

TOWNSHIP OF RUSH
Schuylkill County, Pennsylvania

ORDINANCE NO. 96-120

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF RUSH TOWNSHIP, SCHUYLKILL COUNTY ADOPTING AND APPROVING AN AMENDMENT TO THE ARTICLES OF INCORPORATION OF THE RUSH TOWNSHIP SEWER AUTHORITY AUTHORIZING THE SAID AUTHORITY TO INCREASE THE NUMBER OF ITS MEMBERS FROM FIVE (5) TO SEVEN (7) AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, Rush Township, Schuylkill County, Pennsylvania (the Township), by appropriate action heretofore cause to be incorporated the Rush Township Sewer Authority (the Authority) under the Municipal Authorities Act of 1945, approved May 2, 1945, P.L. 382, as amended and supplemented, of the Commonwealth of Pennsylvania (The Authorities Act); and

WHEREAS, the Authority is presently organized and existing under the provisions of said Authorities Act; and

WHEREAS, the Authority by resolution duly adopted has proposed that its Articles of Incorporation be amended so as to increase the number of members from five (5) to seven (7); and

WHEREAS, the Authority has cause to be submitted to the Board of Supervisors a copy of the Authority's resolution, duly adopted by them and duly certified by the Chairman and Secretary of the Authority as appropriate, wherein the said amendment is proposed, which resolution contains language of the proposed amendment; and

WHEREAS, the Authorities Act provides that the Rush Township Board of Supervisors as the governing authority of the municipality

composing the Authority shall adopt the proposed amendment by ordinance;

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

Section 1. The Board of Supervisors hereby adopts and approves the amendment to the Articles of Incorporation of the Authority as proposed by a resolution duly adopted by the Authority, a copy of which resolution duly certified by the appropriate officers of the Authority has been submitted to the Board of Supervisors of this Township.

Section 2. The Amendment of the Articles of Incorporation of the Authority, which hereby is adopted and approved shall amend the Articles of Incorporation order to increase the number of members from five to seven, pursuant to Section 3.2(a) of the Authorities Act. The two (2) additional members shall initially be appointed to a three (3) year term and a four (4) year term respectively and at the expiration of those terms shall be appointed by the Board of Supervisors of the Township to five (5) year terms each pursuant to the Municipal Authorities Act, as amended. The Resolution and Amendment to the Articles of Incorporation is attached and forms a part of this Ordinance.

Section 3. All proper officers of the Township and the Authority are hereby authorized to execute, verify and file the appropriate Articles to amend with the Secretary of the Commonwealth of Pennsylvania and to take any other action and do

all other things which may be necessary in order to accomplish the amendment of Articles of Incorporation of the Authority in the manner herein adopted and approved.

Section 4. All ordinances or parts of ordinances insofar as the same shall be inconsistent herewith, shall be in the same expressly are repealed.

DULY ENACTED AND ORDAINED by the Board of Supervisors of the Township of Rush, Schuylkill County, Pennsylvania, in lawful session duly assembled this 2nd day of July, 1996.

RUSH TOWNSHIP BOARD OF SUPERVISORS

By: Ronald T. Werner

Ronald T. Werner, Chairman

George A. Pinkey

George Pinkey, Vice Chairman

Remo Motroni

Remo Motroni, Supervisor

ATTEST:

Carol Opet
Carol Opet, Secretary

(SEAL)