

RESOLUTION 410

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF PULASKI TO PARTICIPATE IN MUTUAL AID AGREEMENT AND AGREE TO PROVIDE WINTER ROAD MAINTENANCE, UPON REQUEST, TO DAUGHERTY TOWNSHIP, FALLSTON BOROUGH, AND NEW BRIGHTON BOROUGH DURING THE COVID-19 DISASTER EMERGENCY.

WHEREAS, the Township of Pulaski has equipment, manpower, and the experience necessary to provide winter road maintenance, upon request, to Daugherty Township, Fallston Borough, and New Brighton Borough during the COVID-19 disaster emergency; and

WHEREAS, the Pennsylvania Area Government and Intergovernmental Cooperation Act, 1996, Dec. 19, P.L. 1158, No. 177 (53 Pa. C.S.A. §2301 et seq.), provides that a municipality, only by an act of its governing body, may cooperate or agree in the exercise of any function, power, or responsibility with one or more other local governments; and

WHEREAS, the Pennsylvania Area Government and Intergovernmental Cooperation Act, further states that a local government may enter into intergovernmental cooperation only upon the passage of an ordinance or resolution by its governing body; and

WHEREAS, the Pulaski Township Board of Supervisors believes it is in the best interest of Pulaski Township, and all participants collaborating in the agreement, to maintain and provide the best possible services to their respective constituents during the disaster emergency; and

WHEREAS, Pulaski Township agrees to invoice, per snow event, for the winter road maintenance services provided by the Pulaski Public Works Department to any requesting municipalities at the rate established by the Township's fee schedule resolution and will list the equipment, hours operated, and road salt used on the invoice.

WHEREAS, Pulaski Township agrees to be reimbursed the full amount of staff, equipment, and materials required for winter road maintenance services to Daugherty Township, Fallston Borough, and New Brighton Borough within thirty (30) days from the date of invoice.

NOW THEREFORE, BE IT RESOLVED, in consideration of the foregoing and the terms and conditions hereof, the Township of Pulaski agrees to the following procedures concerning the removal of snow for Daugherty Township, Fallston Borough, and New Brighton Borough:

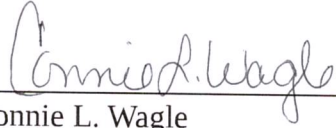
1. Pulaski Township shall provide the equipment, manpower, and materials necessary to clear snow from the streets in Daugherty Township, Fallston Borough, or New Brighton Borough whenever the severity of a snow event and/or manpower limitations generates the need for assistance. The determination of the number of vehicles and equipment to be utilized and the manpower necessary to operate the same shall be at the discretion of Pulaski Township.
2. It is the intent of all parties involved that winter road maintenance shall be accomplished only following the clearing of priority roadways within their own municipalities first and then rendering assistance to a neighboring municipality.

3. Any personnel providing winter road maintenance services shall remain an employee of their respective municipality and shall not be considered an employee of the municipality requesting aid.
4. Each party acknowledges that they have adequate liability insurance coverage and agree to indemnify the other for any and all negligence that may be determined to have resulted from their conduct in carrying out the terms and conditions of this agreement.
5. This agreement shall be in effect from December 16, 2020 until April 30, 2021, unless renewed by agreement of the parties in writing.
6. This written resolution constitutes the entire agreement of the parties and any and all conversations or understandings between the parties concerning the subject matter of this agreement are merged herein unless this agreement is modified in writing and signed by the parties.

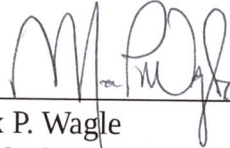
ADOPTED this 11th day of January, 2021.

TOWNSHIP OF PULASKI

ATTEST:



Connie L. Wagle
Township Secretary



Mark P. Wagle
Board of Supervisors Chair