

## SIXTH AMENDMENT TO THE ARTICLES OF AGREEMENT

THIS SIXTH AMENDMENT TO THE ARTICLES OF AGREEMENT is made by and among Heidelberg Township, Manheim Township, North Codorus Township and Spring Grove Borough, all political subdivisions of the Commonwealth of Pennsylvania, located in the County of York, which hereinafter may be referred to jointly as the "Municipal members."

### Recitals

WHEREAS, on or about July 17, 2001, Heidelberg Township, Manheim Township, and North Codorus Township entered into certain Articles of Agreement which served to create the Southwestern Regional Police Department, which hereafter may be referred to as the "Department"; and

WHEREAS, on or about March 6, 2003, pursuant to the terms of the First Amendment to the Articles of Agreement, Spring Grove Borough became a participating municipality of the Southwestern Regional Police Department; and

WHEREAS, on or about September 7, 2005, pursuant to the terms of the Second Amendment to the Articles of Agreement, the Municipal members approved certain changes to the apportionment formula set forth in Article IV of the original Articles of Agreement; and

WHEREAS, on or about November 8, 2006, pursuant to the terms of the Third Amendment to the Articles of Agreement, the Municipal members approved certain changes to the apportionment formula set forth in Article IV of the original Articles of Agreement as amended by the Second Amendment to the Articles of Agreement; and

WHEREAS, on or about December 10, 2008, pursuant to the terms of the Fourth Amendment to the Articles of Agreement, the municipal members approved further changes to the apportionment formulas set forth in Article 4 of the original Articles of Agreement as amended by the First Amendment, Second Amendment and Third Amendment to the Articles of Agreement and provided for a Sick Leave and Vacation Liability Fund, a Current Reserve Balance Account, and a Capital Purchase Fund; and

WHEREAS, on or about December 14, 2011, pursuant to the terms of the Fifth Amendment to the Articles of Agreement the Municipal members agreed to a temporary change to the expenditures permitted from the Sick Leave and Vacation Fund and the Current Reserve Balance Account, in order to permit the Municipal members to have the benefit of immediate use of portions of the accrued balances in these funds to help to offset losses in tax revenues due to the current economic conditions and to offset the loss of certain grant funds caused by the expiration of the grant; and

WHEREAS, Municipal Members now agree that dissolution of the Southwestern Regional Police Department is in the best interests of the Municipal Members, and they desire to further amend the Articles of Agreement to facilitate the dissolution,

**WITNESS the following agreement.**

1. The Recitals set forth above are incorporated by reference and made a part of this Agreement.
2. Article XV, Section B of the Articles of Agreement is hereby amended to delete the final sentence. Section B as amended hereunder shall read as follows:

Dissolution of the Department may be effected by a vote of every member of the Board and passage of ordinances by each of the Municipalities directing dissolution.

3. Article XV, Section C of the Articles of Agreement is hereby amended to delete the first sentence and the portion of the last sentence pertaining to in kind distributions, and shall read as follows:

The Board shall first pay all lawful debts and obligations incurred during its term of existence, or establish any reasonable reserve for same. Thereafter, the Board shall pay to each Municipality a sum equal to the value of its initial capital contribution established pursuant to Exhibits "A" and "B" hereof. Last, the remaining assets, if any, shall be sold and the cash proceeds distributed in the same proportion as the funding assessments for the 2019 fiscal year.

4. Article XV, Section D of the Articles of Agreement is hereby deleted in its entirety.

5. The Municipal Members, and the Police Administrator are hereby authorized to execute any and all further documents that may be necessary to effectuate the purpose of this Amendment.

6. Except as amended herein, the original Articles of Agreement, the First Amendment to the Articles of Agreement, the Second Amendment to the Articles of Agreement, the Third Amendment to the Articles of Agreement, the Fourth Amendment to the Articles of Agreement, and the Fifth Amendment to the Articles of Agreement are hereby ratified and shall remain in full force and effect.

7. This Amendment to the Articles of Agreement may be executed in counterparts, each of which shall be deemed to be an original, and all of which together shall constitute one and the same instrument.

INTENDING TO BE LEGALLY BOUND, the Municipalities have executed this Sixth Amendment to the Articles of Agreement on the date indicated below.

ATTEST:

\_\_\_\_\_

MANHEIM TOWNSHIP

By: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

NORTH CODORUS TOWNSHIP

By: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

SPRING GROVE BOROUGH

By: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_

HEIDELBERG TOWNSHIP

By: \_\_\_\_\_

Date: \_\_\_\_\_