

## **JOINT RESOLUTION**

### **A JOINT RESOLUTION OF THE TOWNSHIPS OF EASTTOWN AND TREDYFFRIN IN THE COUNTY OF CHESTER, COMMONWEALTH OF PENNSYLVANIA, SETTING FORTH AN INTENT TO PARTIALLY FUND THE RENOVATION AND UPGRADE OF THE EXISTING FIRE STATION OF THE BERWYN FIRE COMPANY, INCLUDING RELATED TERMS AND CONDITIONS.**

**EASTTOWN RESOLUTION 2021 - 21**

**TREDYFFRIN RESOLUTION 2021- 22**

**WHEREAS**, Easttown Township (“Easttown”) and Tredyffrin Township (“Tredyffrin”) have worked cooperatively at the administrative level with the Berwyn Fire Company (“BFC”) to jointly consider a path forward to renovate and upgrade the existing BFC Fire Station (“Fire Station”) located at 23 Bridge Avenue, Berwyn, Easttown Township, Pennsylvania; and

**WHEREAS**, BFC was founded in 1894, and is currently a 501(c)(3) non-profit corporation which serves portions of the Easttown and Tredyffrin communities with essential fire and emergency medical services, primarily from the Fire Station which was first constructed in 1929 and is in urgent need of modernization; and

**WHEREAS**, Easttown and Tredyffrin have the powers to provide for and/or fund fire and emergency medical services pursuant to the Second Class Township Code, including, inter alia, the authorizations of Section 1528 (Ambulances and Rescue and Life Saving Services); Section 1553 (Emergency Services); Sections 1801-1806 (Fire Prevention and Protection); Sections 3201-3210 (Taxation and Finance); and pursuant to other related powers under federal, state and local law or regulation; and

**WHEREAS**, Easttown and Tredyffrin also have the authority under the Second Class Township Code at Section 1507 (Intergovernmental Cooperation) to make agreements with each other, and with other municipal corporations, in performing governmental powers, duties and functions and in carrying into effect the provisions of 53 Pa.C.S. Ch. 23 Subchapter A (relating to Intergovernmental Cooperation); and

**WHEREAS**, as a Home Rule Charter municipality, Tredyffrin has the authority pursuant to 53 Pa.C.S. §2961 of the Home Rule Municipality Law, and pursuant to §105 of the Township’s Home Rule Charter, to exercise any powers and perform any function not denied by the Constitution of Pennsylvania, by statute or its home rule charter; and

**WHEREAS**, Easttown and Tredyffrin wish to establish an initial path and joint framework for partial local funding and support for the renovation and upgrade to the existing Fire Station, based upon the proportional use of fire and emergency medical services by their respective residents and property owners.

**NOW, THEREFORE, BE IT RESOLVED** by the Boards of Supervisors of Easttown Township and Tredyffrin Township, Chester County, Pennsylvania as follows:

**1. Statement of Conditional Funding Intent.**

Easttown and Tredyffrin intend to commit the joint total sum of Four Million, Five Hundred Thousand Dollars (\$4,500,000.00) (Joint Township Contribution) as a "not to exceed" amount, representing 50% of the estimated hard costs for the renovation and upgrade to the existing BFC Fire Station, subject to the proportions and conditions set forth below:

A. Easttown 30% Funding Intent. One Million, Three Hundred and Fifty Thousand Dollars (\$1,350,000.00).

B. Tredyffrin 70% Funding Intent. Three Million, One Hundred and Fifty Thousand Dollars (\$3,150,000.00).

C. Preconditions to Easttown and Tredyffrin Funding. BFC must receive full and complete matching fund commitments for an additional Four Million, Five Hundred Thousand Dollars (\$4,500,000.00) (the "BFC Match"), above and beyond the intended Joint Township Contribution, in order for Easttown and Tredyffrin to fund or authorize any releases of the Joint Township Contribution.

D. BFC Budget and Possible Remainder. Should the fully-funded renovation and upgrade to the existing Fire Station be completed for less than Nine Million Dollars (\$9,000,000.00) total, including both the Joint Township Contribution and the BFC Match, then Easttown and Tredyffrin intend use any remaining balance of the Joint Township Contribution to assist in the development of a more permanent sub-station in Tredyffrin, in the northern part of the BFC service area.

**2. Development of Intergovernmental Cooperation Agreement.**

Upon enactment and execution of this Joint Resolution, and with the support and input of BFC, Easttown and Tredyffrin will undertake cooperative efforts to detail and memorialize the concrete tasks and required steps forward by developing a mutually acceptable Intergovernmental Cooperation Agreement for final review and approval by the Easttown and Tredyffrin Township Boards of Supervisors.

**3. General Authorizations.**

The Easttown and Tredyffrin Township Boards of Supervisors hereby authorize their respective officers, agents, and employees to take any and all necessary actions necessary to effectuate this Joint Resolution, and prepare a mutually acceptable Intergovernmental Cooperation Agreement for subsequent review and approval by each municipality, with the support and input of BFC.

**4. Counterparts.**

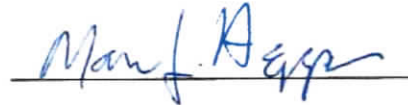
Signatures to this Joint Resolution may be executed and exchanged through the use of facsimile and/or PDF signatures, any of which shall be considered the equivalent of original signatures, and which shall be attached and incorporated in counterparts, which together shall constitute a fully executed Joint Resolution.

**ENACTED AND APPROVED** by Easttown Township this 4th day of October, 2021.

**ATTEST:**

**EASTTOWN TOWNSHIP**

  
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**ENACTED AND APPROVED** by Tredyffrin Township this \_\_\_\_ day of \_\_\_\_\_, 2021.

**ATTEST:**

**TREDYFFRIN TOWNSHIP**

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**ACKNOWLEDGED AND SUPPORTED** by Berwyn Fire Company this 4<sup>th</sup> day of October, 2021.

**ATTEST:**

**BERWYN FIRE COMPANY**

  
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*TITOMAS TORRESSON, BFC PRESIDENT*

  
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