

Borough Council Vacancy – Ward 7

Under the terms of the Borough Charter, Council has thirty (30) days after the date of a vacancy to appoint a successor to the position. For this thirty-day period, it is Council's sole prerogative to appoint a qualified person to the position. A "qualified person" is defined in the Charter as:

1. registered voters of the Borough; and
2. shall have been residents continuously in their ward for at least one (1) year preceding their appointment; and
3. must remain continuous residents of their wards during their terms of office.

All three standards must be met to be, and to remain, qualified.

Should Council be unable to elect a person to fill the vacancy, the Mayor may vote on an appointment. Council has fifteen (15) additional days to deliberate and act on an appointment, with the Mayor involved (should she choose to).

Should Council, after forty-five (45) days, still not be in a position to fill the vacancy, the Court of Common Pleas, upon petition of any Member of Council or any five (5) registered voters of the Borough, shall make the interim appointment to fill the vacancy.

The individual appointed by Council to fill the vacancy will serve in that position, as long as they remain qualified, until an elected successor takes office after the May 2017 primary election.

Following Council's action to fill the vacancy, there will be, under the terms of the Charter, two (2) elections for the Ward 7 seat, namely the 2017 primary and 2017 general elections. Mrs. Koopman will be resigning with more than four (4) months remaining in her term. As the resignation of Mrs. Koopman will occur more than ninety (90) days in advance of the next scheduled primary, general, or municipal election, there will be on that May 2017 primary ballot the election of an individual to fill the balance of the remaining unexpired term (May 2017 through Jan 2018).

The individual elected through the primary ballot will serve the balance of the remaining unexpired term, until the first Monday in January 2018.

The Ward 7 Council seat will then again be on the November 2017 general/municipal election ballot for the privilege of serving a full term (four years) on Council. The person elected to represent Ward 7 because of the 2017 general election vote will take office at the first regularly scheduled meeting of Council in January 2018. This person will be eligible, under the charter, to serve two full Council terms.

There is no defined process in the Charter to follow regarding identifying candidates for appointment, nor for vetting those candidates. I would suggest that Council, when making the announcement regarding the vacancy, announce how it intends to fill the vacancy. Council can:

- A. Accept motions for qualified persons directly from Council member(s) without opening the process to qualified persons in Ward 7;
- B. Post the vacancy, accept applications, and then take motion(s) on and vote on candidates;

C. Post the vacancy, accept applications, hold public interviews, and then take motion(s) on and vote on candidates; or

D. Do nothing for 45 days, and let a Common Pleas judge decide.

Council could also involve the Ward 7 Committee(s) in the process A-C (above), if it so chooses.