

NORTHAMPTON COUNTY COUNCIL - EASTON, PA

Ordinance No. 682 SESSION 2020 Bill No. 773

Introduced by Tara M. Zrinski and Lori Vargo Heffner on February 6, 2020

Enacted February 21, 2020 Effective March 22, 2020

Title: AN ORDINANCE ESTABLISHING A BI-COUNTY PARTNERSHIP BETWEEN THE COUNTY OF MONROE AND THE COUNTY OF NORTHAMPTON TO ADVANCE THE LIBERTY-WATER GAP TRAIL IN PENNSYLVANIA

WHEREAS, the County of Northampton and the County of Monroe agree to enter into an Intergovernmental Agreement, hereto referred to as "IGA", for a Bi-County Partnership, hereto referred to as the "Partnership", to plan, design and develop the Liberty-Water Gap Trail in Pennsylvania from Portland to Delaware Water Gap, and a section of the September 11th National Memorial Trail, hereto referred to as the "Trail"; and

WHEREAS, the County of Northampton and the County of Monroe will enter into a Partnership in accordance with the Intergovernmental Cooperation Agreement law set forth at 53 Pa. C.S.A. 2303 et.al. and will adopt an ordinance approving or authorizing the execution of this Agreement, per section 53 Pa. C.S.A. 2307 sets forth permitting Intergovernmental Cooperation; and

WHEREAS, the County of Monroe Planning Commission and the County of Northampton Department of Public Works, Division of Parks and Recreation, will cooperate to implement the IGA; and

WHEREAS, the purpose of which is to oversee the implementation of the recommendations identified in the Feasibility Study for Extending the Liberty-Water Gap Trail in Pennsylvania from Portland to Delaware Water Gap, completed in January 2013, hereto referred to as the "Study"; to extend the Trail in Pennsylvania from the Borough of Portland, Northampton County to the Borough of Delaware Water Gap, Monroe County; and

WHEREAS, the Partnership will work cooperatively to close the final approximate 6-mile trail gap of the 150-mile Liberty-Water Gap Trail connecting two national monuments including the Statue of Liberty to the Delaware Water Gap National Recreation Area; and

WHEREAS, the Partnership will provide technical assistance and project management to the Liberty-Water Gap Trail PA Extension Alliance, hereto referred to as the "Alliance"; and

WHEREAS, the Partnership will oversee funding opportunities and commitments to advance recommendations in the Study including items such as planning, engineering and development; and

WHEREAS, the Partnership understands grant funding may be received and funding commitments may be needed, by each respective County, to implement Study recommendations to acquire, design and build the Trail, as applicable. Funding commitments to be adopted by Resolution; and

WHEREAS, by act of this Agreement, County Council authorizes the County Executive to sign and execute Addendums to the IGA for the Partnership to collaborate on tasks to be performed to advance the recommendations of the Study, given all parties are in agreement; any funding commitments are to be adopted by Resolution.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED by the Northampton County Council:

1. All "WHEREAS" Clauses are incorporated and adopted into this ordinance.
2. The roles and responsibilities of both parties agree to:
 - a. Cooperate to advance agreed upon recommendations and priorities
 - b. Provide guidance, coordination, and technical assistance to the Alliance, Delaware Water Gap National Recreation Area, September 11th National Memorial Trail, PA Department of Transportation (PENNDOT), and the applicable municipalities
 - c. Comply with all applicable Federal, State, and local laws

- d. Collaborate to execute Addendum(s) related to the IGA, as needed, related to specific project components, identifying roles and responsibilities, and funding commitments by Resolution
- e. In each subsequent Addendum, agree upon the appropriate lead County in the Partnership to administer specific project components, contracting, and procurement
 - i. Payment system will be determined by the Partnership

3. This Agreement is executed as of the date of the last signature and shall be in effect for a period of not to exceed five (5) years, at which time it will be subject to review, renewal, revision or expiration.

4. Further, the Northampton County Executive, through the office of the Program Administrator of the Division of Parks and Recreation, or designee, is authorized to take any and all steps necessary to administer and complete Northampton County's obligations.

5. Authorizes the Northampton County Executive to sign the Intergovernmental Agreement. Further, the Partnership may only withdraw from this Agreement at the end of the initial agreement period or any renewal term.

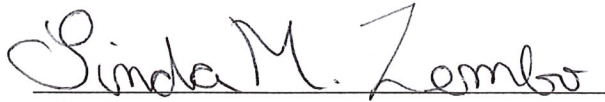
6. At least a 60 day notice of intent to withdraw must be presented in writing to the Participating Counties.

7. Authorizes this Agreement may be simultaneously executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute but one and the same instrument.

8. By Act of this Agreement, County Council Authorizes the County Executive to sign and execute Addendums to this Agreement for the Partnership to collaborate on tasks to be performed to advance the recommendations of the Study, given all parties are in agreement. Funding commitments to be adopted by Resolution.

This ordinance was advertised on the 9th day of February 2020, and was adopted by the Northampton County Council on the 20th day of February 2020.

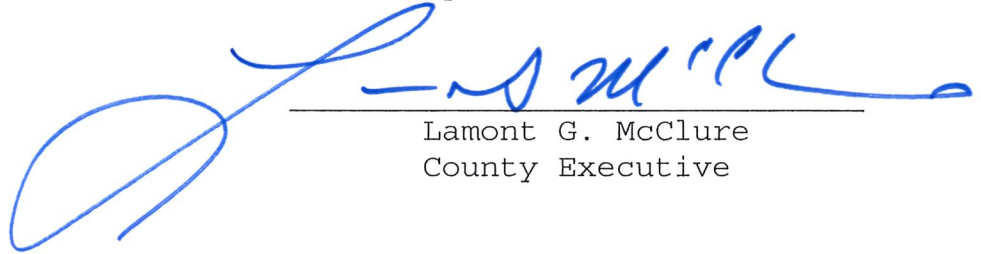
ATTEST:



Linda M. Zembo
Clerk to Council

Ronald R. Heckman

Ronald R. Heckman
County Council President



Lamont G. McClure
County Executive