

North Wales Borough Council

Working Guidance

Title: Operating Guidance for Boards and Commissions

Boards and Commissions are created and governed by the State and Local Borough Codes; members are expected to understand and follow these laws and codes. Deviation from these laws and codes can result in potential liability for the Borough.

General Provisions

1. All members of a Board or Commission are appointed by Borough Council.
2. All Boards and Commissions shall have authority only in the specific areas of responsibility granted to such Boards and Commissions by the statutes of the Commonwealth of Pennsylvania, and by North Wales Borough Code.
3. No administrative Board or Commission shall have the authority to spend Borough funds unless provided for in the budget approved by the Borough Council and unless the expenditure is subsequently approved by the Borough Manager, or a member of the administrative staff authorized by the Manager. No administrative Board/Commission shall have the power to enter into a contract unless otherwise provided by the applicable Borough Ordinance.
4. No member of any administrative Board/Commission shall be compensated for his/her duties.
5. Any member of Council who is also a member of a Board or Commission shall be asked to recuse themselves if a conflict is brought forward to Council for resolution involving the same Board or Commission.

Membership and Roles

- **MEMBERS:** All members must participate actively, avoid conflicts of interest, and adhere to legal and ethical standards.
- **CHAIRPERSON AND VICE CHAIRPERSON.** A Chairperson and a Vice Chairperson of each Board or Commission may be elected by the members of each Board or Commission in January of each year, unless prescribed differently in Borough Code. It is the Chairperson's responsibility to Lead meetings, set agendas, and ensure compliance with the Sunshine Act and Borough policies. The Vice Chairperson will lead the team in the absence of the Chairperson.
- **SECRETARY.** The members of each Board or Commission may elect one of their own members to act as Secretary. The Secretary may be elected by the members of each Board or Commission in January of each year, unless prescribed differently in Borough Code. The Secretary or his/her designee shall conduct, at the direction of the Board or Commission, all official correspondence of the Board or Commission, shall keep a record of each meeting and member attendance, examination or other official action and shall perform all other duties required by the laws of the Commonwealth of Pennsylvania or by the Ordinances of the

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Borough. The Secretary will ensure the timely submission of documents to the Borough Manager.

Meetings

The **Pennsylvania Sunshine Act** governs transparency in your work as a Board or Commission.

1. Public Access to Meetings:

- **Requirement:** All official meetings must be open to the public unless legally permitted to be held in Executive Session (extremely rare for a Board or Commission).
- **Executive Sessions:** Closed meetings are allowed for specific reasons, such as personnel matters, legal consultations, or discussing litigation. No votes or official actions can be taken during these sessions; they must occur in a public meeting.
- **Special meetings:** Special Meetings may be held as needed upon the call of the Chairperson or Vice Chairperson, provided that appropriate notice of each meeting is given to each member and advertised to the public in accordance with the statutes of the Commonwealth of Pennsylvania.

2. Quorum Rules:

- A quorum, typically defined as a majority of the Board or Commission members, is required to conduct business. Without a quorum, discussions are informal, and no official decisions or actions can be made.
- Virtual attendance is permitted only if a physical quorum is present.

3. Prohibition of Informal Meetings:

- Members must not deliberate or make decisions on Borough matters outside of a publicly advertised meeting. This includes phone calls, email chains, or casual gatherings if a quorum is present. These actions could violate the Sunshine Act and undermine public trust.

4. Public Notification of Meetings:

- Regular meetings must be advertised annually, with times and dates published.
- Special meetings require additional public notice, typically 24 hours in advance, including the time, date, and purpose of the meeting.

5. Meeting Records:

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- The Secretary must keep accurate minutes, documenting attendance, discussions, votes, and actions taken. These records are public and must be submitted to the Borough Manager for retention.

6. Meeting Management

- All meetings of Boards and Commissions shall be conducted in an orderly fashion and in accordance with the rules delineated in Robert's Rules of Order where not in conflict with the laws of the Commonwealth of Pennsylvania, or Borough Code.

Process for Proposing New Events, Initiatives, or Projects

Bringing new ideas to life requires structured collaboration between Boards, Borough Administration, and Council. Here's the step-by-step process:

1. Idea Submission to Chair:

- **Origin:** Ideas can come from members, residents, or Borough staff.
- **Submission:** Residents or members present ideas to the Chair of the Board or Commission. For residents this could be done during public comment. For members it could be done privately as long as a quorum is not present.

2. Preliminary Review by Chair and Borough Manager:

- The Chair discusses the idea with the Borough Manager to ensure it aligns with Borough policies, codes, and available resources.
- If the idea is feasible, the Chair places it on the agenda for Board or Commission discussion.

3. Board/Commission Discussion and Proposal Development:

- The Board or Commission discusses the idea during a public meeting to determine feasibility and value to the Borough.
- A **formal proposal summary** is drafted, including:
 - Purpose and benefits.
 - Estimated costs and resources needed.
 - Alignment with Borough goals.
 - Any potential challenges or impacts.

4. Formal Vetting by Borough Manager and Staff:

- The proposal summary is submitted to the Borough Manager for detailed review.

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- Borough staff assess legal, logistical, and financial aspects and provide feedback.

5. **Submission to Borough Council:**

- Once vetted, the Borough Manager places the proposal on a Council meeting agenda.
- A representative from the Board or Commission, with support from the Borough Manager, presents the proposal to Council.

6. **Council Review and Decision:**

- Council deliberates, requesting additional information if necessary.
- If approved, the Borough Manager oversees implementation, keeping the Board/Commission informed.

Disputes or Disciplinary Action

- a. **REMOVAL:** Any member of a Board or Commission may be removed prior to the expiration of his/her appointed term by a majority vote of the Borough Council and in accordance with the laws of the Commonwealth applicable to such Board/Commission and the Ordinances of North Wales Borough.
- b. **INTERNAL DISPUTES:**
 - i. The first attempt to resolve an internal dispute between members should be by discussion at a Special Executive Session of the Board or Commission (a non-public meeting) comprised of members only. Any member of the Board or Commission can request the Leader of the Board/Commission to arrange an Executive session for all members. This Executive Session would be specifically focused on conflict resolution. The date and time of the Executive Session must be recorded in the minutes of the Board or Commission.
 - ii. If the dispute cannot be resolved at the Executive Session, then the matter may be escalated to the Borough Manager.