

**STRENGTHENING PENNSYLVANIA  
LOCAL GOVERNMENTS:  
IMPLICATIONS FOR THE MON VALLEY**

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Prepared for the President's  
Conference on the Mill Towns

May 5-6, 1988

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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. Ct. 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



resolve regional problems, especially those involving ineffective local governments. For example, in one State there was a legislative enactment that provided that when a borough dropped below a certain assessed valuation, the County Board of Commissioners could declare and such borough duly dissolved.

Pennsylvania has classified its local governments, and has done so on the basis of population, except for boroughs. This classification scheme is shown in Table 2.

Table 2  
Classification of Pennsylvania Local Government

Cities

First Class	Over 1,000,000 (Philadelphia. Now Home Rule.)
Second Class	500,000 to 1,000,000 (Pittsburgh. Now Home Rule)
Second Class-A	135,000 to 500,000 (Scranton)
Third Class	10,000 to 135,000

Boroughs

No population requirement.

Townships

First Class	At least 300 people per square mile
Second Class	Under 300 persons per square mile

To complete the pattern of Pennsylvania local government, there are 2,605 Authorities in Pennsylvania, and 501 School Districts. As opposed to general units of government, discussed above, authorities and special districts, legally, are limited corporations, most performing a single function. This is illustrated in Table 3 which shows the breakdown of the 198 municipal authorities in Allegheny County.

Table 3  
Municipal Authorities in Allegheny County-1986

Parking	17
School	71
Sewer	37
Water	24
Recreation	7
Health	13
Multi-purpose	13
Other	16

C. Sources of Power

Each local government classification noted in Table 2 receives its basic grant of powers, and its framework for operation, from a general act charter granted by the State. These charters, in Pennsylvania, are known as Codes - city, borough, and township codes. (School Districts operate under separate School Codes. Municipal Authorities are created under the Municipal Authorities Act of 1945.) Other major sources of powers and duties which govern cities, boroughs, and townships are state statutes which apply to all or most classifications, for example, The Pennsylvania Municipalities Planning Code (Act 247 of 1968), the Local Tax Enabling Act (Act 511 of 1965), and Act 62 of 1968, the Home Rule Charter and Optional Plans Law.

Commentary and Analysis - Part I

The simple figures presented in Tables 1 and 2 mask, at least theoretically, some fundamental weaknesses or concerns which go to the heart of understanding the potential of any effort to strengthen Pennsylvania local government. These fundamentals concerns are as follows:

1. Not only does Pennsylvania have a large number of independent local governments, (second only to Illinois), but most are very small. Around 93 percent have a population of less than 10,000; approximately four out of 10 have less than 1,000. This does, in part, reflect the rural character dominant in part of the State. Nevertheless, an examination of the number and size of governments in the urbanized target area would show a similar pattern.

2. Pennsylvania draws little distinction between its cities and boroughs and its townships. In most States only incorporated jurisdictions (cities and boroughs) are designated municipal corporations and given a Charter. Townships, by whatever name, remain unincorporated and the basic needs of these communities are generally provided for by the county. In Pennsylvania, townships are accorded the status of full-functioning, general units of government, and function under a charter given by the State--the respective Codes governing First and Second Class Townships.

3. Looking further at the formal classification system prescribed by the State legislature, a certain lack of logic becomes obvious. Once incorporated, changes in city classification--either upward or downward--may take place, but are not entirely automatic. There is, for example, no loss of city status by any city of the third class which falls below the minimum population requirement. Thus, cities of the third class range in population from 5,960 (Monongahela) to 119,123 (Erie). The City of Scranton, the State's only Second Class City-A, now has a population of only 88,117. Even if a municipality would wish to change classification (as Scranton Considered), the process is cumbersome. The law provides that such changes cannot take effect until a ten-year period has elapsed from the time the Governor certifies that, in each of the preceding two United States decennial censuses the population has either increased or decreased to warrant a new classification.

There are no population requirements to become incorporated as a borough. Thus, boroughs range in population from 36,130 in State College to 16 in the Borough of S.N.P.J. (Slovene National Benefit Society).

Although Townships of the First Class must have 300 persons per square mile, townships of the Second Class do not automatically move to another classification upon reaching that population. It is optional. First Class Townships range in size from 84,054 (Upper Darby) to 425 (South Versailles); Second Class from 52,391 (Ben Salem) to 29 (Pine in Clearfield County).

If Pennsylvania's classification system seems not grounded in logic, does it really matter? In response, consider these points:

a. Terms like "city," "borough," "town," and "township" seldom acquire a precise meaning in law. Nevertheless, in a popular sense, and in some states by law, they denote a grading or hierarchy of local

governments. When an area has reached a certain population, for example, it must become a city and take on duties different than other classifications. This is not the case, to any great degree, in Pennsylvania. There is little distinction between the Code governing townships of the first class, and the Code governing boroughs. Townships of the second class have basically the same range of powers as do cities, and, in some cases, more freedom (no required civil service system governing police selection, for example).

b. The fact that Pennsylvania has treated its townships as incorporated units of government has had some impact on how we have arrived at the present pattern of government. Until 1968 incorporated areas (again, cities and boroughs) could annex territory of second class townships against the wishes of the township. In order to protect themselves, some townships, or parts of townships, proceeded to incorporate, regardless of their size, land area, or financial resources. Today, townships are generally protected from annexation since an affirmative vote of residents from both municipalities is required. In some parts of the country, particularly in the West and Southwest, annexation laws are more liberal and have provided the means for cities to expand their boundaries to meet urban requirements, thus limiting the number of new general purpose municipalities. In Minnesota incorporation of townships into municipalities with full governmental powers is forestalled by State policy which does not permit such incorporation of new cities on the flanks of existing ones.

c. As a final point, it must kept in mind that any changes in the respective codes which might be anticipated as a means to strengthen local governments would apply to all jurisdictions in the class. This presents particular problems with boroughs and townships where there are not meaningful population prescriptions. Any change in the Borough Code, for example, becomes applicable to S.N.P.J. Borough with 16 residents as well as to State College with a population of over 36,000. There could not be amendments to the codes applicable only to Mon Valley municipalities.

4. It has been easy to become a new municipality in Pennsylvania. Returning to the Borough of S.N.P.J., it was incorporated about eight years ago when a dozen or so people were permitted by the court to secede from North Beaver Township in Lawrence County. The founding group was basically a Yugoslavian fraternal organization, seeking independence for reasons of both national pride and a desire for a liquor license. (The township was dry.) The Borough of Green Hills in Washington County was incorporated in 1979 and, today has 18 residents, a golf course, and a liquor license. Pennsberry Village, a condominium, was incorporated in 1976, basically out of dissatisfaction with the level of services which it was receiving from Robinson Township. Whatever the reasons, a series of court cases over the years has confirmed established policy in Pennsylvania which is to foster local self-governments so that local problems may be resolved by the community.

This policy is seen most clearly in Section 201 of the Borough Code which governs the creation of new boroughs--still considered the basic unit of local government in the Commonwealth.

The courts of quarter sessions (now Common Pleas) may incorporate any area within their jurisdictions, not already incorporated or a part of an incorporated municipality, as a borough, which, after having been so incorporated, shall be a body corporate and politic...

There is no minimum requirement of land area, wealth or population. Wide discretion, then, is left with the courts. If it is demonstrated that a majority of the freeholders want the incorporation, if there is a commonality of interests, and if it can be shown that basic services can be provided for, the incorporation is granted.

In 1981 the Borough Code was amended (Act 80) in an attempt to strengthen the process of creating new boroughs. Now the court is required to establish a Borough Advisory Committee consisting of two residents of the proposed borough, two residents of the existing governmental unit or units not residing in the proposed borough and, as chairman, one resident of the county not residing in either area. The director of the county planning commission serves as advisor to the committee. The Committee is required, within 60 days of its creation to advise the court on the establishment of the proposed borough based on criteria including the ability of the proposed borough to provide community support services, existing and potential commercial, residential and industrial development of the proposed borough and the financial or tax effect on the proposed borough and existing governmental unit. Upon finding, after hearing and advice of the committee, that the prescribed conditions have been met, the court is required to certify the question to the county board of elections for a referendum vote of the residents of the proposed borough. Following certification of the election results, the court is required to enter a final decree granting or denying the petition for incorporation. Without weighing the merits of this amendment, it would seem clear that borough making can remain a creative effort rather than a hard science.

**PART II**  
**THE FORM AND STRUCTURE OF PENNSYLVANIA LOCAL GOVERNMENTS**

**A. Introduction**

As one examines the plight of many local governments in the target area, and beyond, it is obvious that many of them got to that state because of the historic and legal roots (discussed in Part I) which brought them, in the first place, to the status of independent, general units of local government--too small and with insufficient resources to govern effectively over time.

This section examines the State's mandates with respect to local government form and structure which are set forth in the respective Codes governing each classification. These mandates governing form and structure impact in a fundamental way the quality of government. The discussion which follows will be limited to boroughs, the two classes of townships, and third class cities.

**B. Form and Structure--General Commentary**

It is no secret that some governments are so poorly organized that a cloud of obscurity hangs over them. It is difficult for citizens to determine who is responsible for what functions; where to place blame when things go wrong or do not work well. Some governments are so poorly devised that even small matters require numerous actions by different public officers. The descriptions which follow illustrate that Pennsylvania local governments do not escape these weaknesses.

Capable and dedicated elected officials can make even the poorest structure work. It is also true that less qualified officials can produce poor results with the best form and structure. When properly designed, a good municipal organization can facilitate responsible

government, encourage effective management, and minimize wasted effort and resources. With proper form and structure, those public officials who are not acting responsibly or with competence cannot escape responsibility and accountability for their actions. Thus, good form and structure is a means, not an end, to getting good results--good policy. Good form enhances the potential for attracting and developing leaders, and the managerial and technical talent needed in any urbanized community.

The sketches of borough, township and third class city governments which follow display the basic structures provided for in the Codes for each class. They expose not only the general weaknesses referred to above, but also some very specific weaknesses which are noted in the notes and commentary which accompany each sketch.

All Pennsylvania municipalities can escape these dysfunctional code mandates by adopting a home rule charter. The authority to do so came through a 1968 amendment to the Pennsylvania State Constitution. Simply put, home rule grants the right to a local government to frame, adopt and amend its own charter. A home rule community then is out from under the provisions of the borough, township or city Code. Statewide, only 57 municipalities, including five counties have adopted home rule charters. Two communities in the target area, McKeesport and Monroeville, are "home rule."

The 1968 amendment to the Constitution, and the implementing legislation in 1972, provided options other than home rule. The formal title of the legislation, in fact, is The Home Rule Charter and Optional Plans Law. For municipalities wishing not to adopt home rule,

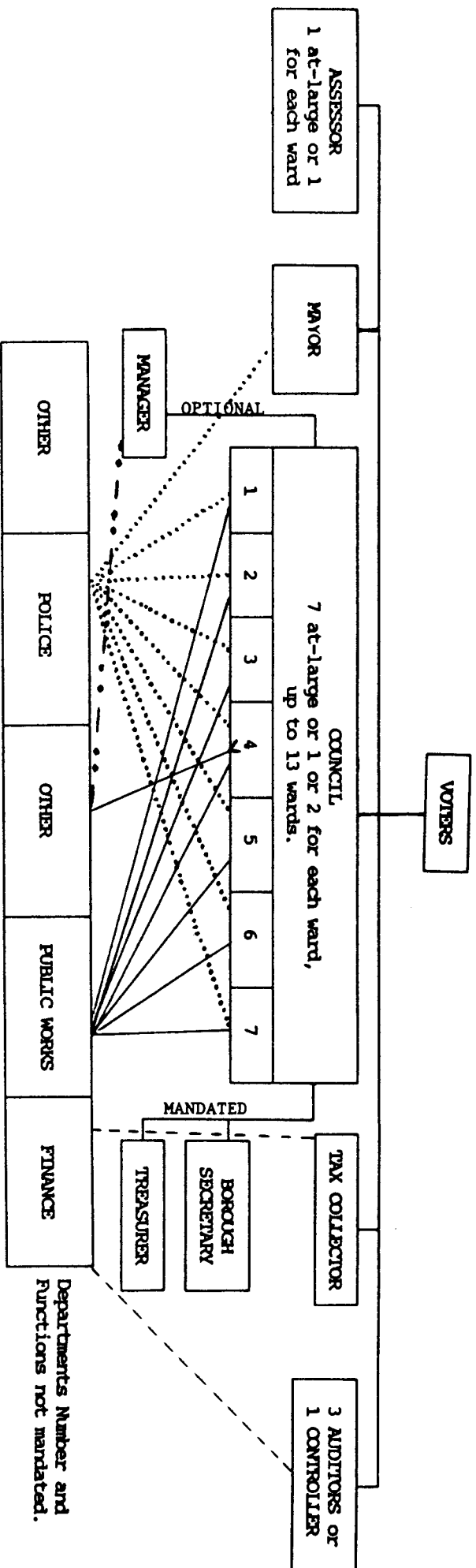
the legislation provides for five optional structures of government: Strong Mayor-Council Plans A, B, and C; a Council-Manager Plan, and a Small Municipality Plan. Municipalities that choose one of these optional plans remain under their respective codes except for the new structure. State-wide, only seven municipalities have adopted an optional plan, none in the target area. A brief sketch of each optional plan is provided in Appendix A. The use of these plans as a device for modernizing Pennsylvania local government is presented as part of the recommendations of this paper.

Returning to the concept of home rule, it is important to note that municipalities writing a home rule charter are free to adopt any form and structure of government. Experience has demonstrated that this decision area is among the most difficult and controversial facing the Government Study Commission--the elected body charged with drafting the charter.



Figure 1

BOROUGH GOVERNMENT



NOTES:

1. All legislative (L), executive (E), and administrative (A) powers rest with Council, except for the police function. (See Note 2)
2. The mayor is not a member of council, but may be present at meetings and participate in discussions. The position is that of a weak mayor. His/her powers are limited to responsibility for the day-to-day operation of the police department. The mayor may break a tie vote of council, and may veto councilmanic ordinances.
3. The borough council may abolish the position of elected auditor or controller, and appoint an independent auditor. The borough code establishes no standards for the elected auditors. It provides that the controller must be a "competent accountant."
4. The office of assessor does not exist where, under county assessment law, the office has been abolished.
5. Compensation (optional): Council compensation ranges from \$35 a month to \$250, depending on population. The mayor may receive up to \$450 per annum for the first 1000 population, and \$300 for each additional thousand population.
6. No qualifications are established for the treasurer, and no standards for the accounting function. A bank may be appointed as treasurer.

## COMMENTARY AND ANALYSIS, BOROUGH GOVERNMENT

1. Except for some aspects of the police function, borough government in Pennsylvania places responsibility for the legislative, executive, and administrative functions with the multi-member, part-time council. Although this arrangement may work in very small municipalities, any structure that is designed so that elected officials, individually and collectively, are responsible for managing a public corporation is cumbersome and can work against the efficiency and accountability that is required for good government--in some cases, for survival. Theoretically, the role of a legislative body is usually seen as one of measured response to proposals put forward by administrative and executive officials; one of caution about attempts to spend taxpayers dollars. The role of the executive and administrative personnel is to administer policies and programs and to make suggestions for alternative ways of doing the public's business. When the two functions are merged--as in borough (and township, and third class city) structures--, the same officials are placed in the role of "persuading themselves of the wisdom of the ideas they bring to themselves."
2. The dotted lines in Figure 1 illustrate potential operational problems inherent in the borough structure. These lines emphasize the divided control over the police department. Although the mayor has operational control, council makes all appointments and promotions to the department, including the chief; has the final say in disciplinary matters; and decides upon, and controls, the budget of all departments, including police. Where tensions exist between the mayor and members of council, the police department may find itself "caught in the middle," or adrift.
3. The solid lines from members of Council to an operational department (Public Works) dramatizes another potential problem with any government structure which places administrative powers, along with legislative and executive duties, in the hands of a single body. Regardless of "gentlemen's agreements" or committee structure, council members, individually and/or collectively, generally untrained in municipal management, have responsibility for the day-to-day operation of government. In effect, in the illustration above, the public works department could have seven supervisors--or none. There can be conflicting signals to employees from their elected "bosses," and management, generally, can be convoluted with no real lines of authority or accountability.
4. The borough Code mandates the appointment of a borough secretary. Code law provides only that the secretary keep minutes of council proceedings, and have custody of the corporate seal. In fact, in many jurisdictions, the secretary assumes responsibility for a full range of municipal management activities, without formal authority. There is no one else. There are no qualifications for the position. There is no tenure. This contrasts to New Jersey, for example, where municipal secretaries (clerks) must be certified and are granted tenure. In very small municipalities, the secretary is part-time, and it is not unusual to have the secretary "running the borough from his or her kitchen."

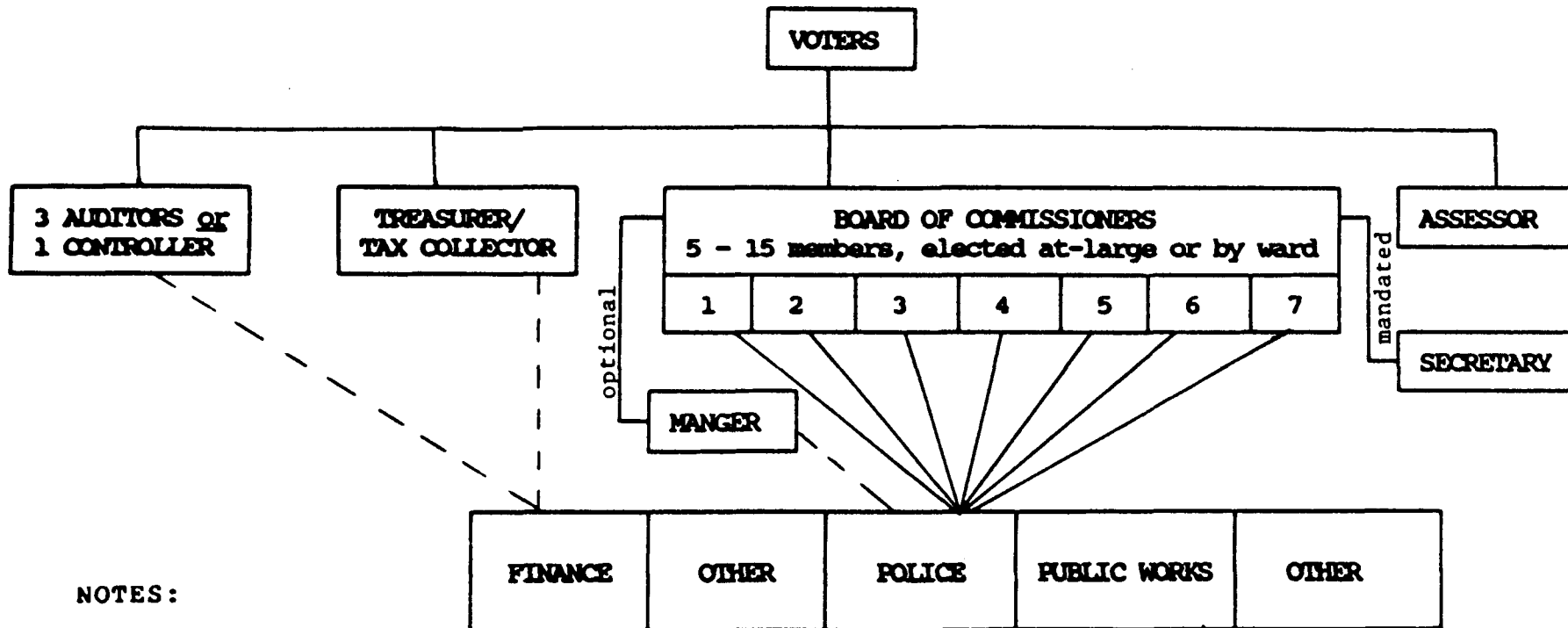
5. Boroughs are authorized, under the Code, to appoint a manager. Statewide, approximately 311 boroughs and townships have done so, that is, adopted a council-manager plan that is recognized by the International City Management Association (ICMA). In the target area 6 have recognized plans. Appendix B shows the criteria necessary for ICMA recognition.

Pennsylvania boroughs (and townships) electing to appoint a manager do so by local ordinance. This ordinance may also set forth the powers and duties of the manager, and any qualifications. The crafting of the ordinance does, of course, determine if the municipality meets ICMA recognition standards. Conceptually, as the standards reflect, the council delegates its administrative functions to a non-partisan professional who is responsible to the governing body for the effective and efficient management of the municipality. In reality, many local governments have appointed a manager and have failed to delegate the broad range of administrative duties. Many times a person appointed as manager has had no special education to prepare him or her to be effective. Put another way, many manager ordinances are not sufficiently strong, in language or practice, to preclude council's involvement in administration, and this can further complicate day-to-day management, and place a good professional in an untenable position. Thus, the line of dots and dashes from the manager to the department—Figure 1.

6. The elected tax collector, the mandated appointment of a treasurer, and the potential of three elected auditors render it almost impossible to have a coordinated financial management system, and one that is in the hands of individuals fully capable of handling the critical functions of budgeting, accounting and auditing. It should also be noted that the Codes provide few--in most cases--no standards for budgeting, auditing, and accounting. This fact, coupled with the weak structure of government, make it easy to understand why and how local governments can find themselves in trouble.

FIGURE 2

FIRST CLASS TOWNSHIP GOVERNMENT



NOTES:

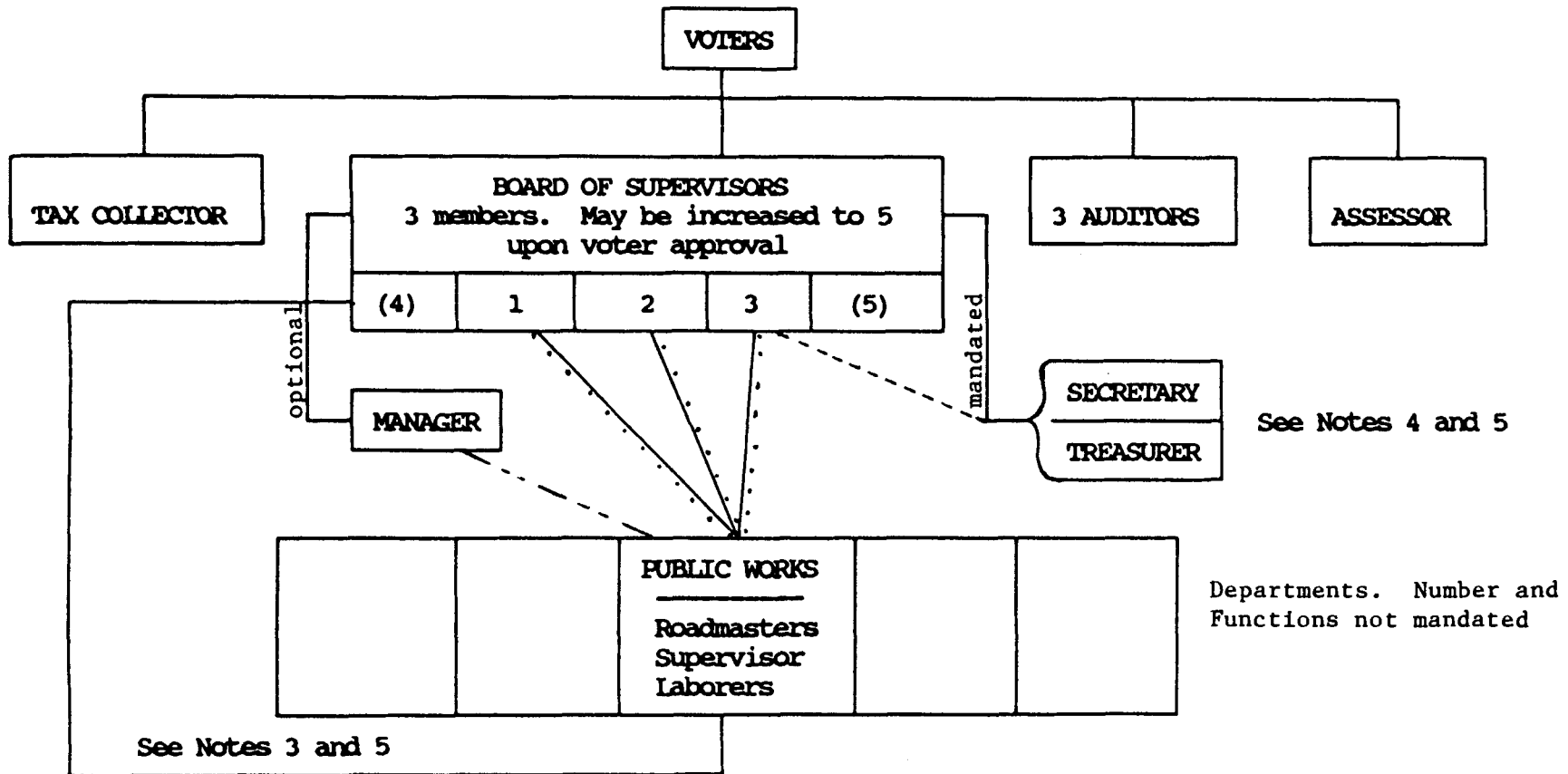
1. A modified commission form of government, with all LEA powers resting with the Board of Commissioners. There is no office of mayor; the Board assumes responsibility for the entire police operation in addition to control over all other operations.
2. Auditor/Controller: There are no qualifications for auditors. The Controller is required to be a "competent accountant."
3. Assessor: Same provision as for boroughs.
4. Treasurer/tax collector: No qualifications. This individual has accounting duties.
5. Compensation (optional): Based on population. Can range from \$1500-\$4000 per annum.

COMMENTARY AND ANALYSIS:

Same as for borough government, except for those relating to the mayor.

Figure 3

SECOND CLASS TOWNSHIP GOVERNMENT



NOTES:

1. A modified commission form of government, with all legislative, executive and administrative powers resting with the Board of Supervisors.
2. Supervisors are elected at-large, and serve six year terms.
3. The Board is required to divide the township into road districts, and to employ a superintendent, or a roadmaster for each district. Township supervisors may be employed (employed themselves) as superintendents, roadmasters, or laborers.

## Second Class Township Government, continued

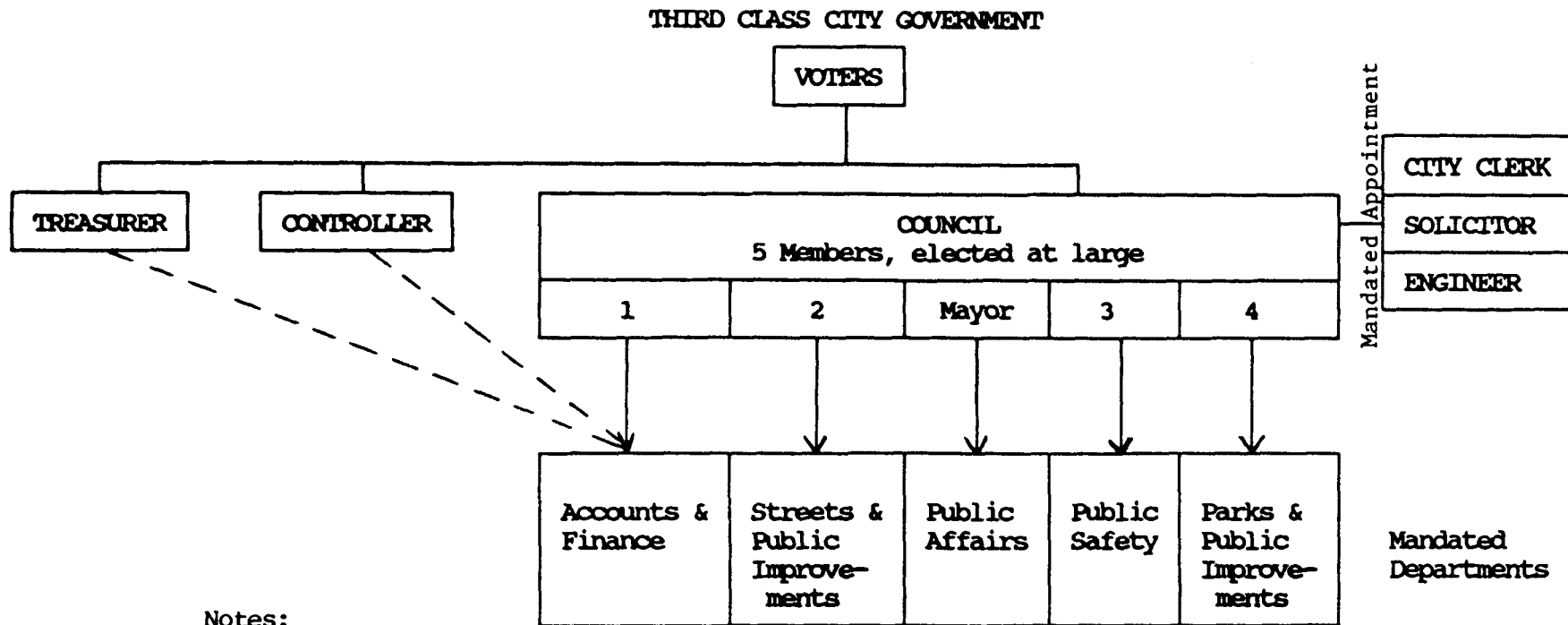
### Notes, continued:

4. Code law requires the appointment of a township secretary and a township treasurer. The two offices may be combined. Members of the governing body may also serve (appoint themselves) as secretary and/or treasurer. There are no qualifications, or standards for the functions.
5. Compensation: supervisors may receive \$25 for each meeting they attend. If they also serve as superintendent, roadmaster, laborer or as secretary/treasurer, their additional compensation is fixed by the township auditors.
6. There are no qualifications for auditors, and no standards for auditing.

### COMMENTARY AND ANALYSIS, Second Class Township Government

1. With the placing of all LEA functions with the Board of Supervisors, the commentary under point 1 in the earlier discussion of borough government is approximate here.
2. The structure as outlined above makes rather clear that the second class township form is designed for small, rural governments. The emphasis is on roads. In fact, many townships of the second class, particularly those in metropolitan/urbanized areas, are not rural and carry on the broad range of activities associated with general units of local government. It should be recalled from the discussion of classification in Part I that these townships are not required to move to another classification as their population grows. Also, while the emphasis in the Code is on roads, it also grants broad additional powers to second class townships. Stated another way, there are not strong incentives to change.
3. The fact that elected officials may also appoint themselves as township employees should raise strong concerns about conflict of interest and issues of accountability and efficiency.
4. Township secretary and/or manager: See points 4 and 5 under borough government commentary.
5. As with borough and first class township government, responsibility for financial management is divided among the elected tax collector, three auditors, and a treasurer. See comment 6 under borough government.

Figure 4



Notes:

1. This structure represents the Commission Form of government in its traditional format--a council of five, elected at-large. In the Pennsylvania structure, the council includes a directly elected mayor who is the fifth member of Council. For a discussion of optional forms available to Third Class Cities see point 1 under the commentary and analysis section.
2. The Third Class City Code prescribes the five departments that each city will have. The mayor is mandated to head the Department of Public Affairs, and is required to have supervision over the police department. The council, at its biennial organization meeting, designates one council member to head each of the other departments. Council, as a whole, decides on the powers and duties of each department. On the other hand, the Code requires that "The Mayor shall supervise the conduct of all city officers."
3. The city treasurer and the controller both are required to be "competent accountants." The treasurer keeps account of receipts and expenditures; the controller is responsible for the auditing function.
4. By law, a the Director of Accounts and Finance supervises and controls the accounts of all departments, and prepares the annual budget.

## Third Class City Government, continued

### COMMENTARY AND ANALYSIS:

1. Although the basic form of government provided by the State for Third Class Cities is the commission form, in 1957 the Third Class City Code was amended to permit cities to adopt an optional plan of government: strong mayor-council form or a council-manager form.\* The plans, along with the powers and duties of the respective officials, are prescribed in detail. Except for the code provisions outlining structure, cities operating under an optional plan continue to be governed by the Third Class City Code. State-wide, 15 cities operate under the optional Charter Law for Third Class Cities. In the target area, no Third Class Cities have elected this option. (McKeesport has adopted a home rule charter.)
2. The apparent simplicity of the Commission form is deceptive. Its small council, elected at-large, is consistent with reform of municipal government. However, in practice, its arrangement is highly illogical and virtually guarantees the weaknesses that have all but destroyed it in almost all parts of the country. There is no strong executive. Each council member heads one administrative department with little likelihood that that person will have the necessary background to effectively manage a functional area. It works against unity of purpose, and provides a temptation for "empire building" and poor budgeting practices. As the Des Moines Register testified when that city abandoned its commission form in favor of the council-manager plan, "It is this division of municipal government into five little kingdoms that destroys all possibility of intelligent coordination of city government, and makes it a chaotic, wasteful, inefficient jumble."
3. In the area of financial management, this structure exhibits the same basic weakness present with the borough and township forms. Here, responsibility is divided among the treasurer, the controller, and the elected Director of the Department of Accounts and Finance. The Third Class City Code provides no meaningful standards for budgeting, accounting and auditing.
4. The commission form makes no provision for a manager.

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\*Repeated with the passage of the Home Rule Charter and Optional Plans Law in 1972.



PART III  
INTERGOVERNMENTAL COOPERATION

A. Introduction

The Intergovernmental Cooperation Act (1972 P.L. 672, No. 180) provides Pennsylvania municipalities with a liberal mandate for establishing cooperative agreements with other governmental units for the delivery of services or the performance of administrative functions. Under Act 180 any municipality may by act of its governing body, or by initiative and referendum, jointly exercise any municipal functions, power, or responsibility or transfer any function to one or more governmental units including other municipalities or districts, the federal government, any other state or its governmental units, or any newly created governmental unit. The various codes for third class cities, boroughs, and first and second class townships also include grants of authority to cooperate with other political subdivisions in carrying out governmental functions. Finally, the General Assembly has provided specific grants of authority for intergovernmental cooperation in a number of functional areas like tax collection.

B. Approaches to Cooperation

There are three primary approaches to intergovernmental cooperation in the Mon Valley: joint service agreements, joint authorities, and voluntary councils of government (COGs). Table 4 contains examples of cooperative programs in the Mon Valley.

Table 4

Intergovernmental Cooperation in the  
Mon Valley

1. Intergovernmental Agreements: Contractual agreements or mutual understandings between two or more communities for the joint provision or transfer of governmental services.
  - a. Example: Turtle Creek Borough provides police dispatch services on a contract basis for Pitcairn and Wall.
  - b. Example: Elizabeth Borough, Elizabeth Township, Glassport, and McKeesport have a mutual understanding to support a Cooperative Police Investigation Team to conduct criminal investigations in each community.
2. Joint Municipal Authorities: Authorized by the Municipal Authorities Act of 1945, authorities are special purpose governments created to perform one or more functions. They may or may not be multijurisdictional and are governed by a board appointed by the establishing local government(s). Their financial base rests on the authority's capacity to issue revenue bonds and to assess and collect service fees to cover administrative costs and to retire the bonds.
  - a. Example: The McKeesport Municipal Authority provides sewage treatment for the City of McKeesport, Versailles Borough, Port Vue Borough, Liberty Borough, White Oak, and parts of three other communities.

There are well over 50 special purpose authorities in the Mon Valley. Most serve only one community and none are multi-purpose.
3. Councils of Governments (COGs): Voluntary associations of local governments established to provide administrative oversight of multijurisdictional agreements. COGs are governed by a board comprised of elected officials who are appointed by respective COG members. COGs have no taxing authority; their financial base rests on dues and fees from member jurisdictions and from intergovernmental grants. There are three COGs in the Mon Valley -- Twin Rivers, Turtle Creek Valley, Steel Valley -- with a total of 34 member municipalities.

- a. Example: The Turtle Creek Valley COG operates a computer service bureau which provides payroll and accounts payable record keeping for 12 communities. The COG recently launched a shared public works team which provides street maintenance services for five communities.
- b. Example: The Twin Rivers COG operates an emergency dispatching facility for 12 police departments, 32 fire companies, and assorted other institutions. The COG also operates a micro-computer network for five communities which facilitates telecommunications, file transfers, and technical assistance.

Conspicuously absent in Table 4 are multijurisdictional special districts which are distinguished from special purpose authorities in two ways:

- Special districts gain financial independence through the power to levy taxes, and
- The governing board of the district is generally popularly elected.

In Pennsylvania, school districts are the only type of special district permitted. New legislation would be needed to provide authority for other types of districts.

### Commentary and Analysis - Part III

In theory, the concept of voluntary intergovernmental cooperation looks attractive with respect to the following criteria:

- Economic Efficiency: maximizing economies of scale;
- Political Feasibility: Non-threatening to the political and administrative autonomy of existing communities;

- Administrative Effectiveness: Balancing competing demands in planning, implementing, and evaluating programs;

In reality, however, the cooperative approach has not achieved its full potential for the following reasons:

1. Joint Service Agreements require municipalities to make proactive investments of time, money, and other resources to conduct feasibility studies and to provide on-going administrative oversight of the program. In addition, among some local officials there are lingering negative attitudes toward cooperation derived from fear of "creeping metropolitanism", distrust of neighboring communities, and skepticism about the political and economic benefits. The attitude of other local officials is best described as ambivalent as articulated in statements like: "We have enough to worry about in our own community without investing time and effort in a cooperative program that may or may not pay off."

The Intergovernmental Cooperation Program (Greater Pittsburgh Chamber of Commerce) provides some technical and financial assistance to encourage joint service agreements, yet stronger grass roots support and incentives are needed before joint agreements play a major role in the Mon Valley.

2. Multijurisdictional authorities provide a mechanism for area-wide planning and problem solving. Also, authorities provide an alternative means for financing costly services or facilities and can offer a way for municipalities to circumvent limits on their taxing or debt capacities. In theory, authorities are run "like a business" because the members of the governing board are not popularly elected. This advantage, however, is at least partially offset by the absence of political accountability of board members.

The primary problem in the Mon Valley is that the presence of 49 special purpose authorities has merely aggravated the problem of governmental fragmentation, proliferation and duplication of effort. Only a few of these authorities are multijurisdictional and none are multipurpose.

3. As mentioned above, special purpose districts have several advantages over authorities due to their ability to levy taxes and due to the political accountability of their governing boards. Unfortunately, Pennsylvania law provides only for the creation of

school districts. Multijurisdictional and multipurpose authorities may hold significant promise for the Mon Valley.

4. The on-going variability and growth of Councils of Governments (COGs) is severely hampered by the absence of a dedicated source of funding. The Allegheny County Board of Commissioners should be applauded for making the award of community development grants conditional upon COG membership; this has been an important incentive for municipalities to join COGs. Also, over the past several years, the Pennsylvania Department of Community Affairs (DCA) has increased its line item of grants to facilitate intergovernmental agreements from \$100,000 to \$350,000 state-wide. Yet these are competitive grants for new initiatives and, consequently, COGs must compete against each other and against individual municipalities for these relatively small awards.

Most COGs have displayed the entrepreneurial spirit by developing cooperative programs (e.g. computer service bureaus) which are either self-sustaining or generate small amounts of surplus revenue. These efforts should be rewarded and facilitated with a dedicated and stable source of funding from the state.

#### PART IV. LEADERSHIP AND POLITICAL BANKRUPTCY

##### A. Introduction

One problem frequently associated, by both more popular and more scholarly commentators, with the difficulties currently being experienced by the "Mill towns" in the Mon Valley is the absence of effective leadership. There are certainly some examples of innovative attempts to address the problems by individuals and organizations indigenous to the region. However, the impression most commonly received from the media and other commentators is that of a group of communities sitting and awaiting deliverance from their economic and social ills. As yet there has been no Moses to lead them to the promised land. This apparent and alleged dearth of effective leadership is true both for the public and the private sectors, although we will be more concerned with developments in local government.

##### B. Current Situation

Leadership is one of those concepts that everyone discusses without a clear or generally accepted definition. It can be a personality trait of an individual, or it may be situational, so that the social structure would tend naturally to push forward individuals to provide that needed increment to organizational performance that comes from leadership. Any set of changes in local government could do little to foster personal traits of leadership, but we can comment on the existing situational factors that are detrimental to the emergence of effective political leadership in the Mon Valley. The impediments appear to be multiple and pervasive.

The most important factor impeding the development of leadership is the fragmentation of the political structures of the area. We have already mentioned that the existence of over seventy political subdivisions in this

relatively small geographical space presents real difficulties of efficient management of crucial local government services. The problems created by the number of local governments is accentuated by their being components of several counties, each having different levels of commitment to producing social and economic change, different resources, and different strategies. In addition to these more objective managerial problems created by fragmentation, it appears to prevent, or at least to impede, the development of political leaders **who can speak for the whole valley**. The historical jealousies and the continuing competition for investment and jobs among local governments have made it difficult for anyone who may have real leadership potential to speak for a group much wider than his or her own little community.

The above sentence points to a fundamental aspect of fragmentation that may prevent implementation of some innovative proposals that have been made for the Mon Valley. This is the definition of the "community" to which individuals belong and with which they identify. Is that community Clairton, or Forward, or is it the Valley taken more broadly? If it is not the latter, then proposals to share tax bases and to share in the delivery of vital services across the local governments become virtually impossible. Especially when there is real and perceived scarcity of adequate resources for each of the political subdivisions to meet the needs of its own populations, they will be unlikely to engage in any cooperative arrangement involving the transfer of resources without some sense of community and of a shared destiny. It would appear that at present the local governments are playing the usual competitive industrial policy game of "beggar thy neighbor" rather than cooperating effectively to improve conditions for the entire region. States in the United States do this frequently because of inadequate coordination, and here it occurs at a lower level of government.

Leadership and the definition of the community almost certainly interact. Effective leadership could help to create a stronger sense of community in the Valley, and may be necessary if not sufficient to produce such a sense of community. On the other hand, leadership that could address the whole region, or even large portions of it, may be impossible to develop unless there is already a sense that all the local governments are a part of the same problem and the same social and economic system. There may be a "chicken and egg" problem in the development of leadership potential here that will be extremely difficult to overcome.

We have pointed to the difficulties of someone speaking for the entire Mon Valley, but it may be difficult for anyone to speak effectively even for his or her own community; there is fragmentation within local institutions as well as among them. Among the problems with the political structure outlined earlier is that the current structure does not allow for strong executives, such as the prototypical big-city mayor, who can indeed attempt to speak for the whole community. Even if the overall political structure in the Valley were to remain fragmented, the existence of a form of government with the potential for stronger executive leadership might be beneficial; strengthening the office of mayor is an obvious step in that direction. This strengthening of political leadership need not conflict with attempts to professionalize government and improve the quality of service delivery. It should be noted here that even at the county level, which we have argued might be one source of some economic salvation and political integration for these communities, the fragmentation of the political structure with three commissioners does not readily foster the type of strong executive leadership which might be desirable. Individuals may be able to offer such leadership but the institutional structure is not conducive to it.



A further point which must be made is that while the political structure has not been conducive to the emergence of effective leadership in the "Mill Towns", the private sector does not appear to have filled the gap to the extent that it has in other somewhat analogous situations. For example, other groups in the United States who have pressed claims for greater social justice have relied on churches as their power base. There is no analogue in the Mon Valley for the role of the Baptist and A.M.E. churches in the South (or the Roman Catholic church in Louisiana) during the civil rights movement. Again, this dearth of private sector leadership may be laid at the door of the concept of fragmentation. If churches or other voluntary organizations are not to provide leadership in the face of the apparent incapacity of government to do so, then business or labor organizations might be the logical choices, given that the roots of many of the problems are economic. Unfortunately, the industrial history of these communities is such that an effective coalescing of these groups--which would appear logical in many local communities--simply does not appear to be likely. If that type of "neo-corporatist" structure could be developed and could find a way to coopt the public sector, then many of the apparent problems of leadership could be solved. Again, however, if the public sector were itself more integrated and more capable of making a united stance in the Valley, then it might have been able to produce some integration of the two major groups of economic actors.

In fairness, there are a number of private and quasi-private organizations attempting to promote economic development in the Mon Valley and in the Beaver Valley. Roger Ahlbrandt's paper for this conference identifies these organizations in substantial detail. In reading through that paper, however, one is again struck at the level of disaggregation and fragmentation of the efforts. They are fragmented geographically as well as functionally. Thus,

the efforts of the private sector may simply mirror efforts in the public sector and, despite some attempts at coordination, produce a fragmented and potentially incoherent approach to the problems.

#### ANALYSIS AND COMMENTARY

What the above situation creates is a classical description of alienation--the availability of goals but no effective means of attaining those goals. The people of the Mon Valley appear to have a clearly defined goal of economic redevelopment but do not appear to have the mechanisms, either through the public or the private sectors, to attain those goals. Any number of studies of the problems have been made, and any number of solutions (including planting daffodils) have been proposed, but the structure for implementing almost any plan does not appear to be in place. Without a realistic and viable possibility for implementation, the planning that has gone on is at best optimistic and at worst wasteful of time, energy and opportunities.

Another way to think of the situation that the residents of the "Mill Towns" find themselves is one of "political bankruptcy" (Rose and Peters, 1976). That is, the political system may have lost, or at least is in danger of losing, some of its inherent legitimacy and authority in the eyes of the citizens of these communities. This would be one product of the apparant incapability of local governments to address the large-scale economic problems in the Valley, as well as the numerous difficulties, documented above, they face even in managing their own day-to-day affairs. While we may be willing to excuse these governments not being able to manage the global economic forces with which they must contend, their citizens may feel otherwise. Further, some substantial blame for the generally poor quality of local government services is unavoidable by those responsible for delivering them.

The specter of "political bankruptcy" that we raise here should not lead anyone to expect the barricades to go up on the streets of Duquesne or Clairton any time soon. Rather than rebelliousness, we would argue that political bankruptcy is more likely to be manifested in avoidance and indifference toward government. In some ways, however, such indifference may be worse than manifest and demonstrable unhappiness. At least the latter would indicate an acceptance of the idea that government is a relevant actor, and may have the capacity to do something positive about conditions that exist in the towns. The indifference of a population may be a more difficult barrier to long-term development and effective government. Having lost the confidence and good will of a population it is difficult for a government to recover it. Further, many of the changes that might be proposed for change will require more than grudging acceptance by the population; they will require some positive commitment. Again, there is a chicken and egg problem which relates the effectiveness of government to the leadership capacity of officials in government.

There is some indication that indeed some attributes associated in earlier research with political bankruptcy are manifest in these communities. First, there has been a secular decline in political participation rather than the increase in participation that might have been expected if people in these distressed communities thought that government actually could do anything to help. Likewise, even controlling for economic changes, there appears to be a declining capacity for government to extract revenue from its residents. While tax evasion and avoidance is an international phenomenon, and may be exacerbated by economic distress in a community, it is also characteristics of a population that has lost confidence in its governmental institutions. Why pay them taxes?

Improved capacity for political leadership could hardly be expected to solve all the regions problems overnight. However, it could go a long way toward ameliorating those problems. Further, having adequate leadership and the political structures conducive to the development of leadership can serve as a foundation for other positive developments. On the other hand, the perpetuation of the existing fragmented structures appears to offer little possibility for producing positive change, at least through the political system.

PART V  
RECOMMENDATIONS

The recommendations which flow from this paper are presented in three categories which reflect both a judgment of need and urgency, and the potential for achieving change.

**A. Minimal Actions**

These recommendations are drawn largely from Parts I and II of the paper. In the broadest sense they are directed toward modernizing Pennsylvania local governments, accepting, generally, local government boundaries as they presently exist. They represent essential, fundamental steps in strengthening the overall capacity of local governments to govern effectively, efficiently and with accountability. It is believed that their implementations would enhance the potential of local governments to become effective instruments of social and economic policy.

**Recommendation 1:**

Delete from the respective Codes those provisions which prescribe form and structure. Amend each Code to provide that all non-home rule municipalities, within a prescribed period of time from the date of amendment, would be required to adopt one of the five optional plans provided for in the Home Rule Charter and Optional Plans Law referred to in Part II. Appendix A provides a sketch of these plans. In drafting the procedures to implement this recommendation, consideration should be given to providing for citizen involvement in the process.

**Recommendation 2:**

In concert with , or independent of, recommendation 1, the third class city, the borough, and both

township Codes should be amended to establish minimum standards for financial management--budgeting, accounting, and auditing. Minimum qualifications should be prescribed for any official charged with responsibility for the financial management functions: budgeting, accounting, auditing, cash management and debt management. Exceptions could be made for very small municipalities, particularly those rural in nature. The Department of Community Affairs should be assigned responsibility for recommending the appropriate standards and qualifications.

The Department of Community Affairs, through its regional offices, should be charged with responsibility for monitoring compliance with these standards, and should be provided with the necessary additional resources to undertake this task.

Procedures should be established for mandated action when a local government is unable to meet financial management standards. These could include sharing a financial manager with another municipality, and enlarged role for Councils of Government, and enlarged role for the county, or more drastic action--forced merger or consolidation.

#### Recommendation 3:

In concert with, or independent of, recommendation 1, every local government should be required to have a trained, competent municipal manager. This could be achieved in a number of ways. A professional manager could be hired. It could be mandated that all municipal secretaries/clerks be certified as having met basic requirements to carry out basic municipal functions. The International Institute of Municipal Clerks (IIMC) provides certification based upon completion of formal training. Along with this alternative, the role of the secretary needs to be upgraded to include managerial responsibilities. Alternatively, greater use might be made of the shared municipal manager concept--two or more small communities share a professional manager.

#### Recommendation 4:

The State should appoint a Committee which would be charged with reviewing and redrafting the municipal

Codes. The language of the Codes is of a bygone era. Many of the provisions are no longer needed. Some are covered by new state statutes which are uniform in application. This part of the Committee's work should subsume Recommendations 1, 2, and 3 of this section.

The charge to this Committee should also include a review of the State's local government classification system, and the procedures governing new incorporation. All of these tasks are seen as interrelated, and come together to produce what is needed in the way of a modern framework for local governments.

#### Commentary--Minimal Actions

Even though these recommendations do not call for boundary changes, clearly they are politically sensitive. The cities, boroughs, first class townships, second class townships, and tax collectors are organized into strong state and/or local associations, and their respective members could be expected to defend the "status quo" against threatening change. Any of the optional plans called for in Recommendation 1 provide for a separation of functions (LEA), and would alter traditional political power lines, and fix accountability and responsibility more clearly.

The standards and qualifications called for in Recommendations 2 and 3 would place restrictions on elected officials in terms of traditional hiring practices.

It would be difficult to modernize the Codes without coming to grips with the State's illogical classification system. This would be difficult to accomplish without the support, or at least the acquiescence, of the municipal associations.

The State should move expeditiously to implement Recommendations 1, 2, and 3 since they involve amendment to only limited sections of

the Codes. The recommended optional plans are in place and need only to be incorporated. Recommendation 4 is longer range, all inclusive, and is the foundation for a new and modern system of local government for the State.

Implementation of any or all of these recommendations will require a high degree of statesmanship on the part of local officials and their associations. The State, too, must rise to a level of statesmanship and/or be ready to exercise the authority which it has to mandate change (Hunter v. Pittsburgh).

#### **B. Intermediate Actions**

The following recommended strategies for the promotion of intergovernmental cooperation and development of a coherent leadership structure in the Mon Valley are designed to build upon and enhance existing initiatives. We view them as complimentary to the minimal approaches outlined above and more feasible in the short term than the optimal approaches outlined below:

##### Intergovernmental Cooperation

###### Recommendation 1:

State resources should be devoted to a serious and systematic study of the economic, political, and administrative feasibility of multijurisdictional general purpose service districts. The study should identify governmental functions which lend themselves to an area-wide approach. It should also identify options for applying the district concept in a more limited area with more limited functions. Options for representation and geographical voting districts should also be explored.

###### Recommendation 2:

State and county resources should be invested in a



public information program to build grass roots support for and political pressure to make greater use of intergovernmental agreements.

Recommendation 3:

State resources should be devoted to a dedicated source of funding for Councils of Government. The \$350,000 intergovernmental cooperation fund should be increased to \$500,000 and devoted exclusively to COG's, providing seed money on a competitive basis for new cooperative ventures proposed by COG's. Some of these funds should be reserved for multi-year grants which would provide an opportunity for promising opportunities to become self-sustaining. In addition, the state should establish an annual line-item fund in the amount of \$350,000 to be matched by funds from the counties to assist COG's with their annual overhead and administrative costs. These grants would be based on a formula, not competition.

Recommendation 4:

The State in partnership with the counties in the Mon Valley should provide financial and technical assistance for multijurisdictional efforts to control the development of the vacant steel mill sites. The Regional/Urban Design Assistance Team (R/UDAT) recommended the creation of a Commission, with members drawn from the affected municipalities, to develop and implement a land use plan for the four cities. A tax sharing component was also part of the R/UDAT recommendation.

Commentary - Intergovernmental Cooperation

The concept of voluntary intergovernmental cooperation has become increasingly popular (or at least palatable) to local officials over the least ten years. It will never be a panacea for the problems facing the Mon Valley and we suspect that there will always be some resistance to cooperative programs based on parochial attitudes and political self-interests. However, short of governmental consolidation, intergovernmental cooperation offers the most promising

approach to regional planning and decision making. The State and the counties have the power to introduce compelling incentives to encourage municipalities to see that cooperation is in their best interest and to assist them in launching cooperative ventures.

### Leadership

#### Recommendation 1

The Leadership Pittsburgh program, sponsored by the Greater Pittsburgh Chamber of Commerce, enhances the development of community leadership in Pittsburgh by providing emerging or potential leaders with a comprehensive view of the problems, opportunities, and issues facing Pittsburgh. It is, in effect, an educational program through which participants establish a valuable network of interpersonal and interorganizational resources which bridge the public, private, and non-profit sectors.

A sister program, called Leadership Mon Valley, should be established and sponsored by a well-established organization like the Mon-Yough Chamber of Commerce. Patterned after Leadership Pittsburgh, the program would select on an annual basis a small group of say 50 community leaders (and emerging leaders) to participate in an intensive educational program on issues facing the Mon Valley. Networking and proactive problem solving should be encouraged and facilitated as part of the program.

#### Recommendation 2:

Private foundations and corporate contributors should encourage the two dozen community development corporations (CDC's) in the Mon Valley to consolidate their resources and coordinate their local planning strategies into regional strategies. Creation of new CDC's, whose interests are parochial, should be discouraged by targeting resources toward the strongest and most viable of the existing CDC's which cut across jurisdictional boundaries.

#### Recommendation 3:

The counties in the Mon Valley should try to establish a loaned executive program modeled after the successful COMPAC and COMPEP programs in Allegheny County and Pittsburgh respectively. The loaned executives should be assigned on a priority basis to CDC's and other multijurisdictional

agencies to assist with planning, analysis, fund raising, marketing, and implementation.

### Commentary - Leadership

We concur with the conclusions of Roger Ahlbrandt's paper that "partnership efforts are key because problems are too complex for a single organization to tackle and it is unlikely any one sector can do the job" (p. 33). We also recognize that leadership is an intangible resource that cannot be simply created with the infusion of resources, but rather must be developed over time to obtain broad-based credibility among the multiple constituencies in the Mon Valley.

On the other hand, the grass roots approach articulated by Prince Charles during his visit to the Mon Valley must be balanced by high-level decisions in government, industry, and non profit organizations regarding where the developmental resources should be targeted to enhance the leadership structure of the region. No doubt these will be difficult decisions and those who must make them may be criticized by some as "autocratic king-makers." Unfortunately, the bottom-up approach has not worked in the past and is not likely to work in the future due, in part, to the fragmented structure of local governments and the constraints on their ability to govern effectively. The State and the counties are in the best overall position to make these difficult decisions.

### Optimal Actions

Our last recommendation calls for regionalism as a long term and overarching goal for the Mon Valley. It is an extension of the incremental strategies outlined above which should be undertaken first

in order to lay the foundation for the optimal strategy. The reader is cautioned that this optimal strategy will encounter strong political opposition.

Recommendation: Regional Government  
as a Long - Term Goal

- Ultimately the State must take the lead in either encouraging or (as a last resort) mandating mergers and consolidations of selected governments in the Mon Valley. Significant analysis will be needed to determine how many autonomous jurisdictions should exist and the locations of boundaries. We suggest that the criteria for analysis should be:
  1. Economic Base: Each of the new jurisdictions created by the reorganization must be assured of a stable and adequate tax base to support the full range of municipal services;
  2. Regional Equity: Each of the new jurisdictions should be roughly comparable in terms of the stability and adequacy of their tax base and developable resources;
  3. Accountability: Duplication and overlap of governmental and quasi-governmental structures must be minimized so that taxpayers can easily identify leaders who must be accountable for public policy decisions;
  4. Geography: Natural geographic boundaries and transportation corridors should be considered in the establishment of new jurisdictional boundaries.

Commentary

Regional government must be the ultimate goal for the Mon Valley in order to a) broaden the tax base, b) avoid destructive competition among existing governments, c) encourage the development of a coherent

leadership structure, and d) enhance the political and economic influence of the region.

Ultimately the State must either intervene to establish a more logical form of government or take responsibility for the eventual disintegration of the economic, political, and social fabric of the Mon Valley.

### CLOSING COMMENTARY

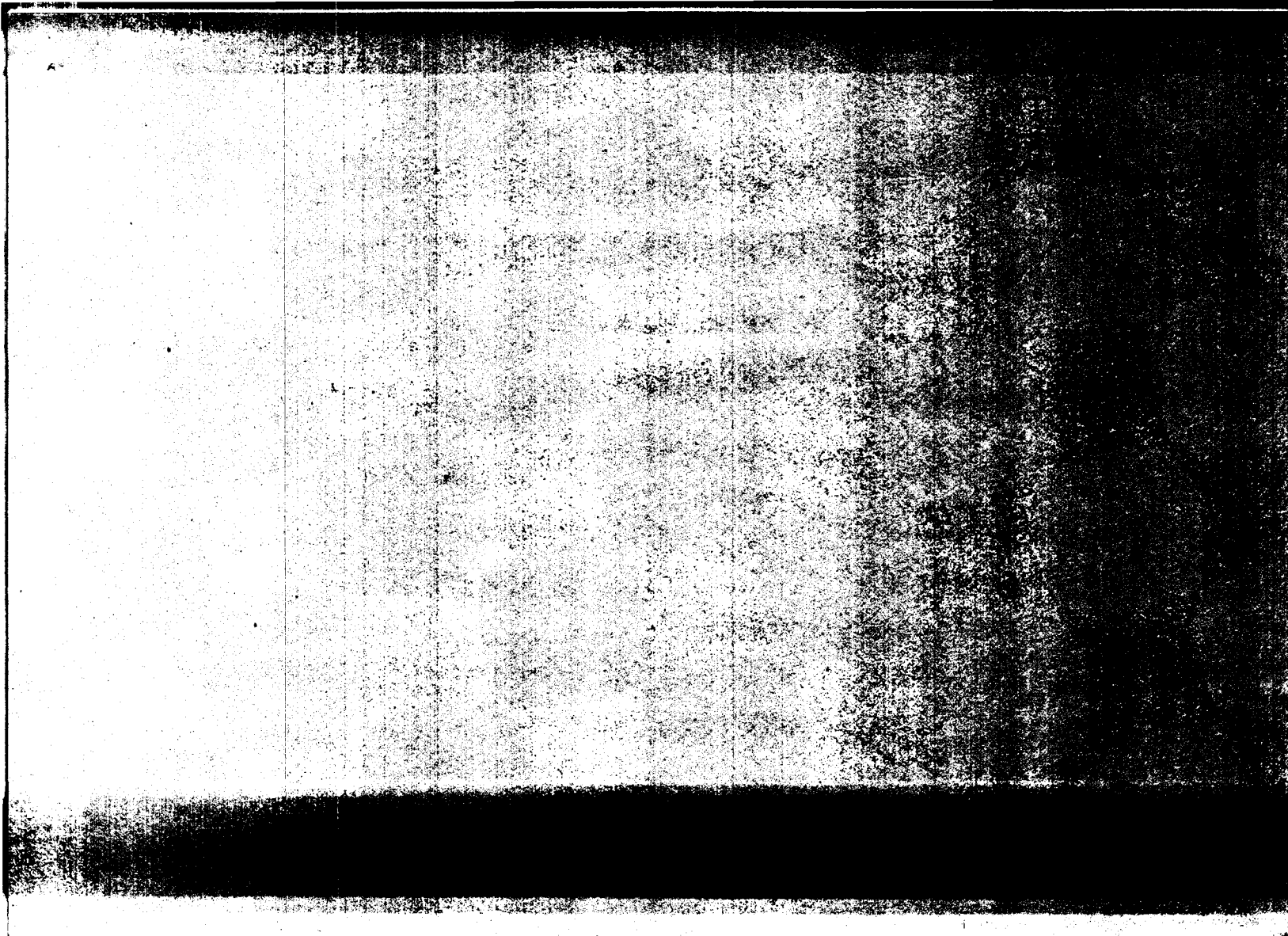
In ending this paper it is appropriate to cast its contents, and especially its recommendations, into a larger philosophical context. The Pennsylvania system of local government is a product of history and tradition. The Codes which govern the system have been amended and amended over the years, clearly without asking the fundamental question: "Does what we are doing really provide this State with a local government system which is able to respond to the needs of the late Twentieth Century, let alone the Twenty-first Century?" John Gardner put it best when he wrote: "Sometimes institutions are simply the sum of historical accidents that have happened to them. Like the sands in the desert, they are shaped by influences but not by purpose." Or, perhaps more accurately, they are the unintended consequences of thousands of fragmented purposes.

The political leaders at both the State and local levels, if they will seize the occasion, have the opportunity to rethink the needs and goals of local government. Far too often local governments leaders set their sights too low. Many municipalities behave as though their only functions were to repair a few hundred yards of streets each year, remove the snow, keep traffic moving, and keep out of trouble politically. These activities, while essential, may keep a treadmill running, but they will never build the kind of local governments that are truly healthy politically, economically, and socially; the kind of communities where people want to live, by choice, and where industrial and commercial establishments want to locate; communities that are attractive to both the eye and the spirit. What is needed is a

willingness to think original thoughts, to re-shuffle familiar facts and ways of doing things into new patterns of meaning and doing, and the political courage that will be needed to tackle tough political problems.

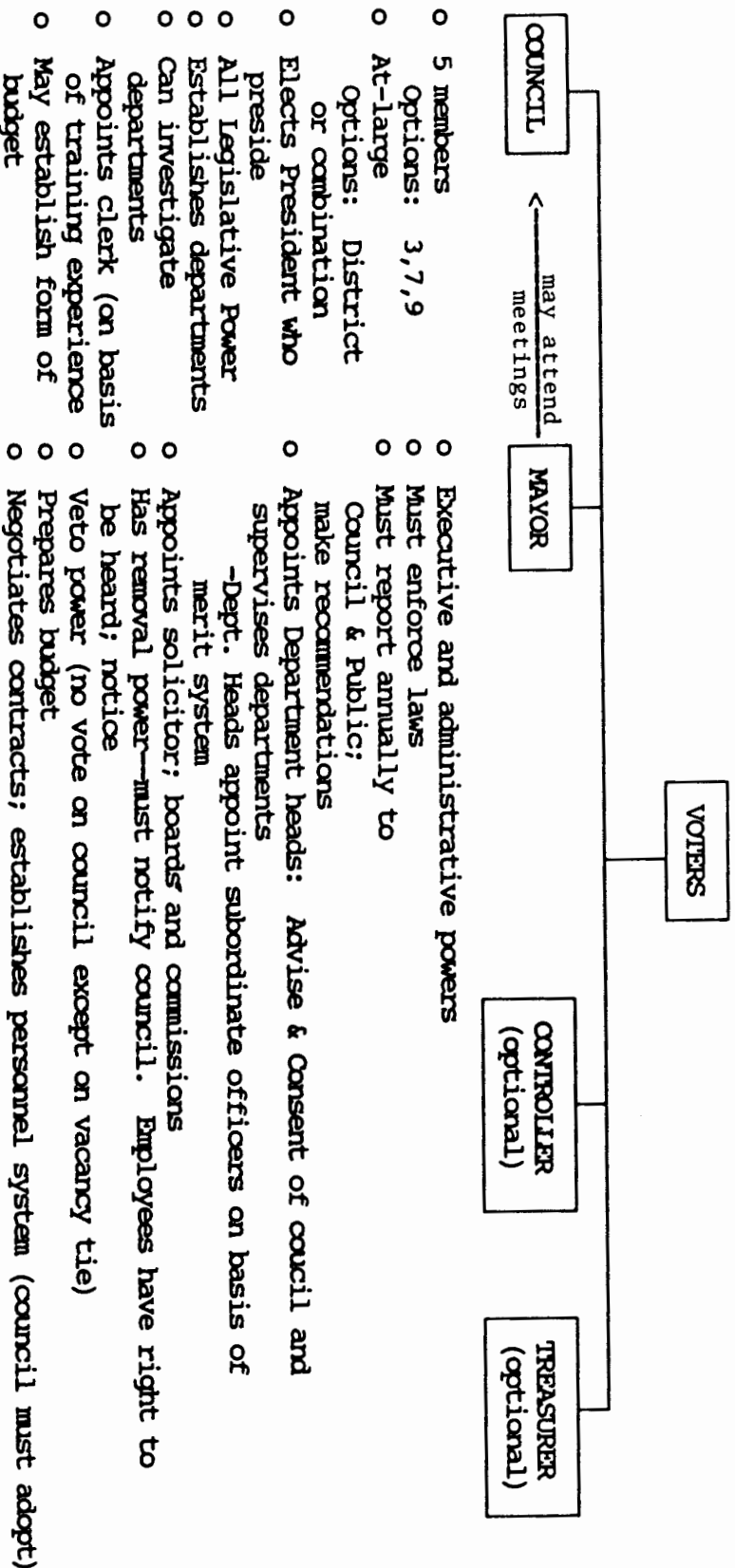
Can it be done? Again, in response, consider the words of John Gardner:

I believe that men can shape their institutions to suit their own purposes, provided that those purposes are clear, and provided that those concerned are not too gravely afflicted with the diseases of which institutions die: complacency, myopia, an unwillingness to choose, and an unwillingness on the part of individuals to lend themselves to any worthy common purpose.





# MAYOR-COUNCIL PLAN A



## PLAN B

Department of Admin:

Optional: Plan A

Mandated: Plan B

-Director: Ex. and Admin. qualifications

-Assist/budget

-admin. centralized purchasing system

-establish & admin a personnel system

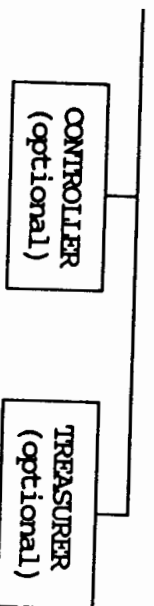
-establish & admin centralized accounting system

-under jurisdiction of the Mayor

## PLAN C

Managing Director who is responsible for running of departments. Appointed by, and responsible to, the Mayor.

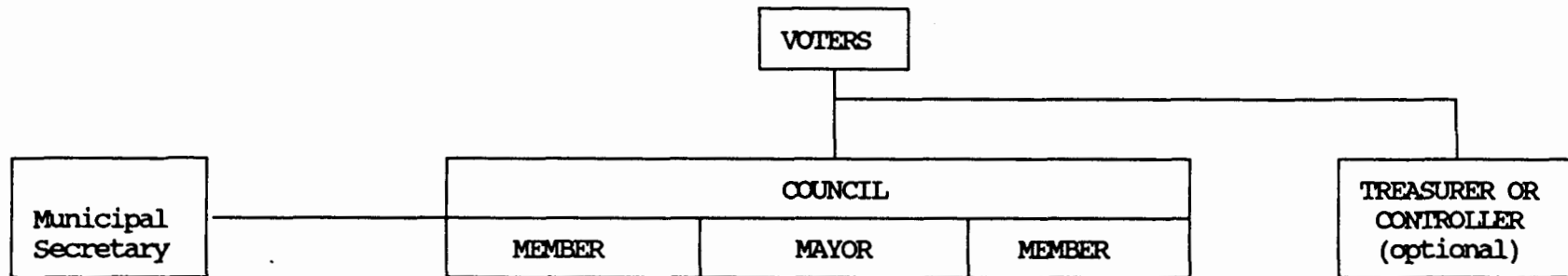
## ER PLAN



37

municipal affairs; shall recommend improvements.  
request a hearing.

SMALL MUNICIPALITIES PLAN  
(For Municipalities under 7,500)



The council consists of a directly elected mayor and two council members.  
Options: A mayor plus 4; a mayor plus 6; or a mayor plus 8.

All legislative power rests with the Council.

Executive and administrative powers are with the Mayor:

- o Appoints subordinate officers and employees with the consent of council.
- o Responsible for budget preparation.
- o Must appoint a finance committee (of council)  
May appoint other committees.
- o Must present an annual "state of the municipality" report, including comments on problems.

The Municipal Secretary "shall, prior to his appointment, have been qualified by training or experience to perform the duties of the office.

## APPENDIX B

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### Current ICMA Criteria for Recognition of Professional Positions

**Introduction:** The criteria related to council-manager government are to be considered as less flexible than for the general management category. The reasons for this derive from historical significance and the nature of the council-manager form. Its nature is such that it represents an easily definable form of local government with a limited variety of implementation. In the council-manager form rests the historic basis of the Association's origins, and the membership has come to see it as a superior form of governmental organization. It is not seen as the only means of providing for overall professional management, but the intent is to recognize its contribution to local government by maintaining its identity within the wide variety of forms of administrative organization established by democratic governments throughout the world (adopted October 11, 1969).

#### **Council-Manager Position (adopted October 11, 1969)**

**A. Appointment:** The manager should be appointed by a majority of the council for an indefinite term and removable only by a majority of the council.

**B. Policy formulation:** The position should have direct responsibility for policy formulation on over-all problems.

**C. Budget:** The manager should be designated by legislation as having responsibility for preparation of the budget, presentation to the council, and direct responsibility for the administration of the council approved budget.

**D. Appointing authority:** The manager should be delegated by legislation the full authority for the appointment and removal of at least most of the heads of the principal departments and functions of the municipal government.

**E. Organizational relationships:** Those department heads whom the manager appoints should be designated by legislation as administratively responsible to the manager.

**F. External responsibilities:** Responsibilities of the position should include extensive external relationships involving the overall problems of city operations.

**G. Qualifications required for position:** The qualifications for the position should be based on the educational and administrative background of candidates.

#### **General Management Position (adopted April 19, 1969)**

**Appointment:** The position shall be filled by appointment made by an elected representative and/or representatives and shall be responsible to an elected representative and/or representatives.

**Policy formulation:** (same)

**Budget:** The position should have major responsibility for preparation and administration of the operating and capital improvement budgets.

**Appointing authority:** The position should exercise significant influence in the appointment of key administrative personnel.

**Organizational relationships:** The position should have continuing direct relationships with operating department heads on the implementation and administration of programs.

**External responsibilities:** (same).

**Qualifications required for position:** (same)

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**Additional Criteria for Councils of Governments (Adopted April 19, 1969. In addition to criteria shown above for "General Management Position," councils of governments must meet the following criteria.)**

**A. Governing body:** The council should be legally constituted either under state legislation or by separate incorporation. The majority of the governing body should be composed of elected representatives.

**B. Functions of council:** The council should be concerned with the majority of governmental activities of the area it serves, not just planning functions.

**C. Development control:** The council should have at least indirect control over the general development plans of the area it serves, particularly the power to review major development projects in the area.

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