

RESOLUTION NO. 42307

**WHEREAS**, Marty L. Qually has been duly elected and has qualified as a member of the Borough Council of the Borough of Gettysburg representing the First Ward of the Borough of Gettysburg for a four-year term of office until the first Monday of January 2010; and

**WHEREAS**, Marty L. Qually has relocated his residence within the Borough of Gettysburg from the First Ward of the Borough; and

**WHEREAS**, due to the relocation of his residence from the First Ward, Marty L. Qually has submitted his resignation from the office of a member of Borough Council representing the First Ward effective April 10, 2007; and

**WHEREAS**, at a duly advertised regular meeting of the Borough Council of the Borough of Gettysburg held on April 9, 2007, the Borough Council voted to accept the resignation of Marty L. Qually as a member of the Borough Council representing the First Ward consistent with its effective date of April 10, 2007; and

**WHEREAS**, due to the resignation of Marty L. Qually from the office of a member of Borough Council representing the First Ward a vacancy has been created on the Borough Council of the Borough of Gettysburg; and

**WHEREAS**, consistent with the provisions of the Borough Code at 53 P.S. §45901 the Borough Council shall fill a vacancy on Borough Council within thirty (30) days by appointing a registered elector of the First Ward of the Borough to hold such office until the first Monday in January after the first municipal election occurring more than sixty (60) days after the vacancy occurs, at which election an eligible person shall be elected to the office for the remainder of the term. No person shall be appointed to fill the vacancy on Borough Council unless he or she has resided within the First Ward continuously for at least one (1) year immediately prior to his or her appointment; and


**WHEREAS**, the Borough Council of the Borough of Gettysburg desires to appoint a qualified, registered elector of the First Ward of the Borough of Gettysburg to fill the vacancy in the office of member of Borough Council representing the First Ward due to the resignation from that office of Marty L. Qually. The person appointed to fill the aforesaid vacancy shall hold such office from the date of this resolution until January 7, 2008 which is the first Monday in January following the November 6, 2007 municipal election at which election an eligible person shall be elected to that office for the remainder of the term of such office from January 7, 2008 until the first Monday of January 2010.

**WHEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Gettysburg hereby appoints MICHAEL J. BIRKNER as a member of the Borough Council of the Borough of Gettysburg representing the First Ward to fill the vacancy created by the resignation of Marty L. Qually from that office until January 7, 2008 which is the first Monday in January following the November 6, 2007 municipal election at which election an eligible person shall be elected to that office for the remainder of the term of such office from January 7, 2008 until the first Monday of January 2010.

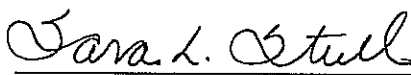
This action is taken under and pursuant to the power of the Borough Council of the Borough of Gettysburg to appoint a registered elector of the Borough to fill a vacancy on the Borough Council as found in the Borough Code at 53 P.S. §45901.

**THIS RESOLUTION DULY ADOPTED** according to law on this 23<sup>rd</sup> day of April, 2007, at a duly advertised special meeting of the Borough Council of the Borough of Gettysburg.

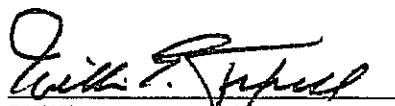
**BOROUGH OF GETTYSBURG**

By:   
Theodore H. Streeter, President

Attest:

  
Sara L. Stull, Secretary

Approved this 23<sup>rd</sup> day of April, 2007.

By:   
William E. Troxell, Mayor