

TOWNSHIP OF PYMATUNING
MERCER COUNTY, PENNSYLVANIA
ORDINANCE NO. 42

AN ORDINANCE OF THE TOWNSHIP OF PYMATUNING, MERCER COUNTY, PENNSYLVANIA, AUTHORIZING THE EXECUTION OF A MUTUAL ASSISTANCE PACT AGREEMENT WITH THE CITIES OF SHARON AND FARRELL AND BOROUGH OF GROVE CITY, PROVIDING FOR THE PARTICIPATION IN THE SHENANGO VALLEY NARCOTICS UNIT; PROVIDING FOR THE ASSIGNMENT OF ONE POLICE OFFICER BY THE TOWNSHIP OF PYMATUNING ON A FULL-TIME BASIS TO THE UNIT; PROVIDING FOR THE CREATION OF A GOVERNING BOARD OF DIRECTORS TO GOVERN THE UNIT AND HAVE FULL RESPONSIBILITY FOR ESTABLISHING AND OVERSEEING POLICY, PROCEDURE, AND FINANCIAL AFFAIRS OF THE UNIT; PROVIDING FOR THE PARTICIPATION OF THE OTHER MUNICIPALITIES IN THE UNIT ON A FINANCIAL AND MANPOWER BASIS; PROVIDING FOR THE GRANT OF FULL POLICE POWERS TO ALL MEMBERS OF THE SHENANGO VALLEY NARCOTICS UNIT WITHIN THE TOWNSHIP OF PYMATUNING; PROVIDING FOR THE ASSETS, INCLUDING CAPITAL EQUIPMENT AND SUPPLIES TO BE ASSIGNED TO THE UNIT BY PARTICIPATING MUNICIPALITIES; PROVIDING FOR FUNDING OF THE UNIT IN THE FUTURE AND FOR TERMINATION, DISSOLUTION AND DISTRIBUTION OF EQUIPMENT OWNED BY THE UNIT.

WHEREAS, the Act of July 12, 1972, No. 180, Section 3 et seq. (53 P. S. 481 et seq.) permits two or more municipalities in this Commonwealth to jointly cooperate in the exercise and performance of their respective governmental functions, powers and responsibilities; and

WHEREAS, the governing bodies of the Cities of Sharon and Farrell, the Borough of Grove City, and the Township of Pymatuning, recognize that there presently exists within their respective municipalities and within the County of Mercer a serious narcotics and drug abuse problem that encompasses both the sale and use of narcotics and dangerous drugs and an urgent need also exists for the establishment of a drug abuse task force within their police department to combat such illegal activities; and

WHEREAS, the municipalities herein desire to cooperate in the enforcement of the existing Pennsylvania statutes pertaining to narcotics and other controlled drugs, but realize police powers conferred upon police officers are limited to the municipal boundaries of the respective police departments; and

WHEREAS, the Township of Pymatuning desires to participate in the Shenango Valley Narcotics Unit, which Unit was created by the Cities of Sharon and Farrell under agreement dated July 6, 1973.

NOW, THEREFORE, BE ENACTED AND ORDAINED AND IT IS HEREBY ORDAINED AND ENACTED BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF PYMATUNING, MERCER COUNTY, PENNSYLVANIA, AS FOLLOWS:

Section 1. That the Chairman of the Board of Supervisors of the Township of Pymatuning is hereby authorized to execute a Mutual Assistance Pact Agreement with the Cities of Sharon and Farrell and the Borough of Grove City and any other municipalities of the County of Mercer, Commonwealth of Pennsylvania, which may desire to participate in such agreement in the future.

Section 2. That the agreement shall set forth the duties, powers and responsibilities of all police officers assigned to such Unit, including the provisions that the City of Sharon and City of Farrell shall each assign three full-time police officers to the Unit and the Borough of Grove City and Township of Pymatuning shall each assign one full-time police officer to the Unit, that the officers so assigned by each municipality shall be selected on a volunteer basis and shall, during the term they remain a part of the Shenango Valley Narcotics Unit, be relieved of all other duties otherwise incurred as the result of their employment by each respective police department; that the respective municipalities shall pay the police officers employed by their municipality for all work and services performed as a member of the Unit and that such officers shall be considered as employees of the respective municipalities for all employment purposes exclusive of their assigned work duties, including maintaining full liability and Workmen's Compensation Insurance on each officer so assigned to the Unit.

Section 3. That each municipality participating in the Mutual Assistance Pact Agreement shall give to all members of the Shenango Valley Narcotics Unit, regardless of which municipality such officers are employed by, the same power and authority of police officers in all municipalities participating in the agreement as are conferred by law on police officers in the municipality that employes such officer, including but not limited to the powers of arrest and search.

Section 4. That all assets including capital equipment, supplies, and employees in the presently existing Shenango Valley Narcotics Unit shall become a part of the Shenango Valley Narcotics Unit as created under this agreement, including the offices of the Shenango Valley Narcotics Unit presently located in the City Building of the City of Farrell.

Section 5. That the Cities of Sharon and Farrell shall each supply the sum of Five Thousand (\$5,000.00) Dollars to the Unit for expenses incurred during the calendar year 1974 and the Borough of Grove City and Township of Pymatuning shall reimburse the Unit for any expenses incurred by operations of the Unit within their respective municipalities.

Section 6. That the governing body of each municipality participating in the Shenango Valley Narcotics Unit shall appoint one (1) representative to the Board of Directors of the Shenango Valley Narcotics Unit. This Board shall be responsible for overseeing the activities of the Shenango Valley Narcotics Unit, shall establish policy and procedures for all Unit members, and shall approve all budgetary and financial affairs of the Unit including the submission of application for Federal or State assistance. The Board of Directors may require whatever reports or accounting it deems desirable from the Unit employees at whatever time and frequency the Board shall request. The members of the Board so appointed shall establish rules and regulations of policy and procedure that shall be approved by each governing body of each municipality participating in the Shenango Valley Narcotics Unit.

Section 7. The Shenango Valley Narcotics Units shall continue in operation so long as the officials of the respective municipalities believe there is a sufficient narcotic and drug abuse problem within the County of Mercer to justify the existence of a drug abuse task force within their respective police department. Any municipality may withdraw from participation in the Unit upon giving thirty (30) days notice to all other participating member municipalities and other municipalities may join the Unit upon approval of all member municipalities and upon execution of a Mutual Assistance Pact Agreement entered into by all participating municipalities, which agreement shall contain the conditions of membership for the joining municipalities.

Section 8. Upon termination of the Shenango Valley Narcotics Unit each municipality shall receive in kind whatever equipment or supplies such municipality has contributed to the Unit and whatever unexpended sums of cash may be in the Unit's accounts that have been contributed by such municipality. Any equipment or supplies purchased by the Shenango Valley Narcotics Unit as such shall be distributed on a prorata basis to the participating municipalities taking into consideration the sums contributed by each municipality during the fiscal year in which such equipment or supplies were purchased by the Unit.

Section 9. When the Shenango Valley Narcotics Unit is no longer able to secure funding by the Governor's Justice Commission, the Unit will be funded by participating municipalities on a proration basis determined by the population of the respective municipalities.

Section 10. The execution of the agreement herein authorized shall be subject to funding of the Shenango Valley Narcotics Unit by the Governor's Justice Commission for the fiscal year of September, 1974, through August, 1975.

ENACTED AND ORDAINED INTO LAW BY THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF PYMATUNING, MERCER COUNTY, PENNSYLVANIA, THIS 21st DAY OF SEPTEMBER, 1974.

TOWNSHIP OF PYMATUNING

By: Herne E. Baulon
Charles J. Gorkun
Harry H. Urangst
Supervisors

ATTEST:

Spide Eckman
Township Secretary