

**BOROUGH OF ST. CLAIR  
SCHUYLKILL COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 4154**

**AN ORDINANCE OF THE BOROUGH OF ST. CLAIR,  
SCHUYLKILL COUNTY, PENNSYLVANIA, CREATING  
THE OFFICE OF BOROUGH MANAGER; PROVIDING  
THE MANNER OF FILLING SAID OFFICE, METHOD OF  
COMPENSATING SUCH OFFICER AND THE POWERS  
AND DUTIES OF SAID OFFICE.**

The Borough Council of the Borough of St. Clair, Schuylkill County, Pennsylvania (the “Borough” ), hereby enacts and ordains as follows:

WHEREAS, Section 1203 of the Borough Code, 8 Pa.C.S.A. § 1203, entitled “Reserved Powers”, authorizes the Borough to make and adopt ordinances necessary for the proper management, care and control of the Borough, and the maintenance of the health and welfare of the Borough and its citizens; and

WHEREAS, Section 1202 of the Borough Code, 18 Pa.C.S.A. § 1202, entitled “ Specific Powers” , authorizes the Borough to adopt ordinances to secure the safety of persons or property within the Borough; and

WHEREAS, Section 1141 of the Borough Code, 8 Pa.C.S.A. § 1141, authorizes the creation of the position of Borough Manager and the authorization of certain powers and duties.

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY the Borough Council of the Borough of St. Clair, Schuylkill County, Pennsylvania, in accordance with the general powers permitted by the Borough Code (53 P.S. § 46201, et seq.), as follows:

**Section 101. Title.**

This Ordinance shall be known as the “St. Clair Borough Manager Ordinance”.

**Section 102. Citation**

This Ordinance may be cited as the “St. Clair Borough Manager Ordinance”.

**Section 103. Creation of Office**

The Office of Borough Manager is hereby created by the Council of the Borough, which may, at its discretion at any time, abolish the office of Borough Manager. While the office of Borough Manager exists, Council shall, from time to time, and if there is a vacancy, elect, by a vote of a majority of all members, one (1) individual, partnership, limited partnership, association or professional corporation as the Borough Manager.

**Section 104. Appointment and Removal of Manager**

The Manager shall be appointed for an indefinite term by a majority of all the members of Council. The Borough Manager shall serve at the pleasure of Council, subject to contractual rights that may arise under the employment agreement or professional services agreement that may be entered into in accordance with § 1142 of the Borough Code, 8 Pa.C.S.A. § 1142. Any employment agreement may remain in effect for a specified period terminating no later than two (2) years after the effective date of the agreement or the date of the organizational meeting of Council following the next municipal election, whichever occurs first. An employment or professional services agreement with a Borough Manager executed on or after a municipal election but before the first meeting in January the year after the municipal election shall be void. The Manager shall serve at the pleasure of Council and may be removed at any time by a

majority vote of all Council members. At least thirty (30) days before such removal becomes effective, Council shall furnish the Manager with a written statement setting forth its intention to remove him/her and the reasons therefore unless compelling reasons require immediate removal.

#### **Section 105. Qualifications of Manager**

The Manager shall be chosen on the basis of his/her executive and administrative abilities, with special reference to his/her actual experience in, or his/her knowledge of, accepted practices in respect to the duties of his/her office as set forth in Section 107 below.

#### **Section 106. Manager's Bond**

Before entering upon the duties of Manager, the appointed Manager shall give bond to the Council with a bonding company assuring such sum as is set forth by Resolution of Council, conditioned upon the faithful performance of the duties of the office. Any premiums associated therewith or therefore shall be paid by the Borough.

#### **Section 107. Manager's Compensation**

The salary of the Manager shall be fixed from time to time in a similar manner as compensation for all other employees. At such time as Council appoints an individual to the office of Manager, Council shall also fix the initial salary of said Manager.

#### **Section 108. Powers and Duties of Manager**

The Manager shall be the chief administrative officer of the Borough and he/she shall be responsible to the Council as a whole for the proper and efficient administration of the affairs of the Borough. His/her powers and duties shall relate to the general management of all Borough business not imposed or conferred on other Borough officers.

Subject to recall by ordinance or resolution of Council, the powers and duties of the Manager shall include the following:

1. He/she shall supervise and be responsible for the activities of municipal departments under his/her control.
2. He/she shall hire and, when necessary for the good of the service, shall suspend or discharge employees under his/her supervision, providing that persons covered by the civil service provisions of the Borough Code shall be hired, suspended or discharged in accordance with such provisions; providing, further, that such actions shall be by and with the approval of the Council.
3. He/she shall, with the assistance of the Budget Committee, prepare and submit to the Council before the close of the fiscal year or on such alternate date as Council shall determine a budget for the next fiscal year and an explanatory message. In preparing the budget, the Manager, or an officer designated by him/ her, shall obtain from the head of each department, agency, board or officer, estimates of revenue and expenditures and other supporting data as he/she requests. The Budget Committee and Manager shall review such estimates and may revise them before submitting the budget to the entire Council

4. He/she shall be responsible for the administration of the adopted budget after its adoption by Council.
5. He/she shall hold such other municipal offices or head one (1) or more of the municipal departments as the Council may from time to time direct.
6. He/she shall attend all meetings of the Council and its committees with the right to take part in the discussion, and he/she shall receive notice of special meetings of Council or its committees.
7. He/she shall prepare the agenda for each meeting of Council and supply facts pertinent thereto.
8. He/she shall keep Council informed as to the conduct of Borough affairs; submit periodic reports on the condition of the Borough finances and such other reports as the Council requests; and make such recommendations to the Council as he/she deems necessary.
9. He/she shall submit to Council, as soon as possible after the close of the fiscal year, a complete report on the financial and administrative activities of the Borough for the preceding year.
10. He/she shall see that the provisions of all franchises, leases, permits and privileges granted by the Borough are observed.
11. He/she may employ, by and with the approval of Council, experts and consultants to perform work and to advise in connection with any of the functions of the Borough.

12. He/she shall attend to the letting of contracts in due form of law, and he/she shall supervise the performance and faithful execution of the same, except insofar as such duties are expressly imposed upon some other Borough officer by statute.
13. He/she shall see that all money owed the Borough is promptly paid and that the proper proceedings are taken for the security and collection of all the Borough claims.
14. He/she shall be the purchasing officer of the Borough and he/she shall purchase, in accordance with the provisions of the Borough Code, all supplies and equipment for the various agencies, boards, departments and other offices of the Borough. He/she shall keep an account of all purchases and shall from time to time, when directed by Council, make a full, written report thereof. He/she shall also issue rules and regulations, subject to the approval of Council, governing the requisitions and purchasing of all municipal supplies and equipment.
15. All complaints regarding services or personnel of the Borough shall be referred to the office of the Manager. He/she, or an officer designated by him/her, shall investigate and dispose of such complaints, and the Manager shall report thereon to Council.

### **Section 109. Chain of Command**

Borough Council, its committees and members shall deal with the administrative service solely through the Manager, and neither the Council nor any of its committees or any of its members shall give orders, publicly or privately, to any subordinates of the Manager.

The Manager shall deal with the administrative service of the Police Department solely through the Chief of Police and shall not give orders publicly or privately, to any subordinates of the St. Clair Borough Police Department.

### **Section 110. Disability or Absence of the Manager**

If the Manager becomes ill or needs to be absent from the Borough, he/she shall designate one qualified member of his/her staff to perform the duties during his/her absence or disability. The person so designated shall not perform these duties for a period longer than two (2) weeks without approval of Council.

### **Section 111. Repealer**

All ordinances or Resolutions or parts of ordinances or resolutions, insofar as they are inconsistent herewith, be and the same are hereby repealed.

### **Section 112. Severability**

The provisions of this Ordinance are severable, and if any section, clause, sentence, part or provision thereof shall be held to be illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect, impair or invalidate any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of St. Clair Borough Council that this Ordinance would have been

adopted if such illegal, invalid or unconstitutional section, clause, sentence, part or provision had not been included herein.

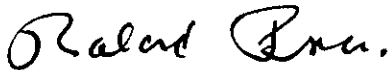
**Section 113. Effective Date.**

This Ordinance shall become effective five (5) days after the adoption hereof.

DULY ENACTED AND ORDAINED by Borough Council of the Borough of St. Clair,  
Schuylkill County, Pennsylvania, this 3<sup>rd</sup> day of JUNE, 2025, in lawful  
session duly assembled.

ATTEST:

ST. CLAIR BOROUGH



ROLAND PRICE, JR.  
Borough Secretary



THOMAS DEMPSEY  
Council President

Approved by me this 3<sup>rd</sup> day of JUNE, 2025.

  
RICHARD E. TOMKO, Mayor

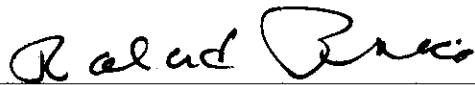


**IN RE: AN ORDINANCE OF THE BOROUGH OF ST. CLAIR, SCHUYLKILL COUNTY, PENNSYLVANIA, CREATING THE OFFICE OF BOROUGH MANAGER; PROVIDING THE MANNER OF FILLING SAID OFFICE, METHOD OF COMPENSATING SUCH OFFICER AND THE POWERS AND DUTIES OF SAID OFFICE.**

**CERTIFICATION**

I hereby certify that the within Ordinance is a true and correct copy of an Ordinance enacted by Borough Council of the Borough of St. Clair, Schuylkill County, Pennsylvania, on the 3<sup>rd</sup> day of JUNE, 2025.

SEAL

  
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Roland Price, Jr., Secretary  
St. Clair Borough Hall  
16 South Third Street  
St. Clair, PA 17970  
Phone: (570) 429-0640