

ORDINANCE NO. 4 OF 2004

ORDINANCE OF NEWPORT TOWNSHIP, LUZERNE COUNTY, PENNSYLVANIA, ESTABLISHING THE POSITION OF TOWNSHIP MANAGER, NECESSARY QUALIFICATIONS, AND DEFINING THE DUTIES AND RESPONSIBILITIES THEREOF.

ITEM I. REPEAL OF PREVIOUS ORDINANCE

The previous ordinance of Newport Township relating to the position of the position of Township Manager (enacted in 1995) and any amendments thereto are hereby repealed.

ITEM II. CREATION OF OFFICE

The Office of Township Manager is hereby created by the Board of Commissioners of Newport Township pursuant to 53 P.S. 56504. The Board of Commissioners shall have the right to abolish said office, at the conclusion of the current township manager's term of office, by resolution.

ITEM III. APPOINTMENT PROCEDURE

The Board of Commissioners of Newport Township shall have the power to appoint one (1) person, by majority vote to fill the Office of Township Manager. Appointment shall be for a period of one(1) year although appointment may be made for a period of less than one (1) year in the event of a vacancy in the office of Township Manager. The person selected to serve as Township Manager shall be provided with a contract which shall relate to the terms of employment. Employment shall take effect upon both parties written acceptance of the terms of employment indicated in the contract. This is a salaried position and the salary shall be set forth in the employment contract.

ITEM IV. QUALIFICATIONS AND REQUIREMENTS

The Township Manager shall be chosen on the basis of his/her executive, administrative, and professional abilities, with respect to the duties and responsibilities of the office as herein provided. The Township Manager must possess financial skills necessary to the proper administration of Township funds and finances in cost effective and efficient manner. The Township Manger must further possess computer skills relative to the operation of township business.

In addition, the person so chosen to serve as Township Manager must possess the following :

(1.) A minimum of an Associate Degree in Business Administration, Accounting, Finance or related degree.

(2) Ability to organize and direct the programs and activities of the Township Administration and supervise a staff of professional and nonprofessional personnel.

(3) Ability to express ideas clearly and concisely both orally and in writing.

(4) Ability to establish and maintain a solid working relationship with Township officials, employees and the general public.

(5) Knowledge of the laws, ordinances and regulations pertaining to local government.

ITEM V. BOND REQUIRED

As a condition of employment, the Township Manager shall file a bond with the Township, with corporate surety, in the minimum amount of One Hundred Thousand (\$100,000) Dollars, conditioned for the faithful performance of his/her duties. The Township shall however be responsible for the cost of the Bond.

ITEM VI. COMPENSATION

The Township Manager shall receive a stated salary as determined by the Board of Commissioners of Newport Township. The salary, hours of employment, vacation schedule, benefits and any related conditions of employment shall be reduced to writing and set forth in an employment contract between the Township and the person selected to serve as Township Manager prior to the commencement of employment.

ITEM VII. CHIEF ADMINISTRATIVE OFFICER

The Township Manger shall be the Chief Administrative Officer of Newport Township and shall be responsible to the Board of Commissioners as a whole for the proper and efficient administration of the affairs of the Township. His/her powers and duties shall relate to the general management of all Township business not expressly imposed or conferred upon Township Officers by statute, ordinance or resolution. The Board of Commissioners is hereby authorized to delegate to the Township Manager, subject to recall by written notification at any time, any of its non-legislative and non-judicial powers and duties.

ITEM VIII DUTIES AND RESPONSIBILITIES

Subject to recall by resolution of the Board of Commissioners, the duties and responsibilities of the Township Manager shall include the following:

1. Responsibility for the administration of the Township payroll.
2. Supervise and be responsible for the activities of all municipal departments, unless otherwise provided by the Board of Commissioners of the Township.
3. Prepare and submit to the Board of Commissioners before the close of the fiscal year, or on such alternate date as the Board of Commissioners shall determine, a budget for the next fiscal year and explanatory budget message.
4. Responsibility for the administration of the budget after its adoption by the Board of Commissioners. The Township Manager shall also keep each Department head apprised of the availability of funds for each particular department as the year progresses.
5. Under the direction of the Board of Commissioners, assist in the execution and enforcement of the laws of the Commonwealth, and the ordinances, regulations and resolutions of the Township.
6. Unless otherwise directed, attend all regular meetings for the Board of Commissioners. The Township Manager shall have the right to take part in discussions but shall not have a vote on any matters.
7. Preparation of the agenda for each meeting of the Board of Commissioners.
8. Insure that all Ordinances are properly executed by Township officials after adoption and insertion of all township ordinances into an Ordinance Book that shall be made available for public inspection and review.
9. Keep the Board of Commissioners 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 Commissioners may request, and make such recommendations to the Board of Commissioners as he/she deems necessary.
10. Coordinate Township policies pursuant to the Americans With Disabilities Act (ADA) and prepare annual self evaluation of the

Township or any other reports and/or evaluations as may be required by the Americans With Disabilities Act.(ADA)

11. Provide that all provisions of all franchises, leases, permits and privileges granted by the Township are observed.
12. Provide that all insurances, including but not limited to errors and omissions coverage for the Township, are monitored and that all premiums on said insurances are paid up.
13. Provide for the receipt and disposition of all correspondence and the prompt notification of the receipt of any correspondence which should be directed to a particular commissioner in charge of the department affected.
14. Attend to the letting of contracts in due form of law; and supervision of the performance and faithful execution of same except where such duties are expressly imposed upon some other township official by statute, law or ordinance.
15. Maintain all journals and ledgers of the Township receipts and expenditures. He/She shall also be responsible for the monthly balancing of all journals and ledgers.
16. Perform the duties of the Secretary of the Township in causing appropriate records to be made, preserved, and certified, as required by law or action of the Board of Commissioners.
17. Record and prepare all minutes of regular and special meetings to be maintained in the proper minute book.
18. He/She shall be the sole purchasing agent in the Township and shall make purchases in accordance with the provisions of the First Class Township Code and Pennsylvania Law. Purchases shall include but not be limited to all supplies and equipment for the Board, the various departments and offices of the Township as is authorized by the Board in approving the annual operating budget. He/She shall keep account of all purchases and shall, from time to time or when directed by the Board, make full written report thereof.
19. The preparation of all journals, ledgers, and accounts to be provided to the Newport Township Auditors for the submission of the Annual Audit Report as required by the PA Department of Community Affairs and the Department of Transportation.

20. The duty to sign such papers, contracts, obligations and documents that are properly presented to him/her as required by law.
21. Preparation of all information to be submitted to the Actuary, Public Retirement Study Commission and Auditor Generals Office for all Newport Township Pension Funds.
22. The operation of the Newport Township Refuse Department, including but not limited to billing and collection.
23. The preparation and maintenance of Personnel Records for all Township employees currently in the employment of the Township. All records are to be kept in conjunction with applicable privacy and confidentiality laws.
24. Assist the Township Code Enforcement Officer/Agency by issuing building permits and licenses and offering support services as requested.
25. Obtain and update a computerized system, upon approval of the Board, for the maintenance of financial, refuse, and code enforcement records of the Township.
26. Make applications for grants and/or loans as requested by the Board of Commissioners.
27. Perform such other duties and related work as may be directed by the Board of Commissioners.

ITEM IX. DISABILITY OR ABSENCE

The Township may appoint, on a temporary basis, an individual to perform the duties of Township Manager in the event the Township Manager is fired, resigns, becomes disabled or becomes otherwise absent from his/her position.

ITEM X REPEALED PROVISIONS


All Ordinances or Resolutions, or portions thereof, insofar as they are inconsistent herewith, are hereby repealed.

ITEM XI EFFECTIVE DATE

This Ordinance shall become effective immediately upon passage by a majority vote of the Board of Commissioners of Newport Township.

ORDAINED AND ENACTED this 7 day of June 2004.

FOR THE TOWNSHIP OF NEWPORT:



Board Chairman

Attest: Palma Miller

ORDINANCE NO. 3 of 2004

An Ordinance of Newport Township amending certain provisions of a Newport Township Ordinance enacted in 1995 establishing the position of Township Manager

Be it enacted and ordained by the Township of Newport, Luzerne County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

ITEM III QUALIFICATIONS currently reads as follows:

The Township Manager shall be chosen on the basis of his/her executive, administrative and professional abilities, with special emphasis on actual experience in, or knowledge of, accepted practices in respect to the duties of the office as herein provided. The Township Manager must be and remain a resident of Newport Township at the time of beginning his/her tenure as Township Manager.

ITEM III QUALIFICATIONS shall be amended to delete any reference to residency and shall read as follows:

The Township Manager shall be chosen on the basis of his/her executive, administrative and professional abilities, with special emphasis on actual experience in, or knowledge of, accepted practices in respect to the duties of the office herein provided.

Enacted and ordained at a meeting of the Newport Township Board of Commissioners held on the 3rd day of May 2004.


Chairman

Attest:

