

## **Ordinance 2017 - 3**

### **An Ordinance to amend Chapter 36, adding Article III of the Millcreek Township Code, known as the Fire and Emergency Medical Services Commission**

**WHEREAS** Millcreek Township is served by five volunteer fire departments: Belle Valley Fire Department; Kearsarge Fire Department; Lake Shore Fire Department; West Lake Fire Department and West Ridge Fire Department;

**WHEREAS** Millcreek Township has determined that the five volunteer fire departments face increasing challenges with respect to staffing, operations and finances;

**WHEREAS** Millcreek Paramedic Service works closely with each of the five volunteer fire departments;

**WHEREAS** Section 1553 of the Second Class Township Code imposes upon Millcreek Township the responsibility to ensure that fire and emergency services are provided within the Township by such means and extent as determined by the Township;

**WHEREAS** Millcreek Township has determined that the challenges faced by the fire departments may impact the Township's ability to ensure that fire and emergency services are provided within the Township;

**WHEREAS** Section 1803(b) of the Second Class Township Code gives the Board of Supervisors of Millcreek Township the authority to enact ordinances making rules and regulations governing the fire departments within its borders and their offices;

**WHEREAS** the Board of Supervisors has determined that to continue to ensure that fire and emergency services are provided within the Township, it is necessary to establish a Fire and Emergency Services Commission to assist the Township in such endeavor;

**WHEREAS** the Board of Supervisors has further determined that such a Commission also will assist the Township in determining the rules and regulations necessary to govern fire departments and their offices within Millcreek Township;

**WHEREAS**, after public notice and an opportunity to be heard on this Ordinance,

**IT IS HEREBY ORDAINED AND ENACTED** by the Board of Supervisors of the Township of Millcreek, Erie County, Pennsylvania as follows:

## ARTICLE III

### Fire and Emergency Medical Services Commission

36-16. Creation. There is hereby created the Township of Millcreek Fire and Emergency Medical Services Commission.

36-17. Purpose of the Commission

A. The Purpose of the Commission is to:

(1) Act in an advisory capacity to the Board of Supervisors on all matters relating to fire and emergency services in Millcreek Township as requested by the Board of Supervisors;

(2) Assist the Board of Supervisors in determining the best and most cost effective means to ensure that fire and emergency services are provided within the Township at the level determined by the Board of Supervisors;

(3) Promote cooperation and collaboration among the fire departments and the Millcreek Paramedic Service on all levels to accomplish joint operations, joint planning and joint funding;

(4) Promote cooperation among the fire departments and the Millcreek Paramedic Service; and

(5) Act as a liaison between the Board of Supervisors and the fire departments and the Millcreek Paramedic Service.

36-18. The Members of the Commission

A. There shall be 9 voting members of the Commission consisting of the following:

(1) One representative from each fire department, who is to be selected by his/her respective fire department's Board of Directors. Each fire department also may select an alternate who can attend meetings in place of the selected representative if such representative cannot attend a meeting. The alternate shall have the same authority to vote as the representative at such meetings. The fire departments must select their initial representative and alternate within 45 days following the effective date of this Ordinance. If a fire department fails to select a representative within the time frame, the fire chief of said fire department shall serve as representative until one is appointed.

(2) The Executive Director of the Millcreek Paramedic Service or his/her designee.

(3) Three persons who are residents of Millcreek Township or who own property in Millcreek Township, who shall be appointed by the Board of Supervisors. The Supervisors shall appoint the three citizen representatives prior to the initial meeting of the Commission.

(4) The fire department representatives, Executive Director of MPS and the citizen representatives constitute the voting members of the Commission.

B. The Coordinator of the Millcreek Office of Emergency Management and the Chief of the Millcreek Township Police Department or his designee shall be non-voting members of the Commission.

C. The representatives appointed by the Board of Supervisors shall serve in 3-year staggered terms and until their successors are appointed. The initial appointments shall consist of 1-year, 2-year and 3-year appointments, and then 3-year appointments thereafter. Vacancies shall be filled in the same manner as original appointments are made and shall be made the remaining term of the vacated seat. All Commission appointments shall be made by January 5 of each calendar year. Terms shall be based on a calendar year.

D. The fire department representatives shall serve in 3-year staggered terms and until their successors are appointed. The Belle Valley and Lake Shore representatives shall be appointed to one-year terms initially and thereafter to three-year terms. The Westlake, and West Ridge representatives shall be appointed initially to two-year terms and thereafter three-year terms. The Kearsarge representative shall be appointed to a three-year term initially and thereafter. Vacancies shall be filled in the same manner as original appointments are made and shall be made the remaining term of the vacated seat. All Commission appointments, including any alternate, shall be made by January 5 of each calendar year, and promptly submitted in writing to the Board of Supervisors. Terms shall be based on a calendar year.

E. The Board of Supervisors reserve the right to remove any Commission member who:

(1) Fails to attend more than two consecutive meetings;

(2) Is disruptive or otherwise impedes the ability of the Commission to accomplish its purposes for any reason as determined and recommended by the Commission.

F. The Board of Supervisors will annually designate a Supervisor to serve as liaison to the Fire Commission.

### 36-19. Meetings; Conduct of Meetings.

A. Unless directed otherwise by the Board of Supervisors, the Commission shall hold regular meetings, but no less than quarterly, at such times and places as it may designate.

B. The Commission shall be empowered to conduct business if at least five members are present at a meeting. All decisions of the Commission shall be by a majority of the voting members present and voting at a meeting. Each voting member shall have one vote.

C. All meetings of the Commission shall be open to the public in accordance with the laws of the Commonwealth of Pennsylvania.

D. Within 90 days of the effective date of this Ordinance, the Commission shall hold its first meeting, and shall appoint from its membership based on a majority vote a Chairman, a Vice-Chairman and a Secretary to create meeting minutes, and such other officers as it may deem necessary for the orderly conduct of its business. Until a Chairman is selected at the first meeting, the Coordinator of the Millcreek Office of Emergency Management shall lead the first meeting. Thereafter, on the second Monday in each January and as otherwise may be necessary to fill vacancies, the Commission shall meet to appoint a Chairman, a Vice-Chairman and a Secretary by majority vote. The term of each officer position shall be from the date of appointment until the second Monday of the following January. The Commission may adopt by-laws, rules and regulations to govern those procedures not contrary to the provisions of the Laws of the Commonwealth of Pennsylvania.

E. The Millcreek Township Office of Emergency Management shall coordinate the administrative support staff of the Commission. The Township Emergency Management Coordinator shall be responsible for scheduling meetings, distributing communications and materials to the Commission members, ensuring meetings are properly advertised and documented, assisting the Commission in accomplishing its specified duties, and presenting formal Commission actions and requests to the Board of Supervisors.

### 36-20. Specific Duties of the Commission

A. The Commission shall:

(1) Submit to the Board of Supervisors all draft meeting minutes within 7 days of each meeting and all final approved meeting minutes within 7 days of approval;

(2) Annually review the Emergency Master Services Plan and submit written recommended updates to the Board of Supervisors;

(3) Upon receipt, review any emergency funding requests by the fire departments from Township funds and make written recommendations to the Board of Supervisors regarding such requests;

(4) Develop and maintain written standard operating procedures to be applicable to and adopted by each fire department;

(5) Continually evaluate how the fire departments can cooperate and collaborate on operational matters and capital equipment purchases;

(6) By October 31 of each year, provide to the Board of Supervisors a written report detailing the needed capital items of each fire department with a prioritization of such needs for the following year, as well as a five-year projection of anticipated capital needs of each fire department similarly prioritized, and identifying those capital items requested for funding from the Local Services Tax Fund or such other funds designated by the Township for emergency services for the upcoming year; and

(7) Perform such other duties as directed by the Board of Supervisors in accordance with the Commission's purposes.

Effective Date. This Ordinance shall be effective 5 days after the date on which this Ordinance is enacted.

**BE IT ENACTED** this 24th day of January 2017.

**MILLCREEK TOWNSHIP SUPERVISORS**

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Brian P. McGrath

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John H. Groh

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