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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL  
No. 1440 Session of  
1979

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INTRODUCED BY ANDERSON, A. C. FOSTER, JR., GEESEY, DORR AND  
WEIDNER, JUNE 4, 1979

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REFERRED TO COMMITTEE ON LOCAL GOVERNMENT, JUNE 4, 1979

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AN ACT

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

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

8 Section 1. Section 410, act of May 1, 1933 (P.L.103, No.69),  
9 known as "The Second Class Township Code," reenacted and amended  
10 July 10, 1947 (P.L.1481, No.567) and amended July 29, 1977  
11 (P.L.151, No.39), is amended to read:

12 Section 410. Supervisors.--Except as is otherwise provided  
13 for the election of additional supervisors, at each municipal  
14 election, the electors of each township shall elect one  
15 supervisor to serve for a term of six years from the first  
16 Monday of January next following his election.

17 Except as provided in [section] sections 510 and 514, no  
18 supervisor shall at the same time hold any other elective or  
19 appointive township office or position other than township

1 roadmaster [or], secretary-treasurer or superintendent of any  
2 board created township department.

3 Section 2. Section 510 of the act, amended July 30, 1975  
4 (P.L.134, No.67), is amended to read:

5 Section 510. Supervision of Affairs.--The general  
6 supervision of the affairs of the township shall be in the hands  
7 of three registered electors of the township, who shall be  
8 styled township supervisors, except that when upon referendum  
9 the election of two additional supervisors is provided for, the  
10 general supervision of the affairs of the township shall be in  
11 the hands of five registered electors of the township, who shall  
12 be styled township supervisors. The township supervisors may  
13 create any of the following administrative departments and  
14 provide, by ordinance, for powers and duties of a superintendent  
15 for each such department created: Public Safety, Highways,  
16 Health and Welfare, Finance, Parks and Recreation. Such  
17 superintendent positions shall be filled by majority vote of  
18 said board from the ranks of the supervisors themselves and the  
19 superintendents may be compensated for this additional service  
20 as provided in section 515.

21 Section 3. Section 515 of the act, amended November 2, 1973  
22 (P.L.324, No.105), is amended to read:

23 Section 515. Compensation of Supervisors.--Supervisors may  
24 receive from the general township fund, as compensation, twenty-  
25 five dollars for each meeting which they attend. The  
26 compensation of supervisors, when acting as superintendents,  
27 roadmasters or laborers, shall be fixed by the township auditors  
28 either per hour, per day, per week, semi-monthly or monthly,  
29 which compensation shall not exceed compensation paid in the  
30 locality for similar services, and such other reasonable

1 compensation for the use of a passenger car, or a two-axled  
2 four-wheeled motor truck having a chassis weight of less than  
3 two thousand pounds and a maximum gross weight of five thousand  
4 pounds, or a class 2 truck, having a maximum gross weight of  
5 seven thousand pounds when required and actually used for the  
6 transportation of road and bridge laborers and their hand tools  
7 and for the distribution of cinders and patching material from a  
8 stock pile, as the auditors shall determine and approve; but no  
9 supervisor shall receive compensation as a superintendent or  
10 roadmaster for any day he receives compensation for attending a  
11 meeting of supervisors, unless such meeting is held after  
12 regular working hours. Supervisors acting as department  
13 superintendents may receive compensation in addition to any  
14 other compensation provided for herein if authorized and fixed  
15 by the township auditors either semi-monthly or monthly:  
16 Provided, however, That the total amount of extra compensation  
17 provided for herein for all services as department  
18 superintendents shall, for each individual supervisor, not be in  
19 excess of one thousand five hundred dollars per annum in  
20 townships having populations of less than fifteen thousand and  
21 two thousand seven hundred dollars in townships having  
22 populations in excess of fifteen thousand.

23 Section 4. Section 599.1 of the act, amended June 27, 1973  
24 (P.L.74, No.33), is amended to read:

25 Section 599.1. Appointment, Removal, Powers and Duties;  
26 Compensation; Bond.--The supervisors may by ordinance, at any  
27 time, create the office of township manager and may, in like  
28 manner, abolish the same. While said office exists the  
29 supervisors shall, from time to time, and, whenever there is a  
30 vacancy, by majority vote, elect one person to fill said office,

1 who shall serve until his successor is elected and qualified.  
2 Any such township manager shall be subject to removal by the  
3 supervisors by majority vote.

4 The powers and duties of the township manager shall be fixed  
5 by ordinance. The compensation shall be set by resolution and  
6 paid out of the general fund of the township. The supervisors  
7 may delegate, subject to recall, any of their non-legislative  
8 powers and duties to the township manager. He shall give bond to  
9 the township, with sufficient surety, to be approved by the  
10 supervisors, in such sum as they shall by ordinance direct,  
11 conditioned for the faithful performance of his duties.

12 The office of township manager shall not be deemed  
13 incompatible with the office of township secretary, township  
14 treasurer, or any other township office or employment, except  
15 that of supervisor: Provided, however, That services by a  
16 supervisor as the superintendent of a validly created township  
17 department shall not constitute an office incompatible with the  
18 office of township manager.

19 Section 5. This act shall take effect in 60 days.