

Meeting Agenda
State College Borough Council
Special Meeting
August 28, 2020
11 a.m.

- I. Call to Order**
- II. Moment of Silence and Pledge of Allegiance**
- III. Roll Call**
- IV. Virtual Meeting Guidelines**
- V. Continue Discussion on the Guidelines for Interim Council Member**
- VI. Adjournment**

Documents:

[August 28, 2020 Special Meeting Agenda Packet.pdf](#)

**Meeting Agenda
State College Borough Council
Special Meeting
August 28, 2020
11 a.m.**

Please note: The Friday, August 28, 2020, Borough Council Special Meeting will be a remote meeting that was continued from August 26, 2020. Public Participation will be available only for those who have registered to attend and participate in the meeting. To learn more about participating in this meeting, please visit https://zoom.us/webinar/register/WN_tM_34Cl8SXCCxSwlrE-buA.

I. Call to Order

II. Moment of Silence and Pledge of Allegiance

III. Roll Call

Ronald L. Filippelli, Mayor
Jesse L. Barlow, Council President
Deanna M. Behring
Janet P. Engeman
Theresa D. Lafer
Peter S. Marshall
Evan Myers

IV. Virtual Meeting Guidelines

V. Continue Discussion on the Guidelines for Interim Council Member

At Council's August 17, 2020 meeting, Council Member Dan Murphy resigned. Council is being asked to discuss the schedule for filling the vacancy. Because the resignation was delivered at a public meeting of Council, and acknowledged by Council at that time, the occurrence of the vacancy is August 17, 2020. Council will have forty-five days from August 17, 2020, to fill the vacancy, or until October 1, 2020. If Council is unable to fill the vacancy by 11:59 PM on October 1, 2020, the matter becomes subject to a decision by the Centre County Court of Common Pleas to fill the vacancy based upon a petition by Council or by any five citizens of the Municipality.

The Solicitor will be present to answer any questions Council may have regarding this matter and any questions related to the Borough's Home Rule Charter. A memo outlining the process and proposed schedule are attached beginning on *Page 3*.

VI. Adjournment

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STATE COLLEGE BOROUGH

interoffice

MEMORANDUM

ADMINISTRATION

to: Borough Council
from: Thomas J. Fountaine, II, Borough Manager
subject: Proposed Process for an Interim Council Member
date: 8/27/2020

At its September 17, 2020 meeting of Council, Councilman Dan Murphy announced his intention to resign effective immediately. Council received and acknowledged Mr. Murphy's resignation at that meeting. Council must vote to elect the interim Council Member by no later than October 1, 2020 at 11:59 p.m.

Council has 45 days from the occurrence of the vacancy to appoint a qualified person. The proposed process includes an opportunity for any person with the qualifications to hold the office, as established by the Borough's Home Rule Charter, to submit a letter of interest describing their qualification and reasons for their interest in serving in this role. The Home Rule Charter does not require that letters of interest and interviews be required; however, all deliberations and discussions regarding appointments to elective officers must occur in the "Sunshine", as per the Sunshine Act, 65PA. C.S.A. Section 701 as amended to modify Section 708(a) to differentiate between the appointment of elected officials from other types of appointments. Council will also establish a time to meet with the candidates in a public meeting to allow the candidates to discuss their qualifications with Council.

I am proposing that Council begin this process now and reach an agreement on the appointment of a candidate at its September 21, 2020 meeting. Final action on this appointment will be included on the September 21 meeting agenda. If Council is unable to finalize the appointment at the September 21 meeting, a special meeting will be scheduled at a later time.

Timeline for an Interim Council Member

- 8/26 Council began its discussion, at a Special Meeting, on the process to appoint an Interim Council Member
- 8/28 Council should continue its discussion and vote on the process on how people should submit Letters of Interest, how citizens can present possible interview questions, and sets the deadline for submission by September
- 9/8 Deadline for interested parties to submit letters of interest.
- 9/10 Special Meeting - Council could begin discussion about those who have expressed interest in Servin as the Interim Council Member and finalize questions for candidates to address
- 9/15, 16 & 17 Presentations (as needed)
- 9/21 Vote on the Interim Council Member, if possible. If Council is not ready to vote at its 9/21 meeting, an additional meeting may need to be scheduled