

**NORTH NEWTON TOWNSHIP  
ORDINANCE NO. 2019-0\_**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF NORTH NEWTON TOWNSHIP,  
CUMBERLAND COUNTY, PENNSYLVANIA, AUTHORIZING, APPROVING AND ADOPTING  
AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH NEWVILLE BOROUGH,  
LOWER MIFFLIN TOWNSHIP AND WEST PENNSBORO TOWNSHIP, CUMBERLAND  
COUNTY, PENNSYLVANIA, APPROVING THE JOINT MUNICIPAL SPONSORSHIP  
AND OPERATION OF THE BIG SPRING SENIOR CENTER.**

**WHEREAS**, North Newton Township has the authority pursuant to the Second Class Township Code, 53 PA C.S.A. 66507; to enter into agreements with other political subdivisions, in accordance with existing laws, in performing government powers and duties and functions and in carrying into effect provisions of law relating to subjects which are common to such political subdivisions; and

**WHEREAS**, North Newton Township pursuant to the Intergovernmental Cooperation Act, has the authority to enter into intergovernmental cooperation agreements with other government units for the exercise or performance of their respective governmental functions, powers or responsibilities; and

**WHEREAS**, the Board of Supervisors of North Newton Township believes it is in the best interest of its citizens to adopt this Ordinance ratifying an Intergovernmental Cooperation Agreement with the Borough of Newville, Lower Mifflin Township and West Pennsboro Township to jointly sponsor and operate the Big Spring Senior Center.

**NOW THEREFORE, BE IT ENACTED AND ORDAINED** and it is hereby adopted by the Board of Supervisors of North Newton Township as follows:

**SECTION 1:** The preamble recited above is incorporated by reference herein.

**SECTION 2:** The Board of Supervisors of North Newton Township shall enter into the Intergovernmental Cooperation Agreement attached hereto, incorporated by reference herein and labeled as Exhibit "A", or in substantially the same form, relating to the authorization of the formation of a Big Spring Senior Center Board of Directors to operate and manage the affairs of the Big Spring Senior Center, 91 Doubling Gap Road, Newville, Pennsylvania.

**SECTION 3:** The Intergovernmental Cooperation Agreement, in the form so presented to the Board for adoption and so approved, shall be filed with the Secretary of this Township and shall be made available for inspection at reasonable times by interested persons requesting such inspection.

**SECTION 4:** The Chairman of the Board of Supervisors and the Township Secretary are authorized and directed to execute, to attest, to acknowledge, and to deliver the said Intergovernmental Cooperation Agreement.

**SECTION 5:** Proper officers of this Township are authorized and directed to execute all documents and to do all other acts as may be necessary and proper to carry out this Ordinance and the undertaking of this Township.

**SECTION 6:** The term of the Agreement shall commence upon execution of the Agreement and shall continue on a calendar year basis thereafter except that either party may terminate this Agreement for a subsequent calendar year by providing notice no later than October 1.

**SECTION 7:** The Agreement shall be financed in accordance with the Intergovernmental Cooperation Agreement attached hereto.

**SECTION 8:** All other ordinances or parts of ordinances inconsistent herewith are expressly repealed.

**SECTION 9:** In the event that any provision, section, sentence, clause or portion of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or portion of this Ordinance as it is the intent of the Board of Supervisors that such remainder shall remain in full force and effect.

**SECTION 10:** This Ordinance shall take effect immediately.

**DULY ENACTED AND ORDAINED** this \_\_\_ day of \_\_\_\_\_, 2019 by the Board of Supervisors of North Newton Township, Cumberland County, Pennsylvania, in lawful session duly assembled.

**Attest:**

**North Newton Township Board of Supervisors**

BY: \_\_\_\_\_  
Bonnie L. Myers, Secretary

BY: \_\_\_\_\_  
Ralph Fisher, Chairman

BY: \_\_\_\_\_  
Michael L. Gutshall, Vice-Chairman

BY: \_\_\_\_\_  
Joshua J. Shotto, Supervisor

**CERTIFICATE**

I, the undersigned, Secretary of the Board of Supervisors of North Newton Township, Cumberland County, Pennsylvania, certify that the foregoing is a true and correct copy of an Ordinance of the Board of Supervisors which was duly enacted by affirmative vote of a majority of the members of the Board at a meeting duly held on \_\_\_\_\_, 2019; at which meeting a quorum was present; that said Ordinance has been duly recorded in the Minute Book of the Township Board of Supervisors; that said Ordinance remains in full force and effect, without amendment, alteration or repeal, as of the date of this Certificate.

I further certify that the meeting at which the Board adopted said Ordinance was a public meeting duly held after giving public notice of the date, time and place of such meeting by posting and publishing such notice at the time and in the manner required by Act No. 84 of the General Assembly of the Commonwealth of Pennsylvania, approved July 3, 1986.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Date

**INTERGOVERNMENTAL COOPERATION AGREEMENT BETWEEN  
NEWVILLE BOROUGH, LOWER MIFFLIN TOWNSHIP, NORTH NEWTON  
TOWNSHIP, AND WEST PENNSBORO TOWNSHIP RELATING TO THE  
JOINT SPONSORSHIP AND OPERATION OF  
THE BIG SPRING SENIOR CENTER.**

Made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between THE BOROUGH OF NEWVILLE, Cumberland County, Pennsylvania, hereinafter referred to as "NEWVILLE," THE TOWNSHIP OF LOWER MIFFLIN, Cumberland County, Pennsylvania, hereinafter referred to as "LOWER MIFFLIN", THE TOWNSHIP OF NORTH NEWTON, Cumberland County, Pennsylvania, hereinafter referred to as "NORTH NEWTON", THE TOWNSHIP OF WEST PENNSBORO, Cumberland County, Pennsylvania, hereinafter referred to as "WEST PENNSBORO", and

**WITNESSETH:**

**WHEREAS**, NEWVILLE has the authority pursuant to the Borough Code, 53 P.S. Section 46202(34), and the Intergovernmental Cooperation Act, 53 Pa. C.S.A. 2301 et. seq., to enter into agreements with other political subdivisions, in accordance with existing laws, in performing government powers and duties and functions and in carrying into effect provisions of law relating to subjects which are common to such political subdivisions; and

**WHEREAS**, LOWER MIFFLIN, NORTH NEWTON and WEST PENNSBORO have the authority pursuant to the Intergovernmental Cooperation Act, 53 Pa. C.S.A. 2301 et. seq., and the Second-Class Township Code, 53 P.S. Section 66507, to enter into the same type of agreements; and

**WHEREAS**, NEWVILLE, LOWER MIFFLIN, NORTH NEWTON and WEST PENNSBORO desire to jointly sponsor and operate the Big Spring Senior Center located at 91 Doubling Gap Road, Newville, Pennsylvania; and

**WHEREAS**, NEWVILLE, LOWER MIFFLIN, NORTH NEWTON and WEST PENNSBORO believe that it would be in the best interests of their respective citizens to enter into this Agreement.

**NOW THEREFORE**, for and in consideration of the mutual covenants and agreements hereinafter contained, the parties do hereby agree as follows:

1. The preamble recited above is incorporated by reference herein.
2. **NEWVILLE, LOWER MIFFLIN, NORTH NEWTON and WEST PENNSBORO** shall jointly sponsor the operation of the Big Spring Senior Center located at 91 Doubling Gap Road, Newville, Pennsylvania, 17241.
3. **NEWVILLE, LOWER MIFFLIN, NORTH NEWTON and WEST PENNSBORO** shall agree to the formation of a Big Spring Senior Center Board of Directors to manage the affairs of the Big Spring Senior Center. Each participating municipality shall appoint two (2) representatives to serve on the Big Spring Senior Center Board of Directors. One representative shall be an elected official of the municipality. One representative shall be a citizen, and registered elector of the municipality. The elected official designated shall serve for a three (3) year term. The citizen representative shall be appointed for a term of two (2) years. The Big Spring Senior Center Board of Directors shall mutually agree to the appointment of one (1) at-large citizen representative who shall also serve for a two (2) year term.
4. **NEWVILLE, LOWER MIFFLIN, NORTH NEWTON and WEST PENNSBORO** hereby agree that the Big Spring Senior Center shall operate under a prescribed set of by-laws and a budget to be approved by each of the participating municipalities.
5. **NEWVILLE, LOWER MIFFLIN, NORTH NEWTON and WEST PENNSBORO** agree that the municipalities collectively or separately shall not be financially responsible for any operational expenses of the Big Spring Senior Center, other than a voluntary contribution that any of the parties shall choose to provide. It is intended that the Big Spring Senior Center shall operate within operating revenues provided each year by the Cumberland County Office of Aging and Community Services, and from various fundraising activities approved and sponsored by the Big Spring Senior Center Board of Directors.
6. **NEWVILLE, LOWER MIFFLIN, NORTH NEWTON and WEST PENNSBORO** do further agree that the Big Spring Senior Center shall at all

times be operated in a manner consistent with all appropriate local Ordinances and Statutes, as well as all laws of the Commonwealth of Pennsylvania.

7. Pursuant to the terms of the Intergovernmental Cooperation Act, 53 Pa. C.S.A. 2301 et. seq, this Agreement is subject to approval by ordinance of NEWVILLE pursuant to 53 P.S. 46202(34), and by ordinance of LOWER MIFFLIN, NORTH NEWTON and WEST PENNSBORO pursuant to 53 P.S. 66507, and shall become effective upon adoption of the appropriate ordinances by the townships and borough in compliance with other provisions of said Act and other applicable law.
8. This Agreement shall become effective when signed by NEWVILLE, LOWER MIFFLIN, NORTH NEWTON and WEST PENNSBORO, and shall be deemed as automatically renewed on a calendar year basis, unless notice is provided by either party no later than October 1 of its intention to terminate this Agreement for the succeeding calendar year.

IN WITNESS WHEREOF, the parties hereto, intending to be legally bound hereby, have caused this Agreement to be executed.

**BOROUGH OF NEWVILLE**  
Cumberland County, Pennsylvania

By: Russell L. Gould  
Russell L. Gould  
President of Council

Attest:

Fred A. Potzer  
Fred A. Potzer  
Borough Manager/Secretary

**TOWNSHIP OF LOWER MIFFLIN**  
Cumberland County, Pennsylvania

By: \_\_\_\_\_

**Chairman, Board of Supervisors**

**Attest:**

\_\_\_\_\_

**Secretary/Treasurer**

**TOWNSHIP OF NORTH NEWTON**  
Cumberland County, Pennsylvania

By: \_\_\_\_\_

**Ralph Fisher**  
**Chairman, Board of Supervisors**

**Attest:**

\_\_\_\_\_

**Bonnie L. Myers**  
**Secretary/Treasurer**

**TOWNSHIP OF WEST PENNSBORO**  
Cumberland County, Pennsylvania

By: \_\_\_\_\_

**Gerald A. Barrick**  
**Chairman, Board of Supervisors**

**Attest:**

\_\_\_\_\_

**Evelyn M. Swartz**  
**Township Secretary**