

No. 2011-73

AN ACT

SB 828

Amending the act of June 24, 1931 (P.L.1206, No.331), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," further providing for township manager.

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

Section 1. Clause IV of section 1502 of the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, reenacted and amended May 27, 1949 (P.L.1955, No.569) and amended July 2, 1953 (P.L.326, No.71), is amended to read:

Section 1502. The corporate power of a township of the first class shall be vested in the board of township commissioners. The board shall have power—

* * *

IV. Township Manager. To create, by ordinance, the office of township manager, and in like manner to abolish the same. *The township manager shall serve at the pleasure of the board of commissioners, subject to contractual rights that may arise under an employment agreement that may be entered in accordance with this clause.*

The powers[, duties, term of office, and compensation] *and duties* of the township manager shall be regulated by ordinance. *The board of commissioners may enter into an employment agreement with the township manager. The employment agreement may set forth the terms and conditions of employment, and the agreement may provide that it shall remain in effect for a specified period terminating no later than two years after the effective date of the agreement or the date of the board of commissioners' organizational meeting following the next municipal election, whichever shall first occur. An employment agreement entered into pursuant to this clause may specify conditions under which a township manager would be entitled to severance compensation, but in no event shall an employment agreement guarantee employment through the term of the agreement or confer upon the township manager any legal remedy based on specific performance.* The commissioners may delegate, subject to recall, any of their respective non-legislative and non-judicial powers and duties to the township manager. He shall, if required by the township commissioners, give a bond to the township, with a surety company or other company authorized by law to act as surety, to be approved by the commissioners, in such sum as it shall, by ordinance or resolution, direct, conditioned for the faithful performance of his duties.

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

APPROVED—The 7th day of July, A.D. 2011

TOM CORBETT