

**TOWNSHIP OF SILVER SPRING  
CUMBERLAND COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 2016-09**

**AN ORDINANCE AMENDING ORDINANCE NO. 92-1  
TO REVISE THE BOND REQUIREMENT FOR  
THE TOWNSHIP MANAGER; AND TO REVISE  
THE POWERS AND DUTIES OF THE TOWNSHIP MANAGER.**

**WHEREAS**, the Township of Silver Spring has established the position of Township Manager through the enactment of Ordinance No. 92-1 in accordance with Pennsylvania's Second Class Township Code, Article XIII, Section 1301;

**WHEREAS** Ordinance No. 92-1 established the powers and duties of the Township Manager;

**WHEREAS**, the Board of Supervisors wishes to employ a Township Manager who shall oversee, participate, manage and direct the administration and operations of the Township to ensure effective delivery of programs and services; a manager who shall recommend policy and procedures to ensure compliance with laws, regulations and Township objectives; and a manager who shall facilitate and direct planning for use of land and capital resources and personnel development to make the Township an attractive place to live and work; and

**WHEREAS**, the Township Manager shall give bond to the Township, with sufficient surety, in the amount directed by the Board of Supervisors, conditioned for the faithful performance of the duties of the office.

**NOW THEREFORE IT IS ENACTED AND ORDAINED** by the Board of Supervisors ("the Board") of the Silver Spring Township the following:

**SECTION 1**

SECTION 4 of Ordinance 92-1 is hereby repealed and replaced as follows:

**SECTION 4.** Before entering upon the duties of the office, the Township Manager shall give bond to the Township, with sufficient surety, in the amount directed by motion or resolution by the Board, conditioned for the faithful performance of the duties of the office. The premium for the bond shall be paid by the Township.

## **SECTION 2**

SECTION 7 of Ordinance 92-1 is hereby repealed and replaced as follows:

**SECTION 7.** Subject to revocation and recall by ordinance, the powers and duties of the Township Manager shall include the following:

1. Supervise all Township employees directly or through delegation of supervisory authority, and be responsible for the activities of all municipal departments, including the Police Department, by assigning tasks, deliverables, timelines, and accountabilities to achieve the goals and direction of the Board as well as provision of resources and guidance required to achieve them.
2. Hire, develop, administer discipline, suspend (with or without pay), and when termination is justified for the good of the Township, shall suspend any employee pending affirmation of termination by the Board. The Manager shall report to the Board as immediately as possible any employment or disciplinary action taken by authority of this Ordinance.
  - a. In the case of the suspension of an employee pending affirmation of termination by the Board, the Township Manager shall inform the Board of the recommendation to terminate as immediately as possible.
  - b. The Board may have a special meeting within seventy-two (72) hours of being informed of the decision of the Township Manager to consider whether to affirm the termination of the employee. If the Board does not take action on the decision to terminate the employee within the seventy-two (72) hour period, the termination shall be deemed affirmed.
  - c. No provision of this Ordinance shall be construed to alter the at-will nature of any employees who are employed at will by the Township, nor shall any provision of this Ordinance be construed to confer a “just cause” standard or standard bur burdensome to the Township than “at-will” for termination of any employee who does not have an independent basis for such an employment status.
3. Establish wages and salaries of all personnel within a range previously authorized by the Board. All wage deviations from the standard range require prior approval by the Board.

4. Prepare and submit annually to the Board, according to State uniform budget requirements, a budget with explanatory budget message for the next fiscal year. In preparing the budget, the Manager, or an officer designated by him/her, 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 he/she requires. The Manager shall review such estimates and may revise them before submitting the budget to the Board.
5. Administer the budget after its final adoption by the Board, including disbursement of funds toward compliance with the budget.
6. In conjunction with the preparation of the yearly budget, develop long-range fiscal plans for the municipality, such plans to be presented as necessary to the Board for its review and adoption.
7. Keep a current inventory showing all real and personal property of the Township and its location, and shall be responsible for the care and custody of all such property, including equipment, buildings, parks and all other Township property, which is not by statute, ordinance or resolution assigned to some other officer for care and control.
8. Attend all meetings of the Board and its committees with the right to take part in the discussions and shall receive notice of all special meetings of the Board and its committees.
9. Prepare the agenda for each meeting of the Board and supply facts pertinent thereto; shall be responsible for overseeing the recording of minutes of each meeting and distributing them to the members not later than forty-eight (48) hours prior to the meeting at which the minutes will be considered for passage; and shall perform or oversee all duties generally required to be performed by a Township Secretary.
10. Keep the Board 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 requests; and make such recommendations to the Board, as he/she deems advisable.
11. Submit to the Board from time to time a complete report on the finances and the administrative activities of the Township.
12. Ensure that the provisions of all franchises, leases, and permit privileges granted by the Township are observed.

13. May employ, by and with the approval of the Board, experts, and consultants to perform work and to advise in connection with any of the functions of the Township.
14. Negotiate and execute contracts on behalf of the Township upon prior legal review by the Solicitor and approval by the Board.
15. Attend to the letting of contracts in due form of law, and supervise the performance and faithful execution of the same except insofar as such duties are expressly imposed by statute upon some other Township officer.
16. Ensure that all money owed the Township is promptly paid and that proper proceedings are taken for the security and collection of all the Township's claims.
17. Shall be the Purchasing Officer of the Township and shall purchase, in accordance with the provisions of the Second Class Township Code, all supplies, and equipment for the agencies, boards, departments, and other offices of the Township.

The Manager shall keep an account of all purchases and shall, from time to time or when directed by the Board, make a full written report thereof. The Manager shall also issue rules and regulations, subject to the approval of the Board, governing the procurement of all municipal supplies and equipment and shall be responsible for the condition and maintenance of all Township property, buildings, and equipment.

18. All complaints regarding Township services shall be referred to the office of the Township Manager. The Township Manager, or an employee designated by the Township Manager, shall investigate and dispose of such complaints, and the Township Manager shall report thereon to the Board.
19. Keep Township citizens informed as to the conditions, plans, requirements, and regulations and procedures by notices and articles posted and published by local papers, newsletters and such other means as may be suitable including electronic means.
20. Provide feedback and direction concerning program objectives; communicate policy, and establish work standards to provide overall consistency in Township policy.
21. Recommend to the Board proposed legislation on programs, budget and organizational policies and procedures.

22. During times of emergency the Township Manager is authorized to take immediate and necessary actions, including the acquisition of supplies, equipment, and services to ensure public safety, protection of property, and the rule of law with a full accounting of resources and funds expended with an accompanying narrative due to the Board not later than their next regular meeting.

**SECTION 3**

The remaining provisions of Ordinance 92-1 shall remain in full force and effect as enacted to the extent they are not inconsistent with this Ordinance.

**DULY ADOPTED** by the Board of Supervisors of the Silver Spring Township in lawful session this 28th day of September 2016.

**ATTEST:**

**SILVER SPRING TOWNSHIP  
BOARD OF SUPERVISORS**

  
\_\_\_\_\_  
Township Secretary

  
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Chairman