

FIRE SERVICE AGREEMENT

THIS AGREEMENT, made this 5th day of December, A.D., 2017, between UPPER PROVIDENCE TOWNSHIP, a Township of the Second Class organized and existing under the laws of the Commonwealth of Pennsylvania, with an address at 1286 Black Rock Road, P.O. Box 406, Oaks, Pennsylvania 19456 (hereinafter, the "Township"), and Black Rock Volunteer Fire Co., a volunteer fire company organized and existing under the laws of the Commonwealth of Pennsylvania, with an address at Blue Green Tree Rd. (hereinafter, the "Fire Company").

WITNESSETH:

WHEREAS, the Fire Company is a non-profit corporation created for the purpose of providing fire protection, rescue and related services for the protection of the residents, businesses and guests within a portion of Upper Providence Township and other municipalities, as assigned; and

WHEREAS, Upper Providence Township and the Fire Company are desirous of providing the best fire protection, rescue and related services available to the residents of the Township; and

WHEREAS, certain agreements have been reached between the Township and the Fire Company with respect to fire protection.

NOW, THEREFORE, intending to be legally bound hereby, and in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1. This Agreement is entered into with the understanding that the provider is a "volunteer fire company" as that term is used in Section 1803 of the Pennsylvania Second Class Township Code, as amended, and a "qualified volunteer fire department" as that term is defined in Section 150(e)(2) of the United States Internal Revenue Code of 1986, as amended.

2. Scope of Services. The Fire Company agrees to provide fire protection, rescue and related services to the Township at all times during the term of this Agreement for that portion of the Township which is designated as its service area on the map of fire company service areas which is attached hereto at Exhibit "A," and which is incorporated herein by reference and made a part hereof. Nothing in this Agreement shall be construed neither to deny the Township adequate firefighting and rescue services within the Township as needed, nor prohibit the Fire Company from utilizing mutual aid services from outside the Township as needed. So long as the Fire Company satisfactorily provides the firefighting and rescue services required by this Agreement, the Township shall not contract with any other entity for primary firefighting and rescue services within the agreed upon service area as defined by the Township during the term of this Agreement.

3. Standards of Operation. The Fire Company and its members shall act in accordance with the highest standards of professional conduct. All fire companies providing coverage to Upper Providence Township shall maintain a minimum of three (3) qualified chief officers. This contract, effective January 1st 2018, is the last contract where all fire companies shall maintain a minimum of three (3) qualified chief officers. *Effective January 1st 2019, all contracts will reference Exhibit "B" in its entirety to maintain their primary districts.* The training requirements for all members shall be as defined in the Township's training requirements policy, a copy of which is attached hereto at Exhibit "B," and which is hereby incorporated herein by reference and made a part hereof.

4. Reporting Requirements.

- A. The Fire Company shall submit, to the Township, testing and inspection records for all equipment requiring inspection or testing as defined by the applicable National Fire Protection Association (NFPA) Guidelines as required throughout the term of this Agreement. Such records shall include, without limitation, those pertaining to annual fire hose testing of all hose used for firefighting purposes, annual ladder testing (aerial and portable), annual pump certifications for fire apparatus mounted pumps, Self Contained Breathing Apparatus (SCBA) flow testing records as well as annual firefighter SCBA fit testing documentation.
- B. The Fire Company shall submit annual, audited financial statements to the Township in accordance with the Code of Upper Providence, Chapter 85, Fire and Emergency Services, as amended, in a manner that is acceptable to the Township. All such financial statements shall be submitted to the Township Chief of Fire & Emergency Services no later than the first Monday in October of each year. The audited financial statements shall bear a "clean" or unqualified opinion, as well as adequate responses to recommendations.
- C. The Fire Company shall submit, to the Township, all required information for the Municipality's National Fire Incident Reporting System (NIFIRS) for all incidents which occur within the territorial boundaries of the Township. All submitted information shall be factual, thorough, and complete. All information shall be reported not more than fourteen (14) days after the completion of the incident.
- D. The Fire Company shall submit any other reports of operational activities as may be reasonably requested by the Township Chief of Fire & Emergency Services from time to time.
- E. The Fire Company shall provide all information required to calculate each of the payments set forth in Paragraph 5 below.
- F. All reports, statements and other documents required pursuant to this Paragraph shall be submitted in a professional and accurate manner in a form requested by the Township Chief of Fire & Emergency Services.

5. Funding. Upper Providence Township shall provide funding to the Fire Company, as follows:

A. The Township will provide money to be used to supplement the volunteer fire companies protecting Upper Providence Township. The available monies shall be divided among all of the fire companies having a primary district within the territorial boundaries of the Township based on an approved formula, using in part, the call totals from their primary districts of the previous calendar year. Furthermore, in cooperation with township funding, the soliciting of businesses and residents shall be restricted to the company's primary district as described in Section 2 of this agreement.

Distribution of Township funds shall occur in January of the preceding year.

B. The Township will annually provide, at a minimum, the amount of \$45,000 in total to be used as a Volunteer Incentive Program (VIP). This money for the VIP shall be used to reward volunteers of all fire companies serving the Township for their training hours, training level and participation at emergency scenes. The formula used to determine the disbursal amount to each fire company is based upon a point system. Each member shall receive one (1) point for each call to which he or she has responded. Each member who meets the requirements for *firefighter* shall receive two (2) points for each call to which he or she has responded. Each member who has been elected or appointed as a fire officer shall receive three (3) points per call to which he or she responded, provided they are qualified to the *officer position* in which they hold. Each member serving the Township who attends a training session by an established training agency will receive one (1) point for each four (4) hours of the training program's length and one (1) point for each educational in-station drill. The Fire Company's Fire Chief shall submit this information to the Township Chief of Fire & Emergency Services for verification via the Township's reporting software. The Township shall disburse the Fire Company's share of these funds to the Fire Company every November. The payment amount shall be based on the year-long period which ends on the thirty-first (31st) day of August immediately preceding the November payout.

C. The Township receives an annual allotment from the Pennsylvania Volunteer Relief Association. For so long as the Township receives that allotment, it shall distribute it to the Relief Associations of the Volunteer Fire Companies who have a primary district within the Township, based on an approved formula, using in part, the call totals from their primary districts of the previous calendar year. This money will be paid out within the allotted time frame given by the state.

D. Failure to provide any of the required reporting and documentation in accordance with the requirements set forth in Paragraph 4 above will result in the Fire Company's forfeiture of the allocated funding for that year.

6. Term. The term of this Agreement shall be for twelve (12) months, commencing on January 1st 2018.
7. Effective Date. This Agreement is not valid and binding upon either party until accepted by the governing bodies of both parties by resolution adopted at a regularly or specially scheduled meeting.
8. Severability. If any provision of this Agreement are found to be unlawful, void or for any other reason unenforceable, such provision shall be deemed to be severable from the remaining provisions of this Settlement Agreement.
9. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Pennsylvania.

IN WITNESS WHEREOF, the parties hereto caused this Agreement to be executed the day and year first above written.

Attest:

UPPER PROVIDENCE TOWNSHIP

By: _____

Timothy Tieperman
Township Manager

Chairman, Board of Supervisors

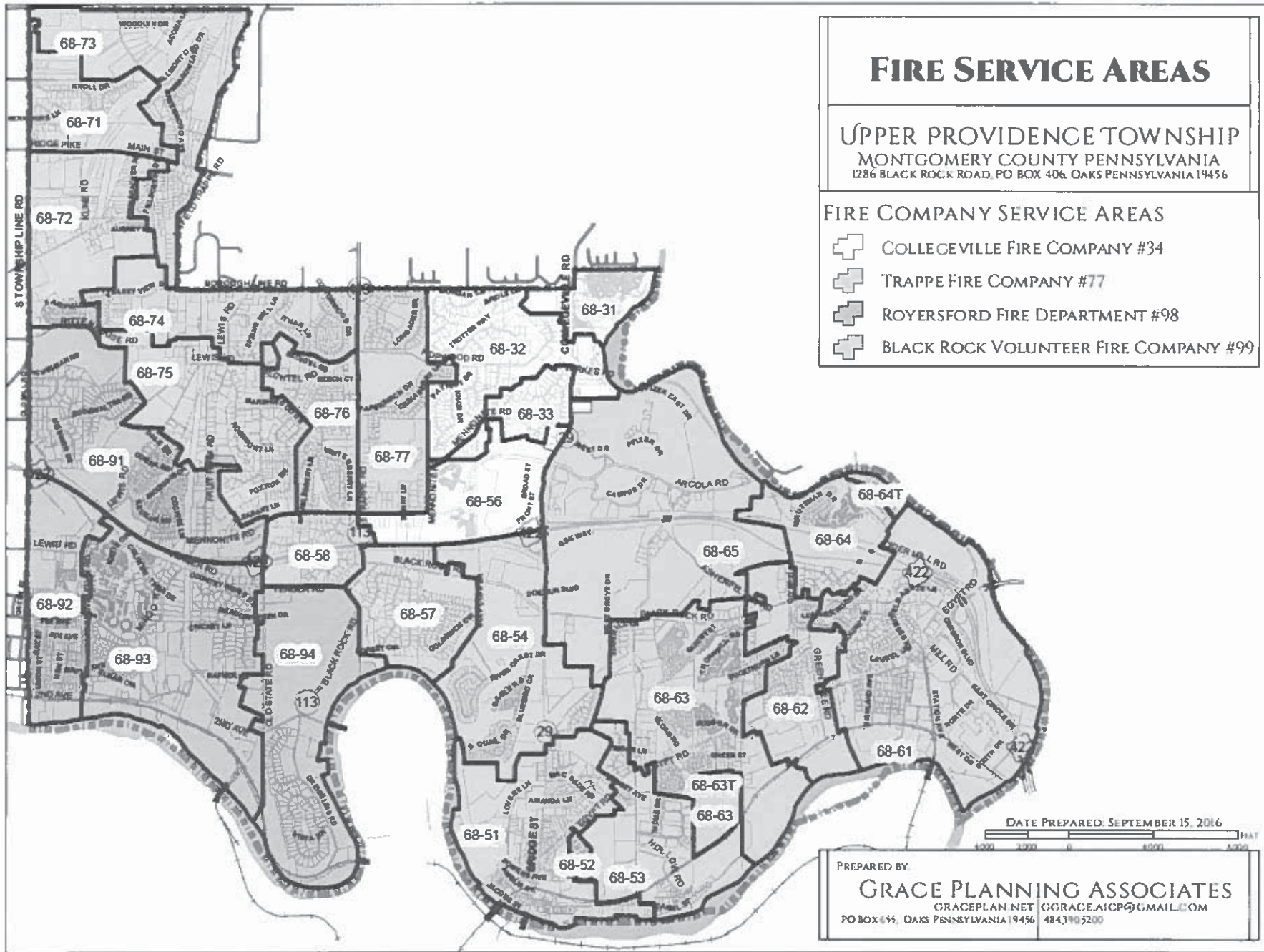
Attest:

BLACK ROCK VOLUNTEER FIRE COMPANY

President

By: _____

Fire Chief



FIRE SERVICE AREAS

UPPER PROVIDENCE TOWNSHIP
 MONTGOMERY COUNTY PENNSYLVANIA
 1286 BLACK ROCK ROAD, PO BOX 406, OAKS PENNSYLVANIA 19456

FIRE COMPANY SERVICE AREAS

- COLLEGEVILLE FIRE COMPANY #34
- TRAPPE FIRE COMPANY #77
- ROYERSFORD FIRE DEPARTMENT #98
- BLACK ROCK VOLUNTEER FIRE COMPANY #99

DATE PREPARED: SEPTEMBER 15, 2016



PREPARED BY:
GRACE PLANNING ASSOCIATES
 GRACEPLAN.NET GGRACE.AICP@GMAIL.COM
 PO BOX 455, OAKS PENNSYLVANIA 19456 484.370.5200

Exhibit A



TOWNSHIP OF UPPER PROVIDENCE
DEPARTMENT OF FIRE AND EMERGENCY SERVICES
Standard Operating Guideline
Training Guidelines

Administrative	Issued: 02-July-2008	Pages: 3
100.09	Revised: 01-Sept-2016	Revision 1

Purpose: To ensure all firefighters and officers responding to emergencies within the Township of Upper Providence meet the minimum standard for training.

Scope: ALL personnel who participate in firefighting and rescue activities shall be required to conform to this policy. All companies must have at least 75% of its active membership meet the firefighter requirements and ALL Fire Officers must meet 100% of the required training for the position to which they are elected or appointed within 1 year of the effective date of this policy. Nothing in this document shall prevent or prohibit any fire company from implementing training standards or qualifications that are in excess of the minimum requirements listed in this document.

Junior Firefighters

Junior firefighters are members who are sixteen (16) and seventeen (17) years of age. All Department Junior firefighters shall have the following training as a minimum in order to ride on departmental apparatus:

- Introduction to the Fire Service
- Fire Ground Support
- Exterior Firefighter OR equivalent.
- Hazardous Materials Awareness OR equivalent (NFPA 472). If the date of completion is over one year, a current Hazardous Materials Awareness Refresher Course is needed.
- Current First Aid and CPR certification.
- Junior firefighters shall be limited to those duties allowed by the Pennsylvania State child labor laws.
 - 1. Red helmet
 - 2. Fire Company helmet with red striping and "Junior Firefighter" rockers
 - 3. Traditional style Fire Company helmet with red stripes and a red front shield

Firefighters

Firefighters are members eighteen (18) years of age and older who meet the following minimum training qualifications. Any firefighter who does not meet these minimum standards will be restricted to exterior operations only and will be designated a probationary firefighter.

- Pennsylvania State Firefighter 1 certification (NFPA 1001).
- Hazardous Materials Operations for First Responders OR equivalent (NFPA 472). If the date of completion is over one year, a current Hazardous Materials Operations Refresher Course is required.
- NIMS 100, 700
- Vehicle Rescue Technician (If Company provides vehicle rescue service).
- Water Rescue Awareness
- Current First Aid, CPR, AED Certification.
- Infectious Control/Bloodborne Pathogens Class
- Emergency Vehicle Operators Course if the firefighter uses warning lights.
- Valid Pennsylvania Drivers License



TOWNSHIP OF UPPER PROVIDENCE
DEPARTMENT OF FIRE AND EMERGENCY SERVICES
Standard Operating Guideline

Training Guidelines

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100.09	Revised: 01-Sept-2016	Revision 1

Exterior Firefighters

Exterior Firefighters are members who are eighteen (18) years of age or older and do not meet the minimum training requirements for the firefighters listed above. Exterior firefighters will be restricted to exterior operations that do not require the use of a Self-Contained Breathing Apparatus.

Apparatus Operators

Apparatus operators shall be a minimum of eighteen (18) years of age or older for vehicles under 15,000# GVW and a minimum of twenty-one (21) years of age or older for vehicles greater than 15,000# GVW. Apparatus operators shall have a minimum of one (1) year of fire service experience, must meet the firefighter requirement and:

- Pump Operations
- Emergency Vehicle Operators Course

Lieutenant

Must be twenty-two (22) years of age and have been a member, in good standing, for at least 2 years in one of the Township Fire Companies. Must meet the requirements for Firefighter and Apparatus Operator and:

- Pennsylvania State Firefighter II Certification (NFPA 1001)
- Pennsylvania State Fire Academy Certification as Fire Officer I (NFPA 1021) is encouraged.
- Truck Company I (for companies that have an aerial)

Captain

Must be twenty-two (22) years of age and have been a member, in good standing, for at least 2 years in one of the Township Fire Companies. Must meet the requirements for Lieutenant and:

- Pennsylvania State Fire Academy Certification as Fire Officer I (NFPA 1021)
- Water Rescue Phase I (if company provides water rescue services)

Assistance and Battalion Chief

Must be twenty-three (23) years of age and have been a member, in good standing, for at least 3 years in one of the Township Fire Companies. Must meet the requirements for Captain and:

- Pennsylvania State Fire Academy Certification as Fire Officer II (NFPA 1021)
- Aerial Apparatus Practices (if company has an aerial apparatus)
- NIMS 100, 200, 700, 800 (NIMS 300 & 400 are encouraged)
- Rescue I of NFPA 1006 CORE (if company provides rescue services)

Exhibit B



TOWNSHIP OF UPPER PROVIDENCE DEPARTMENT OF FIRE AND EMERGENCY SERVICES *Standard Operating Guideline*

Training Guidelines

Administrative	Issued: 02-July-2008	Pages: 3
100.09	Revised: 01-Sept-2016	Revision 1

Deputy Chief

Must be twenty four (24) years of age and have been a member, in good standing, for at least 5 years in one of the Township Fire Companies. Must meet the requirements for Assistant or Battalion Chief and have held the position of Assistant or Battalion Chief for 1 year.

Fire Chief

The following shall be required to have been completed as a minimum training for the position of Fire Chief: In addition to the minimum training qualifications listed below, the Fire Chief shall be a minimum of twenty-five (25) years of age and have a minimum of five (5) years of township company experience AND at least one (1) year experience as an Assistant or Battalion Chief or Deputy Chief. Must meet the requirements of Deputy Chief and:

- NINIS 100, 200, 300, 700, 800 (400 encouraged)
- The Fire Chief shall be required to live in the company's first response district.

Training Records

Training records for each departmental firefighter shall be recorded in the Departments Firehouse Software. These training records will be used to determine if a firefighter or officer meets the minimum standards for training.

The Fire marshal shall oversee handling of the training records.

Only the Chief (s) or person(s) designated by the Fire Marshal will have access to the record.

The training records will be handled with the same sensitivity that any employee information would be handled.

Determination of Equivalence

Certified FF I = ALL of the following: PA State Basic Firefighting, PA State Advanced Firefighting, PA State Firefighting III, CPR/AED, and Hazardous Materials Operations.

All courses can be completed accredited facilities.

Supersede Policy

This general order supersedes all previously published policies, procedures or orders related to minimum training standards or requirements.