Pennsylvania Department of
Conservation and Natural Resources

Bureau of Recreation and Conservation

Peer-to-Peer Technical Assistance Project

WEST END REGION PEER STUDY PROJECT FINAL REPORT

2006

Chestnuthill Township
Eldred Township
Polk Township
Ross Township
Pleasant Valley School District

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EXECUTIVE SUMMARY

Members of the West End Peer Study Committee met over the course of two years to discuss creating a regional entity to manage the West End regional park, recreational programs, parks and open space for Chestnuthill, Eldred, Polk and Ross Townships. The Pleasant Valley School District was invited to participate with the process to encourage a cooperative effort on providing for recreation in the region. The School District was interested in participating because of its need for more recreational facilities, as well as desire to curb growth by protecting open space. The committee, which included elected officials representing the townships, decided to prepare an intergovernmental agreement to create a regional commission. After 18 months of work on the intergovernmental agreement and budgets, Eldred and Polk Townships decided not to participate with the Commission. The remaining two municipalities and the school district continued on to create an entity to be named the West End Park and Open Space Commission.

In summary, the West End Park and Open Space Commission shall have two (3) voting members from Chestnuthill and Ross Townships and one (1) voting member from the Pleasant Valley School District. The primary functions of the Commission are the following:

- direct, administer, supervise, maintain and operate the West End regional park
- to implement the West End Open Space and Recreation Plan,
- perform necessary programming for the region
- manage existing parks and recreation facilities if/when desired by the townships

The Commission will be funded primarily through a per capita assessment to the municipalities, based on a projected straight line population increase.

Once the intergovernmental agreement has been adopted by all three public bodies, members will be appointed to represent the public bodies. The first functions of the Commission will be to establish by-laws, a mission and a vision statement. They will also work to set up operations of the Commission and establish a "home" from which to operate. The Commission will need to determine the overall direction of the Commission with goals and objectives and embark on strategic planning for the Commission. Chestnuthill Township, on behalf of the West End region, has received a planning grant from the Department of Conservation and Natural Resources to prepare a $60,000 master site plan for the West End regional community park property. It is the intention of the municipalities that the Commission be responsible for the management of the regional park master planning process, as well as management of the regional park. Currently the property is owned solely by Chestnuthill Township; however the municipalities may discuss the transfer of the property into the two or four municipalities' names sometime in the future when it makes sense.

The proposed 2006 budget, prepared for the first year of the Commission's operation, includes funding for a full time circuit rider director six months into the year. The balance of the peer study budget will be expended in setting up the Commission.

This report includes a complete description of the process to decide to create a regional commission, prepare the final intergovernmental agreement and compile a projected 5-year budget (which is consistent with the proposed 2006 fiscal year budget). It also contains an action plan with specific tasks outlined for the Commission to take once the members have been appointed. Items included in the Appendix section are helpful to understanding the process the peer study committee went through and final products resulting from the process.

INTRODUCTION

❖ Purpose of the Study

In January of 2003 the townships of Chestnuthill, Eldred, Polk and Ross adopted the West End Open Space and Recreation Plan. A primary purpose of this Plan was to recommend how the West End's share of the Monroe County Open Space Bond Issue should be spent. The West End region was granted approximately $406,000 to be spent on land to be used as a regional recreation complex. In 2001 a 244 acre property was purchased by Chestnuthill Township in cooperation with the West End region for purposes of a regional community park. The acquisition was funded through County Open Space bond funds, PA Department of Conservation and Natural Resource grant funds and Township funds. In preparation for planning and developing this park and implementing the West End Open Space and Recreation Plan, the region decided to conduct a peer study to determine the best way to move forward. The desire was to examine, with the help of a park and recreation professional, methods of managing the new West End regional park, open space lands, programming, existing and/or future municipal parks. The study purpose was also to examine the need and ability to hire a professional park and recreation director.

❖ Summary of the Process

In January 2004 the West End Peer Study Committee was formed representing Chestnuthill, Eldred, Polk and Ross Townships and Pleasant Valley School District to work with a Consultant to conduct a peer study. The key tasks to be accomplished by the study were as follows:

1. Coordinate information from West End Open Space and Recreation Plan that impacts study and gather additional necessary information
2. Identify key issues and develop solutions and alternatives based on input solicited from study committee, elected officials, stakeholders and other key persons – initially addressing any key municipal issues that require immediate action
3. Analyze collected data and make recommendations regarding needs for management of park and recreation services and open space protection
4. work with study committee to consider options for management
5. If desired, develop an intergovernmental agreement under the direction of the committee
6. Develop a job description for a future director, if needed, as well as an administrative plan with a 5-year projected budget
7. Assist with formation and establishment of the managing entity

(The scope of work can be found in Appendix B.) The goal in the proposed project schedule, beginning with a first meeting in March, was to decide whether the committee would proceed with work on an intergovernmental agreement by August 2004. Allowing time for review by committee, counsel and elected officials of the agreement, it was anticipated that the agreement could be approved by December of 2004. Work on forming the managing entity, applying for a circuit rider grant, hiring and getting a director setup could take place over the year of 2005, with an end to the Consultant's contract of December 31, 2005. Because of the lack of commitment from some of the municipalities, the numerous steps to keep them involved, and the eventual withdrawal of two of the townships from the project, the intergovernmental agreement was not signed until July 2006 with two of the four townships as participants. A one-year extension was granted to the peer consultant by Chestnuthill Township.

The following meetings were held:

March 10, 2004: introductions of consultant and peer process to committee, discussion on proposed scope of work, timeline, and potential issues and questions

April 14, 2004: Committee discussed immediate park and recreation needs of municipalities and key persons to interview – distributed sample survey questionnaire for elected officials

May 12, 2004: Consultant reported on key person interviews and elected officials' survey response and committee planned a forum with elected officials

June 3, 2004: Special meeting of the West End Open Space Committee – discussion on peer process, the master plan for the regional park and update on action taken since completion of Open Space Plan
June 9, 2004: Special forum for elected officials to discuss peer study process – questions and concerns
July 13, 2004: Meeting held with youth sports groups to discuss ways regional management may be beneficial to them, and an update on the sports groups' needs
July 14, 2004: Discussion on elected official and sports meetings, funding options and how to proceed - began discussions on draft of 6-year projected budget and consultant was instructed to work on intergovernmental agreement – time for committee and elected officials to work on "buy in"
August 11, 2004: Field trip to visit a community park – good ideas!
September 9, 2004: The committee attendance was light compared to earlier meetings, but the group was devoted and reviewed and made changes to the IGA, the projected 5-year budget and the job description. It was decided that the per capita funding would be based on a population based on a straight-line increase from the most recent decennial census population to the projected decennial census population. The most significant revision was to change the budget to a 5-year budget with general administrative, pre-construction expenses and income only. It will be noted on the budget that as construction occurs at the regional park, the budget will reflect the additional costs for construction and maintenance.
October 13, 2004: The committee decided to finalize the IGA, budget and job description and send them to the Boards of Supervisors for review and movement toward a decision on whether to participate in a regional commission. It was also decided that a presentation would be made to the Pleasant Valley School Board on the peer process and determine what type of involvement the District would like to have in the IGA, if any. A small financial commitment may be requested of the District, in order to have a voting member on the commission.
November 15, 2004: An elected official was present from each of three municipalities to meet prior to the School Board meeting. During the Pleasant Valley School Board meeting, a brief Power Point presentation was made to the School Board, who then voted to review the IGA option with a financial commitment from the School District. (See Appendix E) At their meeting in late November the School Board voted to approve the IGA, upon solicitor's review, with a cap on their annual commitment set at $5,000.
January 12, 2005: Additional review of drafts of the IGA and budget. There was a presentation from equestrians interested in involvement in the regional park.
March 9, 2005: Discussion on the job description for a circuit rider director and how a director could benefit each community.
April 13, 2005 and May 11, 2005: Chestnuthill, Ross and Eldred Townships all wish to be part of the Commission but Polk is hesitant and non-committal so discussion offered as to their involvement. Area youth sports organizations were represented at the meetings to offer help with the process of the peer project and regional park planning.
June 8, 2005: Additional discussion on Polk Township's involvement and review of the regional park master site plan draft scope of work.
August 10, 2005: Modification made to the agreement in accordance with Polk solicitor's requests.
September 14, 2005: 2006 fiscal year budget was prepared and it was decided that the committee would proceed without Polk Township's participation being their indication was that they did not wish to participate. A letter was sent to Polk requesting confirmation of their choice not to participate.
November 9, 2005: The committee reviewed the agreement draft that was revised to remove Polk's participation. Revisions will be discussed with the parties not in attendance of the meeting and then passed on to the solicitors for their review.
February 8, 2006: The committee was advised that Eldred does not wish to participate in the commission and additional changes were made to the agreement. It was also decided that the group should move ahead in soliciting proposals from firms to begin the master site plan process for the regional park.
March 13, 2006: A meeting was held with Ross Township and the committee to discuss their participation. The committee was advised after the next supervisors' board meeting that they intend to participate in the commission.

May 10, 2006: Committee set a schedule for adoption of the ordinance, advertising the ordinance in June and setting a joint special meeting in July after the 30-day requirement to pass the ordinance and appoint Commission members.

West End Open Space and Recreation Plan

The West End Open Space and Recreation Plan was prepared by Urban Research & Development Corporation under the direction of the West End Open Space Advisory Board. The primary purpose of the plan was to recommend how the West End's share of the County Open Space Bond Issue should be spent. The following allocations were set aside for each township to use from the $25 million open space bond issue: Chestnuthill-$833,764, Eldred-$346,226, Polk-$501,518, Ross-$447,830. Some of the primary goals from the Plan were as follows:

- Use a combination of property acquisition, purchase of conservation easements, development regulations and cooperative ventures with non-profit groups to protect the most important natural areas in the West End;
- Emphasize the preservation of natural features along all creeks. Protect the water quality of all creeks and groundwater;
- Seek to preserve contiguous areas of important farmland, particularly through purchase of easements;
- Provide more widely distributed recreation areas that are primarily designed to serve informal "passive recreation, such as nature study, fishing, walking, group picnics and informal games by youth;
- Seek to provide most "active" recreation facilities that include athletic fields and serve organized sports programs to a selected few larger centrally located sites, including the proposed new West End Regional Park in Chestnuthill and adjacent to public schools;
- Strengthen existing zoning and subdivision regulations to protect important natural features.

One of the short-term action steps recommended in the Action Plan was to consider hiring a full-time staff person to serve the region in park and recreation matters. A cost-conscious implementation method recommended in the Plan was a joint municipal organization created by an intergovernmental agreement to carry out certain recommendations of the Plan.

Summary of Public Participation

❖ Peer Study Committee

The peer study committee was made up of two representatives from each of the four townships and the school district; one of which was an elected official (or superintendent in the District's case). An additional representative of the grantee township acted as the project manager and chair of the committee meetings. The initial meetings were well-attended; however attendance decreased as the process proceeded. Fortunately, some of the representatives who attended meetings regularly were elected officials and they worked to keep their fellow officials updated. They also worked to keep all of the townships informed as much as possible.

❖ Key Person Interviews

At least 21 people who were considered to be key individuals or individuals representing key stakeholder groups were interviewed by the consultant. (A summary of the input is included in Appendix C.) The majority of the people interviewed support the concept of a regional managing entity for open space, parks and recreation, and thought it was necessary for managing a regional park. The majority also supported the hiring of a fulltime director for tasks like developing parks, fundraising, grant writing, assisting with open space acquisition and developing an indoor community center. Most interviewed were willing to pay extra for more park and recreation opportunities, with the senior population being the most hesitant; although there seems to be a relatively large, active senior population in the West End. Maintenance and security were a concern among many interviewed.

- **Elected Officials Survey**

(Summary found in Appendix D) Survey questionnaires were distributed to all twenty-one (21) of the elected officials and feedback was received from nine (9) township supervisors and seven (7) school board members, representing all five of the participants. The great majority favored participation in a regional management entity, with participation ranging from financial/fair share commitment to in-kind contributions. Support was strongest for the regional entity to manage the Regional Park, open space purchased with County bond funds, and greenways and trails. Some support existed for the entity owning real property and strong support existed to manage operations, capital projects and pay out money. A regional maintenance force was favored, with mixed contribution from municipal staff and equipment. There was reluctance by many to have municipal parks or open space managed by a regional entity, or for existing park and recreation boards to be dissolved. It seemed that it was important to allow a variety of options for fulfilling financial obligations to the entity through in-kind contributions.

- **Visit to Pleasant Valley School Board**

The consultant and representatives of the committee attended a Pleasant Valley School Board meeting early in the process to discuss whether the school board would like to participate in an intergovernmental agreement and whether they would contribute financially. A Power Point presentation was made (see Appendix E) to the School Board with the options and benefits to the Board. The District saw that the largest benefits of the Commission to them would be the preservation of open space (thus less development and less increased demand on schools) and the organized effort by a fulltime professional on the development of athletic fields and facilities for the public. The District is currently experiencing difficulty satisfying the needs of their teams and those of the public. The District decided to participate and contribute 5% of the administrative budget to the Commission's budget with a maximum contribution of $5,000.

- **Elected Official Special Forum**

Attendance was quite good from all participants, however little response was received during the forum. The elected officials gained understanding of the project, which created concern for certain officials, while clearing up issues with other officials. It was beneficial for the officials to hear a presentation by the Peer Consultant on the purpose of the peer study and a description of the process and benefits, as well as examples of budgets and financial commitments for other regional organizations.

- **Youth Sports Forum**

The youth sports forum was beneficial to the public participation process and those who attended, although attendance was very poor. The attendees were educated about the process and they quickly saw the benefits. They also were vocal about needing to "get the word out" to other residents so they could encourage their elected officials to participate in an intergovernmental agreement. The group of youth sports participants is quite aware of the need for more facilities and a coordination of scheduling and partnering to accomplish more.

DISCUSSION ON KEY ISSUES NEEDING IMMEDIATE STRATEGIES FOR ACTION

Some of the municipalities expressed early in the process a need for immediate recommendations or assistance in park, recreation or open space matters from a consultant. The peer consultant was able to help Chestnuthill Township better-organize their park and recreation budget and make recommendations on current staff needs. Chestnuthill Township also expressed a need to get staff help with their volunteer-run recreational programs, which has kept them moving forward on the track to establishing a regional commission and hiring a fulltime staff person.

Eldred Township expressed a need to begin spending their allocations of County open space bond funds to preserve open space, but needed to be focused and consider how to accomplish the work with little township staff. Eldred Township has made steps on their own toward acquisition of land with their County open space funds during the past year and decided they didn't wish to participate in the commission.

Ross Township started the process with a recently-acquired piece of land they wish to plan and develop as a community park, but in the difficulty of making great progress, it served as an incentive for them to participate in the commission and reap the benefits of a new employee to aid with their park project.

Polk Township did not indicate current issues in regard to parks, recreation and open space with which they needed assistance. That could have been a part of the reason they chose not to participate in the regional commission. The supervisors did not see the benefits to their current operations in joining a regional commission and sharing a new fulltime professional. They also were not convinced by their residents that this was a needed regional venture.

The Intergovernmental Agreement

❖ Coming to the decision

The peer study committee decided that the consultant should proceed with drafting an intergovernmental agreement and budget projection so they could start addressing specific terms of the agreement. The municipal elected officials talked about the regional concept with each other outside committee meetings, and the committee proceeded to begin talking about details. Because there is a 244-acre property involved that needs to be planned, developed, managed and maintained as a regional park, there is clear need for a regional organization to manage, develop, maintain and potentially own it.

After 18 months of work on the project, Polk and Ross Township decided not to participate in the final agreement. This left two townships and the Pleasant Valley School District. The remaining townships and school district decided to continue with participation in the intergovernmental agreement, but will leave the opportunity open for Polk's and Eldred's participation in the future.

❖ What will it look like?

The peer consultant briefed the types of intergovernmental agreements with the West End Peer study committee, and the choice was very quickly made to proceed with an Act 180 intergovernmental agreement. The municipal officials would like to keep their hand in the dealings of the Commission, however give it authority to act independently. The outline of the intergovernmental agreement is outlined below, and the final intergovernmental agreement is located in Appendix F.

- Structure of the Commission
  - i. Membership of municipalities and school district
  - ii. Voting
  - iii. Membership specifics
- Duties and Powers of the Commission
  - i. Purpose
  - ii. Equipment, facilities, supplies and services
  - iii. Real property
  - iv. Employment of personnel
  - v. Conduct of business
  - vi. Meetings
  - vii. Quorum
  - viii. Annual report
- Executive Director
  - i. Duties and responsibilities
  - ii. Evaluation
- Finances
  - i. Fiscal year
  - ii. Municipal contributions
  - iii. School district contributions

iv. Budget submission
v. Maintenance and operations budget
vi. Payment schedule
vii. Funds and profits
viii. Contracts
ix. Audit requirements
x. Debt

- In-Kind Contributions
  i. Real property
  ii. Participating school district
- Insurance and Immunity
  i. Waiver of Claims
  ii. Immunity
  iii. Proportional Liability
- Terms of the Agreement
  i. Effective date and term
  ii. Renewal, withdrawal and dissolution
  iii. Adding a participant to the agreement

ADMINISTRATIVE PLAN

❖ **Purpose**

The purpose of the West End Park and Open Space Commission (WEPOSC) is to provide for planning, development, operation, maintenance and programming for the West End regional park, and management, implementation, oversight, operation, and administration of the West End Open Space and Recreation Plan adopted by the Participating Municipalities in January 2003, as well as other park facilities and recreation programs the Public Bodies have or may sometime in the future expressly assign to the Commission.

❖ **Governance**

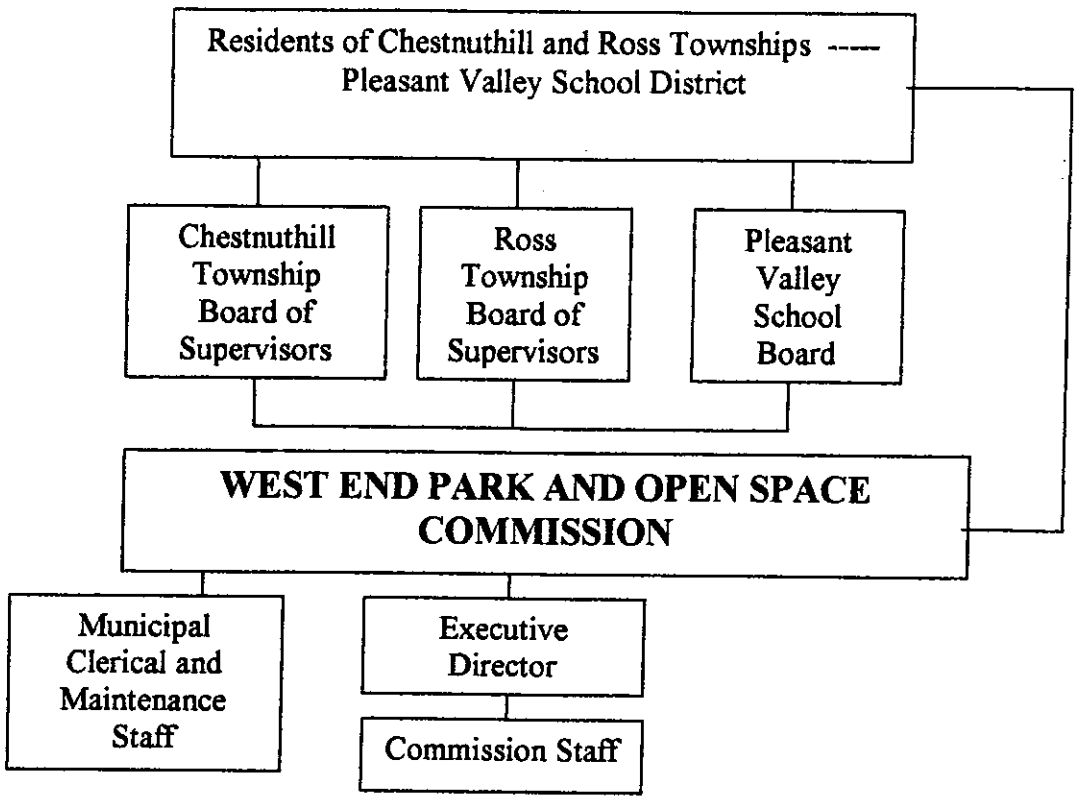
The Commission shall have the authority to govern, direct, administer, supervise, maintain and operate the following:

- The West End regional park property;
- Such parks, recreational properties and facilities, greenways and open space, as may be designated by any of the Public Bodies to be under its jurisdiction or control;
- Recreational programs for the residents of the Public Bodies;
- Recreational programming to non-residents of the Public Bodies provided that such programming is of primary benefit to residents of the Public Bodies;
- Recreational programming or park management as may be contracted for between the Commission and the Public Bodies.

❖ **Organizational Structure**

The organizational structure of the organization is outlined in the Intergovernmental Agreement and demonstrated in a chart below. The Commission includes members from municipalities and the school district (collectively known as "Public Bodies"), who are appointed by their Public Body. These Commission members act as liaisons with their municipal elected officials, as well as respond to wishes of their residents. The Commission as a body has authority to hire, manage and supervise a director and ultimately its own staff to carry out the work of the Commission. The Commission and its director may also work with municipal and school district staff as needed and authorized by the Public Bodies, to implement the work of the Commission, especially early on before staff are hired by the Commission.

ORGANIZATIONAL CHART



❖ **Personnel**

Three levels of personnel, indicated in the chart above, are anticipated during the early time of the Commission. Initially, it will be cost effective for the payroll and benefits of the director and additional Commission staff to be handled by a Public Body. The Commission can make the decision to turn over the payroll, etc. to the Commission when it is advantageous.

- Director – The Commission should apply for a DCNR Circuit Rider grant to assist with the salary of the executive director in the first four years that the director is employed. The grant pays 100% of the salary in the first year, 75% in the second, 50% in the third and 25% in the fourth, while the Commission pays for the fringe benefits. In the fifth year the director salary will need to be completely handled by the Commission. A model job description is located in Appendix I. Additional funds can also be allocated by DCNR for the peer to mentor with a new director.
- Commission Staff – Once the Commission demonstrates a need for additional staff and can justify the expense to the Public Bodies, the Commission should look to hire additional staff. Clerical, maintenance or programming staff should be considered initially. Part-time, seasonal, full-time or a combination of the above should be considered for employment of Commission staff.
- Municipal Clerical and Maintenance Staff – In order to control costs, it could be cost effective to use existing municipal staff when possible to carry out or assist in work of the Commission. Municipal clerical staff may be helpful in the set-up of the Commission and providing helpful information to a new director. Municipal maintenance staff will be essential to maintaining and possibly in assisting in developing the regional park. It will be critical that the public bodies and Commission communicate and coordinate schedules to determine whether time and assistance is available to the Commission by municipal clerical or maintenance staff.

❖ **Parks and Facilities**

A primary purpose for creating the WEPOSC is to plan, develop, operate, maintain and program for the West End Regional Park. The Commission will not be given the ability to own property. It is the intention of the municipalities that Chestnuthill Township maintain ownership of the Regional Park and the municipalities continue to own their municipal parks. The municipalities could decide in the future to jointly own the regional park in the future. Management, operation and/or maintenance of existing and future municipal parks may be turned over to the Commission when authorized by the owner municipality and approved by the Public Bodies, but it is not anticipated that this will happen in the near future.

❖ **Programming**

The Commission has been given authority to provide recreational programming for the municipal region. Recreational programming is to be provided for the primary benefit to the residents of the region; however programming can be provided for non-residents as well. The Commission may also contract with organizations such as Monroe County Recreation or the YMCA to provide specific programming for the region. Recreational programming must be provided within the budget established by the Commission and approved by the Public Bodies.

❖ **Relationships to Outside Organizations**

The WEPOSC will need to work cooperatively with many outside organizations in order to carry out their Open Space Plan and plan, develop and maintain their regional park. Many organizations share an interest in working cooperatively with the WEPOSC, so coordination will be essential to getting the most benefit from the organizations. Cooperative efforts may include, but not be limited to:

- Land acquisition to protect open space or contribute to greenway corridors by groups other than municipalities (i.e. conservancies or land trusts)
- Preservation of privately-owned land or availability of non-profit or private land for recreational use by the public
- Financial contribution from other organizations for land acquisition or protection (youth sports groups, conservancies, fishing/hunting/etc. organizations)
- Financial contributions or in-kind labor for developing parks (equestrians, sports groups, service groups)
- Volunteer maintenance by users of the parks and facilities (sports groups, scout groups)
- Recreational programming for municipal partners or school district by the Commission on a contract basis.
- Recreational programming for outside municipalities by the Commission on a contract basis when there is benefit to the Commission and its partners.
- Recreational and special programming by outside organizations (Monroe County Recreation, YMCA)
- Contracting by others for service
- Partnering in grant applications by public, non-profit and private interests

❖ **Future Expectations**

It is anticipated that the Commission will choose to hire a director rather quickly, in order to help municipalities use the balance of their allocations of Monroe County Open Space bond funds. The property has been purchased and a PA DCNR planning grant obtained for the regional park in the West End, and the municipalities are eager to proceed. The municipalities also desire to proceed cautiously with turning over parks or responsibilities to the regional Commission, until trust is gained in the Commission and the Public Bodies are comfortable with the finances of the Commission. Local park boards will continue to operate as long as there are municipal parks to operate, however the regional open space committee will need to remain separate because all the townships are not participating. It is expected that the municipalities will work with the WEPOSC Director in order to work on planning and developing their municipal parks. Regional maintenance staff will likely be a consideration in the near future as well, being time does not appear to be readily available with municipal maintenance staff for

new park development. There may be challenges in the WEPOSC developing, managing and maintaining the regional park because two of the four West End townships are not participating in the commission; however they committed some of their open space bond allocations to the acquisition of the land and the planning of the park. They are currently indicating that they may not wish to be an active part of the planning process either.

The participants in the intergovernmental agreement have agreed to remain open to further discussion with Polk and Ross Townships if they wish to become involved with the Commission in the future.

- **Finances**

The Commission will be funded by a per capita contribution from the member municipalities. The Pleasant Valley School District was given a choice to participate by making a financial commitment and having a vote, or be an in-kind contributor without a vote. It was decided that the District receives a 5% benefit by participating with the Commission as so the financial commitment was based on that assumption. The PVSD chose to participate financially so as to participate actively with the planning of the regional park, as well as to encourage the protection of open space so as to control growth and therefore costs to the District. A maximum contribution of $5,000 was established by the District so as to limit potential increases of contribution in the future.

In addition to per capita financing, if duties are turned over to the Commission involving municipal parks, adequate resources must be contributed to accompany the responsibility. Grants and contributions through partnerships are also anticipated to limit the increase in expenses as park development proceeds.

Budget

(See Appendix G) Various options were prepared of a 6-year and 5-year budget, but it was decided to use a 5-year budget with the circuit rider being hired to assist with open space efforts in year 1. It was also decided that the budget should be administrative and reflecting pre-construction only, and adding additional line items as construction occurs and maintenance is needed. The committee favored a financial contribution based on a per capita number, however with a population that is growing as quickly as it is in the West End, the growth needed to be considered. It was decided that the population should grow at a steady percentage annually in order to accurately calculate the per capita contribution

Action Plan

Putting together the regional commission is an exciting opportunity, with many tasks to consider:

1. Appoint municipal and school board representatives to the Commission
2. Hold initial advertised meeting of the Commission
3. Establish a monthly meeting day and time that is convenient for everyone. It may be helpful for the consultant to stay on-board initially. Advertise accordingly.
4. Elect officers, a chair and committee appointments, if needed at the time
5. Appoint a treasurer/financial secretary for the Commission
6. Apply for the DCNR grant as soon as possible, along with a request for additional funding to be used to mentor with the director if the Commission so desires. If this is the case, an indication needs to be made as to the nature of the mentoring.
7. Determine a physical location from which the Commission and Director can operate
8. Determine the Commission mailing address
9. Determine bank account location and type
10. Authorize letter to be sent to participating municipalities requesting initial funding contribution **this may need to be calculated based on the time of year the Commission begins operation – you will need start-up funds**
11. Secure liability insurance for the Commission
12. Acquire and Employer ID Number
13. Develop Commission by-laws

14. Transition from Authority (if applicable)
    a. Transfer of Assets and liabilities
    b. Transfer of rights and authority
15. Decide if a municipality, and whom, will do payroll for an employee, once an employee is hired

    (NOTE: if the Commission applies for circuit rider grant prior to receiving an Employer ID Number, the applicant will need to be one of the members, and the municipality who is doing the payroll)
16. Hire a solicitor **He/she may be helpful during set-up**
17. Hire an accountant
18. Decide on Employee benefits (insurance, vacation, deferred compensation, etc.) – preferably adopt Personnel, Policies and Procedures Manual for the Commission
19. Provide the Commission with DCNR training on how to serve on a commission (the timing of this training depends on the experience of the Commission members and may be best be put off until there are issues to discuss with the new director, etc.)
20. Establish the overall direction of the Commission, including goals and objectives of the members **This is important to do early on**
21. Strategic planning for the short term (1-3 years), mid-term (3-7 years) and long term (7-10 years).
22. Consider establish standing committees to operate under the Commission, to include additional people in the operations of specific fields of interest, such as programming/special events, regional park, open space and greenways
23. Recommendations for hiring a director:
    a. Establish Personnel Committee of the Commission
    b. Finalize job description for director
    c. Prepare advertisement for distribution to:
        i. local and regional (?) newspapers,
        ii. DCNR (Department of Conservation and Natural Resources) – free Personnel Referral Service,
        iii. PRPS (PA Recreation and Park Society) – free monthly Job Mart and Update newsletter to members – requires substantial lead-time because of the deadline for submission for a monthly advertisement,
        iv. NRPA (National Recreation and Park Association) – website career center $100.00 – cover letters and resumes are received over email.
        v. Be sure to put aside at least $350 for advertising expenses
    d. Receive resumes, select top applicants, check references– you may want to additionally narrow down applicants, especially if they coming from a distance, through phone interviews
    e. Go over the final list of choices with Mike Eschenmann of DCNR and ask for input – since DCNR is funding the circuit rider, they need to be involved with the selection
    f. It may be helpful to send out a profile of the Commission and additional information on the area
    g. Interview candidates by select committee and DCNR representative, if possible– you will need to decide whether to pay for travel expenses for interviewees, and once again for the person chosen
    h. Select a finalist, holding second interviews if needed, and draft a contract for employment for the new director to sign

APPENDIX A

WHY COOPERATE??

- **Shared interest of citizens/Interdependence**
  - Municipal boundaries are not walls, especially for those who use park and recreation amenities
  - Citizens are taxed, earn their money and spend their money across municipal boundaries, therefore communities are economically dependent on each other
  - Physical features cross over municipal boundaries (i.e. Rivers, mountains, water quality,...)
  - Social groupings do not follow municipal lines (i.e. Religious institutions, social activities, educational institutions,...)
  - Other forms of government do not follow municipal boundaries

- **Efficiency**
  - Advantage of reaching 'critical thresholds' for purchasing
  - Ability to distribute overhead costs
  - Maximize use of capital equipment, as well as spread out cost

- **Effectiveness is improved when:**
  - Problems cross over municipal boundaries (i.e. development, water quality,...)
  - Special skills are needed by staff

- **Cooperation is the way of the future**
  - Priority is given when awarding grants to municipalities who develop partnerships
  - Monroe County Open Space Program rewards communities who cooperate
  - Multi-municipal planning is being encouraged by PA State DCNR
  - Priority is given by PA State to communities who successfully complete projects that are grant funded

SUPPORT FOR INTERGOVERNMENTAL COOPERATION FROM THE WEST END OPEN SPACE AND RECREATION PLAN

The West End Open Space and Recreation Plan indicates the following:

1. an intergovernmental agreement establishing a joint municipal entity may be a "cost-conscious method to implementing the Open Space Plan"

2. a short–term recommended action to hire a park and recreation staff person to serve the four municipalities
   - a DCNR Circuit Rider grant was recommended to be explored

3. Chestnuthill Township recently purchased a 244 acre parcel located on Merwine-Hilltop Road, known as the Romascavage property, to be used as a central multi-use park.
   - Support was given by the other three West End municipalities
   - $406,047 was given towards the purchase from the Monroe County Open Space Program
   - Property must be used as regional recreation complex (per County Open Space Bond requirements)
   - A master plan and phased improvements are recommended as a high priority under the Action Program

4. The West End region contained the following acres of parks in 2001
   - 531 acres of parkland were owned by the municipalities – 7 parks and open space areas
   - 48 acres of parkland that is considered quasi-public – 5 parks and open space areas
   - 366 acres of land owned by Pleasant Valley School District
   - 191 acres of open space are protected by the Nature Conservancy

5. The West End population is projected to increase by 34% between 2000 and 2010, so there is an increased need to protect open space and natural resources, while controlling development. All four municipalities were encouraged to improve planning efforts in regard to conservation development and zoning.

Other:

1. Two out of four municipalities who did not have park and recreation boards have taken steps to create them, improving their ability to oversee and establish parks and recreational services.

2. Chestnuthill, Eldred and Ross Townships are preparing a Joint Comprehensive Plan along with Jackson Township (from the HJP Region).

3. There is some shared use of school facilities by local activity groups.

APPENDIX B

SCOPE OF WORK FOR PEER TO PEER PROJECT – WEST END REGION

All work will be completed for Chestnuthill, Eldred, Polk and Ross Townships and the Pleasant Valley School District.

A. Project Administration
- Peer will provide agendas and take minutes for study committee meetings where the peer is present
- Project Manger will schedule meetings, with assistance from Peer if needed

B. Coordination of information from West End Open Space and Recreation Plan that impacts the provision of park and recreation services and protection of open space

C. Gather additional information that has not been included in the West End Open Space and Recreation Plan but is needed to perform the study

D. Identify key issues and develop solutions and alternatives based on input from:
   i. Study committee members
   ii. Elected officials of municipalities and school district
   iii. Key person interviews (approximately 20) of individuals and representatives of organizations identified by study committee
- Hold public meeting with stakeholders, elected officials, local park and recreation and open space board members
- Identify key issues for participating municipalities that need immediate strategies for action

E. Analyze all collected data and make recommendation regarding needs for management of park and recreation services and open space protection

F. Work with study committee to consider options for management
- COG, authority, intergovernmental cooperation agreement, other cooperative venture, individual municipal management
- Consider land ownership issues

G. Develop an agreement if a cooperative venture is identified
- Peer will draft and make revisions to the agreement, upon input and review by the study committee
- Study committee members are responsible to take any draft agreement back to all elected officials for input
- Study committee members are responsible for having the municipal and school district solicitors review any agreement for legal issues, after the committee has approved the content
- Peer may make recommendations on strategy, however committee members are responsible for getting any agreement drafted in ordinance form and approved by the municipalities and school district

** If a regional entity is not desired, recommendations can be developed addressing how the municipalities can separately proceed with implementing the West End Open Space and Recreation Plan.

H. Consider whether there will be a circuit rider recreation director
- Consider which municipalities will be involved
- Prepare a job description for the circuit rider

I. Develop an administrative plan for the management
- Prepare a five-year budget projection
- Illustrate a proposed organizational chart

J. Prepare an action plan for municipalities to more forward

K. Assist with formation of the managing entity
- Assist in appointment of commission members
- Assist in developing by-laws
- Aid in logistics of establishing the selected managing option
- Assist with circuit rider grant
- Assist with advertising and selecting circuit rider director
- Provide mentoring assistance for new director during orientation period

L. Peer will attend a total of 14 meetings, to be held at the discretion of the study committee

M. Prepare a final report
- Table of Contents
- The report will detail the peer process including purpose and goals, issues and recommendations
- All final documents described above will be included
- Appendix with examples of appropriate materials
- Copies will be provided – 10 for the study committee, 5 for the municipalities and school district, 3 for DCNR
- A digital version of the report will be made available in a mutually-agreeable format

APPENDIX C

SUMMARY OF KEY PERSON INTERVIEWS - May 12, 2004

The following is a list of key persons I interviewed over the course of the study:
Chuck Gould (Chestnuthill Twp. Supervisor)
Roberta Feierstein (Ross P&R, MC Rec. and BWA)
Dave Fleetwood (WE Little League, Silver Valley Park)
Jim Hartzell (Pohaqualine Fish Assoc., soccer, Silver Valley Park)
Grace Marks (aide to Sen. Charlie Dent)
Dale Kresge (Pres. of PV All Sports Club)
Leslie Fama (PV PTO pres.)
Al Barney (Aquashicola and Pohopoco Watershed Conserv.)
Dave Shay (former Ross Supervisor)
Dominic Strohlein (Aquashicola and Pohopoco Watershed Conserv., Big Creek Winery)
Jim Mannello (WE YMCA steering comm.)
June O'Neill (active with youth programs)
Linda Snyder (Polk open space)
Dominic Marino (student)
Dot Kaufman (MC Aging)
Carol Kern (Library)
Mike Shafer (archery)
Becki Colarusso - Monroe County Recreation Dept.
Chuck Motson (YMCA)
Christine Meinhart (previous employee of Eldred & Polk, Polk resident, MCPC)
Dominic Marino (student)

**The summary of the key person input is to be used as a tool by the study committee and to be added to additional input we gather from study committee members and elected officials.

The majority of people I interviewed support the concept of a regional managing entity for open space, parks and recreation. One prior elected official indicated he did not favor a regional entity because of adding to bureaucracy. The majority also support having a fulltime director hired to work towards tasks such as: developing parks and athletic fields, fundraising, administering grants, assisting with acquisition, and developing a community center with pool.

I have listed below the sentiments of the key people interviewed. If more than one had the same sentiment, I did not list it more than once; however I did place a number at the end indicating the total number of people who agreed with the statement.

- The Haney property may be developed with fields, and a regional director and commission has value
- The YMCA would like to partner in providing indoor facilities and a pool and filling recreation needs in any way that it can occur – they do not have to be the lead organization
- There is a large need for a pool and indoor activity center (6)
- PVSD turns away youth sports groups because of lack of fields
- PVSD athletic fields are badly over-used
- Maintenance of over-used fields and indoor space is more expensive (PVSD)
- Possibly a maintenance agreement could be reached with the PVSD for parks and school facilities
- An indoor swimming pool is a large need for the school district, and the community
- Tennis courts and general ball fields are always needed
- Any type of "feeder organization" to high school level activities is supported by the PVSD

- A regional commission that will schedule use of athletic fields for all sports all over the region would be beneficial – it could coordinate with the facility coordinator for PVSD
- A "business plan" can be prepared with presented to the PV School Board
- Space may be available for a director's office within the PV School Administrative Building in Kresgeville (not offered by school board at this point; just a comment)
- The community should be receptive to a regional managing entity
- People should be willing to pay if they see the benefits themselves (2)
- The library is willing to work and supports a regional entity
- The library is open to suggestions on the house on the property, recently acquired for fields (fields are being developed by West End Soccer) – maybe an office for a commission and director?
- Youth sports need to be provided by their own groups, but it is needed that scheduling and coordinating can be done by a regional group
- More community support for youth sports is needed, and more fields
- A community center and pool where seniors have opportunity for intergenerational skills, physical fitness, crafts, etc.
- Individual groups need to keep their township identity, but a regional organization is needed
- Seniors will pay if they want it
- Grant money is available for senior centers from the county
- There is a need for regional planning
- It would be beneficial for the Watershed organization and townships to partner to purchase open space and perform education on water quality
- A property is being purchased between Eldred and Ross for Little League?
- A regional group is a necessity, as well as fields, an indoor facility and a pool
- Community center is needed for seniors, however seniors from the western part may not drive across the West End (through Brodheadsville) to a community center
- Concern expressed about taxes and cost of a large indoor facility- some seniors already have trouble paying taxes
- Opposed to a regional group and more bureaucracy
- opposed to open space plan requirements and county procedure for open space disbursement
- a pool and indoor center will never happen
- need for play areas (open fields and playgrounds) and fields for youth sports
- need for commercial business to off-set residential taxes
- need for synchronizing sports and more fields locally so parents don't have to drive to a different field for every practice and game every night
- Polk Township has an open space agenda, but is slow to work with others and elected officials are conservative, although are willing when benefits are seen to cooperate.
- Greenways and trails have merit, however people in the West End won't use them
- People will not pay, and will not participate
- West End soccer would like more space
- Concern with Silver Valley Park security and maintenance, and the possible effect undesirable use could have on the stream
- No greenway connections are desired for public use between the Pohaqualine Fish Assoc and other public areas at this time
- Taxes are high, so older residents may not want to pay, but young families will probably be willing to pay for parks and recreation
- Blue Ridge Bowman are content with that property in Ross Township
- Residents in southern West End can use pools in Northampton County
- Regional is good (3)
- Someone needs to put everything together to create a regional approach

- Need stream buffers for the watershed protection (A&P Watershed organization will educate on stream quality and buffering and steep slopes)
- The Blue Mountain region should be protected, as well as the streams – greenways are important
- Work on one regional project now and gain a success, prior to moving on to another regional project – this region does not have a history of joint projects
- The boundary issue is huge
- All municipalities seem to need staff help – a cost share for a park director may be beneficial
- Youth would love a community center and pool – it would be a great activity source for them

As a conclusion, it is apparent through the key person input that a regional managing entity would be beneficial, and a full time director is necessary for accomplishment of the many goals in the region. It is apparent that many senior-age people would have concern over paying extra to develop parks, trails, a community center and recreational programming, although they could clearly benefit if they chose to use them. There appears to be a large active senior population in the West End. A concern of the seniors is traveling across Brodheadsville to use facilities. Some "locals" may be slow to embrace the need for parks and programs because they were kept busy in their youth with their own large pieces of property for work and play. (Not an opinion, but an observation during interviews) There are also many families who are moving here looking for parks and playgrounds and programs for their children. The needs are growing and providing the facilities and programs will help to satisfy needs of the families and youth, as well as the seniors if they take advantage of the opportunity.

It appears that security of the parks and facilities is going to be a large concern, being that there is no local police department. Development and managing of existing and proposed local parks may be aided by a fulltime professional and regional commission, although it isn't clear whether the lands will be turned over to a regional entity. It would be wise to keep that possibility available for the future when preparing an agreement for participation. On-going maintenance of facilities is a concern, so a regional entity for maintenance may be a benefit to the municipalities, for the regional park and local parks.

It is critical that elected officials have the opportunity to hear what their residents desire and need. It appears that many busy working families have been slow to involve themselves in the public political process, so many of them are not well-represented in elected boards. The surveys in the West End Open Space and Recreation Plan indicate some needs, but residents also need to become involved. People are more likely to pay for facilities and services if they see themselves benefiting, and the money is clearly earmarked and spent in these areas.

APPENDIX D

SAMANTHA J. HOLBERT
1303 Hickory Valley Road
Stroudsburg, PA 18360

Phone: 570-420-8067
Fax: 570-420-9278
sholbert1@verizon.net

MEMORANDUM
April 23, 2004

TO: **Chestnuthill Township Supervisors** **Ross Township Supervisors**
Eldred Township Supervisors **Pleasant Valley School Board Members**
Polk Township Supervisors

In 2001 a 244 acre property was purchased by Chestnuthill Township (funded in part by Monroe County Bond) in cooperation with the West End region for purposes of a regional community park. In preparation for planning and developing this park, and implementing the West End Open Space and Recreation Plan (2003), the region is studying the best path on which to move forward. In early 2004 the region received a grant from the Pennsylvania Department of Conservation and Natural Resources to conduct a peer study. This study pays for a park and recreation professional to work with the municipalities to examine methods of managing existing and/or future municipal parks, open space, programming and/or the new West End regional park property. The West End Region peer study committee, created from members of Chestnuthill, Eldred, Polk and Ross Townships and the Pleasant Valley School District, has held their first two meetings and is looking for input from their elected officials.

As the peer consultant, I will work with the study committee and elected officials to determine the best method for implementing the West End Open Space Plan and providing park and recreation services. A regional entity could be formed to manage the services by participating in a legal agreement. Most municipalities who chose to create regional entities do so under the Intergovernmental Cooperation Act. This Act allows municipalities to do anything together that they are able to do individually. The intergovernmental cooperation agreement can be as flexible as the municipalities desire. The committee is looking for guidance from the elected officials in order to craft a cooperative agreement that meets the intentions of all parties.

The chart below demonstrates two examples of regional commissions recently created in Monroe County.

Stroud Region Open Space and recreation Commission (created 2003)	2 townships, 1 borough, 2 school districts (in-kind contr.) POP. 27,490	Implementing region open space and greenway plans; some programs; No regional park	Year1 per capita $1.98; Year 5 per capita minimum of $6.00, depends on income and extent of management
Mt. Pocono-Barrett-Paradise Regional Recreation Commission (created 2004)	3 townships No school district participation POP. 9,290	regional park to be developed; some programs proposed	Year 1 per capita $7 with director, $3 per capita w/o director; Year 5 per capita $9.90 with director & income, $6.00 w/o director

**NOTE: If the West End Region had the M.B.P. budget, the per capita would be $2.25 in Year 1 and $3.20 in Year 5 because the regional population of the West End is almost three times larger.

Support can vary from in-kind services (office space, field/building use, supplies) to financial contributions, depending on how much the commission satisfies needs of the township or school district.

We need your input regarding many key issues that relate to the process of considering regional management and the specifics to be included in the intergovernmental agreement. Please complete the attached survey and return it to your study committee representative by **Thursday, May 6th**. During our meeting of May 12th we will review the input and schedule a West End regional forum to discuss the issues and solicit additional input from all the elected officials. Please keep in mind these are not recommendations of the consultant nor any committee members, but issues identified to initiate your thought process.

Thank you for your time and consideration in this exciting opportunity!

Very truly yours,

Samantha J. Holbert
Peer-to-Peer Consultant

Members of the West End Peer-to-Peer Study Committee:

Leigh Kane (Chestnuthill)
Russ Fisher (Chestnuthill)
Ilene Eckhart (Eldred)
Vacancy (Eldred)
Nancy May (Polk)
Hope Smith (Polk)
Tina Drake (Ross)
Charles Wagner (Ross)
Dr. Frank Pullo (Pleasant Valley SD)
Donna Les (Pleasant Valley SD)
David Albright (Project Manager, Chair)
Jeanette Sanchez (Alt. Project Manager)

ISSUES AND OPTIONS QUESTIONNAIRE **April 27, 2004**

PLEASE COMPLETE AND RETURN TO YOUR PEER STUDY COMMITTEE REPRESENTATIVE BY THURSDAY, MAY 6, 2004***

NOTE: All questions may not apply to the school district or the municipalities

- **Township Involvement**
  What could be the role of the townships? (select one)
  -fair share contribution_____
  -in-kind relationship _____
  -other _____

- **School Board Involvement**
  What could be the role of the school district? (select one)
  -equal with townships _____
  -in-kind relationship _____
  -other _____

- **Intergovernmental Organization Board Structure**
  Could a regional entity consist of: (select one)
  -elected officials? _____
  -appointed residents? _____
  -combination of above? _____

- **Primary Functions** (select all that are applicable)
  What could a regional entity manage?
  -township open space lands purchased with Township $ _____
  -township open space lands purchased with County Open Space Bond ___
  -new West End regional park _____
  -greenways and trails _____
  -new parks _____
  -existing local parks _____
  -recreation programming _____

- **Ownership**
  Could a regional entity be allowed to own real property? _____ (yes/no)

- **What could be the role of the existing Parks and Recreation Board and Open Space Committees?** (select one)
  -they could remain in existence as they are to oversee township parks and open space _____
  -they could be disbanded _____
  -the members could be moved to the regional entity and its committees _____
  -all of the above shall occur gradually _____

- **Financial Administration**

  Who could pay out the money? -a regional entity _____
  -townships and school district _____

  Could a regional entity supervise capital park projects? _____ (yes/no)

  Could a regional entity supervise operations of the parks and land? _____(yes/no)

  How could the local contributions be paid to a regional entity?

  -annual lump sum _____ (choose one)
  -monthly _____
  -quarterly_____
  -other _____

- **Maintenance Staffing**

  Could the individual municipalities (continue to) provide maintenance staff?

  _____

  Could the regional entity hire its own maintenance staff, either upfront or once need is determined? _____

  What maintenance equipment will be used by a regional entity?

  -municipal-owned equipment _____ (choose one)
  -regional entity-owned equipment _____
  -combination of above _____

  Are you concerned about overuse of your facilities by community groups and the need for additional maintenance? _____

- **Recreation**

  What could be the role of other existing local recreation providers?

  -Monroe County Recreation _____
  -YMCA role _____
  -other non-profit roles (such as youth sport providers) _____

  Are there additional after-school programs needed? (such as latchkey)_____

- **Additional comments or questions** _____

  _____
  _____
  _____
  _____
  _____

THANK YOU FOR YOUR INPUT!!!

ISSUES AND OPTIONS QUESTIONNAIRE SUMMARY - May 25, 2004

Surveys received – 9 township (3 Chestnuthill, 1 Eldred, 3 Polk, 2 Ross)
7 school district
(# of township responses / # of school district responses)

- **Township Involvement**
  What could be the role of the townships?
  -fair share contribution *7 township / 5 school district responses*
  -in-kind relationship *2/0*
  -other

- **School Board Involvement**
  What could be the role of the school district?
  -equal with townships *3/1*
  -in-kind relationship *6/4*
  -other *none (2 - SD)*

- **Intergovernmental Organization Board Structure**
  Could a regional entity consist of:
  -elected officials?
  -appointed residents? *1/1*
  -combination of above? *8/5*

- **Primary Functions**
  What could a regional entity manage?
  -township open space lands purchased with Township $ *2/0*
  depends; land trusts could do the same for passive/natural lands
  -township open space lands purchased with County Open Space Bond *5/3*
  -new West End regional park *9/4*
  -greenways and trails *5/3*
  -new parks *4/2*
  -existing local parks *2/1* *possibly – depends; some boards may still want to manage certain parks*
  -recreation programming *4/2*

- **Ownership**
  Could a regional entity be allowed to own real property?
  Yes – 6/0 case by case basis
  No – 1/3
  Legal question??

- **What could be the role of the existing Parks and Recreation Board and Open Space Committees?**
  -they could remain in existence as they are to oversee township parks and open space *6/2*
  -they could be disbanded
  -the members could be moved to the regional entity and its committees *1/2*
  -all of the above shall occur gradually *2/2*

- **Financial Administration**

  Who could pay out the money?

  -a regional entity *6/5 I'd prefer control but it might be too*
  -townships and school district *2/0 bureaucratic*

  Could a regional entity supervise capital park projects?

  Yes – 6/3
  No – 1/2

  Could a regional entity supervise operations of the parks and land?

  Yes – 7/4
  No – 1/0

  How could the local contributions be paid to a regional entity?

  -annual lump sum *1/1*
  -monthly *1/0*
  -quarterly *4/2*
  -other *semi-annual*

- **Maintenance Staffing**

  Could the individual municipalities (continue to) provide maintenance staff?

  Yes – 4/4
  No – 3/0
  - *if available*
  - *Depends on needs*

  Could the regional entity hire its own maintenance staff, either upfront or once need is determined?

  Yes – 6/3
  No – 0/1
  - *absolutely; I'd prefer that*
  - *possibility*

  What maintenance equipment will be used by a regional entity?

  -municipal-owned equipment *1/0 employee as operator*
  -regional entity-owned equipment *1/0 ultimately*
  -combination of above *5/5 depends on facility –*
  - *at first, until regional is established*

  Are you concerned about overuse of your facilities by community groups and the need for additional maintenance?

  Yes – 4/1
  No – 2/1 & I'm not sure & maybe
  - *charge fees: usage, clean-up and or/or volunteer organization provides labor volunteer hours, duties/responsibilities*

Recreation

What could be the role of other existing local recreation providers?

Scheduling of fields

-Monroe County Recreation

- *Possibly joint programming and funds*
- *Provide programming/activities*
- *Programming (3)*
- *Aid in acquiring grants*
- *Supporting*
- *Partnerships (2)*

-YMCA role

- *Regional coordinate programming with YMCA to avoid duplication*
- *Programming/activities, maybe fund a pool*
- *None at this time*
- *Programming(2)*
- *Aid in acquiring grants*
- *supporting*
- *partnerships (2)*

-other non-profit roles (such as youth sport providers)

- *Coordinate to avoid duplication*
- *Schedule fields and games*
- *Better utilization of existing facilities*
- *Supporting*
- *partnerships*

Are there additional after-school programs needed? (such as latchkey)

Yes – 4/0 after –school programs would suffer

- *Program for the arts, passive activities, activities for seniors – fitness, ...*

Additional comments or questions

- *Summer recreation or day camp programs for school-aged children would be super!*
- *Special events or days of the week, catering to senior citizens would be great*
- *A music gazebo or stage at the WE regional park for special events would be great!*
- *Survey is a great idea!*
- *Ultimately I would like to see some recreation staff to coordinate programming and maintenance. Staff and programs would be financed by the municipalities on a per capita basis.*
- *All of the above answers are subject to change once specific needs and monetary needs are put down in black and white. There are too many what-ifs in these questions to be answered by a yes or no comment.*
- *What benefit is there for the school district, especially with rising taxes?*
- *Perhaps the school or other recreation providers could provide a shuttle bus service to the regional park or other municipal parks once established.*
- *I do not believe school tax monies designated for education should be used to purchase or maintain parks*

- *Chair of each Township park committee should be appointed to regional committee to oversee master plan and maintenance of a regional park. No additional taxpayer money should be spent. Funding should be through Township's normal operating budgets & apportioned based on population/usage ratio. This regional park has been in existence for over 3 years and the residents have yet to see any recreational benefit. The Townships should at least mow some fields, create some stone parking, block internal path entrances to curb dumping, roughly map the existing trails and put up signage.*

SUMMARY OF FINDINGS:

- For an initial outreach to the communities, we received very good feedback. GOOD JOB!! More education is needed and obviously the financial issues are a question.
- There were only two school district representatives who wish for no involvement at all – no municipal representatives – good sign!
- The heavy majority of municipal responses indicated a fair-share contribution with the school district contributing to an in-kind relationship.
- Other recreation providers can assist with mostly programming
- There is support for a regional entity to manage the following in order from greatest support to least: regional park
  - township open space lands purchased with County Open Space Bond – and - greenways & trails (tie)
  - new parks - and - recreation programming (tie)
- There is little support for regional management of existing parks and lands purchased by Township funds
- There is some support for the regional entity to be able to own real property
- There is strong support for the regional entity to manage operations, capital projects and pay out money
- There is relatively strong support for a regional entity to hire its own maintenance staff and use a combination of own and township-owned equipment, with some support from township maintenance staff, especially initially
- There is strong support for existing boards to remain and manage local parks
- It is clear that additional education needs to occur in order for the school district to participate. They do not understand the benefits yet.
- Potential management of a community center and pool may change the answers of some officials, especially school board. The total scope that is available for a regional entity to handle is wide, and many do not see that.

APPENDIX E

PRESENTATION FOR
PLEASANT VALLEY SCHOOL
BOARD on WEST END
PEER STUDY PROCESS

Pleasant Valley School District
November 15, 2004

Why do a peer study?

- To determine the best method for managing the regional park and existing and/or future parks, open spaces and programs (if desired)
- To determine the best way to implement the WE Open Space and Recreation Plan
- To consider a regional approach

YOU ARE THE
DECISION-MAKERS...

WHY COOPERATE?

- The regional park
- Shared interest by residents
- Students == public, and all pay taxes
- Improved communication
- Efficiency & Effectiveness
- Priority in receiving grants

What can a legal agreement look like?

- Joint authority
- Agreement created under Intergovernmental Cooperation Law

"municipalities have power to do anything jointly that they can do individually"
(which includes school districts)

An intergovernmental agreement can be as flexible as you want it...

Legal agreement should detail:

- Participants (school districts??)
- Purpose of organization
- Powers of authority
  (own property, employ, ...)
- Financing
- Duration of agreement
- Organizational structure

Why would PVSD want to participate??

PVSD indoor and outdoor facilities are over-used with students and public

- Commission would work to develop new regional park with facilities (indoor pool?)
- FT director hired to focus on new park, fundraising and grant writing
- Commission could devote energy to developing facilities and coordinate scheduling with PVSD

1

PVSD and municipalities could benefit from functioning cooperatively instead of independently

- Partner with planning
- Provide matching funds for each other for grants
- School District may have access to additional funding by being a partner with Commission

Commission could work to protect open space

- Protecting open space reduces the # of dwellings and # of students
- 2.36 students/home $8,600/student cost to educate
- Shortfall exists between tax revenue generated and costs from a new development

Proposed WE Regional Commission

- 2000 census pop. 29,061
- 2005 est. pop. 33,962
- 4 townships, 1 school districts
- Regional park to be developed
- Circuit rider director anticipated in future
- Year 1 budget $74,600/net expense $38,600
- Year 5 budget $101,850/net expense $94,850 (budget is admin. & pre-construction only)

Questions ??

Options for involvement with WE intergovernmental agreement

- In-kind contribution of facilities to Commission – possibly non-voting representative
- Small financial commitment – would necessitate a voting member

Why would PVSD want to make a financial commitment?

- Shows commitment to partner with townships in parks and recreation effort
- Shows recognition of municipal effort to contribute to providing P&R facilities
- "soft savings" to PVSD in expense due to decrease in over-use of facilities
- "soft savings" to PVSD with open space protection saving on school tax increase

What might PVSD be willing to contribute?

- Year 1 Budget $74,600/net expense $38,600
- Year 5 Budget $99,850/net expense $94,850
- Estimate benefit to school districts as 5% of budget
- Year 1 (2005) PVSD contribution $1,930 est. Year 5 (2010) PVSD contribution $4,842.50 est.
- We could cap PVSD contribution at $???

Nothing ventured Nothing gained

QUESTIONS?? COMMENTS??

APPENDIX F

INTERGOVERNMENTAL COOPERATION AGREEMENT ESTABLISHING THE WEST END PARK AND OPEN SPACE COMMISSION

THIS AGREEMENT, made the _____ day of July 2006, by and among the:

CHESTNUTHILL TOWNSHIP, Monroe County, a 2nd class township existing under the laws of the Commonwealth of Pennsylvania;
ROSS TOWNSHIP, Monroe County, a 2nd class township existing under the laws of the Commonwealth of Pennsylvania;

Hereafter collectively referred to as "Participating Municipalities";

PLEASANT VALLEY SCHOOL DISTRICT, a school district existing under the laws of the Commonwealth of Pennsylvania;
Hereafter referred to as "Participating School District".

Hereafter collectively the Participating Municipalities and Participating School District are referred to as "Public Bodies".

WITNESSETH:

WHEREAS, the Intergovernmental Cooperation Law (P.L. 1158, No. 177; 53 Pa. C.S.A.§2301, et. seq.) permits municipalities to enter into agreements to cooperate in the powers and responsibilities of recreation and parks; and

WHEREAS, it is believed by the Public Bodies that the citizens within their respective municipalities and school district will benefit by a community park, recreation, greenway and open space program jointly administered by them, which program shall comply with all applicable laws; and

WHEREAS, it is the desire of the Public Bodies to establish a Commission of appointed representatives to administer and carry out the Agreement (hereafter the "Members") to be known as the West End Park and Open Space Commission (hereafter the "Commission"); and

WHEREAS, the Commission shall provide for planning, development, operation, maintenance and programming for the West End regional park (known as the Romascavage property), and management, implementation, oversight, operation, and administration of the West End Open Space and Recreation Plan adopted by the Participating Municipalities in January 2003, as well as other park facilities and recreation programs the Public Bodies have or may sometime in the future expressly assign to the Commission; and

WHEREAS, to prevent duplication of effort and to maximize cost effectiveness, and in order to promote and conduct a program of community parks, recreation and open space protection, the Participants mutually desire to mobilize community resources to effectively and economically meet the present and future parks, recreation and open space needs of their citizens; and

NOW THEREFORE, the parties hereto, intending to be legally bound hereby, for and in consideration of the mutual covenants herein contained, covenant and agree that the following terms and conditions shall govern the formation and operation of the COMMISSION.

1. INCORPORATION OF RECITALS

The above recitals are incorporated herein as if fully set forth.

2. WEST END PARK AND OPEN SPACE COMMISSION

a. Commission. The Commission shall have the primary responsibility and authority to govern, manage, operate and administer the West End regional park. The Commission shall also govern, manage, operate and administer the parks, recreational facilities and programs, open space and other real property expressly assigned to it by the Public Bodies, which assignment shall require the consent of the Public Bodies as set forth in this Agreement. The Commission may govern, manage, operate and administer new recreation programs that do not exceed the approved budget.

b. Members. The Commission shall consist of a total of seven (7) members all of whom shall serve without pay. The Members shall act, conduct business, and carry out or exercise their delegated powers, duties, responsibilities and authority through a joint board of representatives, appointed by the Public Bodies.

   i. Each of the Participating Municipalities shall appoint three (3) Members to the Commission. Each Appointee must be a resident of the appointing municipality, and it is preferred that one appointee be an elected official.

   ii. The Participating School District shall appoint one (1) Member who shall be a resident or current employee of the appointing School District.

   iii. If other municipalities or school districts become parties to this Agreement, then each such municipality and school district shall have such representation on the Commission as determined by an amendment of this Agreement.

c. Voting. Each Member shall have one (1) vote. A majority of the Members on the Commission shall constitute a quorum. The Commission shall act on the majority vote of Members present at meetings at which a quorum of Members is in attendance.

d. Liaison. Each Member shall serve as liaison for his/her appointing Public Body. The Members are responsible for keeping their respective Public Bodies informed of Commission business so that the Members can reflect and represent the position and views of their respective Public Bodies.

e. Terms.

   i. Each Member shall be appointed for a term of three (3) years with terms beginning on January 1st and expiring on December 31st.

   ii. In order to create terms that expire in alternating years for the first term of this contract only, Members terms shall end as follows:

Chestnuthill Township –	One Member – December 2007
	One Member – December 2008
	One Member – December 2009
Ross Township -	One Member – December 2007
	One Member – December 2008
	One Member – December 2009
Pleasant Valley School District –	One Member - December 2007

Terms shall expire every three (3) years following expiration of the first term.

f. Removal. A Member shall be subject to removal by the appointing Public Body, by a majority vote of those in attendance constituting a quorum of the appointing Public Body, in the following circumstances:

   i. Just Cause. Any Member may be removed for just cause.

ii. Failure to Attend Meetings. Any Member who fails to attend three (3) consecutive meetings, or fifty percent (50%) of the Commission meetings in any twelve (12) month period, without reasonable cause or excuse, may be removed.

iii. Termination of Residency. Any Member who ceases to be a full-time resident of the appointing Participating Municipality may be removed.

iv. Termination of Residency or Employment. Any member appointed by the Participating School District may be removed if the member is neither an employee nor resident.

g. Vacancies. In the event of vacancy due to removal or resignation of a Member, the appointing Public Body of such Member shall within sixty (60) days of vacancy or resignation appoint a successor to the unexpired term of any such Member.

h. Alternates. Each Public Body may appoint an alternate Member to act and vote on behalf of a regularly appointed Member in cases where the regularly appointed member is unable to attend a Commission meeting. The alternate may represent the municipality regarding Commission business provided that the appointed Member has notified the Commission Chair of his/her inability to be present at a meeting.

i. Officers and Committees. Officers of the Commission shall be a Chairman, Vice-Chairman, Secretary, Treasurer, and such other officers, as the Commission may deem necessary. The Commission may establish or organize itself into such committees as it sees fit to carry out its duties.

j. Rules. The Commission shall adopt and promulgate written rules and policies to govern its operation, establish procedures for the conduct of its meeting, and prescribe the duties of its members and officers.

k. Establishment of Advisory Committees. The Commission may establish advisory committees as deemed necessary or desirable for the operation of the Commission. The number of Members and membership requirements of said committees shall be established by the Commission from time to time pursuant to the Commission's by-laws.

3. DUTIES AND POWERS OF THE COMMISSION

a. Purpose. The Commission shall have the authority to govern, direct, administer, supervise, maintain and operate the following:

i. The West End regional park property;

ii. Such parks, recreational properties and facilities, greenways and open space, as may be designated by any of the Public Bodies and which the Commission accepts to be under its jurisdiction or control;

iii. Recreational programs for the residents of the Public Bodies;

iv. Recreational programming to non-residents of the Public Bodies provided that such programming is of primary benefit to residents of the Public Bodies;

v. Recreational programming or park management as may be contracted for between the Commission and the Public Bodies.

b. Equipment, Facilities, Supplies and Services. The Commission may contract for, purchase, or otherwise acquire, sell or otherwise dispose of furnishings, equipment, facilities, supplies, services or other amenities (collectively "Equipment"). Equipment which is acquired by the Commission shall be administered and maintained by the Commission for the benefit of all residents of the Participants. Equipment so acquired that is permanently affixed to the property of such Participant (herein after called "Fixtures") shall become the property of such Participant if the Commission is dissolved or if the Participant withdraws from this Agreement, unless otherwise agreed upon by all

of the Participants. The acquisition and purchase of Equipment shall be in accordance with the standards set forth in the Act.

c. Real Property.
   i. The Commission may acquire, own, lease or dispose of real property in accordance with the limitations of this agreement, provided however, that the Public Bodies are given first opportunity to purchase any real property intended for disposition.
   ii Unless otherwise specified in this agreement, individual municipalities and the school district shall continue to own, manage, and maintain any and all parks, recreation facilities, open space, or other real property that they currently own until such time as the property is transferred by ownership or jurisdiction in accordance with this agreement to the Commission.
   iii. Public Bodies shall have the right to contract with the Commission for management, supervision, maintenance and operation of their respective parks, recreational facilities, open space or other real property in accordance with this agreement. Such properties may remain under municipal ownership, or ownership may be transferred to the Commission.
   iv. The governing bodies of all of the Public Bodies must approve ownership of or jurisdiction over any real property transferred from the Participating Municipalities or acquired from any source by the Commission. As part of this approval, the Participating Municipalities must assure adequate and ongoing allocation of resources for proper management and maintenance of the property for as long as the property is assigned to be under the jurisdiction of the Commission.

d. Employment of Commission Personnel. To carry out its purposes, the Commission shall be permitted to:
   i. Coordinate with the Public Bodies for the use of maintenance employees to maintain parks and recreational facilities and open space designated by the Public Bodies to be administered and maintained by the Commission;
   ii. Coordinate with the Public Bodies for the use of clerical staff of the Public Bodies to assist with clerical functions of the Commission;
   iii. Employ, manage, supervise and terminate personnel;
   iv. Contract with the Public Bodies or other organizations to provide payroll services and other personnel benefits, when needed.
   v. Establish personnel policies. All appointments, removals, promotions and suspensions shall be made by the Commission pursuant to Uniform Personnel Policies established by the Commission and make the same available for distribution to the Public Bodies. The Commission shall make uniform policies on wages, hours, conditions and terms of employment and other matters relating to the effective service, consistent with the laws of the Commonwealth of Pennsylvania.

e. Conduct of Business. The Commission shall establish by-laws and operating procedures that shall not be inconsistent with this Agreement. By-laws shall incorporate any and all provision set forth in this Agreement as to the conduct of business. The Commission shall operate within and abide by all applicable laws of the Commonwealth of Pennsylvania.

f. Commission Meetings. The Commission shall meet monthly or at such times as the Commission determines to be appropriate. Special meetings of the Commission may be called at the request of members of one or more Public Bodies and/or the Executive Director. All meetings shall be held in accordance with the Pennsylvania Sunshine Act.

g. Quorum. A quorum shall consist of a majority of the representatives of the Commission. The Commission shall act on the majority vote of Members present at meetings at which

a quorum of Members is in attendance. Official action shall require that one member from each Participating Municipality vote on official action.

h. Annual Report. The Commission shall submit an annual report of its activities to the Public Bodies not later than March 15th of each year for the previous year. The report shall include at least the following:
   i. Year-end Income and Expense Report for all accounts;
   ii. Statement of assets and liabilities;
   iii. Statement of in-kind contributions received from each Public Body;
   iv. Listing of capital projects completed or in progress;
   v. Listing of attendance for all facilities and programs; (if applicable)
   vi. General review of programming (if applicable)

4. EXECUTIVE DIRECTOR

a. Executive Director. The Director shall be the Chief Administrative Officer of the Commission and shall be employed by the Commission at its discretion. The Director shall:
   i. Carry out the stated purposes of the Commission;
   ii. Administer and manage the day-to-day operations of the Commission and its staff and employees;
   iii. Recruit and recommend to the Commission for selection and hiring of all personnel;
   iv. Provide leadership to the Commission;
   v. Attend all meetings of the Commission;
   vi. Recommend short and long range planning;
   vii. Carry out other tasks as determined by the Commission.

b. For the hiring of an Executive Director, the Commission shall be responsible for recruiting, selecting and employing an Executive Director.

c. Director Evaluation. The Commission shall establish a means of performance evaluation of the Director, which shall occur at least annually.

5. FINANCES

a. Fiscal Year. The fiscal year shall be the calendar year.

b. Municipal Contributions. Each Participating Municipality shall contribute to the budget of the Commission based on the population of its respective municipality. Population shall be determined by the most recent decennial census available. The population of the Public Bodies at execution of this Agreement is set forth in Appendix "A", which shall be revised following each decennial census figures published by the US Census Bureau. Provided, however that between census cycles the population is determined annually by taking a straight-line annual population increase between the most recent actual decennial census and the future estimated decennial census.
   Per capita contributions shall be determined by the annual commission budget pursuant to Section 5 (d) of the agreement approved by the Participating Municipalities.

c. School District Contribution. The contribution of the Participating School District shall be based on 5% of the Administrative Budget only. The Participating School District's Contribution shall not exceed $5,000.00, unless approved by all the Public Bodies. Additional contributions may be voluntarily made to the Commission budget by the School District upon approval by the Public Bodies.

d. Budget Submission. Each year the Commission shall prepare and approve by majority vote a proposed annual budget. The budget shall be submitted to the Public Bodies for

consideration and approval no later than October 1st of the year immediately preceding the fiscal year for which the budget is proposed. By November 15th, each Public Body shall provide written notice to the Commission and all other parties of its approval or disapproval of the proposed budget. Notice of disapproval shall state with particularity the reasons for disapproval and identify the line items and other portions of the budget with which the Municipality disagrees. A Public Body that fails to give written notice of disapproval by November 15th shall be deemed to have approved the proposed budget.

If one of the Participating Municipalities votes to disapprove the budget, then the parties shall meet to negotiate a budget. If approvals are not reached by December 31, the budget shall be deemed to be an amount equal to the prior year's budget plus 5% increases, except in the four (4) years when the Commission receives a Circuit Rider grant from the PA Department of Conservation and Natural Resources and the annual increase is set at 25%, which is the same percentage the circuit rider grant decreases on an annual basis.

The Participating School District must approve the Administrative Budget and provide the Commission of written notification of their approval. If the Participating School District votes to disapprove the Administrative budget, the contribution of the Participating School District to the approved budget shall be deemed to be an amount equal to the prior year's total contribution plus a 5% increase, except in the four (4) years when the Commission receives a Circuit Rider grant from the PA Department of Conservation and Natural Resources and the annual increase is set at 25%, which is the same percentage the circuit rider grant decreases on an annual basis.

e. Maintenance and Operations Budget. Maintenance and operations funding will be determined based on the properties to be under the jurisdiction of the Commission under Article 3 of this Agreement. The Commission shall be responsible for and maintain in a safe and reasonable condition the property deemed to be West End Regional Park property. The Participating Municipalities shall make a cash contribution toward the Maintenance and Operations Budget, or offer in-kind services to offset the cash contribution. Any in-kind service contributions must be agreed upon in the adoption of the budget.

f. Payment Schedule. Each municipality shall make four (4) payments of their amount due. Payments shall be due on January 31, April 30, July 31, and October 31 of each year. Payments not made within 30 days of the scheduled due date will be charged a late fee of an additional 1.5% per month.

The Participating School District shall make two (2) equal payments of their amount due on January 31 and July 31 of each year.

g. Receipt of Funds. The Commission may apply for, secure, acquire, receive, administer and dispense funds from municipal, state, federal, private or other sources.

h. Fees and Profit. The Commission may charge reasonable fees for the use of parks and recreational facilities and for operation of recreational programs and engage in revenue raising activities as are incidental thereto. Such fees shall be accounted for in the operation of Commission business.

i. Contracts. The Chair or the Vice Chairman of the Commission is authorized to sign all contracts on behalf of the Commission.

j. Audit. All financial accounting records of the Commission shall be audited by an independent auditor at the close of each fiscal year. A copy of the audit report shall be provided to the Public Bodies.

k. Debt. The Commission shall not borrow funds without the unanimous consent of the Public Bodies.

6. IN-KIND CONTRIBUTIONS

a. Real Property. Participants may agree to make Real Property available, without charge, for use by the Commission when its use by the Commission will not interfere with or conflict with the usage thereof by the Participants or by third parties, to which Participants granted permission to use, or be contrary to any legal restrictions or obligations relating to the use of the Real Property. The in-kind contributions shall include the cost and expenses related to or associated with the use of Participant's Property of any Participant which would have been incurred by the Participant's property (including but not limited to maintenance, repair, insurance, heat, air-conditioning, ground maintenance, improvements, police and fire protections, water sewer, utility services and all other items of cost and expense) with respect to the Property irrespective of the Commission's use thereof.

For the Commission's Administrative Budget, in-kind contributions may be used to reduce the cash contribution provided by each municipality, provided the contributions receive approval by the Commission and the total remaining Public Bodies. In-kind contributions may include, but are not limited to, provision of office space, labor, equipment, materials or other services needed by the Commission to implement a project that is included in the annual budget. The in-kind contribution is to be calculated by the Public Body requesting the in-kind contribution, and approved by the Commission. The reduced cash contribution, which shall be equivalent to the required cash commitment minus the total applicable amount of in-kind services, shall be made by the subject Public Body in the last quarterly cash payment of the fiscal year.

The in-kind contributions shall not include costs and expenses which would not have been incurred by the Participants except for the Commission's use of the Property ("Supplemental Costs"). The Supplemental Costs actually incurred by each of the Participants shall be included in the Commission's budget and promptly reimbursed by the Commission, unless the Supplemental Cost is incurred by the Participant in exchange for another in-kind service by the Commission or one of its Members.

b. Participating School District. The Participating School District agrees to provide, without charge, access to School District owned facilities and properties when the use of the property by the Commission does not interfere or conflict with the respective School District's use of the facilities or properties. The School District shall adopt a scheduling process for the Commission to follow.

c. The Participating School District agrees to plan, cooperate and partner with Participating Municipalities and the Commission when developing school sites and facilities that may have regional recreational or open space preservation benefit to the region.

7. INSURANCE AND IMMUNITY

a. Insurance, Waiver of Claims. The Commission shall maintain limits of liability of no less than two million dollars each occurrence/ four million dollars aggregate against claims arising out of the activities of the Commission. The Commission and the Public Bodies shall be named as additional insureds on all liability policies. Each Public Body

hereby waives any and all claims and causes of action against the Commission and all other parties to the Agreement that may arise out of the activities of the Commission.

b. Immunity. The services performed and the expenditures incurred under this Agreement shall be deemed for public and governmental purposes, and all immunities from liability enjoyed by each Public Body shall extend to its participation in services outside its boundaries. Similarly, as a matter reciprocal to the responsibilities, duties, authority and jurisdiction delegated under this Agreement, the Commission and their employees and officers shall have the same immunities from liability, the same limitations on damages, and the same rights, protections, and benefits as the Public Bodies have under all applicable laws.

c. Proportional Liability. For purposes of liability in actions arising out of the activities of the Commission that are not covered by insurance protection, the Participating Municipalities shall be liable in the same proportion as their funding assessment. This provision does not and should not be construed as expanding the liability of the Commission or the Participating Municipalities. All immunities, limitations on liability and damages, protections, and defenses under the laws of the United States and of the Commonwealth of Pennsylvania shall apply and are expressly preserved.

d. Hold Harmless Clause. The Commission agrees to indemnify, defend and save the Public Bodies harmless against and from any and all claims, demands or causes of action by or on behalf of any person(s) or entity(ies) arising from or in relation to the Commission's use of Public Body owned facilities and properties and will further indemnify and save the Public Bodies harmless against and from any and all liability claims arising from any breach or default on the Commission's part in the performance of any provision or agreement which it is to perform under the terms of this Intergovernmental Cooperation Agreement, including, but not limited to, governing, directing, administering, supervising, maintaining and operating recreation programs at Public Body owned facilities and properties, or arising from any act of negligence of the Commission, or any of its agents, contractors, servants, employees or licensees, and from and against all damages (both direct or consequential), costs, counsel fees, expenses and liabilities incurred in connection with any such claim or action or proceeding brought thereon. The Commission hereby assumes all risk of damage to property or injury to person, whether in, upon or about Public Body owned facilities and properties or elsewhere from any source and to whomever belonging arising from or related to the Commission's use of said facilities and properties and the Commission hereby waives all claims in respect thereof against the Public Bodies, including claims based solely on the simple or gross negligence, or failure to act of the Public Bodies, and agrees to defend and save the Public Bodies harmless from and against any such claims by others.

8. EFFECTIVE DATE, RENEWAL, TERM, WITHDRAWAL, DISSOLUTION, AND NEW PARTICIPANTS

a. Effective Date and Term. This Agreement shall become effective on the latest date that any of the parties to this Agreement have approved, executed and delivered the agreement. The Agreement shall terminate on December 31, 2010.

b. Renewal. This Agreement shall be automatically renewed on an annual basis with the terms of the agreement open to negotiation upon renewal.

c. Withdrawal. Public Bodies may only withdraw from this Agreement on December 31, 2009 or on an annual basis following this initial period. At least a one-year notice of intent to withdraw must be presented in writing to all other Participating Municipalities and the Participating School District. Any Public Body that withdraws at any time shall continue to be responsible for its share of the Commission budget and its share of any debt service incurred by the Public Bodies in jointly acquiring real property for use as a

park, open space, or recreational facility or personal property for use in a park, open space or recreational facility, until the effective date of the withdrawal.

If the Participating Municipalities share debt service for jointly acquiring real property for use as a park, open space, or recreational facility or personal property for use in a park, open space or recreational facility the Commission or withdrawing Member has two options. The withdrawing Member can be released by the Commission from any debt service theretofore incurred but the withdrawing Member thereby forfeits any ownership interest in the real or personal property which is the subject matter of the debt, or the withdrawing Member continues to pay its share of the debt service but also retains a pro rata share of ownership in such property and upon any future dissolution of the Commission it would be entitled to the fair market value or some other compensation for its pro rata share from the Member where the real property is located or from the Member which retains the personal property.

d. Dissolution. The Commission shall be dissolved if one of the Participating Municipalities elects to withdraw following four years after the creation of the Commission. Upon dissolution of the Commission, the equipment, property, materials, supplies, and capital assets of the Commission that remain shall be distributed to the Participants in proportion to the cumulative cash contributions of the Participants from the date of this Agreement to the time of dissolution, provided, however any fixtures that are affixed shall not be subject to the distribution provided for in this section.

e. Adding a Participant(s). At any time during the term of this agreement consideration may be given to invite or at their own choosing allow other municipalities to join and become part of this Agreement. The new Participant may enter into the Agreement with a two-thirds vote of the Public Bodies, and must pass an ordinance which includes approval of this agreement and its amendments and authorizes the additional execution of this agreement by the new participant.

9. GOVERNING LAW

This agreement shall be governed by the Laws of the Commonwealth of Pennsylvania. This Agreement is adopted pursuant to P.L. 1158; NO. 177; 53 Pa. C.S.A. § 2301, et seq. and each of the Public Bodies shall take all necessary steps under statue to comply with same.

10. AGREEMENT APPROVAL PROCEDURES AND AMENDMENTS

a. The Public Bodies agree to take all action necessary to carry forth the provisions of this Agreement.

b. Each Public Body will adopt an ordinance or resolution approving and authorizing the execution of this Agreement.

c. This Agreement may be simultaneously executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute by one and the same instrument.

d. Amendment. During the term of this Agreement, it may be amended only by written agreement of all Public Bodies.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first written above.

Attest:

CHESTNUTHILL TOWNSHIP

_____

BY: _____

Chair of the Board of Supervisors

Attest: **ROSS TOWNSHIP**

_____ BY: _____
Chair of the Board of Supervisors

Attest: **PLEASANT VALLEY SCHOOL DISTRICT**

_____ BY: _____
President of the School Board

"APPENDIX A"

Chestnuthill Township	17,767
Ross Township	6,489

Total population of municipalities in West End Park and Open Space Commission Region:	24,256

**Estimated 2006 Population calculated by taking a straight-line increase between the actual 2000 population and the projected 2010 population per the Monroe County Planning Commission and the US Census Bureau **

WEPOSC POPULATION PROJECTIONS						
	Actual 2000 Census	Projected 2001	Projected 2002	Projected 2003	Projected 2004	Projected 2005
Chestnuthill Township	14,418	14,976	15,534	16,093	16,651	**17,209**
Ross Township	5,435	5,611	5,786	5,962	6,137	**6,313**
TOTAL POPULATION:	19,853	20,587	21,320	22,055	22,788	23,522
	Projected 2006	Projected 2007	Projected 2008	Projected 2009	Projected 2010 Census	
Chestnuthill Township	17,767	18,325	18,884	19,442	20,000	
Ross Township	6,489	6,664	6,840	7,015	7,190	
TOTAL POPULATION:	24,256.00	24,989.00	25,724.00	26,457.00	27,190.00	

WEST END PARK AND OPEN SPACE COMMISSION
FIVE YEAR BUDGET PROJECTION

Final

APPENDIX C

: is a projected budget for a Commission including Chestnuthill and Ross Townships and the Pleasant Valley School District. It is an administrative budget that does not include construction or maintenance costs for the regional park. The master site plan for the regional park will include operation and maintenance cost projections for the park, based on the types of facilities planned.. As the regional park is developed, operation, maintenance and additional administrative costs will follow. Grants and in-kind contributions can reduce expenses of construction and maintenance. Liability insurance cost assumes Chestnuthill will maintain ownership of the regional park property and includes some programming. Population increases on which the financial contributions are based, reflect growth in a straight-line from the the 2000 census to the 2010 census projection, and is tied to the Appendix A of the intergovernmental agreement. The circuit rider grant from DCNR pays for 100% of the director's salary in the 1st year and reduces by 25% annually until the 5th year when the grant runs out, plus $2,000 for training over 4 years. Sports groups' contributions based on director providing needed services for groups (ex.scheduling).

Projected Costs	**2006**	**2007**	**2008**	**2009**	**2010**
Personnel					
Circuit Rider Director (starts mid-2006)	$ 17,500.00	$ 35,525.00	$ 36,600.00	$ 37,710.00	$ 38,900.00
Payroll benefits & costs	$ 10,565.00	$ 20,000.00	$ 20,240.00	$ 20,745.00	$ 21,395.00
Part time assistant/intern/programmer	$ -	$ -	$ 2,500.00	$ 10,000.00	$ 10,000.00
Administration					
General Administration	$ 5,600.00	$ 10,000.00	$ 11,000.00	$ 13,000.00	$ 15,000.00
Training/Conferences	$ 1,000.00	$ 1,500.00	$ 1,000.00	$ 1,000.00	$ 1,000.00
Financial Services	$ 600.00	$ 3,000.00	$ 3,000.00	$ 3,000.00	$ 3,000.00
Liability Insurance (see note A)	$ 2,500.00	$ 5,200.00	$ 5,400.00	$ 5,600.00	$ 5,800.00
al Services	$ 1,200.00	$ 1,200.00	$ 1,200.00	$ 1,200.00	$ 1,200.00
ec. Programming Services (net)	$1,000	$ 2,000.00	$ 3,000.00	$ 4,000.00	$ 5,000.00
Master Site Plan	$60,000	$ -	$ -	$ -	$ -
Reserve Fund	$9,745	$ 2,000.00	$ 2,000.00	$ 2,000.00	$ 2,000.00
Total Expenses:	$ 109,710.00	$ 80,425.00	$ 83,940.00	$ 96,255.00	$ 103,295.00
Potential Revenues					
DCNR Circuit Rider Grant	$ 18,000.00	$ 31,518.00	$ 23,306.00	$ 14,070.00	$ 4,783.00
Master Site Plan Grant & Contributions	$ 60,000.00	$ -	$ -	$ -	$ -
Facility Rental Income			$ 500.00	$ 1,000.00	$ 1,500.00
Program Revenue	$ 1,000.00	$ 500.00	$ 1,000.00	$ 2,000.00	$ 2,000.00
Total Revenues:	$ 79,000.00	$ 32,018.00	$ 24,806.00	$ 17,070.00	$ 8,283.00
Total Expenses after Revenue:	**$ 30,710.00**	**$ 48,407.00**	**$ 59,134.00**	**$ 79,185.00**	**$ 95,012.00**
PVSD Contribution (5%)	$ 1,535.50	$ 2,420.35	$ 2,956.70	$ 3,959.25	$ 4,750.60
Sports groups Contributions (5%)	$ -	$ 2,420.35	$ 2,956.70	$ 3,959.25	$ 4,750.60
Revenue needed - Municipal	**$ 29,174.50**	**$ 43,566.30**	**$ 53,220.60**	**$ 71,266.50**	**$ 85,510.80**
Total Per Capita Rev. Needed:	**$ 1.20**	**$ 1.74**	**$ 2.07**	**$ 2.69**	**$ 3.14**
Chestnuthill Twp Populations	17,767	18,325	18,884	19,442	20,000
Annual **Contribution**	**$ 21,369.70**	**$ 31,948.16**	**$ 39,069.27**	**$ 52,370.39**	**$ 62,898.71**
Ross Twp. Populations	6,489	6,664	6,840	7,015	7,190
Annual **Contribution**	**$ 7,804.80**	**$ 11,618.14**	**$ 14,151.33**	**$ 18,896.11**	**$ 22,612.09**
Total Projected Population:	24,256.00	24,989.00	25,724.00	26,457.00	27,190.00
Total Projected Contribution:	**$ 29,174.50**	**$ 43,566.30**	**$ 53,220.60**	**$ 71,266.50**	**$ 85,510.80**

WEST END PARK AND OPEN SPACE COMMISSION
2006 FISCAL YEAR OPERATING BUDGET

Final

APPENDIX H

OPERATING EXPENDITURES

Account #	Description	2006 Budgeted Expenses	Comments
400.210	Office Supplies	$ 960.00	
	Minor Equipment	$ 2,000.00	computer, etc.
	General Expenses	$ 200.00	
	Telephone/Internet Expenses	$ 840.00	7 months
	Advertising Expenses	$ 500.00	
	Printing Expenses	$ 500.00	
	Office space rent	$ -	assumed donated
	Utilities Expenses	$ -	assumed donated
	Postage	$ 200.00	
	Assoc. Dues & Subscriptions	$ 400.00	
	Conference & Seminars	$ 500.00	
	Training Expenses	$ 500.00	
	Master Site Plan for WE Regional Park	$ 60,000.00	
	Programming/Special events	$ 1,000.00	
	Legal Services	$ 1,200.00	solicitor
	Financial Services	$ 600.00	no audit year 1
485.000	Executive Director Salary	$ 17,500.00	6 months salary
	Medical Benefits	$ 6,000.00	
	Deferred Compensation Contribution	$ 1,050.00	
	Social Security/Medicare	$ 1,555.00	.0885 x salary
	Un Employment Compensation	$ 960.00	.12 x $8,000
	Liability Insurance, etc.	$ 2,500.00	
	Workman's Compensation Insurance	$ -	absorbed w/municipal
	Relocation/Travel Expenses	$ 1,000.00	
	TOTAL OPERATING EXPENDITURES	**$ 99,965.00**	
CAPITAL OUTLAY			
500.001	Improvements to Romascavage Property	$ -	
500.005	Reserve Fund of 10%	$ 9,745.00	
	TOTAL EXPENDITURES	**$ 109,710.00**	

REVENUES

Account #	Description	2006 Budgeted Revenue	Comments
	DCNR Circuit Rider Grant	$ 18,000.00	salary+training
	DCNR Master Plan Grant	$ 30,000.00	
	Programming Revenue	$ 1,000.00	
	Chestnuthill Contributions for Master Plan	$ 15,367.00	County Open Space
	Eldred Contributions for Master Plan	$ 2,665.00	County Open Space
	Polk Contributions for Master Plan	$ 6,533.00	County Open Space
	Ross Contributions for Master Plan	$ 5,435.00	County Open Space
	TOTAL REVENUES	**$ 79,000.00**	
	Municipal/SD Contributions Needed	**$ 30,710.00**	
	PVSD 5% Contribution	$ 1,535.50	
	Sports Teams' contributions	$ -	
	****Per Capita Contribution**	**$ 1.20**	
	Chestnuthill Township Contribution	$ 21,369.70	
	Ross Township Contribution	$ 7,804.80	

APPENDIX I

WEST END PARK AND RECREATION COMMISSION
JOB DESCRIPTION

Job Title: **Executive Director**

Accountable to: West End Park and Recreation Commission

Supervises: Full time, part time, seasonal and contractual employees, instructors, staff and volunteers

Primary Objective of the Position: Responsible for the overall administration, operation and function of the West End Park and Recreation Commission, its facilities and programs, including participant municipalities' open space and recreation goals. The position requires a minimum of a 40-hour work week; which may include nighttime, weekend and holiday hours as necessary to accomplish the goals and objectives of the Commission.

TYPICAL EXAMPLES OF WORK

Administration:

- Manage and supervise all operations and activity as directed by the Commission.
- Works with the Participating Municipalities to implement, manage, supervise, operate and administer the master site plan for the West End Regional Park.
- Works with the Participating Municipalities to implement, manage, oversee, operate and administer the West End Open Space and Recreation Plan (adopted January 2003)
- Investigate, acquire, administer, and monitor grants from various public and private sources.

- Provide direction and leadership to the Board and officers of the Commission.
- Manage the finances of the Commission including the operating, capital, program, and grants budgets. Process and account for all revenues and expenditures in compliance with Commission policy.
- Prepare Commission budget and guide Commission through the budgetary process
- Handle and account for all monies received or expended in compliance with Commission-established policy. (financial, programs, facility usage, personnel)
- Assure adequate and appropriate record keeping and presentation of reports to the Commission as required.
- Assist the Commission in development of short and long range planning.
- Serve as the Commission's Project Manager for capital improvement projects. Coordinate additional professional services as required to achieve project goals.
- Schedule all activities within the West End Regional Park and any other activities assigned to the Commission by the Participating Municipalities and School District.
- Implement fundraising efforts to support the Commission and its activities.
- Oversee and coordinate all in-kind services for all applicable Commission functions and capital projects.
- Promote a cooperative working relationship with the Commission and participating municipalities, as well as other local, regional, state and federal government and voluntary agencies.
- Recruit and recommend staff for hiring. Schedule and supervise all West End Park and Recreation Commission staff and volunteers. Assure that all staff and volunteers comply with all standard operating procedures and Board policies.

Administration: (cont.)

- Promote the regional park and all open space, greenways, parks, and recreation programs within the participant municipalities.
- Attend all meetings of the Commission.
- Purchase needed supplies.
- Manage any open space, greenways, parks and recreation properties and facilities assigned by the Participating Municipalities to be under the jurisdiction of the Commission.
- Other duties as assigned.

Programming:

- Develop, administer, supervise and evaluate a broad program of recreation activities for all age groups and interests respective of the resources and needs of the residents of the Participating Municipalities and school district. (Also for residents outside of the Participating Municipalities boundaries provided that such programming is of primary benefit to residents of the Participating Municipalities)
- Supervise the scheduling and rental of the regional park and any other parks and facilities that have been assigned to the Commission for scheduling and rental purposes.
- Contract with outside agencies and individuals, as necessary, to provide program instruction.
- Contract with outside agencies for the use of their facilities for Commission programs, when necessary.
- Encourage optimum use of all parks and greenways under the Commission jurisdiction.
- Other duties as assigned.

Maintenance:

- Oversee and manage all maintenance activity for the regional park and other facilities under the jurisdiction of the Commission.
- Assure proper upkeep, maintenance and appearance of the regional park and all facilities and grounds assigning tasks to other staff as appropriate and completing the work himself/herself as necessary.
- Assure the regional park and any other parks assigned to the Commission are prepared for all scheduled use.
- Hire and supervise outside contractors as needed.
- Coordinate maintenance work with the appropriate departments of the Participating Municipalities as necessary.
- Other duties as assigned.

REQUIRED KNOWLEDGES, SKILLS AND ABILITIES

Knowledge:

- Thorough knowledge of the philosophy, principles, practices and methods of parks and recreation administration, organization, programming and maintenance
- Knowledge of township government operations
- Knowledge of park and recreation grant application procedures and policies
- Knowledge of public relations
- Knowledge of municipal budgeting and accounting methods
- Knowledge of public administration and personnel management
- Oral and written communication skills
- Management skills
- Organized planning skills
- Creativity and initiative

REQUIRED KNOWLEDGES, SKILLS AND ABILITIES (cont.)

Abilities:

- Ability to be self-motivated and to work effectively with little supervision
- Ability to exercise professional and administrative judgment in planning and carrying out the Commission's objectives
- Ability to establish effective working relationships with subordinates, higher authorities, public agencies and private organizations
- Ability to apply mature judgment and exercise control of a group of participants
- Ability to maintain a consistent attitude supporting the goals and objectives of the Commission
- Ability to represent the Commission in a positive, professional manner at all programs and meetings
- Ability to exercise good judgment, courtesy and tact when dealing with the public
- Ability to plan, train, supervise and evaluate the work of others
- Ability to operate standard office equipment including but not limited to a computer, desktop publishing programs and word processing software
- Ability to stand, walk, sit, climb, balance, stoop, bend, crouch, crawl, reach, lean, handle, finger, feel, push, pull and to lift and carry up to 50 lbs.
- Ability to hear, understand, read and speak the English language
- Possess good visual acuity (near and mid vision continuously; far vision, depth perception, visual accommodation, color and field of vision occasionally)
- Withstand exposure to weather, unprotected heights, confined areas, uneven terrain, and traffic hazards occasionally

The successful candidate will successfully complete an interview demonstrating all of the above knowledge, skills and abilities.

EDUCATION AND EXPERIENCE REQUIREMENTS

- Bachelor's Degree in Parks and Recreation or related field
- Certified Parks and Recreation Professional (CPRP) preferred, but not required
- Minimum of five-years of progressively responsible management experience in parks and recreation with at least one year in a top supervisory position
- Possession of a valid motor vehicle operator's license
- Experience working with local governments, especially intergovernmental experience, preferred
- Act 34 and Act 151 clearance must be obtained prior to the start of employment
- Possesses or is willing to earn First Aid and CPR Certifications

EMPLOYMENT CONDITIONS

- The successful candidate will serve a one (1) year probationary period.
- Written and oral evaluations will be performed on or before six (6) months after hire date and at the end of the probationary period.
- The successful candidate will enter into an employment agreement with the West End Park and Recreation Commission.

ACKNOWLEDGEMENTS PAGE

My many thanks to the members of the West End Peer-to-Peer Study Committee for their hard work and dedication to this process.

- David Albright, Project Coordinator/Chairperson
- Jeanette Sanchez
- Leigh Kane, Chestnuthill Township
- Russ Fisher, Chestnuthill Township
- Ilene Eckhart, Eldred Township
- Nancy May, Polk Township
- Hope Smith, Polk Township
- Tina Drake, Ross Township
- Mike Hower, Ross Township
- Dr. Frank Pullo, Pleasant Valley School District

In addition, thanks to the many community groups and volunteers not mentioned above who provided their input on this project.

Special recognition to Supervisor Chuck Gould of Chestnuthill Township for his hard work on helping to make this project a reality.

Thank you as well to Christine Laytos, Monroe County Open Space Coordinator

This plan was financed in part by a grant from the Keystone Community Grant Program through the Pennsylvania Department of Conservation and Natural Resources Program.

Replace Acknowledgements Page in your report with this revised page

EXECUTIVE SUMMARY

Members of the West End Peer Study Committee met over the course of two years to discuss creating a regional entity to manage the West End regional park, recreational programs, parks and open space for Chestnuthill, Eldred, Polk and Ross Townships. The Pleasant Valley School District was invited to participate with the process to encourage a cooperative effort on providing for recreation in the region. The School District was interested in participating because of its need for more recreational facilities, as well as desire to curb growth by protecting open space. The committee, which included elected officials representing the townships, decided to prepare an intergovernmental agreement to create a regional commission. After 18 months of work on the intergovernmental agreement and budgets, Eldred and Polk Townships decided not to participate with the Commission. The remaining two municipalities and the school district continued on to create an entity to be named the West End Park and Open Space Commission.

In summary, the West End Park and Open Space Commission shall have three (3) voting members from Chestnuthill and Ross Townships and one (1) voting member from the Pleasant Valley School District. The primary functions of the Commission are the following:

- direct, administer, supervise, maintain and operate the West End regional park
- to implement the West End Open Space and Recreation Plan,
- perform programming for the region
- manage existing parks and recreation facilities if/when desired by the townships

The Commission will be funded primarily through a per capita assessment to the municipalities, based on a projected straight line population increase.

Once the intergovernmental agreement has been adopted by all three public bodies, members will be appointed to represent the public bodies. The first functions of the Commission will be to establish by-laws, a mission and a vision statement. They will also work to set up operations of the Commission and establish a "home" from which to operate. The Commission will need to determine the overall direction of the Commission with goals and objectives and embark on strategic planning for the Commission. Chestnuthill Township, on behalf of the West End region, has received a planning grant from the Department of Conservation and Natural Resources to prepare a $60,000 master site plan for the West End regional community park property. It is the intention of the municipalities that the Commission be responsible for the management of the regional park master planning process.

The proposed 2006 budget, prepared for the first year of the Commission's operation, includes funding for a full time circuit rider director six months into the year. The balance of the peer study budget will be expended in setting up the Commission.

This report includes a complete description of the process to decide to create a regional commission, prepare the final intergovernmental agreement and compile a projected 5-year budget (which is consistent with the proposed 2006 fiscal year budget). It also contains an action plan with specific tasks outlined for the Commission to take once the members have been appointed. Items included in the Appendix section are helpful to understanding the process the peer study committee went through and final products resulting from the process.

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INTRODUCTION

❖ Purpose of the Study

In January of 2003 the townships of Chestnuthill, Eldred, Polk and Ross adopted the West End Open Space and Recreation Plan. A primary purpose of this Plan was to recommend how the West End's share of the Monroe County Open Space Bond Issue should be spent. The West End region was granted approximately $406,000 to be spent on land to be used as a regional recreation complex. In 2001 a 244 acre property was purchased by Chestnuthill Township in cooperation with the West End region for purposes of a regional community park. The acquisition was funded through County Open Space bond funds, PA Department of Conservation and Natural Resource grant funds and Township funds. In preparation for planning and developing this park and implementing the West End Open Space and Recreation Plan, the region decided to conduct a peer study to determine the best way to move forward. The desire was to examine, with the help of a park and recreation professional, methods of managing the new West End regional park, open space lands, programming, existing and/or future municipal parks. The study purpose was also to examine the need and ability to hire a professional park and recreation director.

❖ Summary of the Process

In January 2004 the West End Peer Study Committee was formed representing Chestnuthill, Eldred, Polk and Ross Townships and Pleasant Valley School District to work with a Consultant to conduct a peer study. The key tasks to be accomplished by the study were as follows:

1. Coordinate information from West End Open Space and Recreation Plan that impacts study and gather additional necessary information
2. Identify key issues and develop solutions and alternatives based on input solicited from study committee, elected officials, stakeholders and other key persons – initially addressing any key municipal issues that require immediate action
3. Analyze collected data and make recommendations regarding needs for management of park and recreation services and open space protection
4. work with study committee to consider options for management
5. If desired, develop an intergovernmental agreement under the direction of the committee
6. Develop a job description for a future director, if needed, as well as an administrative plan with a 5-year projected budget
7. Assist with formation and establishment of the managing entity

(The scope of work can be found in Appendix B.) The goal in the proposed project schedule, beginning with a first meeting in March, was to decide whether the committee would proceed with work on an intergovernmental agreement by August 2004. Allowing time for review by committee, counsel and elected officials of the agreement, it was anticipated that the agreement could be approved by December of 2004. Work on forming the managing entity, applying for a circuit rider grant, hiring and getting a director setup could take place over the year of 2005, with an end to the Consultant's contract of December 31, 2005. Because of the lack of commitment from some of the municipalities, the numerous steps to keep them involved, and the eventual withdrawal of two of the townships from the project, the intergovernmental agreement was not signed by all parties until September 2006 with two of the four townships as participants. A one-year extension was granted to the peer consultant by Chestnuthill Township.

The following meetings were held:

March 10, 2004: introductions of consultant and peer process to committee, discussion on proposed scope of work, timeline, and potential issues and questions

April 14, 2004: Committee discussed immediate park and recreation needs of municipalities and key persons to interview – distributed sample survey questionnaire for elected officials

May 12, 2004: Consultant reported on key person interviews and elected officials' survey response and committee planned a forum with elected officials

Replace page 5 in your report with revised page 5

Ross Township started the process with a recently-acquired piece of land they wish to plan and develop as a community park, but in the difficulty of making great progress, it served as an incentive for them to participate in the commission and reap the benefits of a new employee to aid with their park project.

Polk Township did not indicate current issues in regard to parks, recreation and open space with which they needed assistance. That could have been a part of the reason they chose not to participate in the regional commission. The supervisors did not see the benefits to their current operations in joining a regional commission and sharing a new fulltime professional. They also were not convinced by their residents that this was a needed regional venture.

The Intergovernmental Agreement

❖ Coming to the decision

The peer study committee decided that the consultant should proceed with drafting an intergovernmental agreement and budget projection so they could start addressing specific terms of the agreement. The municipal elected officials talked about the regional concept with each other outside committee meetings, and the committee proceeded to begin talking about details. Because there is a 244-acre property involved that needs to be planned, developed, managed and maintained as a regional park, there is clear need for a regional organization to manage, develop, maintain and potentially own it.

After 18 months of work on the project, Polk and Eldred Township decided not to participate in the final agreement. This left two townships and the Pleasant Valley School District. The remaining townships and school district decided to continue with participation in the intergovernmental agreement, but will leave the opportunity open for Polk's and Eldred's participation in the future.

❖ What will it look like?

The peer consultant briefed the types of intergovernmental agreements with the West End Peer study committee, and the choice was very quickly made to proceed with an Act 180 intergovernmental agreement. The municipal officials would like to keep their hand in the dealings of the Commission, however give it authority to act independently. The outline of the intergovernmental agreement is outlined below, and the final intergovernmental agreement is located in Appendix F.

- Structure of the Commission
  - i. Membership of municipalities and school district
  - ii. Voting
  - iii. Membership specifics
- Duties and Powers of the Commission
  - i. Purpose
  - ii. Equipment, facilities, supplies and services
  - iii. Real property
  - iv. Employment of personnel
  - v. Conduct of business
  - vi. Meetings
  - vii. Quorum
  - viii. Annual report
- Executive Director
  - i. Duties and responsibilities
  - ii. Evaluation
- Finances
  - i. Fiscal year
  - ii. Municipal contributions
  - iii. School district contributions

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APPENDIX F

INTERGOVERNMENTAL COOPERATION AGREEMENT ESTABLISHING THE WEST END PARK AND OPEN SPACE COMMISSION

THIS AGREEMENT, made the _____ day of September 2006, by and among the:

CHESTNUTHILL TOWNSHIP, Monroe County, a 2nd class township existing under the laws of the Commonwealth of Pennsylvania;
ROSS TOWNSHIP, Monroe County, a 2nd class township existing under the laws of the Commonwealth of Pennsylvania;

Hereafter collectively referred to as "Participating Municipalities";

PLEASANT VALLEY SCHOOL DISTRICT, a school district existing under the laws of the Commonwealth of Pennsylvania;
Hereafter referred to as "Participating School District".

Hereafter collectively the Participating Municipalities and Participating School District are referred to as "Public Bodies".

WITNESSETH:

WHEREAS, the Intergovernmental Cooperation Law (P.L. 1158, No. 177; 53 Pa. C.S.A.§2301, et. seq.) permits municipalities to enter into agreements to cooperate in the powers and responsibilities of recreation and parks; and

WHEREAS, it is believed by the Public Bodies that the citizens within their respective municipalities and school district will benefit by a community park, recreation, greenway and open space program jointly administered by them, which program shall comply with all applicable laws; and

WHEREAS, it is the desire of the Public Bodies to establish a Commission of appointed representatives to administer and carry out the Agreement (hereafter the "Members") to be known as the West End Park and Open Space Commission (hereafter the "Commission"); and

WHEREAS, the Commission shall provide for planning, development, operation, maintenance and programming for the West End regional park (known as the Romascavage property), and management, implementation, oversight, operation, and administration of the West End Open Space and Recreation Plan adopted by the Participating Municipalities in January 2003, as well as other park facilities and recreation programs the Public Bodies have or may sometime in the future expressly assign to the Commission; and

WHEREAS, to prevent duplication of effort and to maximize cost effectiveness, and in order to promote and conduct a program of community parks, recreation and open space protection, the Participants mutually desire to mobilize community resources to effectively and economically meet the present and future parks, recreation and open space needs of their citizens; and

NOW THEREFORE, the parties hereto, intending to be legally bound hereby, for and in consideration of the mutual covenants herein contained, covenant and agree that the following terms and conditions shall govern the formation and operation of the COMMISSION.

1. INCORPORATION OF RECITALS

Replace page 32 in your report with revised page 32