

**KENNETT TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA**

**RESOLUTION NO. 2020-7**

**A RESOLUTION OF KENNETT TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, APPROVING AND AUTHORIZING THE TOWNSHIP TO ENTER INTO A COOPERATIVE POLICE MUTUAL AID AGREEMENT WITH OXFORD BOROUGH, KENNETT SQUARE BOROUGH, AND THE SOUTHERN CHESTER COUNTY REGIONAL POLICE DEPARTMENT FOR POLICE SERVICES DURING A DECLARATION OF DISASTER EMERGENCY; REPEALING ALL INCONSISTENT RESOLUTIONS OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

***WHEREAS***, effective as of March 6, 2020, there were presumed positive cases of Coronavirus (COVID-19) confirmed in the Commonwealth of Pennsylvania which led to a Proclamation of Disaster Emergency issued by the Governor of Pennsylvania, Tom Wolf; and

***WHEREAS***, pursuant to the provisions of §7501 of the Pennsylvania Emergency Management Services Code, (35 Pa C.S. §7101 et seq.), the Board of Supervisors of Kennett Township issued a Declaration of Local State of Disaster Emergency (the “Declaration”) declaring the existence of a local disaster emergency in Kennett Township, Chester County, effective as of March 13, 2020, which was thereafter extended by Resolution of the Board of Supervisors of Kennett Township on March 24, 2020, until further action by the Board; and

***WHEREAS***, COVID-19 presents the possibility of spreading both nationwide and within Kennett Township, Chester County, and, therefore, threatens to create substantial public health, medical, and emergency response burdens within Kennett Township, Chester County; and

***WHEREAS***, immediate proactive emergency management measures are required to mitigate and reduce the severity of this public health emergency for purposes of protecting the health, safety and welfare of residents of Kennett Township, Chester County; and

***WHEREAS***, the effect of the Declaration was to activate the response and recovery aspects of any and all applicable local emergency management plans and to authorize the furnishing of aid and assistance thereunder; and

***WHEREAS***, pursuant to the provisions of the Intergovernmental Cooperation Act, the Act of December 19, 1996, P. L. 1158 No. 177 (53 Pa. C.S.A. §2301, et seq.), local governments may enter into intergovernmental cooperation agreements for the purpose of cooperatively performing intergovernmental powers and duties; and

***WHEREAS***, pursuant to the authority set forth in 42 Pa.C.S. §8953 entitled Statewide Municipal Police Jurisdiction, subsection (e) (relating to police service agreements), 53 Pa.C.S. §2303 of

the General Local Government Code (relating to intergovernmental cooperation authorized), 35 Pa.C.S. §7503 of the Emergency Services Management Code (relating to powers and duties of political subdivisions), and 53 Pa.C.S. §§1903 and 1904 of the Second Class Township Code (relating to contracts to secure and provide police services), the Board of Supervisors desires to enter into an inter-municipal cooperation agreement with Oxford Borough, Kennett Square Borough, and the Southern Chester County Regional Police Department for the purpose of mutual police and emergency protection.

***NOW, THEREFORE***, be it, and it is hereby ***RESOLVED***, by the Board of Supervisors of Kennett Township, and it is hereby ***ADOPTED*** and ***RESOLVED*** by authority of same as follows:

A. As required by the provisions of 53 Pa. C.S. §2307, the Board of Supervisors states as follows:

1. Intergovernmental Cooperation Agreement - The covenants, terms and conditions of the Cooperative Police Mutual Aid Agreement (“Agreement”), attached hereto as Exhibit "A," are hereby incorporated herein by reference.
2. Duration of Agreement – This Agreement is intended to remain in place for the duration of time that the Parties thereto remain under a Declaration of State of Emergency, unless and until terminated.
3. Purpose and Objectives of the Agreement - The purpose of the Agreement is to provide for mutual police and emergency protection under the terms set forth in the Agreement.
4. Manner and Extent of Financing the Agreement – As set forth in paragraph 1(a) of the Agreement, the police officers shall remain employees of the municipality by which they are employed. Accordingly, satisfying all of the terms and conditions of employment (including wages, benefits, disability and liability insurance purposes) shall remain the responsibility of the employing municipality.
5. Organizational Structure Necessary to Implement the Agreement - No new organizational structure is necessary to implement the Agreement.
6. The Manner in which Real or Personal Property shall be Acquired, Managed, Licensed or Disposed of – The Agreement does not contemplate the acquisition, management, license or disposition of real or personal property.

B. The Board of Supervisors authorizes the Chairman of the Board of Supervisors and the Township Manager to execute the Agreement on the Township’s behalf.

C. All resolutions or parts thereof inconsistent with this Resolution are hereby repealed to the extent of the inconsistency.

D. This Resolution is declared to be severable. If any provision of this Resolution is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Resolution.

E. This Resolution shall become effective immediately upon its legal adoption.

**ADOPTED** and **RESOLVED** this 2<sup>nd</sup> day of September, 2020.

**ATTEST:**

**BOARD OF SUPERVISORS OF  
KENNETT TOWNSHIP**

\_\_\_\_\_  
Eden Ratliff, Manager

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Richard L. Leff, Chairman

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Whitney S. Hoffman, Vice-Chair

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Scudder G. Stevens, Member

**KENNETT TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA**

**RESOLUTION NO. 2020-6**

**A RESOLUTION OF KENNETT TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, APPROVING AND AUTHORIZING THE TOWNSHIP TO ENTER INTO A COOPERATIVE POLICE MUTUAL AID AGREEMENT WITH OXFORD BOROUGH, KENNETT SQUARE BOROUGH, AND THE SOUTHERN CHESTER COUNTY REGIONAL POLICE DEPARTMENT FOR POLICE SERVICES DURING A DECLARATION OF DISASTER EMERGENCY; REPEALING ALL INCONSISTENT RESOLUTIONS OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE**

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***WHEREAS***, COVID-19 presents the possibility of spreading both nationwide and within Kennett Township, Chester County, and, therefore, threatens to create substantial public health, medical, and emergency response burdens within Kennett Township, Chester County; and

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***WHEREAS***, the effect of the Declaration was to activate the response and recovery aspects of any and all applicable local emergency management plans and to authorize the furnishing of aid and assistance thereunder; and

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- B. The Board of Supervisors authorizes the Chairman of the Board of Supervisors and the Township Manager to execute the Agreement on the Township’s behalf.

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D. This Resolution is declared to be severable. If any provision of this Resolution is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Resolution.

E. This Resolution shall become effective immediately upon its legal adoption.

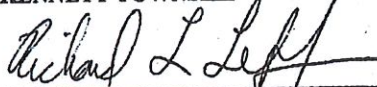
**ADOPTED and RESOLVED** this 6th day of May, 2020.

**ATTEST:**

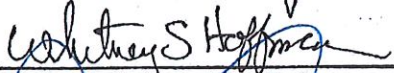


Eden Ratliff, Manager

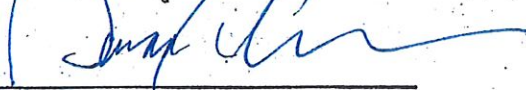
**BOARD OF SUPERVISORS OF  
KENNETT TOWNSHIP**



Richard L. Leff, Chairman



Whitney S. Hoffman, Vice-Chair



Scudder G. Stevens, Member