

Chapter 35

MANAGER, BOROUGH

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[HISTORY: Adopted by the Borough Council of the Borough of Dormont at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Amendments noted where applicable.]

GENERAL REFERENCES

Fire Department — See Ch. 20.

§ 35-1. Office created.

The office of Borough Manager is hereby created by the Borough of Dormont.

§ 35-2. Appointment and removal.

The Borough Manager shall be appointed for an indefinite term by a majority of all members of the Borough Council. The Borough Manager shall serve at the pleasure of the Borough Council, and he or she may be removed at any time by a majority vote of all its members. At least thirty (30) days before such removal is to become effective, the Borough Council shall, by a majority vote of its members, adopt a preliminary resolution stating the reasons for his or her removal. The Borough Manager may reply in writing and may request a hearing, which shall be held not earlier than twenty (20) days nor later than thirty (30) days after the filing of such request. After such hearing, if one is requested, and after full consideration, the Borough Council, by majority vote of its members, may adopt a final resolution of removal.

§ 35-3. Qualifications.

The Borough Manager shall be chosen solely on the basis of executive and administrative abilities with special reference to the duties of the office as herein outlined. No Borough Council member or other elected borough official shall be appointed Borough Manager during the term for which he or she shall have been elected nor within one (1) year after the expiration of his or her term.

§ 35-4. Powers and duties.

- A. The Borough Manager shall be the chief administrative officer of the borough and shall be responsible to the Borough Council as a whole for the proper and efficient administration of the affairs of the borough placed in his or her charge. The powers and duties of administration of all borough business shall be vested in the Borough Manager unless expressly imposed by statute upon other borough officers or officials.
- B. The powers and duties of the Borough Manager shall include the following:
- (1) To supervise and to be responsible for the activities of all municipal departments.
 - (2) To appoint and, when necessary for the good of the service, to suspend or remove all officers and employees under his or her supervision, provided that persons covered by civil service provisions shall be appointed, suspended or removed in accordance with such provisions, and further provided that the Borough Manager shall report at the next meeting thereafter of the Borough Council any action taken by authority of this subsection. All recommendations for appointment or removal shall be based solely on the merit, qualifications or disqualifications of the official concerned, without regard to his or her political beliefs or affiliations.
 - (3) To prepare and submit to Borough Council a personnel system for the borough based upon merit principles, and to be responsible for the administration of such after its adoption and/or revision.
 - (4) To prepare and submit to Borough Council the annual budget, together with a message describing the important features, and to be responsible for the administration of such after its adoption.
 - (5) To prepare the agenda for each meeting of the Borough Council and supply facts pertinent thereto, and to attend all meetings of the Borough Council with the right to take part in the discussions.
 - (6) To negotiate contracts for the borough subject to the approval of the Borough Council; to make recommendations concerning the nature and location of municipal improvements; to execute municipal improvements; to execute municipal improvements as determined by the Borough Council; to see that the provisions of all contracts, franchises, leases, permits and privileges granted by or executed on behalf of the borough are faithfully observed; and to employ, when directed by the Borough Council, experts and consultants to perform work and to advise in connection with any of the functions of the borough.
 - (7) To submit to the Borough 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; to keep the Borough Council informed as to the conduct of all borough affairs; to submit periodic reports on the condition of borough finances and such other reports as the Borough Council requests; and to recommend adoption of such measures as he or she may deem necessary or expedient for the health, safety or welfare of the community or for the improvement of administrative services.

- (8) To investigate all complaints regarding borough services and to report to the Borough Council thereon. All complaints regarding borough services shall be referred to the Borough Manager.
- (9) To see that all laws, provisions of this chapter and actions of the Borough Council subject to enforcement by him or her or by officers subject to his or her direction are faithfully executed.
- (10) To perform such other duties as may be required by ordinance, resolution or motion of the Borough Council, and to be responsible to the Borough Council for carrying out all policies established by it and for the proper administration of all affairs of the borough within the jurisdiction of the Borough Council.

§ 35-5. Bond.

The Borough Manager shall furnish a surety bond to be approved by the Borough Council, said bond to be conditioned on the faithful performance of his or her duties. The premium of the bond shall be paid by the borough.

§ 35-6. Compensation.

The salary of the Borough Manager shall be fixed from time to time by the Borough Council.

§ 35-7. Acting Manager.

By notice filed with the President of the Borough Council, the Borough Manager shall designate a qualified administrative officer of the borough to exercise the powers and perform the duties of the Borough Manager during his or her temporary absence or disability. The Borough Council may revoke such designation at any time and appoint another officer of the borough to serve until the Borough Manager shall return or his or her disability shall cease.

§ 35-8. Delegation of Mayor's powers and duties.

The Mayor is hereby authorized to delegate to the Borough Manager, subject to revocation by written notification at any time, any of his or her nonlegislative and nonjudicial powers and duties.

§ 35-9. Actions of Borough Council.

It is the intention of this chapter that the Borough Council shall act in all matters as a body, and it is contrary to the spirit of this chapter for any of its members to direct or request the appointment of any person to or his or her removal from office or to interfere in any way with the performance by such officers of their duties, except as required by civil service provisions. Other than for purposes of inquiry or in circumstances of overriding public interest or emergency, the Borough Council, its members and committees shall deal with the administrative service solely through the Borough Manager and shall not give orders to any

subordinates of the Borough Manager, either publicly or privately. Nothing herein contained shall prevent the Borough Council from appointing committees or commissions of its own members or of citizens to conduct investigations into the conduct of any offices or departments or any matter relating to the welfare of the borough and delegating to such committees or commissions such powers of inquiry as the Borough Council may deem necessary.