

**BOROUGH OF MOUNT POCONO
MONROE COUNTY, PENNSYLVANIA
ORDINANCE NO. 2 OF 2015**

An Ordinance authorizing the Borough of Mount Pocono to enter into a certain amendment to an Intergovernmental Cooperation Agreement dated April 8, 2004 between the Borough of Mount Pocono, Paradise Township and Barrett Township

WHEREAS, on April 8, 2004 the Borough of Mount Pocono ("Mt. Pocono") and Townships of Barrett and Paradise entered into a certain Intergovernmental Cooperation Agreement (ICA) whereby the parties thereto agreed to establish the Pocono Area Recreation Commission ("PARC") to manage and operate a regional open space recreation plan adopted by the said municipalities in April of 2004; and

WHEREAS, Mt. Pocono has determined that it is in its best interest to withdraw from PARC in accordance with the terms of the said April 8, 2004 ICA; and

WHEREAS, Mt. Pocono gave proper notice to the other municipalities of its intent to withdraw from PARC; and

WHEREAS, Mt. Pocono has negotiated with the other participating municipalities of its intent to withdraw from PARC; and

WHEREAS, Mt. Pocono has negotiated with the other participating municipalities for a one-time payment from Mt. Pocono to the other municipalities to reimburse the other municipalities for costs associated with Mt. Pocono's withdrawal from PARC; and

WHEREAS, the Pennsylvania Department of Conservation and Natural Resources has approved the withdrawal of Mt. Pocono from PARC, as has the Monroe County Board of Commissioners; and

WHEREAS, Mt. Pocono wishes not only to withdraw from PARC, but also to deed the interest of the Borough in three properties presently owned by all three municipalities, all located outside of the boundary of Mt. Pocono; and

WHEREAS, all parties have agreed upon the terms and conditions for Mt. Pocono to withdraw from PARC, as well as deed the three properties administered by PARC to Barrett and Paradise Township,

NOW THEREFORE, the Council of the Borough of Mount Pocono adopts and ordains the within Ordinance as follows:

1. The Borough Council President and Borough Secretary are authorized to sign an Amendment to the ICA dated April 8, 2004, which shall provide that Mt. Pocono shall no longer be a member of PARC, and that PARC shall thereafter consist of the two remaining member municipalities to wit, Barrett and Paradise Townships.

2. Said Agreement shall further provide that the Borough should make a one-time payment of \$9,300.00 to PARC to defray expenses associated with Mt. Pocono leaving PARC.

3. Said Agreement shall further provide that Mt. Pocono shall deed its interest in the three properties administered by PARC, all outside of the geographical boundaries of Mt. Pocono back to Barrett and Paradise Township. Furthermore, the Borough Council President and Borough Secretary shall be authorized to execute the deeds on behalf of Mt. Pocono making the conveyance.

4. After execution of the Agreement, and conveyance of the real estate above referenced, Mt. Pocono shall have no further involvement with PARC or the properties above referenced.

5. This Ordinance is adopted specifically to comply with the requirements of the Intergovernmental Cooperation Law, 53 Pa. C.S.A. §2301, *et seq.* which requires the adoption of an Ordinance in order that a municipality enter into an Intergovernmental Cooperation Agreement.

6. This Agreement shall be effective immediately.

7. This Agreement shall supersede any prior inconsistent Ordinances.

ORDAINED and ENACTED this 13 day of April, 2015.

By: _____

John P. Finnerty, President
Mount Pocono Borough Council

ATTEST:

Lori Noonan
Lori Noonan, Borough Secretary

I hereby **APPROVE** this Ordinance this 13 day of April, 2015

By: _____

Frederick T. Courtright, Mayor