

**STRASBURG TOWNSHIP  
LANCASTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 46 OF 2001**

**AN ORDINANCE AUTHORIZING COOPERATION WITH  
PARADISE TOWNSHIP IN THE MAINTENANCE OF  
ELECTRONIC TRAFFIC CONTROL FACILITIES**

WHEREAS, the Commonwealth of Pennsylvania, acting through the Department of Transportation ("PennDOT"), has approved and will finance the installation of an electronic traffic control device at an intersection located on the boundary between Paradise and Strasburg Township, Lancaster County, Pennsylvania; and

WHEREAS, the responsibility for maintaining, repairing and replacing the traffic control device, once it has been installed, will devolve on the two townships; and

WHEREAS, the Township desires to enter into an intergovernmental cooperation agreement with Paradise Township in order to establish and delegate the respective duties and responsibilities of each township for maintaining the traffic control device; and

WHEREAS, such an agreement is authorized by the Act of December 19, 1996, P.L. 1158, No. 177, 53 Pa. C.S.A. §2301 et seq., commonly known as the Intergovernmental Cooperation Act.

It is therefore ordained and enacted as follows:

1. The Board of Supervisors hereby authorizes its officers to enter into a Joint Maintenance Agreement with Paradise Township in order to set forth the duties and responsibilities of each township with respect to the maintenance, repair and

replacement of electronic traffic control facilities to be installed at the intersection of S.R. 741 and Paradise Lane.

2. As required by the Intergovernmental Cooperation Act, the following matters are specifically found and determined:

(A) The Township shall cooperate and share with Paradise Township the costs of owning and maintaining the traffic control facilities to be installed at the intersection of S.R. 741 and Paradise Lane.

(B) The duration of the agreement shall be for so long as the traffic control facilities remain operational at this location, or until terminated by both townships.

(C) The purpose and objectives of the agreement are to establish the respective duties and responsibilities of the two townships with regard to maintaining, repairing and replacing the traffic control facilities and payment of the costs incurred therefor, including the cost of providing electrical power to the facilities.

(D) The cost of acquiring and installing the traffic control facilities shall be financed in total by a grant from PennDOT. The costs incurred by the townships under the Joint Maintenance Agreement shall be financed from the general funds budgets of the townships and will be paid entirely with current revenues.

(E) There is no organizational structure necessary to implement the agreement.

(F) The personal property acquired in the form of the traffic control facilities will be co-owned as the property of Paradise and Strasburg Townships during the duration of the contract.

(G) Both parties to this agreement are empowered to enter into contracts for policies of group insurance and employee benefits.

3. All other contracts between the parties presently existing are hereby ratified and confirmed to the extent that such contracts are not inconsistent with the contract authorized herein.

4. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be illegal, invalid or unconstitutional by a court of competent jurisdiction, such illegality, invalidity or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance. It is the intent of the Board of Supervisors that the remainder of this Ordinance shall be and shall remain in full force and effect.

5. This Ordinance shall become effective five (5) days after its enactment as provided by law.

ORDAINED AND ENACTED this 19<sup>th</sup> day of March, 2001.

BOARD OF SUPERVISORS OF  
THE TOWNSHIP OF STRASBURG

By:   
(Vice) Chairman

I, Caroline D. Herr, Secretary of the Board of Supervisors of Strasburg Township, Lancaster County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted at a legally constituted meeting of the Board of Supervisors of Strasburg Township held on March 19, 2001, at which meeting a quorum was present and voted in favor thereof.

Caroline D. Herr  
\_\_\_\_\_, Secretary

**BLAKINGER, BYLER & THOMAS, P.C.**

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\* ALSO MEMBER MD BAR

\*\* ALSO MEMBER MD, FL BAR

March 7, 2001

Strasburg Township  
400 Bunker Hill Road  
Strasburg, PA 17579

Re: Ordinance Authorizing Joint Maintenance  
Agreement with Paradise Township

Dear Supervisors:

I have enclosed four (4) counterparts of the above-referenced proposed ordinance which is being considered for adoption at your meeting on Monday, March 19, 2001. Please note that a summary of the ordinance will be published one time in the Strasburg Weekly News on Friday, March 9, 2001.

The enclosed text of the ordinance should be made available for public inspection upon request.

I previously forwarded drafts of both the ordinance and the summary to your solicitor, Josele Cleary, Esquire, for her review and approval.

The Paradise Township Board of Supervisors will adopt a similar ordinance at its meeting on Tuesday, March 20, 2001. Following the adoption of these ordinances, the Joint Maintenance Agreement can be circulated for signature. The Paradise Township Board intends to execute it at its March 20<sup>th</sup> meeting.

Thank you for your kind cooperation.

Very truly yours,

BLAKINGER, BYLER & THOMAS, P.C.

  
Frank P. Mincarelli  
Solicitor for Paradise Township

FPM:lm  
Enclosures

cc: Paradise Township  
Josele Cleary, Esquire  
41360.159/221312

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COPY

March 7, 2001

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Strasburg Weekly News  
P.O. Box 249  
Strasburg, PA 17579

Re: Legal Notice of Strasburg Township

Ladies/Gentlemen:

Enclosed is a copy of the full text of a proposed ordinance to be considered for adoption by the Board of Supervisors of Strasburg Township at its meeting on Monday, March 19, 2001.

A summary of the ordinance is being published by your newspaper on Friday, March 9, 2001.

Thank you for your kind assistance.

Very truly yours,

BLAKINGER, BYLER & THOMAS, P.C.

Frank P. Mincarelli

FPM:Imm

cc: Paradise Township  
Strasburg Township  
Josele Cleary, Esquire  
41360.001/221273

COPY

**STRASBURG TOWNSHIP  
Lancaster County, Pennsylvania**

**NOTICE OF PROPOSED ORDINANCE**

NOTICE IS HEREBY GIVEN that the Board of Supervisors of Strasburg Township will consider at its regular public meeting on Monday, March 19, 2001 at 7:30 p.m. in the Strasburg Township Municipal Building, 400 Bunker Hill Road, Strasburg, Pennsylvania, the adoption of a proposed ordinance authorizing cooperation with Paradise Township in the maintenance of certain electronic traffic control facilities.

The proposed ordinance is entitled, "AN ORDINANCE AUTHORIZING COOPERATION WITH PARADISE TOWNSHIP IN THE MAINTENANCE OF ELECTRONIC TRAFFIC CONTROL FACILITIES."

The following is a summary of the contents of the proposed ordinance:

A. Section 1. authorizes its officers to enter into a Joint Maintenance Agreement with Paradise Township for the maintenance of an electronic traffic control device to be installed at the intersection of S.R. 741 and Paradise Lane on the boundary between the two townships.

B. Section 2. sets forth the requirements of the Intergovernmental Cooperation Act, including, but not limited to, statements of purpose, objectives, duration and financing of the agreement.

C. Section 3. ratifies and confirms any other consistent contracts existing between the townships.

D. Section 4. preserves the remainder of the Ordinance if any portion is held to be illegal or invalid by a court of law.

E. Section 5. establishes the effective date of the proposed ordinance.

A copy of the full text of the proposed ordinance may be examined by any citizen in the office of the Secretary of Strasburg Township at 400 Bunker Hill Road, Strasburg, Pennsylvania, on Mondays between the hours of 9:00 A.M. and 3:00 P.M., prevailing time. For appointments, call 687-6233.

Morgan, Hallgren, Crosswell & Kane, P.C.  
Solicitor for Strasburg Township

Dated: March 9, 2001