

TULPEHOCKEN TOWNSHIP, BERKS COUNTY, PENNSYLVANIA

RESOLUTION NO. 2013- 5

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF TULPEHOCKEN, BERKS COUNTY, PENNSYLVANIA, AUTHORIZING MEMBERS OF RESCUE FIRE COMPANY OF MOUNT AETNA AND KEYSTONE FIRE COMPANY OF REHRERSBURG TO PARTICIPATE IN ANCILLARY ACTIVITIES IN TULPEHOCKEN TOWNSHIP.

WHEREAS, Rescue Fire Company of Mount Aetna (“Mt. Aetna Fire Company”) is recognized as an official fire company for Tulpehocken Township, Berks County, Pennsylvania; and

WHEREAS, Keystone Fire Company of Rehrersburg (“Rehrersburg Fire Company”) is recognized as an official fire company for Tulpehocken Township, Berks County, Pennsylvania; and

WHEREAS, volunteer fire companies may only participate in ancillary activities or duties after obtaining the written approval of the municipality following official action by the governing body granting such approval; and

WHEREAS, pursuant to Pennsylvania law for a member of a fire company to be eligible for Workers’ Compensation or other statutory benefits while participating in ancillary activities both in the municipality which it serves as the official fire company and other municipalities, the members of the fire company must be authorized to so participate by the governing body of the municipality which it serves as an official fire company; and

WHEREAS, the Board of Supervisors of Tulpehocken Township desires to authorize members of the Mt. Aetna and Rehrersburg Fire Companies to participate in ancillary activities in Tulpehocken Township including fundraising, non-firefighting activities, and providing non-emergency fire police assistance; and

WHEREAS, the Board of Supervisors desires to authorize participation in ancillary activities by members of the Mt. Aetna and Rehrersburg Fire Companies in Tulpehocken Township on a global basis rather than activity by activity; and

WHEREAS, in globally authorizing the participation in ancillary activities by members of the Mt. Aetna and Rehrersburg Fire Companies, the Board of Supervisors desires the members of the Fire Companies to submit a monthly report of such activities to the Board of Supervisors; and

WHEREAS, the Board of Supervisors desires the members of the Mt. Aetna and Rehrersburg Fire Companies to obtain authorization from the Board for each ancillary firefighting activity that occurs outside of Tulpehocken Township; and

WHEREAS, the Board of Supervisors of Tulpehocken Township recognizes that by authorizing members of the Mt. Aetna and Rehrersburg Fire Companies to participate in ancillary activities in Tulpehocken Township that the Township will be responsible for Workers' Compensation or other statutory benefit to which they may be entitled should a member of the Fire Companies be injured while participating in the ancillary activities.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of Tulpehocken Township, Berks County, Pennsylvania that that the members of the Mt. Aetna and Rehrersburg Fire Companies are hereby authorized to engage in ancillary activities of firefighting including fundraising, non-firefighting activities and providing non-emergency fire police assistance in Tulpehocken Township as authorized by an officer of the Fire Company.

FURTHER RESOLVED, that the members of the Mt. Aetna and Rehrersburg Fire Companies shall submit a monthly report to the Board of Supervisors of their participation in ancillary activities in the Township.

FURTHER RESOLVED, that the Chairman of the Board of Supervisors is authorized to execute documentation authorizing participation by members of the Mt. Aetna and Rehrersburg Fire Companies in ancillary activities in Tulpehocken Township.

FURTHER RESOLVED, that the authorization provided for herein shall expire upon commencement of the Board of Supervisors next reorganizational meeting at which time if the Board finds it appropriate to continue the authorization for members of the Mt. Aetna and Rehrersburg Fire Companies to participate in ancillary activities in Tulpehocken Township, the Board may extend the effectiveness of this Resolution by providing such authorization.

FURTHER RESOLVED, that the members of the Mt. Aetna and Rehrersburg Fire Companies shall obtain approval from the Board of Supervisors at duly authorized Board of Supervisors public meeting prior to participating in ancillary activities outside of Tulpehocken Township.

FURTHER RESOLVED, that if any provision, sentence, clause, section, or part of this Resolution shall for any reason be found to be unconstitutional, illegal or invalid, such determination shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution, and it is hereby declared to be the intent of the Board of Supervisors of Tulpehocken Township that this Resolution would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part not been included herein.

FURTHER RESOLVED, that all Resolutions or parts of Resolutions inconsistent with this Resolution are hereby superseded.

FURTHER RESOLVED, that this Resolution shall be effective immediately.

IN WITNESS WHEREOF, the Board of Supervisors of Tulpehocken Township has adopted this Resolution in lawful session this 10th day of June, 2013.

BOARD OF SUPERVISORS OF TULPEHOCKEN
TOWNSHIP, BERKS COUNTY, PENNSYLVANIA

Gay A. Dech
Chairman

John C. Zimmerman
Member

Richard A. Kramer
Member

Attest: Kathy Boetz
Secretary

CERTIFICATE

I hereby certify that the foregoing is a true and accurate copy of a Resolution of the Board of Supervisors of Tulpehocken Township, Berks County, Pennsylvania, which was fully adopted at a public meeting held pursuant to notice as required by law on the 10th day of June, 2013.

Wendy Boetz
Secretary of Tulpehocken Township

Dated: June 10, 2013