

# MINUTES

## Charter Advisory Commission Meeting May 31, 1990

Chairman Gilmore Seavers called the meeting to order at 7:00 p.m. The following members were in attendance: Thomas Coolidge, Nancy George, Robert Adams, Pierson Miller, and Chairman Gilmore Seavers. On a motion from Nancy George, second by Thomas Coolidge, the minutes of the April 5, 1990, meeting were approved. Chairman Seavers thanked the Carlisle Sentinel and the Harrisburg Patriot for the newspaper stories regarding this and previous meetings. Also, he thanked Cindy Crump for the excellent minutes of the April 5th meeting and thanked Fred Bean for his assistance setting up tonight's meeting.

At this time Chairman Seavers introduced Peter Marshall, Borough Manager from State College. Mr. Marshall conveyed Mayor Addison's regrets for not being able to attend tonight's meeting due to a prior commitment. Mr. Marshall centered his presentation on the following questions asked by the Charter Advisory Commission in their letter to him dated May 14, 1990:

**1. Why did your municipality decide to study home rule?**

It was a good government motivation. It provides flexibility for local government, and the organization can be structured to fit individual communities.

**2. Was there any one issue that prompted your municipality to study home rule?**

No. The Borough wanted to formalize the council-manager form of government and have the manager oversee the police department.

**3. How well did your study commission comprehend the key issues?**

The study commission did a good job and comprehended the key issues very well.

**4. What were the total expenses associated with your home rule commission?**

In 1973 the home rule commission expenses were \$1,400.

**5. What type of people composed your study commission; i.e., professional, local interest groups, councilmen, etc.?**

The home rule commission was composed of two attorneys, a representative from the League of Women Voters, and various business people.

6. How long did your study commission take prior to issuing a report?

Approximately one year.

7. What did their report recommend?

The study commission recommended a council-manager form of government with the mayor presiding over council as chairman. The mayor would have the veto power but no vote on council.

8. What was the outcome of the election for home rule?

The community overwhelmingly adopted the home rule form of government.

9. If you adopted home rule, what changes occurred in your operation; i.e., government structure, administration, taxes, duties of elected officials, etc.?

There were two major changes that occurred because of home rule. The mayor became head of borough council and did not have responsibilities for the police department. Secondly, the home rule charter removed the elected tax collector and transferred the tax collection duties to the finance department.

10. How successful has home rule been for your municipality?

Home rule has been very successful for State College.

11. Do you anticipate any future moves in your community to reverse the outcome of the home rule election?

No.

Mr. Marshall stated that home rule provides more opportunity for a community than the State Code. He could recall only technical changes to the charter; no major changes have occurred since adoption.

The next speaker was William D'Angelis, Mayor of Norristown Borough. He discussed the history of Norristown and his personal background. Basically, Norristown was not very well managed or organized prior to 1981. Council meetings were not well organized, and the Borough was financially distressed. In 1983 a financial crisis occurred again. Prior to home rule, Norristown had a ward system. The registered voters favored three to one to establish a home rule study commission. There were nine people on the study commission. Five held bachelors' degrees. There were 21 names on the ballot for the study commission. The commission met at least weekly for approximately nine months. They selected an attorney which cost the Borough approximately \$6,000. The total cost for the study commission was approximately \$13,000. Out of the 14,000 registered voters in Norristown, approximately 11,000 voted in the home rule election. Approximately 6,500

voted in favor of home rule, and 5,000 disapproved home rule. Hence, home rule was adopted in 1984.

Norristown selected a part-time strong mayor form of government with a municipal administrator, director of public safety, director of public works, director of municipal development, and director of finance. Norristown has 250 employees. The charter maintains tax limits specified by the Borough Code and has a two-year limitation for service as a councilman or mayor. The reason Norristown decided to go to home rule was that the Borough Code did not represent the 1990's. The study commission studied 11 different charters in order to develop one for Norristown. Norristown's local government structure was developed around the cities of Philadelphia and Scranton, both of which have strong mayor forms of government.

The next speaker was Joe Verruni, Administrator for the Borough of Norristown. Mr. Verruni expressed his feeling that home rule has worked very well for his community. He is the municipal administrator responsible for administration of the various government departments. Home rule has expanded the local government administrator's duties. Mr. Verruni feels that one of the drawbacks to home rule is labor negotiations under Act 600. However, he noted the pluses far outweigh the negatives of home rule.

The next speaker was Thomas Kurtz, Township Manager for Patton Township. Patton Township is a second-class township with a population of approximately 10,000. Mr. Kurtz served as secretary and principal staff person for the study commission. When the study commission recommended home rule for Patton Township, 70% of the voters were against it and 30% were in favor. The charter was designed to allow Patton Township a council-manager form of government which is what was presently in place. Mr. Kurtz felt there were two main reasons home rule did not pass in Patton Township. First, people felt that if the present form of government was not broke, why should it be fixed? There was a council-manager form of government that worked quite well in Patton Township, and the people liked what they had. Secondly, the voters felt that home rule would mean higher taxes. The charter was voted down in 1985. Since then, Patton Township has had four tax increases. The total cost for the Patton Township study commission was \$2,340 though staff time was not charged to the commission. The study commission felt home rule would pass because of the "good government" issue. Patton Township's study commission had 11 members, ten of which endorsed home rule. In Patton Township's home rule recommendation there was no cap on a wage tax.

After Mr. Kurtz concluded his remarks the Charter Advisory Commission asked the panelists several questions. First, Nancy George asked what the various tax options were under home rule. Mr. Kurtz stated that the wage tax is one tax where it could benefit property owners by lessening the burden of the property tax.

Nancy George also asked a question about creativity under home rule. Peter Marshall felt that home rule promoted creativity with local government officials which he felt is good for the entire community.

Tom Coolidge asked how home rule has changed the community. Mayor D'Angelis felt Norristown's home rule form of government has prompted more people to attend Council meetings. It mandates citizen participation at Council

meetings. Peter Marshall feels that home rule has allowed more volunteers and citizen participation in State College.

Tom Coolidge asked what each community would do differently if they had to go through the home rule process again. Norristown said that some segments of their charter should be changed, but most of these were technical requirements and very minor changes. Tom Kurtz felt that Patton Township did not sell the product properly. Specifically, the commission did not do a good job marketing and explaining the new home rule form of government to the voters. Peter Marshall felt State College's home rule charter was very good. Personally, he would like to see the mayor a voting member of council. Mayor D'Angelis also stated that Norristown opted for a strong mayor form of government because it centralized mistakes to the mayor. If there is a problem, the voters can blame the mayor .

Pierson Miller asked a question regarding savings for tax collection under home rule. Peter Marshall stated he was unsure of the savings but it has worked out quite well for his community to have tax collection services under the Finance Department.

Tom Kurtz stated that tax collection is also done by his finance department as mandated by ordinance for the Township. He felt that tax collecting capabilities have become more efficient, especially under the Township's computerization capabilities. He stated that Patton Township has saved approximately \$25,000 because of centralizing tax collection under the finance department instead of using an elected tax collector.

Robert Adams asked if the elected administrator has jurisdiction over the various department heads in Norristown's government. According to Mr. Verruni, the administrator does have hiring and firing responsibilities with council's consent over the various department heads. In Norristown the mayor makes \$5,000 per year and councilmen make \$4,000 per year.

Bill Duncan, President of Carlisle Borough Council, thanked the panelists for coming and thanked the Charter Advisory Commission members for serving on this important board. Mr. Duncan asked if any borough councilmen were elected to serve on study commissions. Peter Marshall said there were no councilmen elected to State College's study commission. Thomas Kurtz stated no supervisors were elected to the Patton Township study commission. Norristown had one councilman elected to their study commission in 1983 which the mayor felt was a clear conflict of interest.

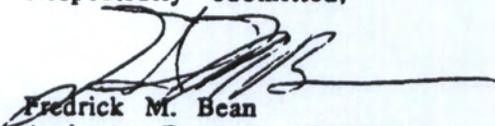
Phila Back, a resident of the Borough, asked if a consultant should help with the study commission. Peter Marshall felt that there is enough information with sample charters and other experienced people willing to give assistance that a consultant is probably not needed. Thomas Kurtz felt there were some advantages to having an outside consultant due to the fact that a consultant can remain neutral in his dealings with the study commission. Using existing staff could prejudice some of the decisions of the study commission. Also, Thomas Kurtz felt transition is very important if major changes are to be made to the existing form of government once home rule is adopted.

Robert Owens, Borough Councilman, asked if any home rule study commissions did not recommend the home rule form of government to its voters. Tom Coolidge stated this has occurred and information is available through the Assistant Borough Manager's office for Mr. Owens' review.

Earl Keller, Borough Tax Collector, wanted to clarify the tax collection statement by Thomas Kurtz. Mr. Keller disputed the statement made by Mr. Kurtz that his Township saved \$25,000 by switching tax collection duties to the finance department. Mr. Kurtz felt that this was the correct savings. Mr. Keller stated that Ben Salem Township has adopted an elected tax collector and other municipalities who have elected to go home rule have also kept their elected tax collector. Peter Marshall endorsed tax collection through the local government structure with the manager and skilled finance people overseeing the operation.

At 9:35 p.m. Chairman Seavers adjourned the meeting and reported that the Commission will meet again to discuss a recommendation for Council. He thanked each panelist and recommended the next meeting take place in the next several weeks.

Respectfully submitted,



Fredrick M. Bean  
Assistant Borough Manager