



Legislation Details (With Text)

File #: 21-524 **Version:** 1 **Name:**

Type: General Business **Status:** Agenda Ready

File created: 12/1/2021 **In control:** Town Council

On agenda: 12/7/2021 **Final action:**

Title: Interviews for Board of Trustees Vacancy and Finalist Selection by Rank Choice Voting

Sponsors:

Indexes:

Code sections:

Attachments: 1. Summary of Rank Choice Voting

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

SUBJECT: General Business
Interviews for Board of Trustees Vacancy and Finalist Selection by Rank Choice Voting
DEPARTMENT: Town Administration

PRESENTER: Malcolm Fleming, Town Administrator

TIME ESTIMATE: 3 hours

STAFF RECOMMENDATION:

Interview and choose the individual to fulfill the term of Former Trustee Gippe, to be sworn in at the December 14, 2021 regular Board Meeting

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

On October 6, 2021 former Trustee Bill Gippe submitted his resignation from the Board of Trustees, effective immediately. When a member of the Board of Trustees resigns, the process to fill the vacant position is governed by § 1-5-2 of the Erie Municipal Code, which states as follows:

The board of trustees shall have power, by appointment, to fill all vacancies in the board or in any other elected office, and the person so appointed shall hold office until the next regular election and until his successor is elected and qualified. If the term of the person creating the vacancy was to extend beyond the next regular election, the person elected to fill the vacancy shall be elected for the unexpired term. Where a vacancy exists in the office of trustee and a successor or successors are to be elected at the next election to fill the unexpired term or terms, the three candidates for trustee receiving the highest number of votes shall be elected to four-year terms and the candidate receiving the next highest number of votes, in descending order, shall be elected to fill the unexpired term or terms.

Because former Trustee Gippe's current term expires in April 2022, any appointee would only serve from the date of appointment until April 2022, and then would need to run for the Board again if interested in retaining the seat.

During the Board's October 12 meeting, the Board asked the Town Attorney and Town Administrator to propose a process and schedule for the Board to follow to fill the vacancy. During a Special Meeting on November 2, the Board discussed TAs' recommendations and confirmed the selection process, timeline, posting notification and application for the Board of Trustees vacancy. On November 5, staff posted the application process on the Town's website, with a November 22 deadline to submit applications. Seven people submitted applications by that deadline. That same day, November 22, the Town Clerk verified all 7 applicants met the residency requirements and then sent the Board of trustees a pdf with all applications. Board members had 8 days to review the applications for the following applicants:

- Aherns, John
- Brooks, Justin
- Cygan, Joseph
- Kenward, Ryan
- McLaughlin, Gerry
- Sawusch, Andrew
- Vukovic, Darko

On November 30, the Board held a Special Meeting and used Ranked Choice Voting (RCV) and selected these 4 finalists for interviews:

- Aherns, John
- Brooks, Justin
- McLaughlin, Gerry
- Sawusch, Andrew

On December 1, at 4:50 p.m., the Town Clerk and Deputy Town Clerk conducted a lottery in the Board Room to identify the order of the scheduled applicant interviews. The lottery was recorded and can be viewed here: <https://youtu.be/KaXZa53FYUA>

The following is the order of interviews based on the lottery drawing.

- Aherns, John
- Brooks, Justin
- Sawusch, Andrew
- McLaughlin, Gerry

Process and schedule for interviews:

- Interviews will be scheduled for 40 minutes each with a 5-minute recess in-between each interview, so that the next interviewee will be able to log in
- The Mayor will serve as moderator
- Each Board member will ask two questions
- Town Clerk will keep time according to the following schedule:

- 6:35 - 7:15 First interview - John Ahrens
- 7:15 - 7:20 Break
- 7:20 - 8:00 Second interview - Justin Brooks
- 8:00 - 8:05 Break
- 8:05 - 8:45 Third interview - Andrew Sawusch
- 8:45 - 8:50 Break
- 8:50 - 9:30 Fourth interview - Gerry McLaughlin
- 9:30 - 9:35 Break
- 9:35 Begin process for RCV
 - Staff will send the RCV link to Board Members
 - Board Members will vote
 - Staff will screen share the results as they tabulate

The applicant that is chosen via the RCV process will be sworn into office at the Board's December 14, 2021 Regular Meeting.

Board Priority(s) Addressed:

- ✓ Effective Governance

ATTACHMENTS:

1. Summary of Ranked Choice Voting