

**BOROUGH OF OAKDALE**  
**RESOLUTION NO. 13-2024**

**A RESOLUTION OF THE BOROUGH OF OAKDALE,  
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 Borough of Oakdale (the “Borough”) 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 Borough entered into a Consent Order and Agreement (the “Consent Order”) with the Allegheny County Health Department on October 7, 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 above referenced Assets are owned and operated by ALCOSAN; and

**WHEREAS**, the Borough 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 Council of the Borough hereby resolves as follows, incorporating the above recitals by reference:

**Section 1.** The Council of the Borough, by way of Resolution 10-2023, approved the Term Sheet for the Pump Station transfer on September 7, 2023.

**Section 2.** The Council of the Borough, by way of this Resolution, approves the Agreement as presented and authorizes any revisions thereto the Solicitor, Engineer and Borough Secretary determine to be necessary and in the best interests of the Borough and acceptable to ALCOSAN.

**Section 3.** The members 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 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 6<sup>th</sup> day of June 2024, by the Council of the Borough in lawful session duly assembled.

**ATTEST:**

By: \_\_\_\_\_

Borough Secretary

**BOROUGH OF OAKDALE**

By: \_\_\_\_\_

President