

OFFICIAL

**THE MUNICIPAL AUTHORITY OF THE TOWNSHIP OF SOUTH FAYETTE  
RESOLUTION NO. 224**

A RESOLUTION OF THE MUNICIPAL AUTHORITY OF THE  
TOWNSHIP OF SOUTH FAYETTE, ALLEGHENY COUNTY,  
PENNSYLVANIA, AUTHORIZING THE EXECUTION OF THE  
TERM SHEET WITH ALCOSAN.

**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**, The Municipal Authority of the Township of South Fayette (the “Authority”) is a customer of ALCOSAN and partially owns and operates the Pump Station connected to the Robinson Run trunk line located in North Fayette Township, but on Oakdale Borough-owned property (the “Asset”); and

**WHEREAS**, the Authority entered into a Consent Order and Agreement (the “Consent Order”) with the Allegheny County Health Department on September 23, 2021, 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 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 Asset is owned and operated by ALCOSAN; and

**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 Term Sheet as presented and authorizes the members of the Board to make such further revisions thereto as such members 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 members 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 Term Sheet and to take such other actions as shall be reasonably required to consummate the conveyance of the Asset to ALCOSAN in accordance with the intent and purposes of this Resolution.

**Section 3.** This Resolution shall take effect immediately.

**RESOLVED** and **ADOPTED** this 7<sup>th</sup> day of September, 2023, by the Board of the Authority in lawful session duly assembled.

ATTEST:

  
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Name: John Alan Kosty

Title: Secretary / Treasurer

(Seal)

THE MUNICIPAL AUTHORITY OF THE  
TOWNSHIP OF SOUTH FAYETTE

By: C. Kenneth Chambon

Name: C. Kenneth Chambon

Title: Chairman