

ORDINANCE NO. 971

MUNICIPALITY OF BOROUGH OF MONROEVILLE

AN ORDINANCE AUTHORIZING INTERGOVERNMENTAL COOPERATION BY ESTABLISHING MEMBERSHIP IN TURTLE CREEK VALLEY COUNCIL OF GOVERNMENTS AND ESTABLISHING THE CONDITIONS OF SAID MEMBERSHIP PURSUANT TO THE REQUIREMENTS OF ACT 180 OF 1972, 53PS 481-490, AS AMENDED, OF THE COMMONWEALTH OF PENNSYLVANIA.

WHEREAS, Act 180 of 1972, 52 PS 481-490, repealed absolutely the Act of May 21, 1943 (P.L. 340), 53 PS 471 Et Seq., and became the law governing inter-governmental cooperation within the Commonwealth of Pennsylvania; and,

WHEREAS, membership in the Turtle Creek Valley Council of Governments, Inc., is the agency the Borough of Monroeville has adopted to cooperate with other governmental units in the execution of those municipal functions deemed by the Borough of Monroeville to be accomplished best through cooperation with other governmental units; and,

WHEREAS, Act 180 of 1972, 53PS 481-490 intends that full recognition by the Commonwealth of Pennsylvania of an agent of intergovernmental cooperation requires said agent to be established by ordinance by all cooperating units of government; and

WHEREAS, the Borough of Monroeville desires the Turtle Creek Valley Council of Governments, Inc., to be as useful as possible to the Borough of Monroeville and to the residents thereof;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough of Monroeville in Council duly assembled, and it is hereby ordained and enacted by authority of the same:

SECTION 1. Membership. That the Borough of Monroeville join and be a member of the Turtle Creek Valley Council of Governments, Inc.

SECTION 2. Conditions of Agreement. That no action taken by the Turtle Creek Valley Council of Governments, Inc., which creates a legal obligation, whether it be contractual, financial, or otherwise upon a member municipality shall be binding upon a member municipality affected unless and until its municipal legislative body ordains, resolves, or otherwise enacts the actions recommended by the Turtle Creek Valley Council of Governments, Inc., according to the procedure set forth in the appropriate municipal code and laws of the Commonwealth of Pennsylvania.

SECTION 3. Duration of Term. That this agreement stand until changed by the Borough of Monroeville by councilmanic action.

SECTION 4. Purpose and Objectives. That the Turtle Creek Valley Council of Governments, Inc., shall assist upon request the member municipalities individually or collectively to execute their governmental responsibilities in as efficient and responsible a manner as possible; further, that the Turtle Creek Valley Council of Governments, Inc., shall undertake such other projects related to municipal government as the Board of Directors of the corporation may direct, subject to the provisions of Section 2.

SECTION 5. Manner and Extent of Financing. That the Turtle Creek Valley Council of Governments, Inc., be financed by annual dues paid by member municipalities and by funds obtained by this corporation from public or private sources.

SECTION 6. Organizational Structure. That the Turtle Creek Valley Council of Governments, Inc., be the agent for the Borough of Monroeville in matters pertaining to this agreement; that the chief legislative officer of each municipality shall be a director of the Turtle Creek Valley Council of Governments, Inc., with the right to appoint an alternate from among the legislative body of that municipality to represent him fully in his absence; and that the Board of Directors of the Turtle Creek Valley Council of Governments, Inc., be authorized to act as they deem necessary, in accordance with its by-laws, subject to Section 2 and to Section 5.

SECTION 7. Acquisition/Management/Disposal of Property. That real personal property necessary to implement this agreement be acquired, managed, and disposed by the Turtle Creek Valley Council of Governments, Inc., in accordance with the by-laws of the corporation and any laws or contracts which apply.

SECTION 8. Obligation of the Borough of Monroeville. This ordinance shall in no way obligate the Borough of Monroeville to any contractual or financial commitments unless and until the same are approved by the Monroeville Borough Council. By virtue of this ordinance, no employee of the Turtle Creek Valley Council of Governments, Inc., shall become an employee of the Borough of Monroeville nor shall any employee of the Borough of Monroeville become an employee of the Turtle Creek Valley Council of Governments.

ORDAINED AND ENACTED this 9th day of September, 1975.

(SEAL)

ATTEST:

BOROUGH OF MONROEVILLE

S/ Marshall W. Bond
Secretary

By S/ George C. Dale
President of Council

REVIEWED AND APPROVED this 16th day of September, 1975.

S/ R. E. Droske
Mayor