

ORDINANCE NO. 1453-18

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF GETTYSBURG, ADAMS COUNTY, PENNSYLVANIA, SIGNIFYING THE INTENTION AND DESIRE OF THE BOROUGH OF GETTYSBURG, ADAMS COUNTY, PENNSYLVANIA 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; SETTING FORTH AND AUTHORIZING EXECUTION OF ARTICLES OF INCORPORATION; APPOINTING AND FIXING THE TERMS OF THE FIRST MEMBERS OF THE BOARD OF SUCH AUTHORITY; AUTHORIZING ALL OTHER NECESSARY ACTION; AND REPEALING ALL INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES.

WHEREAS, the Borough of Gettysburg desires to organize a municipal authority to be known as the Gettysburg Borough Storm Water Authority under the provisions of the Pennsylvania Municipality Authorities Act, 53 Pa. C.S. § 5601 et seq. (the "Authorities Act"); and

WHEREAS, consistent with Section 5603(a) of the Authorities Act, the Borough Council of the Borough of Gettysburg, Adams County, Pennsylvania hereby signifies its intention and desire to organize the Gettysburg Borough Storm Water Authority; and

WHEREAS, the Borough of Gettysburg believes it is in the best interests of the community and its residents to create and establish the Gettysburg Borough Storm Water Authority in accordance with the terms and conditions as set forth in the Articles of Incorporation which is attached hereto as Exhibit "A" and is incorporated herein by reference.

NOW, THEREFORE, the Borough Council of the Borough of Gettysburg hereby enacts, adopts and ordains the following:

SECTION 1: The Borough Council of the Borough of Gettysburg (the "Borough Council"), hereby agrees to organize an authority under the Authorities Act to be known as the Gettysburg Borough Storm Water Authority.

SECTION 2: The Gettysburg Borough Storm Water Authority shall have such purposes and powers as set forth in the Authorities Act including, but not limited to, the administration and assessment of related fees in connection with the construction, operation, maintenance and repairs necessary for the implementation and operation of the Borough's municipal separate storm sewer system and any other lawful purpose as set forth in Section 5607(a)(4) of the Authorities Act.

SECTION 3: The President or Vice President of Borough Council and the Secretary of the Borough of Gettysburg (the "Borough Secretary") are authorized and directed to execute the Articles of Incorporation on behalf of the Borough of Gettysburg for the Gettysburg Borough Stormwater Authority in the form attached hereto as Exhibit "A" which is incorporated herein by reference.

SECTION 4: The Borough Secretary or such other appropriate officer of the Borough of Gettysburg is hereby authorized and directed to cause notice of the substance of this Ordinance, as enacted and adopted, including the substance of the Articles of Incorporation attached hereto as Exhibit "A" and the proposed filing of such Articles of Incorporation to be published as required by the Authorities Act.

SECTION 5: The Borough Secretary or such other appropriate officer of the Borough of Gettysburg is hereby 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 effectuate the incorporation of the Gettysburg Borough Storm Water Authority, including the payment of any and all required filing fees.

SECTION 6: The following named persons are appointed as the first members of the Board of the Gettysburg Borough Storm Water Authority, which represent the members of the Board appointed by the Borough of Gettysburg, for the following initial terms of office:

	<u>Name</u>	<u>Address</u>	<u>Term of Office</u>
1.	Wesley K. Heyser	226 North Stratton Street Gettysburg, PA 17325	Five (5) years
2.	John D. Lawver, Jr.	524 McMillan Street Gettysburg, PA 17325	Four (4) years
3.	Michael S. Malewicki	2 West Broadway Gettysburg, PA 17325	Three (3) years
4.	Patricia A. Lawson	515 Carlisle Street Gettysburg, PA 17325	Two (2) years
5.	Theodore H. Streeter	111 East Middle Street Gettysburg, PA 17325	One (1) year

SECTION 7: All other ordinances or parts of ordinances of the Borough of Gettysburg which are inconsistent herewith are hereby repealed.

SECTION 8: The provisions of this Ordinance are severable and, if any of the sections, clauses or sentences of this Ordinance shall be held to be illegal, invalid or unconstitutional, such

provision shall not affect or impair the remaining sections, clauses or sentences of this Ordinance.

SECTION 9: This Ordinance shall take effect immediately upon enactment.

ENACTED, ADOPTED AND ORDAINED on this 26 day of November, 2018.

BOROUGH OF GETTYSBURG

By: Susan C. Naugle
Susan C. Naugle
President of Borough Council

Attest:

Sara L. Stull
Sara L. Stull, Secretary

APPROVED this 26 day of November, 2018.

Theodore H. Streeter
Theodore H. Streeter, Mayor