

**RESOLUTION RECOGNIZING AUTHORITY OF VOLUNTEER FIRE COMPANIES TO SEEK REIMBURSEMENT FOR HAZARDOUS ABATEMENT MATERIAL, ENVIRONMENTAL INCIDENTS AND FIRE, SAFETY AND RESCUE RESPONSES**

**RESOLUTION NO. 2000-4**

**WHEREAS**, Tulpehocken Township, Berks County, Pennsylvania (hereafter "Township") has recognized and designated the Rehrersburg and the Mt. Aetna Fire Companies (hereafter "Volunteer Fire Companies") as designated fire companies for the Township of Tulpehocken; and

**WHEREAS**, said Volunteer Fire Companies respond to hazardous material incidents, environmental incidents, fire, safety and rescue incidents; and

**WHEREAS**, such responses are either directly, via 911 response, or in coordination with county and local emergency management agencies; and

**WHEREAS**, said responses on occasion involve the use of hazardous material abatement equipment as well as hazardous abatement materials; and

**WHEREAS**, it is the intention of the Township to recognize the authority of the Volunteer Fire Companies to seek collection and reimbursement for the reasonable costs of responding to such incidents, either directly or in coordination with county and local emergency management agencies;

**NOW THEREFORE, BE IT RESOLVED**, this 13<sup>th</sup> day of MARCH, 2000, by the Board of Supervisors of Tulpehocken Township, Berks County, Pennsylvania, as follows:

1. The Board of Supervisors of the Township of Tulpehocken, by and through their authority and relationship with the aforementioned Volunteer Fire

Companies, hereby recognizes the authority and authorizes the Volunteer Fire Companies to recover the reasonable costs of fire fighting materials, equipment, personnel hours and hazardous abatement materials involving any hazardous material incident, or fire, safety and rescue incident or operation, including vehicular accidents.

2. Said reasonable costs as outlined above may be recovered directly by the Volunteer Fire Companies, or through the Township with consent of the Board of Supervisors, or through a third (3<sup>rd</sup>) party billing service engaged by the Volunteer Fire Companies as an authorized agent for the collection of said reasonable costs. The utilization of a third (3<sup>rd</sup>) party billing service shall be for those situations deemed by a duly engaged third (3<sup>rd</sup>) party billing service as appropriate for collections through such a service.


3. In addition to the aforementioned reasonable costs, the Volunteer Fire Companies, Township of Tulpehocken, and a duly engaged third (3<sup>rd</sup>) party billing service, shall be authorized to collect reasonable interest, as well as a reasonable administrative fee for collecting the same and any and all additional fees as may be authorized by the Hazardous Material and Emergency Planning and Response Act or authorized by any other statute, case law or common law.

Resolution enacted by the Board of Supervisors of the Township of Tulpehocken, Berks County, Pennsylvania at a regular meeting on the 13<sup>th</sup> day of March 2000.

TULPEHOCKEN TOWNSHIP

ATTEST:

  
TOWNSHIP SECRETARY

  
CHAIRMAN, BOARD OF SUPERVISORS