

FOSTER TOWNSHIP ORDINANCE NO. 7 of 2021
AN ORDINANCE ADOPTING AN INTERGOVERNMENTAL COOPERATION
AGREEMENT BETWEEN FOSTER TOWNSHIP AND WHITE HAVEN BOROUGH

WHEREAS, White Haven Borough, a political subdivision of the Commonwealth of Pennsylvania, has an existing police department, which is sufficiently manned and equipped to properly provide police service to Foster Township;

WHEREAS, Foster Township is a municipality and political subdivision located in Luzerne County, Pennsylvania.

WHEREAS, Foster Township has requested that White Haven Borough provide police protection for Foster Township;

WHEREAS, White Haven Borough is willing to provide and Foster Township is willing to accept police protection services from the White Haven Borough Police Department.

WHEREAS, Foster Township desires to enter into a formal agreement with White Haven Borough for the use, through its territorial limits, of the service of police officers employed by White Haven Borough under the Municipal Police Jurisdiction Law, 42 Pa. C.S.A. §8951, et seq. and the Intergovernmental Cooperation Law, 53 Pa. C.S.A. §2301, et seq. and 42 Pa. C.S. §8953.

WHEREAS, The Pennsylvania Second Class Township Code, Section 1507, authorizes Foster Township to enter into this Intermunicipal Cooperation Agreement regarding police protection.

WHEREAS, The Pennsylvania Borough Code, Section 1122, authorizes White Haven Borough to enter into this Intermunicipal Cooperation Agreement regarding police protection.

WHEREAS, White Haven Borough is willing to provide and Foster Township is willing to accept police protection services from the Borough of White Haven Police Department under the terms and conditions of an Agreement to Provide Police Protection which is adopted herein by reference thereto.

WHEREAS, Foster Township does hereby approve entering into an Intergovernmental Cooperation Agreement with White Haven Borough and authorizes White Haven Borough's Police Department to have jurisdiction throughout Foster Township, Luzerne County, Pennsylvania, for the purposes of providing police protection as contained in the Agreement to Provide Police Protection. A duly certified copy of this Ordinance and an executed Contract shall be filed with the Office of the Township Secretary and the Borough Manager.

WHEREAS, The Chairperson of the Foster Township Board of Supervisors is hereby authorized and directed on behalf of Foster Township to execute and deliver the Agreement to

Provide Police Protection to White Haven Borough and do all things necessary to effectuate the terms of the Agreement to Provide Police Protection.

WHEREAS, If any sentence, clause, phrase or section of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, phrases, sections or parts of this Ordinance. It is hereby declared as the intention of the Board of Supervisors of Foster Township that this Ordinance would have been adopted had such unconditional, illegal or invalid sentence, clause, phrase, section or part thereof not been included therein.

WHEREAS, Any other ordinances or parts of ordinances inconsistent with this Ordinance are hereby expressly repealed

NOW, therefore, at a duly advertised meeting of the Board of Supervisors of Foster Township, it is hereby ordained that:

Foster Township hereby enters into an intergovernmental cooperation agreement with White Haven Borough and authorizes the White Haven Borough Police to provide police protection to Foster Township as more fully described in "Exhibit A". Foster Township hereby adopts the terms and provisions of the Intergovernmental Cooperation Agreement attached hereto as Exhibit "A".

DULY ORDAINED, this 10th day of February, 2021, at a duly advertised meeting of the Board of Supervisors of Foster Township.

FOSTER TOWNSHIP SUPERVISORS

By: Gerald J. Brogan
Gerald Brogan, Chairman

By: John Pavuk
John Pavuk, Vice Chairman

By: Georgiann Eckrote-Jones
Georgiann Eckrote-Jones, Sec./Treas.

