

**RESOLUTION NO. 2016-23
CITY OF COATESVILLE
CHESTER COUNTY, PENNSYLVANIA**

**A RESOLUTION OF CITY OF COATESVILLE, CHESTER COUNTY,
PENNSYLVANIA, AUTHORIZING THE CITY TO PARTICIPATE IN
THE WESTERN CHESTER COUNTY COUNCIL OF GOVERNMENTS
REGIONAL EMERGENCY MANAGEMENT GROUP ("WCCREM).**

WHEREAS, the City Council of City of Coatesville and other governing bodies of municipalities located in Western Chester County (hereinafter the "Members") entered an Intergovernmental Agreement (the "Agreement") authorizing the formation of the Western Chester County Council of Governments (the "COG") for the purpose of discussing and studying local issues of mutual interest and concern to each municipality and to plan and formulate solutions for common regional problems such as zoning, transportation, cable telecommunications and emergency services; and

WHEREAS, one of the stated purposes of the COG was to coordinate regional planning on issues affecting local governments, including emergency management and providing emergency services; and

WHEREAS, the Agreement provided that the COG had the authority to initiate special programs that are consistent with the objectives of the COG by enacting a Resolution that establishes the details of such program; and

WHEREAS, the Agreement contemplated that each Member of the COG could choose to participate in such special programs by adopting a resolution which authorized such Member to participate; and

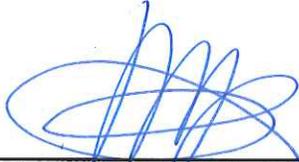
WHEREAS, the COG met on October 26, 2016 and adopted Articles of Formation for the Western Chester County Regional Emergency Management Group ("WCCREM"), a copy of which are attached hereto as Exhibit "A"; and

WHEREAS, the Board desires to participate in the WCCREM;

NOW THEREFORE, BE IT RESOLVED by the City Council of City of Coatesville as follows:

- 1. The City is hereby authorized to participate in the Western Chester County Regional Emergency Management Group.
- 2. The City adopts the Articles of Formation for the Western Chester County Regional Emergency Management Group, a copy of which are attached hereto as Exhibit "A".
- 3. The City appoints Garry Alderman as the City of Coatesville Emergency Management Coordinator to be the City's representative to the WCCREM.

RESOLVED this 14th day of November, 2016.



 Michael T. Trio, City Manager

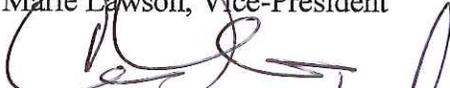
ATTEST: **CITY OF COATESVILLE
 CITY COUNCIL**



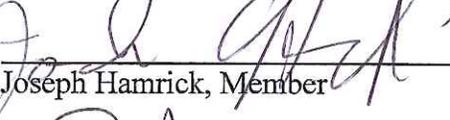
 Linda Lavender-Norris, President



 Marie Lawson, Vice-President



 Carmen Green, Member



 Joseph Hamrick, Member



 C. Arvilla Hunt, Member



 Ingrid W. Jones, Member



 Edward Simpson, Member

**ARTICLES OF FORMATION FOR THE WESTERN CHESTER COUNTY REGIONAL
EMERGENCY MANAGEMENT GROUP**

THESE ARTICLES OF FORMATION are adopted this _____ day of _____ 20____, by the Western Chester County Council of Governments (the "COG") and have been approved by the members of the COG who are listed on Appendix A which is attached hereto (the parties identified on Exhibit "A" shall be referred to collectively as "Members" or individually as a "Member") by the enactment of a resolution by the respective Member's governing body.

BACKGROUND:

WHEREAS, Article 9, Section 5 of the Pennsylvania Constitution and the Intergovernmental Cooperation Law, (Act 177 of 1996), 53 Pa.C.S.A. § 2301 *et seq.* (the "ICL") authorize two or more local governments to jointly cooperate with other local governments in the exercise or performance of their respective governmental functions, powers and responsibilities; and

WHEREAS, the governing body of various municipalities in western Chester County adopted an Ordinance and entered an Intergovernmental Agreement (the "Intergovernmental Agreement") to create and participate in the Western Chester County Council of Governments ("COG"); and

WHEREAS, one of the stated purposes of the COG was to coordinate regional planning on issues affecting local governments, including emergency management and providing emergency services; and

WHEREAS, the Emergency Management Services Code, which is codified in Title 35 of the Pennsylvania Code, establishes the responsibilities of municipal governments related to emergency management and authorizes municipal governments to establish

joint emergency management programs including but not limited to preparation and maintenance of emergency management plans and emergency operations centers; and

WHEREAS, the Intergovernmental Agreement provided the Board of Directors of the COG with the authority to initiate special programs that are consistent with the objectives of the COG by enacting a Resolution that establishes the details of such program; and

WHEREAS, the Intergovernmental Agreement contemplated that each Member of the COG could choose to participate in such special programs by adopting a resolution which authorized such Member to participate; and

WHEREAS, the Members of the COG find that the interests of property owners and visitors in the members' communities are most effectively served by the establishment of cooperative and coordinated emergency response to large scale natural and man-made disasters and;

NOW THEREFORE, the Members hereby agree to establish a subcommittee of the COG known as the "Western Chester County Regional Emergency Management Group" which shall have the functions and powers as described herein.

1. **Formation of Western Chester County Regional Emergency Management Group.** Pursuant to the authority granted in the Pennsylvania Constitution, the ICL, Title 35 of the Pennsylvania Code and the Intergovernmental Agreement, the Members hereby form the Western Chester County Regional Emergency Management Group, which shall be identified by the acronym, "WCCREM". All municipalities who are members of the COG are eligible to participate in the WCCREM provided that such municipalities pay the annual dues for participation in the WCCREM which are

established annually by the Board of Directors of the COG. If a municipality is not a member of the COG but wishes to participate in the WCCREM, they shall be permitted to do so provided the governing body of such municipality adopts a resolution authorizing such action and they pay the annual dues established by the COG.

2. **Purposes and Objectives of WCCREM.** The purposes and objectives of the WCCREM include, but are not limited to the following:

A. To promote safer, less vulnerable communities with the capacity to cope with natural and man-made hazards and disasters.

B. To enhance existing resources which are used in response to emergencies by sharing and pooling resources, materials, equipment, machinery and personnel.

C. To enable member municipalities to promptly respond to, mitigate, and recover from emergency situations which occur in their respective municipalities, minimizing the risk to persons and property.

D. To provide hazard planning and emergency response plan reviews.

E. To enhance communication among the member municipalities concerning emergencies and emergency management.

F. To train municipal officials and employees in topics and procedures relating to emergency management.

G. To undertake, coordinate and administer programs relating to regional emergency management including coordinating and assisting in recovery operations after disasters and emergencies.

H. To establish regional emergency operations centers with appropriate personnel, equipment and resources.

I. To perform such other activities as the Members may mutually agree may be undertaken through the WCCREM which are related to the objectives identified above.

3. **Organizational Structure/Membership/Officers.**

A. The WCCREM shall be a subcommittee of the COG which shall consist of one delegate from each participating municipality. Each participating municipality shall designate their local emergency management coordinator or such other person with experience and training in emergency management to serve on the WCCREM. The members of the WCCREM shall be appointed by the governing body of the respective Member to serve in such capacity until their successor is appointed by the respective Member.

B. Within the first quarter of 2017, the appointed delegates shall conduct an organizational meeting where the WCCREM shall elect a Chairperson and Vice Chairperson who shall be responsible for presiding at the WCCREM meetings.

C. The WCCREM shall meet on a quarterly basis on a day and time as determined by a majority of the delegates. The meetings will take place at a location selected by a majority of the delegates.

D. The Chairperson of the WCCREM shall provide minutes of the quarterly meetings to the COG.

4. **Term.** This Agreement and the WCCREM shall be created for an initial term of five (5) years, which term shall commence on the Effective Date of this

Agreement (as defined in paragraph 16). At the expiration of the initial five year term, this Agreement and the WCCCOG shall automatically renew for successive one (1) year terms unless a simple majority of the Members, acting through their delegates, vote to terminate this Agreement and the WCCREM. Such vote to terminate the WCCREM must be made at least thirty (30) days prior to the expiration of the then current term of this Agreement.

5. **Member's Ability to Terminate Participation in WCCREM.**

Any Member may withdraw from the WCCREM at any time for any reason by providing written notice to the COG. The withdrawing member shall not be entitled to a refund of any portion of any fees paid to participate in the WCCREM, and shall remain liable for its share of any costs, expenses or fees incurred and/or assessed prior to the date of withdrawal. Further, any Member may be removed from the WCCREM upon the vote of at least two-thirds ($\frac{2}{3}$) of the Members for failure to pay any fees or for other good cause. Any Member removed from the WCCREM shall not be entitled to a refund of any portion of any fees paid to participate in the WCCREM, and shall remain liable for its share of any costs, expenses or fees incurred and/or assessed prior to the date of removal.

6. **Powers and Scope of Authority delegated to the WCCREM.** The WCCREM is a subcommittee of the COG whose functions and powers are set forth in Article 2 above.

7. **Financing/Budget for WCCREM.**

A. Each Member who elects to participate in the WCCREM shall pay annual dues as established by the COG. The Board of Directors of the COG shall

establish an annual budget for the WCCREM, which budget must be approved by the COG. Until a new budget is approved by the majority of the Members, the prior years' budget shall remain in effect.

B. Each Member shall be responsible to make an initial contribution to the WCCREM in the amount of Two Hundred Fifty (\$250.00) Dollars which contribution shall be deposited into a separate account with the COG. Thereafter, each Member shall contribute an equal share to the operational expenses of the WCCREM, as determined by the annual budget. Each member shall contribute its proportional share of the WCCREM's operational expenses by the end of the first quarter of the year or as otherwise determined by the Board of Directors of the COG.

C. In the event that the WCCREM undertakes a specific program or activity that does not involve all of the Members, only the Members who participate in such program or activity shall be liable for the expenses related to such program or activity.

8. **Amendment of these Articles.** These Articles of Formation may be amended by adoption of a resolution by the COG and subsequent approval by each Member that elects to participate in the WCCREM.

EXHIBIT A

[List of Municipalities who elect to participate in COG]