

# **Chapter 1**

## **Administration and Government**

### **Part 1 Township Manager**

- §1-101. Creation of Office
- §1-102. Appointment and Removal
- §1-103. Qualifications
- §1-104. Bond
- §1-105. Manager's Compensation
- §1-106. Powers and Duties
- §1-107. Procedural Limitations on Board of Supervisors
- §1-108. Disability or Absence of the Manager

### **Part 2 Compensation of Supervisors**

- §1-201. Purpose
- §1-202. Compensation of Supervisors

### **Part 3 Identity Theft Prevention Program**

- §1-301. Purpose
- §1-302. Contact Information
- §1-303. Definitions
- §1-304. Risk Assessment
- §1-305. Identify and Detect Red Flags
- §1-306. Responding to Red Flags
- §1-307. Other Privacy Security Measures
- §1-308. Updating the Program
- §1-309. Authority and Revisions



**Part 1****Township Manager****§1-101. Creation of Office.**

The office of Township Manager is hereby created by the Township of Dover.  
(*Ord. 91-1, 9/9/1991, §2.21*)

**§1-102. Appointment and Removal.**

The Manager shall be appointed for an indefinite term by a majority of all members of the Board of Supervisors. The Manager shall serve at the pleasure of the Board of Supervisors and he may be removed at any time by a majority vote of all its members. At least 30 days before such removal is to become effective, the Board of Supervisors shall furnish the Manager with a written statement setting forth its intention to remove him, or in lieu thereof, the Board of Supervisors may remove him immediately upon tendering to the Manager the pay due to him up to and including 30 days after the effective date of the removal. The Manager shall give the Board of Supervisors 30 days advance notice of the Manager's intention to resign.

(*Ord. 91-1, 9/9/1991, §2.22; as amended by Ord. 2005-08, 10/24/2005*)

**§1-103. Qualifications.**

The Manager shall be chosen solely on the basis of his executive and administrative abilities, with special reference to the duties of his office as herein outlined. The Manager need not be a resident of the Township or of the Commonwealth of Pennsylvania at the time of his appointment, but during the tenure of his office he may reside outside the Township only with the approval of the Board of Supervisors. If the Board of Supervisors fails within a reasonable time, not to exceed 60 days after the appointment, to approve the Manager's residence outside the Township he must immediately become, and during his tenure remain, a resident of the Township.

(*Ord. 91-1, 9/9/1991, §2.23*)

**§1-104. Bond.**

Before entering upon his duties, the Manager shall give a bond to the Township with a bonding company as surety, to be approved by the Board of Supervisors, in the sum of \$5,000, conditioned upon the faithful performance of his duties, the premium for said bond to be paid by the Township.

(*Ord. 91-1, 9/9/1991, §2.24*)

**§1-105. Manager's Compensation.**

The salary of the Township manager shall be fixed by the Board of Supervisors and may be changed from time to time at the discretion of the Board of Supervisors.

(*Ord. 91-1, 9/9/1991, §2.25*)

**§1-106. Powers and Duties.**

1. The Manager shall be the chief administrative officer of the Township and he shall be responsible to the Board of Supervisors as a whole for the proper and efficient administration of the affairs of the Township. The powers and duties of administration of all Township business shall be vested in the Manager, unless expressly imposed or conferred by statute upon other Township officers.

2. Subject to recall by ordinance of the Board of Supervisors, the powers and duties of the Township Manager shall include the following:

A. He shall supervise and be responsible for the activities of all municipal departments. A department head shall be responsible for the day-to-day operations of the department, except that during the absence of a department head the Manager is authorized to perform the duties of the department head. [*Ord. 2005-08*]

B. He shall hire and, when necessary for the good of the service, shall suspend or discharge any employee under this supervision, provided that:

(1) Prior approval of the Board of Supervisors shall be obtained before enlarging staff either by the creation of a new position or increasing the number of employees in the then present categories.

(2) The Manager shall notify at once and in writing each of the Supervisors of any action taken by authority of this subsection.

(3) The Manager shall report, at the next meeting thereafter of the Board of Supervisors, any action taken by authority of this subsection.

(4) Persons covered by labor contracts with the Township shall be hired, suspended or discharged in accordance with such contract provisions. [*Ord. 2005-08*]

C. He shall have the power to fix wages and salaries of all personnel under his supervision, within a range previously determined by the Board of Supervisors.

D. He shall prepare and submit to the Board of Supervisors, before the close of each fiscal year, a recommended budget for the next fiscal year and an explanatory message. In preparing the proposed budget, the Manager shall consult with the head of each department, agency or board, or any qualified officer thereof, as to estimates of revenues and expenditures and such other supporting data as he requires.

E. He shall be responsible for the administration of the budget after its adoption by the Board of Supervisors.

F. He shall, in conjunction with the preparation of the yearly budget, develop long-range fiscal plans for the Township, such plans to be presented annually to the Board of Supervisors for its review and action.

G. He shall hold such other municipal offices and head such municipal departments as the Board of Supervisors may from time to time direct.

H. He shall attend all meetings of the Board of Supervisors and its committees with the right to take part in the discussions and he shall receive notice of all special meetings of the Board of Supervisors and its committees.

I. He shall prepare the agenda for each meeting of the Board of Supervisors and supply facts pertinent thereto.

J. He shall keep the Board of Supervisors informed as to the conduct of Township affairs; submit periodic reports on the condition of the Township finances and such other reports as the Board of Supervisors requests; and make such recommendations to the Board of Supervisors as he deems advisable.

K. He shall submit to the Board of Supervisors as soon as possible after the close of the fiscal year, a complete report of the finances and the activities of the Township for the preceding year.

L. He shall see that the provisions of all franchises, leases, permits, and privileges granted by the Township are observed.

M. He may employ, by and with the approval of the Board of Supervisors, experts and consultants to perform work and to advise in connection with any of the functions of the Township.

N. He shall attend to the letting of contracts in due form of law, and he shall supervise the performance and faithful execution of the same except insofar as such duties are expressly imposed by statute upon some other Township Officer.

O. He shall see that all money owed the Township is promptly paid and that proper proceedings are taken for the security and collection of all the Township's claims.

P. He shall be the purchasing officer of the Township and he shall purchase in accordance with the provisions of the Second Class Township Code, 53 P.S. §65101 *et seq.*, all supplies and equipment for the agencies, boards, departments, and other offices of the Township provided that all capital expenditures shall be subject to prior approval of the Board of Supervisors. He shall keep an account of all purchases and shall, from time to time or when directed by the Board of Supervisors, make a full written report thereof. He shall also issue rules and regulations, subject to the approval of the Board of Supervisors, governing the procurement of all municipal supplies and equipment.

Q. All complaints regarding Township services shall be referred to the office of the Manager. He, or an officer designated by him, shall investigate and dispose of such complaints, and the Manager shall report thereon to the Board of Supervisors.

R. He shall make research and investigation into the administrative and governmental functions of various Townships and make recommendations to the Board of Supervisors of appropriate ordinances affecting the health, safety, welfare, and administration of this Township. He shall establish and maintain appropriate filing systems and efficient administrative procedures for the conduct of the business of the Township.

S. The Manager shall otherwise be responsible for keeping the Board of Supervisors advised of labor contract conditions or requirements and shall insure that the terms of all labor contracts are performed as written or amended. [*Ord. 2005-08*]

(*Ord. 91-1, 9/9/1991, §2.26; as amended by Ord. 2005-08, 10/24/2005*)

#### **§1-107. Procedural Limitations on Board of Supervisors.**

Other than for the purposes of inquiry, the Board of Supervisors or any of its

members or any of the Board of Supervisors' committees or its members shall deal with the administrative service solely through the Township Manager and neither the Board of Supervisors nor any of its members, nor any of the Board of Supervisors' committees or its members shall give orders, publicly or privately, to any subordinate of the Manager.

*(Ord. 91-1, 9/9/1991, §2.27)*

**§1-108. Disability or Absence of the Manager.**

If a Manager becomes ill or needs to be absent from the Township, the duties of the Manager shall be performed during his/her absence by such staff as may be designated by the Board of Supervisors. Duties of the Manager not so specifically delegated shall be performed by the Board of Supervisors who may assign the day-to-day operations to an appropriate staff member or delegated to the appropriate department heads in accordance with such table of organization as established by the Board of Supervisors and in force at the time of the disability or absence of the Manager.

*(Ord. 91-1, 9/9/1991, §2.28; as amended by Ord. 2005-08, 10/24/2005)*

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**Part 2****Compensation of Supervisors****§1-201. Purpose.**

This Part is intended to implement the authorization set forth in Act 68 of the General Assembly of Pennsylvania approved October 31, 1985, and as amended March 30, 1988, P.L. 312, No. 41, December 20, 1991, P.L. 408, No. 49, and December 16, 1992, P.L. 1213, No. 157, amending §515 of the Second Class Township Code (53 P.S. 65515) permitting Supervisors of Townships of the Second Class to be compensated for their services based upon a population scale. The Board of Supervisors of Dover Township finds that the population of the Township at the latest available official census (1990 U.S. Census) was 15,668; that the Township is steadily being developed and provides the average range of services to its residents; an efficient and effective administration of Township services requires the Supervisors to devote a substantial amount of time in performance of their official duties; and that it is in the interest of the Township that its Supervisors be compensated for their services commensurate with responsibilities as limited by law.

*(Ord. 95-1, 2/13/1995, §1)*

**§1-202. Compensation of Supervisors.**

Each duly elected or appointed Supervisor of Dover Township whose term of office commences after December 31, 1995, shall receive compensation for his services at an annual rate of \$3,300 payable in either monthly or quarterly installments as the Board of Supervisors shall from time to time establish by resolution.

*(Ord. 95-1, 2/13/1995, §2)*



**Part 3****Identity Theft Prevention Program****§1-301. Purpose.**

1. To establish an identity theft prevention program designed to detect, prevent and mitigate identity theft in connection with new or existing accounts and to provide for continued administration of the program in compliance with the Federal Trade Commission's Red Flag Rule (Part 681 of Title 16 of the Code of Federal Regulations) implementing §§114 and 315 of the Fair and Accurate Credit Transactions Act (FACTA) of 2003.

2. This program is intended to:

- A. Identify relevant red flags for new or existing covered accounts.
- B. Detect red flags which have been identified.
- C. Provide the appropriate response to any red flags that are detected to prevent and mitigate identity theft.
- D. Ensure that the program is updated periodically to reflect changes in risks to customers.

3. This program shall, as appropriate, incorporate existing policies and procedures that control reasonably foreseeable risks.

(Ord. 2009-02, 3/23/2009, §I)

**§1-302. Contact Information.**

The Senior Management Official responsible for this program is:

Laurel Wilson, Township Manager  
2480 W Canal Rd  
Dover, PA 17315  
(717) 292-3634

(Ord. 2009-02, 3/23/2009, §II)

**§1-303. Definitions.**

*Identity theft*—fraud committed or attempted using the identifying information of another person without authority.

*Red flag*—a pattern, practice or specific activity that indicated the possible existence of identity theft.

(Ord. 2009-02, 3/23/2009, §III)

**§1-304. Risk Assessment.**

1. Dover Township (the "Township") has conducted an internal risk assessment with necessary staff to evaluate how at risk the current procedures are at allowing customers to create fraudulent accounts and evaluate if current and existing accounts are being manipulated or can be manipulated. The Township reviewed each red flag and determined its applicability, if any, to the Township.

2. The Township reviewed sewer and water accounts (“utility accounts”). It was determined that the accounts run with the property and not the property owner. The Township provides the account number. The only personal information provided is the property owner’s name and property address. The Township does not maintain any personal information or background information such as Social Security numbers, date of births or driver’s license information. No application is provided. The real estate transfer is the trigger for the account. The account is always in the property owner’s name as indicated on the deed. Since the account runs with the property, it would be impossible for some one to open a fraudulent account.

3. The Township does not accept payment by credit card and does not speak to any credit agencies on behalf of the Township. Information about an account is not provided over the telephone. Staff with access to these accounts is minimal.

4. The Township invoices customers with use of a card. The card does not provide any personal or protected information. It provides:

- A. Name and address.
- B. Account number which is unique to the property address.
- C. Usage and amount due.

5. It was determined that this information is not personal identifying information and could not result in any identity theft.

6. The Township determined that the customer’s utility accounts are at a low to very low risk for identity theft.

*(Ord. 2009-02, 3/23/2009, §IV)*

### **§1-305. Identify and Detect Red Flags.**

After a thorough review of the red flags and Township policies and practices, the Township has identified the following red flags:

- A. Change of billing address or request to have bill sent somewhere else.
- B. Payments are made in a manner associated with fraud, i.e., signature on check or name on check.
- C. An account with low activity unexpectedly jumps to high consumption or any other suspicious activity relating to a specific account.
- D. Mail sent to customer is repeatedly returned.
- E. Township is notified by law officials or others regarding possible identity theft.
- F. Presentation of suspicious documents.
- G. Presentation of suspicious personal identifying information.

These are not intended to be an all-inclusive list and any other suspicious activities may be investigated as necessary.

*(Ord. 2009-02, 3/23/2009, §V)*

### **§1-306. Responding to Red Flags.**

Any staff or employee that may suspect fraud or detect a red flag shall take one or more of the following steps, depending on the degree of risk posed by the red flag. All

detections and suspicions shall be reported to and logged by the Senior Management Official.

- A. Notify senior management official.
- B. Notify law enforcement of any attempted or actual identity theft.
- C. Contact customer.
- D. Continue to monitor the situation for evidence of identity theft.
- E. Take all steps necessary to correct the situation.

*(Ord. 2009-02, 3/23/2009, §VI)*

### **§1-307. Other Privacy Security Measures.**

In order to further prevent the likelihood of identity theft occurring with respect to utility accounts, the Township will take the following steps with respect to its internal operating procedures to protect customer-identifying information:

- A. Ensure complete and secure destruction of customer information, if applicable.
- B. Employees will not leave sensitive papers out on their desks when they are away from their workstations.
- C. Employees will log off their computers when leaving for the day.
- D. Passwords will not be shared or posted near workstations.
- E. No visitor will be give access keys or allowed unescorted access to the Township offices.
- F. When installing new software, immediately change vendor-supplied default passwords to a more secure strong password.
- G. Anti-virus programs will be run on individual computers.
- H. New and existing employees will sign a confidentiality agreement.
- I. Issue visitor badges for all outside vendors, visitors, etc.

*(Ord. 2009-02, 3/23/2009, §VII)*

### **§1-308. Updating the Program.**

This program shall be updated periodically to reflect changes in the risks to customers or changes to the safety and soundness of the Township from identity theft based upon factors such as:

- A. The experience of the Township with identity theft.
- B. Changes in methods of identity theft.
- C. Changes in methods to detect, prevent and mitigate identity theft.
- D. Changes in the types of accounts that the Township offers or maintains.
- E. Changes in the Township procedures regarding accounts that the Township offers or maintains.
- F. Changes in business arrangements of the Township including, but not limited to, joint ventures and service provider arrangements.

*(Ord. 2009-02, 3/23/2009, §VIII)*

**§1-309. Authority and Revisions.**

This program is enacted by *Ord. 2009-02*. Revisions to this policy shall only be enacted by amending the above-referenced ordinance.

(*Ord. 2009-02, 3/23/2009, §IX*)