

RESOLUTION NO. 132-2022

**A RESOLUTION OF BERKS COUNTY, PENNSYLVANIA
AUTHORIZING THE COUNTY TO INCORPORATE,
JOINTLY WITH CHESTER COUNTY, PENNSYLVANIA
AND MONTGOMERY COUNTY, PENNSYLVANIA, THE
SCHUYLKILL RIVER PASSENGER RAIL AUTHORITY**

WHEREAS, Berks County, Pennsylvania (“Berks County”) is a county organized and existing under the laws of the Commonwealth of Pennsylvania; and

WHEREAS, the County Commissioners of Berks County deem it in the best interests of Berks County and the residents of Berks County, jointly with Chester County, Pennsylvania (“Chester County”) and Montgomery County, Pennsylvania (“Montgomery County”), to incorporate a municipal authority to be known as “Schuylkill River Passenger Rail Authority” (“Authority”), which shall be governed by the Pennsylvania Municipality Authorities Act of May 2, 1945, P.L. 382, 53 Pa.C.S.A. §5601, et seq., as amended, supplemented, modified and/or re-enacted, by the General Assembly of the Commonwealth of Pennsylvania (“Act”) for the purposes of: (a) planning for the operation, maintenance and funding of inter-county passenger rail services in Berks County, Chester County and Montgomery County; (b) operating, maintaining and funding inter-county passenger rail services and all facilities necessary or incidental thereto, and contracting with passenger rail service providers in order to provide inter-county passenger rail services to the public in Berks County, Chester County and Montgomery County; and (c) ancillary efforts in connection therewith, including but not limited to land acquisition and management, and bonding.

NOW, THEREFORE, BE IT RESOLVED, by the County Commissioners of Berks County that Berks County, jointly with Chester County and Montgomery County, incorporate the Authority, which shall be governed by the Act, for the purposes of: (a) planning for the operation, maintenance and funding of inter-county passenger rail services in Berks County, Chester County and Montgomery County; (b) operating, maintaining and funding inter-county passenger rail services and all facilities necessary or incidental thereto, and contracting with passenger rail service providers in order to provide inter-county passenger rail services to the public in Berks County, Chester County and Montgomery County; and (c) ancillary efforts in connection therewith, including but not limited to land acquisition and management, and bonding; **BE IT FURTHER**

RESOLVED, that Berks County, jointly with Chester County and Montgomery County, shall take any and all steps necessary: (a) to incorporate the Authority; (b) to provide initial funding by Berks County, by Chester County and by Montgomery County, each in the amount of One Hundred Thousand Dollars (\$100,000.00), for the incorporation of the Authority, and thereafter to provide, equally by Berks County, by Chester County and by Montgomery County, all such other funding as may be necessary or desirable, as determined by the Authority; (c) to provide for the operation and management of the Authority, all for a period of three (3) years from the date of the Authority’s incorporation; and (d)(1) with the unanimous consent of Berks County, Chester County and Montgomery County, to provide for the continuation of the operation, management and funding of the Authority beyond the three (3) year period specified in Subsection (c) of this paragraph; or (d)(2) to provide for the termination and dissolution of the Authority and the funding of such termination and dissolution in the event Berks County, Chester County and Montgomery County, or any one of them, desires to withdraw from the Authority and/or the operation, management and/or funding of the Authority.

DULY ADOPTED AND APPROVED this 21st Day of APRIL 2022.

COUNTY OF BERKS

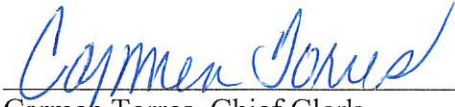


Christian Y. Leinbach, Chair



Kevin S. Barnhardt, Commissioner

Attest:



Carmen Torres, Chief Clerk



Michael S. Rivera, Commissioner