

**CONEWAGO TOWNSHIP
ADAMS COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2020-E

**AN ORDINANCE REPEALING ORDINANCE NUMBER 2019-F RELATING TO THE
CONEWAGO TOWNSHIP MANAGER**

WHEREAS, on December 16, 2019, the Board of Supervisors of Conewago Township enacted Ordinance No. 2019-F, which amended Ordinance Nos. 1989-Z and 2002-N relating to the Conewago Township Manager; and

WHEREAS, Ordinance No. 2019-N provided that: “[t]he provisions of this Ordinance Amendment, in so far as they are the same as Ordinance Numbers 1989-Z and 2002-N, are intended as a continuation of those Ordinances and not as new enactments. All Ordinances or resolutions or parts of Ordinances or resolutions, including Ordinance Numbers 1989-Z and 2002-N insofar as they are inconsistent herewith, are hereby repealed to the extent of such inconsistency”; and

WHEREAS, the Board of Supervisors of Conewago Township wishes to repeal Ordinance No. 2019-F and re-enact Ordinance No 1989- Z as amended by 2002-N to restore the Conewago Township Manager Ordinance, codified in Chapter 17 of the Code of the Township of Conewago, Sections, 17-1 through 17-8 inclusive, just prior to the enactment of Ordinance No. 2019-F.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Supervisors of Conewago Township, Adams County, Pennsylvania, and **IT IS HEREBY ENACTED AND ORDAINED**, as follows:

SECTION 1.

§ 17-1 Creation of office.

The office of Township Manager is hereby created by Conewago Township.

§ 17-2 Appointment and removal.

The Manager shall be appointed by a majority of all members of the Board of Supervisors. The Manager shall serve at the pleasure of the Board of Supervisors as an at-will employee of the Township and may be removed at any time by a majority vote of the Board of Supervisors. At least 30 days before such removal is to become effective, the Board of Supervisors shall furnish the Manager with a written statement setting forth its intention to remove him. Such removal may be with or without cause.

§ 17-3 Qualifications.

The Manager shall be chosen on the basis of his executive and administrative abilities, with special reference of the duties of the office as herein outlined. Experience or training in civil engineering or surveying is recommended but not required. The Manager need not be a resident of Conewago Township or the Commonwealth of Pennsylvania at the time of appointment, but during the tenure of office he may reside outside of Conewago Township only with the approval of the Board of Supervisors. Should the Manager choose to relocate his residence during the tenure of his office, he must move within Conewago Township. If the Manager intends to live outside the Township during his employment, he or she should make that request prior to employment. If the Board of Supervisors does not approve the requests, he must immediately become and remain a resident of Conewago Township, while he is employed by the Township.

§ 17-4 Bond.

Before entering upon his duties, the Manager shall give a bond, in the sum established annually pursuant to a resolution of the Board of Supervisors, with a bonding company as surety, to be approved by the Board of Supervisors, conditioned upon the faithful performance of his duties, the premium for said bond to be paid by Conewago Township.

§ 17-5 Compensation.

The salary of the Township Manager shall be fixed from time to time by the Board of Supervisors.

§ 17-6 Powers and duties.

A.

Other than the Conewago Township Police Department, the Manager shall be the Administrative Officer for Conewago Township and shall be responsible to the Board of Supervisors as a whole for the proper and efficient administration of the affairs of Conewago Township. The powers and duties for administration of Township business shall be vested in the Manager unless expressly imposed or conferred by statute or ordinance upon other Township officers or as otherwise stated herein.

B.

Subject to recall by ordinance, the powers and duties of the Township Manager shall include the following:

(1)

Supervise and be responsible of all Township departments other than the Police Department.

(2)

When necessary for the good of Conewago Township, suspend with or without pay any employee under his supervision. The Manager shall report, at the next meeting of the Board of Supervisors, any such action and the reasons for such action. No employee shall be hired or discharged without a majority consent of the Board of Supervisors. This provision shall not be deemed to create any employment rights for Township employees except as may be mandated by law.

(3)

Fix wages and salaries of all personnel under his supervision, within a range previously determined by the Board of Supervisors.

(4)

Prepare and submit to the Board of Supervisors a budget for the next fiscal year and an explanatory budget message, in such a timely fashion as will enable the Board of Supervisors 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 Board of Supervisors.

(5)

Be responsible for the administration of the budget after its adoption by the Board of Supervisors.

(6)

Develop, in conjunction with the preparation of the budget, long-range fiscal plans for Conewago Township, such plans to be presented annually to the Board of Supervisors for its review and adoption.

(7)

Hold such other Township offices and head such Township departments as the Board of Supervisors may from time to time direct.

(8)

Attend all meetings of Conewago Township and its committees unless otherwise requested by the Chairman. The Manager shall receive notice of all special meetings of the Board Supervisors and its committees.

(9)

Prepare the agenda for each meeting of the Board of Supervisors and supply facts pertinent thereto.

(10)

Keep the Board of Supervisors informed as to the conduct of Township affairs; submit periodic reports on the condition of the Township finances and such other reports as the Board of Supervisors request; and make such recommendations to the Board of Supervisors as deemed advisable.

(11)

Submit to the Board of Supervisors, as soon as possible after the close of the fiscal year, a complete report on the finances and administrative activities of Conewago Township for the preceding year.

(12)

See that the provisions of all franchises, leases, permits and privileges granted by the Board of Supervisors are observed.

(13)

Employ, by and with the approval of the Board of Supervisors, experts and consultants to perform work and to advise.

(14)

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 Township officer.

(15)

Be responsible for all accounts payable and receivable.

(16)

Serve as the purchasing officer for the departments under his supervision and purchase in accordance with the provisions of the Township Code. The Manager shall keep an account of all purchases and shall, from time to time or when directed by the Board of Supervisors, make a full written report thereof. He shall also issue rules and regulations, subject to the Board of Supervisors, governing the procurement of Township supplies and equipment.

(17)

Investigate and dispose of, or designate an officer to investigate and dispose of, all complaints, other than complaints with respect to the Police Department, regarding Township services and personnel, and report to the Board of Supervisors thereon of complaints and action taken.

(18)

Enforce the ordinances and regulations of Conewago Township.

§ 17-7 Procedural limitations on Board of Supervisors.

The Board of Supervisors, its members and its committees shall not dictate or influence or attempt to dictate or influence the hiring of any person to, or his discharge from, Township employment by the Manager or in any manner take part in this hiring, suspending or discharging of employees in the administrative service of Conewago Township except as required by the civil service provisions of the Second Class Township Code¹¹¹ or the provisions of the Local Agency Law.¹²¹ Other than for the purposes of inquiry, the Board of Supervisors or any of its members or any of the Township committees or its members shall deal with the administrative service solely through the Manager, and the Board of Supervisors or any of its members, the Township committees or its members shall not give orders, publicly or privately, to any subordinate of the Manager.

§ 17-8 Disability or absence of Manager.

If the Manager becomes ill or needs to be absent from Conewago Township, 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 the approval of the Board of Supervisors.

SECTION 2. REPEAL.

All Ordinances or resolutions or parts of Ordinances or resolutions, including Ordinance Number No. 2019-F, insofar as they are inconsistent herewith, are hereby repealed to the extent of such inconsistency.

SECTION 3. SEVERABILITY.

The provisions of this Ordinance are severable. If any sentence, clause, or section of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, or sections of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors of Conewago Township that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, or section not been included herein.

SECTION 4. CODIFICATION.

This Ordinance shall be codified in the Codified Ordinances of Conewago Township, Adams County, Pennsylvania, and shall amend such codification as necessary to Codify this Ordinance.

This Ordinance shall be effective five (5) days from the date of its adoption.

ENACTED AND ORDAINED the 19th day of October, 2020.

ATTEST:

CONEWAGO TOWNSHIP

ADAMS COUNTY, PENNSYLVANIA

Angie Parr
Secretary

By: Charlotte M. Shaffer
Charlotte Shaffer, Chair

