



BOROUGH OF TARENTUM

Allegheny County, Pennsylvania



ORDINANCE #23-02

AN ORDINANCE OF THE BOROUGH OF TARENTUM AUTHORIZING THE BOROUGH TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT FOR POLICE PROTECTION AND RELATED SERVICES

WHEREAS, the Borough of Brackenridge (“Brackenridge”) historically has maintained a full-time police department; and

WHEREAS, the Borough of Tarentum (“Tarentum”) also maintains a full-time police department, the individual members of which have received all of the requisite training, as required by statute, and possess the appropriate certifications, for protecting the safety and welfare of Tarentum’s citizens; and

WHEREAS, Brackenridge’s Council has determined that the health, welfare, and safety of Brackenridge’s citizens can be properly protected by entering into an agreement with Tarentum for the provision of police protection and related services to Brackenridge and that such an agreement also serves the economic interests of Brackenridge; and

WHEREAS, Tarentum and the Tarentum Police Wage and Policy Committee have entered into a Memorandum of Understanding dated August 1, 2023 under which current Brackenridge Police Officers may be employed by Tarentum subject to the terms and conditions of the Memorandum of Understanding, as well as the Collective Bargaining Agreement between the Tarentum Police Wage and Policy Committee and Tarentum; and

WHEREAS, Brackenridge and the Borough of Brackenridge Police have entered into a Memorandum of Understanding dated August 1, 2023 which permits Brackenridge to contract with Tarentum for the provision of police protection and related services without exposing the municipality to claims of subcontracting and/or diversion of bargaining unit work; and

WHEREAS, Brackenridge desires to enter into an Intergovernmental Agreement for Police Protection and Related Services (“Intergovernmental Agreement”) with Tarentum pursuant to the Intergovernmental Cooperation Authority Act, 53 Pa. C.S. §2301 *et seq*, a true and correct copy of said Intergovernmental Agreement is attached hereto as Attachment 1 and incorporated herein as part of this Ordinance; and



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WHEREAS, the Intergovernmental Agreement sets forth the terms of the Intergovernmental Agreement between Brackenridge and Tarentum; and

WHEREAS, the purpose and intent of the Intergovernmental Agreement is for Tarentum to provide police protection and related services to Brackenridge as more fully described in the Intergovernmental Agreement and to establish the costs and payments for such services as more fully described in the Intergovernmental Agreement; and

WHEREAS, the annual costs and payments for services described in the Intergovernmental Agreement will be paid from Brackenridge's general fund; and

WHEREAS, the duration of the Intergovernmental Agreement is set forth in the Intergovernmental Agreement; and

WHEREAS, the Tarentum Borough Council has determined that the approval of such Intergovernmental Agreement is appropriate and in the best interests of the Borough and its citizens.

NOW, THEREFORE, it is hereby **ORDAINED** and **ENACTED BY** the Borough Council of the Borough of Tarentum as follows:

Section 1. The Intergovernmental Agreement between Brackenridge and Tarentum, a copy of which is attached hereto and incorporated herein as Attachment 1, under which Tarentum agrees, pursuant to certain terms and conditions contained within the agreement, to provide police protection and related services to Brackenridge is hereby approved and adopted. The Mayor, the President of Borough Council and the Borough Manager are hereby authorized to execute the Intergovernmental Agreement and all such documents necessary to effectuate same. A copy of such Agreement shall be filed with the minutes of the meeting of which this Ordinance was enacted.



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Section 2. The Intergovernmental Agreement shall be effective August 1, 2023, or such later effective date as approved by Brackenridge, provided that such approval by Brackenridge shall not delay the implementation of the Intergovernmental Agreement beyond August 31, 2023.

Section 3. If a final decision of a court of competent jurisdiction holds any provision of this Ordinance or the application of any provision of this Ordinance to any circumstance to be illegal or unconstitutional, the other provisions of this Ordinance and the application of such provisions to other circumstances shall remain in full force and effect. The intention of the Borough Council is that the provisions of this Ordinance shall be severable and that this Ordinance would have been adopted if any such illegal or unconstitutional provisions had not been included.

Section 4. All Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 5. This Ordinance shall take effect immediately upon its passage.

Duly presented and adopted at a regular meeting of the Borough of Tarentum Council, Allegheny County, Pennsylvania, held on the 28th day of July 2023.

ATTEST:

BOROUGH OF TARENTUM

Dwight D. Boddorf, Borough Manager

Scott Dadowski, President of Council

EXAMINED AND APPROVED by me this 28th day of July 2023.

Eric Dee, Esq., Solicitor

Bob Lang, Mayor