

TOWNSHIP OF MIDDLESEX,Cumberland County, Pennsylvania

ORDINANCE NO. 7-81

AN ORDINANCE

OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF MIDDLESEX, CUMBERLAND COUNTY, PENNSYLVANIA, AUTHORIZING AND APPROVING AN AGREEMENT AND THE FORM THEREOF BETWEEN THIS TOWNSHIP, ON THE ONE HAND, AND MIDDLESEX TOWNSHIP MUNICIPAL AUTHORITY, ON THE OTHER HAND, WHEREBY SAID AUTHORITY WILL COVENANT TO ACQUIRE, TO CONSTRUCT, TO OWN AND TO OPERATE CERTAIN SANITARY SEWAGE COLLECTION, TRANSMISSION AND DISPOSAL SYSTEM FACILITIES REQUIRED FOR RENDERING SEWAGE SERVICE, INTER ALIA, IN AND FOR PORTIONS OF THIS TOWNSHIP AND PORTIONS OF ADJACENT MUNICIPALITIES, AND WHEREBY THIS TOWNSHIP WILL MAKE CERTAIN COVENANTS AND AGREEMENTS WITH RESPECT TO THE PROPOSED SEWER SYSTEM TO BE ACQUIRED, TO BE CONSTRUCTED, TO BE OWNED AND TO BE OPERATED BY SAID AUTHORITY, INCLUDING INTER ALIA: (1) THE ENFORCING OF REQUIREMENTS FOR CONNECTION TO AND USE OF SUCH SEWER SYSTEM; (2) THE GRANTING OF CERTAIN EASEMENTS, RIGHTS OF WAY, RIGHTS AND PRIVILEGES TO SAID AUTHORITY; AND (3) OTHER RELATED MATTERS; AUTHORIZING AND DIRECTING EXECUTION, ACKNOWLEDGMENT AND DELIVERY OF SAID AGREEMENT IN BEHALF OF THIS TOWNSHIP; AND AUTHORIZING AND DIRECTING OTHER NECESSARY AND PROPER ACTION.

The Board of Supervisors of the Township of Middlesex, Cumberland County, Pennsylvania (the "Township"), enacts and ordains as follows:

SECTION 1. This Township shall enter into an Agreement (the "Agreement") with Middlesex Township Municipal Authority (the "Authority"), whereby, inter alia, the Authority will covenant and agree to acquire, to construct, to own and to operate certain sanitary sewage collection, transmission and disposal system facilities required for rendering sewage service, inter alia, in and for portions of this Township and portions of adjacent municipalities, and this Township will make certain covenants and agreements with respect to the proposed sewer system to be acquired, to be constructed, to be owned and to be operated by the Authority, including: (1) the enforcing of requirements for connection to and use of such sewer system; (2) the granting of certain easements, rights of way, rights and privileges to the Authority; and (3) other related matters. The Agreement shall be substantially in the form presented to this meeting, which Agreement and the form thereof is approved.

SECTION 2. A copy of the Agreement, in the form so presented to this meeting and so approved, shall be filed with the Secretary of this Township and shall be made available for inspection at reasonable times by interested persons requesting such inspection.

SECTION 3. The Chairman or Vice Chairman of the Board of Supervisors and Secretary of this Township, as applicable, are authorized and directed to execute, to attest, to acknowledge and to deliver the Agreement, in behalf of this Township, in the form so approved.

SECTION 4. Proper officers of this Township are authorized and directed to execute all documents and to do all other acts that may be necessary and proper to carry out this Ordinance and the undertakings of this Township in the Agreement.

SECTION 5. This Ordinance shall become effective as provided by law.

SECTION 6. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this Township that such remainder of this Ordinance shall be and shall remain in full force and effect.

SECTION 7. It is declared that enactment of this Ordinance and the execution, acknowledgment and delivery of the Agreement is necessary for the protection, benefit and preservation of the health, safety and welfare of inhabitants of this Township.

SECTION 8. All ordinances and parts of ordinances inconsistent herewith shall be and the same expressly are repealed.

DULY ENACTED AND ORDAINED, this day of November, 1981, by the Board of Supervisors of the Township of Middlesex, Cumberland County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF MIDDLESEX,
Cumberland County, Pennsylvania

ATTEST:

By: Albert M. Shaver
(Vice) Chairman of the Board
of Supervisors

B. B. Pison
Secretary

(SEAL)