

Government Study Commission
September 10, 2013
Minutes

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

Mr. Ken Womack called the meeting to order.

The September 3, 2013 meeting minutes were tabled for approval.

Present at the meeting were Councilor Madden and Mayor Kronenberg.

Mayor Kronenberg spoke in regard to an elected tax collector. He stated the Borough has had an elected tax collector for 263 years (since 1751) and the borough has only had a problem twice with a tax collector during that time. Each of those times the tax collector was bonded and the Borough, the state or the county lost no money. The Mayor feels if the right person is elected, there is not an issue with an elected tax collector.

Councilor Madden's observation is that the current tax collection procedures are more efficient being operated out of the Borough office. He stated he is not an expert in tax collecting and is not certain how it would work to have the borough as the sole collector. It would make sense to avoid the last tax collector experience. He mentioned it may not make sense if the only purpose of Home Rule discussion is to change the election of the tax collector.

Ken Womack mentioned a comment made by Councilor Grell, to propose that Borough Council would decide who should collect taxes and they could choose to have an elected tax collector.

Mayor Kronenberg stated the borough is losing money when collecting taxes. He remarked choosing who collects taxes may be a way of raising taxes to help cover the loss. If the borough would collect the taxes it is not a guarantee that the school district and the county would choose the borough to collect their taxes.

Present in the audience was Councilor Ceconello. She remarked that she was told two years ago when the borough was collecting taxes, they were losing approximately \$7000 annually.

Councilor Madden stated it may not make sense to have taxes collected in house if the tax system is constantly in flux due to the county having the ability to choose who will collect the county tax.

Ken Womack asked the councilors opinion on electing council by ward, by a combination of ward and at large or at just large.

Mayor Kronenberg stated he likes the concept of having one council representation from each ward and a two at large.

Councilor Madden potential likes having the representation from different wards in town. He is concerned the possibility of no one running for council in a ward and how would that would affect the outcome.

Ken Womack mentioned if voting by wards would be established, the borough would need to reapportion the boundary lines after every census. He questioned who would absorb the cost, the county or the Borough.

The Mayor expressed concerned if council is elected by wards, there may be only one person that runs for council in a ward and if that person would provide the best representation for that ward.

Councilor Madden stated he would be more concerned with the consequences if we were to vote by wards as opposed to being at large.

Ken Womack asked if there are key advantages to the current mayor/council form of government.

Mayor Kronenberg believes a separation of the Mayor and council is needed because one person should not be in charge of the borough. The Mayor does not have to have experience to oversee the police department because the police chief is the CEO of the police department. The purpose of the Mayor is to set policies, keep the crime rate low and keep the town running smoothly. In regard to the council vs. manager, he stated most council members try to micromanage the manager. He remarked the council should go to the council president with concerns and not go the manager. He feels the council president should be the manager's boss and not all seven council members.

Councilor Madden agrees with the Mayor on the council structure. He sees some benefit to having some separation between the Mayor, police department and the manager's office. He also cautioned this could create complexities with what authority council does and doesn't have over the police department. When there is not direct day to day access to the operations of the police department it becomes difficult for council to make decisions over hiring, firing and how to allocate funds. Councilor Madden accredited the Mayor Kronenberg for keeping lines of communication open between the council and police department with monthly safety meetings. He pointed out if there was an elected Mayor that decided to shut down that line of communication the current system would change.

Ken Womack noted in the home rule charters the commission has been researching, a line of communication clause can be written into the charter that details who reports to whom.

Mayor Kronenberg and Councilor Madden agree that all citizen requests to an elected official should be brought the borough manager and should never go directly to the department head.

Bob Winston stated if a council manger plan is adopted, one elected official can be appointed and named as Mayor, chair or president and have voting rights under a home rule charter.

Ken Womack pointed out that under the present borough code the Mayor has control over the day to day and authority over the police chief and officers.

The Mayor agreed that he can change policy, but he cannot get into day to day operations of the police department. He stated the Mayor can create policies for the entire police department but not one individual police officer. He commented he is the police chief's boss and if he thought there was something that needed to be changed, he would change it. He went on to state that over the past few years the police department is being eroded by council. He commented there is an undermining in the council in regard to the police department and chief. The Mayor feels the purpose for adopting a Home Rule Charter is to eliminate the police chief. With the elimination of a lieutenant the structure of the police department is going to change. He also added the budget was balanced on the backs of the police department over the last two years. The Mayor's wishes for Home Rule would be to leave the police department and the office of the mayor the way it is now.

Councilor Madden feels a written communications policy could help. While on council he has learned the council can hire and fire the manager and the police chief, but the council does not oversee the police chief on the day to day operations of the police department. Because of not having communication on a day to day basis with the police chief it is hard to make informed decisions on that position.

Dave Sheridan asked the Mayor why he feels the position of the police chief and mayor are connected in the borough code and also, why the present structure of government has the department heads reporting to the borough manager and police chief reporting to the mayor.

The Mayor responded in a strong mayor position the mayor runs everything and the council provides the funds to run the borough. He stated he does not have the knowledge to run the police department or any other mayor unless they had been educated in that field. He went on to say the police department does not report the Mayor on day to day basis.

Stephen Hughes asked the Mayor if the police chief were under the Borough Manager how that would differ from the present structure.

The Mayor replied the police chief and the borough manager are both CEO's. Placing the police chief under the manager would be demotion of the police chief.

Ken Womack stated he has concerns that another Mayor may have a different opinions and question if there should be a written procedure in regard to the police chief.

Ken Womack asked if procurement issues under the Home rule would allow the ability to advertise on line. He stated Councilor Grell previously mentioned in the present borough code professional services do not have to go bid and he thought a statement could be written into a charter that would require bids for these services.

The Mayor stated why a small town like Carlisle needs Home Rule. He asked if Home Rule is so good, then why doesn't every town have Home Rule. He suggested to the commission to look forward and decide if the changes that need to be made are worth adopting a Home Rule charter.

Bert Lennon suggested the commission is to look at what the issues are and the best method to solve them. He has not heard any issues that cannot be solved by the current form of government. From the information he has gathered from previous conversations with council, there are a few minor details the councilor would like to see changed.

Councilor Madden's initial reaction to the procurement procedures currently being followed should be to confirm the Borough is working with the right service providers by obtaining bids from new professional services. He also thinks the current procedure for advertising can be costly. He suggested a cost baseline for advertising should be set.

Public Comment:

Councilor Ceconello stated the reason the police department is under the Mayor is because it is written into the Pennsylvania State Code. She addressed the issue of the council going to the borough manager. She suggests when it is a policy matter the council member should go to the manager. She has observed council going to a department heads for personal reasons that should have been first addressed with the manager. Councilor Ceconello mentioned citizens will approach a member of council with a code issue. She feels the council members in that instance can contact the borough employee that would handle that situation without having to go through the borough manager. Councilor Ceconello sees the council president, the council and mayor as equals. She stated if she needs information from staff she will copy her request to the manager. The council is trying to improve communications between the citizens and the organization by having a police officer and a codes officer at the neighborhood meetings.

Councilor Madden agreed with Councilor Ceconello there should be a policy for communications for council and the manager to prevent the misuse of power by a council member.

Mr. Roger Spitz 421 E. North Street, Carlisle Pennsylvania agrees with equal representation from all the wards. He encouraged the commissioners to keep an open mind when listening to all the comments from councilors and decided on making changes.

Ken Womack advised the group in attendance that the commission is keeping a list of issues that will be used to make a decision if there are significant issues to consider Home Rule or an optional form of government.

Connie Bires, 257 Arch Street, Carlisle Pennsylvania commended the commission for getting the input from council members. She feels Home Rule will allow citizen to be for active in the local government. Ms. Biers asked if there are any Home Rule charters that gave power or authority to the citizens.

Bern Lennon stated that the Home Rule charters that he has looked have provision in the code for opportunities for citizens to be easily heard.

Blake Wilson responded that some boroughs have written into their Home Rule that the citizens have more access to local government.

Ms. Biers asked if any of the Boroughs being looked at have resolved their issue since adopting a Home Rule charter.

Dave Sheridan stated he has not been able find written information to confirm the reasons for adopting a Home Rule charter have been accomplished.

David Sheridan commented on two ways for citizen to move on an initiative

1. Circulate petitions to get a certain number of signatures to require council to consider the initiative. If the council does not consider the initiative the topic can go on the ballot.
2. Reverse action by council by obtaining names on a petition.

David Sheridan stated the provisions for initiative are broader in a Home Rule Charter.

Betty Julias, 1009 Redwood Drive, Carlisle Pennsylvania stated there should be criteria for a citizen to run for tax collector.

Robert Winston stated if the tax collector is appointed you can set criteria for a tax collector. When following state law the tax collector is elected and no criteria, other than that in the law, can be set.

Councilor Ceconello asked if there is could be a statement written into the Home Rule that requires the tax collector to have training. The commissioners were unable to answer this question.

Ms. Julias feels it is important to have wards so the citizens are represented.

The commission discussed the ward system and how the lines might be decided.

Old Business:

Stephen Hughes stated the only change in his Borough of White Hall was referendums and initiatives. Also by having a Home Rule charter they can keep current on the bidding process.

The commission discussed some of the issues that have been identified in the study of their assigned boroughs that have gone to Home Rule. The commission member will present their full report at future Government Study Commission meetings.

The commission discussed the information to place on Facebook. The commission decided to pose questions to the citizens on Facebook to initiate participation in local government.

Meeting was adjourned at 9:40 PM.

Respectfully submitted,

Joyce Stone, Borough Secretary