

**BOROUGH OF YEADON
REORGANIZATION MEETING
JANUARY 3, 2012
7:00 PM**

SWEARING IN OF COUNCIL

Mayor Jones-Butler swore in the newly elected Councilors: Rosalind Johnson, Gracie Snead, and Nelva Wright. Mayor Jones-Butler asked the new Councilors to take their seats.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE BY MAYOR JONES-BUTLER

Mayor Jones-Butler called the meeting to order and led the Pledge of Allegiance.

ROLL CALL

John Holden	Present
Rosalind Johnson	Present
Asher Kemp Jr.	Present
Deborah Robinson-Howell	Present (by Skype and/or Telephone)
Gracie Snead	Present
Denise H. Stinson	Present
Nelva Wright	Present
Dolores Jones-Butler, Mayor	Present
Caren Andrews, Manager	Present
Carl Ewald, Solicitor	Present

NOMINATION AND ELECTION OF PRESIDENT

Mayor Jones-Butler asked for a nomination for Council President. Councilor Snead nominated Councilor Johnson. Councilor Stinson nominated Councilor Holden. The nominations were closed. Mayor Jones-Butler called for a roll call vote.

Councilor Johnson announced an unreadiness. She asked for an Executive Session regarding a legal issue concerning the position of Council. The Mayor spoke to the Solicitor who indicated Council must first appoint a President before an Executive Session can be called. The Solicitor confirmed this statement. Councilor Johnson stated she has a concern about a violation of ethics in the Code of Pennsylvania concerning the election of a nominated Councilor. Chapter 11 of the Ethics and Standards and Financial Disclosure Statement mandate that all public officials of the Commonwealth must file a Statement of Financial Interest for the proceeding calendar year no later than May 1st of each year. Councilor Johnson said she reviewed the Financial Interest file given to her by the Borough Manager. Councilor Johnson said Councilor Holden has not filed a Statement of Financial Interest for two consecutive years. Council Johnson continued to read aloud the law where it stated a failure to file the required statement

prohibits a public official from taking the oath of office, continue upon his duties, or receive compensation. Councilor Johnson regrets this had to take place on Council floor at reorganization. Mr. Ewald stated Councilor Johnson is correct. Mr. Ewald said the Borough cannot issue a fine. That rests with the Ethics Commission. Mr. Ewald recommended Council proceed on making the President appointment as required by the Borough Code. Councilor Johnson recommended someone else be nominated for President or close the nominations. Mr. Ewald stated this is a decision for Council. The Borough Solicitor was not advised prior to tonight's meeting that this issue would come up. Mr. Ewald stated there may be an argument that Year 2011 is not due until May 2012. Councilor Holden said tomorrow morning he will resolve any outstanding issues, which may be clerical in nature.

Mayor Jones-Butler stated there are two nominations on the floor. She reminded the public that you do not have to second a nomination. A member of the community said this matter should not be handled at reorganization. Mayor Jones-Butler stated tonight's purpose is to reorganize.

Mayor Jones-Butler announced that she is moving forward and called for a vote. The candidates were presented in the order in which they were nominated. Mayor Jones-Butler called for a roll call vote on the nomination of Councilor Johnson for President. The vote was as follows: yes – Johnson, Snead, Stinson; no – Holden, Kemp, Robinson-Howell, and Wright. The vote did not carry 3 to 4.

Mayor Jones-Butler called for a roll call vote on the nomination of Councilor Holden for President. Councilor Kemp voted yes contingent on the clarification of the ethics matter. Mr. Ewald told Councilor Kemp he had to vote yes or no. Council Kemp voted yes. The vote was as follows: yes – Holden, Kemp, Robinson-Howell, and Wright; no – Johnson, Snead, Stinson. The vote carried 4 to 3.

President Holden thanked everyone.

NOMINATION AND ELECTION OF VICE PRESIDENT

President Holden asked for the nominations for Vice President. Councilor Kemp nominated Councilor Stinson. The nominations were closed. President Holden called for a roll call vote. The vote was as follows: yes – Holden, Johnson, Kemp, Robinson-Howell, Snead, Stinson, Wright. The vote carried 7 to 0. President Holden welcomed aboard Vice President Stinson.

APPOINTMENT OF VACANCY BOARD CHAIR

President Holden asked for nominations for Vacancy Board Chair. Councilor Kemp nominated James Marshall. Councilor Snead nominated Clara Johnson. The nominations were closed. President Holden called for a vote. The candidates were presented in the order in which they were nominated. President Holden called for a roll call vote for James Marshall for Vacancy Board Chair. The vote was as follows: yes – Holden, Kemp, Robinson-Howell, Wright; no – Johnson, Snead, Stinson. The vote carried 4 to 3.

APPOINTMENT OF SIGNATORIES TO THE BOROUGH'S BANK ACCOUNTS

President Holden called for nominations for signatories to the Borough's bank accounts. Councilor Kemp nominated Councilor Johnson. Councilor Johnson declined the nomination. Councilor Kemp nominated Nelva Wright. Vice President Stinson nominated Councilor Snead. Councilor Snead declined. The nominations were closed. President Holden called for a roll call vote for Nelva Wright to be one of the signatories on the Borough's bank accounts. The vote was as follows: yes – Holden, Stinson, Kemp, Robinson-Howell, Wright; no – Johnson, Snead. The vote carried 5 to 2.

Ms. Andrews announced three signers are needed. Ms. Andrews asked if we can continue with the Treasurer as a signer. Mr. Ewald said yes. With that signer the Borough has two which is the minimum needed to conduct business. President Holden said the nomination of a third signer will be tabled to a future meeting.

OTHER BUSINESS

President Holden called for other business. Councilor Johnson asked for the appointment of the Engineer and Solicitor.

President Holden asked for nominations for the Borough Engineer. Councilor Johnson made the motion to appoint Sande Walton and NDI Engineering for the Borough Engineer. The nominations were closed. President Holden asked for a roll call vote. The vote was as follows: yes – Holden, Johnson, Snead, and Stinson; no – Kemp, Robinson-Howell, Wright. Councilor Kemp said no because Council has not had a formal discussion with the nominated engineering firm. The motion carried 4 to 3.

President Holden asked for nominations for the Borough Solicitor. President Holden suggested tabling this nomination. Councilor Johnson motioned to replace the current Solicitor and perform a search for a new Solicitor. President Holden suggested in the interim the current Solicitor should serve in this capacity. Councilor Johnson amended her motion to have a Solicitor search and that the current Solicitor will serve until another Solicitor is appointed by Borough Council.

Motioned By: Councilor Johnson
Seconded By: Councilor Stinson

President Holden asked for a roll call vote. The motion unanimously carried 7 to 0.

President Holden asked for any other business. There was none.

ADJOURNMENT

President Holden asked for a motion to adjourn at 7:45 pm.

Motioned By: Councilor Snead

Seconded By: Councilor Kemp

The meeting was adjourned by unanimous vote, 7 to 0.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Caren D. Andrews".

Caren D. Andrews
Borough Manager/Secretary