

Chapter 31

MANAGER

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[HISTORY: Adopted by the Borough Council of the Borough of Edgewood 4-3-2000 by Ord. No. 964. Amendments noted where applicable.]

GENERAL REFERENCES

Personnel — See Ch. 40.

Salaries and compensation — See Ch. 64.

§ 31-1. Creation of position; conditions of employment.

The position of Borough Manager is hereby created. The position is subject to the following provisions:

- A. The Borough Manager shall be appointed by a majority of all members of Council.
[Amended 7-18-2005 by Ord. No. 1004]
- B. Council shall fix the compensation of the Borough Manager.
- C. Council may enter into an employment agreement with the Borough Manager setting forth the terms and conditions of employment. However, he/she shall, at all times, serve at the pleasure of the Borough Council and may be removed at any time by a majority vote by Borough Council; provided at least 30 days before such removal is to become effective, the Council shall furnish the Borough Manager with a written statement setting forth its intentions to remove him/her.
- D. The Borough Manager is hereby precluded and prohibited from accepting any personal gifts or gratuities in any amount or any personal discounted purchases from any individual or corporation which sells, supplies or markets equipment, goods or services to the Borough or who, at any time hereafter, may sell or supply equipment, goods or services to the Borough.
- E. The Borough Manager is precluded from obtaining any outside employment except under the following circumstances:
 - (1) The outside employment will not in any fashion interfere with his/her functioning as Borough Manager or conflict with his/her attendance at Borough Council meetings, regular or special or committee meetings.
 - (2) Prior approval must be obtained from Borough Council.

F. The Borough Manager shall hold no other paid position within the Borough organization.

§ 31-2. Qualifications.

The Borough Manager shall be chosen solely on the basis of administrative and executive abilities. Special attention will be paid to training and/or experience in municipal management or reference made to the duties of the office as hereinafter set forth. The Borough Manager will not be required to be a resident of the Borough unless Council so specifies.

§ 31-3. Bond.

The Borough Manager, before taking office and each year thereafter, shall provide to the Borough a fidelity bond with a corporation licensed to do business in the Commonwealth of Pennsylvania as surety, in the amount of \$250,000. Said bond shall be conditioned upon the faithful performance of the Borough Manager's duties. The premium of said bond to be paid by the Borough.

§ 31-4. General powers and duties.

The Borough Manager shall be the chief administrative officer of the Borough and he/she shall be responsible to the Borough Council as a whole for the proper and efficient administration of the affairs of the Borough. The Borough Manager will also serve as the Borough Secretary for the purpose of attesting and affixing the Borough Seal to any and all documents executed by the Borough which require such authentication. The Borough Manager shall be charged with enforcement of all laws and ordinances within the Borough insofar as the enforcement is within the power of the Borough and has not been delegated by ordinance or resolution to other employees. The Borough Manager's power and duties shall extend to the general management of all Borough business not expressly by statute or ordinance imposed or conferred upon other Borough officers or employees.

§ 31-5. Specific powers and duties.

The powers and duties of the Borough Manager shall include the following:

- A. Be responsible to the Council for carrying out all policies and programs established by Council.
- B. The Borough Manager shall supervise the work of all municipal employees, except the Police Department, either directly or through supervisory personnel except where otherwise provided by law. [Amended 7-18-2005 by Ord. No. 1004]
- C. When deemed necessary for the good of the Borough, suspend or discipline any employees under the Borough Manager's supervision, provided that all contracts and provisions of the personnel manual are strictly followed; provided that persons covered by the civil service provision of the Borough Code shall be suspended or disciplined in accordance with such provisions; provided further that the Borough Manager shall report

to the Borough Council any action taken by authority of this section at the next meeting thereafter.

- D. The Borough Manager shall prepare and submit to Council a budget for the next fiscal year with an explanatory budget message. The budget message shall provide in a narrative form information concerning the fiscal plan emphasizing the significant changes in revenues and/or expenditures and any specific programs or projects in the budget. The Borough Manager shall submit a budget to Borough Council by October 15 of each year. **[Amended 7-18-2005 by Ord. No. 1004]**
- E. The Borough Manager shall recommend to the Borough Council a schedule of compensation for each appointed office and position in the Borough's service.
- F. The Borough Manager shall attend all meetings of the Borough Council with the right to take part in the discussions. The Borough Manager shall receive notice of all special meetings of Council and its committees and attend at Council's request.
- G. The Borough Manager shall prepare the agenda for each meeting of Council and supply facts pertinent thereto.
- H. The Borough Manager shall state a Borough Manager's Report at the business meeting of the Borough Council providing information as to the conduct of the Borough's affairs and condition of the Borough's finances and make such other reports as the Borough Council requests with recommendations to the Borough Council as the Borough Manager may deem necessary.
- I. The Borough Manager shall submit to Borough Council as soon as possible at the close of the fiscal year, or at any time during the year at the request of any member of Council, a complete report on the finances and an annual report including all ordinances passed, grants submitted and their status, an employee report including overtime and salaries received and a statement of the Borough assets, or any subreport thereof. When the Borough Council has a complete audit performed on the Borough's finances, the Borough Manager will cooperate fully and completely with the Auditors in providing them information necessary for the completion of the audit.
- J. The Borough Manager, in conjunction with the preparation of the yearly budget, shall prepare or update a five-year capital improvement plan for the Borough, as Council dictates. The fiscal plan and capital improvement plan will set forth the proposals in increments of two years and five years. Such plans shall be presented annually to the Council for its review and adoption. **[Amended 7-18-2005 by Ord. No. 1004]**
- K. The Borough Manager may make capital purchases not to exceed \$3,999.99 per item, providing the Borough Manager advises Borough Council of each such purchase. The Borough Manager shall have the power to purchase ordinary maintenance supplies and equipment for use of the Borough, subject to the bidding provision of the Borough. The Borough Manager shall see that the provisions of all franchises, leases, permits and privileges granted by the Borough are observed. **[Amended 7-18-2005 by Ord. No. 1004]**

- L. The Borough Manager shall administer and ensure proper compliance and execution of all legal contracts duly entered into by Council on behalf of the Borough.
- M. The Borough Manager shall see that all monies owed the Borough are promptly paid and that proper proceedings are taken for the security and collection of all the Borough's claims.
- N. The Borough Manager shall keep a current inventory showing all real and personal property of the Borough and its maintenance of all such property, including equipment, buildings, parks and other Borough property which is not by statute, ordinance or resolution assigned to some other officer for care or control.
- O. The Borough Manager shall be responsible to ensure proper maintenance of all Borough equipment, grounds and facilities and to ensure reasonable security precautions are taken with same.
- P. The Borough Manager shall cooperate with Borough Council at all times and in all matters so that the best interest of the general public may be maintained.
- Q. All complaints regarding services or personnel of the Borough not otherwise referred shall be referred to the Borough Manager. He/she, or an officer designated by him/her, shall investigate and dispose of such complaints in accordance with the Personnel Manual¹ and the Borough Manager shall report thereon to Council. In the event that a complaint is referred to the Borough Manager for personnel not under his/her supervision, the complaint will immediately be referred by the Borough Manager to the appropriate supervisory personnel.
- R. The Borough Manager shall provide, if requested, a monthly financial report to the Council which will include up-to-date budgetary figures of expenses and revenues.
[Amended 7-18-2005 by Ord. No. 1004]
- S. In the absence of a systems administrator, the Borough Manager will act as such and will be responsible for overseeing the computer hardware, software, networking environment and appropriate use of all Borough-owned, -leased, and -operated equipment.

§ 31-6. Borough finances.

The Borough Manager shall be considered the chief financial officer for the pension plan and is hereby authorized to coexecute all documents in connection therewith along with the Chair of the Pension Committee; however, the Borough Council will retain ultimate authority for the administration of the Borough's pension plans and must approve all withdrawals from said plan. The Borough Manager shall provide Borough Council an annual audit of pension funds each January including all withdrawals.

1. Editor's Note: See also Ch. 40, Personnel.

§ 31-7. Mayor's powers and duties.

The Borough Manager shall further exercise all powers and perform all duties of a nonlegislative and nonjudicial nature that the Mayor of the Borough of Edgewood may, subject to the approval of the Council through its President, delegate to him/her in writing from time to time, and the Mayor is hereby authorized to delegate to the Borough Manager such powers and duties.

§ 31-8. Professional assistance.

The Borough Manager shall be given authorization to utilize the services of the Borough Solicitor, Engineer and other approved consultants on an as-needed basis to conduct Borough-related routine business, or Council-approved projects.

§ 31-9. Disability or absence of Manager.

If the Borough Manager becomes ill or needs to be absent from the Borough for any period of time, he/she shall designate a qualified member of his/her staff who shall perform the duties of the Borough Manager during his/her absence or disability. The person so designated shall not perform these duties for a period longer than two weeks without the approval of Borough Council. Council, by a majority vote, may, at any time, revoke such designation and appoint a qualified employee to serve as Acting Borough Manager.

