

MUNICIPALITY OF BETHEL PARK

**MINUTES
OF
HOME RULE CHARTER STUDY COMMISSION MEETING**

Date: December 15, 2015

Time: 7:00 p.m.

Location: Caucus Room – Municipal Building

1. Call to Order; Roll Call

The meeting was called to order by Chairperson McLean at 7:02 p.m.

Present: Michael Dobos, Lorrie Gibbons, Jim Hannan, Christine McIntosh,
Jim McLean, Connie Serdy, Carol Stewart

Absent: Brandon Colella, Joe Consolmagno Paul Dixon, Tom Klevan,

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Also Present: Robert L. McTiernan, Solicitor; Bill Spagnol, Municipal Manager

2. Approval of Minutes of Public Hearing and Meeting of October 20, 2015

Motion and second to approve the minutes of the October 20, 2015 public hearing and meeting as presented; Motion carried unanimously.

3. Discussion of proposed Report and Recommendations

Chairperson McLean reviewed the draft Report and Recommendations that had been circulated to members of the Commission in advance of the meeting. The Commission reviewed and discussed each section of proposed Report and provided comments. Among the items discussed, the Commission considered possible alternatives for recommendations including those outlined on the attachment hereto.

Following discussion, the consensus of the Commission was to proceed with a publication of the revised Report and Recommendations and the scheduling of a public hearing on the Report before submission to municipal Council.

The public hearing date selected was January 26, 2016 at 7:00 PM. Chairperson McLean was to revise the Report and have it published on the Bethel Park website and be available for review on the Library.

4. Publication of Report of Commission

Chairman McLean will revise the Report and Recommendations for publication on the Bethel Park website and be available for review on the Library prior to the public hearing scheduled for January 26, 2016.

5. Future Meeting Dates

The next meeting will take place on January 26, 2016 at 7:00 p.m. for the public hearing in the Council Chambers.

6. Public Comment

There was no public comment.

7. Adjournment

Meeting adjourned at 7:48 p.m.

Initiative/Referendum: Two possible alternatives:

ALTERNATIVE ONE: Provide a description of the type of ordinances that the process of referendum could not be invoked to challenge, including ordinances that relate to fiscal matters such as budgets and tax levies or that relate to matters of serious public health and safety such as ordinances that adopt traffic measures to address an identified unsafe condition.

Possible Language: add a new Section 1209 in Article as follows:

Section 1209 Ordinances Not Subject to Initiative or Referendum

The initiative and referendum procedures set forth in Article 12 shall not apply to any ordinances that adopt a budget or capital program, appropriate or borrow monies or levy taxes or sewer/utility rates or any ordinance that addresses an emergency situation or identified risk to health or safety.”

ALTERNATIVE TWO: Provide that, as to tax levies, the referendum process would be available only to the extent of an increase in taxes but would not extend to the portion of any tax levy that was in effect prior to adoption of the ordinance.

Possible Language: to be added to Section 1201B:

“The power of referendum shall extend to all ordinances except that in the case of ordinances that set a tax rate, the referendum process shall extend only to the extent of any increase in the tax rate. If referendum proceedings are commenced under this Article 12 to reconsider any ordinance that sets a tax rate, and Council fails to repeal the ordinance so reconsidered, the ordinance shall be deemed to be adopted and remain in effect for the tax rate in effect prior to the adoption of the original ordinance and the increase in the tax rate included in the original ordinance shall be placed on the ballot at a regular election, as provided in Article 12, Section 1206B.”

Would also need to add the following to Section 1205 on “suspension”, at the end of the first sentence:

“ . . . except that in the case of an ordinance setting a tax rate, only the increase in the tax rate shall be suspended from taking effect and the ordinance shall not be suspended as to the tax rate in effect prior to the adoption of the ordinance.”

Thirty-Day Effectiveness for Ordinances

Possible language: to be added to Section 1107:

“ . . . provided that ordinances not subject to the referendum process under Section 1201B shall be effective immediately unless a later date is specified in the ordinance or is required by the laws of the Commonwealth of Pennsylvania.”