

**THE MUNICIPAL AUTHORITY OF THE TOWNSHIP OF SOUTH FAYETTE
RESOLUTION NO. 234**

**A RESOLUTION OF THE MUNICIPAL AUTHORITY OF
THE TOWNSHIP OF SOUTH FAYETTE, ALLEGHENY
COUNTY, PENNSYLVANIA, AUTHORIZING THE
SIGNING AND EXECUTION OF THE PUMP STATION
TRANSFER AGREEMENT AND RELATED DOCUMENTS,
INSTRUMENTS, AND AGREEMENTS 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 above referenced Assets are owned and operated by ALCOSAN; and

WHEREAS, the Authority desires to transfer said 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 “Pump Station 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, by way of Resolution No. 224, approved the Term Sheet for the Pump Station transfer on September 7, 2023.

Section 2. The Board of the Authority, by way of this Resolution, approves the Agreement as presented and authorizes any revisions thereto the Solicitor determines to be necessary and in the best interests of the Authority and acceptable to ALCOSAN.

Section 3. The members of the Board of the Authority are hereby authorized and directed, in the name and on behalf of the Authority, to execute or cause to be executed the Pump Station Agreement and to take such action as shall be reasonably required to consummate the conveyance of the Asset to ALCOSAN in accordance with the intent and purpose of this Resolution.

Section 4. This Resolution shall take effect immediately.

RESOLVED and ADOPTED this 6th day of June 2024, by the Board of the Authority in lawful session duly assembled.

ATTEST:

THE MUNICIPAL AUTHORITY OF THE
TOWNSHIP OF SOUTH FAYETTE

By: Kenneth Chynba
Name: CKR
Title: Vice - Chairman

By: [Signature]
Name: John A. Kosky
Title: PRESIDENT

(Seal)