

ORDINANCE 90-2

AN ORDINANCE SIGNIFYING THE DESIRE AND INTENTION OF YORK COUNTY, PENNSYLVANIA TO ORGANIZE AN AUTHORITY UNDER THE PROVISIONS OF THE MUNICIPALITY AUTHORITIES ACT OF MAY 2, 1945, P.L. 382, AS AMENDED, JOINTLY WITH THE COUNTIES OF YORK, DAUPHIN, CUMBERLAND, ADAMS, LANCASTER, LEBANON AND PERRY (THE "INCORPORATING MUNICIPALITY") WHICH AUTHORITY, IF FORMED, SHALL BE NAMED, STYLED AND DESIGNATED AS

SUSQUEHANNA VALLEY REGIONAL AUTHORITY

AND WHICH AUTHORITY SHALL HAVE ALL POWERS UNDER SAID ACT AND, SHALL HAVE AS ITS PRINCIPAL PURPOSE THE ANALYSIS, MEETING, IMPROVEMENT AND FULFILLMENT OF AIR TRANSPORTATION NEEDS WITHIN THE SUSQUEHANNA VALLEY REGION COMPRISED OF YORK, ADAMS, CUMBERLAND, DAUPHIN, LANCASTER, LEBANON AND PERRY COUNTIES AND THEREAFTER TO DO ALL THINGS REQUISITE OR DESIRABLE IN CONNECTION WITH SUCH STUDIES UNDER ALL OF THE POWERS GRANTED BY THE ACT INCLUDING THE ACQUISITION, HOLDING, CONSTRUCTING, FINANCING, IMPROVING, MAINTAINING, OPERATING, OWNING AND LEASING OF PROJECTS FOR AIRPORTS, AIR TERMINALS, AIR TRANSPORTATION AND ALL FACILITIES NECESSARY OR INCIDENT THERETO, SETTING FORTH AND APPROVING THE ARTICLES OF INCORPORATION OF THE AUTHORITY, AND AUTHORIZING THE PROPER OFFICERS OF THIS COUNTY TO EXECUTE AND DELIVER THE ARTICLES OF INCORPORATION FOR SUCH AUTHORITY ON BEHALF OF SAID COUNTY UNDER ITS MUNICIPAL SEAL, AND SPECIFYING THE PROJECT TO BE UNDERTAKEN BY THE AUTHORITY.

WHEREAS, the Board of Commissioners of this County finds that there exists unmet demand for air transportation services within the region encompassed by the geographical boundaries of the Incorporating Municipalities and adjacent areas (the "Region"); that the capacities of existing airports located in the Region may be over-burdened or strained; that proposed remedial measures to alleviate airport and air traffic congestion and safety concerns may have short term efficacy but long term expense; that there is now no planning for a major new air transportation hub for the Region; that the creation and operation of the

SUSQUEHANNA VALLEY AIRPORT AUTHORITY

is necessary and appropriate for the benefit of the people in the Region which will, among other things, increase their commerce, health, safety and prosperity and will not unnecessarily burden or interfere with existing business by the establishment of competitive enterprises, and

WHEREAS, the Commissioners of this County in the due exercise of their authority as elected officials, and for the present and future benefits to be derived by the inhabitants of this County regarding such air transportation needs within the Region deem it necessary and desirable to create an Authority for such purposes,

NOW THEREFORE, be it Ordained by the Commissioners of the County of York and it is hereby ordained as follows;

Section 1. Ordained that York County hereby signifies its intent and desire to create and to organize an Authority under the Municipalities Act of May 2, 1945 P.L. 382, as amended, (the "Act") jointly with the Counties of

- (a) York
- (b) Dauphin
- (c) Cumberland
- (d) Adams
- (e) Lancaster
- (f) Lebanon
- (g) Perry

(collectively the "Incorporating Municipalities") for the purpose of exercising all powers under the Act.

Section 2. The Board of Commissioners hereby directs the Authority upon its incorporation to undertake such studies and investigations as it may deem reasonably necessary to determine the air transportation needs of the Region, and to undertake the Municipalities for implementing the results of such studies which undertakings are referred to as the "Project" which is defined as follows:

The establishment and organization of the Authority, the requests for proposals for Needs and Site Studies, the award of contracts for such studies, and the receipt, review and distribution thereof to the Incorporating Municipalities within five (5) years from the date of the approval of the Authority's Articles of Incorporation or completion of the Project, whichever first occurs.

Section 3. Notwithstanding anything to the contrary herein, the Board of Commissioners of this County expressly reserves the right to refuse to consent to any project other than the Project, as defined in Section 2 hereof, and upon refusal to provide written consent therefor by Ordinance or Resolution ("Legislative Action"), shall be deemed to withdraw from the Authority and shall, following the earlier to occur of (a) the passing of any date established by the Authority for receipt of such Legislative Action, (b) five (5) years from the date of approval of the Articles of Incorporation of the Authority or (c) completion of

the Project, withdraw from the Authority and be deemed a withdrawn Incorporation Municipality and shall thereafter have no obligation to or on behalf of the Authority except for its prorata share of Authority obligations incurred to the date of such withdrawal.

Section 4. The Board of Commissioners of this County hereby approves the Articles of Incorporation substantially on the form attached hereto and by reference thereto hereby incorporates such Articles herein.

Section 5. The Board of Commissioners of this County hereby authorizes the execution of the foregoing Articles of Incorporation and authorizes the filing thereof with the Secretary of the Commonwealth of Pennsylvania, and further authorizes and directs the publication of notice of the substance of this Ordinance and the foregoing Articles of Incorporation in accordance with the provisions of the Act.

Section 6. The following named persons shall be and they are appointed as the first members to represent this County on the Board of the Authority for the following terms of office:

<u>NAME</u>	<u>ADDRESS</u>	<u>TERM</u>
Murray Friedman	2550 Kingston Road York, Pa. 17402	5 years
Charles Bacas	663 Madison Avenue York, Pa. 17404	4 years
David Carver	York Industrial Development Corp. 1 Marketway East York, Pa. 17401	3 years

Section 7. The adoption of this Ordinance is deemed necessary for the benefit and presentation of the public health, peace, comfort and general welfare of the citizens of this County, and all other Ordinances or portions of Ordinances inconsistent herewith hereby are repealed.

Section 8. This Ordinance shall become effective immediately upon enactment.

IN WITNESS WHEREOF, the undersigned have enacted and ordained this 13th day of June, 1990.

BOARD OF COMMISSIONERS
YORK COUNTY, PENNSYLVANIA

By Lorraine B. Hovis
Lorraine B. Hovis, President

By Ronald E. Fitzkee
Ronald E. Fitzkee, Commissioner

By George M. Trout
George M. Trout, Commissioner

ATTEST:

Harry A. Seyler
Harry Seyler, Chief Clerk/Administrator