

What is a vacancy board and what does it do?

According to Section 901 of the Borough Code, a borough official's resignation can occur for many reasons however when a resignation letter is tendered council must accept the letter at a duly advertised public meeting. The date that council accepts the letter council starts the 30-day time frame or the effective date of the tendered resignation whichever is later. The vacancy shall be filled by a registered elector of the borough who has resided one year continuously in the borough or ward, prior to the date of the appointment.

If for any reason the council refuses, fails, neglects or is unable to fill the vacancy, then the vacancy board is convened, only after it is duly advertised as a public meeting and it has 15 days to fill the vacancy. Many boroughs say they don't have a vacancy board, but all boroughs do have a board. The vacancy board consists of the remaining members of council (exclusive of mayor) and one registered elector of the borough who serves as chair, who runs the meeting and does vote. If there is a tie vote, then the mayor does not break the tie, but the chair petitions the county court to fill the vacancy.

If the borough council hasn't appointed a chair to the vacancy board or the vacancy board can't fill the original vacancy within the 15 days, then the council petitions the court of common pleas to make the appointment. There are no details in the Borough Code to explain the court's procedures.

How long is an appointment? Based on Section 901 the council can only appoint up to two years. Therefore, if there was a vacancy in a four-year council seat available after the municipal election, then the qualified appointee serves the rest of 2018 and 2019. The borough secretary shall notify the county board of elections that a two-year seat will go on the 2019 Primary ballot and anyone who meets the qualifications for running for borough office is able to run.