

TOWNSHIP OF RUSH

Schuylkill County, Pennsylvania

ORDINANCE NO. 57

AN ORDINANCE

SIGNIFYING THE INTENTION AND DESIRE OF THE MUNICIPAL AUTHORITIES OF THIS TOWNSHIP TO ORGANIZE AN AUTHORITY, JOINTLY, WITH ANOTHER MUNICIPALITY, UNDER PROVISIONS OF THE ACT OF ASSEMBLY APPROVED MAY 2, 1945, P.L. 382, AS AMENDED AND SUPPLEMENTED; SETTING FORTH AND AUTHORIZING EXECUTION OF ARTICLES OF INCORPORATION; APPOINTING AND FIXING THE TERMS OF THE FIRST MEMBERS TO REPRESENT THIS TOWNSHIP ON THE BOARD OF SUCH AUTHORITY; AUTHORIZING ALL OTHER NECESSARY ACTION; AND REPEALING ALL INCONSISTENT ORDINANCES OF PARTS THEREOF.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Rush, Schuylkill County, Pennsylvania (the "Township"), and it is enacted and ordained, as follows:

Section 1. The Board of Supervisors of this Township signifies its intention and desire to organize an Authority, jointly, with a certain other municipality, under provisions of the Act of Assembly approved May 2, 1945, P.L. 382, as amended and supplemented, known as the "Municipality Authorities Act of 1945" (the "Authorities Act"), for the purpose of exercising any and all powers conferred by the Authorities Act.

The Authority shall be organized, jointly, by the Township of Rush and the Township of Ryan, both situate in Schuylkill County, Pennsylvania

Section 2. The Chairman or Vice Chairman of the Board of Supervisors and Secretary, respectively, of this Township are authorized and directed to execute, in behalf of this Township, Articles of Incorporation for the Authority in the following form:

ARTICLES OF INCORPORATION

TO: THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA

In compliance with requirements of the Act of Assembly approved May 2, 1945, P.L. 382, known as the "Municipality Authorities Act", as amended and supplemented, and pursuant to Ordinances duly enacted by the municipal authorities of the Township of Rush and the Township of Ryan, both situate in Schuylkill County, Pennsylvania, expressing the intention and desire of the municipal authorities of said municipalities to organize an Authority, jointly, under provisions of said Act, said incorporating municipalities certify:

1. The name of the Authority is "RUSH-RYAN JOINT SEWER AUTHORITY".
2. The Authority is formed under provisions of the Municipality Authorities Act.
3. Two Authorities have been organized under the Municipality Authorities Act, or under the Act of Assembly approved June 28, 1935, P.L. 463, as amended and supplemented, and are in existence in or for an incorporating municipality, and are as follows:
  - a) Rush Township Sewer Authority, Schuylkill County, Pennsylvania.

b) Rush-Ryan-Delano Joint Sewer Authority, which is comprised, in part, of the municipalities creating an Authority under these Articles, and the Township of Delano, Schuylkill County, Pennsylvania.

4. The names of the incorporating municipalities are:

- a. Township of Rush, Schuylkill County, Pennsylvania;
- b. Township of Ryan, Schuylkill County, Pennsylvania.

5. The names and addresses of all of the municipal authorities of said incorporating municipalities are:

TOWNSHIP OF RUSH  
SCHUYLKILL COUNTY, PENNSYLVANIA

| <u>Office</u> | <u>Name</u>     | <u>Address</u>                         |
|---------------|-----------------|--|
| Chairman      | Chester Purnell | R. D. #1,<br>Barnesville, Pennsylvania |
| Vice Chairman | Joseph Svetz    | R.D. #2,<br>Tamaqua, Pennsylvania      |
| Supervisor    | Kenneth Hoppes  | R.D. #2<br>Tamaqua, Pennsylvania       |

TOWNSHIP OF RYAN  
Schuylkill County, Pennsylvania

| <u>Office</u>       | <u>Name</u>         | <u>Address</u>                                   |
|---------------------|---------------------|--|
| Chairman            | Frank Fetter        | R.D. #1, Park Crest<br>Barnesville, Pennsylvania |
| Vice Chairman       | Raymond Coombe, Jr. | R.D. #1, Park Crest<br>Barnesville, Pennsylvania |
| Secretary-Treasurer | Edward Konsavage    | R.D. #1,<br>Barnesville, Pennsylvania            |

6. The members of the Board of the Authority shall be six (6) in number, with three (3) members being appointed by the Township of Rush, and three (3) members being appointed by the Township of Ryan.

7. The names, addresses and terms of office of the first members of the Board of the Authority, each of whom is a citizen or taxpayer of the incorporating municipality by which he is appointed, are as follows:

| <u>Name</u>      | <u>Address</u>                   | <u>Appointee<br/>of the Township</u> | <u>Term of<br/>Office</u> |
|------------------|----------------------------------|--------------------------------------|---------------------------|
| Joanne Maurer    | R.D. 1<br>Barnesville, PA 18214  | Ryan                                 | 1 Year                    |
| Elden Clemens    | P.O. Box 22<br>Quakake, PA 18245 | Rush                                 | 2 Years                   |
| Gordon Bennett   | P.O. Box 45<br>Quakake, PA 18245 | Rush                                 | 3 Years                   |
| Charles Martin   | R.D. 1<br>Barnesville, PA 18214  | Ryan                                 | 4 Years                   |
| Luther Nicholson | R.D. 2<br>Tamaqua, PA 18252      | Rush                                 | 5 Years                   |
| John Cambro      | R.D. 1<br>Barnesville, PA 18214  | Ryan                                 | 5 Years                   |

IN WITNESS WHEREOF, The Township of Rush and the Township of Ryan, both situate in Schuylkill County, Pennsylvania, each have caused these Articles of Incorporation to be duly executed in its name and in its behalf by its duly authorized officers and its corporate seal to be affixed hereunto and attested by its Secretary, all as of the 5<sup>th</sup> day of June 1980.

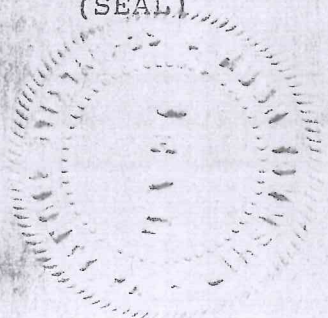
TOWNSHIP OF RUSH  
Schuylkill County, Pennsylvania

By *Walter Durnell*  
Chairman of the  
Board of Supervisors

ATTEST:

*Carol Ann Eget*  
Secretary

(SEAL)



TOWNSHIP OF RYAN  
Schuylkill County, Pennsylvania

By \_\_\_\_\_  
Chairman of the  
Board of Supervisors

ATTEST:

\_\_\_\_\_  
Secretary

(SEAL)

Section 3. The Chairman or Vice Chairman of the Board of Supervisors and Secretary, respectively, of this Township, acting jointly with appropriate officers of the other municipality set forth in Section 1 of this Ordinance, are authorized and directed to cause notice of the substance of this Ordinance, 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. The Chairman or Vice Chairman of the Board of Supervisors and Secretary, respectively, of this Township, acting jointly with appropriate officers of the other municipality set forth in Section 1 of this Ordinance, 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 the required filing fee.

Section 5. The following named persons are appointed as the first members to represent this Township on the Board of such Authority:

| <u>Name</u>      | <u>Address</u>                   | <u>Term of Office</u> |
|------------------|----------------------------------|-----------------------|
| Elden Clemens    | P.O. Box 22<br>Quakake, PA 18245 | 2 Years               |
| Gordon Bennett   | P.O. Box 45<br>Quakake, PA 18245 | 3 Years               |
| Luther Nicholson | R.D. 2<br>Tamaqua, PA 18252      | 5 Years               |

Section 6. The enactment of this Ordinance is deemed necessary for the benefit of the preservation of the public health, peace, comfort and general welfare of and will increase the prosperity of citizens of this Township.

Section 7. All ordinances or parts of ordinances inconsistent herewith expressly are repealed.

DULY ENACTED AND ORDAINED by the Board of Supervisors of the Township of Rush, Schuylkill County, Pennsylvania, this 5<sup>th</sup> day of June, 1980, in lawful session duly assembled.

TOWNSHIP OF RUSH  
Schuylkill County, Pennsylvania

By Cherter Purcell  
Chairman of the Board of Supervisors

ATTEST:

Carol Ann Opet  
Secretary

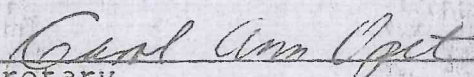
(SEAL)



CERTIFICATE

I, the undersigned, Secretary of the Township of Rush, Schuylkill County, Pennsylvania (the "Township"), certify that the foregoing is a true and correct copy of an Ordinance which was enacted by affirmative vote of a majority of members of the Board of Supervisors of the Township at a meeting duly held the 8th day of May, 1980; that said Ordinance has been duly recorded in the Ordinance Book of the Township as required by law; and that said Ordinance is in full force and effect, without alteration, amendment or modification, as of the date of this Certificate.

IN WITNESS WHEREOF, I affix my signature and the official seal of the Township, this 8th day of May, 1980.

  
Secretary

(SEAL)

