

Borough of Portage

PORTAGE, PENNSYLVANIA

Resolution 9-2010

A RESOLUTION OF THE BOROUGH OF PORTAGE IN THE COMMONWEALTH OF PENNSYLVANIA AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT BY THE BOROUGH OF PORTAGE AND THE PORTAGE AREA SEWER AUTHORITY FOR THE PURPOSE OF SHARED SERVICES RELATED TO THE USE OF EQUIPMENT AND MANPOWER OF EACH MUNICIPAL ENTITY UNDER APPROPRIATE CIRCUMSTANCES.

WHEREAS, Portage Borough and The Portage Area Sewer Authority have determined that the residents and customers of each municipal entity can be best served by entering into a formal agreement permitting each municipal entity to create a Cooperation Agreement for Shared Services related to the use of equipment and equipment operator(s);

WHEREAS, it is recognized that effective planning and cooperation can best be achieved in accordance with the provisions of the Intergovernmental Cooperation Law, Act of 1996, December 19th, P.L. 1158 No. 177, §1, (53 Pa.C.S.A. §2301 et seq.) as amended, and The Municipal Authorities Act (53 Pa.C.S.A. §5601 et seq.) as amended, and that pursuant to the provisions of said Acts, Portage Borough and The Portage Area Sewer Authority deem it mutually beneficial to share services related to the use of equipment and manpower of the other municipality under appropriate circumstances;

WHEREAS, the terms and conditions are agreeable to the Borough of Portage and The Portage Area Sewer Authority, and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough of Portage, in the County of Cambria, and Commonwealth of Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

SECTION 1. The Borough of Portage is authorized to enter into an agreement with The Portage Area Sewer Authority, a copy of which is attached hereto, incorporated herein and marked as Exhibit "A".

SECTION 2. The Borough of Portage hereby authorizes its officers to sign and/or execute any and all documents, agreements, contracts, and/or undertake any and all actions required to be delivered and/or taken by the Borough of Portage to approve and authorize the Borough of Portage to enter into the attached agreement, and directing other necessary and proper action.

SECTION 3. The Council President of the Borough of Portage is hereby authorized to execute, on behalf of the Borough of Portage, the agreement attached hereto, substantially in the form of the agreement attached. Proper officers of the Borough are authorized and directed to execute any and all documents and to do any and all other acts that may be necessary and proper to carry out this Resolution and the undertakings of the Borough.

SECTION 4. All resolutions or parts of resolutions not in accord with this Resolution are hereby repealed insofar as they affect this Ordinance.

SECTION 5. In the event any provision, section, sentence, clause or part of this Resolution shall be held invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of this Authority that such remainder of this Resolution shall be and shall remain in full force and effect.

SECTION 6. It is declared that the adoption of this Resolution and the execution, acknowledgment and delivery of the documents are necessary for the protection, benefit and preservation of the health, safety and welfare of inhabitants of the Borough.

SECTION 7. This Resolution shall become effective immediately, or as soon as legally permissible and shall remain in effect unless and until subsequently repealed or amended.

Duly adopted by the Council of Portage Borough this 4th day of OCTOBER, 2010.

BOROUGH OF PORTAGE

By: Sharon M. McCarthy
Sharon M. McCarthy
President

Attest: Michelle Claar
Michelle Claar
Secretary

Portage Area Sewer Authority
By: Donald Squillario
Donald Squillario
Chairperson

Attest: Nancy Sherbine
Nancy Sherbine
Secretary