

**ORDINANCE NO. 2020- 10**

AN ORDINANCE OF THE TOWNSHIP OF SWATARA, DAUPHIN COUNTY, PENNSYLVANIA, SIGNIFYING THE INTENTION AND DESIRE OF THE BOARD OF COMMISSIONERS FOR THE TOWNSHIP OF SWATARA TO ORGANIZE A MUNICIPAL AUTHORITY UNDER THE PROVISIONS OF THE ACT OF THE GENERAL ASSEMBLY, KNOWN AS THE MUNICIPALITY AUTHORITIES ACT, 53 Pa.C.S. CHAPTER 56, TO PROVIDE FOR STORMWATER SYSTEM PLANNING, MANAGEMENT AND IMPLEMENTATION; APPOINTING AND FIXING THE TERMS OF THE FIRST MEMBERS OF THE BOARD OF SUCH AUTHORITY; AUTHORIZING AND DIRECTING PROPER OFFICERS OF THE AUTHORITY TO PERFORM ALL ACTS AND EXECUTE ALL OTHER DOCUMENTS REQUIRED OR CONTEMPLATED BY THIS ORDINANCE; SETTING FORTH AND AUTHORIZING EXECUTION OF ARTICLES OF INCORPORATION; AUTHORIZING ALL OTHER NECESSARY ACTION; AND REPEALING ALL INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES.

WHEREAS, The Board of Commissioners of Swatara Township, Dauphin County, Pennsylvania (the “Township”), signifies its intention and desire to organize an Authority under provisions of the Pennsylvania Municipality Authorities Act, 53 Pa.C.S. Ch. 56 (the “Authorities Act”), to provide for storm water system planning, management, and implementation; and

WHEREAS, The Swatara Township Board of Commissioners has the power to enact this Ordinance pursuant to the provisions of the Pennsylvania First Class Township Code, 53 P.S. §§ 55101, et seq., and the provisions of the Authorities Act.

NOW THEREFORE, be it ordained and enacted, and it is hereby ordained and enacted by the Swatara Township Board of Commissioners as follows:

Section I. The Board of Commissioners of Swatara Township hereby organizes an Authority under the Authorities Act to be known as the “Swatara Township Stormwater Authority” (the “Authority”).

Section II. The President of the Board of Commissioners, and the Secretary, respectively, of this Township are authorized and directed to execute, on behalf of this 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 requirements of the Act of the General Assembly known as the “Municipality Authorities Act,” 53 Pa.C.S. Ch. 56 (the “Authorities Act”), and pursuant to an Ordinance duly adopted by the Board of Commissioners of the Township of Swatara, Dauphin County, Pennsylvania, expressing the intention and desire of said municipality to organize an Authority under provisions of said Authorities Act, as amended and supplemented, the incorporating municipality does certify:

1. The name of the Authority shall be “Swatara Township Stormwater Authority.”
2. The said Authority is formed under the Act of the General Assembly, approved May 2, 1945, P.L. 382, as amended and supplemented, known as the Municipality Authorities Act (the “Authorities Act”).
3. In addition to the Swatara Township Stormwater Authority, the Swatara Township Authority currently exists in the Township and was duly formed under the provisions of the Authorities Act in 1947 with Articles of Incorporation having been filed with and approved by the Department of State of the Commonwealth on December 8, 1947.
4. The name of the incorporating municipality, together with the names and addresses of its respective municipal authorities are as follows:

**Swatara Township, Dauphin County, Pennsylvania**

| <u>Office</u>                                | <u>Name</u>     | <u>Address</u>                                |
|--|-----------------|---|
| President of the Board of Commissioners      | Thomas Connolly | 345 N. Harrisburg Street<br>Oberlin, PA 17113 |
| Vice President of the Board of Commissioners | Richard Boudier | 5070 Pajabon Drive<br>Harrisburg, PA 17111    |

|              |                  |  |
|--------------|------------------|--|
| Commissioner | Jeff Varner      | 813 Chambers Street<br>Bressler, PA 17113  |
| Commissioner | Christine Zubeck | 6840 DiAiuto Drive<br>Harrisburg, PA 17111 |
| Commissioner | Shaela Ellis     | 922 Third Avenue<br>Oberlin, PA 17113      |

5. The names, addresses and terms of office of first members of the Board of the Swatara Township Stormwater Authority, each of whom is a taxpayer in, maintains a business in, or is a citizen of the Township, are as follows:

| <u>Name</u>      | <u>Address</u>                                   | <u>Term</u> |
|------------------|--|-------------|
| Thomas Connolly  | 345 North Harrisburg Street<br>Oberlin, PA 17113 | 5 Years     |
| Richard Boudier  | 5070 Pajabon Drive<br>Harrisburg, PA 17111       | 4 Years     |
| Jeff Varner      | 813 Chambers Street<br>Bressler, PA 17113        | 3 Years     |
| Christine Zubeck | 6840 DiAiuto Drive<br>Harrisburg, PA 17111       | 2 Years     |
| Shaela Ellis     | 922 Third Avenue<br>Oberlin, PA 17113            | 1 Year      |

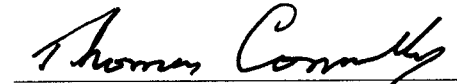
6. The term of existence of the Authority shall be fifty (50) years.

IN WITNESS WHEREOF, Swatara Township, Dauphin County, Pennsylvania, has caused these Articles of Incorporation to be executed, by the President of the Swatara Township Board of Commissioners and attested by the Secretary of the Township, and the seal of the Township to be affixed hereto, this 2nd day of December, 2020.

ATTEST:

SWATARA TOWNSHIP

  
Secretary

  
Thomas Connolly, President

Section III. The staff members and proper officers of the Township are hereby authorized, empowered, and directed to take all action and do all things necessary and appropriate to establish the Authority in compliance with the Authorities Act and all other applicable laws of the Commonwealth of Pennsylvania.

Section IV. This Ordinance shall be effective upon enactment.

Section V. All Ordinances and parts of Ordinances inconsistent herewith expressly are repealed.

**ORDAINED AND ENACTED** into law by the Township of Swatara in lawful session assembled this 2 day of December, 2020.

ATTEST:

SWATARA TOWNSHIP

  
Secretary

  
Thomas Connolly, President

(SEAL)


THIS ORDINANCE examined and approved by me this 2 day of December, 2020.

CERTIFICATE

I, the undersigned, Secretary of the Township of Swatara, Dauphin County, Pennsylvania (the "Township"), certify that: the foregoing is a true and correct copy of an Ordinance which duly was adopted by affirmation vote of a majority of all members of the Swatara Township Board of Commissioners at a meeting held the 2 day of December, 2020; said Ordinance has been certified and recorded by me, as Secretary of the Township, in the book provided for the purpose of such recording; said Ordinance duly has been recorded in the minutes of the Swatara Township Board of Commissioners, showing how each member voted thereon; and said Ordinance is in effect, without amendment, alteration or modification, as of the date of this Certificate.

I further certify that the Swatara Township Board of Commissioners met the advance notice requirements of the Sunshine Act, Act No. 1986-84 of the General Assembly of the Commonwealth of Pennsylvania, approved July 3, 1986, by advertising the date of said meeting and by posting prominently a notice of said meeting at the public building in which said meeting was held, all in accordance with such Act.

IN WITNESS WHEREOF, I affix my signature and the official seal of the Township, this 2 day of December.

  
\_\_\_\_\_  
Karen Alleman, Secretary  
Swatara Township, Pennsylvania

(SEAL)

ARTICLES OF INCORPORATION

TO THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA:

In compliance with requirements of the Act of the General Assembly known as the “Municipality Authorities Act,” 53 Pa.C.S. Ch. 56 (the “Authorities Act”), and pursuant to an Ordinance duly adopted by the Township of Swatara, Dauphin County, Pennsylvania (the “Township”), expressing the intention and desire of said municipality to organize an Authority under provisions of said Authorities Act, as amended and supplemented, the incorporating municipality does certify:

1. The name of the Authority shall be “Swatara Township Stormwater Authority.”
2. The said Authority is formed under the Act of the General Assembly, approved May 2, 1945, P.L. 382, as amended and supplemented, known as the Municipality Authorities Act (the “Authorities Act”).
3. The Swatara Township Stormwater Authority has been organized under the provisions of the Authorities Act and is in existence in and for the incorporating municipality.
4. The name of the incorporating municipality, together with the names and addresses of its respective municipal authorities are as follows:

**Swatara Township, Dauphin County, Pennsylvania**

| <u>Office</u>                                | <u>Name</u>      | <u>Address</u>                                |
|--|------------------|---|
| President of the Board of Commissioners      | Thomas Connolly  | 345 N. Harrisburg Street<br>Oberlin, PA 17113 |
| Vice President of the Board of Commissioners | Richard Boudier  | 5070 Pajabon Drive<br>Harrisburg, PA 17111    |
| Commissioner                                 | Jeff Varner      | 813 Chambers Street<br>Bressler, PA 17113     |
| Commissioner                                 | Christine Zubeck | 6840 DiAiuto Drive<br>Harrisburg, PA 17111    |
| Commissioner                                 | Shaela Ellis     | 922 Third Avenue<br>Oberlin, PA 17113         |

5. The names, addresses and terms of office of first members of the Board of the Swatara Township Stormwater Authority, each of whom is a taxpayer in, maintains a business in, or is a citizen of the Township, are as follows:

| <u>Name</u>      | <u>Address</u>                                   | <u>Term</u> |
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| Thomas Connolly  | 345 North Harrisburg Street<br>Oberlin, PA 17113 | 5 Years     |
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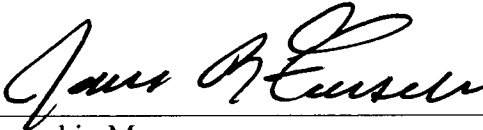
6. The term of existence of the Authority shall be fifty (50) years.



IN WITNESS WHEREOF, the Township of Swatara, Dauphin County, Pennsylvania, has caused these Articles of Incorporation to be executed, by the President of the Swatara Township Board of Commissioners and attested by the Manager of the Township, and the seal of the Township to be affixed hereto, this 2 day of December, 2020.

ATTEST:

SWATARA TOWNSHIP

  
\_\_\_\_\_  
Township Manager

  
\_\_\_\_\_  
Thomas Connolly, President

VERIFICATION

We, the undersigned, do hereby verify that the foregoing is a true and correct copy of the Articles of Incorporation, pursuant to an Ordinance of the Swatara Township Board of Commissioners, duly adopted at a public meeting convened and held according to the law on December 2, 2020.

SWATARA TOWNSHIP

By: Thomas Connolly  
Thomas Connolly, Board President

By: James A. Druce  
Township Manager

(SEAL)