

ORDINANCE NO. 97, 1993

AN ORDINANCE CREATING THE POSITION OF TOWNSHIP MANAGER OF TILDEN TOWNSHIP, BERKS COUNTY, PENNSYLVANIA; PROVIDING FOR THE APPOINTMENT TO AND REMOVAL FROM THE POSITION; ESTABLISHING THE COMPENSATION OF THE MANAGER; DELINEATING THE POWERS, RESPONSIBILITIES, AND DUTIES OF THE POSITION OF THE TOWNSHIP MANAGER; AND PROVIDING FOR A BOND TO BE POSTED.

WHEREAS, the Board of Supervisors of the Township of Tilden, Berks County, recognize the continual growth of the Township, the complexities of the administration of municipal government, and the constant need to make available at all times to the citizens of Tilden Township the best, most efficient, full-time municipal services;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of the Township of Tilden, County of Berks, Commonwealth of 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 Township Manager is hereby created by the Township of Tilden.

SECTION 2. APPOINTMENT AND REMOVAL: The manager shall be appointed for an indefinite term by a majority of all the members of the Board of Supervisors. The Manager shall serve at the pleasure of the Board of Supervisors and may be removed at any time by a majority vote of all its members. At least forty-five (45) days before such removal becomes effective, the Board of Supervisors shall furnish the Manager with a written statement setting forth its intention to remove him/her and the reasons therefor.

SECTION 3. QUALIFICATIONS: The Manager shall be chosen solely on the basis of his/her executive and administrative abilities, with special reference to five years of uninterrupted actual experience in local government including a certification in local government. The manager need not be a resident of the Township at the time of the appointment and may reside outside the township while in office with the approval of the Board.

SECTION 4. MANAGER'S BOND: Before entering upon his/her duties, the Township Manager shall, at the expense of the Township, file with the Township a bond to be approved by the Board of Supervisors, with a bonding company as surety, to be determined by the Board of Supervisors conditioned upon the faithful performance of his or her duties.

SECTION 5. MANAGER'S COMPENSATION: The salary of the Township Manager shall be fixed from time to time by Resolution of the

Board of Supervisors and paid out of the general fund of the Township.

SECTION 6. POWERS AND DUTIES OF THE TOWNSHIP MANAGER: The township manager shall be the Chief Administrative Officer of the Township and shall be responsible to the Board of Supervisors as a whole for the proper and efficient administration of the Township. The powers and duties of the administration of all Township business shall be vested in the Township Manager, unless expressly imposed or conferred by statute upon other Township officers.

Subject to the revision by Ordinance of the Board of Supervisors, the powers and duties of the Township Manager shall include the following:

1. The Township Manager, at the direction of the Board of Supervisors, shall execute and enforce the laws of the Commonwealth and ordinances, resolutions and by-laws of the Board of Supervisors.
2. The Township Manager shall attend all meetings of the Board of Supervisors and shall recommend such measures as he or she shall deem expedient. In addition to attending all meetings of the Board of Supervisors, the Township Manager will attend meetings of each department, committee, agency, or board when directed to do so by the Board of Supervisors, with the right to take part in the discussion, and he or she shall receive notice of all special meetings of the Board of Supervisors, of its department, committees, agencies and boards.
3. The Township Manager shall act as the Township Secretary and Treasurer, upon appointment by resolution, and shall have all the powers and duties given to these offices by statute and by ordinance of this Township.
4. The Township Manager shall keep the Board of Supervisors informed upon the affairs of the Township and keep the Board duly advised of the Township's financial condition and its financial needs.
5. The Township Manager shall prepare and submit to the Board of Supervisors a recommended budget for the upcoming fiscal year. Such budget shall be submitted in sufficient time to allow for its study and adoption within the time directed by the Second Class township Code. In preparing the recommended budget, the Township Manager or any officer designated by him or

her, shall obtain from the head of each department, agency, estimates of revenues and expenditures and such other supporting data as he or she may require.

6. The Township Manager shall administer the budget after its adoption by the Board of Supervisors.

7. The Township Manager shall prepare the agenda for each meeting of the Board of Supervisors and supply facts pertinent thereto.

8. The Township Manager shall keep the Board of Supervisors informed as to the conduct of the Township's affairs; submit periodic reports on the condition of the Township's finances and such other reports as the Board of Supervisors requests, and make such recommendations to the Board of Supervisors as he or she deems necessary,

9. The Township Manager shall see that the provisions of all the franchises, leases, permits and privileges granted by the Board of Supervisors is observed.

10. The Township Manager may employ, by and with the approval of the Board of Supervisors, experts or consultants to perform work and to advise in connection with any of the functions of the Township.

11. The Township Manager shall, subject to the Board of Supervisors' approval attend to the letting of contracts in due form of law, and he or she shall supervise the performance and faithful execution of same, except insofar as such duties are expressly imposed upon some other Township officer by statute.

12. The Township Manager shall see that all money owed the Township is promptly paid and that proper proceedings are taken for the security and collection of all the township's claims.

13. The Township Manager shall be the purchasing agent of the Township and shall supervise and coordinate, in accordance with the provisions of the Second Class township Code, the letting of contracts, purchase of all supplies and equipment for the various agencies, boards, departments, and other offices of the Township as authorized by the Board of Supervisors in their annual operating budget. He or she shall keep an account of all purchases and shall periodically, or when directed by the Board of Supervisors make a full written report thereof.

14. All complaints regarding services or personnel of the Township shall be referred to the Office of the Township Manager or an officer designated by him or her who shall investigate and dispose of such complaints. The Township Manager, or officer designated by him or her, shall report thereon to the Board of Supervisors.

15. The Township Manager shall make research and investigation into the administration and governmental functions of the Federal Government, State Government and of various townships and make recommendation to the Board of Supervisors of all available grants in aid, and other assistance available to the Township affecting the health, safety, welfare and administration of the Township.

16. The Township Manager shall hold such other Township offices and head such Township departments as the Board of Supervisors may from time to time direct.

17. The Township Manager shall be authorized to issue instructions and direct all township personnel to respond to the needs of the Township.

18. The Township Manager shall be responsible for the management of all personnel, including discipline. Firing and hiring will continue to remain the responsibility of the Board of Supervisors with the recommendation of the Township Manager and the Roadmaster, where applicable, taken into consideration.

19. Evaluation: The Township Manager shall be responsible for doing an evaluation of all township employees. The valuation shall provide for identification of areas of the employee's job performance where the employee performed well and also areas which need improvement. Where applicable, the Township Manager shall consult with the Roadmaster. The results of the evaluation shall be discussed with the Board of Supervisors.

SECTION 7: ACTING MANAGER: The Board of Supervisors may appoint a Township employee to act as Manager and to exercise the duties of Manager during the Township Manager's temporary absence or disability. During such absence or disability, the Board of Supervisors may remove such designation at any time and appoint another person as Acting Manager to serve until the Township Manager shall return or his or her disability shall cease.

SECTION 8: REPEALS: All ordinances or resolutions, or parts of ordinances or resolutions, insofar as they are inconsistent herewith, be and the same are hereby repealed.

SECTION 9: SAVINGS CLAUSE: If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall for any reason be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance which shall continue in full force and effect.

APPROVED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF TILDEN AND ENACTED into an Ordinance of the Township this 5th day of OCTOBER, 1993.

TILDEN TOWNSHIP
BOARD OF SUPERVISORS

Wellington R. Katus
Ray J. Kellum
Royce Barker

Attest:

Anna M. Schellenberger

JAMES M. LILLIS, SOLICITOR
TILDEN TOWNSHIP