

COPY
BOARD RESOLUTION

TOWNSHIP OF EAST COCALICO

Lancaster County, Pennsylvania

RESOLUTION NO. 2011-4

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF EAST COCALICO, LANCASTER COUNTY, PENNSYLVANIA, ADOPTING THE ROADWAY SUFFICIENCY ANALYSIS PREPARED BY THE EAST COCALICO TOWNSHIP IMPACT FEE ADVISORY COMMITTEE IN ACCORDANCE WITH ACT 209 OF 1990.

WHEREAS, by Act 209 of 1990, which amended the Pennsylvania Municipalities Planning Code ("MPC") to include Article V-A, Municipal Capital Improvement, the General Assembly provided specific statutory authority for municipalities to impose transportation impact fees; and

WHEREAS, the General Assembly has amended MPC Article V-A from time to time; and

WHEREAS, in accordance with the authority granted by Act 209, as amended, and following the procedures set forth in Act 209, as amended, the Board of Supervisors of this Township appointed the East Cocalico Township Transportation Impact Fee Advisory Committee (the "Advisory Committee"), which Advisory Committee undertook the actions required by the MPC to enable the Board of Supervisors to enact an ordinance imposing transportation impact fees; and

WHEREAS, the Advisory Committee, together with its consultants Herbert, Rowland & Grubic, Inc., and Delta Development Group, Inc. (the "Consultant"), and the Township Engineer prepared a Land Use Assumptions Report; and

WHEREAS, the Advisory Committee, pursuant to public notice, held a hearing on the draft Land Use Assumptions Report on September 27, 2010; and

WHEREAS, the Advisory Committee directed the Consultant to make certain changes to the draft Land Use Assumptions Report and, upon completion of such changes, authorized the transmission of the Land Use Assumptions Report to the Board of Supervisors; and

WHEREAS, the Board of Supervisors by Resolution No. 2010-20 adopted on October 6, 2010, approved the Land Use Assumptions Report with two changes;; and

WHEREAS, Herbert, Rowland & Grubic, Inc., Delta Development Group, Inc. and the Township Engineer have prepared a Roadway Sufficiency Analysis dated November, 2010, to establish the existing level of infrastructure sufficiency and the preferred level of service within the transportation service area in accordance with Act 209; and

WHEREAS, the Advisory Committee has reviewed the Roadway Sufficiency Analysis and by Resolution adopted on March 8, 2011, adopted the Roadway Sufficiency Analysis with certain minor revisions and authorized transmission of the Roadway Sufficiency Analysis to the Board of Supervisors in accordance with MPC Section 504-A(d) (2); and

WHEREAS, the Board of Supervisors desires to adopt the Roadway Sufficiency Analysis in the form presented at this meeting.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Board of Supervisors of the Township of East Cocalico, Lancaster County, Pennsylvania, as follows:

Section 1. The foregoing background recitals are incorporated herein and constitute part of this Resolution.

Section 2. In accordance with the requirements of Article V-A of the MPC, 53 P.S. §10501-A et seq., the Board of Supervisors of the Township of East Cocalico, Lancaster County, Pennsylvania, hereby adopts the Roadway Sufficiency Analysis prepared by Herbert, Rowland & Grubic, Inc., Delta Development Group, Inc. and the Township Engineer dated March, 2011, as approved by the East Cocalico Township Impact Fee Advisory Committee in the form presented at this meeting with the following changes:

Section 3. A certified copy of this Resolution shall be attached to a copy of the Roadway Sufficiency Analysis, and such copy of the Roadway Sufficiency Analysis shall be maintained as part of the Township's records concerning the enactment of an ordinance pursuant to Article V-A of the MPC.

Section 4. In the event any provision, section, sentence, clause, or part of this Resolution

shall be held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such invalidity, illegality, or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Resolution, it being the intent of the Board of Supervisors that the remainder of the Resolution shall be and shall remain in full force and effect.

Section 5. This Resolution shall take effect and be in force immediately.

DULY ADOPTED this 16th day of March, 2011, by the Board of Supervisors of the Township of East Cocalico, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF EAST COCALICO
Lancaster County, Pennsylvania

Attest: *[Signature]*
(Assistant) Secretary

By: *[Signature]*
~~Attest~~ Chairman
Board of Supervisors

[TOWNSHIP SEAL]

