

BOROUGH OF WEST NEWTON
WESTMORELAND COUNTY, PENNSYLVANIA

ORDINANCE NUMBER - 1990- 4

AN ORDINANCE OF THE BOROUGH OF WEST NEWTON, WESTMORELAND COUNTY, PENNSYLVANIA, ADOPTING A MUNICIPAL DRUG TASK FORCE AGREEMENT WITH THE OFFICE OF ATTORNEY GENERAL OF THE COMMONWEALTH OF PENNSYLVANIA TO ENFORCE NARCOTICS AND ILLEGAL DRUG LAWS AND THEREBY TO PRESERVE THE SAFETY AND WELFARE OF THE COMMUNITY; AUTHORIZING THE PARTICIPATION OF WEST NEWTON BOROUGH AS A PARTICIPATING MUNICIPALITY IN THE COOPERATIVE ACTION AGAINST THE ILLEGAL USE AND TRAFFIC OF NARCOTICS AND OTHER DANGEROUS DRUGS BY ENTERING INTO A MUNICIPAL POLICE COOPERATIVE AGREEMENT; AUTHORIZING THE SOLICITOR OF THE BOROUGH OF WEST NEWTON TO REVIEW AND APPROVE THE AFORESAID MUNICIPAL DRUG TASK FORCE AGREEMENT AND THE MUNICIPAL POLICE COOPERATIVE AGREEMENT AS TO LEGALITIES AND TO INDICATE SUCH APPROVAL ON THE MUNICIPAL DRUG TASK FORCE AGREEMENT; AUTHORIZING THE PRESIDENT AND SECRETARY OF THE BOROUGH COUNCIL TO EXECUTE THE MUNICIPAL DRUG TASK FORCE AGREEMENT ON BEHALF OF THE BOROUGH OF WEST NEWTON UPON THE REVIEW AND APPROVAL OF THE BOROUGH SOLICITOR; AND FURTHER AUTHORIZING THE MAYOR, PRESIDENT OF COUNCIL, BOROUGH SECRETARY AND CHIEF OF POLICE TO EXECUTE THE MUNICIPAL POLICE COOPERATIVE AGREEMENT ON BEHALF OF THE BOROUGH OF WEST NEWTON UPON THE REVIEW AND APPROVAL OF THE BOROUGH SOLICITOR.

WHEREAS, the Borough of West Newton acting pursuant to the Intergovernmental Cooperation Act, Act of July 12, 1972, No. 180 (53 P.S. §481, et seq.) desires to adopt a Municipal Drug Task Force Agreement (hereinafter referred to as "Agreement") with the Office of the Attorney General of the Commonwealth of Pennsylvania in the format presented to Borough Council and on file with the Borough Secretary, to better enforce

the narcotics and illegal drug laws and thereby to preserve the safety and welfare of the community; and

WHEREAS, the Borough of West Newton hereby evidences its intent to participate in the Municipal Drug Task Force activities in cooperation with the Commonwealth's Office of Attorney General designed to interdict the illegal use and trafficking of narcotics and other illegal drugs within its municipal boundaries as well as within the boundaries of nearby communities; and

WHEREAS, the Borough of West Newton also desires to enter into a Municipal Police Cooperative Agreement in the format presented to Borough Council and on file with the Borough Secretary, with other municipalities in order to better enforce narcotics and illegal drug laws and thereby to preserve the safety and welfare of the community.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Borough Council of the Borough of West Newton, Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

SECTION 1

The Borough of West Newton hereby adopts the Municipal Drug Task Force Agreement (hereinafter referred to as "Agreement") with the Office of the Attorney General of the Commonwealth of Pennsylvania in the format presented to Borough Council and on file with the Borough Secretary, to better enforce the narcotics and illegal drug laws and thereby to preserve

the safety and welfare of the community.

SECTION 2

The activities contemplated in the "Agreement" may include intergovernmental cooperative activities with adjacent and nearby municipal governments as part of a regional effort to interdict illegal drug activities.

SECTION 3

The Borough of West Newton hereby adopts the Municipal Police Cooperative Agreement (hereinafter referred to as "Cooperative Agreement") in the format presented to Borough Council and on file with the Borough Secretary, as the vehicle for cooperation with other municipalities in order to better enforce the narcotics and illegal drug laws and thereby to preserve the safety and welfare of the community.

SECTION 4

The Borough of West Newton shall utilize the services of its police force, both full time as well as part-time, under the conditions set forth in the "Agreement", the "Cooperative Agreement" and in compliance with the Municipal Police Jurisdiction Act, 42 Pa.C.S.A. §8953.

SECTION 5

The Borough of West Newton shall establish, pursuant to the terms of the "Agreement" and the "Cooperative Agreement", appropriate procedures to comply with all relevant provisions of the "Agreement", the "Cooperative

"Agreement" and relevant regulations, direction, and guidance from the Office of the Attorney General.

SECTION 6

The terms of the "Agreement" and the "Cooperative Agreement" shall commence on the date the "Agreement" and the "Cooperative Agreement" are executed by all participating municipalities. The "Agreement" may be terminated at any time upon thirty (30) days written notice. The "Cooperative Agreement" may be terminated at any time upon not less than seven (7) days written notice setting forth the date of termination of West Newton Borough.

SECTION 7

The purpose and objectives of the "Agreement" and the "Cooperative Agreement" include region-wide coordination of municipal police activities in an effort to combat illegal narcotics and drug trafficking.

SECTION 8

The "Agreement" shall be financed with the assistance of funds supplied by the Office of the Attorney General of the Commonwealth of Pennsylvania.

SECTION 9

The organizational structure necessary to implement the terms of the "Agreement" and the "Cooperative Agreement" shall be covered by directives, procedures, and guidance from the Office of the Attorney General and other area police departments.

SECTION 10

All property, real or personal, acquired, managed, or disposed of pursuant to the "Agreement" and the "Cooperative Agreement" shall be in accordance with both the terms of the "Agreement" and the "Cooperative Agreement" as well as the directives, procedures, and guidance of the Office of the Attorney General.

SECTION 11

West Newton Borough shall retain responsibility for the management, control, and direction of its employees with assistance, financial or otherwise, from the Office of the Attorney General.

SECTION 12

The Borough Council of the Borough of West Newton hereby authorizes and directs its Solicitor, Robert D. Austin, Jr., to review and approve the "Agreement" and the "Cooperative Agreement" as to legalities and to indicate such approval on the Municipal Drug Task Force Agreement.

SECTION 13

The Borough Council of the Borough of West Newton hereby authorizes and directs its President, Armand N. Luzi, to execute the "Agreement" in the format presented to Borough Council and on file with the Borough Secretary on behalf of West Newton Borough and hereby authorizes its Secretary, Pamela M. Humenik, to attest said signature on the "Agreement", if required.

SECTION 14

The Borough Council of the Borough of West Newton hereby authorizes and directs its President, Armand N. Luzzi, to execute the "Cooperative Agreement" in the format presented to Borough Council and on file with the Borough Secretary on behalf of West Newton Borough and hereby authorizes its Secretary, Pamela M. Humenik, to attest said signature on the "Cooperative Agreement", if required, and affix the Borough Seal.

SECTION 15

The Borough Council of the Borough of West Newton hereby authorizes its Mayor, George J. Thuransky, to also execute the "Cooperative Agreement" in the format presented to Borough Council and on file with the Borough Secretary on behalf of West Newton Borough and further authorizes its Police Chief or Acting Police Chief, if any, to also execute the "Cooperative Agreement" in the format presented to Borough Council and on file with the Borough Secretary on behalf of West Newton Borough's Police Force.

SECTION 16

The Borough Secretary of the Borough of West Newton is hereby authorized and directed to make this ordinance and the vote thereon a part of the minutes of the Regular Borough Council Meeting of Monday, October 8, 1990.

SECTION 17

This Ordinance shall take effect immediately.

ENACTED AND ORDAINED THIS 8th day of October,
1990.

ATTEST:

BY Armond N. Luzi
Armond N. Luzi, Vice President

Pamela M. Humenik
Pamela M. Humenik, Secretary

EXAMINED AND APPROVED by me this 8th day of October, 1990.

George J. Thuransky
George J. Thuransky, Mayor