

**TOWNSHIP OF KISKIMINETAS
ORDINANCE 01 OF 2018**

**AN ORDINANCE OF THE TOWNSHIP OF KISKIMINETAS,
ARMSTRONG COUNTY, PENNSYLVANIA, PROVIDING
FOR THE OFFICE OF TOWNSHIP MANAGER AND
ESTABLISHING AND REGULATING TOWNSHIP
MANAGER REQUIREMENTS, POWERS, DUTIES AND
RESPONSIBILITIES AND PROVIDING FOR
SEVERABILITY.**

WHEREAS, the Pennsylvania Second Class Township Code (53 P.S. §66301) authorizes the governing body of Second Class Townships to enact, amend and repeal ordinances creating the Office of Township Manager and fixing such employee's powers and duties; and,

WHEREAS, the Board of Supervisors of the Township of Kiskiminetas, County of Armstrong and Commonwealth of Pennsylvania desire to set forth, in detail, the powers, duties, responsibilities and regulations pertaining to the position of Township Manager in the Township of Kiskiminetas;

NOW THEREFORE, the Board of Supervisors of the Township of Kiskiminetas do hereby ordain and enact as follows:

SECTION I – APPOINTMENT/BOND

- A. The Township Manager may be appointed by majority vote of the Board of Supervisors of Kiskiminetas Township for an indefinite term, as provided by law. The Township Manager shall serve at the pleasure of the Board of Supervisors. The Township Manager may be removed at any time by majority vote of the Board of Supervisors, with or without cause. At least thirty (30) days before such removal becomes effective, the Board of Supervisors shall furnish the manager with a written statement setting forth their intentions to remove him/her and the reasons therefore.
- B. Before taking office and each year thereafter, the Township Manager shall furnish a fidelity bond in the amount of Five Hundred Thousand Dollars (\$500,000.00), conditioned upon the faithful performance of his or her duties, with a corporation licensed to do business in the state as surety. The cost of such bond shall be paid from the general revenue of the Township.
- C. The Township Manager shall possess a bachelor's degree and master's degree or equivalent in public administration or a related field from an accredited college or university. These qualifications shall be certified by appropriate transcripts and professional references.

SECTION II -- GENERAL DUTIES

- A. The Township Manager shall be the chief administrative officer of the Township and shall have and exercise all powers and duties assigned to him/her by this ordinance and such other authority as may be granted by the Board of Supervisors. He/She shall be charged with the enforcement of all law and ordinances within the Township insofar as their enforcement is within the power of the Township and has not been delegated by ordinance or resolution to other employees. The Township Manager's power and duties shall extend to the general management of all Township business not expressly or ordinance imposed or conferred upon other Township officers or employees. Salary of the Township Manager shall be set by Resolution and paid from the general fund.
- B. The Township Manager shall attend all meetings of the Board of Supervisors and other such meetings of the Township officials as the Board of Supervisors shall direct; shall keep the Board of Supervisors informed as to the affairs of the Township and shall recommend to the Board of Supervisors such actions as may be necessary or expedient for the health, safety and welfare of the Township. The Township Manager shall prepare the agenda for each meeting of the Board of Supervisors and supply pertinent facts thereto.
- C. The Township Manager need not be a resident of the Township of Kiskiminetas.
- D. The Township Manager shall have, under his/her administrative control all municipal department of the Township, including, but not limited to, department of public works, administration, police department, zoning officer and sewage enforcement officer. The Township Manager may hold such other Township offices or head one or more of the Township's municipal departments as the Board of Supervisors, from time to time, direct.

SECTION III - EMPLOYEES

- A. The Township Manager shall hire and discharge all full time employees, subject to the approval of the Board of Supervisors. (Those employees covered by tenure of office laws are excluded from this provision.) The Township Manager shall have the authority to hire and fire part time employees as the needs of the Township dictate and according to budgetary restrictions. The Board of Supervisors shall have the authority to delegate to the Township Manager the power to hire and fire full time employees. All Township employees shall perform their duties under the administrative direction of the Township Manager.
- B. The Township Manager shall be responsible for managing a human resource system which includes, but is not limited to, job performance reviews, staffing and training; setting performance objectives and job descriptions; formulating organizational charts and compensation tables.

SECTION IV – BUDGET /FINANCE

- A. The Township Manager shall prepare and submit to the Board of Supervisors before October 15 of each year, or an alternative date as the Board of Supervisors shall determine, a balanced budget for the next fiscal year and an explanatory budget message. The budget message shall provide a narrative explanation of the fiscal plan emphasizing any significant changes in revenues and/or expenditures and any specific programs or projects in the budget. In preparing the budget, the Township Manager, or an officer designated by him/her, shall obtain from the head of each department, agency, board officer, estimates of revenues and expenditures and other supporting data as he/she requests. The Township Manager shall review such estimates and may revise them before submitting the budget to the Board of Supervisors.
- B. The Township Manager shall be responsible for the administration of the budget after its adoption by the Board of Supervisors.
- C. The Township Manager shall formulate and implement cost savings programs for the Township.
- D. The Township Manager shall keep the Board of Supervisors informed as to the conduct of the Township affairs and, along with the Secretary/Treasurer, submit periodic reports on the condition of the Township finances. He/She and the Secretary/Treasurer shall submit such other reports as the Board of Supervisors request and make such recommendations to the Board of Supervisors as he/she deems necessary. He/She shall be responsible for making changes recommended as the result of audits and for implementation of internal controls to affect compliance to any audit finding.
- E. The Township Manager may employ, with the approval of the Board of Supervisors, experts and consultants to perform and to advise in connection with any of the functions of the Township.
- F. The Township Manager shall recommend to the Board of Supervisors a schedule of compensation for each appointive office and position in the Township's service, which recommendation shall be provided for in the budget submitted to the Board of Supervisors and a schedule of compensation shall be adopted as part of the budget.
- G. The Township Manager shall oversee the Secretary/Treasurer and require reports on current accounts showing all times the fiscal condition of the Township, including the current and anticipated expenditures, appropriations, cash on hand and anticipated revenue of all municipal funds and accounts. Such documentation shall be reported to the Board of Supervisors jointly by the Township Manager and the Secretary/Treasurer. The Township Manager shall have the authority take appropriate action to withhold appropriations, subject to the approval of the Board of Supervisors and the notification of the Secretary/Treasurer, to maintain a balance between expected revenue and expenditures.

- H. The Township Manager shall prepare and submit to the Board of Supervisors a capital budget by August 31 of each year, or an alternate date as the Board of Supervisors shall determine, for the following year.

SECTION V – CONTRACTS

The Township Manager shall negotiate and examine all proposed contracts to which the Township may be party, including inter-governmental cooperation agreements, and may sign, on behalf of the Township, any contract authorized by the Board of Supervisors, except where the Board of Supervisors direct that some other official or officers shall do so. It shall be the duty of the Township Manager to enforce, by lawful means, that all terms of any contract to which the Township is a party are fully performed by all parties thereto. The Township Manager may serve as chief negotiator on bargaining union contract negotiations for the Township if so directed by the Board of Supervisors.

SECTION VI – PURCHASES

The Township Manager shall be the purchasing officer of the Township and he/she shall provide for the acquisition of, in accordance with the provisions of the Second Class Township Code and the adopted budget, all supplies and equipment for the various agencies, boards, departments and other offices of the Township. He/She shall keep an account of all purchases and shall prepare an appropriate request, identified as the warrants payable to the Board of Supervisors for the authorization to expend the appropriations for those purchases. He/She shall also issue rules and regulations governing the requisition and purchasing of all municipal supplies and equipment. Notwithstanding anything herein contained to the contrary, the Township Manager shall not have the power and authority to make purchases or to enter into contracts where, according to the Second Class Township Code, advertising is required, except with the price approval of the majority of the Board of Supervisors.

SECTION VII – INVENTORIES OF PROPERTY

The Township Manager shall keep a current inventory showing all real and personal property of the Township and its location and shall be responsible for the care and custody of all such property, including equipment, buildings, parks and all other Township property which is not by statute, ordinance or resolution assigned to some other officer or body for care and control.

SECTION VIII – REPORTS/PUBLICATIONS

It shall be the duty of the Township Manager to see to the official publication and/or advertisement of all notices, ordinance or other documents required by law to be published and/or advertised and to prepare or caused to be prepared all reports which the Township or any of the officials thereof are required by law to prepare.

SECTION IX – MAPS/PLATS

The Township Manager shall cause to be kept a complete set of maps and plats showing the location of all Township utilities and other municipal properties, all streets and other public places and all lots or parcels of land subdivided according to law.

SECTION X – OFFICE

The Township Manager shall maintain an office in the Kiskiminetas Township Municipal Building and devote his/her entire time to the discharge of his/her official duties. The Township Manager shall be required to expend such time in the performance of those duties as may be required by the Board of Supervisors.

SECTION XI – INVESTIGATIONS

The Township Manager, or his/her designee, shall have the authority to investigate the affairs of the Township or any department, agency, division or advisory council thereof and to investigate all complaints in relation to matters concerning the administration of the government of the Township. Reports of such investigation shall be promptly submitted to the Board of Supervisors.

SECTION XII – EMERGENCIES

In case of accident, disaster or other circumstances creating a public emergency, the Township Manager may award contracts and make purchases for the purposes of meeting said emergency, but he/she shall submit promptly to the Board of Supervisors a report establishing the existence of such emergency and the necessity of such action, together with an itemized account of all such expenditures in response thereto. In time of such emergency, the Township Manager shall have overall responsibility for the coordination and implementation of all Township services in response thereto.

SECTION XIII – ABSENCE FROM TOWNSHIP/DESIGNATION OF REPLACEMENT

If the Township Manager become ill or needs to be absent from the Township, the Board of Supervisors shall designate one (1) qualified person who shall perform the manager's duties during his/her absence or disability. The person so designated shall have the same authority as that of the regular Township Manager, but may be required to report to the Board of Supervisors all administrative action that shall be taken during the time of the absence of the regular Township Manager.

SECTION XIV – COMPREHENSIVE PLAN/GRANTS

The Township Manager shall be responsible for execution of the Township's Comprehensive Plan or other Township short term and long range plans. He/She shall also aid in the development of the plan in conjunction with the Board of Supervisors and citizen volunteers. To achieve the plan or fund other projects, the Township Manager shall seek out and apply for grants from all federal, state, county and foundation funding sources and be responsible for coordinating the use of funds from such grants.

SECTION XV – JOB PERFORMANCE REVIEW

The Board of Supervisors shall annually review and rate the performance of the Township Manager using a job performance review system enacted by a resolution of the Board of Supervisors. The job performance review shall be completed by January 31 of the year proceeding the review year.

2. The Board of Supervisors of Kiskiminetas Township will approve a certain Employment Contract at a later date; which sets forth the terms, conditions, duties, benefits, etc. of Township Manager; and
3. This Resolution shall become effective immediately upon enactment hereof.

DULY RESOLVED AND ENACTED this 24th day of September, 2018, by the Board of Supervisors of Kiskiminetas Township, Armstrong County, Pennsylvania.

ATTEST:

KISKIMINETAS TOWNSHIP
BOARD OF SUPERVISORS

Monica Austin

Monica Austin, Secretary

Jack E. Wilnot, Jr.

Chairman

Vice Chairman

David E. Jones

Supervisor

Richard Lee

Supervisor

Jeffrey Taylor

Supervisor

(SEAL)