

ADMINISTRATION AND GOVERNMENT

Part 1

Officials

A. Meetings of Governing Body.

- \$101. Time, Day and Place of Regular Meetings
- \$102. Advertising Meetings
- \$103. Rules of Parliamentary Procedure

B. Compensation of Elected Officials.

- \$121. Compensation of Mayor
- \$122. Compensation of Members of Council
- \$123. Compensation of Tax Collector

C. Office of Borough Manager.

- \$131. Creation of Office
- \$132. Appointment and Removal
- \$133. Qualifications
- \$134. Bond
- \$135. Manager's Compensation
- \$136. Powers and Duties
- \$137. Procedural Limitations on Borough Council
- \$138. Disability or Absence of the Manager

D. Secretary/Treasurer.

- \$141. Office of Secretary/Treasurer

E. Independent Auditor.

- \$151. Requirements
- \$152. Office Abolished
- \$153. Compensation
- \$154. Right to Abolish Office Reserved

Part 2

Authorities

A. Halifax Municipal Authority

- \$201. Intent to Organize
- \$202. Articles of Incorporation
- \$203. Notice
- \$204. Effecting Incorporation
- \$205. Membership of the Board
- \$206. Purpose

B. Halifax Area Water Authority

- \$211. Intent to Organize
- \$212. Authorization
- \$213. Notice
- \$214. Effecting Incorporation
- \$215. Appointed Members
- \$216. Purpose

Part 3

Commissions and Departments

A. Borough Planning Commission

- \$301. Authority
- \$302. Appointment of Commissioners

B. Police Department.

- \$321. Creation of Department
- \$322. Composition

Part 4

Employee Regulations and Benefits

A. Recognition of Firemen's Relief Association

- \$401. Recognition of Firemen's Relief Association
- \$402. Certification to Auditor General
- \$403. Annual Appropriation

Part 1
Officials

A. Meetings of Governing Body.

§101. Time, Day and Place of Regular Meetings. The regular meetings of the Borough Council of the Borough of Halifax shall convene on every first Monday of each month at 7:30 p.m. standard time and at 8:00 p.m. daylight savings time, in the Borough Hall. (Ord. 153, 2/2/1987)

§102. Advertising Meetings. All regular and special meetings shall be advertised as required by law. (Ord. 153, 2/2/1987)

§103. Rules of Parliamentary Procedure. The Borough Council may by resolution, establish such rules of parliamentary procedure for the conduct of its meetings as it deems appropriate. In the event no such resolution is adopted, then Roberts Rule of Order shall be utilized in the conduct of meetings. (Ord. 153, 2/2/1987)

B. Compensation of Elected Officials.

§121. Compensation of the Mayor. The Mayor of the Borough of Halifax shall perform the duties of his office for no compensation. (Ord. 153, 2/2/1987)

§122. Compensation of Members of Council. The members of the Borough Council shall attend the meetings of Council and perform others duties as prescribed for no compensation. (Ord. 153, 2/2/1987)

§123. Compensation of Tax Collector. The compensation of the Borough's Tax Collector for the collection of taxes shall be four and one fourth percent (4.25%) of the taxes collected. (Ord. 153, 2/2/1987)

C. Office of Borough Manager.

§131. Creation of Office. The office of Borough Manager is hereby created by the Borough Council. (Ord. 153, 2/2/1987)

§132. Appointment and Removal. The Manager shall be appointed for an indefinite term by a majority of all members of the Borough Council. The Manager shall serve at the pleasure of the Borough Council, and he may be removed at any time by a majority vote of all its members. At least thirty (30) days before such removal is to become effective, the Borough Council shall furnish the Manager with a written statement setting forth its intention to remove him. (Ord. 153, 2/2/1987)

§133. Qualifications. The Manager shall be chosen solely on the basis of executive and administrative abilities, with special reference to the duties of the office as herein outlined. The Manager need not be a resident of the Borough of Halifax or of the Commonwealth of Pennsylvania at the time of appointment, but during the tenure of office he may reside outside the Borough only with the approval of the Borough Council. If the Borough Council fails within a reasonable time, not to exceed sixty (60) days after the appointment, to approve the Manager's residence outside the Borough he must immediately become, and during his tenure remain, a resident of the Borough of Halifax. (Ord. 153, 2/2/1987)

§134. Bond. Before entering upon his duties, the Manager shall give a bond, in the sum of fifty thousand dollars (\$50,000.00) to the Borough of Halifax with a bonding company as surety, to be approved by the Borough Council, conditioned upon the faithful performance of his duties, the premium for said bond to be paid by the Borough. (Ord. 153, 2/2/1987)

§135. Manager's Compensation. The salary of the Borough Manager shall be fixed from time to time by the Borough Council. (Ord. 153, 2/2/1987)

§136. Powers and Duties. The Manager shall be the Chief Administrative Officer of the Borough of Halifax and shall be responsible to the Borough Council as a whole for the proper and efficient administration of the affairs of the Borough placed in his charge. The powers and duties for administration of all Borough business shall be vested in the Manager, unless expressly imposed or conferred by statute or ordinance upon other Borough officers.

Subject to recall by ordinance of the Borough of Halifax, the powers and duties of the Borough Manager shall include the following:

1. supervise and be responsible for the activities of all municipal departments;
2. hire and, when necessary for the good of the Borough, suspend or discharge any employee under his supervision, provided that persons covered by the civil service provisions of the Borough Code shall be hired, suspended or discharged in accordance with such provisions, and provided further that the Manager shall report, at the next meeting thereafter of the Borough Council, any action taken by authority of this subsection;

3. fix wages and salaries of all personnel under his supervision, within a range previously determined by the Borough Council;

4. prepare and submit to the Borough Council, a budget for the next fiscal year and an explanatory budget message, in such a timely fashion as will enable the Borough Council to consider and adopt the budget and related tax ordinances according to the requirements of law. In preparing the budget, the Manager, or an officer designated by him, shall obtain from the head of each department, agency or board, or any qualified officer thereof, estimates of revenues and expenditures and such other supporting data as is required. The Manager shall review such estimates and may revise them before submitting the budget to the Borough Council;

5. be responsible for the administration of the budget after its adoption by the Borough Council;

6. develop, in conjunction with the preparation of the budget, long-range fiscal plans for the Borough, such plans to be presented annually to the Borough Council for its review and adoption;

7. hold such other Borough offices and head such Borough departments as the Borough Council may from time to time direct;

8. attend all meetings of the Borough Council and its committees with the right to take part in the discussions. The Manager shall receive notice of all special meetings of the Borough Council and its committees;

9. prepare the agenda for each meeting of the Borough Council and supply facts pertinent thereto;

10. keep the Borough 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 Borough Council requests; and make such recommendations to the Borough Council as deemed advisable;

11. submit to the Borough Council, as soon as possible after the close of the fiscal year, a complete report on the finances and the administrative activities of the Borough for the preceding year;

12. see that the provisions of all franchises, leases, permits and privileges granted by the Borough Council are observed;

13. employ, by and with the approval of the Borough Council, experts and consultants to perform work and to advise;

14. attend to the letting of contracts in due form of law. The Manager shall supervise the performance and faithful execution of the same except insofar as such duties are expressly imposed by statute upon some other Borough officer;

15. be responsible for all accounts payable and receivable;

16. serve as Purchasing Officer of the Borough and purchase, in accordance with the provisions of the Borough Code, all supplies and equipment for the agencies, boards, departments, and other offices of the Borough of Halifax. The Manager shall keep an account of all purchases and shall, from time to time or when directed by the Borough Council, make a full written report thereof. He shall also issue rules and regulations, subject to the approval of the Borough Council, governing the procurement of all municipal supplies and equipment;

17. investigate and dispose of, or designate an officer to investigate and dispose of, all complaints regarding Borough services and personnel, and to report to the Council thereon. All complaints regarding Borough services shall be referred to the Office of Manager;

18. enforce the ordinances and regulations of the Borough.

(Ord. 153, 2/2/1987)

§137. Procedural Limitations on the Borough Council. The Borough Council, its members, and its committees shall not dictate or influence or attempt to dictate or influence the hiring of any person to, or his discharge from, municipal employment by the Manager, or in any manner take part in this hiring, suspending or discharging of employees in the administrative service of the Borough except as required by the civil service provisions of the Borough Code or the provisions of the Local Agency Act. Other than for the purposes of inquiry the Borough Council or any of its members or any of the Borough committees or its members shall deal with the administrative service solely through the Manager, and the Borough Council or any of its members, the Borough committees or its members shall not give orders--publicly or privately--to any subordinate of the Manager. (Ord. 153, 2/2/1987)

§138. Disability or Absence of the Manager. If the Manager becomes ill or needs to be absent from the Borough he shall designate one qualified member of his staff to perform the duties of the Manager during his absence or disability. The person so designated shall not perform these duties for a period longer than two weeks without the approval of the Borough Council. (Ord. 153, 2/2/1987)

D. Secretary/Treasurer.

§141. Secretary/Treasurer. The Borough Council of the Borough of Halifax hereby authorizes that the offices of Secretary and of Treasurer may be held by the same person. (Ord. 153, 2/2/1987)

E. Independent Auditor.

§151. Requirements. The Borough Council of the Borough of Halifax shall, by resolution adopted annually before the commencement of a fiscal year, appoint an independent auditor who shall be a certified public accountant, registered in Pennsylvania, a firm of certified public accountants so registered or a competent public accountant or a competent firm of public accountants to audit, for such fiscal year, the accounts, records and all other evidences of financial transactions of the Borough and file a report thereof with the Borough Council. The independent auditor shall perform all other duties and exercise such powers as required of, or conferred upon him by law. (Ord. 153, 2/2/1987)

§152. Office Abolished. Upon appointment of an independent auditor as provided for in §151 of this subpart E, the office of elected auditor is hereby abolished; however, the elected auditors now in office shall continue to hold such office for the term for which elected, and shall perform the duties of their office, except that they shall not audit, settle, or adjust accounts audited by such independent auditor. (Ord. 153, 2/2/1987)

§153. Compensation. The resolution appointing an independent auditor shall state the compensation, if any, to be paid from Borough funds for said services. (Ord. 153, 2/2/1987)

§154. Right to Abolish Office Reserved. The Borough Council hereby reserves the right at any time to repeal this subpart E, thereupon abolishing the office of appointed auditor, and to reestablish the office of elected auditor. (Ord. 153, 2/2/1987)

Part 2
Authorities

A. Halifax Municipal Authority

§201. Intent to Organize. The Council of this Borough signifies its intentions and desire to organize an authority, under the provisions of the Act of May 2, 1945, P.L. 382, known as the "Municipality Authorities Act of 1945," as amended and supplemented, (the "Authorities Act,") for the purpose of exercising any and all powers conferred by the Authorities Act. (Ord. 110, 7/1/1968, §I)

§202. Articles of Incorporation. The Mayor, President of Council and Secretary, respectively, of this Borough are authorized and directed to execute, in behalf of this Borough, Articles of Incorporation for such authority in substantially the following form:

ARTICLES OF INCORPORATION

To: The Secretary of the Commonwealth
of Pennsylvania

In compliance with requirements of the Act of May 2, 1945, P.L. 382, known as the "Municipality Authorities Act of 1945", as amended and supplemented, and pursuant to an ordinance enacted by the municipal authorities of the Borough of Halifax, Dauphin County, Pennsylvania, expressing the intention and desire of the municipal authorities of said municipalities to organize a municipality authority, under said Act, the incorporating municipality does certify:

1. The name of the Authority is "Halifax Municipal Authority."

2. The authority is formed, under provisions of the Act of May 2, 1945, P.L. 382, known as the Municipality Authorities Act of 1945, as amended and supplemented.

3. No other authority has been organized under said Municipality Authorities Act of 1945, as amended and supplemental Order the Act of June 28, 1935, P.L. 463, as amended and supplemented, and is in existence in or for the incorporating municipality.

4. The name of the incorporating municipality is:

Borough of Halifax
Dauphin County, Pennsylvania

5. The names and addresses of the municipal authorities of said incorporating municipality are: [Here followed the names and addresses of the Borough officials at the time of incorporation.]

6. The names, addresses and terms of office of the first member of the Board of the Authority, each of whom is a resident and citizen of said incorporating municipality, are as follows: [Here followed the names and addresses of the original five members of the Board.]

In Witness, whereof, the Borough of Halifax, Dauphin County, Pennsylvania, has caused these Articles of Incorporation to be executed by its Mayor and its President of Council and to be attested by its Secretary, and its official seal to be affixed hereto on the 1st day of July, 1968.

(Ord. 110, 7/1/1968, §II)

§203. Notice. The Mayor, President of Council and Secretary, respectively, of the Borough are authorized and directed to cause notice of the substance of this Part, including the substance of the foregoing Articles of Incorporation, and of the proposed filing of such articles of incorporation to be published, as required by the Authorities Act. (Ord. 110, 7/1/1968, §III)

§204. Effecting Incorporation. Proper officers of the Authority hereby are authorized to execute, verify, and file appropriate Articles of Amendment with the Secretary of the Commonwealth of Pennsylvania and to take all other action and to do all other things which may be necessary in order to accomplish the amendment of the Articles of Incorporation of the Authority in the manner herein adopted and approved. (Ord. 110, 7/1/1968, §IV; as amended by Ord. 132(B), 5/5/1975, §3)

§205. Membership of the Board. The membership of the Board of the Authority shall be seven (7) persons as appointed by Borough Council. (Ord. 110, 7/1/1968, §V; as amended by Ord. 132(B), 5/5/1957, §2)

§206. Purpose. The enactment of this Part is deemed necessary for the benefit of and preservation of the public health, peace, comfort and general welfare of, and will increase the prosperity of citizens of this Borough. (Ord. 110, 7/1/1968, §VI)

B. Halifax Area Water Authority

§211. Intent to Organize. The Council of this Borough signifies its intention and desire to organize an Authority jointly with the Township of Halifax, Dauphin County, Pennsylvania, under provisions of the Pennsylvania Municipality Authorities Act 1945, P.L. 382, known as the "Municipality Authorities Act 1945," as amended and supplemented "(the "Act")", for the purposes of exercising any and all powers conferred by the Act. (Ord. 147, 4/1/1985, §1)

§212. Authorization. The Mayor, President or Vice President of Council and the Secretary, respectively, of this Borough are authorized and directed to execute, in behalf of this Borough, Articles of Incorporation for such Authority in substantially the following form:

ARTICLES OF INCORPORATION

To: The Secretary of the Commonwealth
of Pennsylvania

In compliance with requirements of the Act of Assembly approved May 2, 1945, P.L. 382 known as the "Municipality Authorities Act 1945," as amended and supplemented, and pursuant to ordinances duly enacted by the municipal authorities of the Borough of Halifax and the Township of Halifax, both situate in Dauphin County, Pennsylvania, expressing the intention and desire of the municipal authorities of said municipalities to organize an Authority, jointly, under provisions of said Act, said incorporating municipalities certify:

1. The name of the Authority is "Halifax Area Water Authority".

2. The Authority is formed under provisions of the Act of Assembly approved May 2, 1945, P.L. 382, as amended and supplemented, known as the "Municipality Authorities Act of 1945."

3. No other Authority has been organized under the Act of Assembly approved May 2, 1945, P.L. 382, as amended and supplemented, known as the "Municipality Authorities Act of 1945," or under the Act of Assembly approved June 28, 1935, P.L. 463, as amended and supplemented, and is in existence in or for an incorporating municipality.

4. The names of the incorporating municipalities are:

A. Borough of Halifax, Dauphin County, Pennsylvania

B. Township of Halifax, Dauphin County, Pennsylvania

5. The names and addresses of all of the municipal authorities of said incorporating municipalities are: [Here followed the names and addresses of all the municipal authorities of said incorporated municipalities]

6. The members of the Board of the Authority shall be five (5) in number, with three (3) members being appointed by the Borough of Halifax and two (2) members being appointed by the Township of Halifax.

7. The names, addresses and terms of office of the first members of the Board of Authority, each of whom is a citizen of the incorporating municipality by which he is appointed, are as follows: [Here followed the names, addresses, and terms of office of the first members of the Borough]

(Ord. 147, 4/1/1985, §2)

§213. Notice. The Secretary of this Borough, acting jointly with appropriate officers of the Township of Halifax, is authorized and directed to cause notice of the substance of this Part, including the substance of the foregoing Articles of Incorporation, and of the proposed filing of such Articles of Incorporation, to be published as required by the Act. (Ord. 147, 4/1/1985, §3)

§214. Effecting Incorporation. The Secretary of this Borough, acting jointly with appropriate officers of the Township of Halifax, is authorized and directed to cause such Articles of Incorporation, together with necessary proofs of publication, to be filed with the Secretary of the Commonwealth of Pennsylvania and do all other acts necessary or appropriate to effect the incorporation of such Authority, including payment of required filing fees. (Ord. 147, 4/1/1985, §4)

§215. Appointed Members. The following named persons are appointed the first members to represent this Borough on the Board of such Authority for the following terms of office: [Here followed the names of the first members to represent this Borough on the Board on such Authority] (Ord. 147, 4/1/1985, §5)

§216. Purpose. The enactment of this Part is deemed necessary for the benefit of and preservation of the public health, peace, comfort, and general welfare of citizens of this Borough and will increase the prosperity of citizens of this Borough. (Ord. 147, 4/1/1985, §6)

Part 3

Commissions and Departments

A. Borough Planning Commission

§301. Authority. The Council of the Borough of Halifax, Dauphin County, Pennsylvania, does hereby establish a Borough Planning Commission by authority of said Council of the Borough of Halifax, County of Dauphin, State of Pennsylvania. (Ord. 108, 8/1/1966, §1; as amended by Ord. 153, 2/2/1987)

§302. Appointment of Commissioners. The said Planning Commission shall consist of five (5) members, all residents of said Borough, all serving without compensation. Initial appointments shall be as follows: [Here followed the names and addresses of the original five members of the Commission.]

The aforesaid Commission shall be subject to all authority and restrictions permitted them in the Pennsylvania Municipalities Planning Code. (Act. 247)

(Ord. 108, 8/1/1966, §2; as amended by Ord. 153, 2/2/1987)

B. Police Department.

§321. Creation of Department. The creation of a Police Department in and for the Borough of Halifax and the appointment of policemen by the Borough Council subject to any applicable civil service provisions in the law, is hereby approved. (Ord. 153, 2/2/1987)

§322. Composition. The Police Department shall be composed of a Chief of Police and any other officers and patrolmen as have been or may be appointed by the Borough Council from time to time, subject to applicable civil service provisions in the law. (Ord. 153, 2/2/1987)

Part 4

Employee Regulations and Benefit

A. Recognition of Firemen's Relief Association§401. Recognition of Firemen's Relief Association.

1. The following association is hereby recognized as actively engaged in providing fire protection and/or emergency services in the Borough of Halifax.

Firemen's Relief Association of Halifax and Community

The above named association has been formed for the benefit of its members and their families in case of death, sickness, temporary or permanent disability or accident suffered in the line of duty.

2. The above named Association(s) of the Borough is designated the proper association to receive such funds as are due and payable to the Borough Treasurer by the Treasurer of the State of Pennsylvania from the tax on premiums from foreign fire insurance companies.

(Ord. 40, 1/5/1981; as revised by Ord. 153, 2/2/1987)

§402. Certification to Auditor General. The Borough Council shall annually certify to the Auditor General of the Commonwealth, the name(s) of the active association and the percentage of service they contribute to the protection of the Borough. Such certification shall be on forms prescribed by the Auditor General. (Ord. 40, 1/5/1981; as revised by Ord. 153, 2/2/1987)

§403. Annual Appropriation. There is annually appropriated from the Borough Treasury all such sums of money that may hereafter be paid into the Borough Treasury by the Treasurer of the State of Pennsylvania on account of taxes paid on premiums of foreign fire insurance companies in pursuance of 1984 Act of December 18, No. 205, §§701 et seq. as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania. Such monies received by the Borough Treasurer from the State Treasurer shall be distributed to the duly recognized association within sixty (60) days of receipt. The funds shall be distributed on the basis of the percentage of service established in the certification to the Auditor General and with other provisions of the Act. (Ord. 40, 1/5/1981; as revised by Ord. 153, 2/2/1987)