

**PORTAGE TOWNSHIP**

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**RESOLUTION NO. 01-2018**

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**A RESOLUTION**

**OF THE BOARD OF SUPERVISORS OF PORTAGE TOWNSHIP AUTHORIZING AND APPROVING PORTAGE TOWNSHIP TO ENTER INTO A GARBAGE COLLECTION CONTRACT WITH PRO DISPOSAL, INC., AND DIRECTING OTHER NECESSARY AND PROPER ACTION.**

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BE IT RESOLVED, by the Board of Supervisors of PORTAGE TOWNSHIP (the "TOWNSHIP"), as follows:

SECTION 1. This TOWNSHIP hereby authorizes its officers to sign and/or execute any and all documents, agreements, contracts, and/or undertake any and all actions required to be delivered and/or taken by PORTAGE TOWNSHIP which are necessary to authorize and approve the TOWNSHIP entering into a Garbage Collection Contract with **PRO DISPOSAL, INC.**, at the following rates:

year 1	year 2	year 3	year 4	year 5	Description of service
\$45.18	\$46.56	\$47.63	\$448.27	\$48.96	weekly collection / per residence / per quarter (including spring cleanup)
\$3.00	\$3.00	\$3.00	\$3.00	\$3.00	per additional bag
\$15.00	\$15.00	\$15.00	\$15.00	\$15.00	per backyard location pickup
\$3.30	\$3.40	\$3.50	\$3.60	\$3.70	Per prepaid bag
\$25.00	\$25.00	\$25.00	\$25.00	\$25.00	per quarter ashes pickup

which rates shall be for a period of five (5) years, and shall be effective from August 1, 2018, through and including July 31, 2023, and directing other necessary and proper action. (A copy of the proposed Garbage Collection Contract is attached hereto, incorporated herein by reference, and marked as Exhibit "A".)

SECTION 2. The Chairman or Vice Chairman and the Secretary or Assistant Secretary of this TOWNSHIP, as applicable, are authorized and directed to execute, to attest, to acknowledge and to deliver the payment and/or documents, on behalf of this TOWNSHIP, in the form so approved.

SECTION 3. Proper officers of this TOWNSHIP are authorized and directed to execute any and all documents and to do any and all other acts that may be necessary and proper to carry out this Resolution and the undertakings of this TOWNSHIP.

SECTION 4. This Resolution shall become effective in accordance with law.

SECTION 5. In the event any provision, section, sentence, clause or part of this Resolution shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of this TOWNSHIP that such remainder of this Resolution shall be and shall remain in full force and effect.

SECTION 6. It is declared that the adoption of this Resolution and the execution, acknowledgment and delivery of the documents are necessary for the protection, benefit and preservation of the health, safety and welfare of inhabitants of the Township.


SECTION 7. All other resolutions or parts of resolutions inconsistent herewith expressly are repealed.

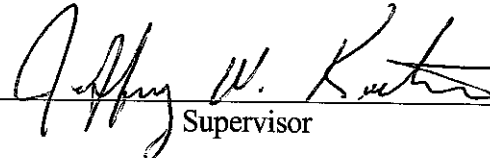
DULY ADOPTED, by the Board of Supervisors of PORTAGE TOWNSHIP, in lawful session duly assembled, this 11<sup>th</sup> day of July, 2018.

ATTEST:

TOWNSHIP OF PORTAGE:

  
Secretary

By:   
Supervisor

By:   
Supervisor

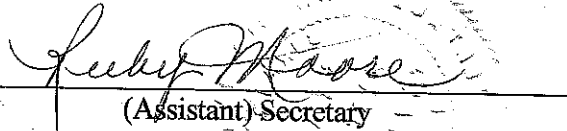
By: \_\_\_\_\_  
Supervisor

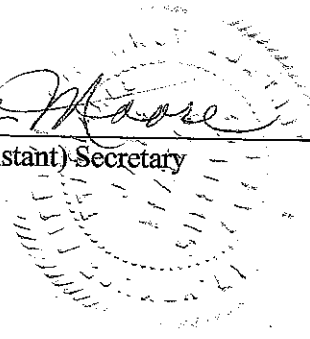
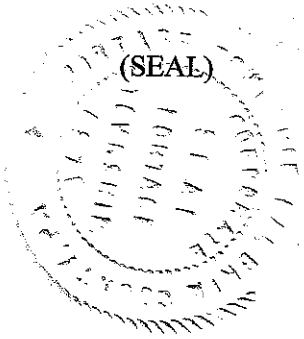
CERTIFICATE

I, the undersigned, (Assistant) Secretary of PORTAGE TOWNSHIP (the "TOWNSHIP"), certify that: the foregoing is a true and correct copy of a Resolution of the Board of Supervisors of PORTAGE TOWNSHIP (the "Board"), which Resolution duly was adopted by affirmative vote of the majority of all members of said Board at a meeting duly held according to law on July 11, 2018; said Resolution duly has been recorded in the minutes of such meeting; and said Resolution remains in effect, unaltered and unamended, as of the date of this Certificate.

I further certify that the Board of Supervisors of PORTAGE TOWNSHIP met the advance notice and public comment requirements of the Sunshine Act, 65 Pa.C.S. Ch. 7, as amended, by advertising the time and place of said meeting, by posting prominently a notice of said meeting at the principal office of the TOWNSHIP or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at such meeting, all in accordance with such Act.

IN WITNESS WHEREOF, I set my hand and the official seal of the TOWNSHIP,  
this 11<sup>th</sup> day of July, 2018.

  
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(Assistant) Secretary



**TOWNSHIP OF PORTAGE  
CAMBRIA COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 1-2018**

**AN ORDINANCE OF THE TOWNSHIP OF PORTAGE, CAMBRIA COUNTY, AND COMMONWEALTH OF PENNSYLVANIA AUTHORIZING THE CONVEYANCE OF TWO PARCELS OF LAND SITUATE IN PORTAGE TOWNSHIP, CAMBRIA COUNTY, PENNSYLVANIA FROM THE TOWNSHIP OF PORTAGE, TO THE IDENTIFIED GRANTEE, AND FURTHER AUTHORIZING ANY AND ALL ACTIONS BY THE MUNICIPAL OFFICIALS WHICH ARE NECESSARY OR PROPER TO EFFECTUATE THE PURPOSE AND INTENT OF THE DEED.**

The TOWNSHIP OF PORTAGE hereby ordains as follows:

**SECTION 1.** That the TOWNSHIP OF PORTAGE desires to grant and convey unto the identified Grantee, the following described two parcels of land in Portage Township, Cambria County, Pennsylvania, for the amount of consideration set forth in the attached deed. (A copy of the “deed” is attached hereto, incorporated herein by reference and marked as Exhibit "1".)

**SECTION 2.** The TOWNSHIP OF PORTAGE hereby authorizes its officers to sign and/or execute any and all deeds, documents, Agreements, contracts, and any and all other documents necessary to accomplish the transfer, on behalf of the TOWNSHIP OF PORTAGE for the real estate above described and/or undertake any and all actions required to be delivered and/or taken by the TOWNSHIP OF PORTAGE which are necessary to authorize and approve the attached “Deed”. (A copy of the “deed” is attached hereto, incorporated herein by reference and marked as Exhibit "1".)

**SECTION 3.** The Chairperson or Vice Chairperson and the Secretary or Assistant Secretary of the TOWNSHIP OF PORTAGE, as applicable, are authorized and directed to execute, to attest, to acknowledge and to deliver any and all payments and/or documents, on behalf of this municipality, in the form so approved.

**SECTION 4.** Proper officers of the TOWNSHIP OF PORTAGE are authorized and directed to execute any and all documents and to do any and all other acts that may be necessary and proper to carry out this Ordinance and the undertakings of the TOWNSHIP OF PORTAGE.

**SECTION 5.** This Ordinance shall become effective in accordance with law.

**SECTION 6.** In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of the TOWNSHIP OF PORTAGE that such remainder of this Ordinance shall be and shall remain in full force and effect.

**SECTION 7.** It is declared that the adoption of this Ordinance and the execution, acknowledgment and delivery of the documents are necessary for the protection, benefit and preservation of the health, safety and welfare of inhabitants of the TOWNSHIP OF PORTAGE.

**SECTION 8.** It is the express intent of the TOWNSHIP OF PORTAGE that the adoption of this Ordinance concerning the attached Deed shall not affect/effect and/or constitute a waiver of any immunity under any federal, state, and/or local law, rule, regulation, and/or case law, including, but not limited to, the Political Subdivision Tort Claims Act, and all members, elected and appointed officials, officers, employees, attorneys, engineers, agents, servants and assigns of the TOWNSHIP OF PORTAGE shall retain governmental immunity for all actions taken in their official capacity as representatives/agents of the TOWNSHIP OF PORTAGE.

**SECTION 9.** All Ordinances or parts of Ordinances inconsistent herewith, be and the same are hereby repealed insofar as inconsistent only. The provisions of this Ordinance, so far as they are consistent with those Ordinances and regulations in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such prior Ordinances and regulations and not as new enactments.

**SECTION 10.** This Ordinance shall become effective immediately, or as soon as permitted by law.

**ORDAINED and ENACTED** at a duly assembled public meeting by the Township of Portage, Cambria County, Pennsylvania this 6<sup>th</sup> day of June, 2018.

**ATTEST:**

**PORTAGE TOWNSHIP**

By: Michelle Kostum  
Secretary

By: William Corp  
Supervisor

By: Jeffrey W. Kates  
Supervisor

By: Edward Selpen  
Supervisor

