

COUNCIL OF THE CITY OF SHARON

Bill No 06-11

Ordinance No. 06-11

Introduced by: Mr. Heutsche - April 21, 2011

Passed Finally

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SHARON, MERCER COUNTY, PENNSYLVANIA, SIGNIFYING ITS INTENTION AND DESIRE TO ORGANIZE A MUNICIPAL AUTHORITY UNDER THE PROVISIONS OF THE MUNICIPALITY AUTHORITIES ACT OF 2001, AS AMENDED AND SUPPLEMENTED, TO BE KNOWN AS THE SHARON STREET AUTHORITY; SETTING FORTH THE FORM OF THE ARTICLES OF INCORPORATION; APPOINTING THE FIRST MEMBERS OF THE BOARD OF THE AUTHORITY; DESIGNATING THE PURPOSES FOR THE AUTHORITY; AUTHORIZING THE EXECUTION AND FILING OF THE ARTICLES OF INCORPORATION; AND AUTHORIZING THE TAKING OF ALL APPROPRIATE ACTION AS MAY BE NECESSARY TO ORGANIZE SAID AUTHORITY.

BE IT ORDAINED AND ENACTED by the Council of the City of Sharon, Mercer County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

- SECTION 1. AUTHORIZATION: The Council of the City of Sharon hereby signifies its intention to organize a Municipal Authority under the provisions of the Municipality Authorities Act of 2001 (“the Act”).
- SECTION 2. NAME: The name of the proposed Authority is the Sharon Street Authority. Pursuant to this intention, the Articles of Incorporation of the Authority are hereby approved and adopted in the following form:

ARTICLES OF INCORPORATION
SHARON STREET AUTHORITY

TO: The Secretary of the Commonwealth of Pennsylvania

In compliance with the Municipality Authorities Act of 2001, the City of Sharon, Mercer County, Pennsylvania, pursuant to an Ordinance duly enacted by the Council of the City of Sharon authorizing and directing the formation of an Authority does hereby certify:

(A) The name of the Authority shall be Sharon Street Authority.

(B) The Authority is formed under the Municipality Authorities Act of 2001, June 19,

P.L.287.

- (C) No other Authority has been organized under the Municipality Authorities Act of 2001, or under the Municipality Authorities Act of 1945 or under the Act approved June 28, 1935, P.L.463, except, the Sharon Recreation Authority, the Sharon Sanitary Authority, the Upper Shenango Valley Water Pollution Control Authority, the Sharon Library Authority, and the Sharon Regional Health System Authority.
- (D) The name of the incorporating Municipality is the City of Sharon, Mercer County, Pennsylvania, and the names and addresses of the members of the City Council of the City of Sharon are as follows:

<u>NAME</u>	<u>ADDRESS</u>
Francis Connelly	1671 Hannah Ct Sharon, Pa
Robert Messina	470 Carley Ave Sharon, Pa
Michael Donato	895 Alcoma St Sharon, Pa
Victor Heutsche	1315 Stanton St. Sharon, Pa
Edward Palanski	1699 Hannah Ct Sharon, Pa

- (E) The names and addresses and terms of office of the first members of the Board of this Authority, each being citizens of the City of Sharon, are as follows:

<u>NAME</u>	<u>ADDRESS</u>	<u>TERM OF OFFICE</u>
Dana Dunn	209 Case Ave., Sharon, PA	5 years
Rev. Adam Trambley	343 Forker Blvd., Sharon, PA	4 years
Richard Lininger	389 Buhl Blvd., Sharon, PA	3 year
Mark Drabick	1145 Pearl St., Sharon, PA	2 years
Robert Fiscus	1286 Yahres Rd., Sharon, PA	1 year

The terms of office of the first members of the Board of the Authority shall commence on the date of appointment and shall be computed from the first Monday of January, 2012.

The Council of the City of Sharon shall have the exclusive right and power to appoint any and all subsequent members to the Board of the Authority. Any person appointed by the Council to fill a vacancy created by death, incapacity, disqualification, resignation, or removal shall only serve the remaining unexpired term held by the replaced member of the Authority. All members appointed to the Board hereafter to fill a vacancy created by the expiration of a member's term shall serve a term of five (5) years.

IN WITNESS WHEREOF, the Council of the City of Sharon Mercer County, Pennsylvania, has caused these Articles of Incorporation to be duly executed on behalf of the City of Sharon by its duly-authorized officers, and the City of Sharon's seal to be duly affixed and attested this ____ day of _____, 2012.

Francis Connelly, President

ATTEST:

Sharronda Faber, City Clerk

COMMONWEALTH OF PENNSYLVANIA :
: ss.
COUNTY OF MERCER :

On this, the _____ day of _____, 2011, personally appeared before me, a Notary Public, and for the Commonwealth of Pennsylvania, Francis Connelly and Sharronda Faber who have stated that their official positions in the City of Sharon are President of Council and City Clerk, respectively, and who, in due form of law, acknowledge the foregoing Articles of Incorporation to be the act and deed of the City of Sharon for the purpose therein specified.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

SECTION 3. BOARD: The first members of the Board of the Sharon Street Authority, named in the Articles of Incorporation, are hereby specifically appointed members of the Board for the term set after their respective names, commencing on the date of

appointment and computed from the first Monday of January 2012. The Council of the City of Sharon shall have the exclusive right and power to appoint any and all subsequent members to the Board of the Authority. Any person appointed by the Council to fill a vacancy created by death, incapacity, disqualification, resignation, or removal shall only serve the remaining unexpired term held by the replaced member of the Authority. All members appointed to the Authority hereafter to fill a vacancy created by the expiration of a member's term shall serve a term of five (5) years.

- SECTION 4. EXECUTION: The President of the Council of the City of Sharon is hereby authorized and directed to execute the Articles of Incorporation on its behalf and the City Clerk is hereby authorized and directed to affix thereto and attest the seal of the City of Sharon . These officers are further authorized and directed to cause a Notice of Intention to File the Articles of Incorporation to be published as required by law, and to file the Articles of Incorporation, together with a certified copy of this Ordinance, and the required Proof of Publication, with the Secretary of the Commonwealth of Pennsylvania and to take such other action as they may deem necessary or appropriate to organize this Authority.
- SECTION 5. PURPOSE: The purposes and projects of the Authority are as follows: construction of a public street within Renaissance Commerce Park.
- SECTION 6. POWERS: The aforesaid Sharon Street Authority shall have all the powers, duties, obligations, responsibilities, and legal authority granted by provisions of the Municipality Authorities Act of 2001, including all subsequent amendments thereto.
- SECTION 7. SEVERABILITY: The provisions of this Ordinance shall be severable and, if any of the provisions hereof shall be held unconstitutional, void or otherwise unenforceable, such shall not affect the validity of any of the remaining provisions of said Ordinance.
- SECTION 8. REPEALER: All ordinances or parts of ordinances conflicting with any of the provisions of this Ordinance are hereby repealed insofar as the same affects this Ordinance.
- SECTION 9. EFFECTIVE DATE: This Ordinance shall become effective ten (10) days after passage by the City Council, same being formally adopted this ____ day of May, 2011.

President of Council

ATTEST:

City Clerk

