

ORDINANCE NO. 2001-1

AN ORDINANCE OF WEST KITTANNING BOROUGH, ARMSTRONG COUNTY, PENNSYLVANIA, PROVIDING THAT THE SAME PERSON CAN HOLD THE OFFICES OF SECRETARY AND TREASURER.

WHEREAS, 53 PS 46104 authorizes one person to hold the offices of Secretary and Treasurer when so authorized by ordinance.

WHEREAS, it is the intention of the Borough of West Kittanning to authorize the offices of Secretary and Treasurer to be held by the same person.

NOW THEREFORE, effective immediately, upon passage, the offices of the Secretary and Treasurer of West Kittanning Borough may be held by the same person.

ORDAINED AND ENACTED into law by the Borough Council of the Borough of West Kittanning, Pennsylvania, in lawful session assembled this 5th day of February, 2001.

ATTEST:

BOROUGH OF WEST KITTANNING

Mary R. Heckman  
Secretary  
(Seal)

By: Jay A. Young  
President of Council

Approved this 5th day of February, 2001

By: \_\_\_\_\_  
Mayor

**FREDERICK L. JOHN, II**  
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**December 15, 2000**

Mary Heckman, Secretary  
West Kittanning Borough Council  
229 Arthur Street  
Kittanning, PA 16201

**RE: Secretary-Treasurer  
Independent Auditor**

Dear Members of Council:

As a follow-up to a recent phone call from President Jay Yount, Section 1104 of the Borough Code does provide in part that the office of Secretary and Treasurer may be held by the same person when so authorized by ordinance. This provision has been in effect since at least February 1, 1966 and I do not know if the borough already has such an ordinance on its books. In any case, enclosed please find a proposed ordinance which the borough can consider at its January, 2001 meeting, advertise and adopt in February, 2001 unless special meetings would be held prior thereto.

Regarding special meetings, I would recommend that the borough consider a resolution requiring personal or phone contacts by the person or persons scheduling a special meeting to all council members in addition to the newspaper advertising requirement and the notice could also be posted.

Also, it is my understanding that at a special meeting held on Friday, November 24, 2000, there were discussions involving the retaining of an independent auditor. Under Section 1005(7) of the Borough Code, the appointment for an independent auditor provides for an ordinance passed by two-thirds vote of the entire number of councilmen elected and it provides that the existing auditors continue to hold their office during the term for which

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elected and they shall not audit, settle or adjust the accounts audited by such independent auditor but shall perform the other duties of their office. The duties of the auditors are set forth in Section 1041 et seq. of the Borough Code and the duties and responsibilities of an independent auditor are set forth in Section 1196 et seq. of the Borough Code.

Due to the increasingly complex nature of the borough meetings, the council could consider retaining a solicitor who would be available to attend the entire council meeting which I cannot do because of other meetings and commitments that I am required to attend, for at least in part, the same evening. I am available to be solicitor for 2001 and due to the increase of questions and matters of law, along with additional special meetings and pending major projects, in lieu of a yearly retainer I would propose an hourly rate of \$60.00 per hour billable quarterly.

Please feel free to contact me regarding any of the above.

Very truly yours,



Frederick L. John, II

FLJ/st  
enclosure