

CHAPTER 31: BOROUGH COUNCIL

Section

- 31.01 Local Government Investment Trust
- 31.02 Intergovernmental Risk Management Association Workers' Compensation Fund; Risk Pool
- 31.03 Indiana-Westmoreland COG

§ 31.01 LOCAL GOVERNMENT INVESTMENT TRUST.

(A) This municipality shall join with other municipalities in accordance with the Pennsylvania Intergovernmental Cooperation Act by becoming a settler of the Pennsylvania Local Government Investment Trust (the Trust) and entering into the Declaration of Trust, which is adopted by reference with the same effect as if it had been set out verbatim in this section and a copy of which shall be filed with the minutes of the meeting at which this section was adopted. These actions are to be taken by the officers designated for this purpose, pursuant to general or specific instructions by the governing body adopting this section.

(B) The Trustees of the Trust are designated as having official custody of this municipality's funds which are invested by the purchase of shares in the Trust.

(C) As required by the Intergovernmental Cooperation Act, the following matters are specifically found and determined:

- (1) The conditions of the agreement are set forth in the Declaration of Trust referred to in division (A) above;
- (2) This municipality's participation in the Trust shall be terminable at any time by ordinance;
- (3) The Declaration of Trust and the purchase of its shares are for the purpose of investing this municipality's funds in obligations which are otherwise legal investments as part of a pooled arrangement with other governmental units, thereby achieving economic and other advantages of pooled investment;
- (4) It is not necessary to finance the agreement authorized herein from municipal funds except through the purchase of shares in the Trust;

(5) The Trust shall be managed by a Borough Council as set forth in the Declaration of Trust and the by-laws provided for therein; and

(6) Shares may be purchased and redeemed from time to time as this municipality may determine to be necessary or appropriate to meet its cash investment requirements.
(Ord. 91, passed 5-3-1982)

§ 31.02 INTERGOVERNMENTAL RISK MANAGEMENT ASSOCIATION WORKERS' COMPENSATION FUND; RISK POOL.

(A) The purposes and objectives are set forth in the ordinance from which this section is derived, and the Trust Agreement and actions contemplated thereby and purposes and objectives contained therein are otherwise legal as part of a pooled arrangement with other governmental units, thereby achieving economic and other advantages of intergovernmental cooperation. The borough shall join with other municipalities in accordance with the Act by becoming a member of the Fund and entering into the Trust Agreement, a copy of which shall be filed with the minutes of the municipality.

(B) This municipality is authorized to enter into the Trust Agreement for the purposes contained therein. These actions are to be taken, by the officers of Council or representatives of this municipality designated for this purpose, pursuant to general or specific instructions by the governing body adopting this section.

(C) The fund shall be designated as having official custody of this municipality's funds which are to be invested by the Fund pursuant to the terms of the Trust Agreement.

(D) (1) As required by the Act, the following matters are specifically found and determined:

(a) The conditions of the agreement will be as set forth in the Trust Agreement referred to in division (A) above; and

(b) This municipality's participation in the Fund shall be terminable at any time by ordinance and in accordance with the terms of the Trust Agreement.

(2) The Fund shall be managed by a Plan Committee and Executive Committee as set forth in the Trust Agreement and by-laws of said Fund, copies of which will be provided for review following the adoption of this section.

(Ord. 116, passed 8-17-1994)

§ 31.03 INDIANA-WESTMORELAND COG.

(A) The Borough Council is hereby authorized to join the Indiana-Westmoreland Council of Governments, also known as the Indiana-Westmoreland COG, and to enter into a joint, purchasing agreement with any one or more of the political subdivisions belonging to the said Council of Governments.

(B) The Borough Council is empowered to authorize the Indiana-Westmoreland COG, its employees, or agents, to act as the coordinator and administrative agent of any joint purchasing program which the Borough Council deems to be in the best interest of this municipality.

(C) The Borough Council is authorized to appoint any person or party to serve as a representative of the borough to said COG, and to authorize said party, or any other party, to serve on any committee of said COG, such as, the Council of Governments Purchasing Committee.

(D) The Borough Council is authorized to designate specific items for purchase by any Joint Purchasing Committee of the COG.

(E) The Borough Council is authorized to empower any Joint Purchasing Committee of the COG to prepare the necessary plans and specifications and assume the responsibility of advertising for bids and to receive formal and informal bids in accordance with the legal requirements of the participating municipalities.

(F) The Borough Council is authorized to agree to share in the cost of advertising, duplicating and distribution, as well as any other costs incidental to any bidding process, with participating municipalities in any specific purchase advertisement.

(G) The Borough Council is authorized to empower the Joint Purchasing Committee of the COG, after receipt and review of bids, to certify the lowest responsible bidder, whereupon, the Borough Council shall have the authority to execute a contract of purchase with said lowest responsible bidder, or to reject any and all bids in connection with the proposed purchase of any materials or supplies.

(H) The Borough Council is authorized to specify that it shall be responsible to the successful bidder only for materials or supplies for which it has contracted, in writing.

(I) The Borough Council is authorized to reserve the right to negotiate, resolve or enforce any matter, including disputes, between it and any successful bidder with whom it has entered into an agreement.

(J) The Borough Council is authorized to reserve the right to bid any materials or products, whether or not subject to this agreement, on an individual basis.

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(K) The Borough Council is authorized to reserve the unilateral and unconditional right to reject any bid.
(Ord. 123, passed 5-13-1998)