

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1060 Session of  
2009

INTRODUCED BY ROBBINS, ERICKSON, EICHELBERGER, STOUT AND  
WOZNIAK, JULY 31, 2009

REFERRED TO LOCAL GOVERNMENT, JULY 31, 2009

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.