

THE BOROUGH OF BRENTWOOD



Elected Officials Policies & Procedures Manual

Adopted March 22, 2011

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Date March 22, 2011

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BOROUGH OF BRENTWOOD COMMUNITY VISION STATEMENT

The Borough of Brentwood is a unified, family-oriented community with a strong commitment to civic pride and traditions. While preserving these standards, ideals and traditions, the community shall strive to provide a high quality of life for all, a superior educational system and residential areas with a more suburban character. The community shall support established businesses while encouraging future economic development and effective local government, all within a safe and clean environment.





TABLE OF CONTENTS

1. INTRODUCTION

- 1.1 LETTER FROM THE MANAGER
- 1.2 INTRODUCTION
- 1.3 DEMOGRAPHICS/BACKGROUND INFORMATION
 - 1.3.1. History
 - 1.3.2. Organizational Chart
 - 1.3.3. Structure and Functions of Government
 - 1.3.3.1. Elected Officials
 - 1.3.3.2. Administrative Organization
 - 1.3.3.3. Borough Departments
 - 1.3.3.4. Administrative Boards and Commissions

2. CODE OF ETHICS

- 2.1 CODE OF ETHICS
 - 2.1.1. Statement of Principles
 - 2.1.2. Values
 - 2.1.3. Code of Conduct
 - 2.1.4. Additional Restricted Activities

3. COUNCIL RULES & PROCEEDURES

- 3.1. COUNCIL RULES & PROCEDURE
 - 3.1.1. Regular Meetings; Committee of the Whole
 - 3.1.2. Committee Meetings
 - 3.1.3. Special Meetings
 - 3.1.4. Quorum
 - 3.1.5. Order of Motions; rules of order
 - 3.1.6. Executive Sessions

- 3.1.7. Agendas
- 3.1.8. Voting
- 3.1.9. Minutes
- 3.1.10. Order of Business
- 3.1.11. Procedure for Conducting Meetings
- 3.1.12. Public Participation; enforcement of decorum
- 3.1.13. Use of recording equipment
- 3.1.14. Telephonic Participation
- 3.1.15. Adjournments
- 3.1.16. Enforcement of Procedures

4. ROLE OF THE BOROUGH COUNCIL

- 4.1. ROLE OF THE BOROUGH COUNCIL
 - 4.1.1. Relationship between Council, Borough Manager, Staff and Public
 - 4.1.2. Functioning of the Borough Council
 - 4.1.3. Duty to Act in the Best Interest of the Borough
 - 4.1.4. Duty to Act Consistently with Borough Policies when Representing the Borough Elsewhere
 - 4.1.5. Process for Officials to Question the Legality of Borough Action
 - 4.1.6. Council's Role in the Budget Process

5. ADMINISTRATIVE POLICIES

- 5.1. WAGE ADMINISTRATION
 - 5.1.1. Pay Corrections
 - 5.1.1.1. Underpaid
 - 5.1.1.2. Overpaid
 - 5.1.2. Lost/Stolen Paychecks
 - 5.1.3. Deductions from Paychecks
 - 5.1.3.1. Statutory Withholdings
 - 5.1.3.2. Optional Deductions
- 5.2. REIMBURSEMENT OF EXPENSES
 - 5.2.1. Individual Reimbursements Less than \$100
 - 5.2.2. Non-Travel Related Items Over \$100
 - 5.2.3. Small Equipment Purchases and Supplies Over \$500
 - 5.2.4. Travel Related Expenses
 - 5.2.5. Reimbursement Procedure
 - 5.2.6. Receipt Requirements
 - 5.2.7. Returned or Canceled Purchases
 - 5.2.8. Subsequent Audit and Adjustment
 - 5.2.9. Advances for Expenses
 - 5.2.10. Requesting An Advance
- 5.3. USE OF BOROUGH FACILITIES AND EQUIPMENT
 - 5.3.1. Computers/iPads/IT Policy

6. GENERAL BOROUGH POLICIES

- 6.1 SEXUAL HARRASSMENT POLICY
 - 6.1.1. Statement of Policy
 - 6.1.2. Statement of Prohibited Conduct
 - 6.1.2.1. Physical Assaults
 - 6.1.2.2. Unwanted Sexual Advances
 - 6.1.2.3. Displays or Publications
 - 6.1.2.4. Retaliation
 - 6.1.2.5. Other Acts
 - 6.1.3. Penalties for Misconduct
 - 6.1.3.1. Appropriate Actions
 - 6.1.3.2. Written Record
 - 6.1.4. Procedures for Making, Investigating and Resolving Sexual Harassment and Retaliation Complaints
 - 6.1.4.1. Complaints
 - 6.1.4.2. Cooperation

- 6.2. NONDISCRIMINATION POLICY STATEMENT
 - 6.2.1. Equal Opportunity/Grievance Procedure
 - 6.2.2. Americans with Disabilities Act (ADA)
 - 6.2.2.1. General Statement
 - 6.2.2.2. ADA Compliance
 - 6.2.2.3. Determining the Existence of an ADA Disability Related Matters
 - 6.2.2.4. Compliant Procedure and Medical Examinations
 - 6.2.3. Statement of Reasonable Accommodation
 - 6.2.4. Borough Grievance Procedure for Handling Complaints of Alleged Employment Discrimination

- 6.3. CONTROLLED SUBSTANCE AND ALCOHOL ABUSE POLICY
 - 6.3.1. Employee's Notice Requirement Regarding Criminal Convictions for Violation of Drugs and Alcohol Laws
 - 6.3.2. Penalties
 - 6.3.3. Borough Responsibilities

- 6.4. SMOKING POLICY

- 6.5. WHISTLEBLOWER POLICY

- 6.6. GREEN INITIATIVES
 - 6.6.1. Energy Savings
 - 6.6.2. Recycling
 - 6.6.3. Conservations

7. ACKNOWLEDGMENT FORM

ATTACHMENTS

- A. Disclosure Statement
- B. Employee Expense Report
- C. Advanced Reimbursement/Payment Request



1. INTRODUCTION

1.1

LETTER FROM THE MANAGER



Dear Elected Official:

Borough of Brentwood Elected Officials are vital to achieve our objective of providing excellent services to the residents of the Borough of Brentwood. As you strive to perform your position to the best of your ability, you contribute as a team member to the Borough's overall strength and to its reputation as a first class community.

The Elected Official Policies & Procedures Manual has been specially designed to help acquaint you with the Borough, its organization, policies, and services. It contains useful information which is important to you. Please read the Manual carefully and keep it as a handy reference. The contents of this Manual remain subject to the conditions set forth in the introduction, Section 1.2.

If any questions arise that might not be covered in the Manual, or if clarification is needed, do not hesitate to contact me for assistance.

Sincerely,

**George Zboyovsky
Borough Manager**



1.2

INTRODUCTION

The Elected Official's Policies & Procedures Manual of the Borough of Brentwood (hereinafter referred to as the "Borough") attempts to review in a clear, concise manner, information that may be relevant to Officials of the Borough. The Elected Officials Policies & Procedures Manual is not intended to be an all encompassing statement of Borough policies or procedures.

Hopefully, this Manual will guide and answer questions concerning your role with the Borough. It is not possible to answer in these pages every question which might arise regarding your service with the Borough. When questions arise that cannot be answered by consulting this Manual, they should be referred to the Borough Manager and/or the Borough Solicitor.

The Elected Officials Policies & Procedures Manual is a flexible document subject to change or modification by the Borough Council. The Council reserves the right to modify, terminate, revoke, suspend or change any or all of the provisions of the Manual at any time, and without having to consult or reach agreement with anyone.

The Governor's Center for Local Government Services publishes a Borough Council Handbook and Borough's Mayor's Manual that should be reviewed by members of the Brentwood Borough Council for information pertaining to their roles as elected officials. These documents can be viewed and downloaded free of charge at the following web sites:

http://www.newpa.com/sites/default/files/uploads/borough_council.pdf

http://www.newpa.com/sites/default/files/uploads/borough_mayors.pdf

All changes to the Manual will be circulated among the Borough Officials and employees in a timely manner.

1.3

DEMOGRAPHICS/BACKGROUND INFORMATION



Brentwood has grown to be a thriving suburban area. According to the 2000 Census, the population of the Borough was 10,466 with approximately 4,658 households. Of the households 45% percent are married couples, 11% are single parent families and 36% are single persons living alone. Twenty-seven percent of the families have children under 18. Twenty-one percent of the population is under 19 years of age; 37% is between 20 and 44; 22% is between 45 and 64 and 18% is over 65.

Forty percent of the residents over 25 years old are high school graduates; 17% are college graduates; and 6% possess graduate or professional degrees. Approximately 67% of residents are in the labor force with 33% of the Borough's residents working as managers and professionals and 34% working in sales, clerical and technical occupations. The median household income in 2000 was \$37,013.

Most of the buildings in Brentwood were built before 1950 and are single family homes, apartment complexes and condominiums, and a mix of commercial/apartment type dwellings in the business district.

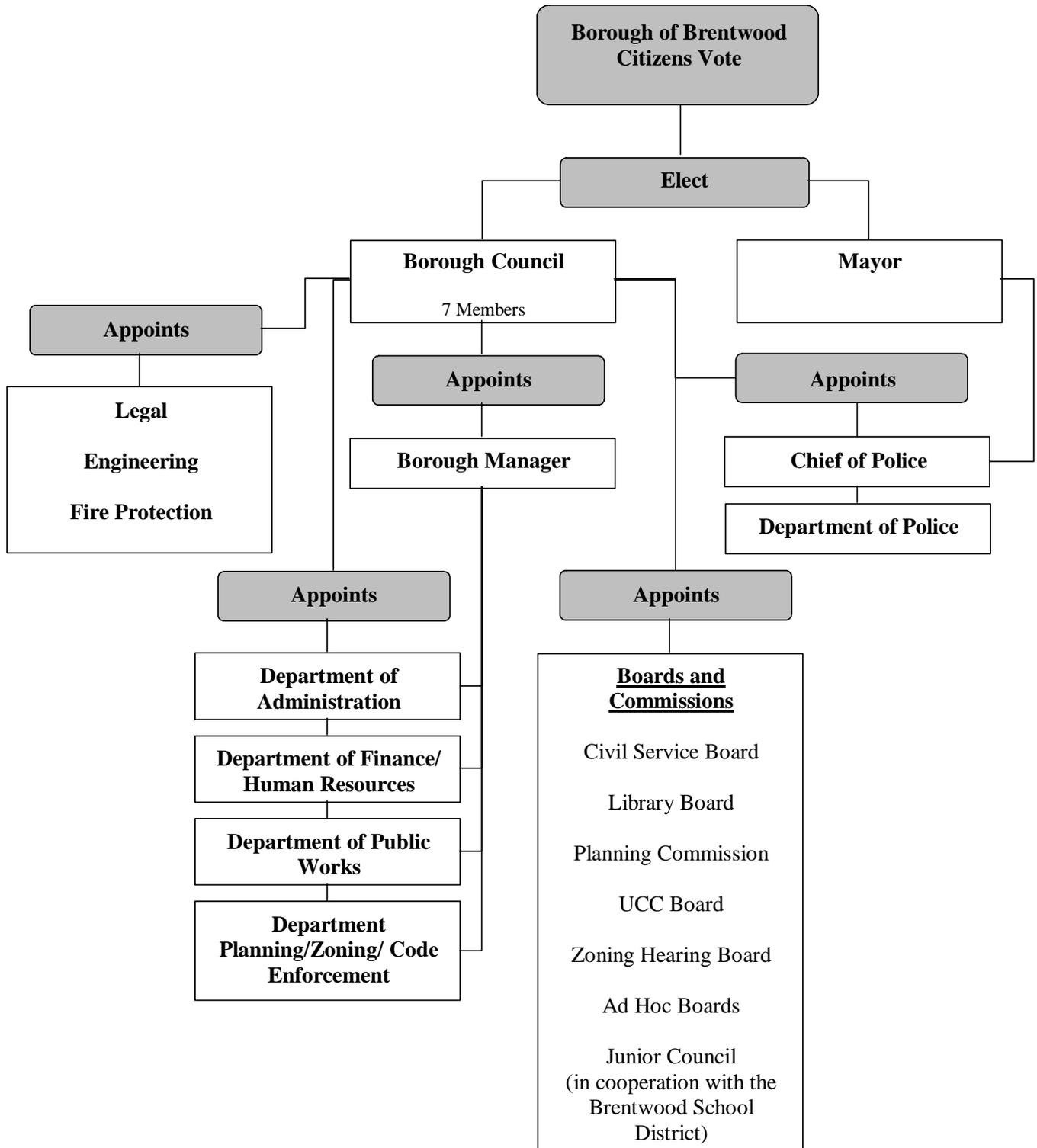


1.3.1. History

The Borough of Brentwood, located in Allegheny County, was originally part of Baldwin Township and included the villages of Brentwood, Pointview and Whitehall and was, at that time, one of the most densely populated parts of the township. Its 880 acres covered approximately one-tenth of the township and was known as Precinct Number 2. It now contains 929.9 acres, or 1.4517 square miles. This increase was due to a change of boundaries in the Brentwood Villa plan of lots, Willet-Kingsley Avenue area. In 1929, 60% of the residents of this Brentwood Villa Plan petitioned Brentwood Borough Council to annex this section and this was subsequently done.

Brentwood Borough was incorporated by decree of the Quarter Sessions Court of Allegheny County and was handed down November 6, 1915, to take effect the first Monday of January, 1916. The proceedings to incorporate were filed on May 15, 1915. Number 37 Quarter Sessions 1915 and exceptions were filed by several individuals who were represented by S. J. Snee, Attorney for Baldwin Township and by John Morrison. Petitioners were represented by C. H. Bracken.

1.3.2. Organizational Chart



1.3.3. Structure and Functions of Government

1.3.3.1. Elected Officials

Seven Council Members are elected from the Borough for four- year staggered terms. A Council member must be a citizen of the United States, a resident of the Borough for at least one year prior to the date of the general municipal election in which he/she is a candidate, and a qualified voter of the Borough at the time of candidacy and during the term of office.



The Mayor is elected to serve for a four-year term. He/She must also be a citizen of the United States, a resident of the Borough for at least one year prior to the date of the general municipal election in which he/she is a candidate, and a qualified voter of the Borough at the time of candidacy and during the term of office.

The Mayor-Council form of government places the legislative duties and the responsibility of directing the Borough in the hands of a group of elected officials. The powers and duties of elected Borough Officials are such as those identified in Article X of The Borough Code of the Commonwealth of PA as amended from time to time. Municipal leaders are elected at large and are accountable to the voting public borough-wide.

Borough Government: The Process

During Council meetings, legislative business is done by passing an ordinance (law) or resolution (policy). Reports and miscellaneous documents may also be presented for Council action. A resolution states a policy or directs that an action be taken. It is not a binding legal restriction. Rather, it announces to the public what the Council intends to happen. An ordinance is a binding legislative act. The Borough Manager places the ordinance on the Council agenda to be discussed by the entire Council. Proposed ordinances may be discussed by the Council and the public. After all testimony is heard, the Council may choose to either vote on the issue or table it for further discussion or more information. The Borough Council is required to advertise all ordinances or resolutions that are legislative in nature, in a local newspaper, before it is adopted.

Becoming a Law: The Final Step

After an ordinance is passed by the Council, it goes to the Mayor to be signed. The original ordinance goes to the Borough's Secretary's office where it becomes a part of the Borough's permanent records.

Resolutions take effect immediately upon passage or on any date specified in the document. All other ordinances take effect upon passage and publication as required by Pennsylvania law.

Minutes are taken of all formal Borough Council meetings. The minutes are kept in the Borough's Secretary's office where they are available for public inspection. They are also provided on the Borough's web's site www.brentwoodboro.com.

1.3.3.2. Administrative Organization

The Council is responsible for appointing the Borough Manager and Police Chief. The Borough Manager and Police Chief are appointed solely on the basis of their executive and administrative qualifications and serve an indefinite term, at the pleasure of the Council.

The Borough Manager, as Chief Executive Officer, is directly responsible and accountable to the Council which is the policy authority of the government. It is the responsibility of the Borough Manager and other administrative personnel to implement the programs and policies established by the Council.

The Police Chief although appointed by the Borough Council falls under the jurisdiction of the Mayor of the Borough. In accordance with Article XI of the Pennsylvania Borough Code, the Mayor of the Borough shall have full charge and control of the Chief of Police and the police force, and shall direct the time during which, the place where and the manner in which, the Chief of Police and the police force shall perform their duties, except that the Borough Council shall fix and determine the total weekly hours of employment that shall apply to the police officers.

1.3.3.3. Borough Departments

The Borough is presently organized into the following departments under the direction of the Borough Manager:

a. Department of Administration -

The Department of Administration is directed by the Borough Manager. The Borough Manager is responsible for community and intergovernmental relations, in-service training programs, staff assistance to Boards and Commissions, personnel matters and coordination of Borough services. Administrative Office Personnel, under the direction of the Borough Manager, perform office related tasks to help the Manager carry out his duties, assist residents, and work to carry out the functions of the Borough.

b. Department of Finance and Human Resources -

The Department of Finance and Human Resources is directed by the Finance Director. The Finance and Human Resources Department is responsible for the administration of financial affairs and personnel management of the Borough. These duties include: collection of revenue, accounting and expenditure control, payroll administration, budget tracking, financial reporting, investments, insurance and internal auditing, collection of delinquent fees, as well as projects assigned by the Borough Manager.



c. **Department of Police** -

The Police Department is directed by the Chief of Police. The Police Department is responsible for all activities related to the general preservation of public order, the prevention and suppression of crime, traffic safety, maintenance of police records and files, coordination of police programs and services with other agencies and staff assistance to the Civil Service Board. This department, directed by the Chief of Police, includes all Police Officers, police clerical, crossing guards and parking enforcement personnel.

d. **Department of Public Works** -



The Department of Public Works is directed by the Public Works Superintendent. The Public Works Department is responsible for the maintenance of municipal parks, pool, stadium, buildings, equipment and facilities, the construction and maintenance of streets, sewers, traffic control signals and signs, animal control and the coordination of refuse removal and recycling. This department includes Public Works Laborers.

e. **Department of Planning/ Zoning/ Code Enforcement** -

The Department of Planning/Zoning/Code Enforcement, under the direction of the Code Enforcement Officer/Building Inspector, is responsible for housing, land and building inspection, code enforcement, long-range planning and community development and staff assistance to the Planning Commission, and Zoning Hearing Board.

The following additional areas are established to operate under the coordination of the Borough Manager:

a. **Legal** -

The Borough Attorney is responsible for furnishing legal advice to the Borough Council, the Borough Manager, Boards and Commissions and for representing the Borough on legal matters. The Borough Attorney is appointed by the Council for an indefinite term and is subject to removal with or without cause.

b. **Engineering** -

The Borough Engineer is responsible for the supervision of all engineering matters of the Borough and staff assistance to the Planning Commission and Borough Manager.



c. **Fire Protection** -

The Volunteer Fire Department is responsible for the handling of commercial and residential fires and other community emergencies. The Department is coordinated by the Fire Chief. The Volunteer Fire Company elects a Fire Chief in accordance with company procedures and bylaws. The Borough of Brentwood provides financial support to the VFD in the form of a cash stipend and payment of gasoline and insurances from the Borough General Fund.

d. Emergency Medical Services (EMS) -

Brentwood's Emergency Medical Services (EMS) is responsible for ambulance service in the community and responding to medical emergencies. Brentwood Emergency Medical Services enhances the quality of life in Brentwood Borough where it serves by providing the highest level of pre-hospital care possible, thereby improving the outcomes of catastrophic illness and significant injury. They accomplish this mission in a caring environment with an emphasis on the safety and professional competency of all staff. The Borough of Brentwood provides financial support to the EMS in the form of a cash stipend and payment of gasoline and insurances from the Borough General Fund. In addition, the EMS is located in the Borough's Municipal Building.

1.3.3.4. Administrative Boards and Commissions

An important role in the governmental process is played by the many citizen boards and commissions appointed by the Borough Council. These boards specialize in selected types of problems and serve as advisors to the elected Borough Council. Members must be full-time residents and qualified voters of the Borough.

The purpose of these boards is to perform duties of a continuing nature in specific areas, as designated by the ordinances of the Borough. All meetings and hearings of administrative boards are open to the public, subject to applicable law. Regular meetings of administrative boards are held on a designated day.

- a. Civil Service Board - three members, six year terms (with terms expiring in different years)
- b. Uniform Construction Code Board of Appeals – three members, three, four, and five year terms
- c. Library Board - seven members, three year term (with terms expiring in different years)
- d. Planning Commission - seven members, four year term (with terms expiring in different years)
- e. Zoning Hearing Board - five members and up to two alternate members, five year term (with terms expiring in different years)
- f. Ad Hoc Boards - may be established as deemed necessary by the Borough Council in accordance with the requirements of the ordinances of the Borough and the Administrative Code. Such Boards shall be created only for specific and temporary purposes.



2. CODE OF ETHICS

2.1

CODE OF ETHICS

2.1.1. Statement of Principles

The public judges its government by the way public officials and employees conduct themselves in the posts to which they are elected or appointed. The people have a right to expect that every public official and employee will conduct himself or herself in a manner that will tend to preserve public confidence in and respect for the government he or she represents. Such confidence and respect can best be promoted if every public official and employee, whether paid or unpaid, and whether elected or appointed, will uniformly:

- Treat all citizens with impartiality, fairness and equality under the law.
- Avoid both actual and potential conflicts between his/her private self-interest and the public interest.

The Borough requires and expects all of its elected officials, appointees and employees to comply with the State Ethics Act in the course of his or her tenure with the Borough.

The Ethics Act and the Commission

The initial version of the first Pennsylvania Public Official and Employee Ethics Act("Ethics Act"), Act 170 of 1978, primarily became effective January 1, 1979. The Ethics Act was amended and reenacted in 1989 by Act 9 of 1989 and was codified in 1998 by Act 93 of 1998, 65 Pa.C.S. § 1101 *et seq.* The Ethics Act was further amended by Act 134 of 2006. The Ethics Act provides that public office is a public trust and that any effort to realize personal financial gain through public office, other than compensation provided by law, is a violation of that trust. The Ethics Act was passed to strengthen the faith and confidence of the people of the Commonwealth in their government. The Ethics Act established the State Ethics Commission to administer and enforce the provisions of the Ethics Act and to provide guidance regarding the standards established by the Ethics Act. Mention the requirement of annually filing a "Statement of Financial Interests?"

A copy of the State Ethics Act is available at the following web site:

http://www.ethics.state.pa.us/portal/server.pt/community/ethics/8995/the_ethics_act/539789

2.1.2. Values

It is hereby the policy of the Borough to establish the principles stated in this Section as core values of Borough governance:

A. Borough Leaders Listen to the Community

Borough leaders listen to the community in a way that fully represents the community's interests and goals.

B. Collaboration is Valued

Council, Mayor and staff should make the maximum effort to collaborate in every endeavor, seeking consensus as far as possible.

C. Borough Leaders Lead and Reason Together

Council members and the Mayor should individually, and collectively, demonstrate the ability to lead and reason together.

D. The Borough Exemplifies Professionalism in Borough Management

Borough leaders exhibit respect for the professionalism and ethical conduct of the Borough Manager and staff.

E. Sustainability

Leaders strive to achieve sustainable outcomes in Borough policies and administration, with sustainable bottom lines for the community, environment, Borough finances and local economy.

2.1.3 Code of Conduct

All elected officials are to abide by the following Code of Conduct.



1. Whatever personal disagreements I have had with other elected officials, whether imposed upon me by others or inflicted by me on others, ended with the adoption of this protocol and a clean slate exists with my fellow elected officials so that we may together promote the principles noted here.
2. I recognize that all of my fellow officials share a common bond with me that is unique to the American political system and seek and hold office in order to serve, maintain and improve the Borough of Brentwood regardless of the views each holds and regardless of whether I agree with those views and opinions.
3. I recognize that allowing the dignity of a fellow official to be sullied or denigrated by others only serves to reduce the dignity and respect for my position as well. My actions and words will reflect the tone and dignity with which I wish to be treated.

4. I will treat others with respect even though I may have serious disagreements. That means that the tone of my voice and my words will be used only to explain my position on matters and not to disparage others or impose my will.
5. Should I run for office against a fellow official or support others who may oppose a fellow official I will do so with respect, courtesy and dignity and will refrain from innuendo, half truths and distortion. I will encourage those running for office to follow these values as well. Further I will encourage those running for office to educate themselves on the workings of the Borough in advance of seeking public office and participate in any orientation offered by the manager and staff.
6. I will not allow others who may have a disagreement with a fellow official to attempt to influence me nor will I listen to or spread the words of anyone, be they employee, citizen, the media or other, which impugns the dignity or integrity of a fellow official and will request that any such individual or group bring matters of disagreement to the official in question.
7. I will only seek to make decisions that serve to further the best interests of the Borough of Brentwood and to that end will not allow partisanship to enter into my decision making.
8. I approach my work informed of issues, enthusiastic, energized, interested, ready to participate, and focused. I prepare by reading agendas and other material before meetings and ask the staff ahead of time informational questions to assist my preparation. In meetings and otherwise, I ask relevant questions that will advance the discussion and assist decision-making.
9. I respect the Manager's position as an apolitical, nonpartisan employee. I will allow the Manager to do his job and refrain from involving him in a disagreement with another official. Further, I assume that the Manager's recommendations, actions, and ideas are made after careful consideration and regardless of who may support a particular side and is done so only in the best interests of Brentwood Borough.

2.1.4. Additional Restricted Activities

In addition to those items listed in § 1103, **Restricted activities**, of the State Ethics Act, Brentwood Borough Council Members shall also adhere to the requirements of this section.

2.1.4.1. Representation of any Party

No official shall represent or appear on behalf of any private person, other than himself, before any public body.

2.1.4.2. Gifts and Favors

No official shall accept any gift, whether in the form of money, thing, favor, loan or promise, that would not be offered or given to him if he were not an official, unless permitted by one of the exceptions stated in this section.

Gifts Allowed by the Exceptions Include-

- 2.1.4.2.1. Any Food or Drink consumable at one(1) meal.
- 2.1.4.2.2. Any gift valued at less than \$50, as long as the donor is **not** a recognized lobbyist or entity that is seeking employment with or business with the Borough. Subject to the annual limit of less than \$100 in gifts from any private source in a calendar year.
- 2.1.4.2.3. Any item of nominal value (i.e., less than \$10). Baseball caps and t-shirts are allowed.
- 2.1.4.2.4. Gifts from relatives (including in-laws).
- 2.1.4.2.5. Gifts from other Council members or employees (except from subordinates, unless a special occasion).
- 2.1.4.2.6. Gifts based on personal friendship offered for a non-business purpose (but a gift of over **\$250** requires disclosure in writing to the Borough Council).
- 2.1.4.2.7. Informational materials (books, videotapes, DVDs) sent to the Borough office. Includes periodicals if sent by publisher.
- 2.1.4.2.8. Commemorative items, such as plaque, if presented at event and inscribed.

BOROUGH OFFICIALS MAY NEVER SOLICIT A GIFT, OR ACCEPT A GIFT THAT IS LINKED TO ANY ACTION THEY HAVE TAKEN OR ARE BEING ASKED TO TAKE.

2.1.4.3. Confidential information

No official shall use or permit the use of any confidential information acquired by him through his position as an official or employee to advance the financial or personal interest of himself or any other person or entity.

2.1.4.4. Nepotism

No official shall appoint or vote for the appointment of any person related to him by blood or marriage as an official or employee when the salary, wages, pay or compensation is to be paid out of public funds. Said relationship extends to a parent, spouse, child, brother, sister or like relative-in-law.

2.1.4.5. Purchases or Sales by Official

No official shall be a purchaser in any sale involving the Borough; nor shall an official be a vendor, directly or indirectly, of any item purchased by him in his official capacity, including a purchase or sale by a parent, spouse, child, brother, sister or like relative-in-law or by any person, firm, partnership, corporation, business association, trustee or straw party for or on behalf of such official.

2.1.4.6. Independence of Judgment

No official shall accept other employment or receive any compensation or make any investments that would impair his independence of judgment in the performance of his duties as an official or employee.

2.1.4.7. Campaign Activities

2.1.4.7.1. Borough officials may do campaign work on their own time (whether as a volunteer or paid campaign employee), but no official or employee may be compelled to do campaign work.

2.1.4.7.2. No campaign activities are allowed in any Borough office or room.

2.1.4.7.3. No use of Borough office resources (including equipment, supplies or files) for any campaign purpose

2.1.4.7.4. No solicitation and acceptance of political contributions from or in any Borough building

Unsolicited contributions mistakenly sent to the Borough office may be forwarded to the campaign within 7 days.

2.1.4.7.5. No Borough official may accept contributions to a campaign by any Borough employee.

2.1.4.8. Resident Issues

2.1.4.8.1. Council Members have broad discretion in helping residents before local government agencies:
- May make a status inquiry; urge prompt and fair consideration; ask for full and fair consideration consistent with applicable laws and regulations; arrange appointments- or, when warranted by the merits of the case, express judgment or ask for reconsideration of a decision.

2.1.4.8.2. No preferential treatment for the Council member's supporters, contributors, or friends in casework matters. All residents are to be treated fairly, and on the merits of their claims.

- 2.1.4.8.3.** Avoid “ex parte” communications in cases before agencies or courts- i.e., off-the-record communications to the decision-maker that are made without prior notice to all parties.
- 2.1.4.8.4.** Council members and Borough employees may not contact an agency on a matter in which they have a personal financial interest.
- 2.1.4.8.5.** Council members may not directly or indirectly threaten reprisal against any agency official, or promise favoritism or benefit.
- 2.1.4.8.6.** Job recommendations for open Borough positions may include only statements that are based on personal knowledge of the applicant, or address the applicant’s character (e.g., honesty, integrity or residence (e.g., lives in the Borough or state)).

Generally, recommendations to private entities may be made on official letterhead only when the Council Member has worked with the applicant in an official capacity.

2.1.4.9. Involvement with Outside Entities

- 2.1.4.9.1.** Council Members generally may be employed by or volunteer for an outside entity (including charities and for-profit companies), provided there is no conflict with official Borough duties.
 - In work for an outside entity/organization, Council Members may not-
 - o Use official Borough resources (including office space, equipment, e-mail, official mailing lists, official letterhead, or the Borough seal)
 - o Perform work for an outside entity in Borough office space
- 2.1.4.9.2.** Council members and Borough Employees may solicit contributions for a § 501 (c)(3) charity or other entities qualified under § 170(c) of the Tax Code, provided that no official resources are used, no official endorsement is implied, no direct personal benefit results to the individual, and registered lobbyists are not targeted.
 - Council Members may NOT be identified by any of their personal titles (Councilman, Councilwoman, or Member of Council) in solicitations on behalf of any outside entity.
 - Solicitations featuring a Council Member’s name may be subject to FEC restrictions.



3.0 COUNCIL RULES & PROCEDURES

3.1

COUNCIL RULES & PROCEDURES

3.1.1. Regular meetings; Committee of the Whole

A. The Borough Council shall hold regular meetings on the third and fourth Tuesday of each month. All such regular meetings shall be open to the public except those portions thereof held in executive session. During the agenda setting meetings held on the third Tuesday of each month, the Borough Council shall sit as a Committee of the Whole in a work session. During the regular business meetings held on the fourth Tuesday of each month, the Borough Council shall sit as a Committee of the Whole in its full capacity as Borough Council. Committee of the Whole regular meetings shall be held in Council Chambers at the Borough Municipal Building unless otherwise designated by the Borough Council. The time of commencement of all meetings shall be set by the Borough Council, and a listing thereof shall be posted on the bulletin board in the lobby of the Borough Municipal Building and made available to the public in the office of the Borough Manager at least three days before any meeting scheduled thereon. Borough Council may consider and vote upon any matter at any of its public meetings.

B. Any deviation of the foregoing subsection shall be determined by the Borough Council. The Committee of the Whole shall be considered a standing committee.

3.1.2. Committee meetings

The Borough Council shall hold committee meetings on the second Tuesday of each month as necessary. All such committee meetings shall be open to the public except those portions thereof held in executive session. A committee meeting may be called by the committee chairperson upon notice to the entire committee and Council President. Notice shall be given by telephone, in person or in writing so that it is received at least two days prior to the date fixed for the meeting. Committee meetings shall be held in Council Chambers at the Borough Municipal Building unless otherwise designated by the Borough Council. The time of commencement of all meetings shall be set by the Borough Council, and a listing thereof shall be posted on the bulletin board in the lobby of the Borough Municipal Building and made available to the public in the office of the Borough Manager at least three days before any meeting scheduled thereon.

3.1.3. Special meetings

Special meetings of the Borough Council are all those Council meetings other than regular meetings. A special meeting may be called by the President of Council or any three Council members upon notice to the entire Council. Notice shall be given by telephone, in person or in writing so that it is received at least two days prior to the date fixed for the meeting. Such meetings shall be advertised at a minimum of 24 hours prior to the meeting.

3.1.4. Quorum

A quorum shall be required to conduct business. A quorum of the seven members of the Council shall be four. In the absence of a quorum, a lesser number may adjourn and compel the attendance of the absent members.

3.1.5 Order of motions; rules of order

A. When a question, motion or resolution is before the Borough Council, the following motions shall be received and have precedence as follows:

- (1) For an adjournment.
- (2) To lay on the table.
- (3) To postpone to a certain date.
- (4) To commit to a standing committee.
- (5) To commit to a special committee.
- (6) To commit to the Committee of the Whole.
- (7) To amend.
- (8) To reconsider.
- (9) To postpone indefinitely.

B. Except as herein provided, the proceedings of the Borough Council shall be governed by Robert's Rules of Order Revised.

3.1.6. Executive sessions

Executive sessions shall be held in accordance with the most recent version of the Pennsylvania Sunshine Act.

3.1.7. Agendas

A. The Borough Manager shall prepare or cause to be prepared an agenda for all regular meetings of the Borough Council, which shall be in detail form so as to provide members of the Borough Council and Mayor with information concerning business to be transacted at the meeting. Said agenda shall include any resolutions or appointments submitted by members of the Borough Council, provided that same shall have been discussed at a meeting of the Committee of the Whole prior to the regular meeting for which any such resolutions or appointments shall be included on the agenda. The members of the Borough Council shall submit copies of all resolutions or appointments to the Borough Manager in sufficient time in advance so that the agenda may be prepared before the time specified herein. The agenda for each meeting shall be prepared and served either personally or by mail to each member of the Borough Council and Mayor on or around 5:00 p.m. on each Friday of the week preceding the date of the regular meeting. The agenda shall also be posted on the Borough Web site and the Borough bulletin board.

B. No resolution or business shall be transacted at the regular meeting of the Borough Council unless such resolution or business appears upon the agenda of the meeting and members of the Borough Council have received the agenda of the meeting within the same time specified herein. By consent of a majority of the members of the Borough Council, this provision may be dispensed with so that the business or resolution may be considered and acted upon at such meeting even though not appearing on the agenda.

C. The Borough Manager shall prepare or cause to be prepared an agenda for all meetings of the Committee of the Whole. On this agenda shall appear all matters which have been referred by the Borough Council or the Borough Manager to the Committee of the Whole. This agenda shall be delivered to the President of Council and the members of the Borough Council at least two days before the meeting of the Committee of the Whole.

3.1.8. Voting

Pursuant to the Pennsylvania Borough Code, each member of the Borough Council shall have one vote. A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by state law. A vote upon any question shall be taken by ayes and nays, and the names of the members present and their votes shall be entered in the minutes.

3.1.9. Minutes

A. Minutes of all public meetings shall be taken by the Secretary. Minutes shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. Minutes shall also include the following:

- (1) Name of the Borough Council.
- (2) Date, place and time of meeting.
- (3) Notation of presence or absence of Council members and time of arrival or departure if different from time of call to order and adjournment.
- (4) Record of communications presented to Council.
- (5) Record of reports made by the Council or other Borough personnel.
- (6) Time of adjournment.
- (7) Signature of Secretary or person who took the minutes if not the Secretary.

B. Minutes need not contain a summary of the discussion leading to action taken or include verbatim comments unless a majority of the Council shall resolve to have the Secretary do so. Amendments to the minutes shall require Council approval.

3.1.10. Order of business

A. Agenda setting and regular Council meetings.

- (1) The order of business for the agenda setting and regular Borough Council meetings shall be:
 - (a) Call to order.
 - (b) Pledge of Allegiance/Invocation.
 - (c) Roll call.
 - (d) Approval of minutes of previous meeting(s).
 - (e) Public comment on agenda items only (first segment). (Regular meetings only. There will be no public comment period at the beginning of the agenda setting meeting unless Council will be acting on an item during the meeting.)
 - (f) Communications.
 - (g) Department and Borough Manager reports.
 - (h) Council President's report
 - (i) Mayor's report.
 - (j) Reports of standing committee(s).
 - (k) Reports of special committee(s).

- (l) Old business.
- (m) New business.
- (n) Public comment on non-agenda items (second segment).
- (o) Adjournment.

(2) The order of business need not be followed if the President of Council determines that it is necessary to deviate.

B. Committee meetings.

(1) The order of business for committee meetings will shall be:

- (a) Call to order.
- (b) Pledge of Allegiance/Invocation.
- (c) Roll call.
- (d) Old business.
- (e) New business.
- (f) Adjournment.

(2) There shall be no public comment period during a Council committee meeting.

3.1.11. Procedure for conducting meetings

A. At the time appointed for any meeting of the Borough Council, the President or, in his/her absence, the Vice President or, in his/her absence, the President Pro Tem shall take the Chair and call the meeting to order. The Chairman may debate, move and take other action that may be taken by other members of the Council. If a quorum is present, as provided in this chapter, the Chairman shall proceed with the order of business prescribed for the meeting.

B. The roll of members shall be called in clockwise order according to their seating position with the Chairman being called last. The next vote will begin with the member who voted second and continue in a clockwise order with the Chairman being called last.

C. The Chairman shall announce all decisions of the Council and shall decide all questions of order without debate, subject, however, to an appeal of any Council member. Any ruling by the presiding officer may be overruled by a majority of the members present.

D. Every member of the Council desiring to speak shall address the Chair and, upon recognition by the Chairman, shall confine remarks to the question under debate, avoiding all indecorous language or reference to personalities. A member of the Council, once recognized, shall not be interrupted when speaking unless it is for the purpose of calling such person to order. If a member of the Council, while speaking, is called to order, that person shall cease speaking until the question of order is determined. When two or more members request the floor at the same time, the Chairman shall name the one entitled to the floor.

E. The Chairman shall be responsible for the orderly conduct of business at each Council meeting and shall preserve order and decorum at such meetings.

F. While the Council is in session, the members of the Council must preserve order and decorum, and no Council member shall, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council or disturb any member of the Council while speaking or refuse to obey the orders of the Chairman or of the Council except as otherwise herein provided.

G. No person, except Borough officials, their representatives and representatives of news-gathering agencies, shall be permitted within the front area of the Council Room without the consent of the Council.

3.1.12. Public participation; enforcement of decorum

A. The Borough shall provide those in attendance a reasonable opportunity to address the Council on any agenda item or any matter of concern, official action or deliberation which may come before Council. This privilege shall occur during the part of the agenda entitled "Public Privilege of the Floor."

B. Speakers must stand. Speakers are requested to give their name, address and organization, if any. Speakers must be recognized by the Chairman. During the first segment of the meeting designated "Public Comment on Agenda Items," speakers may speak only once and will be advised by the Borough Manager when three minutes have expired. Speakers are requested to conclude their remarks at that time. During this segment speakers are only to comment on specific items on the agenda.

C. The first segment will end no later than 30 minutes after commencement in order to allow the Borough business to begin in a timely and reasonable manner. Further questions or statements can be carried over to the second segment.

D. During the second segment of the meeting designated "Public Comment on Non-Agenda Items," speakers may speak only once and are requested to limit their remarks to three minutes. Speakers will be advised by the Borough Manager when three minutes have expired. Speakers are requested to conclude their remarks at that time.

E. In the case of a non-agenda item, citizens are requested, but not required, to present the matter to a member of the Council or Borough Manager in an attempt to resolve the matter beforehand.

F. When a group of persons wishes to address the Council on the same subject matter, it shall be proper for the Chairman to request that a spokesperson be chosen by the group to address the Council and to limit the number of persons addressing the Council on the same matter so as to avoid unnecessary repetition.

G. If the Chairman determines that there is not sufficient time at the meeting, the comment period may be deferred to the next regular meeting or special meeting occurring in advance of the next meeting.

H. All remarks shall be addressed to the Council as a body and not to any member thereof. Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste. Interested parties or their representatives may address the Council by written communications. Written communications shall be delivered to the Secretary or his or her designee.

I. Each "public comment period" segment is intended to afford citizens an opportunity to express opinions and to bring important matters to the attention of the Borough Council. Although they may, nothing herein shall require the President of Council or the Council to answer questions or engage in debate at any Borough Council meeting.

3.1.13. Use of recording equipment

A. All members of the public and all public officials are allowed to tape or video record public meetings. Recording is not allowed during executive sessions. The recording should be done in a manner which does not interfere with the meeting. Those wishing to tape or video record public meetings shall use their own power source.

B. The Chairman may make the determination that the recording is being done in an intrusive manner, taking into consideration, but not limited to, brightness of lights, distance from the deliberations of the Borough Council, size of the equipment and the ability of the public to still participate in the meeting. If the Chairman makes the determination that the recording is intrusive and has the effect of interfering with the meeting, the Chairman may request an accommodation to avoid the interference and, if not complied with, may ask the individual to leave the meeting room.

3.1.14. Telephonic participation

A. A member of the Council may participate via telephone in a Council meeting, if the member declares that circumstances prevent physical attendance at the meeting. If the Council President chooses to participate via telephone, the Council Vice President or President Pro Tem shall preside.

B. No more than the first two members to contact the Borough Manager regarding telephonic participation in a particular meeting may participate via telephone at any one meeting.

C. The member shall notify the Borough Manager and the Council President, if reasonably practicable, at least seven days prior to a Council meeting, but not less than 48 hours in advance of a meeting that the member proposes to attend by telephone. Such notification shall be provided in writing (facsimile and/or electronic transmission included) and shall provide the physical address of the location, the telephone number, and any available facsimile, e-mail or other document transmission service. Failure to provide the notification in writing and within the period of time provided herein shall result in the member's exclusion from attendance of a

Council meeting through telephonic participation. Upon written notification of the member(s) wishing to participate telephonically (within the allotted time frame), the Borough Manager shall notify all Council members of the request.

D. At the meeting, the Borough Manager shall establish the telephone connection when the call to order is imminent.

E. A member participating by telephone shall be counted as present for purposes of discussion and voting.

F. The member participating by telephone shall make every effort to participate in the entire meeting. From time to time during the meeting, the presiding officer shall confirm the connection.

G. The member participating by telephone may ask to be recognized by the presiding officer to the same extent as any other member.

H. To the extent reasonably practicable, the Borough Manager shall provide backup materials to members participating by telephone at the member's expense.

I. If the telephone connection cannot be made or is made and then lost, the meeting shall commence or continue as scheduled and the Borough Manager shall attempt to establish or restore the connection.

J. Meeting times shall be expressed in Pennsylvania time regardless of the time at the location of any member participating by telephone.

K. Participation by telephone shall be allowed for regular, special and agenda setting session meetings of the Borough Council.

L. Remarks by members participating by telephone shall be transmitted so as to be audible by all members and the public in attendance at the meeting, provided that in executive session the remarks shall be audible only to those included in the executive session.

M. As used in these rules, "telephone" means any system for synchronous two-way voice communication.

N. Each Council member may attend a maximum of two meetings by teleconference during the twelve-month period starting January 1 of each year.

O. A Council member may attend an additional two meetings by teleconference during a twelve-month period starting January 1 of each year if the member declares that he/she is physically unable to attend the meeting due to the need for extended medical care and treatment of the member or member's immediate family.

P. In this section, "immediate family" means the spouse of the person, another person cohabitating with the person in a conjugal relationship that is not a legal marriage, a child (including a stepchild or foster child) of the person, a parent, sibling, grandparent, aunt or uncle of the person, or a parent or sibling of the person's spouse.

Q. Council members are responsible for any telephone long distance and/or back-up material transportation charges incurred due to their participation in a meeting via telephone unless they are absent from the community on Borough business. A Council member is not considered to be on Borough business merely by attendance at a Council meeting via telephone. Telephone long distance and/or back-up material shipping charges may not be reimbursed to the member.

3.1.15. Adjournments

Meetings shall be adjourned by motion.

3.1.16. Enforcement of procedures

A. Any person making offensive, insulting, threatening, insolent, slanderous or obscene remarks or who becomes boisterous or who makes threats against any person or against public order and security while in the Council Room shall be forthwith removed at the direction of the Chairman from further audience at the meeting, unless permission to continue is granted by the majority vote of the Council members present.

B. Enforcement of decorum. The Police Chief or any other designated officer shall be ex officio Sergeant at Arms of the Council. He/she shall carry out all orders and instructions given him/her by the Chairman for the purpose of maintaining order and decorum in the Council Room.



4.0 ROLE OF THE BOROUGH COUNCIL

4.0

ROLE OF THE BOROUGH COUNCIL

4.1 Relationship between Council, Borough Manager, Staff and Public

A. Council Oversees Borough Organization But Does Not Interfere With Management

Council establishes budgetary authority for departments and positions, and may determine the duties and compensation of each, but does not interfere with the Borough Manager's management of Borough employees.

B. Council and Borough Manager Roles and Responsibilities Differentiated

Leaders adhere to the separate and distinct policy and management roles of Council and Borough Manager. Administrative policy and complaints are handled by the Borough Manager and Department Heads; legislative policy is established by Council.

C. Performance-Driven Management

Council reviews the Borough Manager's performance annually. The Borough Manager is responsible for performance reviews of subordinates.

D. Borough Attorney Is Legal Counsel to the Borough and Its Officials Collectively

The Borough Attorney is hired by the Borough Council and represents the Borough and in that capacity provides legal advice to the Council, Borough Manager and staff to the extent their interests coincide with the Borough's.

E. Staff Provides Adequate Information for Council Policy-Setting

The Borough Staff under the direction of the Borough Manager shall provide Council information sufficient for effective decisions.

F. Council Will Not Request Unnecessary Information

In recognition of the limitations of staff time and resources, the Council will not request unnecessary information. An exceptionally time-consuming request in excess of fifteen (15) minute of the Borough Manager or Borough Staff requires a majority vote.



G. Public Documents Ensure Open And Transparent Government

The Council and Administration will adhere to laws on public access to documents.

H. Communications to the Public are Essential

The Borough Manager shall be responsible for the Borough communications function, but controversial communications shall be promptly copied to Council. What qualifies as “controversial?”

4.2 Functioning of the Borough Council

A. Importance of Open Public Meetings

The Borough shall comply with the Open Public Meetings Act under Pennsylvania law.

B. There is a Council-Selected President

The Council-selected President presides at Business Meetings of the Council.

C. The Council President Also Embodies Other Leadership Roles

The Council President is the main liaison for the Council with the Borough Manager; a team leader; a goal-setter; an organizer who helps stabilize Council relationships; a champion of the Borough. Are the statements after “main liaison for the Council with the Borough Manager” necessary?

D. Service on Regional Bodies is Shared Among Council Members

Council selects individual Council liaison roles based on the desire, qualifications and skills of interested Council members.

E. Representatives of Borough Act in Accordance with Borough Policies

It is a duty of staff and Council who represent the Borough to advocate positions that are consistent with Borough policies, projects and plans.

F. Councilors Serve in Liaison Roles to Community Organizations

Council approves liaison duties to community organizations for recreation, human services, business community, etc., based on desire and qualifications.

G. Council is Mindful of Limited Resources

Council expense reimbursement is limited to budget; requires receipts; there are other limits on type and amount and shall be in accordance with Section 24.5.

H. Council Authorizes Certain Grant Applications Before Submittal

If a grant would require material matching dollars or impact policy, the Administration will seek Council approval prior to applying. The administration will bring grant opportunities it becomes aware of to the full Council. The Council may also initiate the process of pursuing a grant.

I. Fewer Standing Committees

Because staff time and resources are limited, the Council will use Meetings of the whole Council rather than numerous Standing Committees. Council will consider utilizing a Standing Committee only if needed, e.g. Finance Committee.



4.3 Duty to Act in the Best Interest of the Borough

No elected person shall use his or her position, or the knowledge gained in their position, in such a manner that a conflict arises between the interests of the Borough of Brentwood and his or her personal interests, or the interests of other organizations.

A. Each elected person has a duty to place the interests of the Borough of Brentwood foremost in any dealings with the Borough, and has a continuing responsibility to comply with the requirements of this policy.

If an elected official has an interest in (1) a proposed transaction with the Borough in the form of a significant personal financial interest in the transaction; or (2) any organization or member of immediate family involved in such transaction; or (3) holds a position of trustee, director, officer or employee of such organization; then he or she must make full disclosure of such an interest before any discussion or negotiation of such transaction, and shall abstain from any vote on such matter.



4.4 Duty to Act Consistently with Borough Policies When Representing the Borough Elsewhere.

Both elected Borough officials and non-elected Borough officials are frequently called upon to participate in policy bodies and decision-making forums at the county and regional level. It is hereby the policy of the Borough that, whenever any Borough official (whether elected or staff) is directly or indirectly representing the Borough on a policy making or decision-making body at the county or regional level, it shall be the duty of that individual to act in a manner consistent with the interests of the Borough, as embodied in Borough policy, budget, or other action of Council.

4.5 Process for Officials to Question the Legality of Borough Action

Borough officials, including elected officials, may be indemnified by the Borough (or by insurance purchased by the Borough) for actions taken by an official within the scope of his or her duties. An official should therefore take care to act within the scope of his or her duties, and not cause Borough or personal liability by virtue of individual actions taken in the absence of legal advice.

***An unfounded assertion by a Borough official that the Borough is acting in violation of law can cause undue risk and liability to the Borough, and may therefore constitute a breach of that official's duty to the Borough.**

Therefore, it is hereby the policy of the Borough that the following steps shall be followed if a Borough official questions the lawfulness of the conduct (or proposed conduct) of the Borough or of any of its officials or staff.

1. Consult the Borough Attorney and fully describe the facts and issues which raise a question of illegality.
2. If the advice of the Borough Attorney does not resolve the concern, consult the Borough Manager.
3. If steps “1” and “2” do not resolve the concern, the official may request an executive session of the full Council, if the matter rises to the level of presenting a risk of litigation.

Prior to completing steps “1” through “3”, it is a violation of the Official’s duty to the Borough to assert in public the opinion that the Borough is in violation of law.

4.6 Council’s Role in the Budget Process

4.6.1 Governmental Budgeting:

Governmental budgeting originated as a means to increase control and accountability over expenditures of taxpayer dollars. Now, the budget serves to educate citizens about Borough services and responsibilities, coordinate effective management by establishing levels of performance for Borough services, and bring long-term community planning to fruition. The challenge is to develop a budget that will chart the course of the Borough and carry it successfully into the future. Several important considerations must be weighed when evaluating the Borough’s budget.

4.6.1.1 The budget must balance a number of competing concerns: the challenge of budgeting is to allocate resources among a number of contending interests and constituency demands. The process is further complicated by the need to address nondiscretionary (mandated) expenditures, as well as discretionary spending.

4.6.1.2 The budget is an important policy statement to citizens: line-items are important, but they must be explained in commentary that relates current expenditures to the levels of Borough services, explains the need for capital investment, reviews the historical and projected growth in revenues and expenditures, summarizes the legal constraints on Borough revenues and debt, etc.

4.6.1.3 The budget must provide for continuous delivery of Borough services: it is essential that the Borough have sufficient *reserves for contingencies* so that reductions in revenues do not jeopardize the delivery of important municipal services.

4.6.1.4 The budget should relate to the comprehensive plan: the *operating* and *capital budgets* must relate to the Borough's *comprehensive plan* and other community planning documents. The community's priorities for future growth and expansion need to be reflected in expenditures. The Brentwood Borough Comprehensive Plan will first need to be updated in the near future before it can be utilized as a legitimate planning and budgeting tool.

4.6.1.5 The budget is a management tool: keep in mind that the budget is an effective management tool if performance is measured through specific quantitative goals and objectives. Many cities tie budgeting to performance measures ("*performance budgeting*"), and budget based upon desired levels of service (e.g., miles of street repaved, acres of parks mowed, number of building inspections performed, etc.).

4.6.2 Roles and Responsibilities

There are two broad categories of responsibilities in the budgeting process: Executive/Administrative and Legislative/Policy Making. Each has an important role to play in the formulation, adoption, and implementation of the Budget.

4.6.2.1 The Executive/Administrative Role

Pennsylvania Borough Code provides that the Borough council be responsible for preparing the budget— however, in reality the Borough Manager along with Administrative Staff (the Borough Secretary, finance officer./treasurer or budget director if one exists) typically take the lead in drafting the budget. The most important tasks performed by the Borough Manager are the collection of departmental budget requests and the formulation of a draft budget for council consideration. The Borough Manager also carries out a number of other responsibilities, including: developing the budget calendar, designing budget worksheets and forms, providing instructions to department heads concerning completion of budget worksheets, reviewing department requests for accuracy and completeness, preparing revenue estimates, assisting the mayor and council in reviewing the budget, and coordinating budgeting activities and meetings.

4.6.2.2 The Legislative/Polycymaking Role

The Borough Council should be most concerned with translating policy into reality through the budget process. It is easy for council members to become engrossed in evaluating the minutiae of budgetary line-items. Budgeting micromanagement wastes valuable time, and distracts attention from the most fundamental questions that must be answered in the budgeting process, specifically:

- What levels of service should the Borough provide?
- What expenditures are necessary to support future growth and development?
- What are the policy priorities that the council wishes to fulfill with the budget?

The council also has a valuable role to play in the strategic planning process. Before the budget is formulated, council members can engage citizens in strategic planning to determine their priorities for borough programs and services. The results of strategic planning should guide the policy decisions that are implemented through the budget. In October and

November of 2010, Brentwood Borough Council did just this by conducting a series of strategic planning sessions to assist with the preparation of the 2011 Brentwood Borough Budget.

The above is only a brief summary of the budgeting process associated with local government. I may expand on this concept in future years as I expand the budget report and increase the level of detail of the Borough's budget. I hope that you found the above informational a good foundation as you continue through the remaining sections of the Brentwood Borough Fiscal Year 2011 Budget.



5.0 ADMINISTRATIVE POLICIES

5.1

WAGE ADMINISTRATION

The pay period for Elected Officials is one month in length and the official may expect to receive their paycheck the first pay of each month. This will be either the **first or second Friday** of each month depending on the employee pay period cycle. Paychecks will be received through direct deposit unless an official chooses not to participate in the direct deposit system in which case the paychecks will be placed in the elected officials secure “file drawer” located in the administrative offices. Upon election of direct deposit, all officials are asked to provide the Borough with the proper banking information, usually in the form of a voided check in order to participate in the direct deposit system.

Each Official is also required to keep the Finance Department apprised of any changes in address and to provide information for an accurate computation of Federal and State withholding for income tax purposes.

5.1.1. Pay Corrections



5.1.1.1. Underpaid

If an Elected Official notices an error in the amount received on their paycheck they are to notify the Finance Director. The Finance Director will have the pay corrected by the next pay period, or if necessary, special pay can be run to correct the error.

5.1.1.2. Overpaid

If an Elected Official has been overpaid they are to notify the Finance Director immediately. The Borough and the elected official will come to a mutual agreement on the process and time period that will be followed to reimburse the Borough.

5.1.2. Lost/Stolen Paychecks

For Elected Officials not using the direct deposit system, if a paycheck is lost or stolen the official is to notify the Finance Director as soon as possible. The Finance Director will stop payment on the lost/stolen check and then process a new check. Officials must allow 24-48 hours for the new check to be processed.

5.1.3. Deductions From Paychecks

5.1.3.1 Statutory Withholdings

Automatic and mandatory deductions from pay include Federal Income Tax, Social Security under the Federal Insurance Contribution Act (FICA), Pennsylvania State Income Tax, Local Earned Income Withholding Tax, State Unemployment Compensation Insurance, Brentwood Local Service Tax.

5.1.3.2. Optional Deductions

In addition to the required deductions, the official may authorize additional deductions for the SHACOG Credit Union, Saving Bonds and Deferred Compensation. Optional and mandatory wage attachments will also be deducted from an Official's pay. These deductions may be made by completing the necessary forms supplied by the Finance Department and approved by the Borough Manager.

5.2

REIMBURSEMENT OF EXPENSES

The Borough of Brentwood will reimburse Elected Officials for reasonable business expenses. Please note that all reimbursable expense items are only allowable if permitted by the fund being charged and if identified in the current approved Borough Budget. If an expense is not listed in the latest approved Borough Budget, then authorization must first be obtained by the Borough Manager and then approved by the Brentwood Borough Council. It is important to identify annually any anticipated Borough related expenses for inclusion in the Borough Budget to avoid this process and any delays that may result.

5.2.1. Individual Reimbursements Less Than \$100

Reimbursements to individuals less than \$100 may be processed using departmental Petty Cash funds, with the exception of gifts/gift cards/gift certificates which must be captured in Expense Reports for transmission to Payroll. A receipt is still required.

5.2.2. Non-Travel-Related Items Over \$100

Purchases of non-travel-related goods or services having a value of over \$100 will not be reimbursed. These items must be requisitioned prior to ordering, using the Purchase Order process. In the case of an emergency, purchases of non-travel items having a value greater than the threshold require a memo explaining the requirement for the purchase.

5.2.3. Small Equipment Purchases & Supplies Over \$500

Purchases of small equipment and supplies greater than \$500 per item are only allowable if permitted by the fund being charged. In general, these purchases should be handled with the Borough's Purchase Order process.

5.2.4. Education/Travel-Related Expenses

Borough Officials are expected to limit expenses to reasonable amounts. Only those expenses incurred relating to Official Borough Business will be reimbursed. If it is unclear whether the expense or training pertains to Official Borough Business, such item shall be discussed at a public Borough Council meeting. Education and travel-related expenses shall be in accordance with the approved annual Borough General Fund Budget. Elected officials will not be reimbursed for any educational or travel-related expenses once their budgeted allotment for educational or travel related expenses is exhausted without first obtaining the approval of the Borough Council during a public meeting. Officials are responsible for keeping track of their own expenditures throughout the year. In addition, the following ceilings are placed on various aspects of travel expenses.

Conference, Seminars, Meetings, & Events Registration: will be reimbursed at actual cost. Officials must provide original conference receipts, statements that indicate a zero balance or proof of payment, or an original credit card slip. Other support receipts must also be submitted.

The Official must include the following on the Expense Report: Full name of conference (elaborating on acronyms), and official documentation indicating the dates of the conference or workshop. For meetings, a copy of the Meeting Agenda should be provided.

Guests: of an elected official to any Official Borough Business event are not eligible for reimbursement or payment of any fees associated with the guest. Any expenses or fees associated with the elected official's guest must be paid separately by the elected official or if necessary, reimbursed to the Borough.

Mileage: will be paid at a rate equal to the standard mileage rate allowed pursuant to the Department of Treasury, Internal Revenue Service, Publication 463 as amended.



Meals: will be reimbursed at up to \$10 for breakfasts; \$15 for lunches; and \$30 for dinners, unless the meal is included with the cost of a meeting/seminar, etc. for which a receipt is presented. No more than 15% of the total bill shall be included as a tip.

Lodging: overnight accommodations will be reimbursed on those occasions when necessary.

For overnight trips, all expenses (regardless of amount) must be reported on one Employee Expense Report. This report must include all costs paid directly by the Borough, the claimant, or any other party, and must include those initially paid through advances.

Parking: will be reimbursed at actual cost. Borough Officials must provide an original receipt. A receipt is not required for metered parking.

Airfare: will be reimbursed for Economy class only. When travel plans are known sufficiently in advance, Officials should make every effort to take advantage of charter rates, seat sales or any similar special offers made by airlines.

Original ticket receipts are required, i.e. passenger copy, e-ticket or travel agency invoice that must include all of the following information: passenger name, airline and flight number, date of flight, origin and destination, as well as proof of payment. A copy of the boarding pass is not required. Flight cancellation insurance is allowable if it is accompanied by a receipt. No other form of travel insurance will be reimbursed.



NOTE: It is the responsibility of the Borough Official (overseen by the Finance Director), to obtain a credit/reimbursement from the airline carrier if a trip is cancelled. For trips amounting to significant costs, it is advised to buy flight cancellation insurance.

Other expenses: Any other expenses incurred while on Borough business must be approved individually first by the Borough Council, and are limited to those for which a receipt is presented.

Personal Expenses: Personal expenses incurred on behalf of the claimant, or his/her family, friends, or relatives, may not be reimbursed. Personal expenses include costs which are not a necessary consequence of travel on behalf of the Borough.

5.2.5. Reimbursement Procedure

When travel is completed, Officials should submit a completed Employee Expense Report Form (Attachment B) to the Borough Manager. Receipts and proper documentation of Official Borough Business should accompany all individual expenses for which reimbursement is requested.

Officials should contact the Finance/Human Resources Director for guidance and assistance on procedures related to travel arrangements, expense reports, reimbursement for specific expenses, or any other travel questions.

Abuse of business travel expenses policies, including falsifying expense reports will be brought to the attention of the Borough Council for appropriate action.

5.2.6. Receipt Requirements

Original receipts

Original receipts are required for all expenses being claimed, except for mileage claims, parking meters, and gratuities paid in cash. Photocopies or facsimiles of receipts are not acceptable. Credit card sales slips, credit card statements, canceled checks, airline itinerary confirmations or fare quotes are not acceptable for travel-related expenses.

Electronic Receipts and Purchases

Many purchases are made via websites and the transaction confirmation varies widely depending on the vendor. Electronic receipts are acceptable only if the following information is included:



- Identification of the vendor
- Vendor's numbers, where applicable
- Identification of the buyer
- Full description of what was purchased
- How much was paid, along with proof of payment indication

5.2.7. Returned or cancelled purchases

Claimants are responsible for the adjustment of previously claimed amounts resulting from subsequently returned items or voided transactions. This can be accomplished by submitting a check (with explanations) to the Finance Director.

5.2.8. Subsequent Audit and Adjustment

Approval and reimbursement of an expense reimbursement does not constitute final acceptance. All expense reimbursements are subject to subsequent review and adjustment by the Borough Manager, Finance Director, Internal Audit, or at the request of individual Council Members. The final decision related to any adjustment rests with the Borough Manager. Amounts refused must be reimbursed personally by claimants.

5.2.9. Advances for Expenses

Travel Advances

There are two types of travel advances, all of which must be accounted for at the time of Expense Report submission. In cases where more than one payment is required in advance of a trip, multiple advance requests (and types) may be requested at different intervals prior to the trip.

1. Third-Party Prepayments

These are payments made directly to third-party suppliers in advance of the trip. Examples include payments to conference registration or to a travel agency. Direct payment is strongly recommended, as it can be requested at any time with copy of invoice. The original invoice is submitted with the Employee Expense report following the trip (in order to account for the advance).

2. Out-of-Pocket in Advance of Trip

The Elected Official is out-of-pocket for expenses they personally paid for in advance of the trip. Examples include conference registration or airline ticket paid by the traveler. This type of advance can be requested at any time (and in multiple instances as elected official prepays), with copy of receipt and proof of payment. Original receipts and proof-of-payment is submitted with the Employee Expense Report following the trip (in order to account for the advance).

5.2.10. Requesting an Advance



- Complete an Advanced Reimbursement/Payment Request Form (Attachment C)
- Print and obtain the approval of the Borough Council
- Support the Advanced Reimbursement/Payment Request Form, with photocopies so that the originals can be kept for the Expense Report submission;
- To allow for processing, requests must be received by the Finance Director at least 15 business days prior to the expected payment date;

All advances must be accounted for following the trip by submitting an Expense Report within 30 days of the expected return date.

5.3

USE OF BOROUGH FACILITIES AND EQUIPMENT

During the course of service with the Borough, elected officials are issued Borough items for their use. These items could include a mailbox, computer, keys, etc. These items remain the property of the Borough and are only issued for official Borough purposes. Elected officials are responsible for being able to access the letters and information that are issued using the computer or Borough issued mailboxes.

It is the responsibility of all Borough Elected Officials to assure that all facilities and equipment of the Borough are used with care. Care should be taken to prevent theft, loss, destruction or deterioration of Borough property through appropriate security and maintenance procedures.

Under no circumstances will the Borough Elected Official use Borough tools, equipment and supplies for their own personal use without permission from the Majority of Borough Council at a duly advertised Council Meeting.

At the end of service with the Borough the Official is to return all Borough issued items to the Borough Administrative office. Borough Elected Officials are responsible for lost or damaged (beyond normal wear and tear) items.

5.3.1. Computers/iPads/IT Policy

5.3.1.1 Introduction

- This section is the Acceptable Use Policy for laptops/iPads and other associated devices supplied to an Elected Official.

5.3.1.2 Security of equipment and data

- The equipment provided should be stored and transported securely. Special care **must** be taken to protect the laptop/iPad and removable media device (external hard disc used for backup) from loss, theft or damage. Users must consider the most appropriate way to transport the device and be able to demonstrate that they took reasonable care to avoid damage or loss.

- Elected Official should read and understand the limitations of the insurance coverage.
- Elected Official user log-on id and passwords should only be used by that Elected Official. It is a user's responsibility to prevent their user ID and password being used to gain unauthorised access to systems.
- The equipment has been provided for use by the setting for Official Borough business. It should not be used for purposes beyond this.
- Equipment that is to be reused or disposed of must have all of its data and software erased / destroyed.

5.3.1.3 Internet acceptable use

- Elected Officials **must not** create, download, upload, display or access knowingly, sites that contain pornography or other "unsuitable" material that might be deemed illegal, obscene or offensive.
- Elected Officials must assess and manage any risks associated with Internet usage.
- Elected Official **must not** attempt to disable or reconfigure the Personal Firewall and other filtering or protection software.
- If for some reason you access an inappropriate site by accident, report this to the Borough Manager and I.T. consultant.
- Elected Officials must not without proper authority reveal or publicise confidential or proprietary information when using Internet Services.

5.3.1.4 E-Mail

- Settings should use e-mail addresses that are intended for professional use and avoid the use of 'Hotmail' and similar e-mail addresses. The e-mail address used will be supplied by the Borough of Brentwood with an "@brentwoodboro.com" domain name.
- Under no circumstances should users use e-mail to communicate material (either internally or externally), which is defamatory or obscene.
- When sending a personal e-mail or using the Internet for personal purposes remember that you are still using an address which identifies you as a representative of Brentwood Borough.
- You must be aware that any personal messages you send or sites you visit during personal use will be logged and details may be kept.
- You must not use the computer/iPad in connection with any personal business activity or other paid employment.
- Storage of personal e-mails on computer/iPad must be kept to an absolute minimum. Where personal e-mails and attachments are stored they must be kept in a personal folder and identified as personal in the message header.

- Personal or Borough Business related e-mails, whether created or stored on the computer/iPad, constitutes a Public Record and as such may be subject to a Right-To-Know Request.
- E-mails from unknown sources or which may appear suspicious must not be opened. Software received via e-mail must not be installed. You must consult IT for advice if you receive software via e-mail or e-mail from an unknown source or which is otherwise suspicious. Do not circulate “spam” or junk e-mail. Forward all such mail to the “spam” folder.
- E-mails are formal documents and must not contain remarks that might be potentially embarrassing to the Council, Borough, its employees, or the general public.
- Be aware that e-mail is not absolutely secure. You should consider this when dealing with confidential or sensitive matters.

5.3.1.5 Software

- Settings should only load additional software onto the laptop/iPad where it is required for the administration function of the setting. No personal software should be loaded.
- Only software for which the setting has an appropriate licence may be loaded onto the laptop/iPad. Illegal reproduction of software is subject to civil damages and criminal penalties.
- Elected Official should not attempt to make changes to the software and settings that might adversely affect its use.
- Anti-Virus software is installed and must be updated regularly. This will happen automatically when the laptop is connected to the Internet.

5.3.1.6 Faults/Issues

- Should any faults or problems occur, the Borough’s IT consultant should be contacted and informed as soon as possible so that they may advise on the most appropriate action. Elected Official should not attempt to fix suspected hardware faults.
- Elected Officials should regularly back up their data using the external hard drive and software provided for this purpose, in case hardware or software failure necessitates restoring the device to its original settings.

5.3.1.7 Paperless

- Any Elected Official that is issued a Borough laptop or iPad does so with the understanding that all future correspondence will be via scanned .pdf documents or emails. This includes but is not limited to the following:
 - a. Weekly Council Informational Packets
 - b. Monthly Agenda Packets
 - c. Council related reports that require Borough copying
 - d. Meeting agendas
- It is the responsibility of the Elected Officials to download such documents from the secured Borough web site (IntraNet site) to their laptop/iPad devices and bring their devices with them to the appropriate meetings.

5.3.1.8 Disclaimer

The Borough of Brentwood does not guarantee the security of any information users may enter while making permitted personal use of the computer/iPad. The Borough disclaims all liability that may arise from loss or harm suffered by a user as a result of that information being disclosed to or obtained by any other person and then being further disclosed or being used so as to cause loss to the user.



6.0 GENERAL BOROUGH POLICIES

6.1

SEXUAL HARRASSMENT POLICY

6.1.1.Statement of Policy

The Borough strives to provide an environment which is free from sexual harassment. Sexual harassment, according to the Federal Equal Employment Opportunity Commission (EEOC), consists of unwelcome sexual advances, requests for sexual favors, or other verbal or physical acts of a sexual or sex-based nature where (1) submission to such conduct is made either explicitly or implicitly a term or condition of any individual's employment; (2) an employment decision is based on an individual's acceptance or rejection of such conduct; (3) such conduct interferes with an individual's work performance or creates an offensive work environment.

It is also unlawful to retaliate or take reprisal in any way against anyone who has articulated a complaint of sexual harassment or discrimination, or participated in any investigation of a complaint. Examples of conduct that would be considered sexual harassment or related retaliation are set forth in the Statement of Prohibited Conduct which follows. These examples are provided to illustrate the kind of conduct prohibited by this policy; the list is not exhaustive.

Sexual harassment is unlawful, and such prohibited conduct exposes not only the Borough of Brentwood, but individuals involved in such conduct, to significant liability under the law. Employees at all times should treat other employees respectfully and with dignity, in a manner so as not to offend, oppress, embarrass or harass a co-worker. Accordingly, Borough management is committed to vigorously enforcing its sexual harassment policy at all levels of employment within the Borough of Brentwood.

6.1.2.Statement of Prohibited Conduct

The management of the Borough of Brentwood considers the following conduct to represent some of the acts which violate the sexual harassment policy:

6.1.2.1. Physical assaults of a sexual nature, such as:

- (1) Rape, sexual battery, molestation or attempts to commit these assaults; and
- (2) Intentional physical conduct which is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another employee's body, or poking another employee's body.

6.1.2.2. Unwanted sexual advances, propositions or other sexual comments such as:

- (1) Sexually oriented gestures, noises, remarks, jokes, or comments about a person's sexuality or sexual experience directed at or made in the presence of any employee who indicates or has indicated in any way, that such conduct in his or her presence is unwelcome.
- (2) Preferential treatment or promise of preferential treatment to an employee for submitting to sexual conduct, including soliciting or attempting to solicit any employee to engage in sexual activity for compensation or reward;
- (3) Subjecting, or threats of subjecting, an employee to unwelcome sexual attention or conduct or intentionally making performance of the employee's job more difficult because of the employee's sex.

6.1.2.3. Sexual or discriminating displays or publications in the work place, such as:

- (1) Displaying pictures, posters, calendars, graffiti, objects, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic.

A picture will be presumed to be sexually suggestive if it depicts a person of either sex who is not fully clothed or in clothes that are not suited to or ordinarily accepted for the accomplishment of routine work at the Borough of Brentwood and who has posed for the obvious purpose of displaying or drawing attention to private portions of his or her body.

- (2) Displaying signs or other material purporting to segregate an employee by sex in any area of the work place, other than restrooms and similar semi-private lockers/changing rooms.

6.1.2.4. Retaliation for sexual harassment complaints, such as:

- (1) Disciplining, changing work assignments of, providing inaccurate work information to, or refusing to cooperate or discuss work related matters with any employee because that employee has complained about, or resisted, harassment, discrimination or retaliation; and
- (2) Intentionally pressuring, falsely denying, lying about or otherwise covering up or attempting to cover up conduct such as that described in the item above.

6.1.2.5. Other acts:

The above is not to be construed as an all inclusive list of prohibited conduct. Described here is sexual harassment of any one at whom it is directed or who is otherwise subjected to it. Each incident of harassment, moreover, contributes to a general atmosphere in which all persons who share the victim's sex suffer the consequences. Sexually oriented acts or sex-based conduct have no legitimate business purpose; accordingly, the employee who engages in such conduct should be and will be made to bear the full responsibility for such unlawful conduct.

6.1.3. Penalties for Misconduct

6.1.3.1. Appropriate Actions

Any employee who violates this policy will be subject to discipline, up to and including dismissal.

6.1.3.2. Written Record

A written record of each action taken pursuant to this policy will be placed in the maintained in a file for two years. The record will reflect the conduct, or alleged conduct, and the warning given, or other discipline imposed. This final discipline will be placed in the employee's personnel file or as stated in the employee's collective bargaining agreement.

6.1.4. Procedures for Making, Investigating and Resolving Sexual Harassment and Retaliation Complaints

6.1.4.1. Complaints

Complaints of acts of sexual harassment and retaliation will be accepted in writing or orally, and anonymous complaints will be taken seriously and investigated. A complaint need not be limited to someone who was been the target of harassment or retaliation. Anyone who has observed sexual harassment or retaliation should report it to his/her immediate supervisor. In the event that it would be inappropriate to report such concerns to one's immediate supervisor the report should be made to the Mayor of the Borough of Brentwood.

Only those who have an immediate need to know, including the person to whom a report was made, the alleged target of harassment or retaliation, the alleged harasser or retaliator, and any witnesses will or may find out the identity of the complainant. All parties contacted in the course of any investigation will be advised that all parties involved in a charge are entitled to respect and that any retaliation or reprisal against an individual who is an alleged target of harassment or retaliation, who has made a complaint, or who has provided evidence in connection with a complaint, is a separate actionable offense and subject to discipline under this policy.

6.1.4.2. Cooperation

An effective sexual harassment policy requires the support and example of personnel in positions of management authority. The Borough of Brentwood agents or employees who engage in sexual harassment or retaliation or who fail to cooperate with Borough sponsored investigations of sexual harassment or retaliation may be severely sanctioned by suspension or dismissal. By the same token, officials who refuse to implement remedial measures, obstruct the remedial efforts of Borough officials and other Borough employees, and/or retaliate against sexual harassment complainants or witnesses may be immediately sanctioned by suspension or dismissal.

6.2

NON-DISCRIMINATION POLICY STATEMENT

The Borough is an equal opportunity employer and advocates equal opportunity in employment for all persons without regard to race, creed, color, national origin, age, religion, handicap, disability, ancestry, gender, or sexual orientation. This policy extends to all Borough facilities and participation in all Borough functions. The Borough expects all employees and elected officials to adhere to this equal opportunity policy.



6.2.1. Equal Opportunity/Grievance Procedure

It has been and will continue to be the policy of the Borough of Brentwood that it shall be an equal opportunity employer. To assure full implementation of the policy, the Borough of Brentwood shall act affirmatively to assure it will:

1. Recruit, hire and promote for all job classifications without regard to race, creed, color, national origin, age, religion, handicap, disability, ancestry, or sex.
2. Base decisions solely upon an individual's qualifications and interest in the position being filled.

3. Base promotions or hiring decisions only on the individual's qualifications without regard to race, creed, color, national origin, age, religion, handicap, disability, ancestry, or sex.
4. Ensure that all other personnel actions such as compensation, benefits, transfers, layoffs, return from layoffs, company sponsored training, education, tuition, assistance, social and recreational programs, will be administered without regard to race, creed, color, national origin, age, religion, handicap, disability, ancestry, or sex.

6.2.2. Americans with Disabilities Act (ADA)

6.2.2.1. General Statement

It is the policy of Brentwood Borough to be in compliance with the Americans with Disabilities Act (ADA) and the Pennsylvania Human Relations Act. In regards to non-employment matters, it is the policy of Brentwood Borough to ensure that Brentwood Borough worksites and service delivery centers are appropriately accessible to job applicants, employees and other visitors. In regard to job applicants and employees, it is the policy of Brentwood Borough to ensure that a disabled person (as defined in the ADA), qualified to perform the essential functions of a relevant position, with or without reasonable accommodation, receives fair treatment with respect to that position. It is the general policy of Brentwood Borough not to assume that an applicant or employee has an ADA disability, or needs a reasonable accommodation. However, Brentwood Borough does not require the use of any particular “magic” words by an applicant or employee, to initiate the process of discussing a reasonable accommodation. When considering what might constitute a reasonable accommodation for a disabled applicant or employee otherwise qualified to perform the essential functions of a position, Brentwood Borough will actively discuss that accommodation issue with the applicant or employee.

6.2.2.2.ADA Compliance

In order to assure ADA compliance, Brentwood Borough will take, or has taken, the following steps:

1. It has posted and maintained at all worksite locations a notice of its ADA duty to provide, to applicants and employees, reasonable accommodation.
2. It has surveyed, and will continue to survey, its physical facilities to ensure reasonable access to those facilities by persons with disabilities, including job applicants and employees.
3. It has named Ralph Costa, Code Enforcement Officer/Building Inspector as its ADA compliance officer. Concerns about ADA compliance issues should be addressed, immediately upon perception of those concerns, to Ralph Costa.
4. Job descriptions have been crafted and will continue to be crafted, so as to emphasize and focus on the essential functions of positions.

5. Brentwood Borough's job application form, hiring process, performance evaluation program, and internal job notice/promotion programs have been reviewed to ensure that they do not create inappropriate employment barriers for disabled persons. Brentwood Borough has made contact with Pennsylvania Job Centers, and various not-for-profit organizations servicing the needs of disabled persons, in an effort to ensure that the community of disabled persons receives notices of job opportunities at Brentwood Borough. In addition, Brentwood Borough had made arrangements to own, or have access to, equipment and persons able to aid Brentwood Borough in causing the employment process itself to be accessible to disabled individuals.
6. Brentwood Borough will, unless it creates an undue hardship, reasonably accommodate a successful applicant or employee with an ADA disability who is otherwise qualified to perform the essential functions of the relevant position. In making employment decisions, it is the policy of Brentwood Borough that the existence of a disability, in an applicant or employee who is otherwise qualified to perform the essential functions of a position, where that individual can perform those essential functions with or without reasonable accommodation, will not be a factor in the employment decision.
7. Brentwood Borough has provided, and will continue to provide ADA training for its supervisory and human relations staff.

6.2.2.3. Determining the Existence of an ADA Disability and Related Matters

1. Brentwood Borough recognizes that this crucial determination is a difficult and complex one. When an applicant or employee signals a belief that he/she has an ADA disability, Brentwood Borough will discuss and analyze that issue with the applicant or employee.
2. It is the policy of Brentwood Borough to follow the contents of the ADA, its regulations, and interpretive court decisions as to what constitutes a disability. For example, Brentwood Borough is instructed by these sources that the following do not constitute disabilities: the inability to perform one job or a narrow range of jobs; temporary conditions; individuals who are currently engaging in the illegal use of drugs; homosexuality, bisexuality, transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders, compulsive gambling, kleptomania, pyromania, or psychoactive substance use disorders resulting from the current illegal use of drugs. It is also the policy of Brentwood Borough not to employ, or to continue to employ, an individual whose employment would constitute a direct threat to the health or safety of others that cannot be eliminated by reasonable accommodation.
3. An accommodation which would not allow an otherwise qualified individual to perform all of the essential functions of a job is not a reasonable accommodation. Ultimately, as between various possible reasonable accommodations, Brentwood Borough will make the determination as to which will be utilized. In reaching this determination, Brentwood Borough will thoroughly discuss the issues with the applicant or employee. An accommodation which would impose upon Brentwood

Borough an undue hardship is not a reasonable accommodation. An undue hardship is an action which would put Brentwood Borough to significant difficulty or significant expense in light of specific factors set forth in the ADA itself, and in its implementing regulations.

4. In order to reasonably accommodate applicants and employees Brentwood Borough has secured access to qualified interpreters, and other effective methods, of making aurally delivered materials available to individuals with hearing impairments. It has also secured access to qualified readers, taped text, and other effective methods of making visually delivered materials available to individuals with visual impairments. It will, in appropriate cases, consider job restructuring, part-time or modified work schedules, reassignments to vacant positions, acquisition or modifications of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, and the provision of qualified readers or interpreters, (or other similar accommodations) for applicants or employees with disabilities.
5. Job applicants will not be required to undergo pre-employment offer medical or psychological testing, though they may be required to undergo job-specific skills testing. Job applicants who are offered positions with Brentwood Borough may be required, subsequent to the job offer, to participate in a medical examination. This medical examination may involve either or both physical or psychological analyses. In such an event, the employment offer will be made contingent upon the results of the medical examination. Brentwood Borough will not withdraw the tentative job offer, based upon this examination, without engaging in a discussion with the applicant for the purpose of determining whether there is a reasonable accommodation that would allow the applicant to perform all of the essential functions of the job.
6. An applicant's or employee's medical condition or history will be maintained in a file separate from the basic personnel file maintained on that applicant or employee. This separate medical file will be maintained as a confidential medical record. The only persons who will have access to this separate medical record will be those with a "legitimate need-to-know." This may include informing managers and supervisors regarding necessary restrictions on the work or duties of the employee and necessary accommodations. It may also include informing, where appropriate, first aid and safety personnel regarding any medical condition that may require emergency treatment.
7. It is the policy of Brentwood Borough not to create permanent, "light-duty," positions. From time-to-time, when dealing with employees entitled to receive Worker's Compensation, Brentwood Borough may create, specifically, so such an employee may return to work, as part of a "work hardening" or similar program, a temporary light duty position. The creation of such a position is not a precedent for creating permanent light duty positions, or for eliminating legitimate, essential, functions of a particular job.
8. Please note: Under the law, and this policy, "a test to determine the illegal use of drugs shall not be considered a medical examination."
9. An applicant or employee is disabled, as that word is used in the ADA, where the applicant or employee has "a physical or mental impairment that substantially limits

one or more of the major life activities of such individual...” Working is considered a major life activity. However, this policy recognizes and accepts the position of the Equal Employment Opportunity Commission that one is disabled, in regards to working, where one has a disability that substantially limits one’s ability to perform a wide variety of jobs reasonably relevant to the particular individual.

6.2.2.4.Complaint Procedure and Medical Examinations

1. Because the ADA is driven by a highly technical set of definitions, Brentwood Borough has determined that ADA questions, and complaints, are best addressed to one individual or his/her designee. This will ensure that informed decisions and responses are made in regard to such inquiries/complaints. It will also ensure consistent application of this policy. Therefore, any individual, whether applicant or employee, is requested to address their concerns to Brentwood Borough’s designated ADA officer. The Borough’s designated ADA officer is the Code Enforcement Officer/Building Inspector whose office is located at 3624 Brownsville Road, Pittsburgh, PA 15227 and who can be reached at 481-884-1500.
2. Any complaints of harassment or discrimination against a disabled individual, an individual who has asserted a disability, or an individual who is or has sought to aid or support a disabled applicant or employee will be promptly and thoroughly investigated. In the event that it is determined the accusation(s) has merit, this finding will result in remediation. The remedial activity could include counseling, training, discipline and other remedial activities. Similarly, allegations of retaliation for having raised an ADA reasonable accommodation issue, or for having encouraged or supported the raising of such an issue, will be promptly and thorough investigated, and remediated if appropriate.
3. Any such investigation, or response to an ADA inquiry, will be directed by Brentwood Borough Manager, the ADA officer, who is fully empowered to conduct such investigations and to recommend, directly to the Executive Director, appropriate remedial action.
4. Medical examinations of current employees.
 - a. When an employee asserts the existence of an ADA disability, Brentwood Borough may, at its own cost, have that assertion analyzed by medical authorities of its choice. The scope of the examination would be limited to the issues at hand: i.e., is there medical evidence of an ADA disability given the essential functions of the relevant job.
 - b. When an employee seeks to return to work from a lengthy medical leave of absence, the employer may, in the exercise of reasonable discretion, and at its own cost, have the employee medically examined. Again, the scope of the examination shall be limited to the issues that created the need for a medical leave in the first place, as those medical issues might relate to the employee’s ability to perform the essential functions of the relevant job.

- c. In the event that an examination, conducted pursuant to either numbers 4.a or 4.b immediately above, produces the conclusion that the employee does have an ADA Disability impacting the examined individual's ability to perform all of the essential functions of the relevant job, then Brentwood Borough and the employee shall engage in a thorough discussion of the possibilities of reasonable accommodation.

6.2.3. Statement of Reasonable Accommodation

A qualified employee with a disability will be afforded a reasonable accommodation in order to allow the employee to perform the essential functions of the employee's job. Requests for accommodation should be made to Ralph Costa, Code Enforcement Officer/Building Inspector, who will engage in an interactive discussion with the employee to determine what if any accommodations will permit the employee to perform the essential functions of his or her job. Part of the interactive process may include such medical documentation or examination as may be necessary to assess and make a determination on the request. Any medical/psychological documentation obtained through this process shall be maintained as a confidential medical record.

6.2.4. Borough Grievance Procedure for Handling Complaints of Alleged Discrimination

Any employee who feels that he or she is being discriminated against on the basis of race, color, religious creed, ancestry, national origin, age, handicap, or sex may file a complaint either in writing or verbally to the Borough Manager.

The Borough Manager will meet with the employee after receipt of a complaint in an attempt to resolve the discrimination complaint to the satisfaction of both parties.

In addition to the above, using our complaint process does not prohibit you from filing a complaint with city, state, and/or federal agencies responsible for such complaints.

Human Relations Agencies

Pennsylvania Human Relations Commission
Pittsburgh Regional Office
11th Floor State Office Building
300 Liberty Ave.
Pittsburgh, PA. 15222
412-565-5395
TTY 412-565-5711

Equal Employment Opportunity Commission
Pittsburgh District Office
William S. Moorhead Federal Building
1000 Liberty Avenue Suite 1112
Pittsburgh, PA. 15222
1-800-669-4000
TTY 412-395-5904

6.3

CONTROLLED SUBSTANCE AND ALCOHOL ABUSE POLICY

The Borough of Brentwood is very much concerned about the problems that may be caused by drug use by employees especially as the use relates to the safety, efficiency and productivity of the employees, and its impact upon the residents of the Borough.

It is the declared policy of the Borough of Brentwood that the unlawful manufacture, distribution, dispensation, or use of a controlled substance is prohibited in the workplace.

6.3.1. Employee's Notice Requirement Regarding Criminal Convictions for Violation of Drugs and Alcohol Laws

1. All employees of the Borough of Brentwood are required to notify the Borough Manager of any criminal, felony or misdemeanor conviction for the use of drugs and alcohol. Such notice must be given within five days of such conviction. For the purpose of this Policy "use" means consumption, possession, distribution, possession with intent to distribute, and driving under the influence.

6.3.2. Penalties

1. Borough of Brentwood will consider felony and misdemeanor convictions and will determine the appropriate personnel action. In doing so the Borough will consider the severity of the offense, whether any part of the conduct occurred in the workplace, the position of the employee, the affect of the conviction on the employee's ability to conduct business.

2. An employee who is disciplined, but not terminated, may be required to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency. Furthermore, an employee who is not subject to mandatory termination may, as a condition precedent to returning to work, be required to certify that he/she has enrolled in and/or completed such drug abuse assistance or rehabilitation program.

6.3.3. Borough Responsibilities

The Borough of Brentwood shall maintain a drug-free awareness program for its employees which shall inform them about:

1. The dangers of drug abuse in the workplace;

2. The policy of maintaining a drug-free workplace;
3. The availability of drug counseling, rehabilitation and employee assistance programs that may exist within the community; and
4. The above penalties that may be imposed upon employees for drug abuse violations
The Borough may also implement random drug testing for those Borough employees in safety-sensitive positions (including police, fire, Borough drivers, and operators of heavy equipment.) The results of testing will be strictly confidential.



6.4

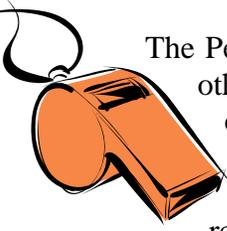
SMOKING POLICY

The Borough complies with revisions of the Clean Indoor Air Act. The Borough is dedicated to protecting the public health and welfare by prohibiting smoking on and in all Borough owned properties. All Borough-owned properties (enclosed and outside) shall be subject to the no-smoking policy, including Borough vehicles.

Smoking shall occur at a reasonable distance outside any area where smoking is prohibited to insure that tobacco smoke does not enter the area through entrances, windows, ventilation systems or any other means. It is a violation for smoke to be detected in any area where smoking is prohibited.

6.5

WHISTLEBLOWER LAW



The Pennsylvania Whistleblower Law provides that an employee may not be discharged, threatened or otherwise discriminated or retaliated against regarding the employee's compensation, terms, conditions, location or privileges of employment because the employee or person acting on behalf of the employee makes a good faith report or is about to report, verbally or in writing, to the employer or appropriate authority an instance of wrongdoing or waste, or that the employee is requested by an appropriate authority to participate in any investigation, hearing or inquiry held by an appropriate authority or in a court action.

Knowledge reported, or evidence presented, shall be in confidence, and shall not subject the reporting individual to undue pressures that create a hostile work environment for the employee.

However, allegations of a criminal nature against other employees that are made with reckless disregard for truth or accuracy, or made as a form of harassment, or retaliation, will subject the reporting individual to disciplinary measures up to and including termination from employment.

ALL employees are subject to disciplinary measures, or termination from employment, for ANY ACTIVITY that interferes with the investigation being conducted into employee misconduct or criminal activity.

Knowledge of deliberate violation of Brentwood Borough Policy or regulations by another employee will be reported, verbally immediately, followed in writing. Allegations of employee misconduct shall be truthful and accurate. Any intent to harass another employee, or to retaliate for any reasons, will be grounds for disciplinary action.

An employee who believes they have been discriminated or retaliated against in violation of the Pennsylvania Whistleblower Law may bring a Civil Action in a court of competent jurisdiction for appropriate relief or damages, or both, within 180 days after the occurrence of the alleged violation.

A violation of this policy should be immediately reported to the employee's supervisor verbally and followed in writing. In the event such a violation would involve the employee's supervisor, the employee should contact the Finance/Human Resources Director, the Borough Manager, the Borough Solicitor or the Council President.

6.6

GREEN INITIATIVES

In an effort to protect the environment the Borough of Brentwood is striving to become more energy-efficient and environmentally-friendly. All employees and elected officials of the Borough are asked to play a part in the Borough's green initiatives.

The following are just a few ways that all Borough employees and officials can go green.

6.6.1. Energy Savings

Employees should turn off all lights, computers, copiers and other equipment at night or when leaving for extended periods of time.

6.6.2. Recycling

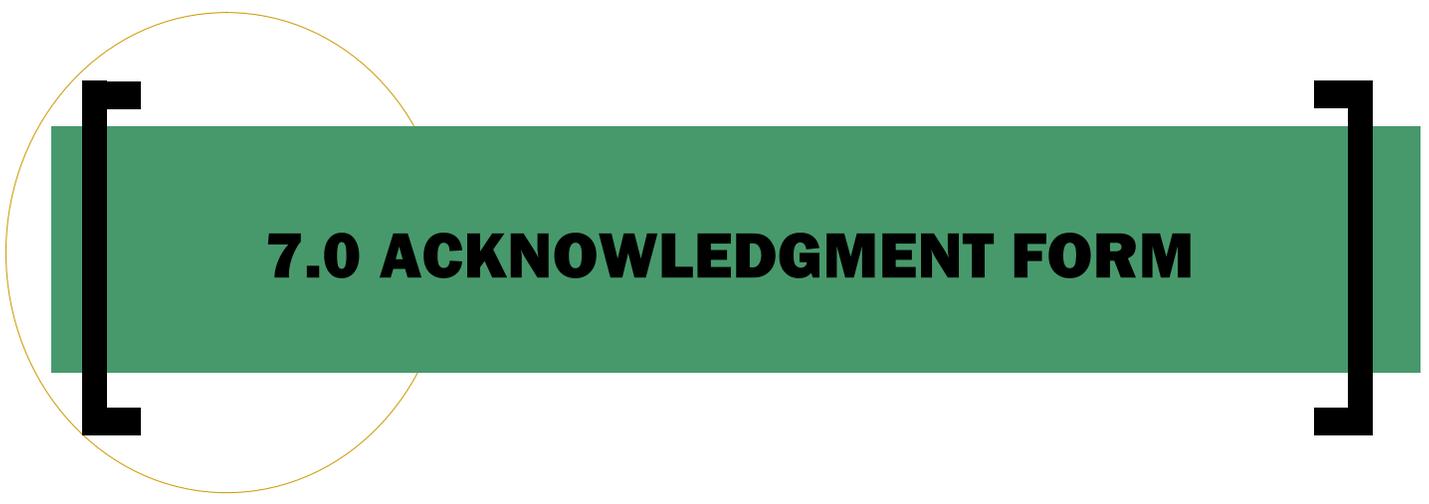
Employees should recycle as many items as possible. This includes the recycling of all paper, bottles, cans, print cartridges and other office materials. Recycling bins/containers will be made available in appropriate areas.

6.6.3. Conservation

Employees should eliminate waste, especially wasted paper and other office supplies. For example, paper waste can easily be reduced by printing papers double sided or by cutting back on the amount of items printed. Documents provided in electronic format should be reviewed on the computer and only printed out when required.

The Borough will continue to look for ways to become more environmentally friendly and encourages all employees to partner with the Borough in working to protect the environment. If an employee notices an area where the Borough can improve its environmental practices they are asked to inform the Borough Manager.





7.0 ACKNOWLEDGMENT FORM

ACKNOWLEDGMENT FORM

The contents of this manual are intended to describe the current policies and procedures that are in effect for the Elected Officials of the Borough of Brentwood. This manual supersedes and replaces all prior notices and policies to the extent that they are inconsistent with the information contained in this manual. No manual of this kind can possibly cover every situation. Situations not covered in this manual will be reviewed on an individual basis, but in a manner as to conform to the intent of the provisions.

Acknowledgment of Receipt

This serves to notify the Borough of Brentwood that I have read a copy of the Elected Officials Policies and Procedures Manual. I understand that it is my responsibility to follow the policies, practices, rules and regulations outlined in the Manual.

Print Name _____

Signature: _____

Date: _____





ATTACHMENTS



Attachment A
THE BOROUGH OF BRENTWOOD

MUNICIPAL BUILDING – 3624 BROWNSVILLE ROAD
PITTSBURGH, PA 15227-3199
Office 412-884-1500 FAX 412-884-1911
www.brentwoodboro.com

DISCLOSURE STATEMENT

NAME _____ DATE _____
(Last) (First) (Middle)

ADDRESS _____

(Number) (Street) (Zip Code) (MUNICIPALITY)

TITLE OR POSITION HELD IN BOROUGH _____

The name of any person, corporation, firm, partnership or other business association in which you have a financial or personal interest and which may be involved in a transaction with the Borough.
(NO DOLLAR OR OTHER VALUE OF AN INTEREST IS TO BE STATED):

Any real estate located in the Borough in which you have a personal or financial interest, except for your real estate used as your residence, if such residence is a one-dwelling unit located on one acre or less:

(Signature) DATE _____

***The Employee is required to notify the Borough Manager of any changes to the above information**



Attachment B

EMPLOYEE EXPENSE REPORT

Date of Departure _____ Date of Return _____ Employee No. _____
 Time of Departure _____ Time of Return _____ Employee Name _____
 Travel Authorization No. _____ Borough _____
 Voucher No. _____

Business Purpose

Employee Reimbursable Expense		Daily Itinerary		Personal Auto		Transportation				Meals / Lodging						Other				Total		
DATE OF EXPENSE	PURPOSE	FROM	TO	NUMBER OF MILES	MILEAGE EXPENSE	AIRFARE	CAR RENTAL	TAXI, PARKING BUS, TRAIN	LODGING TAX (Room, City, etc.)	LODGING	BREAKFAST	LUNCH	DINNER	TOTAL MEALS (Excluding Alcohol)	FEDERAL TRAVEL Per Diem Limits	NON BILLABLE LODGING & MEALS	ALCOHOL	ENTERTAINMENT	BUSINESS MEETINGS	Telephone/Cell/FAX	OTHER EXPENSE	TOTAL
1					0.00									0.00	0.00	0.00						0.00
2					0.00									0.00	0.00	0.00						0.00
3					0.00									0.00	0.00	0.00						0.00
4					0.00									0.00	0.00	0.00						0.00
5					0.00									0.00	0.00	0.00						0.00
6					0.00									0.00	0.00	0.00						0.00
7					0.00									0.00	0.00	0.00						0.00
8					0.00									0.00	0.00	0.00						0.00
9					0.00									0.00	0.00	0.00						0.00
10					0.00									0.00	0.00	0.00						0.00
11					0.00									0.00	0.00	0.00						0.00
12					0.00									0.00	0.00	0.00						0.00
Employee Reimbursable Expenses				0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Original receipts are required for all expenses.
 Record explanation of entertainment, business meals, meetings and other expense on the second sheet and cross reference to the application line above.

SUMMARY	
Advance/Check No. _____	Less Advance _____
Due Employee/(Borough) _____	

Borough Paid Expense																								
1																								0.00
2																								0.00
3																								0.00
Borough Paid Expense																								0.00
TOTAL EXPENSES																								0.00

EMPLOYEE SIGNATURE _____ DATE _____ APPROVED _____ DATE _____
BOROUGH MANAGER

