

## **JOINT ARTICLES OF AGREEMENT FOR THE CENTRE AREA TRANSPORTATION AUTHORITY**

This AGREEMENT is made this 5<sup>th</sup> day of February 1982 by and between the following municipalities, all of Centre County, Pennsylvania: The townships of College, Harris, Patton, and Ferguson, and the municipality of State College.

### BACKGROUND OF THIS AGREEMENT

The townships of College, Ferguson, Halfmoon, Harris, and Patton and the municipality of State College have joined together in a voluntary organization known as the Centre Regional Council of Governments and on December 2, 1969, adopted Articles of Agreement. Said Articles of Agreement define local responsibilities and areas of authority and require that each new regional service or program between and among any or all of the municipalities shall be performed pursuant to separate Joint Articles of Agreement, which shall be approved by each participating municipality by ordinance or resolution (which shall be filed together with the Joint Articles of Agreement with the Centre Regional Council of Governments).

On February 28, 1975, Joint Articles of Agreement were drawn up binding the townships of College, Harris, and Patton (Ferguson joined into the agreement on November 28, 1978), and the municipality of State College to a set of organizational and policy principles in order to acquire and operate a mass transportation system within the Centre Region. The agreement specified the relationship of the Centre Area Transportation Authority, a Municipal Authority created by the municipality of State College, and the participating municipalities.

At its meeting on October 26, 1981, the General Forum of the Centre Regional Council of Governments directed the Centre Area Transportation Authority be recognized as a joint authority formed by all of the participating municipalities. Since this organizational form substantially alters the relationship of the participating municipalities to the Centre Area Transportation Authority, the municipalities hereby agree to replace the original Joint Articles of Agreement with the provisions contained herein and intend to be legally bound by the following provisions:

### CENTRE AREA TRANSPORTATION AUTHORITY

1. The Articles of Incorporation for the Centre Area Transportation Authority which has incorporated on May 17, 1974, will be amended in accordance with the "Municipality Authorities Act of 1945", as amended, to join the townships of College, Ferguson, Harris and Patton with State College Borough into a joint authority.
2. The membership of the Authority shall consist of five members of the Board, one appointed by each of the five participating municipalities. The terms of office of the members of the Board of the Authority shall be staggered and overlapping as provided by law. The terms of office of the members representing the four municipalities which joined the Authority as a result of the reorganization will be set to correspond as nearly as possible to the terms of the members recommended to the municipality of State College prior to the reorganization while maintaining the principle of staggered terms.

### SCOPE OF OPERATIONS OF THE CENTRE AREA TRANSPORTATION AUTHORITY

3. The Authority shall operate and conduct public transportation operations within the boundaries of the participating municipalities except as specified in Section 4 of this

agreement. These operations shall include fixed route transit and those paratransit services necessary to meet state and federal requirements for accessible service for elderly and handicapped persons. The Authority shall make whatever arrangements are necessary to employ a staff, enter into contracts, apply for and receive state and federal capital, operating and other grants, prepare operating budgets, set fares and approve routes and schedules as required to perform the transit services.

#### EXTENSION OF SERVICE TO NONPARTICIPATING MUNICIPALITIES

4. The Authority, by majority vote of the Board, may extend public transportation services to municipalities outside of the Centre Region on a contract basis. This contract must provide for full cost recovery of both capital and operating expenses less any applicable user revenue, state and federal assistance. Levels of service, fares, and other characteristics of the service will be set forth in the contract.

#### OPERATING BUDGET AND LOCAL FINANCIAL SUPPORT

5. The Authority shall have a fiscal year of July 1 – June 30 in order to comply with the requirements of state and federal funding sources. The following procedure and timetable will be followed:
  - January - CATA will conduct a budget review of its current year budget and hold public meetings (sponsored by Transit Service Advisory Committee) to determine public suggestions for service changes.
  - February - CATA Management and Finance Committee prepares draft budget for upcoming fiscal year.
  - March - CATA Board receives draft budget and proposed service levels. CATA Board adopts tentative budget and forwards to municipalities for review.
  - April - Member municipalities discuss budget and adopt positions relative to service levels or budget at a meeting prior to the COG General Form. COG General Forum provides additional guidance on budget to CATA.
  - May - CATA Board prepares and adopts final budget. CATA submits requests to respective municipalities for their commitment to fund operating deficit.
  - June - Municipalities adopt budget resolutions committing their shares of the deficit.
6. The Authority shall determine each municipality's share of the annual operating deficit based on a methodology which reflects the cost of providing service to each municipality and the revenue derived from service provided to each municipality. The details of the present methodology are included in the 1979 Transit Development Program for the Centre Area Transportation Authority. The Authority may from time to time modify this procedure. Any changes in the methodology will be described in the tentative budget adopted by the Authority in March of each year and is subject to discussion during the budget review.

7. The Authority may amend its operating budget as required during a fiscal year except that shares to be paid by municipalities may not be revised upward without approval of the governing board of such municipality or municipalities.

#### CAPITAL COSTS AND LOCAL FINANCIAL SUPPORT

8. The Authority from time to time may apply for state and federal capital assistance to aid in the acquisition of capital assets. The local funding share required by these grant programs shall be shared by the member municipalities in proportion to the operating expenses associated with the transit service offered to the municipality. The Authority will seek commitments for these funds from the municipalities in accordance with the procedures established by the funding agencies. Each October, the Authority will advise member municipalities of capital commitments which must be paid during the following calendar year in order to assist the municipalities in their budgeting process.

#### WITHDRAWAL FROM THE AUTHORITY

9. Member municipalities may withdraw from this agreement and the Authority following procedures specified in the "Municipality Authorities Act of 1945," as amended. To allow for an orderly transition in services, signers of this agreement may withdraw only at the beginning of the fiscal year (July 1) and will provide the Authority with one year's notice of intent to withdraw.

#### ADDITIONAL MEMBERS TO THE AUTHORITY

10. Additional member municipalities may be joined to the Authority following the provisions of the "Municipality Authorities Act of 1945," as amended, which include a recommendation by the Authority to allow the joiner and ordinances adopted by the existing and proposed members of the Authority approving the joiner.

#### EXECUTION OF THIS AGREEMENT

11. This Agreement shall be executed by the Authority also for the purpose of binding the Authority to its provisions.
12. This Agreement shall be binding on the parties hereto indefinitely unless terminated by the parties hereto; provided that a party may withdraw on giving written notice under the terms provided in Section 9 of this Agreement.
13. The parties hereto have caused the execution of this Agreement by execution of the presiding officer and the secretary of its governing body and by attachment of a copy of its ordinance or resolution approving execution of the same.

STATE COLLEGE BOROUGH:

BY: \_\_\_\_\_  
President of Council

BY: \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
Secretary

Attest:

\_\_\_\_\_  
Secretary

TOWNSHIP OF COLLEGE:

BY: \_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
Secretary

TOWNSHIP OF FERGUSON:

BY: \_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
Secretary

TOWNSHIP OF HARRIS:

BY: \_\_\_\_\_  
Chairman

Attest:

\_\_\_\_\_  
Secretary

TOWNSHIP OF PATTON

BY: \_\_\_\_\_  
Chairman