

RESOLUTION 11-02 OF 2016

ROAD MAINTENANCE CO-OPERATION
AGREEMENT

Agreement No. 04400310-1 with Penn DOT (Pa Dept. of Transportation)

The Township and the Borough desire to co-operate and work together to ensure that **Navy Way** Road is maintained in a condition which conforms to general standards applicable to public roadways in the Commonwealth of Pennsylvania.

The Township and the Borough have agreed to enter into an Agreement whereby the Borough assumes responsibility for maintaining that portion of **Navy Way** Road located in and owned by the Township. In consideration of the Borough's agreement to assume all responsibility for maintaining the portion of **Navy Way** Road located in and owned by the Township, the Township has agreed to pay over to the Borough all liquid fuels monies it receives from the Commonwealth of Pennsylvania annually for **Navy Way** Road. The Township agrees to make the annual payment of the liquid fuels monies it receives relative to **Navy Way** Road to the Borough within 15 days of its receipt of such funds from the Commonwealth of Pennsylvania.

The parties expressly understand and agree that the Township shall have no further responsibility to pay for any maintenance costs associated with and/or incurred by the Borough (including, but not limited to, labor, materials and/or equipment) in maintaining **Navy Way** Road other than the consideration set forth in paragraph 2 above.

The parties expressly understand and agree that the Borough's responsibility for maintaining **Navy Way** Road under this Agreement shall include, but is not limited to, snow plowing, general road repairs, pot hole filling/patching and street cleaning. The Borough agrees that it shall be responsible to maintain **Navy Way** Road in a condition which conforms to general standards applicable to public roadways in the Commonwealth of Pennsylvania. The parties expressly understand and agree that the Borough shall have no responsibility to pave any portion of **Navy Way** Road as part of its obligations under this Agreement.

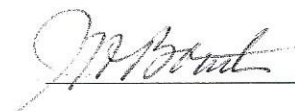
The term of this agreement shall be five (5) years, and it shall cover the period November 1, 2016 through December 31, 2021. This Agreement shall automatically be renewed for an additional five (5) year term at the expiration of any term unless either party provides written notice to the other party at least sixty (60) days prior to the expiration of the current term of its desire to not to renew this Agreement at the expiration of the current term of this Agreement. After any term of this

RESOLVED and ENACTED, this 21th day of November, 2016.

PITTSTON TOWNSHIP BOARD OF SUPERVISORS

 Stephen Rinaldi, Chairman

Attest:



John A. Bonita, Secretary