

I, Amanda J. Sundquist, Esquire, hereby certify that the attached document is a copy of the full text of the proposed Ordinance which will create a new chapter to the Pocopson Township Code, titled "Administration and Government", containing a new Article, "Township Manager".

UNRUH, TURNER, BURKE & FREES, P.C.

A handwritten signature in cursive script that reads "Amanda J. Sundquist".

Date: July 5, 2024

By:

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Amanda J. Sundquist, Esquire  
Solicitor for Pocopson Township

**POCOPSON TOWNSHIP**  
**CHESTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. \_\_\_\_ – 2024**

**AN ORDINANCE OF THE TOWNSHIP OF POCOPSON, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE POCOPSON TOWNSHIP CODE OF ORDINANCES, AS AMENDED, TO CREATE A NEW CHAPTER, “ADMINISTRATION AND GOVERNMENT”, CONTAINING A NEW ARTICLE, “TOWNSHIP MANAGER”; AND SUCH OTHER MISCELLANEOUS PROVISIONS CONTAINED HEREIN.**

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Pocopson Township the Pocopson Township Code of Ordinances, as amended, shall be amended as follows:

SECTION 1. New Chapter “Administration and Government, containing a new Article, “Township Manager”, is hereby created to read as follows:

§ \_\_\_\_-1 Establishment of office.

The Office of Township Manager is hereby created.

§ \_\_\_\_-2 Appointment; removal.

The Township Manager shall be appointed for an indefinite term by a majority of all members of the Board, shall serve at the pleasure of the Board and shall be subject to removal by the Board by majority vote.

§ \_\_\_\_-3 Qualifications.

A. The Township Manager shall be chosen on the basis of the person's executive, administrative and financial abilities, with special reference to training and experience in municipal government.

§ \_\_\_\_-4 Powers and duties.

A. The Township Manager shall be the chief administrative officer of the Township and shall be responsible to the Board of Supervisors as a whole for the proper, efficient and economical administration of the affairs of the Township. The powers and duties of administration of all Township business shall be vested in the Township Manager, and all duties hereby delegated shall be subject to recall at any time by the Board of Supervisors. This delegation shall not include any powers and duties expressly imposed or conferred by statute upon other Township officers.

B. Subject to recall by ordinance of the Board at any time, the powers and duties of the Township Manager shall include the following:

1. The Manager shall supervise and be responsible for all Township departments.
2. The Manager shall hire and, when deemed necessary, shall suspend or discharge any employee of the Township; provided, however, such hiring or discharge of department heads or appointees shall require approval of the Board.
3. The Manager shall prepare and submit to the Board, not less than 60 days before the close of each fiscal year, a proposed budget for the next fiscal year. In preparing the proposed budget, the Manager, or any person designated by the Manager, shall obtain from the head of each department, agency, board or commission, or any qualified member thereof, estimates of revenues and expenditures for the next fiscal year and such other data as the Manager shall require. The Manager shall review such estimates and give them due consideration before submitting to the Board the proposed budget for the next fiscal years; however, the Manager shall not be bound by any such estimates.
4. The Manager shall be responsible for the administration of the budget after its adoption by the Board.
5. The Manager shall hold such other Township offices and head such departments as the Board may from time to time direct and are not deemed incompatible by law.
6. The Manager shall attend all meetings of the Board. The Manager shall receive notice of meetings of all other Township boards, agencies, or commissions and shall have the right to attend all such meetings personally or through a designee.
7. The Manager shall prepare an agenda for each meeting of the Board and shall supply such information to the Board as deemed pertinent thereto or as requested by the Board.
8. The Manager shall keep the Board informed as to the conduct of Township affairs; shall submit periodic reports on the condition of Township finances; shall submit such other reports as they deem advisable or as the Board shall request; and shall make such recommendations to the Board as they deem advisable.
9. The Manager shall submit to the Board, as soon as possible after the close of each fiscal year, a complete report on the finances of the Township for the preceding year.
10. The Manager shall oversee the administration of all Township ordinances as well as all such franchises, leases, permits and privileges as may from time to time be granted by the Township and such contracts as may be entered into by the Township and shall see that all the terms and conditions of all of the foregoing are observed.

11. The Manager shall recommend to the Board the employment of such experts and consultants as the Manager deems advisable to perform work and/or to offer advice in connection with any of the functions of the Township, and the Manager shall recommend to the Board compensation to be paid to any such expert or consultant so hired.
12. The Manager shall attend to the letting of contracts in form, substance and manner as provided by law, and the Manager shall supervise the performance and faithful execution of same, except insofar as such duties are expressly imposed by statute or ordinance upon some other Township officer or official.
13. The Manager shall see that all money owed the Township is promptly paid and that proper proceedings are taken for the security and collection of all claims of the Township.
14. All complaints regarding Township services shall be referred to the Township Manager. The Manager or such other person as the Manager shall designate shall investigate and, insofar as possible, resolve such complaints, and the Manager shall report thereon to the Board.
15. The Manager shall thoroughly analyze all matters requiring Board action and shall fairly and objectively present to the Board all facts and other information pertinent to such action.
16. The Manager shall use their best efforts to maintain a high level of public relations for all elements of the Township government and shall prepare such periodic reports of Township activity and such other information as may be directed from time to time by the Board.
17. The Manager shall assume such other responsibilities and perform such other duties as the Board may from time to time direct and in conformity with all applicable statutes, ordinances and regulations.

§ \_\_\_\_\_-5 Compensation.

The annual compensation of the Township Manager shall be set by resolution of the Board.

§ \_\_\_\_\_-6 Bond.

The Township Manager shall give a bond with sufficient surety, the premium for which shall be paid by the Township, as a condition to the faithful performance of the Township Manager's duties.

§ \_\_\_\_\_-7 Effect on other Township offices.

The Township Manager's office shall not be incompatible with the office of the Township Secretary, the Township Treasurer or any other township office or employment except that of Supervisor, auditor or police officer.

§ \_\_\_\_\_-8 Rules and regulations.

The Board is empowered, from time to time, to establish reasonable rules and regulations with respect to the Township Manager.

SECTION 2. SEVERABILITY. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

SECTION 3. REPEALER. All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance. Notwithstanding the foregoing, the adoption of this amendment and the repeal of ordinances shall not affect the any right or liability established, accrued or incurred under any legislative provision of the Township prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability or any cause of action acquired or existing.

SECTION 4. GENERAL CODE. General Code is hereby authorized to make non-substantive formatting and numbering changes necessary to clarify references to other sections of the Pocopson Township ordinances and/or codification and to bring the Ordinance into conformity with the Pocopson Township ordinances/codification.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective five days after enactment as provided by law.

ENACTED AND ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

BOARD OF SUPERVISORS  
POCOPSON TOWNSHIP

\_\_\_\_\_  
Susan Simone, Secretary

\_\_\_\_\_  
Elaine DiMonte, Chairwoman

\_\_\_\_\_  
Ricki Stumpo, Vice-Chairwoman

\_\_\_\_\_  
Raymond McKay, Supervisor