

TOWNSHIP OF HALIFAX  
DAUPHIN COUNTY, PENNSYLVANIA  
ORDINANCE NO. 15-3-2015

**AN ORDINANCE OF HALIFAX TOWNSHIP AUTHORIZING THE PARTICIPATION  
OF HALIFAX TOWNSHIP, DAUPHIN COUNTY, PENNSYLVANIA, IN THE PSATS  
UNEMPLOYMENT COMPENSATION GROUP TRUST PURSUANT TO THE  
PENNSYLVANIA INTERGOVERNMENTAL COOPERATION LAW**

**WHEREAS**, the Board of Supervisors of Halifax Township, Dauphin County, Pennsylvania, deem it to be in the best interests and general welfare of the citizens and the residents of this Township to take certain actions;

**AND WHEREAS**, the PSATS Unemployment Compensation Group Trust ("Trust"), originally established in 1980, exists as an intergovernmental cooperative arrangement of municipalities to provide townships and certain other permitted governmental employers of Pennsylvania with a vehicle to pool resources and jointly leverage buying power to develop and maintain unemployment compensation insurance coverage;

**AND WHEREAS**, the governing Declaration and Agreement of Trust for the Trust has been comprehensively updated, amended and restated effective July 16, 2014 (hereinafter "Restated Trust Agreement");

**AND WHEREAS**, pursuant to the Restated Trust Agreement any municipality wishing to commence participation in the Trust, or continue participation in the Trust after July 16, 2014, is required to take formal action in the form of an enacted ordinance in which the municipality agrees to participate in the Trust in accordance with the amended and updated terms of the Restated Trust Agreement;

**AND WHEREAS**, Halifax Township ("the Township") has determined that it is in the best interest of the Township to participate in the Trust in accordance with the terms of the Restated Trust Agreement and to agree to and join in such Restated Trust Agreement;

**AND WHEREAS**, pursuant to the Pennsylvania Intergovernmental Cooperation Law, 53 Pa. C.S.A. § 2301 *et seq.*, a municipality may enter into an intergovernmental cooperative agreement upon the passage of an ordinance by its governing body.

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Halifax Township, Dauphin County, Pennsylvania as follows:

**SECTION 1 - ADOPTION OF RESTATED TRUST AGREEMENT**

The Board of Supervisors adopts the Restated Trust Agreement and agrees to participate in the Trust in accordance with the amended and updated terms of the Restated Trust Agreement and that the Chairman of the Board of Supervisors and Secretary of the Township are hereby authorized to sign the Restated Trust Agreement and any other agreements necessary for the Township's participation in the Trust.

The Restated Trust Agreement is on file for inspection and review at the Township Building. The Restated Trust Agreement may be subsequently modified or amended in accordance with its terms, but in no event shall such modifications or amendments divert any of the trust funds from the purposes of the Trust. The Township may withdraw from the Trust in accordance with the Restated Trust Agreement, including if the Board of Supervisors determines the modifications or amendments are not in the best interests of the Township.

## **SECTION 2 - PURPOSE**

The participation of the Township in the Trust is authorized for the purpose of pooling resources for the purpose of providing unemployment compensation insurance for Participating Employers, including the Township, at reasonable cost.

## **SECTION 3 - CONDITIONS OF PARTICIPATION**

The following conditions apply to the participation of the Township in the Trust:

1. Each Participating Employer, including the Township, must meet the admission and eligibility requirements set forth therein;
2. Each Participating Employer, including the Township, agrees to pay all contributions when due as provided in the Restated Trust Agreement or as otherwise established by the Board of Trustees; and
3. Each Participating Employer, including the Township, complies with all other conditions of the Restated Trust Agreement.

## **SECTION 4 - RIGHT OF WITHDRAWAL**

The Township agrees to participate in the Trust and may withdraw for any reason and in accordance with the Restated Trust Agreement provided that it has fulfilled all its financial obligations to the Trust upon withdrawal.

## **SECTION 5 - EFFECTIVE DATE**

The effective date of the Township's agreement to and joinder in the Restated Trust Agreement and the participation of the Township in the Trust pursuant to the terms of the Restated Trust Agreement will be February 9, 2015.

## **SECTION 6 - DELEGATION OF POWER**

The Township delegates to the Board of Trustees the powers enumerated in the Restated Trust Agreement.

## **SECTION 7 - ORGANIZATION OF TRUST/POWERS OF BOARD OF TRUSTEES TO CONTRACT**

The organizational structure of the Trust shall consist of a Board of Trustees. Under the Restated Trust Agreement, the Board of Trustees is authorized to, among other things, enter into contracts with third parties to perform various services necessary for the administration of the Trust.

## **SECTION 8 - FUNDING**

The funds required for the operation of the Trust shall be provided by the Participating Employers, including the Township, through scheduled appropriations as determined by the Board of Trustees.

## **SECTION 9 - POWER TO ENTER INTO INSURANCE AND BENEFIT CONTRACTS**

The Trust is empowered to enter into contracts for policies of group insurance and employee benefits, including Social Security, for employees of the Trust, if any.

## **SECTION 10 - AGREEMENT TO COMPLY WITH RESTATED TRUST AGREEMENT**

As a condition of participating in the Trust, the Township agrees to comply with all of the terms and conditions in the Restated Trust Agreement.

## **SECTION 11 - CERTIFIED COPY OF ORDINANCE**

The Secretary of the Township shall provide a certified copy of this Ordinance upon its enactment to the Board of Trustees of the Trust.

## **SECTION 12 - AUTHORIZATION TO TAKE FURTHER ACTION**

The Board of Supervisors of the Township is hereby authorized to take any and all such other actions as may be necessary or appropriate to carry out the purposes of this Ordinance and comply with the requirements of the attached Restated Trust Agreement and any duly adopted amendments thereto.

### **SECTION 13 - TERM OF PARTICIPATION IN THE TRUST**

The duration of the term of the Township's participation in the Trust and obligations under the Restated Trust Agreement shall continue until withdrawal from the Trust by the Township in accordance with the terms of the Restated Trust Agreement.

### **SECTION 14 - DETERMINATION OF PROPRIETY UNDER LAW**

The Board of Supervisors hereby specifically finds and determines as follows:

1. The conditions of the intergovernmental cooperative agreement are set forth in the Restated Trust Agreement incorporated by reference herein.
2. The Township shall participate in the Trust in accordance with the Restated Trust Agreement until it withdraws by giving notice to the Board of Trustees in accordance with the terms of the Restated Trust Agreement.
3. The purpose and objectives of the intergovernmental cooperative arrangement, including powers and scope of authority delegated to the Board of Trustees, are set forth in the incorporated Restated Trust Agreement.
4. The manner and extent of financing of the agreement are that (i) funds to implement the Township's obligations under the agreement shall come from the normal and usual budgeted amounts for Township employee compensation and employee benefits and (ii) no borrowing is anticipated to be required.
5. The Trust shall be managed by the Board of Trustees pursuant to the terms of the Restated Trust Agreement.
6. All assets and property, real or personal, of the Trust shall be titled to, acquired, managed, licensed or disposed of by the Trust, and its Board of Trustees, in accordance with the terms of the Restated Trust Agreement.
7. The Trust in accordance with the Restated Trust Agreement shall be empowered to enter into contracts for policies of group insurance and employee welfare benefits to be offered to Participating Employers, including the Township, for their eligible employee and dependents.

### **SECTION 15 - SEVERABILITY**

The provisions of this Ordinance are severable. If any sentence, clause or section of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining

provisions, sentences, clauses or sections of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors of Halifax Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause or section not been included herein.

**SECTION 16 - REPEALER/PRIOR RIGHTS**

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed insofar as they may be inconsistent herewith.

Nothing in this Ordinance shall be interpreted to affect any rights or liabilities of the Township, or to affect any cause of action, existing prior to the enactment of this Ordinance.

**SECTION 17 - EFFECTIVE DATE**

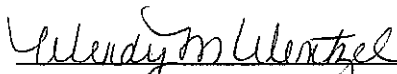
This Ordinance shall take effect five (5) days from the date of adoption.

This Ordinance is being enacted pursuant to the provisions of the Pennsylvania Intergovernmental Cooperation Law, Act of July 12, 1972, No. 180, as amended, 53 Pa.C.S. §§ 2301, et seq.

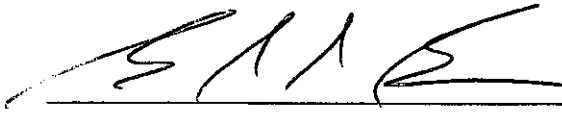
**DULY ENACTED AND ORDAINED** this 9th day of February, 2015, by the Board of Township Supervisors of Halifax Township in public session duly assembled.

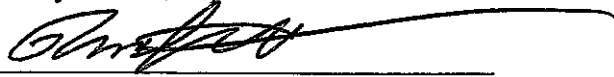
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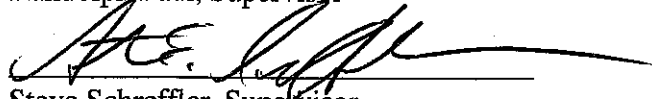
HALIFAX TOWNSHIP  
BOARD OF SUPERVISORS,  
DAUPHIN COUNTY,  
PENNSYLVANIA

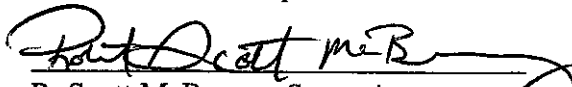
  
Wendy Wentzel, Township Secretary

By:  Chairman  
Kenneth E. Bechtel II, Chairman

  
Bradley Bruner, Supervisor

  
Randolph Paul, Supervisor

  
Steve Schreffler, Supervisor

  
R. Scott McBurney, Supervisor

(Township Seal)