



County of Lackawanna

Lackawanna County
Administration Building
200 Adams Avenue
Scranton, Pennsylvania
18503

Certified Copy

Ordinance: 18-0110

File Number: 18-0110

Ordinance #253

Lackawanna County Fair and Recreation Authority

First Reading: March 21, 2018

Second Reading: May 16, 2018

ORDINANCE NO. 253
BOARD OF COMMISSIONERS
OF THE
COUNTY OF LACKAWANNA, PENNSYLVANIA

AN ORDINANCE SIGNIFYING THE INTENT OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF LACKAWANNA TO ORGANIZE AND INCORPORATE A MUNICIPAL AUTHORITY PURSUANT TO THE MUNICIPAL AUTHORITIES ACT OF 1945, 53 PA. C.S.A. §5601-5623; TO BE KNOWN AS "LACKAWANNA COUNTY FAIR AND RECREATION AUTHORITY"; AUTHORIZING AND DIRECTING EXECUTION OF THE ARTICLES OF INCORPORATION IN THE FORM HEREIN CONTAINED; DIRECTING NOTICE OF THE ORDINANCE TO BE PUBLISHED; DIRECTING THAT A PUBLIC HEARING BE CONDUCTED PRIOR TO ADOPTION OF THIS ORDINANCE; DIRECTING THAT SAID ARTICLES AND PROOF OF SUCH NOTICE TO BE FILED WITH THE SECRETARY OF THE COMMONWEALTH; DESIGNATING THE PURPOSES FOR SAID AUTHORITY APPOINTING THE FIRST MEMBERS OF THE BOARD OF THE AUTHORITY AND FIXING THEIR TERMS OF OFFICE; AND AUTHORIZING THE TAKING OF ALL SUCH ACTION AS MAY BE NECESSARY AND APPROPRIATE TO ORGANIZE SAID AUTHORITY.

WHEREAS, Lackawanna County is a Third Class County existing pursuant to the Laws of the Commonwealth of Pennsylvania; and

WHEREAS, the Board of Commissioners of the County of Lackawanna has determined that it is in the best interests of the citizens of Lackawanna County to create a municipal authority for the purpose of establishing, organizing, financing a permanent annual fair and festivals for recreational purposes within Lackawanna County, and securing, developing and maintaining a permanent fair grounds within Lackawanna County, including, without limitation, real estate, rights of way, easements, equipment and related property, both tangible and intangible.

WHEREAS, it is necessary for the creation of the same that the Board of Commissioners adopt an Ordinance authorizing and directing the proper officials of the County to prepare, advertise, execute and file Articles of Incorporation with the Secretary of the Commonwealth of Pennsylvania; and

NOW THEREFORE, the Board of Commissioners of the County of Lackawanna hereby ordains as follows:

Section 1. The Board of Commissioners of Lackawanna County hereby signifies its intention to organize a Municipality Authority under the provisions of the Municipality Authorities Act of 1945, as amended (the "Act").

Section 2. The name of the proposed Authority is the "Lackawanna County Fair and Recreational Authority". In pursuance of said intention, the Articles of Incorporation of the said Authority are hereby approved and adopted in the following form:

ARTICLES OF INCORPORATION
LACKAWANNA COUNTY FAIR AND RECREATION AUTHORITY

TO THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA:

In compliance with the "Municipality Authorities Act of 1945 (the Act of May 2, 1945, P.L. 382, as amended and supplemented), the County of Lackawanna, Pennsylvania, pursuant to an Ordinance duly enacted by the Board of Commissioners of said County authorizing and directing the formation of an Authority under said Act DOES HEREBY CERTIFY:

(A.) The name of the Authority shall be "LACKAWANNA COUNTY FAIR AND RECREATION AUTHORITY"

(B.) The said Authority is formed under the "Municipality Authorities Act of 1945".

(C.) The following other Authorities have been organized under the Municipality Authorities Act of 1945" or under the Act approved June 28, 1935, P.L. 463, or is in existence in and for said County of Lackawanna:

Authority

Incorp. Municipalities

1. County of Lackawanna Transit Authority(COLTS)
800 North/South Road
Scranton PA 18504

Lackawanna County

2. Scranton/Lackawanna County Health and Welfare Authority
200 Adams Avenue
Scranton PA 18503

City of Scranton &
Lackawanna County

3. Lackawanna County Heritage Valley Authority (LHVA)
213 S. 7th Avenue

Lackawanna County

Scranton PA 18505

- | | |
|---|------------------------------------|
| 4. Lackawanna County Housing Authority
2019 Pine Street
Dunmore PA 18512 | Lackawanna County |
| 5. Lackawanna County Industrial Development Authority
315 Jefferson Avenue
Scranton PA 18503 | Lackawanna County |
| 6. Lackawanna County Performing Arts Center Authority
200 Adams Avenue
Scranton PA 18503 | Lackawanna County |
| 7. PA Northeast Regional Rail Authority
280 Cliff Street
Scranton PA 18503 | Lackawanna County
Monroe County |
| 8. Lackawanna County Redevelopment Authority
315 Jefferson Avenue
Scranton PA 18503 | Lackawanna County |
| 9. Lackawanna River Basin Sewer Authority (LRBSA)
101 Boulevard Avenue
Throop PA 18512 | Lackawanna County |
| 10. Lackawanna County Solid Waste Authority
3400 Boulevard Avenue
Dunmore PA 18512 | Lackawanna County |
| 11. Lackawanna County Multi-Purpose Stadium Authority
235 Montage Mountain Road
Moosic PA 18507 | Lackawanna County |

(D.) The name of the incorporating municipality is the County of Lackawanna, Pennsylvania, and the names and addresses of the members of the Board of Commissioners of said County are as follows:

<u>Name</u>	<u>Address</u>	<u>Title</u>
Patrick M. O'Malley	200 Adams Ave, Scranton	Commissioner
Laureen A. Cummings	200 Adams Ave, Scranton	Commissioner
Jerry Notarianni	200 Adams Ave, Scranton	Commissioner

(E.) The names, addresses and terms of office of the first members of the Board of said Authority, each being a citizen of the County of Lackawanna are as follows:

- Armand Olivetti, 523 Oak Street, Taylor
Term to begin immediately and expire on December 31, 2022
- Curt Camoni, 502 Second Ave, Jessup
Term to begin immediately and expire on December 31, 2022
- Jim Rodway, 140 Electric Street, Peckville
Term to begin immediately and expire on December 31, 2022
- Corey Susz, 151 Hill St, Jessup
Term to begin immediately and expire on December 31, 2021
- Donald Frederickson Jr., 435 Main St, Moosic
Term to begin immediately and expire on December 31, 2021
- Dominic Perini, 100 Mildred Street, Jessup
Term to begin immediately and expire on December 31, 2020
- Sherry Pritchkyk, 51 Jay Ave, Scott Twp.
Term to begin immediately and expire on December 31, 2020
- Kevin Shaughnessy, 1532 Dorothy St, Scranton
Term to begin immediately and expire on December 31, 2019
- William Cockerill, 1264 O'Neill Highway, Dunmore
Term to begin immediately and expire on December 31, 2019

The terms of office of the first members of the Board of said Authority shall commence on the date of appointment and shall be computed from the first Monday in January of 2018.

IN WITNESS WHEREOF, the Board of Commissioner of Lackawanna County, Pennsylvania, has caused these Articles of Incorporation to be duly executed on behalf of said County by its duly authorized officers and the County seal to be duly affixed and attested this ____ day of _____, 2018.

COUNTY OF LACKAWANNA

(Seal)

By _____

Patrick M. O'Malley
Chairman Board of Commissioners

Attest:

Andrew Wallace, Chief of Staff

Section 3. The first members of the Board of said Authority, named in the aforesaid Articles of Incorporation, are hereby specifically appointed members of said Board for the terms set after their respective names, commencing on the date of appointment and computed from the first Monday in January, 2018.

Section 4. The Chairman of the Board of Commissioners of Lackawanna County is hereby authorized and directed to execute said Articles of Incorporation on its behalf, and the Chief of Staff is hereby authorized and directed to affix thereto and attest the seal of the County. Said officers are further authorized and directed to cause a notice of intention to file said Articles of Incorporation to be published as required by law, and to file said Articles of Incorporation, together with a certified copy of this Ordinance and required proofs of publication, with the Secretary of the Commonwealth of Pennsylvania, and to take all such action as they may deem necessary or appropriate to organize said Authority.

Section 5. The purposes and projects of said Authority are as follows: to establish, organize and finance a permanent annual fair and festivals for recreational purposes within Lackawanna County, and to acquire, hold, construct, improve, maintain, operate, own and lease, either in the capacity of lesser or lessee, securing, developing and maintaining a permanent fair grounds within Lackawanna County and for such other territory as it may be authorized by law to serve, including, but not limited to, properties and assets useful in relation thereto, including, without limitation, real estate, rights of easements, equipment and related property, both tangible and intangible.

Section 6. All ordinances and parts of ordinances inconsistent herewith are hereby rescinded.

Section 7. If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section,

clause, provision or portion of this Ordinance which shall remain in full force and effect.

Section 8. This Ordinance shall be effective upon adoption.

ADOPTED at a regular meeting of the Board of Commissioners of Lackawanna County
held on May 16, 2018.

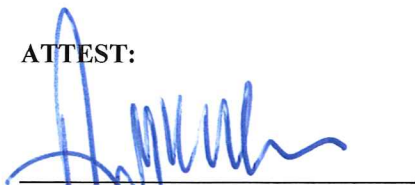
COUNTY OF LACKAWANNA


PATRICK M. O'MALLEY


LAUREEN A. CUMMINGS


JERRY NOTARIANNI

ATTEST:


ANDREW M. WALLACE
CHIEF OF STAFF

Approved as to form and legality:


JOHN J. BRAZIL, JR.
COUNTY SOLICITOR