

BOROUGH OF MARIETTA
Lancaster County, Pennsylvania

RESOLUTION NO: 09-2016

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH
OF MARIETTA, LANCASTER COUNTY, PENNSYLVANIA,
ESTABLISHING REMOTE PARTICIPATION TO COUNCIL MEETINGS**

WHEREAS, Act 43 of 2012 amended the Borough Code (Act 581-1966) and also amended 53 PS §46001, section §1001(c) of the Borough Code states that Council may provide for the participation of council members in council meetings by means of telecommunication devices, such as telephones or computer terminals

WHEREAS, the Marietta Borough Council wishes to allow members to participate remotely.

NOW THEREFORE, be it hereby resolved that the Marietta Borough Council establishes the right for Council members to participate in the Borough Council meetings under the following provisions established in the Pennsylvania Code:

Telecommunication.--Council may provide for the participation of council members in council meetings by means of telecommunication devices, such as telephones or computer terminals, which permit, at a minimum, audio communication between locations, if the following apply:

(A) A majority of the membership of council then in office is physically present at the advertised meeting place within the borough and a quorum is established at the convening or reconvening of the meeting. If, after the convening or reconvening of a meeting, a member has been disqualified from voting as a matter of law, but is still physically present, council members participating by telecommunication device in accordance with this section shall be counted to maintain a quorum.

(B) The telecommunication device used permits the member or members of council not physically present at the meeting to:

(1) speak to and hear the comments and votes, if any, of the members of council who are physically present, as well as other members of council who may not be physically present and are also using a telecommunication device to participate in the meeting; and

(2) speak to and hear the comments of the public who are physically present at the meeting.

(C) The telecommunication device used permits the members of council and the members of the public who are physically present at the meeting to speak to and hear the comments and the vote, if any, of the member or members of council who are not physically present at the meeting.

(D) Physical absence of a council member. Council may only authorize participation by telecommunication device for one or more of the following reasons:

- (1) illness or disability of the member of council;
- (2) care for the ill or newborn in the member's immediate family;
- (3) emergency; and
- (4) family or business travel.

(E) Nothing in this subsection shall be construed to limit the protections and prohibitions contained in any law or regulation relating to the rights of the disabled.

IN WITNESS WHEREOF, this Resolution is adopted the 10th day of May 2016.

Attest:

Marietta Borough Council

Borough Secretary/Treasurer

Bridey Hannold, President

Council members: Harold V. Kulman, Vice-President
Steven Foreman
Sharon Renninger
Leah Nagle
Glen Mazis
Marcus Snow
Raymond Vegso, Mayor