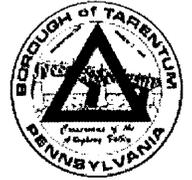


# BOROUGH OF TARENTUM

Allegheny County, Pennsylvania



## RESOLUTION #20-04

RESOLUTION OF THE BOROUGH OF TARENTUM, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA TO OPT OUT OF THE WATER SUPPLY CONTRACT AGREEMENT BETWEEN THE TOWNSHIP OF EAST DEER AND BOROUGH OF TARENTUM.

**WHEREAS**, the Borough of Tarentum, County of Allegheny, Commonwealth of Pennsylvania, is authorized under the Borough Code Section 3301.1 to adopt ordinances and resolutions for any purpose and as deemed beneficial to the borough, 8 Pa C.S. § 3301.1; and

**WHEREAS**, the Borough of Tarentum and the Township of East Deer executed a contract agreement on the 21st day of February, 1972, providing for the Township of East Deer to purchase water supply and the Borough of Tarentum to furnish and sell water supply to the Township of East Deer; and

**WHEREAS**, the Borough of Tarentum formally adopted the terms and conditions of this agreement by the adoption of Ordinance #2014 at a public meeting held on or about February 1972; and

**WHEREAS**, the Borough of Tarentum desires to opt out of the existing water supply contract agreement and provide notice thereof to the Township of East Deer; and

**NOW, THEREFORE**, BE IT RESOLVED, by the Borough Council of the Borough of Tarentum, County of Allegheny, Commonwealth of Pennsylvania, as follows:

SECTION 1: The recitals set forth above are incorporated herein by reference.

SECTION 2: Pursuant to paragraph 11 of the agreement, the initial term of the contract was set for a fifteen (15) year period, said term to expire on March 31, 1987. The agreement also provides for the term of the contract to automatically extend for additional periods of fifteen (15) years unless one of the parties notifies the other, in writing, of its intention to not be bound for the next fifteen (15) year period. Said notice shall occur at least one year prior to the expiration of the contract or any fifteen (15) year extension thereof.

SECTION 3: It appearing to the Borough of Tarentum that the terms and conditions of the contract are no longer in the best interests of the Borough of Tarentum, and said agreement is unilaterally beneficial to the Township of East Deer.

SECTION 4: It further appearing that the term of the contract has automatically extended for three (3) consecutive terms of fifteen (15) years, most recently on or about March 31, 2017, the Borough of Tarentum does wish to opt out of the existing agreement set to expire on or about March 31, 2032.

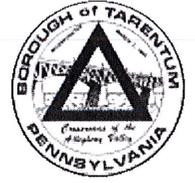
SECTION 5: The Manager of the Borough of Tarentum shall provide written notice to the Township of East Deer of its intention to not be bound by the agreement set to expire on or about March 31, 2032.

SECTION 6: The Borough Council of the Borough of Tarentum hereby adopts this Resolution to formally recite its intention to not be bound by any future automatic contract extensions.



# BOROUGH OF TARENTUM

Allegheny County, Pennsylvania



RESOLUTION #20-04

RESOLVED and ENACTED this 5th day of May, 2020.

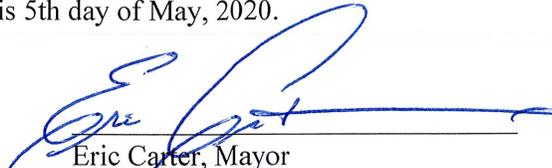
ATTEST:

BOROUGH OF TARENTUM

  
Michael L. Nestico, Borough Manager

  
Scott Dadowski, President of Council

EXAMINED AND APPROVED by me this 5th day of May, 2020.

  
Eric Carter, Mayor

I, the undersigned, duly qualified Secretary of the Borough of Tarentum, Allegheny County, Pennsylvania, hereby certify that the foregoing Resolution #20-04 is a true and correct copy of a Resolution duly ratified and adopted by a majority vote of the Borough of Tarentum to occur at a regular meeting held on May 5, 2020 and said Resolution shall be recorded in the Minutes of the Borough of Tarentum and remains in effect as of this date.

IN WITNESS WHEREOF, I affix my hand and attach the seal of the Borough of Tarentum, this 5th day of May, 2020.

  
Michael L. Nestico, Borough Manager