

**COUNTY OF LUZERNE, PENNSYLVANIA**

**RESOLUTION R-2019-59  
LUZERNE COUNTY COUNCIL**

OF THE COUNTY COUNCIL OF THE COUNTY OF LUZERNE, PENNSYLVANIA, ADOPTING AND APPROVING AN AMENDMENT TO THE ARTICLES OF INCORPORATION OF THE NORTHEASTERN PENNSYLVANIA HOSPITAL AND EDUCATION AUTHORITY, AS PROPOSED BY RESOLUTION OF THE BOARD OF THE AUTHORITY; SETTING FORTH THE PROPOSED AMENDMENT; AUTHORIZING SAID AUTHORITY AND PROPER OFFICERS THEREOF TO EXECUTE, VERIFY AND FILE APPROPRIATE ARTICLES OF AMENDMENT; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, The County of Luzerne, Pennsylvania (the "County"), by appropriate action heretofore caused to be incorporated the Northeastern Pennsylvania Hospital and Education Authority (the "Authority") under provisions of the Pennsylvania Municipality Authorities Act, 53 Pa. C.S.A. §5601 et seq., Act 22 of 2001, effective June 19, 2001, which codifies and amends the Municipality Authorities Act of 1945, as amended and supplemented (the "Authorities Act"); and

WHEREAS, The Authority presently is organized and existing under provisions of said Authorities Act; and

WHEREAS, The Authority, by Resolution duly adopted, has proposed that its Articles of Incorporation shall be amended so as to increase its term of existence, which amendment is authorized and permitted by the Authorities Act; and

WHEREAS, The Authority has caused to be submitted to the County Council of this County a copy of the Resolution adopted by the Board of the Authority, duly certified by the Chairman or Vice Chairman and Secretary or Assistant Secretary of the Authority, as appropriate, wherein said amendment is proposed, which Resolution contains the language of said proposed amendment; and

WHEREAS, The Authorities Act provides, among other things, that the County Council of this County, being the governing authority of the municipality composing the Authority, shall adopt or reject said proposed amendment by ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the County Council of the County of Luzerne, Pennsylvania, as follows:

**SECTION 1.** The County Council of this County hereby adopts and approves the amendment to the Articles of Incorporation of the Authority as proposed by a Resolution duly adopted by the Board of the Authority, a copy of which Resolution, duly certified by the Chairman or Vice Chairman and Secretary or Assistant Secretary, as appropriate, of the Authority has been submitted to the County Council of this County.

**SECTION 2.** The amendment to the Articles of Incorporation of the Authority is to amend, in its entirety, Paragraph VIII of the Articles of Incorporation to read as follows:

“VIII. The Authority is to exist for a term of fifty years from the date of approval of the Articles of Amendment by the Secretary of the Commonwealth.”

**SECTION 3.** Proper officers of the Authority hereby are authorized to execute, verify and file appropriate Articles of Amendment with the Secretary of the Commonwealth of Pennsylvania, and to take all other action and to do all other things which may be necessary in order to accomplish the amendment of the Articles of Incorporation of the Authority in the manner herein adopted and approved.

**SECTION 4.** All Resolutions or parts of resolutions, insofar as the same shall be inconsistent herewith, shall be and the same hereby expressly are repealed.

DULY ADOPTED by, the County Council of the County of Luzerne, Pennsylvania, in lawful session duly assembled, this 26<sup>th</sup> day of March, 2019.

ROLL CALL VOTE (9-0)

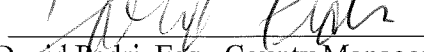
YES: Bilbow, Haas, Kelleher, McGinley, Perry, Schnee, SAUrban, Vough and Waitkus

Attest:   
Sharon Lawrence, Clerk of Council

LUZERNE COUNTY COUNCIL

By:   
Tim McGinley, Chair

LUZERNE COUNTY MANAGER

By:   
C. David Pedri, Esq., County Manager

(SEAL)

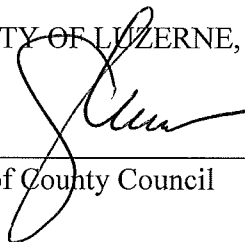
CERTIFICATE

I, the undersigned Clerk of the County Council of Luzerne County, Pennsylvania (the "County"), certify, that: the foregoing is a true and correct copy of a Resolution of the County Council of the County which duly was adopted by affirmative vote of a majority of the members of the County Council of the County at a meeting held on March 26, 2019; said Resolution was duly examined and approved by the members of the County Council of the County on March 26, 2019; and said Resolution remains in effect, unaltered and unamended, as of the date of this Certificate.

I further certify that the County Council of the County met the advance notice requirements of Act No. 1986-84 of the General Assembly of the Commonwealth of Pennsylvania, approved July 3, 1986, by advertising the time and place of said meeting and by posting prominently a notice of said meeting as required by law.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the County, this 26<sup>th</sup> day of March, 2019.

COUNTY OF LUZERNE, PENNSYLVANIA



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Clerk of County Council

(SEAL)