

RESOLUTION NO. 2012- 05

A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE TOWNSHIP OF ROCKLAND, BERKS COUNTY,
PENNSYLVANIA, RECOGNIZING THE AUTHORITY OF
THE LYONS VOLUNTEER FIRE COMPANY TO SEEK
REIMBURSEMENT FOR HAZARDOUS MATERIAL,
ENVIRONMENTAL INCIDENTS, AND FIRE,
SAFETY AND RESCUE RESPONSES

BE IT RESOLVED by the Board of Supervisors of the Township of Rockland, and it is hereby resolved by the authority of the same as follows:

WHEREAS, Rockland Township has recognized and designated the Lyons Volunteer Fire Company (the "Fire Company") as the primary Fire Company for the Township of Rockland; and

WHEREAS, said Fire Company responds to all fire incidents, safety and rescue incidents, environmental incidents and hazardous material incidents; and

WHEREAS, such responses by the Fire Company are made either directly, via 911 responses, or in coordination with the Berks County Emergency Management Agency; and

WHEREAS, said responses, on occasion, involve the use of hazardous material abatement equipment, as well as hazardous abatement materials; and

WHEREAS, it is the intention of the Township to recognize the authority of the Fire Company, where permitted by law, to seek collection and reimbursement for the reasonable costs of responding to such incidents, either directly or in coordination with the Berks County Emergency Management Agency.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the Township of Rockland, Berks County, Pennsylvania, and it is hereby resolved by the authority of the same as follows:

SECTION 1. That the Board of Supervisors of Rockland Township hereby recognizes the authority and authorizes the Lyons Volunteer Fire Company, when permitted by law, to recover the reasonable costs of fire fighting materials, equipment, personnel hours and hazardous materials involving any hazardous material incident, or fire, or safety and rescue incident or operation, including vehicular accidents.

SECTION 2. The costs, as outlined above, shall be recovered directly by the Fire Company, and not through the Township of Rockland, or by Agreement with the Berks County Emergency Management Agency, or through the third party billing service known as PA Fire Recovery Service (PAFRS) as an authorized agent for the collection of

said costs. The utilization of PAFRS shall be for those situations deemed by PAFRS as appropriate for collection through the Agency, principally those incidents involving the use of hazardous abatement materials and/or incident directly involving the Berks County Emergency Management Agency.

SECTION 3. In addition to the aforementioned reasonable costs, the Fire Company, or PAFRS, where permitted by law, shall be authorized to collect reasonable interest, as well as a reasonable administrative fee for collecting same, and any and all additional fee as may be authorized by the Hazardous Material Emergency Planning and Response Act, or authorized by other statute, case law or common law.

RESOLVED and ADOPTED by the Board of Supervisors of the Township of Rockland, Berks County, Pennsylvania, in lawful session fully assembled, this 13th day of March, 2012.

BOARD OF SUPERVISORS OF
ROCKLAND TOWNSHIP, BERKS
COUNTY, PENNSYLVANIA

Russell W. Coffin, Chairman

Harold K. Meadway, Vice-Chairman

Terry L. Fegley, Member

ATTEST:

Karen Krall, Secretary