

**BOROUGH OF ALBURTIS
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 429

(Duly Adopted December 29, 2004)

AN ORDINANCE EXPANDING THE DUTIES AND RESPONSIBILITIES OF THE BOROUGH SECRETARY AND CHANGING THE TITLE OF THE POSITION TO “EXECUTIVE SECRETARY” OF THE BOROUGH; AND CONFORMING THE JOB DESCRIPTIONS OF THE BUILDING AND PLUMBING INSPECTORS TO INCLUDE A REFERENCE TO THE NEW UNIFORM CONSTRUCTION CODE.

WHEREAS, the Borough Council of the Borough of Alburtis is very pleased with the performance of the Borough Secretary in her present position and believes that she is qualified to assume additional managerial and administrative responsibilities; and

WHEREAS, the day-to-day managerial and administrative needs of the Borough have increased over the past several years; and

WHEREAS, Council believes that it is now appropriate to delegate general managerial, supervisory, and administrative authority and responsibility to a full-time employee rather than to exercise many of those powers through Council or one or more of its members; and

WHEREAS, Council desires to expand the duties and responsibilities of the Borough Secretary as set forth below, and change the title of the position to the “Executive Secretary” of the Borough in recognition of those expanded duties and responsibilities;

NOW, THEREFORE, be it **ORDAINED** and **ENACTED** by the Borough Council of the Borough of Alburtis, Lehigh County, Pennsylvania, as follows:

SECTION 1. Codified Ordinances § 1-206 (relating to Codified Ordinances—Definitions—Secretary) is amended as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining):

§ 1-206 Secretary.

The term “Secretary”, ~~or~~ “Borough Secretary”, or “Executive Secretary” shall mean the Executive Secretary of the Borough.

SECTION 2. Codified Ordinances § 13-205 (relating to Police Civil Service—Definitions—Borough Secretary) is amended as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining):

§ 13-205 Borough Secretary.

The term “Borough Secretary” shall mean the Executive Secretary of the Borough.

SECTION 3. Codified Ordinances § 12-603 (relating to Personnel Policies—Employment Duties—Borough Secretary) is amended as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining):

§ 12-603 ~~Borough~~ Executive Secretary.

Effective January 1, 2005, the position formerly known as the Borough Secretary shall be known as and granted the title of “Executive Secretary.” In addition to all other required duties, the ~~Borough~~ Executive Secretary shall:

(a) Be responsible for the direction, supervision, and administration of all departments and the employees of all departments of the Borough, except the Police Department.

(b) Make recommendations to Council for the hiring of new employees and administer the hiring process, except with respect to the Police Department.

(c) Suspend employees (except Police Department employees) with or without pay when warranted, consistent with the ordinances, resolutions, and policies of the Borough, subject to review by Council, and make recommendations to Council for other disciplinary action against employees when warranted.

(d) Review the performance of all employees (except Police Department employees) at least annually, and whenever directed by Council.

(e) Formulate, recommend to Council, maintain, and implement as approved by Council job descriptions, personnel policies, and other policies.

(f) Interact with the public and investigate and respond to complaints of residents (or direct residents to the appropriate persons to respond to such complaints).

(g) Execute all ordinances and resolutions approved by Council, except to the extent such responsibility is assigned to another person or position.

(h) Carry out all policies and programs established by Council, except to the extent such responsibility is assigned to another person or position.

(i) Serve as the procurement and purchasing officer for the Borough.

(j) Administer bids and contracts approved by Council.

(k) Prepare grant applications as directed by Council, and administer all federal, state, and county grants.

(l) Insure compliance with all franchises, permits, leases, and privileges granted by Council, except to the extent such responsibility is assigned to another person or position.

(m) File all state forms and reports required to be filed by the Borough, unless such responsibility is assigned to another person or position by Council or state law.

(n) Serve as the Borough's compliance officer, except to the extent any such responsibility is assigned to another person or position by Council. The Borough hereby designates the Executive Secretary as the Borough's compliance officer for all matters unless expressly provided otherwise by action of Council. For purposes of this subsection, the term "compliance officer" means a person responsible for implementing or administering some or all of the requirements imposed on the Borough under any federal, state, or county laws, programs, grants or contracts, whether identified as a compliance officer, coordinator, complaint official, or otherwise.

(o) Serve as the Chief Administrative Officer of the Borough's pension plans for the purposes of the Municipal Pension Plan Funding Standard and Recovery Act, 53 PA. STAT. ANN. § 895.101 et seq. The Borough hereby designates the Executive Secretary as the Chief Administrative Officer under § 17-702(c) (relating to Police Pension Plan—Administration—Powers & Duties—Designation of Chief Administrative Officer) and § 18-1702(c) (relating to Nonuniformed Employees Pension Plan—Administration—Powers & Duties—Designation of Chief Administrative Officer), unless another person is expressly designated by the Plan Administrator under those sections.

(p) Perform all of the duties and responsibilities of the borough secretary under the Borough Code, 53 PA. STAT. ANN. § 45101 et seq., and other state laws.

~~(a)~~ (r) Take charge of the office during working hours.

~~(b)~~ (s) Collect payments and record the Cash Sheet (duty shared with Clerk/Accountant).

~~(e)~~ (t) Check mail daily for incoming bills and pass the same on to the Clerk/Accountant for action.

~~(d)~~ (u) Keep a file for each household in the Borough to record all amounts paid or owed to the Borough.

(v) Obtain estimates of revenues and expenditures from the heads of all Borough departments, boards, agencies, and committees for the purpose of preparing the budget.

(w) Prepare and submit to Council in a timely fashion the annual budget and monthly financial reports.

(x) Approve the disbursement of funds appropriated by Council, and report such disbursements to Council at its regularly scheduled meetings.

(y) Take overall responsibility for the administration of the Borough's financial affairs, and keep Council informed of the Borough's financial condition.

(z) Assist in all audits.

~~(e)~~ (aa) Prepare agendas for, attend, and prepare draft Take minutes at of all meetings of Council, Council Committees, the Planning Commission, and the Pension Committee, unless excused. ~~meetings and prepare a typewritten draft before the next meeting.~~

~~(f)~~ (bb) Take telephone calls and forward information to the appropriate person(s).

~~(g)~~ (cc) Keep a separate book in chronological order for minutes.

~~(h)~~ (dd) Distribute permits as required.

~~(i)~~ (ee) Update ordinance books.

~~(j)~~ Maintain a separate Borough policy book.

(ff) Maintain custody of all Borough records required by law, except to the extent such responsibility is assigned to another person or position by law or action of Council.

~~(k)~~ (gg) Review the accuracy of time sheets and pass them along to the Clerk/Accountant for action.

~~(h)~~ **(hh)** Monitor and maintain knowledge of wage tax collections and payments, and the disbursement of the Borough payroll.

~~(m)~~ **(ii)** Perform general secretarial duties.

(jj) Perform such other duties as are assigned by Council or the President of Council.

SECTION 4. Codified Ordinances § 12-601 (relating to Personnel Policies—Employment Duties—In General) is amended as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining):

§ 12-601 In General.

All employees of the Borough shall perform the duties of their offices and/or positions of employment as provided by law, regulation, ordinance, resolution, action of Council, ~~or~~ direction by the ~~President of Council~~ Executive Secretary (or, in the case of the Police Department, by the Mayor), ~~or direction by their supervisor~~. Some of these duties are described or identified in the following sections of this Article VI. The ~~President of Council~~ Executive Secretary (or, in the case of the Police Department, the Mayor), shall have general supervisory responsibility and authority over all Borough employees.

SECTION 5. Chapter 12, Article II of the Codified Ordinances (relating to Personnel Policies—General Working Time & Pay Rules) is amended as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining):

Article II — General Working Time & Pay Rules

§ 12-201 Working Hours.

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(b) **Maintenance Employees.** Full-time maintenance department employees shall work from 7:00 AM to 3:00 PM from Monday through Friday (except Borough holidays), except for three (3) ten (10) minute paid breaks per day which must be taken when directed by the Maintenance Supervisor. During the summer months, if so directed by the ~~President of Council~~ Executive Secretary or Council, work hours may be changed to 6:00 AM to 2:00 PM on work days. Part-time employees shall not work more than twenty (20) hours during any one calendar week unless authorized by Council or the ~~President of Council~~ Executive Secretary (in case of an emergency).

§ 12-202 Time Clock.

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(b) **Payment for Time Worked.** No employee shall be paid for any time not shown on his punch time card, unless actual time worked and not shown on the card is authorized by the ~~President of Council~~ Executive Secretary. No pay shall be provided for time not worked due to late arrivals or early departures. Unless authorized by the ~~President of Council~~ Executive Secretary, no employee shall work before or after his scheduled work time. An employee may punch in up to ten (10) minutes before the beginning of a scheduled shift or after the end of a scheduled shift to account for preliminary and postliminary activities, but shall not be paid for any time before the beginning or after the end of shift unless authorized by the ~~President of Council~~ Executive Secretary.

§ 12-203 Overtime and Compensatory Time Off.

(a) **Office Employees.** Compensation for any call-out time under § 12-204, working holiday time under § 12-301(d), and any Additional

Overtime under subsection (d) in any calendar week, when such time is authorized by the ~~President of Council~~ Executive Secretary, shall be paid as overtime pay (at the rate of 1.5 times base compensation), or, with the consent of the employee and the approval of the ~~President of Council~~ Executive Secretary, shall be credited as compensatory time off (at the rate of 1.5 hours of compensatory time off for each overtime hour worked). Compensatory time off with pay (at the regular base compensation rate) may be used by the employee when authorized by the ~~President of Council~~ Executive Secretary. Nor more than forty (40) hours of compensatory time off may be accumulated at any one time by any employee. The ~~Borough~~ Executive Secretary shall provide a monthly report to the President and Vice President of Council of the amount of accumulated compensatory time off by each office employee.

(b) Maintenance Department Employees. Compensation for any call-out time under § 12-204, working holiday time under § 12-301(d), and any Additional Overtime under subsection (d) in any calendar week, when such time is authorized by the ~~President of Council~~ Executive Secretary, shall be paid as overtime pay (at the rate of 1.5 times base compensation).

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SECTION 6. Chapter 12, Article III of the Codified Ordinances (relating to Personnel Policies—Paid or Unpaid Time Off) is amended as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining):

Article III — Paid or Unpaid Time Off

§ 12-301 Holidays.

(a) **In General.** The following nine (9) days are Borough holidays, during which the Borough offices shall not be open:

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(9) Day before or day after Christmas Day (as designated by the ~~President of Council~~ Executive Secretary from year to year).

(b) **Holidays on Saturday or Sunday.** If a Borough holiday falls on a Saturday or Sunday, the ~~President of Council~~ Executive Secretary shall designate the nearest Friday or Monday as the date of the holiday for that year.

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§ 12-302 Vacations.

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(e) **Scheduling.** All vacation time shall be approved by the ~~President of Council~~ Executive Secretary (or, in his/her absence, the ~~Vice President of Council~~) at least two weeks in advance, unless the approving officer grants special consideration for cause shown.

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§ 12-304 Sick Leave.

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(c) **Proof of Illness.** Any employee absent from work for three (3) or more consecutive work days due to illness or injury shall produce a doctor's certificate of illness in order to receive payment for sick leave and to return to work. The doctor's certificate shall also certify that the employee is now physically and mentally able to return to work and perform

the essential functions of the employee's job. Council or the ~~President of Council~~ Executive Secretary may require a doctor's certificate for any absence due to illness or injury which is less than three (3) days.

(d) **Calling Off.** Full-time employees who call off from work due to illness or injury (whether the leave is paid or unpaid), shall call the Borough Hall to report off from work to the ~~Borough~~ Executive Secretary. In the absence of the Executive Secretary, the employee shall call the ~~or~~ person in charge of the Borough office (~~in the Secretary's absence~~), and also the President or Vice President of Council. Part-time, summer, or temporary employees who call off from work due to illness or injury shall call their immediate supervisor at the Borough Hall, and shall not be paid for such time not worked.

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SECTION 7. Codified Ordinances § 12-501 (relating to Personnel Policies—Miscellaneous Employment Policies—Use of Borough Vehicles and Equipment) is amended as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining):

§ 12-501 Use of Borough Vehicles and Equipment.

No employee shall use any Borough vehicles or other equipment for personal use unless approved in advance by the Executive Secretary. The Executive Secretary shall not use any Borough vehicles or other equipment for personal use unless approved in advance by the President of Council.

SECTION 8. Codified Ordinances § 12-607 (relating to Personnel Policies—Employment Duties—Zoning and Code Officials) is amended as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining):

§ 12-607 Zoning and Code Officials.

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(b) **Plumbing Inspector.** In addition to all other required duties, the Plumbing Inspector shall perform all of the duties of the plumbing code official under the Uniform Construction Code (see Chapter 30), and also, where still applicable, the duties of the code official set forth in Chapter 32 (relating to Plumbing).

(c) **Building Inspector.** In addition to all other required duties, the Building Inspector shall perform all of the duties of the code official under the Uniform Construction Code (see Chapter 30) set forth in Chapter 31 (relating to Building Construction) and under Chapter 35 (relating to Property Maintenance), and also, where still applicable, the duties of the code official set forth in Chapter 31 (relating to Building Construction).

DULY ORDAINED and **ENACTED** by the Borough Council of the Borough of Alburtis, this 29th day of December, 2004, in lawful session duly assembled.

BOROUGH COUNCIL
BOROUGH OF ALBURTIS

Steven R. Hill, President

Attest:

Melanie Hansen, Secretary

AND NOW, this 29th day of December, 2004, the above Ordinance is hereby
APPROVED.

Russell J. Afflerbach, Mayor