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## Part 1

## Boards and Commissions

A. Recreation Board.

§101. Creation of Board; Membership. There is hereby created a Recreation Board in and for the Borough. The Board shall consist of three (3) persons to be appointed by the Borough Council for such terms as shall permit no more than two (2) terms to expire in any one (1) calendar year. (Ord. 126, 5/20/1959; as revised by Ord. 263, 4/7/1992)

§102. Appointments; Terms of Office. The members of the Board shall be appointed by the Borough Council for terms of three (3) years, in such order that at least one (1) member's term shall expire annually. The aforesaid appointments for a specified term notwithstanding, a Board member may stay in office until a successor qualifies or is appointed, or the Borough Council may remove any member of the Board, at the pleasure of the Borough Council. (Ord. 126, 5/20/1959; as revised by Ord. 263, 4/7/1992)

§103. Service Without Pay; Vacancies. The members of the Board shall serve without pay and vacancies in such Board, occurring otherwise than by expiration of a term, shall be filled by the Borough Council for the unexpired term in the same manner as original appointment. (Ord. 126, 5/20/1959; as revised by Ord. 263, 4/7/1992)

§104. Officers and Directors of Recreation.

1. The Recreation Board shall elect its own chairman and secretary and any other officers deemed necessary, to serve for a period of one (1) year.

2. A Director of Recreation shall be nominated as their administrative officer by the Recreation Board and shall be appointed by and be directly responsible to the Borough Council for the performance of his duties. (Ord. 126, 5/20/1959; as revised by Ord. 263, 4/7/1992)

§105. Annual Budget. The Recreation Board, at such times as directed by the Borough Council, shall annually submit for approval to the Borough Council a proposed budget for the ensuing year, setting forth all proposed expenditures, salaries and programs. The Recreation Board shall not in any manner obligate the Borough for the payment of any municipal funds until the same is appropriated by the Borough Council. (Ord. 126, 5/20/1959; as revised by Ord. 263, 4/7/1992)

§106. Restrictions on Authority of Board. The Recreation Board shall exercise the authority granted herein over any recreation place acquired hereafter or now existing, unless otherwise specified by the Borough Council. (Ord. 126, 5/20/1959; as revised by Ord. 263, 4/7/1992)



B. Planning Commission.

§111. Creation of Commission. A Borough Planning Commission, to be composed of five (5) members, appointed as provided by law (53 P.S. §10202), is hereby created in and for the Borough. The Planning Commission shall perform all duties and may exercise all powers conferred by law upon Borough planning agencies; provided, the Planning Commission previously created in and for the said Borough shall constitute the tenure of any of the members thereof, but any and all vacancies in the said Commission, hereafter occurring, shall be filled in the manner and for the term provided in the law governing Borough planning commissions in effect at the time of the happening of the said vacancy. (Ord. 133, 12/13/1960; as revised by Ord. 263, 4/7/1992)



C. Board of Health.

§121. Health Administration. The administration of the health laws and ordinances in the Borough shall be enforced by a Board of Health and/or a Health Officer. (Ord. 28, 4/12/1920; as revised by Ord. 263, 4/7/1992)

§122. Board of Health. A Board of Health is hereby established in and for the Borough. It shall be composed of five (5) members, one (1) of whom shall be a practicing physician for at least two (2) years. The members of the Board shall be appointed by the Borough Council for a term of five (5) years, staggered in such a way that the term of one (1) member shall expire at the end of each year. The aforesaid appointments for a specified term notwithstanding, a Board member may stay in office until a successor qualifies or is appointed, or the Borough Council may remove any member of the Board, at the pleasure of the Borough Council. The members of the Board of Health shall serve without compensation. They shall severally take and subscribe to the oath of office prescribed by law and shall annually organize by electing a president who must be, and a secretary who need not be, a member of the Board. Members of the Board of Health need not give bond in order to assume office. (Ord. 28, 4/12/1920; as revised by Ord. 263, 4/7/1992)

§123. Powers of the Board of Health. The Board of Health shall have the power and its duty shall be to supervise the enforcement of the health laws of the Commonwealth as well as regulations of the State Department of Health and all health ordinances in the Borough Council in accordance with law. In addition, the Board of Health shall function as a Board of Appeals for all appeals of the decisions of the Health Officer taken under the health ordinances of the Borough. (Ord. 28, 4/12/1920; as revised by Ord. 263, 4/7/1992)

§124. Secretary to Board of Health. The secretary of the Board of Health shall perform the duties required by law and shall receive such compensation as may be provided from time to time by the Board of Health subject to the appropriations of the Borough Council. (Ord. 28, 4/12/1920; as revised by Ord. 263, 4/7/1992)

§125. Health Officer. The Board of Health with the approval of Borough Council shall appoint a Health Officer who shall have been certified by the State Department of Health in accordance with the regulations of the Department (28 Pa. Code §11.1). Such Health Officer shall have the powers and perform the duties provided by the applicable law. All official actions shall be performed in the name and under the signature of the Health Officer. (Ord. 28, 4/12/1920; as revised by Ord. 263, 4/7/1992)





Part 2

Committees and Authorities

A. Vacant Property Review Committee.

§201. Creation of Committee. There is hereby created a "Vacant Property Review Committee of the Borough of East Rochester" consisting of five (5) members, which membership shall be made as follows:

A. One (1) member shall be a Council member of the Borough of East Rochester; such member shall be appointed by and serve at the pleasure of Council.

B. One (1) member shall be a representative of the Redevelopment Authority of Beaver County; such member shall be appointed by and serve at the pleasure of Council.

C. One (1) member shall be a member of the Planning Commission of the Borough of East Rochester; such member shall be appointed by and shall serve at the pleasure of the Planning Commission of the Borough of East Rochester.

D. One (1) member shall be a resident of the Borough of East Rochester; such member shall be appointed by the Mayor of the Borough and shall serve for a term of four (4) years, beginning with fiscal year 1979. If a vacancy shall occur in the position, the Mayor shall make an appointment to fill said vacancy for the unexpired portion of the term.

E. One (1) member shall be a resident of the Borough of East Rochester and shall be appointed by the Council of the Borough of East Rochester and shall serve for a term of four (4) years beginning in fiscal year 1979. If a vacancy shall occur in this position the Council shall make an appointment to fill said vacancy for the unexpired portion of the term.

(Ord. 208, 5/1/1979, §1)

§202. Powers and Duties. The Vacant Property Review Committee shall have, possess and exercise the powers and shall perform all duties as provided in the Urban Redevelopment Law, Act of May 24, 1945, P.L. 199, as amended. (Ord. 208, 5/1/1979, §2)



B. Joint Sewer Authority.

§211. Desire and Intention to Organize. It is the desire of the Town Council of East Rochester, Beaver County, Pennsylvania, and said Town Council hereby signifies its intention to organize a joint municipal authority together with the Borough of Rochester, the Borough of Freedom and the Township of Rochester in the said County and and Commonwealth pursuant to the provisions of the Municipal Authorities Act of 1945 P.L. 382, as amended. (Ord. 118, 12/17/1956, §1)

§212. Articles of Incorporation. In pursuance of said desire and intention and in conformity with the terms and provisions of said Municipal Authorities Act and its amendments, the proposed Articles of Incorporation are hereby set forth in full as follows:

ARTICLES OF INCORPORATION OF  
ROCHESTER AREA JOINT SEWER AUTHORITY

TO THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA,  
HARRISBURG, PENNSYLVANIA:

In compliance with the requirements of the Municipal Authorities Act of 1945, approved the second day of May, 1945, P.L. 382, as amended, and pursuant to resolutions adopted by the Municipal Authorities of the Borough of Rochester, the Borough of Freedom, and the Borough of East Rochester and the Township of Rochester, all in Beaver County, Pennsylvania, that a joint municipal authority be established under the provisions of the aforementioned Act, the Borough of Rochester, the Borough of East Rochester, the Borough of Freedom and the Township of Rochester, desiring that a joint municipal authority be established and that a certificate of incorporation be issued to said Authority do hereby certify:

A. The name of the Authority shall be Rochester Area Joint Sewer Authority.

B. The Authority is formed under the provisions of the Act of May 2, 1945, P.L. 382, as amended.

C. No other authority has been organized under the provisions of this Act or the Act approved June 28, 1935 P.L. 463 within any of the incorporating municipalities.

D. The names of the incorporating municipalities are the Borough of Rochester, the Borough of East Rochester, the Borough of Freedom and the Township of Rochester.

The names and addresses of the municipal authorities of said incorporating municipalities are as follows: [Here followed the names and addresses of the municipal authorities.]

E. The names, addresses and terms of office of the first members of the Board of said Authority are as follows: [Here followed the names, addresses and terms of office of the first members of the Board.]

F. The members of the Board of said Authority shall be five (5) in number and they shall be apportioned as follows: From the Borough of Rochester, two (2) members; from the Borough of East Rochester, one (1) member; from the Borough of Freedom, one (1) member; from the Township of Rochester, one (1) member.

(1) Each member of the Board shall be appointed by the governing body of the municipality which he is to represent on said Board. The term of office of any members of the Board appointed to succeed any of the first members of the Board shall be for a period of five (5) years.

(2) The governing body of each municipality shall, at a meeting held not more than one (1) month prior to January 1 in each year in which a vacancy occurs in the office or offices filled by that municipality appoint as a member of the Board a citizen of the municipality for the term of five (5) years to succeed the member whose term expires on the following January 1st.

(3) Any vacancy in the Board shall be filled by the governing body of the municipality which appointed the member whose vacancy is to be filled and the person so appointed shall hold office for the remainder of the unexpired term of the member whose vacancy he has been appointed to fill.

G. The projects to be undertaken by said authority are hereby specified to be the acquiring, holding, constructing, improving, maintaining, operating and leasing either in the capacity of lessor or lessee, of sewers, sewer system or parts thereto, sewerage treatment works, including works for treating and disposing of industrial waste, facilities and equipment for collection, removal or disposal of other refuse materials.

(Ord. 118, 12/17/1956, §2)

§213. Projects. The projects to be undertaken by the said Authority are hereby specified to be the acquiring, holding, constructing, improving, maintaining, owning, operating, and leasing either in the capacity of lessor or lessee, of sewers, sewer system or parts thereof, sewage treatment works, including works for treating and disposing of industrial waste, facilities and equipment for collection, removal or disposal of other refuse materials. (Ord. 118, 12/17/1956, §3)

§214. Execution of Articles of Incorporation. The proposed Articles of Incorporation of said Authority shall be executed by and on behalf of the Borough of East Rochester, by the President of the Town Council, the seal of said Borough shall be thereto affixed as attested by the Secretary. The solicitor is authorized and directed to cause to be published a notice of intention to file Articles of Incorporation as required by the aforementioned Act and when said Articles of Incorporation are properly executed by the incorporating municipalities the same shall be filed with the Secretary of the Commonwealth. (Ord. 118, 12/17/1956, §4)

Part 3

Firemen's Relief Association

§301. Recognition of Firemen's Relief Association.

1. The following association is hereby recognized as actively engaged in providing fire protection and/or emergency services in the Borough:

East Rochester Volunteer Firemen's Relief Association

The above named association has been formed for the benefit of its members and their families in case of death, sickness, temporary or permanent disability or accident suffered in the line of duty.

2. The above named Association of the Borough is designated the proper association to receive such funds as are due and payable to the Borough Treasurer by the Treasurer of the State of Pennsylvania from the tax on premiums from foreign fire insurance companies.

(Ord. 56, 4/2/1931; as revised by Ord. 263, 4/7/1992)

§302. Certification to Auditor General. The Borough Council shall annually certify to the Auditor General of the Commonwealth, the name(s) of the active associations and the percentage of service they contribute to the protection of the Borough. Such certification shall be on forms prescribed by the Auditor General. (Ord. 56, 4/2/1931; as revised by Ord. 263, 4/7/1992)

§303. Annual Appropriation. There is annually appropriated from the Borough Treasury all such sums of money that may hereafter be paid into the Borough Treasury by the Treasurer of the State of Pennsylvania on account of taxes paid on premiums of foreign fire insurance companies in pursuance of the Act of December 18, 1984, No. 205, §701 et seq. as hereafter amended, supplemented, modified or reenacted by the General Assembly of Pennsylvania. Such monies received by the Borough Treasurer from the State Treasurer shall be distributed to the duly recognized association(s) within sixty (60) days of receipt. The funds shall be distributed on the basis of the percentage of service established in the certification to the Auditor General and with other provisions of the Act. (Ord. 56, 4/2/1931; as revised by Ord. 263, 4/7/1992)



Part 4

Salaries and Compensation

\$401. Salary of Mayor. The salary of the Mayor of the Borough of East Rochester is hereby fixed at the sum of four hundred fifty dollars (\$450.00) per annum, payable semi-annually, from the general funds of the Borough (Ord. 261, 5/7/1991, \$1)

\$402. Compensation of Councilpersons. The compensation of each of the Councilpersons of the Borough of East Rochester is hereby fixed at thirty dollars (\$30.00) per month, payable semi-annually from the general funds of the Borough. No compensation shall be paid for any month to any Councilperson who has failed to attend at least one (1) regular or special meeting of the Borough for that month. (Ord. 261, 5/7/1991, \$2)





Part 5  
Appointed Officials

§501. Office of Secretary/Treasurer. The same person may hold both the position of Borough Secretary and the position of Borough Treasurer simultaneously and perform the functions and duties of both positions. (Ord. 218, 1/6/1981, §1)



Part 6

Fire Insurance Proceeds Escrow

§601. Procedures Authorized. The procedure described in Act 98 of 1992, specifically Section 508(c) and (d), is hereby authorized for all fire losses occurring after the adoption of this Part. (Ord. 265, 2/2/1965, §1)

§602. Officer Designated. The Borough Secretary is designated as the officer to carry out the duties set forth in Act 98 of 1992, Section 508(c) and (d). (Ord. 265, 2/2/1993, §2)

