

RUSH TOWNSHIP ORDINANCE NO. 108

AN ORDINANCE AUTHORIZING RUSH TOWNSHIP BOARD OF SUPERVISORS TO ORGANIZE A MUNICIPAL AUTHORITY, JOINTLY WITH RYAN TOWNSHIP TO BE KNOWN AS THE NORTHEASTERN SCHUYLKILL JOINT MUNICIPAL AUTHORITY.

WHEREAS, Rush Township and Ryan Township, both of Schuylkill County, pursuant to 53 P.S. 303 held a public hearing on January 31, 1994 on their intention to organize a Joint Authority under the Municipal Authorities Act of 1945, with notice of said hearing published at least thirty (30) days before the said hearing, and

WHEREAS, it appears that organization of the Authority shall serve the best interests of the citizens of both townships and in particular address certain sewage collection and treatment needs, in adjoining areas of both Townships;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Rush Township, of Schuylkill County, Pennsylvania, as follows:

Section 1. Intention and Desire to Organize. The Board of Supervisors signifies its intention and desire to organize jointly with Ryan Township, Schuylkill County, an Authority, under provisions of the act of the General Assembly approved May 2, 1945, P. L. 382, as amended and supplemented, known as the "Municipality Authorities Act of 1945" (the "Authorities Act".)

Section 2. Articles of Incorporation. The Chairman of the Board of Supervisors and the Secretary of the Township are authorized and directed to execute, on behalf of the Township, 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 requirement of the Act of the General Assembly approved May 2, 1945, P.L. 382, as amended and supplemented, known as the "Municipality Authorities Act of 1945", said municipalities certify:

A. The name of the Authority is "Northeastern Schuylkill Joint Municipal Authority."

B. The Authority is formed under provisions of the Act of the General Assembly approved May 2, 1945, P.L. 382, as amended

and supplemented, known as the "Municipality Authorities Act of 1945."

C. The name of the incorporating municipalities are Township of Ryan and Township of Rush, Schuylkill County, Pennsylvania.

D. Rush Township has organized two (2) other authorities under this Act which remain in existence, the first, the Rush Township Sewer Authority, which operates a sewage collection system in Rush Township and the Rush-Ryan Joint Municipal Authority which has a legal existence only.

E. The officers' names and addresses of the municipal authority of said incorporating municipality are:

<u>Office</u>	<u>Name</u>	<u>Address</u>
Supervisor of Ryan Township	Clyde Holman	RD 1, Box 1721 Barnesville, PA 18214
Supervisor of Ryan Township	Frank Fetter	RR 2, Box 203AA Barnesville, PA 18214
Supervisor of Ryan Township	Dennis Sabol	P.O. Box 1233, RR 1 Barnesville, PA 18214
Supervisor of Rush Township	Remo Montroni	RD 2, Box 65 Tamaqua, PA 18252
Supervisor of Rush Township	Ronald Werner	RD 4 Tamaqua, PA 18252
Supervisor of Rush Township	Raymond Boyer	RD 2, Box 90 Tamaqua, Pa 18252

F. The members of the Board of Authority shall be six (6) in number who shall each serve a term of five (5) years following the expiration of the term of the first members appointed by these Articles in Section G below.

G. The names, addresses and terms of the office of the first members of the Board of the Authority, each of whom is a citizen of the incorporating municipality, are as follows:

<u>Name</u>	<u>Address</u>	<u>Term of Office</u>
William Fazio RYAN TOWNSHIP	RD 1, Box 1291 Barnesville, PA 18214	5 years

Marion Miller RUSH TOWNSHIP	RD 2, Box 243AA Tamaqua, PA 18252	4 years
William Lausterer RYAN TOWNSHIP	RD 1, Box 1293 Barnesville, PA 18214	3 years
Ron Leitzel RUSH TOWNSHIP	RD 2, Box 185A Barnesville, PA 18214	2 year
Andy Wargo RYAN TOWNSHIP	RD 1, Box 1384 Barnesville, PA 18214	1 year
Bart Phelps RUSH TOWNSHIP	RD 2, Box 115A Barnesville, PA 18214	1 year

Section 3. Notice. The Chairman of the Board of Supervisors and the Secretary of this Township 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.

Section 4. Filing of and Proof of Publication of Articles of Incorporation. The Chairman of the Board of Supervisors and the secretary of this Township are authorized and directed to file such Articles of Incorporation and the necessary proofs of publication with the Secretary of the Commonwealth of Pennsylvania and to do all other things necessary to effect the incorporation of such Authority, including payment of required filing fees.

Section 5. Appointees. Each Township at all time shall have Three (3) appointees on the Board of the Authority for the terms specified.

Section 6. Members of the Board The following named persons are appointed the first members of the Board of the Authority on behalf of designated Township for the following terms:

<u>Name</u>	<u>Address</u>	<u>Term of Office</u>
William Fazio RYAN TOWNSHIP	RD 1, Box 1291 Barnesville, PA 18214	5 years
Marion Miller RUSH TOWNSHIP	RD 2. Box 243AA Tamaqua, PA 18252	4 years
William Lausterer RYAN TOWNHSIP	RD 1, Box 1293 Barnesville, PA 18214	3 years

Ron Leitzel
RUSH TOWNSHIP

RD 2, Box 185A
Barnesville, PA 18214

2 years

Andy Wargo
RYAN TOWNSHIP

RD 1, Box 1384
Barnesville, PA 18214

1 year

Bart Phelps
RUSH TOWNSHIP

RD 2, Box 115A
Barnesville, PA 18214

1 year

This Ordinance shall become effective *15th* day of
March, 1994.

ENACTED AND ORDAINED this *10th* day of *March*
1994.

BOARD OF SUPERVISORS OF THE
TOWNSHIP OF RUSH

BY: *Ronald Werner*
Ronald Werner, Chairman

ATTEST:

Carol Ann Opet
Carol Opet, Secretary