

RES# 20-04

**RESOLUTION AUTHORIZING THE INTERGOVERNMENTAL COOPERATION
AGREEMENT TO TRANSFER ASSETS AND LIABILITIES OF THE
SOUTHWESTERN REGIONAL POLICE DEPARTMENT PENSION PLAN AND SELL
THE SWRPD POLICE BUILDING**

WHEREAS, Southwestern Regional Police Department (“SWRPD”) is an unincorporated, non-profit association established under the Authority of the Act of July 12, 1972, P.L. 180, as amended, 53 P.S. § 481, *et seq.* for the express purpose of providing police services for its member municipalities and is organized pursuant to Articles of Agreement, dated July 17, 2001, and formerly had its police headquarters at 6115 Thoman Drive, Spring Grove, Pennsylvania;

WHEREAS, SWRPD discontinued its operations effective December 31, 2019 and, at that time, its member municipalities were North Codorus Township, Spring Grove Borough, Manheim Township, and Heidelberg Township (collectively, the “SWRPD Municipalities”);

WHEREAS, North Codorus Township is a duly incorporated Township of the Second Class under the laws of the Commonwealth of Pennsylvania and is located in York County with its municipal headquarters at 1986 Stoverstown Road, Spring Grove, Pennsylvania;

WHEREAS, Spring Grove Borough is a duly incorporated Borough under the laws of the Commonwealth of Pennsylvania and is located in York County with its municipal headquarters at 1 Campus Avenue, Spring Grove, Pennsylvania;

WHEREAS, Manheim Township is a duly incorporated Township of the Second Class under the laws of the Commonwealth of Pennsylvania and is located in York County with its municipal headquarters at 5191 Wool Mill Road, Glenville, Pennsylvania;

WHEREAS, the Northern York County Regional Police Commission (“NYCRPD”) is an unincorporated, non-profit association established under the Authority of the Act of July 12, 1972, P.L. 180, as amended, 53 P.S. § 481, *et seq.* for the express purpose of providing police services for its member municipalities and is organized pursuant to the Composite Charter of Northern York County Regional Police Commission, dated January 21, 1986, and has its police headquarters at 1445 East Canal Road, Dover, Pennsylvania;

WHEREAS, SWRPD having discontinued police operations, SWRPD Municipalities North Codorus Township, Manheim Township, and Heidelberg Township have either joined NYCRPD as members or contracted to receive police services from NYCRPD;

WHEREAS, having discontinued police operations, SWRPD has no use for its former police headquarters at 6115 Thoman Drive, Spring Grove, Pennsylvania (the “Building”), which it currently leases to NYCRPD for use as a police sub-station;

WHEREAS, SWRPD and the SWRPD Municipalities desire to sell the Building to NYCRPD and to transfer the assets and liabilities of SWRPD’s Pension Plan to the NYCRPD Pension Fund pursuant to the Intergovernmental Cooperation Agreement by and among NYCRPD, SWRPD, and the SWRPD Municipalities (the “Agreement”), which is annexed as Exhibit A and is incorporated into this Resolution;

WHEREAS, the NYCRPD wishes to purchase the Building and assume the SWRPD Pension Plan assets and liabilities pursuant to the terms of the Agreement;

WHEREAS, on July 1, 2020, Heidelberg Township adopted a Resolution approving an Intergovernmental Cooperation Agreement to effect the above-described transfers, which was substantially similar to the Agreement attached hereto, except that the July 1, 2020 Intergovernmental Cooperation Agreement included references to the fact that the SWRPD pension assets and liabilities of three former SWRPD officers who are now employed by the York Area Regional Police Department (“YARPD”) would be transferred to YARPD under a separate agreement between SWRPD, the SWRPD Municipalities, and YARPD;

WHEREAS, since the adoption of the July 1, 2020 Resolution, YARPD has stated that it will not enter into such an agreement and, therefore, the Agreement attached hereto now provides for the transfer of the SWRPD pension assets and liabilities of the two vested former SWRPD officers who are now employed by YARPD to the NYCRPD Pension Fund, and the third officer, who is not vested, will receive a return of his SWRPD pension contributions plus interest pursuant to the terms of the SWRPD Pension Plan;

WHEREAS, the Intergovernmental Cooperation Agreement approved on July 1, 2020 never became effective because it was not adopted by all parties and because those parties that had adopted such agreement have passed, or will pass, resolutions adopting the updated Agreement that is attached hereto; and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Heidelberg Township Board of Supervisors, York County, Pennsylvania, as follows:

Section 1. Authorization of Entry into the Agreement. Heidelberg Township is hereby authorized to contract with NYCRPD, SWRPD, and the other SWRPD Municipalities pursuant to the terms of the Agreement, which is annexed as Exhibit A.

Section 2. Intergovernmental Cooperation Act. As required by the Intergovernmental Cooperation Act, Content of Ordinance or Resolution, 53 Pa.C.S. § 2307, the following matters are expressly specified by this Resolution:

- (A) The conditions of the agreement are set forth in the Agreement, which is annexed as Exhibit A.
- (B) Pursuant to Section 12 of the Agreement, it shall remain in effect until the death of the final surviving beneficiary under the SWRPD Pension Plan or upon any other reason that lawfully disqualifies such surviving beneficiary from receiving any pension benefits.
- (C) The purposes and objectives of the Agreement are for the transfer of the SWRPD Pension Plan assets and liabilities to NYCRPD. SWRPD and the SWRPD Member Municipalities shall be deemed to have delegated their authority and responsibility to administer the SWRPD Police Pension Plan pursuant to the terms of the Agreement.

- (D) Pursuant to the terms of the Agreement, the assets of the SWRPD Pension Plan shall be transferred to the NYCRPD Pension Fund so that it may assume the authority and responsibility for administering the SWRPD Pension Plan.
- (E) The organizational structure of the NYCRPD necessary to implement the Agreement is set forth in the Agreement, the NYCRPD Charter, and the NYCRPD Pension Resolution with all amendments thereto. These enable NYCRPD to administer an Act 600 pension plan and to specifically administer the SWRPD Pension Plan following its transfer to NYCRPD.
- (F) The SWRPD Pension Plan assets shall be transferred and managed by the NYCRPD in accordance with the terms of the Agreement, the NYCRPD Pension Resolution, and all amendments thereto which incorporate the SWRPD Pension Plan as of the date of the transfer.
- (G) No new entity is created under this section, however, NYCRPD has the authority to enter into contracts for policies of group insurance and employee benefits for its employees pursuant to its Charter.

Section 3. Repealer. All Resolutions, or other laws, or parts thereof, which are inconsistent with this Resolution are hereby repealed, including, but not limited to, the Resolution adopted July 1, 2020.


Section 4. Severability. If any section, paragraph, subsection, clause or provision of this Resolution shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Resolution as a whole or any part thereof other than that portion specifically declared invalid.

Section 5. Effective Date. This Resolution shall become effective immediately.

RESOLVED this 5th day of August, 2020, by the Heidelberg Township Board of Supervisors, York County, Pennsylvania.

HEIDELBERG TOWNSHIP

BY:



Timothy Hansen, Chairman

ATTEST:



Norma A. Markle, Secretary

**RESOLUTION AUTHORIZING THE INTERGOVERNMENTAL COOPERATION
AGREEMENT TO TRANSFER ASSETS AND LIABILITIES OF THE
SOUTHWESTERN REGIONAL POLICE DEPARTMENT PENSION PLAN AND SELL
THE SWRPD POLICE BUILDING**

WHEREAS, Southwestern Regional Police Department (“SWRPD”) is an unincorporated, non-profit association established under the Authority of the Act of July 12, 1972, P.L. 180, as amended, 53 P.S. § 481, *et seq.* for the express purpose of providing police services for its member municipalities and is organized pursuant to Articles of Agreement, dated July 17, 2001, and formerly had its police headquarters at 6115 Thoman Drive, Spring Grove, Pennsylvania;

WHEREAS, SWRPD discontinued its operations effective December 31, 2019 and, at that time, its member municipalities were North Codorus Township, Spring Grove Borough, Manheim Township, and Heidelberg Township (collectively, the “SWRPD Municipalities”);

WHEREAS, North Codorus Township is a duly incorporated Township of the Second Class under the laws of the Commonwealth of Pennsylvania and is located in York County with its municipal headquarters at 1986 Stoverstown Road, Spring Grove, Pennsylvania;

WHEREAS, Spring Grove Borough is a duly incorporated Borough under the laws of the Commonwealth of Pennsylvania and is located in York County with its municipal headquarters at 1 Campus Avenue, Spring Grove, Pennsylvania;

WHEREAS, Manheim Township is a duly incorporated Township of the Second Class under the laws of the Commonwealth of Pennsylvania and is located in York County with its municipal headquarters at 5191 Wool Mill Road, Glenville, Pennsylvania;

WHEREAS, the Northern York County Regional Police Commission (“NYCRPD”) is an unincorporated, non-profit association established under the Authority of the Act of July 12, 1972, P.L. 180, as amended, 53 P.S. § 481, *et seq.* for the express purpose of providing police services for its member municipalities and is organized pursuant to the Composite Charter of Northern York County Regional Police Commission, dated January 21, 1986, and has its police headquarters at 1445 East Canal Road, Dover, Pennsylvania;

WHEREAS, SWRPD having discontinued police operations, SWRPD Municipalities North Codorus Township, Manheim Township, and Heidelberg Township have either joined NYCRPD as members or contracted to receive police services from NYCRPD;

WHEREAS, having discontinued police operations, SWRPD has no use for its former police headquarters at 6115 Thoman Drive, Spring Grove, Pennsylvania (the “Building”), which it currently leases to NYCRPD for use as a police sub-station;

WHEREAS, SWRPD and the SWRPD Municipalities desire to sell the Building to NYCRPD and to transfer the assets and liabilities of SWRPD’s Pension Plan to the NYCRPD Pension Fund pursuant to the Intergovernmental Cooperation Agreement by and among NYCRPD, SWRPD, and the SWRPD Municipalities (the “Agreement”), which is annexed as Exhibit A and is incorporated into this Resolution;

WHEREAS, the NYCRPD wishes to purchase the Building and assume the SWRPD Pension Plan assets and liabilities pursuant to the terms of the Agreement; and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Heidelberg Township Board of Supervisors, York County, Pennsylvania, as follows:

Section 1. Authorization of Entry into the Agreement. Heidelberg Township is hereby authorized to contract with NYCRPD, SWRPD, and the other SWRPD Municipalities pursuant to the terms of the Agreement, which is annexed as Exhibit A.

Section 2. Intergovernmental Cooperation Act. As required by the Intergovernmental Cooperation Act, Content of Ordinance or Resolution, 53 Pa.C.S. § 2307, the following matters are expressly specified by this Resolution:

- (A) The conditions of the agreement are set forth in the Agreement, which is annexed as Exhibit A.
- (B) Pursuant to Section 12 of the Agreement, it shall remain in effect until the death of the final surviving beneficiary under the SWRPD Pension Plan or upon any other reason that lawfully disqualifies such surviving beneficiary from receiving any pension benefits.
- (C) The purposes and objectives of the Agreement are for the transfer of the SWRPD Pension Plan assets and liabilities to NYCRPD. SWRPD and the SWRPD Member Municipalities shall be deemed to have delegated their authority and responsibility to administer the SWRPD Police Pension Plan pursuant to the terms of the Agreement.
- (D) Pursuant to the terms of the Agreement, the assets of the SWRPD Pension Plan shall be transferred to the NYCRPD Pension Fund so that it may assume the authority and responsibility for administering the SWRPD Pension Plan.
- (E) The organizational structure of the NYCRPD necessary to implement the Agreement is set forth in the Agreement, the NYCRPD Charter, and the NYCRPD Pension Resolution with all amendments thereto. These enable NYCRPD to administer an Act 600 pension plan and to specifically administer the SWRPD Pension Plan following its transfer to NYCRPD.
- (F) The SWRPD Pension Plan assets shall be transferred and managed by the NYCRPD in accordance with the terms of the Agreement, the NYCRPD Pension Resolution, and all amendments thereto which incorporate the SWRPD Pension Plan as of the date of the transfer.
- (G) No new entity is created under this section, however, NYCRPD has the authority to enter into contracts for policies of group insurance and employee benefits for its employees pursuant to its Charter.

Section 3. Repealer. All Resolutions, or other laws, or parts thereof, which are inconsistent with this Resolutions are hereby repealed.

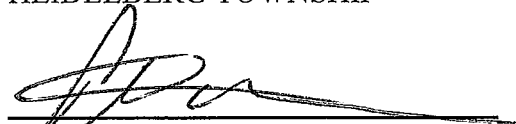
Section 4. Severability. If any section, paragraph, subsection, clause or provision of this Resolution shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Resolution as a whole or any part thereof other than that portion specifically declared invalid.

Section 5. Effective Date. This Resolution shall become effective immediately.

RESOLVED this 1st day of July, 2020, by the Heidelberg Township Board of Supervisors, York County, Pennsylvania.


HEIDELBERG TOWNSHIP

BY:



Timothy Hansen, Chairman

ATTEST:



Norma A. Markle, Secretary

RESOLUTION NO. 20- 07

A RESOLUTION ADOPTING LOCAL PRETREATMENT
DISCHARGE LIMITS FOR DISCHARGERS TO THE PENN
TOWNSHIP WASTEWATER TREATMENT FACILITY.

WHEREAS, the Board of Supervisors of Heidelberg Township, York County, Pennsylvania, hereinafter referred to as the Township, adopted Ordinance No. 08-02 to allow business within the Township to hook up to and to discharge into the public water system established and maintained by Penn Township; and

WHEREAS, the Board of Commissioners of Penn Township, York County, Pennsylvania, enacted Ordinance No. 683 on February 18, 2009, setting pretreatment standards and providing enforcement procedures in conjunction with state and federal laws and regulations; and

WHEREAS, the Township, in accordance with Penn Township, desires to establish specific Local Limits for pollutants of concern relating to discharges to the sewer system in accordance with Section 3.5 of Ordinance No. 683;

NOW, THEREFORE, BE IT RESOVED, by the Board of Supervisors of Heidelberg Township that Maximum Allowable Industrial Loadings (MAIL) for the specified pollutants of concern, as approved by the United States Environmental Protection Agency (EPA), are hereby established as set forth below. These MAILs are developed to protect against pass through and interference, and to protect sludge quality. Individual limitations may be allocated to the Industrial Users as needed through Wastewater Discharge Permits issued to the Industrial Users in accordance with Section 4.3 of Ordinance No. 683.

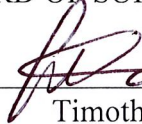
PARAMETER	DAILY MAXIMUM MAIL,LBS/DAY
BOD	8095.5314
Copper	4.7949
Lead	1.0605
Mercury	0.0060
Ammonia	745.1668
Oil & Grease	2887
Phosphorus (T)	255.6125
Silver	1.5707
TSS	7754.4446
Zinc	6.0146

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon adoption and all existing ordinances relating to sewer use and wastewater discharges not in conflict therewith remain in full force and effect.

THIS RESOLUTION is made and adopted this 2ND day of December, 2020.

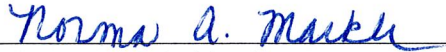
BOARD OF SUPERVISORS OF HEIDELBERG TOWNSHIP

By: _____



Timothy Hansen, Chairman

ATTEST:



Norma A. Markle, Secretary

**HEIDELBERG TOWNSHIP
YORK COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2020-08

**A RESOLUTION OF HEIDELBERG TOWNSHIP, YORK
COUNTY, PENNSYLVANIA, AUTHORIZING THE
INTERGOVERNMENTAL COOPERATION AGREEMENT
TO DISSOLVE THE SOUTHWESTERN REGIONAL
POLICE DEPARTMENT (SWRPD)**

WHEREAS, Southwestern Regional Police Department (“SWRPD”) is an unincorporated, non-profit association established under the Authority of the Act of July 12, 1972, P.L. 180, as amended, 53 P.S. § 481, *et seq.* for the express purpose of providing police services for its member municipalities and is organized pursuant to Articles of Agreement, dated July 17, 2001, and formerly had its police headquarters at 6115 Thoman Drive, Spring Grove, Pennsylvania;

WHEREAS, SWRPD discontinued its operations effective December 31, 2019 and, at that time, its member municipalities were North Codorus Township, Spring Grove Borough, Manheim Township, and Heidelberg Township (collectively, the “SWRPD Municipalities”);

WHEREAS, Spring Grove Borough is a duly incorporated Borough under the laws of the Commonwealth of Pennsylvania and is located in York County with its municipal headquarters at 1 Campus Avenue, Spring Grove, Pennsylvania;

WHEREAS, Manheim Township is a duly incorporated Township of the Second Class under the laws of the Commonwealth of Pennsylvania and is located in York County with its municipal headquarters at 5191 Wool Mill Road, Glenville, Pennsylvania;

WHEREAS, Heidelberg Township is a duly incorporated Township of the Second Class under the laws of the Commonwealth of Pennsylvania and is located in York County with its municipal headquarters at 6424 York Road, Spring Grove, Pennsylvania;

WHEREAS, North Codorus Township is a duly incorporated Township of the Second Class under the laws of the Commonwealth of Pennsylvania and is located in York County with its municipal headquarters at 1986 Stoverstown Rd. Spring Grove, Pennsylvania;

WHEREAS, SWRPD having discontinued police operations, SWRPD Municipalities desire to formally dissolve SWRPD pursuant to the Intergovernmental Cooperation Agreement by and among SWRPD and the SWRPD Municipalities (the “Agreement”), which is annexed as Exhibit A and is incorporated into this Resolution.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Heidelberg Township Board of Supervisors, York County, Pennsylvania, as follows:

Section 1. Authorization of Entry into the Agreement. Heidelberg Township is hereby authorized to contract with SWRPD and the other SWRPD Municipalities pursuant to the terms of the Agreement, which is annexed as Exhibit A.

Section 2. Intergovernmental Cooperation Act. As required by the Intergovernmental Cooperation Act, Content of Ordinance or Resolution, 53 Pa.C.S. § 2307, the following matters are expressly specified by this Resolution:

- (A) The conditions of the agreement are set forth in the Agreement, which is annexed as Exhibit A.
- (B) Pursuant to Section 7 of the Agreement, the Agreement shall remain in effect until the termination of the tail insurance period as set forth in Section 5.a of the Agreement.
- (C) The purposes and objectives of the Agreement are for the dissolution of the SWRPD pursuant to the terms of the Agreement, including to administer any remaining obligations set forth in the Act 111 Award and to provide for the future payment of liability insurance extended beyond the effective date of the Agreement and also for any other unfunded liabilities which arose prior to the effective date of the Agreement.
- (D) Pursuant to Section 5 of the Agreement, the SWRPD Municipalities shall fund the costs of financing the Agreement according to the pro-rata shares as set forth in Section 5.b.ii.
- (E) The organizational structure of the SWRPD necessary to implement the Agreement is set forth in the Agreement. The Agreement sets forth the means by which SWRPD records, files, and financial obligations will be handled subsequent to dissolution.
- (F) The Agreement shall dispose of any SWRPD property (including financial contributions from SWRPD Municipalities) according to the terms of Section 5.
- (G) No new entity is created under this section.

Section 3. Repealer. All Resolutions, or other laws, or parts thereof, which are inconsistent with this Resolutions are hereby repealed.

Section 4. Severability. If any section, paragraph, subsection, clause or provision of this Resolution shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Resolution as a whole or any part thereof other than that portion specifically declared invalid.

Section 5. Effective Date. This Resolution shall become effective immediately.

RESOLVED this 2nd day of December, 2020, by the Heidelberg Township Board of Supervisors, York County, Pennsylvania.

ATTEST:

HEIDELBERG TOWNSHIP
BOARD OF SUPERVISORS

By: Norma A. Markle
Norma A. Markle, Secretary

12-02-20

(Seal)

By: [Signature]
Timothy Hansen, Chairman

By: [Signature]
Matthew Bollinger, Supervisor

By: [Signature]
Paul King, Supervisor