

RESOLUTION R-22-19

A RESOLUTION OPPOSING THE SALE OF BUCKS COUNTY WATER AND SEWER AUTHORITY ASSETS TO AQUA PENNSYLVANIA, INC.

WHEREAS, the Bucks County Board of Commissioners created the Bucks County Water and Sewer Authority (BCWSA) in 1962 as an independent agency of the Commonwealth of Pennsylvania for the purpose of constructing, operating, and maintaining a public water and sanitary sewer system to provide for the health, safety, and welfare of Bucks County residents; and

WHEREAS, the BCWSA provides public water and sanitary sewer services to approximately 100,000 households, representing nearly one-third of the Bucks County population in 31 municipalities, and is the largest single provider of water and sewer services in the County; and

WHEREAS, water and sewer rates charged by the BCWSA, as currently constituted, and the adequacy, safety, and reasonableness of its services are subject to challenge under Pennsylvania law by any person in the Bucks County Court of Common Pleas; and

WHEREAS, BCWSA recently engaged in exclusive negotiations with Aqua Pennsylvania, Inc. (Aqua) for the sale of its sewer system assets for a purported \$1.1 billion dollars; and

WHEREAS, Aqua water and sewer service rates are determined through rate-making procedures and are ultimately approved by the Pennsylvania Public Utility Commission; and

WHEREAS, Pennsylvania Act 12 of 2016 permits private acquisition of municipally owned water and sewer systems by private, for-profit entities and was intended by the Pennsylvania Legislature to permit the acquisition of poorly-managed and financially distressed municipal systems in need of substantial unfunded infrastructure improvements; and

WHEREAS, Aqua has previously acquired numerous municipally owned water and/or sewer systems that were often not mismanaged or financially distressed for exorbitant values to justify future rate increases that could be charged across their entire customer base; and

WHEREAS, the inflated acquisition costs paid by Aqua for municipally owned systems were shortly followed by significant rate increases for rate paying customers of those systems including Limerick Township, whose rates increased by 82%, East Bradford Township, whose rates increased by 64%, Cheltenham Township, whose rates increased by 65%, East Norriton Township, whose rates increased by 57% and New Garden Township whose rates increased by 53%; and,

WHEREAS, it is essential that the cost of public utility services, such as those provided by the BCWSA, are both cost effective and reasonable; and

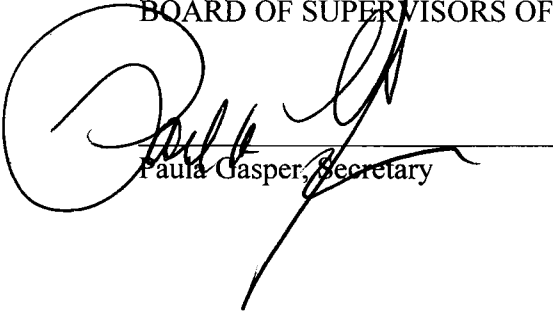
WHEREAS, the Board of Supervisors of Northampton Township believes that the sale of BCWSA sewer system assets will result in a negative impact for residents and businesses currently served by the BCWSA;

NOW THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Northampton Township opposes the sale of BCWSA's assets to Aqua, and urges the BCWSA Board to abandon all negotiations with Aqua and to continue operating the Authority as an independent, non-profit governmental agency.


BE IT FURTHER RESOLVED that the Board of Supervisors of Northampton Township urge the County Commissioners to take all reasonable and necessary steps to compel the BCWSA Board to abandon its negotiations with Aqua and continue operating the Authority as an independent, non-profit governmental agency as intended, or as an alternative, disband the Authority, acquire its assets, and operate the sewer system as a department of the County government.

RESOLVED this 28th day of September, 2022.

BOARD OF SUPERVISORS OF NORTHAMPTON TOWNSHIP



Paula Gasper, Secretary



Adam M. Selisker, Chairman