

RESOLUTION NO. 4-2003

A RESOLUTION OF THE TOWNSHIP OF SCHUYLKILL AUTHORIZING, DIRECTING AND APPROVING THE AMENDMENT OF THE ARTICLES OF INCORPORATION OF THE SCHUYLKILL VALLEY SEWER AUTHORITY TO INCREASE ITS TERM OF EXISTENCE TO A DATE NOT EXCEEDING 50 YEARS FROM THE DATE OF APPROVAL OF THE ARTICLES OF AMENDMENT AND TO SET FORTH ADDITIONAL POWERS OR PURPOSES OF THE AUTHORITY SO AS TO PERMIT THE AUTHORITY TO ENGAGE IN ANY ACTIVITIES RELATED TO ACQUISITION, LEASING, CONVEYING OR OTHERWISE ASSISTING OTHER QUALIFIED ORGANIZATIONS IN THE PROVISION OF RECREATIONAL FACILITIES IN PROXIMITY TO ANY PROJECT OF THE AUTHORITY; PROVIDING FOR ALL OTHER NECESSARY AND APPROPRIATE ACTION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INSOFAR AS THE SAME ARE INCONSISTENT HERewith AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

WHEREAS, pursuant to provisions of the Municipality Authorities Act, adopted June 19, 2001, P.L. 287, as amended, of the Commonwealth (the "Act") and Ordinances duly adopted, the Borough of Middleport, the Borough of New Philadelphia, the Township of Blythe, and the Township of Schuylkill, all situated in Schuylkill County (the "member municipalities"), have caused the Schuylkill Valley Sewer Authority (the "Authority" or "SVSA") to be incorporated; and

WHEREAS, pursuant to Section 5605(a)(2) of the Act, the Authority has resolved to amend its Articles of Incorporation to increase its term of existence to a date not exceeding 50 years from the date of approval of the Articles of Amendment; and

WHEREAS, pursuant to Section 5605(a)(3) of the Act, the Authority has resolved to amend its Articles of Incorporation to change, add to or diminish its powers or purposes or to set forth different or additional powers or purposes; and

WHEREAS, pursuant to Section 5605(b) of the Act, Articles of Amendment to the Articles of Incorporation of the Authority must be approved by the member municipalities and submitted to and approved by the Secretary of the Commonwealth; and

WHEREAS, the Township of Schuylkill, being a member municipality, herein approves the proposed Articles of Amendment to the Articles of Incorporation of the Authority;

NOW THEREFORE, BE IT ENACTED AND RESOLVED, by the Board of Supervisors of the Township of Schuylkill, Schuylkill County, Pennsylvania, as follows:

Section 1. The Articles of Incorporation of the Authority are amended to increase the Authority's existence to a date not exceeding 50 years from the date of approval of the Articles of Amendment.

Section 2. The Articles of Incorporation of the Authority are amended to set forth an additional power or purpose, which is: "to permit the Authority to engage in any activities related to acquisition, leasing, conveying, or otherwise assisting other qualified organizations in the provision of recreational facilities in proximity to an Authority project".

Section 3. The officials of the Authority and the Township are authorized to take all other necessary and appropriate action consistent herewith, including filing the Articles of Amendment with the Secretary of the Commonwealth.

Section 4. In the event any provision, section, sentence, clause or part of this Resolution shall be held invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of the Township that such remainder shall be and shall remain in full force and effect.

Section 5. To the extent they are inconsistent with this Resolution, all resolutions or parts of resolutions previously adopted by this Township are repealed, as of the effective date, to the extent they are inconsistent with this Resolution.

Section 6. This Resolution shall be effective upon the approval of the Secretary of the Commonwealth of the Articles of Amendment filed pursuant to this Resolution, as provided in the Act.

DULY ADOPTED, this 4 day of April, 2003, by the Board of Supervisors of the Township of Schuylkill, Schuylkill County, Pennsylvania, in lawful session duly assembled.

BOARD OF SUPERVISORS OF THE  
TOWNSHIP OF SCHUYLKILL

By: Joseph Brown, Chairman

ATTEST:

Mary E. Kubel, Secretary