

ASSOCIATION OF MAYORS OF THE BOROUGHES OF PENNSYLVANIA

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Farewell to Former Association President Michael DiNunzio



Mayor Michael DiNunzio

Former Association President and Lansdale Mayor Michael DiNunzio passed away October 2.

Affectionately known as Mayor Mike, he spent most of his 93 years helping others in numerous ways in his personal and public life as evidenced by his participations as a board member or president of countless community boards and organizations.

His son, Michael, Jr., noted his Dad will be remembered as somebody who loved his community. “

“They’ll remember him as somebody who loved the community, and just took joy for all of the people in it. That’s really the reason he did the things he did,” Mike, Jr. said.

Mayor DiNunzio served as borough mayor from 1982 to 2008 and served the Association as second vice president, first vice president and president. As president he was honored with the organization’s Outstanding Mayor of the Year in 2000.

His successor, Andy Szekely, said the tributes to Mayor DiNunzio were fitting for all the lives that he’s touched throughout the years here; not only his 26 as mayor but also his 93 as a person.

Active in the community, Mayor DiNunzio served as president of the North Penn Visiting Nurses for 25 years and as a member for 52 years; vice president of the Lansdale Public Library for 15 years; executive committee of the Montgomery County Division of the Boy Scouts of America, five years; past president and a member of the Lansdale Rotary Club, 52 years and a recipient of the Paul Harris Fellow Award from Rotary International; North Penn Hospital Board and North Penn Senior Center.

Mike was also involved with the United Way and North Penn Chamber of Commerce as past president and board member, respectively.

A charter member of the Lansdale Jaycees for 52 years, he is the honoree of the Michael DiNunzio Award, which was established in 1991 and presented annually in honor of his service to the Jaycees and the community.

Lastly, Mike was honored by Mayor Szekely in a portrait of the late mayor which was donated by Mayor Szekely to the DiNunzio family.

Mayor Szekely said Mayor DiNunzio originally resisted the idea of the portrait but relented with a photo taken this summer.

Farewell, Mayor Mike! The Association extends its sympathy to your family.

Deadlines for Mayor of the Year, Bob Linn Memorial Scholarships Looming

Applications for the Association’s 2012 Outstanding Mayor of the Year and Bob Linn Memorial Scholarship are now available from the Association’s website www.paboroughmayors.org.

Qualifications for the award are as follows:

1. The nominee must be an Association member and completed one full term of four years in office.
2. The nominee must be recommended by a county mayors association or by an elected official of the mayor’s borough.

3. Nominations must be submitted on borough letterhead and forwarded to the Secretary/Treasurer of the Association.
4. All activities (membership, honors, etc.) must have occurred while in office and include length of service (from-to), community organizations served, showing dates and positions held; and a description of involvement in other community projects and the extent of participation.
5. No fax copies will be accepted.

The 2011 award winner was Zelienople Mayor Thomas Oliverio.

Qualifications for the Bob Linn Memorial Scholarship are as follows:

1. The candidate must submit a high school transcript.
2. The candidate must list all school activities and offices held.
3. A letter of recommendation from a guidance counselor of the high school where the candidate is attending, and from a teacher of the student in the 12th grade must be provided.
4. A listing of examples of community service must be provided.
5. A copy of the letter of notification of admission from the college or university where the nominee will be attending is required.
6. An informal letter in the individual's handwriting for the purpose of enabling the Association's Scholarship Committee to become acquainted with the nominee and why the nominee wants to attend college, and what they expect of a college education, must be completed.
7. In relation to an Association member, the application of the nominee shall be from a high school senior who is a son, daughter, grandson, granddaughter, stepson, stepdaughter, step grandson or step granddaughter of a current Association member in good standing.
8. There is no restriction requiring the candidate to be a native of Pennsylvania, or whether the candidate plans to attend a Pennsylvania college or university.
9. The committee requests the right to use discretion if there are no candidates who are going into areas of public administration, which has been identified as the specific area of Association interest.

Please adhere to the aforementioned qualifications when sending scholarship information for award consideration. Two \$1,500 scholarships will be awarded at the Association's mid-year Executive Committee meeting. Contact Secretary/Treasurer Tim Palmieri for information.

No fax copies will be accepted. Deadline for both awards is February 28, 2012.

Macungie Mayor, Police Chief Battle over Police Records

Macungie Mayor Rick Hoffman and Chief Edward Harry, Jr. are in a battle over who controls police records and the dispute has landed in a Pennsylvania appeals court, with the outcome having a ripple effect on hundreds of Pennsylvania boroughs.

At issue is the balance of power between mayors and the police departments they oversee. The Borough Code says the mayor “shall have full charge and control of the chief of police and the police force,” and “shall direct ... the manner in which the chief of police and the police force shall perform their duties.”

Sounds clear on the surface but the provision has resulted in questions through the years about who’s exactly responsible for what—and it has created conflict between the mayor and their police departments.

Mayor Hoffman contends, “If I have no right to look at any records, then I have no oversight. Can you imagine trying to run a company without access to the records? You couldn’t do it. Its checks and balances. Everybody’s accountable to somebody and that’s the way it’s got to work.”

Chief Harry, who has nearly four decades in law enforcement, said he has no problem with civilian oversight but contends the mayor, is trying to exert day-to-day operational control in an age when police departments are more professionalized than ever before and the training is more rigorous and specialized.

Recently, the mayor won a preliminary legal victory in his battle to gain access to the records.

Lehigh County Judge Michele Varricchio ruled the mayor is the chief law enforcement officer of the borough and is entitled to see police records, files and schedules.

Lehigh County District Attorney Jim Martin said the judge’s ruling is overbroad and that her interpretation of the Borough Code conflicts with the mandates of more recent state laws, including the Commonwealth Attorneys’ Act, the Municipal Police Jurisdiction Act and the Criminal History Record Information Act, which regulates the dissemination of sensitive law enforcement materials.

Mr. Martin added mayors simply don’t have the necessary training, experience or background to run the day-to-day operations of a police department, nor do they have a legitimate need to inspect sensitive police files.

If Judge Varricchio’s decision is allowed to stand, Martin warned the state police could decide to eliminate the borough’s access to CLEAN, an extensive statewide database of driver’s licenses, motor vehicle, criminal background and other sensitive information that’s restricted for use by law enforcement agencies.

News from Around the Commonwealth



Former First Lady Laura Bush was the keynote speaker at the June commencement of Grove City College. Flanking her are Grove City Mayor and Executive Committee member Randy Riddle and his wife, Sallie.

An Irvona bridge that will carry motorists over Clearfield Creek will also carry a native hero's name upon completion.

Borough officials are finalizing plans to name the under-construction span after Mary Ellen Tiesi, an Irvona native and 1980 Glendale High graduate who died in the 9/11 World Trade Center attack in 2001.

Mayor John "PJ" Patterson says it's an overdue tribute.

"We'd been kicking around ideas around for quite a while, and then this came up at a council meeting and it was like, 'Let's see what we can do,'" Mayor Patterson said.

"We approached the family – and they agreed," Mayor Patterson said. "It's really an honor to be able to give something back to them."

Mary Ellen's brother, Joe, said the family is humbled by the honor.

"That they took the initiative, it's just wonderful," he said. "We're very, very touched."

Mayor Patterson said the borough has spoken to PennDOT and received a preliminary okay while State Rep. Camille “Bud” George has worked to make it happen through other state agencies.

A plaque at Glendale High School also honors Mary Ellen, who graduated from St. Francis University before moving to New Jersey to work in insurance.

School board member Joe Vesnesky, who lived two doors down from the Tiesi family, said Mary Ellen deserves the honor. He recalled her as active in high school, personable and very family-oriented.

“It wasn’t just what she did. Her family had strong roots here,” Mr. Vesnesky said, commending Irvona council for their efforts. “This was truly her home.”

Mayor Patterson said if all goes well, the bridge will be ready for traffic and a dedication this month.

Have A Legal Question?

With an increased number of legal inquiries made to Association Solicitor Jerry Weigle, members are reminded the officers and Executive Committee are available to help and appreciate the opportunity to communicate with the membership from time to time via this newsletter on legal matters of general interest.

“When contacted by a member mayor on a specific legal question, one of my first questions in response is, ‘have you discussed this issue with your own borough solicitor?’”

Section 1117 of the Borough Code entitled **Duties of the Solicitor** requires that the borough solicitor represent not only the borough council but also the mayor in carrying out their respective legal duties under the Borough Code. Such duties would certainly include providing legal advice and rendering of a written legal opinion upon request.

“The questions that I receive necessarily will involve conflicts between the Council and the Mayor,” Mr. Weigle states. “Knowing specifically what the position of the Borough Council is after receiving legal advice from the Borough Solicitor (preferably in written form) is invaluable in ‘cutting to the chase’, so to speak, to narrow the questions or issues to be resolved.

Questions of a legal nature should be directed to Association Solicitor Jerry Weigle at 126 East King Street, Shippensburg, PA 17257, by phoning (717) 532-7388, or e-mail at jweigle@weigleassociates.com.

2012 Dues Are Due

Annual dues statements for 2012 were mailed to borough managers or secretaries several months ago. If you haven't received an invoice statement, contact Tim Palmieri.

Please fill out all dues statements completely, with a correct address, so that information can be kept current for mailing purposes. This includes incumbent mayors.

In a number of returned renewals, a returned dues statement was not included with the payment or the statement was left blank.

Benefits include our quarterly newsletter, which has current information for borough mayors, the MAYORS' REGISTER, which carries a listing of all our members, and anytime access to our Internet website.

Please note: To ensure uninterrupted delivery of all correspondence and publications, as well as accurate listings in the MAYORS' REGISTER, it is imperative that each member promptly inform the secretary/treasurer of any changes in the mayor's office. This would include a change in the name of the incumbent and/or mailing address.

Mayor's ID Badge, Baseball Cap Available to Membership

Do you want to show your loyalty to the Association? Then think of purchasing an identification badge or custom-made baseball cap.

The hats come in lightweight and heavyweight versions and are available for \$20 each, which includes shipping and handling. The identification badge sells for \$15.

To order the baseball cap, or identification badge or both items, please download a form from the Association website and send it to Association Secretary/Treasurer Tim Palmieri, 602 Golf Course Road, Aliquippa, PA 15001. Requests will be filled on a first-come, first-serve basis. Please allow reasonable time for shipping and delivery.

Payment by check or money order can be made to the Association of Mayors of the Boroughs of Pennsylvania.

THE EXECUTIVE COMMITTEE

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1 st Vice President	Thomas R. Lloyd	1444 Hillsdale Ave., Suite 10, Dormont, PA 15216
2 nd Vice President	Thomas D. Reenock	1401 Laubach Avenue, Northampton, PA 18067
Secretary-Treasurer	Tim Palmieri	602 Golf Course Road, Aliquippa, PA 15001
Solicitor	Jerry A. Weigle	126 East King Street, Shippensburg, PA 17257

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