

TOWNSHIP OF WASHINGTON
FRANKLIN COUNTY, PENNSYLVANIA

ORDNANCE NO. 199

AN ORDINANCE AUTHORIZING TOWNSHIP OF WASHINGTON, FRANKLIN COUNTY, PENNSYLVANIA, TO JOIN WITH OTHER POLITICAL SUBDIVISIONS AS A MEMBER OF THE PENNSYLVANIA MUNICIPAL HEALTH INSURANCE COOPERATIVE (PMHC), AND THE CAPITAL REGION INSURANCE TRUST (CRIT), TO ENTER INTO INTERGOVERNMENTAL AGREEMENTS FOR THE PURPOSE OF JOINING PMHC AND CRIT TO PARTICIPATE AS A MEMBER OF PMHC AND CRIT.

PREAMBLE

A. A number of political subdivisions within central and south-central Pennsylvania have investigated whether it would be mutually beneficial to cooperate with each other in obtaining employee benefit insurance.

B. The Pennsylvania Municipal Health Insurance Cooperative (“PMHC”) and the Capital Region Insurance Trust (“CRIT”) have been established for the purpose of collectively purchasing employee benefits insurance.

C. PMHC and CRIT were established pursuant to intergovernmental cooperation agreements entitled the Pennsylvania Municipal Health Insurance Cooperative Agreement and the Agreement and Declaration of Trust-Capital Insurance Trust, both shall be “the Agreements”.

D. Pursuant to the Pennsylvania Intergovernmental Cooperation Act, 53 Pa.C.S.A. Section 2301 et seq., a municipality may enter into an intergovernmental cooperation agreement upon the passage of an ordinance by its governing body.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Washington, Franklin County, Pennsylvania, as follows:

1. The caption and Preamble of this Ordinance set forth above are incorporated herein by reference.

2. This Political Subdivision hereby approves entering into the Agreements, copies of which are attached hereto and incorporated herein by reference (and which shall be filed with the minutes of the meeting at which this Ordinance was enacted), with the intent and effect that Washington Township shall be bound by the Agreements.

3. The Chairman of the Board of Supervisors and Secretary or the Chairman, acting alone, are hereby authorized and directed on behalf of Washington Township Supervisors, (i) to execute and deliver the Agreements, and (ii) to execute and deliver such additional instruments, and to take such further actions, as may be necessary or appropriate to carry forth the Agreements and the transactions to be effected under the Agreements, including payment to the PMHIC and CRIT of such amounts as are due by Washington Township pursuant to the Agreements.

4. All actions of any officer, agent or other representative of Washington Township heretofore taken in the pursuit of the Township's participation in PMHIC and CRIT are hereby ratified and approved in all respects.

5. The Washington Township Supervisors hereby authorize the Township Manager and Township Secretary to take such other action as may be necessary or appropriate to carry out the purposes of this Ordinance and of the Agreements.

6. As required by the Pennsylvania Intergovernmental Cooperation Act, the following matters are specifically found and determined:

(a) The conditions of the Agreements are set forth in the Agreements.

(b) Washington Township shall participate in the PMHIC for an initial term of three (3) years from the date that they first elected to purchase benefits through PMHIC. Thereafter, termination of the Agreement shall be as further set forth therein. Washington Township shall participate in the trust created by CRIT for an initial term of three (3) years. All renewal terms shall be as set forth in the trust.

(c) The purpose and objectives of the Agreements are as set forth in the Preamble of this Ordinance and in the Agreements.

(d) The manner and extent of financing the Agreements are that (i) no borrowing will be required by Washington Township, (ii) funds to implement the Washington Township's obligations under the Agreements shall come from normal and usual budgeted general funds for such matters, and (iii) other provisions governing the manner and extent of the financing of the PMHIC and CRIT shall be as set forth in the Agreements.

(e) PMHIC shall be managed by its Board of Directors pursuant to the terms of the PMHIC Agreement, and CRIT shall be managed by its Board of Trustees pursuant to the terms of the CRIT Agreement.

(f) All property, real or personal, of the PMHIC and CRIT, shall be acquired, managed, licensed or disposed of by the PMHIC and CRIT in accordance with the terms of the respective Agreements.

(g) PMHIC and CRIT created by the Agreement shall be empowered to enter into contracts for policies of group insurance and employee benefits pursuant to the terms of the respective Agreements.

7. The provisions of this Ordinance are severable and if any section, sentence, clause or part or provision hereof shall be held to be illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect the remaining sections, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of Washington Township that such Ordinance would have been enacted if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

8. Nothing contained in this Ordinance shall be construed to affect any suit or proceeding in any court, or any rights acquired or liability incurred, or any cause of action existing prior to the enactment of this Ordinance.

9. This Ordinance shall take effect five (5) days after its enactment.

DULY ENACTED AND ORDAINED this 19th day of December 2005, by the Supervisors of the Township of Washington, Franklin County, Pennsylvania.

**WASHINGTON TOWNSHIP
BOARD OF SUPERVISORS**

ATTEST:

BY _____
Karen S. Hargrave, Secretary

BY _____
Arthur T. Cordell, Chairman

I, Karen S. Hargrave, Secretary of the Board of Supervisors, Washington township, Franklin County, Pennsylvania, do certify that the foregoing is true and correct copy of an ordinance adopted at a regular meeting of the Washington Township Supervisors held December 19, 2005, in a regular session duly assembled.

Karen S. Hargrave, Secretary

Date: December 19, 2005