

ORDINANCE 2021 - 03

AN ORDINANCE OF THE TOWNSHIP OF HALFMOON, CENTRE COUNTY, PENNSYLVANIA, AMENDING THE HALFMOON TOWNSHIP CODE, CHAPTER 31, OFFICERS AND EMPLOYEES, TOWNSHIP MANAGER.

WHEREAS, the Board of Supervisors of Halfmoon Township is authorized, by Section 1301 of the Second Class Township Code, 55 P.S. § 66301, to establish by ordinance the office of Township Manager and to provide for the powers and duties of the office; and

WHEREAS, The Board of Supervisors of Halfmoon Township finds that it is consistent with the overall purpose of the maintenance, preservation, and growth of the Township to provide for certain amendments to the Halfmoon Township Code, Chapter 31, Halfmoon Township Officers and Employees.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Supervisors of Halfmoon Township, Centre County, Pennsylvania, as follows:

SECTION 1: Chapter 31 of the Halfmoon Township Code, entitled “Officer’s and Employees”, is hereby amended in its entirety to read as follows:

Article I Township Manager

§ 31-1 Creation, modification, or abolishment of office.

The Office of Township Manager, created by Ordinance 2009-05 and amended by Ordinance 2015-05, by the Board of Supervisors of the Township of Halfmoon, Centre County, Pennsylvania, may be abolished or modified, by Ordinance, at any time subject to the majority vote of the Board of Supervisors of the Township of Halfmoon.

§ 31-2 Appointment; term; vacancies; removal.

The Board of Supervisors of the Township of Halfmoon shall appoint, by a majority vote of all its members, one person to fill the office of Township Manager, who shall serve until his/her successor is appointed by majority vote of the Board of Supervisors of Halfmoon Township. In the case of a vacancy, the Board of Supervisors of Halfmoon Township shall fill said office by a majority vote of all its members. Subject to any contractual rights that may arise under an employment agreement, the Township Manager shall be subject to removal at any time by a majority vote of all the members of the Board of Supervisors of Halfmoon Township.

§ 31-3 Qualifications; residency requirements.

The Manager shall be chosen solely based on his/her executive and administrative abilities, with special reference to his/her actual experience in or his/her knowledge of accepted practices in respect to the duties of the office as herein outlined. The Manager shall have a minimum of a bachelor's degree in a related field and/or an equivalent level of work experience. The Manager need not be a resident of the Township of Halfmoon or of the State of Pennsylvania at the time of his/her appointment, but within nine months thereafter shall live within the borders of Halfmoon Township or in any of the contiguous municipalities. The Manager may also live within the borders of any one of the member municipalities that comprise either the Centre Region Council of Governments or the Upper Bald Eagle Halfmoon Council of Governments. The Manager may also reside within any area that is within a typical 30-minute commute from the administrative offices of Halfmoon Township.

§ 31-4 Bond.

Before entering upon his/her duties, the Township Manager shall give a bond to the Township of

Halfmoon, with a bonding company acceptable to the Township as surety, in the sum determined annually by the Board of Supervisors, conditioned for the faithful performance of his/her duties. The premium for said bond to be paid for by the Township of Halfmoon.

§ 31-5 Compensation.

Subject to any contractual rights that may arise under an employment agreement, the Township Manager shall receive the same benefits, and is subject to the terms and conditions of Township's Personnel Manual, as any other employee of the Township. Compensation shall be fixed from time to time at the annual organizational meeting of the Board of Supervisors of Halfmoon Township, or by resolution of the Board.

§ 31-6 General powers and duties.

The Township Manager shall be the Chief Administrative Officer of the Township, and shall be responsible to the Board of Supervisors of Halfmoon Township for the proper and efficient administration of the affairs of the Township of Halfmoon. The Manager's powers and duties shall relate to the general management of all Township business not expressly imposed or conferred upon other Township officers.

§ 31-7 Specific powers and duties.

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

- A. The Manager shall supervise, be responsible, and/or delegate duties to any employees she or he deems qualified, the activities of all municipal departments, except such departments that have not been delegated to the Manager by the Board of Supervisors.
- B. The Manager shall also serve as the Township's Human Resource Director and shall be responsible for ensuring all policies of the Township's Personnel Manual are adhered to, perform annual evaluations, hire and terminate employees as set forth therein, as well as ensure the duties of Human Resource Director are carried out pursuant to the Township's Personnel Manual.
- C. The Manager shall also serve as the Finance Director and shall be responsible for ensuring the preparation of the budget, payroll, accounts payable and receivables, and monthly financial reports for presentation to the Board of Supervisors are accurate and completed in a timely manner; and shall be responsible for the general administration of the Township budget after its adoption by the Board of Supervisors of Halfmoon Township.
- D. The Manager shall attend all meetings of the Board of Supervisors, and of its committees, as required or required by the Board of Supervisors, with the right to take part in the discussion, and he/she shall receive notice of all meetings of the Board of Supervisors and its committees.
- E. The Manager shall also ensure the duties of the Township Secretary are performed in accordance with Article VIII of the Second Class Township Code, 53 P.S. § 65101 *et seq.*, and shall prepare and/or assist in the preparation of the agenda for each meeting of the Board of Supervisors by supplying facts pertinent thereto.
- F. The Manager shall be responsible to ensure the duties of the Open Records Officer, as outlined by the Office of Open Records, are carried out pursuant to Sunshine Act, 65 P.S. § 701 *et seq.*, and the Right-To-Know Law, 65 P.S. § 67.101 *et seq.*, as amended from time to time.
- G. The Manager shall perform or be responsible for policy and program analysis on present and future policies within the Township as well as see that they are implemented upon passage by the Board of Supervisors.
- H. The Manager shall keep the Board of Supervisors informed as to the conduct of Township affairs in connection with his/her duties as Township Manager and shall submit such other reports at the

Board of Supervisors request. The Manager shall make such recommendations to the Board of Supervisors as is deemed necessary.

- I. The Manager may delegate duties and meeting attendance to staff as he/she deems necessary should he/she not be able to complete the task or attend the meeting himself/herself.
- J. The Manager may employ, by and with the approval of the Board of Supervisors, experts and consultants to perform work and to advise in connection with any of the functions of the Board of Supervisors of the Township of Halfmoon, which are within his/her duties.
- K. The Manager 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 Township officer by statute.
- L. The Manager shall be responsible to ensure the responsibilities of the Procurement Officer are developed and implemented in accordance with the provisions of the Second Class Township Code, 53 P.S. § 65101 *et seq.*, and shall keep an account of all purchases and shall, from time to time, or when directed by the Board of Supervisors, make a full written report thereof. The Manager shall also issue rules and regulations subject to the approval of the Board of Supervisors governing the requisition and purchasing of all municipal supplies and equipment.
- M. The Manager shall cooperate with the Board of Supervisors at all times and in all matters that the best interests of the Township of Halfmoon and of the general public may be maintained.
- N. All complaints regarding services or personnel of the Township of Halfmoon shall be referred to the Township Manager. The Manager, or an officer designated by him/her, shall investigate and dispose of such complaints, and the Township Manager shall report thereon to the Board of Supervisors.

§ 31-8 Delegation of powers and duties upon absence.

In case of illness or the absence of the Manager from the Township, the Board of Supervisors may temporarily designate the duties of the Manager upon another qualified individual, who shall perform the duties of the Manager during his/her absence or disability.

SECTION II: Repealer. All provisions of previous Ordinances of the Township, which are contrary to this Ordinance, are expressly repealed.

SECTION III: Savings Clause. In all other respects, the Ordinances of the Township shall remain as previously enacted and ordained.

SECTION IV: Severability. The provisions of this Ordinance are severable, and if any of its sections, clauses, or sentences shall be held illegal, invalid, or unconstitutional, such provision shall not affect or impair any remaining sections, clauses, or sentences of the same.

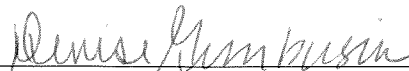
SECTION V: Effective Date. This Ordinance shall become effective in accordance with law.

IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors of Halfmoon Township this 18th day of November 2021, at a meeting duly and legally held at which a quorum was present.

**TOWNSHIP OF HALFMOON
BOARD OF SUPERVISORS:**

ATTEST:

[SEAL]




Denise Gembusia, Secretary





Danelle Del Corso, Chair




Robert (Bob) Strouse, Vice Chair



Patricia Hartle



David Piper



Charles Beck