



**TOWNSHIP OF NORTH FAYETTE  
RESOLUTION NO. 69-24**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF NORTH FAYETTE, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE EXECUTION OF THE OAKDALE PUMP STATION TRANSFER AGREEMENT, RELATED DOCUMENTS, INSTRUMENTS, AND AGREEMENTS WITH ALCOSAN UPON THE APPROVAL OF THE SOLICITOR, MANAGER, AND ENGINEER OF A SATISFACTORY AGREEMENT TO PURCHASE ADDITIONAL CAPACITY FROM ALCOSAN AND APPROVAL FROM THE CITY OF PITTSBURGH.**

**WHEREAS**, the Township of North Fayette (hereinafter "Township"), is a Municipal Corporation, duly organized and existing under the laws of the Commonwealth of Pennsylvania; and

**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 Township of North Fayette (the "Township") 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 Township entered into a Consent Order and Agreement (the "Consent Order") with the Allegheny County Health Department on October 12, 2021, imposing on the Township 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 Supervisors of the Township 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 Township 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 "Transfer Agreement"); and

**WHEREAS**, the Township also desires to purchase additional capacity and upgrade the sewer lines in addition to completing the transfer of the Assets and execution of the Transfer Agreement; and

**WHEREAS**, upon the successful negotiation of the agreement to purchase additional capacity (the "North Fayette Additional Capacity Purchase Agreement") and approval of the City of Pittsburgh of the purchase of additional capacity, but not before said Agreement is executed by all parties, it is the Board's desire to execute both the Trunkline Transfer Agreement and the Pump Station Transfer Agreement simultaneously.

**NOW THEREFORE, BE IT RESOLVED**, by the Board of Supervisors of the Township of North Fayette hereby resolves as follows, incorporating the above recitals by reference:

**SECTION 1.** The Board of Supervisors by way of this Resolution, approves the Agreement as presented and authorizes any revisions thereto the Solicitor and Manager determine to be necessary and in the best interests of the Authority and acceptable to ALCOSAN.

**SECTION 2.** The Board and the Township, by way of this Resolution, ratify and authorize the execution of the Oakdale Pump Station Transfer Agreement with no further action required by the Board, upon the approval of the Solicitor, Township Manager, and Engineer, and upon a satisfactory agreement between North Fayette Township, ALCOSAN and the City of Pittsburgh for the purchase of additional capacity.

**SECTION 3.** All prior resolutions are hereby repealed in whole or in part to the extent inconsistent herewith.

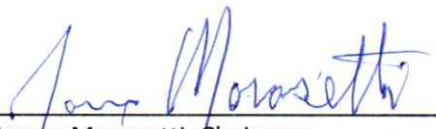
**SECTION 4.** This Resolution shall take effect immediately.

**AND NOW**, this 25<sup>th</sup> day of June 2024, upon motion duly made and seconded, the foregoing **RESOLUTION** is hereby adopted.

**ATTEST:**

  
James Mangan  
Township Manager

**TOWNSHIP OF NORTH FAYETTE  
BOARD OF SUPERVISORS**

  
James Morosetti, Chairman