

ORDINANCE NO. 22

SIGNIFYING THE INTENTION AND DESIRE OF THE MUNICIPAL AUTHORITIES OF THIS TOWNSHIP 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: 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 OR PARTS THEREOF.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Benner, Centre 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 Townships of Benner and Spring, both situate in Centre 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 of 1945", as amended and supplemented, and pursuant to Ordinances duly enacted by the municipal authorities of the Townships of Benner and Spring, both situate in Centre 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 "SPRING-BENNER JOINT AUTHORITY".
2. The Authority is formed 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".
3. No other Authority has been organized under the Act of Assembly approved May 2, 1945, P.L. 382, as amended and supplemented, known as the "Municipality Authorities Act of 1945", or under the Act of Assembly approved June 28, 1935, P.L. 463, as amended and supplemented, and is in existence in or for an incorporating municipality, except that the following municipality authorities heretofore have been organized 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", and are in existence in or for the incorporating municipalities:

a. The following Authority heretofore was organized by the Township of Spring, Centre County, Pennsylvania:

Spring Township Authority.

b. The following Authority heretofore was organized by the Township of Benner, Centre County, Pennsylvania:

Spring Creek Water Authority

4. The names of the incorporating municipalities are:

- a. Township of Benner
Centre County, Pennsylvania; and
- b. Township of Spring,
Centre County, Pennsylvania.

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

Township of Benner
Centre County, Pennsylvania

<u>Office</u>	<u>Name</u>	<u>Address</u>
Supervisor and Chairman of Board of Supervisors	Thomas W. Welling	R. D. #4 Bellefonte, Penna.
Supervisor and Vice-Chairman of Board of Supervisors	Jack M. Irvin	R.D. #4 Bellefonte, Penna.
Supervisor	Richard Meyer	R. D. #4 Bellefonte, Penna.

Township of Spring
Centre County, Pennsylvania

<u>Office</u>	<u>Name</u>	<u>Address</u>
Supervisor and Chairman of Board of Supervisors	Earl Houser	R.D. #3 Bellefonte, Penna.
Supervisor and Vice-Chairman of Board of Supervisors	Elmer Confer	R, D. #3 Bellefonte, Penna.
Supervisor and Secretary and Treasurer of Board of Supervisors	John Auman	R. D. #1 Bellefonte, Penna.

6. The members of the Board of the Authority shall be 7 in number, with 2 members being appointed by the Township of Benner, Centre County, Pennsylvania, and 5 members being appointed by the Township of Spring, Centre County, Pennsylvania

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

<u>Name</u>	<u>Address</u>	<u>Appointee of the</u>	<u>Term of Office</u>
David Yarnell	143 Nittany Street, Pleasant Gap, Pa.	Township of Spring	1 year
Ralph Dobelbower	315 E. College Avenue Pleasant Gap, Pa.	Township of Spring	2 years
Stellard T. Beightol, Sr.	234 W. College Ave. Pleasant Gap, Pa.	Township of Spring	3 years
W. Clyde Adams	294 E. College Avenue Pleasant Gap, Pa.	Township of Spring	4 years
Leslie L. Lutz	R. D. 1 Bellefonte, Pa.	Township of Spring	5 years
Earl E. May	R. D. 1 Bellefonte, Pa.	Township of Benner	1 year
Helga Eckley	R. D. 1 Bellefonte, Pa.	Township of Benner	2 years

IN WITNESS WHEREOF, The Townships of Benner and Spring, both situate in Centre 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 22nd day of December, 1976.

TOWNSHIP OF BENNER
Centre County, Pennsylvania

s/ Catherine F. Brown
Secretary

By: s/ Thomas W. Welling
Chairman of Board of Supervisors

TOWNSHIP OF SPRING
Centre County, Pennsylvania

s/ John Auman
Secretary

By: s/ Earl Houser
Chairman of Board of Supervisors

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 first members to represent this Township on the Board of such Authority:

<u>Name</u>	<u>Address</u>	<u>Term of Office</u>
Earl E. May	R. D. #1 Bellefonte, PA	1 year
Helga Eckley	R. D. #1 Bellefonte, PA	2 years

SECTION 6. The enactment of this Ordinance is deemed necessary for the benefit of and 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 Benner, Centre County, Pennsylvania, this 22nd day of December, 1976, in lawful session duly assembled.

BOARD OF SUPERVISORS
BENNER TOWNSHIP

I hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted at a regular meeting of the Benner Township Supervisors held on the 22nd day of December, 1976.

Catherine L. Brown
Secretary