

GOVERNMENT STUDY COMMISSION

MEETING MINUTES

May 14, 2007

7:00 p.m.

In Attendance: Sandra Kelley, Jim Vike, Henry Briggs, Chick Devine

Sandra Kelley distributed the answers to questions from Marita Kelly of the Pennsylvania Dept. of Community and Economic Development, Harrisburg, PA.

Sandra Kelley also distributed a letter from Sean A. O'Neill of Lentz, Cantor & Massey, LTD, in response to the Commission's question regarding Recall Provisions. Sean stated that the PA Courts have held to be invalid statutory and home rule charter provisions purporting to allow for "recall" of elected officials.

A motion was made by Henry Briggs, seconded by Sandra Kelley and unanimously carried to approve the minutes of the meeting held on April 10, 2007.

The Commission discussed increasing the bid/contract limits to \$10,000/\$25,000/\$2,500,000 to avoid prevailing wage rates for projects being funded from the General Fund or Sewer Fund.

The following items were discussed:

- 1) Recall Provision – is not permitted and cannot be incorporated into the Charter.
- 2) Maintain seven (7) council members or reduce to five (5) – Because of difficulty recruiting residents to serve on Borough Council, the Commission discussed the option of reducing the number of council members to five, instead of the current seven members. Following discussion, it was felt that a seven member board was more acceptable as all members do not attend all meetings, there is much work to be done by the council members and having more members of council would reduce the workload of the members. The Commission agreed that seven council members would be more efficient than a five member board.

The Commission discussed how a member of Council, who did not attend meetings, could be removed from office. It was decided that a clear cut rule regarding absences must be established. The rule should be clear on what are considered excused and unexcused absences. If four meetings are missed in a six month period, a mandatory hearing must be held before all members of Borough Council, in Executive Session (a personnel matter) and Borough Council would be required to vote on the matter. The President would be responsible for putting this item on the agenda. It is possible the Council Member who is unavailable to attend the meetings may choose to resign rather than be voted off of Council. Once the Charter is adopted, it would be important to insure that this rule be enforced.

3) Term Limits for BC and/or Mayor – Should term limits be included in the Charter? If no recall is permitted, then term limits should be considered. The Commission discussed term limits as being two, four-year terms, then off for a period of one to two years, then back on for another two, four-year term. The pros and cons of term limits is that new people bring new, fresh ideas and there is no perception that one person is running the town; however, there is no institutional memory beyond the eight-year term. In lieu of term limits for Council and the Mayor, the Commission discussed term limits for the President and Vice President. Six year or eight year term limits could be considered for the leadership of Council. We can ask residents who have previously served on Council their feelings about term limits. This will need to be put on the table again at the next meeting with a decision being made at that time.

4) Selection of Consultant or Attorney and determine who will make the Contact – The Commission considered whether or not this was the time to start looking at a consultant or attorney as guidance is needed for legal questions. A budget was established for legal fees. Henry Briggs will contact Sean O’Neill for recommendations. When we choose a lawyer, only one person should be designated to call him. If everyone calls with questions, the legal fees will exceed the budget.

The next meeting date will be held on Tuesday, May 29, 2007 at 7 p.m.

The meeting adjourned at 8:50 p.m.

Respectfully submitted,
Dolores Magee