

TOWNSHIP OF SOUTH MIDDLETON
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 76-22

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF SOUTH MIDDLETON, CUMBERLAND COUNTY, PENNSYLVANIA, SIGNIFYING THE INTENTION AND DESIRE OF THE TOWNSHIP TO JOIN FOR THE PURPOSE OF FLOOD CONTROL AND RECREATION RELATED TO LETORT SPRING RUN AN AUTHORITY JOINTLY WITH THE BOROUGH OF CARLISLE, NORTH MIDDLETON TOWNSHIP, AND COUNTY OF CUMBERLAND, ALL SITUATED IN CUMBERLAND COUNTY, PENNSYLVANIA, UNDER THE PENNSYLVANIA ACT OF MAY 2, 1945, PL 382, KNOWN AS THE "MUNICIPALITY AUTHORITIES ACT OF 1945," AS AMENDED AND SUPPLEMENTED; SETTING FORTH IN FULL THE AMENDED ARTICLES OF INCORPORATION, APPOINTING AND FIXING THE TERM OF THE FIRST MEMBERS TO REPRESENT THIS TOWNSHIP ON THE BOARD OF SUCH AUTHORITY; AUTHORIZING EXECUTION OF ARTICLES OF INCORPORATION AND THE DOING OF ALL MATTERS NECESSARY FOR JOINDER OF THE AUTHORITY; AND REPEALING ALL ORDINANCES INCONSISTENT WITH THIS ORDINANCE.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of South Middleton, Cumberland County, Pennsylvania, (TOWNSHIP) and it hereby is enacted and ordained by the authority of the same as follows:

SECTION 1

The Board of Supervisors of this Township hereby signifies its intention and desire to join for the purpose of flood control and recreation related to LeTort Spring Run an Authority jointly with the Borough of Carlisle, North Middleton Township and County of Cumberland, all situated in Cumberland County, Pennsylvania, under the Pennsylvania Act of May 2, 1945, PL 382, known as the Municipality Authorities Act of 1945, as amended and supplemented (ACT).

SECTION 2

Joinder is hereby authorized, for the purpose of flood control and recreation related to LeTort Spring Run, with a joint authority with the Borough of Carlisle, North Middleton Township and Cumberland County, all situated in Cumberland County, Pennsylvania, under the Pennsylvania Act of May 2, 1945, PL 382, known as the Municipalities Authorities Act of 1945, as amended and supplemented.

SECTION 3

The Chairman or Vice Chairman of the Board of Supervisors and the Secretary, respectively, of this Township hereby are authorized, empowered and directed to execute, in behalf of this Township, Articles of Incorporation for such Authority in substantially the following form:

ARTICLES OF INCORPORATION

TO: THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA

In compliance with requirements of the Act of May 2, 1945, PL 382, known as the Municipality Authorities Act of 1945, as amended and supplemented and pursuant to ordinances duly enacted by the municipal authorities of Townships of North Middleton and South Middleton, Borough of Carlisle, County of Cumberland, all situated in Cumberland County, Pennsylvania, expressing the intention and desire of the municipal authorities of said municipalities to organize a municipality authority jointly under said Act, said incorporating municipalities hereby do certify:

1. The name of the Authority is LeTort Regional Authority.
2. The Authority is formed under provisions of the Act of May 2, 1945, PL 382, known as Municipality Authorities Act of 1945, as amended and supplemented, for the purpose of flood control and recreation related to LeTort Spring Run.
3. No other Authority has been organized under said Municipality Authorities Act of 1945, as amended and supplemented, or under the Act of June 28, 1934, PL 463, as amended and supplemented, and is in existence in or for any of the incorporating municipalities, except that:
 - A. The municipal authorities of the Township of North Middleton heretofore organized "Carlisle Suburban Authority" under said Act of May 2, 1945, PL 382, known as the Municipality Authorities Act of 1945, as amended and supplemented; and
 - B. The municipal authorities of the Borough of Carlisle, heretofore organized under said Act of May 2, 1945, PL 382, known as the Municipality Authorities Act of 1945, as amended and supplemented, "Carlisle Borough Sewer System Authority," "Carlisle Area Parking Authority," "Carlisle Area Solid Waste Authority," and "Carlisle Borough Municipal Authority."
 - C. The municipal authorities of the County of Cumberland heretofore organized "Housing Authority" and "Industrial Redevelopment Authority" under said Act of May 2, 1945, PL 382, known as the Municipality Authorities Act of 1945, as amended and supplemented.
 - D. The municipal authorities of the Township of South Middleton heretofore organized under said Act of May 2, 1945, PL 382, known as the Municipality Authorities Act of 1945, as amended and supplemented, "The South Middleton Township Municipal Authority."
4. The names of the incorporating municipalities are: County of Cumberland, Borough of Carlisle, The Townships of North Middleton and South Middleton.

5. The names and addresses of all municipal authorities of said incorporating municipalities are:

County of Cumberland

<u>Office</u>	<u>Name</u>	<u>Address</u>
Commissioner	Nelson A. Punt	620 Yorkshire Drive Carlisle
Commissioner	Raymond W. Sawyer, Jr.	315 Old Fort Road Lemoyne
Commissioner	Jacob A. Myers	15 Ardmore Circle New Cumberland

Borough of Carlisle

Mayor	Alvin E. Eby	1225 Spring Road
Councilman	Earl Keller	586 "F" Street
Councilman	George Davidson, Jr.	1035 W. South Street
Councilman	Richard Gobin	126 Cedar Street
Councilman	Gilbert M. Keller	101 "G" Street
Councilman	Blaine Shatto	56 "H" Street
Councilman	John E. Lebo	442 N. College Street
Councilman	James E. Wood	816 Fairview Road

Township of North Middleton

Supervisor and Chairman of Board of Supervisors	Harold E. Boldosser	Carlisle R. D. #2
Supervisor	Emerson N. Miller	Carlisle R. D. #3
Supervisor	Roy W. Kelso	1200 Newville Road Carlisle

Township of South Middleton

Supervisor and
Chairman of Board
of Supervisors

Thomas A. Neff

221 Pine Road
Mt. Holly Springs

Supervisor

Gerald R. Clepper

213 Front Street
Boiling Springs

Supervisor

Larry Metcalf

Carlisle R. D. #6

6. The members of the Board of the Authority shall be twelve (12) in number and shall be apportioned as follows:

County of Cumberland	3
Borough of Carlisle	3
Township of North Middleton	3
Township of South Middleton	3

7. The names, addresses and terms of office of the first members of the Board of the Authority each of whom was a citizen of the incorporating municipality by which he was appointed are as follows:

<u>Name</u>	<u>Address</u>	<u>Appointee of</u>	<u>Term of Office (from 1-1-74)</u>
Jack K. Sunday	Carlisle R.D.#1	County	
C. Victor Funk	24 San Juan Drive Mechanicsburg	County	
R. Edward Shenk	500 Franklin St. Carlisle	County	
George Cubbler	804 Forbes Road	Borough	
Donald Fowler	777 W. South St.	Borough	
Guiles Flower	251 W. South St.	Borough	
Jack R. Hughes	1924 Douglas Dr.	NMT	
Leonard A. Green	Carlisle R.D.#2	NMT	
William Turicik	1933 Jody Lane	NMT	

8. The names, addresses and terms of office of the members appointed by the joining municipality, the Township of South Middleton, each of whom is a citizen of the Township are as follows:

<u>Name</u>	<u>Address</u>	<u>Appointee Of</u>	<u>Term of Office (from 1-1-77)</u>
James M. Hare	Carlisle R.D.#6	SMT	5 years
S. Howard Davis	Hilltop & Ridge Rds Boiling Springs	SMT	3 years
Rex MacCaffrey	Carlisle R.D.#6	SMT	1 year

They shall serve from appointment. Terms of office shall commence upon appointment and expire in accordance with law from date set forth herein.

IN WITNESS WHEREOF, the Borough of Carlisle has caused these Articles of Incorporation to be executed by its Mayor and its President of Council; the Township of North Middleton has caused these Articles of Incorporation to be executed by the Chairman or Vice Chairman of the Board of Supervisors; the Township of South Middleton has caused these Articles of Incorporation to be executed by the Chairman or Vice Chairman of the Board of Supervisors; and the County of Cumberland has caused these Articles of Incorporation to be executed by the Chairman or Vice Chairman of the Board of Commissioners; and each has caused these Articles of Incorporation to be attested its Secretary or Assistant Secretary or Chief Clerk or appropriate official and its official seal to be affixed hereto,
 this day of 1976.

ATTEST

COUNTY OF CUMBERLAND

 Chief Clerk

By _____

SEAL

ATTEST

BOROUGH OF CARLISLE

 Secretary

By _____

SEAL

ATTEST

TOWNSHIP OF NORTH MIDDLETON

 Secretary

By _____

SEAL

ATTEST

TOWNSHIP OF SOUTH MIDDLETON

Secretary

By _____

SECTION 4

The Chairman or Vice Chairman of the Board of Supervisors and the Secretary, respectively, of this Township, acting jointly with appropriate officers of the Borough of Carlisle, North Middleton Township, and County of Cumberland, all situated in Cumberland County, Pennsylvania, hereby are authorized, empowered and directed to cause notice of the substance of this Ordinance, including, and of the proposed filing of such Articles of Incorporation to be published as required by the Act.

SECTION 5

The Chairman or Vice Chairman of the Board of Supervisors and the Secretary, respectively, of this Township acting jointly with appropriate officers of the Borough of Carlisle, North Middleton Township, and County of Cumberland, all situated in Cumberland County, Pennsylvania, hereby are authorized, empowered and directed to cause such Articles of Incorporation, together with necessary proofs of publication to be filed with the Secretary of the Commonwealth of Pennsylvania and to do all other acts and things necessary or appropriate to effect the incorporation of such Authority including payment of any fees necessary in connection therewith.

SECTION 6

The following named persons shall be and they hereby are appointed as the first members to represent this Township on the Board of such Authority for the following terms of

office:

<u>Name</u>	<u>Address</u>	<u>Term of Office</u>
James M. Hare	Carlisle R. D. #6	1 year
S. Howard Davis	Hilltop & Ridge Road Boiling Spring	3 years
Rex MacCaffrey	Carlisle R. D. #6	5 years

SECTION 7

The enactment of this Ordinance is deemed necessary for the benefit of and preservation of the public health, peace, comfort and general welfare of and will increase the prosperity of the citizens of this Township.

SECTION 8

All ordinances or parts of ordinances, insofar as such shall be inconsistent herewith, shall be and the same hereby expressly are repealed.

DULY ENACTED AND ORDAINED by the Board of Supervisors of the Township of South Middleton, Cumberland County, Pennsylvania, this 19th day of August, 1976, in lawful session duly assembled.

ATTEST

Ada Currie
Secretary

TOWNSHIP OF SOUTH MIDDLETON

By Thomas A. Neff