

**ORDINANCE OF MUNICIPALITY OF MONROEVILLE,
ALLEGHENY COUNTY, PENNSYLVANIA, APPROVING
AN ADDENDUM TO THE INTERGOVERNMENTAL
COOPERATION AGREEMENT RELATING TO THE
EASTERN REGIONAL COMMUNICATIONS CENTER, TO
ELIMINATE THE INSURANCE REQUIREMENT FOR
MEMBER MUNICIPALITIES AND PROVIDING FOR THE
DISPOSITION OF EQUIPMENT IN THE EVENT OF
DISSOLUTION OF THE ERC.**

WHEREAS, Monroeville, Wilkesburg, Swissvale, Wilkins, Braddock, Verona,

Wilmerding, Wall and Pitcairn are all Charter Members and parties to the Intergovernmental Cooperation Agreement which was adopted, by ordinance, by each of said Municipalities during the month of April, 1998; and

WHEREAS, Paragraph 14 of said Agreement requires each Member Municipality

to name the Eastern Regional Communications Center as an additional insured on their general liability, professional liability and errors and omissions insurance policies, and further requires a certificate of insurance verifying coverage limits of \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate; and

WHEREAS, the Public Safety Emergency Telephone Act of the Commonwealth

of Pennsylvania was amended by Act No. 17 of 1998, House Bill No. 911, effective April 13, 1998, 35 P.S. §7021.1 as follows: All 911 systems run by county and local governments shall be local agencies who shall enjoy local governmental immunity as provided under 42 Pa. C.S. Chapter 85, Subchapter C (relating to actions against local parties); and

WHEREAS, the Board of Directors of the ERC has purchased general liability and errors and omission liability insurance policies with coverage limits of \$1,000,000.00 per occurrence, \$2,000,000.00 in the aggregate and an umbrella liability policy in the amount of \$3,000,000.00. Said ERC insurance policies name all nine (9) Charter Members as additional insured entities; and

WHEREAS, as a result of said amendment to the laws of the Commonwealth of Pennsylvania and based upon the insurance coverages which have been purchased by the ERC, the parties hereto desire to amend the Intergovernmental Cooperation Agreement to delete Paragraph 14.

WHEREAS, Paragraph 18 section b of said Agreement addresses the ownership of communications equipment at the new facility of the ERC. The Board of Directors of the ERC agreed to amend said Paragraph to read:

Upon completion of the new Monroeville Municipal Building which is expected in late 1999, the ERC operations shall be located in the new facility. All communications equipment located at the ERC shall then be owned by and under the control of the ERC. Any Member Municipality may assign or donate equipment to the ERC.

In the event of a dissolution, any Member Municipality who has assigned or donated equipment may request the return of such

equipment in its "as is" condition. Maintenance of all equipment located at the ERC shall be the responsibility of the ERC. All other communications equipment including, but not limited to, base stations, repeaters, receivers, transmitters, microwave equipment, telephone lines, mobile units, portables and pagers shall remain in the ownership of the respective Member Municipality, who shall remain responsible for the maintenance repair and proper operation of such equipment.

NOW, THEREFORE, BE IT ORDAINED BY

Monroeville Municipal Council and it is hereby ordained and enacted by the authority of the same:

SECTION 1. The Municipality of Monroeville hereby approves the attached Addendum to Intergovernmental Cooperation Agreement, relating to the 911 emergency dispatch system of the Eastern Regional Communications Center, in order to eliminate the requirement that each Charter Member Municipality provide insurance coverages for the ERC and name the ERC as an additional insured on said policies.

SECTION 2. Monroeville hereby approves the attached Addendum to Intergovernmental Cooperation Agreement, relating to the ownership of communications equipment by the ERC at the new facility.

SECTION 3. Any Ordinance or Resolution, or any part of any Ordinance or

Resolution, which is inconsistent with the provisions of this Ordinance, are hereby repealed, to the extent of such inconsistency.

DULY ENACTED ON August 11, 1998.

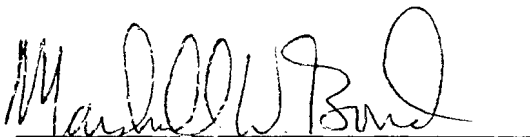
BY



Title: Mayor

Name: Sean F. Logan

ATTEST:


Secretary

ENTERED INTO LEGAL BOOK: August 21, 1998