

BEFORE THE TOWNSHIP OF CONCORD
GOVERNMENT STUDY COMMISSION
DELAWARE COUNTY, PENNSYLVANIA

- - -

IN RE: Public Comment
Draft of Home Rule Charter

- - -

Public hearing in the above matter held pursuant to notice on Thursday, January 28, 2016, at the Concord Township Municipal Building, 43 Thornton Road, Glen Mills, Pennsylvania, commencing at 7:00 p.m., before Norma Gerrity, Registered Professional Reporter.

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BEFORE:

JAMES D. GRAY, Chairman
ROSEMARY FIUMARA, Vice Chairman
DIANE S. BOHR, Secretary
JOSHUA TWERSKY, Treasurer
ANDREW BRINER
MATTHEW R. HOUTMANN
ROBERT W. TRIBIT

APPEARANCES: MICHAEL MADDREN, ESQUIRE,
Solicitor for the Commission

- - -

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1 THE CHAIRMAN: Good evening. Thank you
2 all for joining us this evening. We're going
3 to call the Concord Township Government Study
4 Commission public hearing of January 28th to
5 order.

6 Please all rise for the Pledge of
7 Allegiance.

8 - - -

9 (Pledge of Allegiance)

10 - - -

11 THE CHAIRMAN: Diane, would you call the
12 roll?

13 MS. BOHR: Yes.

14 THE CHAIRMAN: Thank you.

15 MS. BOHR: Roll call, James Gray.

16 THE CHAIRMAN: Here.

17 MS. BOHR: Rosemary Fiumara.

18 MS. FIUMARA: Here.

19 MS. BOHR: John Twersky.

20 MR. TWERSKY: Here.

21 MS. BOHR: Diana Bohr. Here.

22 Andrew Briner.

23 MR. BRINER: Here.

24 MS. BOHR: Matt Houtmann.

1 MR. HOUTMANN: Here.

2 MS. BOHR: Robert Tribit.

3 MR. TRIBIT: Here.

4 THE CHAIRMAN: Thank you. We're going
5 to turn this over to our solicitor, Mike
6 Maddren, for some opening remarks and rules
7 with regard to the public hearing.

8 We're going to have a presentation
9 first, and Mike will explain the rules for
10 the public input.

11 MR. MADDREN: Thank you, Jim.

12 We're here tonight for a public hearing,
13 which is basically a presentation and an
14 opportunity for everybody to provide comment
15 on the Home Rule Charter.

16 The Home Rule Charter and Optional Plans
17 law requires one public hearing. These guys
18 are doing their second public hearing
19 tonight.

20 They decided to do it in stages, one
21 when they were making the decision whether to
22 proceed with the Home Rule Charter and now
23 tonight again to discuss the content of the
24 Home Rule Charter.

1 What's going to happen, Josh is going to
2 present a power point and go through the
3 charter. The charter has been posted online,
4 and there are more copies in the back of the
5 room. After that presentation, Mr. Gray will
6 open up the floor for public comment.

7 It's very important, because we have a
8 court reporter here tonight, that people not
9 call out, that people not talk when other
10 people are talking, because she's trying to
11 transcribe things and, of course, she can't
12 do that when two people are talking at the
13 same time.

14 When you do public comment, we're asking
15 that everybody try to keep at least their
16 initial comment to five minutes.

17 We'll try to get to you again if time
18 allows, but we want everybody to have the
19 opportunity to speak on this if they so
20 desire.

21 I think that's all I have. Everybody
22 heard me; right? Good.

23 THE CHAIRMAN: Thank you, Mike.

24 Josh, do you want to take over? Thank

1 you.

2 We've run out of copies of the Home Rule
3 Charter.

4 MS. BOHR: Does everybody have one or
5 not? Okay.

6 THE CHAIRMAN: Thank you.

7 MR. TWERSKY: Thank you, Mr. Chairman.

8 Ladies and gentlemen, welcome to the
9 second public hearing of the Government Study
10 Commission for Concord Township.

11 Tonight we're going to recap the work
12 of the Government Study Commission to date.
13 We're going to compare Concord Township's
14 current form of government to the Home Rule
15 Charter that this commission has prepared.

16 We're also going to explain the next
17 steps in the timeline for implementation of
18 the Home Rule Charter.

19 The Commissioners of the Government
20 Study Commission were elected by the people
21 of Concord Township in November of 2014.

22 Those commissioners are James Gray,
23 Chair; Rosemary Fiumara, Vice Chair; myself,
24 Joshua Twersky, Treasurer; Diane Bohr,

1 Secretary; Andrew Briner, Matthew Houtmann,
2 and Robert Tribit.

3 I also wanted to make note that this
4 commission hired a solicitor, Michael
5 Maddren, on January 8th, 2015. I know it
6 goes without saying, he's been an
7 indispensable part of this commission and the
8 process.

9 The Pennsylvania state law that
10 establishes and regulates the Government
11 Study Commission is the Home Rule Charter and
12 Optional Plans law.

13 In this law, our mission is set up.
14 That mission is that the Government Study
15 Commission shall study the form of
16 government of the municipality to compare
17 it with other available forms under the laws
18 of this Commonwealth and determine whether
19 or not, in its judgment, the government could
20 be strengthened or made more clearly
21 responsible or accountable to the people or
22 whether its operation could become more
23 economical or efficient under a changed form
24 of government.

1 We believe we have been true to this
2 mission. The Government Study Commission has
3 been meeting since November of 2014. It's
4 hard to believe, but we've had more than 30
5 meetings altogether, including tonight.

6 I just want to point out that while we
7 obviously cannot review in detail everything
8 that was said and done at all of these
9 meetings so far, we would like to tonight
10 review the timeline of the key events.

11 On November 4th, 2014, the Government
12 Study Commission question was approved by the
13 voters of Concord Township by an almost
14 two-to-one margin, and the commissioners were
15 elected.

16 This was a yes-or-no ballot question
17 asking whether the voters wanted the
18 Government Study Commission to be formed, and
19 there was nine candidates, and the top seven
20 vote receivers were elected to the
21 commission.

22 November 25th, 2014, the commissioners
23 were sworn in, and we held our first meeting.
24 December through April 2015, this commission

1 held meetings, we had in-depth research,
2 discussions, and debates.

3 We received input from the public,
4 township-elected officials, township
5 employees, and other municipalities.

6 We even had what we call field trips to
7 Middletown Township in Delaware County and
8 Cheltenham Township in Montgomery County,
9 both of which happen to have Home Rule
10 Charters.

11 We also read and reviewed various forms
12 of government currently in use in
13 Pennsylvania and compared them to the current
14 form of government, which is the Second Class
15 Township Code.

16 I can attest at least personally, but I
17 think we all do, that we digested massive
18 amounts of other related materials.

19 Some of those are minutes from other
20 Government Study Commissions that have
21 existed in the past, videos of meetings of
22 Government Study Commissions.

23 We also, for example, did a lot of
24 research on at-large voting and district or

1 ward-based voting, just to name a few.

2 On May 13th, 2015, we held our first
3 public hearing. This public hearing was to
4 gather input from voters regarding what the
5 Government Study Commission had been
6 discussing to date.

7 There was a little bit of confusion as
8 to what the Government Study Commission can
9 and cannot do, and we will briefly review
10 some of the general cans and cannots
11 shortly.

12 On July 16th, 2015, the Government Study
13 Commission unanimously voted to proceed to
14 write a Home Rule Charter.

15 The Government Study Commission took the
16 information from the public hearing and
17 incorporated it into its continued
18 deliberations and decided to choose Home Rule
19 Charter as its choice of structure best
20 suited for the township and proceeded to take
21 steps to write a charter.

22 An RFP -- I'm sorry. The commission
23 believed an expert in the Home Rule Charter
24 would be beneficial to the process.

1 A request for proposal for a consultant
2 was drafted, and after review and interviews
3 from those that responded to the RFP, the
4 Pennsylvania Economy League, on August 6th,
5 2015, was chosen to assist the Government
6 Study Commission in this task to write a Home
7 Rule Charter.

8 The Pennsylvania Economy League has
9 assisted many local municipalities and
10 counties with drafting a Home Rule Charter.
11 They were extremely helpful.

12 September 3rd, 2015, our interim report
13 was issued and mailed to all township
14 residents. This was a recap of the
15 Government Study Commission's work
16 culminating in the decision and explained
17 how we decided to go with the Home Rule
18 Charter.

19 I believe it was well-received, having
20 gotten a lot of good feedback from many folks
21 throughout the community.

22 The Government Study Commission, the
23 Pennsylvania Economy League, and with the
24 help from our solicitor, from July 2015

1 through January 2016, we have written a
2 Home Rule Charter for the people of Concord
3 Township.

4 That brings us to today, January 28th,
5 2016, where we're having a second public
6 hearing. This evening's public hearing will
7 primarily focus on the Home Rule Charter and
8 the next steps in the process.

9 Moving forward to February 2016, we will
10 digest the input from this public hearing and
11 distribute the final report detailing all of
12 our work and finances and distribute the
13 final copy of the Home Rule Charter.

14 On April 26th, 2016, primary election
15 day, there will be a ballot question, and the
16 people of Concord Township can vote on
17 another yes-or-no question as to whether to
18 accept or reject the Home Rule Charter as
19 written.

20 Just as a side note, just like any other
21 ballot question, democrats, republicans,
22 independents, all voters will be allowed to
23 vote on this question.

24 So again, the Government Study

1 Commission has written a Home Rule Charter
2 for the people of Concord Township, and this
3 is the primary focus of this hearing.

4 So what is a Home Rule Charter? A Home
5 Rule Charter is essentially a constitution
6 for the township and replaces the Second
7 Class Township Code under which the township
8 currently operates.

9 Historically, the Second Class Township
10 Code is for rural municipalities with small
11 populations.

12 The Second Class Township Code is a code
13 that is written by the legislature in
14 Harrisburg and is basically boilerplate law
15 for how the township government is to be
16 structured.

17 Now again, this code is primarily for
18 rural municipalities with a small population.
19 It sounds a lot like Concord Township from
20 20-plus years ago.

21 Like it or not, Concord Township is now
22 in the 21st Century, it's suburban now, and
23 we believe it should have a 21st Century
24 government structure. We believe that a Home

1 Rule Charter accomplishes this.

2 Under a Home Rule Charter, instead of
3 being restricted to only municipalities run
4 by the state under the Second Class Code, a
5 municipality can act and organize its
6 government in the manner best suited for its
7 community, as long as the changes are not
8 restricted or limited by state law. These
9 are called laws of general applicability.

10 Some major examples of laws of general
11 applicability are the Municipalities Planning
12 Code, the Vehicle Code, Firearms Code, Local
13 Tax Enabling Act, and the Crimes Code. These
14 are some of the major items that Home Rule
15 Charter can address.

16 Just so everybody knows, this list is
17 not all inclusive, it hits the major items,
18 and our Home Rule Charter will address many
19 of these issues, for example, at-large or
20 district terms of office and ordinance
21 adoption.

22 We've had a lot of questions on why
23 certain items cannot be addressed, and these
24 are some of the items that Home Rule Charter

1 may not address.

2 For example, we've had a lot of comments
3 about the public schools, school taxes.

4 These are items that are handled by the
5 school board, a separate entity created by
6 Harrisburg. The township and the Home Rule
7 Charter we're recommending cannot have any
8 bearing on those issues.

9 Let's now move into looking at some of
10 the particulars of the Home Rule Charter and
11 what our township government will look like
12 under its future structure and compare it to
13 our current structure.

14 Also again, our mission is that this is
15 not all inclusive. The Home Rule Charter is
16 very long, and there are details in it that I
17 recommend everybody read it through and, of
18 course, ask questions.

19 But these are, generally speaking, the
20 highlights of the comparison of the Second
21 Class Code to the future structure of the
22 Home Rule Charter.

23 For example, the name of the government
24 body currently is the Board of Supervisors.

1 We're recommending Township Council be the
2 name of the government body.

3 Elected officials are referred to as
4 supervisors, and with the Home Rule Charter,
5 they will be referred to as council members.

6 Terms of office for council members,
7 supervisors currently have six years. We're
8 recommending that they be four years.

9 The number of elected officials is
10 currently five supervisors elected at-large.
11 We're recommending that there be seven
12 council members elected at-large.

13 Basically, our belief was that the
14 larger community demands a larger
15 representation.

16 We also felt that council members should
17 have more connection to the community.
18 Currently the residency requirement is only
19 one year.

20 We recommended that council members have
21 a residency requirement of two years before
22 being able to run for office.

23 Under the Second Class Code, the tax
24 collector, we have one elected tax collector

1 who is elected for a term of four years.

2 The Home Rule Charter will have one
3 appointed tax collector and serves at the
4 pleasure of council.

5 We believe that this is a more efficient
6 way of handling this position and also will
7 more than offset the costs of two additional
8 council people.

9 Currently, the township has three
10 auditors who are elected for a six-year term.
11 Under the Home Rule Charter, we'll be
12 requiring an annual audit by a CPA firm that
13 will be appointed by council.

14 This is currently how the audits of the
15 township are done, but again they are not
16 required. We'll be requiring that as
17 mandatory.

18 Some of the prohibitions under the
19 Second Class Code for supervisors, some of
20 the Second Class prohibitions as opposed to
21 what's in the Home Rule Charter is that
22 supervisors currently may actually be
23 employed by the township and they can serve
24 with other entities, such as vendors, after

1 their elected service is up.

2 Under the Home Rule Charter, we mandated
3 that council members may not be employed by
4 the township while they're on the council,
5 and they must wait one year before they can
6 be employed after being council members.

7 Township manager, currently it is not a
8 mandated position. Under the Home Rule
9 Charter, we'll make it a mandated position
10 and again that person would serve at the
11 pleasure of council. Again we believe that's
12 important due to the size and complexity now
13 of the township.

14 So that there would be backup for the
15 position, we're requiring an acting township
16 manager be appointed, and they will be
17 appointed by the council.

18 We're requiring them to be a current
19 employee, so there wouldn't be any additional
20 cost. This person, if the township manager
21 was otherwise indisposed, absence, et cetera,
22 the acting township manager would stand in
23 their stead.

24 Currently, if the township does not

1 adopt a budget by the end of the year, it's
2 completely silent.

3 Under the Home Rule Charter, we are
4 basically mandating that if there is no
5 budget had, that the budget from the prior
6 year would be enforced and current taxation
7 from the last year would be effective.

8 We wanted to make sure that the township
9 basically always had a budget, and
10 Pennsylvania's current situation more than
11 stresses that as a good concept.

12 This is a big one: Limits on taxation.
13 Currently the Second Class Township Code has
14 a maximum millage limit of 14 mills. The
15 township's current millage is at .944 mills.

16 I hope we don't get into the weeds here.
17 A mill is 1/1000th of your assessed value of
18 your home or your property.

19 In other words, to figure out what your
20 current township taxes are, take the assessed
21 value of your property, divide it by a
22 thousand, multiply it by .944, and that's how
23 much your township taxes are.

24 As you can see, round numbers, generally

1 speaking, the taxes as they currently stand
2 could be increased, in round numbers,
3 1,400 percent.

4 I'm not recommending that the current
5 supervisors have any concept to do that.
6 However, under the Second Class Code, that is
7 basically the limit. They could go up
8 1,400 percent.

9 What we've done in the Home Rule Charter
10 is that we made a five percent limit on the
11 increase in the revenue generated from
12 property taxes.

13 UNIDENTIFIED SPEAKER: Can we have
14 questions?

15 MR. MADDREN: We prefer that you hold
16 them till the end. Thanks.

17 MR. TWERSKY: Again, the Home Rule
18 Charter will be placing a five percent limit
19 on increase in revenue from property taxes.

20 Now, that can be defeated by a
21 supermajority vote of council. So since
22 there will be seven council members, you
23 would need five out of seven council members
24 to exceed a five percent increase.

1 Ordinance proposal and passage.

2 Currently, of course, there's an advertising
3 requirement, but an ordinance may be proposed
4 and passed that same evening.

5 We felt that this lacked some
6 transparency, and in the Home Rule Charter,
7 we had the flexibility to make this change.

8 Unless there's an emergency, ordinances
9 cannot be proposed and passed at the same
10 meeting. There is basically a two-meeting
11 waiting period.

12 There will be at least ten days in
13 between each proposed ordinance. They can
14 slow down the process a little bit and allow
15 for more public input and more transparency
16 to the process.

17 Currently, the votes needed to pass an
18 ordinance resolution or motion, currently you
19 must have three votes. Under the Home Rule
20 Charter, you must have four votes.

21 So what are the next steps in this
22 process? Again, on April 26th, 2016, primary
23 election day, there will be a yes-or-no
24 question as to whether this Home Rule Charter

1 should be adopted, and all of the voters of
2 Concord Township will have the opportunity to
3 vote on Home Rule Charter.

4 In June of 2016, if the Home Rule
5 Charter is approved at the primary, there
6 will be a transition committee, seven
7 members, formed.

8 It will consist of the township manager,
9 two supervisors, two members of the
10 Government Study Commission, and two members
11 of the public.

12 The transition committee will review the
13 current administrative code, ordinances, and
14 other government documents and procedures to
15 make sure that they are in compliance with
16 the Home Rule Charter, and they'll recommend
17 to the council adoption to reconcile the old
18 with the new.

19 December 31st, 2016, the transition
20 committee will complete its work. On
21 January 1st, 2017, the new charter will go
22 into effect.

23 We will operate under the new charter
24 with five council members in 2017 until two

1 additional members are elected in November of
2 2017.

3 On November 7th, 2017, there will be an
4 election of four council members. To allow
5 the staggered terms of elected officials, as
6 we have now, two candidates will run for
7 two-year terms and two will run for four-year
8 terms.

9 They will have to decide what length of
10 term they wish to be when they get their
11 nomination petition signed.

12 On January 2nd, 2018, a seven-member
13 council will be seated. The new appointed
14 tax collector will begin.

15 We want to hear from all of you, from
16 the community. We need to hear from all of
17 you. The ways to reach us, as you can see,
18 are numerous.

19 You can come to a Government Study
20 Commission meeting. We're meeting, we've now
21 scheduled weekly Thursdays at 4:30 p.m. right
22 here in this room.

23 You can go to the Concord Township
24 website. The website is up there. There's a

1 Government Structure/Government Study
2 Commission tab.

3 All of the information to date, all of
4 our minutes, all of our presentations given
5 by us and others are all on there for
6 everybody to see.

7 We will be having various community
8 outreach meetings. You can write an e-mail.
9 We have an e-mail address set up. It's
10 Concordgsc.org.

11 And, believe it or not, you can still
12 write a letter, 43 Thornton Road, Glen Mills,
13 PA 19342, where you're at right now.

14 We ask that you give us all the input
15 that you think we can use. And I turn it
16 back to you, Mr. Chairman. Thank you.

17 THE CHAIRMAN: Thank you, Mr. Twersky.
18 Fine presentation. I appreciate your
19 spending so much time putting it together and
20 taking the comments from the other
21 commissioner members into thought.

22 We've now come to the public
23 comment/questions period. We're going to ask
24 that we do this in an orderly fashion.

1 We have a microphone up in the front.
2 We'd like you to come up to the front -- if
3 you want to form a line, that's fine, too --
4 to ask your question or make your comment as
5 to anything to do with the Home Rule Charter
6 and how things work, why we decided
7 something, that kind of thing, what we
8 considered.

9 We would like to limit your comments to
10 five minutes until everyone's had a chance to
11 speak, and then certainly you're welcome to
12 come back. We just ask for your
13 understanding of that.

14 And if you're unable to stand and come
15 to the microphone, please just stand, and
16 we'll bring the microphone to you.

17 We're also going to ask that you say
18 your name and address for the court reporter
19 to get that down properly.

20 So at this time, please, the microphone
21 is the public's.

22 MR. PETERSON: Can you hear me now?

23 Jon Peterson, J-O-N P-E-T-E-R-S-O-N, 64
24 Sunset View Drive. Thanks for holding this

1 meeting so that we can express our opinions
2 and ask some questions. I appreciate it.

3 Mr. Twersky, I got a little
4 confused when --

5 THE AUDIENCE: We can't hear.

6 UNIDENTIFIED SPEAKER: I've been to
7 several meetings, and I have learned that the
8 microphone doesn't project to the back of the
9 room, and there are a number of people here
10 that are not hearing the microphone.

11 THE CHAIRMAN: We have another mic.
12 We'll try that.

13 MR. PETERSON: My name is Jon Peterson.
14 I got a little confused with the mills versus
15 percent. I was just thinking math wise, a
16 mill is, you said, 1000th, and a percent is
17 100, so five percent would be a lot more than
18 14 mills.

19 MR. MADDREN: A mill is \$1 per thousand
20 dollars of the assessed valuation. What this
21 would do is cap the increase from year to
22 year at five percent of what it was the
23 previous year, and it's a cap on revenue, not
24 on mills.

1 So it is a million dollar -- now I'm
2 going to have to do math. If a thousand
3 dollars was generated in revenue, then the
4 only increase could be another \$50.

5 So it's not more than a 14 mill
6 increase. It's just an increase in the total
7 revenue in the bucket, and then dispersed
8 across the taxpayers.

9 MR. PETERSON: Okay. The only other
10 question I had was I saw on the slide
11 something about the constitution not
12 addressing eminent domain.

13 And in the constitution, the charter, it
14 says council shall have and may exercise,
15 shall be limited to the following powers.
16 Number nine, exercise the right of eminent
17 domain.

18 MR. MADDREN: Yes. So we have an
19 Eminent Domain Code in Pennsylvania, and that
20 is the law of general applicability that
21 governs eminent domain actions.

22 But within the various classes of
23 municipalities and within the charter is the
24 power to act under that eminent domain.

1 So what the charter can't do is change
2 the procedure and that sort of thing by which
3 the government would exercise eminent domain,
4 but what it can do is give the power to
5 exercise. So that's what they've done in
6 this charter.

7 MR. PETERSON: Okay. Thank you.

8 THE CHAIRMAN: Thank you.

9 MR. WELLINGTON: John Wellington, 20
10 Brandywine Street. Okay.

11 Okay. The first question, on page
12 three where you got into any position about
13 the -- where you talk about that a member of
14 the council cannot be an employee of the
15 company that's doing business with the
16 township.

17 Is that an employee at any level in the
18 company, or do you define a difference
19 between decision makers or salesmen in that
20 company compared to, let's say, if there's an
21 HR admin or something along those lines that
22 may not have decision making skills but would
23 be, say, expected to recuse themselves from a
24 decision-making process?

1 THE CHAIRMAN: I believe the way it
2 was written is for any employee. We did
3 not distinguish between decision makers or
4 others.

5 Is that correct, Mike?

6 MR. MADDREN: Yes, that's how it's
7 written. A general comment on where we are,
8 because I don't know if this has been made
9 clear.

10 This is a draft. I mean, we're here
11 tonight to take comments and input on the
12 draft. So if people think something should
13 be different, that's the kind of stuff that
14 we want to hear.

15 I'll say that conceptually, even
16 administrative employees could be viewed in a
17 more favorable light by their bosses should
18 they get work from a municipality.

19 MR. WELLINGTON: That is true. I didn't
20 know whether that was considered at all or
21 how that would be decided if that situation
22 came up.

23 MR. MADDREN: It's to be considered.

24 MR. WELLINGTON: Also kind of along that

1 same path about disclosure, are we going to
2 add anything, say a council member does
3 business with somebody that is, wants to get
4 something done in the township or whether
5 it's a council member or a member of their
6 immediate family.

7 Is there going to be any stipulations
8 that that person should either need to
9 disclose that or recuse themselves from
10 that type of decision or from that
11 instance?

12 An example would be like if I supply
13 widgets to company ABC and I sit on the
14 board, I don't do business that's
15 proprietary.

16 I'm not supplying anything inside of
17 Concord Township. However, maybe 20 percent
18 of my sales are outside of Concord Township.

19 Is there going to be any type of
20 provision?

21 MR. MADDREN: That's worth some
22 consideration. A lot of this is covered by
23 the Public Employees and Ethics Act, which is
24 a law that maintains applicability, because

1 there's a lot of general applicability
2 through the Commonwealth.

3 MR. WELLINGTON: Okay.

4 MR. MADDREN: So all of the ethics
5 standards that the legislature set forth
6 would still continue to apply to the
7 council.

8 MR. WELLINGTON: Okay.

9 THE CHAIRMAN: Also, a lot of what we've
10 done is put the power of regulations and
11 ethical things within the Administrative
12 Code.

13 MR. WELLINGTON: Okay. And that was
14 going to be my follow up, is that going to be
15 part of the Administrative Code.

16 I wasn't sure if that passed that
17 specific duty to the township supervisor and
18 the day-to-day staff or if that also applied
19 to the council at-large as well.

20 MS. FIUMARA: And to that point, there
21 is currently an Administrative Code for
22 Concord Township that's in place.

23 On page 17 of the draft, it references
24 the Administrative Code, which within that

1 document, it does cover conflicts of
2 interest.

3 MR. WELLINGTON: Okay.

4 MS. FIUMARA: So this is sort of a
5 higher-level document as the charter, but
6 some of those things will be enhanced, and
7 some of those things will follow through with
8 the change.

9 THE CHAIRMAN: A lot of what we tried to
10 do here was to provide a skeletal
11 constitution-type document for the future,
12 five, 10, 20 years. We don't know what
13 changes are going to come about.

14 So we've tried to create a situation
15 where the governing body does have the
16 ability to change the Administrative Code
17 through ordinance through a process where you
18 have to introduce it in writing in one
19 meeting and adopt it at the next, that type
20 of thing, or as soon as you can do it where
21 you get into more specifics.

22 And that was the idea, to try to make
23 the Home Rule Charter so flexible that it
24 would meet changes that we don't know what

1 they're going to be.

2 And you're going to hear this a lot
3 tonight, that we've left that to the
4 Administrative Code.

5 MR. WELLINGTON: Okay.

6 And then speaking of ordinances, the
7 enforcement of ordinances, would that remain
8 the same as it is now? Is that the same
9 procedure?

10 I may have missed it. I didn't have a
11 lot of time to look through it. I didn't
12 know if you changed anything in the way the
13 ordinances are enforced now to what they will
14 be.

15 THE CHAIRMAN: We have not made any
16 changes in that respect.

17 MR. WELLINGTON: Okay. So that part
18 will remain the same.

19 THE CHAIRMAN: We talked a lot about
20 that, because we have a situation where we
21 don't have an enforcement group.

22 We have code enforcement people that are
23 handling it right now. It may become part of
24 our report. What the Government Study

1 Commission will actually do is adopt a
2 report.

3 We're going to make certain
4 recommendations to the future governing body
5 should the voters vote to approve the Home
6 Rule Charter.

7 And there will be something of a
8 suggestion in that area. We didn't want to
9 mandate any enforcement changes.

10 MR. WELLINGTON: Okay.

11 Just a couple more and I'm done. I'm
12 not sure how it works now for the township
13 solicitor and engineer.

14 Do those positions come up for bid at
15 all, or is it just an ongoing thing?

16 I mean, I certainly understand that you
17 sometimes get what you pay for, so you don't
18 always want to go with the lowest bid on
19 something.

20 But do you just stick with the same
21 person year after year and not actually see
22 what's going on and how prices have changed?
23 You might be overpaying when you could
24 get somebody --

1 MR. MADDREN: Sure. But I think that
2 overpaying your lawyer is a great idea.

3 THE CHAIRMAN: It's considered a
4 professional service, and it's not required
5 to be bid.

6 We would hope the governing body would
7 look into the various talents in the area and
8 hire the best person that would provide the
9 most value.

10 MR. HOUTMANN: Those two positions have
11 to be appointed at the reorganization every
12 year.

13 MR. WELLINGTON: Yes. Yes. And two
14 more and I'm done.

15 You said that under the Second Class
16 Code, 14 mills was the max millage?

17 THE CHAIRMAN: In the general fund,
18 yes.

19 MR. WELLINGTON: Okay.

20 Is that going to remain the same, or is
21 it just a percent increase, and it could go
22 up to --

23 THE CHAIRMAN: It's a good question.
24 I'll say that we all wanted to put a millage

1 cap on but were unable to under the Home Rule
2 Charter rule.

3 MR. MADDREN: That is correct. The Home
4 Rule Charter doesn't allow a cap on taxation,
5 so the cap on revenue increases, it's sort of
6 a backdoor way to have some control over the
7 increase in taxation.

8 Now, a couple important points. One
9 is that -- and I may get down a little bit
10 far in the weeds here, and I apologize if I
11 do.

12 But the 14 mill cap is a cap on taxes
13 for general purposes, so your general fund
14 taxes. This board of supervisors is actually
15 very low on that. They're right around .29
16 or something like that.

17 So as we sit right now, you can
18 increase almost 47 times just on general
19 funds alone.

20 Now, there's different classes of
21 taxation. If you look at your tax bill,
22 there's a library fund on it. I think
23 there's a streetlight fund.

24 I don't know if I'm using the accurate

1 terminology, but something to that effect.
2 There may be a trash fund. In a Second Class
3 Code, there are separate caps for each of
4 those.

5 So to really understand that issue, you
6 almost have to set the two side by side.
7 It's hard to reduce it down into a sound
8 bite.

9 MR. WELLINGTON: Okay. All right. No
10 problem.

11 One last question, if you'd address
12 about any increases over that five percent
13 have to be approved by a supermajority.

14 I saw at the end of that statement
15 that it's been established for one year.
16 So what happens in year two, the
17 calculation?

18 Say it starts out a hundred bucks, you
19 need it to go up to 107, which is greater
20 than the five percent.

21 So for year two, do you calculate back
22 again from the 500, raise it by five percent
23 or whatever the amount, and then raise it --

24 MR. MADDREN: It's five percent of that

1 107.

2 MR. WELLINGTON: Oh, okay. All right.

3 So --

4 MR. MADDREN: It doesn't relate back to
5 the previous year.

6 MR. WELLINGTON: Then you might want to
7 take a --

8 MR. TWERSKY: What you're referring to
9 is that basically saying the budget, the tax
10 increases will only be good for one year.

11 MR. WELLINGTON: Yeah. I mean, it says
12 that such resolution may exceed the revenue
13 limits, shall only be valid for one year.
14 So, to me, that would --

15 MR. MADDREN: The intent of that
16 language is that you can't exceed five
17 percent of that year next year just because
18 you --

19 MR. WELLINGTON: Oh, okay. Okay.

20 So then the 107 stands, and then you're
21 back to the limit.

22 MR. MADDREN: The cap is back in place.

23 MR. WELLINGTON: Okay. It's over the
24 two-year period --

1 THE CHAIRMAN: We're assuming that
2 there's a good reason that taxes would have
3 been raised above five percent, so that that
4 reason would exist the following year.

5 If the reason for that tax increase is
6 no longer there, the board could lower the
7 taxes.

8 The township council would be able to
9 reduce it if that was no longer needed, but
10 we didn't want to make them have to do that
11 if it was a necessary thing and they thought
12 they had a supermajority and they approved
13 it.

14 MR. WELLINGTON: Okay. I understand.
15 All right. That's it. Thank you.

16 MR. SCHOENBERGER: John Schoenberger,
17 S-C-H-O-E-N-B-E-R-G-E-R, 301 Sparrows Ridge,
18 here in Glen Mills.

19 Some preamble. If you folks remember
20 when we started the process way back in
21 August of 2014, we seriously went and
22 involved ourselves in a bipartisan effort,
23 okay, running around, getting petitions
24 signed, meeting together at a common

1 location, having notaries provided to help us
2 get all this paperwork together.

3 I'd like us, if we could, I'd like to
4 invite us to go back to that moment in
5 history. Here on Page 2, Article II, Section
6 2.01, I'd like to ask if we would go back in
7 that moment of history.

8 There shall be a township council
9 composed of seven members, at least one of
10 whom shall be a member of the minority
11 political party at the time, which shall
12 serve as the governing body of the
13 township.

14 Now, I know you're going to tell me,
15 well, this is not a strange type of
16 government. It exists in the state, okay,
17 never on a township level, only on a county
18 level so far.

19 Since we were here in 2001 and you made
20 your own efforts, I think, of putting this
21 thing together, I've been to a lot of
22 meetings, you know that, until you switched
23 to 4:30, then you just destroyed my life
24 pattern.

1 But since we are in 2001 and we're
2 trying to do something that's kosher for the
3 township, I'd like to present that proposal,
4 that you consider entering those words in
5 there, okay, so that you wind up having a
6 township government that does not find itself
7 feeling alienated.

8 One of the reasons the Government Study
9 Commission exists, I think, is because people
10 felt that the older style of government was
11 not responsive enough.

12 You've increased the number of members
13 to help it become responsive. I know you've
14 gone through the whole battery of at-large
15 versus by district, and I know that that's a
16 difficulty to go to.

17 But I suggest that we consider putting
18 that little phrase on top of it so it's part
19 of the statute, okay, that there be some
20 minority representation in the council.

21 Also, I guess it's page four, I've spent
22 some time with this due to the fact that you
23 posted it and it could be read. Okay.

24 Section 2.08, meetings, one of the

1 biggest problems I know I have, and I'm
2 sure others have faced coming to town
3 council meetings, board of supervisors
4 meetings, you may have gotten an agenda
5 much like what we have here tonight, which
6 is rather basic.

7 Okay. Just to list, I'd like, can we
8 talk here, you set up some rules here about
9 posting it ahead of time, et cetera, there be
10 some more specificity asked for.

11 Getting even a posting ahead of time
12 that we're going to consider Resolution 16 of
13 2017 doesn't help me at all unless you, in
14 fact, publish that resolution so that I can
15 read it and then be prepared.

16 I was prepared tonight because I read
17 through all of this before. It's an area
18 where I think maybe you should add something
19 there, a little more about specificity, so
20 that again people are prepared for that
21 agenda and feel they have a chance to voice
22 and be heard.

23 Again, it's just a little token, I
24 think, of saying that your comments are worth

1 something and have some value maybe. Okay.

2 I spent 14 years on a New York City
3 executive board. One year prohibition after
4 you leave power, way too small. A minimum of
5 three, maximum five.

6 It imposes a one year limit. But three
7 years minimum, five. One, way too small.
8 You still know too many inside parties.

9 If you're trying to limit that, okay,
10 and I think you are, okay, that is too short
11 a period of time. All right.

12 Oh, contracting. I don't remember
13 seeing anything there about, there are times
14 when you have to go find a vendor to fulfill
15 a contract and there's only one party that
16 does that in any kind of reputable way worth
17 a darn.

18 I spent my life bleeding over this,
19 okay, because you were trying to make sure
20 that it was being done fairly, but you
21 sometimes have control, sure.

22 So you're spinning wheels looking for
23 other contractors and you're wasting time
24 that you don't need to waste because there's

1 only one source for it.

2 I don't see any word in here about that.
3 You may want to consider looking for where it
4 may or may not fit.

5 All right? Okay. I'll leave you to
6 yourself.

7 THE CHAIRMAN: Thank you, John. We
8 appreciate your comments.

9 MR. SCHOENBERGER: All right.

10 THE CHAIRMAN: Thank you, John. We
11 appreciate your comments. We'll certainly
12 take them under advisement.

13 MR. SCHOENBERGER: As I say, you've done
14 a good job. Keep it up.

15 THE CHAIRMAN: Thank you.

16 MR. MILEY: Rufus Miley, 22 Leopard Run.
17 First of all, I'd like to see you put a
18 provision in the proposal to improve the
19 acoustics in this room. It's terrible.

20 THE AUDIENCE: Amen to that. Amen to
21 that.

22 MR. MILEY: I mean, that's why I stood
23 up front, and I still can't half the time
24 understand what's being said.

1 I just wanted to comment that I've had
2 the opportunity to attend most of the work
3 sessions that the Government Study Commission
4 has done.

5 Many of them have been at the table back
6 in the back, and they have sat here for many,
7 many hours debating particular issues and
8 everything, and I think that they've done a
9 commendable job.

10 - - -

11 (Audience Applause)

12 - - -

13 MR. MILEY: One question for you.

14 Most of the things that happen in
15 Concord Township are sent to the Delaware
16 County Planning Department for review.

17 Is that something that's going to happen
18 with respect to this draft document before
19 it's finalized?

20 MR. MADDREN: No. There's no provision
21 to get there. It's not something -- I'm
22 going to put on my other hat for a second,
23 which is as a solicitor. It's not something
24 the planning department would look at.

1 They look at land use generally, that
2 sort of thing, ordinances affecting land use,
3 but this is not one they have purview over.

4 MR. MILEY: Thank you.

5 The second question I have, we discussed
6 this last Thursday night.

7 Was this hearing advertised?

8 MS. BOHR: Yes.

9 MR. MILEY: I noticed you didn't give
10 the court reporter a copy of the --

11 MS. BOHR: I gave her a copy.

12 MR. MILEY: Did you?

13 MR. MADDREN: The court reporter has a
14 copy of the advertisement, and we'll make
15 that part of the record.

16 MR. MILEY: Thank you.

17 THE CHAIRMAN: Please.

18 MR. YASHIN: Good evening. My name is
19 Dan Yashin. I live at 40 Patricia Lane, Glen
20 Mills, Pennsylvania, and I'm looking for some
21 clarification.

22 THE CHAIRMAN: Use the mic.

23 MR. YASHIN: I'm sitting in the back,
24 and it doesn't work.

1 My name is Yashin, Y-A-S-H-I-N, 40
2 Patricia Lane, Glen Mills.

3 According to your draft, Section 4.10 on
4 Page 13, and I'll quote from Section A:

5 "Beginning in 2018, in no year shall the
6 sum of budgeted township revenue from real
7 estate taxes be increased by more than five
8 percent above the preceding year's budgeted
9 revenue from real estate taxes."

10 Now, when you go down to B right
11 underneath it, here is where the confusion
12 comes in.

13 "Notwithstanding" -- notwithstanding
14 means regardless, in spite of -- "the
15 limitation set forth in Section 4.10 A of
16 this charter, budgeted township revenue from
17 real estate taxes may be raised to an amount
18 greater than five percent above the preceding
19 year's budgeted real estate tax revenues.

20 "Such resolution to exceed the revenue
21 limits shall be valid for one year."

22 So, in essence, that's negating Section
23 A, where you're saying five percent. You're
24 saying you can raise it from 14 to 30 in one

1 year.

2 THE CHAIRMAN: Correct. With a
3 supermajority, we're allowed to exceed the
4 five percent. That's correct.

5 MR. YASHIN: Okay. Just to make it
6 clear for everybody.

7 My next question has to do with the
8 information on the website, and it was very
9 good. There was a lot of good information up
10 there.

11 This is comparison from Second Class
12 townships to First Class townships. Here is
13 the differences.

14 General property taxes up from 14 mills,
15 five additional mills with court approval.
16 That is the Second Class, which we currently
17 are. Two, up to 30 mills, five percent
18 additional with court approval.

19 Under Second Class, there's no
20 occupation. Under First Class, up to 30
21 mills, so there could be an occupation
22 tax. I didn't see anything in there.
23 Employee pensions, half a percent, a mill,
24 increase.

1 Under what was explained in regards
2 to the millage and how it was for the sewer
3 and the water and the fire hydrant, so
4 forth, under First Class, shade trees, one
5 mill. Under the Second Class, there isn't
6 any.

7 Second Class, land and public
8 buildings, 50 percent of accessible land.
9 Under First Class, land and public buildings,
10 no limit. I don't know if anybody has any
11 property.

12 And last but not least, under Second
13 Class, there is none, but under First Class,
14 special taxes to cover differences in
15 expenditures versus revenue. There could
16 be a special tax under the First Class
17 township.

18 MR. HOUTMANN: You made a comparison
19 between a Second Class township and a
20 township of the First Class, but that's
21 not addressing our Home Rule Charter. I
22 don't know where you're going with those
23 numbers.

24 MR. YASHIN: Well, this is on your

1 website, the township's website, a
2 comparison between a Second Class township,
3 which we currently are, and a First Class
4 township.

5 MR. HOUTMANN: That was studied by
6 this group just trying to inform ourselves
7 and gather as much information as we could.

8 We did do a study between First and
9 Second Class townships just to see how those
10 townships operated as background information,
11 but we're not proposing to switch to a First
12 Class township.

13 We're proposing a change from a
14 township of the Second Class to a Home Rule
15 Charter.

16 MR. YASHIN: Yes, that's correct.

17 MR. HOUTMANN: So all those millages
18 that you mentioned aren't really in play
19 here.

20 MR. YASHIN: This is from the
21 Pennsylvania Department Committee of Economic
22 Development, and it has in here earned income
23 tax, one percent.

24 This is from the Home Rule Charter 2015

1 Pennsylvania. Okay?

2 So you have the flexibility to put in an
3 earned income tax?

4 MR. MADDREN: So in Pennsylvania,
5 there's a local tax enabling act that applies
6 everywhere. So currently there's a power to
7 do the idea, and under the Home Rule Charter,
8 there's a power to do the idea.

9 What these texts can't do is change
10 the subject matter of the taxation that
11 exists under that local tax enabling act.
12 So under either scheme, that would be
13 available.

14 MR. YASHIN: So it wouldn't be
15 available?

16 MR. MADDREN: It would be available, and
17 it is available to us.

18 MR. YASHIN: Okay.

19 Basically that's it, but I was a little
20 bit confused with what you have in your draft
21 in regards to where you could go and increase
22 it from whatever you want, which means you
23 could go to the limit if you wanted to and
24 just pass it.

1 MR. HOUTMANN: The provisions for the
2 supermajority, we acknowledge that there
3 might be an extraordinary circumstance,
4 maybe, I don't know, a severe problem with
5 the sanitary sewer system or some other
6 extraordinary event where the township might
7 have to raise revenues by more than five
8 percent.

9 So we allowed that by supermajority, but
10 it was the clear motivation of this provision
11 to put a cap, to keep the growth of taxes to
12 a level that we thought was as low as
13 reasonably possible.

14 MR. YASHIN: But there's nothing in
15 writing specifically stating what that cap
16 is.

17 MR. HOUTMANN: Well, it's capped at five
18 percent per year, and you have to go through
19 an extra process, an extra ordinance, an
20 extra vote to increase it beyond that.

21 MR. YASHIN: A vote by the council or a
22 vote by the residents?

23 MR. HOUTMANN: By supermajority of
24 council.

1 MR. YASHIN: By council. So that leaves
2 the right to freeze us out.

3 MR. MADDREN: Well, remember that these
4 guys shortened the term for the elected
5 officials; right?

6 So that's essentially a referendum on
7 the people who would be increasing that tax.

8 MR. YASHIN: Yes, but it still could be
9 done.

10 MR. MADDREN: Sure.

11 MR. TWERSKY: Just to add to that, part
12 of the motivation here as well, technically
13 speaking, a supermajority vote of the
14 supervisors, they could raise taxes somewhere
15 around 4,000 percent currently.

16 MR. YASHIN: But it would only be up to
17 14 mills currently.

18 MR. TWERSKY: That's a 4,000 percent --

19 MR. YASHIN: You're talking percent.
20 I'm talking mills. We can go back and do the
21 math on what the mills would be.

22 Currently right now, like it was
23 mentioned, it's .944. The maximum that you
24 could go to would be 14.

1 MR. MADDREN: The max per general
2 revenue purposes is 14. The tax on the
3 others is significantly higher, around .24,
4 with a current cap of 14.

5 MR. YASHIN: Current. But if you go to
6 where the Home Rule, you could go up to 30.

7 MR. TWERSKY: Well, you need a
8 supermajority to increase above five
9 percent.

10 MR. YASHIN: You could go up to 30 is
11 what I'm saying. I know what you need to do
12 it, but you could go up to 30.

13 MR. MADDREN: Under the current version
14 of the charter, you could.

15 MR. YASHIN: That's my point. Thank
16 you.

17 MS. HEWITT: Hi. My name is Maureen
18 Hewitt, and my address is 19 Brook Lane,
19 Chadds Ford, PA. Okay. H-E-W-I-T-T.

20 THE CHAIRMAN: Welcome to Concord
21 Township.

22 MS. HEWITT: Well, thanks so much. I've
23 been here for a long time. And I'm sorry I
24 came in a tad late.

1 But the bottom line is, for this to
2 become law, what is the process going to
3 be? Is it going to be voted on by the
4 people?

5 I heard you say, no, it doesn't go into
6 Delaware County Court.

7 MR. MADDREN: It doesn't go to the
8 Delaware County Planning Commission, but it
9 would be a referendum on the ballot in the
10 primary election on April 26th.

11 MS. HEWITT: If it wasn't voted in, the
12 township would just stay under the government
13 that it has right now?

14 MR. MADDREN: That's correct.

15 MS. HEWITT: Okay. And I haven't had a
16 chance to read this.

17 You said that there's now term
18 limits?

19 MR. MADDREN: No, no. No term limits.

20 MS. HEWITT: No term limits? What did
21 you say tonight?

22 MR. MADDREN: I said that the terms are
23 shorter. Currently the board of supervisors
24 have six-year terms. Under the charter, they

1 would be four-year terms.

2 MS. HEWITT: Okay.

3 So you're going to work on this a little
4 more, and then it will be on the ballot
5 come --

6 MR. MADDREN: April 26th, the
7 presidential primary ballot.

8 MS. HEWITT: Okay. Very good. Thank
9 you.

10 MR. WILKINSON: My name is Bill
11 Wilkinson, 106 Mill Race Place, Glen Mills.
12 Been there since 1967.

13 Thank you all for all the work that
14 you have put into this. I well appreciate
15 it.

16 One clarification on -- a couple
17 clarifications on the issue of taxes.

18 If Concord Township's taxes are, let's
19 say, two mills at this point in time, when
20 this goes into effect, an increase would be
21 limited to five percent of two mills?

22 MR. MADDREN: Well, not exactly.
23 Unfortunately, it's a little more complicated
24 than that, because the Home Rule Charter and

1 Optional Plans law doesn't allow you to
2 affect the rate of taxation.

3 So these folks got creative. So
4 revenue couldn't increase more than five
5 percent. So it could go up to 2.05 if it
6 were two mills.

7 MR. WILKINSON: Okay. So it can't jump
8 to 14?

9 MR. MADDREN: Without a supermajority.

10 MR. WILKINSON: Right.

11 Next question, transition from current
12 supervisors to new council members.
13 Currently we have five supervisors.

14 In the 2016 election, how many, if
15 this is passed, how many seats will be
16 available?

17 MR. TRIBIT: The way the Home Rule
18 Charter and Optional Plans law is, the
19 current people who are elected to office
20 stay in office. So that's what's going to
21 happen.

22 So everybody who was elected last year
23 who began their term this year will serve a
24 six-year term. Okay. It's a little

1 complicated.

2 What we did was the charter takes place
3 the first of January of 2017. There is no
4 municipal election in 2016.

5 So today you have five and after, in
6 January of 2017, when the charter takes
7 place, you will still have five.

8 Now, the difference will be instead of
9 calling them supervisors, we'll call them
10 township council members.

11 Then the next municipal election occurs
12 in 2017, and on Josh's slide, that's why he
13 had that date in November 2017, that's when
14 you will get to elect four members of
15 council, and in 2018, instead of having five,
16 you will now have seven.

17 And that's when, the first time you'll
18 have seven members. From then on you'll have
19 seven members.

20 So there's actually a period of one
21 year, 2017, where you'll have five council
22 members, and then you'll have seven.

23 We had to do that because the law
24 required that they would do that, and we

1 can't get another municipal election.

2 The last municipal election was last
3 year. So, unfortunately, I can't take my
4 time machine and go back and do something.

5 So you have to wait until 2017 to have a
6 municipal election.

7 MR. MADDREN: Just as important, Bob, is
8 that this group felt that the people should
9 be electing the two additional council
10 members.

11 Theoretically, they could have said 2017
12 you go to seven, no municipal election, so
13 we'll let council appoint two more.

14 They didn't want to do that. They
15 wanted to give the people the opportunity to
16 select those extra two. So that's why you
17 have the transition period.

18 MR. WILKINSON: Another clarification.

19 On assistant township manager, the only
20 reference I saw to an assistant township
21 manager basically essentially was the removal
22 of the township manager, which I'm confused.

23 In your presentation, you indicated that
24 the assistant township manager would be

1 appointed by the council, where my
2 understanding in reading this, the township
3 manager will, in the beginning of the year,
4 have a letter that designates the assistant
5 township manager.

6 THE CHAIRMAN: I believe it's an acting
7 township manager, not assistant. So it would
8 be an employee of the township who would be
9 recommended to be the acting should the
10 manager become incapacitated.

11 So that way there would be quickly
12 someone who's in the township already working
13 here that is able to take over.

14 Then the township council would then
15 decide where to go from that point on,
16 whether to hire someone else, whether it's
17 temporary, that kind of thing.

18 MR. WILKINSON: If the township manager
19 goes on vacation, what happens?

20 MR. MADDREN: If the township manager
21 went on vacation, that acting person would
22 fill that role while they were on vacation.

23 And council, and I'm just trying to find
24 the language here, council does have the

1 authority to change the manager's
2 designation.

3 So it's really a recommendation by the
4 township manager effectively with the full
5 opportunity for council to change that.

6 MR. WILKINSON: Then the acting township
7 manager is an as-needed position as opposed
8 to --

9 MR. MADDREN: That's correct.

10 MS. FIUMARA: And I believe that the
11 thought process was that the acting township
12 manager would currently hold a position
13 within the township, so it wouldn't be a
14 specific hire, only to be employed during an
15 emergency. They would pretty much straddle
16 two different roles.

17 MR. WILKINSON: Yes. I think it makes
18 sense that that person be designated from
19 current employees.

20 All right. Thank you.

21 THE CHAIRMAN: Thank you.

22 I don't want to cut off anybody, if
23 somebody has something else they'd like to
24 comment on.

1 - - -

2 (No response.)

3 - - -

4 THE CHAIRMAN: Seeing none, I guess we
5 move from the public hearing comment section
6 into closing remarks at this point.

7 MR. MADDREN: And then you will move to
8 close the hearing, which you could do at this
9 point.

10 The remarks should be part of the
11 record, so I would advise after you make
12 any remarks, if you desire, to close the
13 record.

14 THE CHAIRMAN: Yes. I'd like a motion
15 to adjourn the public hearing portion.

16 MR. MADDREN: Why don't you keep your
17 remarks in front of the public hearing and
18 then entertain that motion subsequently?

19 THE CHAIRMAN: I want to thank you all
20 for coming and showing interest. This
21 commission has spent a lot of time, 500 work
22 hours at least, is a number that comes to my
23 head, doing the study, bringing in speakers,
24 going places and doing interviews and, as

1 Rufus mentioned, debating every point of
2 this over and over and over again ad
3 nauseam.

4 We think we've done a pretty good Home
5 Rule Charter here. It really comes down to
6 whether you like what we have presently in
7 the township, or does this seem to be
8 something that sounds more in tune going
9 forward, make our own rules, then it's
10 something that you would want to consider.

11 We're going to take your comments under
12 advisement and the questions and talk about
13 those at our next meeting. We hope to have
14 the report by then.

15 Also, I wanted to offer if you have any
16 other comments, questions, as Josh mentioned
17 on his presentation, please go to the
18 website.

19 It's under government structure. It's
20 Government Study Commission. Just click on
21 that and go through, and it will provide all
22 kinds of information for you.

23 You can send us an e-mail. We'd love to
24 hear from you. If you think of something

1 later, that will be fine.

2 Also, if you would, if you belong to a
3 group or know of a group that you think they
4 would like for some of us to come to a
5 meeting and explain this on a much smaller,
6 more intimate basis, or maybe a larger basis,
7 we're willing to do that up until the time of
8 the election.

9 We'd love to hear -- we've got some
10 groups identified, but we certainly don't
11 know all the groups, and we'd love to come
12 out and talk to you, so I welcome your
13 suggestions.

14 MR. TRIBIT: As examples, we're going to
15 Maris Grove in April, and I hope to be at Fox
16 Hill Farm as well. So there's two that we've
17 got set up that we know of.

18 So if there's anybody else that, quite
19 frankly, that I don't know of, if you can,
20 please get to us, and we'll get a couple of
21 us there to talk with for however long you
22 wish to do that. So that would be the case.

23 MR. TWERSKY: I have April 6th at
24 7:00 o'clock is Fox Hill Farm and April --

1 Thursday, April 7th, Maris Grove, and that is
2 going to start at 7:30.

3 THE CHAIRMAN: Thank you.

4 MS. BOHR: Mr. Chairman, I have a short
5 statement. I would like to say that after
6 14 months of studying all forms of
7 government, First Class, Second Class, and
8 various optional plans, as well as being
9 given an insider's look at how the government
10 of Concord Township currently operates, I
11 believe that this proposed Home Rule Charter
12 will be the best form of government for
13 Concord Township.

14 It is my opinion that the officials and
15 officers are doing a very good job of
16 governing and managing this township.

17 Despite the immense growth and added
18 responsibilities that surely have come with
19 that growth, it is amazing and remarkable how
20 smoothly and efficiently things appear to be
21 running and, most importantly, how they have
22 managed to keep our township taxes so low.

23 The GSC is not recommending a lot of
24 sweeping changes, because sweeping changes

1 are not necessary.

2 The changes we are recommending came in
3 response to the concerns expressed by the
4 citizenry: More representation, shorter
5 terms, and transparency. Unless it is an
6 emergency, ordinances cannot be proposed and
7 passed at the same meeting.

8 Many of our discussions, while drafting
9 the charter, involved researching and
10 understanding how neighboring municipalities
11 govern under Home Rule Charters.

12 When it came to selecting the provisions
13 for the Concord Township charter, one or more
14 of the GSC members would frequently say, "we
15 don't need to reinvent the wheel."

16 Those municipalities included Middletown
17 Township, Haverford Township, Upper
18 Providence Township, and Radnor Township,
19 just to list a few.

20 All of those Home Rule Charters have
21 been in existence since the 1970s and '80s
22 and appear to be functioning well.

23 The members of this Government Study
24 Commission worked diligently and with open

1 minds from the very first meeting.

2 Since we all live in the township, we,
3 too, will be affected by the changes we are
4 suggesting.

5 Our goal, our objective, was to create a
6 Home Rule Charter that best serves the needs
7 of the citizens of Concord Township, without
8 putting constraints on the elected officials
9 and their ability to govern.

10 For my part, it has been a privilege and
11 an honor to be elected by the voters of
12 Concord Township to serve on the Government
13 Study Commission and to participate in this
14 very important decision regarding the
15 government of Concord Township, the place
16 that has been, I am happy to say, my home for
17 the past 29 years.

18 I am especially grateful for the
19 opportunity to have met and worked with the
20 six other members of this commission and our
21 solicitor. It has been an enlightening and
22 an educational adventure.

23 Each and every member brought his or her
24 own special insight and unique knowledge and

1 experience to the proceedings.

2 We can all be proud of our efforts on
3 behalf of the Government Study Commission and
4 Concord Township. In my mind, we have
5 fulfilled the duties of the oath we took on
6 November 25, 2014.

7 The final decision is, of course, up to
8 the voters of Concord Township. Thank you.

9 - - -

10 (Audience Applause)

11 - - -

12 THE CHAIRMAN: Thank you, Diane.

13 MS. FIUMARA: Mr. Chairman, I'd like to
14 make a motion that we adjourn tonight's
15 meeting.

16 THE CHAIRMAN: We have a motion on the
17 floor.

18 MR. TRIBIT: Second.

19 THE CHAIRMAN: We have a second.

20 All those in favor?

21 - - -

22 (The Board unanimously responds aye.)

23 - - -

24 THE CHAIRMAN: All those opposed?

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(No response.)

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THE CHAIRMAN: The ayes have it. The motion passes. Adjournment. Please be careful driving home.

- - -

(Proceedings concluded at 8:20 p.m.)

- - -

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3 CERTIFICATE OF REPORTER
4
5

6 I, Norma Gerrity, a Registered
7 Professional Reporter, do hereby certify that the
8 foregoing record is a true and accurate transcript
9 of my stenographic notes in the above-captioned
10 matter.
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13

14 Norma Gerrity, RPR
15 Official Court Reporter
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