

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2354 Session of
2010

INTRODUCED BY FREEMAN, KESSLER, GRUCELA, ROSS AND GINGRICH,
MARCH 18, 2010

REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, MARCH 18, 2010

AN ACT

1 Amending the act of May 1, 1933 (P.L.103, No.69), entitled, as
2 reenacted and amended, "An act concerning townships of the
3 second class; and amending, revising, consolidating and
4 changing the law relating thereto," further providing for
5 township manager.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 1301 of the act of May 1, 1933 (P.L.103,
9 No.69), known as The Second Class Township Code, reenacted and
10 amended November 9, 1995 (P.L.350, No.60), and amended November
11 29, 2006 (P.L.1473, No.166), is amended to read:

12 Section 1301. Township Manager; Appointment, Removal, Powers
13 and Duties; Compensation; Bond.--(a) The board of supervisors
14 may by ordinance at any time create the office of township
15 manager and may in like manner abolish the office. While the
16 office exists, the board of supervisors shall appoint one person
17 to fill the office. The township manager [serves] shall serve at
18 the pleasure of the board of supervisors, subject to contractual
19 rights that may arise under an employment agreement that may be

1 entered in accordance with subsection (a.1).

2 (a.1) The board of supervisors may enter into an employment
3 agreement with the township manager. The employment agreement
4 may set forth the terms and conditions of employment, and the
5 agreement may provide that it shall remain in effect for a
6 specified period terminating no later than two years after the
7 effective date of the agreement or the date of the board of
8 supervisors' organizational meeting following the next municipal
9 election, whichever shall first occur. An employment agreement
10 entered into pursuant to this subsection may specify conditions
11 under which a township manager would be entitled to severance
12 compensation, but in no event shall an employment agreement
13 guarantee employment through the term of the agreement or confer
14 upon the township manager any legal remedy based on specific
15 performance.

16 (b) The powers and duties of the township manager shall be
17 established by ordinance. The compensation shall be set by
18 resolution and paid out of the general fund of the township. The
19 board of supervisors may delegate, subject to recall, any of
20 their nonlegislative powers and duties to the township manager.
21 The township manager shall give bond to the township, with
22 sufficient surety, in the amount directed by the board of
23 supervisors, conditioned for the faithful performance of the
24 duties of the office.

25 (c) The office of township manager is not incompatible with
26 the office of township secretary, township treasurer or any
27 other township office or employment, except that of supervisor,
28 auditor or township police officer.

29 Section 2. This act shall take effect in 60 days.