

RESOLUTION NO. 2022 - 23

A RESOLUTION OF HALFMOON TOWNSHIP, CENTRE COUNTY, PENNSYLVANIA, APPROVING AND ADOPTING AN INTERMUNICIPAL AGREEMENT BETWEEN WARRIORS MARK TOWNSHIP AND HALFMOON TOWNSHIP, PROVIDING FOR A PROCEDURE FOR THE LENDING, BORROWING, AND SHARING OF MATERIALS AND EQUIPMENT BETWEEN THEIR RESPECTIVE DEPARTMENTS OF PUBLIC WORKS.

**WITNESSETH**

**WHEREAS**, Halfmoon Township, Centre County, Pennsylvania, has the authority, pursuant to 53 P.S. § 66507, and 53 Pa.C.S.A. § 2301 *et seq.* (the “Intergovernmental Cooperation Act”), to enter into agreements with other political subdivisions, in accordance with existing laws, in performing government powers and duties and functions and in carrying into effect provisions of law relating to subjects which are common to such political subdivisions; and

**WHEREAS**, the Warriors Mark Township, Huntingdon County, has the authority, pursuant to 53 P.S. § 66507, and 53 Pa.C.S.A. § 2301 *et seq.* (the “Intergovernmental Cooperation Act”), to enter into agreements with other political subdivisions, in accordance with existing laws, in performing government powers and duties and functions and in carrying into effect provisions of law relating to subjects which are common to such political subdivisions; and

**WHEREAS**, Halfmoon Township and Warriors Mark Township (collectively, “Municipalities”) desire into a an Intermunicipal Agreement to provide for a procedure to lend, exchange and otherwise share (collectively, “Share”) Materials and Equipment between their Departments of Public Works, for the purpose of aiding each Department of Public Works in the performance of their duties; and

**WHEREAS**, the Municipalities believe that it would be in the best interest of their respective citizens and residents to enter into an Intermunicipal Agreement to delineate the authority and procedure to Share Materials and Equipment between the Municipalities.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Halfmoon Township, Centre County, Pennsylvania as follows:

**SECTION I:** The above recitals are incorporated herein by reference thereto and made a part of this Resolution.

**SECTION II:** The Board of Supervisors of Halfmoon Township hereby approves an Intermunicipal Agreement to provide a procedure for its Department of Public Works to Share Materials and Equipment with Warriors Mark Township.

*I, Amy Smith, Secretary for Halfmoon Township, do hereby attest that the foregoing Resolution No. 2022-23 was voted upon and approved by majority vote of the Board of Supervisors on the 25<sup>th</sup> day of August 2022.*

**SECTION III:** In accordance with §2307 of the Intergovernmental Cooperation Act, the Board of Supervisors of Halfmoon Township hereby declares that:

A. The duration of this Agreement shall be for one (1) year following the execution of the Agreement and continuing thereafter until one of the Municipalities wishes to change its terms.

B. The purpose and objective of the Intermunicipal Agreement is for the Municipalities thereto to establish the procedure for Sharing Materials and Equipment between their respective Departments of Public Works, for the purpose of aiding each Department of Public Works in the performance of their duties.

C. The roadmaster, or an employee appointed for such duties, of the Departments of Public Works has the authority to Share without the necessity of obtaining explicit approval of the Board of Supervisors prior to agreeing to Share any Materials or Equipment without abrogating any rights of the respective municipal governing bodies.

D. The value of all Materials or Equipment under the Intermunicipal Agreement may be returned in the form of similar types and/or amounts of materials or supplies, by mutual agreement of the respective Roadmasters or designated employees.

E. The shared Materials and Equipment must be returned to the lending Municipality in the condition it was received. The borrowing Municipality shall be responsible for all reasonable repairs including parts and labor should malfunction or damage occur during the period it was shared. All Materials and Equipment shall be inspected on behalf of the lending Roadmaster or designated employees before it is borrowed.

F. Each municipality shall remain fully responsible for its own employees, including but not limited to, salary, benefits and workers compensation.

G. No new entity is created or empowered by the Intermunicipal Agreement to enter into contracts for insurance or employee benefits.

**SECTION IV:** SEVERABILITY.

If any sentence, clause, section, or part of this Resolution is for any reason found unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared the intent of the Board of Supervisors of Halfmoon Township that this Resolution would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

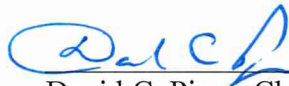
*I, Amy Smith, Secretary for Halfmoon Township, do hereby attest that the foregoing Resolution No. 2022-23 was voted upon and approved by majority vote of the Board of Supervisors on the 25<sup>th</sup> day of August 2022.*

**SECTION V:** EFFECTIVE DATE.

This Resolution shall take effect in accordance with law.

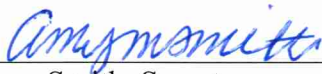
**DULY ADOPTED**, pursuant to the authority granted to the Halfmoon Township under the laws of the Commonwealth of Pennsylvania in lawful session duly assembled on this 25th day of August, 2022.

HALFMOON TOWNSHIP  
BOARD OF SUPERVISORS



David C. Piper, Chair

ATTEST:



Amy Smith, Secretary



*I, Amy Smith, Secretary for Halfmoon Township, do hereby attest that the foregoing Resolution No. 2022-23 was voted upon and approved by majority vote of the Board of Supervisors on the 25<sup>th</sup> day of August 2022.*