

GOVERNMENT STUDY COMMISSION

MEETING MINUTES

November 26, 2007

7:00 p.m.

In attendance: Jerry McGlone, Chick Devine, Jim Vike, Woody VanSciver, Sandra Kelley

A motion was made by Chick Devine, seconded by Jim Vike and unanimously carried by a vote of 5-0 to approve the minutes of the meeting held on November 12, 2007.

Following discussion, it was decided to put the definition of domicile back into the Charter.

The Committee reviewed Article IV, Mayor, and had the following comments:

Sandra Kelley suggested that many of the provisions set forth in the Borough Code for the Mayor could be incorporated into the Charter.

Section 401 (A). Change to read: Supervise the administration of the Police Department and its employees subject to the provisions of the Administrative Code.

Section 401 (B). Delete

Section 401 (F). Add "in all matters the Mayor shall participate and advise with equal rights in all deliberations regarding police matters". [Sandy's Note: Since the Mayor is not a voting member, can he be given "equal rights" regarding deliberations, or can he just not be permitted to vote.]

Section 405. Salary. Add that salary "shall not exceed that of Members of Council"

Section 408. Filling of Vacancy. Include same language as for a Council Member.

Add Section 1021. Eligibility of Mayor. From Borough Code.

Add Section 1022. Incompatible Offices. From Borough Code.

Add Section 1023. Oath of Mayor. From Borough Code

Section 704. Associations and Organizations for Mayors. of Borough Code should be included in the Administrative Code (to be discussed at a later time)

Add Section 1002. Oath of Councilmen. From Borough Code

Section 304. Authorization and Enactment. If veto by the Mayor, a minimum of two-thirds majority of Council is required to override a veto of the Mayor. If seven members of Council are present at the meeting, vote will be 5-2; if six members of Council are present at meeting, vote will be 4-2; if five members of Council are present at meeting, vote will be 4-1 and if four members of Council are present at meeting, vote will be 3-1.

Section 1117. Duties of Solicitor: Outside Counsel. From Borough Code. Include Section 1117 (b) in the Charter. Address the dollar amount in the Administrative Code.

Section 1121 of Borough Code – Add to Borough Council section but Include somewhere that the Mayor has the right to be a party to Council’s deliberations regarding appointment, removal, suspension, reduction in rank, etc., of Borough policemen or the Chief.

Section 1104. Appointments; Incompatible Offices – discuss further.

It was decided by the Commission that before other decisions are made regarding the Mayor and the Police, it must be determined if the Charter will or will not include the Civil Service Commission provision.

Jim Vike distributed language from the Charters of West Chester, Chalfont and Kinston regarding Initiative and Referendums and stated that he prefers the Chalfont language for Initiative, but would like to pull language from all three Charters to include in our Charter. The language should read as follows:

Initiative and Referendum:

A. Registered voters of the Borough shall have the following powers:

(1) *Initiative* – to propose ordinances to Council which are consistent with this Charter and General Law, and to adopt or reject the same at a primary, municipal or general election if Council fails to adopt and the Mayor fails to approve an ordinance so proposed without any change in substance; and,

(2) *Referendum* – to require repeal by Council of any adopted ordinance and, if Council fails to repeal said ordinance, to repeal it at a primary, municipal or general election.

F. Limitations on Initiative and Referendum.

Initiative and referendum powers shall not extend to the budget or capital program or any ordinance relating to appropriation of money, zoning, levy of taxes, or salaries of municipal officers or employees. Referendum shall not extend to emergency ordinances.

The next meeting will be held on Monday, December 3, 2007, at 7:00 p.m.

All business having been discussed, the Commission agreed to adjourn at 8:42 p.m.

Respectfully submitted,

Sandra L. Kelley