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## Wildlife Conservation Officer Killed in the Line of Duty in Adams County



On Thursday, November 11, 2010, Wildlife Conservation Officer David L. Grove was killed in the line of duty while protecting the wildlife resources of the Commonwealth of Pennsylvania. Adam County District Shawn Wagner said he is charging Christopher L. Johnson of Carroll Valley with first degree murder-criminal homicide.

Officer Grove will be greatly missed by both the family that loved him and the fellow officers that respected him and called him brother. FOP Conservation Police Officer Lodge #114 has established an account for anyone wishing to make a contribution to WCO Grove's family to assist with the immediate expenses associated in David's passing. Contributions can be sent to: FOP Conservation Police Officer Lodge #114, WCO David Grove Memorial Fund, 2445 Waldman Drive, Williamsport, PA 17110.

Officer Grove's viewing will be held on Friday, November 19<sup>th</sup> from 1pm - 8pm at the Grove Bowersox Funeral Home located at: 50 South Broad Street, Waynesboro, PA 17268. Funeral services will be held on Sunday, November 21<sup>st</sup> at 1pm at the Waynesboro Senior High School located at 550 E. 2<sup>nd</sup> Street, Waynesboro, PA 17268

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## An Economically Healthy Future for Adams County

*Dick Schmoyer, Director, Adams County Office of Planning and Development*

The Great Recession has had serious consequences for Adams County. One of the most telling statistics involves "average annual wages" paid to employed residents. Since 2000, "average annual wages" increased faster than the Commonwealth as a whole. In fact, while Adams County ranked 51<sup>st</sup> among 67 counties in 1999 on this measure, by 2007 Adams County rose up to 31<sup>st</sup> among the 67 counties. Unfortunately 2009 data shows that Adams fell back to 40<sup>th</sup> position among Pennsylvania counties. This decline can most be attributed to loss in manufacturing income, and perhaps hourly losses in the tourism sector.

Recovery from this Recession will require concerted efforts. Many actions will be necessary in the private sector and by the state and national

## Adams County Tax Collection Committee and the York Adams Tax Bureau

*Dr. Mark S. Sewell, Ph.D.*

On the evening of November 3, 2010 more than 23 people gathered representing 20 taxing authorities in anticipation of the monthly Adams County Tax Collection Committee (ACTCC) meeting. Within 15 minutes of the 7:00pm start time we were dismissed due to a lack of a quorum. Our by-laws require at least 21 taxing authorities to be present. Yes, that is correct, we only needed one more individual so that we could conduct the county TCC business. Could that person have been you?



The next year will bring many changes to the Earned Income Tax (EIT) collection and distribution for our entire county. It will impact every political subdivision and every person who has an earned income. For this reason, I would encourage each representative from their taxing authorities to be involved with the process of the Adams County TCC. Can you remember the days of the Adams County Earned Income Tax Collection Agency meetings? It was wonderful to have five people attend those meetings. Those days are long gone and now your input is critical. Being involved with tax collection for many years, the one thing that I have appreciated is the depth and diversity of knowledge and experience that the taxing authority representatives bring to the table. When we gather around a table to consider the needs of Adams County, we are much stronger and make better decisions as a community of concerned individuals.

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*“The next ACTCC meeting is scheduled to be held on December 1, 2010 at 7:00 pm at the Adams County EMS Center.”*

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During the 2011 calendar year, the Adams County TCC will be working with the York Adams Tax Bureau (YATB) to ensure a clear direction and tax collection process. The management committee will be meeting with the newly appointed YATB Director, Mr. Al Timko Jr. in January 2011 to begin the planning process. Did you know that starting in June 2011 all taxing authorities in Adams County will receive monthly EIT distributions?

Please don't let someone else make decisions for the people in your taxing authority. If you are a representative, please make every effort to attend the meetings so your voice can be heard. The next Adams County TCC meeting is scheduled to be held on December 1, 2010 at 7:00 pm at the Adams County EMS Center. If you have any questions regarding this process, please do not hesitate to contact me, Dr. Mark Sewell, at 717-642-2025 or [sewellm@fairfield.k12.pa.us](mailto:sewellm@fairfield.k12.pa.us). We are serving the people of Adams County - together!



### Reminder – Budget Time Deadline

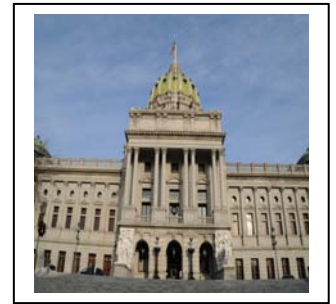
Remember. the deadline for adopting the budget and the tax ordinance is December 31 per Section 1310 of the Borough Code.

## C2P2 Funding to be Available

DCNR's Community Conservation Partnerships Program, known as C2P2, funds projects in areas such as development, land acquisition, technical assistance and recreational trails. DCNR is committed to funding sustainable and green projects, as well as implementing priorities from the DCNR Action and 2009-2013 Statewide Outdoor Recreation plans. Successful municipal grant applicants are determined largely by simple criteria adhering to the department's guiding Action Plan.

Three specific tenets now help shape the success of all municipal grant applications, and they include: promote statewide conservation, build and maintain sustainable communities and create outdoors connections for citizens and visitors. The next funding round will have an application period that begins on Monday, January 3 and closes at 4pm on Wednesday, April 20. In order to help applicants prepare, DCNR has partnered with the Pennsylvania Recreation and Park Society (PRPS) to develop a workshop that will address topics such as the application requirements, eGrant application process and changes to the C2P2 program.

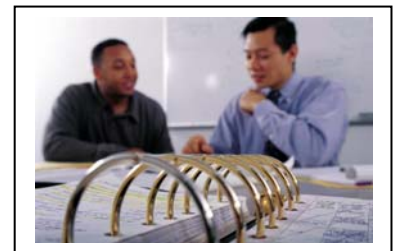
The South Central Region's workshop will be held at the Rachel Carson State Office Building on Thursday, January 6. To register for the workshop, visit [www.dcnr.state.pa.us/calendar](http://www.dcnr.state.pa.us/calendar) and select "Workshops - Grants" under the "Select Calendar" dropdown bar. For more information about DCNR's C2P2 Program, visit [www.dcnr.state.pa.us/brc/grants](http://www.dcnr.state.pa.us/brc/grants).



## Act 91 of 2010 Amends the Borough Code Regarding Civil Service Appointments and Promotions

*Ron Grutza, PSAB Assistant Director of Government Affairs*

Amends the Borough Code adding language pertaining to civil service appointments and promotions for fire and police officers. The original language was suggested by PSAB to bring the municipal civil service codes into compliance with the federal Americans with Disabilities Act. The act will correct existing language that was interpreted and misapplied by some borough officials in a manner inconsistent with federal and



Please see *Act 91 of 2010* on page 5

*Future for Adams County* from page 1

governments. However, locally, we should not just “let things happen”, but rather we should try to understand and capitalize on emerging trends with potential positive effects for Adams County.



There are several economic sectors with high level growth potential that will affect “Middle Pennsylvania/Middle Maryland”. Adams County is located in the center of this area, and hosts U.S. Route 15, which is a major transportation artery that these sectors will grow to rely upon.

The first sector involves food products and food processing. The population of the U.S. will grow by about 35% by 2035, and the demand for agricultural products will rise with this growth. Additionally, demand for food exports is likely to soar due to growing global demand. Smart, green investments like the “Energy Works” proposed poultry manure to energy facility in Tyrone Township are likely to become more common in this region. The demand for locally produced fruits and vegetables will also grow.

Second, Pennsylvania’s biggest driver of growth for the coming decades will be natural gas production in Northern and Western counties. This will most likely surpass other projected growth in renewable energy sources such as solar, wind, and geothermal. The likely effects will be felt far beyond the Marcellus Shale gas fields, and will include growth in manufacturing and professional services.

Third, there will be “spillovers” from growth in the defense, homeland security, and research and development sectors in “Middle Maryland”. The Frederick area has been described as the “epicenter” of bio-science research and manufacturing. Growth in the communications and internet security sectors will cluster near Fort Meade. An example of “spillover” investment has already been made in the York area, where Unilife, Inc., a safety syringe manufacturer, is locating a new bio-science related manufacturing facility.



These are examples of investment trends that will have enormous effects on Adams County and the region surrounding it. In order to manage these effects in ways that are positive, and which could improve economic opportunities and address tax base imbalances for county residents, a concentrated countywide planning effort focused on economic development should be initiated in the near future. Part of this effort should include an assessment of the role of boroughs and their town center areas in advancing economic recovery.

From *Act 91 of 2010* page 3

State anti-discrimination law.

PRIOR LAW: The Borough Code provides procedures by which a municipal civil service commission selects candidates for appointment as police officers or firefighters. The prior language of Article XI, subdivision (j) of the Borough Code permitted boroughs to conduct "physical examinations" of civil service candidates "either before or after the written examination." See Borough Code, Section 1189. Furthermore, the law permitted disqualification of candidates, or probationary employees, who are "disabled" or "addicted to the habitual use of intoxicating liquor or narcotic."

Under the federal regulations promulgated in accordance with the Americans with Disabilities Act of 1990 (ADA), codified at 42 U.S.C.A. §12101 et seq., it is prohibited for an employer to conduct a medical examination of a candidate, or otherwise ask disability related questions of a candidate, prior to a conditional offer of employment. See 29 C.F.R. 9 §1630.13-1630.14. Furthermore, under the ADA and the Pennsylvania Human Relations Act, an employer's questions related to current and former addiction, and discrimination on the basis of a person's status as a current or former addict, with some exceptions, could be a violation of the law. See *Salley v. Circuit City Stores, Inc.*, 160 F.3d 977 (3rd Cir. 1998).

In addition to the anti-discrimination laws, the new act clarifies the promotion procedure. Prior case law provided that a municipality must promote the top scoring candidate in a promotional exam and may not establish or promote from an eligibility list of the top three scoring candidates similar to an eligibility list established for filling original appointments or vacancies. See, *Wilkinsburg v. Colella*, 961 A.2d 265 (Pa.Cmwlt. 2008), appeal denied, 973 A.2d 1007 (Pa., June 23, 2009) (holding that pursuant to the rules of statutory construction and to prior case law, a promotion is not synonymous with original appointments or vacancies and, thus, the differing statutory procedures used for filling original appointments and for filling promotions are not interchangeable). In effect, *Colella* overturned a promotional procedure which had been in effect for many years prior to 2008.

## News from the Adams County Conservation District

On November 19, 2010, the new Chapter 102 regulations (erosion and sediment control) take effect. Major changes include:

1. NPDES permit required for most sites that disturb more than one acre (there are some exceptions).
2. Stormwater management bmp's must be inspected by licensed professional (developer is responsible for paying for this service) during critical stages of construction. The licensed professional must sign off/provide as-built certification of the work as part of the permit conditions.
3. Fees for permits were added and/or revised

The District, with assistance from the Adams County Office of Planning and Development, has been tasked by the County Commissioners to develop a County wide Act 167 Stormwater Management Plan. Currently only the western half of the County is covered under the Monocacy Plan. The goal is to have a plan ready for review by DEP in summer of 2011. As required under the Act, there exists an Advisory Committee which is meant to provide input to this plan. The District needs the most input from the public on how to best deal with those sites that don't require NPDES permit (where disturbance is less than one acre).

Please see *Conservation District* on page 6

Conservation District from page 5

For example, what stormwater management if any should be required if homeowner decides to add a building addition to his existing home. Would this increase in impervious surface require stormwater? These real life scenarios are what the committee must provide guidance and direction for. You can go to our link through the County of Adams web site and review the various information provided under Programs.

Invasive and Noxious Plants - The District is preparing guidance (sample ordinance) for municipal consideration on how to best deal with invasive and noxious plants on properties. The goal is to allow municipalities to enforce the ordinance in various scenarios but also allow for some flexibility especially for those projects that are utilizing open space as a stormwater management best management practice.

The District will continue to update all municipalities of the ever changing program changes that may affect you and the citizens of your municipality. Please don't hesitate to contact me at 334-0636 or email at [rryan@adamscounty.us](mailto:rryan@adamscounty.us)

### Thank You...

Thank you Rep. Dan Moul and Rep Will Tallman for organizing and holding an Adams County Veterans' dinner at the Eisenhower Hotel and Conference Center on November 13<sup>th</sup>. A special thanks to the local businesses who sponsored the Veterans' Recognition event.

#### ACBA Association Staff

Mayor Ron Harris.....President  
Mr. David Hazlett.....Vice President  
Councilor Debbie Shearer.....Secretary  
Mr Andy Strausbaugh.....Treasurer

#### Special Interests

PSAB Liaison..... Councilor Debbie Shearer  
AC Water Advisory Committee..... Mr. David Richards  
AC Radio Communication Grp..... Mayor Ron Harris  
AC Partnership for Land Use Ed... Mayor Ron Harris  
AC Transportation Planning Org... Councilor Ted Streeter  
AC Transportation Planning Org... Councilor David Wheeler  
AC COG..... Mr. David Hazlett  
Land Conservancy of AC [LCAC]... Mr. Dick Mountfort  
Penn State Cooperative Ext..... Ms. Judy Chambers

## Attend ACBA Meetings



Next ACBA meeting on January 17, 2011

## Training Dates to Remember...

### Municipal Secretaries Training Webinar

Jan 12, 19 & 26 (3 day webinar)

### Municipal Officials Update

Feb 5 - Dauphin County

### Collecting Delinquent Municipal Fees

Jan 25 - York County (morning)

### Redeveloping Blighted Properties

Jan 27 - York County

### Financing Blight Projects

March 3 - York County

### Police Civil Service

March 10 - Dauphin County

## 500 at Veterans' Dinner

