

ORDINANCE NO. 203

AN ORDINANCE OF THE TOWNSHIP OF MIDDLE SMITHFIELD, MONROE COUNTY, PENNSYLVANIA, SETTING FORTH AN AMENDMENT TO THE CODE OF THE TOWNSHIP OF MIDDLE SMITHFIELD, AS HERETOFORE AMENDED, AMENDING PART I, "ADMINISTRATIVE LEGISLATION", CHAPTER 61 "SALARIES AND COMPENSATION", ARTICLE I "BOARD OF SUPERVISORS".

WHEREAS, the Board of Supervisors of the Township of Middle Smithfield has heretofore adopted a comprehensive compilation of ordinances of the Township entitled the "Code of the Township of Middle Smithfield" (the "Code"); and

WHEREAS, any and all additions, amendments, deletions, or supplements to the Code, when passed and adopted in such form as to indicate the intention of the Board of Supervisors to be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code shall be understood and intended to include such changes; and

WHEREAS, whenever such additions, amendments, deletions, or supplements to the Code shall be adopted, they shall thereafter be printed and, as provided hereunder, inserted in the post-bound book containing said Code as amendments and supplements thereto; and

WHEREAS, Section 606 of the Second Class Township Code, Act of May 1, 1933, P.L. 103, No. 69, as amended by the Act of November 9, 1995, P.L. 350, No. 60, as amended by the Act of February 14, 2012, P.L. 180, No. 14, found at 53 P.S. Section 65606, entitled "Compensation of Supervisors", authorizes the Board of Supervisors (the "Board") to make and adopt ordinances establishing an annual salary for Supervisors, payable monthly or quarterly, for the performance of duties imposed by the Second Class Township Code, at an amount not to exceed statutory annual maximums based on the Township's population; and

WHEREAS, on August 24, 1995, the Board enacted Township Ordinance # 74, codified at Chapter 61, "Salaries and Compensation", in the Code, establishing an annual salary, not to exceed \$2,000, based on a population of approximately 6,382 citizens, according to the 1990 United States census; and

WHEREAS, according to the 2010 United States census, the Township contains a population of 15,997 residents; and

WHEREAS, the Second Class Township Code, 53 P.S. Section 65606, allows a maximum annual salary of \$4,125 for each

individual supervisor serving a population of 15,000 to 24,999 residents; and

WHEREAS, any such change in salary, compensation, or emoluments of the elected office of township supervisor shall not become effective until the beginning of the next term of said office; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of Middle Smithfield Township, Monroe County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, to wit:

SECTION 1: Section 61-1, "Rate of Compensation", of Chapter 61, "Salaries and Compensation", of the Code is amended to state, in its entirety, as follows:

Section 61-1. Compensation. For performing the duties imposed by the Second Class Township Code, each Supervisor, elected or appointed to office, shall receive annual compensation in the amount of \$4,125. Notwithstanding the foregoing, any such change in salary, compensation, or emoluments of the elected office of township supervisor shall not become effective until the beginning of the next term of said office.

SECTION 2: Section 61-2, "Maximum annual compensation", of Chapter 61, "Salaries and Compensation", of the Code is amended to state, in its entirety, as follows:

Section 61-2. Payment installments. Such compensation shall be paid in monthly pro rata installments.

SECTION 3: Section 61-3 "Maximum number of compensated meetings", and Section 61-4, "Payment schedule", of Chapter 61, "Salaries and Compensation", of the Code are deleted.

SECTION 4: If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that such remainder shall be and shall remain in full force and effect.

SECTION 5: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed insofar, but only insofar, as the same are inconsistent herewith.

SECTION 6: This Ordinance shall take effect five (5) days after the date of its enactment.

ORDAINED AND ENACTED at a meeting of the Board of Supervisors of Middle Smithfield Township, Monroe County, Pennsylvania this 26th day of Feb., 2015.

TOWNSHIP OF MIDDLE SMITHFIELD
BOARD OF SUPERVISORS

Arnold Dawson
Chairperson

Michael J. By
Vice Chairperson

Matthew Marcus
Supervisor

Michelle Y. Clewce
Township Secretary

