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Anne Knorr
Wrightsville Borough
PO Box 187
601 Water Street
Wrightsville, PA 17368

**RE: Voting at Large
Our File No. 005460-01**

Dear Ann:

Enclosed is a short memorandum for the members of Borough Council and the Mayor regarding the change from election by wards to election at large for council members. Would you please place copies of this memorandum in the mailboxes for the mayor and each of the members of borough council.

Thank you for your courtesies.

Sincerely,

STOCK AND LEADER

Walter A. Tilley, III

WAT/ajm
Enclosure

MEMORANDUM

TO: MEMBERS OF BOROUGH COUNCIL AND MAYOR RAMBLER
CC: ANN KNORR
FROM: WALTER A. TILLEY, III
SUBJECT: CHANGING FROM ELECTION OF BOROUGH COUNCIL MEMBERS BY
WARD TO ELECTION AT LARGE
DATE: JANUARY 16, 2008

The Borough Code provides a procedure to change the manner in which Borough Council is elected from an election by ward to an election at large. This memorandum is to explain briefly the procedure to be followed.

Step 1: A Petition should be presented to the court based either on a resolution of the Borough Council or upon a petition of borough residents constituting 5% of the registered voters.

Step 2: Upon receipt of the petition, the court will appoint three (3) impartial commissioners. These commissioners shall not own property in or be residents of the borough. Generally, commissioners or persons willing to serve as commissioners are identified prior to the filing of the petition, and their names would be included in the petition. The court would likely appoint the members of the commission recommended in the petition. An alternative could be the use of an existing panel, such as the Board of View, which is used to resolve eminent domain questions.

Step 3: The function of the commissioners is to "inquire into the propriety of the petition". To do this, commissioners commonly hold public hearings as a means of deciding the issue. The guideline for the commissioners on which the decision is based requires that they find that "the abolitions of wards must suit the convenience of the inhabitants of the borough." The borough must pay for the cost of the commissioners.

Step 4: Within sixty (60) days of their appointment by the court, the commissioners must make a report to the court of their findings.

Step 5: Upon receipt of the commissioner's report, the court will confirm the report and direct that the notice of the filing of the report shall be published in the newspaper and allow objections to be filed to the report within thirty (30) days after the advertisement of the filing of the report. The Borough Council must pay for the cost of the advertising.

Step 6: If no objections are filed, a motion is filed with the court to make the report of the commission a final order of court, presumably abolishing the wards and allowing voting at large. If there are objections, a hearing will be held to determine the validity of the objections. Regardless, at

the end of the process, the court will enter an order either abolishing the wards or keeping the ward system in place.

Assuming that the ward system is abolished, the following procedure is followed:

Step 6: Council members who hold office at the time the wards are abolished remain in office for their respective terms and become members of the council at large.

Step 7: When the ward is abolished, the court decrees the election of seven (7) members of council at large. In the case of Wrightsville, this would add one member to the borough council.

Step 8: The newly elected council position will be filled in the first municipal election following the order of court abolishing the ward system. That newly elected member of council, and all other members of council who are up for election in that municipal election shall run for a term of four years. At the second municipal election following the court decree and in all subsequent elections, the members of council then up for election shall serve a four year term.

Conclusion:

As with other decisions made by borough council, the merits of whether to abolish the ward form of election and move to voting at large is a matter that must be discussed at a public meeting, and adopted by resolution. If you have any questions, or if you want me to prepare such a resolution, please contact me. I will prepare the resolution for presentation. You may wish to take this in a two step process, by first adopting a resolution, and if the resolution passes, then moving to the next step of trying to identify commissioners or a panel of people who might be willing to serve as commissioners (such as members of the Board of View) and consult with them. You could then direct that at the subsequent meeting that I file the petition with the court and suggest to the court the persons who will serve as commissioners or the panel from which the court may draw for persons to serve as commissioners to determine whether voting at large is in the best interest of the borough.

WAT/ajm

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