

## ORDINANCE #2 of 2018

### AN ORDINANCE OF THE BOROUGH OF THROOP, LACKAWANNA COUNTY, PENNSYLVANIA, ESTABLISHING THE OFFICE OF BOROUGH MANAGER AND ESTABLISHING THE POWERS AND DUTIES THEREOF

#### **Section 1. CREATION OF OFFICE**

The Office of Borough Manager is hereby created by the Borough Council of the Borough of Throop.

#### **Section 2. APPOINTMENT AND REMOVAL**

The Manager shall be appointed for an indefinite term by a majority of all members of the Borough Council. The Manager shall serve at the pleasure of the Borough Council, and he may be removed at any time by a majority vote of all its members, subject to the terms of an employment agreement, if any pursuant to Borough Code Section 1142 (b).

#### **Section 3. QUALIFICATIONS**

The Manager shall be chosen solely on the basis of his executive and administrative abilities, with special reference to the duties of the office as herein outlined.

#### **Section 4. MANAGER'S COMPENSATION**

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

#### **Section 5. POWERS AND DUTIES**

1. The Manager shall be the chief administrative officer of the Borough and shall be responsible to the Borough Council as a whole for the proper and efficient administration of the day to day affairs of the Borough placed in his charge. The powers and duties for administration of all Borough business shall be vested in the Manager subject to review and modification by Borough Council unless expressly imposed or conferred by statute or ordinance upon other Borough officers.
2. Subject to recall by ordinance, the powers and duties of the Borough Manager shall include the following:
  - A. Supervise and be responsible for the activities of all municipal departments, including the Police Department to the extent delegated in writing by the Mayor.
  - B. The Borough Manager shall recommend to Borough Council the hiring, suspension and termination of all employees under his supervision and carry out Borough Council's instructions regarding same; he may suspend employees without Council's preapproval when he considers it necessary for the good of the Borough provided that a report of such suspension is submitted for consideration by Council at the meeting immediately following such suspension. In any event, all

personnel actions shall be further subject to Civil Service Law and any other pertinent regulation.

- C. The Manager shall recommend to Borough Council wages, salaries and benefits of all personnel under his supervision within a range predetermined by Borough Council to be finally determined by Borough Council following such recommendation.
- D. Assist in the preparation of a budget for the next fiscal year in such a timely fashion as will enable the Borough Council to consider and adopt the budget and related tax ordinances according to the requirements of law. In preparing the budget, the Manager, or an officer designated by him, 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 Borough Council.
- E. Assist in the administration of the budget after its adoption by the Borough Council.
- F. Hold such other Borough offices not specifically prohibited by law and head such Borough departments as the Borough Council may from time to time direct.
- G. Unless excused for cause, the Manager shall attend all meetings of Borough Council and all committee meetings requested by the committee chairman with the right to participate in all discussions.
- H. Keep the Borough 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 Borough Council requests: and make such recommendations to the Borough Council as deemed advisable.
- I. Submit to the Borough Council, as soon as possible after the close of the fiscal year, a complete report on the finances and administrative activities of the Borough for the preceding year.
- J. See that the provisions of all franchises, leases, permits and privileges granted by the Borough Council are observed.
- K. Employ, by and with the approval of the Borough Council, experts and consultants to perform work and advise in connection with any functions of the Borough.
- L. Attend to the letting of contracts in due form of law. The Manager shall supervise the performance and faithful execution of the same except insofar as such duties are expressly imposed by statute upon some other Borough officer.
- M. Assure that all money owed to the Borough is promptly paid and that proper proceedings are taken for the security and collection of the entire Borough's claims.
- N. Serve as purchasing officer of the Borough (with the authority to delegate to additional Throop Borough Employees) and 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 or when directed by the Borough Council, make a full written report thereof. He shall also issue rules and regulations, subject to the approval of the Borough Council, governing the procurement of all Borough supplies and equipment.

- O. Investigate and dispose of, or designate an officer to investigate and dispose of, all complaints regarding Borough services and personnel, and to report to the Borough Council thereon. All complaints regarding Borough services shall be referred to the office of Manager.
- P. Under the direction of the Mayor, enforce the ordinances and regulations of the Borough.

**Section 6. PROCEDURAL LIMITATIONS ON THE BOROUGH COUNCIL**

Other than for the purpose of inquiry, the Borough Council or any of its members or any of the Borough committees or its members shall deal with the administrative service solely through the Manager.

**Section 7. DISABILITY OR ABSENCE OF THE MANAGER**

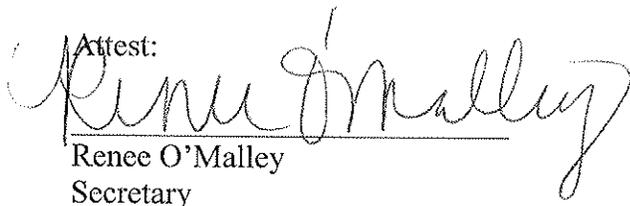
If the Manager becomes ill or needs to be absent from the Borough he shall designate one (1) qualified member of his staff to perform the duties of the Manager during his absence or disability. The person so designated shall not perform these duties for a period longer than two (2) weeks without the approval of the Borough Council.

**Section 8.**

The Borough Manager must be bondable.

**ORDAINED AND ENACTED** this 30<sup>th</sup> day of January, 2018.

Attest:

  
\_\_\_\_\_  
Renee O'Malley  
Secretary

  
\_\_\_\_\_  
Rich Kucharski  
Council President

  
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Joe Tropiak  
Mayor