus on the most important activities and threats to the environment and health and provide flexibility in meeting those requirements. To access the proposed rulemaking, visit www.dep.pa.gov (select Public Participation, then Environmental Quality Board (and scroll down to July 21st EQB meeting agenda).

SRBC Proposed GP-01 – Groundwater Remediation Projects

The Susquehanna River Basin Commission released its first General Permit that would approve the withdrawal of groundwater for groundwater remediation projects and the consumptive use of that same water under. A General Permit is a permit issued by the Commission in lieu of an individual approval for a specific category of projects that the Commission regulates. A General Permit covers a type of activity that can operate under the same conditions and will result in minimal adverse impacts to the water resources of the Basin.

Updated Draft Drinking Water Technical Guidance Documents

DEP's Technical Assistance Center Advisory Committee for Small Water Systems (TAC) met virtually on July 23rd to review and discuss two draft drinking water guidance documents that DEP is updating. The One Hour Reporting Guidance Strategy and the Pennsylvania Capability Enhancement Strategy were both updated to provide needed clarification in a few provisions as well as add responsibilities of DEP in order to meet requirements to receive federal funding for water systems. These documents will be revised based on the TAC Board's comments, and, once published in the PA Bulletin, will be available for public comment.



PMAA 2021 PROPOSED RESOLUTIONS

Resolution 1-21

RESOLVED, That PMAA urge the PA General Assembly and the U.S. Congress to address the underfunding of water and wastewater infrastructure and to offset the billions of dollars necessary to rebuild and repair aging water and sewer systems.

Resolution 2-21

RESOLVED, That PMAA urge the PA General Assembly and the U.S. Congress to provide financial relief to municipal authorities for revenue lost and additional expenses incurred due to the impact of the COVID-19 Pandemic, for reasons such as business closures, forgiveness of outstanding customer debt and provision of services without payment, and for expenses necessary to ensure the health and safety of authority employees to continue operations to their customers. FURTHER, PMAA urges that taxpayer aid for accounts in default equal any financial impact of extending restrictions of shutoffs for non-payment.

Resolution 3-21

RESOLVED, That PMAA support maintaining the wastewater nutrient reduction limits (6 mg/l Nitrogen, 0.8 mg/l Phosphorus) under the Chesapeake Bay Program.

Resolution 4-21

RESOLVED, That PMAA advise the U.S. Environmental Protection Agency and the PA Department of Environmental Protection that the Pennsylvania wastewater sector, already having complied with its sector's nitrogen and phosphorus reductions three years prior to the Chesapeake Bay Total Maximum Daily Load (TMDL) 2017 interim deadline, and seven years prior to the 2025 deadline, should not be required to impose any more stringent limitations on their rate payers while other sectors' contributing nutrient and sediment loadings to the Chesapeake Bay have not met either their 2017 or 2025 requirements.

Resolution 5-21

RESOLVED, That PMAA urge the U.S. Environmental Protection Agency and the PA Department of Environmental Protection to base nutrient and sediment TMDLs on sound science, required regulatory procedures, and cost/benefit analyses as required by existing federal and state statutes.

Resolution 6-21

RESOLVED, That PMAA support the use of a viable water quality trading program in the Commonwealth of Pennsylvania.

Resolution 7-21

RESOLVED, That PMAA oppose legislation that requires municipal authority board members to be elected rather than appointed. This contradicts the purpose of authorities to operate as a separate entity in order to provide services without influence from the pressures of the political process.

Resolution 8-21

RESOLVED, That PMAA oppose legislation eliminating a municipal authority's statutory right to charge reasonable and uniform rates to its customers to equitably divide the fixed costs of service incurred by an authority.

Resolution 9-21

RESOLVED, That PMAA support legislation requiring incorporating municipality(ies) to provide public notice and hold a public meeting prior to entering into an agreement to sell or lease a sewer or water system owned or operated by a municipal authority or by a municipality. Such legislation must require the potential purchaser or lessee to attend the public meeting and respond to questions from the public.

Resolution 10-21

RESOLVED, That PMAA support legislation to significantly increase the thresholds in Pennsylvania's Prevailing Wage Act.

Resolution 11-21

RESOLVED, That PMAA support legislation to modernize Pennsylvania's Separations Act, providing for and including a variety of delivery options as well as design build contracts.

Resolution 12-21

RESOLVED, That PMAA oppose legislation placing any municipal authority under the jurisdiction of the Pennsylvania Public Utility Commission.

Resolution 13-21

RESOLVED, That PMAA oppose legislation that requires oversight by any commission over municipal authorities because the Municipality Authorities Act and other related laws currently provide a process for regulation and customer resolution.

Resolution 14-21

RESOLVED, That PMAA oppose legislation providing the Pennsylvania Auditor General with the authority to conduct or refer for a third party to conduct financial or performance based audits of municipal authorities.

Resolution 15-21

RESOLVED, That PMAA support legislation placing strict parameters for commercial requests for documents under the Right-to-Know law.

Resolution 16-21

RESOLVED, That PMAA support legislation which allows municipal authorities to enter into contracts when no bids are received.

Resolution 17-21

RESOLVED, That PMAA support legislation adding public safety services to permitted projects under the Municipality Authorities Act.

Resolution 18-21

RESOLVED, That PMAA support legislation adding deployment of broadband internet infrastructure in underserved areas to permitted projects under the Municipality Authorities Act.

Resolution 19-21

RESOLVED, That PMAA support legislation that allows municipal solid waste authorities and local government entities to impose necessary fees for recycling and waste management of electronic devices.

Resolution 20-21

RESOLVED, That PMAA encourage the PA General Assembly and the PA Department of Environmental Protection to restore and increase funding for stormwater management planning and implementation.

Resolution 21-21

RESOLVED, That PMAA oppose any federal or state environmental legislation, regulation, or policy which does not include a comprehensive cost/benefit analysis that identifies environmental benefits and economic impacts. Dedicated funding sources for these initiatives should be created within the authorizing agency or budgetary legislation associated with the initiative.

Resolution 22-21

RESOLVED, That PMAA encourage the PA General Assembly to adequately fund the PA Department of Environmental Protection.

Resolution 23-21

RESOLVED, That PMAA urge that any safe drinking water standards, including maximum containment levels (MCLs) or Health Advisory Levels (HALs) proposed and/or promulgated by the U.S. Environmental Protection Agency or the PA Department of Environmental Protection, be fully researched and based on well-founded scientific principles and health based studies, and subject to public notice and comment.

Resolution 24-21

RESOLVED, That PMAA recognize the essential importance of safeguarding the state's public drinking water supplies and its citizens from lead contaminants through cost-effective monitoring and testing requirements that are protective of public health.

Resolution 25-21

RESOLVED, That PMAA support protection of public health, and the waters of the Commonwealth as a priority for federal and state regulators overseeing natural gas extraction.

Resolution 26-21

RESOLVED, That PMAA work with the Pennsylvania One Call System, Inc. and the Pennsylvania Public Utility Commission to implement Act 50 of 2017 to promote safety while recognizing the unique character of municipal authorities.

Resolution 27-21

RESOLVED, That PMAA continue to support land application of biosolids and other types of technologies for reuse of biosolids when done in compliance with federal and state requirements.

Resolution 28-21

RESOLVED, That PMAA work with the PA Department of Environmental Protection, other state agencies, professional and work force organizations, and higher education facilities to promote training and workforce development efforts specifically in the area of water and wastewater utilities to ensure adequate numbers of certified operators in the future.

Resolution 29-21

RESOLVED, That PMAA continue promoting efforts to preserve existing municipal authority owned infrastructure by educating the public of the benefits of municipal authorities, including affordable and quality service and local public ownership and control.

U n e m p l o y m e n t C o m p e n s a t i o n T r u s t R e p o r t

*Submitted by John Agnello, Chair
Unemployment Compensation Trust
August 31, 2020*

The US unemployment rate, due to the Covid-19 pandemic, increased from an all-time low, in February, of 3.5% to a staggering 14.7% in April. The US unemployment rate has been slowly declining as more businesses and states begin open. Thirty million claims have been filed since mid-March with more than 2 million claims filed in the state of Pennsylvania. The July US unemployment rate is 10.2%

The PMAA Unemployment Trust was also hit hard with increased unemployment claims and close to 3 times the average quarterly amount of benefit charges. On a quarterly basis, the Trust averages between 30-35 claims filed, resulting in around \$115K- \$125K. The second quarter of 2020, 91 claims were filed with \$316K in benefit charges.

In 2021, the Board of Trustees unanimously voted to switch from our current third party vendor, Equifax, to Corporate Cost Control (CCC). We feel this change will not only be a beneficial transition for the PMAA staff, but also to the 270 participating authorities in the Trust. In the past, our individual contact with Equifax has changed almost yearly. With so many different people being introduced to our account, we feel that moving to a smaller third party vendor with contacts that will remain the same year after year will help in processing time and help everyone interacting with CCC. The transition process has already begun with providing CCC a complete list of account numbers, authority names and direct contacts at each authority. Our goal is to have everything transitioned over to CCC by September to ensure a smooth transition once Equifax is notified that we are terminating the contract. The annual cost with CCC will be a few hundred dollars cheaper on an annual basis and will cover all claims, hearing and charge analysis we current receive from Equifax.

The Trust's fiscal year is Q3 2019 through Q2 2020. The benefit charges paid out for this time period was \$616,342. The total liability avoided or suspended for the same period of time was \$123,653.

There were also 10 hearings that took place for the same time period. Eight decisions on the hearings were received and we achieved a 100% win rate on the Employer appeals. Employer appeals are filed when a claimant initially receives unemployment benefits and we feel the claimant should have been denied based on the separation reason and supporting documentation. Therefore, an additional \$31,369 in potential liability was avoided.

The Trust still remains in great financial shape with total net assets of over \$4.765M.

**Report to the Membership of the
Pennsylvania Municipal Authorities Association
on the Activities of the
Pennsylvania One Call System, Inc. (POCS)
Submitted by: Michael A. Kyle
POCS Board Member representing PMAA
September 2020**

This was another exciting year for Pennsylvania One Call System, Inc. (POCS), highlighted by the second year operating under new legislation. POCS is proud to announce that in its 47th year of operation, it continues to enhance various educational and outreach programs, apply new technologies to improve business practices, and grow membership. The year 2019 was record-breaking! POCS received over one million dig notifications for the year, with the year-ending total of 1,037,463. Ticket volume in 2019 was 6.3% greater than in 2018.

Overview: POCS is a non-profit corporation whose purpose is to protect underground facilities of members through communication with persons planning to do earth disturbance. The POCS mission is to prevent damage to underground facilities, and to promote safety through an efficient communications network among designers, excavators, project owners and facility owners.

POCS is governed by a 35 member Board of Directors representing each underground facility industry. PMAA provides one representative on the Board. Funding is primarily from notification service fees charged to members. In 2019 total revenue was \$13.4 Million, with expenses of \$13.2 Million. For the year, the 24-hour call center processed another all-time high of 1,037,463 requests for utility location (up 61,625 from last year), resulting in 7,004,820 notifications to facility owners requesting markings (up 21,957 from last year). Damages per ticket in 2019 were at a slightly higher level than last year (0.81% compared to 0.72%), continuing 8 consecutive years less than 1.0%. This year through June 2020 damages per ticket are down, at 0.73%.

Education and Marketing: Although POCS continues to sponsor and host various public education, promotional and educational programs, the POCS “Safety Day” is the premier educational event promoting safe excavation practices. Hosted annually at five sites across the state, in 2019 the events drew 2,080 attendees, more than any other national damage prevention event. This full day exposition brings various stakeholder groups together to demonstrate underground safety practices, visit vendors, and participate in training activities. The pandemic caused the events to be cancelled in 2020, but don’t miss next year’s events.

Other educational and outreach activities in 2019 included 92 excavator and locator classes reaching 3,084 attendees, 142 presentations on the new Act reaching 5,107 attendees, and 65 compliance program presentations reaching 755 attendees. In total,

POCS activities reached over 113,318 stakeholders with over 520 events in 2019, mostly through various meetings, presentations, and shows. In addition to the various training sessions and meetings, POCS mailed out over 180,600 pieces of training and outreach information and over 181,300 emails related to One Call and safety activities. The use of social media also has increased in 2019, with 1.5 million total impressions and 28,000 engagements through Facebook and Twitter.

Technology: More and more facility owners are mapping their facilities, which results in fewer tickets delivered to those members. The new law requires all facility owners to map their systems if they have not already done so – which also benefits the owner in reduced costs to dispatch locating personnel. There are currently 1,343 members who map their facilities (197 more than last year!).

Excavation requests sent over the Internet improves accuracy of the information shared. Excavation requests via the Internet continue to grow. The number of sites receiving information by email and data (which has a lower cost compared to Fax) also continues to rise.

Membership: As of June 2020 there were 3,674 POCS members (50 more than last year), including 920 municipal authorities who are members (3 fewer than last year). By facility type, including the privates and municipals there are 2,396 sewer facilities and 672 water facilities. All utility owners with unseen underground facilities must be a member of Pennsylvania One Call. Although membership continues to grow, there are still utility owners who are not members.

Legislation: On October 30, 2017, Governor Wolf signed Act 50, which amended the Underground Utility Line Protection Act. Most provisions became effective April 28, 2018. Major revisions to the Act include the following:

- Changed enforcement - from Labor and Industry to PUC
 - Created Damage Prevention Committee to deal with violations
- Changes Facility Owner responsibilities
 - New requirement to maintain records on and mark abandoned lines
 - Must now participate in Member Mapping of facilities
 - Now has the authority to schedule a Complex Project meeting
 - Must report all violations of the Act
- Changes Designer, Excavator, and Project Owner responsibilities
 - Excavators must contact the call center if there are un-marked facilities
 - Must report all violations of the Act
- POCS will contribute toward the costs of enforcing the Act

The legislative requirement to submit reports of alleged violations to the PUC through the One Call Center began on April 28, 2018. From that time through June 30, 2020, the One Call Center has received and processed 15,933 Alleged Violation Reports.

Coordinate PA: Coordinate PA is the project and coordination tool for utility and public works project planning and coordination within the Commonwealth of Pennsylvania. Coordinate PA was developed by POCS, is web based, and easy to use. It provides a spatial, map-based look at underground utility and public works projects to help identify opportunities for coordination and collaboration when projects overlap in space and overlap in time.

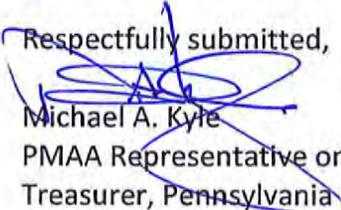
Coordinate PA projects increased 290% in 2019 compared to 2018, and notifications issued under Coordinate PA increased 460% over the same time period. There were 81 Utility Coordination meetings in 2019 with 1,206 attendees. From its inception in November 2017 through June 30, 2020, Coordinate PA processed 8,537 projects, generating 33,625 tickets.

Planning is the first step in effective damage prevention efforts. From within the Coordinate PA portal, the next two steps in damage prevention can be initiated:

- 1. Design notifications.** The Design Drawing Exchange portal, launched in early 2012 to allow designers to electronically share geo-registered pdfs with member facility owners, saving time, paper, and postage, has been augmented with the Coordinate PA functionality. Design tickets can be created from within the Coordinate PA portal or independent of a project through Web Ticket Entry. In either case, the electronic exchange of data is still possible.
- 2. Complex Projects** require meetings between excavators, the project owner, and facility owners to communicate and reach agreement on phases of the excavation and a locate schedule. Coordinate PA is the mechanism to use for defining a project, requesting a complex project pre-construction meeting, creating phases, adding meeting participant contact information, uploading meeting notes and other documents, and creating routine excavation tickets. If the routine tickets are created from the project, all tickets associated with the project are referenced to the project number, tying all related documentation together.

Conclusions: How do we measure the value of just one life saved through the prompt and accurate marking of an underground utility? We will eliminate 100% of the damages in 2020 only through the continued efforts and cooperation of all underground facility owners in Pennsylvania. If your utility is not already a POCS member, make arrangements to join NOW. It is not only the right thing to do, it is the law. And don't forget to call 811 before you dig!

Respectfully submitted,


Michael A. Kyle

PMAA Representative on Pennsylvania One Call
Treasurer, Pennsylvania One Call

PA Municipal Retirement System

*Submitted by Tom Deitzlerr
PMAA Representative to PMRS
August 31, 2020*

First off, I would like to thank the PMAA for recommending me to the Governor, and allowing me to represent it on the PMRS Board of Directors. It is something I have taken very seriously over the past 3 years.

The PA Municipal Retirement System was created in 1974, and has been administering local government pensions ever since. Responsibility for the organization and administration rests in the 11-member Board. Membership is optional for Pennsylvania local governments. When a municipality joins the system, its full-time employees contractually become members.

As of December 31, 2018 (2019 figures have not yet been finalized and audited), there were 1,044 local governments participating in the pension system. That figure includes 254 municipal authorities, with 174 defined benefit plans, and 80 cash balance benefit plans. A defined benefit plan is a traditional pension plan. A cash-balance plan is a hybrid with characteristics of a defined contribution plan, but still considered a defined benefit plan according to the IRS.

Breaking down the numbers even further, there are 9,255 active employees and 5,906 retirees and beneficiaries covered through the system.

Some may recall from last year's report that the PMRS portfolio has achieved record growth. It exceeded \$2.5 Billion in 2017 (for the first time ever), topped \$2.8 Billion at yearend 2019, and is valued at \$2.6 Billion as of May 31, 2020. The portfolio has performed well in 2020, relatively speaking, despite the global pandemic.

Last year, I also mentioned a new software program that was supposed to be ready for 2020. Unfortunately, the PMRS staff went live with the new program before sufficiently testing the accuracy of data. This has created a number of problems that the staff has been dealing with throughout the year.

The major concern to all parties is that the PMRS 2019 audit cannot be completed until the proper testing has been done and everyone is confident in the financial data in the software system.

At an individual level, I am sure a number of employees and retirees have also experienced some of the repercussions – 2019 member statements have not been mailed out yet; new retirees have not received timely checks; and there have been processing delays in certain things like military service purchases, and new enrollments, among others.

Some employees at member authorities may have noticed these delays too, particularly those working in the financial operations. And if not, they soon might. It is typical for auditors to cross-check member statements to yearend reports during an authority's audit. And the PMRS actuary relies on the financial data to process yearend GASB reports for member authorities.

The PMRS staff and consultants are working diligently to resolve these problems, and I personally do not feel a need to panic at this time. However, in the spirit of transparency, I do feel obligated to bring this information to the attention of member authorities. The next PMRS Board virtual meeting is scheduled for September 17th, and I hope to hear news of favorable progress in regards to the PMRS audit and reporting.

Again, I thank you for allowing me to represent PMAA on the PMRS board. If I can be of any additional assistance to you or to our authorities, please do not hesitate to contact me.

Best Regards,
Tom Deitzler

Pennsylvania Local Government Investment Trust Report

*Submitted by Sandy Bartosiewicz
PMAA PLGIT Board Representative
August 31, 2020*

An update from PLGIT: our marketing efforts continue with municipal authorities across the state, as well as all local governments and school districts. Following the pandemic we have been finding new avenues of communication with our Investors and utilizing the phone and video technology to stay in touch. Our Investors are continuing to look for ways to optimize earnings and easily and securely work with their accounts. As interest rates move lower PLGIT is focused on our goals of safety and liquidity and working to educate investors to manage expectations for lower interest income this year than the past few years. Despite volatile markets many Investors continue to seek PLGIT for investing additional funds—over the past year ending July 31, 2020, PLGIT assets overall experienced 17% growth, currently approximately \$6.8 billion in assets. Currently 570 authorities across the state have joined PLGIT, including four new authority investors so far in 2020.

In May, PLGIT's shareholders approved consolidating several of PLGIT's investment options and investment portfolios, with the goals to simplify investment choices and save costs for the Trust. Over the spring and summer PLGIT communicated these upcoming changes to Investors and as of August 1, 2020 the investment lineup changed from nine options to five. The changes have been well received by Investors and many have not noticed a change in their daily interaction with the Trust.

**Report to the Membership of the
Pennsylvania Municipal Authorities Association
Organizational Development Committee
Submitted by: Michael A. Kyle, Chair
September 2020**

The purpose of the Organizational Development Committee is to assist authorities to improve their business practices and develop their staff. This Committee has taken on two charges: 1) Develop and implement a training curriculum and comprehensive but affordable on-line management and leadership educational program for member authorities (called the On-line Training Academy), and 2) Develop and implement a performance assessment program for authorities, focusing on authority best practices.

On-line Training Academy: Authorities who participate in this on-line training will develop their employees and in turn develop their organizations into stronger, well managed authorities. The training targets all levels of authority management, including those who aspire to manage. Topics under the curriculum include general management, leadership, communication, interpersonal skills, finance, human and labor relations and environmental law.

The Committee sponsored 10 webinars in 2019-20, drawing 450 participants. The program since its inception in 2013 has held 80 webinars with a total of over 2,500 participants!

Following are some of the topics that are scheduled for the remainder of 2020:

1. Impact of COVID-19 on Municipal Authorities
2. Collection Strategies During Difficult Times
3. PFAS Issues Affecting Water & Wastewater Authorities
4. Cybersecurity and Disaster Recovery Solutions
5. Tenants' Rights
6. Storm Water Authorities
7. NPDES Permitting

Performance Assessment Program: The Performance Assessment Program helps authorities become better organizations through continuous improvement. The cornerstone of this program is a self-assessment survey, which is used to identify strengths and areas of improvement. The goal is for authorities to complete the self-assessment survey, identify weaknesses or gaps, and take actions to improve –then take the self-assessment later to document improvement. The survey is a series of Yes/No questions and covers four areas of authority best practices; Administration, Finance, Operations and Personnel.

Upon completing the survey, your authority will receive a detailed report that serves as an initial benchmark while identifying areas of improvement. This will also provide PMAA with important information on developing educational programs that will address the needs of the membership. Authorities will also receive special recognition by PMAA to promote themselves with their governing bodies as well as the community.

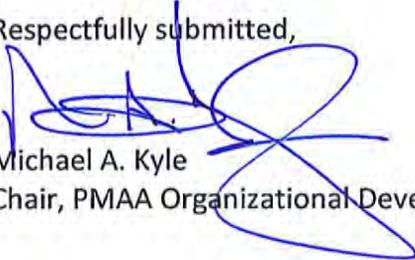
The launch of the program began with a registration period earlier in 2018 and the first survey was conducted in early 2018. The analytical results from the first round were provided to each participating authority in July 2018. Twenty authorities participated in the inaugural year program. The second round was held in 2019, with again 20 Authorities participating. In 2020 we had 7 member authorities participate in the program.

If you were not one of the 7 participating authorities in the assessment program this year please consider participating next year.

I want to extend my sincere thanks to the full committee for all of its efforts in pulling together these excellent on-line courses and its launching of the Performance Assessment Program. We also need to thank Doug Bilheimer, Craig Fahnstock, and the PMAA staff for their expertise and leadership this year.

We hope that all PMAA members will take advantage of these programs to help you improve your authority.

Respectfully submitted,



Michael A. Kyle
Chair, PMAA Organizational Development Committee

Information Technology Report

*Submitted by Craig Fahnestock
Senior Director for Member Services
August 28, 2020*

Report to the Membership during the 2020 PMAA Virtual Conference

Online Training Academy (OTA) – In 2013, the Organizational Development Committee established the OTA to expand the association’s educational outreach objectives. Its mission was to make sure that every PMAA member had an opportunity to attend training sessions that were otherwise unobtainable. These sessions, held virtually as webinars, allow us to provide more training to an even broader geographic area and make learning opportunities more accessible to authority board members, staff and professional consultants.

Since its inception, PMAA has held over 80 webinars with more than 2,500 total participants. Some of the topics have included:

- Water Termination Laws
- Topics relating to the Municipality Authorities Act
- Authority Financial Issues and Strategies
- Leadership
- Human Relations
- Handling of Delinquencies
- Social Media and Managing Communications Online
- Privatization Issues

The current pandemic has made it impossible to conduct in-person meetings. However, PMAA continues to focus on providing quality learning opportunities for all association members with more webinars being scheduled throughout the fall and winter months. Keep an eye on your Inbox and the PMAA website for our future training announcements.

Guidance to Municipal Authorities during COVID-19 Pandemic– PMAA created an online resource page on the coronavirus which includes links to important health information as well as plans and policies that may help answer common member questions. The site is updated regularly with information from state and federal agencies including the Governor’s office, PA Department of Health, PA DEP, EPA, CDC and FEMA.

PMAA members contributed valuable information in helping to create some best practices regarding issues relating to staffing, office closures and customer service. We plan to keep updating this page as necessary throughout the duration of the pandemic. You can access the resource page by visiting our [website](#).

Social Media Campaign – At this time in 2019, we had 154 followers on Facebook and 121 followers on LinkedIn. Currently, we have 211 Facebook followers and 251 on LinkedIn.

If you weren't aware of our online social media presence, look us up and start following along for important association announcements and information all year long:



facebook.com/pamunicipalauthorities



linkedin.com/company/pamunicipalauthorities

Number of Followers	September 2018	November 2018	April 2019	September 2019	November 2019	April 2020	September 2020
Facebook	74	98	134	154	166	178	211
LinkedIn	52	67	95	121	176	201	251

Virtual Conference – The annual conference is known to be a great source of education and networking. However, due to the current coronavirus health crisis, we are unable to safely conduct our in-person conference this year. But in times of adversity, the show must go on! We have restructured the conference to be completely online. We'll still be offering some great workshop sessions and conducting association business all from just a few computers and telephones.

We have been coordinating 30 different speakers, 10 live webinar events, incorporating interaction during our breakout training sessions and building the ability to offer voting capabilities for important business such as updates to the Association's bylaws and legislative resolutions.

Many of the workshop speakers have adjusted their presentations to a virtual format which can create challenges not only technically but conceptually as well. One of our goals is to create a learning environment that grabs the attention of and keeps attendees engaged throughout each event.

Things will look quite a bit different this year. But we will deliver a great conference thanks to the support of the PMAA Board, speakers, partners and association members,.

C o m m u n i c a t i o n s R e p o r t

*Submitted by Melinda Shultz, Communications Director
Terry Albright, Advertising Administrator
August 28, 2020*

- **The Authority magazine advertising revenues**
- **2021 Membership Directory**
- **Electronic Communications**
- **Special Edition – Conference Highlights to be Featured in the October Magazine**

The Authority

Thus far in 2020, the February, April, June and August magazines, more than 20,000 issues, have been received by authority board members, PMAA board members, associate members, legislators, regulatory agency representatives, and advertisers. Revenue from our advertising partners totals \$123,382.00 – 66 advertisers with a variety of ad types including cover positions, inside display and professional card ads.

2021 Membership Directory

There are currently 31 advertising commitments for the 2021 PMAA Membership Directory with revenues of \$11,049.25. The deadline for advertising contracts is October 15, 2020 (artwork is due by the end of October). We will continue to work with past year advertisers to reach or exceed last year's advertising milestone. We will also solicit members who have not advertised in the directory in the past.

Special Edition - Conference Highlights to be Featured in the October Magazine

The October magazine will feature many of the activities and events typically conducted as part of PMAA business during the annual conference and trade show. Though we could not attend in person, we hope to bring to our members and partners, highlights from our virtual event including business meeting updates, adoption of resolutions, transition to a new board executive committee, and education session information.

Electronic Communication

Social media posts (*The Authorities Now*), electronic newsletter releases (*The Authorities Today*), email blasts and website updates are planned and executed in a timely and strategic way as a result of weekly meetings convened by an internal communications workgroup. We have more than 5000 email addresses involved in this effort.



PMAA members are engaged on a weekly basis with legislative updates, conference highlights, upcoming meetings, association initiatives, and topics of interest. Our open rate averages for this past quarter are approximately 25% open rate/8% click through rate (keeping in mind that the industry standards are 17.8%/2.6% respectively).

Thirty e-blasts have been sent since our last Board meeting. *The Authorities Today* (e-newsletter) topics and updates include: COVID-19, Government Relations, Annual Conference, Virtual Conference announcements, webinars and upcoming meeting information.

Social media posts have updated recipients on COVID-19, Annual Conference and featured sessions, a Virtual Conference announcement and featured sessions, and Fun Fact Fridays. We also worked with Mike Kyle, Lancaster Area Sewer Authority, on a pandemic survey.

Note: An interesting statistic from the past 90 days: 14,650 opens - 76% of *The Authorities Today* are opened on a desktop computer and 23% are opened on a mobile device.