

BOROUGH OF MECHANICSBURG
Cumberland County, Pennsylvania

ORDINANCE NO. ~~1074~~1174

AN ORDINANCE OF THE BOROUGH OF MECHANICSBURG CUMBERLAND COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 1, PART 2, SECTION 1-207, OF THE CODE OF ORDINANCES FOR THE BOROUGH OF MECHANICSBURG FOR THE PURPOSE OF CLARIFYING AND CONFIRMING THE POWERS AND DUTIES OF THE OFFICE OF BOROUGH MANAGER.

WHEREAS, Council has created the Office of Borough Manager pursuant to authority granted under Section 1141 of the Borough Code, 8 Pa.C.S.A. §1141; and

WHEREAS the Borough Manager is the Chief Administrative Officer of the Borough of Mechanicsburg who powers, and duties shall be regulated by ordinance pursuant to Section 1142 of the Borough Code, 8 Pa.C.S.A. §1142; and

WHEREAS Council desires to amend and restate the powers and duties of the Office of Borough Manager pursuant to authority granted under Section 1142 of the Borough Code, 8 Pa.C.S.A. §1142.

BE IT ENACTED ADOPTED AND ORDAINED and it is hereby enacted, adopted, and ordained by the Borough Council of the Borough of Mechanicsburg, County of Cumberland, Commonwealth of Pennsylvania, as follows:

Section 1. **Background.** The background set forth above is incorporated herein by reference.

Section 2. **Amendment.** Chapter 1, Part 2, Section 1-207 of the Code of Ordinances for the Borough of Mechanicsburg is hereby amended to read as follows:

§ 1-207 **Powers and Duties.**

1. The Manager shall be the chief administrative officer of the Borough and shall be responsible to the Council as a whole for the proper and efficient administration of the affairs of the Borough placed in his charge. The powers and duties of administration of all Borough business shall be vested in the Manager, including the management and supervision of all Borough staff and employees, unless expressly imposed or conferred by statute or ordinance upon other Borough officers.

2. Subject to recall by ordinance of Council, the powers and duties of the Borough Manager shall include the following:
 - A. To supervise and to be responsible for the activities of all municipal departments, including but not limited to all supervisors and employees. The Borough Manager's supervisory authority over personnel includes the power to impose disciplinary action against employees when appropriate in accordance with applicable laws. Nothing in this provision is intended, however, to apply to the office of Borough Solicitor, or to supervision of the Police Department in the absence of a delegation of authority from the Mayor.
 - B. To make recommendations to Council with respect to the hiring or discharge of any employee 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, and provided further that the Manager shall report at the next meeting thereafter of Council any action taken by authority of this subsection. All decisions related to the hiring or discharge of employees shall be the responsibility of Council.
 - C. To fix wages and salaries of all personnel under his supervision within a range previously determined by Council and to demonstrate to Council that there is an adequate wage and salary program in operation within his administration.
 - D. To prepare and submit to Council, before the close of each fiscal year, an explanatory budget message. 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 Council.
 - E. To be responsible for the administration of the budget after its adoption by Council.
 - F. To develop, in conjunction with the preparation of the yearly budget, long-range fiscal plans for the municipality, such plans to be presented annually to the Council for its review and adoption.
 - G. To hold such other municipal office and to head such municipal department as the Council may from time to time direct, in accordance with law.

- H. To attend all meetings of Council and its committees with the right to take part in the discussions. The Manager shall receive notice of special meetings of Council and its committees.
- I. To prepare the agenda for each meeting of Council and to supply facts pertinent thereto.
- J. To keep the Council informed on a monthly basis as to the conduct of Borough affairs; to submit periodic reports on the condition of the Borough finances and such other reports as the Council requests; and to make such recommendations to the Council as he deems advisable.
- K. To submit to Council, as soon as possible after the close of the fiscal year, a complete report on the finances and the administrative activities of the Borough for the preceding year.
- L. To see that the provisions of all franchises, leases, permits and privileges granted by the Borough are observed.
- M. To 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.
- N. To 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 Borough officer.
- O. To 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.
- P. To serve as purchasing officer of the Borough and to purchase in accordance with the provisions of the Borough Code,[1] all supplies and equipment for the agencies, boards, departments, and other offices of the Borough. The Manager 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 procurement of all municipal supplies and equipment.

[1] Editor's Note: See 8 Pa.C.S.A. § 101 et seq.
- Q. To investigate and dispose of, or to designate an officer to investigate and dispose of, all complaints regarding Borough services.

- R. The Borough Manager, under the direction of the Mayor, shall execute and enforce the laws of the commonwealth and ordinances, resolutions, and bylaws of the Council.
 - S. To perform such other duties as may be from time to time by ordinance conferred upon him.
3. The Borough reserves the right at any time by ordinance to modify or repeal this Part 2A in any particular.

Section 3. **Effective Date.** This Ordinance shall become effective immediately.

ADOPTED ENACED this ~~—~~15th day of February 2022.

ATTEST:

THE BOROUGH OF MECHANICSBURG

By: _____

Roger L. Ciecierski, Secretary

Kyle Miller, President

APPROVED this ~~—~~15th day of February 2022.

Jack C. Ritter, Mayor