

TOWNSHIP OF MOUNT JOY
Adams County, Pennsylvania

RESOLUTION NO. 14 of 2005

A RESOLUTION
OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF MOUNT JOY,
ADAMS COUNTY, PENNSYLVANIA (TOWNSHIP) PURSUANT TO THE LOCAL
GOVERNMENT DEBT ACT (DEBT ACT) SIGNIFYING THE BOARD'S
DETERMINATION TO OBTAIN THE APPROVAL OF THE ELECTORS OF THE
TOWNSHIP FOR THE INCREASE IN THE DEBT OF THE TOWNSHIP FOR AN
AGRICULTURAL LAND PRESERVATION PROGRAM; REQUESTING THE
PLACING OF THE QUESTION ON THE BALLOT IN THE NOVEMBER 2005
MUNICIPAL ELECTION; AUTHORIZING AND APPROVING THE FORM OF
THE BALLOT QUESTION; AUTHORIZING AND APPROVING PROPER
ADVERTISEMENTS; AUTHORIZING, APPROVING AND DIRECTING SUCH
ADDITIONAL ACTION AS SHALL BE NECESSARY AND PROPER TO CARRY
OUT THE PROVISIONS AND INTENT OF THIS RESOLUTION;
ESTABLISHING THE EFFECTIVE DATE OF THIS RESOLUTION.

ADOPTED SEPTEMBER 15, 2005

WHEREAS, The Township of Mount Joy, Adams County, Pennsylvania (the "Township") is a township of the second class and a political subdivision of the Commonwealth of Pennsylvania (the "Commonwealth") located within the geographical boundaries of the County of Adams (the "County"); and

WHEREAS, The Board of Supervisors (the "Governing Body") of the Township, as part of its long-range study and planning for the continued and future development of the Township, heretofore undertook and has continued to study the Township's current and future needs for the preservation of land devoted to agricultural, forest and farming pursuits within the Township for the continued use and growth of such enterprises within the Township and to retain and maintain the rural nature of the Township, all of which purposes directly impact the health, safety and welfare of the citizens of the Commonwealth residing or having businesses within the Township; and

WHEREAS, Citizens of the Township residing within or having businesses located within the geographical boundaries of the Township, among such citizens being private persons, civic leaders and local government officials, and have presented themselves before the Governing Body of the Township requesting the Township develop, adopt and implement an agricultural, forest and farming land preservation program (collectively, the "Agricultural Land Preservation Program"), and further, finance such a preservation program with public funds; and

WHEREAS, The Governing Body of the Township has heretofore planned, designed, developed, financed and implemented an Agricultural Land Preservation Program, having incurred debt on behalf of the Township; and

WHEREAS, The Governing Body of the Township has determined in accordance with the provisions of the Local Government Unit Debt Act (53 Pa. C.S. §8001 et seq. (the "Debt Act") applicable to electoral debt approval, that it is advisable to make an increase in the debt of the Township for the development, adoption and continued implementation of the Agricultural Land Preservation Program for the Township with the assent of the electors (voters) of the Township where such a program, as heretofore developed, will serve the public interest by addressing the health, safety and welfare needs of the residents of the Township; and

WHEREAS, The Governing Body has determined, pursuant to the Debt Act, that if the Agricultural Land Preservation Program is to continue, it must be financed with proceeds derived from the issuance of electoral debt (as defined in the Debt Act), which requires the assent of the electors (voters) of the Township; and

WHEREAS, The Governing Body of the Township desires to call an election on the question of financing the continued development and continued implementation of the Agricultural Land Preservation Program for the Township with funds derived from electoral debt, to approve the content and substantial form of the notice of election, to authorize the publication of proper advertisements of the ballot question and notice of election, and to authorize, approve and direct such additional action by the Governing Body of the Township, its officers, agents, consultants and employees as may be necessary and proper to carry out the provisions and intent of this Resolution, and to fix the effective date hereof.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the Township of Mount Joy:

1. The foregoing recitals are incorporated herein and made a part hereof as if fully set forth in this paragraph.

2. The Governing Body of the Township has determined it advisable to make an increase in the debt of the Township of Mount Joy for the continued development and continued implementation of the Agricultural Land Preservation program for the Township with the assent of the electors (voters) of the Township and does hereby signify its determination to increase the debt of the Township with the assent of the electors (voters) of the Township of Mount Joy to finance the cost of the development and continued implementation of the Agricultural Land Preservation Program for the Township.

3. An election on the question of incurring electoral debt pursuant to the Debt Act is called for the November 2005 Municipal Election, scheduled for November 8, 2005.

4. The questions to be submitted to the electors (voters) of the Township shall be substantially in the following form:

“Shall debt in a sum not to exceed \$2,000,000.00 for the purpose of financing an agricultural, forest and farmland land preservation program be authorized to be incurred as debt approved by the electors of the Township of Mount Joy?”

The foregoing text may be changed prior to being printed on the ballot for the November 2005 Municipal (General) Election, but any change may only be made by the Governing Body of the Township.

5. The estimated aggregate principal amount of debt to be incurred by the Township as electoral debt pursuant to the approval of the electors if so given in the November 2005 Municipal (General) Election shall not exceed the sum of \$2,000,000.00. The Township retains the right granted under the Debt Act to issue such lesser sum of electoral debt, if such electoral debt is approved by the electors of the Township, as the Governing Body of the Township shall thereafter determine sufficient to meet the financing needs of the Agricultural Land Preservation Program.

6. The content and form of the notice of election as set forth in an attachment to this Resolution is hereby approved (see Attachment A). Publication of the notice of election, with such changes hereafter made prior to publication as the Governing Body of the Township shall approve, is approved, and the Secretary of the Township is authorized and directed to publish, or cause the publication of, the notice of election in such publications published or circulated within the Township and the County, on such dates ,and in such numbers as is required by the Debt Act.

7. A certified copy of this Resolution, including the form of the questions set forth in Paragraph 4, above, shall be delivered to the County Board of Elections, at least forty-five days prior to the November 2005 Municipal (General) Election in accordance with provision of the Debt Act. The cost of the election approved and authorized by this Resolution shall be paid by the Township.

8. Officers of the Governing Body of the Township, the Township Secretary, other employees, agents and consultants to the Township are authorized and directed pursuant to this Resolution to take such action and perform such acts, not inconsistent herewith, as are deemed necessary and proper in implementing the provisions of this Resolution.

9. This Resolution shall be effective immediately upon its adoption by, at least, a majority of the members of the Governing Body of the Township.

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DULY ADOPTED by the Board of Supervisors of the Township of Mount Joy this 15th day of September 2005.

TOWNSHIP OF MOUNT JOY
Adams County, Pennsylvania

Chairman, Board of Supervisors

ATTEST:

Secretary

(SEAL)