

AN ORDINANCE AMENDING CHAPTER I, PART 1, SECTIONS 1 AND 2 OF THE CODE OF ORDINANCES OF BEECH CREEK BOROUGH WITH RESPECT TO ADMINISTRATION AND GOVERNMENT, SALARIES OF ELECTED AND APPOINTED OFFICIALS

WHEREAS, Beech Creek Borough adopted a Code of Ordinances in July, 1978.

WHEREAS, Chapter I, Part 1, Sections 1 and 2 of the Code of Ordinances of Beech Creek Borough relate to Administration and Government, Salaries of Elected and Appointed Officials;

WHEREAS, Beech Creek Borough Council is desirous of amending Chapter I, Part 1, Sections 1 and 2 with respect to Administration and Government, Salaries of Elected and Appointed Officials to increase the compensation of the mayor and council members in accordance with the terms of this Ordinance.

NOW, THEREFORE, be it ENACTED and ORDAINED in lawful session duly advertised and it is hereby enacted and ordained as follows:

SECTION I. Chapter I, Part 1, Section 1A of the Code of Ordinances of Beech Creek Borough is amended to delete the words "One Hundred (\$100.00) Dollars per month" and be replaced with the words "One Hundred Fifty (\$150.00) Dollars per month".

SECTION II. Chapter I, Part 1, Section 1B of the Code of Ordinances of Beech Creek Borough is amended to delete the words "Fifty (\$50.00) Dollars per month" and be replaced with the words "One Hundred (\$100.00) Dollars per month".

SECTION III. Chapter I, Part 1, Section 2 of the Code of Ordinances of Beech Creek Borough is amended to delete the words "Fifty (\$50.00) Dollars per month" and be replaced with the words "One Hundred (\$100.00) Dollars per month".

SECTION IV. In all other respects, Chapter I, Part 1 of the Code of Ordinances of Beech Creek Borough shall remain in full force and effect.

SECTION V. This Ordinance shall become effective at the earliest time permitted by Pennsylvania law.

Enacted as an Ordinance this 2nd day of May, 2000.

ATTEST:

BEECH CREEK BOROUGH

Patricia Schuch  
Secretary

By: William T. K... ..  
President

APPROVED this 2nd day of May, 2000.

Melvin B. Cobley  
Mayor

Part 1

Elected and Appointed Officials

Section 1. Mayor's Salary. The salary of the Mayor of the Borough of Beech Creek is hereby fixed as follows, payable in monthly installments:

A. One hundred dollars (\$100.00) per month during each and every month that the Borough is without operation of its own police force or has not contracted for provision of police services through another municipality.

B. Fifty dollars (\$50.00) per month during each and every month that the Borough has its own police department in operation or has contracted for provision of police services through another municipality.

(Ordinance 61, September 6, 1977, Section 1; as amended by Ordinance 91-2, December 17, 1991, Section 1; and by Ordinance 95-1, January 3, 1995, Section 1)

Section 2. Councilperson's Salaries. Each Councilperson of the Borough of Beech Creek shall be paid a salary of fifty dollars (\$50.00) per month, payable in monthly installments. (Ordinance 48, December 7, 1972, Section 1; as amended by Ordinance 80-1, February 25, 1980, Section 1; and by Ordinance 91-2, December 17, 1991, Section 2)

Section 3. Tax Collector's Compensation. The compensation to be paid to the Tax Collector for the Borough taxes shall be five (5%) percent of the amount of Borough taxes at face and at discount actually collected by said Tax Collector. (Ordinance 70, September 6, 1977)

Section 4. Independent Auditor.

1. The Borough of Beech Creek shall, after the effective date hereof, pursuant to the provisions of §1005(7) of the Borough Code, Act No. 581 of 1966, 53 P.S. §46005(7), appoint by resolution an independent auditor in compliance with the requirements of the aforesaid section.

2. The office of elected auditor for the Borough of Beech Creek is hereby abolished.

(Ordinance 81-1, March 3, 1981, Sections 1 and 2)

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1. Deleted.

2. Section 2 of Ordinance 48 provided that the ordinance be effective January 1, 1980

Part 2

Boards and Commissions

Section 51. Planning Commission Created. A planning commission, to be composed of seven (7) members appointed as provided by law, is hereby created in and for the Borough of Beech Creek. The name of the said planning commission is the Beech Creek Planning and Zoning Commission, and the said planning commission shall perform all duties and may exercise all powers conferred by law upon borough planning agencies. (Ordinance 71, September 6, 1977)

Ord. 64-1

Part 3  
Authorities

A. The Beech Creek Borough Authority

Section 101. Articles of Incorporation.

ARTICLES OF INCORPORATION

To the Secretary of the Commonwealth of Pennsylvania:

In compliance with the requirements of the Municipality Authorities Act of 1945, approved May 2, 1945, P.L. 382, as amended, the undersigned, pursuant to a duly adopted ordinance expressing the intention and desire of the Borough of Beech Creek to organize an Authority under said Act, does hereby certify:

1. The name of the Authority is The Beech Creek Borough Authority.
2. Said Authority is formed under the Municipality Authorities Act of 1945, approved May 2, 1945, P.L. 382, as amended.
3. No other Authority has been organized under said Municipality Authorities Act of 1945, as amended, or under the Act of June 28, 1935, P.L. 463, and is in existence in or for the incorporating municipality.
4. The name of the incorporating municipality is Borough of Beech Creek, Clinton County, Pennsylvania.
5. The names and addresses of its municipal authorities are as follows:<sup>3</sup>
6. The names, addresses and terms of office of the first members of the Board of said Authority, all of whom are citizens of the incorporating municipality, as follows:<sup>4</sup>

The ordinance authorizing the creation of said Authority, certified from the records of the Borough of Beech Creek, together with advertisement of notice of filing these Articles of Incorporation are each submitted herewith.

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3. Here followed the names and addresses of the Mayor and Council in office at the time of enactment of this ordinance.
  4. Here followed the names, addresses and terms of office of the first board members.

(I, sec. 101, cont'd)

IN WITNESS WHEREOF, the undersigned have executed these Articles of Incorporation on behalf of the Borough of Beech Creek, and have caused to be affixed hereto the seal thereof this 10 day of April, 1964.<sup>5</sup>

(Articles of Incorporation, April 10, 1964)

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5. The document was concluded by the necessary signatures and attestations.

B. Valley Recreational Authority

Section 111. Joint Authority.<sup>6</sup> It is the joint desire and intention of the municipal authorities of Bald Eagle Township, Beech Creek Township, Flemington Borough, Logan Township, Porter Township, Mill Hall Borough, and Loganton Borough, municipalities of the Commonwealth of Pennsylvania, and all situated within Clinton County, to organize an Authority under the "Municipality Authorities Act of 1945," designated as Act No. 164, approved May 2, 1945, together with all supplements thereof and amendments thereto, for the purpose of exercising and enjoying all the powers of the Act, its supplements and amendments.<sup>7</sup> (November 4, 1969, Section 1)

Section 112. Name of Authority. The name of the proposed authority is: Valley Recreational Authority. (November 4, 1969, Section 2)

Section 113. Articles of Incorporation. The proposed articles of incorporation of the authority are as follows:

MUNICIPAL AUTHORITY  
ARTICLES OF INCORPORATION

To the Secretary of the Commonwealth of Pennsylvania:

In compliance with the Municipal Authorities Act of 1945, its supplements and amendments, the Township of Bald Eagle, Beech Creek Borough, Flemington Borough, Logan Township, Porter Township, Mill Hall Borough, and Loganton Borough, all situated in Clinton County, and all being municipalities of the Commonwealth of Pennsylvania, pursuant to identical ordinances duly adopted by the representative municipal authorities of all of said municipalities, signifying their joint desire and intention to form an Authority, hereby certify:

1. The name of the Authority shall be: "Valley Recreational Authority."
2. This Authority is formed under the Municipality Authorities Act of 1945, its supplements and amendments.
3. No other joint Authority organized under the Municipality Authorities Act of 1945, its supplements or amendments, the Act approved June 28, 1935, P.L. 463, as amended, is in existence in or for the incorporating municipalities named herein.

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6. This heading, and those of Sections 112 and 113 of this chapter, are part of the ordinance as enacted.
  7. Section 4 of the ordinance appointed the first members of the Board of the Authority; Section 5 authorized the execution of the Articles of Incorporation and all other necessary actions by the respective municipal officers to effect the incorporation of the Authority; Section 6 provided that the ordinance be effective upon final passage.

(I, sec. 113, cont'd)

4. The initial purpose of the Authority is to construct public swimming facilities for the use of the incorporating municipalities and for such adjoining political subdivisions and areas as desire the service.

5. The respective names of the incorporating municipalities are:

Bald Eagle Township  
Beech Creek Borough  
Flemington Borough  
Logan Township  
Porter Township  
Mill Hall Borough  
Loganton Borough

6. The names and addresses of the Supervisors of Bald Eagle Township, such persons being the municipal authorities of the municipality, are as follows:<sup>8</sup>

7. The membership of the Board of the Authority to be formed hereby shall be comprised of one member from each municipality forming a part of this Authority.

8. The names and addresses and terms of office of the first Board of the Authority to be formed hereby are as follows:<sup>9</sup>

(November 4, 1969, Section 3)

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8. Here followed the names and addresses of the Supervisors then in office, then a list of the names and addresses of the Mayor and Council of Beech Creek, Flemington, Mill Hall and Loganton Boroughs, and the Supervisors of Logan and Porter Townships.

9. Here followed a list of the names, addresses and terms of office of the first members of the Board. The document was concluded by the necessary signatures and attestations.

Part 4  
Police Department

Section 151. Establishment. A Police Department is hereby established in and for the Borough of Beech Creek. The Chief of Police shall be the chief executive of the Police Department. He shall, under the direction and supervision of the Mayor, be in charge of the police force and have supervision over its members, in the exercise of their powers, duty and authority. Provided: the Police Department previously created in and for the Borough of Beech Creek shall constitute the Police Department hereby created. (Ordinance 72, September 6, 1977, Section 1)

Section 152. Subordinate Officers. Subordinate to the Chief of Police, in the Police Department, the classification of Patrolman is hereby established. The number of persons to serve as Patrolman, on a full-time and/or part-time basis, and the compensation of each, shall be determined by the Borough Council from time to time. (Ordinance 72, September 6, 1977, Section 2)

Section 153. Special Policemen. Nothing herein<sup>10</sup> contained shall affect the authority of the Mayor to appoint special policemen during emergencies. (Ordinance 72, September 6, 1977, Section 3)

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10. In this ordinance, Sections 151 to 153 of this chapter.

Part 5  
Social Security

Section 201. Participation in Social Security Program Authorized. The political subdivision become a participant in the Social Security Program and that the benefits of Social Security be extended to its employes and officers.<sup>11</sup> (March 5, 1968, Paragraph 1)

Section 202. Payroll Deductions Authorized. The Treasurer of this political subdivision be authorized, and he is hereby authorized, to make all required payments into the Contribution Fund established by said Enabling Act and to establish such system of payroll deductions from wages of employes and officers as may be necessary to their coverage under the Social Security Program. (March 5, 1968, Paragraph 3)

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11. Paragraph 2 of this ordinance authorized Borough officers to execute the required plan and agreement and to file the same with the State Agency; Paragraph 4 provided for the appropriation of funds in accordance with the plan and agreement; Paragraph 5 authorized all other necessary acts to effect the plan and agreement; Paragraph 6 provided that participation in the Program was effective as of October 1, 1966.