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THE LUZERNE COUNTY NEWS-LETTER

VOL. 6-1966

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Wilkes College
The Luzerne County

OL. V, NO. 1

WILKES COLLEGE, WILKES-BARRE

PLAINS TOWNSHIP

Plains commissioners have adopted an 11-point betterment of the township. It is noteworthy that the welfare bound up with the development and the progress of all other Valley towns. Albert Janerich, new president of the State Association, has offered a look. Of special interest are points 1 and 2. The value of planning in the future development of the Wilkes-Barre found that the appointment of a new planning commission is a necessity. If only a few more communities and counties were planning. On a cooperative basis, the greater will be the solution of many problems. Point 2 of the 11-point program is authority to sewer the whole township. This again is to be considered a good place to work and live. for their vision.

PENNSYLVANIA ASSOCIATION

James A. Otterson, President of the Pennsylvania Association of Municipal Commissioners, has appointed the following local representatives: Joseph Gallagher, Newport, Legal Counsel; John C. Gallagher, Hanover, Municipal Committee; Francis Connors, Hanover, Municipal Committee; Anthony J. Vest, Newport, Legislative; Andrew M. Grivner, Wilkes-Barre, Department of Public Works; Albert Janerich, Plains; and Dr. Hugo V. Mailey, Wilkes-Barre.

WERE YOU BORN POLITICIAN

A man may think that he washes his hands or that he is innocent. But ask anyone who "knew him when." in ignorance. We gain knowledge by training and experience. And while it is hard to teach an old dog new tricks, it is not impossible. And be courteous all our lives.

Only one thing is necessary. This is to realize that we must smooth our own paths. Every taxpayer should be courteous, just as much as he would receive if he were a customer. He is our employer!

The Luzerne County News-letter

VOL. V, NO. 1

WILKES COLLEGE, WILKES-BARRE, PA.

JANUARY 15, 1956

PLAINS TOWNSHIP

Plains commissioners have adopted an 11-point program toward the betterment of the township. It is noteworthy that the commissioners find their welfare bound up with the development and the progress in betterment made in all other Valley towns. Albert Janerich, new president of the Board and third vice-president of the State Association, has offered his constituents a New Look. Of special interest are points 1 and 2. The Plains solons fully realize the value of planning in the future development of the township. Only recently Wilkes-Barre found that the appointment of a new planning commission was a necessity. If only a few more communities and county could see the value of planning. On a cooperative basis, the greater Wilkes-Barre area could solve many problems. Point 2 of the 11-point program anticipates the creation of an authority to sewer the whole township. This again is a necessity if the township is to be considered a good place to work and live. A bouquet to the Commissioners for their vision.

PENNSYLVANIA ASSOCIATION

James A. Otterson, President of the Pennsylvania Association of Township Commissioners, has appointed the following local people to committees: Joseph Gallagher, Newport, Legal Counsel; John C. Wordoski, Hanover, Steering Committee; Francis Connors, Hanover, Municipal Employees Retirement; Joseph Gallagher, Newport, Legislative; Anthony J. Vestyck, Plains, Membership; Andrew M. Grivner, Wilkes-Barre, Department of Internal Affairs; Albert Janerich, Plains; and Dr. Hugo V. Mailey, Wilkes College, Publicity.

WERE YOU BORN POLITE?

A man may think that he washes his hands or says "Thank you" by inborn instinct. But ask anyone who "knew him when." The truth is, we are all born in ignorance. We gain knowledge by training and example when we are children. And while it is hard to teach an old dog new tricks, we can go on becoming more courteous all our lives.

Only one thing is necessary. This is to realize how much courtesy toward others smooths our own paths. Every taxpayer should be treated with utmost courtesy, just as much as he would receive if he went into a retail store to purchase a suit or hat. He is our employer!

ABATEMENT PROGRESS

Progress made in abatement of stream pollution in the Susquehanna River Basin under the Clean Streams Program places that section among those in various areas of the State which give evidence of the successful promotion of that program, Dr. Berwyn F. Mattison, Secretary of Health and Chairman of the Sanitary Water Board, has pointed out.

"Although the advance in pollution abatement in the upper reaches of the basin is not comparable to that made in the downstream areas," Dr. Mattison stated, "indications are that the communities in this section may soon add an important chapter to the record of anti-pollution progress being made throughout Pennsylvania."

The records of the Sanitary Water Board show that as a result of the program a total of 64 sewerage projects, all of them to serve in abating pollution, have been built and put in operation or placed under construction on that watershed. Of the number of projects 55 are new sewage treatment plants to provide treatment of the wastes of municipalities for the first time. All the sewage from those sources had always been discharged without any treatment to the public waterways. In addition to treatment of the sewage a considerable amount of industrial waste is also treated in the plants of those communities in which industrial establishments are located.

In addition to the new sewage treatment plants built and placed under construction, three existing works have been enlarged to provide greater capacity and a higher degree of treatment. Six of the projects provide sewer connections through which the sewage is discharged from one municipality to the treatment plant in another community for treatment under an agreement made between the two municipalities.

It is estimated that the cost of all the projects exceeds \$30 million. Included in the total number are sewage treatment plants built at industrial establishments, public institutions as well as by municipalities.

On the industrial side much progress has also been made in providing facilities for the treatment of wastes to abate stream pollution. In addition to the industrial establishments for which arrangements have been made with the municipalities for the treatment of their wastes, many industries have built their own treatment works. It is estimated that on a Statewide basis industry spends at least as much in providing for treatment of mill and factory wastes as is spent by municipalities for sewage treatment plants.

The progress made under this program shows definitely that to increase in population and grow industrially it is not necessary that we make open sewers of our streams. In fact were gross pollution of the streams permitted to continue we would soon go into a decline for there would not be sufficient clean water to meet our needs.

However, we must guard against laxity. We have still a long way to go to bring all major pollution under control and even when that shall be done the accomplishments will soon be wiped out if we curtail our vigilance even for a short time.

SEWERAGE CASE INJUNCTION

An injunction granted June 3 by the Lycoming County Common Pleas Court restraining Loyalsock Township in that county from permitting connections to be made to the sewer system until permits for the extensions to that system have been procured from the State Department of Health, was lifted some time later by the court under agreements and stipulations made with Deputy Attorney General Robert J. Trace and Thomas Wood, Lycoming County State Attorney, and counsel for the parties involved in the injunction. Mr. Trace represents the Sanitary Water Board which directs the Clean Streams program and authorizes the issuance of sewerage permits. In addition to restraining the township from permitting sewer extensions to be made the injunction also restrained the Susquehanna Hydro Co., Fred Tebbs and John Bubb, land owners and builders, from making any new connections in the area involved.

Prior to the lifting of the injunction applications were made to the Sanitary Water Board by the township for permits for the sewer extensions and those permits have been issued. Under the agreement by which the injunction was lifted the township was to select an engineer to prepare plans for a sewage treatment works and construction of that works to be started immediately the plans are approved by the Sanitary Water Board. The court will retain jurisdiction in the matter and the State shall have the right to ask for reinstatement of the injunction if the proposed and schedules of work are not adhered to. Monthly reports of progress are to be submitted to Mr. Trace.

REPORT ON TREATMENT FACILITIES

The Sanitary Water Board has directed the borough of Carlisle, Cumberland County, to make a study of its sewage treatment plant to determine what improvements are necessary to provide efficient complete treatment of the sewage. It is also required that the borough submit a report of the study and detailed construction plans covering the improvements that must be made.

The action was taken as a result of a report made to the Board by the Bureau of Sanitary Engineering of the Health Department, of extensive studies made of the plant.

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Reports of the Sanitary Water Board show that as a result of the program to build sewage treatment plants, all of them to serve in abating pollution, have been placed in operation or placed under construction on that watershed. Of the 55 projects, 55 are new sewage treatment plants to provide treatment for municipalities for the first time. All the sewage from those sources is discharged without any treatment to the public waterways. In the absence of the sewage a considerable amount of industrial waste is discharged from plants of those communities in which industrial establishments are located.

The new sewage treatment plants built and placed under construction and existing works have been enlarged to provide greater capacity for treatment. Six of the projects provide sewer connections to the sewage is discharged from one municipality to the treatment plant in another community for treatment under an agreement made between the two municipalities.

It is estimated that the cost of all the projects exceeds \$30 million. Included in the program are sewage treatment plants built at industrial establishments, as well as by municipalities.

On the other side much progress has also been made in providing facilities for the treatment of industrial wastes to abate stream pollution. In addition to the industrial plants, which arrangements have been made with the municipalities for the treatment of their wastes, many industries have built their own treatment works. On a Statewide basis industry spends at least as much in the treatment of mill and factory wastes as is spent by municipalities for the treatment of their plants.

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ACTS OF THE 1955 GENERAL ASSEMBLY

BOROUGH CODE - Act 197 (HB 656) Increases monthly compensation paid to councilmen in boroughs with populations from 5,000 to 10,000 to \$50, and in boroughs over 10,000 to \$100.

FAIR EMPLOYMENT PRACTICES - Act 222 (HB 229) Prohibits in municipal and other employment such practices as requiring information relating to age, color, religion, national origin, ancestry and race, use of "quota" systems, and publishing discriminatory help wanted ads; creates a State FEPC; provides penalties.

HOME RULE TAXES - Act 186 (SB 459) Clarifies aggregate tax levy; eliminates notice of intent and publishing of ordinances of reenactment; requires short notice stating existing tax reenacted; authorizes budget revision to reflect additional receipts.

MEETING PLACES - Act 187 (HB 1078) Authorizes school boards to permit use of schools as meeting places for public bodies.

WHAT'S NEW ?

LARKSVILLE - Boro officials intend to operate with one less police officer this year.

PLYMOUTH - Ashes and garbage collection will be continued through 1956 even though funds may be earmarked for creek projects.

NANTICOKE - Licenses will be required of all truckers engaged in collecting garbage, refuse, or ashes.

KINGSTON - Building permits for more than \$1,200,000 in new construction and improvements were issued.

PITTSTON - During 1955, the city constructed a new garage for the storage of equipment of the street department.

WILKES-BARRE - Tax free property in the city has reached \$32,757,515 representing a figure that is 40 per cent as great as the total evaluation for the city--\$82,500,000

THOUGHTS FOR TODAY

Visitors always make us happy--some when they come, others when they go

While the sun shines, much hay can be made, too, from the grass that grows under other's feet.

POLICE DEPARTMENT OF FORD CITY VS. FORD CITY

In the Court of Common Pleas of Armstrong County, Pennsylvania
Number 212. June Term, 1955. Complaint in Mandamus.

The plaintiffs, policemen of the Borough of Ford City, filed this in mandamus to compel the Borough Council of Ford City Borough to them in accordance with the contracts of employment.

After the action was instituted the parties by stipulation agreed upon the case stated. The question for decision is whether the borough policemen in accordance with the resolution of the borough council, are required to make use of a time clock when going upon duty and when reporting off duty. The burgess of the borough notified the policemen that they would be sued if they complied with the resolution passed by the council.

It is agreed that if the court decides that the requirement to use a time clock is not an interference with the authority and duty of the burgess, the complaint should be dismissed and the plaintiffs ordered to use the time clock in the manner set forth in the borough council's resolution. If the court decides that such requirement is an interference, then an order shall be entered directing the borough to pay the policemen's salaries in full without time records.

The single question presented in the case is whether this requirement of the resolution is an interference with the duties and authority of the burgess and beyond the power of the borough council to enact.

The Act of Assembly specifically states that after the appointment of a borough policeman the burgess of the borough shall have full charge and control of the police force and shall direct the time during which, the policemen shall perform their duties. Undoubtedly it is the duty of the burgess to keep some records of the time when the policemen are on duty. The controversy here seems to be the manner in which such records shall be kept. It is argued that the most efficient manner is in the use of a time clock. There is some force in this argument. However, we are confronted with the difficulty that the borough council seeks to make one of the duties of the policemen making use of a time clock. It is clear, under the Act of Assembly, that the making of proper records is a duty clearly within the authority given to the burgess. It is therefore apparent that the borough resolution of February 7, 1955, encroaches

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Wilkes College Library FEB 16 1956
The Luzerne County News-letter

VOL. V, NO. 2

WILKES COLLEGE, WILKES-BARRE, PA.

FEBRUARY 15, 1956

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the powers of the burgess, specifically given to him, and therefore is void and of no effect. It is to be regretted that this unfortunate controversy has arisen in the performance of the governmental affairs of Ford City Borough.

The law provides a remedy if there is a wilful dereliction upon the part of the burgess in the performance of his duties.

SEWER AUTHORITIES

A group of banks headed by Mellon National Bank and Trust Company has arranged a \$100-million loan to the Allegheny County Sanitary Authority. The loan, "unique in the history of authority financing," will be repaid through the sale of long-term authority bonds in the next four years. Under this arrangement the authority expects to obtain a lower interest rate on the sale of the bonds than it would at present.

PAYMENTS TO MUNICIPALITIES

Approval of the payment of \$3,426,612 in the eighth installment to municipalities under Act 340 was announced today by Secretary of Highways Joseph J. Lawler.

Act 340 was approved in 1953 and provides for disbursement to cities, boroughs, and townships which file State Expenditure Reports for the period December 31, 1954 or their State Fund Budget for 1955.

Fifty cities will receive \$813,684.21; 866 boroughs will receive \$544,051.58 and 69 First-Class Townships will receive \$182,724.05. The largest amount \$1,886,152.71 will be paid to 1448 Second-Class Townships.

Payments were not approved for 76 boroughs; 3 First-Class Townships and 50 Second-Class Townships for failure to file the required reports. All of the cities qualified for payment.

The funds are diverted from the Motor Fund and are specifically used for highway purposes in the municipalities.

AERIAL PHOTOGRAPHY

Steps to readjust tax assessment systems on a county-wide basis were outlined recently by James A. Patterson, chief of Technical Division, Pennsylvania Department of Commerce, Community Redevelopment Bureau, at the meeting of Luzerne County Local Officials' Association at Wilkes College dining hall.

In answering questions, Patterson stressed toward the close of the session tax assessments should be a technical and business-like matter and not a political one.

He said the proper way to start revising the taxing program is to take an inventory of the property in the county. He said this is done by mapping, particularly in regard to urban areas and by using aerial photography for rural areas.

WATER POLLUTION CONTROL

A water pollution control act was passed by the Congress giving the Surgeon General of the Public Health Service authority to prepare comprehensive programs for eliminating or reducing the pollution of interstate waters and tributaries thereof and improving the sanitary condition of surface and underground waters. He is directed to encourage cooperative activities by the states, enactment of uniform laws, and compacts between states for prevention and control of water pollution. Upon request of any state or interstate water pollution control agency, he may make surveys and recommendations to any such agency, municipality, or industrial plant.

Small grants are authorized "to states and to interstate agencies." No grants are provided for construction of any sewerage treatment plants.

A water pollution control advisory board is established consisting of fifteen persons, eight representatives of federal agencies and seven others to be appointed by the President. Of the latter, one must be an expert sewerage engineer, one must be a person who has shown an active interest in the field of wildlife and recreation, and, except as otherwise determined by the President, there must be one representative of each of the following: municipal government, state government, county government, water suppliers, affected industries, interstate agencies, and agriculture.

Certain enforcement powers are granted to the Surgeon General to abate pollution of interstate waters which endanger the health or welfare of persons in a state other than that in which the pollution is discharged.

THOUGHTS FOR TODAY

Be thankful if your life is somewhat of a grind, it keeps your good points from getting dull.

People living in our large cities today are confronted with two problems-- where to park and where to jump.

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ACTS OF THE 1955 GENERAL ASSEMBLY

THIRD-CLASS CITY CODE- Act 23 (SB 171) Provides that no employee be suspended more than one time for the same violation; permits appeal to court 90 days after suspension. Act 129 (SB 193) Authorizes issuance of non-debt revenue bonds for sewer system improvement; bonds secured by pledge of sewer service charge. Act 177 (SB 508) Provides that department heads submit to Director of Accounts and Finance, instead of Mayor, quarterly financial statements to be consolidated for report to council.

THIRD-CLASS CITY CODE- Act 254 (SB 457) Provides for appropriation by such cities to official police pension funds of a sum sufficient to meet the requirements of and maintain the fund. Act 207 (HB 1173) Permits contributors to the police pension fund to withdraw their increment contributions if they leave the city's employ or if they retire before becoming entitled to any service increment.

UTILITY COSTS- Act 252 (SB 156) Provides for the payment of the cost of removal or change of public utility facilities of political subdivisions or municipal authorities in state highways.

MUNICIPAL AUTHROITIES- Act 185 (SB 456) Provides that an Authority's service may be contested before court of common pleas. Act 212 (SB 455) Requires approval of municipality, instead of PUC, before Authority can acquire facilities subject to PUC jurisdiction.

VEHICLE CODE- Act 97 (HB 1365) Authorizes magistrates to send notices of informations by certified mail as well as registered mail.

Wilkes College Library
The Luzerne County News-letter

OL. V. NO. 3

WILKES COLLEGE, WILKES-BARRE, PA.

MARCH 15, 1956

WILKES-BARRE TRAFFIC

The city of Wilkes-Barre has put into effect a 60-day test of a parking ban from 7:30 A.M. to 10:00 A.M. week days on central city streets to relieve the congestion in the busy early morning hours when heavy traffic comes into the city. Temporary signs have been placed on parking meters for motorists. The following central city area will be included in the parking ban: Public Square, inner and outer circles; Market Street from River Street to Pennsylvania Avenue; Main Street from Union to Northampton; South Washington from West Market to East Northampton; South Franklin from West Market Street to the middle of the block. The only vehicles permitted to park will be taxi cabs, buses, trackless trolleys and trucks making deliveries.

The plan copied from the City of Albany is intended to eliminate all day parking in meter zones, give truckers an opportunity to make deliveries and to make it easier for people to get to work in cars and buses.

Cars parked in the prohibited area will be towed away at a \$5.00 towing charge. A traffic court for violators of the parking regulations has been set up for a 60-day trial period ban.

Mayor Luther F. Kniffen has stated that so far the plan has worked very well and that the general population has been most cooperative in relieving the city of the early morning congestion.

PLANNING COMMISSIONS

Planning commissions may be established by all types of civil subdivisions, counties, cities, boroughs and townships. In addition, any number of adjoining civil subdivisions, regardless of class, may unite in forming a regional planning commission.

The commissions are composed of a small group of citizens appointed by the governing body of the political subdivision and act in an advisory capacity to the local legislative body. Originally, the enabling acts emphasized planning for public works, such as streets, schools, hospitals and recreation areas. Soon it was realized that at private developments of all types were affected and that the location of housing, industry and commercial centers could mar the growth and development of a community.

The latest legislative enactments frequently implement the concept that the field of planning includes all matters of public concern, whether they be physical, economic, social or even esthetic.

It is the function of a Planning Commission to anticipate natural and normal happenings and provide guides for dealing with them. Planning is a continuing process and it must contain elements of elasticity.

The membership of Planning Commissions is nine persons in the case of counties and five in the case of cities, boroughs and townships. The terms of office are staggered to provide continuity of purpose and objective. The members serve without pay, but they may employ such consultants as they deem necessary within their financial limits. Cities have the authority to exercise the planning function in an area extending three miles beyond their corporate limits.

Regional Planning Commissions are primarily concerned with those community problems which have no respect for municipal boundaries. In addition, this cooperative type of commission may have definite economic advantages. What several communities may not be able to do separately because of cost limitations may be feasible by a joint arrangement. The powers, duties and membership of such a regional commission are determined by the participating civil subdivisions.

BRIDGEPORT

The Sanitary Water Board has requested the borough of Bridgeport, Montgomery County, to issue non-debt revenue bonds to finance the construction of additions and improvements to its sewage treatment plant to provide a higher degree of treatment and greater capacity in compliance with orders issued by the Board to the municipality a few years ago. Because the community did not comply several years ago the Board took its case to the Montgomery County Court, seeking a writ of mandamus. That court decided, however, that a writ would not be issued, pointing out that the Board had not requested the Borough to procure the funds necessary for construction by issuing non-debt revenue bonds in accordance with the provision of an Act of 1935. The State appealed the case to the Supreme Court, but that Court sustained the decision of the county court. The request now being made to the Borough by the Board is in accordance with the provisions of that Act.

The request for issuing the bonds also states that provision for the payment of the interest and principal of the bond issue be made by imposing a sewer rental or charge, which is also authorized by the Act.

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ACTS OF THE 1955 GENERAL ASSEMBLY

BOROUGH CODE - Act 260 (HB 1212) Authorizes burgess to request that acts of council which fail to pass because of a tie or split vote be tabled until a special meeting to be held within 5 to 10 days. Act 262 (SB 325) Requires incorporation petitions from a majority in each portion where a proposed borough is in more than one township; requires annual association convention to be held in Pennsylvania and fixes convention expenses; fixes maximum fines for failure to file auditor's report; authorizes creation of reserve funds for anticipated capital expenditures; provides for advertising notice of intent to enact subdivision regulations and authorizes such ordinances to be adopted by reference. Act 266 (HB 1763) Extends to 30 days the time payment for property purchased from boroughs. Act 282 (SB 520) Provides a procedure for repealing or amending existing ordinances in the course of a codification.

HOME RULE TAXES - Act 276 (Sb 757) Validates until end of tax year, those deed transfer tax ordinances, adopted prior to June 28, 1955, in conflict with the Act 60 requirements that tax be paid by transferor.

PLANNING - Act 265 (HB 1751) Authorizes the merger of the Allegheny County Planning Commission and Traffic and Transit Commission.

PROPERTY TAXES- Act 283 (HB 114) Changes the procedure for appeals from assessments by property owners for the payment of taxes pending appeal and for refunds due as a result of appeals. Act 267 (HB 1707) Eliminates in Allegheny the prohibition against assessment of new buildings in process of construction.

UTILITY COSTS - Act 252 (SB 156) Authorizes the State Highway Department to change municipal utility facilities in state highway projects, and to enter into agreements with municipalities for sharing costs of such changes; authorizes the PUC to determine cost allocation if agreement cannot be reached. (Correcting description of Act in December issue.)

VETERANS PREFERENCE - Act 230 (Hb 740) Extends civil service preference to veterans of armed conflict.

THOUGHTS FOR TODAY

I just want you to loan me enough to tide me over until something unexpectedly turns up.

There once was a man who called a spade a spade, until he stumbled on one in the dark.

WHAT'S NEW?

WILKES-BARRE - Wilkes-Barre city officials will soon decide whether to float a bond issue of \$300,000 or more for such items as a new swimming pool, heavy motor equipment, assessment maps and bookkeeping machines.

LUZERNE COUNTY - The County Commissioners are presently considering the costs of a comprehensive reassessment program for the whole county. The county's 1956 total valuation - realestate, coal and occupation - dropped \$565,232 under the 1955 valuation.

DURYEA - Two women --Mrs. Julian Jackson, councilman, and Mrs. Jennie Barlik, secretary--will have pre-eminent roles in the borough's local government.

LARKSVILLE - Sergeant Stanley Piekanski was advanced to Chief of Police at a recent reorganization meeting.

FORTY-FORT - All officers, patrolmen and other borough employers were re-appointed at the reorganization meeting.

WYOMING - Attorney Emanuella Falcone is the first woman to be appointed solicitor for any Wyoming Valley community.

NANTICOKE - The Mayor's office reports a gratifying response to letters recently sent out requesting property owners to repair and improve dilapidated sidewalks.

SWOYERVILLE - The council has made it more inviting for persons at the Town Hall by installing modern sanitary facilities.

BACK MOUNTAIN - Many residents of the area feel that the time has come for paid fire truck and ambulance drivers.

EXETER - The council has abolished the Board of Health and turned the community's health function over to the State Department of Health.

UP-RIVER COMMUNITIES - Agreement for a joint sewage disposal plant was nearer it was reported at a recent meeting of the Public Services Committee of the Chamber of Commerce. It was also reported that Pittston, West Pittston, Exeter and Wyoming have agreed to put up \$1,000 pro rated for a resurvey. The engineering firm would locate a plant site to care for the four communities. The rate would be adjusted so that the joint plan would be less for each municipality than it would be if each community operated its own plant.

The Wilkes College Library Luzerne County News-letter

APR 16 1956

V. NO. 4

WILKES COLLEGE, WILKES-BARRE, PA.

APRIL 15, 1956

ZONING

Zoning is primarily concerned with controlling the various uses of land and is one of the major powers for implementing planning. It is a means to an end and not an end in itself. To achieve its maximum value in service to the community it must be a part of and based on comprehensive and continuing planning.

All civil divisions, counties, cities, boroughs and townships, have the authority to use the zoning powers. By nature zoning is technical with extensive legal ramifications embracing both statutory and case law. It is widely known as a "legal tool" of planning.

Reduced to outline form the following are the purposes of zoning:

1. To promote health, safety, morals or the general welfare
2. To lessen congestion in the streets
3. To insure safety from fire, panic and other dangers
4. To provide adequate light and air
5. To prevent the overcrowding of land and avoid undue concentration of population
6. To facilitate adequate provision of:
 - (a) Transportation
 - (b) Water
 - (c) Sewerage
 - (d) Parks and playgrounds
 - (e) Other public requirements
7. To conserve the value of buildings and land
8. To encourage the most appropriate use of the land throughout the civil division.

These purposes to be accomplished by:

1. Regulating the height, number of stories, and size of buildings and structures.
2. Regulating the percentage of lot that may be occupied.
3. Specifying the size of yards, courts and other open spaces.
4. Controlling the density of population.
5. Regulating the location and use of buildings, structures and land for trade, industry, residence, agriculture, or other purposes.

In framing a zoning ordinance, a division may be divided into districts of shape and size as may be deemed best. All regulations must be uniform for each district, but the regulations in one district may differ from those in another.

Ordinances for zoning can be enacted only under special procedures. A zoning commission must first be appointed to recommend to the local council the various proposed regulations. A planning commission may act as a zoning commission. The commission must hold advertised public hearings. After the Commission makes its recommendations, the council must also hold advertised public hearings.

Zoning ordinances may be advertised by reference to the approved map and regulations available for inspection.

Generally the same procedures are followed in changing zoning regulations. If 20% or more of those in the directly affected area object to a change, a larger majority of the council is usually required for its authorization.

Proper administration of the zoning ordinance requires a Board of Appeals or Adjustment. The preparation of a satisfactory ordinance usually requires experience and technical training and professional guidance. The ordinance should not only forbid certain types of development, but should also encourage the type of development which the community desires. It should be a positive rather than a negative force. Above all, the zoning ordinance should be based on an accepted community plan.

SALT SPREADER

The city of Wilkes-Barre has decided to purchase eight salt spreaders to be used in the spreading of rock salt to melt ice and snow on central city streets. Rock salt was spread by hand this last winter to determine the cost factor when compared with cindering. Since the results were satisfactory, the use of salt will be continued and the city will purchase mechanical salt spreaders.

ST. CLAIRE

The Federal Government, through the office of Federal District Attorney has taken steps to recover a loan of \$3600.00 made to the Borough of St. Claire in 1951 for the purpose of preparing plans for the construction of an addition to the town's sewage disposal plant. Although the addition has not been completed, the Federal Government is now attempting to recover the loan by seizure of the town's municipal property, including fire engines and police cars.

FOURTH ANNUAL DINNER

Plans are being made for the fourth annual dinner of the Luzerne County local officials. This dinner has annually been held in May at the Wilkes College Dining Room. No definite date has been set as yet, but an announcement will be forthcoming in the near future. Remember that ladies are invited. Certificates will be awarded to those who have completed a councilmen's course and to those who have completed the health officers course. Awards will be made to those local officials who have given unstintingly of their time and efforts to their communities over a long period of time. Names of those who deserve these latter awards should be forwarded to the Political Science Department as soon as possible.

ACTS OF THE 1956 GENERAL ASSEMBLY

FIRST CLASS TOWNSHIP CODE - Act 301 (HB 874) Increases to 15 mills the maximum tax rate for general purposes and to 5 mills the additional tax that may be levied with court approval.

HOME RULE TAXES - Act 300 (SB 758) Permits municipalities to designate whether transferor or transferee shall pay deed transfer tax.

PUBLIC BUILDINGS - Act 287 (HB 738) Authorizes boroughs, cities and counties to furnish rooms in any public building to the American Gold Star Mothers, Inc., and to ladies auxiliaries of war veterans organizations.

VEHICLE CODE - Act 312 (HB 445) Requires drivers on non-divided highways to stop when approaching or overtaking school bus picking up or discharging passengers; on divided highways to stop when overtaking and slow to 15 mph when approaching; to slow to 15 mph when passing school bus parked at the curb to pick up or discharge children at school.

THOUGHTS FOR TODAY

Science says the mocking bird can change its tune 89 times in 7 minutes. We know of several who will regard this record with envy.

Work is better than play - to those who love it.

PUBLICATION

This News-letter, published monthly as a community service, originates in the Political Science Department of Wilkes College. Notes and inquiries may be addressed to Dr. Hugo V. Mailey, Political Science Department, Wilkes College, Wilkes-Barre, Pennsylvania.

WHAT'S NEW?

PLAINS - Plains Township Commissioners passed the 1956 budget which includes a \$7.50 per capita tax despite the protests of more than 125 township residents.

NANTICOKE - Coal Companies which years ago paid the bulk of the local tax bill carry but 22% of the load today.

LUZERNE - The town fathers are planning a storm sewer from Chapel Street to Toby's Creek to take care of the mountain water and prevent it from flowing into the lower end of the Borough.

EDWARDSVILLE - The Borough lost \$880.00 in assessed valuation this year instead of gaining the thousands of dollars anticipated through the new building development.

WILKES-BARRE TOWNSHIP - The Commissioners have agreed on a budget of \$44,971.67 that calls for a reduction of 1 mill in taxes.

LARKSVILLE - The valuation this year is \$104,189 less than the figure used by Borough Council in preparing the annual budget. The tax levy is 19 1/2 mills.

ASHLEY - The Pennsylvania Department of Highway Engineers has agreed to spend \$21,000 for a new span over Solomon's Creek.

LUZERNE COUNTY - In the future temporary loans will be made only as needed for the sums needed, the thought being to save payment of interest on money that was not being used but remained on deposit.

DURYEA - Council instructed its Engineer to draw up plans for the replacement of roads and sewers washed out by the flood of last August.

DUPONT - The state and a representative of council have agreed to restudy a posted 25 mile speed zone in the Borough.

SWOYERVILLE - The Borough will operate on a 17 mill tax rate for 1956 -- 14 1/2 for general purposes, 2 1/2 for street lighting.

The Luzerne County News-letter

V. NO. 5

WILKES COLLEGE, WILKES-BARRE, PA.

MAY 15, 1956

MAY 17 1956

Wilkes College Library

LAND SUBDIVISION CONTROL

The subdivision of land is essential to the general growth of almost every type of community and can be a great benefit if it provides proper living conditions for new residents and at the same time gives assurance of economic maintenance and service and a long-term addition to the community's resources. On the other hand, poorly planned, poorly located or premature land subdivisions can become a permanent handicap to any community's growth.

Counties, cities, boroughs, townships of the first class and townships of the second class, all have the power to control the subdivision of the land under their jurisdiction.

This is an extremely important power. When land is subdivided the local government has its best opportunity to influence the future physical pattern of the community. At the same time it can control the developing pattern of its public facilities, such as streets, surface drainage, water supply, and sewage disposal.

Success in land subdivision control depends largely upon the recognition by public officials and by real estate developers that poorly planned developments are unnecessarily costly to the community, to the purchasers of the properties and to the developer.

In general, no road, street, lane, alley or drainage facility may be opened, constructed or dedicated for public use except in accordance with approved plans and neither the public officials nor any other public authorities may place or operate sewers, drains, water pipes or other facilities, or do no work of any kind on unauthorized or unapproved streets.

To fully employ land subdivision controls, boroughs and townships must enact certain regulations specifying conditions under which land can be subdivided. Such a procedure is not required for cities or counties, although it is advisable. Counties can fine from \$50 to \$100, plus costs, for each lot in violation. Cities can fine not exceeding \$300. Boroughs and townships can enforce a penalty up to \$1,000 or two years' imprisonment or both.

Cities are the only governmental unit which have extra-territorial authority. A city planning commission has jurisdiction over land subdivision extending three miles beyond the city limits, except where this area of jurisdiction "may conflict with the zone of similar character connected with another municipality."

PARKING METERS

In general it may well be concluded that the parking meter is no longer an insignificant gadget which can painlessly extract pennies and nickels from parker-motorists. It has become an American institution of great moment to municipalities. Both the number of parking meters and the revenues derived from their use have reached astonishing proportions and are likely to continue to increase. The use of the parking meter is no longer confined to the curb; the number used in off-street-parking facilities is constantly increasing. Community attitudes toward meters before their installation involve uncertainty and perhaps fear of the unknown. Such attitudes may change substantially, once meters have been installed and their precise effects have been tested.

Because the parking meter in many cities is an expanding enterprise; because it is of an over-all parking program; and because it can be exceedingly complex, if viewed in the light of its economic implications - for all these reasons the functions involved in its administration should be lodged in those city departments where it can be performed most expertly on the basis of merit or need, rather than because of political expediency or partisan pressures.

A vigorous tendency is discernible toward lowering fines for violation of parking meter regulations, and toward making it easier for motorists to pay whatever penalties are involved. Frequently, no sacrifice in the total revenue from fines results from such practices.

The need for parking accommodations looms so large that any diversions of revenues to nonparking purposes is beginning to be looked upon as undesirable in the public interest, as well as possible contravening the legal justification for the parking meter. Though much remains to be done, an increasing tendency is apparent, to integrate curb and off-street-parking facilities into a single legal, functional, and financial whole. An impressive quantity of off-street-parking accommodations has already been provided from parking-meter funds. Some of the largest cities are among these. It is in this role that the parking meter can perhaps make its greatest contribution toward the economic and social well-being of the urbanized areas of the United States.

Despite its doubtful legality and the questionable wisdom of the public policy it engenders, the movement to place commercial advertising on parking meters seems to be gaining momentum. But many difficulties have developed in connection with that program, not the least of which is a decision which holds that the advertising constitutes a nonstreet, additional servitude which may not lawfully be imposed without making compensation to the owners of abutting property.

It is quite apparent that without regard to any other advantages the parking meter may possess, it does effectively and substantially reduce overtime parking at the curb. In addition to assisting in the enforcement of parking restrictions, the parking meter increases parking turnover at the curb. This constitutes its second principal regulatory objective. The findings of this investigation reveal that municipalities in overwhelming numbers have found that turnover is augmented greatly by use of the parking meter.

While the bulk of the curb meters in use still are tagged with the 5-cents-an-hour rate or its equivalent, there seems to be an increasing willingness on the part of municipalities to experiment with higher rates in order to accomplish desirable objectives. If the funds so derived, above the costs of the meter program itself, are dedicated to alleviating parking difficulties, there is much to commend such efforts and to bolster the legality of the use of the meter. There seems to be a developing tendency among municipalities to graduate their parking-meter-fee schedules so that higher rates or shorter permissible time, or both, are placed on metered spaces that are closer to the major generators of parking demand than on those farther away. This is but good sense, since the more valuable space should command the higher price, all other things being equal.

Do not scoff any longer at the lowly parking meter. It may yet provide, through the golden flow of the pennies and nickels and dimes it facilitates, the "open sesame" for solution of the parking difficulties confronting cities in the United States.

ATLANTA ON REFUSE

Atlanta's incinerator actually turns up a profit of \$75,000 a year. It does this through salvage and the sale of steam. The steam is used to heat most of Atlanta's downtown business buildings. The salvaging of old tin cans earns another tidy sum. Scrap metal, such as discarded auto parts, bicycle frames, etc. is sold to the highest bidder. The incinerator ash has been found to be an excellent base for driveways, parking lots, playgrounds and roadways. Little of this is sold, however, because of its usefulness in street repair and construction by the City.

MUNICIPAL REPORTS

Each year the contest for modern Municipal Reports sponsored by the Institute of Local Government at Pennsylvania State University grows in importance and scope. All communities know the value of a Modern Report. No community in Wyoming Valley has ever won or submitted a report in this contest. It might be worthwhile to look forward to participation in this activity. Write to the Institute at Penn State. The entry deadline is July 1, 1956. Remember the old maxim, "you can't sell 'em what you don't tell 'em."

THOUGHTS FOR TODAY

We suggest some new issue of postage stamp carrying a picture of a weeping tax payer.

You can always tell a fool, but the chances are he won't know what you are talking about.

HOT-MIX CURBS

Asphaltic curbs, with or without gutters, can be constructed with a heavy-duty asphaltic hot-mix. Their use is steadily on the increase. They give excellent service wherever employed. New placing machines now on the market can be equipped with apparatus to mold the mixture into a variety of shapes. Construction of such curbs is remarkably quick and much less expensive than concrete. Costs range from about 50¢ to 70¢ per lineal foot. The new machines have precluded the forms formerly necessary in curb construction and can place more than 2,000 feet of curbing a day. This type of curb can withstand heavy abuse. When tires of cars or trucks bump against it, they do no harm. Ice-melting chemicals which cause rigid curbs to scale and pit have no effect on asphaltic curbs. They require little or no maintenance. Asphalt's waterproof quality gives a distinct advantage over any other type of curbs.

REDEVELOPMENT

Nanticoke is presently exploring redevelopment to remake part of the City under the State Redevelopment Program. City officials received plans and proposals with planning consultants with a view to replacing blighted areas with industrial sites and parking areas.

BRIDGE TRAFFIC

A coordinated plan for changing bridge lane traffic flow to meet rush hour demands is in the discussion stage between Kingston and Wilkes-Barre. Such a change-the-lane plan must be endorsed by both communities on both sides of the Market Street Bridge. Permission of the State Highway Department is necessary for the plan. Another step forward in cooperation.

FIRE RADIO SERVICE

Contract for a two-way radio was awarded by fire chiefs of seven West Side Communities. The system will be used for emergencies. Radios will be installed in one truck in each of the seven participating communities: Pringle, Courtdale, Luzerne, Swoyerville, Forty-Fort, Kingston and Edwardsville. Headquarters of West Side Mutual Aid will be in Kingston. Cost will be borne by the municipalities and Civil Defense.

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The Luzerne County News-letter

VOL. V., NO. 6 WILKES COLLEGE, WILKES-BARRE, PA.

JUNE 15, 1956

ROBERT H. MCGREGOR

Trends in local government were outlined by Robert H. McGregor, Director of the Bureau of Municipal Affairs in the Department of Internal Affairs, at the Fourth Annual Dinner of the Luzerne County Local Officials held on May 21. Among the trends mentioned was the demand by the citizenry for more and better governmental services. The result is that local government, with limited resources, has been hard pressed to perform the services demanded by the public. The only choice in the face of fixed operating revenue based on property taxes is to improve the operation.

The speaker listed a number of methods that have been tried in the effort to improve local government efficiency. Included among these was the increasing professionalization of municipal administration - appointment of persons trained by schooling and experience.

Acceptance of the manager plan is becoming more general. While 10 years ago only 36 communities were under the manager form, today the number is 75. Another major trend is the recent emphasis on long-range municipal planning and subdivision control. In stating that there are but a few municipalities that could not improve their assessment procedures, he also emphasized that this does not mean all taxpayers would be hit with the increase, but certain taxpayers will no longer get a free ride.

Among his closing remarks, Mr. McGregor expressed his desire to see higher wages for municipal employees in order to make public service more attractive.

SALT vs. CINDERS

After trying salt on City streets during the past winter, Wilkes-Barre has decided to discontinue the use of cinders. The savings in street cleaning every spring is expected to be a tidy sum. Salt spreaders will be purchased for the whole program of snow removal.

HEALTH CERTIFICATES

Dr. Charles H. Miner, President of the Wilkes-Barre Board of Health, assisted by Edward J. Pugh, principal health officer, presented certificates to eight health officers in the County who completed the Health Training Course. This course was co-sponsored by the Board of Health and the Political Science and Biology Departments of Wilkes College. The following officers received certificates: John Yanoshak, Hanover; John Emanuel, Hanover; Louis Vargo, Hanover; Joseph Miscavage, Wilkes-Barre; John Wasmanski, Plains; Earl Shugardt, Hazleton; Worthington Hood, West Pittston; James Rule, Newport.

COUNCILMEN AND COMMISSIONERS

Mr. Alfred S. Holt, Principal of the Public Service Institute of the Department of Public Instruction, presented certificates to nine local officials. The class taught by Dr. Hugo V. Mailey was co-sponsored by the College and the Public Service Institute. The following received certificates: George Astolfi, Plains; Dr. John Biernacki, Ashley; John Cefaly, Ashley; Martin Gallette, Pringle; Daniel Garber, Hanover; George Kovalich, Newport; Anthony Kulikowski, Plains; Peter Patalak, Plains; Stanley Scruitsky, Pringle.

MERIT AWARDS

Annually, the Political Science Department of Wilkes College presents a Service Award to those local officials who have served their communities for fifteen years or more. These awards were presented to: Mayor Luther Kniffen, Wilkes-Barre; Edward Pugh, Wilkes-Barre, Principal Health Officer; Robert J. William, Wilkes-Barre, Secretary to the Mayor; Joseph Jewell, Dallas, Councilman; Herbert Smith, Dallas, Burgess; Arthur Dungey, Dallas, Tax Collector; Luther Nicholson, White Haven, Secretary; Clair Murdoch, Wyoming, Councilman; Thomas J. Williams, Laflin, Tax Collector; William Evans, Forty Fort, Secretary, Board of Health; Emily Metcalf, Hanover, Secretary; David Havard, West Pittston, Council President; Morgan Williams, West Pittston, Councilman; Edwin Sites, Pittston, City Clerk; James Halford, Pittston, Public Safety Department; Dr. Daniel Robinhold, Forty Fort, Board of Health.

CIVIL SERVICE FOR BORO SECRETARIES ?

Tenure in office for boro secretaries will be an important topic at the coming Boro Convention. Some have the feeling that these appointed officials should have the same immunity and protection provided police. Another school of thought believes that the secretary should be appointed in the same way as the street commissioner, whose appointment is made according to Section 1115 of the Boro Code who serves "until his successor shall qualify." No doubt the Local Government Commission of the General Assembly will consider in 1957 very seriously the appointment and tenure of boro secretaries.

ACTS OF THE GENERAL ASSEMBLY

DELINQUENT TAX SALES - Act 298 (SB 523) Requires purchasers at a treasurers' sale to pay, in addition to amount of purchase money or part necessary to pay all taxes, an amount equal to 25% of the purchase money; provides for the forfeiture of such monies if purchaser fails to make complete settlement in the time and manner provided, the money to be disposed of in the same manner as purchase money.

FIRE SALES - Act 324 (SB 780) Extends the provisions of the Act relating bankruptcy, closing out and fire sales to boros and townships, making it unlawful to conduct such sales unless licensed, in accordance with the provisions of the law, by the appropriate municipal officials; provides for the payment of the license fee to the municipality of \$25; permits appeals for the refusal or revocation of licenses by municipalities.

FIRE WORKS - Act 325 (SB 842) Authorizes a municipal governing body, under reasonable rules and regulations adopted by it, to grant permits for use of fire works in connection with raising and protecting crops from birds and animal damage.

PROPERTY TAXES - Act 371 (SB 832) Requires the appropriate county board to give notice to clerk or secretary of each political subdivision of (1) any change in excess of \$300 in assessed value as fixed in the preceding assessment role, and (2) the value of any property separately fixed for the first time, whether such change or new valuation is made before or after an appeal to the county board or the court, fixes time limit for political subdivisions to appeal decision of the board or court to run on the day that notice is sent.

BOROUGH CODE - Act 435 (HB 289) Authorizes issuance of non-debt revenue bonds for altering, improving or enlarging sewer systems or sewage treatment plants, water works, and electric power and gas plants; requires boros issuing such revenue bonds to adjust and, where necessary, to increase service charges to provide reserve funds for depreciation, future improvements and payment of interest and principal or indebtedness.

EMINENT DOMAIN - Act 430 (SB 530) Limits the filing of petitions or actions for damages for land taken by a municipality or authority to a period of six years from the date of entitlement to possession if proper notice is served the owner of the affected property.

REFUSE DISPOSAL - Act 471 (HB 1593) Prohibits the use of lands in coal mining areas for refuse disposal unless permit is first obtained from the State Department of Mines.

SUBDIVISION CONTROL - Third Class City Code - Act 456 (HB 1809)
Provides that once a subdivision plan is approved by the planning commission, purchases and mortgages automatically are relieved from any liability and all lots in the subdivision are freed from possible encumbrance should the developer fail to carry out his required improvement obligations.

Boro and Township Codes - Act 459 (HB 1812), Act 458 (HB 1811), and Act 460 (HB 1813) Provides the same for boros and townships.

TAX REFUNDS - Act 447 (HB 111) Prohibits the refunding of taxes or license fees that were inadvertently or erroneously paid a municipality more than three years prior to discovery.

THIRD CLASS CITY CODE - Act 415 (Hb 876) Limits hours of service for firemen to 56 in any one calendar week where the hours of day and night service are equalized.

VEHICLE CODE - Act 389 (HB 844) Authorizes municipalities and school districts to use "silent policemen" within 100 feet of school zones, beginning one hour before and ending one hour after school hours; prohibits use of such devices in conflict with any rule of the Secretary of Highways; authorizes Secretary of Highways, at his discretion, to determine proper location insofar as state highways are concerned.

THOUGHTS FOR TODAY

Don't punch a man on the nose when he calls you a fool. Just quietly take an inventory - he may be right.

There once was a cowboy who wore only one spur. He figured that if one side of the horse went, the other would too.

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Wilkes College Library JUL 20 1956
The Luzerne County News-letter

VOL. V. NO. 7 WILKES COLLEGE, WILKES-BARRE, PA. JULY 15, 1956

THE ILLUSION OF SUBURBAN ECONOMY

In the rapid expansion of America's cities in recent years, the problem of the urbanite has been to establish a home for himself at the highest social level in an economy in which costs are rising. Homeowners have desperately tried to get out from under the property tax load. It has been a fond illusion of many that moving into the suburbs will accomplish this. Actually, such a result is unlikely under the best of conditions. It is true there are a few ways in which savings in taxes can be made by establishing a suburban home.

In the first place, if the core city is seriously corrupt and the suburb is not, a saving equal to the waste can be made.

In the second place, very large cities suffer from increasing costs per capita. Beyond a certain point, cities lose any advantage of large scale operations and begin to encounter cost increases.

In the third place, crime rates, health and slum problems, and welfare expenses are all likely to be greater in the core city and hence more expensive.

Lastly, by moving into the suburbs, it may be possible to have the state and county perform the services that are performed by the core city and borne by the core city taxpayers.

The picture of large savings is likely to be illusory, however, and for many reasons. First, a move to the suburbs almost certainly means an increase in fire insurance rates.

Secondly, any real tax advantages caused by location in the suburbs (advantages in the site value of land) tend to become capitalized in the sale price and accrues to the seller and not the buyer. The buyer loses through jerry-building or skimping on building materials because of inadequate building codes

Thirdly, low taxes is really a polite way of saying no services. Many suburbs do not have all the services that urbanites expect. In moving out of a city, a septic tank may be necessary. This causes worry about contamination and a falling water table level. And, as population increases, sewers may be necessary. The result is a total loss of the investment in a septic tank.

Fourthly, services that are available are likely to be performed by amateurs. This means that they are not likely to be either satisfactory or inexpensive.

Fifthly, taxes may start at what appears to be much lower levels than those of the city, but the suburbanite can be assured that they will increase at a rapid pace. If one family is attracted to a particular suburb, many others will be, too. As population density increases, the need for urban services increases. Each new service must be paid for by additional taxes. Water and sewerage systems must be installed. Streets need paving. Street lights must be installed. Urbanites demand many services.

The discovery that these services must be paid for results in bitter disillusionment to the suburbanite who had believed that suburban living included the having of the cake as well as the eating of it.

CONTROL OF SIGNS

It is unlawful to place any sign, banner, or advertising matter of any kind whatsoever on or across any public road or highway, or on or across any structure within the legal limits of any public road or highway without first having obtained the written consent of the authorities responsible for the maintenance of such public road.

Cities have the specific power to regulate projecting and overhanging signs or to require their removal.

Other types of political subdivisions may regulate signs under general zoning powers, discussed in an earlier issue.

GARBAGE AND REFUSE DISPOSAL

Third-class cities, boros, and townships have the power to regulate or prohibit the dumping or otherwise depositing garbage or rubbish within their area or to prohibit the accumulation of garbage and rubbish upon private property. Upon petition of the majority of adult taxable residents of any territory within a township which has been defined as a village, township supervisors may provide or contract for removal of ashes, garbage, or refuse and levy a per capita assessment sufficient to defray the cost of such removal.

ASPHALT CURBS AND GUTTERS

Asphalt curbs and gutters have four distinct advantages over other types: (1) they are more economical to construct - about 20% of the cost of other types; (2) they are easier to construct; (3) they can be constructed much faster; (4) they give superior service.

SHADE TREE COMMISSIONS

Third-class cities, boros, and first-class townships may establish a Shade Tree Commission, which will have exclusive custody and control of the shade trees within the municipality. The Commission may plant, remove, protect, and maintain shade trees along the streets. Any action on the part of the Commission must be published in one or more newspapers.

The cost of any planting, replanting, or removal must be paid by the owner of the property in front of which the work is done. The cost of caring for the trees will be paid by the municipality.

In first-class townships the Commissioners are empowered to cut, alter or remove any trees, shrubbery, or underbrush within the legal width of any public street. Any wood becomes the property of the abutting owner but must be removed from the highway within ten days.

In second-class townships the planting of trees along roadsides is encouraged by an abatement under certain conditions of one dollar of road tax for every two trees set out, by an allowance for every tree growing naturally by the side of a highway, and by the imposition of a penalty for the cutting of such trees. Trees growing along uncultivated lands may not be cut down or destroyed without the consent of the abutting owner if they measure four inches or more in diameter and are beyond fifteen feet on either side of the center line of the road. In the case of roads running through improved or cultivated lands, shrubs or trees may be cut or destroyed if the supervisors feel they interfere with public travel, and only after notifying the abutting property owner of the contemplated action.

STATE ASSOCIATION OF BOROS

State Association of Boros. Section 1017 of the Boro Code as amended by Act 262 of 1955. The Boros of the Commonwealth are authorized to organize a State Association of Boros for the purpose of advancing the interests of the Boros; any boro may join the association by motion of council and payment of the annual dues. Council may designate one or more delegates from the elected or appointed officials of the boro to attend the annual meeting of the association which shall be held in the Commonwealth in accordance with the procedure allowed by law, each delegate shall be allowed for his expenses incurred in attending the meeting \$20 per day together with 8¢ per mile in going to and returning from the meeting. The time spent in attending said meeting shall not be more than three days exclusive of the time employed in traveling thereto and therefrom. Each boro becoming a member of the association shall pay such reasonable dues as may be fixed by the association but such dues for boros having a population of less than 1,000 shall not exceed \$15.

MUNICIPAL FUND APPLICATIONS

Act 655, passed in the last session of the Legislature, provides for the payment of \$30,000,000 to municipalities for the construction and maintenance of roads, streets and bridges. The funds are allocated from the Motor License Fund.

"The allocation formula under Act 655 is identical with that used in previous years. The money is divided on a 60 per cent mileage basis and 40 per cent population basis. That is what the Act specifies and that is how the Department has made its allocations. With \$12,000,000 additional provided in Act 655, it is obvious that each municipality, rural and urban, will receive more money.

"Legislation in previous years provided only \$18,000,000 in State aid to the municipalities. Act 655 increases this to \$30,000,000 a year. In addition to increasing the amount for the municipalities, the Act eliminates the matching fund provision which in previous years required the municipalities to raise \$4,000,000 locally in order to participate fully in the State program."

To qualify for the money each municipality is required to furnish the Department of Highways with specific information spelled out in the Act. These reports must be submitted to the Department's district engineers in charge of the area in which the municipality is located. They are then checked for accuracy and forwarded to the Central Office and thence to the fiscal offices for payment.

The first semi-annual payment is due on June 1, the second on December 1. Municipalities which have not forwarded report forms to highway district engineers are urged to do so promptly.

THOUGHTS FOR TODAY

No man is remembered because he lived long. His chances are better if he lived well. (Only some look it.)

The trouble with blunt words is that they have sharp edges.

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AUG 29 1966

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OL. V. NO. 8

WILKES COLLEGE, WILKES-BARRE, PA.

AUGUST 15, 1956

LEGISLATION AFFECTING MUNICIPAL AUTHORITIES

- Act 145 - amends Section 4 B (h) of the Municipal Authorities Act so as to remove any question regarding the fact that services of an authority, as well as rates, are under the jurisdiction of the Court of Common Pleas of the county where the principal office of the authority is located. Appeals are provided within thirty days after the final decision of the Court of Common Pleas.
- Act 633 - provides and authorizes the Department of Highways to enter into an agreement with a municipal authority for the sharing in the cost of any construction, reconstruction, or alteration of any sewer, water, or gas line due to any construction, relocation, or widening of any highway or bridge. If no agreement is reached, then the PUC will determine the cost to be borne by each party.
- Act 430 - limits to six years the period in which a person having any interest in land taken by an authority may petition for the appointment of a board of viewers to fix the damages.

ASSESSMENTS

The 1956 figures of the State Tax Equalization Board show that on the average, in the County, real estate is assessed at 36.4% of the actual market value. The market value for property in the County last year was fixed at \$712,695,400 while the assessed valuation was set at \$259,192,565. In 1954, the assessment was 36.7% of the market value. This slight loss is due to the fact that the market value increased by \$146,500 while the assessed valuation did not keep pace, plus the fact that a loss might have resulted in some types of assessed valuations.

Generally, the State average is 39.8%, about 3 1/2% higher than the average in the County. There have been spectacular changes in Berks County and Clearfield County. Centre County assessed its property at the lowest rate - 19.3%, while Clearfield was the highest - 75.7%.

Assessments in the County range from a high of 50.2% in Newport to a low of 16.8% in Dallas Township. At the upper end of the ladder are such communi-

ties as Newport, Hanover, Wilkes-Barre, Ashley, Jenkins, Laflin, Warrior Run, and Kingston; while at the lower end of the ladder are communities like Dallas Township, Dallas Boro, Slocum, Nuangola, Salem, Kingston Township, and Fairview.

ACTS OF THE GENERAL ASSEMBLY

- Act 98 (HB 683) - Authorizing boroughs with approval of the court to improve and maintain neglected burial grounds.
- Act 142 (HB 1408) - Authorizing payment for certain improvements in monthly installments and further regulating the entrance of liens in the prothonotary's office.
- Act 148 (HB 1469) - Requiring recorder of deeds in certain cases to report transfers of property to borough tax collectors.
- Act 266 (HB 1763) - Extending the time for payment on purchases of borough property.
- Act 282 (SB 520) - Regulating the procedure to be followed in enacting necessary ordinances in the course of preparing a consolidation, codification or revision of ordinances.
- Act 531 (HB 1474) - Amends the Borough Code regulating the power of the borough to raise its annual tax for general purposes from fifteen to twenty mills without appealing to the court.
- Act 600 (HB 173) - Police pension funds or pension annuities in boroughs and townships, regulations and maintenance thereof, providing for an actuary, describing rights of beneficiaries, contributions by member, providing for expense of administration, continuation of existing authority to provide annuity contracts. Applies to borough with police force of eight or more, retirement at half pay after twenty-five years of service and sixty years of age.
- Act 128A (SB 38) - Providing for payments by the Commonwealth to municipalities which have expended money to acquire and construct sewage treatment plants in accordance with the Clean Stream Program. Appropriates \$3,200,000 to the Department of Health for payments to municipalities and municipal authorities toward the cost of maintaining, repairing, replacing and other expenses relating to sewage treatment plants not to exceed two per cent of the annual costs.

THOUGHTS FOR TODAY

An optimist is a man who, instead of feeling sorry he cannot pay his bills, is glad he is not one of his creditors.

A millennium is something like a centennial, only it has more legs.

CODIFICATION

Did you know that the law requires that city and boro ordinances be recorded within one month after they are passed?

Did you know that pasting typed copies of ordinances or newspaper clippings in the ordinance book probably does not legally meet the requirement for recording?

Did you know that ordinances must be properly signed and attested to?

Municipal ordinances are in poor condition in many places. This is unfortunate because ordinances are municipal legislation and are just as important to the municipality and its citizens as state laws are to the state and its citizens. Local governments cannot operate efficiently and democratically unless local powers are used wisely through carefully drawn modern enactments. The condition of ordinances is largely a result of the failure of municipal officials to recognize the importance of periodic revision and codification.

Many ordinances become obsolete with the passage of time, the change in local conditions or the adoption of more recent ordinances on the same subject not expressly repealing previous ones. Some municipalities have been in existence for over 200 years and have an accumulation of all the ordinances passed during that time without modernization or codification.

The solicitor may feel the lack of a modern municipal code most strongly, since he is asked to give answers to many questions based on local ordinances. He is confronted with conflicts between ordinances, between ordinances and the Municipal Code, and between ordinances and other state laws and regulations, not to mention overlapping and obsolete ordinances. He must find and study the relevant ordinances and its amendments. These may be recorded in several different ordinance and minute books and some may not be recorded at all. Most citizens and even many municipal officials think the solicitor can take a quick look at the ordinance books and give the correct answer to any legal question involving ordinances. Thus, many solicitors are unjustly criticized for not knowing the law of the municipality.

Likewise, the clerk or secretary cannot be held responsible for the confused condition of local ordinances. He should not be expected to perform his many other duties and codify and revise the ordinances as well. His primary job, as far as ordinances are concerned, is to record them properly in the ordinance book. It is definitely not his duty or his prerogative to interpret ordinances.

Periodic revision of ordinances is necessary because they may become wholly or partially ineffective from a number of causes. The legislature passes many laws at every session that may change the status of existing ordinances. For example, the amount of borough solicitors' bonds formerly had to be fixed by ordinance, but the law was recently changed to give council alone the authority to fix the amount of the bond.

The courts frequently invalidate state laws and local ordinances. Unless the law or ordinance is challenged in the courts there is no way to be certain of its constitutionality or legality. Some laws and ordinances have been in effect for a half century or more before being nullified by the courts.

Changing conditions also make ordinances, such as those prohibiting cattle from running at large on city streets, unnecessary and obsolete. Yet an ordinance is not automatically repealed just because it is no longer used. There is always the risk that someone may, with unquestionable legal authority, decide to prosecute under an obsolete ordinance with embarrassing results.

Codification involves more than putting the various amendments in their proper places and eliminating ordinances and parts of ordinances specifically repealed. It also involves discarding obsolete ones and deleting those repealed by implication or superceded by later ones or otherwise replaced by the inclusion of new and modern ordinances. All of the active ordinances are then arranged and indexed according to subject. The formal parts of ordinances are omitted. Only the substantive provisions of the ordinances are put in the code. This reduces the bulk of the ordinances to one manageable volume.

Indexing is very important since it largely determines the accessibility of the ordinances in the code. Each provision of every ordinance should be thoroughly indexed and cross-referenced under all conceivable headings so that even the new councilman can find within seconds the specific provision of the ordinance he is seeking.

No municipality should expect its solicitor, clerk, or secretary to revise and codify its ordinances. It is a job for experts trained in codifying, editing, and indexing ordinances. The codifiers do not attempt to substitute their judgment for that of the municipal officials on local ordinances. Municipal officials sometimes desire to keep certain ordinances which to an outsider may seem unnecessary but for which there is actually a good reason. For example, an ordinance prohibiting the hitching of horses to trees would be obsolete in most Pennsylvania communities, yet there may be a particular need for it in a municipality in the Pennsylvania Dutch area where many people in horse-drawn vehicles come to town to trade. The codifiers' job is to make municipal law consistent, modern, and in harmony with state laws, regulations, and court decisions. Changes recommended by the codifiers are checked and approved by the solicitor and the municipal governing body before being incorporated into the municipal code.

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The Luzerne County News-letter

VOL. V. NO. 8

WILKES COLLEGE, WILKES-BARRE, PA.

SEPTEMBER 15, 1956

ACT NO. 600 Principal Basic Provisions

This Act makes it mandatory for all boroughs and townships maintaining a police force of eight or more full-time officers to establish a definite system for their retirement. The retirement under such system must provide for a minimum of half salary based on the average monthly earnings over the last five years prior to retirement.

To qualify for retirement, the individual officer must have attained the age of 60 and have completed a minimum of 25 years of service to this age in the municipality providing the retirement. In cases of less than 25 years of service to age 60, retirement is deferred to an older age by which time 25 years of service would be attained.

The retirement benefits can be established and proved through the services of an insurance company, by the establishment of a self-administered plan or a combination of those two types of retirement planning. In addition, where Social Security is in effect for Police Officers, this coverage can also be a part of the overall retirement system. In the case where the system is entirely self-administered, the services of an actuary must be employed. However, when the planning is established through the services of an insurance company, an actuary is not needed as the insurance company serves in this capacity.

The costs of the retirement can be paid from any legal source. Several of these sources are qualified as follows: The Casualty Tax Allocation can be used provided the status of the police officer's employment is qualified under the new Senate Bill 1019 which establishes the requirements of hours and pay for full time police officers. The qualifications are basically a minimum of 40 hours per week at a stipulated hourly or monthly wage. The members are to pay monthly not less than 5% monthly compensation; and when Social Security also exists, not less than 2% on the portion covered by Social Security and not less than 5% on excess. The remainder of the obligation is paid by the borough or township as determined by an actuary.

Payments by the State Treasurer to the municipality from taxes on foreign casualty insurance company premiums are for purposes of pension, retirement, disability benefits of policemen shall be used as follows: (1) reduce unfunded liability, (2) apply annual obligation of borough or township, and (3) reduce member contributions. Gifts, etc. (unless otherwise specified) may apply equally to member and municipal portions of future costs.

When a fund is established under this Act, the borough or township shall employ an actuary and fix his compensation. The actuary is to determine: (1) liability on account of prior service for original members, (2) offset assets transferred from any previous fund to determine unfunded liability, (3) unfunded liability to be paid entirely by borough but it may be funded over a period not to exceed 25 years, and (4) annual contribution for "future service".

ASPHALT-PAVED STREETS

There are three basic steps in determining pavement structure: (1) estimation of the weight, volume and type of traffic; (2) determination of the support value of the subgrade or natural soil; (3) selection of the design mix and thickness based on the above two surveys and on the cost, service life and quality desired of the pavement

Selection of Asphalt Pavement Types for Different Densities of Traffic, as Influenced by Service Life, Quality, and Cost Factors

Asphalt Pavement Type		Light Traffic		Medium Traffic		Heavy Traffic		Very Heavy Traffic	
		Quality Choice	Cost Choice	Quality Choice	Cost Choice	Quality Choice	Cost Choice	Quality Choice	Cost Choice
Expected Service Life	Short Life	Single Surface Treatment	6th	1st	6th	1st	-	-	-
	Medium Life	Double Surface Treatment	5th	2nd	5th	2nd	-	-	-
		Road Mix	4th	3rd	4th	3rd	4th	1st	-
	Long Life	Plant Mix	3rd	4th	3rd	4th	3rd	2nd	-
		Macadam *	2nd	5th	2nd	5th	2nd	3rd	-
		Asphaltic Concrete	1st	6th	1st	6th	1st	4th	1st

* Cost choice for this type of pavement is variable, depending upon local conditions and the availability of crushed aggregates.

Traffic Analysis

Traffic Classification	Traffic Density Maximum, per lane, per day	
	Daily Volume of Passenger Cars and Light Trucks*	Daily Volume of Commercial Trucks and Buses
Light	25	5
Medium	500	25
Heavy	Unlimited	250
Very Heavy	Unlimited	Unlimited

* Single Axle Load of 6,000 lbs. or less.

BORO CONVENTION - JARZENBOWICZ

The topic on the Borough's stake in industrial development really turned into a session on redevelopment. Since most redevelopment takes place in outlying townships, borough officials were urged to assist in planning for an entire area instead of planning just for the one community.

One answer to the problem of shortage of industrial sites within a borough is to redevelop blighted areas otherwise suitable for this type of enterprise. State laws now permit a new land use under redevelopment which may be anything that good planning calls for - industrial, commercial, residential, or any combination of these.

Federal assistance already has been approved for an area in Chester, Pa., which will be utilized in part for industrial parking. In Trenton, New Jersey, a twenty-six acre blighted residential section adjacent to a coal-dumping and storage yard has been approved for a Federal capital grant under which the redevelopment site will be sold to private interests for commercial and industrial redevelopment.

Redevelopment authorities are formed in accordance with Section 4 of the Urban Redevelopment Law. The governing body of any city or county may find and declare by ordinance or resolution that there is a need for such an authority to function within the limits of the city or county. Thus, the only way that boroughs can participate in this program is through cooperation with a city in regional planning. Boroughs may also urge the county commissioners to set up an authority and work with the county redevelopment authority. No individual borough may set up a redevelopment authority.

WHAT'S NEW?

- PLAINS - The Mill Creek dredging project has been temporarily delayed until all property owners sign right of entry papers.
- ASHLEY - The Solomon Creek project of the State Department of Forest and Waters will begin as soon as all property owners sign the rights of entry.
- WILKES-BARRE - Applications have been received from thirty men for police jobs in the City.
- KINGSTON - Because desirable lots are becoming scarce and because industrial expansion last year was unusual, a decline in permits for building is expected.
- SWOYERVILLE - Resurfacing of some of the borough streets has been completed.
- WILKES-BARRE - The amusement tax may yield \$20,000 less than budget estimates for 1956.
- FORTY FORT - The Council approved the construction of a storm sewer at a low spot on River Street.
- PLYMOUTH - Because of about \$90,000 in debts, the Council is considering the floating of a bond issue.
- WEST PITTSTON - Borough Council has started plans for the centennial celebration of the borough next year.
- EXETER - Council has asked its solicitor to prepare to seek an injunction against an ash cinder plant claiming that it is a nuisance.

THOUGHTS FOR TODAY

Those rare individuals who look down on their neighbors are usually living on a bluff.

Children between 4 and 17 are at their mental peaks. At 4 they know all the questions; and at 17 they know all the answers.

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WILKES COLLEGE LIBRARY

OCT 23 1956

VOL. V. NO. 10

WILKES COLLEGE, WILKES-BARRE, PA. OCTOBER 15, 1956

NUISANCE ABATEMENT AND PROTECTION OF PUBLIC HEALTH

Third Class Cities, Boroughs and Townships have authority to make regulations prohibiting and requiring the removal of nuisances on public and private grounds. Penalties are provided for non-compliance with such regulations. The word "nuisance" is broadly defined and includes "noxious", "offensive" or "dangerous conditions", "manufactures", "business", "arts", "structures" or "weeds" prejudicial to the public health and safety. The Boards of Health of Cities, Boroughs, and Townships of the First Class have specific power to inspect premises and after due warning to abate and remove all nuisances which they shall deem "prejudicial to the public health."

Supervisors of Townships of the Second Class may prohibit nuisances which are specified as accumulations of garbage and rubbish, the storage of abandoned or junk automobiles on private or public property, and the carrying on of any offensive manufacture or business. They also are empowered to remove any nuisance or dangerous structure on private or public ground after failure of the owner to do so.

The obstruction of highways by the felling of trees, making fences or turning of roads is specifically punishable if such obstructions are not removed on notice given by the Township Supervisors. The dumpings of rubbish, glass or metal on streets or highways is also punishable by fine or imprisonment.

In the codes of Cities of the Third Class, Boroughs and Townships of the First Class, the definition of "nuisance" is extended to include under certain conditions a public street or portion thereof, or passageway. The First Class Township Law empowers the Board of Health to declare a street or portion of a street to be a nuisance, whereupon by Court procedure and on petition of adjacent property owners the street referred to may be vacated. In the Borough Code the declaration that such an area is a nuisance must be made by the Council of the Borough. In a city the Mayor, when authorized by Council, may petition the Court of Common Pleas stating any property has become a public nuisance, whereupon the Court may appoint viewers from the County Board of Viewers to inspect such property and make a report to the Court. If the viewers find the property to be a public nuisance and the nuisance is not abated within sixty days, authorities of the city may proceed to take action. Provision is also made for the vacating of a passageway, alley, or lane if the Board of Health declares such a passageway to be a public nuisance and if the right of property owners to access to their property is protected.

METHODS OF ESTABLISHING THE RETIREMENT SYSTEM

A. Use of Insurance Company Services

B. Use of Self-administered System

Providing a pension for one person or any number of persons is basically a matter of the accumulation of money of a sufficient amount to guarantee the pension for the life of the retiree. The amount of money required in any instance must be based on what are commonly called actuarial tables. These tables are the results of experience based on thousands of lives. The requirements must be essentially the same for both the insurance company and the self-administered plan.

Pension costs are primarily determined by the number of persons involved in any pension group. The minimum number of persons in a group may vary according to the opinion of the actuary but in no case, according to the best of opinion, can any accurate prediction be established on less than 400 lives.

The insurance company establishes their requirements on thousands of lives and will guarantee their prediction. The actuary under a self-administered plan cannot make an accurate prediction on a small number of lives and if and when such a prediction is made, the mistakes or errors in the prediction are the liability of the group and not that of the actuary.

Factors affecting costs in either the insurance company funded plan or the self-administered funded plan are deaths and terminations. In most self-administered plans, deaths and terminations, or credits are discounted in advance. The insurance company planning can also be discounted in advance, but in both instances, if the discount is incorrect for the group, this simply shifts the actual costs of the planning from the inception of the plan to a later date when such a shift in costs would most likely be disastrous.

The best type of planning is to determine the full cost in advance and then accumulate the credit as it occurs. This method is the only sure and practical way of establishing a pension plan which will eliminate future financial uncertainties.

Based on actuarial tables covering experience on thousands of lives which gives the lowest cost attainable, the insurance company actuaries find for example, that in order to pay an income of \$10.00 per month for as long as the retiree may live beginning at age 60, a male retiree must have a sum of \$1,675

to his credit and the sum of \$1,923. for a female. Therefore, taking the male as an example, if a monthly pension of \$100. is anticipated, this monthly income represents a total of \$16,750. Continuing, if a group consisted of 10 male employees, their pension commitments on the basis of \$100. per month represents a total of \$167,500.

Assuming that both the insurance company and the actuary of the self-administered system use the same figures, one major difference between the two methods becomes apparent if an individual, or the group as a whole, lives too long and the accumulated funds are expended. Under such circumstances, the insurance plan continues to pay the income without further cost while the self-administered plan requires additional funds.

It is interesting to note that increased longevity has increased pension costs over the years and such increases will continue. Realizing that it will be 30 to 40 years before many pensions coming under a pension plan today will retire, it is only common sense to establish a retirement system on a guaranteed cost basis at the beginning, thereby assuring future savings. The true cost of a self-administered system may not be known for many years until the problem becomes un-manageable.

More attention should be paid to trends in pension cases since these benefits are chiefly future obligations. Life insurance companies employ the finest actuarial talent available and what has been their experience in predicting the amounts required to pay a life income? The following facts are based upon the average experience of the 30 largest U. S. companies. The figures shown are not the selling price but rather the expected net cost to the insuring company and are for age 65 rather than age 60.

	<u>1932</u>	<u>1942</u>	<u>1952</u>
Amount required to pay a life income of \$10.00 per month, 10 years certain, to a male age 65	\$1,350	\$1,503	\$1,616
Increase in cost over 1932		11.3%	19.7%

The best actuarial minds in the country who computed the 1932 figure found that in 10 years time they really needed 11.3 per cent more money to pay the same benefit. At the end of 10 more years, the additional funds required had increased to 19% per cent! Why should any pension group think they can do better?

It might seem that the pension group could protect itself against this increased cost of benefits by simply buying a Single Premium Annuity contract for each employee as that employee retires, passing the annuity risk on

(continued page 4)

WHAT'S NEW?

FORTY FORT - Bids for new police cruiser and new police uniforms were rejected by the Council because only one bid was received.

PLAINS - The commissioners have contracted with an outside road contractor for the improvement of certain streets.

ASHLEY - Boro Council passed an ordinance controlling strip mining by setting time for blasting, requiring back-filling, and requiring a bond.

WEST WYOMING - A new ordinance would require property owners on a new street to pay one third of the cost of construction.

SWOYERVILLE - Boro Council approved an application to file for a permit for waste disposal with the Department of Mines.

KINGSTON - Street Department employees have completed the annual oil and chips on the boro streets.

HANOVER - The Township has adopted a zoning ordinance planning commission to be presented to the commissioners for adoption.

WEST PITTSTON - The Council has authorized the purchase of a two-way radio system.

(Retirement System)

to the insurance company. The trouble with such a plan would be the fact that Single Premium Annuity contracts have also gone up in cost, and no one can establish today the price for such a policy many years in the future. Perhaps individual annual premium policies are the only method which will guarantee in advance the price of the entire pension to be paid.

THOUGHTS FOR TODAY

It really isn't hard for a man to acquire a large vocabulary. All he need do is get married.

A sure way to get off on the wrong foot is to step on somebody else's toes.

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The Luzerne County News-letter

NOV 21 1956

VOL. V. NO. 11 WILKES COLLEGE, WILKES-BARRE, PA. NOVEMBER 15, 1956

Wilkes College Library

HORSHAM FIRE COMPANY vs. FORT WASHINGTON FIRE CO.

"This case is unique in that it has to do with two fire companies which responded to an alarm to fight the common enemy and ended up by fighting each other." With this statement Justice Musmano of the Supreme Court of Pennsylvania began his opinion in a case resulting from the collision of the trucks of two Montgomery County fire companies back on October 9, 1951. We are not told in the opinion whether the building was destroyed by the fire while the companies untangled themselves, but we do know that the damage to the Horsham truck alone exceeded \$10,000.00.

The accident occurred at the intersection of Welsh Road and Butler Pike and the Fort Washington truck drove through a "Stop" sign at an allegedly high speed while the Horsham truck was entering at a reduced speed. The jury found that the driver of the former was guilty of reckless disregard of the rights of others on the highway, even though he had certain privileges under the Motor Vehicle Code.

In upholding the verdict of Jury against Ft. Washington, the court gave some sound advice to firemen, as follows:

"Here we have an entirely novel situation where both vehicles stand in a favored class, and since neither can have an advantage over the other, they must in effect lose their priority rights and be treated as normal vehicles, insofar as rights against each other are concerned. It would be quite strange to hold, as appellant's counsel argues that if two fire trucks 'meet at an intersection they both have an equal right to be there, and if they happen to collide that is simply one of the risks involved in getting to a fire as fast as possible. The law is not so fatalistic as that. The object of a fire truck's journey is not merely to make a show of rushing to a fire, but actually to get there. If the driver is to ignore all elements of safety driving at breakneck speed through obviously imperilling hazards, he may not only kill others en route, but he may frustrate the whole object of the mission and not get there at all!"

Bring this case to the attention of your fire companies. It may save you money.

FARMERS ARE AGAINST IT

In hundreds of letters received by the State Highway Department, a major portion of them are requests or demands for improved highways.

But the unusual sometimes occurs when some are pretty well satisfied with old style roads. Here is a letter from a farm wife in Bucks County.

"We live on a farm which has a county road which so far has been safe for our children to cross now we hear they are going to macademize it. It will be a death trap for our children for it has a hill and a driver can not see what is below and it could be a child. We almost live on the road and now the way the road is they still come down at 50 miles an hour and if it was macademized would just be impossible for them to stop in time. Why not leave the road the way it is and let our children be safe. If it is true that they are going to do it could we vote against it. They sure dont need to make this road of our's a speed way because the highway is only 1 mile from our little farm.

"Please let me know what to do if they are going to macademize for we have four families up here against it and two for it."

TRAFFIC SIGNS

An increasing number of localities are improving their traffic signs with a "do it yourself" sign maintenance package. It enables workers to re-lectorize painted signs and refurbish old signs with "Scotchlite" sheeting. The equipment includes a heat lamp, vacuum, applicator, and a variety of plain and reflectorized sign blanks and faces. Write: Minnesota Mining and Mfg., St. Paul 6, Minnesota.

INDUSTRIAL DEVELOPMENT

Industrial development is one of the most rapidly developing fields of interest in the United States today. Until now, the bulk of industrial development work on the local level has been carried on by the local chambers of commerce or some related group. On the state level, too, much industrial development activity is currently in progress. Even the federal government has entered into the picture of industrial development, although on a limited scale. Although some work exists on the county level, in general, however, it may be said that very little industrial development work is currently being carried on by counties in the United States.

Why? No powers? No money? No interest?

Such a situation is extremely unfortunate; for the county logically is the area which should in many instances be the primary unit for such activity. And this should be especially true of counties in the Middle Atlantic States, which includes Pennsylvania.

The industrial development picture presents a paradox: a great number of municipalities have little room with which to expand, while the county could easily exploit the potential of the sparsely-settled parts of the counties. County industrial development groups are the answer. A county organization can do a variety of jobs:

1. Co-ordinating the efforts of development groups within the county.
2. Publicizing the county on a national scale.
3. Compiling a list of available industrial sites.
4. Maintaining a storehouse of information on utility services, zoning ordinances, maps, water supply, tax rates, assessments, etc.
5. Co-operating with the governing bodies of the county's municipalities in providing services to industry.

The time has come for counties in the United States to take cognizance of the industrial development in the interest of their welfare and that of the municipalities in the county.

NOTES ON MEETINGS

Class for magistrates meets every Friday evening.

Class for probation officers meets every Monday evening.

Class for Borough and Township Secretaries has been organized.

Too bad many missed the October meeting of the Luzerne County Local Officials with Clifford H. McConnell, Chief of Flood Control Division, Pennsylvania Department of Forests and Waters.

The November meeting is with Anthony F. Chernesski, Director of Bureau of Social Security for Municipal Employees. The date is November 14, 1956.

The January meeting will be on ice and snow removal. The date and speaker will be announced.

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WHAT'S NEW?

WILKES-BARRE - The Director of Streets states that the newly adopted schedule of streets for street cleaning has received the hearty endorsement of all citizens and is working well.

ASHLEY - The council will borrow \$10,000 to pay current expenses.

LARKSVILLE - The Mountain Road may be taken over by the State Highway Department in January.

PITTSSTON - Employees of the Street Department started resurfacing Frothingham Street.

NANTICOKE - The Council intends repairing the broken sanitary sewer lines in the near future.

NUANGOLA - Borough Councilman, Charles A. Jones passed away last month. Mr. Jones was among the select few in the first class of Borough Councilmen, who received certificates from the PSI and the Political Science Department on December 15, 1952.

EDWARDSVILLE - The tax income from the Shopping Center on Narrows Road has jumped 400% in the last two years. Whereas the area was assessed at \$20 per acre 10 years ago, today the ground in the area is assessed at \$20 per foot.

THOUGHTS FOR TODAY

Working for the public is rough - if you're a liar you don't deserve the job, if you're not you can't get it.

Another way men learn to be good losers is by trying to teach a two year old grandchild who's boss.

The Luzerne County News-letter

DEC 17 1956

VOL. V. NO. 12 WILKES COLLEGE, WILKES-BARRE, PA. DECEMBER 15, 1956

Wilkes College Library ANNIVERSARY

This issue marks the fourth anniversary of the Luzerne County News-letter published for local officials. Approximately 250 copies are mailed out every month. The first issue of this News-letter was in the form of a program at the dinner for the graduates of the first class of borough councilman and township commissioners in December, 1952. Only 35 copies were printed in 1952.

It is appropriate at Christmas time to offer a word of thanks to those who have made this News-letter possible: Dr. Eugene S. Farley and the Board of Trustees of Wilkes College; all those who are part of the "production" staff; and the local officials who find the letter interesting and informative.

SPEAKER

The speaker for the next meeting of the Luzerne County Local Officials will be William B. Wilkinson from Cayuga Salt Sales Service. He will be accompanied by Mr. Carl Warren, engineer for the firm.

Subject: "Ice and Snow Removal with Salt"

Time: Monday, January 21, 1957 at 6:30 P. M.

Host: Luzerne County Boroughs Association

TRAINING COURSE FOR BOROUGH SECRETARIES

The remaining three meetings of this training course follow:

Wednesday January 16, 1957	ARTHUR HOOVER Wilkes College CONNIE LIZDAS Wilkes-Barre Record	"Improving Contacts With Citizens"
Wednesday February 20, 1957	ROBERT FREEBURN HERMAN OTTO Pennsylvania Economy League	"Finance and Budget Preparation"

(continued on page 2)

is an alphabetical index located in the fore part of each ordinance book. The typical index of this kind has twenty-six pages, one page for each letter of the alphabet. Entries are made on the appropriate alphabetical page in chronological order. This type of ordinance index is more suitable where there is only one ordinance book than where there are two or several books.

THE ANNUAL REPORT

The printed annual report has received increasing attention from municipal officials during recent years. The number of municipalities issuing annual reports has increased as urban population has spiraled and municipal activities have expanded.

Although it is desirable that the following topics be included in the annual report, it is not expected that all of them will receive the equal emphasis or be reported in a stereotyped pattern. The size of the municipality, the scope of municipal services, and the number of municipal activities engaged are factors which dictate the content of the report. The report may, however, be divided conveniently into six parts:

1. Introduction
2. Legislation and general administration
3. Municipal services
4. "Managerial" and "Auxiliary" services
5. City's finance
6. Planning municipal services

The content, arrangement, and attractiveness of the introductory section are of primary importance and frequently will be the determining factor in arousing the reader's interest. The cover should be of attractive design and should emphasize that the booklet is the annual report of the municipality for a definite period of time, usually a fiscal year. Pictures of municipal buildings, new constructions, or outline maps of the city or state have proven to be effective cover designs.

The introductory section also should contain a directory of municipal administrative officers, including the governing body, and a brief summary of outstanding municipal events of the past year. A final desirable feature is a statement of the citizens' role in government, indicating how city services affect the individual in his everyday life and how the individual can participate in city government.

(continued in the next issue)

TRAINING COURSE FOR BOROUGH SECRETARIES (continued)

Wednesday
March 20, 1957

HOWARD KENNEDY, former "Municipal Liability"
solicitor, Wilkes-Barre
J. F. SALLADA
Greater Wilkes-Barre Association of Insurance Agents

PLACE: Harding Hall, Wilkes College, Room 201
TIME: 7:30 P. M. to 9:30 P. M.
INQUIRIES: Dr. Hugo V. Mailey, Wilkes College

INDEXING ORDINANCES

It seems beyond debate that municipal ordinances should be indexed to be useful to local officials and citizens.

All major subject titles should be nouns, since these are usually the headings which most officials are likely to look for. Adequate indexing demands that a given piece of legislation be indexed under a number of different titles, i. e., that there be ample cross references to the various categories of subjects contained in one ordinance.

Naturally, if the index is to be useful, it should be kept at all times with the ordinance books. Users should be required to refrain from removing, misplacing, or defacing the index, or any card thereof.

The full value of an ordinance index system can be achieved only if it is prepared accurately and kept up-to-date. A card index system can be expanded at will and, consequently, is the ideal system for perpetual maintenance. Old cards can be removed and new cards added. The index should be kept up to date by making the necessary entries in chronological order as each new ordinance is passed.

An ordinance index in booklet form is more difficult to keep up to date than the card system. If the booklet form is used, the indexing of new ordinances will require ink notations and supplemental pages.

Emphasis has been placed on a card index of ordinances and secondarily on a booklet index of ordinances. There are other usable index systems in operation among Pennsylvania boroughs. The most common of these systems

WHAT'S NEW

PITTSTON - A bond issue for \$57,000 to meet payrolls will be sold.

DUR YEA - Council and firemen of Germania Hose Company are disputing over an unpaid appropriation of \$750 for new equipment.

NANTICOKE - City employees were granted \$100 per year pay increase. City officials have decided not to reenact the city amusement tax.

WEST WYOMING - A plan which would permit the ward election of councilmen is under consideration in the borough.

KINGSTON - The extension of North Third Avenue from Pierce Street to Rutter Avenue is under consideration by the council.

PLASTIC LINING

Los Angeles is currently building a new trunk sewer, 10 feet in diameter and 4 miles long. It is being lined with a vinyl-plastic lining moulded to make possible its corporation as an integral part of the concrete pipe. The lining will protect the sewer against erosion by sulphide gas in the sewage.

THOUGHTS FOR TODAY

Married men are said to live longer, but it's the bachelors who always lead the singing at the club.

An electrocardiogram is a device that lets a woman know her husband's heart can stand it if he carries out the trash.

PUBLICATION

This News-letter, published monthly as a community service, originates in the Political Science Department of Wilkes College. Notes and inquiries may be addressed to Dr. Hugo V. Mailey, Political Science Department, Wilkes College, Wilkes-Barre, Pennsylvania.

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