

ORDINANCE NO. 159

CREATING THE OFFICE OF BOROUGH MANAGER AND
PRESCRIBING HIS POWERS AND DUTIES.

BE IT ENACTED AND ORDAINED by the Council of the Borough of Orwigsburg, Schuylkill County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same, as follows:

SECTION 1. CREATION OF THE OFFICE: The office of Borough Manager is hereby created by the Borough of Orwigsburg.

Section 2. APPOINTMENT AND REMOVAL: The Manager shall be appointed by a majority vote of all of the members of the Borough Council. The Manager shall serve until the first Monday of January of the even numbered year succeeding his election and until his successor is elected and qualified. The Office shall be filled by-annually thereafter. The Manager may be removed at any time by a majority vote of all of the members of the Borough Council. At least thirty (30) days before such removal becomes effective, the Borough Council shall furnish the Manager with a written statement setting forth its intention to remove him and the reasons therefor. In case of a vacancy the Borough Council shall, by a vote of the majority of its members, fill said office for the remainder of the then current term.

SECTION 3. QUALIFICATIONS: The Manager shall be chosen solely on the basis of his executive and administrative abilities, with special reference to his actual experience in or his knowledge of accepted practices in respect to the duties of his Office as herein outlines. The Manager need not be a resident of the Borough or of the State of Pennsylvania at the time of his appointment, but as soon as possible thereafter he shall become and during his tenure shall remain a resident of the Borough.

SECTION 4. MANAGER'S BOND: Before entering upon his duties, the Manager shall give a bond to the Borough with a bonding Company as surety, to be approved by the Council, in the sum of Five Thousand (\$5000.00) Dollars, conditioned for the faithful performance of his duties. The premium shall be paid by the Borough.

SECTION 5. MANAGER'S COMPENSATION: The salary of the Borough Manager shall be fixed from time to time by ordinance or resolution.

SECTION 6. POWERS AND DUTIES OF THE MANAGER. The Manager shall be the Chief Administrative Officer of the Borough of Orwigsburg and he shall be responsible to the Borough Council as a whole for the proper and efficient administration of the affairs of the Borough of Orwigsburg. His powers and duties shall relate to the general management of all Borough business not expressly by statute imposed or conferred upon other Borough Officers.

Subject to recall by Ordinance of Council, the powers and duties of the Borough Manager shall include the following:

(1) He shall supervise and be responsible for the activities of all municipal departments:

(2) He shall, with the approval of the Borough Council, hire, and when necessary, for the good of the service, with the approval of the Borough Council, suspend or discharge all employees under his supervision. Provided, however, that positions covered by the civil service provisions of the Borough Code shall be hired, suspended, or discharged in accordance with such provisions.

(3) He shall prepare and submit to Council before the close of the fiscal year, or on such alternate date as Council shall determine, a budget for the next fiscal year and an explanatory budget message. In preparing the budget the Manager, or an officer designated by him, shall

obtain from the head of each department, agency, board or officer, estimates of revenues and expenditures and other support data as he requests. The Manager shall review such estimates and may revise them before submitting the budget to the Council.

(4) He shall be responsible for the administration of the budget after its adoption to the Council.

(5) He shall hold such other municipal offices or head one or more of the municipal departments as the Council may from time to time direct.

(6) He shall attend all meetings of Council and its committees with the right to take part in the discussion and he shall receive notice of all special meetings of Council or its committees.

(7) He shall prepare the agenda for each meeting of council and supply facts pertinent thereto.

(8) He shall keep the Council informed as to the conduct of Borough affairs; submit periodic reports on the condition of the Borough finances and such other reports as the Council requests; and make such recommendations to the Council as he deems necessary.

(9) He shall submit to Council, as soon as possible after the close of the fiscal year, a complete report on the financial and administrative activities of the Borough for the preceding year.

(10) He shall see that the provisions of all franchises, leases, permits and privileges granted by the Borough are observed.

(11) He may employ, by and with the approval of Council, experts and consultants to perform work and to advise in connection with any of the functions of the Borough.

(12) He shall attend to the letting of contracts in due form of

law, and he shall supervise the performance and faithful execution of the same except insofar as such duties are expressly imposed upon some other Borough Officer by statute.

(13) He shall see that all money owed the Borough is promptly paid and that proper proceedings are taken for the security and collection of all the Borough's claims.

(14) He shall be the Purchasing Officer of the Borough and he shall purchase, in accordance with the provisions of the Borough Code, all supplies and equipment for the various agencies, boards, departments and other offices of the Borough. He shall keep an account of all purchases and shall, from time to time or when directed by Council, make a full written report thereof. He shall also issue rules and regulations - subject to the approval of council - governing the requisition and purchasing of all municipal supplies and equipment.

(15) All complaints regarding services of personnel of the Borough shall be referred to the Office of the Manager. He, or an officer designated by him, shall investigate and dispose of such complaints, and the Manager shall report thereon to Council.

SECTION 7. MAYOR'S POWERS AND DUTIES. The Mayor is hereby authorized to delegate to the Borough Manager, subject to recall by written notification at any time, any of his non-legislative and non-judicial powers and duties.

SECTION 8. LIMITATION ON COUNCIL'S POWERS. Except for the purpose of inquiry, the Borough Council, its committees, and its members shall deal with the administrative service of the Borough solely through the Borough Manager and neither the Council nor any its committees, or any of its members shall give orders - publicly or privately - to any subordinates of the Manager.

SECTION 9. DISABILITY OR ABSENCE OF THE MANAGER: If the Manager becomes ill or needs to be absent from the Borough, he shall designate one qualified member of his staff who shall perform the duties of the Manager during his absence or disability. The person so designated shall not perform these duties for a period longer than two weeks without the approval of the Council.

SECTION 10. REPEALS: All ordinances or resolutions, or parts of ordinances or resolutions, insofar as they are inconsistent herewith, be and the same are hereby repealed.

Duly presented, ordained and enacted at a duly convened meeting of the Borough Council of the Borough of Orwigsburg, Schuylkill County, Pennsylvania, held the day of , 1966.

Attest:

Harold St. Boyer
President of Borough Council

Jeanette M. Galt
Secretary of the Borough Council

APPROVED THIS DAY OF , 1966.

Samuel M. Jones
Mayor