

ORDINANCE NO. 169

**AN ORDINANCE OF MILORD TOWNSHIP, COUNTY OF BUCKS AND  
COMMONWEALTH OF PENNSYLVANIA, PURSUANT TO THE  
INTERGOVERNMENTAL COOPERATION ACT, AUTHORIZING AN  
INTERGOVERNMENTAL COOPERATION AGREEMENT FOR RECYCLING  
REPORTING BY AND AMONG, THE TOWNSHIPS OF RICHLAND, WEST  
ROCKHILL, MILFORD AND SPRINGFIELD AND THE BOROUGHES OF  
PERKASIE AND QUAKERTOWN**

**WHEREAS**, the Board of Supervisors of Milford Township deems it to be in the best interests, and for the general welfare and safety, of the citizens and residents of Milford Township to cooperate with the municipalities listed above to prepare and file Section 904 Recycling Grants jointly; and

**WHEREAS**, the Intergovernmental Cooperation Act of December 19, 1976, P.L. 1158, No. 177, as amended, codified at 53 Pa. C.S.A. §§2301 to 2315, provides that two or more local governments in this Commonwealth may jointly cooperate in the exercise or performance of their respective governmental functions, powers or responsibilities; and

**WHEREAS**, Section 1506 of the Second Class Township Code, Act of May 1, 1993, P.L. 103, No. 69, as amended by the Act of November 9, 1995, P.L. 350, No. 60, found at 53 P.S. 66506, and entitled General Powers, authorizes the Board of Supervisors to make and adopt ordinances necessary for the proper management, care and control of the Township, and the maintenance of the health and welfare of the Township and its citizens; and

**WHEREAS**, Section 1507 of the Second Class Township Code, found at 53 P.S. 66507, entitled Intergovernmental Cooperation, authorizes the Board of Supervisors by ordinance to make agreements with other municipal corporations in performing governmental powers, duties and functions, and in carrying into effect the provisions of the said Intergovernmental Cooperation Law; and

**WHEREAS**, the Board of Supervisors of Milford Township, pursuant to all of said authority, desires to enter into an "Inter-Municipal Cooperation Agreement for Section 904 Recycling Grants" (the "Agreement") among the municipalities listed above.

**NOW, THEREFORE BE IT ORDAINED AND ENACTED** by the Board of Supervisors of Milford Township, Bucks County, Pennsylvania, and it is hereby ordained and enacted by the authority of the same, to wit:

SECTION 1. The preamble recited above is incorporated by reference herein.

SECTION 2. Title: This Ordinance shall be known and may be cited as the Inter-Municipal Cooperation for Section 904 Recycling Grants Ordinance.

SECTION 3. Approval of Agreement. The Agreement among the member municipalities, the form of which is attached hereto as Exhibit "A" and incorporated herein by reference, is hereby approved, adopted and authorized, but shall only become binding and effective if and when all municipalities, by appropriate official action, all approve, adopt, authorize, execute and deliver the same Agreement. The conditions of the Intergovernmental Cooperation Agreement are those conditions set forth therein. The proper officers of the municipality are hereby authorized to perform any acts necessary to execute the Agreement, carry out this Ordinance and deliver the said Agreement.

SECTION 4. Provision for Implementation Resolutions. The Board of Supervisors of Milford Township may by resolution adopt procedures and regulations to implement the Agreement approved by this Ordinance, pursuant to the Intergovernmental Cooperation Act, Act of December, 19, 1996, P.L. 1158, No. 177, found at 53 Pa.C.S.A.. §2301 *et seq.*

SECTION 5. Severability. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not effect or impair any remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that such remainder shall be and shall remain in full force and effect.

SECTION 6. Repealer. All ordinances or parts of ordinances or resolutions conflicting or inconsistent with any of the provisions of this Ordinance are hereby repealed, but only insofar as the same are in direct conflict or directly inconsistent with this Ordinance.

SECTION 7. Effective Date. This Ordinance shall take effect five (5) days after enactment.

**ORDAINED AND ENACTED** into an Ordinance at a regular meeting of the Board of Supervisors of Milford Township, Bucks County, Pennsylvania, this 5 day of September, 2017.

ATTEST:

  
\_\_\_\_\_  
Jeffrey A. Mey, Manager

MILFORD TOWNSHIP  
BOARD OF SUPERVISORS

  
\_\_\_\_\_  
Robert B. Mansfield, Chairman

  
\_\_\_\_\_  
Charles Strunk

  
\_\_\_\_\_  
Thomas Courduff

**Exhibit A**

**INTER-MUNICIPAL COOPERATION AGREEMENT FOR SECTION 904 RECYCLING GRANTS**

THIS AGREEMENT entered into as of the \_\_\_\_ day of \_\_\_\_\_, 2017, by and between Richland Township, hereinafter called "Richland", Springfield Township, hereinafter called "Springfield", West Rockhill Township, hereinafter called "West Rockhill", Milford Township, hereinafter called "Milford", Perkasio Borough, hereinafter called, "Perkasie", and Quakertown Borough, hereinafter called "Quakertown."

WHEREAS, the parties hereto propose to jointly prepare and submit recycling grant applications authorized under Section 904 of the Municipal Waste Planning, Recycling and Waste Reduction Act, 53 P.S. §4000.101, et. seq.; and

WHEREAS, the parties desire to set forth herein their mutual duties and obligation for preparation of such grant application.

NOW, THEREFORE, intending to be legally bound, the parties hereto agree as follows, to wit:

1. The parties agree to prepare a joint municipal recycling grant application, and to consult and cooperate with each other for the accomplishment of such purpose. The agreement to prepare this application shall preclude individual grant filings of the member municipalities until such time as this agreement is terminated.

2. The parties agree to contribute for said project such funds as have been or may be approved by their respective governing bodies. The parties may contract with consultants in the preparation of grant applications, whose compensation shall be approved by the governing bodies from time to time by Resolution. The parties agree to keep accurate and detailed records of all research undertaken, all reports prepared, and all other actions taken. All records

pertaining to the scope of the agreement will be open to the other party during the normal office hours of each party.

3. The parties agree there shall be no real property acquired in the process of applying for a grant.

4. The parties agree this agreement shall remain in effect until such time as there are no longer enough parties to qualify for an intergovernmental agreement.

5. The parties agree that other municipalities may join this agreement without reservation.

6. The parties agree to comply with all requirements of the Commonwealth of Pennsylvania and/or the County of Bucks under any grant or program to which the municipalities, upon subsequent adoption or approval, shall be subject.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written.

Attest: \_\_\_\_\_ By: \_\_\_\_\_  
Secretary Chairman

Attest: \_\_\_\_\_ By: \_\_\_\_\_  
Secretary Chairman

Attest: \_\_\_\_\_ By: \_\_\_\_\_  
Secretary Chairman

Attest: \_\_\_\_\_ By: \_\_\_\_\_  
Secretary Chairman

Attest: \_\_\_\_\_ By: \_\_\_\_\_  
Secretary Chairman

Attest: \_\_\_\_\_ By: \_\_\_\_\_  
Secretary Chairman