

TOWN OF OCEAN VIEW

SUSSEX COUNTY, DELAWARE

Resolution No: _____

RESOLUTION AUTHORIZING THE TOWN OF OCEAN VIEW TO ENTER INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT AND PARTICIPATE IN THE DELAWARE VALLEY HEALTH TRUST

WHEREAS, the Pennsylvania Intergovernmental Cooperation Law, as amended, 53 Pa. C.S.A. §§2301, *et seq.*, authorizes local government units and agencies to jointly cooperate and enter into intergovernmental agreements with other local government units and agencies in the performance of their governmental functions, powers or responsibilities;

WHEREAS, the Pa. Intergovernmental Cooperation law, 53 Pa. C.S.A. §2303, allows local governments in Pennsylvania to jointly cooperate with any similar entities located in any other state, including the State of Delaware, pursuant to a duly authorized intergovernmental agreement;

WHEREAS, Article II, Section 2.313 of the Town of Ocean View’s Charter authorizes the Town of Ocean View to execute the Delaware Valley Health Trust Agreement and thereby participate in the Delaware Valley Health Trust; and

WHEREAS, the Town of Ocean View has determined that it is in the best interests of its employees, retirees, and their dependents for the Town of Ocean View to become a participant in the Delaware Valley Health Trust, a self-insured governmental multiple employer welfare arrangement and public employer health benefits Trust organized under the laws of Pennsylvania.

NOW THEREFORE, the Town Council of the Town of Ocean View located in Sussex County, Delaware does hereby resolve as follows:

Section 1. That the Mayor of the Town Council of the Town of Ocean View (the “Municipality”) is hereby authorized to execute the Delaware Valley Health Trust Agreement (“Trust Agreement”) and any other agreements necessary for the participation of the Municipality in the Delaware Valley Health Trust (the “Trust”), which is attached hereto as Exhibit “A” and is on file for inspection and review at the offices of the Municipality. The Trust Agreement may be amended after the adoption of this Resolution in accordance with the terms and conditions contained therein.

Section 2. That the participation of the Municipality in the Delaware Valley Health Trust is authorized for the purpose of obtaining high quality health benefits at the most reasonable cost to the Municipality and its employees, retirees and their dependents.

Section 3. As set forth in the Trust Agreement and as otherwise stated herein, the following conditions, among others, apply to the participation of the Municipality in the Delaware Valley Health Trust:

1. That each Trust Participant must meet the admission and eligibility requirements set forth therein;
2. That each Trust Participant agrees to pay all contributions when due as provided in the Trust Agreement and any By-Laws adopted by the Trust;

3. That each Trust Participant uses its best efforts to provide appropriations for the payment of any contributions required to achieve the purposes and objectives of the Trust;
4. That each Trust Participant cooperate fully in achieving the purposes and objectives of the Trust; and
5. That each Trust Participant comply with all other terms and conditions of the Trust Agreement.

Section 4. In accordance with an Addendum to the Trust Agreement, the Municipality agrees to participate in the Delaware Valley Health Trust for a minimum of **three (3) years** from the effective date of its participation and thereafter may withdraw from the Trust for any reason whatsoever provided that it has fulfilled all the applicable conditions in the Trust Agreement and satisfies all its financial obligations to the Trust upon withdrawal.

Section 5. The effective date of the participation of the Municipality in the Delaware Valley Health Trust will be **July 1, 2026**.

Section 6. The organizational structure of the Trust consists of a Board of Trustees, an Executive Committee selected by the Board of Trustees in accordance with the Trust Agreement an Administrator/Executive Director and various service agents appointed in accordance with the Trust Agreement and any By-Laws adopted pursuant thereto.

Section 7. The Municipality delegates to the Board of Trustees of the Delaware Valley Health Trust the powers enumerated in the Trust Agreement.

Section 8. All contributions paid by the Municipality shall be made with funds appropriated by the Municipality for that purpose.

Section 9. The funds required for the operation of the Trust shall be provided by the Trust Participants through annual appropriations.

Section 10. The Delaware Valley Health Trust is empowered to enter into contracts for policies of group insurance and employee benefits, including Social Security, for its employees.

Section 11. As a condition of participating in the Delaware Valley Health Trust, the Municipality agrees to comply with all the terms and conditions in the attached Trust Agreement.

Section 12. This Resolution is being enacted pursuant to Article II, Section 2.313 of the Town of Ocean View's Charter and the provisions of the Pennsylvania Intergovernmental Cooperation Law, as amended, 53 Pa. C.S.A §§2301, *et seq.*

Duly presented and adopted by the **Town Council** of the **Town of Ocean View** at a public meeting held on _____.

By: _____
John Reddington, Mayor

I certify that the above Resolution was duly adopted by the **Town Council** of the **Town of Ocean View** at a public meeting held on _____ at which a quorum of the **Town Council** of the Municipality was present and voting, and further that the Resolution remains in full force and effect.

Attest: _____
Carol S. Houck, Town Manager