

**LOWER SAUCON TOWNSHIP
NORTHAMPTON COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2009-13

AN ORDINANCE APPROVING PARTICIPATION IN A JOINT RAIL TRAIL ADVISORY COMMITTEE KNOWN AS THE SAUCON RAIL TRAIL ADVISORY COMMITTEE TO OVERSEE THE INITIAL DEVELOPMENT OF THE RAIL TRAIL CONNECTING FOUR MUNICIPALITIES AND TO PROVIDE ONGOING DIRECTION FOR THE OPERATION AND MAINTENANCE OF THE RAIL TRAIL

WHEREAS, the Boroughs of Hellertown and Coopersburg, and the Townships of Lower and Upper Saucon have formed an Association of Municipal Subdivision for the purpose of creating a joint rail trail advisory committee to oversee the initial development of, and the ongoing direction for operation, maintenance, and improvement of the Saucon Rail Trail; and

WHEREAS, said organization is known as the Saucon Rail Trail Advisory Committee; and

WHEREAS, it is advantageous to the welfare of the citizens residing within these municipalities to form the Saucon Rail Trail Advisory Committee to secure the benefits provided by the Intergovernmental Cooperation Act, 53 Pa. C.S.A. 2301-2315, and to efficiently develop, operate, and maintain the eight (8) mile long Saucon Rail Trail.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by Lower Saucon Township, Northampton County, Pennsylvania, as follows:

SECTION 1.

The Township of Lower Saucon hereby agrees to intergovernmentally cooperate with the Association of Municipal Subdivisions consisting of the Township of Upper Saucon, and the Boroughs of Coopersburg and Hellertown, to create the Saucon Rail Trail Advisory Committee. No function, power, or responsibility of Lower Saucon will be exercised through intergovernmental cooperation with other member municipalities unless ratified by Resolution of Lower Saucon Township Council.

SECTION 2.

The Lower Saucon Township hereby agrees to participate in the Saucon Rail Trail Advisory Committee for a term commencing with the adoption of this Ordinance.

SECTION 3.

The Lower Saucon Township shall enter into an agreement entitled Articles of Agreement, a copy of which is attached hereto and incorporated herein by reference, with the intent and effect that Lower Saucon Township shall be bound by the agreement.

SECTION 4.

The President of Council and the Township Secretary are hereby authorized and directed on behalf of Lower Saucon to execute and deliver the Agreement.

SECTION 5.

The Council of Lower Saucon Township is hereby authorized to take such other action as may be necessary or appropriate to carry out the purposes of this Ordinance and said Articles of Agreement.

SECTION 6.

The purpose of the Saucon Rail Trail Advisory Committee is to meet at regular intervals to oversee the initial development of the rail trail and provide ongoing direction for the operation, maintenance, and improvement of the rail trail. Additional purposes shall include: a conduit for communication and coordination, to develop policies and priorities, serve as a forum to provide and receive input, and act as rail trail spokespersons. The Township of Lower Saucon hereby pledges its support of such purposes and further agrees to jointly cooperate in the performance of its respective governmental functions, powers, and responsibilities. This pledge of intergovernmental cooperation without further amendment to the within Ordinance shall not be construed as to delegate or transfer any functions, powers or responsibilities to another local government or to the Saucon Rail Trail Advisory Committee.

SECTION 7.

Lower Saucon Township pledges such expenditures as shall be required under the Articles of Agreement.

SECTION 8.

The Saucon Rail Trail Advisory Committee shall in all respects conform with the requirements of the Intergovernmental Cooperation Act, 53 Pa. C.S.A. 2301-2315.

SECTION 9.

The Saucon Rail Trail Advisory Committee powers and authorities shall be limited to the Articles of Agreement incorporated herein and made a part hereof.

SECTION 10.

This Ordinance shall become effective immediately.

ENACTED AND ORDAINED into law by Lower Saucon Township, Northampton County, Pennsylvania, this 16th day of December, 2009.

Attest

Lower Saucon Township

Jack Cahalan
Township Manager

Glenn C. Kern
Council President