

**NOTICE OF PUBLICATION**  
**NOTICE IS HEREBY GIVEN** by the Supervisors of the Township of Schuylkill, Schuylkill County, Pennsylvania, that it is their intention to enact the following Ordinance at a special meeting to be held at the Tuscarora School Building, Tuscarora, Schuylkill Township, Pennsylvania, on Monday, September 23, 1974, at 7:00 o'clock p.m.:

**AN ORDINANCE**

Of this Municipality authorizing and approving an agreement between Schuylkill Valley Sewer Authority and this Municipality under which agreement this Municipality shall covenant and agree to make certain appropriations, transfers, grants, contributions, allocations and/or advancements of moneys to such authority, from certain funds of this Municipality, to be used by said Authority in connection with the "Preliminary Undertakings," as defined in said agreement, and other necessary undertakings related to the sewage disposal system facilities to be planned, to be designed, to be acquired, to be constructed, to be improved and to be owned by said Authority to serve this Municipality for the purpose of sewage collection, transportation, treatment and/or disposal services in and for certain portions of this Municipality, under which agreement said Authority will covenant and agree to repay to this Municipality, from funds obtained by the "Permanent Financing", as defined in said agreement, a sum equal to: (1) all such appropriations, transfers, grants, contributions, allocations and/or advancements of money which have been made pursuant to said agreement, (2) interest paid by this Municipality on funds borrowed to provide, in whole or in part, such moneys, and (3) the costs and expenses of this Municipality incurred in connection with such borrowing, which theretofore have not been repaid at the time such "Permanent Financing," with respect to such sewer facilities, is successfully completed by said Authority, and under which agreement this Municipality and said Authority will agree with respect to certain related matters; authorizing and directing execution, acknowledgement and delivery of said agreement in behalf of this Municipality; and authorizing and directing other Necessary and proper action.

WHEREAS, The Commonwealth of Pennsylvania, acting by and through its Department of Environmental Resources (formerly the Department of Health), pursuant to laws of the Commonwealth, has mandated to this Municipality that certain sewage collection, transportation, treatment and disposal services be provided in and for certain portions of this Municipality; and

WHEREAS, Schuylkill Valley Sewer Authority (the "Authority"), pursuant to the request and consent of this Municipality, has agreed to undertake the planning, designing, acquiring, constructing and improving of a sewage disposal system to serve this Municipality by providing sewage collection, transportation, treatment and disposal services in and for certain portions of this Municipality (the

WHEREAS, This Municipality desires to agree to make certain appropriations, transfers, grants, contributions, allocations and/or advancements of moneys to the Authority to be used by the Authority in connection with the Preliminary Undertakings, as defined in the Agreement hereinafter mentioned, and other necessary undertakings related to the Sewer Facilities.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, and it is enacted and ordained, by the Board of Supervisors of this Municipality, as follows:

**SECTION 1.** This Municipality shall enter into an Agreement (the "Agreement") with the Authority, substantially in the form referred to in Section 2, under terms and provisions of which Agreement this Municipality shall covenant and agree to make certain appropriations, transfers, grants, contributions, allocations and/or advancements of moneys to the Authority, from funds of this Municipality, either on hand or to be borrowed by this Municipality, to be used by the Authority in connection with the Preliminary Undertakings and other necessary undertakings related to the Sewer Facilities; under terms and provisions of which Agreement the Authority will covenant and agree to repay to this Municipality, from funds obtained by the Permanent Financing, as such phrase is defined in the Agreement, a sum equal to: (1) all such appropriations, transfers, grants, contributions, allocations and/or advancements of moneys which have been made pursuant to the Agreement, (2) interest paid by this Municipality on funds borrowed to provide, in whole or in part, such moneys and (3) the costs and expenses incurred by this Municipality in connection with any such borrowing, which theretofore has not been repaid, at the time such Permanent Financing, with respect to the Sewer Facilities, is successfully completed by the Authority, as is more specifically provided in the Agreement; and under terms and provisions of which Agreement this Municipality and the Authority will agree with respect to certain related matters.

**SECTION 2.** The Agreement shall be substantially in the form presented to this meeting, which form is approved; and a copy of the Agreement, in the form so presented to this meeting and so approved, shall be filed with the Secretary of this Municipality and shall be made available for inspection at reasonable times by interested persons requesting such inspection.

**SECTION 3.** The (Chairman of the Board of Supervisors) and the Secretary of this Municipality, as applicable, are authorized and directed to execute, to attest, to acknowledge and to deliver the Agreement, in behalf of this Municipality, substantially in the form approved in Section 2.

**SECTION 4.** Proper officers of this Municipality are authorized and directed to execute all documents, and to do all other acts as may be necessary and proper to carry out this Ordinance and the undertakings of this Municipality under the Agreement.

**SECTION 5.** This Ordinance shall become effective in accordance with

or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this Municipality that such remainder shall remain in full force and effect.

**SECTION 7.** It is declared that enactment of this Ordinance is necessary for the protection, benefit and preservation of the health, safety and welfare of inhabitants of this Municipality.

**SECTION 8.** All other ordinances or parts of ordinances inconsistent herewith shall be and the same expressly are repealed.

This Ordinance shall take effect five days after adoption.

Charles L. Frank, Solicitor  
 Pine Grove, Pennsylvania  
**BOARD OF SUPERVISORS OF THE TOWNSHIP OF SCHUYLKILL**  
 Daniel A. DeCindio, Chairman