

TOWNSHIP OF NORTH LEBANON

Lebanon County, Pennsylvania

ORDINANCE NO. 3-2024

AN ORDINANCE AUTHORIZING THE TOWNSHIPS OF NORTH CORNWALL AND NORTH LEBANON, BOTH OF LEBANON COUNTY, PENNSYLVANIA, TO ENTER INTO AN INTERMUNICIPAL CHARTER AGREEMENT TO PROVIDE FOR THE FORMATION OF THE LEBANON COUNTY REGIONAL POLICE DEPARTMENT AND THE LEBANON COUNTY REGIONAL POLICE COMMISSION.

WHEREAS, North Cornwall Township (“North Cornwall”) and North Lebanon Township (“North Lebanon”) (collectively the “Municipalities”) are townships of the second class located within Lebanon County; and

WHEREAS, North Cornwall and North Lebanon each have a police department; and

WHEREAS, representatives of North Cornwall and North Lebanon have undertaken a study to determine the feasibility of forming a regional police department; and

WHEREAS, the Intergovernmental Cooperation Act, 53 Pa C.S. §2301 et seq., permits municipalities to enter into agreements to cooperate in the performance of their respective functions, powers or responsibilities; and

WHEREAS, North Cornwall and North Lebanon desire to enter into an agreement (the “Charter Agreement”) whereby they will provide for the formation of the Lebanon County Regional Police Department (“Regional Department”) and the Lebanon County Regional Police Commission (“Commission”); and

WHEREAS, the Intergovernmental Cooperation Act provides that any joint cooperation agreement shall be deemed in force as to any municipality when the same has been adopted by ordinance or resolution by all cooperating municipalities; and

WHEREAS, the Municipalities desire to enact such an ordinance.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of North Lebanon, Lebanon County, Pennsylvania, as follows:

Section 1. The caption of and recitals to this Ordinance as set forth above are incorporated herein by reference and made a substantive part hereof.

Section 2. This Municipality agrees that North Cornwall and North Lebanon shall join with each other in accordance with the Pennsylvania Intergovernmental Cooperation Act by entering into the Charter Agreement which is adopted by reference with the same effect as if it had been set out verbatim in this Section and a copy of which shall be filed with the minutes of the meeting at which this Ordinance is enacted.

Section 3. This Municipality is authorized to enter into the Charter Agreement for the purposes contained therein. This action is to be taken by the officials or employees of North Lebanon Township designated for this purpose, pursuant to general or specific instructions issued by the Board of Supervisors.

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

A. The conditions of the agreement are set forth in the Charter Agreement referred to in Section 2.

B. The initial term of the Charter Agreement shall commence on the date of execution of the Charter Agreement by the Municipalities and shall end on December 31, of the fifth year after the Regional Department becomes operational unless a Municipality withdraws before the Regional Department becomes operational. Thereafter, the Charter Agreement shall renew automatically from year to year unless dissolved. A Municipality may withdraw after the initial five year term by providing 24 months' notice. Additional terms related or renewal or withdrawal are contained in the Charter Agreement which is incorporated by reference herein.

C. The purposes and objectives of the Charter Agreement are to provide for the formation of the Commission which shall be the governing body of the Regional Department and to establish the Regional Department, a regional police department which will provide police protective services to a single police district, which includes the area of North Cornwall and North Lebanon.

D. The Municipalities shall each contribute the cash necessary and appropriate to fund initial working capital and acquisition or leasing of assets required to operate the Regional Department. Determination of these amounts shall be made by mutual agreement of North Cornwall and North Lebanon. After formation of the Regional Department, all costs of the Regional Department for police services shall be apportioned to each Municipality on an equal basis.

E. A new organizational structure, the Commission, will be formed by the Charter Agreement. The Commission shall be the governing body of the Regional Department. The Commission shall initially consist of two representatives from North Cornwall, and two representatives from North Lebanon.

F. The Commission shall have the authority to lease, sell, and purchase real estate and personal property as set forth in the Charter Agreement.

G. The Commission shall have the power to enter into contracts for policies of insurance or other employee benefits, including a pension fund as set forth in the Charter Agreement.

Section 5. Following the approval and execution of the Charter Agreement by the Municipalities, the Municipalities, except as otherwise provided in the Charter Agreement or required by law, may from time to time amend the Charter Agreement by resolution.

Section 6. In the event any provision, section, sentence, clause, or part of this Ordinance shall be held to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such invalidity, illegality, or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Ordinance, it being the intent of the Board of Supervisors that the remainder of the Ordinance shall be and shall remain in full force and effect.

Section 7. This Ordinance shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of the Township of North Lebanon as provided by law.

DULY ORDAINED AND ENACTED this 9th day of July, 2024, by the Board of Supervisors of the Township of North Lebanon, Lebanon County, Pennsylvania, in lawful session duly assembled.

BOARD OF SUPERVISORS OF
NORTH LEBANON TOWNSHIP
Lebanon County, Pennsylvania

Attest: Lori A. Books
Lori A. Books, Secretary

By: _____
Edward A. Brensinger, Chairman

[TOWNSHIP SEAL]

Gary R. Heisey
Gary R. Heisey, Vice Chairman

Arden A. Snook, Sr.
Arden A. Snook, Sr., Treasurer