

# Chapter 11 - Intergovernmental Cooperation/Participation



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### INTERGOVERNMENTAL COOPERATION/PARTICIPATION

#### A. Overview

Since 1997, the Berks County Planning Commission, on behalf of the County Commissioners, has been promoting and implementing cooperation, partnerships, coordination and intergovernmental initiatives among municipalities throughout Berks County. As costs have increased and the availability of funding decreased municipalities are finding it harder and harder to continue to provide the same level of public service to their populations as they once were without raising taxes. Intergovernmental cooperation has become more important than ever as municipalities try to explore methods of delivering those services and administering programs, at less cost to the tax payer while still trying to balance their budgets.

#### B. Programs, Partnerships and Coordination

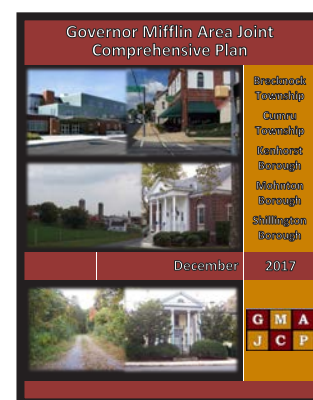
As stated above, municipalities are finding it difficult to provide the same levels of public services to their growing populations. Municipalities are also finding that there are many opportunities and resources for them to explore methods of delivering services and administering programs at less cost to the tax payer. Coordination of efforts, between municipalities, authorities, the County of Berks and others accomplish these goals. Entering into partnerships with other municipalities, emergency service providers, or the private sector may be the only way that municipal governments can provide these services and remain financially secure.

There are many ways that municipalities can work together to provide better services and potentially save money. Sharing of equipment, resources, information, or even staff can go a long way when municipal budgets are stretched to their limits. Besides the budgetary savings, the sharing of information and equipment can also improve public safety and welfare through more efficient law enforcement, emergency and fire protection services, and infrastructure repair and maintenance.

The Berks County Planning Commission staff is responsible for supporting the initiatives of multiple groups and government entities looking at promoting regionalization and intergovernmental cooperation. The following is a list and brief summary of each of the various types of programs, partnerships, and coordination taking place in Berks County:

**Berks County Municipal Planning Program** – The overall goal of the municipal planning program is to continue the positive regional cooperative efforts of the previous programs, and also; continue to ensure the quality of local joint comprehensive plans and joint zoning ordinances; continue existing and encourage new regional cooperative efforts; ensure the consistency of local planning documents and the Berks County Comprehensive Plan while continuing to build a greater dialogue between county and municipalities during the planning process.

**Joint Planning Program** - The Berks County Planning Commission's Joint Planning Program, as shown on Figure 36 was established in 1992. Since that time, 60 municipalities have cooperated, successfully, to complete 19 joint comprehensive plans. The success of this program led to the establishment of the Joint Zoning Program in 1997. Currently there are fourteen municipalities that are part of 5 joint ordinances. These programs continue to this day. Currently planning commission staff is updating three joint comprehensive plans that were originally completed under this program.



**Albright College's Center for Excellence in Local Government (CELG)** - CELG's main objective has always been to maintain and enhance the quality of life in Berks County by assisting municipal leaders in meeting the changing needs of their communities. The Berks County Planning Commission and CELG have partnered in a number of projects that promote regionalization and cooperative initiatives among municipal governments:

- **Berks County Cooperative Purchasing Council (BCCPC)** - The Council is an unincorporated association of public entities organized and existing under the applicable provisions of P.L. 526 of April 29, 1937 (53 P.S. section 5431 et seq.), as amended, and Act 57 of May 15, 1998, as amended, (Title 62 Pa C.S. 1902) known as the Commonwealth Procurement Code for the purpose of joint purchases of materials, equipment, supplies, services, and/or construction. For more information, please [visit the BCCPC web site](#).

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- **Berks Municipal Partnership (BMP)** - The Partnership was established by the Center for Excellence in Local Government as a forum for discussing common issues that can be addressed on a regional level or county-wide basis, obtaining local officials' comments on proposed cooperative initiatives; providing a focal point for communication between regions of the county and county government; fostering pilot projects on a regional level; and linking regions to resources.
- **Governor Mifflin Area Coordinating Council** - the Council was established by the Center and the participating public entities to foster on-going communication among the five municipalities (three boroughs and two townships) and the School District on issues of common interest.
- **Berks County Police Study** - The Berks County Board of Commissioners contracted with the Police Executive Research Forum (PERF) to examine the police organizations currently operating in Berks County and provide alternatives, including a countywide option, for delivering police services to the community.
- **Berks County Sewer and Water Regionalization Study Update** - The Berks County Commissioners and the Berks County Planning Commission previously prepared a Sewer and Water System Regionalization Study in 1998. The purpose of the 1998 Study was to determine what opportunities existed for improving water quality, reliability, customer service and economic development by strengthening the water and sewerage systems in Berks County. The Study then determined both the current status of the sewer and water systems in the county and what strategies might be implemented to help achieve the goals stated above.

This plan was updated in 2011 to determine whether the original recommendations of the 1998 Study are still valid and to include any new opportunities that would allow the sewer and water systems to achieve these goals.

- **Berks County Water and Sewer Association (BCWSA)** - The formation of the BCWSA was encouraged through the Berks County Sewer and Water Regionalization Study update. The organization's mission is to advance the theory and practice of the design, construction, maintenance, administration and operation of water and sewer services; disseminate information and share experiences to promote improved practices in water and service providers and the economic development community; and encourage adherence by water and sewer officials to a continually higher standard.
- **Municipal Mergers** – Berks County leads the State in the number of municipal mergers. This is where one municipality, for one reason or another determines that it is better for the municipality to merge into another municipality. The remaining municipality then assumes jurisdiction over the municipality which has been terminated. In order for this to occur, both municipalities must put the merger on a ballot and have a majority of the residents from each municipality agree.

There have been 4 municipal mergers in the county since late 1999. Temple Borough merged into Muhlenberg Township in 1999; Wyomissing Hills Borough merged into Wyomissing Borough in 2001; West Lawn Borough merged into Spring Township in 2006; and Strausstown Borough merged into Upper Tulpehocken Township in 2016. A number of other municipalities and school districts have studied the benefits of merging with their neighbors.

### C. Uniform Construction Code (UCC) Board of Appeals

The Planning Commission coordinated a countywide approach to meeting the requirements for UCC regulations. This coordination involves contacting each municipality annually to verify participation and collection of a nominal yearly fee for the cost of coordination. The cost of an appeal is paid for by the requesting applicant. Out of the 72 municipalities in Berks County, 47 municipalities are participating in the 2017 Berks County UCC Countywide Board of Appeals. This initiative saves municipalities money and is more efficient, since the Board of Appeals must have appointed members that are experts in the field of construction.

### D. The Reading Area Transportation Study (RATS) Metropolitan Planning Organization (MPO)

Created in 1964, RATS is comprised of two committees – the Technical Committee and the Coordinating Committee. The Technical Committee reviews items brought before the group and recommends actions to the Coordinating Committee. The Coordinating Committee is the policy body that formally adopts items reviewed by the Technical Committee. The

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eight-member RATS Technical Committee consists of representatives from PENNDOT Central Office in Harrisburg (1), PENNDOT District 5-0 Office in Allentown (1), the City of Reading (2), the Berks County Planning Commission (2), the South Central Transportation Authority (SCTA) (1), and the Reading Regional Airport Authority (RRAA) (1). The ten-member RATS Coordinating Committee consists of one representative each from the PENNDOT Central Office, PENNDOT District 5-0, Berks County Board of Commissioners, Berks County Planning Commission, City of Reading, Boroughs, 1st Class Townships, 2nd Class Townships, SCTA and the RRAA. RATS is responsible for prioritizing approximately \$80 million annually to advance transportation improvement projects throughout the county. PennDOT, SCTA and municipalities are responsible for project implementation.

The transportation planning staff of the Berks County Planning Commission serves as the technical staff to RATS. The staff coordinates and administers these committees, their meetings and leads development of the package of federally required MPO products including: the long-range transportation plan (LRTP), short-range transportation improvement program (TIP), associated transportation conformity determinations (if required), the Unified Planning Work Program (UPWP), and the Congestion Management Process (CMP).

### E. Local Technical Assistance Program (LTAP)

This program started locally in Berks County in late 2016, although it has been around statewide since the early 1980s. The Pennsylvania Department of Transportation (PENNDOT) LTAP, in partnership with RATS and the BCPC, is designed to help municipalities, which maintain over 68,000 miles of roadways, make the best use of their roadway maintenance dollars. LTAP provides free technical information and proven technologies dealing with roadway maintenance and safety methods to meet the growing demands on municipal governments. So far this program has been well received in Berks County. In 2017 the county held four LTAP courses, all of which were filled to the maximum attendance levels.

### F. Merging Transit Providers

The idea of regionally connecting and consolidating PA transit systems has been a topic of discussion between state officials and transit leaders for some time. In January 2015, those ideas became more of a reality with the formation of The South Central Transit Authority (SCTA). Throughout most of 2014 discussions took place to merge The Red Rose Transit Authority (RRTA), Lancaster, PA and Berks Area Regional Transportation Authority (BARTA), Reading, PA into one transit authority. A consolidation of the Lancaster and Berks transit authorities became serious when BARTA Board members had to consider leadership options after the unexpected passing of their Executive Director, Dennis Louwerse, in Fall 2013. Originally, the consolidation of RRTA and BARTA was to be a full merger to create one transit authority. However, due to existing state and federal regulations governing the authorities a full merger could not occur. Instead the administrative staff from both BARTA and RRTA consolidated into SCTA, which now oversees both BARTA and RRTA staff and services. With the consolidating of the administrative staff, SCTA is able to combine purchasing products and services at a lower cost, ultimately saving tax-payers over \$800,000 dollars.

Due to the cost savings of the merger, both Berks and Lancaster Counties are able to forgo the payment of the required local match for state operating funding for the next five years. This was an incentive provided under State Act 89 for transit systems to consider merging. Over this five year period, both counties will save the taxpayers a combined \$4 Million in local funds.

**Council of Governments (COGs)** - A COG is an association that consists of elected public officials who come from the major local governments within an urban or metropolitan area. COGs were developed during the 1970s and '80s as an appropriate tenet of public governance concerning local and regional issues. Their purpose is to establish a consensus about the needs of an area and the actions needed to solve local and regional problems.

COGs are voluntary associations that represent governments, but they are not governments themselves. They are voluntary because local units cannot be forced to join these associations and can resign at any time. The council membership is drawn from the county, city, and other government bodies within its area. Councils of governments lack general government authority in that they are not directly elected, they do not have direct taxation powers, and they do not have police powers or regulatory authority.

In the spring of 2018 the county, along with the City of Reading, Mount Penn Borough, Lower Alsace Township and Alsace Township joined a COG for the continued operation, planning and support of the Mount Penn Preserve and the Reading



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Pagoda. The Pagoda, as well as the land around it, have traditionally been the most prominent landmarks in Berks County and with the support of a COG the goal is to continually market, promote and maintain these valuable regional assets.

### **G. Joint Expedited Approval Program (JEAP)**

The JEAP expedites the permitting process for priority economic development projects by bringing together all the necessary players to coordinate the complete permitting process. When presented with commercial and industrial development projects that would create significant investment and jobs, the JEAP process is enacted to help expedite permit reviews and approvals. County and local permitting agencies meet and agree to a schedule of permit milestones. The Berks County Commissioners, the Community Development Office, Greater Reading Economic Partnership and local governments along with private industry work together resulting in private development being able to start up and create jobs more quickly. The process saves time and money.

The JEAP process has received statewide recognition by the State Planning Board as an example of expediting permitting and something after which to model future processes.

### **H. Blighted Property Review Committee (BPRC)**

The BPRC was created in 2015 to eliminate blighted conditions upon certain derelict properties that individually and collectively constitute a blight and nuisance in County neighborhoods. The Committee is comprised of 5 members.

Municipalities refer subject properties to the Committee who works with property owners to voluntarily remove blight. If conditions are not removed, the Committee can certify the property as blighted and submit it to the Berks County Redevelopment Authority (BCRA). The Redevelopment Authority can acquire such properties through the power of eminent domain and then hold, clear, manage, or dispose of such properties for reuse.

### **I. Berks County MS4 Steering Committee and Cooperative Education Program**

The Berks County MS4 Steering Committee (BCMS4SC), originally formed in 2003, was formalized through an Intergovernmental Cooperation Agreement in 2013 to address the proposed new NPDES permit requirements on a regional level. The committee is comprised of 38 MS4 permitted municipalities. Municipal members share costs jointly for the Cooperative Education Program which is implemented by the education partners. The education partners include the Berks County Planning Commission, Berks County Conservation District and Berks Nature. The education partners seek to provide education and outreach to and on behalf of the member municipalities that addresses requirements for MCM'S 1, 2 and 6, although education is provided for all MCMs. Additional information about MS4 and NPDES is found in Chapter 3.

### **J. Intergovernmental Cooperation/Participation Policies**

#### **Intergovernmental Cooperation/Participation Goal:**

To develop and expand cooperation and communication among municipal officials and citizens to provide for increased participation in the planning process, and to create a more efficient mechanism to meet governmental responsibilities.

#### **a. Partnerships and Coordination**

##### **Goal:**

To develop and expand partnerships, communications, and coordination among municipal officials, the private sector, and citizens during the planning process.

##### **Policies:**

- (1) The county will continue to encourage and identify avenues for intergovernmental cooperation. Every aspect of county government will be explored for potential cooperative efforts.
- (2) The county will continue to maintain and keep updated the Berks County Web Page.
- (3) The county will continue to work with all groups and organizations interested in intergovernmental cooperation.

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- (4) Collaborate with the City of Reading to determine the city's and county's most appropriate role in the operation and maintenance of regional assets.
- (5) Increase the number of cultural and entertainment events occurring within the city. Increase suburban participation and tourism.
- (6) Maintain and expand the city's position as a regional education, and training center.

### b. Inter-municipal Initiatives

#### Goal:

To take an intergovernmental approach to planning, zoning, and municipal service projects.

#### Policies:

- (1) The Berks County Planning Commission will continue to encourage inter-municipal cooperation through the Berks County Municipal Planning Program.
  - (i) The Planning Commission staff will continue to administer the Joint Comprehensive Planning Program. Staff will continue to encourage municipalities to maintain existing joint planning efforts and to expand these where possible.
  - (ii) The Planning Commission staff will continue to encourage and facilitate updates, when needed, of existing joint comprehensive plans to bring them into compliance with amendments to the Municipalities Planning Code.
  - (iii) The county will continue to encourage implementation of joint comprehensive plans through joint zoning ordinances.
  - (iv) The Planning Commission staff will, upon request by municipalities, complete updates to joint comprehensive plans.
- (2) The county will implement the Municipal Merger Program. The County Redevelopment Authority and Albright College's Center for Excellence in Local Government (CELG) will provide assistance to help complete economic studies for municipalities interested in merging. The county will notify municipalities of the availability of this assistance.
- (3) The County Redevelopment Authority will assist developed boroughs and townships with site specific redevelopment concept plans to assist in the redevelopment of vacant buildings within developed areas.
- (4) The County Redevelopment Authority, through the Berks County Blighted Property Review Committee, will continue to assist municipalities in identifying blighted properties and assist homeowners in voluntarily rectifying their neglected condition.
- (5) The county will explore implementing Specific Plans as a demonstration project, in accordance with the Pennsylvania Municipalities Planning Code. All municipalities that have participated in the Berks County Joint Comprehensive Planning Program will be eligible to complete a Specific Plan.
- (6) The county will continue to include and solicit comments from local municipalities and other county agencies when reviewing projects of local and regional significance.
- (7) The Planning Commission staff will continue to coordinate the Berks County Uniform Construction Codes Countywide Board of Appeals. Each year Planning Commission staff will send outreach to all Berks County municipalities, regardless if they participated previously, and encourage them to participate with the Countywide Board of Appeals.
- (8) Planning Commission staff will continue to coordinate and administer the Berks County MS4 Steering Committee. This brings a regional approach to planning for the development of MS4 related materials, documentation and planning.
- (9) The county will support efforts that implement the Berks County Sewer and Water Regionalization Study. The Planning Commission staff will maintain and update the Study as new information is received.
- (10) Assess legal constraints to cooperation and seek to change where necessary.
- (11) Identify appropriate funding mechanisms.





