



Borough of Lewisburg

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Borough of Lewisburg By-Laws

SECTION 1: Regular and Work Sessions

- a) **Work Sessions:** Work sessions of the Borough Council shall be held on the second Tuesday of each month at 6:30 P.M. in the Municipal Building. The purpose of the work session is to discuss items that may appear on the regular meeting agenda, address matters requiring extended deliberation, and provide updates from committees and staff.
- b) **Regular Meetings:** Regular meetings of the Borough Council shall be held on the third Tuesday of each month at 6:30 P.M. in the Municipal Building. Regular meetings are intended for formal decision-making and legislative action.

SECTION 2: Special Meetings

- a) Special meetings of the Borough Council may be called by the President of Council as provided in the Borough Code. Public notice of special meetings shall be provided in accordance with the Borough Code.

SECTION 3: Organizational Meeting and Election of Officers

- a) **Biennial Organization Meeting:** The Council shall hold its organization meeting in accordance with the Borough Code. (Title 8 Chapter 10 Section 3 Sub A; Title 8 Chapter 8 Section 805;
- b) At this meeting, the Council shall elect the following officers from its members: President, Vice-President, President Pro Tempore.
 - i) **Election Procedure:** Nominations for each office shall be accepted from the floor. Votes shall be conducted by roll call, with each member stating their vote aloud. If no nominee receives a majority vote after two ballots, a third roll call shall be held with only the two candidates receiving the highest number of votes on the second ballot.
- c) **Vacancies:** A vacancy in the office of President or Vice-President shall be filled by Council within thirty (30) days after the occurrence of the vacancy by following the election procedure set forth in Subsection a(i) of this Section.
- d) **Removal:** Council may declare a vacancy in either or both of the offices of President and Vice-President for just cause by motion and a majority vote of all Council members at a regular meeting of Council or at a special meeting called for such purpose.

SECTION 4: Duties of the President

- a) The President of Council shall preside over all meetings of the Borough Council; ensure meetings are conducted in accordance with Council's By-Laws and Rules of Order and any applicable laws.
- b) The President shall maintain decorum and enforce the Rules of Order during meetings, including recognizing speakers, managing debate, ruling on procedural questions, and ensuring an orderly and productive discussion.
- c) The President shall authenticate, by signature, all ordinances enacted, resolutions adopted, actions taken, and other documents approved by the Borough Council.
- d) The President shall act as the principal liaison between the Borough Council and the Borough Manager, as well as other staff, to facilitate effective communication and coordination.
 - i) The President shall ensure that all Council directives are communicated clearly to the Borough Manager and are followed through effectively.
 - ii) The President shall regularly meet with the Borough Manager to discuss ongoing projects, budgetary matters, and other issues requiring Council oversight or direction.
 - iii) Agenda Preparation: In collaboration with the Borough Manager and Borough Secretary, the President shall oversee the preparation of meeting agendas, ensuring that all items requiring Council action or discussion are properly listed and prioritized. The President shall have the authority to approve the final agenda for all regular and special meetings.
- e) The President shall serve as the spokesperson for the Borough Council in official capacities, representing the Council's position on matters affecting the Borough, unless otherwise directed by a vote of the Council.
- f) Appointments and Committees: The President shall appoint and remove members of standing and ad hoc committees. The President may recommend the creation of ad hoc committees for specific tasks or projects, subject to Council approval.
- g) General Oversight: The President shall provide general oversight of Council functions to ensure compliance with applicable laws and effective governance.
- h) Reporting and Accountability: The President shall provide periodic updates to the Council on significant matters discussed with the Borough Manager, staff, or external entities. Updates can be provided at any time but can also be requested in writing by a majority of Council present at a Regular Meeting of Council.
- i) Succession: In the absence or incapacity of the President, the Vice-President shall assume the President's duties. If both are unavailable, the President Pro Tempore shall act as the presiding officer and fulfill the President's responsibilities.
- j) Accountability to Council: The President remains accountable to the Borough Council as a whole and must carry out Council directives and decisions without modification or deviation.
- k) Removal of the President: The Borough Council may remove the sitting President for any reason, including but not limited to dereliction of duty, misuse of authority, or violation of these By-Laws or applicable laws.
 - i) A motion for removal must be introduced by a Councilmember and seconded at a regular or special meeting of the Council.
 - ii) Removal requires a majority vote of all members of Council.

- iii) Upon removal, the Vice-President shall immediately assume the role of Acting President until a new President is elected using the procedures outlined in Section 3.
- iv) Overruling the President: Any decision, ruling, or directive made by the President during a meeting may be challenged by a motion from a Councilmember. A motion to overrule the President shall be seconded and debated, subject to the Rules of Order. A majority vote of Council shall be sufficient to overrule the President's decision or directive.

SECTION 5: Duties of Councilmembers

- a) Legislative Authority: Serve as the legislative body of the Borough, responsible for adopting ordinances, resolutions, and policies to govern the Borough in accordance with the Borough Code.
 - i) Ensure all enacted legislation aligns with the Borough's mission and goals.
 - ii) The slate of Committee members shall be presented to the Borough Council at their next meeting for approval.
- b) Fiduciary Responsibility: Exercise prudent stewardship over the Borough's financial resources.
 - i) Review and approve the Borough's annual budget, financial reports, and expenditures.
- c) Representation: Represent the interests of residents and act as a liaison between constituents and Borough government.
 - i) Attend all Borough Council meetings and actively participate in discussions and decision-making processes.
- d) Oversight and Accountability: Monitor the implementation of Council policies and the performance of Borough staff.
 - i) Review reports from the Borough Manager, Secretary, and other officials to ensure transparency and accountability.
- e) Committees and Assignments: Serve on committees as appointed by the President of Council, providing input and recommendations on specific areas of governance.
 - i) Fulfill special assignments or roles as delegated by the Council or President.
 - ii) Committee Chairs are appointed by members of the Committee and not by the Council President.

SECTION 6: Duties of Mayor

- a) Leadership and Representation: Act as the ceremonial head of the Borough, representing Lewisburg at official functions and community events.
 - i) Promote the Borough's interests in intergovernmental and regional matters in accordance and in conversation with Borough Council.
- b) Law Enforcement Oversight: Work with the Police Chief or equivalent personnel to address public safety concerns.
- c) Meetings: Preside over the organization meeting of Council until it is organized and attend any or all regular and special meetings of Council and take part in the discussions of Council on matters pertaining to Borough affairs, subject to any restrictions applicable to members of Council contained in Council's By-Laws and Rules of Order.

- d) Voting at Meetings: Shall vote at meetings of Council, if required, for any reason to affect the organization of Council, to elect any officer who is required to be or may be elected at the organization meeting, and to cast the deciding vote in the event of a tie or split vote of Council.
- e) Ordinances: Shall approve or veto ordinances enacted by Council in accordance with the Borough Code (Title 8 Chapter 10 Section 10A), notifying the Council within 15 days of any vetoes, including the reasons for such action.

SECTION 7: Duties of Borough Manager/TREASURER

- a) Administrative Leadership: Serve as the chief administrative officer of the Borough, responsible for implementing Council policies and overseeing daily operations.
 - i) Supervise all Borough departments, employees, and contractors to ensure efficient service delivery.
- b) Budget and Financial Management: Prepare the annual budget for Council review and approval.
 - i) Monitor financial activities, including revenues, expenditures, and compliance with financial policies.
 - ii) Approve urgent expenditures, including legal expenses up to \$10,000, in collaboration with the President, Vice President, and President Pro Tempore.
- c) Policy Implementation: Ensure all Borough policies, ordinances, and resolutions are effectively executed.
 - i) Report regularly to the Council on the status of ongoing projects, challenges, and accomplishments.
- d) Public Liaison: Act as the primary contact for residents, businesses, and organizations seeking information or services from the Borough.
 - i) Address resident concerns and provide timely responses or solutions.
- e) Record-Keeping and Transparency: Ensure accurate records of all transactions, expenditures, and decisions are maintained.
 - i) Provide documentation to the Council upon request by any Councilmember.
- f) Act in compliance with Chapter 65 Article III of the Lewisburg Borough Code of Ordinances and Sections 1141–1143 of Pennsylvania Borough Code, and Section 1106 of Pennsylvania Borough Code.
- g) Act in compliance with the current Lewisburg Borough job description of borough manager/treasurer.

SECTION 8: Duties of Borough Secretary

- a) Record-Keeping: Prepare and maintain official minutes of all Council meetings, ensuring accuracy and compliance with Pennsylvania law.
 - i) Safeguard Borough records, including ordinances, resolutions, contracts, and other legal documents.
- b) Meeting Management: Prepare agendas for Council meetings in collaboration with the President and Borough Manager.
 - i) Provide adequate public notice of meetings and ensure compliance with the Pennsylvania Sunshine Act.

- c) Correspondence and Communication: Handle official Borough correspondence, including notifications to Councilmembers, residents, and external entities.
 - i) Maintain an open line of communication with Council, staff, and the public.
- d) Financial Administration: Assist with financial record-keeping and reporting as directed by the Borough Manager or Treasurer.
 - i) Issue payment for approved Borough expenditures and maintain documentation of financial transactions.
- e) Transparency and Access: Provide requested documents or information to Councilmembers in a timely manner.
 - i) Ensure public access to records in accordance with the Pennsylvania Right-to-Know Law.
- f) Act in compliance with Sections 1111 and 1113 of Pennsylvania Borough Code.
- g) Act in compliance with the current Lewisburg Borough job description of borough secretary.

SECTION 9: Committees

- a) Standing Committees: At the organization meeting of Council or within ten (10) days thereafter, the President of Council shall appoint members to standing Committees of Council. Each Committee shall consist of at least three (3) Councilmembers.
- b) Responsibilities:
 - i) Administration and Public Safety Committee: All fiscal and administrative matters of the Borough Council, including personnel issues, preparation of the annual budget, and a long-range capital budget, taxation, purchasing, bids, grants, and maintenance and capital expenditures for property, supplies, and equipment. Additionally, the committee shall work with other units of government or authorities to establish policies, budgets and contracts to be recommended to Borough Council. This committee shall work in conjunction with the Mayor, Police Chief, Fire Chief, and Code Enforcement Officers to establish policies, budgets, and contracts to be recommended to Borough Council.
 - (1) Written approval of the Administrative and Public Safety Committee shall be required for all unbudgeted purchase orders in excess of ten thousand dollars (\$10,000.00). For such urgent matters the Committee can authorize expenditures. Nonurgent expenditures must otherwise follow protocol and be approved by a majority vote of Council).
 - ii) Planning/Public Works Committee: All planning functions, including recreation, Borough facilities, public works, lights, sanitation, and recreation facilities, and such other community projects that are matters of legislative concern. It shall work with the legally constituted commissions and authorities and such civic and community groups as requested in the performance of its duties.
 - iii) Ex Officio Members: The President of Council and the Borough Mayor, ex officio, shall be members of each standing committee, and the Borough Treasurer, ex officio, shall be a member of the Finance Committee. Ex officio members shall be entitled to participate in all discussions at the meetings of the committees of which they are members, but they shall not vote as Committee members.

- iv) Ad Hoc Committees: In the event that an Ad Hoc Committee or Subcommittee is required, the President shall present his/her recommendations for its members to Council. Following discussion of the recommendations, the Council may move either to appoint recommended persons or to appoint alternative members. In the event that the President determines there is urgent need for the appointment of an Ad Hoc Committee or Subcommittee prior to an advertised Council Meeting, the President has the authority to appoint an interim Committee or Subcommittee, providing he/she provides Council with the reasons for such urgency at its next regularly scheduled meeting. Presidentially appointed interim Ad Hoc Committees and Subcommittees may be formally ratified by Council at its next business meeting. Council reserves the right through a majority vote to alter the composition of any interim Ad Hoc Committee or Subcommittee so appointed by the President.
- v) Borough staff shall provide secretarial support to standing committees.

SECTION 10: Parliamentary Authority

- a) Council meetings shall be conducted in accordance with the most recent edition of Robert's Rules of Order, except where superseded by the Borough Code or Council's By-Laws and Rules of Order.

SECTION 11: Amendments to By-Laws

- a) These By-laws, wholly or in part, may be amended or repealed by an affirmative vote of a majority of all members of the Borough Council, following advance notice to each member at least twenty-eight (28) days before the meeting at which action on amendment or repeal is to be taken. The notice shall state the extent and precise nature of the repeal or amendment that is proposed.

SECTION 12: Use of Borough Resources by Elected Officials

- a) To ensure proper use and accountability of Borough resources, the following procedures apply:
 - i) Request for Use: Elected officials must submit a written request to the Borough Manager or Borough Secretary specifying the purpose, duration, and specific resources required (e.g., facilities, vehicles).
 - ii) Funds for Borough Elected Official Training and Conference Attendance: Lewisburg's Borough Council Members and the Mayor are eligible to receive reimbursement of up to \$1,000.00 annually for training related to their role as a Lewisburg Borough Elected Official or for attendance at a municipal related conference associated with their duties as a Lewisburg Borough Elected Official. The Borough Elected Official must present acceptable receipts documenting the expenses for which the reimbursement has been requested.
 - iii) Special Funds for Borough Mayor:
 - (1) Per Section 704 of the Pennsylvania Borough Code, the Mayor may join a Mayors' Association, and Council shall pay reasonable dues of up to \$100 for the Mayor to belong to the Mayors' Association. The Mayor may attend the annual

meeting of the Mayors' Association, which shall be held in Pennsylvania in accordance with the procedure adopted by the Mayors' Association. The Mayor may receive the following expenses for attending the annual meeting - registration fee, lodging, meals and mileage for use of a personal vehicle or reimbursement of actual transportation expenses going to and returning from the meeting. The Mayor attending the Annual Meeting shall submit to Council an itemized account of expenses incurred at the annual meeting of the Mayors' Association. The time spent in attending the annual meeting may not be more than four days, including time traveling to and from the meeting.

- (2) During the annual Lewisburg Borough municipal budgeting process, Borough Council may choose to allocate additional funding to the Mayor for use at their discretion for the benefit of Lewisburg Borough and its residents. Any such funding used will be reimbursed to the Mayor upon submittal of acceptable receipts.
- iv) Approval Process: The Borough Manager or Borough Secretary may approve routine requests for the use of Borough resources, provided they do not conflict with Borough operations or policies. Non-routine requests, including those involving significant resources/funding or for Borough Elected Official training/conference reimbursement requests in excess of \$1,000.00 annually, must be submitted to Borough Council for approval. Council approval requires a majority vote and sufficient advance notice from the applicant detailing the purpose, duration, and specific resources requested (e.g., facilities, vehicles, funding). Any costs or expenditures not explicitly approved by Council will not be reimbursed. This provision does not apply to the Mayor's Special Funds detailed in Section 12(a)(iii) above.
- v) Accountability and Recordkeeping: All resources must be returned in the same condition as received. Borough staff shall maintain a log of all approved requests, including the name of the requester, purpose, and condition upon return.
- vi) Prohibited Uses: Borough resources may not be used for personal, political, or non-Borough-related activities as determined either by the Borough Manager and Borough Secretary or Council.
- vii) Inspection and Reporting: Borough staff will inspect returned resources for damage or misuse. Any issues shall be reported to the Borough Manager or Borough Secretary, who may pursue restitution or other corrective actions through action of Council.

SECTION 13: Interim Decision-Making Authority

- a) Emergency Expenditures: The President, Vice-President, and President Pro Tempore, are authorized to approve expenditures for urgent or emergency matters between meetings, provided:
 - i) Expenditures do not exceed thresholds set by Council policy.
 - ii) A report is provided at the next regular meeting.
 - iii) In certain emergency situations, the borough manager, the mayor, and the borough's emergency management coordinator are granted additional authority to make decisions, take action, and expend funds outside the normal chain of command. In

those emergency situations, expenditures could occur without elected official consultation.

- iv) Legal Spending: The President, Vice President, Treasurer, and Borough Manager are authorized to approve legal expenses requiring immediate attention, up to a maximum of \$10,000, without prior Council approval. Any such expenditures must be reported to the Borough Council at the next regular meeting for ratification. Borough staff are required to maintain detailed records of all transactions, expenses, and actions approved under this provision, which must be made available to any Councilmember upon request.

SECTION 14: Disciplinary Actions and Expulsions

- a) Councilmembers: Discipline or censure, but not including removal, of Councilmembers may occur upon a majority vote of all members of Council. Grounds may include violations of the Code of Conduct, conflicts of interest, or dereliction of duties.
- b) Mayor: Censure or disciplinary action against the Mayor must follow the same procedures as for Councilmembers.
- c) Citizens: Disruptive behavior by citizens at meetings may result in removal by law enforcement after a warning by the presiding officer that continuation of such behavior could result in their removal.
- d) Removal of Elected Officials: The removal of elected officials from office must be in accordance with the Pennsylvania State Constitution and Borough Code
 - i) Grounds for Impeachment:
 - (1) All civil officers hold their offices on the condition of good behavior and shall be removed upon conviction of misbehavior in office or any infamous crime. The Governor shall remove from office any civil officer of the Commonwealth, on the address of two-thirds of the Senate. (Article VI, Section 7)
 - (2) All civil officers elected by the people shall be removed by the Governor for reasonable cause, after due notice and full hearing, on the address of two-thirds of the Senate. (PA Constitution Article VI, Section 4)
 - (3) A majority vote of all members of council will be required for any recommendation to the Pennsylvania State Legislature for the removal of office.
 - (4) The Pennsylvania Supreme Court has interpreted these constitutional provisions as the methods for removing elected officials (*South Newton Township Electors v. Bouch*). The court clarified that "misbehavior in office" refers to the breach of a positive statutory duty or the performance of a discretionary act with an improper or corrupt motive. "Infamous crimes" include offenses such as forgery, perjury, and bribery.

Lewisburg Borough's By-Laws was adopted by Lewisburg Borough Council on August 19, 2025.