

**BOROUGH OF ALBURTIS
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 480

(Duly Adopted February 11, 2009)

AN ORDINANCE AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT SO THAT THE BOROUGH OF ALBURTIS MAY PARTICIPATE IN THE VEHICLE PURCHASING PROGRAM OF THE CENTRAL WESTMORELAND COUNCIL OF GOVERNMENTS; REVISING THE COMPENSATION OF THE ZONING OFFICER; AND RENUMBERING CODIFIED ORDINANCES SECTION 6-601 AS ADDED BY ORDINANCE 477 TO SECTION 6-701.

Be it **ORDAINED** and **ENACTED** by the Borough Council of the Borough of Al-
burtis, Lehigh County, Pennsylvania, as follows:

SECTION 1. Chapter 6 of the Alburdis Codified Ordinances (relating to Inter-
governmental Cooperation) is amended by adding the following new Article VIII at the
end of the current Chapter:

Article VIII — Cooperative Purchasing Agreements

**§ 6-801 Agreement for Participation in the Central Westmoreland
Council of Government's Vehicle Purchasing Program.**

The Borough of Alburdis shall enter into an Intergovernmental Agreement with the Central Westmoreland Council of Governments in the form attached to Ordinance 480, which is incorporated into this Article by reference, in order to participate in the Central Westmoreland Council of Government's Vehicle Purchasing Program. Steven R. Hill, the President of Borough Council, and Sharon Trexler, the Executive Secretary of the Borough, are hereby authorized and directed to execute and attest, respectively, the Intergovernmental Agreement on behalf on the Borough, and to

execute and attest all other documents which may be necessary or convenient to bring the Intergovernmental Agreement into effect.

SECTION 2. The attached exhibit (entitled “Agreement for Participation in the Central Westmoreland Council of Governments Vehicle Purchasing Program”) is incorporated into this Ordinance by reference.

SECTION 3. Codified Ordinances § 11-107(a) (relating to Salaries and Compensation—In General—Codes Enforcement—Zoning Officer) is amended as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining) effective January 1, 2009 such that the addition of paragraph (5) to that subsection made by Ordinance 476 (adopted December 29, 2008) is rescinded and the compensation of the Zoning Officer shall continue to be determined by § 11-107(a)(4) until changed by a future ordinance:

§ 11-107 Codes Enforcement.

(a) Zoning Officer.

* * *

(4) 10/1/2006. Effective October 1, 2006, the compensation of the Zoning Officer shall be \$425.00 per month plus \$5.00 for each permit issued.

~~**(5) 1/1/2009.** Effective January 1, 2009, the compensation of the Zoning Officer shall be \$400.00 per month plus \$5.00 for each permit issued.~~

* * *

SECTION 4. Chapter 6 of the Alburtis Codified Ordinances (relating to Inter-governmental Cooperation) is amended by renumbering the Article VI and § 6-601 as recently added by Ordinance 477 (adopted December 29, 2008) to Article VII and § 6-701, in order to eliminate the numbering conflict with the pre-existing Article VI and § 6-601, added by Ordinance 464 (adopted December 12, 2007), which was not amended by Ordinance 477. Accordingly, the material added to Chapter 6 by Ordinances 464 and 477 shall be amended as follows (with deletions indicated by ~~strike-outs~~ and insertions indicated by double underlining) and those portions not so amended are hereby ratified and confirmed as part of Chapter 6:

Article VI — Administration of Uniform Construction Code

§ 6-601 Intergovernmental Agreement to Create Joint Board of Appeals with the Borough of Macungie and the Townships of Lower Milford and Upper Milford to Hear and Rule Upon Appeals, Requests for Variances, and Requests for Extensions of Time in the Administration and Enforcement of the Uniform Construction Code as Adopted in Each Municipality as its Building Code.

The Borough of Alburtis shall enter into an Intergovernmental Agreement with the Borough of Macungie, the Township of Lower Milford, and the Township of Upper Milford, in the form attached to Ordinance 464 as **Exhibit A**, which is incorporated into this Article by reference, *provided that* the governing bodies of each of the other parties shall also adopt an ordinance to approve the execution of the Agreement. The President (or Vice President) of Borough Council is hereby authorized and directed to execute the Agreement on behalf on the Borough upon the approval of the Agreement by the governing bodies of the other parties.

Article VI VII — Commonwealth Agreements

**§ ~~6-601~~ 6-701 Electronic Access License Agreement with PennDOT
for dotGrants System.**

The Borough of Alburytis shall enter into an Intergovernmental Agreement with the Commonwealth of Pennsylvania, Department of Transportation (“**PennDOT**”) in the form attached to Ordinance 477, which is incorporated into this Article by reference. Steven R. Hill, the President of Borough Council, and Sharon Trexler, the Executive Secretary of the Borough, are hereby authorized and directed to execute and attest, respectively, the Intergovernmental Agreement on behalf on the Borough, and to execute and attest all other documents which may be necessary or convenient to bring the Intergovernmental Agreement into effect.

DULY ORDAINED and **ENACTED** by the Borough Council of the Borough of Alburytis, this 11th day of February, 2009, in lawful session duly assembled.

**BOROUGH COUNCIL
BOROUGH OF ALBURTIS**

Steven R. Hill, President

Attest:

Sharon Trexler, Executive Secretary

{SEAL}

AND NOW, this 11th day of February, 2009, the above Ordinance is hereby
APPROVED.

Robert W. Mader, Mayor

**AGREEMENT FOR PARTICIPATION IN THE CENTRAL WESTMORELAND
COUNCIL OF GOVERNMENTS VEHICLE PURCHASING PROGRAM**

THIS AGREEMENT is made this _____ day of _____, 20____, by and between the _____ and the Central Westmoreland Council of Governments, and the current members of the Central Westmoreland Council of Governments, for participation in the Central Westmoreland Council of Government's Vehicle Purchasing Program and establishing the conditions of said participation in said Program of the Central Westmoreland Council of Governments, pursuant to the authority and requirements of the Intergovernmental Cooperation Law, the act of December 19, 1996, P.L 1158, No. 177, Section I, (53 Pa. C.S.A. 2301-2315); as amended and the Commonwealth Procurement Code (62 Pa. C.S.A 101, et.seq.), as amended.

**A. GENERAL TERMS OF COOPERATION AND PARTICIPATION IN THE
VEHICLE PURCHASING PROGRAM:**

1. The condition of the agreement of participation, as set forth in the Article of Incorporation, By-Laws and other organizational documents of Central Westmoreland Council of Governments, are hereby adopted, ratified and confirmed, to the extent that said conditions are not otherwise inconsistent with any ordinance or resolution of this municipality, authority or entity, or otherwise prohibited by law.
2. This above entity's participation in the Central Westmoreland Council of Government's Vehicle Purchasing Program shall be for one (1) year.
3. The purpose and objective for this entity's participation in the Central Westmoreland Council of Government's Vehicle Purchasing Program is to undertake cooperative functions, program, purposes and responsibilities of value and benefit to this entity, and for the purposes set forth in the Articles of Incorporation, By-Laws and other organizational documents of the Central Westmoreland Council of Governments. In addition, a purpose of and objective for participation is to provide a medium for more efficient performances of governmental functions and delivery of certain municipal services and a forum for discussion of the same. Also, by entering into this Agreement, the participant authorizes and approves cooperative purchasing programs and agreements to be undertaken and entered into pursuant to the provisions of the Commonwealth Procurement Code (62 Pa. C.S.A. 101, et. Seq.), as amended.
4. This municipality hereby agrees to and authorizes the payment of the annual membership fees in and to the Central Westmoreland Council of Governments, as well as the expenditure of such other funds, as may be authorized by law, or as may be approved by this governing

body, as is necessary to car out the functions and purposes of the intergovernmental agreement adopted hereby and the obligations of membership in the Council of Governments and the Programs of the Central Westmoreland Council of Governments.

5. The structure of the Central Westmoreland Council of Governments, as set forth in its Articles of Incorporation, By-Laws and other organizational documents, is hereby ratified and confirmed.
6. The Central Westmoreland Council of Governments is hereby authorized, by resolution, to enter into any contract which is deemed to be beneficial to the Central Westmoreland Council of Governments, including, but not limited to, policies of group insurance and employee benefits, including Social Security, for any employees of the Central Westmoreland Council of Governments.
7. Except to the extent provided herein, no action taken by the Central Westmoreland Council of Government, which creates a specific legal obligation upon the entity, shall be binding unless and until approved or ratified by the above entity's governing body or approved, pursuant to proper authorization, by the members of the Council of Governments.

ATTEST:

**CENTRAL WESTMORELAND
COUNCIL OF GOVERNMENTS**

By: _____

By: _____

SEAL:

Attest:

Associate Member:

By: _____

Seal: