

**BOROUGH OF ALBURTIS
LEHIGH COUNTY, PENNSYLVANIA**

Ordinance No. 406

(Duly Adopted May 28, 2003)

AN ORDINANCE AUTHORIZING THE BOROUGH OF ALBURTIS TO ENTER INTO AN ADDENDUM TO THE MAY 6, 2002 INTER-GOVERNMENTAL COOPERATION AGREEMENT WITH THE BOROUGH OF MACUNGIE AND THE TOWNSHIPS OF LOWER MACUNGIE, LOWER MILFORD, AND UPPER MILFORD (RELATING TO THE DEVELOPMENT OF A MULTI-MUNICIPAL COMPREHENSIVE PLAN) TO PROVIDE FOR THE PARTICIPATION OF THE BOROUGH OF EMMAUS IN THE INTERGOVERNMENTAL COOPERATION AGREEMENT AND THE MULTI-MUNICIPAL COMPREHENSIVE PLAN.

WHEREAS the Boroughs of Macungie and Alburtis and the Townships of Lower Macungie, Lower Milford, and Upper Milford (the “**Original Participants**”) entered into an Intergovernmental Agreement dated May 6, 2002 (“**Agreement**”), pursuant to action of their governing bodies (including Alburtis Ordinance 394, adopted March 27, 2002), to create a multi-municipal comprehensive plan that will satisfy the requirements of the Pennsylvania Municipalities Planning Code, 53 PA. STAT. ANN. § 10101 *et seq.* (the “**Project**”); and

WHEREAS, the Borough of Emmaus now wishes to join the Original Participants in undertaking the Project in accordance with the terms and conditions set forth in the Addendum to the Agreement attached to this Ordinance (the “**Addendum**”); and

WHEREAS, the Original Participants consent to the participation of the Borough of Emmaus in the Project under the terms and conditions of the Addendum; and

WHEREAS intergovernmental cooperation among the Original Participants and with the Borough of Emmaus is authorized under 53 PA. CONS. STAT. §§ 2301-2316;

NOW, THEREFORE, be it **ORDAINED** and **ENACTED** by the Borough Council of the Borough of Alburtis, Lehigh County, Pennsylvania, as follows:

The Borough of Alburtis shall enter into an Addendum with the Boroughs of Macungie and Emmaus, and the Townships of Lower Macungie, Lower Milford, and Upper Milford in the form attached to this Ordinance, which is incorporated into this Ordinance by reference, *provided that* the governing bodies of the other participating municipalities shall also approve the execution of the Addendum. The President (or Vice President) of Borough Council is hereby authorized and directed to execute the Addendum on behalf on the Borough upon the approval of the Agreement by all of the participating municipalities.

DULY ORDAINED and **ENACTED** by the Borough Council of the Borough of Alburtis, this 28th day of May, 2003, in lawful session duly assembled.

BOROUGH COUNCIL
BOROUGH OF ALBURTIS

Steven R. Hill, President

Attest:

Melanie Hansen, Secretary

AND NOW, this 28th day of May, 2003, the above Ordinance is hereby APPROVED.

Russell J. Afflerbach, Mayor

ADDENDUM

THIS ADDENDUM of the BOROUGH OF EMMAUS made this _____ day of _____, 2003, to the AGREEMENT of May 6, 2002, by and between the BOROUGHS of MACUNGIE and ALBURTIS and the TOWNSHIPS of LOWER MACUNGIE, LOWER MILFORD and UPPER MILFORD for the undertaking of a cooperative planning project;

WHEREAS, the BOROUGHS of MACUNGIE and ALBURTIS and the TOWNSHIPS of LOWER MACUNGIE, LOWER MILFORD and UPPER MILFORD, entered into an AGREEMENT on May 6, 2002, to create a multi-municipal comprehensive plan to meet the requirements of the Pennsylvania Municipalities Planning Code in order to take advantage of the opportunities afforded the municipalities which create such multi-municipal plans; and

WHEREAS, the BOROUGH OF EMMAUS now wishes to join the aforesaid municipalities in participating in the creation of a multi-municipal comprehensive plan; and

WHEREAS, the BOROUGHS of MACUNGIE and ALBURTIS and the TOWNSHIPS of LOWER MACUNGIE, LOWER MILFORD and UPPER MILFORD consent to the participation of the BOROUGH OF EMMAUS in that planning project,

NOW, THEREFORE, it is agreed by and between the parties hereto that:

1. The Borough of Emmaus agrees to ratify and adopt Paragraphs 1, 2, 3, 4, 7, 8, 9, 10 and 11 of the Agreement entered into May 6, 2002, which undertook the comprehensive planning project. A copy of said Agreement is attached hereto and made part hereof.

2. In consideration of the Borough of Emmaus's participation in this multi-municipal comprehensive plan, the Borough of Emmaus shall pay the sum of Fifteen Thousand Dollars (\$15,000) to Urban Research and Development Corporation, 26-28 West Broad Street, Bethlehem, Pennsylvania, in consideration of the professional services afforded the Borough of Emmaus as its proportional contribution to the costs of creating the aforesaid multi-municipal comprehensive plan.

3. The Borough of Emmaus agrees to pay the advertising costs attendant to the adoption of corresponding Ordinance by the Boroughs of Macungie and Alburtis and the

Townships of Lower Macungie, Lower Milford and Upper Milford, the aforesaid participating municipalities, occasioned by the Borough of Emmaus's inclusion in the cooperative planning project.

IN WITNESS WHEREOF and intending to be legally bound hereby, the parties hereto have set their hands and seals as indicated below.

ATTEST:

BOROUGH OF ALBURTIS

Name: _____ DATE: _____
Title:

BOROUGH OF MACUNGIE

Name: _____ DATE: _____
Title:

LOWER MACUNGIE TOWNSHIP

Name: _____ DATE: _____
Title:

LOWER MILFORD TOWNSHIP

Name: _____ DATE: _____
Title:

UPPER MILFORD TOWNSHIP

Name:
Title:

DATE: _____

BOROUGH OF EMMAUS

Name:
Title:

DATE: _____