

TOWNSHIP OF POTTER

RESOLUTION No. 66 OF 2025

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF POTTER, CENTRE COUNTY, PENNSYLVANIA, DECLARING ITS INTENT TO FOLLOW THE SCHEDULES AND PROCEDURES FOR DISPOSITION OF RECORDS AS SET FORTH IN THE MUNICIPAL RECORDS MANUAL

WHEREAS, the Township of Potter (the "Township") is a township, a body politic and corporate, and a political subdivision of the Commonwealth of Pennsylvania, formed under the act of May 1, 1933 (P.L. 103, No. 101), known as the "Second Class Township Code," presently codified at 53 P.S. §§65101-65110, as amended; and

WHEREAS, pursuant to the Second Class Township Code, 53 P.S. §§ 65601, 66505, as amended, the Township is governed and supervised, and its corporate powers exercised, by and through its Board of Supervisors; and

WHEREAS, the act of February 18, 1998 (P.L. 175, No. 27), known as the "Municipal Records Act," presently codified at 53 Pa. C.S. §§1381-1389, as amended, applies to townships of the second class pursuant to §1381(b)(1) thereof; and

WHEREAS, the Municipal Records Act, at 53 Pa. C.S. §1385, provides for the establishment under the Pennsylvania Historical and Museum Commission (the "Commission") of a Local Government Records Committee (the "Committee") vested with duties and empowered to make rules and regulations for the retention and disposition of public records; and

WHEREAS, pursuant to 53 Pa. C.S. §1384 and §1386, the Commission from time-to-time prepares proposed public Records Retention and Disposition Schedules, together with any updates thereto, which are effective immediately upon approval by the Committee; and

WHEREAS, municipal officers are authorized, but not required under the Municipal Records Act to dispose of public records in accordance with schedules and guidelines approved and promulgated by the Committee; and

WHEREAS, the Municipal Records Manual, as approved on December 16, 2008, amended on March 28, 2019, attached hereto as **Exhibit "A"** is updated and issued from time-to-time for the Committee by the Commission for the purpose of setting forth a schedule and guidelines for the disposal of records after the expiration of approved retention periods; and

WHEREAS, the Municipal Records Act, at 53 Pa. C.S. §1386(a), requires each municipal entity intending to adopt and follow the schedule set forth in the Municipal Records Manual manifest such intention by ordinance or resolution; and

WHEREAS, the Board of Supervisors believe it is in the best interests of the Township, and therefore so desires to retain and dispose of public records according to statutory requirements and the Municipal Records Manual, as amended from time-to-time;

NOW THEREFORE, be it resolved by the Board of Supervisors of the Township of Potter, County of Centre, Commonwealth of Pennsylvania, as follows:

- (1) The recitals set forth above are incorporated herein by reference thereto.
- (2) The Township of Potter shall henceforth follow the procedure, guidelines, and schedule as set forth for the retention and disposition of public records in the Municipal Records Manual as approved on December 16, 2008, amended on March 28, 2019, and updated from time-to-time.
- (3) This resolution shall take effect on the date of adoption specified below.
- (4) If any portion of the resolution herein is found to be unconstitutional, illegal, invalid, or void by a Court of competent jurisdiction, such unconstitutional, illegal, invalid, or void provision shall be deemed severable from the remainder of this resolution, which shall remain in full force and be given effect to the greatest extent permissible under the law.
- (5) Any prior resolutions or parts of resolutions which are to the contrary, or which conflict with the provisions of this resolution are hereby rescinded to the extent necessary to give this resolution full force and effect.

ADOPTED this 21st day of April, 2025, by the Board of Supervisors of Potter Township.

ATTEST:


Secretary

POTTER TOWNSHIP SUPERVISORS:


Chairman







