

Moved by: Wanda R.D. Williams

A resolution approving the purchase of a 2005 International Recycling Truck from Shippensburg Borough.

**WHEREAS**, the City is in need of a recycling truck to support its recycling program; and

**WHEREAS**, Shippensburg Borough owns a 2005 International Recycling Truck ("Truck") which it no longer uses and is offering to sell the truck to the City for \$15,400; and

**WHEREAS**, the City desires to purchase the truck at said price; and

**WHEREAS**, Shippensburg Borough has presented the City with an Intergovernmental Agreement of Sale for the sale/purchase of the truck which is attached hereto as Exhibit "A"; and

**WHEREAS**, intergovernmental agreements of sale are exempt from advertising and bid requirements 53 P.S. § 36901.4 of the Third Class City Code.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HARRISBURG**, that the purchase of the 2005 International Recycling Truck from Shippensburg Borough is hereby approved.

**BE IT FURTHER RESOLVED** that the Mayor, Controller, and other appropriate City officials are authorized to take all steps necessary to effectuate the purpose of this Resolution.

I second the Resolution: Ben J. Allan

and the City Council January 13, 2015

Wanda R.D. Williams  
President of City Council

Karl Peter  
City Clerk

YEAS	NAYS
<u>6</u>	
MR. ALLATT	
MR. BALTIMORE	
MS. DANIELS	
MR. KOPLINSKI	
MS. REID	<u>Absent</u>
MS. WILSON	
MS. WILLIAMS	
Yeas <u>6</u>	
Nays <u>0</u>	

Approved

Referred to City Council with objections

RESOLUTION NO. 5 -2015

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I second the Resolution: \_\_\_\_\_

# **Exhibit “A”**

## INTERGOVERNMENTAL AGREEMENT OF SALE

This AGREEMENT made this \_\_\_\_\_ of \_\_\_\_\_, 2014, between the BOROUGH OF SHIPPENSBURG, a Pennsylvania Borough operating under the Pennsylvania Borough Code organized and existing under the laws of the Commonwealth of Pennsylvania, with its principal office located at 111 N. Fayette Street, Shippensburg, PA 17257 (“Shippensburg”) and the CITY OF HARRISBURG, a Municipal Corporation organized and existing under the laws of the Commonwealth of Pennsylvania, with its principal office located at 10 North 2<sup>nd</sup> Street, Harrisburg, Dauphin County, Pennsylvania 17101 (the “City”).

WHEREAS, Shippensburg is the owner of a 2005 International Recycling Truck; and

WHEREAS, the Shippensburg Borough Council has determined that its 2005 International Recycling Truck is no longer necessary for use by the Borough for any reason; and

WHEREAS, the City, through its Council, has approved the 2015 Sanitation Budget for the purchase of additional waste collection/recycling equipment; and

WHEREAS, pursuant to the provisions of the Pennsylvania Borough Code (Act 37 of 2014, a.k.a. Title 8 of the Pennsylvania Statutes §1402.(d)), Shippensburg is allowed to sell personal property without advertising for bid or sale at public auction to a City; and

WHEREAS, Shippensburg desires to sell its 2005 International Recycling Truck to the City, and the City desires to purchase this truck; and

NOW THEREFORE, in consideration of the premises, the covenants herein contained, and intending to be legally bound, the parties hereby agree as follows:

Shippensburg will sell by conveyance of title its 2005 International Recycling Truck, VIN #1HTMMAAN25H116818, to the City for the sum of Fifteen Thousand Four Hundred Dollars (\$15,400).

1. The sale of the aforesaid International Recycling Truck is made “as is”, contingent, however, on the truck passing a standard Pennsylvania vehicle inspection.
2. Shippensburg warrants that it is the true and lawful owner of the 2005 International Recycling Truck, has the full power and authority to sell the same, and that said vehicle is free and clear of all liens and encumbrances.

3. The City warrants that it has the full power and right to purchase the 2005 International Recycling Truck and has taken all actions necessary and/or required under Pennsylvania law and its home rule charter necessary to purchase the truck.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

WITNESS:

BOROUGH OF SHIPPENSBURG

By: \_\_\_\_\_ Title: \_\_\_\_\_ Date \_\_\_\_\_

CITY OF HARRISBURG

By: \_\_\_\_\_ Eric Papenfuse Date \_\_\_\_\_  
Mayor

By: \_\_\_\_\_ Charlie DeBrunner Date \_\_\_\_\_  
City Controller

APPROVED AS TO FORM  
AND LEGALITY:

By: \_\_\_\_\_ Law Bureau Date \_\_\_\_\_

**INTER**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# MEMO

**OFFICE**

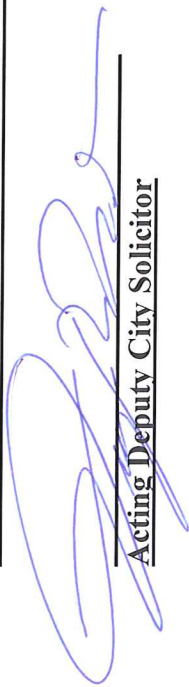
To: HARRISBURG CITY COUNCIL  
From: Kirk Petroski, City Clerk  
LEGISLATIVE APPROVAL FORM

Date: 1/9/15

LEGISLATIVE APPROVAL FORM/CERTIFICATE OF ACCEPTANCE

BILL NO. -2015      RESOLUTION NO. 5 -2015

THE ABOVE LISTED ITEM WAS WRITTEN AND PREPARED FOR FINAL INTRODUCTION AT THE HARRISBURG CITY SOLICITOR'S OFFICE ON:


 \_\_\_\_\_  
Acting Deputy City Solicitor

1/9/15 \_\_\_\_\_  
Date

Requested by Department/Bureau: Public Works  
Department/Bureau Contact Person: Aaron Johnson

For Action on or before:

The attached was received in the Office of the City Clerk for introduction on

Received by:  \_\_\_\_\_  
Date: 1-9-15