

ORDINANCE NO. 1104

WHEREAS, Donora Borough Council and Burrell Construction Company entered into a written contract dated August 8, 1967, for the purchase by Burrell Construction Company from Donora Borough Council of 200,000 tons of open hearth slag, 25,000 tons of cinders, scrap iron and other materials, and such additional quantities of slag, cinders and other materials which the Borough would be licensed to remove pursuant to future agreements with United States Steel Corporation; and

WHEREAS, United States Steel Corporation has granted the Borough of Donora a license to remove an additional 200,000 tons of open hearth slag, 25,000 tons of cinders, scrap iron and other materials from its Donora Works Slag Dump, being 422 acres of land in Carroll Township, Washington County, Pennsylvania, shown as Tract 4 on a plan of United States Steel Corporation designated "Location Plan of United States Steel Corporation Property at Donora Works, Washington County, Pa.," dated May, 1966; and

WHEREAS, pursuant to and in conformity with the agreement of August 8, 1967, between the parties hereto, the Contractor desires to purchase such additional quantity of slag, cinders, scrap iron and other materials which the Borough has been licensed to remove; and

WHEREAS, the Borough pursuant to and in conformity with the agreement of August 8, 1967, between the parties hereto, is willing to sell the additional 200,000 tons of open hearth slag, 25,000 tons of cinders, scrap iron and other materials and permit the Contractor to erect facilities at the slag dump; and

WHEREAS, the Contractor has requested a period of three years for the removal from the premises of all slag, cinders and other materials

purchased from the Borough of Donora to date; and

WHEREAS, the Borough desires to grant the contractor a period of three years for said removal pursuant to the terms of the contract of August 8, 1967; and

WHEREAS, the Contractor agrees to pay on or before October 15, 1969, 2 minimum quarterly payments of \$14,000.00 or a total of \$28,000.00.

NOW, THEREFORE, the Council of the Borough of Donora ordains as follows:

Section 1. That the sale of the additional quantity of 200,000 tons of slag, 25,000 tons of cinders and other materials pursuant to the terms of the agreement of August 8, 1967, is hereby approved.

Section 2. That the Contractor is granted a period of 3 years from the date hereof to remove all slag, cinders and other materials purchased to date by the Contractor from the Borough.

Section 3. That all other provisions of the agreement of August 8, 1967 remain in full force and virtue.

Section 4. That pursuant to the contract of August 8, 1967, the Contractor agrees to pay two minimum quarterly payments in the total amount of \$28,000.00 on or before October 15, 1969, and an equal minimum quarterly payment of \$14,000.00 on or before the 15th day of January, 1970, for the quarterly period of October, November and December, 1969, and an equal minimum quarterly payment of \$14,000.00 on or before the 15th day of each month following the third month of each ensuing quarterly period as set forth in the agreement of August 8, 1967.

Section 5. That the proper officers of the Borough are hereby

authorized, directed and empowered, to execute a contract in conformity
herewith.

ORDAINED AND ENACTED into an ordinance this 2nd day of
October, A. D. 1969.

President of Council

ATTEST:

Borough Secretary

EXAMINED AND APPROVED by me this 2nd day of October,
A. D. 1969.

Mayor

ATTEST:

Borough Secretary