

BOROUGH OF ORWIGSBURG
SCHUYLKILL COUNTY, PENNSYLVANIA
ORDINANCE NO. 417

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 of Council. The Manager shall be appointed for an indefinite period. The Manager may be removed at any time by a majority vote of all of the members of Council.

Section 3: Qualifications: The Manager shall be chosen solely on the basis of executive and administrative abilities with special reference to actual experience in or the knowledge of accepted practices in respect to the duties of the 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 appointment, but within one year, the Manager shall establish and maintain residency within 10 miles of the Borough.

Section 4. Manager's Bond: Before entering upon their duties, the Manager shall give a bond to the Borough with a bonding Company as surety, to be approved by the Council, in an amount determined by the Council, conditioned for the faithful performance of the Manager's 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 these responsibilities shall reflect by words and deeds, the ideals and goals of the Borough Council as a whole to whom the Manager is responsible.

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

1. Supervise and be responsible for the activities of all municipal departments, except those exempted in the first paragraph of this section.
2. Keep personnel files on all Borough employees and inform the Borough Council as a whole of any problems with regard to personnel. The Manager, with proof and for the good of the service, shall recommend disciplinary action or discharge for any employee under their supervision to the Borough Council as a whole for their consideration.
3. 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. The Manager 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. Be responsible for the administration of the budget after its adoption by the Council.
5. Hold such other municipal offices or head one or more of the municipal departments as the Council may from time to time direct.
6. Attend all meetings of Council and its committees with the right to take part in the discussion and shall receive notice of all special meetings of Council or its committees.
7. Prepare the agenda for each meeting of council and supply facts pertinent thereto
8. 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 necessary.
9. 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. See that the provisions of all franchises, leases, permits and privileges granted by the Borough are observed.
11. 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. Attend to the letting of contracts in due form of law, and supervise the performance and faithful execution of the same except insofar as such duties are expressly imposed upon some other Borough Officer by statute. 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. 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. Be the Purchasing Officer of the Borough and 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. The manager shall keep an account of all purchases and shall, from time to time and when directed by Council, make a full written report thereof. The manager 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. The Manager or an officer designated by the Manager shall investigate the dispose of such complaints, and the Manager shall report thereon to Council.
 16. Represent the Borough and participate in the activities of local government organizations, economic and community development organizations and other organizations where involvement will benefit current and future operations of the Borough.
 17. Represent the borough on boards and commissions established by the legislature requiring participation by the Borough.
 18. Oversee municipal response to weather and non-weather related emergencies.
 19. Prepare the agenda for each meeting of the Planning and Zoning Commission and supply facts pertinent thereto.
 20. Serve as the Borough Right to Know Officer
 21. Serve as liaison between the Borough Council and the Borough Solicitor.
 22. Other duties as may be assigned by Borough 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 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

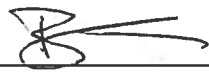
any of its committees, or any of its members shall give orders – publicly or privately – to any subordinates of the Manager, except in case of emergency or in the event the Borough Manager or designee are absent or unavailable.

Section 9: Disability or Absence of the Manager: If the Manager becomes ill or needs to be absent from the Borough, the Manager shall designate one qualified member of the Borough staff who shall perform the duties of the Manager during the 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.

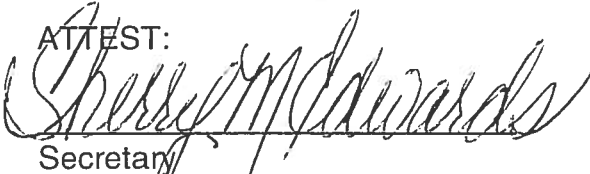
Section 10: Repeals: All ordinances or resolutions, or parts of ordinances or resolutions, insofar as they are inconsistent herewith, shall be and the same hereby are repealed.

Duly presented, ordained and enacted at a duly convened meeting of the Borough Council of the Borough of Orwigsburg, Schuylkill County, Pennsylvania, held the 10th day of December, 2014.


Borough of Orwigsburg

By: 
President of Council

ATTEST:


Secretary

EXAMINED AND APPROVED this 10 day of December 2014.


Mayor