

RESOLUTION NO. 2023 – 16

BOARD OF SUPERVISORS OF EAST COVENTRY TOWNSHIP

CHESTER COUNTY, PENNSYLVANIA

A RESOLUTION OF THE TOWNSHIP OF EAST COVENTRY, CHESTER COUNTY, PENNSYLVANIA, APPROVING AND AUTHORIZING PARTICIPATING MEMBERS OF THE RIDGE FIRE COMPANY #1 TO PARTICIPATE IN CERTAIN OPERATIONAL SUPPORT ACTIVITIES AS DESIGNATED IN THE PENNSYLVANIA WORKERS' COMPENSATION ACT AS MODIFIED BY ACT 108 OF 2020

WHEREAS, Act 108 of 2020 clarifies that certain officers, directors, and volunteers for volunteer fire departments that provide necessary operational support are eligible for workers' compensation coverage if injured in the performance of their duties; and

WHEREAS, Act 108 of 2020 defines “members of volunteer fire departments or volunteer fire companies” to include “Participating Members” of a volunteer fire department or volunteer fire company who provide necessary operational support to the volunteer fire department or volunteer fire company but do not respond to emergency calls; and

WHEREAS, Act 108 of 2020 states that the operational support of Participating members “includes” maintaining the station and equipment, acting as trustee, organizing fundraisers, providing information technology support and assisting with recruitment and other administrative tasks, if the operation support activity is conducted on a regular basis for the benefit of a volunteer fire department or volunteer fire company as approved a the beginning of each policy year by the authority, organization or municipality purchasing workers' compensation insurance for the volunteer fire department or volunteer fire company; and

WHEREAS, the term “includes” has been construed to mean “to not exclude other things not enumerated and in the same general class” [“Meaning of Terms,” the Code of Federal Regulations]; and

WHEREAS, in this instance, the PA Compensation Rating Bureau (PCRB) has stated in its policyholders' notices to municipalities that Participating Members “Operational support *includes but is not necessarily limited to:* maintaining the station and equipment, providing information technology support, and assisting with recruitment and other administrative tasks” and that these activities can be expanded upon by the municipality purchasing workers compensation insurance for the volunteer fire department,” and

WHEREAS, Act 108 of 2020 allows those operational support activities of “Participating Members” that are conducted “on a regular basis” and for the “benefit of the fire company,” to be approved for workers' compensation purposes by the municipality purchasing workers' compensation coverage for the fire department.

NOW, THEREFORE, be it resolved that the Supervisors of East Coventry Township, Chester County, Pennsylvania, hereby approve “Participating Members” of the Ridge Fire Co.

#1 (“Fire Company”) to participate in the following operational support activities for workers’ compensation purposes, which include the basic operational support activities designated in the Pennsylvania Workers’ Compensation Act as modified by Act 108 of 2020, as well as additional operational support activities.

Any and all Operational Support Activities as approved by the Supervisors of East Coventry Township, Chester County, as of the beginning of the workers’ compensation policy year, starting October 16, 2023, with all operational support activities to include travel to the event or traveling first to the Fire Company and then to the event, and on return, directly to the Fire Company, Participating Members’ home, place of business or other place where he or she shall have been engaging in the activities below:

- A. Maintaining the station and equipment; and
- B. Acting as trustee; and
- C. Organizing fundraisers; and
- D. Providing information technology support; and
- E. Assisting with recruitment and other administrative tasks; and
- F. While participating in events at the request of the Municipality to offer community support or other non-emergency services at various properties owned by the Municipality such as, including but not limited to, its parks, the Municipal Building, maintenance properties and open space; and
- G. While participating in community public outreach services to increase Fire Company visibility and relevance to area residents such as, including but not limited to, Community Day, Trunk or Treat during Halloween, Santa Claus visits and other holiday events, including while the vehicles are in operation or not in operation and alighting to or from the vehicle(s); and
- H. While participating in those activities that promote the public’s health and safety, such as, including but not limited to, the assisting other companies with their activities during Fire Prevention Week, and visiting daycare facilities to educate students and adults regarding public safety; and
- I. While transporting Fire Company apparatus or Fire Company pursuing vehicles to and from repair facilities and while at the repair facility; and
- J. While engaged in fundraising activities for the Fire Company such as, including but not limited to, Pancake Breakfast, Corn Hole Tournament, Steak Night, Annual Calendar Sales; and
- K. While participating at the special requests of area organizations or special requests initiated by the fire company, including the myriad activities typically associated with fire company non-emergency duties and activities such as, but not limited to parades, funerals or viewing processions, public displays of Fire Company equipment and apparatus; and
- L. While participating in training or education programs sponsored by the Fire Company or governmental entity; and
- M. While attending meetings relating to any function of the Fire Company, wherever such meetings are located, such as, including but not limited to, Fire Company meetings, municipal government meetings, relief association meetings and County Chief meetings; and
- N. While participating in the set-up and breakdown of the Annual Banquets and Award Ceremonies; and
- O. While participating in canteen-type activities for the Fire Company such as, including but not limited to, preparing food and providing canteen food and beverage services to

firefighters and fire police, including delivering food to firefighters and fire police while said personnel are on an emergency call at the emergency scene.

AND, FURTHER RESOLVED, that "Participating Members" of Ridge Fire Co. #1 Fire Co. #1 may engage in the foregoing approved operational support activities;

FURTHER RESOLVED, that in accordance with this authorization and Act 108 of 2020, these activities of the "Participating members" of Ridge Fire Co. #1 are approved for the policy term of October 16, 2023 to October 16, 2024;

FURTHER RESOLVED, if any provision of this Resolution is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect; all other resolutions or parts thereof which conflict with this resolution are hereby repealed; and this Resolution shall become effective as set forth above.

APPROVED this 11th day of September, 2023, by the Board of Supervisors of East Coventry Township, Chester County, Pennsylvania.

TOWNSHIP OF EAST COVENTRY

By: Ray Kolb
Ray Kolb, Chairman

Attest: Eugene Briggs
Eugene Briggs, Secretary