

OFFICIAL

COLLIER TOWNSHIP MUNICIPAL AUTHORITY
ALLEGHENY COUNTY PENNSYLVANIA
RESOLUTION NO. 10-10-2019

A RESOLUTION OF THE COLLIER TOWNSHIP MUNICIPAL AUTHORITY, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE EXECUTION OF THE TRANSFER AGREEMENT AND RELATED DOCUMENTS, INSTRUMENTS, AND AGREEMENTS WITH ALCOSAN AND THE TRANSFER TO ALCOSAN OF CERTAIN SEWER SYSTEM ASSETS IN ACCORDANCE THEREWITH.

WHEREAS, ALCOSAN entered into a Consent Decree (the "Consent Decree") with the United States Environmental Protection Agency (the "EPA"), the Pennsylvania Department of Environmental Protection (the "DEP") and the Allegheny County Health Department (the "ACHD"), which was approved by the United States District Court for the Western District of Pennsylvania on January 23, 2008; and

WHEREAS, the Consent Decree requires ALCOSAN to eliminate dry weather discharges and sanitary sewer overflows from its system, reduce combined sewer overflows from its system in accordance with the EPA's combined sewer overflow policy, and build adequate sewer infrastructure to achieve these goals; and

WHEREAS, ALCOSAN must prepare a regional long-term wet weather control plan (the "Wet Weather Plan") that identifies remedial controls and activities needed to comply with the Consent Decree requirements; and

WHEREAS, Collier Township Municipal Authority (the "Authority") is a customer of ALCOSAN and owns certain intermunicipal trunk sewer lines and the associated manholes that connect to such sewer lines (collectively, the "Assets"); and

WHEREAS, the Authority entered into a Consent Order (the "Consent Order") with the Allegheny County Health Department on January 28, 2004 as authorized by the Authorities Resolution No: 01-08-2004-0 as amended by Amendment No: 1, imposing on the Authority certain obligations with respect to its sewer system that are consistent with and in furtherance of the purposes of the Wet Weather Plan; and

WHEREAS, the Authority cause to be published in the Pittsburgh Post-Gazette a notice of a public hearing to be held on September 11, 2019 to secure public comment and input on the proposed transfer of the Thoms Run Sanitary Sewer to ALCOSAN to then become part of the ALCOSAN regional sanitary sewer system.

WHEREAS, the Thoms Run Sanitary Sewer system is jointly shared between the Authority and the South Fayette Municipal Authority, which after a similar public hearing held by SFMA approved to join with the Authority to implement the line transfer to ALCOSAN.

WHEREAS, this Authority did not receive any public comment at the public hearing at which the proposed transfer was publicly reviewed and fully considered after which the Authority, by unanimous motion, authorized the preparation of this Resolution which directs the implementation of the transfer of the Thoms Run Sanitary Sewer line to ALCOSAN. The approved portion of the line to be transfer is to include all lines of ten (10) inches or larger along with manholes and easements for the lines.

WHEREAS, the Authority has prepared engineering drawings by NIRA Consulting Engineers consisting of three (3) drawing sheets identified as Thoms Run Trunk Sewer C-101, C-102 and C-103 describing the line to be transferred which begins at POC C-54-11 and ends at the terminus of a ten inch line.

WHEREAS, the Board of the Authority has determined that fulfillment of the Wet Weather Plan and satisfaction of certain aspects of the Consent Order can be most efficiently undertaken if the Assets are owned and operated by ALCOSAN; and

WHEREAS, the Authority desires to transfer the Assets to ALCOSAN pursuant to the terms of a Transfer Agreement and certain related documents, instruments and agreements (collectively, and together with the Schedules and Exhibits attached thereto, the "Transfer Agreement").

NOW, THEREFORE, the Board of the Authority hereby resolves as follows, incorporating the above recitals by reference:

Section 1. The Board of the Authority hereby approves the Transfer Agreement as presented and authorizes the officers of the Board to make such further revisions thereto as such officers determine to be in the best interests of the Authority and acceptable to ALCOSAN, consistent with the intent and purposes of this Resolution.

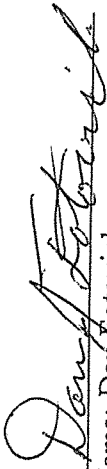
Section 2. The officers of the Board and the Authority are hereby authorized and directed, in the name and on behalf of the Authority, to execute or cause to be executed the Transfer Agreement and such other documents, instruments, and agreements, and to take such other actions as shall be reasonably required to consummate the conveyance of the Assets to ALCOSAN in accordance with the intent and purposes of this Resolution.

Section 3. This Resolution shall take effect immediately.

RESOLVED and ADOPTED this 10th day of October 2019, by the Board of the Authority in lawful session duly assembled.

COLLIER TOWNSHIP MUNICIPAL
AUTHORITY ALLEGHENY COUNTY
PENNSYLVANIA

ATTEST:



Name: Dan Fotovich
Title: Secretary



Name: Daniel Oberfeirner
Title: Chairman

(Seal)