

TOWNSHIP OF WEST COCALICO

Lancaster County, Pennsylvania

ORDINANCE NO. 130

AN ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE BOROUGH OF EPHRATA AND THE TOWNSHIP OF WEST COCALICO, BOTH OF LANCASTER COUNTY, PENNSYLVANIA, RELATING TO THE PROVISION BY EPHRATA BOROUGH OF POLICE SERVICES TO WEST COCALICO TOWNSHIP.

WHEREAS, Ephrata Borough and West Cocalico Township are municipalities within Lancaster County, Pennsylvania; and

WHEREAS, Ephrata Borough has established a police department ("Ephrata Borough Police Department") to provide police protection services within Ephrata Borough; and

WHEREAS, West Cocalico Township does not have a police department and, in the past, has contracted for police services with East Cocalico Township; and

WHEREAS, West Cocalico Township desires to obtain police services from Ephrata Borough commencing on January 1, 2016; and

WHEREAS, the Intergovernmental Cooperation Act, 53 Pa C.S. §2301 et seq., permits municipalities to enter into agreements to cooperate in the performance of their respective functions, powers or responsibilities; and

WHEREAS, Ephrata Borough and West Cocalico Township desire to enter into an agreement to permit Ephrata Borough police officers to perform police services within West Cocalico Township and to enact an ordinance to authorize execution of such an agreement.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of West Cocalico, Lancaster County, Pennsylvania, as follows:

Section 1. The caption of and recitals to this Ordinance as set forth above are incorporated herein by reference.

Section 2. West Cocalico Township shall join with Ephrata Borough in accordance with the Pennsylvania Intergovernmental Cooperation Act by entering into the Agreement which is adopted by reference with the same effect as if it had been set out verbatim in this Section and a copy of which shall be filed with the minutes of the meeting at which this Ordinance was enacted.

Section 3. This Township is authorized to enter into the Agreement for the purposes contained therein. This action is to be taken by the officials or employees of the Township designated for this purpose, pursuant to general or specific instructions issued by the Board of Supervisors.

Section 4. As required by the Intergovernmental Cooperation Act the following matters are specifically found and determined:

A. The conditions of the agreement are set forth in the Agreement referred to in Section 2.

B. The Agreement shall be for a period of five (5) years commencing on 12:01 a.m. on January 1, 2016, and extending until midnight on December 31, 2020, subject to renewals upon the mutual agreement of the parties or earlier termination in accordance with provisions of the Agreement.

C. The purpose and objectives of the Intermunicipal Agreement are to enter into an intergovernmental contract to permit Ephrata Borough police officers to perform police services within the West Cocalico Township.

D. West Cocalico Township shall pay to Ephrata Borough a fee for police services as set forth in the Agreement, with payments being made monthly.

E. No entity will be formed to administer the Agreement. Ephrata Borough will continue to administer the Ephrata Borough Police Department.

F. No property, real or personal, shall be acquired, managed or disposed of under the Agreement.

G. All police officers shall continue to be employees of Ephrata Borough which has the power to enter into contracts for policies of group insurance and employee benefits, including Social Security, for its employees.

Section 5. The Board of Supervisors reserves the right to modify, supplement or amend the Agreement from time to time by resolution or ordinance.

Section 6. All other intergovernmental agreements between Ephrata Borough and West Cocalico Township or among Ephrata Borough and West Cocalico Township and third parties presently existing are hereby ratified and confirmed to the extent such agreements are not inconsistent with the Agreement authorized herein.

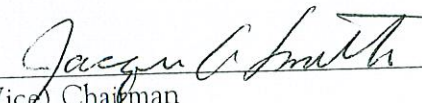
Section 7. The provisions of this Ordinance are severable and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been enacted if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

Section 8. This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of the Township of West Cocalico as provided by law.

DULY ORDAINED AND ENACTED this 12th day of October, 2015, by the Board of Supervisors of the Township of West Cocalico, Lancaster County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF WEST COCALICO
Lancaster County, Pennsylvania

Attest: 
(Assistant) Secretary

By: 
(Vice) Chairman
Board of Supervisors

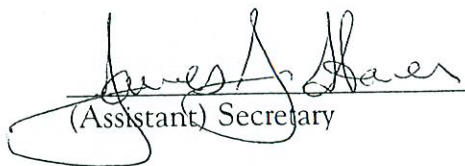
[TOWNSHIP SEAL]

CERTIFICATE

I, the undersigned, (Assistant) Secretary of the Township of West Cocalico, Lancaster County, Pennsylvania ("Township") certify that: The foregoing is a true and correct copy of an Ordinance of the Board of Supervisors of the Township which duly was enacted by affirmative vote of a majority of the members of the Board of Supervisors of the Township of West Cocalico at a meeting duly held on the 12th day of October, 2015; that such Ordinance has been duly recorded in the Ordinance Book of the Township; such Ordinance has been duly published as required by law; and such Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

I further certify that the Board of Supervisors of the Township of West Cocalico met the advance notice and public comment requirements of the Sunshine Act, 65 Pa. C.S. §701 et seq., as amended, by advertising the date of said meeting, by posting prominently a notice of said meeting at the principal office of the Township of West Cocalico or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting prior to enacting such Ordinance.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Township of West Cocalico, this 12th day of October, 2015.


(Assistant) Secretary

[TOWNSHIP SEAL]