

# VILLAGE OF GRAND MANAN

## BY-LAW NO. 21-00

### A BY-LAW OF THE MUNICIPALITY OF GRAND MANAN RESPECTING THE RIGHTS AND RESPONSIBILITIES OF THE CHIEF ADMINISTRATIVE OFFICER - VILLAGE MANAGER

THE COUNCIL OF THE MUNICIPALITY OF GRAND MANAN DULY ASSEMBLED  
HEREBY ENACTS AS FOLLOWS:

#### **PURPOSE**

The purpose of the by-law is to define and outline the rights and responsibilities of the Chief Administrative Officer. For the purpose of this by-law this position will be referred to as the "CAO".

#### **SHORT TITLE**

1. This by-law shall be known as the "**CAO By-law**"

#### **DEFINITIONS**

2. a) *Chief Administrative Officer (CAO)* means the senior administrator for the Municipality.  
b) *Employees* are defined as those employed by the village other than the CAO.

#### **APPLICATION**

3. This by-law applies to any person appointed to the position of Chief Administrative Officer for the municipality and excludes all other employees that are covered under the municipalities Personnel By-law or where the Municipalities Act applies.
4. The CAO is and shall be the Senior administrator of the Municipal Government and is and shall be responsible for those duties ascribed to the CAO by the Municipal Council and all other By-Laws, Acts, and Legislation.

## **RESPONSIBILITIES AND DUTIES**

5. The CAO shall be responsible to the Mayor and the Council of the municipality for the administration of the business of the Municipality in the manner heretofore set out by the council whether by its By-Laws or policies and in particular the CAO shall:
  - a) Implement the said plans, programs and policies of the Council on a day-to-day basis;
  - b) Co-ordinate and direct oral or written recommendations to Council regarding the upgrading, assessment and definition of programs, policies and plans or any such changes that are necessitated to maintain the operation of Village;
  - c) The CAO shall receive direction or instruction from the Mayor who has received direction or instruction from Council;
  - d) Attend all meetings of Council and Committees of Council and make recommendations either oral or written from time to time as shall be deemed necessary;
  - e) Maintain close contact with senior staff to facilitate coordination of the Village;
  - f) Review the administrative operation of the Village and recommend any alternative that would upgrade the efficiency and effectiveness of the administration;
  - g) Recommend the appointment, employment, suspension or dismissal of the Clerk, Treasurer and Department Heads;
  - h) Appoint, employ, suspend, transfer and dismiss all other employees;
  - i) Be responsible for the carrying out of such personnel functions as are necessary within the scope of the duties of the CAO and carry out such duties in accordance with policies established by Council;
  - j) Be responsible for the bargaining for the Village in the negotiation of contracts between the Village and trade unions and employee associations and recommend such contracts to Council and, in general, be responsible for wages and salary recommendations to Council concerning all municipal staff;
  - k) It shall be the duty of the CAO to see to the publications of all notices, ordinances or other documents required by law to be published, and to prepare reports which Council or any other official thereof are required by law;
  - l) Have power to make recommendations to Council respecting any proposed expenditure.
  - m) Have power to sell, under such terms and conditions as may be deemed advisable, any furnishings and equipment belonging to the Village, which in the opinion of the CAO and the Council have been identified, items as surplus and no longer needed by the Village or which are obsolete or unsuitable for use (as per section 4.2 (c) of the municipalities act);
  - n) The CAO shall have the power to examine all proposed contracts to which the Village may be a party, and may sign on behalf of the Village any contract authorized by the Council, except where the Council, or the law, directs that some other officer or officers shall do so;

- o) Supervise the performance of all contracts or agreements entered into by the Village and ensure that all the conditions relating thereto have been fulfilled in accordance with the provisions of such contracts or agreements and he shall report to the Council respecting such contracts;
- p) Obtain information regarding all boards and commissions, which affect the interests of the Village and report to Council regarding it when, in the opinion of the CAO or Council, such reports are deemed necessary;
- q) Be the official liaison between Council and the Administrative staff;
- r) Act as a liaison, between the public, civic representatives, provincial government agencies and the Village in those areas of administration deemed the responsibility of the CAO;
- s) The CAO shall liaise with all other levels of government and in particular become familiar with all government programs of advantage to the Municipality;
- t) Carry out any and all duties and responsibilities that the Council shall see fit to direct or that shall arise from the duties of the CAO;
- u) Carry out performance appraisals of all Department Heads and ensure that appraisals of all other personnel are carried out by their Supervisor;
- v) The CAO shall investigate all complaints regarding the services provided by the Municipality, and take necessary measures to rectify any situation when warranted and ensure that a re-occurrence shall be avoided in the future;

## **FINANCIAL MANAGEMENT**

- 6. a) The CAO shall, in co-operation with the Treasurer, prepare the budget annually, submit it to the Council and be responsible for its administration after adoption by Council;
- b) The CAO will insure that an annual financial audit will be conducted and all auditor reports will be submitted to Council for approval and the CAO will insure the implementation of recommendations;
- c) The CAO shall keep Council advised as to the financial conditions and future needs of the Village;
- d) The CAO shall be the general purchasing agent of the Village, having the power to make or authorize expenditures for the purchase of equipment, supplies or other items required for carrying out the business of the Village, and enter into contracts therefore on behalf of the Village where the amount of such expenditure will not exceed in each instance the sum of Fifteen Thousand Dollars (\$15,000.00) and where such expenditure is within the budget limitations provided for such expenditure;
- e) The CAO shall implement and maintain a purchase order policy approved by Council, to ensure accurate tracking of expenditures and inventory items;

- f) The CAO shall review on an annual basis, the assets of the Village showing all real and personal property of the Village and its locations, and shall be responsible for the care and custody of all such property including equipment (fixed and mobile), buildings, parks and all other Village property, which is not by law assigned to some other officer or body for care and control;
- g) The CAO shall insure all Village owned real and personal properties are covered by insurance as directed by Council;

## **PERSONNEL MANAGEMENT**

- 7. The CAO shall institute and maintain a comprehensive personnel program subject to the policies and directions of Council, so as to ensure training of all personnel, and establish procedures for position evaluations, performance evaluations and promotional opportunities. The CAO must make himself and department heads accessible to each employee for all legitimate concerns and complaints. When necessary the CAO must investigate and report to Council employee complaints and arrange if required, for the personal appearance of any employee before a committee of Council. Harmonious relations between all members of staff must be encouraged.

## **SALARY AND BENEFITS**

- 8. The Village Council agrees to the following salary and benefits for the CAO, and that there shall be a comprehensive review of the position and of the person in the position each year. This review will be conducted on the anniversary of his start date.
  - a) The wage scale for the CAO will be set at \$30,000.00 to \$55,000.00 based on an annual salary. The salary will be stated in a letter of offer and/or on yearly review;
  - b) Annual vacation shall be set at;
    - i) one to three years (three weeks)
    - ii) four to ten years (four weeks)
    - iii) eleven to fifteen years (five weeks)
  - c) At the discretion of the Mayor the CAO may receive an additional week off with pay in lieu of overtime;
  - d) Leave without pay will be at the discretion of the Mayor, if there is to be an extended term of leave the Council will have to approve;
  - e) Pension benefits will follow the personnel By-law;
  - f) Medical benefits will follow the personnel By-law;
  - g) If the CAO is required to use his personal vehicle, the provisions of the personnel By-law will apply;

**ABSENCE OF CAO**

- 9. a) In the case of the prolonged absence of the CAO, with approval of the Council, shall appoint a member of the senior staff as Acting Chief Administrative Officer;
- b) In the case of the vacancy of the CAO position the Council shall designate a senior staff or some other person deemed appropriate as Acting Chief Administrative Officer if the CAO is not able to do so;

This By-Law comes into force on the date of final passing thereof.

Read A First Time In It's Entirety This 3 Day of April \_\_\_\_\_ 2000.

Read A Second Time By Title only This 3 Day of April \_\_\_\_\_ 2000.

Read Third Time By Title and Enacted This 12 Day of April \_\_\_\_\_ 2000.

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Clerk

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Mayor

Seal