

ORDINANCE NO. 278

AN ORDINANCE, OF THE BOROUGH OF CLYMER, COUNTY OF INDIANA, AND COMMONWEALTH OF PENNSYLVANIA, AMENDING ORDINANCE NO. 261.

BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Clymer, Indiana County, Pennsylvania, and it is hereby ordained and enacted as follows:

1. Ordinance No. 261 is hereby amended to provide that the P.R.O.S.P.E.R. Ordinance shall be extended for an additional five (5) year period from April 6, 1997.
2. In all other respects, Ordinance No. 261 shall remain in full force and effect.

ORDAINED AND ENACTED by the Borough Council of Clymer Borough this 13th day of May, 1997.

ATTEST:

BOROUGH OF CLYMER

Connie Z. Custer
Secretary

By John Bracken
President of Council

APPROVED this 13th day of May, 1997.

Joseph E. Krolch
Mayor

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF PROTECTION MANAGEMENT

RESOLUTION

Be it resolved by the Borough of Clymer, Indiana County, PA, hereinafter
(Municipality)
designated as SPONSOR: and

WHEREAS, serious flooding and flood damages recur along Twolick Creek and Dixon Run,
endangering the public health and welfare; and

WHEREAS, the Department of Environmental Protection of the Commonwealth of
Pennsylvania has proposed channel improvement projects; and

WHEREAS, the Department of Environmental Protection will undertake, at its cost, to perform the work
aforementioned.

NOW, THEREFORE, in consideration of the work aforementioned and of the benefits to be derived, the
SPONSOR, in regular session met, does hereby agree to acquire and furnish at the SPONSOR'S cost,
borrow and spoil areas, the relocation of utilities, all lands, easements and rights-of-entry required for surveys,
foundation investigations, construction and maintenance of the project, including the removal of buildings and
other structures which interfere with the construction of the project and the removal or rebuilding of inadequate
bridges as may be required. The SPONSOR does hereby agree to all assurances and conditions of sponsorship
specified in the letter of proposal of the Department of Environmental Protection dated
January 8, 1979 and addressed to Borough of Clymer, said letter attached hereto and made part hereof.

The SPONSOR does hereby guarantee to indemnify, protect and save free the Commonwealth of
Pennsylvania, Department of Environmental Protection and its contractors and agents jointly and severally from
and against any and all claims, damages, demands, or actions in law or in equity resulting from any damage to
property, public or private, by reason of the aforesaid work. The SPONSOR further agrees to maintain, as its
own expense, the completed projects which are constructed by or for the Commonwealth as part of the aforesaid
work. Instructions regarding maintenance of the completed work will be furnished, upon request, by the
Department of Environmental Protection.

I hereby certify that the foregoing Resolution was adopted at a regular meeting
of the Clymer Borough Council, Indiana County, PA held on the day of
1996.


Connie L. Custer, Secretary


John Bracken, President