

MUNICIPALITY OF NORRISTOWN

A Home Rule Municipality
Montgomery County, Pennsylvania

RESOLUTION NO. 22-04 of 2022

A RESOLUTION OF THE MUNICIPAL COUNCIL OF THE MUNICIPALITY OF NORRISTOWN, MONTGOMERY COUNTY, PENNSYLVANIA, TO APPROVE TWO INTERGOVERNMENTAL AGREEMENTS WITH THE NORRISTOWN STORMWATER AUTHORITY RELATING TO ASSET TRANSFER AND MANAGEMENT OF STORMWATER FACILITIES WITHIN THE JURISDICTION OF THE MUNICIPALITY OF NORRISTOWN.

WHEREAS, the Municipality of Norristown, Montgomery County, Pennsylvania (the "Municipality") is a Home Rule Municipality, which Home Rule Charter authorizes Council to enter into agreements from time to time and the Pennsylvania Intermunicipal Cooperation Law, 53 Pa. C.S.A. §§2301 et seq., was amended to allow municipalities to adopt and approve participation in intergovernmental agreements by resolution; and

WHEREAS, the Norristown Stormwater Authority ("Authority") is a municipal authority that is also permitted to enter into agreements with other governmental units such as the Municipality in accordance with the Pennsylvania Intermunicipal Cooperation Law; and

WHEREAS, the Municipality, pursuant to authority vested in it by law, owns the stormwater drainage systems, which together with all appurtenant facilities and properties which the Municipality has acquired or hereafter shall acquire in connection therewith, including all property, real personal and mixed, rights, powers, licenses, easements, rights-of-way, privileges and any and all other property or interests in property of whatsoever in nature, used or useful in connection with such facilities, and together with all additions, extensions, alterations and improvements thereto which may be made or may be acquired, from time to time, by the Municipality, herein referred to as the "Stormwater System"; and

WHEREAS, the Municipality has determined to lease to the Authority, and the Authority has determined to lease from the Municipality, the Stormwater System pursuant to the terms and conditions as set forth in the proposed Lease Agreement attached hereto as Exhibit "A;" and

WHEREAS, the Parties also desire to memorialize and otherwise set forth terms, conditions and provisions which shall govern the administration, management and operation of the Stormwater System and the performance of other functions with respect to the Stormwater System in a separate Management Agreement as attached hereto as Exhibit "B;" and

WHEREAS, pursuant to the proposed terms and intent of the Management Agreement the employees of the Municipality shall have the day-to-day responsibility of operating the Stormwater System, and the Municipality shall remain the permittee with respect to any permits related to the Stormwater System.

WHEREAS, the Parties now desire to memorialize, approve and otherwise authorize the execution of both the Lease Agreement and Management Agreement as attached hereto as Exhibits A and B set forth terms.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the Municipality of Norristown, that the Municipality hereby approves the Intergovernmental Agreement with the Norristown Stormwater Authority consisting of the Lease Agreement as attached hereto as Exhibit "A," and the Management Agreement as attached hereto as Exhibit "B," and that the Municipal Council President, or his designee, is authorized to take all action to effectuate the execution of these agreements and any related documents.

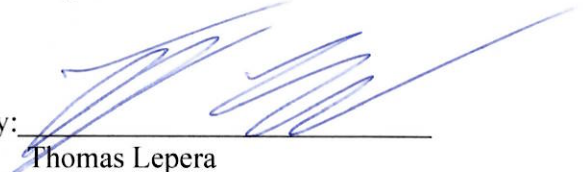
ADOPTED and **RESOLVED** this 18th day of January 2022.

**Municipality of Norristown
Municipal Council**

Attest:


Crandall O. Jones
Municipal Administrator
Municipal Secretary

By:


Thomas Lepera
Council President

