

## Chapter 19

### MANAGER

**[HISTORY: Adopted by the Borough Council of the Borough of Upland 2-26-1974 as Ord. No. 3-1974 (Ch. 6 of the 1969 Code). Amendments noted where applicable.]**

#### **§ 19-1. Office created.**

The office of Borough Manager be and the same is hereby created, subject to the right of the borough to abolish said office by ordinance at any time.

#### **§ 19-2. Election; term; vacancies; removal.**

As soon as practicable after the passage of this chapter, the Council of the Borough of Upland shall elect, by vote of a majority of its members, one (1) person to fill said office who shall serve until the first Monday of January and thereafter until his or her successor is elected and qualifies. The office shall be filled annually thereafter. In the case of a vacancy, the Council shall, by a vote of a majority of its members, fill said office for the unexpired term. The Borough Manager, however, shall be subject to removal by the Borough Council by a vote of the majority of its members.

#### **§ 19-3. Citizenship and age.** [Amended 11-23-1993 by Ord. No. 9-1993]

The Borough Manager shall be a citizen of the United States and at least twenty-one (21) years of age.

#### **§ 19-4. Performance bond.** <sup>1</sup>

Before entering upon his or her duties, the Borough Manager shall give a bond to the borough, with an approved bonding company as surety, in the amount to be determined and set forth from time to time by resolution of the Borough Council, conditioned for the faithful performance of his or her duties. The premium for the bond shall be paid by the borough.

#### **§ 19-5. Salary.** <sup>2</sup>

The annual salary of the Borough Manager shall be set forth from time to time by a resolution of Borough Council, and shall be divided into fifty-two (52) equal amounts and be payable weekly.

#### **§ 19-6. Function.**

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1. Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

2. Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

The Borough Manager shall carry on the business of the borough under the direction of the Borough Council, and his or her powers and duties shall relate to the general management of the borough business not specifically by statute imposed or conferred upon other borough officers.

**§ 19-7. Qualifications.**<sup>3</sup>

The Borough Manager shall be a person with such technical and executive ability and with such training and experience as to enable him or her to perform the duties imposed upon the office in a successful and businesslike manner.

**§ 19-8. Powers and duties.**<sup>4</sup>

Subject to recall at any time by ordinance of the Borough Council, the powers and duties of the Borough Manager shall include the following:

- A. The Borough Manager, under the direction of the Borough Council, shall execute and enforce the laws of the commonwealth and ordinances, resolutions and bylaws of the Borough Council.
- B. The Borough Manager shall attend all meetings of the Borough Council and recommend such measures as he or she shall deem expedient.
- C. The Borough Manager shall make a monthly report to the Borough Council, and at such other times as the Council may direct, upon the affairs of the borough and keep the Borough Council advised of the borough's financial condition and its financial needs.
- D. The Borough Manager shall prepare and submit to the Borough Council, before the 15th of October of each year, a tentative budget for the next fiscal year.
- E. The Borough Manager shall 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 especially imposed upon some other borough officer by statute.
- F. The Borough Manager shall see that all moneys owing the borough are promptly paid and that proper proceedings are taken for the security and collection of all borough claims.
- G. The Borough Manager shall annually present to the Borough Council, not more than thirty (30) days after the close of each fiscal year, a correct and detailed statement and report of the preceding year's work of his or her office, with a detailed statement of all moneys received and expended.
- H. The Borough Manager shall perform such other powers and duties of the Borough Council and the Planning Commission as may, from time to time, be conferred upon him or her by ordinance.

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3. Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

4. Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.

- I. The Borough Manager shall cooperate with the Borough Council at all times and in all matters that the best interest of the borough and the general public may be maintained.

**§ 19-9. Right to amend or modify.**

The borough reserves the right at any time by ordinance to amend or otherwise modify or repeal this chapter in any particular.