

Chapter 27

MANAGER

[HISTORY: Adopted by the Board of Supervisors of the Township of West Earl 3-13-2000 by Ord. No. 150. Amendments noted where applicable.]

GENERAL REFERENCES

Pensions — See Ch. 31.

§ 27-1. Purpose and intent.

- A. The purpose of this chapter is to enable the Township to function under generally accepted principles of the council-manager form of government. The Board of Supervisors shall be responsible for legislative policy making and appointing a professional Township Manager who shall be responsible for supervising and conducting the administrative affairs of the Township, as well as carrying out all policies and programs established by the Board.
- B. It is the intent of this chapter to delegate to the Township Manager all of the nonlegislative powers and duties of the Board of Supervisors as authorized by Section 1301 of the Second Class Township Code, Act of May 1, 1933, P.L. 103, as reenacted and amended by the Act of November 9, 1995, P.L. 350, No. 60, as amended.¹

§ 27-2. Creation of position.

The position of Township Manager is hereby created by the Township of West Earl.

§ 27-3. Appointment and removal.

The Township Manager shall be appointed for an indefinite term by a majority of all members of the Board of Supervisors. The Manager shall serve at the pleasure of the Board and may be removed, with or without cause, at any time by a majority vote of all its members.

§ 27-4. Qualifications; residency requirements.

- A. The Township Manager shall be chosen solely on the basis of executive and administrative abilities, with special reference to training and/or experience in municipal management and the Manager's powers and duties as set forth in § 27-7. During his or her tenure, the Township Manager shall not hold any elective governmental office.

1. Editor's Note: See 53 P.S. § 65101 et seq.

- B. The Manager need not be a resident of the Township or state at the time of the appointment. The Manager shall reside within a forty-five-mile radius of the Township Building within one year of his or her appointment as Manager. However, it is preferred that the Manager reside in the Township. [Amended 5-29-2001 by Ord. No. 154]

§ 27-5. Bond.

Before entering upon his or her duties, the Manager shall give a bond to the Township, with a bonding company as surety, to be approved by the Board, in the sum of \$100,000 conditioned on the faithful performance of his or her duties, the premium for said bond to be paid by the Township.

§ 27-6. Compensation.

The Manager's salary shall be fixed at the time of employment and may be adjusted from time to time by resolution of the Board of Supervisors.

§ 27-7. Powers and duties.

- A. The Manager shall be the chief administrative officer of the Township and shall be responsible to the Board as a whole for the proper and efficient administration of the affairs of the Township. The powers and duties of administration of all Township business shall be vested in the Manager, unless expressly imposed or conferred by statute upon other Township officers.
- B. Subject to recall by ordinance of the Board, the Township Manager shall have the following duties and the commensurate powers to carry out those duties:
- (1) Supervise and be responsible for the activities of all Township departments except those relating directly to the performance of a police officer's duty and except as otherwise provided by ordinance or law.
 - (2) Appoint, suspend or remove, with the advice and consent of the Board, all department heads except the Police Chief on the basis of merit system principles. The Manager shall assist the Board with the appointment of a Police Chief. Any employee so removed shall have the right to appeal to the Board of Supervisors.
 - (3) Appoint, suspend or remove, with the advice and consent of the Board, all other Township employees on the basis of the merit system principles (except where tenure provisions apply). This subsection shall not apply to the Solicitor or Engineer. The Manager may authorize any department head to exercise such policies or power with respect to his or her subordinates, provided that any such authorized exercise shall ultimately be subject to the Manager's supervision, review and modification.
 - (4) Prepare and submit to the Board, before the close of each fiscal year, a proposed preliminary budget for the next fiscal year and an explanatory budget message. In preparing the budget, the Manager, or the Manager's

designee, shall obtain from the head of each department, agency or board estimates of revenues and expenditures and such other supporting data as is required to make a proposed budget. The Manager shall review such estimates and may revise them before submitting the budget to the Board.

- (5) Exercise control over the administration of the budget after its adoption by the Board of Supervisors.
- (6) In conjunction with the preparation of the yearly budget, develop a long-range fiscal plan for the Township, such plan to be presented annually to the Board for its review and adoption.
- (7) Hold such other municipal offices and head such municipal departments as the Board may, from time to time, direct.
- (8) Attend all meetings of the Board and its committees, with the right to participate in the discussions, but not to vote. The Township Manager shall be notified of all special meetings of the Board and its committees.
- (9) Prepare the agenda for each meeting of the Board of Supervisors and supply facts pertinent thereto.
- (10) Inform the Board as to the conduct of Township affairs, submitting periodic reports on the condition of the Township finances and such other reports as the Board requests, and make such other recommendations to the Board as the Manager deems advisable.
- (11) Prepare and submit to the Board, as soon as possible after the close of the fiscal year, a complete report on the finances and the administrative activities of the Township for the preceding year.
- (12) Ensure that the provisions of all ordinances, leases, permits and privileges granted by the Township are observed.
- (13) Employ, by and with the approval of the Board, experts and consultants to perform work and to advise in connection with any of the functions of the Township.
- (14) Attend 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 by statute upon some other Township officer.
- (15) Ensure that all moneys owed the Township are promptly paid and that proper proceedings are taken for the security and collection of all of the Township's claims.
- (16) Be the purchasing officer of the Township and purchase, in accordance with the provisions of the Township Code, all supplies and equipments for the agencies, Boards, departments, and other offices of the Township, keeping an account of all purchases and, from time to time or when directed by the Board, making a full written report thereof. The Manager shall also issue rules and regulations, subject to the approval of the Board, governing the procurement

of all municipal supplies and equipment.

- (17) All complaints regarding Township services, except those related to the Police Department, shall be referred to the Office of the Manager. The Manager, or a person designated by him or her, shall investigate and dispose of such complaints, and the Manager shall report thereon to the Board. The Chief of Police shall investigate and dispose of such complaints regarding the Police Department and shall keep the Manager informed of his or her actions.
- (18) Be responsible for the enforcement of all ordinances and regulations of the Township.
- (19) Participate in intergovernmental programs, monitor legislative activity and keep abreast of current advances in management and technology.
- (20) Maintain a high level of public relations for all elements of the Township government including periodic reports and other information that may be directed by the Board from time to time.

§ 27-8. Disability or absence.

If the Manager becomes ill or needs to be absent from the Township, he or she shall recommend to the Board one qualified person to perform the duties of the Manager during his or her absence or disability. The Board shall designate a person to perform the Manager's duties.