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The Luzerne County

NO. 1 WILKES COLLEGE, WILKES-BARRE

SHORT COURSES -- SPRING SEMESTER

The Institute of Municipal Government will again conduct a number of in-service training courses for elected and appointed officials. These courses are designed to make elected and appointed officials means of improving in the performance of their duties.

The courses being offered this spring are: Arms Course--an introductory course in the use of the revolver, including firing for record; Zoning Course--a comprehensive study of a basic plan and upon basic court decisions upholding major zoning regulations; Fire Fighting Course--a course designed for those who wish to qualify as instructors of the fundamentals of fire fighting to be held at Wilkes College and another to be held at Wilkes University; Law Course--a casebook review of the legal powers, duties, and responsibilities of school boards.

CENTRALIZED PURCHASING

In a recent edition of the official publication of the Hampshire Municipal Association, Jay Gallagher wrote: "New Hampshire cities and towns are spending thousands of dollars through present amateur purchasing practices..." Mr. Mann made a study of the prices paid for gasoline by municipalities who were paying as much as 12.4 cents for a gallon of regular gasoline; 86 cents to \$2.65 for a gallon of diesel and \$2.10 to \$8.55 for a gallon of traffic paint.

For years, municipalities have been paying from the state at state prices, plus 10 percent for handling. Few bothered to do so until recently.

In some instances municipalities have been able to save price as a lever to win local bids at or near the state price.

The Luzerne County News-letter

VOL. XIV, NO. 1 WILKES COLLEGE, WILKES-BARRE, PA., JANUARY 15, 1965

SHORT COURSES -- SPRING SEMESTER

The Institute of Municipal Government at Wilkes College will again conduct a number of in-service training courses for municipal officials. These courses are designed to make available to elected and appointed officials means of improving in the performance of their duties.

The courses being offered this spring semester include: Small Arms Course--an introductory course in the care and use of the revolver, including firing for record; Zoning Law and Administration Course--a comprehensive study of a basic planning tool, with emphasis upon basic court decisions upholding major zoning practices; Fundamentals of Fire Fighting Course--a course designed for those firemen who wish to qualify as instructors of the fundamentals of fire fighting. (One to be held at Wilkes College and another to be held at Dallas); School Law Course--a casebook review of the legal principles governing the powers, duties, and responsibilities of school officials.

CENTRALIZED PURCHASING

In a recent edition of the official publication of the New Hampshire Municipal Association, Jay Gallagher of the State News Service wrote: "New Hampshire cities and towns are dribbling away in total thousands of dollars through present amateur uninformed and disjointed purchasing practices..." Mr. Mann made a survey of municipalities who were paying as much as 12.4 cents to 32.7 cents for a gallon of regular gasoline; 86 cents to \$2.65 for a ream of mimeograph paper; and \$2.10 to \$8.55 for a gallon of traffic paint.

For years, municipalities have been able to buy office supplies from the state at state prices, plus 10 per cent markup to cover cost of handling. Few bothered to do so until needed by Mr. Mann.

In some instances municipalities have used the state contract price as a lever to win local bids at or near the state price, Mr. Mann said.

He said substantial savings for all hands might be made in purchasing heavy road building equipment, for instance, if municipalities were aware when the state would seek bids. Volume buying, again, would result in lower bids and savings all around.

AND AGAIN -

The OKLAHOMA CITY TIMES reported recently that almost unbelievable discount prices are being obtained by local governments of the State of Oklahoma through purchasing on State contracts. Ira Baker, Purchasing Director for the State of Oklahoma, reports some examples as follows: light bulbs, 50% off; tires, 30% off; and office supplies and furniture, 30 to 40% below retail costs. Mr. Baker said that the number of cities, schools and other local units taking advantage of the central purchasing price catalogue issued by his agency has doubled in the last year. However, he said the majority still do not take advantage of the volume buying power of the State. The catalogue is available to any unit of local government and discount from list will average about 33%. Local governments can buy the items from local dealers in most cases and obtain the discount made possible by competition and statewide volume. Mr. Baker pointed out that this helps the local government because it gets cheaper prices, and it helps all units of government since a manufacturer will bid lower in anticipation of high-volume sales. A corollary use of the State price catalogue has been the action by local government officials in taking the catalogue to local merchants and using it in bargaining for lower prices. Mr. Baker said that 26 schools, 13 cities, 2 county commissions, and 8 other units are participating in the plan.

--taken from the NIGP LETTER SERVICE.

DON'T LITTER HELL

Keep America Beautiful, the national anti-litter organization, has been collecting litter bags from all over the U. S. They are used as part of its educational program. But every once in a while one comes along that produces a chuckle.

The latest litter bag "with a laugh" came from Hell, Michigan. It bears the slogan, in large red letters, "Don't throw your trash all over Hell."

Proof that the light touch sometimes works comes from the Hell Chamber of Commerce: "It is amazing how much these litter bags have eliminated litter in Hell. We have no problem whatsoever."

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"IT'S SO HORRIBLE" ... IT'S GOT TO WORK

"It's so horrible, it's bound to get attention," Columbia, Tennessee, city manager E. S. Bartlett commented.

He was speaking of the lines and directional arrows around the downtown square: they are painted a fluorescent pink.

The paint will reflect at night. Bartlett explained that it is being used experimentally to see if it helps control traffic-pedestrian problems at the square.

SUGGESTIONS FOR PURCHASING

Public procurement at all levels of government can do much to combat price fixing. The methods by which this can be done are:

1. Procure public needs on open competitive bids.
2. Avoid negotiated contracts, and particularly the multiple award type wherein a contract is awarded to several suppliers for furnishing the same item at identical or similar prices.
3. Eliminate "most favored customer" or "price reduction" clauses in governmental contracts since they tend to discourage reductions in prices both to governmental and non-governmental buyers, and to coincidentally fix prices.
4. Seek out new sources of supply.
5. Question price increases. Verify prices paid by other government agencies and their methods of purchase.
6. Review "patterns of bidding" on prior purchases of commodities, showing price acceleration or wherein prices remain static over several years.
7. Give publicity to bid openings involving limited "competition" before, during and after advertising for bids.
8. Secure bids sufficiently in advance of need to permit reappraisal and readvertisement of requirements wherein bid results are not consistent with the public interest.
9. Consider the use of alternate products wherein competition is limited or where there is an indication of possible price fixing.

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10. Encourage new suppliers to enter fields with limited competition.
11. Consolidate requirements to the maximum extent practical to make the requirement most attractive to industry, but not to the extent where the requirement becomes so large it exceeds the production capacity of smaller but capable suppliers.
12. Consolidate items where "price fixing" is suspected with other items available from the same industry to stimulate competition on the total requirement both from the standpoint of vendors able to meet the combined need and to attack others to expand their facilities to meet the combined need.
13. Where practical, employ longer term contracts to combat "taking turns."
14. Provide adequate staffing and compensation in public procurement operations to assure integrity and wisdom in spending funds.
15. Report all cases of suspected price fixing to the Attorney General with any supporting evidence.

AFFIDAVIT OF NON-COLLUSION

An affidavit of non-collusion is contained in an advertisement for bids on a public works project in Savannah, Tennessee. Every bidder or agent must sign the agreement attesting that he has not entered into an agreement with any person relative to the price to be bid.

THOUGHTS FOR TODAY

No woman has ever been President -- but a great many have become speaker of the house.

One place many people get just as much as ever for a dime is in church.

PUBLICATION

This News-letter, published monthly as a community service, originated in the Institute of Municipal Government of Wilkes College. Notes and inquiries may be addressed to Dr. Hugo V. Mailey, Institute of Municipal Government, Wilkes College, Wilkes-Barre, Pennsylvania.

The Luzerne County News-let

VOL. XV, NO. 2 WILKES COLLEGE, WILKES-BARRE, PA., FEBRUARY

THE CITY BEAUTIFUL

The renovation and re-designing of American cities is currently effecting many Americans; the re-creation of our cities is recognized as essential if they are to survive as places for decent human living as economic and cultural centers. The excerpts below present two of the many aspects of the City Beautiful Movement. The first article is an excerpt from the 10th Annual Wherrett Lecture on Local Government by August Heckscher, former Consultant on the Arts under President Kennedy. The second article is an excerpt from a talk given by H. Hackendahl, Director of the National Clean-Up, Paint-Up, Fix-Up Bureau.

AUGUST HECKSCHER

"Cities given, the problem was to light them." Thus begins a famous essay on gas lamps by Robert Louis Stevenson. We could take the sentence for our text. Cities given, the problem is to fill them with music, with movement and color--the life of the arts. So long as the great city remains a utilitarian thing merely--an agglomeration of physical structures, a collection of services--it must seem a dull and uninhabitable place. The arts touch all with their liveliness; they color the substructure with their particular grace.

In the western tradition, the creation of great art has always invariably been a social act. The individual artist may pride himself upon seeing the world with a vision entirely his own; he may--if he must--eschew all ideas of interpreting his age. But in fact he is a child of his times, and he is never so creative, never so truly his own as when he is in the midst of forces which inform his vision and his perceptions. The city is his natural home. Its cafes and streets, its literary circles and artistic clubs, its newspapers, reviews, signs, even its public squares and streets, have been the seed-bed of the

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In the western tradition, the creation of great art has almost invariably been a social act. The individual artist may pride himself upon seeing the world with a vision entirely his own; he may--indeed he must--eschew all ideas of interpreting his age. But in fact he is the child of his times, and he is never so creative, never so truly himself, as when he is in the midst of forces which inform his vision and color his perceptions. The city is his natural home. Its cafes and studios, its literary circles and artistic clubs, its newspapers, reviews, salons, even its public squares and streets, have been the seed-bed of the arts.

There is another sense in which the city is related to the arts. Not only does the city need the artist and the artist the city: in a dram-

atic way the city can be itself a work of art, perhaps the most striking and durable of all man's great works. The city is made. It is shaped out of the myriad decisions, conscious and unconscious, which determine from day to day and from epoch to epoch the outward forms of its life.

This talk of granting money is a poor way to make real the part cities have to play in support of their arts. For money, though it is important, is only an element in the picture. We need to make clear the role that individuals play in leading and stimulating the whole movement; we need to see not only what money is given, but how it is given, through what processes and institutional procedures; we need to have some feeling for the result that is achieved.

The only way of avoiding mediocrity and of providing distinction for the city is through the creation of a body which is outside the political flux, and which is composed of men knowledgeable in their particular field.

It should not be impossible to create similar institutions at the municipal level. Indeed one must look to the handful of newly-established municipal arts councils as an essential step in developing in this country a better relation between art and local government.

The United States has wakened to the possibilities of urban existence. The old belief that the true values lay in the farm, that city life was corrupt and menacing, has given way only gradually--persisting long after the facts had shown us to be a nation, not of farmers but of city-dwellers. But give way in the end it must. Today the good life in America will be found in cities--or it is not likely to be found at all. And the cities will meet man's need only in proportion as they manifest again the qualities which we associate with urbanity, indeed with civilization itself. They will become an abiding home only insofar as they nourish the arts.

R. H. HACKENDAHL

What is Clean Up-Paint Up-Fix Up? Simply stated, it is people working together to improve their community. It can be a week long, month long, or year long program that harnesses the enthusiasm, dedication and talent of all citizens into one team of volunteer workers, united in a common civic improvement effort. Clean Up programs create a personal, as well as a community, desire to maintain, improve and beautify, to restore and preserve privately owned properties, and God-given natural resources of the area.

The fact that each year the free assistance and materials of the Bureau contribute to the success of thousands of community-wide Clean Up programs is ample proof that people today still prefer working together for the improvement of their community. The records of the Bureau show that over 100 million Americans that represent 30 percent of the cities and towns throughout the United States are exposed to these words: Clean Up-Paint Up-Fix Up, and enthusiastically embrace its simple philosophy of self-help. Clean Up programs have accomplished three things: 1) resulted in the voluntary expenditure of many millions of dollars in home, business, and neighborhood improvements; 2) been the catalytic agent in bringing together many diversified efforts and projects under one banner of home and community betterment; and 3) become an integral part of our way of life in the American tradition of utilizing local initiative for the self-improvement of property and area appearance.

There are five objectives of the Bureau and one only has to study these objectives to realize the universal appeal and scope of this volunteer program. These objectives give any community the freedom of choice for concentrated effort on any single objective or combination thereof. Taken separately, each is a basic attribute to the ideal community. Collectively, they are the motivating force for the mass elimination of blight--the generating force of civic pride--the magnet that attracts new business and economic development, improves area appearance, and keeps people moving to a city, not from it!

The five basic objectives are:

1. Home and Community Beautification
2. Prevention of Slums and the Rehabilitation of Blighted Areas
3. Improving Health and Safety Standards
4. Teaching of Juvenile Decency
5. Supporting Fire Prevention Programs

A beautiful city cannot be legislated, and yet sufficient codes and ordinances are a basic necessity for any successful improvement program. This country, being a nation of law, has more statutes on the books nationally, state-wide and locally than any other country in the world. Practically every problem that the human mind can think of has been written into some form of legislation. Consequently, the breakdown is not the law itself--or lack of laws--but most often lack of strong enforcement.

We must face the stark and discouraging reality that billions of dollars going for new housing to replace slums will end up unfortunately

in creating tomorrow's new slums unless there is a great change in a large segment of the public's attitude and habits regarding indifference. The more people live amidst blight, the less they care, the lower their moral standards become, the lower they sink on the human scale. Juvenile delinquency, crime and all other familiar problems of rundown neighborhoods result. Thus, in the interest of human welfare and dignity it is essential that better living be associated with greater civic action in community appearance.

MUNICIPAL BONDS

As 1964 drew to a close the small cloud on state-local bonds deepened somewhat when the U. S. Supreme Court agreed to review the entire legal history of the tax dispute involving the Atlas Life Insurance Company of Tulsa, Oklahoma and the U. S. Treasury. The case revolves about the effect of a proration tax formula applicable to insurance companies which the Atlas Company contends indirectly results in its paying a higher tax than it otherwise would have to pay solely because it owned securities which heretofore had been presumed to be tax free. However, implications of the case extend beyond the mere technicalities of the application of a tax formula and could extend to a review of the previously upheld constitutionality of the tax exempt status of bonds issued by state and local governments from the federal income taxes.

THOUGHTS FOR TODAY

The only thing people learn from experience is that they've made another mistake.

Those who want to live a quiet, peaceful life have picked the wrong time to live.

Wallet - Something you pay luxury tax on when you buy it, income tax on what you put into it, and sales tax on what you take out of it.

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The Luzerne County News-letter

VOL. XIV, NO. 3 WILKES COLLEGE, WILKES-BARRE, PA., MARCH 15, 1965

MARCH MEETING

The Institute of Municipal Government at Wilkes College will hold a bi-monthly dinner for local officials at Wilkes Commons on March 18, 1965 at 6:30 p. m. The featured speaker for the evening will be James B. Post, Chairman of the Board of Luzerne County Commissioners, who will discuss "The Progress of the Reassessment Program".

Last year's meeting on the assessment program was timely and successful. Now that the program has finally been adopted, all local officials will want to know something concerning the operations and procedures under the program. Mr. Post will be accompanied to this bi-monthly meeting on March 18 by his colleagues and the Board of Assessors.

LOCAL NEWS

James B. Post, chairman of the Luzerne County Commissioners, and his colleague, William Goss, called on the Board of Assessors to review all church parsonages, including parking areas, and to adjust their assessed value to about 10% of market value. The new arrangement will reflect that about two-thirds of the property is used for church and religious purposes and one-third for personal living.

The Forty Fort Borough Council adopted a budget providing for an occupational privilege tax of \$10.00, the first such levy by any West Side Community.

At a special session of the Swoyersville Borough Council, Mrs. Mary Harzinski was elected to fill the unexpired term in the Mayor's office caused by the death of her husband, Anthony Harzinski. Her husband was in his 5th term as Mayor when he died. The appointment of his wife will mark the 20th consecutive year that a member of the Harzinski family has filled the Mayoralty post. She will be the second woman in the history of Swoyersville to hold the office of Mayor. Mrs. Josephine Brominski was appointed to the post in 1945 to complete the term of her husband, Dr. John Brominski.

Ultimate acquisition of 590 acres of land for park and recreational purposes in Luzerne County moved a step closer when Urban Renewal Administration of Federal Housing and Home Finance Agency approved a grant of \$33,615 under the open-space land program. The grant covers 30% of total land acquisition cost of \$112,050 for the area known as Moon Lake Park in Plymouth Township. It is off Route 29 about two miles from Ceasetown Dam and was known as Mud Pond or Reakes Pond. The area is to be developed for activities such as swimming, boating, fishing and hiking.

A zoning ordinance for the Borough of Wyoming was formally adopted at a meeting and public hearing of Wyoming Planning Commission. The ordinance will be recommended to Council for adoption.

SERVICE AWARD

Every year at the Annual May Dinner, the Institute of Municipal Government presents the Service Award to those local officials who have contributed untiringly over a long number of years in the service of their respective governments. The Institute will offer these awards again this year in May at the Thirteenth Annual Dinner. Included in those eligible for the Award are school board members and secretaries, police, firemen, councilmen, mayors, solicitors, engineers, planning and zoning commissioners and township supervisors. This Award is given as an expression of appreciation for ability, wide experience and untiring efforts as an outstanding public servant over many years. Send in the name of the recipient who is deserving of this Award.

VALLEY FORGE INDUSTRIES APPEAL

The Plymouth Township Board of Adjustment denied Valley Forge Industries request for a special exception for the construction of a building and the paving of its lot for the storage of asphalt trucks. The zoning ordinance authorizes the requested use as a special exception subject to its meeting certain criteria.

The Board, in denying Valley Forge's application, found that the proposed use would jeopardize traffic safety, and would create conditions of dust, noise and odor, thus adversely affecting nearby residential properties. Valley Forge Industries took issue with the findings of the Board, arguing that there would be only an insignificant increase in traffic, and that the other nuisance characteristics ascribed to the use were only possibilities.

The Supreme Court in dismissing the appeal, and upholding the opinion of the lower court, stated: "This Court cannot measure the degree or extent of noise, dust, odor or traffic . . . It will suffice to say there was sufficient evidence to sustain the findings of the Board and we can find no abuse of discretion."

BILLBOARD BAN

The New Jersey Supreme Court, in a decision that rested on aesthetic considerations rather than on conventional police powers, has upheld an antibillboard ordinance of Metuchen, New Jersey (United Advertising Corporation v. Metuchen).

The majority opinion drew a sharp distinction between treatment of billboards and business signs. "Even if the baleful effect of both be in fact the same," the court reasoned, "still in one case the sign may be found tolerable because of its contribution to the business or enterprise on the premises."

The court then turned to aesthetic factors and economic effects. "A discordant sight is as hard an economic fact as an annoying color or sound. We refer not to some sensitive or exquisite preference, but to concepts of congruity held so widely that they are inseparable from the enjoyment and hence the value of property."

A dissenting opinion argued for banning billboards as outright eyesores, without shifting attention to economic effects. The decision is noteworthy in its recognition of aesthetic factors in addition to traditional arguments that billboards are a threat to public safety.

CLUSTER ZONING

It is usually assumed that for suburban and rural living openness of development is a desirable objective and that it is attainable through the proper use of zoning regulations. The method which is most familiar is the requirement of oversize lots in residential zones of higher classification, and an increase in the size has been a notable trend of the last ten years. An acre minimum is not unusual, and its validity as a zoning regulation has been affirmed in decisions of the Supreme Court in several states. Even higher requirements have been sanctioned by the courts, two acres in New York, three acres in Missouri, four in Connecticut and five in New Jersey.

Clustering is another method of securing open development. As applied to zoning, it permits the developer to take something off the requirement for residential building lots, but only if the reduction is handed over to the community as land to be kept open. In a residential development of 50 acres, located in a zone restricted to lots of one acre, the developer may be permitted to build on a lot of 30,000 square feet, and the more than 13,000-foot reduction, or that part of it found to be fit for the purpose, might be used by the community for public recreation. This option to the developer would, in most cases, be handled in the zoning ordinance as a highly conditioned exception, and certainly one of the conditions would be the submission by the developer of a plan for the approval of the planning commission or other specified community agency. The fitness of the land to be deeded to the community is an essential in the success of the clustering method of securing open development. The first court test of the validity of cluster zoning was discussed in the February 1963 zoning bulletin of the New York Regional Plan Association. This was a Superior Court case in New Jersey involving land in South Brunswick Township, located about halfway between New York and Philadelphia.

Whether cluster zoning will appeal to developers is yet to be proved. They may save something in road construction. They may produce a more interesting residential pattern, and one more attractive to buyers. There may be an advantage in house frontages on open land instead of the more conventional frontage on roads.

THOUGHTS FOR TODAY

A penny saved makes the coin shortage worse.

He who laughs last probably didn't hear the punch line.

PRISONER HANDLING

Prisoner handling in one-man patrol cars in Glendale, California is facilitated by using a seat belt. The prisoner is handcuffed and then "safety-belted" to the seat. (The Police Chief, April 1959)

PUBLICATION

This News-letter, published monthly as a community service, originated in the Institute of Municipal Government of Wilkes College. Notes and inquiries may be addressed to Dr. Hugo V. Mailey, Institute of Municipal Government, Wilkes College, Wilkes-Barre, Pennsylvania.

The Luzerne County News-letter

VOL. XIV, NO. 4 WILKES COLLEGE, WILKES-BARRE, PA., APRIL 15, 1965

ANNUAL DINNER

The Thirteenth Annual Dinner for award winners will be held at the Wilkes College Commons on Friday, May 14, 1965 at 6:30 p.m. This will be a gala occasion for local officials and local government employees in Northeastern Pennsylvania, particularly in Luzerne County. This Dinner really brings to a climax the activities in local government which the Institute of Municipal Government has conducted.

The main speaker of the evening will be the Honorable Daniel J. Flood, member of Congress from the 11th Congressional District of Pennsylvania. His efforts in interesting the Federal Government in the Susquehanna River Basin are now beginning to bear fruit. Congressman Flood dreams of the day when the whole Wyoming Valley will be a thriving, prosperous area in the Susquehanna River Basin. His remarks will be related to the part that local officials will play in revitalizing Wyoming Valley.

This is Ladies Night. The wives of all those who will receive Certificates or Awards are welcomed to the Dinner.

MUNICIPAL BONDS

The United States Supreme Court will begin hearing oral arguments on a case that may determine whether the Treasury has the right to levy an indirect tax on the income from tax-exempt municipal bonds. At issue is the question of whether ordinary business expenses, generally fully deductible to businesses, should be disallowed as deductions in proportion to the amount of tax-exempt income received.

The case, which has been running since April, 1962, pits the Treasury against the Atlas Life Insurance Company of Tulsa, Oklahoma. Although the decision will directly affect the life insurance industry,

what really is at stake is "the knowledge and belief for any investor that his income from tax exempts will be excludable from taxes." The interest on bonds issued by states and local governments is commonly believed to be exempt from Federal taxation under the constitutional doctrine of reciprocal immunity. That is, the Federal Government would not tax state and local government bond interest, and vice versa.

There is much feeling, however, among many in the legal profession that Congress possesses the power to tax such interest if it should choose to do so. The exemption of interest has been the subject of frequent and strenuous debate and recently has been argued more on the theory of economic and political impact than on the subject of constitutional limitations of Federal taxation. Tax-exempt bonds have generally been thought of as the rich man's investment. A person in a 70 per cent bracket would have to earn, for example, about 10 per cent on a \$10,000 investment to derive the same income as earned on a tax-exempt investment yielding 3 per cent. The person in the 36 per cent bracket (earning \$30,000 a year) would have to earn almost 5 per cent to get a similar yield.

Commercial banks, which buy about half of all municipal bonds issued, have found that this form of income has enabled them to pay higher rates on investor savings accounts and corporate time deposits. Municipal income has also been a help to casualty and fire insurance companies in offsetting the heavy loss experience of recent years. The exemption from Federal income taxes is particularly appealing to banks and insurance companies, which are limited in their range of investments. For the state and local governments, if the Treasury wins "municipal bonds will have to become more attractive (that is, pay more interest) if they are going to meet the investors' objectives." Last year state and local governments sold \$10 billion of tax-exempt bonds. The annual interest cost on the bonds ranged from 3.04 per cent to 3.27 per cent.

JUNK YARD ORDINANCES

Pursuant to legislative authorization as found in Clause 12, Section 702 of the Act of May 1, 1933, P. L. 103, as amended, 53 Purdon Statutes Section 65712 authorization is given to second class townships to prohibit nuisances including the storage of abandoned or junk automobiles. Various Court decisions have interpreted this authorization to mean that there must be a nuisance in fact. A second class township ordinance to declare an automobile junk yard to be a nuisance per se is not in accordance with the legislative authorization and therefore invalid.

The leading decision is Commonwealth vs. Hanzlik, 400 Pa. 134 (1960). That case involved a second class township ordinance declaring the storage of abandoned or junked automobiles to be a nuisance and hence unlawful. The Supreme Court of Pennsylvania held that the legislature did not define the storage of junked automobiles as a nuisance per se is unauthorized and thus invalid. The principal has been restated in Daugherty vs. Messner, 404 Pa. 235 (1961). This principal is further enunciated in Roglaski vs. Upper Chichester Township, 406 Pa. 550 (1962) which held that an automobile junk yard is not a nuisance per se. Also, the Montgomery County Court in Recent decisions has followed the same principle. For example, in the case of Limerick vs. Lonnie Wiseman, No. 62-8593, Judge Honeyman in a decision dated January 4, 1963 held that by reason of clear unequivocal language of the Supreme Court of Pennsylvania in the case of Commonwealth vs. Hanzlik, to the effect that the legislature has not given to second class townships the power or right to promulgate ordinances declaring the storage, junking, abandoning or burning of automobiles as a nuisance per se, the appeal should be sustained without the necessity of a hearing and defendant should be judged not guilty and the fine of \$100 assessed by the Justice of the Peace against the defendant be refunded to the defendant.

In the matter of Township of Upper Merion vs. William Haney, 63-4136 a similar problem under the provisions of a second class township ordinance was raised. Under the date of July 9, 1963, Judge Honeyman entered an Order upon the authority of Commonwealth vs. Hanzlik, sustaining the appeal from a conviction of guilty under the ordinance, discharged the defendant and directed that the fine paid by the defendant be returned to him. In the Upper Merion Case (Supra) the ordinance stated that it was unlawful to store or deposit any abandoned or junked automobiles or parts thereof in any place in the township. A further section of the ordinance said that such action in violation of the ordinance would be deemed to be and would constitute a nuisance.

It is clear under the Hanzlik decision that such an ordinance is invalid in that it seeks to declare the activity in question as a nuisance per se and the courts have held that the legislative authorization refers only to a nuisance in fact. Similarly the ordinances in the Hanzlik decision and in the Limerick Township decision sought to declare as unlawful the storage of any abandoned or junked automobiles and therein declaring such activities to be a nuisance. The reasoning behind these various decisions is that the statutory authority given to second class townships is only an authorization to the township to declare an activity to be a nuisance. This is strengthened by other provisions in the second Class Township code which give to the supervisors the right to regulate such activity.

Reprint from May Reporter

COMPATIBLE AND INCOMPATIBLE OFFICES

Constables may not serve as aldermen or justices of the peace, township or borough auditors, school directors, district attorneys or as officers of the executive, legislative or judiciary departments of the United States except for military service. Constables may serve as borough policemen and may receive all costs and fees to which he is entitled as constable, except that those costs and fees derived from borough ordinance violations are to be collected by the borough mayor and paid into the borough treasury. There is no provision in the laws governing Philadelphia permitting constables to serve as policemen, however, nothing would seem to prohibit this.

In Pittsburgh and Scranton (second class and second class A cities respectively), the law is also silent concerning the question of a constable serving as a policeman. Second class city law does provide that all city employes are to receive a fixed salary, which would seem to be in conflict with the fee system of the office of constable. However, in a lower court case, *City of Pittsburgh v. Edwards*, 58 Pitts. 102, 1909, it was held that the second class city provision of fixed salaries does not apply to fees collected for services performed under other state statutes. Thus, it would appear that constables serving in Pittsburgh and Scranton would also be policemen and receive their fees.

Third class city law specifically prohibits a constable being appointed as a policeman. In first class townships a constable may be a policeman, however, he may not receive compensation for his duties as a policeman. Second class township law provides that a policeman is an ex officio constable. He would not be entitled, however, to the fees of the constable except for the allowable traveling expenses. But, in most second class townships the elected constable performs all police functions and this compensation problem is thereby eliminated.

Reprint from March Internal Affairs

THOUGHT FOR TODAY

Any man who calls his wife his better half probably doesn't understand either women or fractions.

PUBLICATION

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The Luzerne County News-letter

VOL. XIV, NO. 5 WILKES COLLEGE, WILKES-BARRE, PA., MAY 15, 1965

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NONTRADITIONAL ASSIGNMENTS

After careful analysis of the work of the fire department, firemen at West St. Paul, Minnesota, have been assigned the duty of inspecting businesses to determine that all necessary business licenses are current. The assignment is the first in a program to make use of available fire department manpower in areas which are not traditionally assigned to the fire department.

Usually four men are on duty in the department at all times. The license inspection program involves sending two men out in the department's station wagon, which is equipped with emergency equipment, firemen's personal equipment, and a two-way radio. One man makes the inspection while the other stands by the two-way radio. Because of the relatively small number of alarms received in the course of a year,

it is anticipated that few occasions will arrive when the men on inspection duty will be called to an alarm, although this has occurred once.

The new duties also have permitted the fire department to augment its regular fire inspections in commercial buildings. During the summer months it is planned to expand the inspection operation to assist the building inspector in keeping track of construction activity in the city and in making certain that proper licenses and permits have been issued. Direct enforcement against violators, however, will remain with the police department and the appropriate inspectors.

As an example of "nontraditional" service to which fire manpower can be put, the program points out the following criteria: (1) it is work which can be performed in the community while remaining in constant radio contact with the station; (2) it is work which can be dropped on a moment's notice to allow the men to respond to an alarm if necessary.

Public Management, June, 1964

MUNICIPAL TORT LIABILITY LEGISLATION

Legislation was enacted in 1963 by the states of Minnesota and Wisconsin relating to municipal tort liability. The traditional defense of "governmental immunity" was abandoned by a Minnesota Supreme Court decision in 1962 (*Spanel v. Mounds View School District*). The 1963 Minnesota legislation becomes effective January 1, 1964 (Laws 1963, Ch. 798). The law preserves some immunities, sets limits of recovery in tort actions against governmental subdivisions and clarifies the procedure for purchasing insurance and paying judgments. The maximum liability under the 1963 act shall not exceed "... (a) \$25,000 when the claim is for one death by wrongful act or omission, and \$50,000 to any claimant in any other case; (b) \$300,000 on any number of claims arising out of a single occurrence. No award for damages on such claim shall include punitive damages."

The Wisconsin Act (331.43) requires notice within 30 days of injury or death allegedly caused by any political corporation, governmental subdivision or volunteer fire company or its officer, agent or employee to be served on corporation or subdivision and on such officer, agent or employee, if any. The act limits to \$25,000 the amount which may be recovered against a municipality or its officer or agents by any one individual for damage or injury arising out of a single tort. The act also provides that special rights or remedies provided against municipalities by other statutes for injury, damage or death shall supercede the monetary limits imposed by the new law, when such other statutes apply.

REASSESSMENT

Luzerne County adopted a long-needed and long-delayed reassessment program on October 1, 1964. A primary objective of the reassessment program is assessment equalization so that every property owner pays his fair share toward government operation. All property owners were notified of the county assessment valuations by mail. A pamphlet explained the new assessment figure. One of the notable achievements of the program was to uncover and place on the tax rolls approximately 6,000 taxables who had been dodging their obligation. The old assessed valuation for Luzerne County was \$245,518,956. The new assessments show an increase of \$126,778,388 for a total of \$362,297,344. In some communities, such as Wilkes-Barre City, there was a decrease in assessed valuations (-8.6); whereas in other communities such as Salem Township there was an increase (+237.9).

HAZLETON

Hazleton has been named among those to receive All-America City honors, it was announced by the National Municipal League and *Look Magazine*, co-sponsors of the annual competition for the nation's cities.

The All-America City designation is given each year to eleven cities whose citizens have made outstanding progress in solving community problems. The winning cities were picked from a field of over 100 by a jury headed by Dr. George H. Gallup, director of the American Institute of Public Opinion and chairman of the National Municipal League.

The first industrial resurgence in Hazleton began when citizens organized a Dime-a-Week campaign to buy 500 acres for an industrial park, then cleared the land themselves. Between 1956 and 1963, three fund-raising drives netted over \$2.2 million for CAN-DO, Inc., an industrial development corporation which builds "shell" buildings to attract industries. With 16 new industries gained to date, unemployment is down from 16 per cent to 6 per cent. In addition, energetic Hazletonians have created a 175-acre community park through volunteer labor and funds.

WYOMING VALLEY SANITARY AUTHORITY

Wyoming Valley Sanitary Authority at a special meeting recently passed a resolution authorizing the filing of an application for an advance

grant of \$372,000 with Community Facilities Administration, Housing and Home Finance Agency, to be used in preparing final plans for the proposed \$22,000,000 sewage treatmentworks for Wyoming Valley communities.

EDUCATIONAL INCENTIVE PLAN ENCOURAGES EMPLOYEE TRAINING

The Irwindale, California City Council recently approved and adopted in its entirety an Educational Incentive Plan prepared and submitted by City Manager Edwin T. Powell. The plan is designed to encourage self-improvement in the employees and to recognize and reward the individual employee for accomplishments.

1) All City employees who, on their own time, successfully complete the requirement of an approved three-unit course will be eligible for a \$5 per month increase in their salaries for as long as they are on the city payroll. 2) An approved course is one that is endorsed by the respective department head and the city manager and directly pertains to the present duties and responsibilities of the employee or is associated with the next step on the promotional ladder. 3) Two approved two-unit courses will qualify and the employee will have \$5 per month increase and have one unit start toward his next three units. When six units are completed, it will qualify the employee for a \$10 per month increase and so on, with \$5 extra for each three units successfully completed, up to a maximum of sixty units, or \$100 per month per employee. The successful completion of a two-unit course will not result in an increase until an additional unit is completed. 4) If the employee, after receiving permission from the department head and the city manager attends class on the city's time, he will not be eligible for this extra reimbursement because the city already has encouraged his improvement by not deducting from his regular salary the hours he was absent from his job while pursuing an education.

THOUGHTS FOR TODAY

Heat travels faster than cold -- you can catch cold!

Work is a fine way to escape being bored.

PUBLICATION

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The Luzerne County News-letter

VOL. XIV, NO. 6 WILKES COLLEGE, WILKES-BARRE, PA., JUNE 15, 1965

HIGHWAY CLASSIFICATION REPORT

The report to the Highway Classification Committee, created by the General Assembly in 1963, was released to the public this week. The report, entitled "Arterial Transport Systems for Pennsylvania," was prepared for the Committee by the Automotive Safety Foundation. The report recommends that the General Assembly "reassign governmental responsibilities for roads and streets, establish corresponding equitable fiscal policies, improve intergovernmental relations, and promote more efficient administration in both state and local governments." The report states that "revised financing policies should accompany changes in jurisdiction," but other than citing the need for fiscal studies in several areas, and other than recommending that the 1/2 cent aid to the county be abolished, the report does not specify what the "revised financing policies" would be.

The report recommends five road responsibility assignments: (1) state primary (rural and urban)--state responsibility; (2) state secondary (rural and urban)--state responsibility; (3) other urban arterials--city and borough responsibility; (4) township roads--township responsibility; (5) access streets--city and borough responsibility.

These recommendations would reduce existing state highway mileage by 13,148 miles, "but, 1,347 miles of important county roads, township roads, and city streets would be transferred to state responsibility." Cities and boroughs would have a net increase of 537 miles, townships--11,877 miles. All 613 miles of county roads would be transferred to other jurisdictions. The report dwells extensively on "intergovernmental relations" in highway administration--and rightly so, because classification is really an intergovernmental relations matter. In referring to the more than 1,000 boroughs and cities in the Commonwealth, the report divides the group into three classes of communities--those under 5,000 population, those between 5,000 and 30,000 and the 22 communities over 30,000.

For the 766 boroughs in the smaller category, the report specifies that most of the arterial services would be provided by the State Highway Department on the borough which are connecting links of the state primary and secondary system. Additional arterial streets would receive ear-marked state aid to promote "priority development" by the municipality. The report also emphasizes the importance of intermunicipal agreements for street operations.

The report comes to the conclusion that the 216 boroughs and cities between 5,000 and 30,000 population "should be able to efficiently maintain and develop their own arterial and access streets." The responsibility for developing these streets would lie with the municipality and they would not be a part of the state primary or secondary system. State aid allocated to these cities and boroughs would again be earmarked for use on the arterial streets within the municipality. In the larger cities and boroughs (above 30,000 population), arterials would be the sole responsibility of the municipality -- no state aid or control.

Comparing these three population categories, the report recommends that purely local roads would be purely local responsibility in all three categories; that is, purely financial and administrative responsibility. Also, in all three categories the state primary and secondary system would, of course, be the responsibility of the state. It is in the category of arterial streets that the difference is found. In the small places, most the arterial streets would be the administrative and fiscal responsibility of the state. In the medium-sized places, the arterial streets will be municipal responsibility with ear-marked state aid of their development with state supervision. In the larger municipalities, the arterial systems would be the sole responsibility of the city or borough.

The report concludes by recommending certain "actions" by local governments, by the Highway Department; and by the General Assembly. For the latter, some of the actions mentioned are: refrain from adding routes to the state highway system; transfer responsibility for local roads and streets to local governments; revise state aid to local governments to compensate for such transfers. For local governments, the "actions" include; stressing the policy-making responsibilities of the legislative bodies; selecting a career, qualified, non-elective employee to supervise all road and street operations; seek cooperative agreements with other municipal groups to improve efficiency; and, for boroughs over 5,000 population, "define and legally establish **Primary**, **Secondary**, and **Tertiary** arterial systems as a basis for planning, financing, and traffic operations."

TWO PER CENT MONEY

Governor William W. Scranton signed into law a bill fixing the State's share of the cost of operation of municipally-owned sewage treatment plants at two per cent annually. The full two per cent sewage subsidy will give the Wyoming Valley Sanitary Authority approximately \$400,000 toward the operating costs as against about \$240,000 under the old arrangement based on 1.19 per cent.

"Under the previous law," the Governor said, "payments amounted to only 1.19 per cent per year for the three years prior to the start of this administration. At our request, the General Assembly has appropriated enough money to pay the full two per cent each year since 1963. Last year, this amounted to \$5.5 million. This year, the figure will be more than \$6.2 million, and next year \$7.1 million is anticipated in payments. This new act makes the full two per cent mandatory in conformity with the intent of the State's nationally-known clean streams law."

COMMUNITY ANTENNA TELEVISION

A 43-page report reviewing guidelines and practices for boroughs in regulating community antenna television firms is now available to local officials. It includes a survey of current regulations in 51 boroughs and copies of franchise and permit documents. A complimentary copy will be sent to each member-borough upon request from the Pennsylvania State Association of Boroughs.

SPECIAL LICENSES

The special license plates for mayors and councilmen made especially for borough officials have been very popular. The supply is rapidly being depleted. If you want one of these handsome special plates with "Mayor" or "Councilman" on it for the front of your car, send \$1.00 to the Pennsylvania State Association of Boroughs.

NEW LEGISLATION

Act No. 20 - The combined amount of compensation paid to the secretary and treasurer as salary, wages or other compensation for services, exclusive of the compensation for preparation of the annual tax duplicate, shall not exceed three per centum of the money paid out by the treasurer, but it shall not be less than seventy-five dollars per annum.

Act No. 26 - This Act relating to Third Class Cities provides for additional compensation for police officers for overtime emergency duty. No city can require any police officer to work more than eight hours in any twenty-four consecutive hours, nor more than forty-four hours in any one week unless in emergency cases for the suppression of riots or the preservation of public peace. When the Mayor of a Third Class City declares an emergency and requires police officers to remain on duty overtime such officers shall be compensated on the basis of their annual salary.

Act No. 9 - Upon request of the school directors in a borough the borough council may appoint special school police who shall serve at the pleasure of the council and whose compensation shall be fixed by the borough council and shall be paid jointly by the council and the school directors, in a ratio to be determined by the borough council and board of school directors. If the borough council and board of school directors are unable to determine the ratio of compensation of the police to be paid by the council and board, each shall pay one-half of the compensation of such police.

Act No. 28 - Second Class Township supervisors shall receive not less than \$6.00 nor more than \$10.00 for each meeting which they attend, the amount of the compensation to be determined by the township auditors.

THOUGHTS FOR TODAY

The early bird is usually the best dressed, especially in a family of girls.

Smart people speak from experience. But smarter people, from experience, don't speak.

A woman doesn't mind admitting she's thirty-nine years old, especially when she's fifty.

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The Luzerne County News-letter

VOL. XIV, NO. 7 WILKES COLLEGE, WILKES-BARRE, PA., JULY 15, 1965

FIFTH ANNUAL COMMUNITY GROWTH CONFERENCE

You are cordially invited to attend and participate in the FIFTH ANNUAL COMMUNITY GROWTH CONFERENCE to be held at Wilkes College, on Wednesday, September 29, 1965.

In an attempt to come to grips with the more pressing problems of our area, the sponsors of the COMMUNITY GROWTH CONFERENCE are pleased to provide this unique opportunity to share experiences with nationally known authorities who have been invited and will participate in the CONFERENCE with us. This FIFTH ANNUAL COMMUNITY GROWTH CONFERENCE will provide an opportunity for the exchange of ideas among the various organizations and individuals concerned with the solution of the more practical problems related to the social and economic well-being of our area. The CONFERENCE will bring together all those people interested in planning for the area. It is designed to set a pattern for future cooperative efforts among local government officials, builders, realtors, industrialists, developers, and interested citizens.

MARK THIS DATE ON YOUR CALENDAR. DON'T MISS THIS IMPORTANT MEETING!

ADVERTISING FOR BIDS

When a Borough advertises for bids for public work and receives what appears to be a satisfactory bid, the bidder must realize that no contractual relation shall arise therefrom until a written contract, embodying all material terms of the offer, and acceptance has been formally entered into. In the instant case, the motion whose adoption is evidenced by the minutes of Borough Council meant merely that the proposal was accepted subject to the preparation and execution of a formal contract; or subject to the motion being rescinded before the contract, which was all the motion adopted amounted to, did not in any way limit Borough Council's freedom of future action.

ACT 19

The General Cooperation Law is one of the most important pieces of enabling legislation for Pennsylvania municipalities. It is a method for solving area-wide problems on a common basis. When the law was originally passed in 1943, it did not contain a contiguity restriction. In 1945, such a requirement was put into the law that only adjoining municipalities could enter into intergovernmental agreements. There are, however, many occasions when contiguity is not important for an effective intergovernmental agreement.

Act 19 makes it possible for municipalities that are not contiguous to enter into cooperative agreements under the General Cooperation Law. Municipalities may join together, under the General Cooperation Law, to perform almost any function or service they can perform separately. Joint agreements have been used for sewerage, police, protection, recreation, purchasing, and many other municipal functions.

POLICEWOMEN

Crime prevention is a relatively new idea in police work, and policewomen have done much to translate this idea into action. The first full-fledged policewoman, appointed in Los Angeles in 1910, was a former welfare worker. Her idea, which she finally sold to city officials, was to have a force of trained women charged with the supervision of dance halls, skating rinks, and other places of public entertainment. Crime that might involve women and children could be caught at the breeding places and prevented by methods similar to those of social work.

After World War I the number of policewomen increased rapidly, and with this growth in numbers came a growth in understanding of the function of women in police work. In 1922, policewomen got another boost when the International Association of Chiefs of Police, at their convention, passed a resolution upholding the need for this new force for social improvement. "The appointment of policewomen," said the chiefs, "is for the purpose of carrying out a preventive and protective program for the community, that will include the social protection of women and children."

The work of most present-day policewomen is still preventive and protective in nature. The emphasis is still on women and children. Policewomen still work with social agencies, both public and private. But the duties of a modern policewoman may vary from ordinary patrol work to assignment as a fingerprint expert, a member of the narcotics squad, or a radio dispatcher.

Policewomen's duties may vary considerably even within the same city. They may be assigned to the juvenile bureau or the crime prevention division, charged with preventing delinquency and crime among young people and women. In this work they co-operate closely with social welfare agencies. Some women may be assigned to the missing persons detail, with the responsibility of finding and returning missing women and children to their homes. Plain-clothes women may patrol bus stations, theaters, amusement parks, restaurants, dance halls, subways, parks, roller rinks, and other public places where women and children congregate. Policewomen may be assigned to the shoplifting detail in department stores, and to the records division, where they may perform various clerical or administrative jobs. In many cities local law or police policy requires that a policewoman be present at every questioning involving women suspects or victims.

Of the police departments that responded to a survey made by the IAWP, 48 per cent required a civil service examination of applicants for policewomen positions. An additional 13 per cent hired policewomen on the merit system. Civil service exams for policewomen vary considerably. Many of them cover such subjects as sociology, criminology, civics, government, English, and history. Over half the police departments in the United States require a high school education or better. According to IAWP surveys, 16 per cent require their policewomen to be college graduates. Educational standards for policewomen are rising especially in large cities. In some cities the majority of policewomen are college graduates, with a few holding master's or Ph.D. degrees. With increasing numbers of more highly educated women in the ranks of police, the educational level of the occupation as a whole is rising.

A number of colleges and universities offer courses in delinquency control, crime prevention, police science, or criminology. A major in one of these subjects with a minor in social work or psychology would be ideal for a policewoman. The majority of police departments offer some sort of in-service training to policewomen recruits. At the end of the formal training period, rookie policewomen spend the remainder of their probation on regular police duty under the close supervision of experienced officers. The list of former occupations of policewomen is almost endless. Social work, nursing, and teaching are among the occupational backgrounds of a considerable number of women police. Women who have served in the armed forces have a very desirable background for police work. Unlike their male counterparts, policewomen rarely wear uniforms. The sort of duties to which they are most frequently assigned made a uniform more a hindrance than a help. Uniformed women in department stores or on patrol in parks would be spotted by potential lawbreakers and avoided like scarlet fever. About the

only instances when the average policewoman wears a uniform are in parades or other ceremonial occasions--unless, of course, she's assigned to the traffic detail or some other post where a uniform is helpful. As in most service occupations, the number of police will increase to keep pace with the growing population. Women police should increase faster than men because of the growing acceptance of crime prevention work and an increased realization of the need for co-operation between police and social agencies.

NEW LEGISLATION

Acts 67 through 73 - Second Class Townships, First Class Townships, Boroughs, and Third Class Cities are permitted to make use of non-debt revenue bonds, which have been available to local governments on a limited basis under the Municipal Bond Law. These Acts make non-debt revenue, secured by project revenues and not subject to constitutional debt limitations, more attractive to the investor. Non-debt revenue bonds do not pledge the credit of the municipality nor create any debt against the general revenues of the municipality. The cost of many facilities previously financed through the authority device can now be made by issuing non-debt revenue bonds. Whether the bonds are retired annually by maturity or by a sinking fund the sum of the payments for principal and interest in any year shall not exceed the sum of the payments for principal and interest for any prior year by more than five thousand dollars or twenty per cent of the prior sum, whichever is greater. The maturity shall not exceed forty years. Municipalities may also refund non-debt revenue bonds except that such refunding bonds shall bear an interest rate not exceeding the bonds to be refunded and the maturing of such refunding bonds shall not exceed twenty years.

THOUGHTS FOR TODAY

There's nothing like having an excellent reputation to make some people wonder what you're hiding.

Raising children is like drafting a blueprint--you have to know where to draw the line.

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The Luzerne County News-letter

VOL. XIV, NO. 8 WILKES COLLEGE, WILKES-BARRE, PA., AUGUST 15, 1965

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SALOPEK V. ALBERT

The Supreme Court of Pennsylvania upheld the order of a lower court directing the Mayor of a Borough to assign to the plaintiff the duties of the chief of police, which office the plaintiff lawfully held. The Borough Council had appointed the plaintiff Chief of Police, and had enacted an ordinance specifically defining the duties of the Chief of Police. Despite that ordinance, the Mayor had assigned to the Chief duties consistent with those of a patrolman, and not of a Chief of Police, and had repeatedly suspended the plaintiff for refusing "to act as a patrolman," following which the plaintiff was repeatedly reinstated, with back pay, by Council.

The court pointed out that the duties to be performed by the various ranks in the police department are within the prerogative of Council, the manner in which the designated duties are to be performed is the prerogative of the Mayor. The Mayor, therefore, exceeded his authority when he assigned to the Chief of Police duties pertinent to the rank of patrolman. Furthermore, it is the duty of the Mayor to enforce all ordinances of the Borough, and his failure to recognize the duties assigned to the Chief of Police by Council in a lawful ordinance constituted a dereliction of his official duties.

LOCAL GOVERNMENT COOPERATION

Unless present trends are changed, the eleven-county region between Trenton and Wilmington can expect an increasingly troubled future. As the region's population increases from its present five million to an expected eight million by 1980, suburban areas will have steadily mounting population pressures and ever greater traffic congestion. There will be increasing air pollution, sewerage difficulties, disappearing open space, and intensifying competition for decreasing water supplies. In addition, the problems of the central cities along the Delaware will soon be hitting the older suburbs and gradually spreading into newer areas. These areas can expect increasing blight and obsolescence, overcrowding, and confusion.

The only practical solution is increasing cooperation among the nearly 400 local governments in the region. Such cooperation will be aided and made more systematic by the recently established Regional Conference of Elected Officials. Cooperation across governmental boundaries can stem the tide of disorder as nothing else can. It can reduce the duplication of services and give much greater mileage for our tax dollars. It can help to work out practical solutions to our traffic and water problems. It should also make it easier for us to attract new industry to the region.

Such a focus of cooperative interchange could constitute an arena where pressing regional issues can be raised, negotiated, and settled. To the extent that agreement could not be reached, the discussion would provide a center of attention for public-spirited citizens concerned to thresh out and support whatever solutions to unresolved problems they considered to be in the interest of the region.

(From an address by John W. Bodine at the annual award ceremonies for governmental officials and employes sponsored by the Fels Institute of Local and State Government, University of Pennsylvania.)

LOCAL NEWS

The City of Wilkes-Barre in the next three years will save a minimum of \$49,500 in management fees in operation of the municipal Park and Lock facility. The Council approved a new three-year contract with the Edison Parking Corporation of Newark, New Jersey to manage the Park and Lock. The new contract calls for management fees of only \$35,500 a year as compared with \$52,000 a year under its present contract. Twelve bidders submitted bids for the management of the facility.

Guy B. Walker, 75, the Wilkes-Barre City Engineer, died on July 21, 1965. One of the oldest municipal engineers in the U. S., he would have completed 60 years of service with the City. He filled every position in the City Engineer's Office starting as a clerk in 1905. He received meritorious service citations from the American Public Works Association, the Institute of Municipal Government, and Wilkes College.

At a meeting of the West Pittston Borough Council it was decided to update and revise the Borough ordinances under the direction of Penns Valley Publishing Company.

Mayor John Dempsey of Wyoming died on July 8, 1965 while serving his sixth term as the borough's chief officer.

Market value of real estate in Luzerne County in 1964 totaled \$726,636,100, for an increase of \$10,955,100 or 1.5% in the 1963 market value.

About 90% of the land within the Hazle Street Redevelopment Project area in the City of Wilkes-Barre has been committed or sold. Plans call for expansion of a manufacturing company, construction of a new post office, and construction of a super market for the area.

SEWAGE DISPOSAL

There's an old saying that sewage, like death and taxes, is always with us. That being the case, the wise public official will be continually alert to new and up-to-date ways to dispose of it. The Institute of Municipal Government Library has publications on file that will help him in this effort, and the Institute staff will welcome the opportunity to make them available to him.

The American Public Works Association publishes special reports from time to time evaluating sewage disposal methods for home

and municipality alike, as does the U. S. Public Health Service. The "Manual of Septic Tank Practice," published by the latter agency in 1957, is an especially useful handbook. The Public Health Service also issues annually a report on sewage plant construction activities tabulating types of construction and costs in municipalities throughout the country.

Among the American Public Works Association reports meriting particular attention are "Sewage Service Charges," 1953, summarizing information on sewer rentals in cities over 5,000 population, and "Evaluation of Household Food Waste Disposers," 1951, considering public works problems affected by installation of garbage grinders, and action taken in certain cities to regulate their use. The Institute of Municipal Government Library also has on file a number of studies relating to experiences of specific cities regarding sewage handling, and to the problem of financing sewerage systems. "Sewer Rentals in Pennsylvania Municipalities," compiled by the Institute of Local Government, Pennsylvania State University, and "Sanitary Service Charges in Tennessee," by the Tennessee State Planning Commission, are two helpful bulletins on that subject.

Periodicals also carry frequent articles on current trends in techniques and methods of sewage disposal. "Public Works" and "Wastes Engineering" are special journals in this field, and "American City" includes many references on the subject. Municipal league magazines likewise often report developments in the treatment of sewage, not only in their localities but elsewhere.

THOUGHTS FOR TODAY

Some people seem to make up their minds with concrete.

Anybody who believes that people think alike hasn't seen very many refold a road map.

One man's meat is another man's cholesterol.

PUBLICATION

This News-letter, published monthly as a community service, originated in the Institute of Municipal Government of Wilkes College. Notes and inquiries may be addressed to Dr. Hugo V. Mailey, Institute of Municipal Government, Wilkes College, Wilkes-Barre, Pennsylvania.

The Luzerne County News-letter

VOL. XIV, NO. 9 WILKES COLLEGE, WILKES-BARRE, PA., SEPTEMBER 15, 1965

FIFTH ANNUAL COMMUNITY GROWTH CONFERENCE

You are cordially invited to attend and participate in the FIFTH ANNUAL COMMUNITY GROWTH CONFERENCE to be held at Wilkes College, on Wednesday, September 29, 1965.

In an attempt to come to grips with the more pressing problems of our area, the sponsors of the COMMUNITY GROWTH CONFERENCE are pleased to provide this unique opportunity to share experiences with nationally known authorities who have been invited and will participate in the CONFERENCE with us. This FIFTH ANNUAL COMMUNITY GROWTH CONFERENCE will provide an opportunity for the exchange of ideas among the various organizations and individuals concerned with the solution of the more practical problems related to the social and economic well-being of our area. The CONFERENCE will bring together all those people interested in planning for the area. It is designed to set a pattern for future cooperative efforts among local government officials, builders, realtors, industrialists, developers, and interested citizens.

MARK THIS DATE ON YOUR CALENDAR. DON'T MISS THIS IMPORTANT MEETING!!

SHORT COURSES

The Institute of Municipal Government will again conduct a number of in-service training courses for municipal officials. These courses are designed to make available to elected and appointed officials the means of improving the performance of their duties. The courses are presented in cooperation with the Public Service Institute, Department of Public Instruction, Commonwealth of Pennsylvania.

The courses being offered this fall semester include: Fundamentals of Fire Fighting - A course designed for those firemen who wish to qualify as instructors of the fundamentals of fire fighting; Basic Police Procedure - A course designed to give the new recruit an acquaintance with the duties and techniques of police work; Principles of

Inspection - An introductory course designed for municipal inspectors, including building, fire, and housing; Principles of Assessing - A course designed to acquaint magistrates and justices of the peace with the fundamentals of civil law such as trespass and assumpsit; Basic Auxiliary Police - A basic course in Police work for Civil Defense Police; Basic Rescue - A course in basic rescue work, covering the fundamentals of Civil Defense Rescue; Light Duty Rescue - A course to provide training for individuals who will become members of a Rescue Squad; Auxiliary Fire - A course designed to train auxiliary firemen in the fundamentals of fire fighting; Civil Defense for Local Government - A general course that reviews the powers, duties and responsibilities of elected officials.

The enclosed brochure makes no mention of the fact that the Institute courses are co-sponsored with the Public Service Institute of the Department of Public Instruction. In expanding the brochure of the Institute of Municipal Government from six pages to eight pages the co-sponsorship with the Public Service Institute was inadvertently omitted. The Institute is delighted to state that the Public Service Institute will co-sponsor the in-service training program of the Institute of Municipal Government for the fifteenth consecutive year.

STRIP MINE CONTROL

On December 16, 1964 Luzerne County adopted a zoning ordinance containing strip mine control provisions, which was to become effective January 1, 1965. On the day of adoption 21 coal firms went before President Judge Pinola of the Court of Common Pleas and petitioned for a preliminary injunction. The jurist granted an enjoiner which subsequently was made applicable only insofar as the excavating control provisions were concerned.

The coal firms contended that the State preempted the field of strip mine regulations by its own legislative acts and that the County had no right to enter into that field, and that they would suffer irreparable harm and in the absence of an adequate remedy at law, that equity had jurisdiction.

The Board of County Commissioners petitioned the local court to dissolve the preliminary injunction. The County held that the ordinance would not have been effective until January 1, that no attempt had been made to enforce the ordinance against the coal firms, and that the plaintiff firms did have an adequate remedy, and a statutory remedy must be pursued. Their petition was denied by the court en banc.

The Pennsylvania Supreme Court concurred with the opinion of the County Commissioners. In a 4 to 3 majority decision it held that the lower equity courts did not have jurisdiction since the ordinance itself offers procedures to test its validity. It was unanimous in the opinion that the coal company action was brought into the lower court prematurely since no action had been taken against an operator under the provisions of the ordinance. Thus, on July 1 the Supreme Court vacated the preliminary injunction. The issue of whether or not State regulations preempt County regulations was not argued or resolved.

MANDATORY POLICE TRAINING

"The Legislature of New Jersey hereby finds and declares that a serious need for improvement in the administration of local and county law enforcement exists in order to better protect the health, safety and welfare of its citizens; . . . that the present need for improvement can be substantially met by the creation of a compulsory educational and training program for persons who seek to become permanent law enforcement officers wherein such persons will be required, while serving in a probationary capacity prior to permanent appointment, to receive efficient training in this profession. . . and that by qualifying and becoming proficient in the field of individually and collectively better insure the health, safety and welfare of the citizens of this State in their respective communities." This legislative declaration clearly states the need and the objective for mandatory police training.

The recent enactment into law of the Police Training Act will have a profound effect on law enforcement. Effective July 1, 1965, every municipality in the State, shall, as a condition of employment, require all persons who seek to become permanent law enforcement officers on or after this date, to attend and successfully complete a training program approved by the Police Training Commission.

Municipalities that operate under the provisions of the State Civil Service Law, should be particularly interested in Section 52 which states that the three month probationary period does not become operative until the police officer has completed his training. It should also be noted that the training and three-month probationary period must be completed in a total period not exceeding one year from the date of the original appointment.

Pennsylvania has a law pending before its Legislature. It provides that all officers who are regularly employed by any local political subdivision of the State having three or more members shall attend the school unless they were on the force at the time of passage of the law.

New York's law provides that newly appointed police officers must complete a 120-hour basic course before they are certified for permanent civil service employment. An intermediate course of 80 hours is voluntary for New York police officers.

NEW LEGISLATION

Act No. 102 - Second Class Townships may contract with any other Second Class Township, First Class Township, Borough, or City for the purpose of securing police service. When such a contract has been entered into, the police of the employing municipality shall have all the powers conferred by law on the police of the township which has contracted to secure such police protection.

Act No. 8 - Third to Eighth Class Counties (which includes Luzerne County) may now make appropriations for police, fire and other public safety radio and tele-communications networks for the erection, operation and maintenance of a county system.

BATTLE PLAN

A battle plan is under consideration for Phoenix, Arizona fire-fighters to show them the best way to close in on and fight a fire. When the fire alarm sounds, the dispatcher turns to an index card which details the best assignment of equipment for the particular area and refers to another card which charts the proper moves for backstopping in the area of the station vacated by the fire-fighters going to the scene.

(Reprint from Public Administration Bulletin)

THOUGHTS FOR TODAY

Poise is the ability to understand why you should feel embarrassed.

Spinsters are potential wives who stay potential all their lives.

The best things in life are taxable.

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The Luzerne County News-letter

VOL. XIV, NO. 10 WILKES COLLEGE, WILKES-BARRE, PA., OCTOBER 15, 1965

CENTRAL COMMUNICATIONS CENTER

A dinner meeting has been scheduled for November 17, 1965, to hear Richard S. Funck, who is the Director of Civil Defense in Lebanon County. His remarks will relate to the establishment of a joint communications center for all emergency services such as civil defense, police, fire, and ambulance. Such a communications center could link together in a mutual aid network all of the emergency systems on which the welfare of our communities depend. It is only by such a joint center that the people of Luzerne County can be given day and night protection for every day of the year. Such a system could save countless lives and property damage.

All local officials, fire chiefs, police chiefs, and civil defense directors interested in such a communications system for Luzerne County can ill afford to miss the meeting of November 17 with Richard S. Funck, the Director of the Center in Lebanon County.

HOUSING AND URBAN DEVELOPMENT ACT

The new rent supplement program authorized by the Housing and Urban Development Act, signed by the President on August 10, 1965 has commanded the bulk of press and public attention. Because other features of the new Act offer new tools to municipal officials to help cope with urban problems, these are emphasized in the following summary.

When funds are appropriated (\$200 million a year are authorized, until July 1, 1969) 50 percent grants may be made to local public bodies and agencies to finance basic public water and sewer facilities. Public water facilities could include works for the storage, treatment, purification, and distribution of water, but "treatment works" as defined in the Federal Water Pollution Control Act would not be eligible for a grant under this new program as a public sewer facility. Projects must be designed to serve the reasonably foreseeable growth needs of the area and be consistent with a program for a unified or officially coordinated

areawide water or sewer facilities system as part of the comprehensive planned development of the area. Before a sewer facility grant is approved, the Secretary of Health, Education, and Welfare must certify waste material carried by the sewer will be adequately treated before it is discharged into a public waterway.

A community of 10,000 population or less without an adequate public sewer facility and with an unemployment rate 100 percent above the national average for the preceding year could receive up to a 90 percent grant for a basic public sewer facility if the community could not finance the facility without increased grant assistance. Prior to July 1, 1968, discretionary grants could be made if a program for an areawide water or sewer system is under active preparation but not yet completed, if the facility can reasonably be expected to be required under an areawide program and the facility is urgently needed. (Title VII, Sec. 702)

When funds are appropriated (\$50 million a year are authorized until July 1, 1969), two-thirds grants could be made to local public bodies and non-profit agencies to build neighborhood facilities such as community centers, youth centers, health stations, and other public buildings to provide health, recreational or similar social services to a neighborhood. (In areas designated as a redevelopment area, three-fourths grants could be made.) The grant could cover the cost of acquiring land, necessary site improvements, and construction of the facility. The facility must be located in an area to serve a significant number of low or moderate income residents and be necessary to carry out a program of health, recreational, social, or similar community service in the area. Priority is to be given to projects which will further the objectives of a community action program approved under the Economic Opportunity Act. A facility constructed with a grant may not be converted to another use for 20 years without the approval of the Housing Administrator. A facility may be developed directly by a local public body or agency or through a nonprofit organization approved by the local body if the Housing Administrator determines the nonprofit organization has the legal, financial, and technical capacity to carry out the project and the public body will have satisfactory continuing control over the use of the facility. (Title VII, Sec. 703)

To assist communities in acquiring land sites before prices rise for public works and facilities needed in the future, grants could be made to cover the interest cost of a loan incurred to finance the land acquisition. The grant could be for the interest cost between the date of the loan and the date of construction of the facility but for not more than interest cost for five years. The Housing Administrator must determine that construction will be initiated on the facility within five years and that the facility will contribute to economy, efficiency, and the com-

prehensively planned development of the area. If the land purchased with grant assistance is not utilized within five years for the construction of facility planned for the site or the land is directed to other uses, the Administrator may require repayment of the grant. An authorization of \$25 million a year is made for grants for the advance acquisition of land. (Title VII, Sec. 704)

The Open Space Land Acquisition program authorized by the Housing Act of 1961 is expanded by increasing grant assistance from 20 percent to 50 percent; permitting grants for the development of land acquired under the open space program; and permitting grants to acquire, clear, and develop land in built-up urban areas. (Title IX, Sec. 903)

A grant may be made only if the Housing Administrator determines the acquisition and development of open space land is needed for carrying out a unified or officially coordinated program for the provision and development of open space and as part of the comprehensively planned development of the urban area. (Title IX, Sec. 905)

The term "open space uses" is now defined to mean use of land for park and recreational purposes, conservation of land and other natural resources, or historic or scenic purposes. (Title IX, Section 902)

Although major structures such as amphitheatres, swimming pools or large buildings would not be eligible for "development" grant assistance, development would include activities such as landscaping, provision of basic water and sanitary systems, small shelters, and recreational apparatus. Development funds are available only for land acquired under the previous or current Open Space Program. If a local government body determines adequate open space areas cannot be provided through the use of existing undeveloped land, 50 percent grants may be made for the cost of land acquisition, demolition, and development for open space use. Relocation payments must be made to individuals, families, and businesses displaced by the purchase of lands with open space funds, and federal grants are authorized to cover relocation payments. (Title IX, Sec. 906)

Communities which develop a program for urban beautification of public areas which involve all available public and private resources would be eligible for federal grant assistance for beautification programs such as tree planting and landscaping streets and public areas, provision of street furniture, pedestrian malls, fountains, and decorative pavement. A grant could be made for 50 percent of the amount a community spends for urban beautification and improvement under an approved program which exceeds usual expenditures for comparable activities. Provision is made for a small demonstration program with \$5 million auth-

orized for it whereby 90 percent grants could be made for projects which demonstrate new and improved methods and materials to beautify public areas. (Title IX, Sec. 906)

The authorization for open space and urban beautification programs is increased from \$75 million to \$310 million of which \$64 million could be used for grants for urban beautification. (Title IX, Sec. 904)

Grants may now be made to a city or municipality to cover two-thirds of the cost of demolishing structures which, under state or local laws, have been determined to be structurally unsound or unfit for human habitation and which the community has the legal authority to demolish. A city could receive grant assistance to demolish unsafe structures within an urban renewal area or outside of an urban renewal area if (1) the community has an approved workable program for community improvement, (2) the demolition will be carried out on a planned neighborhood basis and will further the urban renewal objectives of the community, (3) the community is carrying on a program of enforcement of its housing and related codes, (4) the structures constitute a public nuisance and serious hazard to public health and welfare, and (5) the community's governing body has determined that all other available legal procedures have been exhausted to secure remedial action by the owners and that demolition by governmental action is required. (Title III, Sec. 311)

THOUGHTS FOR TODAY

While many women are thrifty, energetic and tolerant, the overwhelming majority are married.

One way to teach children to listen is at the top of your voice.

Habit is the easiest way of doing something wrong.

PUBLICATION

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The Luzerne County News-letter

VOL. XIV, NO. 11 WILKES COLLEGE, WILKES-BARRE, PA., ^{NOVEMBER} ~~OCTOBER~~ 15, 1965

CENTRAL COMMUNICATIONS CENTER

A dinner meeting has been scheduled for November 17, 1965, to hear Richard S. Funck, who is the Director of Civil Defense in Lebanon County. His remarks will relate to the establishment of a joint communications center for all emergency services such as civil defense, police, fire, and ambulance. Such a communications center could link together in a mutual aid network all of the emergency systems on which the welfare of our communities depend. It is only by such a joint center that the people of Luzerne County can be given day and night protection for every day of the year. Such a system could save countless lives and property damage.

All local officials, fire chiefs, police chiefs, and civil defense directors interested in such a communications system for Luzerne County can ill afford to miss the meeting of November 17 with Richard S. Funck, the Director of the Center in Lebanon County.

LOCAL NEWS

Wilkes-Barre will save thousands of dollars in its purchases of rock salt because of the bulk form purchases which it will make. Rock salt will be obtained at a cost of \$11.30 a ton instead of the \$28.80 a ton when purchased by the bag. Some of the savings is attributed to the issue of the anti-trust suits brought against the salt companies. The City Street Department will mix calcium chloride with the rock salt on the hills and at the dangerous intersections.

Plymouth Borough is presently making plans with community representatives for its centennial to be celebrated in 1966. The Borough Charter made Plymouth a borough on April 23, 1866.

SALISBURY TOWNSHIP V. SUN OIL COMPANY

Salisbury Township in 1959 enacted an "interim zoning ordinance" (to remain in effect until January 31, 1960) which permitted, as a matter of right, single-family dwellings only. Other uses were permitted provided that approval was granted by the Township Commissioners. Sun Oil applied to the Commissioners for permission to construct a gas station, but its request was denied. (In the "final" zoning ordinance, enacted in January, 1960, the property in issue was retained in the single-family residential category.)

Sun Oil chose to ignore the Commissioner's refusal, and without taking any appeal, began construction. The Township sought, and secured, an injunction restraining Sun Oil from completing the service station. Sun Oil appealed the injunction, arguing that the interim zoning ordinance was invalid.

The Supreme Court in its decision pointed out that since the stop-gap ordinance expired at the end of January, 1960, the question of the validity of the interim ordinance was one with which the Court need no longer concern itself. It stated that if Sun Oil now wished to obtain a permit for its building, the Company must comply with the provisions of the current ordinance. The Court added that, despite mootness of the appeal, it could not help but repeat its well-established rule that the proper procedure for Sun Oil to have followed would have been to appeal the adverse decision of the Commissioners to the County Court, and in this way put the validity of the interim ordinance to the judicial test.

BURGLAR ALARM SYSTEM

A new burglar alarm system will be installed in Skokie, Illinois, with permission of the FCC, that automatically reports to police headquarters via two-way radio. The system includes an electronic decoding device at police headquarters with a digital decoder and printer. At the building or property to be protected a radio transmitter sends out a short burst of coded tones which are transmitted automatically to police headquarters and translated by the decoder. A number simultaneously is printed on a tape. This number shows the location of the particular transmitter so that the police dispatcher can send the nearest patrol car to the scene. The decoding equipment can handle up to 290 separate transmitters which can be activated by door switchers, photoelectric cells, and other devices. (Public Management)

COOPERATIVE PURCHASING

Cooperative purchasing came to the Lehigh Valley June 15, 1965 when the Borough of Catasauqua and the Township of Whitehall entered into an agreement to pool their needs and attempt to save their taxpayers money. Pursuant to that agreement the Purchasing Council, which is composed of the manager of each community, designated the Borough of Catasauqua to receive bids for the furnishing of road aggregates, blacktop oils and mixes, calcium chloride, and rock salt.

The Purchasing Council prepared specifications utilizing applicable standards of the Pennsylvania Department of Highways and the American Society of Testing and Materials. Bids were received at the regular meeting of Catasauqua's Borough Council held August 2, 1965. The results of this first venture were far from conclusive, but they did evidence that cooperative purchasing can result in considerable savings. Despite the general increase in the price of road aggregates in 1965, Catasauqua's prices ranged from 3.0% to 9.7% lower than their 1964 figures. However, Whitehall Township's prices reflected the general trend and their costs increased from 3.5% to 14.2%. The quantities Catasauqua ordered did not add enough to Whitehall's quantities to force their prices down.

The bids received for blacktop oils and mixes were approximately the same as the 1964 prices paid by both municipalities. The story was different for rock salt and calcium chloride. Catasauqua uses these chemicals exclusively for snow and ice control while Whitehall still uses a considerable quantity of ashes. Consequently, Catasauqua's orders were a significant increase over Whitehall's needs alone. Catasauqua realized a 12.9% savings and Whitehall a 16.4% savings over 1964 prices paid for calcium chloride. Catasauqua realized a 2.6% savings on the price of rock salt, while Whitehall did not order salt in 1964 and, therefore, no basis of comparison exists. These savings on chemicals are the strongest indication that real economics are possible where the combined needs of the cooperating municipalities significantly increase their individual needs. The state of competition is also a factor to be considered since there were only two bidders on road aggregates and blacktop oils and mixes while there were three bidders on calcium chloride and four bidders on rock salt.

This venture by Catasauqua and Whitehall is only the third cooperative purchasing agreement in Pennsylvania. Six municipalities are cooperating in Bucks County and three political subdivisions have been pooled their needs in Allegheny County. Considerable savings have been realized in both cases. Cooperative purchasing offers at least three benefits: (1) Lower and uniform prices for many commodities in com-

mon use. In a cooperative, smaller agencies in particular, are placed in a more favorable buying position because their requirements alone are unable to command favorable prices. (2) Greater standardization of materials and contract forms and the sharing of purchasing knowledge. (3) Delivery as needed. Luzerne County communities should explore the concept of cooperative purchasing.

FIRE PREVENTION OFFICIALS

Fire prevention officials can act in many situations where fire codes do not give them specific powers, an Oregon jurist has stated. But their actions must be reasonable, non-discriminatory, and directed at achieving the desirable intentions of the code, advised Judge Virgil Langtry of the Multnomah County Circuit Court of Oregon. The jurist addressed the Fire Marshals Association of America on the subject of implied powers of fire marshals.

"I believe that a general delegation of authority to a fire administrator can be upheld, even though a finger cannot be pointed as a grant of power to do each specific thing, so long as the official does not discriminate classes which are not based in reason, that his action is reasonable as distinguished from being arbitrary, and his actions are directed toward achieving the desirable intentions of a fire code," said Judge Langtry. The judge cited a number of recent cases where fire authorities and other city officers have been found by courts to have implied powers beyond those specifically spelled out in charters and codes. A few decades ago, he said, courts most frequently did not rule this way. But "a general liberalization of strict rules of construction with reference to municipal powers is apparent in the field of municipal law.

THOUGHTS FOR TODAY

There are two sides to every argument, and they're usually married to each other.

Child psychology is what parents don't realize their offspring are using, too.

PUBLICATION

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WILKES COLLEGE LIBRARY

DEC 17 1965

The Luzerne County News-letter

VOL. XIV, NO. 12 WILKES COLLEGE, WILKES-BARRE, PA., DECEMBER 15, 1965

SHORT COURSES

Once again the Institute of Municipal Government will provide non-credit, non-degree educational opportunities for elected and appointed officials. They are presented in cooperation with the Public Service Institute, Department of Public Instruction, Commonwealth of Pennsylvania. Instruction by the Institute staff is supplemented by guest lecturers.

During the Spring Semester, the following courses will be presented: Fundamentals of Fire Fighting -- A course designed for those firemen who wish to qualify as instructors of the fundamentals of fire fighting; Penal Code -- A refresher course for advanced police officers covering the elements of the penal code of 1939 as contained in Pennsylvania Criminal Law and Procedure; Councilmen and Commissioners -- A basic course that presents the organization, powers, and functions of borough and first class township governments; Street Maintenance -- An introductory course in the techniques and methods for the proper construction and maintenance of roads and streets; Shelter Managers -- A course for the training of managers for local shelters; Radiological Monitors -- A course for the training of radiological monitors for fixed stations and shelters; Civil Defense for Local Directors -- A course to provide civil defense directors with the necessary training in their responsibilities as directors; Civil Defense Adult Education -- A course intended to train members of families to meet emergency situations; Basic Auxiliary Police -- A basic course in Police work for Civil Defense Police.

RECREATION CENTER

The Borough Council of Shickshinny has accepted the building and grounds on Main Street formerly known as the Recreation Center from the Shickshinny School Board. The Council and the officials of the Borough are publicly appreciative of the Center for it will provide

the youth of the community with an opportunity to engage in a full program of recreational activities.

WOULDN'T YOU BE?

A reporter inquired of a U. S. Astronaut, "Aren't you sacred when you take these space flights?" The astronaut replied, "On the morning of the shot I get up at 4:00 A. M., go down to the launch pad, and for an hour and a half I'm getting worked into that suit. I go up in the elevator in that gantry, 17 floors. It takes an hour to get strapped in that position, and all the time realizing that I'm sitting atop the most explosive, most volatile fuel known to man; that in a matter of minutes I shall be 250 miles out in space, going approximately 20,000 miles an hour. Underneath me there are 14,409 small working parts -- all supplied by the lowest bidder. You're dam right I'm scared."

PRISONER WORK

A recent survey conducted by the National Association of County Administrators reveals widely varying practices regarding prisoner work and compensation. Fifty-eight of the seventy-five responding counties do use prisoner labor at least occasionally. The type of work ranges from odd jobs around the jail to forest fire fighting and agricultural labor furloughs. Forty-three counties provide compensation, usually in the form of reduced sentences or small daily payments (up to two dollars). Six counties reward work with such incentives as cigarettes, more and better food, and extra visiting hours. Fifteen counties which use prisoner labor do not compensate prisoners in any way. "Getting out of the cage is its own reward," commented one administrator.

SIDEWALKS

Sidewalks are a controversial issue in many municipalities. Advocates claim that they are not only desirable, but are a necessity in any well-ordered community and should be uniformly required. Opponents often argue that it is both uneconomical and unwise to require sidewalks throughout a community because variations in topographical, traffic, and aesthetic conditions are such that sidewalks, in some instances, actually injure rather than benefit property values and over-all community interests.

In an article appearing in a recent issue of "Street Engineering," Neno John Spagna, Director of Planning and Zoning Department in Hol-

lywood, Florida, takes the position that sidewalks should be included in the initial development plans for subdivisions. He points to the fact that many communities throughout the country are requiring sidewalks in subdivisions as a means of providing for community orderliness, good planning, and neighborhood stability.

Opposition to sidewalks often stems from the question of cost. Who will stand the expense of initial construction as well as the cost of cleaning and maintenance? Another point of objection revolves around the defacing of property. In many communities the subject of sidewalks arises after a community is settled and grown to the extent that increased pedestrian and vehicular traffic prompts their consideration. Residents then have serious objection to the destruction of trees, shrubbery, lawns, and driveways which abut on streets.

Some of these basic objections are lessened or eliminated when sidewalks are constructed as part of the original street plan. Lower costs result. Ready identification of street lines permits property owners to develop lawns and driveways in confidence that they will remain undisturbed. The grading of lawns and driveways is also facilitated since the finished sidewalk provides the resident with a guide to the final grade of street property.

There are other advantages to including sidewalks in subdivision construction. Street drainage is controlled, thereby retarding the deterioration of pavement and erosion of adjacent land. There can be more effective planning and installation of utilities when sidewalks identify street limits. From the beginning, sidewalks will also aid in preventing costly and unsightly edge-of-pavement damage that often results when vehicles are not confined to street right-of-ways.

Walkways do much to avoid a ragged appearance that frequently accompanies property development without them. The resultant uniformity of community appearance, has a tendency to stabilize property value by adding a degree of orderliness and stability which provides an incentive for property improvement.

Where do Luzerne County municipalities stand on this question of sidewalks in initial community development? Perhaps, an analysis of municipal subdivision regulations in Luzerne County should be prepared by the Luzerne County Planning Commission to indicate the number of subdivision regulations requiring sidewalks. Would such a cursory examination of subdivision ordinances show any trend toward requiring sidewalks?

FACTORS IN LAND USE

Land use experts believe the Nation is on the threshold of a massive recreation boom that will double or triple the demand for land for such purposes. Most of the land will come from forests and farms within easy access of urban population centers, but some may come from city land itself, according to the National Institute of Farm and Land Brokers.

L. H. Bushart, president of the Institute, said the trend for more recreational land has just begun and will be accelerated by four factors. These Bushart identified in a recent speech as the population explosion, the trend toward urban living that will double the population of the Nation's cities by the year 2000, high speed expressways and improved vehicles of transportation, and the spread of more leisure time by means of "the gradual steady decrease in the hours of the work week."

WATER BILLS

Customers may pay their water bills in Kingsport, Tennessee as much as a year in advance, and receive interest on the prepayments at the rate of 3% per annum. The city will save four cents on postage alone every time it does not have to mail out a monthly bill, which is 2% of the \$2 minimum monthly bill for inside-city customers. Other savings in billing and bookkeeping costs are also anticipated.

THOUGHTS FOR TODAY

Middle age is the time in life when your're still young, but only once in a while.

Nothing is better for baldness than getting used to it.

Christmas Club: What you save to pay for last year's gifts.

PUBLICATION

This News-letter, published monthly as a community service, originated in the Institute of Municipal Government of Wilkes College. Notes and inquiries may be addressed to Dr. Hugo V. Mailey, Institute of Municipal Government, Wilkes College, Wilkes-Barre, Pennsylvania.

CHRISTMAS GREETINGS

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