

ORDINANCE NO. #35

AN ORDINANCE OF MONTGOMERY TOWNSHIP, COUNTY OF INDIANA,
COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE TOWNSHIP SUPERVISORS
TO ENTER INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH
CHERRY TREE BOROUGH, INDIANA COUNTY, PENNSYLVANIA FOR THE PURPOSE OF
OBTAINING POLICE SERVICES

WHEREAS, the Intergovernmental Cooperation Act provides for Municipalities to enter into Cooperation Agreements or the delegation or transferring of any functions, powers, or responsibilities to another local government or to a council of governments, consortium, or any other similar entity; and

WHEREAS, it is the desire of Montgomery Township, Indiana County, Pennsylvania to enter into an Agreement for Law Enforcement Services with Cherry Tree Borough; and

WHEREAS, Cherry Tree Borough is willing to provide such services to Montgomery Township.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of Montgomery Township, Indiana County, Pennsylvania as follows:

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

Section 2: Montgomery Township hereby approves entering into an Agreement for Law Enforcement Services, a copy of which is attached hereto and incorporated herein by reference (and which shall be filed with the Minutes of the meeting at which this Ordinance was enacted) with the intent and effect that Montgomery Township shall be bound by the Agreement.

Section 3: This Township is authorized to enter into the Intergovernmental 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 Township 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 for Law Enforcement Services referred to in Section 2.

B. The Agreement for Law Enforcement Services shall commence upon approval by both Municipalities of an Ordinance. This Agreement shall continue on an annual basis, unless terminated in accordance with the Agreement.

C. The purpose of the Agreement is for Cherry Tree Borough to provide police services to Montgomery Township.

D. The costs and financing associated with the police services are set forth in the Agreement for Law Enforcement Services.

E. No change in the existing organizational structure of Montgomery Township is necessary to implement this Agreement.

F. The Agreement for Law Enforcement Services does not contemplate the purchase of any real or personal property.

G. No separate entity is being created.

Section 5: This Ordinance shall be effective on the date of the adoption of the Ordinance by the last of the municipalities approving the Agreement for Law Enforcement Services.

Section 6: In the event that any provision, section, sentence, clause, or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a Court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not effect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance. It being the intent of the Board of Supervisors that the remainder of the Ordinance shall be and shall remain in full force and effect.

ENACTED, ADOPTED AND ORDAINED by the Board of Supervisors this 06 day of July, 2016.

ATTEST:

MONTGOMERY TOWNSHIP

Paula Burla
Secretary

By: William M. Burla
Chairman

John O. Pitter
Supervisor

Edward M. Reno
Supervisor