

**BOROUGH OF STATE COLLEGE**

**Procedures Manual  
for  
Council Members**

**A review of State College Borough Council procedures  
adopted September 11, 2017**

# chapter 1

## INTRODUCTION & OVERVIEW

As a Council member, you not only establish important and often critical policies for the community, you also serve as a board member of a public corporation with an annual budget. This does not include federal funds expended through the Community Development Block Grant and HOME Programs. The scope of services and issues addressed by the organization affect the daily lives of Borough residents and often go well beyond those frequently reported in the newspaper or discussed at Council meetings.

### Purpose of Procedures Manual

This procedures manual has been prepared by Council to ~~help~~ assist Council members understand their duties by documenting past accepted practices. The administration of Council affairs is greatly enhanced if Council and staff adhere to a set of established practices, which have in the past facilitated the smooth operation of the Borough government.

### Overview of Basic Documents

This manual provides a summary of important aspects of Council activities. However, it cannot incorporate all material and information necessary for undertaking the business of a Council. Many other laws, plans and documents exist that bind Council to certain courses of action and practices. A summary of some of the most notable documents that establish Council direction is provided below. A complete copy of most of these documents is provided to members when they are elected to Council.

### The Home Rule Charter:

The Borough of State College, as a result of action taken by the electorate in 1973, organized as a home rule municipality with a Council-Manager form of government. The Home Rule Charter law permits municipalities who elect this structure to exercise expanded powers. Our charter is unique to the Borough of State College and addresses the role of the Borough's elected officials, its Manager, and its departments, and outlines the Borough's fiscal responsibilities. The Borough, as a home rule municipality, is still governed by those state enactments that govern all municipalities. Before the adoption of home rule, the Borough of State College was governed by state enabling legislation commonly referred to as the Borough Code. This code is frequently consulted in analyzing the legality of proposed Borough actions.

### Administrative Code:

The Administrative Code was mandated by the charter establishes all municipal departments and sets down their duties, outlines responsibilities of the Secretary and Solicitor, and recognizes a system for advisory groups.

### **Purchasing Ordinance:**

Also required by the Home Rule Charter, the State College Purchasing, Contract, and Property Disposition Control Ordinance establishes the office of purchasing and adopts procedures for purchasing products, goods and services, the making of contracts, and the sale or lease of personal and real property. It provides for negotiated contracts, competitive bidding procedures, assures there are controls on aggregate spending, and affords safeguards against special interests.

### **Personnel Ordinance:**

This ordinance was enacted to establish a personnel system, as required by the Home Rule Charter. It sets forth uniform personnel regulations for the municipality based upon and embodying established principles and policies of merit and fairness.

### **Capital Improvements Program:**

Updated and adopted by Council on an annual basis, the Capital Improvements Program is a five-year summary of projected financial capacity and project costs for implementing or purchasing those items having a value of \$25,000 or more and an estimated life of six years or longer. It is not a budget but a plan for including capital purchases within the annual budget.

### **Annual Budget:**

The annual budget is a legal document that provides a description of services and the resources used to provide those services. The document contains estimates of revenue, appropriations for expenditures, and descriptions of programs offered within each division of the Borough.

### **Comprehensive Plan:**

The Comprehensive Plan establishes a policy framework to guide the Centre Region's comprehensive planning program. The plan recognizes both the fundamental unity of social, economic, and physical systems in the Region and the separate jurisdictions that administer government programs. The plan is Region-wide in scope and designed to foster a coordinated planning effort among the Region's municipalities, authorities, school district, intergovernmental agencies, and the surrounding communities within Centre County and central Pennsylvania.

### **Municipalities Planning Code:**

The Municipalities Planning Code is the state law that establishes the basic authority for the exercise of municipal land use controls in Pennsylvania. It enables municipalities to plan for community development through preparation of a comprehensive development plan and to govern such development through zoning, subdivision and land development, and official map ordinances. The code provides for the establishment of a planning commission, planning department, planning committees, and zoning hearing boards, and authorizes those bodies to charge fees, make inspections, and hold public hearings. The code also provides for appropriations, appeals, and penalties for violations.

### **Right to Know Act:**

This state statute appearing at 65 P.S. §66.1, et seq., defines what are public records, establishes requirements for certain records to be open for examination and inspection by the public, authorizes the making of copies or extracts, and provides a method of appeal where access to a public record is denied.

### **The Sunshine Act:**

This state statute appearing at 65 P.S. §271, et seq., was adopted to preserve the right of the public to be present at all municipal meetings and to witness the deliberation, policy formation, and decision making of governmental agencies such as the Borough, recognizing that deliberation, debate and actions taken in private meetings undermines the faith of the public in governmental activities. The law describes what are public meetings and requires that the conduct of deliberations leading up to official actions as well as the official actions themselves be taken at public meetings. The statute contains several narrow exceptions for labor relations, personnel, real estate, litigation, consultation with the Solicitor or special counsel or certain quasi-judicial issues. The purpose of the executive session must be announced at the public meeting immediately prior to or after the executive session was held. The act requires that all other actions of Council, committees of Council, and authorities, boards, and commissions must be conducted in public.

### **State Enabling Legislation (replaces the Borough Code):**

As a political subdivision of the Commonwealth of Pennsylvania, the Borough is governed by a number of state laws. A home rule municipality may exercise any power or perform any function not denied it by the Constitution of Pennsylvania, by its own home rule charter, by action of the state legislature, by the US Constitution or by other federal laws. In general, when a state enactment is uniformly applied to all political subdivisions within the state, the Borough of State College must comply with such enactments. In addition, there are numerous federal laws with which the Borough must comply. Federal and state laws may be requested from the appropriate governing agencies.

### **Ethics:**

Elected officials and public employees are subject to the provisions of the State Ethics Act, 65 P.S. §402, et seq. This statute prohibits public officials or public employees from engaging in conflicts of interest. The statute defines what constitutes a conflict of interest, advises public officials and public employees on what steps to take if a conflict of interest arises, provides for the creation of the State Ethics Commission--a body who rules on ethical questions--and provides for penalties assessable against individual public officials and the public employees if they violate the Ethics Act. These regulations are more fully explored in Chapter 6 of this manual.

## chapter 2

### **STATE COLLEGE BOROUGH COUNCIL: GENERAL POWERS AND RESPONSIBILITIES**

#### **Council, Generally**

Council consists of seven members, elected at large to staggered four-year terms. Elections are always held in odd-numbered years.

The powers of a Council in Pennsylvania to establish policy are quite broad. Essentially, Councils may undertake any action related to municipal affairs other than those forbidden or preempted by state or federal law or by its own home rule charter.

No individual is permitted to hold more than one elective office, and neither the Mayor nor a Council member may serve as an employee in the Borough. Council members may not serve as school directors, and it is inadvisable for an elected official to also be a member of an authority created by the Borough. Members of Council may not be members of the Zoning Hearing Board, nor may they hold office as Civil Service Commissioners.

Generally, there are few prohibitions that would prevent a Council member, an elected official, from serving in an appointive office. State statute prohibits certain specific dual roles but, in general, a sitting Council member may also serve as a member of various authorities, boards, commissions, or committees.

It is important to note that Council acts as a body, governed by the democratic process. No individual member has any extraordinary powers beyond those of other members. It is also important to note that policy is established by at least a majority vote of the Council. While individual members may disagree with decisions of the majority, a decision of the majority binds the Council to a course of action.

In turn, it is staff's responsibility to ensure the policy of Council is upheld. Council needs to understand that actions of staff to pursue the policy direction established by a majority of Council does not reflect any bias against Council members who held a minority opinion on an issue.

Council has occasionally debated whether it should take positions of a broader nature or extend its municipal functions.

## **Role of the Mayor**

The Mayor is elected at large and serves a four-year term. As reflected in the Home Rule Charter, the Mayor presides at all meetings of Council and performs such other duties as are consistent with the office. The Mayor has no vote but has the power to veto ordinances. As presiding officer, the Mayor communicates the will of the Council majority in matters of policy at Council meetings following votes of Council. The Mayor is recognized as the official head of this local government for all ceremonial purposes.

## **Role of the Manager**

Council appoints a Manager who serves at the pleasure of Council. The Manager is an employee of the Borough and has an agreement that specifies the terms of employment. The powers and duties of the Manager are set forth in the Home Rule Charter at Section 803. In general, the Manager, as the chief executive and administrative officer of the Borough, is responsible for its day-to-day affairs and for all municipal employees.

## **Role of the Solicitor**

The Borough Solicitor is appointed by Council and serves at its pleasure. Functions of the Borough Solicitor are set forth in the Home Rule Charter at Section 602. In general, the Solicitor provides legal advice to Council or a member of Council if the matter involves the official duties of an elected official, the Manager, and any municipal official when so requested by the Manager, upon all legal questions arising in the conduct of the affairs of the municipality. The Solicitor is a contracted consultant and not an employee of the Borough.

## **Council's Role During an Emergency**

The Borough of State College, along with the other five municipalities that comprise the Centre Region Council of Governments, has delegated its emergency powers to the Centre Region Emergency Management Agency. The Borough is represented on the Centre Region Emergency Management Council by the Manager or his or her designee. During an emergency declared by the Centre Region Council of Government, The Centre Region Emergency Management Agency has some extraordinary powers. For example, some meeting restrictions and expenditure controls are relaxed in emergency situations. An emergency management coordinator has been appointed to serve the Centre Region. During emergencies, the Centre Region COG may be convened to provide policy or guidance, or to receive information. The Emergency Operations Center is located in Beaver Stadium on campus. The Centre Region Emergency Coordinator directs field operations during an emergency and the Manager or his/her designee serves as a member of the emergency management team. How the Centre Region deals with disasters is discussed further in this manual in Chapter 10.

## Appointment of Advisory Bodies

Authorities, Boards, Commissions, and Committees (ABCs) were established to provide advice and to carry out certain lawful obligations. Residents are appointed to expand citizen involvement in local government and to tap the community's expertise in formulating policy.

Many ABCs are creations of the Borough and their activities are entirely subject to the control of Council. Some ABCs have special functions prescribed by law. For example, planning commissions, authorities, and zoning hearing boards. Boards of this latter type must abide by the operating procedures required of them in the legislation that authorizes their creation.

Those interested in serving on an advisory board should be made aware that appointment obligates them to the same limitations as those imposed on Council:

- Members may not engage in conduct that constitutes a conflict of interest. For a more detailed explanation of what is considered a conflict of interest and what liabilities are imposed on public officials who violate these rules, see Chapter 6 of this manual.
- Members may not solicit or accept anything of monetary value, including a gift, loan, political contribution, reward, or promise of future employment based on an understanding that their vote, official action or judgment will be influenced by that acceptance.
- Members may not accept an honorarium for services rendered through association of their public position.
- Neither members nor their family members nor their business interests may enter into a contract valued at \$500 or more with the governmental body with which the member is associated, unless that contract has been awarded through an open, public process--including prior public notice and public disclosure of all proposals considered and awarded.
- Members may not represent a person or organization, with promised or actual compensation, on any matter before the governmental body with which they have been associated for one year after they leave that body.
- Members who would be required to vote on a matter that would result in a conflict of interest must abstain from voting and publicly announce and disclose the nature of their interest. This declaration must also be done in writing and filed with the recorder of the minutes of the meeting at which the vote is taken.

- Council

Council expanded on the state law to include an "appearance of conflict," noting that the effectiveness of government officials is dependent on the trust placed in their decisions and recommendations. Although the Ethics Act does not require disqualification, members should strive to avoid cases where it appears a conflict of interest exists.

- Members serving on an ABC are required to submit annually a Financial Interest Statement.

The present guideline of Council is for advisory board members to serve no more than two full terms unless they have unique or specific expertise advantageous to that particular ABC or fill a membership requirement of its charge. This limitation on service time enables Council to have flexibility in the assignment of citizens to different ABCs and provides an opportunity for greater numbers of citizens to participate in local government activities.

The success of the advisory system depends on the willingness of its members to commit not only the time required to attend meetings but to prepare in advance by studying background materials. A member who misses three consecutive meetings at which actions may be taken is subject to replacement by Council.

ABC members are advisory to Council. Often in members' eagerness to get a job done, they may be tempted to form subcommittees, correspond with other agencies, or communicate their deliberations independently. All such actions must first be approved by Council. ABCs can form subcommittees made up of already-appointed members, but Council's approval is required for subcommittees or ad-hoc committees that include nonmembers.

Council members may make a request for an item to be placed on an agenda during "Items of Information from Council Members". A written notice to the Manager and Council President should usually be forwarded before the meeting.

## chapter 3

### SUPPORT PROVIDED TO COUNCIL

#### Staff/Clerical Support

The Manager also retains the title of Secretary. An Assistant Borough Secretary tracks and organizes subjects to be considered by Council and works closely with the President of Council and for the Manager to produce meeting agendas. General staff and administrative support (including the scheduling of appointments, receipt of telephone messages, and administrative services) is available to members of Council through the Manager's office.

In addition to supporting the seven members of Council, the Mayor, and Manager and Assistant Managers, the administrative staff in the Administration Office also support the Director of Human Resources, other general government activity and ABC's in the Department of Administration. Sensitivity to the workload of support staff members is important.

#### Office Equipment

A portable computer is made available to Council members when they assume office.

It should be noted that all electronic communications are considered public records, subject to retention under the State's Municipal Records Act [1998-27] and disclosure under the Right to Know law. Correspondence, email and other documents relating to a discussion of municipal business should be routed through the Manager's office, where it will be saved to meet applicable retention and public records requirements.

Council members are issued parking decals for use in the municipal building parking lots or municipal garages when they are downtown attending meetings or conducting business related to their position as a Council member.

#### Mail, Deliveries

Members of Council receive a mail and other materials from the public, private interests, and staff. Mailboxes for each member are located in the Administration office. A courier will deliver materials to the homes of Council members when materials are time-sensitive. Meeting agenda materials should be available by the close of business on Thursday before a meeting.

# chapter 4

## FINANCIAL MATTERS

### Council Compensation

State College's Home Rule Charter contemplates the payment of compensation to Council members by providing that elective officers "may receive compensation as shall be fixed by Council. State law prevents a seated Council from increasing its own salary but may pass an ordinance to raise the salary of an incoming Council.

After having considered a proposal to pay members for their service, the State College Borough Council failed to enact the enabling ordinance. The majority considered themselves to be volunteers in the service of their community and, therefore, did not want to accept compensation. During any Council term, the subject can be reconsidered. Currently, the Mayor is the only elected official receiving a salary.

### Expenditure Allowance

Council members may be reimbursed for business-related expenses. Eligible expenses include, but are not limited to, long-distance telephone calls, conference registrations, membership in professional associations, and educational seminars and related charges. In addition, travel expenses, including meals (excluding alcohol) and mileage reimbursement, are eligible.

### Expenditure Guidelines

Budgetary practices and accounting controls apply to expenditures within Council's budget. To satisfy audit requirements, members are required to provide receipts and may be required to complete a travel request form before reimbursement can be made.

Questions about eligibility for expense reimbursements should be directed to the Manager. All reimbursements for Council Members must be approved by the Borough Council President.

All expenditure records are public information.

Requests for travel approval should be submitted to the Council President.

# chapter 5

## COMMUNICATION

### Overview

One of the most fundamental and difficult roles of a Council member is communication—communication with the public to assess community opinions and needs—communication with staff to provide direction and to gain an understanding of the implications of various alternatives. Because Council acts as a whole (that is, based on the majority's decision), it is important that members understand and follow general guidelines when speaking for the Council. Equally important, when members are expressing personal views and not those of Council, the public should always be so advised.

### Protected Speech

Generally, Council members are protected from actions of libel and slander for comments that they make during the course of public meetings. Absent a showing of malice, Council members are free to speak their minds on any topic at municipal meetings. The protection, however, does not extend to speech made outside the framework of meetings, thus, comments that might be protected in a public meeting are not protected if the same comments are repeated outside the public meeting, such as comments to the press or to other members of the public.

### Correspondence

Members of Council will often be called upon to write letters to citizens, businesses or other public agencies. Typically, the Manager will be charged with the responsibility of transmitting the municipality's position on behalf of Council. However, the Manager will communicate with the Mayor and the President of Council to mutually determine the most appropriate person to respond to correspondence and transmit the Borough's official position.

Letters of thank you and appointments to ABC's shall be signed by the President of Council.

Individual members will often prepare letters for constituents in response to inquiries or to provide requested information. Letterhead is available for this purpose, upon request, and staff can assist in the preparation of such correspondence.

On occasion, members may wish to transmit correspondence on an issue that the Council has yet to take a position on, or about an issue for which Council has no position. On these occasions, members should clearly indicate within the letter that they are not speaking for Council as a whole but for themselves as one member of Council. Letterhead and office support may be utilized in these circumstances.

Following action by Council on an issue, official correspondence should reflect this position. While members who disagree with a position taken are free to correspond on such issues as private citizens, letterhead, official titles, and staff support should not be used.

Municipal letterhead and staff support cannot be used for personal or political purposes.

### **Speaking for the Borough**

When members are requested to speak to groups or are asked Council's position on an issue, the response should reflect the position of Council as a whole. A member always has the right to clarify an individual vote on a matter but, when representing the Borough at meetings or other venues, it is important that those in attendance gain an understanding of Council's position rather than that of the individual member.

### **Electronic Communication**

All e-mail messages involving municipal business should be copied to the Borough Manager, in his/her role as Borough Secretary, for purposes of the Open Records Law; for purposes of the Sunshine Law, replies to e-mail messages involving 4 or more Council members (including the sender) should be directed to the original sender only, rather than to the entire group.

- All emails are open to the Sunshine and Open Record Laws. Email may never be used for discussion by Council on policy issues. All email related to municipal business is considered a public record regardless of whether it is sent from or received on an email account or server provided by the Borough or on a personal or other business account or server.

### **Role of the Liaison**

Council members are encouraged to attend meetings of the Borough's authorities, boards and commissions; however, no formal liaison role shall be established for Council members to and Borough authorities, boards and commissions. At any time, the ABC chair can request that Council member provide insight on certain issues. In lieu of the Council liaison, the Manager shall establish a schedule to provide a representative from the Borough's authorities, boards and commissions to periodically report to Council regarding the work of the ABC. The Manager shall also cause the Chair of each ABC having an agenda item for Council when that issue will be discussed by Council so that an ABC representative can attend the Council meeting and present the ABC's recommendations directly to Council.

### **State Legislation**

Council is frequently asked to provide input on pending state legislation. Council has adopted a practice of developing a biennial policy statement on state and federal legislative expressing support or opposition.

This policy statement reflects the position of the majority of Council and shall represent the Borough's official position on all legislative matters. Should an issue arise that is not addressed by Council's Legislative Policy Statement, Council shall consider and approve a position before an elected or appointed official expresses support or opposition for legislation.

## **Proclamations**

Proclamations are often requested of the Borough in recognition of an event or individual. Proclamations are not statements of policy but, rather, the manner in which the Borough can specially recognize an event. Proclamations may be requested by any member of Council or the Mayor. As part of his or her ceremonial responsibilities, only the Mayor issues proclamations. Council may adopt resolutions recognizing an event or an event.

## chapter 6

### CONFLICTS & LIABILITY [This Section will be updated at a later time]

#### Conflict of Interest

The Pennsylvania General Assembly has determined that holding a public office is a trust and the individuals holding such offices have a responsibility to use the powers of their office to carry out their duties to the public—not to further their own private interests. Both actual and perceived conflicts of interests erode that trust and, therefore, even the appearance of impropriety should be avoided.

The state's Ethics Act defines a "conflict of interest" as:

*"Use by public official or public employee of the authority of his office or employment or any confidential information received through his holding public office or employment for the private pecuniary benefit of himself, a member of his immediate family or a business with which he or a member of his immediate family is associated. 'Conflict' or 'conflict of interest' does not include an action having a de minimis economic impact or which affects to the same degree a class consisting of the general public or a subclass consisting of an industry, occupation or other group which includes the public official or public employee, a member of his immediate family or a business with which he or a member of his immediate family is associated."*

Neither Council members nor ABC members are permitted to vote on matters that involve a conflict of interest. The member should not only abstain from voting on the matter but also decline to discuss the item when it comes forward. And, prior to abstention, the member must publicly disclose the nature of the conflict in a written memorandum that becomes part of the record of the proceedings. If the vote of that Council member is needed to achieve quorum, the member may vote but only if the disclosure required under the Act has been made.

At any time, a member believes a potential for conflict of interest exists, the Solicitor may recommend, or the member seek, a ruling from the State Ethics Commission on a given matter.

The Ethics Act places a number of other restrictions on public officials' actions, including:

- officials may not accept or solicit anything of monetary value with an understanding that they would be influenced thereby;
- officials may not accept an honoraria, in recognition of published works, appearances, speeches or presentations that occur as a result

of their position;

- officials may not solicit or accept a severance payment or anything of monetary value (e.g. additional salary to assist an employee's campaign for office) contingent upon the assumption or acceptance of public office or employment;
- neither an official nor his spouse or child nor any business with which that official or his/her spouse or child is associated may enter into a contract valued at \$500 or more with the Borough. An official may not subcontract with any person who has been awarded a contract with the Borough unless the contract has been awarded through an open process, including public notice and disclosure of all proposals considered and contracts awarded.
- officials are also prohibited from representing anyone, with promised or actual compensation, on any matter before the Borough Council for one year after their term ends.

### **Statements of Financial Interest**

Every public official must file a statement of financial interest for the preceding calendar year with the Borough Secretary no later than May 1 of each year she or he holds office and of the year after she or he leaves office. Public officials are not allowed to continue in their duties or receive compensation unless such a statement has been filed.

Financial disclosure statements are public documents, available for inspection.

### **Liability**

The Borough offers a wide variety of services and often finds itself subject to legal actions through lawsuits. Members of Council are expected to approach their responsibilities in a manner that reduces risk to all involved even though risk cannot be eliminated in an organization with such high profile.

It is important to note that violations of certain laws and regulations by individual members of Council may result in personal liability not covered by the Borough's Public Officials Errors or Omissions liability insurance. Damages or fines may be assessable against individual Council members in cases relating to discrimination, false or improper service of process, abuse of office, violation of individual civil rights, and failure to follow the Purchasing Ordinance or the State Procurement Code.

Errors or omissions injury means damage that arises out of a member's rendering of or failure to execute services within the scope of his or her purview. Specific exclusions for insurance protection include (but are not limited to): liability arising out of any dishonest, fraudulent, criminal, or malicious act or omission; liability related to a financial gain to which the member was not legally entitled; liability arising out of the willful violation of a penal statute or ordinance committed by or with the knowledge or consent of an elected officer; and injury expected or intended from the standpoint of the Council member.

## **Discrimination**

There are state, federal, and local laws, and Borough policies that prohibit discrimination in many forms. Different government functions are controlled by separate and often overlapping laws that offer protection from discrimination based on the following categories:

- age
- ancestry
- creed
- color
- disability (mental or physical)
- familial status
- lifestyle
- marital status
- national origin
- place of birth
- pregnancy
- presence of trained guide, support, or service animals
- race
- religion
- sex
- sexual orientation
- source of income
- union membership
- veteran status

Some of these protections include, but are not limited to the written word, verbal comment, physical interference or touch, visual gestures or displays, or threats, whether implied or real. Council members should be aware of these prohibitions when dealing with the public.

## **Solicitor Advice**

It is critical to note that there is some implicit reduction of risk when members of Council follow the advice of the Solicitor. While the Solicitor's advice is solely an interpretation of law, courts generally protect individuals whose acts are based on the professional opinion of the Solicitor.

# chapter 7

## INTERACTION WITH STAFF/OFFICIALS

### Overview

Council's policies are implemented through professional staff. Therefore, it is critical that the relationship between Council and staff be well understood by all parties so policies and programs may be implemented successfully. State College has a long tradition of positive relationships between members of Council and staff. To maintain these effective relationships, it is important that roles are clearly understood.

### Council-Manager Form of Government

State College has adopted a Council-Manager form of government. In this system, Council's role is to establish policy and priorities. Council appoints a Manager to implement its policies and undertake administration of the organization.

### Council-Manager Relationship

The Manager also enforces laws enacted by Council, directs the day-to-day operations of the government, prepares and monitors the budget, and implements programs initiated by Council. The Manager is responsible to Council, rather than to individual Council members. Almost weekly meetings of the Manager and the Council President are held to discuss upcoming agendas and other important issues.

Regular communication between Council and the Manager is important in maintaining a healthy relationship. All dealings with the Manager, whether in public or in private, should respect the authority of the Manager in administrative matters.

Each year Council holds an executive session to evaluate the Manager to ensure that both Council and the Manager are in agreement about performance and goals. Evaluation is a communication process—a time for discussion apart from formal decision-making.

It is important to their professional relationship that the Manager keep Council informed. The Manager should respect and be sensitive to the political responsibility of the Council and acknowledge that the final responsibility for establishing policy direction is held by Council. The Manager may communicate with Council in various ways, such as meetings, memorandums, and the Manager's Information Memorandum (MIM), typically distributed on the last working day of each week. The Manager should see that all Council members are treated similarly and kept equally informed.

## **Council-Solicitor Relationship**

The Solicitor is the legal advisor for Council, the Manager and Department Heads. Legal responsibilities of the Solicitor are to: provide legal assistance necessary for formulation and implementation of legislative policies and projects; represent the Borough's interest, as determined by Council, in litigation, administrative hearings, negotiations and similar proceedings; if asked, to prepare ordinances, resolutions, contracts and other documents to best reflect and implement the purposes for which they are prepared; and to keep Council and staff apprised of court rulings and legislation that may affect the Borough. The Solicitor represents Council as a whole, never individual members of Council. Individual Council members are encouraged to consult with the Solicitor on given points of law. Requests for formal opinions should be channeled through the Manager.

The Solicitor also represents the Mayor in legal matters related to the official duties of the Mayor.

## **Roles and the Flow of Information**

Council, as a group, retains the power to establish policy for the Borough, however, the Council may not direct staff actions or decisions, or otherwise provide guidance to staff except through the Manager. However, Council channels all such matters through the Manager on these points.

Council should recognize the primary functions of staff. Staff is obligated to take guidance and direction only from the Manager, or from appropriate supervisors within the hierarchy.

Staff has an obligation to ensure that Council has free access to information and to ensure that such information is communicated completely and with candor to those making requests. In some instances, however, information cannot be provided. For example, there are legal restrictions on staff's ability to release certain personnel information, certain aspects of police affairs, certain proprietary or confidential information and certain information contained in tax returns. Any request for information must be directed to the Manager.

In cases where a staff response to an individual Council member involves a written response that may be of interest to other Council members, the response is routinely distributed to all of Council. In making this judgment, the Manager will consider whether the information is significant, new, otherwise not available to the Council, or of general interest to the Council.

Agenda information provided to Council is also provided to the Mayor.

Staff makes every effort to respond in a timely and professional manner to requests made by individual Council members for information or assistance, provided that, in the judgment of the Manager, the request is not of a magnitude, either in terms of workload or policy, that it would be more appropriately assigned to staff through the direction of the full Council.

Any information, service-related needs, or policy positions perceived as necessary by individual Council members that cannot be fulfilled based on the criteria listed previously may be raised by the individual member at a meeting of Council. If directed by action of Council, staff will complete the work within a stipulated period of time.

### **Staff Relationship with Advisory Bodies**

Staff support and assistance is provided to authorities, boards, commissions, committees (ABCs), task forces, and ad hoc groups, but advisory groups do not have supervisory authority over employees. While staff may work closely with these groups, staff members remain responsible to their immediate supervisor and, ultimately, to the Manager. Members of advisory bodies are responsible for the functions of their group, and the Chair is responsible for ensuring that the group complies with the policies of the Borough. Agendas should be prepared jointly between the assigned staff member and the committee chair.

Staff support includes preparation of an agenda, reports providing background information on the issues, a list of alternatives (if possible), recommendations, and appropriate back-up materials. Advisory body members are to be provided with sufficient information to reach decisions based upon a clear explanation of the issues. The assigned staff person serves as Secretary to the group, takes and transcribes minutes, forwards the advisory body's advice to Council and other appropriate groups, and works with the Chair to assure that members follow state and local laws and regulations. If an advisory body undertakes more activities than staff can effectively support, it is staff's responsibility to clearly communicate that to the Chair and to the Manager, who will then communicate with the ABC Chair, if necessary. Staff's relationship to the ABC is one of support—not an advisory role.

When an advisory group wishes to correspond with an outside agency, permission should be obtained from Council. Staff members are assigned to ABCs to ensure appropriate procedures are followed.

As stated in Chapter 2, Council appoints all members to their advisory groups. It is expected that, from time to time, a group may form a subcommittee to deliberate an issue rather than occupy the time of all its members. If members other than those appointed by Council are needed on a subcommittee, permission must be obtained from Council prior to forming the subgroup. Any additional staff assistance required by the advisory group or their subgroups must be approved by the Manager.

**Any new topics should be taken to the Manager and Council before staff or an ABC spends a substantial amount of time on a topic.**

## **Restrictions on Political Involvement by Staff**

Implicit in the Council-Manager form of government is a principle that actions are taken for the good of the community, not influenced by political factors. For this reason, it is very important to understand the restrictions on staff in political involvement through campaigns, fund-raisers, holding office, or other means.

Appointment to municipal service or retention in municipal service is not based on the political activities or affiliations of the employee. Employees are expected to exercise their right of suffrage as citizens and may engage in normal political activities. Indeed, laws are in place to preserve those rights. However, employees may not engage in political activities while on the job or use their position as an employee for or against any candidate for local, state, or federal office.

Council has found that holding a political office is generally incompatible with employment by the Borough; therefore, any employee who seeks an elective office within the Borough government must resign immediately. If an employee wants to run for any paid elective office in the county, state or federal government, or any elective office within the Centre Region (except the State College Area School District), that employee must request a leave of absence, without pay, to run in the primary election. If the employee is successful in obtaining a position on the ballot for the general election, the employment relationship is terminated.

If unsuccessful in the primary election, the employee would be eligible to return to work. And, should an employee be appointed to any such elective office, the employee would be asked to terminate his or her position with the Borough immediately.

## chapter 8

### COUNCIL MEETINGS

#### Meeting Schedule

Council holds its organizational meeting on the first Monday, if not New Year's Day, in January of each even-numbered year. At that meeting, the Council President is elected by the Council members. Regular (voting) meetings are generally held on the first and third Mondays of each month in the Council Chambers of the State College Municipal Building. Meeting dates and times are established annually by Council.

Other Work sessions (non-voting meetings), are scheduled as needed.

#### Adjourned, Special, and Closed Meetings

Council may adjourn or recess a meeting to a stated time for general or special business. A majority of the members then in office should agree on a date and time when an adjourned or special meeting can be held.

As needed, Council meetings may be scheduled anytime throughout the day and may be held at other places besides the Municipal Building.

Special meetings may also be called by the Mayor on his or her own initiative or called by the Mayor at the request of at least two members of Council. At least 24 hours' notice must be provided to Council members for any special meeting. Attendance at the meeting where such date and time was agreed to constitutes a waiver of notice.

Generally speaking, all decisions made by Council must be made in public. The Sunshine Law recognizes that some matters are best served by deliberating in executive sessions, which are meetings closed to the public.

The Mayor may attend an Executive Session at either the Council President or the Council's invitation.

The following exceptions cover discussions that may be closed to the public: municipal business that would lead to the public disclosure of information that is recognized to be confidential or privileged under law; a consideration of whether or not to purchase or lease land—but not the sale of land; the appointment, discipline or termination of any employee or advisory board member or liaison within Council's jurisdiction; any matter in connection with a lawsuit or other litigation, which may include a consultation with the Solicitor or other professional advisor; any matter relating to employees, whether past, present, or prospective, and includes

any aspect of labor relations; and all those times when quasi-judicial hearings have been held and a decision must be rendered. The latter does not mean the hearing itself or the formal announcement of a decision may be private; to the contrary, those aspects will continue to be public.

(Council has considered ABC appointments as a discussion appropriate for executive session. Recent court rulings and an amendment to the Sunshine Act prohibit the use of executive sessions to discuss appointments to elective office. As the law is evolving, it may be that eventually all appointments must be discussed at public meetings rather than executive sessions.) The usual agenda order follows:

Agenda Order

Call to Order  
Silence/Pledge  
Roll Call

Special/ABC Reports

Public Hour  
Items of Information from Council Members (3<sup>rd</sup> meeting of the month)

Consent Items

General Policy and Administration

Planning and Zoning  
Other Departments  
Regional Issues

Official Reports - Mayor, President, Regional Liason,  
Staff/Committee, Student Representative

Adjournment

An announcement of any executive session held, when it was held, and for what purpose it was held, must be made at the regular meeting immediately preceding or immediately following the closed meeting.

Members of Council, employees of the Borough, and others present at an executive session are prohibited from disclosing the content or substance of any discussion that takes place in a closed session unless authorized by Council to do so.

Any member who participates in a meeting with the intent and purpose of violating state laws regulating closed meetings risks public censure and a fine plus costs of prosecution.

## Televised Meetings

To better inform residents, most Council meetings are televised on the local government access channel, C-NET and are streamed live on the internet. Council's chambers are equipped with a public address system that includes microphones at each member's chair, a staff table, and a podium. The Mayor (or presiding officer in the Mayor's absence) should ask all speakers to come forward to the podium and not allow people to speak from their seats in order to be heard on the telecast.

## The Agenda

The order in which business is considered is established by Council. As stated in the Charter, it is the Manager's responsibility to prepare the agenda for each Council meeting in consultation with the Council President.

Any Council member may request that an item be placed on a future agenda. The requested item should be communicated in writing to the Assistant Borough Secretary as well as to the Manager and Council President. Unless a crowded agenda makes it impractical to add the item (and providing the item is not urgent), it will be added to an agenda within the next eight 8) weeks.

Council should have the opportunity to review and discuss an issue before any issue goes to staff or an ABC for review.

Introducing a matter of substance to be taken up during a public meeting with the expectation that it will be acted on is not conducive to the promotion of cooperation and invites defeat of the proposal from other members. Matters of substance or new ideas are recommended for introduction to Council during a work session. Each agenda and related notes are available to the general public for a fee but also available on the Borough's website and electronically at no charge. Agenda packages (subjects, notes and informational materials) are for the exclusive use of Council. Confidential materials often are included with these packages and are not for distribution to the public or media.

## Public Hour

Retain the 4-minute limit and require identification and address of each speaker. No audience responses such as clapping or oral comments are allowed. Council members will not engage in conversation with speakers. Any comments are limited to short answers or corrections from the Chair. If a Council member has questions of clarification, he/she will get in contact with the speaker later. Neither the Chair nor any Council member may engage in conversation with speakers except for short answers or corrections from the Chair. If any inappropriate comments are made, the Chair will call the speaker out of order. If speaker does not immediately stop, the Chair will call a 3-5 minute recess.

## Items From Council - New item to follow Public Hour.

Any Council member may make an announcement, give short kudos, or suggest topics for a future agenda. No discussion will be allowed. Chair should be notified before meeting if possible.

## Agenda Items

- 1<sup>st</sup> - If topic requires a vote, a motion and second must precede any discussion.
- 2<sup>nd</sup> - Public comments limited to 4 minutes may be made on the item. Each speaker is limited to one recognition.
- 3<sup>rd</sup> - Discussion by Council only.
- 4<sup>th</sup> - Vote, if applicable, by procedures on page 24 of adopted Council Procedures document and Sec 46 of Roberts Rules of Order.

## Rules of Order

State law does not require a municipality to follow any specific rules of order. Customarily, State College Borough Council has been guided in a general way by *Robert's Rules of Order*. The last draft of *Robert's Rules of Order* approved by Council appears to be the 1915 version, titled *Robert's Rules of Order Revised*.

## Conduct of Meetings

The Mayor is the presiding officer at Council's regular meetings. In the absence of the Mayor, the President or someone assigned by the President serves as the presiding officer. The President of Council or designee shall preside at work sessions. Council members wishing to speak at any meeting shall each in turn and in order be recognized by the presiding officer.

The Mayor may attend Council work sessions at the Mayor's discretion.

Following the reorganization meeting, the President of Council determines a seating arrangement for members. Past policy has been to seat the Mayor at the head of the table; the President and immediate Past President to sit on either side of the Mayor; and remaining members staggered to the right and left of the Presidents, ranked in order of years of service.

Whether or not the President agrees with the decision, she or he signs all documents approved by a majority of Council. In the President's absence, any member of Council asked by the President may execute documents on behalf of the Borough.

Four Council members constitute a quorum for the transaction of business. Whenever a vacancy occurs, four of the members are still required for a quorum.

State law requires that meetings of Council be open to the public and that the public have an opportunity to address Council. Individuals desiring to speak are to address Council from the podium after giving their name, address, and any group affiliation or representation. To permit testimony from as many citizens as possible, Council has the right to establish time limits on speakers and/or the total time allocated for a particular issue.

A "public hour" is included on every agenda to allow citizen comments about matters not on the agenda. If a citizen wishes to address Council about a matter on the agenda, the presiding officer will recognize him or her during Council's discussion of that item and the speaker will have a maximum of four (4) minutes, unless additional time is allocated for a particular issue. Written comments are encouraged.

In the conduct of investigations and inquiries, Council has the authority to compel the attendance of witnesses and the production of evidence and, for that purpose, may issue subpoenas signed by the Mayor for serving in any part of the Commonwealth. The Mayor also has the power to administer oaths to witnesses.

## Voting

It is the duty of Council members to vote on all matters brought before them unless the member declares that a conflict of interest exists and follows the requirement for declaration of a conflict as described in the Ethics Act. The failure to vote constitutes a failure to perform the duties of office and, if the failure is repetitive, will serve as a basis for removal of the member from office.

State law requires each Council person's vote to be recorded in the minutes and, for this reason, the presiding officer (or any member of Council) may call for a show of hands when the number of members voting yea or nay is in question. Silence gives consent; if a member does not express a voice or show-of-hand vote, that member's vote is counted with the majority. Confirm this is true with the Solicitor.

Roll call votes, when required or requested by a Council Member as a right of privilege will be called by the recording secretary in a rotating order.

A tie vote is equivalent to a vote that has failed. A motion for reconsideration may be made at any future meeting by a member who voted with the prevailing side. The motion to reconsider requires a second, is debatable, and must be approved by a majority of Council before the underlying issue can be reconsidered.

## **Enforcement of Order**

Members of Council as well as the audience are expected to refrain from disruptive behavior during meetings. Persons demonstrating rude, boisterous, or profane behavior will be called to order by the presiding officer. If such conduct continues, the presiding officer may request the removal of such person(s), call a recess, adjourn the meeting or take other appropriate action. The Chief of Police, or his or her designee acts as the sergeant-at-arms. Any Council member may request the presiding officer to enforce the rules of protocol; upon motion and majority vote, the presiding officer is required to do so.

## chapter 9

### **OPEN RECORDS ACT [This Section will be amended later]**

#### **Public Records**

The state requires certain records to be open for examination and inspection by citizens. This information is not only required to be supplied by the Commonwealth but by its political subdivisions, authorities, and agencies performing essential government functions. If a document is considered "public information," citizens may make extracts, copies, photographs, or photostats of it, at reasonable times. The cost of copies is established in the law. The current rate is .25/copy.

The custodian of such public records has the right to adopt and enforce reasonable rules governing the making of such extracts, copies, photographs, or photostats. Citizens denied access to such records may appeal to the Court of Common Pleas.

"Public records" include any document involving the receipt or expenditure of funds; dealing with the use or disposal of services, supplies, materials or property; containing an order or decision by an agency fixing personal or property rights, privileges, immunities, duties, or obligations of any person or group; or any minute, order or decision.

Loosely interpreted, "public records" do not include any communication the publication of which would disclose an investigation undertaken by an agency; any record prohibited, restricted, or forbidden by statute law, order or decree of court to be accessed by the public; any document that would operate to the prejudice or impairment of a person's reputation or personal security; or any material that would result in a loss by the Commonwealth or any of its subdivisions.

Sensitive materials are marked "confidential" or copied onto green paper when included in Council's agenda. Council should use good judgment when leaving these documents lying about. Certain information could cause a financial loss or lawsuit against the municipality or individual member if such information were to be revealed.

## chapter 10 [This section will be amended later]

### FREQUENTLY ASKED QUESTIONS

#### What is the pending ordinance rule?

One of the most difficult to understand aspects of amendments introduced to the zoning ordinance is the application of the "pending ordinance rule." The "rule," originally based on a series of court decisions, is now encompassed in the Municipalities Planning Code, 53 P.S. §10101, et seq. It was originally enunciated by the Appellate Courts to protect municipalities from landowners rushing to submit plans prior to the enactment of a zoning amendment. Since the consideration of zoning amendments takes a substantial amount of time, given the number of hearings and reviews that must be held, there is a sizable time period necessary from the proposal of zoning legislation until it can be formally enacted.

The rule, simply stated, says that once a municipality has announced publicly its intention to consider an amendment to the zoning ordinance, all plans that are submitted, to which that amendment would apply, must be considered under the proposed amendment. Thus, a municipality is protected from a rush to file plans. The municipality may not abuse this protection. It must move with all deliberate speed to consider and enact or reject the amendment. If the amendment is rejected then the plans are considered under the existing ordinance. If the amendment is enacted then the submitted plans are considered under the new formulation of the zoning ordinance.

The corollary of the pending ordinance rule is that a properly submitted plan acquires vested rights in the existing zoning. Once a plan has been submitted it must be considered under the ordinances in effect at the time of submission. A municipality may not suddenly enact a proposed amendment to a zoning ordinance in response to a specific plan. The protection is the same. The landowner must proceed with all deliberate speed to complete the work on the plan and cannot "bank" the plan by submitting it and then not proceeding with the necessary steps to obtain final approval.

There is a great deal of litigation concerning the pending ordinance rule and its corollary. Small changes in facts change the outcome, and the protection is not foolproof. In general, as long as both parties are proceeding in good faith, the rule will be upheld. Where the court senses that one party or the other is attempting to use the protection of the law to their own advantage, the court will find a reason to correct the abuse.

#### Is the Capital Improvements Program (CIP) a budgetary commitment?

The CIP is not a budgetary commitment. State College's CIP is a five-year plan for purchasing or replacing those items having a value of \$25,000 or more and an estimated life of six years or longer. Items that

can be included are the acquisition of property; the purchase of new assets, fixtures, and furniture (excluding replacement assets funded by the Equipment Replacement Fund); major rehabilitation or replacement of existing facilities, or construction of new facilities; and consulting fees for special one-time projects having a cost in excess of \$25,000. Because the first year of the five-year CIP becomes the capital section with possible deletions or adjustments by staff. These changes must be brought before an Open Council during its review of the next operating budget, the CIP is again considered by Council when it approves the annual operating budget.

The CIP is a planning document that serves to project the financial needs of the municipality. Changing needs can alter the plan, as can available funding.

### **Does the approval to use public property for a special activity mean the applicant(s) may violate municipal ordinances?**

Municipal ordinances must be abided by during special events on public property. On both the application to use public property and on the notice of intent to use private property for a special event, the applicant is asked to sign the request. By signing the application, he or she acknowledges that any activity causing a disturbance to others is subject to enforcement action.

If staff receives a complaint, the police will respond and take action if warranted. Action would be taken if the applicant and/or guests: create excessive noise; permit or use open containers of alcohol on public property; use or tolerate obscene conduct or language; or create or allow littering. By signing the application, the applicant also agrees to clean the area once the activity has ended.

### **Are all nonconforming zoning uses "grandfathered"?**

Generally speaking, yes. A protection of nonconforming uses from subsequent changes in zoning ordinances or other laws is a court-established doctrine. These decisions never use the word "grandfathered" but rather talk about "validity existing" or "invalidly existing" nonconforming uses. In general, "nonconformity," which may apply to uses as well as a host of other land use controlled matters, refers to the status of the property or use in question being a violation of the current zoning ordinance. Architectural features remain grandfathered, such as fire safety issues like wired-in fire alarms. In order to obtain protection, the nonconforming use must have at one time legally existed or existed prior to the adoption of any land use control legislation.

For example, if a small store now located in a residential neighborhood zoned R-2 existed prior to the adoption of the first zoning ordinance, it would constitute a validly existing nonconforming use and would be protected from subsequent changes in the law.

If, on the other hand, a property owner renovated a garage in an R-2 zone and began using it for commercial purposes without appropriate permits, it would not constitute a validly existing nonconforming use even though the property owner used the structure for commercial purposes for many years.

If the commercial use could not have been done legally at the time it was started, it does not validly exist and is, therefore, an invalidly existing nonconforming use and is not protected by the court rule.

Most litigation in this area does not arise from the status of whether or not the use is validly or invalidly existing, but rather from expansion of that use. Pennsylvania courts have long recognized the principle that reasonable expansion of nonconforming uses is appropriate and protected if granted by the Zoning Hearing Board. Litigation ensues over the question of what is reasonable in terms of expansion.

Said another way, property owners have vested rights in the use and layout of their property that cannot be zoned out of existence by changes in land use regulations. Commonly, this vested right is referred to as being "grandfathered."

### **For what purposes can CDBG Program funds be used?**

Community Development Block Grant (CDBG) funds are designed to help low- and moderate-income citizens. In keeping with that premise, these funds can be used for a number of activities, including:

- acquisition of real property or the disposition of such property if it was acquired with CDBG funds;
- construction, reconstruction, rehabilitation, or the installation of public facilities or improvements;
- provision of public (human) services (this use is limited to 15 percent of the total grant);
- construction projects, or activities related to the improvement of physical access for the elderly or disabled;
- interim assistance to correct deterioration or alleviate emergency conditions that threaten public health and safety;
- relocation payments and payments to housing owners for losses of income incurred when tenants are displaced
- counseling services in connection with tenant-based rental assistance and affordable housing projects;
- the construction of housing assisted under Section 17 of the U.S. Housing Act of 1937;
- subsidized interest rates and mortgage principal payments for low- and moderate-income homeowners;
- assistance for agencies to facilitate economic development;
- technical assistance to carry out eligible neighborhood revitalization or economic development activities;
- housing rehabilitation;
- code enforcement;

- historic preservation;
- lead-based paint hazard evaluation and reduction;
- administrative overhead (expenditures are capped at 20 percent of CDBG funds received);
- commercial or industrial rehabilitation.

### **How does the Borough deal with disasters?**

In the late 1990s the Centre Region municipalities and the University created a unified plan for dealing with disasters called the Regional Emergency Operations Plan. The document spells out procedures and resources for dealing with disasters and establishes an emergency operations center (EOC), located at the Beaver Stadium on campus. The same emergency operations coordinator is appointed by all participating municipalities. The Borough Manager is part of the emergency management team and coordinates Borough operations with regional needs.

Any municipal Manager may activate the EOC when a major event is expected to go beyond the capability of a municipality. When a disaster occurs, municipal Managers are present in the EOC to coordinate municipal operations. If the disaster is too large for local controls, state assistance will be requested.

For Council's role in an emergency, see Council's Role During an Emergency in Chapter 2 of this manual.

# chapter 11

## LEAVING OFFICE

### Return of Materials, Equipment, Keys

During service on Council, members may acquire or have been provided equipment or other items entailing a significant expense to the taxpayers of State College (tablet computer). These may be returned at the conclusion of a member's term if not fully appreciated. Members may also have received a file cabinet shortly after taking office. All keys to Municipal Building doors must be returned.

### Lobbying Restrictions

The Commonwealth restricts lobbying for compensation for any type by former Council members for a period of one year after leaving office. The Ethics Act says that no Council member may represent a person or organization for promised or actual compensation on any matter before the governmental body with which she or he was associated for one year after leaving that body.

### Financial Interest Statements

Each member of Council and all members of ABC's are ~~is~~ required to file a financial interest statement for the preceding calendar year no later than May 1 of each year that she or he holds such a position and for the year after leaving such a position. The statement is filed with the Assistant Secretary of the Borough only.

### Filling Council Vacancies

The most common reason for vacancies on Council is resignation. Individuals sometimes find the demands on their time, the pressure of private business activities, personal health or family problems, or the responsibilities of office are too much to cope with. Vacancies can also occur because of death, relocating outside the Borough, removal from office by the courts, or failure to qualify. The Commonwealth provides for the remaining members of Council to fill a vacancy by resolution.

Because the courts are divided on the issue of whether a resignation requires acceptance by the governing body, the safest course is to take official action to accept any resignation and fill the vacancy within 30 days of its submission.

If Council fails to fill the vacancy within 30 days, a vacancy board (consisting of Council and one registered voter of the Borough who is appointed by Council and acts as chair of the board) has 15 additional days to appoint a member.

If the vacancy board fails to fill the vacancy within the 15 days, the chair then petitions the Court of Common Pleas to fill the vacancy.

When a majority of the offices of Council members are vacant at any one time, the vacancies are filled by the Court upon petition of at least 15 registered voters of the Borough.

In all cases, the successor is appointed to serve until the first Monday in January following the first municipal election occurring more than 60 days after the vacancy occurs. At that municipal election, a successor is elected to fill any unexpired balance of the term.

All persons appointed to fill vacancies must have all the qualifications required of elected officers.

### **Removal from Office**

Council may remove another member or the Mayor from office only under very limited circumstances. Removal can occur if the Council member has neglected or refused to attend three consecutive regular meetings without having been excused by Council; if she or he violates any express provision of the Borough's charter; or if the member is convicted of a crime more serious than a summary offense (as defined by Pennsylvania law).

## chapter 12

### **ADDITIONAL TRAINING & RESOURCE MATERIALS**

#### **Pennsylvania Municipal League (PML)**

The Borough is a member of the PML and, through that association, an affiliate member of the National League of Cities. The PML is a statewide organization that strives to create an environment in which Pennsylvania's municipalities can survive and prosper. It represents the collective interests of the membership with the legislative, executive, and judicial branches of the state and federal governments and provides training and information to municipal officials through a variety of publications and meetings. PML produces numerous publications each year, including a monthly newsletter, salary and benefits surveys, and specialized publications on specific issues.

#### **Other Materials**

Other reference materials that may be of interest are on file with the Secretary:

Elected Officials Handbook  
Codification of Ordinances

# chapter 13

## APPENDIX

Several items of reference material are provided in the appendix of this manual:

A Reference Guide to Motions  
The ICMA Code of Ethics, with Guidelines  
An organizational chart