

BARRETT TOWNSHIP
MONROE COUNTY, PENNSYLVANIA

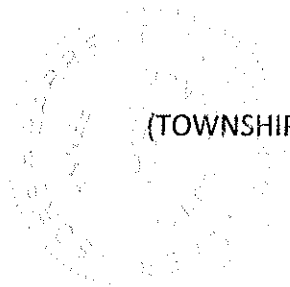
Ordinance No. 182

IN RE:

AN ORDINANCE AUTHORIZING THE PARTICIPATION OF BARRETT TOWNSHIP IN THE POCONO MOUNTAIN REGIONAL POLICE DEPARTMENT AND COMMISSION AND APPROVING BARRETT TOWNSHIP'S EXECUTION OF THE AMENDMENT TO 1996 AGREEMENT ON POCONO MOUNTAIN REGIONAL POLICE DATED NOVEMBER 19, 1996.

CERTIFICATION

I hereby certify that the attached Ordinance is a true and correct copy of the Ordinance enacted by the Board of Supervisors of Barrett Township, Monroe County, Pennsylvania, on the 7th day of July, 2015.



(TOWNSHIP SEAL)

A handwritten signature in dark ink, appearing to read "Paul Stotsenburg".

Paul Stotsenburg, Secretary
Barrett Township Board of Supervisors
993 Route 390
Cresco PA 18326

**BARRETT TOWNSHIP
MONROE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 182

ORDINANCE AUTHORIZING THE PARTICIPATION OF BARRETT TOWNSHIP IN THE POCONO MOUNTAIN REGIONAL POLICE DEPARTMENT AND COMMISSION AND APPROVING BARRETT TOWNSHIP'S EXECUTION OF THE AMENDMENT TO 1996 AGREEMENT ON POCONO MOUNTAIN REGIONAL POLICE DATED NOVEMBER 19, 1996.

WHEREAS, Barrett Township (the "Township") has its own police force within the Township; and

WHEREAS, Section 5 of Article IX of the Constitution of the Commonwealth of Pennsylvania provides a legal and constitutional basis for consolidation of police services in the state. Section 5 of Article IX states as follows:

A municipality by act of its governing body may, or upon being required by initiative and referendum in the area affected shall, cooperate or agree in the exercise of any function, power or responsibility with, or delegate or transfer any function, power or responsibility to, one or more other governmental units including other municipalities or districts, the federal government, any other state or its governmental units, or any newly created governmental unit.

WHEREAS, the Pennsylvania Intergovernmental Cooperation Law (P.L. 1158, No. 177; 53 Pa. C.S.A. §2301, et. seq.) permits municipalities to enter into agreements to cooperate in the exercise of their powers and responsibilities.

WHEREAS, Sections 1507, 1903, and 1904, of the Pennsylvania Second Class Township Code also bestow authority upon municipal governments to enter into agreements for the purpose of intergovernmental cooperation.

WHEREAS, Section 1901 of the Pennsylvania Second Class Township Code authorizes the board of supervisors, by resolution, to disband its police force; and

WHEREAS, Barrett Township has determined that in order to prevent duplication of efforts and to maximize the cost effectiveness of providing police services to the citizens of

Barrett Township, that the Township should disband its own police force and merge and join the Pocono Mountain Regional Police Department (the "Regional Department") and Pocono Mountain Regional Police Commission (the "Commission"); and

WHEREAS, Barrett Township has previously executed a Memorandum of Understanding ("MOU") with the Commission, which outlines the terms of the Township's merger with the Regional Department and Commission;

WHEREAS, Barrett Township has determined that it is in the best interest of the Township to participate in the Regional Department and the Commission;

WHEREAS, Barrett Township desires to authorize proper officers of the Township to execute the Amendment to 1996 Agreement on Pocono Mountain Regional Police Dated November 19, 1996, to effect and complete the merger of Barrett Township with the Regional Department and the Commission.

The Board of Supervisors of Barrett Township, Monroe County, Pennsylvania does hereby **ENACT** and **ORDAIN**:

Section 1. That the Board of Supervisors approves and adopts the 1996 Agreement on Pocono Mountain Regional Police Dated November 19, 1996 (the "Amendment to 1996 Agreement"), and agrees to participate in the Regional Department and the Commission in accordance with the terms and conditions of the Amendment to 1996 Agreement and the Memorandum of Understand; and further that the Chairman of the Board of Supervisors and Secretary of the Township are hereby authorized to sign the Amendment to 1996 Agreement and any other agreements necessary for the Township's participation in the Regional Department and the Commission.

The Amendment to 1996 Agreement is on file for inspection and review at the Township's offices at 993 Route 390, Cresco, Pennsylvania 18326.

Section 2. That the effective date of the Township's agreement to and joinder in the Amendment to 1996 Agreement and the participation of the Township in the Regional Department and Commission will be as of ***the later of*** the following: (a) July 13 @ 00:00 hrs (midnight); or the date on which Tobyhanna, Tunkhannock, and Coolbaugh Townships, and Mount Pocono Borough have all, through duly authorized actions of their governing bodies, approved and adopted the Amendment to 1996 Agreement and their collective agreement goes into effect.

Section 3. The Board of Supervisors of Barrett Township is hereby authorized to take any and all such other actions as may be necessary or appropriate to carry out the purposes of this Ordinance and comply with the requirements of the Amendment to 1996

Agreement and any duly adopted amendments thereto, and the Memorandum of Understanding.

Section 4. The provisions of this Ordinance are severable and in the event that any provision is held invalid, void, illegal, or unconstitutional by any court, it is the intent of the Board of Supervisors that such determination by the Court shall not affect or render void the remaining provisions of this Ordinance. It is the declared intent of the Board of Supervisors that this Ordinance would have been enacted if any provision subsequently declared to be void, invalid, illegal or unconstitutional had not been included at the time of enactment.

Section 5. Nothing in this Ordinance shall be interpreted to affect any rights or liabilities of the Township, or to affect any cause of action, existing prior to the enactment of this Ordinance.


This Ordinance is being enacted pursuant to the provisions of the Pennsylvania Intergovernmental Cooperation Law, Act of July 12, 1972, No. 180, as amended, 53 Pa.C.S. §§ 2301, *et seq.*


ENACTED and ORDAINED this 7 day of ^{July} ~~June~~, 2015.

**BARRETT TOWNSHIP
BOARD OF SUPERVISORS**


Ralph Megliola, Chair


Loree Price Guthrie, Vice Chair


Paul Stotsenburg, Secretary


John Seese, Supervisor


Patti O'Keefe, Supervisor

ATTEST:


Secretary

(TOWNSHIP SEAL)