

ORDINANCE NO. 150

AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF ALBURTIS, LEHIGH COUNTY, PENNSYLVANIA, APPROVING PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF A SANITARY SEWAGE COLLECTION SYSTEM AND RELATED FACILITIES FOR CERTAIN PORTIONS OF THIS BOROUGH, AS SUBMITTED BY BOROUGH OF ALBURTIS SEWER AUTHORITY, TO BE CONSTRUCTED BY SAID AUTHORITY; APPROVING THE REPORT OF THE CONSULTING ENGINEERS, AS SUBMITTED BY SAID AUTHORITY; APPROVING THE ESTIMATED COST OF CONSTRUCTION OF SUCH SANITARY SEWER FACILITIES, THE ESTIMATED COST OF CONSTRUCTION OF ASSESSABLE SEWERS AND THE PROPOSED CHARGE OF A PORTION OF THE COST OF CONSTRUCTION OF ASSESSABLE SEWERS AGAINST PROPERTIES BENEFITED, IMPROVED OR ACCOMMODATED THEREBY, BY ASSESSMENT ACCORDING TO THE FOOT FRONT RULE.

WHEREAS, Borough of Alburdis Sewer Authority (the "Authority") is a municipality authority incorporated and existing under the Pennsylvania Municipality Authorities Act of 1945, approved May 2, 1945, P. L. 382, as amended and supplemented (the "Authorities Act"), for the purpose, in substance, of acquiring, holding, constructing, improving, maintaining, operating, owning and acting, either in the capacity of lessor or lessee, or both, such real and personal property as shall form the whole or parts of a municipal waste collection and disposal system; and

WHEREAS, The Authority, pursuant to authority vested in it by law and pursuant to the request of this Borough, plans to construct a sanitary sewage collection system and related sewer facilities (the "Sewer System"), for rendering sewage collection service in and for certain portions of this Borough; and

WHEREAS, Plans and specifications for construction related to the Sewer System have been prepared by the firm of A. L. Wiesenberger Associates, Inc., Consulting Engineers, Allentown, Pennsylvania (the "Consulting Engineers"); and

WHEREAS, The Authority, after due advertisement in accordance with law, received competitive bids for construction related to the Sewer System, all in accordance with such plans and specifications prepared by the Consulting Engineers, which bids have been duly considered by the Authority; and

WHEREAS, The Consulting Engineers have prepared a report, entitled "Engineering Report on Financing Construction - Sanitary Sewage Collection System for the Borough of Alburdis Sewer Authority", dated May, 1971 (the "Report"); and

WHEREAS, The Authority has submitted to the Council of this Borough a certified copy of a resolution duly adopted by the Board of the Authority, concerning the plan of construction related to the Sewer System; and

WHEREAS, In connection with the plan of construction related to the Sewer System, as set forth in such resolution of the Board of the Authority, the Authority proposes to charge a portion of the cost of construction of assessable sewers constituting part of the Sewer System against properties benefited, improved or accommodated thereby,

by assessment according to the foot front rule, which assessment is proposed to be made at the time the work is authorized; and

WHEREAS, Such plans and specifications related to the Sewer System prepared by the Consulting Engineers, together with a counter-part of the Report, setting forth inter alia, the estimated cost of construction of the Sewer System, the estimated cost of construction of assessable sewers to be located in this Borough and the approximate amount of the estimated cost of construction of assessable sewers which is proposed to be charged against properties benefited, improved or accommodated thereby, by assessment according to the foot front rule, has been submitted to the Council of this Borough for approval pursuant to Section 4B(s) of the Authorities Act.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, and it is enacted and ordained, by the Council of this Borough, as follows:

Section 1. The plan of construction of the Sewer System, as submitted by the Authority, consisting of the plans and specifications and the Report, as prepared by the Consulting Engineers, the estimated cost of construction of the Sewer System and the estimated cost of construction of assessable sewers to be located in this Borough, all as set forth in the Report, are approved, for purposes and with the effect set forth in Section 4B(s) of the Authorities Act.

Section 2. The estimated cost of construction of the Sewer System, as set forth in the Report, in the total amount of \$795,000, is approved, and the estimated cost of construction of assessable sewers to be located in this Borough, as set forth in the Report, in the total amount of \$376,530, is approved, all for purposes and with the effect set forth in Section 4B(s) of the Authorities Act.

Section 3. The proposal of the Authority to charge approximately \$216,000 of the estimated cost of construction of assessable sewers constituting part of the Sewer System to be located in this Borough against properties benefited, improved or accommodated thereby, as set forth in the Report, on the basis of Eight Dollars (\$8.00) per foot front, with certain adjustments of frontage under certain conditions, as set forth and recommended by the Report, by assessment according to the foot front rule, as provided in Section 4B(s) of the Authorities Act is approved for purposes and with the effect set forth in Section 4B(s) of the Authorities Act.

Section 4. A copy of such plan of construction, consisting of such plans and specifications and the Report, shall be kept on file with the Secretary of this Borough so that the same may be inspected by interested persons at all reasonable times.

Section 5. All ordinances and parts of ordinances inconsistent herewith expressly are repealed.

DULY ENACTED AND ORDAINED, this 1st day of June, 1971, by the Council of the Borough of Alburtis, Lehigh County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF ALBURTIS,
Lehigh County, Pennsylvania

By: *Sam Blitchman*
President of Council

ATTEST:

Bertha M. Kuhns
Secretary

(SEAL)

EXAMINED AND APPROVED, this 11th day of June, 1971.

Edward B. Dingman Jr.
Mayor of the Borough of Alburtis,
Lehigh County, Pennsylvania