



**ESTABLISHED 1983**

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**BOARD OF DIRECTORS  
&  
OPERATIONAL GUIDELINES**

**JANUARY 2016**

**VERSION 2016.5**

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## ARTICLE I – MISSION & PURPOSE

### SECTION 1.1           MISSION OF THE MOUNT PLEASANT BUSINESS DISTRICT AUTHORITY

*“The purpose of the Mount Pleasant Business District Authority is to support, strengthen, grow existing and attract new businesses which will enhance the property values within the Mount Pleasant business district.”*

### SECTION 1.2           PURPOSE OF THE MOUNT PLEASANT BUSINESS DISTRICT AUTHORITY

The purpose of the Mount Pleasant Business District Authority is:

- (a) To advance the commercial, industrial, professional, cultural, and civility welfare of the Borough of Mount Pleasant and surrounding area; and,
- (b) To encourage the growth and to protect the interests of existing industries and businesses while giving assistance to prospective firms or individuals seeking to locate in the area; and,
- (c) To continuously improve the Mount Pleasant Business District Property values.
- (d) To unify the business owners in the Borough of Mount Pleasant to ensure prosperity and civil in the community in which we operate; and,

### SECTION 1.3           OBJECTIVES OF MOUNT PLEASANT BUSINESS DISTRICT AUTHORITY

The objective of Mount Pleasant Business District Authority is:

- (a) To familiarize business persons and companies with the latest developments concerning all aspects of changes and regulations in our community; and,
- (b) To recruit and retain new businesses to the Mount Pleasant Business District; and,
- (c) To create and maintain a viable Mount Pleasant Business District; and,
- (d) To enlighten and educate the business community with regard to business trends, procedures, and marketing techniques; and,
- (e) To study and develop coordinated advertising and public relations campaigns for the benefit of the local Borough of Mount Pleasant business person; and,
- (f) To continuously improve the Mount Pleasant Business District with programs and enhancements; moreover, encouraging commerce necessary for competitive growth; and,
- (g) To get to know the fellow business persons on a first name basis; to help each other when possible and to enhance each business in the Borough of Mount Pleasant area; and,

**SECTION 1.4 ETHICAL STANDARDS OF MOUNT PLEASANT BUSINESS DISTRICT AUTHORITY**

The ethical standards of Mount Pleasant Business District Authority:

- (a) We are an equal opportunity business association and do not discriminate against any person(s) because of race, color, religion, gender, national origin or sexual orientation; and,
- (b) All business conducted within the authority is to organize and carry out the functions, activities, and programs of the Mount Pleasant Business District Authority and to thereby support the mission statement of Mount Pleasant Business District Authority; and,
- (c) All business conducted within the authority is to be compliant with rules and regulations set forth by the Mount Pleasant Borough Council.

**SECTION 1.5 ASSESSMENT TAXATION PROTOCOL OF THE MOUNT PLEASANT BUSINESS DISTRICT AUTHORITY**

The Mount Pleasant Business District Authority has been granted and authorized by the Commonwealth of Pennsylvania under D § 1-432 and the Mount Pleasant Borough council to implement a tax assessment of building and property structures that fall within the Business District Authority and that it is purpose contemplated by this Part, shall include the present areas designated by the Borough Zoning Ordinance [Chapter 27], as that B-1, H-1, H-2, I-1, or E-1 or which are changed to said designations in the future and further that any portion of residential areas which receive a special exemption for the operation of a business shall also fall within the definitions of the business district.

It is further determined that all one- and two – family dwelling units, which may be located in the area designated as the Business District, shall be exempted from the authority of the Business District Authority and shall not be subject to assessment as long as they remain one – or two –dwellings. [Ord 562].

The Mount Pleasant Business District Authority is solely responsible for the following:

- a) Calculation of the Mount Pleasant Business District Authority Tax Assessments; and,
- b) Collection of the Mount Pleasant Business District Authority Tax Assessments; and,
- c) Posting and Recording of Mount Pleasant Business District Authority Tax Assessments; and,
- d) Warning notices of non paid Mount Pleasant Business District Authority Tax Assessments; and,
- e) Delinquent notices of defaulted Mount Pleasant Business District Authority Tax Assessments; and,
- f) Property liens filed with the Westmoreland County Prothonotary by the Mount Pleasant Business District Authority Solicitor.

The Mount Pleasant Business District Authority Tax Assessment calculation is as follows for the said applicable properties located within the determined area known as the Mount Pleasant Business District.

~~REMOVED 1/2016 PER NEW ASSESSMENT GUIDELINES~~

~~a) Mount Pleasant Business District Authority Tax Assessment Calculation:~~

~~The individual property assessment value from the county tax office divided by the total property assessment value for the entire area deemed as the business district according to the Commonwealth of Pennsylvania D § 1-432 then multiplied by the Mount Pleasant Business District Authority fiscal budget.~~

~~$$\frac{\text{Individual Property Assessment Value}}{\text{Total Property Assessment Value in Business District}} \times \text{Mount Pleasant Business District Authority fiscal budget}$$~~

~~= Mount Pleasant Business District Authority Tax Assessment~~

a) Mount Pleasant Business District Authority Tax Assessment Calculation: **AS OF 1/2016**

The individual property assessment value from the Westmoreland county tax office subject to taxation according to the Commonwealth of Pennsylvania D § 1-432 multiplied by the established Mount Pleasant Business District Authority Rate 0.05% resulting in the tax assessment issued to property owners.

$$\begin{array}{l} \text{Individual Property Assessment Value} \quad \times \quad \text{SET Rate Established by the} \\ \text{from WESTMORELAND CO TAX ASSESSMENT OFFICE} \quad \quad \quad \text{Mount Pleasant Business District Authority} \\ \\ = \text{Mount Pleasant Business District Authority Tax Assessment} \end{array}$$

\*2016 SET RATE ESTABLISHED BY THE AUTHORITY IS 0.05%

b) Exception to the Mount Pleasant Business District Authority Tax Assessment Calculation:

Property owners within the said area deemed as the business district may request an “onsite evaluation” to deem the appropriate square footage of said property. Example of this exception would include, but not be limited to, the business properties that are serving as a dual purpose with a primary, non-rental residence. For these circumstances, an “onsite evaluation” will be conducted by a Mount Pleasant Business District Authority Director for the appropriate square footage calculation of business operations compared to the primary, non-rental residence. The exception of the Mount Pleasant Business District Tax Assessment Calculation will be modified to:

The “onsite evaluation” square footage of said area deemed as business use divided by the total square footage of the entire building multiplied by the individual property assessment value from the county tax office divided by the total property assessment value for the entire area deemed as the business district according to the Commonwealth of Pennsylvania D § 1-432 then multiplied by the Mount Pleasant Business District Authority fiscal budget

Step 1:

$$\frac{\text{Area Square Footage deemed for business use}}{\text{Total Property Square Footage}} \times \text{Total Property Assessment}$$

= Adjusted Property Assessment Value

Step 2:

$$\frac{\text{Adjusted Property Assessment Value}}{\text{Total Property Assessment Value in Business District}} \times \begin{array}{l} \text{Mount Pleasant Business} \\ \text{District Authority fiscal budget} \end{array}$$

= Mount Pleasant Business District Authority Tax Assessment

All requests for exception of the Mount Pleasant Business District Tax Assessment Calculation must be made in writing to the Mount Pleasant Business District Authority Board of Directors. Individuals making such request will be subject to the rules and regulations, “onsite evaluations”, and fees that are associated with this process set forth by the Mount Pleasant Business District Authority.

All decisions will be made after review at the monthly Mount Pleasant Business District Authority Board of Directors meeting. All decision made by the Mount Pleasant Business District Authority are final and non-negotiable.

**ARTICLE II – MOUNT PLEASANT BUSINESS DISTRICT AUTHORITY**  
**BOARD MEETINGS**

**SECTION 2.1            MOUNT PLEASANT BUSINESS DISTRICT AUTHORITY**  
**BOARD OF DIRECTOR MEETINGS**

Meetings of the members will be held on the third (3<sup>rd</sup>) Wednesday of the month to commence at 7:00pm. This will be held at public known location within the Mount Pleasant Business District. A yearly schedule of monthly meetings will be communicate and posted on the Mount Pleasant Business District Authority internet home page.

The annual meeting marking the transition into a new Mount Pleasant Business District Authority fiscal year will be the month of December. This annual meeting will be a public meeting and communicated of such time and place to the public at least 30 days via local newspaper publication and Mount Pleasant Business District Authority internet home page. At this public meeting the Mount Pleasant Business District Authority Budget will be read and presented.

All building owners, business owners / operators, employees, and borough residents may attend all meetings of the Mount Pleasant Business District Authority. Accommodations and opportunities for general; comments will be made during the meeting under the direction of the Mount Pleasant Business District Authority executive members.

As an official authority of the Commonwealth of Pennsylvania, within the Mount Pleasant Borough and within Westmoreland County, the Mount Pleasant Business District Authority will conduct meetings and follow the appropriate protocols under the government regulations.

**SECTION 2.2            COMMITTEE & SPECIAL MEETINGS**

Committees appointed by the Mount Pleasant Business District Authority Board of Directors may conduct official business of the Mount Pleasant Business District Authority to follow the exclusive topic for which that committee was created. Every effort will be made to notify all members of the time, place and purpose of any special meeting. Findings and plans of actions from these committees must seek approval and authorization from the Mount Pleasant Business District Authority Board of Directors prior to any official business, action being conducted, or presented in the Mount Pleasant Business District.

**SECTION 2.3            VOTING RIGHTS**

Each member of the Mount Pleasant Business District Authority Board of Directors is entitled to ONE (1) vote. Voting will be recorded with motions set forth at the monthly Board of Directors meeting.

**SECTION 2.4            QUORUM**

In order to conduct any Mount Pleasant Business District Authority official business, quorum must be met. Quorum constitutes the following:

- (a) Executive Board of Directors – 75% of the officers present;  
(President, Vice President, Secretary, Treasurer    3 of 4 must be present)

AND

- (b) Total Board of Directors – 66% directors present;  
(6 of 9 Board of Directors must be present)

**ARTICLE III – MOUNT PLEASANT BUSINESS DISTRICT AUTHORITY**  
**BOARD OF DIRECTORS**

**SECTION 3.1 COMPOSITION**

The business and affairs of the Mount Pleasant Business District Authority shall be managed under its direction of its Board of Directors. All powers of the Authority shall be exercised by or through the Board of Directors, unless delegated by the Board of Directors consisting of.

The Board of Directors shall be composed of dedicated individuals broadly reflective and representative of all businesses and professionals who operate within the Mount Pleasant Business District Authority jurisdiction. The following positions will comprise the Board of Directors consist of nine (9) members who shall be:

- (a) President
- (b) Vice-President
- (c) Treasurer
- (d) Secretary
- (e) 5 additional Directors At-Large

Note: Mount Pleasant Business District Authority clerical secretary duties will be completed by the office secretary who is an employee of the authority. This is a paid position by the Mount Pleasant Business District Authority and shall be budgeted for.

**SECTION 3.2 QUALIFICATIONS**

Each member of the Mount Pleasant Business District Authority Board of Directors shall be an individual that is :

- (a) At least 18 years old;
- (b) A United States Citizen;
- (c) One who currently resides, works, or owns a business within the Mount Pleasant Borough or Mount Pleasant Township in Westmoreland County, Pennsylvania;
- (d) One who is in good standing with the community;
- (e) Supports the mission statement of the Mount Pleasant Business District Authority in good faith during their existence within the community.

**SECTION 3.3 DEFINITION OF TERMS (APPOINTMENT)**

All Mount Pleasant Business District Authority Board of Director appointments are for three (3) year terms. These terms among the nine (9) members will be staggered; three (3) members will be seeking appointments every year:

Example of terms (years adjusted as per appointment)

- (a) Three (3) Members appointed in 2012 will seek reappointment in year 2015
- (b) Three (3) Members appointed in 2013 will seek reappointment in year 2016
- (c) Three (3) Members appointed in 2014 will seek reappointment in year 2017

All reappointments will be sought before December 31<sup>st</sup> of the ending term year. Approval for existing Mount Pleasant Business District Authority Board of Directors will be made and officially appointed by the Mount Pleasant Borough Council at or before the December monthly business meeting.



## **SECTION 3.4 APPOINTMENT AND RENEWAL OF TERMS**

All Mount Pleasant Business District Authority Board of Director appointments will be approved and authorized by the Mount Pleasant Borough Council.

### **New Board Members – Appointment Considerations:**

Individuals seeking an appointment to the Mount Pleasant Business District Authority Board of Directors must:

- (a) Meet the requirements listed in Section 3.2 – Qualifications; and,
- (b) Present themselves to the Mount Pleasant Business District Authority Board of Directors for consideration during a monthly business meeting with a written letter of intent to serve; and,
- (c) Present themselves to the Mount Pleasant Borough Council for consideration and final authorization to be appointed to the Board of Directors.

### **Current Board Members – Renewal of Existing Terms:**

Individuals seeking a re- appointment to the Mount Pleasant Business District Authority Board of Directors must:

- (d) Meet the requirements listed in Section 3.2 – Qualifications; and,
- (e) Present themselves to the Mount Pleasant Borough Council for consideration and final authorization to be re-appointed to the Board of Directors.

### **REPLACEMENT Board Members – Completion of Existing Term:**

Current Mount Pleasant Business District Authority Board of Directors that are not able to complete their term OR resigned from their term prior to the expiration of their term will follow the appointment standards listed in New Board Member – Appointment Considerations (Section 3.4 a, b, c.)

The “REPLACEMENT” Board member will be appointed to the Mount Pleasant Business District Authority Board of Directors completing the open time remaining on the said position for which is being replenished. This individual will be able to seek reappointment to the Mount Pleasant Business District Authority under the regulations set forth in Current Board Member – Renewal of Existing Term (Section 3.4 d,e).

### **EMERITUS Board Members – Appointment by the Executive Board:**

Mount Pleasant Business District Authority Executive Board may issue a status of Emeritus to a current Board of Director who exemplifies the mission and purpose of the Mount Pleasant Business District Authority over their tenure. This is an honorary position awarded. These individuals of Emeritus status do NOT have voting rights they do however can express opinions and factual history of the Mount Pleasant Business District Authority.

## **SECTION 3.5 VACANCIES / RESIGNATIONS**

A vacancy on the Mount Pleasant Business District Authority Board of Directors that reduces the number of Directors below that required by the guidelines listed under Section 3.1-3.3 shall be filled as soon as reasonably practical. This will be through the process listed under Section 3.7 Replacement Board Member – Completion of Existing Term.

Resignations from the Mount Pleasant Business District Authority Board of Directors should be handled in the following manner:

- (a) Written notification should be made to the President and Vice President immediately; and,
- (b) Verbal request for resignation will be read by the President or Vice President at the monthly Mount Pleasant Business District Authority meeting immediately following written notification; and,
- (c) Communication will be issued to the Mount Pleasant Borough Council.

### **SECTION 3.6            RESPONSIBILITIES OF BOARD OF DIRECTORS**

The Mount Pleasant Business District Authority Board of Directors are responsible for addressing the goals and needs of the Mount Pleasant Business District Authority, as well as the leading the association with strategies for revenue generation, programs, communications, advocacy and community organization.

The individual Mount Pleasant Business District Authority directors will:

- (a) Attends Mount Pleasant Business District Authority monthly board meetings with attendance of 80% (10 out of the 12 meetings per fiscal year);
- (b) Accepts position and actively participates on Mount Pleasant Business District Authority Committee;
- (c) Accepts and actively participates with programs and events of the Mount Pleasant Business District Authority during his/her appointment;
- (d) Commits and takes action to achieve the mission statement of Mount Pleasant Business District Authority;
- (e) Avoids conflicts of interest and comply with the Mount Pleasant Business District Authority's Mission Statement;
- (f) Understands the standards and code of ethics set forth by the Commonwealth of Pennsylvania.
- (g) And all points set forth Section 3.2 Qualifications for Director Appointment.

### **SECTION 3.7            REQUEST FOR RESIGNATION OF BOARD OF DIRECTOR**

The Mount Pleasant Business District Authority Board of Directors are required to comply with Section 3.6 as their appointment responsibilities. Those individuals that do not comply with the stated responsibilities in Section 3.6 here with in this document can and will be asked to resign from their position as Mount Pleasant Business Authority Board of Directors.

The removal of any Mount Pleasant Business District Authority Board of Director must:

- (a) Be presented at the monthly Mount Pleasant Business District Authority as a special motion with descriptive testimony and proof of violation of Section 3.6; and,
- (b) Allow for dispute by the member being requested for resignation from the Board of Directors; and,

(c) Call for a complete Board of Directors vote excluding the Board of Director member that is being requested for resignation. In the event of a deadlock vote, the President shall cast two votes.

All findings by the Mount Pleasant Business District Authority shall be forwarded to the Mount Pleasant Borough Council for final review and approval as in accordance to Comm. of PA D § 1-431:440.

### **SECTION 3.8 OPERATIONS AND GOVERNMENT**

The Operations and Government of the Mount Pleasant Business District Authority's control of its property and the general management of its affairs shall be vested in the Board of Directors.

The Board of Directors shall have power to establish and dissolve standing committees and the duties of each of the said standing committees.

The Board of Directors may make recommendations to the members to change, repeal, revise, alter and amend the Board of Directors and Operational Guidelines.

## **ARTICLE IV – MOUNT PLEASANT BUSINESS DISTRICT AUTHORITY** **EXECUTIVE BOARD OF DIRECTORS**

### **SECTION 4.1 MOUNT PLEASANT BUSINESS DISTRICT AUTHORITY** **EXECUTIVE BOARD OF DIRETORS**

The Executive Board of Directors shall include the President, Vice-President, Secretary, and Treasurer, in compliance with the Commonwealth of Pennsylvania regulations D § 1-431:440.

### **SECTION 4.2 TERMS OF OFFICE**

All terms of officers will start at the conclusion of the December monthly meeting and conclude according to the term schedule.

The Executive Mount Pleasant Business District Authority Board of Directors will be elected for the following terms and shall serve:

- |      |                |                   |
|------|----------------|-------------------|
| I.   | President      | One (1) year term |
| II.  | Vice President | One (1) year term |
| III. | Secretary      | One (1) year term |
| IV.  | Treasurer      | One (1) year term |

### **SECTION 4.3 EXECUTIVE BOARD OF DIRECTORS RESPONSIBILITIES**

The duties of the officers shall include the following

(a) The President shall:

Preside at all meetings of the Board of Directors monthly meetings; shall generally supervise the affairs of the association; and be a voting ex-officio member of every board committee. The

President shall ensure the operational functions and ensure the Mount Pleasant Business District Authority follows the adopted Operational Guidelines. The President shall perform all duties incident to the office and recommend such action as he/she believes will increase the effectiveness of the Mount Pleasant Business District Authority.

(b) The Vice President shall:

Have such powers and perform such duties as the President may delegate. In addition, the Vice President shall ensure the operational functions and ensure the Mount Pleasant Business District Authority follows the adopted Operational Guidelines. The Vice President shall perform all duties incident to this office and recommend such action as he/she believes will increase the effectiveness of the Mount Pleasant Business District Authority.

(c) The Secretary shall:

Assure that minutes are prepared and maintained for all meetings of the Mount Pleasant Business District Authority with the assistance of the Mount Pleasant Business District Authority Office Secretary; assure that appropriate notice is given for all meetings of Mount Pleasant Business District Authority; and perform such other duties as may be prescribed by the Board or by the President. The Secretary shall perform all duties incident to this office and recommend such action as he/she believes will increase the effectiveness of the Mount Pleasant Business District Authority.

(d) The Treasurer shall:

Assure that financial statements are prepared and maintained for all meeting of the association; assure that all members of Mount Pleasant Business District Authority pay yearly taxes, assure proper documentation is on file at the Mount Pleasant District Business Authority Office; and assure that all disbursements by duly signed checks countersigned by the President or Vice President. The Treasure shall perform all duties incident to this office and recommend such action as he/she believes will increase the effectiveness of the Mount Pleasant Business District Authority.

## **ARTICLE V – REGULATIONS OF MOUNT PLEASANT BUSINESS DISTRICT AUTHORITY COMMITTEES AT LARGE**

### **SECTION 5.1 ESTABLISHMENT OF COMMITTEES**

The Mount Pleasant Business District Authority Board of Directors shall have the standing committees to assist with board functions. These committees are established by the Executive Board of Directors to assist with the operations of the Mount Pleasant Business District Authority.

Boards Established but not limited to are as follows:

- (a) Tax Assessment Review Committee
- (b) Budget Committee
- (c) Marketing Advertisement Committee
- (d) Community Event Committee (Farmer's Market)
- (e) Business Development Committee

All committees are required to report program plans and actions to the Board of Directors prior to execution within the Mount Pleasant Business District.

**SECTION 5.2 REGULATION OF COMMITTEES & SERVING INDIVIDUALS**

Committees established by the Mount Pleasant Business District Authority Board of Directors shall comprised of:

- (a) One (1) Committee Chairperson must be a Board of Directors member; and,
- (b) At least two (2) members of the Mount Pleasant Business District Authority Board of Directors; and,
- (c) Additional non Board of Director members may be requested to assist with such participation on the said committee; these individuals as described are requested to assist with operations of said committee and understand this is a volunteer position. It is noted that these individuals have no voting rights.

These committees must maintain the ideals and standards of the Mount Pleasant Business District Authority and operate with representation of the Mount Pleasant Business District Authority Mission Statement. Those not compliant with these rules and regulations will be subject to reprimand by the Executive Board of Directors.

**ARTICLE VI – FISCAL YEAR AUDITING**

**SECTION 6.1 FISCAL YEAR DEFINITION**

The fiscal year of the Mount Pleasant Business District Authority will end on the meeting occurring on the 3<sup>rd</sup> Wednesday of the month of September.

**SECTION 6.2 FISCAL AUDITING BY MEMBERSHIP**

The accounts of the Mount Pleasant Business District Authority shall be audited by an auditing company selected by the Board of Directors. The audit shall be conducted annually, as soon as it is practical after the close of the fiscal year. In addition to the Mount Pleasant Business District Authority, this annual audit shall be available to the Mount Pleasant Borough Council and the public upon request at the Mount Pleasant Business District Authority office.

**ARTICLE VII – DISBURSEMENTS & PETTY CASH**

No disbursements of the funds of the Mount Pleasant Business District Authority, except ordinary operating expenses, shall be made unless the expenditures or appropriation shall have been previously approved by majority of the Mount Pleasant Business District Authority Board of Directors at the monthly meetings. All disbursements shall be made by check. All reimbursement checks shall be signed by at two officers of the Mount Pleasant Business District Authority namely the President, Vice-President, Secretary or Treasurer.

The Secretary may have a Petty Cash Fund not to exceed one hundred dollars (\$100.00) for office supplies. These receipts can be presented at the Mount Pleasant Business District Authority monthly meeting for reimbursement to this petty cash.

## **ARTICLE VIII — JUDICIAL**

The Executive Mount Pleasant Business District Authority Board of Directors shall decide all claims or disputes relating to the internal business of the Mount Pleasant Business District Authority as to the standing of its Board of Directors and to the interpretation of the Commonwealth of Pennsylvania statutes and By-Laws of the Mount Pleasant Business District Authority.

Claims or disputes made by members may be presented to the Executive Mount Pleasant Business District Authority Board of Directors by other Board of Directors, members of the Mount Pleasant Borough Council, property owners and/or business operators with the Mount Pleasant Business District. After due notice to all parties concerned, a hearing shall be held by the Executive Mount Pleasant Business District Authority Board of the claim and dispute from the claimant. The Executive Mount Pleasant Business District Authority Board shall have the power to regulate proceedings for each hearing.

## **ARTICLE IX – AMENDMENT OF THE EXISTING MOUNT PLEASANT BUSINESS DISTRICT AUTHORITY OPERATIONAL GUIDELINES**

These Guidelines may be amended by the vote of two thirds of the total voting Mount Pleasant Business District Authority Board of Directors present in person according to Section 4.3 and Section 4.4.

All amendments of the existing Mount Pleasant Business District Authority Operation Guidelines shall follow the Commonwealth of Pennsylvania D § 1-431:440 and operational guidelines shall not be lesser than the descriptive regulations listed in Commonwealth of Pennsylvania D § 1-431:440 .

## **ARTICLE X – LIABILITY OF MOUNT PLEASANT BUSINESS DISTRICT AUTHORITY BOARD OF DIRECTORS**

### **SECTION 10.1 ELIMINATION OF LIABILITY**

To the fullest extent of the laws of the Commonwealth of Pennsylvania, as now in effect or as hereafter amended, permit elimination or limitation of the liability of Mount Pleasant Business District Authority Board of Directors, no Director shall be held personally liable for monetary damages as such for any action taken, or any failure to take any action.

### **SECTION 10.2 NATURE AND EXTENT OF RIGHTS**

The provisions of this Article shall be deemed to be a contract with each Mount Pleasant Business District Authority Board of Director who serves as such at any time while this Article is in effect and each such Director shall be deemed to be so serving in reliance on the provisions of this Article. Any amendment or repeal of this Article or adoption of any other provision that has the effect of increasing Directors liability shall operate prospectively only and shall not affect any action taken, or any failure to act, prior to the adoption of such amendment, repeal, Article or other provision.



# **APPENDIX A – ESTABLISHMENT WITHIN THE COMMONWEALTH OF PA**

Commonwealth of Pennsylvania Administration and Government Section D

## **SECTION A.1 Statutory Authority (Comm of PA D § 1-431)**

“It is the desire of the Council of the Borough of Mount Pleasant, Westmoreland County, Pennsylvania, and the said Council hereby signifies its intention to organize the Borough of Mount Pleasant Business District Authority under the Municipality Authorities Act of May 2, 1945, P.L. 382 as amended.

(*Ord. 508 10/3/1983 § I*)

## **SECTION A.2 Name of Authority within Commonwealth (Comm of PA D § 1-433)**

“The name of the proposed Authority shall be “Borough of Mount Pleasant Business District Authority.”

(*Ord. 508 10/3/1983 § III*)

## **SECTION A.3 Findings; District Designated; Approval of Plans by Council (Comm of PA D § 1-432)**

1. The Council of the business climate in said Borough will be brought about by the creation of the Mount Pleasant Borough Business District Authority and that it is purpose contemplated by this Part, shall include the present areas designated by the Borough Zoning Ordinance [Chapter 27], as that B-1, H-1, H-2, I-1, or E-1 or which are changed to said designations in the future and further that any portion of residential areas which receive a special exemption for the operation of a business shall also fall within the definitions of the business district. It is further determined that all one- and two – family dwelling units, which may be located in the area designated as the Business District, shall be exempted from the authority of the Business District Authority and shall not be subject to assessment as long as they remain one – or two – dwellings [Ord 562]

2. It is specified that Borough Council retains the right existing under the Act to approve all and any plans of the Authority.

(*Ord. 508 10/3/1983 § II; as amended by Ord. 562, 2/5/1996 § 1* )

## **SECTION A.4 Locations of Offices**

The Mount Pleasant Borough Business District Authority offices shall be located at such an appropriate location as the Board of Directors may designate within the District.



## **APPENDIX B – ARTICLES OF INCORPORATION**

The Borough of Mount Pleasant Business District Authority  
Commonwealth of Pennsylvania Administration and Government Section D § 1-435

### **SECTION B.1                      Articles of Incorporation (Comm of PA D § 1-435)**

Pursuant to said desire and intention of the Council of the Borough of Mount Pleasant and in conformance with the terms and provisions of said Municipality Authorities Act of 1945 and its amendments, the proposed Articles of Incorporation are hereby set forth in full as follows:

#### **Articles of Incorporation of the Borough of Mount Pleasant Business District Authority**

To the Secretary of the Commonwealth of Pennsylvania Harrisburg, Pennsylvania.

In compliance with the requirement of the Municipality Authorities Act of 1945, approved the 2<sup>nd</sup> day of May 1945, P.L. 382, as amended, and pursuant to an ordinance adopted by the Borough of Mount Pleasant, in the County of Westmoreland and Commonwealth of Pennsylvania, providing, inter alia, that a municipal authority be established and that a certificate of incorporation be issued to said authority, does hereby certify:

- (a) The name of the Authority shall be “Borough of Mount Pleasant Business District Authority.”
- (b) The Authority is formed under the Act of May 2, 1945, P.L. 382, as amended, as the Municipal Authority Act of 1945.
- (c) The only other Authorities organized under the provisions of the Act, or the Act approved the 28<sup>th</sup> day of June 1935, P.L. 463, and still in existence within said Borough of Mount Pleasant is the Municipal Authority of the Borough of Mount Pleasant.
- (d) The name of the incorporating municipality is “Borough of Mount Pleasant Business District Authority,” in the County of Westmoreland and Commonwealth of Pennsylvania, and its officers are.  
[Here followed the names and addresses of the Borough officers at the time of enactment]
- (e) The purpose or purposes for which the Authority is organized and the powers thereto are as provided for in said Municipal Authorities Act of 1945, as amended; provided, however, that all plans for the use of said powers of the Authority are approved by Borough Council.
- (f) The names and addresses and terms of the office of the first members of the Board of said Authority are listed in § 1-434.2 of this Part.

All of whom are either taxpayers in, maintain a business in, or are citizens of the Borough of Mount Pleasant, County of Westmoreland, Pennsylvania.

Witness the hands of the President of Council and the Secretary of the Borough of Mount Pleasant, Westmoreland County, Pennsylvania, and the Seal of the Borough of Mount Pleasant, Westmoreland County, Pennsylvania.

[Here followed the names and signatures of appropriate Borough authorities.]

(Ord. 508, 10/3/1983 § V)

### **SECTION B.2                      Execution and Filing of Articles of Incorporation (Comm of PA D § 1-436)**

The proposed Articles of Incorporation of the Borough of Mount Pleasant Business District Authority shall be executed by and on behalf of the Borough of Mount Pleasant by the President of Council and filled with the Secretary of the Commonwealth. The Borough Solicitor is hereby authorized and directed to cause to be published the notice of intention to file the Articles of Incorporation with the Secretary of the Commonwealth as require by the aforementioned act.

(Ord. 508, 10/3/1983 § VI)

## **Adopted by the Mount Pleasant Business District Board of Directors**

The following members of the Mount Pleasant Business District Authority Board of Directors. These individuals established this document of Operational Guidelines to set forth strategic planning and execution of our mission statement

***“The purpose of the Mount Pleasant Business District Authority is to support, strengthen, grow existing and attract new businesses which will enhance the property values within the Mount Pleasant business district.”***

Mount Pleasant, Westmoreland County, Pennsylvania  
Reorganization of By-laws & Constitution established 1983.

Date: JANUARY 20<sup>th</sup>, 2016

### **Executive Mount Pleasant Business District Directors**

Edward L . Christofano – President  
Donald Rega – Vice President  
Deborah Salopek – Secretary  
Dale A. Walker - Treasurer

### **Mount Pleasant Business District Board of Directors**

Nino Barsotti – Director  
James Rega – Director  
David Stairs – Director  
Netah Serock – Director  
James Wisnewski – Director

### **Mount Pleasant Business District Board of Directors Emeritus**

Charlotte Mowery- Director