

RESOLUTION NO. 2026-4

A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WEST READING, BERKS COUNTY, PENNSYLVANIA, TO APPROVE AMENDMENT OF THE ARTICLES OF INCORPORATION FOR THE WESTERN BERKS WATER AUTHORITY TO EXTEND THE LIFE OF THE AUTHORITY UNTIL OCTOBER 1, 2075.

WHEREAS, the Borough of West Reading, the Borough of Shillington, and the Borough of Wyomissing (collectively, the "Boroughs"), incorporated the Western Berks Water Authority ("WBWA") to provide water, in bulk, to each of the Boroughs; and

WHEREAS, the WBWA is undertaking a major capital improvement project which requires long-term financing; and

WHEREAS, the current Articles of Incorporation limit the life of the WBWA to April 1, 2045, a date which is shorter than the length of the proposed financing for the required capital project; and

WHEREAS, the Municipality Authorities Act of Pennsylvania, at Section 5605, requires the municipalities which formed an authority to approve by resolution or ordinance any amendment of the articles of incorporation of an authority; and

WHEREAS, the Borough Council of the Borough of West Reading, Berks County, Pennsylvania, supports the extension of the life of the WBWA and wishes to approve the amendment of WBWA's Articles of Incorporation to extend its life until October 1, 2075.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of West Reading, Berks County, Pennsylvania, that the Borough Council of the Borough of West Reading does hereby approve and adopt the proposed Amendment to Paragraph 8 of the Articles of Incorporation of the Western Berks Water Authority, of Berks County, Pennsylvania, in the form proposed by the Board of Directors of the Western Berks Water Authority and set forth in the Resolution of said Board dated November 17, 2025, a true and correct copy of said Resolution being attached hereto, marked Exhibit "A" and made a part hereof.

FURTHER RESOLVED, that if any provision, sentence, clause, section, or part of this Resolution shall for any reason be found to be unconstitutional, illegal or invalid, such determination shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution, and it is hereby declared to be the intent of the Council of the Borough of West Reading that this Resolution would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part not been included herein.

FURTHER RESOLVED, that all Resolutions or parts of Resolutions inconsistent with this Resolution are hereby superseded.

FURTHER RESOLVED, that this Resolution shall become effective immediately or as soon as legally permissible.

IN WITNESS WHEREOF, the Council of the Borough of West Reading has adopted this Resolution in lawful session this 5th day of January 2026.

BOROUGH COUNCIL,
BOROUGH OF WEST READING,
BERKS COUNTY, PENNSYLVANIA



Council President

Attest: Cynthia Madeira
Cynthia Madeira, Borough Secretary



Samantha Kaag, Mayor

CERTIFICATE

I hereby certify that the foregoing is a true and accurate copy of a Resolution of the Council of the Borough of West Reading, Berks County, Pennsylvania, which was fully adopted at a public meeting held pursuant to notice as required by law on the 5th day of January 2026.

Cynthia Madeira

Cynthia Madeira, Borough Secretary

Dated: January 5, 2026

EXHIBIT "A"

FIFTH SUPPLEMENTAL SERVICE AGREEMENT

Dated as of December __, 2025

TO

SERVICE AGREEMENT

Dated as of April 1, 1972, as amended

Between

THE WESTERN BERKS WATER AUTHORITY

And

**BOROUGH OF SHILLINGTON,
BOROUGH OF WEST READING**

and

**BOROUGH OF WYOMISSING
all located in Berks County, Pennsylvania**

**BINGAMAN HESS
Treeview Corporate Center
2 Meridian Boulevard, Suite 100
Wyomissing, PA 19610
Solicitor**

FIFTH SUPPLEMENTAL SERVICE AGREEMENT

THIS FIFTH SUPPLEMENTAL SERVICE AGREEMENT, dated as of December __, 2025, but effective as of the last date of the acknowledgment appearing at the end hereof, between THE WESTERN BERKS WATER AUTHORITY, a municipality authority organized and existing under the laws of the Commonwealth, on the one hand, and the BOROUGH OF SHILLINGTON, the BOROUGH OF WEST READING and the BOROUGH OF WYOMISSING, all located in Berks County, municipal corporations of the Commonwealth, on the other hand, to a Service Agreement, dated as of April 1, 1972, between the Authority, on the one hand, and the Boroughs, on the other hand.

WITNESSETH:

WHEREAS, the Authority (which capitalized word and other capitalized words, terms or phrases referred to in these recitals are defined in Article I of the Original Agreement and Article I of this document) is a municipality authority organized and existing under the Act, the Boroughs being member municipalities of the Authority; and

WHEREAS, the Authority and the Boroughs heretofore entered into the Original Agreement with respect to the Water System of the Authority and the Borough Water Supply System of each Borough; and

WHEREAS, the Authority and the Boroughs entered into a First Supplemental Service Agreement dated as of October 1, 1995, under which the term of the Agreement was extended to November 15, 2013; and

WHEREAS, the Authority and the Boroughs entered into a Second Supplemental Service Agreement dated as of November 29, 2005, by which the term of the Service Agreement was extended through November 15, 2038; and

WHEREAS, the Authority and the Boroughs entered into a Third Supplemental Service Agreement dated as of June 4, 2009, under which certain terms and conditions of the Service Agreement were amended; and

WHEREAS, the Authority and the Boroughs entered into a Fourth Supplemental Service Agreement dated as of November 19, 2019, by which the term of the Service Agreement was extended through April 1, 2045; and

WHEREAS, the Authority and the Boroughs mutually acknowledge and agree that, for purposes of long-range planning and financing opportunities of the Authority, it would be in the best interests of the Authority and the Boroughs to further extend the term of the Service Agreement.

NOW THEREFORE, the Authority, on the one hand, and Shillington Borough, West Reading Borough and Wyomissing Borough, respectively, on the other hand, in consideration of the additional terms, conditions, covenants and agreements herein contained, each intending to be legally bound hereby, covenant and agree as follows:

ARTICLE I

Definitions

SECTION 1.01. Terms and phrases which are defined in the Original Agreement, for all purposes of the Agreement, including the First Supplemental Service Agreement, the Second Supplemental Service Agreement, the Third Supplemental Service Agreement, the Fourth Supplemental Service Agreement and this Fifth Supplemental Service Agreement shall have the meanings therein specified, unless the context clearly otherwise requires.

SECTION 1.02. Terms and phrases which are defined in this Section 1.02, for all purposes of the Agreement, as previously amended and supplemented, and as amended and supplemented hereby, shall have the following meanings, unless the context clearly otherwise requires:

"Fifth Supplemental Service Agreement" shall mean this document made and delivered in accordance with provisions of the Original Agreement, as previously amended and supplemented and which shall become part of, and extend the term of, the Service Agreement.

ARTICLE II

Terms of Agreement

SECTION 2.01. Section 2.05 of the Original Agreement, as modified by the First Supplemental Service Agreement, as further modified by the Second Supplemental Service Agreement, and as further modified by the Fourth Supplemental Service Agreement, is hereby further amended by deleting said Section 2.05 in its entirety and replacing it with the following:

"SECTION 2.05 This Agreement shall be for a term beginning April 1, 1972, and ending December 31, 2050.

ARTICLE III

Miscellaneous

SECTION 3.01. This Fifth Supplemental Service Agreement supplements the Original Agreement, as previously amended and supplemented, and shall be construed as an integral part thereof. All terms, conditions, covenants and agreements of the Original Agreement, as previously amended and supplemented, and as amended and supplemented by this Fifth Supplemental Service Agreement, are ratified and confirmed, and are declared to be and shall be and remain in full force and effect and shall apply in all respects to this Fifth Supplemental Service Agreement, all as shall be applicable and appropriate, as if the same were repeated in full herein; provided, however, that provisions of the Original Agreement always shall be construed so as to give proper effect and meaning to provisions of this Fifth Supplemental Service Agreement.

SECTION 3.02. This Fifth Supplemental Service Agreement may be executed in multiple counterparts, each of which shall be regarded for all purposes as an original; and such counterparts shall constitute but one and the same instrument.

SECTION 3.03. If any provision hereof shall be determined to be invalid, such invalidity shall not affect any other provision hereof, and the remaining provisions hereof shall be construed and enforced as if such invalid provision had not been contained herein.

SECTION 3.04. The use of numbered Articles and Sections herein is for convenience only and such numbered Articles and Sections herein bear no direct relationship to numbered Articles and Sections in the Original Agreement which bear identical numbers.

IN WITNESS WHEREOF, the BOROUGH OF SHILLINGTON, Berks County, Pennsylvania, has caused this Fifth Supplemental Service Agreement to be executed in its name and in its behalf by its President or Vice President of Council and its official seal to be affixed hereunto by its Secretary or Assistant Secretary, all as of the day and year first above written.

ATTEST:

BOROUGH OF SHILLINGTON,
Berks County, Pennsylvania

(Assistant) Secretary

By: _____
(Vice) President of Council

(SEAL)

By: _____
Mayor

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF BERKS :

On this, the ____ day of _____, 2025, before me, the undersigned officer, personally appeared _____, who acknowledged himself/herself to be the (Vice) President of Council of the Borough of Shillington, and that he/she as such officer, being authorized to do so, executed the foregoing Fifth Supplemental Service Agreement for the purposes therein contained, by signing the name of such Borough by himself/herself as such officer.

IN WITNESS WHEREOF, I set my hand and official seal.

(SEAL)

Notary Public

My Commission Expires

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF BERKS :

On this, the ____ day of _____, 2025, before me, the undersigned officer, personally appeared _____, who acknowledged himself to be the Mayor of the Borough of Shillington, and that he as such officer, being authorized to do so, executed the foregoing Fifth Supplemental Service Agreement for the purposes therein contained, by signing the name of such Borough by himself as Mayor.

IN WITNESS WHEREOF, I set my hand and official seal.

(SEAL)

Notary Public

My Commission Expires

IN WITNESS WHEREOF, the BOROUGH OF WEST READING, Berks County, Pennsylvania, has caused this Fifth Supplemental Service Agreement to be executed in its name and in its behalf by President or Vice President of Council and its official seal to be affixed hereunto by its Secretary or Assistant Secretary, all as of the day and year first above written.

ATTEST:

BOROUGH OF WEST READING,
Berks County, Pennsylvania

Cynthia Madonia
(Assistant) Secretary

By:

[Signature]
(Vice) President of Council

(SEAL)

By:

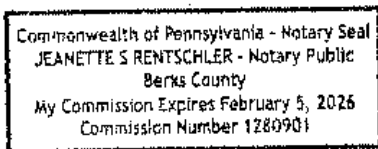
Samantha Keagy
Mayor

COMMONWEALTH OF PENNSYLVANIA :
 : SS
COUNTY OF BERKS :

On this, the 16th day of December, 2025, before me, the undersigned officer, personally appeared Ryan Lineaweaver, who acknowledged himself/herself to be the (Vice) President of Council of the Borough of West Reading, and that he/she as such officer, being authorized to do so, executed the foregoing Fifth Supplemental Service Agreement for the purposes therein contained, by signing the name of such Borough by himself/herself as such officer.

IN WITNESS WHEREOF, I set my hand and official seal.

(SEAL)



Jeanette Rentschler
Notary Public

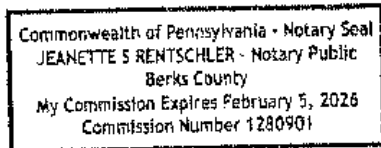
My Commission Expires 2/5/2026

COMMONWEALTH OF PENNSYLVANIA :
 : SS
COUNTY OF BERKS :

On this, the 16th day of December, 2025, before me, the undersigned officer, personally appeared Samantha Kaag, who acknowledged herself to be the Mayor of the Borough of West Reading, and that she as such officer, being authorized to do so, executed the foregoing Fifth Supplemental Service Agreement for the purposes therein contained, by signing the name of such Borough by herself as Mayor.

IN WITNESS WHEREOF, I set my hand and official seal.

(SEAL)



Jeanette Rentschler
Notary Public

My Commission Expires 2/5/2026

IN WITNESS WHEREOF, the BOROUGH OF WYOMISSING, Berks County, Pennsylvania, has caused this Fifth Supplemental Service Agreement to be executed in its name and in its behalf by its President or Vice President of Council and its official seal to be affixed hereunto by its Secretary or Assistant Secretary, all as of the day and year first above written.

ATTEST:

BOROUGH OF WYOMISSING,
Berks County, Pennsylvania

(Assistant) Secretary

By:

(Vice) President of Council

(SEAL)

By:

Mayor

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF BERKS :

On this, the ____ day of _____, 2025, before me, the undersigned officer, personally appeared _____, who acknowledged himself/herself to be the (Vice) President of Council of the Borough of Wyomissing, and that he/she as such officer, being authorized to do so, executed the foregoing Fifth Supplemental Service Agreement for the purposes therein contained, by signing the name of such Borough by himself/herself as such officer.

IN WITNESS WHEREOF, I set my hand and official seal.

(SEAL)

Notary Public

My Commission Expires

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF BERKS :

On this, the ____ day of _____, 2025, before me, the undersigned officer, personally appeared _____, who acknowledged himself to be the Mayor of the Borough of Wyomissing, and that he as such officer, being authorized to do so, executed the foregoing Fifth Supplemental Service Agreement for the purposes therein contained, by signing the name of such Borough by himself as Mayor.

IN WITNESS WHEREOF, I set my hand and official seal.

(SEAL)

Notary Public

My Commission Expires

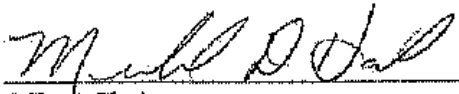
IN WITNESS WHEREOF, THE WESTERN BERKS WATER AUTHORITY has caused this Fifth Supplemental Service Agreement to be executed in its name and in its behalf by its Chairman or Vice Chairman and its official seal to be affixed hereunto and attested by its Secretary or Assistant Secretary, all as of the day and year first above written.

ATTEST:

THE WESTERN BERKS WATER
AUTHORITY



(Assistant) Secretary

By: 

(Vice) Chairman

(SEAL)

COMMONWEALTH OF PENNSYLVANIA :
 : SS
COUNTY OF BERKS :

On this, the ____ day of _____, 2025, before me, the undersigned officer, personally appeared _____ and _____, who acknowledged themselves to be the _____ and _____ of the Western Berks Water Authority, and that they, as such officers, being authorized to do so, executed the foregoing Fifth Supplemental Service Agreement, for purposes therein contained, by signing the name of such Authority by themselves as such officers.

IN WITNESS WHEREOF, I set my hand and official seal.

(SEAL)

Notary Public

My Commission Expires