

**INTER-MUNICIPAL AGREEMENT**

THIS AGREEMENT made this 7 day of July, 2003, by and between:

**BARNESBORO MUNICIPAL AUTHORITY to be known as the NORTHERN CAMBRIA MUNICIPAL AUTHORITY,** a Pennsylvania Municipal Corporation organized and existing under the Laws of said Commonwealth (hereinafter "Authority")

**BOROUGH OF NORTHERN CAMBRIA,** a Political Subdivision of the Commonwealth of Pennsylvania (hereinafter "Borough");

AND

**TOWNSHIP OF SUSQUEHANNA,** a Political Subdivision of the Commonwealth of Pennsylvania (hereinafter "Township").

**WITNESSETH:**

**WHEREAS,** the Barnesboro Municipal Authority to be known as the Northern Cambria Municipal Authority, is a Pennsylvania Municipal Corporation which owns and operates a water treatment and transmission system, water lines, etc. (hereinafter collective the "water facilities") in and for a portion of the Borough of Northern Cambria, Cambria County, Pennsylvania, and surrounding areas; and,

**WHEREAS,** the Barnesboro Municipal Authority to be known as the Northern Cambria Municipal Authority intends to apply for funding from the Pennsylvania Infrastructure Investment Authority (PENNVEST) for the purpose of undertaking a project expanding its water facilities and, in particular, extending its distribution lines into a portion of the Township, as well as replacing the entire Authority water distribution system, and making improvements to the current/existing water facilities; and,

**WHEREAS**, the Borough and Township recognize that the growth and development in the geographic limits of said Municipalities have increased the need for municipal water services to their residents; and,

**WHEREAS**, the Borough and Township also recognize that the proposed project of the Authority would be beneficial and convenient for its residents and would protect and preserve the health, safety and welfare of its citizens; and,

**WHEREAS**, the Act of July 12, 1972, P.L. 762, as amended, 63 P.S. Section 481 et seq., also known as the Intergovernmental Cooperation Act, permits Municipalities to enter into agreements to cooperate in the performance of their respective functions, owners or responsibilities.

**NOW, THEREFORE**, the parties hereto, in consideration of the mutual promises, covenants and undertakings herein contained, each binding itself and representing that it has proper legal authority to enter into this Agreement, and intending to be legally bound, agree as follows:

(1). The Authority shall require those residents of the Borough (present and future) located within the geographical area known as Northern Cambria Borough Water Service Area and shown on the map, a copy of which is attached hereto, made a part hereof and marked as Exhibit 1, to connect to the System if a water line is adjoining their property. Exhibit 1 shall be amended upon mutual consent of the Authority and Borough and will include those properties within the Borough of Northern Cambria abutting a water line or right-of-way containing a water line installed (present and future) by the Authority.

(2). The Authority shall require those residents of the Township (present and future) located within the geographical area known as Susquehanna Township Water Service Area and shown on the map, a copy of which is attached hereto, made a part hereof and marked as Exhibit 2, to connect to the System if a water line is adjoining their property. Exhibit 2 shall be amended upon mutual consent of the Authority and Township and will include those properties within the Township of Susquehanna abutting a water line or right-of-way containing a water line installed (present and future) by the Authority.

(3). The Authority will obtain all rights-of-way necessary to construct, maintain, renew and repair the system within the Borough of Northern Cambria Water Service Area and Township of Susquehanna Water Service Area. Such rights-of-way agreements and associated plats shall be maintained by the Authority. The Authority shall be responsible for all costs associated with acquisition of said rights-of-way.

(4). The Borough and Township shall adopt all necessary ordinances including a Mandatory Tap-In Ordinance, resolutions, rules and regulations as the Authority shall reasonably request pertaining to the construction, maintenance, connection and operation of the Water System, and the Borough and Township shall comply with all laws of the Commonwealth of Pennsylvania relating to those residents in the Borough and Township who must become users of the System. The Borough and Township in such ordinances, resolutions and/or rules and regulations shall designate and/or delegate to the Authority the right, power and privilege of enforcement of same, including, but not limited to, making tap-in connections as to residences, collection as to tapping fees, user fees, etc.

(9). The terms of this Agreement shall be perpetual or until canceled by the mutual consent of all parties hereto.

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

BARNESBORO MUNICIPAL AUTHORITY to be known as  
NORTHERN CAMBRIA MUNICIPAL AUTHORITY

By: David E. Archer  
(~~Chairman~~) Chairman

ATTEST:

Paul B. Fabbro  
Secretary

BOROUGH OF NORTHERN CAMBRIA

By: Ewa Wargo  
(Vice) President Of Council

ATTEST:

Paul Mertes  
Secretary

TOWNSHIP OF SUSQUEHANNA

By: Jim Stutz  
(~~Chairman~~) Chairman Of Board Of Supervisors

ATTEST:

Barbara J. Junt  
Secretary