

Chapter 40

MANAGER

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[HISTORY: Adopted by the Borough of Columbia 2-9-1976 by Ord. No. 533; amended in its entirety 12-30-1983 by Ord. No. 579 (Ch. 18 of the 1971 Code). Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Administration of government — See Ch. 5.

§ 40-1. Office created.

The Office of Borough Manager is hereby created by the Borough of Columbia, subject to the right of the Borough, by ordinance, at any time to abolish such office.

§ 40-2. Appointment; removal.

- A. The Manager shall be appointed from time to time and, whenever there is a vacancy, by a majority vote of all members of the Borough Council.
- B. The Manager may be removed at any time by a majority vote of all the members of the Borough Council.

§ 40-3. Qualifications. [Amended 9-22-1998 by Ord. No. 670]

The Manager shall be chosen on the basis of his or her executive and administrative abilities. The Manager shall have a degree in business administration or a degree in engineering or an equivalent degree as determined by the Borough Council. The Manager shall be a citizen of the United States, but he or she need not be a resident of the Borough.

§ 40-4. Compensation; bond.

The Manager shall receive such compensation for his or her services as shall be fixed by the Council from time to time. Before entering upon his or her duties, he or she shall give a bond in the amount prescribed by the Borough Council, conditioned for the faithful performance of his or her duties. The premium on such bond shall be paid by the Borough. The bond of the Borough Manager may be included in and covered by a blanket bond in effect for all Borough employees, if the Borough shall have obtained such blanket bond.

§ 40-5. General powers and duties.

The Manager shall be the chief administrative officer of the Borough, and he or she shall be responsible to the Borough Council as a whole for the proper and efficient administration of the affairs of the Borough. He or she may perform any of the nonlegislative powers and duties of the Mayor that shall be delegated to the Manager by the Mayor, subject to recall by written notification at any time.

§ 40-6. Specific powers and duties.

The specific powers and duties of the Manager shall include the following:

- A. The Manager shall supervise and be responsible for the activities and the personnel of all Borough departments, facilities and property and of all activities conducted by the Borough, including the sewage treatment plant, the streets, refuse removal and disposal, recreational centers and parks and all other Borough-operated utilities and facilities. The Mayor is authorized to delegate his control over his Department of Police to the Borough Manager. **[Amended 12-12-2016 by Ord. No. 878]**
- B. He or she shall recommend to the appropriate committee the hiring or discharge of any employee under his or her supervision, shall take such action thereon as is approved and directed by the reviewing committee and shall have the right to suspend any employee under his or her supervision, provided that persons covered by the civil service provisions of the Borough Code and any collective bargaining agreement with the Borough shall be hired, suspended or discharged in accordance with such provisions and provided further that the Manager shall report, at the next regular meeting thereafter of the Council, any such action taken by authority of this subsection.
- C. The Manager shall prepare the Borough budget with the assistance of Council committees and shall consult with the appropriate officials in the preparation of the sewage treatment plant budget. The Manager shall be responsible for the administration of the Borough budget and sewer budget after their adoption by the Council. **[Amended 12-16-2003 by Ord. No. 726; 12-12-2016 by Ord. No. 878]**
- D. The Manager shall hold such ex officio offices and positions as the Council may from time to time assign to him or her.
- E. The Manager shall prepare an agenda for and attend all meetings of the Council and its committees, with the right to take part in the discussion, and he or she shall receive notices of all special meetings of the Council or its committees.
- F. The Manager shall keep the Council informed as to the conduct of Borough affairs. He or she shall submit quarterly reports on the condition of the Borough finances and such other reports as the Council requests, and he or she shall make such recommendations to the council as he or she shall deem necessary.
- G. The Manager shall see that the provisions of all franchises, leases, permits and privileges granted by the Borough are observed.
- H. The Manager shall supervise the performance and execution of all contracts entered into by the Borough, except insofar as such duties are expressly imposed upon another Borough officer by statute. He or she shall attend to the letting of contracts in due form of law.
- I. If specifically requested by the Borough Council, the Manager shall see that money owed the Borough is promptly paid and that the proper proceedings are taken for the security and collection of the Borough's claims.

- J. The Manager shall be the Purchasing Officer of the Borough and shall be responsible for the making of all purchases as directed by the Borough Council. Furthermore, on his or her own initiative, he or she shall have authority to make ordinary purchases, provided that no such purchase shall exceed the legal limit provided by law for non-bid contracts and established by the Legislature of the Commonwealth of Pennsylvania from time to time and provided that such purchases are consistent and in accordance with budgetary appropriations previously approved by Borough Council. **[Amended 8-9-2004 by Ord. No. 735]**
- K. All complaints regarding services of any Borough employee shall be referred to the Borough Manager. He or she shall investigate and dispose of such complaints and report thereon to the Council.¹

§ 40-7. Relationship with Council.

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.

§ 40-8. Disability or absence.

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

§ 40-9. Vacancy in office. [Amended 12-16-2003 by Ord. No. 726]

In the event of a vacancy in the office of Borough Manager, the Borough Council may appoint a temporary Borough Manager and a temporary Zoning Officer to exercise the powers and to be subject to the duties of the aforesaid offices. The person or persons so appointed shall serve at the pleasure of Council at such salary as may be determined by the Council upon such appointment. Additionally, in the event of a vacancy in the office of Borough Manager, until a temporary Borough Manager or permanent Borough Manager is appointed, Borough Council, in accordance with applicable Pennsylvania law, shall exercise and perform all of the rights, duties and obligations of the Borough Manager, which duties, rights, powers and obligations may be assigned to the appropriate standing committees of Borough Council.

§ 40-10. Assistant Borough Manager. [Added 12-11-2017 by Ord. No. 892]

Borough Council may from time to time appoint an Assistant Borough Manager to exercise the powers of the Borough Manager in the absence of the Borough Manager and/or at the direction of the Borough Manager. The person or persons so appointed shall serve at the pleasure of Council at such salary as may be determined by the Council upon such appointment. Additionally, in the event of a vacancy in the office of Borough Manager, such person may be appointed by Council to exercise and perform all of the rights, duties and obligations of the Borough Manager until the vacancy is filled.

1. Editor's Note: Former § 18-6L and M, regarding powers as Market Master and Zoning Officer, which immediately followed this subsection, were repealed 12-16-2003 by Ord. No. 726.