

STRENGTHENING PENNSYLVANIA
LOCAL GOVERNMENTS:
IMPLICATIONS FOR THE MON VALLEY

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EXECUTIVE SUMMARY

Local governments will play an integral role in any plan to revitalize the Mon Valley. Indeed, the prospects for long term economic development rest, in large part, on the political viability and administrative competence of the 71 boroughs, townships, and cities in the Mon Valley.

In this paper we analyze four critical issues that must be addressed if local governments are to respond effectively to the threats and opportunities facing them:

Issue #1: Should the General Assembly of the Commonwealth modify the legal framework governing creation, classification, and boundary changes for local governments in Pennsylvania?

The legal framework governing the creation and classification of local governments has produced a dysfunctional pattern of proliferation and fragmentation. Pennsylvania has 2,571 general purpose local governments--more than any state except Illinois--reflecting the relative ease with which new governments may be created. Most of these governments are very small and cannot achieve economies of scale in the delivery of municipal services. Moreover, the classification scheme for cities, boroughs, and townships does not, in practice, reflect a functional hierarchy of local governments. Finally, the laws governing boundary changes (i.e., consolidations, annexations) are extremely restrictive, thereby discouraging efforts to adapt municipal boundaries to rapidly changing economic circumstances.

This pattern is a stark reminder that any plan to strengthen local governments must involve the State in a prominent way.

Issue #2: Should the codes governing the form and structure of the various classes of local governments be modified to

enhance management effectiveness, accountability, and professionalism?

The forms and structures of local governments, mandated by the state, are impediments to managerial effectiveness. There is not a strong system of checks and balances to protect executive and line managers from political interference, often placing them in untenable positions. In boroughs, for example, the council members, who are part-time and generally untrained in local government, have functional responsibilities for the day-to-day delivery of municipal services. Also, across all classifications of government, there is fragmented responsibility for budgeting, accounting, and auditing making it nearly impossible to develop a coordinated system of financial management. Finally, there are no state-wide standards governing the training, competencies, and job security of municipal administrators. Many states have procedures governing professional certification and tenure of appointed officials.

Issue #3: What incentives can be developed to stimulate inter-municipal cooperation and resource sharing?

Pennsylvania law provides a liberal mandate for local governments to establish cooperative agreements with other jurisdictions (horizontally or vertically) for the delivery of services or performance of administrative functions. Theoretically, intergovernmental cooperation looks attractive from the standpoint of political and economic considerations, yet it has not achieved its full potential state-wide or in the Mon Valley. Politicians harbor lingering fears of "creeping metropolitanism" and municipalities need technical assistance to design and implement cooperative programs. Also State legislation does not permit the creation of

multijurisdictional service districts which offer substantial promise as mechanisms for regional planning and decisionmaking.

Issue #4: How can public and private resources be mobilized to fill the leadership vacuum in the Mon Valley?

Leadership is the common denominator which will account for the success or failure of efforts to revitalize the Mon Valley. Unfortunately, the leadership structure of the Mon Valley is almost as fragmented as the governmental structure. There are many small economic development organizations in the Mon Valley (see paper by Roger Ahlbrandt, pp. 23-28), each competing for scarce resources to fund a plethora of proposed initiatives which are not necessarily compatible or coordinated. None of these organizations commands the resources or credibility to speak for the region.

Political power within each community, as well as among communities, is highly fragmented and diffused. Therefore, none of the local governments in the Mon Valley, including the larger governments, can mobilize regional resources. Moreover, the smaller local governments may be on the verge of "political bankruptcy"--a condition manifested by citizen indifference toward government and the gradual dissolution of political legitimacy. Already there is evidence of proportional declines in voting activity and there are other indicators of citizen apathy.

Leaders cannot be ordained; they must be developed. Leaders must have followers who recognize their legitimacy and who "buy into" the leader's vision and plan for the region.

A substantial and long-term commitment must be made to building coalitions among existing public, private, and non-profit institutions. In the short term, financial and technical resources should be targeted

toward the strongest and most credible organizations in the Mon Valley
in the hope of enhancing their capacity to develop a multi-
jurisdictional base of support.

PART I

THE LOCAL GOVERNMENT FRAMEWORK

A. Introduction

...Municipal corporations are subdivisions of the State, created as convenient agencies for exercising such of the governmental powers of the State which may be entrusted to them...The number, nature and duration of the powers conferred...rests in the absolute discretion of the State. ...The State, therefore, at its pleasure may modify or withdraw all such powers, may take without compensation such property, hold it itself, or vest it in other agencies, expand or contract the territorial area, unite the whole or a part of it with another municipality, repeal the charter and destroy the corporation. All this may be done, conditionally or unconditionally, with or without the consent of the citizens, or even against their protest. In all of these respects, the State is supreme...

Here, Mr. Justice Moody is speaking for the majority of the United States Supreme Court in a 1907 case, *Hunter v. Pittsburgh* (207 U.S. 161, 177-180, 28 S. Cot. 40, 46-47, 52 L. Ed. 151). The response was to a Pennsylvania statute authorizing consolidation of the adjoining City of Pittsburgh and the City of Allegheny (now the North Side of Pittsburgh), done against the will and consent of the citizens of Allegheny. The court, in this case, confirmed the position of Justice Dillon in a famous Iowa case (1868) that local governments are creatures of the State, and handed down what has remained settled doctrine governing state-local relations. It is a stark reminder that any discussion of strengthening local governments in Pennsylvania, in general, and the Mon Valley, in particular, must involve the State in a serious and prominent way. It is not just that the State creates local governments and sets any standards for becoming a local government. It establishes the procedures governing boundary changes. It grants the

powers that local governments will have, establishes their duties, mandates the basic form and structure which local governments will have, and decides what, if any, standards and procedures will govern the day-to-day operation of government. Parts I and II of this paper will discuss the pattern of local government that has emerged under the aegis of the State. Part III will focus on intergovernmental relations. These sections will be accompanied by commentary and analysis. Part IV examines the leadership problem in the mid and lower Mon Valley. The paper concludes with a discussion of options for strengthening local governments in the target area.

B. The Pattern of Pennsylvania Local Government

The basic units of local government in Pennsylvania are cities, boroughs, townships of the first class and townships of the second class. There are 2,571 of them in State; 128 in Allegheny County; more than 70 in the target area. Table 1 displays the breakdown.

Table 1
Local Governments in Pennsylvania and
in Allegheny County-1988

	<u>State</u>	<u>Target Areas</u>	<u>Allegheny County</u>
Cities	54	5	4
Boroughs	967	54	82
First Class Twps.	91	4	26
Second Class Twps.	1,459	8	16

In addition, there are 67 counties in the State. Although in urban areas counties function very much like independent units of local government in terms of responsibilities and services provided, in legal terms they are administrative units of the state. The importance of this point lies with the ability of the state to use its counties to

