

# Concord Township Government Study Commission

Public hearing on Home Rule Charter  
January 28, 2016



# Commissioners



- James Gray, Chair
- Rosemary Fiumara, Vice-Chair
- Joshua Twersky, Treasurer
- Diane Bohr, Secretary
- Andrew Briner
- Matthew Houtmann
- Robert Tribit
- Michael Maddren, Esq. - Solicitor

# Mission

**The Home Rule Charter and Optional Plans Law (53 Pa.C.S.A. §§ 2901 et seq) states:**

“The government study commission shall study the form of government of the municipality to compare it with other available forms under the laws of this Commonwealth and determine whether or not in its judgment the government could be strengthened or made more clearly responsible or accountable to the people or whether its operation could become more economical or efficient under a changed form of government.”



# Timeline – Key events

**November 4, 2014**

GSC question approved  
by voters (almost 2-1)  
and commissioners  
elected.

**December thru April 2015**  
In depth research, meetings,  
discussions and debates.

**November 25, 2014**  
swearing in and first  
meeting.



# Timeline – Key events

**May 13, 2015**

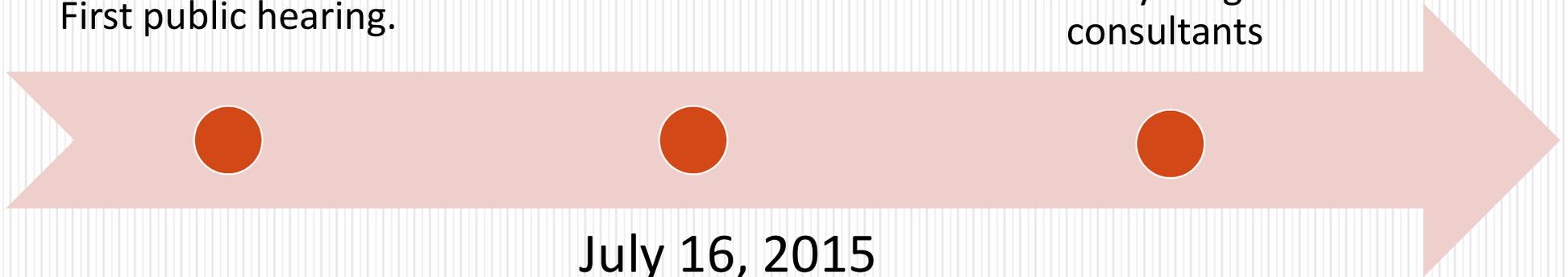
First public hearing.

**August 6, 2015**

Engage Pennsylvania  
Economy League as  
consultants

**July 16, 2015**

GSC unanimously votes  
to proceed to write a  
Home Rule Charter

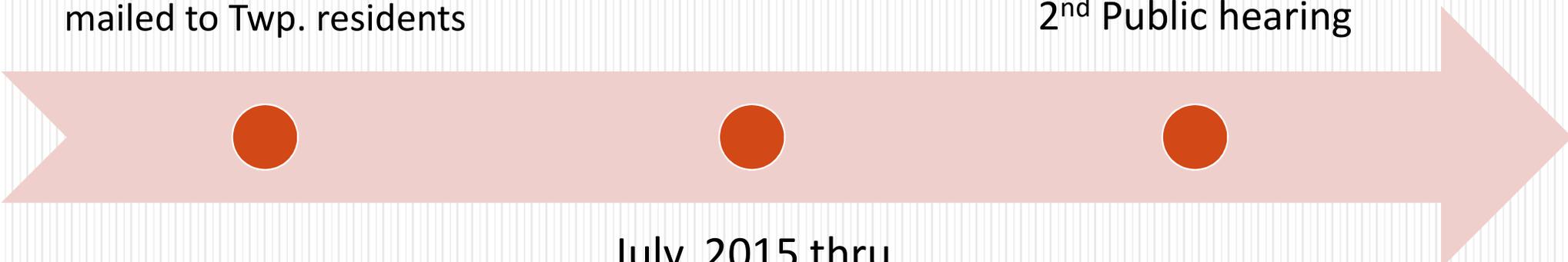


# Timeline – Key events

**September 3, 2015**  
Interim report issued and  
mailed to Twp. residents

**January 28, 2016**  
2<sup>nd</sup> Public hearing

July, 2015 thru  
January, 2016  
write Home Rule  
Charter



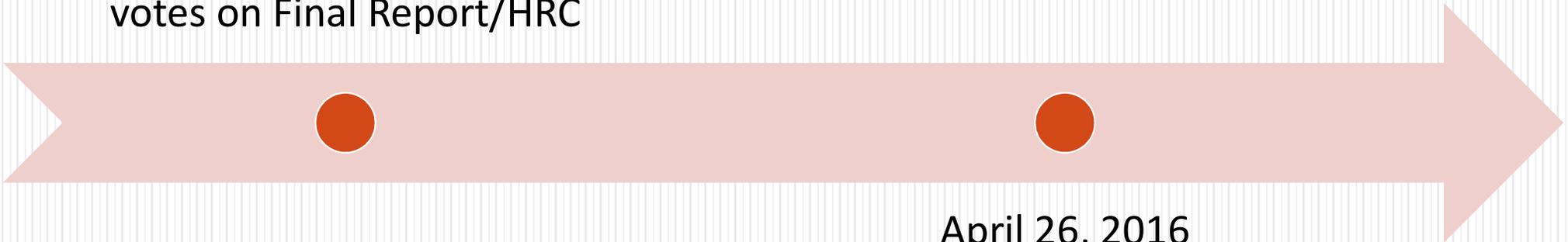
# Timeline – Key events

February, 2016

Finishing touches on HRC and GSC  
votes on Final Report/HRC

April 26, 2016

Primary Election Day  
Yes/No HRC question on ballot



# Home Rule Charter (HRC)

- A home rule charter is essentially a Constitution for the township replacing the second class township code under which the township currently operates.
- Historically the second class township code is for rural municipalities with small populations.
- Under a Home Rule Charter, instead of being restricted to only those powers granted by the state in the second class code, a municipality can act and organize its government in the manner best suited for its community, as long as the changes are not restricted or limited by state law (laws of general applicability).
- Major examples of laws of general applicability are: Municipalities Planning Code, Vehicle Code, Firearms Code, Local Tax Enabling Act and Crimes Code.

# Home Rule Charters may address:

- **Forms of Government**
  - Mayor/Council
  - Council/Manager
  - Commission
- **Structure of Government**
  - Membership
    - ✦ Number of officials
    - ✦ At large or districts
    - ✦ Terms of office
    - ✦ Qualifications
    - ✦ Powers and Duties
    - ✦ Vacancies
- **Operations and Procedures**
  - Meetings
  - Public Hearings
  - Operating Rules
  - Departments
- **Legislative Actions**
  - Ordinance adoption
  - Effective date

# Home Rule Charters may **not** address:

- Statewide Laws
- Boundary Change
- Elections
- Registration of Electors
- Subjects of Taxation
- Non-resident Taxation
- Municipal Tax Claims or Liens
- Eminent Domain
- Regulation of Business
- Public Schools
- Assessment of Real or Personal Property
- Defining Punishment for any Felony or Misdemeanor
- Planning under the Municipalities Planning Code (MPC).

# Township of 2<sup>nd</sup> Class – Current structure

## VS.

# Home Rule Charter – Future structure

Structure Item	2 <sup>nd</sup> Class - Current	Home Rule Charter - Future
<b>Name of government body</b>	<b>Board of Supervisors</b>	<b>Township Council</b>
Name of elected officials	Supervisors	Council members
Term of office	6 Years	4 Years
Number of elected officials	5 Supervisors elected at large	7 Council members elected at large
Residency requirement for elected official	1 year	2 years

# Township of 2<sup>nd</sup> Class – Current structure VS. Home Rule Charter – Future structure

Structure Item	2 <sup>nd</sup> Class - Current	Home Rule Charter - Future
<b>Tax collector</b>	<b>1 elected for a 4 year term</b>	<b>1 appointed to serve at pleasure of Council</b>
Auditors	3 elected for 6 year term.	Required annual audit by CPA firm appointed by Council.
Prohibitions	Supervisors may be employed by Township while Supervisors and other outside entities after service.	Council members may NOT be employed by Township while on Council and must wait 1 year to be employed by Township vendors.
Township manager	Not mandated.	Mandated. Serves at pleasure of Council.
Acting Township manager	Not mandated.	Mandated to be current administrative employee to serve as manager when manager cannot (absence, suspension, etc.)

# Township of 2<sup>nd</sup> Class – Current structure

## VS.

# Home Rule Charter – Future structure

Structure Item	2 <sup>nd</sup> Class - Current	Home Rule Charter - Future
<b>Failure to adopt budget</b>	<b>Silent.</b>	<b>Prior year budget/taxation effective.</b>
Limits on taxation	14 mills (currently at .944 mills).	5% limit on increase in revenue from property taxes. Supermajority vote of Council needed to exceed 5% limit.
Ordinance proposal and passage	May be proposed and passed at same meeting.	Unless an emergency, ordinances cannot be proposed and passed at same the meeting.
Votes needed to pass ordinance, resolution or motion.	Must have 3 votes.	Must have 4 votes

# Transition & implementation

April 26, 2016  
Primary  
Election Day  
Yes/No HRC  
question on  
ballot

December 31, 2016  
Transition Committee  
completes work

June, 2016  
If approved, 7 member  
Transition Committee formed



# Transition & implementation

January 1, 2017  
Charter effective date

November 7, 2017  
Elect 4 Council  
members (2 and 4  
year terms)

January 2, 2018  
7 member Council  
seated. Appointed Tax  
Collector begins.



# Thank you

- Come to a GSC meeting. Thursday's at 4:30PM at Township building.
- Information posted to Concord Township web site under "Government Structure/Government Study Commission"  
<http://townshipofconcord.com/home-rule-info/>
- Various community outreach meetings.
- Write an email to [gsc@concordgsc.org](mailto:gsc@concordgsc.org)
- Write a letter to: Government Study Commission, Township of Concord,  
43 Thornton Road, Glen Mills, PA 19342