

**TOWNSHIP OF WASHINGTON
COUNTY OF NORTHAMPTON
COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE NO. 225

**AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON,
NORTHAMPTON COUNTY, PENNSYLVANIA, ADOPTING AN
INTERMUNICIPAL AGILITY AGREEMENT WITH THE BOROUGH OF ROSETO,
NORTHAMPTON COUNTY, PENNSYLVANIA.**

WHEREAS, the Township of Washington, Northampton County, Pennsylvania, is a Township of the Second Class within the County of Northampton, Commonwealth of Pennsylvania, and is also referred to as a "local government" under the Intergovernmental Cooperation Act, 53 Pa C.S.A., Section 2301, et seq.; and

WHEREAS, the Borough of Roseto is a duly organized Borough within the County of Northampton, Commonwealth of Pennsylvania, and is also referred to as a "local government" under the Intergovernmental Cooperation Act, 53 Pa. C.S.A., Section 2301, et seq.; and

WHEREAS, informal agreements between the road crews and employees from both municipalities have proved beneficial to both municipalities in the past; and

WHEREAS, the Township and the Borough, through their respective and duly elected officials, have determined that it is in the best interests of both municipalities to

perform certain road work and maintenance operations as partners in an agile road maintenance enterprise similar to that recommended by the Pennsylvania Department of Transportation; and

WHEREAS, the Second Class Township Code authorized such agreements with other municipalities in performing governmental powers, duties and functions (53 P.S. Sec. 66507) and, likewise, so does the Borough Code in 53 P.S. Sec. 46202(34); and

WHEREAS, pursuant to the Intergovernmental Cooperation Act, 53 Pa. C.S.A. Section 2301, et seq., two or more local governments can jointly cooperate with one another in the performance of respective governmental functions, powers and responsibilities; and

WHEREAS, the Township and the Borough are desirous of memorializing that their respective municipalities are willing to undertake the duties and the responsibilities for the aforementioned.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED and it is hereby ordained and enacted by the Township of Washington, Northampton County, Pennsylvania, as follows:

Section 1: All recitals are herein incorporated by reference.

Section 2: The Township and the Borough hereby each authorize and agree to enter into a cooperative effort for the use of equipment and/or labor to perform certain projects of mutual interest or projects primarily or solely benefiting one

municipality, provided that such projects are limited in scope and duration. Such projects are for road, street and/or highway constructions, repair and maintenance. Further, the vehicles, equipment and labor services to be exchanged or rendered on a reciprocal basis shall be listed on or in the proposed written agreement, to be entered into by both municipalities.

Section 3: A copy of the proposed Intermunicipal Agility Agreement is attached hereto and marked "Exhibit A", and all of its terms, provisions and conditions are hereby made a part and parcel of this Ordinance.

Section 4: The terms, conditions and provisions of this Ordinance are severable. If any such term, condition or provision of this Ordinance is, for any reason, found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining terms, conditions or provisions of this Ordinance, and it is hereby declared to be the intent of the Borough that this Ordinance would have been adopted and enacted had such unconstitutional, illegal or invalid, term, condition or provision not been included herein.

Section 5: That any Ordinance, or part of any Ordinance, conflicting with this Ordinance be and the same is hereby repealed insofar as the same affects this Ordinance.

Section 6: This Ordinance shall be and remain in full force and effect from and after the date of its enactment.

ORDAINED AND ENACTED by the Supervisors of the Township of Washington, County of Northampton and Commonwealth of Pennsylvania, into an Ordinance this 12th day of March, 2003.

WASHINGTON TOWNSHIP
BOARD OF SUPERVISORS

By: David Hess
David Hess, Chairman

By: David Renaldo
David Renaldo

By: Daniel Crafa
Daniel Crafa

ATTEST:

By: Mary Ann Dulaney
Mary Ann Dulaney, Secretary

APPROVED AND CERTIFIED this 12th day of March, 2003.

By: David Hess
David Hess, Chairman

ATTEST:

By: Mary Ann Dulaney
Mary Ann Dulaney, Secretary

BOROUGH OF ROSETO
ORDINANCE NO. 365


AN ORDINANCE FOR THE BOROUGH OF ROSETO,
COUNTY OF NORTHAMPTON, COMMONWEALTH OF
PENNSYLVANIA, REGARDING AN INTERMUNICIPAL
AGREEMENT WITH THE TOWNSHIP OF WASHINGTON

Be it ORDAINED AND ENACTED and it is hereby ordained and enacted by the
Council of the Borough of Roseto, County of Northampton and State of Pennsylvania:

That the Borough of Roseto shall provide salt solution for improving winter
road conditions on streets within the Township of Washington according to the
terms set forth in the attached intermunicipal agreement.

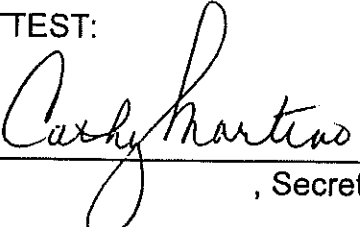
Enacted into an ordinance and passed at the Borough of Roseto, Northampton
County, Pennsylvania the 7th day of April, 2003.

BOROUGH OF ROSETO

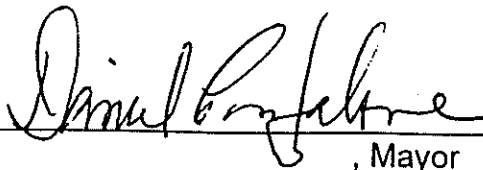
By: 

President of Borough Council

ATTEST:



, Secretary



, Mayor

6. Any balance of solution still due to Washington shall be documented by both parties in writing as above referenced at the conclusion of the winter season and shall be carried over until the next winter season for the benefit of Washington upon the same terms and conditions as above referenced.

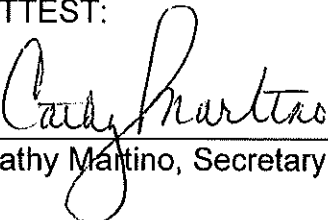
7. Washington agrees to indemnify Roseto and hold it harmless with regard to any claims made as a result of the use or misuse of said salt solution within the Township of Washington.

8. Either party may terminate this agreement at any time without further liability to the other provided that Washington has received all of the salt solution to which it is entitled.


9. This Agreement represents the entire understanding of the parties with respect to the subject matter hereof, and may be modified or amended only in writing, subscribed to by all parties.

IN WITNESS WHEREOF and intending to be legally bound hereby, the parties hereto have set their hands and seals as indicated below.

ATTEST:



Cathy Martino, Secretary
Date:

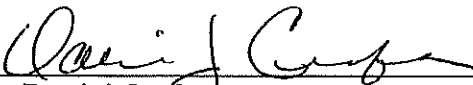
ROSETO BOROUGH

By: 
Carl Renna, President

WASHINGTON TOWNSHIP
BOARD OF SUPERVISORS

By: 
David Hess, Chairman

By: 
David Renaldo

By: 
Daniel Crafa

ATTEST:

By: 
Mary Ann Dulaney, Secretary

Date: 4-21-03