

Chapter 32

MANAGER

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[HISTORY: Adopted by the Borough Council of the Borough of Canonsburg 11-1-1988 as Ch. 1, Part 4, of the 1988 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Borough Council — See Ch. 9.

Salaries and personnel policies — See Ch. 54.

§ 32-1. Creation of office.

The Office of Borough Manager is hereby created by the Borough of Canonsburg.

§ 32-2. Appointment; vacancy. [Amended 6-18-1990 by Ord. No. 1148]

- A. The Manager shall be appointed for an indefinite term by a majority of all the members of Council. The Manager shall serve at the pleasure of the Council and he may be removed at any time by a majority vote of all its members. In the event of the removal of the Manager by Council, at least 90 days before such removal becomes effective, the Council shall furnish the Manager with a written statement setting forth its intention to remove him and the reasons therefor.
- B. In the event that the Borough Manager desires to terminate his position with the Borough of Canonsburg, he shall give at least 90 days' written notice thereof to the Canonsburg Borough Council of his intention to do so in order that Borough Council may have ample opportunity to seek and screen out candidates for said position during said period of time. During said period of time, the Manager shall assist, if requested by Borough Council, to interview potential persons for said position and to acquaint the newly hired person with the duties, functions and operations of the Office of Borough Manager.
- C. In the event that the Borough Council and Manager do not need said full ninety-day period of time to accomplish the foregoing, they may mutually agree, in writing, to the utilization of a period of time less than the aforesaid ninety-day period.

§ 32-3. 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 or of the Commonwealth 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.

§ 32-4. 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 \$25,000, conditioned for the faithful performance of his duties. The premium shall be paid by the Borough.

§ 32-5. Compensation. [Amended 6-18-1990 by Ord. No. 1148]

- A. The salary of the Borough Manager shall be fixed from year to year by salary ordinance, unless the salary has been fixed for a longer term by a written agreement between the Manager and the Borough.
- B. Notwithstanding anything herein to the contrary, the Manager may, in the alternative, serve at the pleasure of the Council and may be removed at any time by a majority vote of all its members. The Manager shall further serve pursuant to such terms and conditions as the Council may impose upon the Manager and in accordance with any contract of employment between the Borough and the Manager.

§ 32-6. Powers and duties.

The Manager shall be the Chief Administrative Officer of the Borough, and he shall be responsible to the Council as a whole for the proper and efficient administration of the affairs of the Borough. 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:

- A. He shall supervise and be responsible for the activities of all municipal departments.
- B. Hiring and suspension or discharge of employees.
 - (1) He shall hire and, when necessary for the good of the service, shall suspend or discharge all employees under his supervision, provided that persons covered by the civil service provisions of the Borough Code¹ shall be hired, suspended or discharged in accordance with such provisions; provided, further, that the Manager shall report, at the next meeting thereafter of Council, any action taken by authority of this subsection; and provided, further, that any suspended or discharged employee shall have the right of appeal to the Council from any such action by the Manager.

1. Editor's Note: See 53 P.S. § 46101 et seq.

- (2) Notwithstanding anything herein to the contrary, the hiring and firing of all department heads shall be the prerogative of the Borough Council. The Manager may be called upon for his advice. **[Added 10-14-2002 by Ord. No. 1240]**
- C. He shall prepare and submit to Council, before the close of the fiscal year or on such alternate date as the 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 supporting data as he requests. The Manager shall review such estimates and may revise them before submitting the budget to the Council.
- D. He shall be responsible for the administration of the budget after its adoption by the Council.
- E. He shall be the Secretary of the Borough of Canonsburg-Houston Joint Sewer Authority and the Canonsburg Parking Authority and Planning Commission. He shall attend the meetings of the Sewer, Planning and Parking bodies so as to coordinate those activities with the Borough Council, with the assistance of the Zoning Officer/Building Inspector. **[Amended 10-14-2002 by Ord. No. 1240]**
- F. He shall attend all meetings of the Council and its committees with the right to take part in the discussion, and he shall receive notice of all special meetings of the Council or its committees.
- G. He shall prepare the agenda for each meeting of the Council and supply facts pertinent thereto.
- H. 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.
- I. 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.
- J. He shall see that the provisions of all franchises, leases, permits and privileges granted by the Borough are observed.
- K. He may employ, by and with the approval of the Council, experts and consultants to perform work and advise in connection with any of the functions of the Borough.
- L. 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.
- M. 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.

- N. He shall be the Purchasing Officer of the Borough and he shall purchase, in accordance with the provisions of the Borough Code,² 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 the Council, make a full written report thereof. He shall also issue rules and regulations, subject to the approval of the Council, governing the requisition and purchasing of all municipal supplies and equipment.
- O. 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 the Council.
- P. Pursuant to authority granted to Borough Council under the provisions of the Borough Code (53 P.S. § 46005 and 53 P.S. § 46143), provision is hereby made for the appointment of a Treasurer, and said position or office shall be held by the Borough Manager in addition to the powers and duties of the Manager. The Manager shall perform the duties of the Treasurer as set forth in the Borough Code (53 P.S. § 46106), including any amendments from time to time appertaining thereto. Said duties under said Borough Code are presently as follows: "The Borough Treasurer shall, before entering upon the duties of his office, give bond, conditioned for the faithful performance of his duties. He shall keep a just account of all receipts and disbursements, and shall annually submit his account to the Borough Auditors or Controller; he shall pay over all moneys remaining in his hands and deliver all books, papers, accounts, and other things belonging to the Borough, to his successor. All moneys received by any officer, or other person, for the use of the Borough shall be forthwith paid to the Borough Treasurer. He shall deposit all moneys received by him in a bank or banking institution in the name of the Borough. All expenditures shall be paid out of funds in the treasury only when authorized by the Treasurer, upon an order signed by the President of Council and the Borough Secretary and also by the Borough Controller, if any. Such order shall not be executed unless there is money in the treasury available therefor."

§ 32-7. Limitation on Council's powers. [Amended 10-14-2002 by Ord. No. 1240]

Service of the Borough, except as provided for in § 32-6B(2) above. The Manager agrees that within the general policy as set out by Council, the various committee chairmen may make suggestions and/or recommendations to the Borough Manager in directing or coordinating the work duties of the department heads in the efficient administration of the offices of the Borough.

§ 32-8. Disability or absence. [Amended 10-14-2002 by Ord. No. 1240]

If the Manager becomes ill or needs to be absent from the Borough for vacation or otherwise, the Council President shall designate an interim member of the management staff to perform the duties of the Manager during the Manager's absence or disability. The person so

2. Editor's Note: See 53 P.S. § 46101 et seq.

designated shall not perform these duties for a period longer than two weeks without approval of the whole Council.