

BOROUGH OF AVALON

RESOLUTION NO. 868

RESOLUTION OF THE BOROUGH OF AVALON AUTHORIZING THE FORMATION OF A NONPROFIT CORPORATION FOR THE PURPOSE OF PROVIDING 911 SERVICES; AUTHORIZING THE EXECUTION AND DELIVERY OF A COOPERATION AGREEMENT WITH THE BOROUGH OF BELLEVUE AND NORTHWEST REGIONAL MANAGEMENT; AUTHORIZING OBTAINING APPROVALS FROM THE INTERNAL REVENUE SERVICE; AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE COUNTY OF ALLEGHENY; AUTHORIZING THE TRANSFER OF MONEYS RECEIVED FROM THE COUNTY OF ALLEGHENY AND THE COMMONWEALTH OF PENNSYLVANIA TO NORTHWEST REGIONAL MANAGEMENT; AUTHORIZING OTHER NECESSARY ACTION; AND REPEALING INCONSISTENT RESOLUTIONS.

WHEREAS, the Borough of Avalon (the "Borough") has determined that it is in the best interest of the citizens of the Borough to provide its police officers, fire fighters and emergency medical service personal with a reliable communication system within the Borough and across municipal boundaries;

WHEREAS, it is possible to provide a reliable communication system (the "911 System") by the use of an intergovernmental cooperative emergency dispatching and communication service which conforms to the County of Allegheny 911 Plan (the "911 Plan"); and

WHEREAS, the Borough desires to cooperate with the Borough of Bellevue and other municipalities in providing the 911 System in accordance with the 911 Plan; and

WHEREAS, in order to implement the 911 System, the Borough desires to approve the formation of a nonprofit corporation to be known as Northwest Regional Management which will be an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "Code") and an organization described in Rev. Proc. 63-20, as amplified by Rev. Proc 82-26; and

WHEREAS, in order to implement the 911 System, the Borough desires to enter into an Intergovernmental Cooperation Agreement with the Borough of Bellevue, Northwest Regional Management, and other municipalities which elect to join with the Borough in the use of the 911 System;

NOW, THEREFORE, BE AND IT HEREBY IS RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF AVALON THAT:

SECTION 1. The Borough hereby determines to undertake the creation and implementation of a 911 System in cooperation with the Borough of Bellevue and other municipalities, in the manner described in this Resolution.

SECTION 2. The Articles of Incorporation and the By-Laws, as presented to this meeting, of the nonprofit corporation to be known as Northwest Regional Management are hereby approved and the filing with Department of State of the Articles of Incorporation is hereby authorized.

SECTION 3. The filing with the Internal Revenue Service of a request for a determination that Northwest Regional Management is a corporation described in Section 501(c)(3) of the Code is hereby authorized and approved.

SECTION 4. The filing with the Internal Revenue Service of a request for a determination that obligations of Northwest Regional Management will, in accordance with Rev. Proc. 63-20 as amplified by Rev. Proc 82-26, be considered as obligations of the Borough for purposes of Section 103 of the Code is hereby authorized and approved.

SECTION 5. The Intergovernmental Cooperation Agreement presented to this meeting is hereby approved and the proper officers of the Borough are authorized and direct to execute and deliver that Agreement.

SECTION 6. The Agreement between the County of Allegheny and the Borough relating to the establishment of a consolidated Local Answering Point and other matters is hereby approved and the proper officers of the Borough are authorized and directed to execute and deliver that Agreement.

SECTION 7. The Borough hereby assigns to Northwest Regional Management all grants received and to be received for the 911 System from the County of Allegheny or the Commonwealth of Pennsylvania and directs the proper officers of the Borough to deliver such amounts, when received, to Northwest Regional Management.

SECTION 8. The officers of the Borough are authorized and directed to execute all documents required in connection with the foregoing sections of this Resolution, provided that such documents have been approved by the Borough Solicitor and to cause those documents to be delivered to the proper persons.

SECTION 9. The proper officers of the Borough are authorized to take such other actions and to execute and deliver such other documents as may be necessary and proper for the implementation of this Resolution.

SECTION 10. All resolutions which are inconsistent with this Resolution are hereby repealed.

DULY ADOPTED ON May 21, 1996.

Borough of Avalon

Hayward Stone
President of Council

ATTEST:

Jan A. Walsh
Secretary

Approved:

Daniel Brunner
Mayor

Approved as to Legality

Joe Vignier
Solicitor