

EXETER TOWNSHIP, BERKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 2023 - 865

AN ORDINANCE OF THE TOWNSHIP OF EXETER, BERKS COUNTY, PENNSYLVANIA, AUTHORIZING THE PARTICIPATION OF EXETER TOWNSHIP IN THE SUSQUEHANNA MUNICIPAL TRUST IN ACCORDANCE WITH THE WORKERS' COMPENSATION ACT AND THE PENNSYLVANIA INTER-GOVERNMENTAL COOPERATION LAW

WHEREAS, the Pennsylvania Intergovernmental Cooperation Law, 53 Pa.C.S. §§ 2301 *et seq.*, authorizes Exeter Township ("Township") to enter into intergovernmental cooperation agreements; and

WHEREAS, the Exeter Township Board of Supervisors ("Board") desires to enter into an intergovernmental cooperation agreement with the Susquehanna Municipal Trust ("Trust") for the purpose of providing workers' compensation coverage.

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

SECTION 1. The Board hereby approves entering into the agreement, a copy of which is attached hereto and incorporated herein by reference, with the intent and effect that the Township shall be bound by the agreement and shall join and participate in the Trust.

SECTION 2. The Township Manager (or his or her designee) is hereby authorized and directed on behalf of the Township to (1) execute and deliver the agreement; and (2) execute and deliver such additional instruments, and to take such further actions, as may be necessary or appropriate to carry forth the agreement and the transactions to be effected under the agreement, including payment to the Trust of such amounts as are due by the Township pursuant to the agreement.

SECTION 3. The Township Manager is hereby authorized to take any and all such other action as may be necessary or appropriate to carry out the purposes of the agreement.

SECTION 4. As required by the Pennsylvania Intergovernmental Cooperation Act, the following matters are specifically found and determined:

- A. The conditions of the agreement are set forth in the agreement.
- B. The Township shall participate in the trust for a minimum initial term of two years as set forth in the agreement.
- C. The purpose and objectives of the agreement are as set forth in the preamble of this article and in the agreement;

D. The manner and extent of financing the agreement are that:

- (1) No borrowing will be required by the Township;
- (2) Funds to implement the Township's obligations under the agreement shall come from normal and usual budgeted amounts for such matters; and
- (3) Other provisions governing the manner and extent of the financing of the trust shall be as set forth in the agreement;

E. The Trust shall be managed by its own Plan Committee and Board of Trustees pursuant to the terms of the agreement;

F. All property, real or personal, of the trust shall be acquired, managed, licensed or disposed of by the trust in accordance with the terms of the agreement; and

G. The trust created by the agreement shall be empowered to enter into contracts for policies of group insurance and employee benefits, including social security, pursuant to the terms of the agreement.

SECTION 2. REPEAL OF ORDINANCES

Any ordinance or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed in so far as they are inconsistent with this Ordinance's provisions.

SECTION 3. SEVERABILITY

If any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance, is, for any reason declared to be illegal, unconstitutional or invalid, by any Court of competent jurisdiction, this decision shall not affect or impair the validity of the Ordinance as a whole, or any other article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase, word or remaining portion of the within Ordinance. The Board of Supervisors of the Township of Exeter, Pennsylvania hereby declares that it would have adopted the within Ordinance and each article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase and word thereof, irrespective of the limitations, restrictions, sentences, clauses, phrases, or word that may be declared illegal, unconstitutional or invalid.

SECTION 4. EFFECTIVE DATE

This Ordinance shall become effective at the earliest date permitted by law.

SECTION 5. CODE OF ORDINANCES

The Code of Ordinances of Exeter Township shall be and remain unchanged and in full force and effect except as amended, supplemented, and modified by this Ordinance. This Ordinance shall become a part of the Code of Ordinances of Exeter Township upon enactment.

DULY ORDAINED and ENACTED as an Ordinance this 26 day of December, 2023.

BOARD OF SUPERVISORS OF
EXETER TOWNSHIP, BERKS COUNTY, PENNSYLVANIA

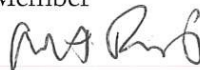


Chairman

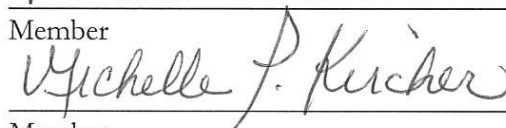


Vice Chairman

Member



Member



Member

ATTEST:



Secretary



CERTIFICATE OF ENACTMENT

I hereby certify that the foregoing is a true and accurate copy of Ordinance No. 2023-865
adopted by the Board of Supervisors of Exeter Township, Berks County, Pennsylvania at a regular
meeting held on December 26, 2023, pursuant to notice as required by law.

Dated: December 26, 2023

Michelle J. Kircher
Exeter Township Secretary