



CITY OF ALLENTOWN

No. \_\_\_

**RESOLUTION**

**R86 - 2024**

***Introduced by the Administration on May 15, 2024***

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A resolution of the Council of the City of Allentown, Lehigh County, Commonwealth of Pennsylvania, approving a cooperative memorandum of agreement between the municipalities of the City of Allentown, South Whitehall Township and Upper Macungie Township for the multi-jurisdictional signal system that is a part of the SR 0309 and SR 1002 (Tilghman street) interchange project.

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***Resolved by the Council of the City of Allentown, That***

**WHEREAS**, the Commonwealth of Pennsylvania (hereinafter called "Commonwealth") is about to upgrade traffic signals along SR 1002 (Tilghman Street) and SR 3008 (Cetronia Road) through the municipalities of the City of Allentown, South Whitehall Township, and Upper Macungie Township as part of the SR 0309 & SR 1002 (Tilghman Street) Interchange Project (hereinafter called "Project"); and

**WHEREAS**, the Project includes the installation of two new traffic signals, replacement of select traffic signal equipment, video and radar detection, emergency pre-emption, signal controllers and pedestrian indications (hereinafter called the "Traffic Signal Enhancements").

**WHEREAS**, the Project also includes the installation of a communications system to interconnect traffic signals, the installation of spread spectrum radio (the installation of which shall be to the maximum extent that is, and wireless communications, practicable without requiring any fiber optic connections), and wireless communications (hereinafter called the "Communications Control System"); and

**WHEREAS**, the Traffic Signal Enhancements and the Communications Control System will become one multi-jurisdictional signal system, hereinafter called "MJSS"; and

**WHEREAS**, the Commonwealth has made application to the Federal Highway Administration for certain federal funds to enable the Commonwealth to construct and implement the MJSS and to make operational refinements to the MJSS and associated signal timings during a contractually designated test period. The Commonwealth shall undertake such Project, only, if it receives Federal Highway Administration funding; and

**WHEREAS**, should the project proceed, the municipalities shall be responsible for the ongoing maintenance of the traffic signals and the MJSS as the permit holders; and

**WHEREAS**, the municipalities have determined it is necessary to collectively adopt a Cooperative Memorandum of Agreement which sets forth the obligations of the municipalities for the maintenance and operation of the MJSS; and

**WHEREAS**, the obligations of the municipalities for the MJSS are contingent upon the Commonwealth obtaining Federal Highway Administration funding and proceeding with the construction and

implementation of the MJSS. If the Commonwealth determines that it shall not proceed with the MJSS, the parties shall have no further obligations under this Agreement, and the Agreement will be terminated.

**NOW, THEREFORE, BE IT RESOLVED**, that the Allentown City Council hereby adopts the following:

1. All "Whereas" clauses are incorporated herein as though more fully set forth at length.
2. This Agreement is entered into pursuant to the provisions of 53 Pa.C.S.A. §2303-2307 (relating to Intergovernmental Cooperation).
3. Subject to confirmation of funding by the Federal Highway Administration, the Commonwealth of Pennsylvania intends to upgrade certain traffic signals along SR 1002 (Tilghman Street) and SR 3008 (Cetronia Road) through the municipalities of the City of Allentown, South Whitehall Township, and Upper Macungie Township as part of the SR 0309 & SR 1002 (Tilghman Street) Interchange Project.
4. Once the Commonwealth's project construction is complete and the included testing and operational support periods end, the City of Allentown, South Whitehall Township and Upper Macungie Township will establish a collaborative maintenance support and operational oversight program to be directed by South Whitehall Township and funded collectively by the three (3) municipalities.
5. The Cooperative Memorandum of Agreement, attached hereto as exhibit "A" and incorporated herein, sets forth, with specificity, all elements of the agreement required by 53 Pa. C.S. §2307, including but not limited to, the terms and conditions for the multi-jurisdictional signal system MJSS oversight requirements, communications and signal control system maintenance requirements, traffic signal maintenance requirements, system housing responsibilities, supporting the interoperability and compatibility of MJSS, developer or other transportation enhancement project funding requirements under certain circumstances, coordinating to maximize safe and efficient MJSS operations for the life of the system, and dispute resolution.
6. The Mayor of the City of Allentown is hereby authorized and directed to execute on behalf of the City the Cooperative Memorandum of Agreement,

**FURTHER RESOLVED**, that all Resolutions or parts of Resolutions inconsistent with this Resolution are hereby repealed and superseded by this Resolution.

**BE IT FINALLY RESOLVED**, that the City Clerk is authorized to execute a certificate attesting to the adoption of this resolution and to furnish copies of the resolution to appropriate agencies.

**EXHIBIT "A"**