ORDINANCE NO. 913

AN ORDINANCE OF THE BOROUGH OF MONROEVILLE AUTHORIZING THE APPROPRIATE OFFICIALS TO ENTER AN AGREEMENT WITH THE BOROUGH OF PLUM CONCERNING THE SIGNALIZATION CONTROL AT THE INTERSECTION OF STATE ROUTE 286 AND OLD FRANKSTOWN ROAD

BE IT ORDAINED AND ENACTED by the Borough of Monroeville, in Council assembled, as follows:

Section I. That the appropriate officials of the Borough of Monroeville are hereby authorized to enter an agreement with the appropriate officials of the Borough of Plum, for the purpose of providing signalization control at the intersection of State Route 286 and Old Frankstown Road, a copy of said agreement is attached hereto, made a part hereof and marked Exhibit "A".

ORDAINED AND ENACTED this 11th day of February, 1975.

BOROUGH OF MONROEVILLE

By S/ George C. Dale
President of Council

ATTEST:

S/ Marshall W. Bond
Secretary

EXAMINED AND APPROVED this 12th day of February, 1975.

S/ R. E. Droske
Mayor

Entered in Legal Book April 7, 1975.

EXHIBIT "A"

A G R E E M E N T

THIS AGREEMENT this _____ day of _____, 1975 is by and between the BOROUGH OF MONROEVILLE (hereinafter referred to as "Monroeville") and BOROUGH OF PLUM (hereinafter referred to as "Plum").

WITNESSETH:

WHEREAS, both of the parties hereto are political subdivisions organized under the laws of the Commonwealth of Pennsylvania.

WHEREAS, each of the parties hereto has a mutual interest in the health, safety and welfare of its citizens and those citizens traveling within its political boundaries.

WHEREAS, each of the parties hereto has a mutual interest in the health, safety and welfare of residents and citizens traversing the intersection of State Route 286 and Old Frankstown Road, which intersection borders the Boroughs of Monroeville and Plum.

NOW, THEREFORE, in consideration of the above and in consideration of the covenants herein contained and intending to be legally bound hereby, the parties hereto agree as follows:

(1) Each of the parties to this Agreement is desirous of having signalization control at the intersection of State Route 286 and Old Frankstown Road located at a point bordering both the Boroughs of Monroeville and Plum.

(2) It is specifically understood and agreed that both parties hereto must agree that the costs of signalization for the said intersection are fair and reasonable and in the event the parties so agree, they hereby agree to pay equally any and all costs of construction pursuant to any bids received. Monroeville is hereby designated as Agent of both of the parties hereto for the purpose of advertising and seeking bids concerning the cost of construction and installation of the signalization required for said intersection.

(3) Monroeville is hereby designated as Agent to supervise the installation of any such signalization at the said intersection.

(4) Both parties recognize that the installation of said signalization at the said intersection is subject to the approval of the Pennsylvania Department of Transportation and that said approval must be acquired and granted prior to any such construction of any signalization at the subject intersection.

(5) Each of the parties to this Agreement shall share equally any and all costs of maintenance and repair of the signalization installed as herein set forth.

(6) Both parties shall cooperate with respect to the approval of the Pennsylvania Department of Transportation and shall do any necessary act or execute any and all necessary documents for the purpose of seeking the desired approval.

(7) Both parties also hereby agree to execute any and all necessary documents for the purpose of entering any contracts necessary to accomplish the goals herein set forth.

(8) Both parties hereby agree to enact any and all necessary ordinances and/or resolutions to accomplish the goals herein set forth.

(9) This Agreement shall be binding upon the heirs, executors, administrators, assigns and successors of the parties to this Agreement.

(10) This Agreement contains the entire understanding of the parties and there are no agreements, covenants or conditions which are not herein fully set forth.

(11) This Agreement shall not be amended unless any amendments or alterations are in writing and executed by the parties hereto.

IN WITNESS WHEREOF, the parties hereto set their hands and seals the date first above written.

BOROUGH OF MONROEVILLE

ATTEST:

By S/ George C. Dale
President of Council

S/ Marshall W. Bond
Secretary

ATTEST:

BOROUGH OF PLUM

By _____
President of Council

_____
Secretary