

**BOROUGH OF STOCKERTOWN
NORTHAMPTON COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2019-1

AN ORDINANCE

AUTHORIZING ENTRY INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT KNOWN AS THE “INTERMUNICIPAL SEWER SERVICE AGREEMENT” BETWEEN THE BOROUGH OF STOCKERTOWN AND THE TOWNSHIP OF FORKS; ESTABLISHING TERMS AND CONDITIONS WITH RESPECT TO THE TRANSPORTATION OF SANITARY SEWAGE FROM THE BOROUGH’S EXISTING SEWER SERVICE AREA TO AND THROUGH THE FORKS TOWNSHIP SEWAGE CONVEYANCE SYSTEM; PROVIDING FOR THE PAYMENT FOR ALL COSTS ASSOCIATED WITH CONSTRUCTION OF AN INTERCEPTOR TO TRANSPORT SEWAGE FROM THE BOROUGH’S EXISTING SEWER SERVICE AREA AND CONNECTION OF SAID INTERCEPTOR TO THE FORKS TOWNSHIP UHLER’S CROSSING INTERCEPTOR; PROVIDING THAT FORKS TOWNSHIP SHALL SELL AND TRANSFER 86,500 GALLONS PER DAY OF THEIR EXISTING SEWAGE CONVEYANCE CAPACITY TO THE BOROUGH OF STOCKERTOWN; AND PROVIDING FOR OTHER RELATED MATTERS RELEVANT THERETO BETWEEN THE BOROUGH OF STOCKERTOWN AND FORKS TOWNSHIP.

NOW, THEREFORE, be it enacted and ordained by the Borough Council of the Borough of Stockertown, Northampton County, Pennsylvania (the “Borough”), and it is hereby enacted and ordained by authority of the same, pursuant to the provisions of the Borough Code, Act of May 17, 2012, P.L. 262, No. 43, and pursuant to the Intergovernmental Cooperation Act, Act of July 12, 1972, No. 180, as amended, and pursuant to Article IX, Section 5 of the Constitution of the Commonwealth of Pennsylvania, and pursuant to the authority granted by law, as follows:

SECTION 1. RATIFICATION OF AGREEMENT

The Borough Council of the Borough of Stockertown hereby ratifies, confirms, and authorizes execution of an agreement for intergovernmental cooperation known as the “Intermunicipal Sewer Service Agreement” between the Borough of Stockertown and Township of Forks. A copy of the Agreement is attached hereto, incorporated by reference herein, and marked Exhibit “A.”

SECTION 2. AUTHORIZATION

This Agreement is entered into pursuant to the provisions of the Intergovernmental Cooperation Act, Act of July 12, 1972, No. 180, as amended, 53 Pa. C.S.A. §2303-2307, and pursuant to Article IX, Section 5 of the Constitution of the Commonwealth of Pennsylvania.

SECTION 3. PURPOSES AND OBJECTIVES

The purposes and objectives of this Agreement are to establish terms and conditions under which the municipalities will facilitate transportation of sanitary sewage from the Borough of Stockertown through the Township of Forks for treatment in the City of Easton by the Easton Area Joint Sewer Authority, providing for the payment of the Borough of Stockertown's share of construction and conveyance costs, and providing for other related matters relevant thereto between the Borough of Stockertown and Forks Township.

SECTION 4. CONDITIONS

The Agreement shall be subject to all the conditions and terms specified and set forth in the "Intermunicipal Sewer Service Agreement" which is attached hereto and incorporated by reference herein.

SECTION 5. DURATION

The duration of the Agreement shall be perpetual.

SECTION 6. INVALIDITY AND REPEALER

The invalidity of any section or provision of this Ordinance herein adopted shall not invalidate the other sections or provisions hereof. All Ordinances or parts of Ordinances inconsistent herewith be, and the same are, hereby repealed.

SECTION 7. EFFECTIVE DATE

This Ordinance shall become effective upon execution by the appropriate officials on behalf of the Township of Forks and the Borough of Stockertown.

BE IT ENACTED AND ORDAINED this 4th day of March, 2019.

BOROUGH OF STOCKERTOWN

ATTEST:


ANITA CAUGHY, Secretary

BY: 
AMY RICHARD, Council President

THIS ORDINANCE approved this 4th day of March, 2019.


KEN ZEMENCSIK, Mayor