

WEST BRADFORD TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA
ORDINANCE 99-02

AN ORDINANCE AUTHORIZING WEST BRADFORD TOWNSHIP
TO ENTER INTO AN INTERGOVERNMENTAL COOPERATION
AGREEMENT WITH EAST BRANDYWINE, EAST CALN, UWCHLAN,
UPPER UWCHLAN, WALLACE, AND WEST PIKELAND TOWNSHIPS,
AND THE BOROUGH OF DOWNINGTOWN, ALL MUNICIPALITIES OF
CHESTER COUNTY, PENNSYLVANIA, FOR THE PURPOSE OF
ESTABLISHING THE "DOWNINGTOWN AREA COMMUNITY
PLANNING GROUP".

Pursuant to the provisions of the Intergovernmental Cooperation Act, Act of December 19, 1996, P.L. 1158 No. 177 (53 Pa. C.S.A. 2301, et seq.), local governments may enter into intergovernmental cooperation agreements for the purpose of cooperatively performing intergovernmental powers and duties. West Bradford Township, Chester County, Pennsylvania, hereby ordains as follows:

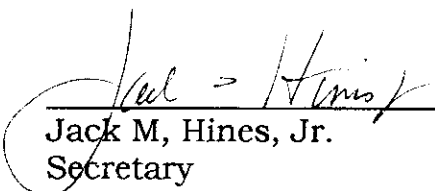
1. The purpose and objectives of the agreement are as follows:
 - a. To serve as a mutual forum to identify, discuss, study and bring into focus regional needs and opportunities regarding growth management.
 - b. To develop and review policies, plans and priorities regarding regional growth management.
 - c. To provide and maintain effective communication and coordination among the member governmental agencies.
 - d. To facilitate proposals, agreements and cooperative action among member governments for related growth management issues that cross municipal boundaries.
 - e. To promote intergovernmental cooperation and gather information regarding regional issues affecting growth management.
2. The agreement shall continue until revoked by actions of the members, as provided for in the agreement.

3. The agreement shall be financed by the assessment and collection of dues from the members, contribution by members and by the acceptance of gifts, grants or similar subsidies.
4. The agreement shall be administered by the Board composed of two persons appointed by each municipal member of the group as set forth in the agreement, which municipal member shall be entitled to one vote. The Board shall elect a chairman, secretary, and treasurer by a majority vote of the Board.
5. The property necessary for the proper functioning of the provisions of the agreement shall be acquired in accordance with a provision of the Intergovernmental Cooperation Act.
6. The chairman or vice-chairman of the Board of Supervisors is hereby authorized to execute the articles of agreement as described hereinabove on behalf of the Township.
7. In accordance with the provisions of the agreement, West Bradford Township will, from time to time, designate two persons to be representatives for the Planning Group. One of such persons shall be a member of the Board of Supervisors, and one shall be a designee of the governing body.

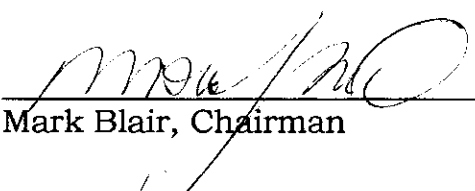
Enacted and ordained this 27th day of July 1999.

ATTEST:

**West Bradford Township
Board of Supervisors**



Jack M. Hines, Jr.
Secretary



Mark Blair, Chairman



John Haiko, Vice-Chairman



Kenneth Klunk, Member

SEAL

DOWNINGTOWN AREA COMMUNITY PLANNING GROUP

ARTICLES OF AGREEMENT

I. PREAMBLE

The listed units of local government hereby join together in a voluntary organization to be known as the *Downingtown Area Community Planning Group*, for the purpose of preserving the quality of life of the present and future residents by jointly addressing growth management issues, which include but are not limited to, the environment, pedestrian and vehicular traffic circulation and historic preservation in a fiscally responsible manner.

We realize that our individual and common objectives to preserve the quality of life for our residents rests with interdependent actions of our respective governmental units. We seek, by mutual agreement, solutions to common issues for mutual benefit. The goal is to combine our resources to meet regional challenges and needs that transcend individual capabilities while retaining our local governmental autonomy.

II. AUTHORIZATION

The municipalities of the Borough of Downingtown, East Brandywine Township, East Caln Township, Upper Uwchlan Township, Uwchlan Township, Wallace Township, West Bradford Township, and West Pikeland Township (Member Municipalities), authorize the creation of the *Downingtown Area Community Planning Group* through exercise of their legislative powers to enact ordinances or adopt resolutions. The purpose, powers, duties and responsibilities of the *Downingtown Area Community Planning Group* shall be as set forth in this document.

III. PURPOSE

The *Downingtown Area Community Planning Group* shall be a voluntary organization of local government units which currently comprise the area served by the Downingtown Area School District, to foster a cooperative effort for resolving issues, developing policies and plans that are common and/or regional in scope. The purpose of this organization is:

1. To serve as a mutual forum to identify, discuss, study and to bring into focus regional needs and opportunities regarding growth management.

III. PURPOSE (continued)

2. To develop and review policies, plans and priorities regarding regional growth management.
3. To provide and maintain effective communication and coordination among the member governmental agencies.
4. To facilitate proposals, agreements and cooperative action among member governments for related growth management issues that cross municipal boundaries.
5. To promote intergovernmental cooperation and gather information regarding regional issues affecting growth management.

IV. MEMBERSHIP

1. The governing body of each Member Municipality shall appoint two representatives to serve on the *Downingtown Area Community Planning Group (Planning Group)*, one shall be a member of the governing body, and a designee of the governing body. The Downingtown Area School District shall appoint two persons who shall be non-voting members of the *Planning Group*. The term of each member's appointment shall be determined by the appointing body. In the event of a vacancy, appointment of a succeeding member of the *Planning Group* shall be effected by the same process.
2. Each Member Municipality shall be entitled to one vote on any issue that may come before the *Planning Group*.

V. OFFICERS

1. The executive aspects of the *Planning Group* shall rest with the Chairman to be selected by a majority vote of the members.
2. The Chairman shall preside at all meetings and hearings of the *Planning Group* and shall have the duties normally conferred by parliamentary usage on such office.
3. The Chairman shall appoint an acting Chairman to preside at a meeting in his/her absence.

V. OFFICERS (continued)

4. The Secretary / Treasurer shall keep the minutes and records of the *Planning Group*, and with the assistance of such staff as is available, shall prepare the agenda of regular and special meetings under the direction of the Chairman, provide notice of all meetings to the members, arrange proper and legal notice of hearings, attend to correspondence of *the Planning Group* and such other duties as are normally carried out by a Secretary. In addition, the Secretary/Treasurer shall have the authority to sign such documents on behalf of the *Planning Group* including requisitions for needed materials and supplies, as are required for the transaction of normal business, unless signature of other officers is expressly required by law or by resolution of the *Planning Group*. The Secretary / Treasurer shall maintain and keep records of all receipts and disbursements, which records shall be audited annually by an auditing committee of three nominated by the Chairman and approved by the *Planning Group*. A copy of the annual audit shall be provided to each legislative body and to each member of the *Planning Group* and others as directed by the Chairman. The Secretary/Treasurer may be someone other than an appointed member of the *Planning Group*.

VI. ELECTION OF OFFICERS

1. Election of officers shall take place at the March meeting of each calendar year.
2. Nominations shall be made from the floor and election of the officers specified above shall follow immediately thereafter.
3. A nominee receiving a majority vote shall be declared elected and shall take office immediately and serve for one calendar year or until his successor shall take office.
4. An officer of the *Planning Group* shall be permitted to succeed himself/herself.
5. Vacancies in office shall be filled by the same election process at the next regular meeting.

VII. MEETINGS

1. Unless declared otherwise, meetings shall be held monthly on a date and time, and at a place, selected by majority vote.
2. A meeting quorum shall consist of the attendance of a representative of at least three-quarters of the member municipalities. Transaction of business shall take place only if a quorum is present at the meeting and such business as is transacted shall be passed by no less than a majority vote of all member municipalities.
3. Time shall be provided at each regular meeting for the Member Municipalities to present for general discussion any proposed changes in the municipality's zoning ordinance and land development applications that will substantially effect the regional environmental or traffic status.

VII. MEETINGS (continued)

4. Special meetings may be called by the Chairman. It shall be the duty of the Chairman to call a special meeting when requested to do so by a majority of members of the *Planning Group*.

VIII. PROGRAMS AND PROJECTS

1. The *Planning Group* may, by majority vote at a regular or special meeting, undertake programs or projects, including the hiring of consultants, that comply with Section III. PURPOSE of this document.
2. A Member Municipality may elect to, or not to, participate in a particular program or project.
3. The cost of each program or project shall be paid for by the Member Municipalities electing to participate in said program or project. A sub-agreement between the participating municipalities shall be developed for each program or project. The division of cost shall be in a manner established by majority vote of the program or project participants.

IX. DUES & FINANCES

1. DUES

- A. The Planning Group, by majority vote of its members, may establish and, from time to time, revise membership dues. Such dues shall be remitted to the Secretary / Treasurer within four (4) months of the date of assessment. Failure to pay such dues within the four (4) month period will cause the loss of the right to vote by the defaulting member. Such dues shall only be assessed for the purposes of paying the reasonable cost of administration of the Planning Group and shall not include the cost of any programs or projects as provided for in Article VIII above.

2. FINANCES

- A. The Planning Group shall not have the authority to obligate or pledge full faith and credit of any municipal member. The Planning Group may, with the consent of a majority of the municipal members, apply for, receive and expend gifts, grants and like financial aid in furtherance of the purposes of the Group as set forth in this agreement.

X. AMENDMENTS AND ADDITIONAL MEMBERS

1. These Articles of Agreement may be amended, and additional contiguous municipalities may become Member Municipalities, by a majority vote of the *Planning Group*, provided notice of the proposal is sent to all Member Municipalities at least 10 days before the meeting at which said business will be considered.

ATTEST:

East Brandywine Township

BY:

ATTEST:

East Caln Township

BY:

ATTEST:

Upper Uwchlan Township

BY:

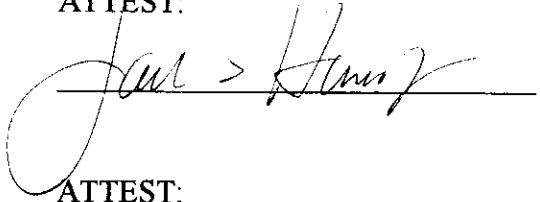
ATTEST:

Uwchlan Township

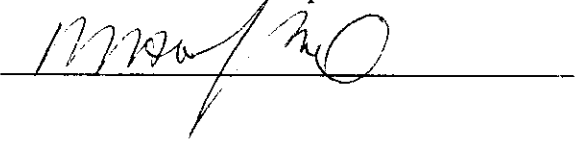
BY:

ATTEST:

West Bradford Township

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BY:

 _____

ATTEST:

West Pikeland Township

BY:

ATTEST:

Borough of Downingtown

BY:
