

# Government Study Commission

## September 24, 2013

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

David Sheridan called the meeting to order.

Phil Shevlin presented his report on Bellevue Pennsylvania. (Report attached)

David Sheridan presented his report on West Chester, Pennsylvania. (Report attached)

The commission discussed a list of significant issues the commission has been tracking. Blake Wilson created a list of eight issues that could be priority issues for changing the government structure in the Borough of Carlisle. The commission will continue to refine the list of issues.

A communication flyer was viewed and approved to be distributed to spark public interest to attend a Government Study Commission.

The commission discussed the Mayoral role in the municipalities that have elected Home Rule and how the Mayor fits into their structure of government.

Robert Winston presented a treasure's report for the Commission.

Beginning Balance	\$10,000.00
Expenditures:	
Legal Fees	2500.00
Advertising	<u>500.00</u>
Balance to date	\$7000.00

Robert Winston was advised by the Finance Director to submit a budget request to council for 2014 funds needed for the commission. The anticipated items to be funded in 2014 could be a mailing to the public, advertising in the newspaper and the written charter that will need to be distributed to the public.

There was discussion regarding the clerical duties cost to the Commission. There will be further clarification needed from the Borough Finance Department as to how time and materials used by the Commission are being track and accounted for.

Bob Winston will prepare a budget request and bring to the Commission for approval.

Meeting was adjourned at 9:40 PM.

Respectfully Submitted,  
Joyce Stone,

Borough Secretary  
Attachments: West Chester Report

## Borough of West Chester Home Rule

Report by David Sheridan to the Carlisle Government Study Commission

September 30, 2013

The borough of West Chester, county seat of Chester County, adopted Home Rule in 1994. They have a seven-member council, with all members elected by ward. Council members are limited to two four-year terms. They have to sit out two years to run for election or to be appointed. In addition to the seven-member council, WC voters elect a mayor, who is recognized as the head of borough government for ceremonial purposes.

The mayor selects the police chief and supervises the administration of the police department. The mayor also preserves order in the borough and enforces resolutions and ordinances passed by council that do not delegate enforcement authority to other individuals. Mayor attends council meetings and participates in deliberations, and breaks tie votes of council. Mayor is limited to two, four-year terms, with a two-year waiting period.

Council appoints a borough manager who executes and enforces all resolutions and ordinances passed by council (same language as mayor). 'In conjunction with mayor, assure that the general laws relating to the affairs and government of the borough are duly executed and enforced within the borough'.

Citizen participation can be through initiatives (to propose an ordinance) or referendum (to seek repeal of an ordinance). Five citizens can initiate either process, which requires petitions bearing the signatures of 10% of the number of voters in the most recent gubernatorial election, to be submitted within 30 days. If council decides not to consider an initiative, it goes to the ballot on the next election.

The office of elected tax collector was abolished. The home rule charter named the borough treasurer as the tax collector.

I talked to Ernie McNeely, the borough manager, who was the borough clerk during their government study commission. He told me that the motivation was generally dissatisfaction with the borough code, and that the announced retirement of the long-time elected tax collector brought the process about. The study commission felt ok about abolishing the tax collector office because the well-liked incumbent had decided not to seek reelection.

### Other observations:

1. The commission did not have an additional citizen panel. They considered the commission to constitute sufficient participation.
2. Term limits have been generally good. Sometimes they have felt the burden of losing knowledge, but term limits seem to be well-accepted.
3. Keeping the elected mayor was a significant surprise. He said that the commission seemed to be pretty strongly inclined to abolish the office, and the incumbent mayor did not argue to retain the office. But the commission eventually opted for the elected mayor in a 'checks and balances' kind of attitude.
4. The police department was put under the mayor's control to give the mayor something important to do. This is almost a direct quote. He called it 'the most onerous department'. He

said that communication with council was good, as the mayor has communicated monthly in the public safety committee meetings.

5. Election by wards came about from a 1987 court decision in a case brought by the minority community, which felt it was not adequately represented. The commission decided to let ward-based election flow into home rule. Mr. McNeely acknowledged that adjusting ward boundaries after each census is a hassle they would prefer to do without. He also noted that it has sometimes been difficult to get both parties to field a candidate for council from each ward.
6. One citizen initiative since home rule was adopted. The subject was a rental property ordinance, something like Carlisle borough council considered a couple of years ago. The ordinance went to ballot and passed. West Chester is a bit higher than 60% rental residential units.
7. West Chester has passed no amendments to the home rule charter. Mr. McNeely warned that the charter should not be overly detailed, because modifying the charter must be done through the referendum process. He stresses that details should be left to an administrative code, which council can modify in the normal flow of business.