

**Government Study Commission**  
**February 18, 2014**  
**Carlisle Borough Hall**  
**Meeting Minutes**

Commission members in attendance: Dave Sheridan, Bert Lennon, Philip Shevlin, John Sacrison, Robert Winston, William Berwick, Blake Wilson, Stephen Hughes and Ken Womack.

Not in attendance at the meeting:

1. Call to Order

Ken Womack called the meeting to order at 7:00 PM.

2. Approve minutes

None

3. Public Comment

None

4. Schedule update

- The commission agreed to schedule the following meetings: March 4 & 18; April 1, 15 & 29, 2014.

5. Old Business

a) Committee Reports

○ Charter Development Committee

- The committee is continuing to work on the draft charter. They will look at all items addressed in the '92 Charter to consider which issues should be included in new charter.

○ Tax Collection

- The commission agreed to include information from the tax collection committee report in the draft charter.

○ Citizen Participation

- The commission agreed to include information from the s committee report in the draft charter.

○ Government Structure

- The committee has a revised report (but it was unavailable at the meeting). Ken Womack will provide the revised report to the commission by email and it will be included in the minutes of the next meeting. The committee will continue to refine its report to include final recommendations.

○ Miscellaneous

- The committee will provide its initial report on March 4th.

- Election Committee

- The commission discussed the election committee report. Item discussed were term limits for council and mayor, voting details regarding initiative and referendums. These issues will be coordinated with the government structure committee before a final report is issued.

6. New Business

None

7. Public Comment

None

8. Adjourn

Meeting was adjourned at 8:50 PM

Respectfully Submitted,

Joyce Stone,  
Borough Secretary

### **Tax Committee Interim Report – updated Feb 18, 2013**

The study commission tax collection sub-committee of Robert Winston, Philip Shevlin and Bert Lennon is tasked with conducting a more in-depth study of the borough tax collection issue and developing viable options to recommend to the electorate. Recommended options must meet the key criteria of providing an efficient, accountable tax collection system in which Borough tax payers can have confidence.

Early on, the sub-committee determined that continuing with an elected local tax collector is not a viable option as current Pennsylvania laws make qualification and certification of local tax collectors voluntary and even allows candidates to run for this office before proving they can attain a surety bond. Therefore, the sub-committee plans to recommend that the charter abolish the office of elected tax collector and direct the council to enact such ordinances to require that taxes thereafter be collected by:

- Designated Borough of Carlisle department, bureau or
- Under agreement with another governmental unit, political subdivision or municipality for consolidated collection of local taxes or
- Appointed individual qualified in accordance with PA Act 25 (2001) or
- Private tax collection firm.

All of these options should continue to be available to the Borough so long as the charter remains in force. This would allow Council the flexibility to take advantage of the opportunity if proposed legislation consolidating tax collection at the county level is enacted in the future.

The sub-committee also examined the issue of tax limits for the borough. Although the Home Rule Charter and Optional Plans Law reserves the fixing of subjects of taxation to the General Assembly, it does allow home rule municipalities freedom in setting the rates of property taxes and personal taxes levied on residents. The sub-committee feels that the current laws established for borough tax rates and a politically sensitive council are sufficient to prevent excessive taxes. The sub-committee, therefore, plans to recommend to the commission that language in the charter about tax rates or ceilings be similar to the following:

“In fixing the rate of any municipal tax which may be now or hereafter authorized by law, Council shall abide by the limits established by the General Assembly for Boroughs.”

The sub-committee solicits public feedback on the pros and cons of these options as it develops recommended courses of action for the study commission as it writes the draft home rule charter.

---

### **Citizen Participation**

The committee recommends inclusion of charter provisions to foster citizen participation, which would include required public hearings before adoption of ordinances, publication of annual reports, and the establishment of citizen advisory, review, or study committees. (cf. Carlisle 701; Norristown 801).

### **Initiative and Referendum**

The committee recommends adoption of procedures that enable citizens to initiate new ordinances (initiative) and overturn existing ordinances (referendum). These procedures allow citizens to bring petitions concerning new or existing ordinances before the municipal electorate.

### **Limitations on Initiative and Referendum**

The collective experience of PA municipalities has led to the widespread adoption of certain limitations on the procedures and subjects of citizen petitions. In order to prevent undue disruption of more specialized government operations, it is necessary to define limitations to the kinds of ordinances that can be addressed through citizen petition. The committee recommends the following limitations (cf. Carlisle 705; West Chester 903F; Whitehall 1202)

1. salaries of municipal employees
2. any action that would affect the revenues or expenditures of the borough
3. appropriation of money or levying of taxes
4. emergency ordinances (referendum)
5. any matter the Borough Council itself is prohibited from legislating upon

### **Petition Procedures**

1. Any five (5) electors of the Borough may commence initiative or referendum by filing an affidavit with the Manager, etc. (Carlisle 706)

2. The petition must be signed by at least 15% of the voters taking part in the most recent gubernatorial election, and must be filed with 90 days of the date on which the affidavit was filed.

3. [a clause to stipulate the form and content of the petitions] (Carlisle 711; Norristown 803B; Bethel Park 1203)

4. Within 30 days of submission of the petition, the County Board of Elections shall verify the accuracy and sufficiency of the petition. This clause will be expanded to include dealing with the contingency of petitions ruled insufficient (Carlisle 708.2; West Chester 903C; Murrysville 2004)

### **Action on the Petition**

1. From the date the petition was judged sufficient, the Council has sixty (60) days to adopt the proposed initiative, or thirty (30) days to repeal the referred ordinance. If Council fails to act within these periods, Council shall submit the proposed or referred ordinance to the voters of Carlisle.

2. The vote on proposed or referred ordinance shall be held at the next, municipal, primary, or general election in accordance with the provisions of the elections laws of the Commonwealth of Pennsylvania.

### **Election Results**

1. Upon certification of the election results, an initiative ordinance shall be considered adopted if approved by a majority of the voters in that election, and a referred ordinance shall be considered repealed if rejected by a majority of those voters.

2. Whether passed by council or by vote of the electors, a newly-approved initiative may not be repealed or amended by Council within two (2) years. Any ordinance rejected by the voters may not be reenacted by Council for two (2) years.

3. If the provisions of two or more ordinances adopted at the same election conflict, then the ordinance receiving the greatest affirmative vote shall take precedence.