

RESOLUTION
No. 2022-002
Adopted November 21, 2022

**“ADOPTING A SCHEDULE OF SEWER USER RATES TO BE IMPOSED BY
THE AUTHORITY UPON USERS OF THE AUTHORITY’S COLLECTION AND
TREATMENT FACILITIES”**

WHEREAS, the **Lower Lackawanna Valley Sanitary Authority** (the “**Authority**”), has at the request of the Boroughs of Avoca, Dupont, Duryea, Old Forge and Taylor, Pennsylvania (the “**Municipalities**”) undertaken a project consisting of the constructing and financing of collection and treatment facilities to serve the **Lower Lackawanna Valley Sanitary Authority** (the “**Authority’s Facilities**”) and has entered into a service agreement dated March 17th, 1973 with each of the **Municipalities** (the “**Service Agreements**”); and

WHEREAS, under the said **Service Agreements** the **Authority** is obligated to fix sewer user rates in amounts sufficient to produce collections equal to 110% of the **Municipalities’** obligations which will provide for operating and administrative expenses in respect of the **Authority’s Facilities**, or debt service required on all Bonds issued by the **Authority** to finance the **Authority’s Facilities** or issues to refinance obligations previously issued for such purpose, and margins of reserve as provided in the 2015 trust indentures, as amended, between the **Authority** and Fidelity Bank, Dunmore Pennsylvania.

Michael Fuller
Chairman of the Board

Audrey Marcinko
Secretary of the Board

(SEAL)

RESOLUTION CERTIFICATION
No. 2022-003
Adopted November 21, 2022

I, the undersigned officer of the **Lower Lackawanna Valley Sanitary Authority**, (the “**Authority**”) hereby certify I am official keeper of the seal and records of the **Authority**; that attached hereto is true, correct and complete copy of a **Resolution** of said **Authority**, which was held on November 21, 2022, entitled:

**“ADOPTING A SCHEDULE OF SEWER USER RATES TO BE IMPOSED BY
THE AUTHORITY UPON USERS OF THE AUTHORITY’S
COLLECTION AND TREATMENT FACILITIES.”**

that proper notice of said meeting was duly given to each member of the Board of the **Lower Lackawanna Valley Sanitary Authority**; that public notice of said meeting was duly given in accordance with the Act of June 21, 1957, P.K. 392, as amended, either by posting or by publication in a newspaper of general circulation within the municipality in which the meeting was held; that a quorum was present at said meeting and acted throughout, that said **Resolution** has been duly recorded in minutes of said meeting of said Board of the **Authority**, and that said **Resolution** is now in full force and effect on the date hereof.

IN WITNESS WHEREOF, I have hereunto set my signature as such official and affixed the seal of said **Authority** this 21st day of November 2022.

(SEAL)

Audrey Marcinko
Secretary of the Board

NOW THEREFORE, BE IT RESOLVED, by the Lower Lackawanna Valley

Sanitary Authority that:

Section 1 The proposed 2023 Rate Schedule set forth below is hereby adopted and the same is the effective schedule of sewer rents imposed by the **Lower Lackawanna Valley Sanitary Authority** upon users of the **Authority** Facilities, said schedule being calculated to produce collections equal to 110% of the **Municipalities**; obligations under the **Service Agreements**:

2023 Rate Schedule

Category:

A.) Flat Rate Accounts

Quarterly Rate: \$80.00

Description: All individual residential dwelling units and small commercial establishments.

Category:

B.) Metered/Consumption Account:

Description: All commercial, industrial, public institutional accounts will be billed quarterly based on the actual water consumption for the billing quarter. The **LLVSA** utilizes the actual water consumption provided by the Pennsylvania American Water Company records.

Water Consumption Breakdown

First 12,000 gallons per quarter - \$80.00 minimum

Next 488,000 gallons per quarter - \$80.00 minimum plus \$7.13 per 1,000 gallons over 12,000 gallons up to 500,000 gallons

Next 500,000 gallons per quarter - \$80.00 minimum plus \$7.13 per 1,000 gallons over 12,000 gallons up to 500,000 gallons, plus \$5.42 per 1,000 gallons from 500,001 to 1,000,000 gallons

Over 1,000,000 gallons - \$80.00 minimum plus \$7.13 per 1,000 gallons over 12,000 gallons up to 500,000, plus \$5.42 per 1,000 gallons from 500,001 to 1,000,000 gallons, plus, \$4.56 per 1,000 gallons for all water consumption over 1,000,000 gallons per billing quarter.

Category:

C.) Significant Industrial Accounts:

Description: Any user subject to National Categorical Pretreatment Standards under 40 CFR 403.6 that discharges an average flow of 25,000 gallons or more per day of process wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater); contributes a process waste stream which makes up for 5 percent or more of the average dry weather hydraulic or organic capacity of the **LLVSA's** treatment plant; or is designated as such by the **LLVSA** on the basis that the user has reasonable potential for adversely affecting the **LLVSA's** operation or violating any pretreatment standards or requirements. All significant industrial users will be billed quarterly based on the actual water consumption for the billing quarter. The **LLVSA** will base the actual water consumption from Pennsylvania American Water Company records. In addition, all other discharge such as raw leachate, septic discharges will be charged the following rate.

Water Consumption Breakdown:

First 12,000 gallons per quarter - \$80.00 minimum

Next 488,000 gallons per quarter - \$80.00 minimum plus \$14.82 per 1,000 gallons over 12,000 gallons up to 500,000 gallons

Next 500,000 gallons per quarter - \$80.00 minimum plus \$14.82 per 1,000 gallons over 12,000 gallons up to 500,000 gallons, plus \$12.49 per 1,000 gallons from 500,001 to 1,000,000 gallons

Over 1,000,000 gallons - \$80.00 minimum plus \$14.82 per 1,000 gallons over 12,000 gallons up to 500,000 gallons, plus \$12.49 per 1,000 gallons from 500,001 to 1,000,000 gallons, plus \$10.83 per 1,000 gallons over 1,000,000 gallons per billing quarter

Section 2 – Annual Discount

Flat rate residential customers will be given the option at the time of the first annual billing no later than, March 31st, of paying the annual user rate charge in full less a discount of 5% if payment received within thirty (30) days after the date of bill, said discount is in addition to any and all other discounts offered by the **Authority**.

Section 3 – Revised Rates

The Rate Schedule adopted by Section 1 hereof shall be revised and modified from time to time as may be necessary to meet the requirement of the Trust Indenture and Service Agreement, as well as the operation of the **Authority**.

Section 4 – Prior Resolutions

All prior resolutions or parts thereof inconsistent herewith are hereby repealed.

Michael Fuller
Chairman of the Board

Audrey Marcinko
Secretary of the Board

(SEAL)

Notary