

Masculine pronouns such as he, him, his, etc. are used solely for ease in reading. These terms are used to refer to all and are not intended to reflect gender.

ORDINANCE NO. 14

AN ORDINANCE ESTABLISHING THE OFFICE OF BOROUGH  
MANAGER IN THE BOROUGH OF INDIAN LAKE, PROVIDING  
THE MANNER OF FILLING SAID OFFICE, THE AMOUNT OF  
BOND, METHOD OF COMPENSATING SUCH OFFICER, AND  
THE POWERS AND DUTIES OF THE OFFICE

The Borough of Indian Lake, Somerset County, Pennsylvania, hereby ordains as follows:

Section 1. The office of Borough Manager is hereby created by the Borough of Indian Lake, subject to the right of the Borough, by ordinance, at any time to abolish such office.

Section 2. As soon as practicable after the enactment of this ordinance, the Borough Council shall elect, by a majority vote of all its members, one person to fill the office of Borough Manager, who shall serve until the first Monday of January of the even-numbered years succeeding his appointment, and until his successor is elected and qualifies. The said office shall be filled biennially thereafter. In the case of a vacancy, the Council shall fill said office by majority vote of all its members. The Borough Manager shall, however, be subject to removal at any time by a majority vote of all the members of the Council.

*amended #24  
see Ord. 7* Section 3. The Borough Manager shall be chosen solely on the basis of his executive and administrative abilities, with special reference to any experience in or his knowledge of accepted practices in respect to the duties of the office as outlined herein. The Borough Manager need not be a resident of the Borough or of the State of Pennsylvania at the time of his appointment, but as soon as possible thereafter he shall become, and during his tenure as Borough Manager shall remain, a resident of the Borough.

Section 4. Before entering upon his duties, the Borough Manager shall give a bond to the Borough, with a bonding company as surety, in the sum of Five Thousand Dollars (\$5,000.00), conditioned for the faithful performance of his duties, premium for the said bond to be paid for by the Borough of Indian Lake. The bond of the Borough Manager may be included in, and the Borough Manager may be bonded under and covered by a blanket bond in force or hereafter placed in force for all Borough employees in the aforesaid amount of Five Thousand Dollars (\$5,000.00).

Section 5. The Borough Manager shall receive for his services as Borough Manager such compensation as shall be fixed by Borough Council from time to time.

Section 6. The Borough Manager shall be the chief administrative officer of the Borough, and he shall be responsible to the Council as a whole for the proper and efficient administration of the affairs of the Borough. His powers and duties shall relate to the general management of all Borough business not expressly, by statute or ordinance, imposed or conferred upon other Borough officers. The Mayor is hereby authorized to delegate to the Borough Manager, subject to recall by written notification at any time, any of his non-legislative and non-judicial powers and duties.

Section 7. Subject to recall by ordinance, the powers and duties of the Borough Manager shall include the following:

(a) He shall supervise and be responsible for the activities of all municipal departments, except such departments the supervision of which shall not have been delegated to the Borough Manager by the Mayor or by Council, as the case may be.

(b) He shall hire and, when he shall deem it necessary for the good of the service, shall suspend or discharge all employees

under his supervision, PROVIDED: that persons covered by the civil service provisions of the Borough Code shall be hired, suspended or discharged in accordance with such provisions. PROVIDED FURTHER: that the Borough Manager shall report, at the next regular meeting thereafter of Council, any action taken by authority of this subsection.

(c) He shall prepare and submit to Council before the close of the fiscal year, or on such alternate date as Council shall determine, a budget for the next fiscal year and an explanatory budget message. In preparing the budget the Borough Manager, or an officer designated by him, shall obtain from the head of each department, agency, board, or officer, estimates of revenues and expenditures and other supporting data as he requests. The Borough Manager shall review such estimates and may revise them before submitting the budget to the Council.

(d) He shall be responsible for the administration of the budget after its adoption by the Council.

(e) He shall, under the direction of the Mayor, execute and enforce the laws of the Commonwealth, and ordinances, resolutions and by-laws of the Borough.

(f) He shall hold the offices of Borough Engineer, Building Inspector, Street Commissioner and Zoning Officer, and shall perform all the duties of all such officers, in addition to the specific duties assigned to the Borough Manager by this ordinance.

(g) He shall attend all meetings of the Borough Council and of its committees, with the right to take part in the discussion, and he shall receive notice of all special meetings of Council and of its committees.

(h) He shall prepare the agenda for each meeting of Council and supply facts pertinent thereto.

(i) He shall keep the 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 Council shall request; and shall make such recommendations to the Council as he deems necessary.

(j) He shall submit to Council, as soon as possible after the close of the fiscal year, a complete report on the financial and administrative activities of the Borough for the preceding year.

(k) He shall see that the provisions of all franchises, leases, permits, and privileges granted by the Borough are observed.

(l) He may 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) He shall attend to the letting of contracts in due form of law, and he shall supervise the performance and faithful execution of the same, except insofar as such duties are expressly imposed upon some other Borough Officer by statute.

(n) He shall see that all money owed the Borough is promptly paid and that proper proceedings are taken for the security and collection of all the Borough's claims.

(o) He shall be the Purchasing Officer of the Borough and he shall purchase, in accordance with the provisions of the Borough Code, all supplies and equipment for the various agencies, boards, departments and other offices of the Borough. He shall keep an account of all purchases and shall, from time to time or when directed

by Council, make a full written report thereof. He shall also issue rules and regulations - subject to the approval of Council - governing the requisition and purchasing of all municipal supplies and equipment.

(p) He shall cooperate with the Borough Council at all times and in all matters that the best interests of the Borough and of the general public may be maintained.

(q) All complaints regarding services or personnel of the Borough shall be referred to the office of the Borough Manager. He, or an officer designated by him, shall investigate and dispose of such complaints, and the Borough Manager shall report thereon to Council.

Section 8. In case of illness or absence of the Borough Manager from the Borough, he shall delegate one qualified person who shall perform the duties of the Borough Manager during his absence or disability. The person so designated shall not perform such duties for a period longer than two weeks without the approval of the Council.

Section 9. The provisions of this ordinance are severable, and if any section, clause, sentence or part or provision thereof shall be held illegal, invalid or unconstitutional, the decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this ordinance. It is hereby declared to be the intent of the Borough Council that this ordinance would have been adopted if such illegal or invalid or unconstitutional section, clause, sentence, part or provision had not been included herein.

Section 10. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

ADOPTED by Borough Council this 16th day of January, 1970.

ATTEST:

BOROUGH OF INDIAN LAKE

/s/ Lucille P. Garman  
Borough Secretary

BY /s/ Edward A. Specht  
President of Council

APPROVED this 16th day of January, 1970.

/s/ Theron H. Wider  
Mayor

I hereby certify that the foregoing Ordinance is Ordinance No. 14 approved January 16, 1970, duly advertised and transcribed.

*Lucille P. Garman*  
/s/ Lucille P. Garman  
Secretary