

**BOROUGH OF MOUNT POCONO
MONROE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2 OF 2021

**AN ORDINANCE CREATING THE POSITION OF BOROUGH MANAGER
IN THE BOROUGH OF MOUNT POCONO**

WHEREAS, the Borough Code permits a Borough to create the Office of Borough Manager in accordance with Sections 1141-1143 of the Borough Code; and

WHEREAS, Borough Council believes that it is appropriate to engage a Manager, who will also act as Borough Secretary, to manage the affairs of the Borough;

NOW, THEREFORE, it is adopted and ordained as follows:

SECTION 1: Creation of Office of Manager

The Office of Borough Manager is hereby created, subject to the right of Council, by Ordinance and at any time, to abolish that office.

SECTION 2: Appointment and Removal of Manager

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 Council as an “at-will” employee and may be removed at any time by a majority vote of all members of Council. At least 30 days before such removal becomes effective, Council shall furnish the Manager with a written statement setting forth its intention to remove the Manager.

SECTION 3: Qualifications of Manager

The Manager shall be chosen on the basis of executive and administrative abilities, with special reference to actual experience in, or knowledge of, accepted practices in respect to the duties of his office as set forth in Section 6 below. The Manager need not be a resident of the Borough.

SECTION 4: Manager’s Bond

Before entering upon the duties of Manager, the appointed Manager shall give bond to the Borough with a bonding company assuring such sum as is set by Resolution of Council, conditioned upon the faithful performance of duties of the office. Any premiums associated therewith shall be paid by the Borough.

SECTION 5: Manager’s Compensation

The salary of the Manager shall be fixed from time to time in the same manner as compensation for all other Borough employees. At such time as Council appoints an individual to the office of Manager, Council shall also fix the initial salary.

SECTION 6: Powers and Duties of Manager

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

b) The Manager’s powers and duties shall relate to the general management of all Borough business, not expressly imposed, or conferred upon other Borough officers by statute.

c) Subject to recall by ordinance of Council, the Manager shall:

- 1) Supervise and be responsible for the activities of all Borough departments.
- 2) With the concurrence of Council, hire, and when necessary for the good of the Borough, suspend or discharge employees under the Manager's supervision and jurisdiction.
- 3) Make recommendations to Council with respect to the compensation of all employees under Manager's supervision and jurisdiction.
- 4) Prepare and submit to Council before the close of the fiscal year or on such alternative date as Council may determine, a budget for the next fiscal year and administer same.
- 5) Obtain from the Chief of each department, board, agency, or other office, estimates of revenues and expenditures for the purpose of preparing the budget.
- 6) Serve as Borough Secretary without additional compensation, and also serve as Assistant Treasurer.
- 7) To the extent provided by law, execute and enforce the ordinances and resolutions of the Borough.
- 8) Attend all meetings of Council and, upon request, attend its committee meetings with the right to take part in any and all discussions pursuant to the rules and regulations for the conduct of meetings as established by Council.
- 9) Prepare the agenda for each meeting of Council and supply facts pertinent thereto.
- 10) Submit periodic reports on the status of Borough Ordinances, including suggested new Ordinances and Amendments to existing Ordinances, and such other reports as Council deems appropriate.
- 11) Make recommendations to Council as the Manager deems necessary and appropriate.
- 12) Submit to Council as soon as practicable at the close of the fiscal year a complete report of the financial and administrative activities of the Borough for the preceding year.
- 13) Secure compliance with all franchises, leases, permits, and privileges granted by Council.
- 14) Employ, with the approval of Council, experts, and consultants to perform work and to advise in connection with any of the functions of the Borough and to see to the letting of contracts in due form of law.
- 15) Supervise performance and faithful execution of all contracts.
- 16) Secure payment to the Borough of all money owed and insure that proper proceedings are taken for the securing and collection of all of the Borough's claims.
- 17) Be the Purchasing Officer of the Borough and purchase, in accordance with the provisions of the Borough Code, all supplies and equipment for various agents, boards and departments and other offices of the Borough.

18) If applicable, prepare invoices for and collect those taxes not otherwise collected by the Tax Collector.

19) Serve as Secretary to the Planning Commission.

20) Serve as Borough Right to Know (RTK) Officer.

21) Be responsible for managing and directing the finances of the Borough to insure proper investments of all municipal funds in excess of immediate needs as well as the administration of all loans.

22) Keep an account of all purchases and, when directed by Council, make a full and written report thereof.

23) Issue rules and regulations, subject to the approval of Council, governing the requisition and purchase of all municipal supplies and equipment.

24) Investigate and dispose of all complaints regarding services or personnel of the Borough.

25) Be administrator, supervisor and be responsible for activities of any and all Borough employees who shall be assigned to his jurisdiction by ordinance or resolution of Council or assigned to his jurisdiction by the Mayor in writing as hereinafter provided.

26) Represent Council in matters relative to union and union members and issue all work rules and disciplinary notices to union employees on behalf of Council.

27) Keep a current inventory showing all real and personal property of the Borough and its condition and be responsible for the care and custody of all such property, including equipment, buildings, parks, and all other Borough property.

28) Publish all notices, ordinances or other documents required by law to be published and to prepare or cause to be prepared all reports which the Borough or any officials thereof are required by law to prepare.

29) Prepare and have custody of all municipal records required by law to be kept by the Borough and not by a specific officer.

30) Where the law makes it the duty of a specific officer to keep or maintain records, the Manager shall make available to such officer all necessary clerical assistance for the preparation of such records and shall make available a place for the custody of such records.

31) Where the law requires or provides for a certification of any records or documents by any office of the Borough, the Manager shall cause such records or documents to be properly prepared and presented to such officer for his signature.

32) Keep a complete set of maps and plats showing the location of all Borough utilities and other Borough properties, streets and other public places, and all lots or parcels of land subdivided according to law.

33) Maintain an office in Borough Building and spend such time in the performance of Manager duties as may be required by Council.

SECTION 7: Delegation of Certain Powers and Duties of Mayor to Manager

The Mayor is hereby authorized to delegate to the Manager, subject to recall by written notification at any time, any of the Mayor's nonlegislative and nonjudicial powers and duties.

SECTION 8: Repealer

Any previous Ordinances creating the Office of Borough Manager are repealed.

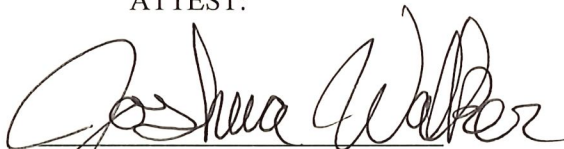
SECTION 9: Effective Date

This Ordinance shall be effective immediately upon Adoption.

ADOPTED AND APPROVED this 4th day of January, 2021 by the BOROUGH OF MOUNT POCONO;


ATTEST:

MOUNT POCONO BOROUGH COUNCIL



Joshua Walker, Secretary

(SEAL)



Claudette Williams, President

APPROVED this 4th day of January, 2021.



Michael Penn, Mayor