

RESOLUTION 2023 - 7

A RESOLUTION OF THE SUPERVISORS OF MIDDLESEX TOWNSHIP APPROVING AN AMENDMENT TO THE ARTICLES OF INCORPORATION OF THE LETORT REGIONAL AUTHORITY

WHEREAS, the Letort Regional Authority (the “Authority”) was incorporated under the Municipality Authorities Act, as amended (the “Act”), by the County of Cumberland, Borough of Carlisle and Township of North Middleton pursuant to Articles of Incorporation dated January 29, 1974, filed with the Secretary of Commonwealth of Pennsylvania; and

WHEREAS, the Authority’s term of existence is scheduled to expire January 29, 2024; and

WHEREAS, the subsequent Certificates of Joinder for the addition of the Township of South Middleton in 1976 and the Township of Middlesex in 1989 to the Authority did not modify or extend this term of existence; and

WHEREAS, subsequent amendments to change the number of board members on the Authority in 1980 and 1989 did not modify or extend the Authority’s term of existence; and

WHEREAS, the Authority desires to continue its mission of protecting and preserving the Letort Spring Run and its watershed while developing access and recreational activities associated with the stream; and

WHEREAS, in order to continue the mission of the Authority, the Board of the Authority wishes to amend the Articles of Incorporation pursuant to section 5605(a)(2) of the Act to increase the term of existence of the Authority to December 1, 2072, a date approximately fifty (50) years from the date of this Resolution; and

WHEREAS, the Township has determined to authorize and approve the proposed Amendment to the Articles of Incorporation of the Authority.

NOW, THEREFORE, BE IT RESOLVED BY THE SUPERVISORS OF MIDDLESEX TOWNSHIP as follows:

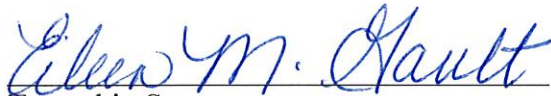
1. The Articles of Amendment of the Authority attached hereto and made part of this Resolution are hereby adopted and approved for filing with the Commonwealth of Pennsylvania.
2. The Officers of the Authority are hereby authorized to take all steps necessary or appropriate to implement the terms of this Resolution.
3. This Resolution shall become effective immediately.

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

RESOLVED this 27th day of January, 2023.

ATTEST :

TOWNSHIP OF MIDDLESEX


Township Secretary

By: 
Chairman, Board of Township Supervisors

(Township Seal)

RESOLUTION NO. 2022-1

LETORT REGIONAL AUTHORITY
CUMBERLAND COUNTY, PENNSYLVANIA

A RESOLUTION ADOPTING THE ARTICLES OF AMENDMENT OF THE ARTICLES OF INCORPORATION OF THE AUTHORITY TO INCREASE THE TERM OF EXISTENCE OF THE AUTHORITY, DIRECTING THE SUBMISSION OF THE ARTICLES OF AMENDMENT TO THE COUNTY OF CUMBERLAND, BOROUGH OF CARLISLE, AND TOWNSHIP OF NORTH MIDDLETON WHICH INCORPORATED THE AUTHORITY, AND TO THE TOWNSHIP OF SOUTH MIDDLETON AND TOWNSHIP OF MIDDLESEX WHICH SUBSEQUENTLY JOINED THE AUTHORITY; AND DIRECTING AND AUTHORIZING THE TAKING OF ALL RELATED NECESSARY AND APPROPRIATE ACTION.

WHEREAS, the Letort Regional Authority (the "Authority") was incorporated under the Municipality Authorities Act, as amended (the "Act"), by the County of Cumberland, Borough of Carlisle and Township of North Middleton pursuant to Articles of Incorporation dated January 29, 1974, filed with the Secretary of Commonwealth of Pennsylvania; and

WHEREAS, the Authority's term of existence is scheduled to expire January 29, 2024; and

WHEREAS, the subsequent Certificates of Joinder for the addition of the Township of South Middleton in 1976 and the Township of Middlesex in 1988 to the Authority did not modify or extend this term of existence; and

WHEREAS, subsequent amendments to change the number of board members on the Authority in 1980 and 1989 did not modify or extend the Authority's term of existence; and

WHEREAS, the Authority desires to continue its mission of protecting and preserving the Letort Spring Run and its watershed while developing access and recreational activities associated with the stream; and

WHEREAS, in order to continue the mission of the Authority, the Board of the Authority wishes to amend the Articles of Incorporation pursuant to section 5605(a)(2) of the Act to increase the term of existence of the Authority to December 1, 2072, a date approximately fifty (50) years from the date of this Resolution; and

WHEREAS, the Act requires this Resolution being adopted for the purposes of amendment of the Articles of Incorporation, set forth in the Articles of Amendment and directs the submission of the same to the Board of Commissioners of Cumberland County, Borough Council of the Borough of Carlisle, Supervisors of the Township of South Middleton, Supervisors of the Township of North Middleton, and Supervisors of the Township of Middlesex for their adoption or rejection; and

WHEREAS, following anticipated adoption of the a Resolution approving the foregoing matters by the Board of Commissioners of Cumberland County, Borough Council of the Borough of Carlisle, Supervisors of the Township of South Middleton, Supervisors of the Township of North Middleton, and Supervisors of the Township of Middlesex, the Act further sets forth the procedure for the advertisement of the intention to file the Articles of Amendment and with respect to such filing with the Secretary of the Commonwealth; and

WHEREAS, the Board of the Authority wishes to authorize and direct the taking of all related necessary and appropriate action for the approval, adoption and filing of such Articles of Amendment.

THEREFORE, BE IT RESOLVED by the Board of the Authority, as follows:

1. The Articles of Amendment attached to and made a part of this Resolution are hereby approved and, following approval and adoption thereof by the Board of Commissioners of Cumberland County, Borough Council of the Borough of Carlisle, Supervisors of the Township of South Middleton, Supervisors of the Township of North Middleton, and Supervisors of the Township of Middlesex, shall be executed under the seal of the Authority as verified by the officers of the Authority, and filed with the Secretary of the Commonwealth following advertisement of the intention to file, all in compliance with the Act.

2. The officers of the Authority are hereby authorized and directed to submit a proposed Resolution and Articles of Amendment to the Board of Commissioners of Cumberland County, Borough Council of the Borough of Carlisle, Supervisors of the Township of South Middleton, Supervisors of the Township of North Middleton, and Supervisors of the Township of Middlesex for adoption or rejection.

3. All of the officers of the Authority are hereby authorized and directed to take all such action and any related additional action with respect to such approval, adoption, advertisement and filing, as necessary or appropriate to effect the purposes of the Resolution and the amendment to the Articles of Incorporation.

4. The Articles of Incorporation as so finally amended by the Articles of Amendment shall be amended so that the matter set forth in the Articles of Amendment shall be added to the Articles of Incorporation.

DULY ADOPTED at a meeting of the Board of the Authority held on the 15th day of December, 2022.

LETORT REGIONAL AUTHORITY



Andrew Parker, Chair
South Middleton Township



Mark White, Vice Chair
North Middleton Township



Luke Shaffner, Treasurer
Middlesex Township



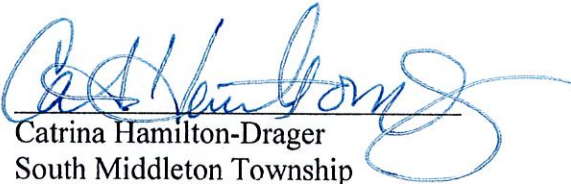
Curtis Stevens, Secretary
Cumberland County



Benjamin Mummert
Cumberland County



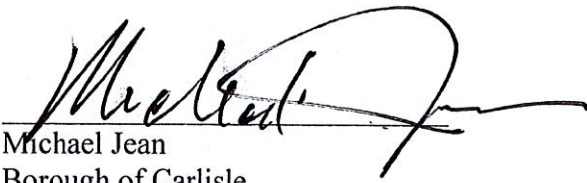
Don Ward
North Middleton Township



Catrina Hamilton-Drager
South Middleton Township



Robert Ackerman
Borough of Carlisle



Michael Jean
Borough of Carlisle

LETORT REGIONAL AUTHORITY

ARTICLES OF AMENDMENT

TO THE SECRETARY OF THE COMMONWEALTH:
COMMONWEALTH OF PENNSYLVANIA

In compliance with the requirements of the Municipality Authorities Act, as amended, of the Commonwealth of Pennsylvania, and pursuant to an adopted resolution of the Letort Regional Authority (the "Authority") and enacted resolutions by the County of Cumberland, Borough of Carlisle, Township of Middlesex, Township of North Middleton and Township of South Middleton, the organizing municipalities of the Authority, the Articles of Incorporation of the Authority are hereby amended to these Articles of Amendment, as follows:

1. The name of the Authority is the Letort Regional Authority.
2. The location of the registered office of the Authority is Stuart Community Center, 415 Franklin Street, Carlisle, Pennsylvania, 17013.
3. The Authority was formed under the Municipality Authorities Act, as amended, of the Commonwealth of Pennsylvania (the "Commonwealth"), as evidenced by Articles of Incorporation filed with the Secretary of the Commonwealth and by the Certificate of Incorporation dated January 29, 1974.
4. The resolution of the Board of the Authority, and the resolutions of the Commissioners of Cumberland County, the Council of the Borough of Carlisle, the Supervisors of the Township of Middlesex, the Supervisors of the Township of North Middleton and the Supervisors of the Township of South Middleton, the incorporators of the Authority, approving and adopting these Articles of Amendment are attached hereto.
5. The Amendment adopted by the Authority, set forth in full, is as follows with the addition thereto of the following paragraph:

"9. The term of existence of the Authority shall be increased to December 1, 2072."

IN WITNESS WHEREOF, the undersigned duly authorized officers of the Authority have executed these Articles of Amendment, and impressed the seal of the Authority thereon, this ____ day of _____, 2023.

LETORT REGIONAL AUTHORITY

Attest: _____
Curtis Stevens, Secretary

By: _____
Andrew Parker, Chair