

GOVERNMENT STUDY COMMISSION

January 14, 2008

7:00 p.m.

In attendance: Henry Briggs, Jim Vike, Woody VanSciver, Sandra Kelley, Bill Macaleer and Jerry McGlone.

The meeting was called to order a 7:00 p.m.

A motion was made by Henry Briggs, seconded by Jim Vike and unanimously carried to approve the minutes of the meeting held on December 10, 2007.

Civil Service Commission - Vince Pompo reported that he had a conversation with Joe Rudolf regarding other alternatives to a Civil Service Commission. He stated that if the Government Study Commission is uncomfortable with the way the Civil Service Commission is presently constituted, the Charter could retain the Commission but come up with a new way of constituting the Commission. There was discussion regarding the need for training of the Civil Service Commission members and also to allow Borough Council to make changes to the Commission as needed.

It was discussed that the Police Dept. could hire new employees subject to a new system and old employees would still be subject to the Civil Service rules. It was pointed out that the problem is with promotion when you have Civil Service.

One difference with eliminating the Civil Service would be that we could create our own eligibility list. In the Charter we could say the Council will decide the testing, rather than what is in the Borough Code. We could dictate how the new employees will be hired. We can keep the Civil Service Commission but modify the rules for the one organization (the new employees hired after the Charter is adopted).

It was suggested that the current police officers be brought into the discussion so that they would have a voice in it if there are any modifications to the Civil Service procedures.

Vince stated that for the existing officers, if you keep the commission as a place to appeal disputes, the only touchy ones for the existing is how you deal with promotions.

Two modifications were discussed; (1) people on the Civil Service Commission need training; and, (2) the eligibility list. If promotions are the issue, you could equalize the promotion requirement into both systems. Then, we don't use the list.

It was suggested that after it is decided what modifications we want to make to the Civil Service Rules and Regulations, we would go to the Sgt. and ask for permission. The Union would have to approve any changes.

From a timing perspective, the Collective Bargaining Agreement is up the end of this year. For the Charter, we would want the contract to kick in the first of next year. It would dovetail. We could retain the Commission but come up with language that would allow the Borough Council to modify provisions in the Code having to do with examinations, promotions and eligibility lists and required training for the Civil Service Commission members. The training should include

what police officers do and Human Relations and training on how the Borough Council works. It was thought that DCED provided training for Civil Service Commissioners.

Tax Collector - The position of elected Tax Collector was discussed and it was agreed that this position would be abolished and that taxes would be collected in the Borough Office by the Treasurer. There may be a need to hire a part-time staff person at tax time. Section 1303 should be left as is.

The definition of Special Police vs Auxiliary Police was discussed. It was decided that it would be as defined by Borough Council.

Section 202 - Vince Pompo distributed a new Article for the Police Department to replace Section 202 in the Draft Charter.

Section 208(A) – should read “No Member of Council shall hold any other employment by the Borough.

Section 208 (B) – add at the end of the Section “unless approved by a majority of Council”.

Section 412 - add “and will represent all the citizens of the Borough”.

Section 606 – the monetary amount spent would be controlled by and included in the Administrative Code.

Section 605 (A) – move to Manager’s Section

Section 605 (B) – move to Council Section

Section 605 (B) – it was questioned what would happen if the Mayor did not want to permit an inquiry. The Commission agreed that the last sentence would end after the word Mayor and that the following would be deleted “but it shall do so solely through the Mayor.”

Section 606 – add language stating that the monetary amount permitted to be spent by the Mayor will be included in the Administrative Code.

Section 401 (A) – the Mayor may recommend candidates to Council for the position of Chief of Police. The Mayor supervises the administration of the Police Department.

Section 401 (C) – Combine with Section 401 (A). The Mayor has the responsibility through the Police Force to preserve order in the Borough.

Section 401(E) – add language that allows the Mayor to attend any meetings.

Section 401 (H) – Delete the last sentence “Any person violating such proclamation..... not to exceed thirty (30) days. We can reference the Emergency Management Services Agreement of PA Consolidated Statutes as it has it’s own enforcement provisions.

Section 405 – Mayor and Borough Council Salary shall be the same. Add clarification that the Mayor shall not receive any other compensation for his Mayoral duties. The only compensation he will receive in his office of elected Mayor shall be the same salary as received by Borough Council.

Section 802 (D) – add the word “estimating”.

Section 803 (A) – change the language in the first sentence from “At least forty-five days before the end of the fiscal year” to “By the first Council meeting in November”

Section 803 (B) – change the language in the first sentence from “At least thirty days before the end of the fiscal year” to “By the first Council meeting in December”

Section 803 (B) – change the advertising requirement from “at least once in two or more newspapers” to “at least once in a newspaper of general circulation” and add a phrase “or as otherwise provided by law”.

Section 803 (F)(2) – add “raise the ceiling” on taxes. Make reference to any tax concerning any Commonwealth Act relating to Borough’s relative to levying taxes. As such rates as may be imposed by the Borough Council.

Section 1001 (F) – Delete (F) in its entirety. Must comply with the Right to Know Law.

Section 1003 (3) – in the sentence, after the words “votes cast” add the words “in the Borough”.

Section 106(G) - The definition for “conflict of interest” will be deleted if it is not referred to in the Charter.

Vacancy Board - The “Vacancy Board” shall be abolished.
(Joan Fogarty, Recording Secretary, left the meeting)

Section 211 (B)(3) – the first sentence should be changed from “by the affirmative vote of a majority of the remaining Members of Council....” to “by the affirmative vote of four members of Council.”

In the Manager’s Section, include that it is not incompatible for the Manager to be appointed as the Secretary.

Section 905 - The Commission discussed contract amounts and Vince stated that we could include a higher threshold than what is currently included in the Borough Code.

The Borough could also establish a policy whereby roadwork is completed at two different times of the year – one project in the spring and one project in the fall. This could be attributed to taxes collected and monies available.

Vince Pompo will write the Report of the Commission. The Report should be approved following the public hearing. The Report will include the following points for considering a Charter:

- 1) Taxes
- 2) Term Limits
- 3) Citizen Participation
- 4) Doing away with the archaic provisions of the Borough Code

There are no advertising requirements for advertising the public notice for the public hearing, but the Commission agreed that we would publish as follows:

- 1) one time per week for two weeks in the Daily Local News
- 2) Announce on Reader Board
- 3) Announce on the Website
- 4) Put a Notice at the Post Office

The public hearing will be scheduled for Monday, February 4th at 7:00 p.m.

All business having been discussed, the meeting adjourned at 10:25 p.m.

Respectfully submitted,

Joan Fogarty & Sandra Kelley