

ORDINANCE NO. : 6-2006

AN ORDINANCE AUTHORIZING MIDDLESEX TOWNSHIP TO ENTER INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT FOR PARTICIPATION IN THE CUMBERLAND COUNTY LAND PARTNERSHIPS GRANT PROGRAM.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Middlesex Township, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1: SHORT TITLE

This Ordinance shall be known and may be cited as the Cumberland County Land Partnerships Grant Program Partnership Ordinance.

SECTION 2: LEGISLATIVE INTENT AND APPLICABILITY

The background of this Ordinance and the legislative intention of the Board of Supervisors in enacting it are as follows:

- A. Middlesex Township is a Pennsylvania township of the second class.
- B. The Act of December 19, 1996 P.L 1158, No. 177, referred to as the Intergovernmental Cooperation Law, 53 Pa.C.S. §2301, *et seq.*, provides that local governments may jointly cooperate in the exercise or in the performance of their respective governmental functions, powers or responsibilities.
- C. The Cumberland County Land Partnerships Grant Program ("Program") was established by the Board of Commissioners of Cumberland County for the purpose of open space preservation and smart growth planning for the benefit of County residents.

D. The Board of Supervisors of Middlesex Township, Cumberland County, Pennsylvania, determines that it is in the best interest of the public health, safety and welfare of its citizens to participate in the Program.

SECTION 3: TERMS OF THE AGREEMENT

A. The conditions of membership, duration, purpose and objectives of the Program, including the powers and scope of authority delegated therein, manner and extent of financing, organizational structure necessary to implement the Program and manner in which real and personal property will be acquired, managed and disposed of are set forth in the master Intergovernmental Cooperation Agreement for Municipal Participation in the Cumberland County Land Partnerships Grant Program ("Agreement"), a copy of which is attached to this Ordinance as Exhibit "A" and incorporated herein as if set forth in full.

B. Any funds for the Program may be appropriated by the Board of Commissioners of Cumberland County as it shall determine, in its sole discretion, from time to time.

C. Real and personal property may be acquired, managed or disposed of under this Ordinance.

D. Each party has the power to enter into contracts for policies of group insurance and employee benefits, including social security, for all of their employees, including those whose duties further the purposes of the Program.

SECTION 4: AUTHORITY TO ENTER AGREEMENT

The Chairman of the Board of Supervisors of Middlesex Township is hereby authorized to execute all documents and perform all actions necessary to cause the Township of Middlesex to enter the Agreement.

SECTION 5: SEVERABILITY

If any sentence, clause, phrase or section of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, phrases, sections or parts of this Ordinance. It is hereby declared as the intention of the Board of Supervisors of Middlesex Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, phrase, section or part thereof not been included therein.

SECTION 6: REPEALER

Any other Ordinance or parts thereof inconsistent with this Ordinance be and are hereby expressly repealed.

SECTION 7: EFFECTIVE DATE

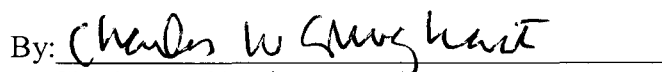
This Ordinance shall become effective as provided by law. The Agreement shall be effective upon the effective date of the Intergovernmental Cooperation Ordinance last enacted by the parties.

ENACTED AND ORDAINED this 4 th day of October, 2006.

ATTEST:

Middlesex Township


Mary Justh, Township Secretary

By: 
Charles W. Shughart
Chairman, Board of Township Supervisors