
Home Rule Transition Committee
October 5, 2016

The Home Rule Transition Committee (HRTC) meeting was called to order at 7:03 p.m. on October 5, 2016 at the Concord Township Municipal Building. The following Home Rule Transition Committee members were present: Dominic A. Pileggi, John J. Gillespie, Josh Twersky, Robert Tribit, Tracy Gibley, Lisa Lawler, Brenda L. Lamanna and Hugh A. Donaghue, Esquire.

The Committee's September 8, 2016 meeting minutes were approved unanimously on a motion by J. Twersky, seconded by B. Lamanna.

Copies of the Draft September 28, 2016 Memorandum was emailed previously to Committee members for review. H. Donaghue, Esquire noted that B. Tribit has made some excellent observations and critique. Other members were asked for any other recommendations. Suggestions for changes included:

- On the third Whereas clause a suggestion was made to move the, "effective on January 1, 2017" up to the first Whereas clause. The first Whereas clause would read as follows, "The Concord Township Charter was adopted by the voters of Concord Township, Delaware County, Pennsylvania on Tuesday, April 28, 2016 with an effective date of January 1, 2017." The committee unanimously agreed on this change.
- R. Tribit added the language under the third Whereas "The Concord Township Charter sets forth in Section 6.04 continuity and lays out Provision A and Provision B as set forth in the Charter." The committee unanimously agreed on this change.
- J. Twersky brought up CPA should be CPA, not C.P.A. The committee unanimously agreed on this change.
- R. Tribit suggested striking out the Administrative Code provision requiring an appraisal. H. Donaghue's recommendation is that the minimum the Committee should write a letter to the Township Manager, so at that time when a professional administrator or CPA consults with the Township that provision at least the concept of the purchasing and selling of Township real estate be addressed. At this time it has not been addressed and should be addressed with respect to appraisals and whatever. In H. Donaghue's opinion unless it's addressed it could provide some issues. You could have property being sold that's not being sold at or below an appraised value more importantly purchased in that sense it could be a problem, but that's up to the Board. R. Tribit suggested that the elected Officials address this matter rather than coming from this Committee. The Second Class Township Code mandates that if the Township wishes to purchase property they can't do so without an appraisal or purchase beyond the appraisal value. The Committee agreed to strike.
- D. Pileggi noted that wherever "C.P.A." appears, should be changed to "CPA".

- R. Tribit commented on the paragraph II. that the word “adopting” should read “incorporating” and “adopted” should read “incorporated” and also in the second Whereas instead of “adopting” change to “incorporating”.
- R. Tribit also noted in the last two Whereas should read “Transition Committee”, not “Transitional”.

R. Tribit queried about the signatures on this Resolution. H. Donaghue noted that the Ordinance will be passed in December by the present body; this Resolution will be passed in January 4, 2017; so the signatures on the Resolution would just be Dominic A. Pileggi and John J. Gillespie and Township of Concord would remain. This Resolution will be the first order of business.

J. Gillespie motioned to approve the Resolution of the Draft 9/28/16 Memorandum subject to the above changes. The motion was seconded by B. Lamanna and unanimously approved by the Committee.

After reviewing the Draft 9/28/16 Ordinance the following changes were suggested:

- Changing “adopting” on line 2 to “incorporating”. The committee unanimously agreed on this change.
- Removing “in order to provide for the health, safety and welfare of the citizens of the Township of Concord and to secure for said citizens the greatest degree of home rule and residual powers possible”. The committee unanimously agreed on this change.
- On the last page of the Ordinance will be signing as the Concord Township Board of Supervisors as this is for December 2016.

J. Gillespie motioned to approve the Ordinance Draft 9/28/16 subject to the above changes. The motion was seconded by J. Twersky and unanimously approved by the Committee.

R. Twersky questioned if the Charter has been recorded. B. Lamanna responded yes certified copies have been forwarded to the Department of State, DCED, and the Bureau of Elections.

H. Donaghue replied this Ordinance when adopted in December will be sent to the Delaware County Law Library and General Code to be incorporated in the Code Book.

ADJOURNMENT

With no additional business to conduct, J. Gillespie made a motion that the October 5, Home Rule Transition Committee meeting be adjourned at 7:16 pm, seconded by T. Gibley.