

**KENNETT TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 299

AN ORDINANCE OF KENNETT TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA AMENDING THE CODE OF ORDINANCES OF KENNETT TOWNSHIP TO REVISE AND RESTATE CHAPTER 43, ARTICLE II, "TOWNSHIP MANAGER"; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Board of Supervisors of Kennett Township, Chester County, Pennsylvania has enacted the Code of Ordinances of Kennett Township which contains, *inter alia*, provisions establishing and governing the position of Township Manager for Kennett Township; and

WHEREAS, the Board of Supervisors desires to revise and restate the provisions governing the position of Township Manager including provisions governing supervision of the Township Manager, general powers and duties of the Township Manager, qualifications of the Township Manager, disability or absence of the Township Manager, the Township Manager's bond, and procedural limitations on the Board of Supervisors regarding the Township Manager; and

WHEREAS, the Board of Supervisors has determined that it is in the best interest of the health, safety, and welfare of the residents of Kennett Township to revise the provisions governing the position of Township Manager in order to provide for the most qualified and skilled personnel to hold this most important position in the Township;

NOW, THEREFORE, be it **ENACTED** and **ORDAINED** by the Board of Supervisors of Kennett Township as follows:

I. Chapter 43, Article II of the Code of Ordinances of Kennett Township is amended to read as follows:

Sec. 43-3. - Appointment and removal of Township Manager.

A Township Manager (hereinafter referred to as the "Manager") may be appointed for an indefinite term by a majority of all the members of the Board of Supervisors (hereinafter referred to as the "Board"). The Manager, if appointed, shall serve at the pleasure of the Board and may be removed at any time by a majority vote of the Board. At least 30 days before any removal becomes effective, the Board shall furnish the Manager with a written statement setting forth its intention of removal.

Sec. 43-4. - Supervision

A. The Township Manager reports to the Board of Supervisors.

- B. All employees report to the Manager via the Department Heads, including the police.
- C. Township Committees, Commissions, volunteers, and any other group acting in the interest of the Township shall report to the Manager.

Sec. 43-5. – General Powers and duties.

The Manager shall be the Chief Administrative Officer of the Township and shall be responsible to the Board as a whole for the proper and efficient administration of the operational affairs of the Township. The powers and duties of the Manager hereinafter outlined are subject to recall or modification by ordinance or resolution of the Board.

- A. The Manager is ultimately responsible for all operational and strategic planning and execution in the Township; This includes leading and unifying the Township staff and the leadership team around the execution of key priorities of the strategic plan as well as administration of daily Township and police operations and oversight of all infrastructure.
- B. Administer Township personnel rules and regulations and to assign any employee to any department requiring service, appropriate to the personnel classification of the employee and subject to the limitations of the personnel rules and regulations.
- C. Act as the department head of any department in the instance where a department head has not been designated, until an appointment has been made.
- D. Oversee preparation and development of budget; obtain budget requests from all departments, boards and commissions; assemble and modify the proposed capital and operating budgets to the Board for approval.
- E. Investigate, examine, or inquire into the affairs of any department, office, or agency of the Township.
- F. Serve as the Township’s chief negotiator in all union contract negotiations in cooperation with Township legal counsel; receive, analyze, and report to the Board all union requests in contract negotiations and/or arbitrations; implement all union contracts and/or arbitration awards for the Township.
- G. Hire, suspend, or discharge any employee according with State and Federal Law.
- H. Attend all meetings of the Board and its committees, with the right to take part in discussions.
- I. Develop long-range fiscal and strategic plans for the municipality to be presented to the Board for its review and adoption.
- J. Oversees Planning and Zoning, Land Development processes, Open Space procurement and development and facilitating Economic Development Plans in accordance with Township ordinances and adopted master plans.
- K. Oversee infrastructure planning, capital improvement and maintenance, inclusive of the sewer system.
- L. Coordinate the agenda for any regularly scheduled meeting of the Board, comply with all laws relating to the timing or publication of the agenda, and supply all information

pertinent to the subject matter on the agenda to each Board member at least 24 hours prior to the meeting.

- M. Keep the Board informed as to the conduct of Township affairs, submit periodic reports on the condition of Township finances and such other reports as the Board requests and make such recommendations to the Board as deemed advisable.
- N. Ensure the provisions of all franchises, leases, permits, and privileges granted by the Township are observed.
- O. Attend to the letting of contracts in due form of law and be expected to monitor or supervise the performance and faithful execution of the same, except when such duties are imposed by statute upon some other Township officer.
- P. Submit to the Board, after the close of the fiscal year, a complete, audited report on the condition of the Township finances and such other reports as the Board requests.
- Q. 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.
- R. Acts as the Public Information Officer by responding to media inquiries, communicating official plans, policies, and procedures to the staff and the general public; Responsible for responding to, investigating, and resolving all complaints regarding Township services.
- S. Record and certify all ordinances and resolutions which are kept in a permanent file with proof of legal advertisements.
- T. Adheres to the ethical standards of the Township as outlined in Human Resource Policies.
- U. See that all money owed to the Township is promptly paid and that proper proceedings are taken for the security and collection of all the Township's claims.
- V. Fix wages and salaries of all personnel under the Manager's supervision after approval from the Board.
- W. Enforce the ordinances and regulations of the Township.

Sec. 43-6. – Qualifications

The Manager shall be chosen solely on the basis of the person's executive and administrative abilities, with special reference of the duties of the office as contained herein.

- A. Extensive knowledge of the theories, concepts, and practices of public administration.
- B. Extensive knowledge of policies and proceedings as they apply to municipal finance and administration.
- C. Extensive knowledge of managerial practices, supervisory methods and techniques.
- D. The ability to communicate effectively in both oral and written form.
- E. The ability to develop and maintain close working relationships with associates and the general public.
- F. The ability to control and direct the activities of a multi-departmental organization.

- G. The ability to recognize, analyze, and investigate problems in a logical manner and to develop alternate solutions.
- H. A bachelor's or master's degree in Public Administration or equivalent, and experience in municipal government in the area of financial administration, planning, organizing, and directing administrative services.
- I. The Manager need not be a resident of Kennett Township.

Sec. 43-7. - Disability or absence.

If the Manager becomes ill or needs to be absent from the Township, the duties of the Manager shall be performed during his or her absence by such person as may be designated by the Board.

Sec. 43-8. – Bond

Before entering upon duties and continuously thereafter, the Manager shall be bonded by a bonding company, as surety, conditioned upon the faithful performance of duties. The premium for said bond will be paid by the Township.

Sec. 43-9. – Procedural Limitations on Board of Supervisors

Other than for the purposes of inquiry, the Board or any of its members or any of the Township committees or its members shall deal with the administrative service solely through the Manager and shall not give orders, publicly or privately, to any subordinate of the Manager.

- II. All ordinances or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency.
- III. The provision of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance or on the provisions of the Code of Ordinances of Kennett Township.
- IV. This Ordinance shall become effective five (5) days following its legal enactment.

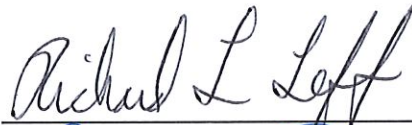
ENACTED and **ORDAINED** this 21st day of December, 2022.

ATTEST:

**BOARD OF SUPERVISORS OF KENNETT
TOWNSHIP**



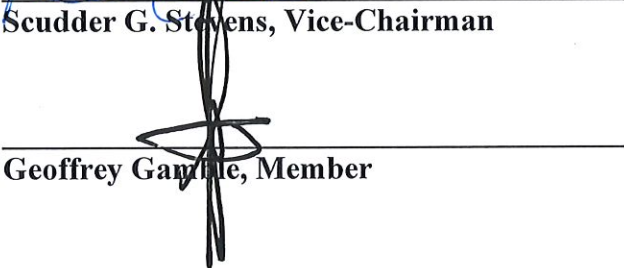
Eden R. Ratliff, Secretary



Richard L. Leff, Chairman



Scudder G. Stevens, Vice-Chairman



Geoffrey Gamble, Member