

ORDINANCE NO. 2020 -

AN ORDINANCE OF BRIDGETON TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA, AUTHORIZING THE TOWNSHIP TO ENTER INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH SPRINGFIELD TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA, WHICH AGREEMENT SHALL PROVIDE FOR THE SHARING OF ROAD MAINTENANCE EQUIPMENT AND SERVICES AND WHICH SHALL INCLUDE PROVISIONS TO PERMIT BRIDGETON TOWNSHIP EMPLOYEES TO USE SUCH EQUIPMENT AND PERFORM SUCH SERVICES IN SPRINGFIELD TOWNSHIP, AND TO PERMIT SPRINGFIELD TOWNSHIP EMPLOYEES RESPECTIVELY TO USE SUCH EQUIPMENT AND PERFORM SUCH SERVICES IN BRIDGETON TOWNSHIP; TO ESTABLISH REIMBURSEMENT RATES FOR THE USE OF SUCH EQUIPMENT AND PERFORMANCE OF SUCH SERVICES BY ONE TOWNSHIP WITHIN THE BOUNDARIES OF THE OTHER TOWNSHIP; TO ESTABLISH RESPONSIBILITY FOR THE PURCHASE OF MATERIALS, COMPLIANCE WITH RULES, REGULATIONS, LAWS, STATUTES AND ORDINANCES, AND THE MAINTENANCE OF CASUALTY LIABILITY AND UNEMPLOYMENT AND WORKER'S COMPENSATION INSURANCE COVERAGE; TO ESTABLISH RECORD KEEPING RESPONSIBILITIES; AND TO ESTABLISH DISPUTE RESOLUTION PROCEDURES.

WHEREAS, pursuant to the Intergovernmental Cooperation Act (Act of December 19, 1996, P.L. 1158, No. 177, et seq., 53 Pa.C.S §2301, et seq.) and the Second Class Township Code of Pennsylvania in Section 1507 (53 P.S. §66507) a local government may enter into intergovernmental cooperation with or delegate any functions, powers or responsibilities to one or more local governments upon the passage of an ordinance by its governing body; and

WHEREAS, the Board of Supervisors has determined that collaboration with Springfield Township in the sharing of equipment and personnel to perform road maintenance and related services will improve efficiency, improve quality of service and have the potential to save money for the Township; and

WHEREAS, Springfield Township and Bridgeton Township have identified certain equipment and services which are potentially conducive to a collaborative or sharing effort through independent intermunicipal agreements; and

WHEREAS, the Board of Supervisors desire to enter into an independent Intermunicipal Cooperative or Shared Services Agreements for Road Maintenance Services with Springfield Township; and

WHEREAS, the Board of Supervisors authorizes the Chairman of the Board of Supervisors of Bridgeton Township to execute and deliver the agreement, and execute and deliver such additional documents, and to take such further actions as may be necessary or appropriate to implement the agreement and the transactions contemplated under the agreement; and

WHEREAS, the inclusion of additional municipalities as a party to the agreement shall occur as follows:

- A. Any municipality desiring to become a party to the agreement shall need the concurrence of both of the present member municipalities. Concurrence of a member municipality shall be provided by a resolution of the governing body of the municipality, stating its intention to allow the participation of another municipality.
- B. Upon receiving the concurrence of the requisite number municipalities, the new member shall pass an ordinance in substantially the same form as the other member municipalities.

WHEREAS, the Board of Supervisors desire to comply with state law as required under Pennsylvania Intergovernmental Cooperation Act (53 Pa.C.S §2301, et seq.), the following matters are specifically found and determined:

- A. The conditions of the agreement are as set forth in the agreement.
- B. This agreement shall continue in effect until terminated by a subsequent ordinance of the governing body of all participating municipalities. A participating municipality may withdraw from this agreement by providing written notice to the remaining participating municipalities no less than 90 days prior to the end of the then-current calendar year.
- C. The purpose and objectives of the agreement are as set forth in the background of this article and of the agreement;
- D. The manner and extent of financing the agreement shall be as follows:
 - (1) No borrowing will be required by the Township to fund its obligation under the agreement,
 - (2) Funds to implement the Township’s obligations under the agreement shall come from usual budgeted amounts for such matters; and
 - (3) Other provisions governing the manner and extent of financing joint projects and purchases shall be as set forth in the agreement;
- E. All personal property shall be acquired, managed and disposed of in accordance with the terms of the agreement.
- F. The organization and administration of the agreement shall be undertaken in accordance with the terms of the agreement.

NOW, THEREFORE BE IT ENACTED AND ORDAINED, by the Board of Supervisors of Bridgeton Township, Bucks County, Pennsylvania, by virtue of the power and authority vested in the same, as follows:

- 1. The Board of Supervisors shall enter into Independent Intermunicipal Cooperative or Shared Services Agreements for Road Maintenance Services (hereinafter the “Agreements”) with Springfield Township, the terms of which are incorporated herein by reference.
- 2. The term of each of the Agreements shall be for a period of one year, subject to automatic one-year renewals thereof and also subject to the right of termination by either Township upon ninety (90) days written notice to the other Township.
- 3. The purposes and objectives of the Agreements are to eliminate duplicative services and to increase municipal efficiency, reduce costs and improve effectiveness of road repair, mowing, maintenance, plowing and other operations. Pursuant thereto, each Township shall furnish and make available to the other certain enumerated equipment with an operator to perform and shared services.
- 4. Each Township shall be responsible for purchase of materials used and the securing of all required consents and approvals of County, State and Federal agencies for the performance of work within its boundaries.

5. Each Township shall be responsible for compliance with applicable safety rules, regulations, laws, statutes and ordinances which pertain to its performance of work in the other Township.
6. It is not anticipated that new equipment, vehicles or machinery shall be acquired by the Township but, rather, that existing items or items otherwise subsequently acquired by a Township will be available, with an operator, to provide services in the other Township.
7. No new entity or organization shall be created in order to implement the Agreements, as same will be administered by the respective Township Roadmasters and other existing staff and, ultimately, the Boards of Supervisors of each Township.
8. The provisions of the Ordinance of severable and should any of its provisions be determined by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall not affect or impair any of the remaining provisions of this Ordinance. It is hereby declared to be the intention of the Board of Supervisors that this Ordinance would have been adopted if such invalid or unconstitutional provision had not been included.

ORDAINED AND ENACTED this ____ day of _____, 2020.

Board of Supervisors Bridgeton Township

Gard Holby, Chair

Roger Keller, Vice Chair

Michael Lynch, Member

ATTEST:

Colleen M. Pursell, Secretary