

**NORTH LEBANON TOWNSHIP
LEBANON COUNTY, PENNSYLVANIA**

ORDINANCE NUMBER 2-2018

AN ORDINANCE AUTHORIZING EXECUTION OF AN AMENDMENT TO AN INTERMUNICIPAL AGREEMENT PREVIOUSLY ENTERED INTO BY AND BETWEEN ANNVILLE TOWNSHIP, CITY OF LEBANON, CLEONA BOROUGH, NORTH CORNWALL TOWNSHIP, NORTH LEBANON TOWNSHIP, SOUTH LEBANON TOWNSHIP (MUNICIPALITIES), AND CLEONA BOROUGH AUTHORITY (AUTHORITY), WITHIN LEBANON COUNTY, PENNSYLVANIA, WHICH AGREEMENT PROVIDED FOR AN INTERGOVERNMENTAL COOPERATION AGREEMENT FOR THE IMPLEMENTATION OF LEBANON AREA REGIONAL POLLUTANT REDUCTION PLAN.

WHEREAS, the Intergovernmental Cooperation Act, 53 Pa.C.S. §2301 et. seq. permits municipalities to enter into agreements to cooperate in the performance of their respective functions, powers or responsibilities; and

WHEREAS, the municipalities/authority previously entered into an Intergovernmental Agreement of Cooperation (the “Agreement”), relating to Intergovernmental Cooperation Agreement for the implementation of the Lebanon Area Regional Pollutant Reduction Plan; and

WHEREAS, the municipalities/authority desire to enter into an amendment to the Intergovernmental Agreement of Cooperation, relating to the previously executed Intergovernmental Cooperation Agreement for the implementation of the Lebanon Area Regional Pollutant Reduction Plan; and

WHEREAS, the Intergovernmental Cooperation Act provides that any joint cooperation agreement shall be deemed enforced as to any municipality/authority when the same has been adopted by Ordinance/Resolution by all cooperating municipalities; and

WHEREAS, the municipalities/authority desire to enact such an Ordinance approving the Amended Intermunicipal Agreement.

BE IT ORDAINED AND ENACTED, by North Lebanon Township, Lebanon County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

SECTION ONE: The caption of and recitals to this Ordinance as set forth above are incorporated herein by reference as if fully set forth.

SECTION TWO: ADOPTION OF AMENDED INTERMUNICIPAL AGREEMENT. The Amended Intermunicipal Agreement between the various municipalities/authority is attached hereto, and made a part hereof and marked Exhibit “A” is hereby adopted.

SECTION THREE: AUTHORIZATION TO EXECUTE.

A. The appropriate North Lebanon Township officials and representatives of this Municipality are hereby authorized to execute the Amended Intermunicipal Agreement in the form attached hereto as Exhibit “A” or with such non-substantive changes as may be approved by the Solicitor. Any actions already taken by this Municipality in accordance with the terms of the Amended Intermunicipal Agreement and this Ordinance are hereby ratified.

B. The appropriate officers and representatives of this Municipality are hereby authorized to take such other action as may be necessary to carry out the purposes of this Ordinance in connection with the implementation of the Amended Intermunicipal Agreement.

SECTION FOUR: FINDINGS REQUIRED BY INTER-GOVERNMENTAL COOPERATION ACT. As required by the Intergovernmental Cooperation Act requirements, the following determinations have been made:

a) The conditions of the Amended Agreement shall be substantially as those set forth within the herein referenced Amended Intermunicipal Agreement;

b) The Amended Intermunicipal Agreement shall be effective upon execution by all of the entities identified with a commencement date as set forth in the Amended Agreement and shall be perpetual;

c) The purposes and objectives of the Amended Municipal Agreement are to provide for the implementation of the Lebanon Area Regional Pollutant Reduction Plan between the municipalities/authority identified herein;

d) No new entity is proposed to be formed;

e) No real property is proposed to be acquired in the Amended Intermunicipal Agreement;

f) The Amended Intermunicipal Agreement does not anticipate the hiring of employees or the need for employee insurance or other employee benefits.

SECTION FIVE: RATIFICATION. All other Intergovernmental Agreements between this municipality and the other parties presently existing are hereby ratified and confirmed to the extent such Agreements are not inconsistent with the Agreement authorized herein;

SECTION SIX. SEVERABILITY. If any sentence, clause, section, or part 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, sections, or parts of this Ordinance. It is hereby declared as the intent of this Municipality that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof had not been included therein.

SECTION SEVEN: EFFECTIVE DATE. This Ordinance shall be effective upon adoption.

ORDAINED AND ENACTED this 19th day of March, 2018.

ATTEST:
(SEAL)

**NORTH LEBANON TOWNSHIP
BOARD OF SUPERVISORS**

Cheri F. Grumbine, Secretary

By: _____
Richard E. Miller, Chairman

By: _____
Edward A. Brensinger, Vice-Chairman

By: _____
A. Bruce Sattazahn, Treasurer