

Southwest Delaware County Municipal Authority
One Gamble Lane
P.O. Box 2466
Aston, PA 19014-0466
Minutes of the Special Meeting
February 5, 2021

The special meeting was called to order by Chairman Leonard Balestrieri at 6:00 p.m. with a quorum present via ZOOM.

Board members in attendance:

Mr. Leonard Balestrieri
Mr. Thomas Agnew
Mr. Thomas Cozza
Mr. John Zwiercan
Ms. Laura Goodrich-Cairns
Mr. John Saudarg

Also in attendance:

Mr. Francis J. Catania, Esquire, Authority Solicitor
Mr. Scott J. Rubin, Attorney
Ms. Cecelia Nelson, Authority Administrator

Open to Public

None

Agenda Items

Mr. Catania and Mr. Rubin addressed the Board and presented the documents for approval by the Board authorizing Special Counsel, Mr. Rubin and Authority Solicitor, Mr. Catania to take certain necessary actions with respect to the Authority's legal matters.

Board Actions

Motion 1

A motion was made by Mr. Saudarg and second by Mr. Agnew to approve Resolution 2021-02 authorizing Special Counsel and the Authority Solicitor to take certain necessary actions with respect to the multi-step settlement in the following legal matters:

- a. Protest to Application of Aqua Pennsylvania Wastewater, Inc. for Approval of its Acquisition of the Wastewater System Assets of the Delaware County Regional Water Quality Control Authority, Commonwealth of Pennsylvania Public Utility Commission Docket No. A-2019-3015173 ("Administrative Proceeding"); and,
- b. Southwest Delaware County Municipal Authority vs. DELCORA and DELCORA TRUST, Delaware County Court of Common Pleas Docket No. CV-2020-007469 ("Litigation")

The vote resulted in 6 in favor and 0 opposed; motion passed. Polling of the members in favor: Mr. Balestrieri, Mr. Agnew, Mr. Cozza, Mr. Zwiercan, Ms. Goodrich-Cairns and Mr. Saudarg; opposed: none.

Motion 2

A motion was made by Mr. Cozza and second by Mr. Zwiercan to authorize Chairman Balestrieri to execute Amendment #2 to the Service Agreement dated December 21, 2009, then amended on December 17, 2013, between the Southwest Delaware County Municipal Authority and the Delaware County Regional Water Quality Control Authority.

The vote resulted in 6 in favor and 0 opposed; motion passed. Polling of the members in favor: Mr. Balestrieri, Mr. Agnew, Mr. Cozza, Mr. Zwiercan, Ms. Goodrich-Cairns and Mr. Saudarg; opposed: none.

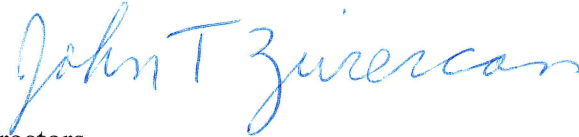
Motion 3

A motion was made by Ms. Goodrich-Cairns, second by Mr. Cozza and unanimously approved authorizing the Authority Solicitor to respond to all inquiries regarding the legal matters, and the multi-step settlement of the legal matters, involving the Southwest Delaware County Municipal Authority and DELCORA and Aqua Pennsylvania Wastewater, Inc.

Adjournment

The meeting was adjourned at 6:34 p.m.

Attested by,



Secretary, Board of Directors