



**TOWNSHIP OF SOUTH FAYETTE
ALLEGHENY COUNTY. PENNSYLVANIA**

RESOLUTION NO. 21 OF 2020

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
THE TOWNSHIP OF SOUTH FAYETTE, ALLEGHENY
COUNTY, PENNSYLVANIA, APPROVING THE ENTRY INTO
A MEMORANDUM OF UNDERSTANDING WITH SOUTH
FAYETTE TOWNSHIP POLICE CHIEF JOHN PHOENNIK**

WHEREAS, on August 13, 2014, John Phoennik (“Phoennik”) was nominated by the Board of Commissioners to the Township’s Civil Service Commission for appointment as Chief of Police for the Township’s Police Department; and

WHEREAS, on August 24, 2014 Phoennik was certified by the Township’s Civil Service Commission as having successfully completed a non-competitive civil service examination and was recommended for appointment as Chief of Police; and

WHEREAS, on August 20, 2014 the Board of Commissioners, at a public meeting, appointed Phoennik as the Township’s Chief of Police; and

WHEREAS, pursuant to Section 638 of First Class Township Code, 53 P.S. § 55638 (d), by virtue of Phoennik’s successful completion of the non-competitive civil service examination and certification as being qualified to be appointed to the position of Chief of Police, Phoennik is entitled to civil service protection under the civil service provisions of the First Class Township Code; and

WHEREAS, pursuant to 43 P.S. § 218, Phoennik as Chief of Police, is entitled to receive not less than the same dollar increase in compensation, including fringe benefits, as received by the highest ranking police officer in the Township's Police Department bargaining unit under their Collective Bargaining Agreement; and

WHEREAS, it is the desire of the Township and Phoennik to confirm the appointment of Phoennik as Chief of Police with civil service protection; entitlement to compensation and benefits in accordance with 43 P.S. § 218 and address other matters as set forth in a Memorandum of Understanding between Phoennik and the Township. .

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ENACTED, BY THE UNDERSIGNED BOARD OF COMMISSIONERS OF THE TOWNSHIP OF SOUTH FAYETTE, AND IT IS HEREBY RESOLVED AND ENACTED AS FOLLOWS:

1. The recitals set forth hereinabove are incorporated herein by reference thereto;
2. The Memorandum of Understanding attached hereto and made part hereof as Exhibit "A" is adopted and approved by the Board of Commissioners.
3. The President of the Board of Commissioners and Township Manager are are authorized to execute the Memorandum of Understanding on behalf of the township
4. This Resolution is to take effect upon adoption.
5. Any Ordinance or Resolution, or portion thereof, conflicting with the provisions of this Resolution shall be and the same is hereby repealed, insofar as the same affects this Resolution.

RESOLVED AND ENACTED INTO LAW this 9th day of December 2020.

ATTEST:



John M. Barrett
Township Manager

TOWNSHIP OF SOUTH FAYETTE:



Gwen Rodi, President
Board of Commissioners