

CODE OF THE BOROUGH OF NORTHUMBERLAND

CHAPTER 2 – BOROUGH MANAGER

[History: Adopted by the Council of the Borough of Northumberland 4-7-98 as Ord. No. 455;
Amended 9-19-2000 by Ord. No. 2000-3]

ARTICLE I – OFFICE OF MANAGER

2.1.01 Creation of the office. (2-1)

The office of Borough Manager is hereby created by the Borough of Northumberland.

2.1.02 Appointment and removal. (2-2)

The Manager shall be appointed for an indefinite term by a majority of all 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. At least thirty days before such removal is to become effective, the Council shall furnish the Manager with a written statement setting forth its intention to remove him.

2.1.03 Qualifications. (2-3)

The Manager shall be chosen solely on the basis of executive and administrative abilities, with special reference to the duties of the office as herein outlined. The Manager need not be a resident of the Borough.

2.1.04 Bond. (2-4)

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 an amount to be determined from time to time by Council, conditioned upon the faithful performance of his duties, the premium for said bond to be paid by the Borough.

2.1.05 Manager's compensation. (2-5)

[Amended 9-19-00 by Ord. No. 2000-3]

The salary of the Borough Manager shall be fixed from time to time by the Council.

Council and the Borough Manager may agree that the compensation of the Borough Manager shall be in a matter other than, or in addition to, cash salary, including, but not limited to, deferred compensation, deferred medical benefits for himself and his family, and the right to collect a percentage fee from grants awarded to, or for the benefit of, the Borough of Northumberland.

2.1.06 Powers and duties. (2-6)

[Amended 9-19-00 by Ord. No. 2000-3]

The Manager shall be the Chief Administrative Officer of the Borough and shall be responsible to the Council as a whole for the proper and efficient administration of the affairs of the Borough placed in his charge. The powers and duties of administration of all Borough business shall be vested in the Manager, unless expressly imposed or conferred by statute or ordinance upon other Borough Officers.

Subject to recall by ordinance of Council, the powers and duties of the Borough Manager may include the following:

- A. To supervise and to be responsible for the activities of all municipal departments. Nothing in this provision is intended, however, to apply to the office of Borough Solicitor, or to supervision of the police department, in the absence of a delegation of authority from the Mayor.

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- B. To recommend wages and salary for all personnel under his supervision to Council annually. Prior to presentation of these recommendations to Council, the Manager shall conduct performance reviews with each employee under his supervision.
 - C. To prepare and submit to Council before the close of each fiscal year, a budget for the next fiscal year and an explanatory budget message. In preparing the budget, the Manager shall obtain from the head of each department, agency or board, or any qualified officer thereof, estimates of revenues and expenditures and such other supporting data as is required. The Manager shall review such estimates and may revise them before submitting the budget to the Council.
 - D. To be responsible for the administration of the budget after its adoption by the Council.
 - E. To develop, in conjunction with the preparation of the yearly budget, long-range fiscal plans to be presented annually to the Council for its review and adoption.
 - F. To hold such other municipal office and to head such municipal departments as the Council may from time to time direct, in accordance with law.
 - G. To attend all meetings of Council and of committees as required, and to take part in the discussions. The Manager shall receive notice of special meetings of Council and Committees.
 - H. To prepare the agenda for each meeting of Council and Planning Commission and supply facts pertinent thereto.
 - I. To keep Council informed on a monthly basis as to the conduct of Borough affairs; to submit periodic reports on the condition of the Borough finances and such other reports as the Council request; and to make such recommendations to the Council as he deems advisable.
 - J. To submit to Council, as soon as possible after the close of the fiscal year, a complete report on the finances of the Borough for the preceding year.
 - K. To see that the provisions of all franchises, leases, permits and privileges granted by the Borough are observed.
 - L. To employ, by and with the approval of Council, experts and consultants to perform work and to advise in connection with any of the functions of the Borough.
 - M. To supervise the performance and faithful execution of all contracts entered into by the Council except insofar as such duties are expressly imposed by statute upon some other Borough Officer.
 - N. To see that all money owned the Borough is promptly paid and that proper proceedings are taken for the security and collection of all the Borough's claims.
 - O. To serve as purchasing Officer of the Borough and to purchase in accordance with the provisions of the Borough code, all supplies and equipment for the agencies, boards, departments, and other offices of the Borough. The Manager shall keep an account of all purchases and shall, from time to time as directed by Council, make a full written report thereof. He shall also issue rules and regulations subject to the approval of Council, governing the procurement of all municipal supplies and equipment.
 - P. To investigate and dispose of, or to designate an officer to investigate and dispose of, all complaints regarding Borough services, and to report to the Council thereon. Complaints regarding Borough services shall be referred to the Office of the Manager. Responses to and/or resolutions of all written complaints shall be given in a reasonable time.
 - Q. To ensure that all ordinances and regulations of the Borough are enforced in cooperation with the Mayor.
 - R. To perform such other duties as may be from time to time conferred upon him by Council.
- The Borough reserves the right at any time by ordinance to amend or otherwise modify or repeal this ordinance in any particular.

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2.1.07 Procedural limitations on Council. (2-7)

Other than for the purpose of inquiry, the Council or any of its members or any of Council's board or committees or its members should deal with the administrative actions solely through the Borough Manager and neither the Council nor any of its members, nor any of Council's boards or committees or its members should give orders - publicly or privately - to any subordinate of the Manager.

2.1.08 Disability or absence of the Manager. (2-8)

If the Manager becomes ill or needs to be absent from the Borough, he shall designate one qualified member of his staff to perform the duties of the Manager during his absence or disability. The person so designated shall not perform these duties for a period longer than two weeks without approval of the Council.

2.1.09 Gender. (2-9)

Wherever in this ordinance a masculine pronoun is used, it includes the feminine.

2.1.10 Repeal of ordinance. (2-10)

The Borough reserves the right at any time by ordinance to amend or otherwise modify or repeal this ordinance in any particular. All ordinances or resolutions, or parts of ordinances or resolutions, insofar as they are inconsistent herewith, are hereby repealed.

2.1.11 Authorization for Contract. (2-11)

[Added 9-19-00 by Ord. No. 2000-3]

The Northumberland Borough Council is authorized to enter into a contract or other written agreement with the Borough Manager which sets forth the terms, conditions, and limits of his responsibilities. This written agreement may include all, some, or none of the responsibilities described in Section 2.1.6 of the Code. The written agreement shall be a public document and shall be available for public inspection.