

BOROUGH OF ALBURTIS
LEHIGH COUNTY, PENNSYLVANIA

ORDINANCE NO. 76

AN ORDINANCE SIGNIFYING THE DESIRE AND INTENTION OF THE MUNICIPAL AUTHORITIES OF THE BOROUGH OF ALBURTIS, LEHIGH COUNTY, PENNSYLVANIA, TO ORGANIZE AN AUTHORITY UNDER PROVISIONS OF THE ACT OF MAY 2, 1945, P.L. 382, KNOWN AS THE "MUNICIPALITY AUTHORITIES ACT OF 1945", AS AMENDED AND SUPPLEMENTED, FOR THE PURPOSE OF EXERCISING ANY AND ALL POWERS CONFERRED BY SAID ACT; SETTING FORTH, IN FULL, THE PROPOSED ARTICLES OF INCORPORATION; APPOINTING THE FIRST MEMBERS OF THE BOARD OF THE AUTHORITY; AUTHORIZING EXECUTION OF ARTICLES OF INCORPORATION AND DOING OF ALL MATTERS NECESSARY FOR CREATION OF SAID AUTHORITY; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH SAID ORDINANCE.

BE IT ENACTED AND ORDAINED by the Council of the Borough of Alburdis, Lehigh County, Pennsylvania (hereinafter called the "Borough"), and it hereby is enacted and ordained, as follows:

Section 1. The Council of this Borough hereby signifies its intention and desire to organize an Authority under provisions of the Act of May 2, 1945, P.L. 382, known as the "Municipality Authorities Act of 1945", as amended and supplemented (hereinafter called the "Authorities Act"), for the purpose of exercising any and all powers conferred by the Authorities Act.

Section 2. The Burgess, President of Council and Secretary, respectively, of this Borough hereby are authorized and directed to execute, on behalf of this Borough, 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 May 2, 1945, P.L. 382, known as the "Municipality Authorities Act of 1945", as amended and supplemented, and pursuant to an Ordinance enacted by the municipal authorities of the Borough of Alburdis, Lehigh County, Pennsylvania, expressing the intention and desire of the municipal authorities of said municipality to organize a municipality authority under said Act, the municipality hereby does certify:

1. The name of the Authority is "ALBURTIS BOROUGH AUTHORITY".
2. The Authority is formed under provisions of the Act of May 2, 1945, P.L. 382, known as the "Municipality Authorities Act of 1945", as amended and supplemented.
3. No other Authority has been organized under said Municipality Authorities Act of 1945, as amended and supplemented, or under the Act of June 28, 1935, P.L. 463, as amended and supplemented, and is in existence in or for the incorporating municipality

4. The name of the incorporating municipality is:

Borough of Alburtis, Lehigh County, Pennsylvania.

5. The names and addresses of the municipal authorities of said incorporating municipality are:

<u>Office</u>	<u>Name</u>	<u>Address</u>
Burgess	Richard Bortz	302 Franklin Street Alburtis, Pennsylvania
Councilman and President of Council	George K. Scherer	39 W. 3rd Street Alburtis, Pennsylvania
Councilman	Arthur D. Stump	58 E. 2nd Street Alburtis, Pennsylvania
Councilman	Spencer Hoffman	(No Number) Franklin S Alburtis, Pennsylvania
Councilman	Leon Trexler	(No Number) School St. Alburtis, Pennsylvania
Councilman	Walter P. Boyer, Sr.	666 Franklin Street Alburtis, Pennsylvania
Councilman	Raymond F. Scherer	113 N. Main Street Alburtis, Pennsylvania

6. The names, addresses and terms of office of the first members of the Board of the Authority, each of whom is a resident and citizen of said incorporating municipality, are as follows:

<u>Name</u>	<u>Address</u>	<u>Term of Office (Number of Years)</u>
Harold L. Kruse	22 Front Street, Alburtis, Pennsylvania	5 Years
Gordon W. King	124 Main Street, Alburtis, Pennsylvania	4 Years
Richard McGinley	211 Main Street, Alburtis, Pennsylvania	3 Years
Arthur S. W. Kern	(No Number) Main Street, Alburtis, Pennsylvania	2 Years
Simeon Sell	American Hotel, Main Street Alburtis, Pennsylvania	1 Year

IN WITNESS WHEREOF, The Borough of Alburtis, Lehigh County, Pennsylvania, has caused these Articles of Incorporation to be executed by its Burgess and its President of Council and to be attested by its Secretary, and its official seal to be affixed hereto, this 10th day of September, 1958.

BOROUGH OF ALBURTIS,
Lehigh County, Pennsylvania

By: Richard Boz
Burgess

By: George K. Scherest
President of Council

ATTEST:

Jayne Schadler
Secretary

(SEAL)

Section 3. The Burgess, President of Council and Secretary, respectively, of this Borough hereby are authorized and directed to cause notice of the substance of this Ordinance, including the substance of the foregoing Articles of Incorporation, and of the proposed filing of such Articles of Incorporation to be published once in a newspaper published and of general circulation in the County of Lehigh, Pennsylvania, and once in the legal journal published in and for the County of Lehigh, Pennsylvania, as required by the Authorities Act.

Section 4. The Burgess, President of Council and Secretary, respectively, of this Borough hereby are authorized and directed to cause such Articles of Incorporation, together with necessary proofs of publication, to be filed with the Secretary of the Commonwealth of Pennsylvania and to do all other acts and things necessary or appropriate to effect the incorporation of such Authority, including payment of any filing fees necessary in connection therewith.

Section 5. The following named persons shall be and they hereby are appointed as first members of the Board of the Authority for the following terms of office:

<u>Name</u>	<u>Address</u>	<u>Term of Office</u> <u>(Number of Years)</u>
Harold L. Kruse	22 Front Street, Alburtis, Pennsylvania	5 Years
Gordon W. King	124 Main Street, Alburtis, Pennsylvania	4 Years
Richard McGinley	211 Main Street, Alburtis, Pennsylvania	3 Years
Arthur S. W. Kern	(No Number) Main Street, Alburtis, Pennsylvania	2 Years

<u>Name</u>	<u>Address</u>	<u>Term of Office (Number of Years)</u>
Simeon Sell	American Hotel, Main St. Alburtis, Pennsylvania	1 year

Section 6. The enactment of this Ordinance is deemed necessary for the benefit of and preservation of the public health, peace, comfort and general welfare of and will increase the prosperity of citizens of this Borough.

Section 7. All Ordinances or parts of Ordinances, insofar as such shall be inconsistent herewith, shall be and the same hereby expressly are repealed.

DULY ENACTED AND ORDAINED BY THE COUNCIL OF THE BOROUGH OF ALBURTIS Lehigh County, Pennsylvania, this 10th day of September, 1958, in lawful session duly assembled.

BOROUGH OF ALBURTIS,
Lehigh County, Pennsylvania

By: George K. Scherer
George K. Scherer, President of
Council

ATTEST:

Joyce L. Schadler
Joyce L. Schadler, Secretary

(SEAL)

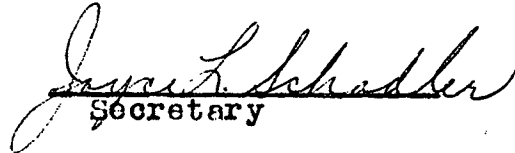
Examined and approved this 10th day of September, 1958.

Richard Bortz
Richard Bortz, Burgess of the
Borough of Alburtis, Lehigh
County, Pennsylvania

CERTIFICATE

I, JOYCE L. SCHADLER, Secretary of the Borough of Alburdis, Lehigh County, Pennsylvania (hereinafter called the "Borough"), hereby certify that the foregoing is a true and correct copy of an Ordinance enacted by affirmative vote of a majority of members of the Council of the Borough at a meeting duly held the 10th day of September, 1958; that said Ordinance was examined and approved on the 10th day of September, 1958, by the Burgess of the Borough; that said Ordinance has been duly recorded in Ordinance Book _____, Volume _____, Page _____, as required by law; and that said Ordinance is in full force and effect, without alteration, amendment or modification, as of the date of this certificate.

IN WITNESS WHEREOF, I hereunto affix my signature and the official seal of the Borough of Alburdis, Lehigh County, Pennsylvania, this 10th day of September, 1958.


Secretary

(SEAL)