

ORDINANCE NO. 2 of 2019

AN ORDINANCE OF THE BOROUGH OF PLYMOUTH AUTHORIZING AND APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN HANOVER TOWNSHIP, NANTICOKE CITY, NEWPORT TOWNSHIP, PLYMOUTH TOWNSHIP, ASHLEY BOROUGH, SUGAR NOTCH BOROUGH AND THE EARTH COSERVANCY RELATIVE TO THE ESTABLISHMENT OF AND PARTICIPATION IN THE LOWER SOUTH VALLEY COUNCIL OF GOVERNMENTS.

WHEREAS, the Townships of Hanover, Plymouth and Newport, Luzerne County, Pennsylvania are Townships existing under the laws of the Commonwealth of Pennsylvania, the Boroughs of Sugar Notch and Ashley, Luzerne County, Pennsylvania, Boroughs existing under the laws of the Commonwealth of Pennsylvania, and City of Nanticoke, Luzerne County, Pennsylvania existing under the laws of the Commonwealth of Pennsylvania, and the Earth Conservancy is a nonprofit corporation existing under the laws of the Commonwealth of Pennsylvania have entered into a cooperative agreement which will result in financial savings to the respective municipalities and nonprofit entity; and

WHEREAS, the purpose of this cooperative agreement in the establishment of the Lower South Valley Council of Governments whereby the citizens within each respective municipality will benefit through the member municipalities cooperative efforts and combining of resources on selected projects to meet regional challenges that may be more effectively addressed than by individual municipality action;

WHEREAS, the member municipalities enter into a cooperative agreement pursuant to the act commonly known as the "Intergovernmental Cooperation Act," 53 Pa. C.S.A. §2301, et seq., and

WHEREAS, the Borough of Plymouth, Luzerne County, Pennsylvania, desires to join the Lower South Valley Council of Governments in order to join cooperative efforts and combining of resources to better manage the costs of its governmental operation;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Borough Council of Plymouth and it is hereby **ENACTED AND ORDAINED** that the Borough accepts and enters an Intergovernmental Agreement with the above-referenced member municipalities and nonprofit as follows:

1. The Council of the Borough of Plymouth does hereby adopt this Ordinance approving the Articles of Agreement Between and Among the Member Municipalities of the Lower South Valley Council of Governments attached hereto, made part hereof and marked as Exhibit "A," and authorizes the proper Borough officials to execute said Agreement.

2. Pursuant to Article IV Section B of the attached Agreement, the Councilman William Dixon shall initially serve as the Borough's designated voting representative to the LSVCOG. The Borough of Plymouth designates Councilman Earl Cunningham as the alternative representative in the event that the primary representative is unable to attend a meeting or otherwise discharge the duties of his or her position. These representatives can be replaced from time to time by the President of Council or Acting President with approval of the Borough Council.

3. The President or Acting President of the Borough of Council is authorized to execute the attached Articles of Agreement and all documents necessary to carry out the intent of this Ordinance.


4. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance, but the same shall remain in full force and effect, it being the intent that this Ordinance shall stand, notwithstanding the invalidity of any part thereof.

5. This Ordinance shall become effective upon enactment by all of the member municipalities as provided by law and as provided for in §3301.3(b) of the Borough Code.

BE IT ENACTED AND ORDAINED by the Borough Council at a regularly scheduled meeting
on this 12th day of February, 2019.

ATTEST:

THE BOROUGH OF PLYMOUTH

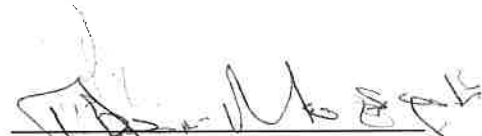


HOLLY SPECE
Borough Secretary



FRANK COUGHLIN, Acting
President of Council

APPROVED BY THE MAYOR



Thomas McTague

Dated: 2/22/2019