

TOWNSHIP OF EAST LAMPETER  
Lancaster County, Pennsylvania

---

RESOLUTION NO.   19  -2019

---

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE EAST LAMPETER TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA, ADOPTING AND APPROVING AN AMENDMENT TO THE ARTICLES OF INCORPORATION OF EAST LAMPETER SEWER AUTHORITY TO FURTHER PROVIDE FOR THE OWNERSHIP AND OPERATION OF STORM WATER SYSTEMS AND THE MANAGEMENT THEREOF AS PROPOSED BY RESOLUTION OF THE BOARD OF SAID AUTHORITY; SETTING FORTH SUCH PROPOSED AMENDMENT; AUTHORIZING SAID AUTHORITY AND PROPER OFFICERS THEREOF TO EXECUTE, VERIFY AND FILE APPROPRIATE ARTICLES OF AMENDMENT; AND REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS INCONSISTENT HERewith.

---

WHEREAS, East Lampeter Township, Lancaster County, Pennsylvania (the "Township"), by appropriate action heretofore caused to be incorporated the East Lampeter Sewer Authority (the "Authority"), pursuant to the provisions of the Municipality Authorities Act of 1945, approved May 2, 1945, P.L. 382, as amended and supplemented, of the Commonwealth of Pennsylvania (the "Act"); and

WHEREAS, the Authority presently is organized and existing under the provisions of the Act; and

WHEREAS, the Authority, by Resolution duly adopted, has proposed to amend its Articles of Incorporation to add a provision thereto to amend its purpose to include the authorization to acquire, hold, construct, improve, maintain, operate, own storm water systems or parts thereof including the planning, management and implementation of storm water systems; and

WHEREAS, the Board of the Authority has submitted to the Board of Supervisors of this Township the proposed amendment to its Articles of Incorporation for approval as required by provisions of the Act, 53 Pa.C.S. § 5601 et seq., as amended and supplemented.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of East Lampeter Township, Lancaster County, Pennsylvania, as follows:

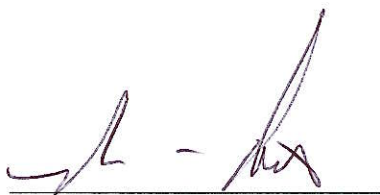
1. The Board of Supervisors of this Township adopts and approves the Articles of Amendment to the Articles of Incorporation of the Authority which read as set forth in Exhibit A attached hereto.

2. Proper officers of the Authority hereby are authorized to execute, verify, and file appropriate Articles of Amendment with the Secretary of the Commonwealth of Pennsylvania and to take all other action and to do all other things which may be necessary in order to accomplish such amendment of the Articles of Incorporation of the Authority in the manner herein enacted and ordained.

3. All resolutions or parts of resolutions insofar as the same shall be inconsistent herewith, shall be and the same hereby expressly are repealed.

4. This Resolution shall take effect and be in force immediately.

DULY ADOPTED by the Board of Supervisors of East Lampeter Township, Lancaster County, Pennsylvania, in lawful session duly assembled, this 18<sup>th</sup> day of November, 2019.

  
(Assistant) Secretary

EAST LAMPETER TOWNSHIP,  
Lancaster County, Pennsylvania

By:   
(Vice) Chairman


(SEAL)

## CERTIFICATE

I, the undersigned, (Assistant) Secretary of East Lampeter Township, Lancaster County, Pennsylvania (the "Township"), certify: that the foregoing is a true and correct copy of a Resolution of the Board of Supervisors of the Township, which duly was adopted by affirmative vote of a majority of all members of the Board of Supervisors at a meeting duly convened and held according to law on November 18, 2019, at which meeting a quorum was present; that said Resolution duly has been recorded in the minutes of the Township;; and that said Resolution is in full force and effect, without amendment, alteration, or repeal, as of the date of this Certificate.

I further certify that the Board of Supervisors met the public notice requirements of the Sunshine Act, 65 Pa.C.S. § 701 et seq., as amended, by advertising the place, date and time of said meeting in a newspaper of general circulation, and by posting a notice of the place, date and time of said meeting at the meeting place of the Board of Supervisors, and by giving notice to parties upon request as required under Section 709 of said Act.

IN WITNESS WHEREOF, I affix my hand and the official seal of the Township, this 18<sup>th</sup> day of November, 2019.

  
(Assistant) Secretary

(SEAL)

## **EXHIBIT A**



## ARTICLES OF AMENDMENT

TO: THE SECRETARY OF THE COMMONWEALTH  
OF PENNSYLVANIA

In compliance with requirements of the Municipality Authorities Act, 53 Pa.C.S. § 5601 et seq., as amended and supplemented, and pursuant to a resolution duly adopted by the Board of East Lampeter Sewer Authority (the "Authority"), proposing an amendment to the Articles of Incorporation of the Authority, which proposed amendment has been submitted to and approved by the Board of Supervisors of the East Lampeter Township, Lancaster County, Pennsylvania ("Township"), the governing authority of the municipality composing the Authority, by resolution duly adopted, the Authority hereby does file these Articles of Amendment to its Articles of Incorporation and does certify:

1. The name of the Authority is "East Lampeter Sewer Authority"; and the registered office of the Authority is located at 2250 Old Philadelphia Pike, Lancaster County, Pennsylvania 17602.

2. The Authority has been duly formed under the provisions of the Municipality Authorities Act, 53 Pa.C.S. § 5601 et seq., pursuant to appropriate action of the governing authority of East Lampeter Township, and the Articles of Incorporation of the Authority filed with the Department of State of the Commonwealth of Pennsylvania on or about December 7, 1970, recorded at 3-1-71.06, pages 1166, inclusive, with the Department and a Certificate of Incorporation having been issued by the Department on December 23, 1970.

3. A copy of the resolution adopted by the Board of Supervisors of East Lampeter Township, said Board being the governing authority of the municipality composing the Authority, duly certified by the Secretary or Assistant Secretary of the Board of Supervisors of

the Township, adopting and approving the amendment herein set forth, is attached hereto and thereby is made a part of these Articles of Amendment.

4. The amendment proposed by the Board of the Authority and adopted by East Lampeter Township is to amend said Articles of Incorporation to include a new paragraph, Paragraph 7, as follows as to the additional and restated purpose of the Authority:

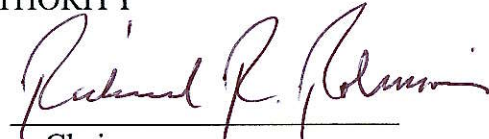
“7. In addition to the powers and project authorizations of the Authority provided for in Ordinance No. 18 of 1970 of the Board of Supervisors of the Township, to wit, ‘exercising and enjoying all powers capable of being exercised by the municipal authority’ and undertaking project(s) ‘[t]o acquire, hold, construct, improve, maintain, operate, own and lease, either in the capacity of lessor or lessee, sewers, sewer systems, interceptor lines, sewage treatment works and works for the treatment and disposal of industrial waste,’ the Authority is authorized to acquire, hold, construct, improve, maintain, operate, and own storm water systems or parts thereof including the planning, management and implementation of storm water systems.”

IN WITNESS WHEREOF, East Lampeter Sewer Authority has caused these Articles of Amendment to be executed by its Chair and its official seal to be affixed hereunto and attested by its Secretary, all as of the 13<sup>th</sup> day of November, 2019.

ATTEST:

  
Secretary

EAST LAMPETER SEWER  
AUTHORITY

By:   
Chair

(SEAL)

COMMONWEALTH OF PENNSYLVANIA

:

: SS:

COUNTY OF LANCASTER

:

On the \_\_\_\_\_ day of \_\_\_\_\_, 2019, before me, the undersigned officer, personally appeared \_\_\_\_\_ and \_\_\_\_\_, who, in due form of law, acknowledged themselves to be Chairman and Secretary, respectively, of East Lampeter Sewer Authority (the "Authority"), and who, in due form of law, further acknowledged the foregoing to be the act and deed of the Authority for purposes therein specified.

WITNESS my hand and official seal the day and year aforesaid.

---

Notary Public

My Commission Expires:



## EAST LAMPETER SEWER AUTHORITY

---

### RESOLUTION #2019- 04

---

A RESOLUTION OF THE EAST LAMPETER SEWER AUTHORITY, LANCASTER COUNTY, PENNSYLVANIA, APPROVING AN AMENDMENT TO THE AUTHORITY'S ARTICLES OF INCORPORATION TO ENABLE EAST LAMPETER SEWER AUTHORITY TO ALSO PROVIDE FOR STORM WATER SYSTEM PLANNING, MANAGEMENT AND IMPLEMENTATION; AUTHORIZING AND DIRECTING PROPER OFFICERS OF THE AUTHORITY TO PERFORM ALL ACTS AND EXECUTE ALL OTHER DOCUMENTS REQUIRED OR CONTEMPLATED BY THIS RESOLUTION; PROVIDING WHEN THIS RESOLUTION SHALL BE EFFECTIVE; AND REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS INSOFAR AS THE SAME SHALL BE INCONSISTENT HERewith.

WHEREAS, East Lampeter Sewer Authority (the "Authority") is a municipal authority organized and existing under the provisions of the Municipality Authorities Act, 53 Pa.C.S. § 5601 et seq., as amended and supplemented (the "Act"), the Authority having been incorporated pursuant to appropriate action of the East Lampeter Township, Lancaster County, Pennsylvania (the "Township"); and

WHEREAS, the Authority desires to amend its Articles of Incorporation to provide for storm water management, which amendment is authorized and permitted by the Act; and

NOW THEREFORE, BE IT RESOLVED by the Board of the East Lampeter Sewer Authority, and it hereby is resolved as follows:

1. The Authority hereby proposes that its Articles of Incorporation shall be amended to provide for a new paragraph, Paragraph 7, as follows as to the additional and restated purpose of the Authority:

"7. In addition to the powers and project authorizations of the Authority provided for in Ordinance No. 18 of 1970 of the Board of Supervisors of the Township, to wit, 'exercising and enjoying all powers capable of being exercised by the municipal authority' and undertaking project(s) '[t]o acquire, hold, construct, improve, maintain, operate, own and lease, either in the

capacity of lessor or lessee, sewers, sewer systems, interceptor lines, sewage treatment works and works for the treatment and disposal of industrial waste,' the Authority is authorized to acquire, hold, construct, improve, maintain, operate, and own storm water systems or parts thereof including the planning, management and implementation of storm water systems."

2. The Authority proposes that Articles of Amendment to its Articles of Incorporation, in substantially the form attached hereto as Exhibit "A," shall be filed with the Secretary of the Commonwealth of Pennsylvania, which Exhibit "A" hereby is incorporated as if set forth in full.

3. The Secretary of the Authority hereby is authorized and directed to certify copies of this Resolution and to submit such certified copies of this Resolution to the Board of Supervisors of East Lampeter Township, said Board of Supervisors being the governing authority of the municipality composing the Authority, as required by the Act; and proper officers of the Authority hereby are authorized and directed to do all things and to take all action which may be necessary in order to have said governing authority act upon said proposed amendment, as the same is contained in this Resolution.

4. If the Board of Supervisors of East Lampeter Township shall duly adopt the amendment of the Articles of Incorporation of the Authority, as proposed in this Resolution, the Chairman or Vice Chairman and Secretary or Assistant Secretary of the Authority hereby are authorized and directed to execute and verify the Articles of Amendment, substantially in the form set forth in paragraph 2 of this Resolution, and the Secretary or Assistant Secretary of the Authority hereby is authorized and directed to affix thereto and attest thereon the official seal of the Authority.

5. If the Board of Supervisors of East Lampeter Township shall duly adopt the amendment of the Articles of Incorporation of the Authority, as proposed in this Resolution, the Chairman or Vice Chairman and Secretary or Assistant Secretary of the Authority hereby are

authorized and directed to advertise, in the manner specified in and required by the Act, the intention of the Authority to file Articles of Amendment with the Secretary of the Commonwealth of Pennsylvania.

6. If the Board of Supervisors of East Lampeter Township shall duly adopt the amendment to the Articles of Incorporation of the Authority, as proposed in this Resolution, the Chairman or Vice Chairman and Secretary or Assistant Secretary of the Authority hereby are authorized and directed to cause the Articles of Amendment, together with the necessary proofs of publication, to be filed with the Secretary of the Commonwealth of Pennsylvania and to do all other acts and things necessary or appropriate in order to secure approval of the Articles of Amendment, including payment of filing fees and charges required in connection therewith.


7. All resolutions or parts of resolutions, insofar as such shall be inconsistent herewith, shall be and the same hereby expressly are repealed.

DULY ADOPTED, by the Board of East Lampeter Sewer Authority, the 13<sup>th</sup> day of November, 2019.

ATTEST:

  
Secretary

EAST LAMPETER SEWER  
AUTHORITY

By:   
Chairman

(SEAL)



COMMONWEALTH OF PENNSYLVANIA

:

: SS:

COUNTY OF LANCASTER

:

On the \_\_\_\_\_ day of \_\_\_\_\_, 2019, before more, the undersigned officer, personally appeared \_\_\_\_\_ and \_\_\_\_\_, who, in due form of law, acknowledged themselves to be Chairman and Secretary, respectively, of East Lampeter Sewer Authority (the "Authority"), and who, in due form of law, further acknowledged the foregoing to be the act and deed of the Authority for purposes therein specified.

WITNESS my hand and official seal the day and year aforesaid.

---

Notary Public

My Commission Expires:

## CERTIFICATE

I, the undersigned, ~~(Assistant)~~ Secretary of East Lampeter Sewer Authority (the "Authority"), certify that the foregoing is a true and correct copy of a Resolution duly adopted by majority vote of the entire Board of the Authority as a meeting duly convened and held according to law on the 13<sup>th</sup> day of November, 2019; that said Resolution has been duly recorded in the minutes of the Authority; and that said Resolution remains in full force and effect, unaltered and unamended, as of the date of this Certificate.

I further certify that the Authority met the public notice requirements of the Sunshine Act, 65 Pa.C.S. § 701 et seq., as amended, by advertising the place, date and time of said meeting in a newspaper of general circulation, and by posting a notice of the place, date and time of said meeting at the meeting place of the Board of the Authority, and by giving notice to parties upon request as required under Section 709 of said Act.

IN WITNESS WHEREOF, I affix my hand and the corporate seal of the Authority, this 13<sup>th</sup> day of November, 2019.

  
~~(Assistant)~~ Secretary

(SEAL)