

**BOROUGH OF LIGONIER**  
**ORDINANCE NO. 589**

**AN ORDINANCE OF THE BOROUGH OF LIGONIER, COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA, SIGNIFYING THE INTENTION AND DESIRE OF BOROUGH COUNCIL OF THE BOROUGH OF LIGONIER TO ORGANIZE A MUNICIPAL AUTHORITY UNDER THE PROVISIONS OF THE MUNICIPALITY AUTHORITIES ACT, 53 PA. C.S.A. § 5601 ET SEQ., AS AMENDED AND SUPPLEMENTED, TO BE KNOWN AS THE “BOROUGH OF LIGONIER STORMWATER AUTHORITY”; SETTING FORTH THE FORM OF THE ARTICLES OF INCORPORATION; APPOINTING THE FIRST MEMBERS OF THE BOARD OF THE AUTHORITY; DESIGNATING THE PURPOSES OF SAID AUTHORITY; AUTHORIZING THE EXECUTION AND FILING OF THE ARTICLES OF INCORPORATION; AND AUTHORIZING THE TAKING OF ALL SUCH ACTION THAT MAY BE NECESSARY OR APPROPRIATE TO ORGANIZE SAID AUTHORITY; AND PROVIDING THAT THE BOROUGH COUNCIL RETAINS THE RIGHT TO APPROVE ANY PLAN OF THE AUTHORITY.**

WHEREAS, to protect the property, health, safety and welfare of the residents of the Borough of Ligonier (the “Borough”), the Borough Council intends to organize a Municipal Authority pursuant to the Municipal Authorities Act, 53 Pa. C.S.A. § 5601 et seq., as amended and supplemented, to administer, manage, and maintain the stormwater facilities and programs of the Borough; and

WHEREAS, in preparation for the passage of this Ordinance, a public hearing was held by the Borough Council of the Borough on the 10<sup>th</sup> day of July, 2025, pursuant to notice duly advertised as required by the Municipal Authorities Act.

NOW, THEREFORE, BE IT ORDAINED and ENACTED, by the Borough Council of the Borough of Ligonier as follows:

SECTION 1. Intent. The Borough Council of the Borough hereby signifies its intention to organize a Municipal Authority under the provisions of the Municipal Authorities Act, 53 Pa. C.S.A. § 5601 et seq.

SECTION 2. Name of Authority. The name of the Authority shall be the “Borough of Ligonier Stormwater Authority.”

SECTION 3. Articles of Incorporation. The articles of incorporation of the Borough of Ligonier Stormwater Authority are hereby approved and adopted in the following form:

1. The name of the Authority shall be: Borough of Ligonier Stormwater 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 municipality named herein.
4. The purpose of the Authority is, with the approval of the Borough of Ligonier, to hold, constitute, finance, improve, maintain and operate, own or lease, either in the capacity of lessor or lessee, projects within the defined boundary of the Authority of the following kind and character: stormwater planning, management and implementation. The Borough of Ligonier shall retain the right which exists under the Municipal Authorities Act to approve any plan of the Borough of Ligonier Stormwater Authority for the foregoing purpose.
5. The name of the incorporating municipality is: The Borough of Ligonier.
6. The names and addresses of the Mayor and the members of Council of the Borough of Ligonier are as follows:
  - a. Matthew Smith, 315 North Market Street, Ligonier, PA 15658
  - b. Mariah Fisher, 227 East Church Street, Ligonier, PA 15658
  - c. Carol Barton, 246 Plum Street, Ligonier, PA 15658
  - d. Jordan Frei, 323 East Church Street, Ligonier, PA 15658
  - e. Judy Hoffer, 314 East Church Street, Ligonier, PA 15658
  - f. Karen Lynn, 301 West Loyalhanna Street, Ligonier, PA 15658
  - g. John Poznick, 248 West Main Street, Ligonier, PA 15658
  - h. Ormond K. Bellas, 232 Summit Avenue, Ligonier, PA 15658
7. The Board of the Authority shall consist of 5 members.
8. The names and addresses and terms of office of the first Board of the Authority to be formed hereby are as follows:
  - a. Tom Freeman, 317 North Walnut Street, Ligonier, PA 15658 (2-year term)
  - b. D. Wade Stoner, 1273 Route 30, Laughlintown, PA 15655 (2-year term)

- c. Karl Horman, 401 Washington Street, Ligonier, PA 15658 (3-year term)
- d. Paul Goodfellow, Jr., 230 Summit Avenue, Ligonier, PA 15658 (1-year term)
- e. Carl Barton, 246 Plum Street, Ligonier, PA 15658 (5-year term)

SECTION 4. Members of Authority. The first members of the Board of the Borough of Ligonier Stormwater Authority, named in the aforesaid Articles of Incorporation, as hereby specifically appointed members of said Board for the term set after their respective names, commencing on the date of appointment and computed from the first Monday in January 2026.

SECTION 5. Borough to Affect Incorporation of Authority. The President of the Borough Council of the Borough of Ligonier is hereby authorized and directed to execute said Articles of Incorporation of the Authority in substantially the form set forth herein, and the Borough Secretary is hereby authorized and directed to execute and deliver such other documents, agreements, certificates and instruments and to do all acts necessary or appropriate to effect the incorporation of the proposed Borough of Ligonier Stormwater Authority, including, but not limited to, to cause a notice of intention to file said Articles of Incorporation to be published as required by the Municipal Authorities Act, 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.

SECTION 6. Purposes. The Borough of Ligonier Stormwater Authority shall have the purposes, powers, and rights as provided in Section 5607 of the Municipal Authorities Act, 53 Pa. C.S.A. § 5607, including, but not limited to, purposes of financing working capital; acquiring, holding, constructing, financing, improving, maintaining and operating, owning or leasing, either in the capacity of lessor or lessee, projects within the defined boundary of the Authority, of the following kind and character: Stormwater planning, management and implementation.

**The Borough of Ligonier shall retain the right which exists under the Municipal Authorities Act to approve any plan of the Borough of Ligonier Stormwater Authority for the foregoing purpose.**

SECTION 7. Salaries. The total annual salary to be paid to the Authority members may be set forth from time to time by resolution.

SECTION 8. General Welfare. The adoption of this article is deemed necessary for the benefit and preservation of the public health, peace, safety and general welfare of the citizens of the Borough of Ligonier.

SECTION 9. Severability. The provisions of this chapter are severable, and if any section, clause, sentence, part or provision thereof shall be held illegal, invalid and unconstitutional by any court of competent jurisdiction, such decision of the court shall not effect, impair, or invalidate any of the remaining sections, clause, sentences, parts or provisions of this chapter.

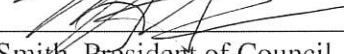
SECTION 10. Repealer. The provisions of any prior ordinance that are inconsistent with the provisions of this chapter are hereby repealed to the extent of such inconsistency.

ENACTED AND ORDAINED this 10<sup>th</sup> day of July, 2025.

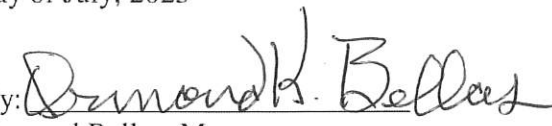
ATTEST:

  
Borough Secretary

BOROUGH OF LIGONIER

By:   
Matt Smith, President of Council

Examined and approved this \_\_\_\_  
day of July, 2025

By:   
Ormond Bellas, Mayor