

LOWER SAUCON TOWNSHIP
NORTHAMPTON COUNTY, PENNSYLVANIA

ORDINANCE NO. 2013-06

AN ORDINANCE OF THE TOWNSHIP OF LOWER SAUCON, NORTHAMPTON COUNTY, PENNSYLVANIA PROVIDING FOR THE EXECUTION OF AN INTERGOVERNMENTAL COOPERATION AGREEMENT WHICH AUTHORIZES WILLIAMS TOWNSHIP TO UTILIZE THE SAUCON VALLEY COMPOST CENTER, WHICH IS JOINTLY OPERATED BY LOWER SAUCON TOWNSHIP AND HELLERTOWN BOROUGH, PROVIDED WILLIAMS TOWNSHIP REMITS A YEARLY FEE FOR SUCH USE

WHEREAS, Lower Saucon Township and Hellertown Borough are currently the joint operators of the Saucon Valley Compost Center; and

WHEREAS, Williams Township desires to utilize the Saucon Valley Compost Center for the disposal yard waste generated by the residents of Williams Township; and

WHEREAS, the referenced municipalities desire to enter into an Intergovernmental Cooperation Agreement to permit Williams Township to utilize the Saucon Valley Compost Center for the disposal of yard waste, subject to Williams Township paying a yearly fee and complying with the other conditions contained in the Intergovernmental Cooperation Agreement; and

WHEREAS, pursuant to the provisions of Article XV of the Pennsylvania Second Class Township Code and the Pennsylvania Intergovernmental Cooperation Act, 53 Pa.C.S.A. 2301 et seq., Lower Saucon Township is authorized to enter into an intergovernmental cooperation agreement for the within stated purpose upon the passage of an Ordinance by the Council of Lower Saucon Township.

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

1. The Title and Whereas clauses of this Ordinance set forth above are incorporated herein by reference.
2. The Council of Lower Saucon Township hereby approves entering into, and executing an Intergovernmental Cooperation Agreement, a copy of which is attached hereto and incorporated herein by reference as Exhibit "A", and which shall be filed with the minutes of the meeting at which this Ordinance was enacted, with the intent and effect that Lower Saucon Township shall be bound by the terms of the Agreement.

3. The President or Vice President of the Council, acting alone or together with the Secretary, are hereby authorized and directed on behalf of Lower Saucon Township, (i) to execute and deliver the Agreement, and (ii) to execute and deliver such additional instruments, and to take such further actions, as may be necessary or appropriate to carry forth the provisions of the Agreement and the transactions to be effected under the Agreement.
4. All actions of any officer, agent or other representative of Lower Saucon Township heretofore taken in the pursuit of the cooperation provisions contained in the Agreement, and Lower Saucon Township's participation therein, are hereby ratified and approved in all respects.
5. As required by the provisions of the Pennsylvania Intergovernmental Cooperation Act, the following matters are specifically found and determined:
 - a. The conditions of the Agreement are set forth in the Agreement
 - b. The term of the Agreement shall be as set forth therein.
 - c. The purpose and objectives of the Agreement are as set forth in this Ordinance and in the Agreement.
 - d. The manner and extent of financing the Agreement are that (i) no borrowing will be required by Lower Saucon Township, (ii) funds to implement Lower Saucon Township's obligations under the Agreement same shall come from normal and usual budgeted amounts for such matters.
6. The provisions of this Ordinance are severable and if any section, sentence, clause or part or provision hereof shall be held to be illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect the remaining sections, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Council of Lower Saucon Township that this Ordinance would have been enacted if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.
7. This Ordinance shall become effective five (5) days after enactment hereof.

DULY ORDAINED AND ENACTED this _____ day of _____, 2013.

Attest:

Jack Cahalan
Township Manager

Tom Maxfield
Council Vice President