

RESOLUTION NO. 1 - 2011

A RESOLUTION OF THE BOARD OF THE KUTZTOWN MUNICIPAL AUTHORITY, BERKS COUNTY, PENNSYLVANIA, AMENDING RESOLUTION NO.3 - 2010, ADOPTED ON JANUARY 20, 2010, SO AS TO AMEND THE CHARGE FOR COLLECTION AND TREATMENT OF DOMESTIC SEWAGE AND INDUSTRIAL SEWAGE DISCHARGE INTO THE SEWER SYSTEM BY CONSUMERS OF THE KUTZTOWN MUNICIPAL AUTHORITY .

WHEREAS, Kutztown Municipal Authority (the "Authority") is a municipal authority incorporated pursuant to appropriate action of the Council of the Borough of Kutztown and is existing under and is governed by provisions of the Pennsylvania Municipality Authorities Act of 1945, approved May 2, 1945, P.L. 382, as amended and supplemented; and

WHEREAS, the Authority owns and manages a water distribution system and a sewage and wastewater collection and treatment system, located outside of the corporate boundaries of the Borough; and

WHEREAS, the Authority, by virtue of Resolution No. 3-2010, adopted on January 20, 2010, amended the service rates and fees associated with the collection and treatment of domestic sewage and industrial sewage collected within its sewer system and treated on behalf of its customers; and

WHEREAS, the Authority desires to further amend the service rates and fees associated with the collection and treatment of domestic sewage and industrial sewage collected within its sewer system and treated on behalf of its customers by. The Authority further desires to increase the sewer rates by 40% effective January 1, 2012.

NOW, THEREFORE, BE IT RESOLVED, AND IT IS HEREBY RESOLVED, by the Board of this Authority as follows:

SECTION 1. Section 2, entitled "Charges for Domestic Sewage" of Resolution No. 3-2010, is hereby amended and restated in its entirety so as to henceforth read as follows:

SECTION 2
CHARGES FOR DOMESTIC SEWAGE

The charge for collection and treatment of Domestic Sewage and Industrial Sewage discharged into the Sewer System shall be a monthly charge for each calendar month, payable as hereinafter provided, computed as set forth in Section 2 (a) below and in effect January 1, 2012.

where "Customer Usage" shall be equal to the total metered number of gallons of water consumed by the account customer during the month and where the

“Annualized Average System EDU Equivalent” for each month shall be a quantity expressed in gallons constituting the System EDU Equivalent for the preceding calendar year. The “System EDU Equivalent” for the preceding year shall be determined by dividing the total number of gallons of water consumed during the preceding calendar year by all residential water customers of the Borough of Kutztown and the Kutztown Municipal Authority by the total number of residential water customer accounts of the Borough of Kutztown and the Kutztown Municipal Authority during said year.

As of January 1, 2012 the charge for collection and treatment of Domestic Sewage and Industrial Sewage discharged into the Sewer System shall be a monthly charge for each calendar month, payable as hereinafter provided, computed as set forth in Section 2 (a) below.

(a) The monthly charge to each consumer account shall be the sum of the following charges:

1. A “ready to serve” flat charge to be paid monthly by each sewer customer account, in the amount of Six and 68/100 Dollars (\$6.68).

2. An “equivalent dwelling unit” (hereinafter “EDU”) charge to each account customer served, to be calculated as follows:

EDU Charge = \$14.55 x (Customer Usage ÷ Annualized Average System EDU Equivalent)

where “Customer Usage” shall be equal to the total metered number of gallons of water consumed by the account customer during the month and where the “Annualized Average System EDU Equivalent” for each month shall be a quantity expressed in gallons constituting the System EDU Equivalent for the preceding calendar year. The “System EDU Equivalent” for the preceding year shall be determined by dividing the total number of gallons of water consumed during the preceding calendar year by all residential water customers of the Borough of Kutztown and the Kutztown Municipal Authority by the total number of residential water customer accounts of the Borough of Kutztown and the Kutztown Municipal Authority during said year.

3. A “consumption/treatment” charge for sewage discharged by the consumer, based upon water consumption metered at the consumer’s property, to be calculated as follows, and in effect till January 1, 2012:

A. The first 250,000 gallons or less per month
\$6.22 per 1,000 gallons

- B. The next 500,000 gallons or less per month
\$6.64 per 1,000 gallons
- C. The next 1,000,000 gallons or less per month
\$7.46 per 1,000 gallons
- D. The next 2,000,000 gallons or less per month
\$9.13 per 1,000 gallons
- E. The next 4,000,000 gallons or less per month
\$12.45 per 1,000 gallons

SECTION 2. This Resolution and the rates set forth herein shall become effective commencing with all consumption and charges included in the first monthly billing for the period commencing on January 1, 2012 and ending on December 31, 2012 and for each calendar month thereafter. The Board shall have the right, however, to make such changes from time to time as in the opinion of the Board may be desirable or beneficial and the Board shall have the right to amend this Resolution or change the rates of charge in such manner and at such times as in the opinion of the Board may be desirable.

SECTION 3. If any of the provisions, sections, sentences, clauses or parts of this Resolution or the application of any provision hereof shall be held invalid, such invalidity shall not affect or impair any of the remainder of this Resolution, it being the intention of the Board that such remainder shall be and remain in full force and effect.

SECTION 4. Proper officers of this Authority are authorized and directed to execute all documents and to do all other acts as may be necessary and proper to carry out this Resolution and the Sewer Rate Regulations adopted by the authority of this Resolution.

SECTION 5. All resolutions or parts of resolutions inconsistent herewith are expressly repealed.

DULY ADOPTED as a Resolution this 14th day of December 2011 by the Board of the Kutztown Municipal Authority, Berks County, Pennsylvania, in lawful session duly assembled.

KUTZTOWN MUNICIPAL AUTHORITY

By: _____
Chairman

Attest: _____
Secretary