

ORDINANCE NO. 4760

AN ORDINANCE OF THE BOROUGH OF MANSFIELD, TIOGA COUNTY, PENNSYLVANIA, CREATING THE OFFICE OF BOROUGH MANAGER, APPOINTMENT AND REMOVAL, QUALIFICATIONS, BOND, COMPENSATION, POWERS AND DUTIES, DELEGATION OF DUTIES, DISABILITY OR ABSENCE.

BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Mansfield, Tioga County, Pennsylvania as follows:

SECTION 1. Creation of office.

The office of Borough Manager is hereby created by the Borough Council of the Borough of Mansfield.

Section 2. Appointment and removal.

The Manager shall be appointed by a majority vote of all of the members of the Borough Council. The Manager shall serve until the first Monday of January of the even-numbered year succeeding his appointment and until his/her successor is appointed and qualified. The office shall be filled biennially thereafter. The Manager may be removed at any time by a majority vote of all the members of Borough Council. At least 30 days before such removal becomes effective, the Borough Council shall furnish the Manager with a written statement setting forth its intention to remove him/her and the reasons therefore. In case of a vacancy the Borough Council shall, by a vote of the majority of its members, fill said office for the remainder of the then-current term.

Section 3. Qualifications.

The Manager shall be chosen solely on the basis of his/her executive and administrative abilities, with special references to his/her actual experience in, or his/her knowledge of, accepted practices in respect to the duties of his/her office as herein outlined. It is preferred that the Manager be a resident of the Borough, or of the Commonwealth of Pennsylvania, and if not at the time of his/her appointment, then shall become one as soon as possible thereafter, and if not a Borough resident the Manager shall have or obtain as soon as possible thereafter a primary residence within 5 miles of the intersection of the center line of U.S. Traffic Route 6 and U.S. Business Route 15, measured using the most direct street and road routes to the boundary line of the residence owned or occupied by the Manager, closest to the aforesaid intersection.

Section 4. Bond.

Before entering upon his/her duties, the Manager shall give a bond to the Borough with a bonding company as a surety, to be approved by the Council, in the sum of \$10,000.00, conditioned for the faithful performance of his/her duties. The premium shall be paid by the Borough.

Section 5. Compensation.

The salary of the Borough Manager shall be fixed from time to time by ordinance or resolution.

Section 6. Level of Authority.

He/she shall manage responsibilities independently with only general direction, ensuring that applicable Borough ordinances, governing laws and generally accepted procedures and practices are followed.

Section 7. Powers and Duties.

- A. The Manager shall be the chief administrative officer of the Borough of Mansfield and he/she shall be responsible to the Borough Council as a whole for the proper and efficient administration of the affairs of the Borough of Mansfield. His/Her powers and duties shall relate to the general management of all Borough business not expressly by statute imposed or conferred upon other Borough officers.
- B. Subject to recall by ordinance of Council, the powers and duties of the Borough Manager shall include the following:
 - (1) He/she shall supervise and be responsible for the activities of all municipal departments. Furthermore he/she shall adhere to the following standards when doing so:
 - a. direct, motivate, and appropriately influence others;
 - b. serve as a credible role model;
 - c. display a positive attitude;
 - d. articulate clear goals and expectations
 - e. build a strong sense of teamwork, purpose, and group identity
 - f. delegate appropriate levels of authority to others;

- g. maintain a positive attitude; and
 - h. deal effectively with residents concerns and problems.
- (2) He/she shall assist the Borough in establishing policies, problem solving and providing the Council with information for clear and concise decision making.
 - (3) He/she shall assist in preparing ordinances, resolutions, and other legal documents and ensure compliance with the same.
 - (4) He/she shall implement an employee evaluation program and be familiar with relevant Collective Bargaining Agreements and their implementation.
 - (5) He/she shall ensure relevance and cost - effectiveness of the operation and maintenance of the Borough infrastructure through tracking and assessment of performance measures.
 - (6) He/she shall assist in preparation of the Borough budget.
 - (7) He/she shall actively seek and write grants and maintain and work towards a vision for the Borough.
 - (8) He/she shall, with the approval of the Borough Council, hire and, when necessary for the good of the service, with the approval of the Borough Council, suspend or discharge all employees under his/her supervision; providing, however, that positions covered by the civil service provisions of the Borough Code shall be hired, suspended or discharged in accordance with such provisions.
 - (9) He/she shall hold such other municipal offices or head one or more of the municipal departments as the Council may from time to time direct.
 - (10) He/she shall attend all meetings of Council and its committees, with the right to take part in the discussion, and he/she shall receive notice of all special meetings of Council or its committees.
 - (11) He/she shall assist in the preparation of the agenda for each meeting of Council and supply facts pertinent thereto.

- (12) He/she shall keep the Council informed as to the conduct of Borough affairs, submit periodic and such other reports as Council requests, and make such recommendations to the Council as he/she deems necessary.
- (13) He/she shall see that the provisions of all franchises, leases, permits and privileges granted by the Borough are observed.
- (14) He/she 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.
- (15) He/she shall attend to the letting of contracts in due form of law, and he/she 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.
- (16) He/she 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.
- (17) He/she shall be the Purchasing Officer of the Borough and he/she 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/she 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/she shall also issue rules and regulations, subject to the approval of Council, governing the regulations and purchasing of all municipal supplies and equipment.
- (18) All complaints regarding services of personnel of the Borough shall be referred to the office of the Manager. He/she or an officer designated by him/her shall investigate and dispose of such complaints, and the Manager shall report thereon to Council.

Section 8. Delegation of Duties by Mayor.

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 9. Relation of Council to Manager's subordinates.

Except for the purpose of inquiry, the Borough Council, its committees and its members shall deal with the administrative service of the Borough solely through the Borough Manager, and neither the Council nor any of its committees or any of its members shall give orders, publicly or privately, to any subordinate of the Manager.

Section 10. Disability or absence of Manager.

If the Manager becomes ill or needs to be absent from the Borough, he/she shall designate one qualified member of his staff who shall perform the duties of the Manager during his/her absence or disability. The person so designated shall not perform these duties for a period longer than two weeks without the approval of Council.

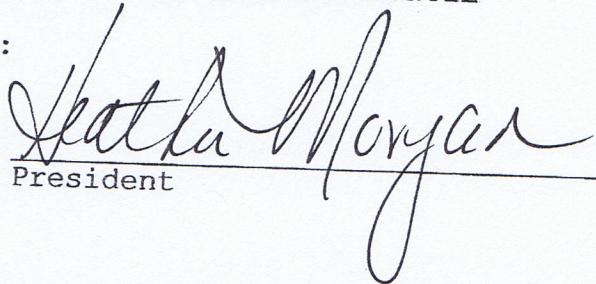
Section 11. Effective date.

This Ordinance shall take effect and be in full force and effect 5 days from the date of their adoption.

ORDAINED AND ENACTED this 13th day of July, 2016.

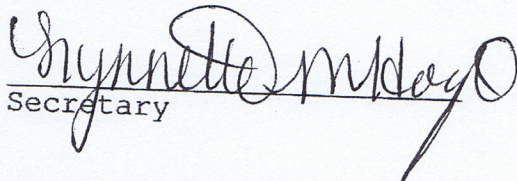
MANSFIELD BOROUGH COUNCIL

By:



President

ATTEST:



Secretary

(SEAL)

APPROVED this 13th day of July, 2016.

Thomas J. Wibel
Mayor