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SPECIAL MEETING
TO CONSIDER THE ADOPTION OF AN INTERGOVERNMENTAL COOPERATION ACT
WITH SILVERDALE BOROUGH FOR POLICE PROTECTION
HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
Wednesday, July 10, 1991
7:30PM

A special meeting of the Hilltown Township Board of Supervisors to discuss the contract for police coverage for Silverdale Borough by Hilltown Township Police Department was called to order by Chairman William H. Bennett, Jr. at 7:43PM.

Also present were: Betty J. Kelly, Vice-Chairperson
Kenneth B. Bennington, Supervisor
Francis X. Grabowski, Township Solicitor
George Egly, Chief of Police
Maria Gerhart, Recording Secretary

Solicitor Grabowski explained this meeting has been called to consider the possible adoption a proposed Ordinance which would provide and authorize Hilltown Township to enter into an Intergovernmental Cooperation Agreement with the Borough of Silverdale for the provision of police protection and services to Silverdale Borough and it's residents. The agreement provides for a payment schedule for such services at rates to be determined by the Hilltown Township and Silverdale Borough. The proposed Ordinance was advertised in the Perkasie News Herald on July 3, 1991, and has been on file for examination by the public at the Municipal Building.

With that in mind, Solicitor Grabowski highlighted the Ordinance which is pursuant to the Intergovernmental Cooperation Act and various sections of the Second Class Township Code.

Article I of the proposed Ordinance provides for the authorization to enter into the agreement with Silverdale Borough, by which the Borough delegates to Hilltown Township the duty and authority of providing police protection to Silverdale Borough and it's residents.

Article II provides that the conditions of the agreement are to provide police service to Silverdale Borough, and that the Borough will compensate Hilltown Township at rates to be determined by both parties. The operation and supervision of police activities should be exclusively the obligation of Hilltown Township.

Article III states the agreement shall continue initially for a term of one year and six months, retroactive from July 1, 1991, and shall extend for further terms of one year each, unless terminated by either Hilltown Township or Silverdale Borough on a 90 day notice provision.

Article IV provides that the purpose and the obligation of the proposed agreement is to have a single police force providing service to both Silverdale Borough and Hilltown Township, and that the authority delegated to the Township by the Borough is to provide, maintain and operate a police force for police services to Silverdale Borough.

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Article V states that the manner and extent of financing the agreement is such that the Township will budget and shall budget sufficient funds to finance the Police Department in a fashion to provide services to both Hilltown Township and Silverdale Borough. The Borough of Silverdale will pay Hilltown Township for police services provided at least wuarter annually.

Article VI discusses the organizational structure necessary to implement the agreement and is simply as such the organizational structure that is already in existence.

Article VII addresses the lack of need for additional property to be acquired, managed, licensed or disposed of to implement the proposed agreement.

Article VIII states that no entity which is an employer need to be created to implement the agreement, it is being done by Hilltown Township, which is empowered to enter into such types of contracts, and also for group insurance policies and employee benefits. This Ordinance is to take effect immediately is so ordained and enacted this evening.

In addition to the Ordinance, Solicitor Grabowski explained, if the Board of Supervisors should consider the proposed Ordinance's adoption this evening, the next proposed document is a Police Protection Agreement. Solicitor Grabowski stated the Police Protection Agreement is between the two parties to the agreement - Hilltown Township and Silverdale Borough. It recites the authority by which the agreement can be entered, namely the Ordinance, and also the various Pennsylvania Acts. It refers to the term of the agreement and the provision by which it can be terminated. The Police Protection Agreement also provides for the management and control which is entirely with the Supervisors of the Township of Hilltown, and with the Chief of Police of Hilltown, and that they shall determine all questions of employment, salary, pension plan policies, fringe benefits and employment of the police staff. The Supervisors of Hilltown Township, as well as the Chief of Police of Hilltown Township shall continue to make recommendations as to the operations and procedures of the Hilltown Township Police Department. Silverdale Borough Council may appoint up to three persons as a committee to have the function of discussing and making recommendations as such as it relates to the performance of the agreement, and as it only affects the residents of Silverdale Borough. Also under Management Control, it shall be clearly understood by the parties hereto, that final control, management, and implementation of this Agreement shall be through the Hilltown Township Board of Supervisors or their authorized representative and a Borough representative. At the request of either party, the committee shall meet with the Police Chief of Hilltown Township and a representative of the Hilltown Township Board

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of Supervisors to discuss any concerns that may arise as a result of the agreement. Solicitor Grabowski stated the third section of the Agreement provides for police protection with an attached appendix, Appendix A discusses the service to the resident's of Silverdale Borough by way of boundaries, knowns and areas. The Township further guarantees that it will furnish Silverdale Borough with police protection for a sum of \$6,957.00 per quarter, until December 31, 1991, and at a rate not to exceed \$7,305.00 per quarter from January 1, 1992 thru December 31, 1992. Thereafter, the charges to the Borough of Silverdale shall not exceed 105% of the charges made in the immediate preceeding year. In the event that the parties find the 60 hours per month, or 180 hours per quarter constitute more police time and service than Silverdale Borough requires, then the amount of police time may be reduced to that which is needed, and the amount of money paid by Silverdale Borough shall be accordingly reduced. Solicitor Grabowski stated there are various other provisions regarding the implementation of school bus crossing guards, traffic signals, signs, fines and equipment. On the issue of fines, those incurred and collected within Silverdale Borough boundaries where Hilltown Township Police Department is the enforcing agency, the Borough of Silverdale shall receive credit for 100% of the net fines actually collected by the Township by the appropriate District Justice or from parking fines. There are miscellaneous provisions regarding the vehicle code and the criminal code as well. The Agreement further discusses cost of payment for services and begins by stating as of July 1, 1991, the Borough shall pay to the Township for services a guaranteed minimum of \$2,319.00 per month, which equates to a total of \$6,957.00 per quarter. This is more specifically referred to in an attached Appendix B. All sworn officers of Hilltown Township are included within the budget sum and the total hours as set forth in Appendix B. An arbitration clause is provided for as the last clause of the agreement. If there is any difference or disagreement over the interpretation, an arbitrator shall be appointed by the parties.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to adopt Ordinance #91-5 to enter into an Intergovernmental Cooperation Agreement with Silverdale Borough to provide police protection for the Borough.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to adopt the Police Protection Agreement between Hilltown Township and Silverdale Borough as specified by the Township Solicitor.

ADJOURNMENT: There being no further business, a motion for adjournment of the special meeting of the Hilltown Township Board of Supervisors meeting of July 10, 1991 was made by Chairman Bennett, seconded by Supervisor Kelly and carried unanimously at 7:55PM.

Respectfully submitted,

Lynda Seimes

Lynda Seimes
Assistant Township Secretary
HILLTOWN TOWNSHIP

(*These minutes were transcribed from recordings and notes taken by Mrs. Maria Gerhart, Recording Secretary).

NOTICE is hereby given that the Hilltown Township Board of Supervisors will consider the following Ordinance for adoption at a special meeting on July 10, 1991, at 7:30 P.M. at the Township Municipal Building, 13 West Creamery Road, Hilltown Township, Bucks County, Pennsylvania. All interested parties are invited to attend.

ORDINANCE NO.

AN ORDINANCE PROPOSING THAT THE TOWNSHIP ENTER INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH SILVERDALE BOROUGH TO HAVE THE TOWNSHIP PROVIDE POLICE PROTECTION AND POLICE SERVICES TO THE BOROUGH AND ITS RESIDENTS WITH THE BOROUGH PAYING THE TOWNSHIP FOR SUCH SERVICES AT RATES TO BE DETERMINED BETWEEN THE TOWNSHIP AND THE BOROUGH; PROVIDING THAT EITHER PARTY CAN TERMINATE THE AGREEMENT BY NINETY (90) DAYS WRITTEN NOTICE AFTER AN INITIAL TERM OF ONE (1) YEAR SIX (6) MONTHS; SETTING FORTH THE PURPOSES AND OBLIGATIONS OF THE AGREEMENT; SETTING FORTH THE ORGANIZATIONAL STRUCTURE NECESSARY AND PROVIDING THAT NO SEPARATE ENTITY IS BEING CREATED BUT PROVIDING THAT THE TOWNSHIP WOULD IMPLEMENT THE AGREEMENT AND THAT IT HAS THE POWER TO ENTER INTO CONTRACTS FOR POLICIES OF GROUP INSURANCE AND EMPLOYEE BENEFITS, INCLUDING SOCIAL SECURITY, FOR ITS EMPLOYEES

Preamble

Pursuant to the Intergovernmental Cooperation Act, Act of July 12, 1972, P.L. 180, as amended, and Sections 65740 and 65590 of the Second Class Township Code, the Hilltown Township Board of Supervisors hereby ORDAINS as follows:

ARTICLE I.

Hilltown Township shall enter into an Intergovernmental Cooperation Agreement with Silverdale Borough, a Borough in Bucks County, Pennsylvania, pursuant to Act 180, July 12, 1972, as amended, 53 P.S. 481, et seq., under the terms of which the Borough of Silverdale delegates to Hilltown Township the duty and authority of providing police protection to the Borough of Silverdale and its residents.

ARTICLE II.

The conditions of the agreement are that Hilltown Township shall provide complete police service to Silverdale Borough and that the Borough shall compensate the Township for such services at compensation rates to be determined

between the parties. The operation and supervision of the police activities shall be exclusively the obligation of Hilltown Township.

ARTICLE III.

The agreement shall continue initially for a term of one (1) year and six (6) months from July 1, 1991 and shall extend for further terms of one (1) year each unless terminated by either party on ninety (90) days notice.

ARTICLE IV.

The purpose and obligations of the agreement are to have a single police force providing service to both Silverdale Borough and Hilltown Township and that the agency providing this service shall be the Hilltown Township Police Department. The authority delegated to the Township by the Borough is the authority to maintain and operate a police force which provides police services in the Borough of Silverdale.

ARTICLE V.

The manner and extent of financing the agreement is that Hilltown Township shall budget sufficient funds to finance a police department able to provide services to the Township and the Borough and that Silverdale Borough will pay the Township for the police services provided at least quarter annually.

ARTICLE VI.

The organizational structure necessary to implement the agreement is the Hilltown Township Police Department which is already in existence.

ARTICLE VII.

There is no need for property to be acquired, managed, licensed or disposed of to implement this agreement.

ARTICLE VIII.

No entity which is an employer need be created to implement this agreement. The implementation will be done by Hilltown Township which is empowered to enter into contracts for policies of group insurance and employee benefits, including Social Security, for its employees.

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ARTICLE IX.

This Ordinance shall take effect immediately.

ORDAINED and ENACTED this day of ,
A.D., 1991.

HILLTOWN TOWNSHIP
BOARD OF SUPERVISORS
GRABOWSKI, EBERLE, RICE & SCAFIDI
One South Fifth Street
Perkasie, PA 18944
