

BOROUGH OF ORWIGSBURG
SCHUYLKILL COUNTY, PENNSYLVANIA

ORDINANCE NO. 280

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF ORWIGSBURG CREATING THE OFFICE OF BOROUGH MANAGER, AND PROVIDING FOR THE MANNER OF FILLING SAID OFFICE, METHOD OF COMPENSATING SUCH OFFICER AND THE POWERS AND DUTIES OF SAID OFFICE.

BE IT ORDAINED AND ENACTED by the Borough Council of the BOROUGH OF ORWIGSBURG, Schuylkill County, Pennsylvania, and it is hereby ORDAINED and ENACTED 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 appointment and until his successor is appointed and qualified. The Office shall be filled bi-annually thereafter. The Manager may be removed at any time by a majority vote of all of the members of Borough Council. At least thirty (30) days before such removal becomes effective, the Borough Council shall furnish the Manager a written statement setting forth its intention to remove him and the reasons therefor. In case of a vacancy, the Borough Council may, 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 outlined. The Manager need not be a resident of the Borough of Orwigsburg or 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 Fifty Thousand Dollars (\$50,000.00), 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 responsible for the proper and efficient management of the affairs of the Borough, except for those duties expressly conferred by statute upon other Borough Officers, or those duties delegated by contract entered into by the Borough Council and those duties specifically exempted by Borough Council. The Manager in accomplishing this responsibilities shall reflect by words and deeds, the ideals and goals of the Borough Council as a whole to whom he is responsible.

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, except those exempted in the first paragraph of this section.

(2) He shall keep personnel files on all Borough employees and shall inform the Borough Council of a whole of any problem

with regard to personnel. He may, with proof and for the good of the service, recommend disciplinary action or discharge for any employee under his supervision to the Borough Council as a whole for their consideration.

(3) He shall cooperate with the Finance Committee in preparing a budget for the next fiscal year to be submitted to Borough Council no later than the November meeting. He shall assist by helping to collect from each department, agency, board or officer, estimates of revenues and expenditures, as well as any other supporting data, the Finance Committee may request. When submitted, the budget shall be accompanied by an explanatory budget message.

(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 monthly reports on the condition of the Borough finances and such other reports as the Council may request; 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 use, by and with the approval of Borough Council, experts and consultants hired by the Borough Council 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. He shall receive and have custody of as--built drawings, operational manuals, warranty material and any other items called for in the contract. A numerical list of all work change orders shall be kept listing why the change was made, what was effected and whether the change was approved by Borough Council as a whole at public meeting as is required by law. The Manager shall give a report to Borough Council as a whole regarding these items before final payment is made to the contractor or earlier if possible.

(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. All purchases shall be made by requisition and from vendors approved by Borough Council. He shall keep an account of all

purchases and shall, from time to time and 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 or 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 of its committees, or any of its members shall give orders - publicly or privately - to any subordinates of the Manager, except in case of emergency or in the event the Borough Manager or his designee are absent or unavailable.

SECTION 9: Disability or Absence of the Manager.

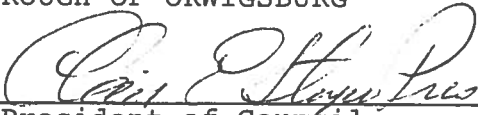
If the Manager becomes ill or needs to be absent from the Borough, he shall designate one qualified member of his staff who shall perform the duties of the Manager during his absence or disability. The person so designated shall not perform these duties for a period longer than two weeks without the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

SECTION 10: Repeals. All ordinances or resolutions, or parts of ordinances or resolutions, insofar as they are

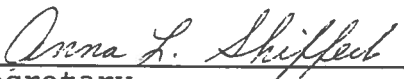
inconsistent herewith, be and the same are hereby repealed.

Duly presented, ordained and enacted at a duly convened meeting of the Borough Council of the Borough of Orwigsburg, Schuylkill County, Pennsylvania, held the 15th day of February, 1989.

BOROUGH OF ORWIGSBURG

By: 
President of Council

ATTEST:


Secretary

EXAMINED AND APPROVED this 15th day of February,
1989.


MAYOR