

**Government Study Commission  
Public Hearing and Meeting Minutes  
August 6, 2013**

Committee members in attendance: William Berwick, Bert Lennon, David Sheridan, Blake Wilson, Robert Winston, Kenneth Womack, Stephen Hughes and Philip Shevlin. Alternate, John Sacrison. Absent from the meeting was James Flower.

Old Business

Public Hearing was called to order at 7:00 PM

Commission Chair Ken Womack opening the meeting with a Power Point presentation that provided back ground information, a work schedule and regulations that the commission must follow.

Following the presentation the meeting was open for public comment.

Ella Forsyth of 219 Graham Street, Carlisle, Pennsylvania, recommended the Commission not rush in making a decision to proceed with Home Rule and to consider an option form of Government. She also suggested not creating a complete new Home Rule Charter to replace the existing Carlisle Borough Code.

Dennis Minnich, 220 North Bedford Street, Carlisle, Pennsylvania inquired if the Commission is prepared to answer questions and whether or not citizens would hear both sides of the argument when the commission was not unanimous in their decision.

A number of the commission members replied stating that the meetings would be open and the commission intent is to make the process as transparent as possible. In addition, the commission will hold additional public hearings and wants to get more citizens involved.

Joe Boisuert, 1303 Spring Road, Carlisle, Pennsylvania stated he is not in favor of Home Rule and he noted as an example Harrisburg that has a strong Mayor form of Government. He asked if there are any local governments that use a Home Rule form of government.

Ken Womack responded the present form of Borough government must follow the rules set by the Borough Code. Under home rule, a municipal government may make any changes permitted by the home rule charter that are not prohibited by other federal or state law (the initial briefing includes a summary of these prohibitions

Connie Bires, 257 Arch Street, Carlisle Pennsylvania asked if citizens were allowed at the commission meetings and when/where were they being held.

The commission responded that all the meetings are open to the public and the dates will placed on the Borough website.

Ken Womack stated that each Commission member will be contacting other boroughs that have adopted a Home Rule form of government.

Richard Heddleson, 711 Hillside Drive, Carlisle, Pennsylvania stated he is satisfied with the present government other than the tax collector. He made the following recommendations to the commission

- Ask the boroughs under home rule what their revenue per capita five years was before and five years after home rule was initiated.
- The Commission should inquire about the ratio of citizen to staff members in those Boroughs.
- Borough Director of Finances takes over the Tax Collector job.
- The Commission asks other municipalities if amount of revenue or expenses such as pension obligations per number of people in municipalities go with home rule.

Mr. Womack suggested a Home Rule Charter could recommend that the Borough keeps the same set of laws but changes only the elected tax collector.

Mr. Roger Spitz 421 E. North Street, Carlisle Pennsylvania recommended changes the Commission could explore.

- All Council members are elected by wards, which would reduce the council to five members or consider electing members by wards with the two additional members being elected at large
- The Mayor should be elected by the people and placed in a more prominent position with voting powers.
- The Mayor should not oversee the Police Department. This supervision should be under the Borough Manager.

Wayne Ulsh 624North West Street, Carlisle, Pennsylvania, feels the present council is compulsive and they should be more deliberate in their decisions. He also commented that municipalities should set time limits in which to “sunset” outdated ordinances and that the minutes be verbatim from recordings.

Mr. Womack asked the citizens in the meeting to help educate other citizens in Carlisle in regard to purpose of the Government Study Commission. He suggested the members of the commission attend the neighborhood meetings to answer questions.

Ella Forsyth made two additional comments:

- Suggested we look at having future meetings in Bosler Library and other public venues.
- Suggested we use other public media such as NPR to get the word out.

Mr. Winston encouraged the citizens to spread the word regarding the Commission to other citizens.

The Public meeting was adjourned at 7:50 PM.

The regular Government Study Commission was call to order at 8:00 PM

The Commission reviewed and approved the minutes of the July 30, 2013 meeting.

The next public hearing is planned to take place on October 19, 2013.

The commission reviewed the existing questions to use when calling other municipalities that are under Home Rule.

The commission will look into changing the venue for the next public hearing.

The next meeting will be on Tuesday, August 13, 2013 at 7:00 PM in Borough Hall.

Respectfully submitted,  
Joyce Stone, Borough Secretary

Attachment  
Public Hearing Presentation

# Home Rule Study Commission Public Hearing

August 6, 2013

## Purpose

- To provide information to the public on the Government Study Commission process and the opportunities available and restrictions under Home Rule
- To specifically identify issues in the current municipal government which citizens would like to see maintained
- To specifically identify issues in municipal government which might be better addressed through a home rule charter

# Home Rule Process

- January 10, 2013 – Council approved an ordinance authorizing a public election to decide the question of whether to establish a government study commission to consider the adoption of an optional form of government or a home rule charter for the Borough of Carlisle
- May 21, 2013 - Citizens of Carlisle approved a government study commission and elected nine commission members
- Study commission sworn in and had its organizational meeting on June 13, 2013

## Work Schedule for Home Rule

- 18 months to Complete
- 7 step process:
  - Orientation: organization meeting, learning powers/duties, working on budget and planning work
  - **Research: study current form of government and alternatives**
  - Decision Making: home rule, optional plan or no change
  - Drafting Charter (if choosing home rule)
  - Review and Public Discussion on Draft Charter
  - Writing Final Report
  - Voter Education

# Work Schedule for Optional Plan\*

- Work Schedule for Optional Plan
- 9 Months to Complete Plan
  - First 2 months: review existing governmental structure and
  - gather information on areas needing improvement
  - Next few months: consider each of the optional plans and weigh desirability for community
  - 7<sup>th</sup> month: should have completed major portion of review and be able to make recommendations to begin drafting the report

\* Optional plans of government are adopted through the same Commission process, except the Commission selects one of the optional plans provided in Section 2971-3171 of the Law.

## Home Rule in Pennsylvania

- 7 Counties
- 72 Municipalities
  - 23 Cities
  - 21 Boroughs
  - 28 Townships

# Historic Reasons For Home Rule

- Residual powers – write own administrative code
- Increased citizen access – initiative & referendum
- Improved accountability & responsiveness
- Improved fiscal procedures & controls
- Flexibility
- Professional administration
- Wider representation
- Focused political leadership
- Separate legislative and executive functions
- Merit hiring & advancement

# Considerations for Home Rule

- Forms of Government
- Structure of Government
- Operation and Procedures of Council
- Legislative Actions
- Elected Officials
- Appointed Officials
- Personnel
- Administrative and Fiscal Considerations
- Taxation

# Home Rule Limitations

- U.S. & Pennsylvania Constitutions
- State Laws
- Arbitration/Labor Relations
- Boundary Change Law
- Independence of municipalities
- Election Code
- Ethics Law
- Recall
- Reapportionment
- Sunshine Law
- Open Records Law

## Additional Comments

- The commission will make no decisions at this public hearing (other than administrative issues)
- The commission is still in the research phase. Consider any responses or comments from the commission as preliminary at this time (there is much detail to learn concerning the specific opportunities/restrictions on the home rule process)

# Specific Restrictions

- Local Agency Law
- Tort claims
- Unit Debt Act
- Taxation subjects
- Court appointed personnel
- Veterans preference
- Clean streams
- Sewage Facilities Act
- Storm Water Mgt Act
- Recycling & Waste Reduction Act
- Vehicle Code
- Firearms/hunting regulations
- Regulation of utilities
- Eminent domain
- Local government autonomy
- Zoning – PA Municipalities Planning Code

## Public Comment Guidelines

- Please use the microphone. State your name and address for the record
- Please limit initial comment to three minutes to ensure everyone has a chance to make input
- Please allow everyone else a chance to make a comment before follow-on comments or questions
- Commission members will ask questions when necessary