

INTER-OFFICE MEMORANDUM

CITY OF HARRISBURG

October 24, 2013

TO: Elected Officials

FROM: Daniel C. Miller
City Controller

SUBJECT: 2013 Residency Report

The 2012 Harrisburg City Code stated that annually in July every employee of the city shall file with the City Controller a certificate stating the employee's name and place of residence. Such residence certificate shall be signed under penalty of un-sworn falsification to authorities. The City Controller may also from time to time require proof of the bona fide residence of any employee to determine said employee's eligibility to receive financial compensation from the City.

The residency ordinance was significantly amended during 2013 as part of the Receiver's financial recovery plan and the related contract negotiations with the city's three unions. As part of those negotiations, the Receiver and the Fraternal Order of Police (FOP) and the American Federation of State, County and Municipal Employees (AFSCME) both agreed to eliminate the residency requirement as part of their collective bargaining agreements. The Receiver and the city's Administration also recommended that management employees be exempted. City Council passed the amended residency ordinance on September 16, 2013, and the Mayor signed the ordinance on September 18, 2013 (see attached Bill 23 of 2013). As of the date of this report, the city's remaining union, the International Association of Fire Fighters (IAFF), has not agreed to amend their labor contract. Therefore, the attached report represents Fire Bureau employees only.

2013 residency certificates were distributed by the Controller's Office on July 17, 2013. A transmittal memo was included along with the certificate requesting each employee return the signed certificate along with two forms of documentation supporting their residency. The certification forms and documentation were originally due back to the Controller's Office by August 9, 2013. Due to the changes in the residency ordinance, the deadline was extended through October 18, 2013.

The Controller's Office distributed approximately 65 residency certificates to Fire Bureau employees and received 54 signed certificates back. Approximately 11 employees did not return the certification form, resulting in a compliance rate of 83%.

Of the 54 Fire Bureau employees who returned the signed residency certification form, 28 employees indicated they were "grandfathered" out of the residency ordinance by having been hired prior to the effective date of the legislation. This was verified by our office. One employee was on extended leave and did not participate.

The attached reports detail the employee response to the 2013 residency certification. Attachment A lists all Fire Bureau employees sorted by their last name. The report details if the certification form was completed and returned (Y, N), and the type of supporting documentation returned. A legend of the document types is on the following page.

Attachment B details those individuals who either did not return the certification form or did not include documentation to support their residency.

We encourage the Administration to implement measures to achieve 100% compliance with the reporting of annual residency documentation. The employees listed on Attachment B are required to submit documentation to verify their compliance.

Please feel free to contact the Controller's Office if you have any questions. Thank you.

cc: City Council Members, via Kirk Petroski, City Clerk
Mayor Linda Thompson, via Lisa Blackston
Robert Philbin, Chief of Staff/Business Administrator
Deb Felker, Human Resources Director

**CITY OF HARRISBURG
2013 RESIDENCY RESULTS
FIRE BUREAU EMPLOYEES-SORTED BY LAST NAME**

<u>BUREAU</u>	<u>DEPT</u>	<u>BUREAU-NAME</u>	<u>FIRST</u>	<u>LAST</u>	<u>RESIDENCE REQUIRED</u>	<u>CERT FORM</u>	<u>DOC 1 TYPE</u>	<u>DOC 2 TYPE</u>	<u>NOTES</u>
0151	PSAF	FIRE	DAVID	AGUAYO	01/01/02	N			
0151	PSAF	FIRE	BRIAN	BASTINELLI		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	HADIEL	BEY	01/01/02	Y	U	E	
0151	PSAF	FIRE	RICHARD	BISTLINE JR		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	NICKY	BIXLER		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	BRENDON	BOOZ	01/01/02	Y	N	MD	
0151	PSAF	FIRE	ROBERT	BRACKBILL, JR	01/01/02	Y	U	E	
0151	PSAF	FIRE	CORNELL	BRADFORD		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	JARED	BRIGGS	01/01/02	Y	D	CATB	
0151	PSAF	FIRE	LEON	CLIATT		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	SHANE	CONRAD	01/01/02	Y	D	V	
0151	PSAF	FIRE	DESHAWN	DENNIS		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	DENNIS	DEVOE		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	MATTHEW	DUVALL		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	BRIAN	ENTERLINE		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	MICHAEL	FELDMAN	01/01/02	Y	D	U	
0151	PSAF	FIRE	PATRICK	FULLER		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	RONALD	GALLATIN JR		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	DAVID	GILKEY	01/01/02	Y	D	G	
0151	PSAF	FIRE	SHAKUR	HAKEEM EL	01/01/02	N			
0151	PSAF	FIRE	MICHAEL	HARRIS		N			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	MARTY	HENDERSON		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	ANDREW	HENRY		N	*	*	GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	BILLY-BOB	HOLTZMAN	01/01/02	Y	D	U	
0151	PSAF	FIRE	MICHAEL	HORST		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	JOSHUA	HULL	01/01/02	Y	G	VR	
0151	PSAF	FIRE	ERIC	JENKINS		N			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	BOBBY	JONES SR	01/01/02	Y	D	VR	
0151	PSAF	FIRE	WILLIAM	JUNKIN III	01/01/02	N			
0151	PSAF	FIRE	MATTHEW	KUNTZ	01/01/02	Y	D	VR	
0151	PSAF	FIRE	JONATHAN	LITTLE	01/01/02	Y	G	D	

**CITY OF HARRISBURG
2013 RESIDENCY RESULTS
FIRE BUREAU EMPLOYEES-SORTED BY LAST NAME**

<u>BUREAU</u>	<u>DEPT</u>	<u>BUREAU-NAME</u>	<u>FIRST</u>	<u>LAST</u>	<u>RESIDENCE REQUIRED</u>	<u>CERT FORM</u>	<u>DOC 1 TYPE</u>	<u>DOC 2 TYPE</u>	<u>NOTES</u>
0151	PSAF	FIRE	JASON	LLOYD	01/01/02	Y	D	E	
0151	PSAF	FIRE	ROBERT	LOHIN		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	NATHAN	MARTIN	01/01/02	Y	D	C	
0151	PSAF	FIRE	JOHN	MATSON	01/01/02	Y	D	V	
0151	PSAF	FIRE	DANIEL	MILLAN		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	JEFFREY	MILLER		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	ZACHARY	MILLER	01/01/02	Y	E	I	
0151	PSAF	FIRE	STEPHEN	MILLER II		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	ALDO	MORELLI	01/01/02	Y	D	E	
0151	PSAF	FIRE	JONATHAN	MORROW	01/01/02	N			
0151	PSAF	FIRE	ERIQ	NOWLIN	01/01/02	N			
0151	PSAF	FIRE	CONSTANCE	OWEN		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	JOHN	PESKIE	01/01/02	Y	D	V	
0151	PSAF	FIRE	JOHN	PRITCHETT		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	WILLIAM	RUSSO		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	GLENN	SATTIZAHN	01/01/02	Y	D	E	
0151	PSAF	FIRE	JEREMY	SAUL	01/01/02	Y	D	S	
0151	PSAF	FIRE	DAVID	SCHOCK	01/01/02	Y	L	D	
0151	PSAF	FIRE	WILLIAM	SKINNER		N			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	MICHAEL	SOUDER		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	MICHAEL	STENDER, JR	01/01/02	Y			PROBATIONARY PERIOD
0151	PSAF	FIRE	COREY	STONE	01/01/02	N			
0151	PSAF	FIRE	EMANUEL	STOUTE		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	ROBERT	STRASBAUGH		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	WILBERT	TURNER II	01/01/02	Y	U	D	
0151	PSAF	FIRE	SHEAN	WILSON		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	JOSHUA	WINTERS	01/01/02	Y	E	D	
0151	PSAF	FIRE	FLOYD	WISE III		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	DANIEL	WOLFE		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	BYRON	WORNER		Y			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	CEDRIC	YATES III		Y			GRANDFATHERED-EXEMPT

CITY OF HARRISBURG
2013 RESIDENCY RESULTS
FIRE BUREAU EMPLOYEES-SORTED BY LAST NAME

<u>BUREAU</u>	<u>DEPT</u>	<u>BUREAU-NAME</u>	<u>FIRST</u>	<u>LAST</u>	<u>RESIDENCE REQUIRED</u>	<u>CERT FORM</u>	<u>DOC 1 TYPE</u>	<u>DOC 2 TYPE</u>	<u>NOTES</u>
0151	PSAF	FIRE	BRIAN	YONKIN	01/01/02	Y	E	D	
0151	PSAF	FIRE	SCOTT	YOUNG		N			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	JUSTIN	ZIMMERMAN	01/01/02	Y	D	E	

* IOD

CITY OF HARRISBURG
2013 RESIDENCY RESULTS

NON-RESPONDERS AND RESPONDERS WITH INCOMPLETE DOCUMENTATION - SORTED BY LAST NAME

<u>BUREAU</u>	<u>DEPT</u>	<u>BUREAU-NAME</u>	<u>FIRST</u>	<u>LAST</u>	<u>RESIDENCE REQUIRED</u>	<u>CERT FORM</u>	<u>DOC 1 TYPE</u>	<u>DOC 2 TYPE</u>	<u>NOTES</u>
0151	PSAF	FIRE	DAVID	AGUAYO	01/01/02	N			
0151	PSAF	FIRE	SHAKUR	HAKEEM EL	01/01/02	N			
0151	PSAF	FIRE	MICHAEL	HARRIS		N			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	ANDREW	HENRY		N	*	*	GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	ERIC	JENKINS		N			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	WILLIAM	JUNKIN III	01/01/02	N			
0151	PSAF	FIRE	JONATHAN	MORROW	01/01/02	N			
0151	PSAF	FIRE	ERIQ	NOWLIN	01/01/02	N			
0151	PSAF	FIRE	WILLIAM	SKINNER		N			GRANDFATHERED-EXEMPT
0151	PSAF	FIRE	COREY	STONE	01/01/02	N			
0151	PSAF	FIRE	SCOTT	YOUNG		N			GRANDFATHERED-EXEMPT

* IOD

CITY OF HARRISBURG
2013 Residency Results
Document Type Abbreviations

Document Type Abbreviations	
B	Bank Statement
C	Cable Bill
CATB	Capital Area Tax Bureau Bill
CC	Credit Card Bill
D	Drivers License
E	Electric Bill
G	Gas Bill
I	Insurance Bill
L	Lease
M	Mortgage
MD	Medical Invoice
N	City Notification Letter
R	Real Estate Tax Bill
S	Shipped Product
T	Telephone Bill
U	City Utility Bill
V	Voter Registration
VR	Vehicle Registration

BILL NO. 23 - 2013.

Moved by: Walter L. D. Williams

An Ordinance amending Chapter 2-711, entitled "Residency," of the Codified Ordinances of the City of Harrisburg, to eliminate the residency requirement for certain employees covered under Act 195 of 1970 (AFSCME), certain employees covered under Act 111 of 1968 (Fraternal Order of Police), and employees designated as management-level.

WHEREAS, the City of Harrisburg requires certain employees to reside within the corporate limits of the City; and

WHEREAS, the City of Harrisburg and Local Union No. 521, American Federation of State, County and Municipal Employees (AFSCME), are parties to a Collective Bargaining Agreement (CBA1) effective January 1, 2013 through December 31, 2016; and

WHEREAS, the City of Harrisburg and the Fraternal Order of Police, Capital City Lodge No. 12 (FOP), are parties to a Collective Bargaining Agreement (CBA2) effective January 1, 2004 through December 31, 2016; and

WHEREAS, under CBA1, the City and AFSCME have agreed that AFSCME employees will be exempt from the residency requirement set forth in Chapter 2-711 of the Codified Ordinances of the City of Harrisburg; and

30 **WHEREAS**, under CBA2, the City and FOP have agreed that FOP employees will be
31 exempt from the residency requirement set forth in Chapter 2-711 of the Codified Ordinances of
32 the City of Harrisburg; and

33
34 **WHEREAS**, the Codified Ordinances of the City of Harrisburg must be amended to
35 reflect this change and comport with the terms of the aforementioned Collective Bargaining
36 Agreements; and

37
38 **WHEREAS**, the court-appointed Receiver as well as the administration for the City of
39 Harrisburg have recommended that management-level employees be exempt from the residency
40 requirement set forth in Chapter 2-711 of the Codified Ordinances of the City of Harrisburg;

41
42 **WHEREAS**, in furtherance of the Receiver's financial recovery plan, exempting
43 management-level employees from the residency requirement widens the pool of qualified
44 candidates for such positions and permits the City to retain valuable and qualified employees
45 who do not live within the corporate limits of the City; and

46
47 **WHEREAS**, the Codified Ordinances of the City of Harrisburg must be amended to
48 reflect these changes regarding AFSCME, FOP, and management-level employees.

50 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**
51 **HARRISBURG, AND IT IS HEREBY ENACTED BY AUTHORITY OF THE SAME,** as
52 follows:

53
54 **SECTION 1.** Chapter 2-711 of the Codified Ordinances is hereby amended as follows:
55 Amendments indicated by underlining, deletions indicated by [bracketing]. Any portion of the
56 Ordinance not listed shall remain unchanged.

57
58 **Section 2-711.1. DEFINITIONS**

59
60 As used in this chapter, unless otherwise expressly stated or clearly indicated by
61 the context, the following terms shall have the meanings indicated:

62
63 [A. Any person not covered by Act 111 of 1968 or Act 195 of 1970 who is
64 employed or appointed on or after June 29, 1982, to any full-time position of
65 employment within the City, including management-level positions under
66 contract terms governed by Acts 195 of 1970 and 111 of 1968, provided that such
67 person receives financial compensation from the City subject to withholding taxes
68 by the state or federal government.]

69
70 [B. Any person appointed to any full-time position of employment by the
71 City which is designated as management level under contract terms governed by
72 Pennsylvania Acts 195 of 1970 and 111 of 1968, and provided that such person
73 receives financial compensation from the City subject to withholding taxes by the
74 state or federal government.]

75
76 [C. Any person covered by Act 195 of 1970 who is employed or appointed on
77 or after March 1, 1999, to any permanent full-time position of employment within
78 the City, provided that such person receives financial compensation from the City
79 subject to withholding taxes by the state or federal government.]

80
81 [D. Any police officer covered by Act 111 of 1968 hired on or after March 27,
82 2001.]

83
84 [E.] Any firefighter covered by Act 111 of 1968 hired on or after January 1,
85 2002.

86
87 [F. Any person covered by Act 195 of 1970 who is employed or appointed on
88 or after January 1, 2005, to any permanent part-time position of employment
89 within the City, provided that such person receives financial compensation
90 from the City subject to withholding taxes by the state or federal government.]
91
92

93 **Section 2-711.2 RESIDENCY REQUIRED**

94

95 [A. All persons who are or shall become employees of the City as defined in §
96 2-711.1, Subsections A and B of the definition of "employee," shall be or shall
97 become residents of the City within a period of one year from the date of
98 employment.]
99

100 [B. All persons who are or shall become employees of the City as defined in §
101 2-711.1, Subsection C of the definition of "employee," on or after September
102 1, 2007, shall become residents of the City within 12 months of completion of
103 their probationary period.]
104

105 [C.]A. All persons who are or shall become employees of the City as defined in §
106 2-711.1[, Subsections D, E, and F] of the definition of "employee," shall
107 become residents of the City within six months of completion of their
108 probationary period.
109

110 [D.]B. Failure to do so shall be determined to be a voluntary termination of
111 employment, and the employee shall be terminated as provided by law by the
112 appropriate City officials.
113

114 *****
115

116 **Section 2-711.5 RESIDENCE CERTIFICATION**

117

118 Annually, in July, [every management-level employee of the City and] all
119 employees defined in § 2-711.1[, Subsections C, D and E of the definition of
120 "employee,"] shall file with the City Controller a certificate stating the
121 employee's name and place of residence. Such residence certificate shall be
122 signed under penalty of unsworn falsification to authorities. The City Controller
123 may also, from time to time, require proof of the bona fide residence of any
124 employee to determine said employee's eligibility to receive financial
125 compensation from the City. Furthermore, when an employee fails to comply
126 with the provisions of this chapter, the City Controller shall initiate that procedure
127 necessary to effect the immediate termination of said employee.
128

129 **SECTION 2. DELEGATION.**

130 Appropriate City officials are authorized and directed to take such actions as are
131 necessary to effectuate this ordinance.

132
133 **SECTION 3. SEVERABILITY.**


134 If any provision, sentence, clause, section, or part of this ordinance or the application
135 thereof to any person or circumstance is for any reason found to be unconstitutional, illegal or
136 invalid by a court of competent jurisdiction, such unconstitutionality, illegality or invalidity shall
137 not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this
138 ordinance. It is hereby declared as the intent of the Council of the City of Harrisburg that this
139 ordinance would have been adopted had such unconstitutional, illegal or invalid provision,
140 sentence, clause, section or part not been included herein.

141
142 **SECTION 4. REPEALER.**

143 All ordinances or parts of ordinances in conflict herewith be and the same are hereby
144 repealed.

145
146 **SECTION 5. EFFECTIVE DATE.**

147 This ordinance shall take effect in accordance with the law.

148
149 Seconded by: 

YEAS		NAYS
<input checked="" type="checkbox"/>	KOPLINSKI	
<input checked="" type="checkbox"/>	REID	
<input checked="" type="checkbox"/>	SMITH	
<input checked="" type="checkbox"/>	SUMMERFORD	
<input checked="" type="checkbox"/>	WEBER	
<input checked="" type="checkbox"/>	WILSON	
<input checked="" type="checkbox"/>	WILLIAMS	
Yeas	6	
Nays	1	

Presented the City Council September 16, 2013
Wanda R. D. Williams
 President of City Council

Attest [Signature]
 City Clerk

☒ Approved

☐ Returned to City Council with objections

[Signature]
 Mayor
9-18-13
 Date

INTER

OFFICE

MEMO

To: HARRISBURG CITY COUNCIL
From: Kirk Petroski, City Clerk
LEGISLATIVE APPROVAL FORM

Date: August 26 2013

LEGISLATIVE APPROVAL FORM/CERTIFICATE OF ACCEPTANCE

BILL NO. -2013

RESOLUTION NO. -2013

THE ABOVE LISTED ITEM WAS WRITTEN AND PREPARED FOR FINAL INTRODUCTION AT THE HARRISBURG CITY SOLICITOR'S OFFICE ON:



Assistant City Solicitor

8/26/13
Date

Requested by Department/Bureau: Administration / Office of Mayor / Receiver
Department/Bureau Contact Person: Bob Philbin / Lisa Blackston

For Action on or before: _____

The attached was received in the Office of the City Clerk for introduction on

Received by: 

Date: 8-26-13