

RESOLUTION NO. 2018-07
BOROUGH OF CLARKS SUMMIT

A RESOLUTION OF THE BOROUGH OF CLARKS SUMMIT

Whereas, PENNDOT's maintenance responsibilities in boroughs are governed by Section 513 of the State Highway Law of 1945, which delegates to the Secretary of Transportation the power to determine the width and type of maintenance activities PENNDOT will perform; and

Whereas, PENNDOT's maintenance policy is contained in the "Maintenance Manual – Pub. 23", which as a general rule provides operational guidance to PENNDOT and allows PENNDOT to exclude the maintenance of enclosed surface water drainage facilities, including inlets below grates, crosspipes/culverts, parallel pipes, culverts, headwalls and endwalls between curb lines in boroughs and cities, but not townships; and

Whereas, the boroughs each year receive Liquid Fuels Tax Payments for the maintenance of roads ordained by the municipalities, but receive no state funds for the maintenance of storm sewer or water drainage facilities located in the state roads or highways, roadways that are used more frequently by residents from communities other than the host borough; and

Whereas, this unfunded mandate is discriminatory because it does not apply to townships; and

Whereas, the Borough of Clarks Summit has the duty to represent and protect the residents of their community from the erosion of their local tax base by unfunded state mandate;

Therefore, Be It Resolved, that the Council of the Borough of Clarks Summit do petition our State Representatives and Senators to require the Secretary of Transportation, Commonwealth of Pennsylvania to reverse their policy regarding the maintenance of storm sewers and water drainage facilities located in the state roads and highways and accept responsibility for their care and repair, and desist from imposing other unfunded mandates on our community.

Adopted this 7th day of March 2018.



GERMAINE CAREY

Council President

APPROVED:

Approved this 7th day of March 2018.



HERMAN JOHNSON

Mayor, Borough of Clarks Summit

ATTEST:

Adopted at the Regular Council Meeting of the Clarks Summit Borough Council, this 7th day of March 2018.



VIRGINIA KEHOE

Borough Manager/Secretary

