

No. 1986-82

AN ACT

HB 2247

Amending the act of May 1, 1933 (P.L.103, No.69), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," further providing for voting by township supervisors.

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

Section 1. Section 511 of the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, reenacted and amended July 10, 1947 (P.L.1481, No.567) and amended October 22, 1981 (P.L.313, No.108), is amended to read:

Section 511. Organization Meeting; Appointment of Secretary and Treasurer.—The supervisors of each township shall meet, at a convenient time and place, on the first Monday in January of each year. If the first Monday is a legal holiday, the meeting shall be held the first day following. At such time the township supervisors shall organize as a board by electing one of their number as chairman and another member as vice-chairman. The board shall appoint a treasurer and a secretary. The secretary shall be an individual, however the board may select either a trust company, banking institution or an individual to serve as treasurer, or the board may appoint one individual to serve as both secretary and treasurer. The secretary-treasurer, secretary or treasurer, may or may not be a member of the board. *With regard to boards of supervisors which are designated as three-member boards, any supervisor who is to be considered by such a board for secretary-treasurer, secretary or treasurer, shall not be excluded from voting on the issue of such appointment; such action by a supervisor shall be deemed to be within the scope of authority as a supervisor and shall not be deemed to constitute an illegal or an improper conflict of interest.*

The meeting under this section may be considered as a regular monthly meeting for the transaction of such business as comes before it. The first order of business at this meeting shall be organization of the board. Any action taken or business transacted other than organization of the supervisors as a board at any organization meeting held prior to the effective date of this amending act, which is invalid for the reason that the action was taken or business transacted at an organization meeting, is hereby validated and confirmed.

Section 2. Section 514 of the act, amended July 2, 1953 (P.L.328, No.72), is amended to read:

Section 514. Road Districts; Superintendents and Roadmasters.—The board of township supervisors, immediately after their organization, shall divide the township into one or more road districts. They shall employ a superintendent for the entire township or a roadmaster for each district. Every superintendent and roadmaster, so employed, must be a person physically able to work on and maintain the roads. Township supervisors may require such superintendents or roadmasters to give bond, with a surety company or other company authorized by law to act as surety, for the faithful performance of their duties. The superintendent or roadmasters shall be subject to removal by the board of supervisors. The supervisors shall fix the wages to be paid, either per hour, per day, per week, semi-monthly or monthly, to the superintendent or roadmasters and laborers for work on the roads and bridges, which wages shall not exceed wages paid in the locality for similar services.

This section shall not prohibit the township supervisors from being employed as superintendents or roadmasters, or as laborers, if physically able to work on and maintain the roads. *With regard to boards of supervisors which are designated as three-member boards, any supervisor who is to be considered by such a board for a position as a compensated employe of the township, as authorized by this section, shall not be excluded from voting on the issue of such appointment; such action by a supervisor shall be deemed to be within the scope of authority as a supervisor and shall not be deemed to constitute an illegal or an improper conflict of interest.* In such cases they shall not employ a superintendent or roadmasters and their compensation shall be fixed as hereinafter provided.

Two or more townships may appoint the same person as superintendent.

Section 3. This act shall be retroactive to January 1, 1986.

Section 4. This act shall take effect immediately.

APPROVED—The 3rd day of July, A. D. 1986.

DICK THORNBURGH