

OFFICIAL

**BOROUGH OF CRAFTON
RESOLUTION NO. 2023-11**

A RESOLUTION OF THE BOROUGH OF CRAFTON, 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, the Borough of Crafton (the “Borough”) 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 Borough entered into a Consent Order (the “Consent Order”) with DEP on December 10th, 2021 imposing on the Borough 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 Council of the Borough 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 Borough 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 Council of the Borough hereby resolves as follows, incorporating the above recitals by reference:

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

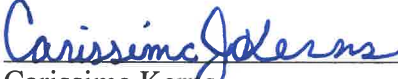
Section 2. The officers of the Council and the Borough are hereby authorized and directed, in the name and on behalf of the Borough, to execute or cause to be executed the Transfer Agreement and such other documents, instruments, and agreements, and to take such other actions as shall be reasonably required 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 11th day of May, 2023, by the Council of the Borough in lawful session duly assembled.

BOROUGH OF CRAFTON

ATTEST:



Carissima Kerns
Borough Secretary

By: 

John Oliverio
President, Borough Council

(Seal)

