

**SPRING GARDEN TOWNSHIP  
YORK COUNTY, PENNSYLVANIA**

**RESOLUTION # 2024-05**

**York Area United Fire and Rescue Property Purchase Agreement**

**WHEREAS**, the **Township of Spring Garden**, York County, Pennsylvania ("**Spring Garden**") is a township of the first class and is a Charter Municipality of the York Area United Fire and Rescue, an unincorporated association formed under the Intergovernmental Cooperation Act of the Commonwealth of Pennsylvania, 53 Pa.C.S.A. § 2301, et seq., pursuant to action of Spring Garden, the Township of Manchester, York County, Pennsylvania and the Township of Springettsbury, York County, Pennsylvania (collectively, the "**Charter Municipalities**") pursuant to the York Area United Fire & Rescue Charter Agreement, adopted on September 6, 2007, as amended on March 12, 2008, January 1, 2014 and January 17, 2017 (the "**Charter Agreement**"); and

**WHEREAS**, pursuant to Charter Agreement, the governing body of YAUFRR (the "Governing Body") is authorized to lease, sell, and purchase personal property; and

**WHEREAS**, the Governing Body of YAUFRR has determined that it is necessary and advisable to purchase the following property: **2 Pierce Enforcer Custom Pumpers, a Pierce Enforcer Walk-In Heavy Duty Rescue, and a Sutphen Platform** (the "**Purchased Property**"); and

**WHEREAS**, YAUFRR has determined that the costs of the Purchased Property, along with additional equipment for the Purchased Property, to be **\$5,655,590.52**; and

**WHEREAS**, YAUFRR has adopted a Resolution expressing its desire to enter into a Purchase Agreement (the "**Sutphen Agreement**") with Sutphen Corporation ("**Sutphen**") to purchase the Sutphen Platform in accordance with the Purchase Agreement attached hereto as Exhibit "A" and a Purchase Agreement (the "**Glick Agreement**") with Glick Fire Equipment Company, Inc. ("**Glick**") to purchase the 2 Pierce Enforcer Custom Pumpers and the Pierce Enforcer Walk-In Heavy Duty Rescue in accordance with the Purchase Agreement attached hereto as Exhibit "B"; and

**WHEREAS**, in accordance with the Charter Agreement, any purchase that will require the allocation of funds beyond the current fiscal year shall require seventy-five (75%) percent of the Charter Municipalities to approve by Resolution the financing transaction; and

**WHEREAS**, the Board of Commissioners of Spring Garden Township hereby adopts this Resolution in support of the Sutphen Agreement and Glick Agreement (the "Purchase Agreements") as required by the Charter Agreement.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of Spring Garden Township as follows:

1. The Purchased Property. Spring Garden Township hereby authorizes and approves the acquisition of the Purchased Property and does hereby ratify and confirm all action heretofore taken by officers of YAUFRR and others pursuant to direction of YAUFRR in proceeding with the acquisition of the Purchased Property. Upon the approval of seventy-five (75%) percent of the Charter Municipalities, YAUFRR shall proceed with the acquisition of the Purchased Property in accordance with the Purchase Agreements.

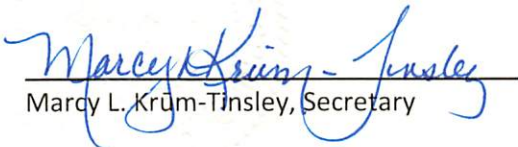


2. Authorization and Approval of the Purchase Agreements. The Purchase Agreements, hereafter, including in such defined term all related documents therewith, each document substantially in the form presented at this meeting, are approved together with such changes as may be approved by the officers of YAUFRR executing the same, their execution to be deemed conclusive evidence of such approval.
3. General Authorization. Proper officers and officials of YAUFRR are authorized and directed to execute and deliver such documents (in addition to documents hereinbefore mentioned) and do such things as are required in connection with undertaking of the acquisition of the Purchased Property, including payment of costs and expenses incurred in connection therewith, and as otherwise may be required to carry out the intent and purpose of this Resolution.
4. Specific Authorization. The Authorization to enter into the Purchase Agreements set forth herein shall only become effective upon seventy-five (75%) percent of the Charter Municipalities adopting a Resolution authorizing the same.
5. Budget Approval. Upon approval of the annual YAUFRR budget that includes appropriations for Purchase Agreement payments, Spring Garden Township acknowledges its obligation to make funding payments to YAUFRR in accordance with the Charter Agreement; and
6. Appropriation. Spring Garden Township, by the adoption of this Resolution is not guaranteeing or agreeing to pay directly any Purchase Agreement payment or other obligation of any nature or kind under the Purchase Agreements and acknowledges that YAUFRR's obligation to make such payments is subject to an annual appropriation.
7. Effective Date. This Resolution shall become effective immediately.
8. Severability. In the event any provisions, section, sentence, clause or part of this Resolution shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of Spring Garden Township that such remainder shall be and shall remain in force and effect.
9. Repealer. All resolutions or parts of resolutions inconsistent herewith are expressly repealed to the extent of such inconsistencies.

**DULY ADOPTED**, by the Board of Commissioners of Spring Garden Township, this 10<sup>th</sup> day of April, 2024.

**ATTEST:**

**BOARD OF COMMISSIONERS  
SPRING GARDEN TOWNSHIP**

  
 Marcy L. Krum-Tinsley, Secretary

  
 Daniel E. Rooney, President Commissioner

