

MIDDLESEX TOWNSHIP
CUMBERLAND COUNTY, PENNSYLVANIA

RESOLUTION NO. 2016-5

A RESOLUTION OF THE BOARD OF SUPERVISORS OF MIDDLESEX TOWNSHIP, CUMBERLAND COUNTY, PENNSYLVANIA, ADOPTING AND APPROVING AN AMENDMENT TO THE ARTICLES OF INCORPORATION OF THE MIDDLESEX TOWNSHIP MUNICIPAL AUTHORITY TO CONFIRM AND INCREASE ITS PURPOSES; AUTHORIZING SAID AUTHORITY TO EXECUTE, VERIFY AND FILE APPROPRIATE ARTICLES OF AMENDMENT; AND REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS INCONSISTENT HEREWITH

WHEREAS, Middlesex Township Municipal Authority (the "Authority") is a municipal authority existing and governed by the Municipality Authorities Act, 53 Pa.C.S. Chapter 56, as amended, of the Commonwealth of Pennsylvania (the "Authorities Act"); and

WHEREAS, the Authority was incorporated under the Municipality Authorities Act of 1945 (the Act of May 2, 1945, P.L. 382), pursuant to appropriate action of the Board of Supervisors of Middlesex Township, Cumberland County, Pennsylvania, (the "Governing Body"); and

WHEREAS, Articles of Incorporation were duly filed and approved by the Secretary of the Commonwealth of Pennsylvania on March 17, 1972, with subsequent Articles of Amendment filed and approved May 28, 2008; and

WHEREAS, the Authority desires to amend its Articles of Incorporation for purposes of confirming and adding to its powers and purposes as authorized by the Authorities Act (53 Pa.C.S.A. 5605(a)(3)); and

WHEREAS, the Authority has caused to be submitted to the Governing Body of Middlesex Township the language of the proposed amendment of the Articles of Incorporation; and

WHEREAS, the Authorities Act provides that the Governing Body of Middlesex Township, being the governing authority of the municipality composing the Authority, shall adopt or reject said proposed amendment by resolution or ordinance.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of Middlesex Township, as follows:

SECTION 1. The Board of Supervisors hereby adopts and approves the amendment to the Articles of Incorporation of the Authority as proposed by the Board of the Authority as described in Section 2, below.

SECTION 2. The amendment to the Articles of Incorporation of the Authority, which is hereby adopted and approved, shall amend the Articles of Incorporation, pursuant to Section 5605(a)(3) of the Authorities Act, by adding Paragraph 8 to the Articles of Incorporation to provide as follows:

“8. The purposes of the Authority shall be: to acquire, hold, construct, finance, improve, maintain, operate, own and/or lease, either in the capacity of lessor or lessee, sewers, sewer systems or parts thereof and sewage treatment works, including, but not limited to, works for treating and disposing of industrial waste, to acquire, hold, construct, finance, improve, maintain, operate, own and/or lease, either in the capacity of lessor and lessee, waterworks, water supply works, water distribution systems and water treatment works, and to acquire, hold, construct, finance, improve,

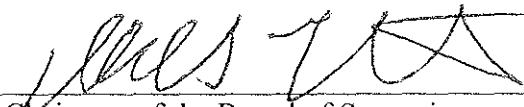
maintain, operate, own and/or lease, either in the capacity of lessor or lessee, storm water systems or parts thereof, including the planning, management and implementation of storm water systems.”

SECTION 3. The proper officers of the Authority hereby are authorized to adopt, execute, verify and file appropriate Articles of Amendment with the Secretary of the Commonwealth of Pennsylvania and to take all other action and to do all other things that may be necessary in order to accomplish such amendment of the Articles of Incorporation of the Authority in the manner herein adopted.

SECTION 4. All resolutions or parts of resolutions, insofar as the same shall be inconsistent herewith, shall be and the same hereby expressly are repealed.

DULY ADOPTED by the Board of Supervisors of Middlesex Township this 6th day of April, 2016.

MIDDLESEX TOWNSHIP

By: 
(Vice) Chairman of the Board of Supervisors

ATTEST:


Township Secretary

(Township Seal)

CERTIFICATE

I, the undersigned, Secretary of the Township of Middlesex, Cumberland County, Pennsylvania (the "Township"), hereby certify that the foregoing is a full, true and correct copy of a Resolution which duly was adopted by affirmative vote of a majority of all members of the Board of Supervisors of the Township at a meeting of said Board duly convened and held according to law on April 6, 2016, at which meeting a quorum was present; that said Resolution has been duly recorded in the minutes of the Board of Supervisors of the Township; and the said Resolution is in full force and effect, without alteration, amendment, modification or repeal, as of the date of this Certificate.

I further certify that the Board of Supervisors of Middlesex Township met the advance notice and public comment requirements of the Sunshine Act, 65 Pa.C.S. Ch. 7, of the Commonwealth of Pennsylvania, by advertising said meeting, by posting prominently a notice of said meeting at the principal office of the Township or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting, all in accordance with such Act.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township, this 6th day of April, 2016.


Secretary

(Township Seal)