

TOWNSHIP OF MONROE
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 2019-01

**AN ORDINANCE AUTHORIZING THE TOWNSHIP OF
MONROE AND THE TOWNSHIP OF SILVER SPRING TO
ENTER INTO AN AGREEMENT CONCERNING THE
CONSTRUCTION, OPERATION, MAINTENANCE,
INSURANCE, AND OTHER PROVISIONS RELATED TO A
SHARED TRAFFIC SIGNAL.**

WHEREAS, Monroe Township and Silver Spring Township (hereinafter collectively the "Municipalities" and sometimes individually the "Municipality") are adjoining political subdivisions located within Cumberland County, Pennsylvania; and

WHEREAS, a traffic signal is proposed to be installed along Trindle Road, at the intersection with State Road and Sinclair Road (hereinafter the "traffic signal"), and road improvements are proposed to be constructed at the intersection of Trindle Road and Bare Road as depicted in Exhibit 'A' (collectively the "improvements") to the Agreement between Monroe Township and Silver Spring Township (hereinafter the "Agreement"); and

WHEREAS, Monroe Township and Silver Spring Township desire to allocate the costs to construct, operate, and maintain the traffic signal and improvements; and

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

WHEREAS, the Intergovernmental Cooperation Act provides that any joint cooperation agreement shall be deemed in force as to any municipality when the same has been adopted by ordinance by all cooperating municipalities; and

WHEREAS, the Municipalities desire to each enact such an ordinance.

BE AND IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of Monroe, Cumberland County, Pennsylvania, as follows:

Section 1. The recitals above are herein incorporated by reference as if set forth more fully below.

Section 2. Monroe Township and Silver Spring Township agree to join with each other in accordance with the Intergovernmental Cooperation Act by entering into the Agreement,

adopted by reference, with the same effect as if set forth more fully herein, a copy of which shall be filed with the minutes of the meeting at which this Ordinance was enacted.

Section 3. Monroe Township is authorized to enter into the Agreement in the form and content presented for the purposes contained therein. The enactment of this Ordinance, and the execution of the Agreement, is authorized pursuant to the Second Class Township Code, 53 P.S. § 65101 et seq., and the Intergovernmental Cooperation Act.

Section 4. As required by the Intergovernmental Cooperation Act, 53 Pa.C.S. § 2307, the following matters are specifically found and determined:

- (1) The conditions of the Agreement are set forth in the Recitals to this Ordinance, and the Agreement referred to in Sections 2 and 3 hereof.
- (2) The Agreement shall commence as of the date of execution of the Agreement, by both Monroe Township and Silver Spring Township, and shall extend until terminated pursuant to the terms of the Agreement.
- (3) The purposes and objectives of the Agreement are to provide for the allocation of costs and the performance of obligations relating to the construction, operation, maintenance, insurance, and other provisions related to the traffic signal to be installed along Trindle Road, at the intersection with State Road and Sinclair Road and road improvements at the intersection of Trindle Road and Bare Road.
- (4) Monroe Township and Silver Spring Township shall bear the costs agreed upon in the Agreement from its general fund, or through potential grant funding, or other means which may arise.
- (5) Monroe Township is proposing no new organizational structure with the Agreement.
- (6) The Agreement contemplates the acquisition of sections of real property located on the southern side of Trindle Road, at the intersection with Sinclair Road. The Township intends to acquire title to said sections of real property for the purpose of proposed improvements to the intersection described herein, and desires to do so through agreements of sale entered between the current landowners of said sections of real property.
- (7) No new entity will be created pursuant to the Agreement which shall be empowered to enter into contracts for policies of group insurance and employee benefits, including Social Security, for its employees. The Municipalities have the power to enter into contracts for policies of insurance or other employee benefits pursuant to the terms of the Agreement.

Section 5. The Board of Supervisors of Monroe Township is authorized to take such other action in furtherance of carrying out the purposes of this Ordinance, in connection with the implementation of the Agreement.

Section 6. The Board of Supervisors reserves the right to modify or amend the Agreement from time to time by resolution or ordinance.

Section 7. Any provision of this Ordinance which is invalid or unenforceable in any jurisdiction or under any circumstances shall be ineffective to the extent of such invalidity or unenforceability without invalidating or rendering unenforceable the remaining provisions hereof in such jurisdiction or under such circumstances, and any such invalidity or unenforceability shall not invalidate or render unenforceable such provision in any other jurisdiction or under any other circumstances, it being the intent of the Board of Supervisors that the remainder of the Ordinance shall be and shall remain in full force and effect.

Section 8. This Ordinance shall take effect five (5) days after its enactment by the Board of Supervisors of Monroe Township as provided by law.

ORDAINED AND ENACTED, this 8th day of August, 2019 by the Board of Supervisors of Monroe Township, Cumberland County, Pennsylvania

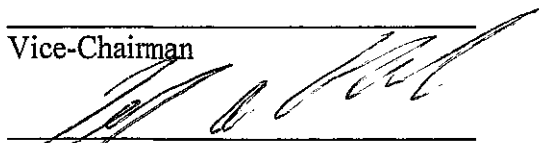
MONROE TOWNSHIP
BOARD OF SUPERVISORS



Chairman

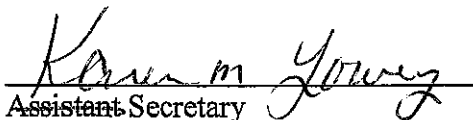


Vice-Chairman



Supervisor

ATTEST:



Assistant Secretary

(SEAL)