ORDINANCE NO. 3120
UPPER DARBY TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA

AN ORDINANCE OF UPPER DARBY TOWNSHIP, DELAWARE COUNTY, PROVIDING FOR SUPPLEMENTAL APPROPRIATIONS FOR THE 2022 BUDGET APPROPRIATING THE FUNDS PROVIDED BY THE AMERICAN RESCUE PLAN ACT (ARPA) STATE AND LOCAL FISCAL RECOVERY FUND FOR THE UPPER DARBY TOWNSHIP POLICE AND FIRE DEPARTMENTS; REPEALING INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Upper Darby Township Council ("Council") adopted a budget for the calendar year 2022 on December 20, 2021; and

WHEREAS, pursuant to Section 909(A) of the Home Rule Charter of Upper Darby Township, if during the fiscal year the Chief Administrative Officer certified that there are available for appropriation revenues in excess of those estimated in the budget, Council by ordinance may make supplemental appropriations for the year up to the amount of such excess; and

WHEREAS, on March 11, 2021, President Biden signed into law the American Rescue Plan Act, providing $350 billion in funding for state and local governments; and

WHEREAS, the U.S. Department of Treasury calculated Upper Darby Township's direct allocation from the Coronavirus State and Local Fiscal Recovery Fund at $41.7 million to be provided to the Township in two (2) installments with one received in May 2021 and the second installment to be delivered on or about twelve (12) months later (collectively "ARPA funds" or "American Rescue Plan Allocation"); and,

WHEREAS, the Mayor submitted to Council a proposed spending structure, as prepared by Township staff in conformity with the Interim Final Rule released by the U.S. Department of Treasury, for the first $20.8 million; and,

WHEREAS, on February 7, 2022, Council appropriated $6,000,000 of the ARPA funds to the General Fund leaving $14,880,969 from the first installment and $20,680,969.50 from the second installment to be allocated; and,

WHEREAS, the Mayor is requesting an allocation from the ARPA funds of $5,500,00 for Upper Darby Township Police and Fire; and,

NOW, THEREFORE BE IT ORDAINED AS FOLLOWS, Upper Darby Township Council makes the following supplemental appropriations for Upper Darby Township Police and Fire from the American Rescue Plan Allocation:

SECTION 1. Program Allocation

Police & Fire	**$ 5,500,000.00**

SECTION 2. All Ordinances and parts thereof inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 3. The terms, conditions and provisions of this ordinance are hereby declared to be severable, and should any portion, part or provision of this ordinance be found by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, Upper Darby Township Council hereby declares its intent that the ordinance shall have been enacted without regard to the invalid, unenforceable or unconstitutional portion, part or provision of this ordinance.

SECTION 4. This ordinance shall become effective immediately.

ENACTED and **ORDAINED** this _____ day of , 2022.

BY: _____
BRIAN K. BURKE
President of Council

ATTEST: _____
MICHELLE BILLUPS
Secretary of Council

APPROVED this _____ day of , 2022

BY: _____
BARBARANN KEFFER
Mayor

ATTEST: _____
ALEXIS CICCHITTI
Chief Municipal Clerk