

**FAWN GROVE BOROUGH
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2019-01

**AN ORDINANCE OF FAWN GROVE BOROUGH APPROVING AND AUTHORIZING
THE EXECUTION OF AN INTERGOVERNMENTAL COOPERATION AGREEMENT
REVISING AND CONFIRMING TERMS OF A PREVIOUS AGREEMENT WHICH
ESTABLISHED A REGIONAL AMBULANCE SERVICE**

WHEREAS, Fawn Grove Borough (hereinafter "Fawn Grove") is a municipal corporation, being a borough in the Commonwealth of Pennsylvania; and

WHEREAS, Delta Borough (hereinafter "Delta") is a municipal corporation, being a borough in the Commonwealth of Pennsylvania; and

WHEREAS, Peach Bottom Township (hereinafter "Peach Bottom") is a municipal corporation, being a second class township in the Commonwealth of Pennsylvania; and

WHEREAS, Fawn Township (hereinafter "Fawn") is a municipal corporation, being a second class township in the Commonwealth of Pennsylvania; and

WHEREAS, Lower Chanceford Township (hereinafter "Lower Chanceford") is a municipal corporation, being a second class township in the Commonwealth of Pennsylvania;
and

WHEREAS, Chanceford Township (hereinafter "Chanceford") is a municipal corporation, being a second class township in the Commonwealth of Pennsylvania (hereinafter the aforesaid municipal entities are collectively referred to as "Parties"); and

WHEREAS, pursuant to Section 1202(24) of the Borough Code, as amended, 53 P.S. §46202(24), Section 1507 of the Second Class Township Code, as amended, 53 P.S. §66507, and the Intergovernmental Cooperation Law, 53 Pa. C.S.A. S 2301 et seq. the parties are authorized to enter into joint intergovernmental agreements with other municipalities.

SECTION 1: Fawn Grove is hereby authorized to enter into an Intergovernmental Agreement of Cooperation (hereinafter "Agreement") with the Parties to revise and confirm the terms of a previous Intergovernmental Agreement of Cooperation. A copy of the Agreement is attached hereto, marked Exhibit "A", and incorporated by reference.

SECTION 2: The purpose and objectives of the Agreement are for the Parties to work cooperatively to operate and finance a regional ambulance service, and to establish the financial rights and obligations of the Parties.

SECTION 3: The term of the Agreement shall be for one (1) year, January 1, 2020 to December 31, 2020.

SECTION 4: The President and Secretary of Fawn Grove are hereby authorized to execute the Agreement on behalf of Fawn Grove and by so doing to bind Fawn Grove to the terms of the Agreement.

SECTION 5: This Ordinance shall be effective Immediately, or upon the effective date of a similar ordinance or resolution enacted by each other party, and the signing of the Agreement by all parties whichever occurs last.

ENACTED AND ORDAINED this 3rd day of December, 2019.

ATTEST:

FAWN GROVE BOROUGH
COUNCIL

Cathy E. Kirkwood
Secretary

By: [Signature]
President

Approved this 3rd day of December 2019.

Cathy A. Testaman
Mayor

EXHIBIT "A"

INTERGOVERNMENTAL COOPERATION AGREEMENT

THIS AGREEMENT, approved by the Fawn Township Board of Supervisors on _____, by the Delta Borough Council on _____, Chanceford Township Board of Supervisors on _____, by the Lower Chanceford Township Board of Supervisors on _____, by the Fawn Grove Borough Council on _____ and by the Peach Bottom Township Board of Supervisors on _____ be effective the 1st day of January 2020, pursuant to the Intergovernmental Cooperation Act, Act of December 19, 1996. P.L. 1158, No. 177, found at 53 Pa. C.S.A. §2301 et seq., which provides that two or more municipalities in this Commonwealth may jointly cooperate in the exercise or performance of their respective governmental functions, powers or responsibilities.

The municipalities that are parties to this Inter-Municipal Cooperation Agreement are Delta Borough, Fawn Grove Borough, Peach Bottom Township, Fawn Township, Lower Chanceford Township and Chanceford Township, all located in York County, Pennsylvania, and herein referred to as the "Municipalities".

WHEREAS, on or about January 1, 2015 the Municipalities entered into an Inter-Municipal Cooperation agreement ("2015 Intergovernmental Agreement") for the pooling of resources and establishing funds for regional ambulance service and seek to renew such agreement for the year 2020; and

WHEREAS, the Municipalities shall jointly assume responsibility for implementing the purpose of this Agreement in each individual Municipality, as outlined in this Agreement.

WHEREAS, the Municipalities shall be joined in this agreement by Southern York County Emergency Medical Services, Inc. ("SYCEMS").

NOW, THEREFORE, in consideration of the mutual promises, covenants and undertakings herein contained, and intending to be legally bound hereby, the Municipalities and SYCEMS agree as follows:

1. Each municipality has adopted an Ordinance in accordance with the requirements of the Intergovernmental Cooperation Act, Act of December 19, 1996, PL. 1158, No. 177, found at 53 Pa. CS. A. § 2301 et seq., in order to give full force and legal effect of this Agreement,
2. Section 10 of the 2015 Intergovernmental Agreement is hereby deleted and the following is substituted therefore:

The Municipalities and SYCEMS agree that they shall renew the previous agreement in its entirety for the period of January 1, 2020 until December 31, 2020 except for the changes set forth herein.

3. Section 4 of the 2015 Intergovernmental Agreement is hereby deleted and the following is

substituted therefore:

The Municipalities shall contribute the amount of \$26.30 per capita of each municipality to the SYCEMS for year 2020. The Municipalities and SYCEMS agree that they will jointly hire a consultant to analyze the ambulance services provided to the Municipalities pursuant to an agreed upon scope of services. The fee for such consultant shall be split evenly between the Municipalities and SYCEMS. Presently there has been a Committee formed by SYCEMS and all parties hereto agree that the consultant shall be selected by said Committee.

4. The remaining portions of the 2015 Intergovernmental Agreement shall be incorporated herein as if more fully set forth below.

5. This Agreement shall become effective the date first above written for each municipality hereto after the municipality, by ordinance of its governing body, adopts and approves the Agreement, and the Agreement is signed by the municipal officials authorized to execute the same. Thereafter each additional municipality shall be considered as included within the term "Municipalities" as used in this Agreement.

6. If any municipality which is a party to this Agreement chooses not to extend its commitment to SYCEMS beyond December 31, 2020, said municipality shall notify SYCEMS and the other Municipalities who are parties to the Agreement on or before September 30, 2020.

This Agreement may be executed in any number of counterparts, each of which, when executed and delivered: shall be deemed to be an original, but all counterparts together shall constitute one and the same instrument.

(LEFT INTENTIONALLY BLANK FOR SIGNATURES)

IN WITNESS WHEREOF and intending to be legally bound hereby, the parties hereto have executed this Agreement as of the date shown.

DELTA BOROUGH

Attest

BY: Borough Council President

FAWN GROVE BOROUGH

Attest

BY: Borough Council President

CHANCEFORD TOWNSHIP

Attest

BY: Chair, Board of Supervisors

FAWN TOWNSHIP

Attest

BY: Chair, Board of Supervisors

LOWER CHANCEFORD TOWNSHIP

Attest

BY: Chair, Board of Supervisors

PEACH BOTTOM TOWNSHIP

Attest

BY: Chair, Board of Supervisors

Southern York County Emergency Medical Services, Inc.

Attest

By: Chairman