

ORDINANCE NO. 59a

AN ORDINANCE SIGNIFYING THE INTENTION OF BENNER TOWNSHIP TO ORGANIZE A WATER AUTHORITY UNDER THE PROVISIONS OF THE ACT OF MAY 2, 1945, P.L. 382, KNOWN AS THE MUNICIPALITY AUTHORITIES ACT OF 1945, AS AMENDED AND SUPPLEMENTED.

SECTION I

The Board of Supervisors of Benner Township, Centre County, Pennsylvania, signifies its intention and desire to organize an authority, under the provisions of the Act of May 2, 1945, as amended and supplemented, 53 P.S. Section 301 *et seq.* for the purposes of exercising any and all powers conferred by said Act.

SECTION II

The Chairman of the Board of Supervisors and the Secretary of the Township are authorized and directed to execute, on behalf of Benner Township, Articles of Incorporation in substantially the following form:

Articles of Incorporation

To the Secretary of the Commonwealth of Pennsylvania:

In compliance with the requirements of the Act of May 2, 1945, P.L. 382, known as the Municipality Authorities Act of 1945, as amended and supplemented, 53 P.S. Section 301 *et seq.*, and pursuant to an Ordinance enacted by the Township of Benner, Centre County, Pennsylvania, expressing the intention and desire of the municipal authorities of said municipality to organize under said Act, the Incorporating Municipality does certify:

1. The name of said Authority is the "Benner Township Water Authority."
2. The Authority is formed under the provisions of the Act of May 2, 1945, known as the Municipality Authorities Act of 1945, as amended and supplemented, 53. P.S. Section 301 *et seq.*
3. No other authority has been organized under the 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, or under provisions of the Act of Assembly, approved June 28, 1935, P.L. 463, as amended and supplemented, and is in existence in or for the Incorporating Municipality, except as follows:
 - a. Spring-Benner-Walker Joint Authority organized by the townships of Spring, Benner and Walker in Centre County, Pennsylvania.

4. The name of the Incorporating Municipality is: Township of Benner, Centre County, Pennsylvania.

5. The names and addresses of the municipal authorities of said Incorporating Municipality are:

<u>Position</u>	<u>Name</u>	<u>Address</u>
Supervisor and Chairman of the Board	Michael Kelleher	161 Crestview Drive Bellefonte, PA 16823
Supervisor and Vice Chairman of the Board	John H. Lose, Jr.	Purdue Mountain Road Bellefonte, PA 16823
Supervisor	Richard Lahr	2153 Valley View Road Bellefonte, PA 16823

6. Members of the Board of the Authority shall be six (6) in number.

7. The names, addresses and terms of office of the initial members of the Board of Authority, each of whom is a resident and citizen of said Incorporating Municipality, shall be as follows:

<u>Name</u>	<u>Address</u>	<u>Term</u>
Vernon Yingling, V.M.D.	1822 Walnut Grove Drive State College, PA 16801	5 years
Douglas Deibler	A Maple Drive Continental Courts Bellefonte, PA 16823	4 years
Helen Alters	747 Spring Creek Road Bellefonte, PA 16823	3 years
Robert Kucas	101 Armagast Road Bellefonte, PA 16823	2 years
John Rimer	133 Edward Drive Bellefonte, PA 16823	1 year

IN WITNESS WHEREOF, the Township of Benner, Centre County, Pennsylvania, has caused these Articles of Incorporation to be executed by its Chairman, attested by its Secretary, and its official seal to be affixed hereto this 1st day of November A.D. 1993.

SECTION III

The Solicitor of Benner Township is directed to cause proper notice of the adoption of this Ordinance to be published according to law and the Articles of Incorporation and proposed filing of the same to be published, as required by law.

SECTION IV

The Solicitor of the Township is directed that Articles of Incorporation, together with proper proofs of publication, be filed with the Secretary of the Commonwealth of Pennsylvania and to perform any and all acts necessary to effect the incorporation of the Authority, including the payment of necessary filing fees.

SECTION V

The names, addresses and terms of office of the initial members of the Board of Authority, each of whom is a resident and citizen of said Incorporating Municipality, shall be as follows:

<u>Name</u>	<u>Address</u>	<u>Term</u>
Vernon Yingling, V.M.D.	1822 Walnut Grove Drive State College, PA 16801	5 years
Douglas Deibler	A Maple Drive Continental Courts Bellefonte, PA 16823	4 years
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SECTION VI

The enactment of this Ordinance is deemed necessary for the benefit of and preservation of the public health, peace, comfort, and general welfare of the citizens of the Township of Benner.

SECTION VII

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed.

ADOPTED, ENACTED, AND ORDAINED BY THE BOARD OF SUPERVISORS OF BENNER TOWNSHIP THE 1st DAY OF Nov. A.D. 1993.

BENNER TOWNSHIP BOARD OF SUPERVISORS

BY: Michael R. Kelleher
Michael Kelleher, Chairman

ATTEST:

Sharon Royer
Sharon Royer, Secretary