

## RESOLUTION NO. 2020-16

### A RESOLUTION OF THORNBURY TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, EXPRESSING SERIOUS AND IMMEDIATE CONCERNS ABOUT PROPOSED ACTIONS REGARDING CHESTER WATER AUTHORITY IN LIGHT OF GOVERNOR WOLF'S DECLARATION OF FISCAL EMERGENCY FOR THE CITY OF CHESTER

**WHEREAS**, on April 13, 2020, Governor Wolf issued a Declaration of Fiscal Emergency for the City of Chester; and

**WHEREAS**, of particular concern is a statement made in the "Concise Statement of Facts Supporting the Determination of Fiscal Emergency in the City of Chester" referenced in Governor Wolf's recent declaration, which states in part:

**"The City [of Chester] has two significant business-type assets, the water system owned by the Chester Water Authority and the parking system owned by the City. The City considered a potential sale of the utility assets of the Authority, which if consummated, could generate millions of dollars... The City has been engaged in multiple lawsuits related to the sale of the Authority...defeat would result in the loss of a huge source of potential revenue for the City."**; and

**WHEREAS**, Thornbury Township staunchly believes that the City of Chester does not have a legitimate ownership claim over any of the assets that belong to Chester Water Authority; and

**WHEREAS**, Thornbury Township staunchly believes that the City of Chester has no claim whatsoever to the Octorara Reservoir and the hundreds of acres of open space surrounding the Reservoir, which lands and waters are used by the citizens of this Commonwealth and owned by them pursuant to Article 1 section 27 of the Pennsylvania Constitution; and

**WHEREAS**, previous attempts by the City of Chester to claim ownership are currently in litigation in the Delaware County Orphan's Court; and

**WHEREAS**, attempts by the City of Chester to repeatedly "sell" or "monetize" the assets of Chester Water Authority would constitute a grave conversion of hundreds of millions of dollars from the ratepayers throughout Delaware and Chester counties; and

**WHEREAS**, Chester Water Authority is an independent municipal authority with its own governing board and decades of faithful service to over 200,000 ratepayers across Delaware and Chester Counties; and

**WHEREAS**, Chester Water Authority has been a longtime source of clean, high quality drinking water and recreational open space for the residents of our Township and has protected our community from unnecessary rate hikes for both its residential and business customers; and

**RESOLUTION NO. 2020-16**

**WHEREAS**, the proposed sale of Chester Water Authority to a private, for-profit company would have a detrimental impact on the utility rates for both the Township residential and business customers; and

**WHEREAS**, the Township is concerned that either Governor Wolf or the Pennsylvania Department of Community and Economic Development may attempt, under the guise of the Fiscal Emergency, to order a sale of the Chester Water Authority, thereby sacrificing the independent integrity of the Authority as well as the ownership rights of the citizens of Pennsylvania granted to them by Article 1 section 27 of the Pennsylvania Constitution; and

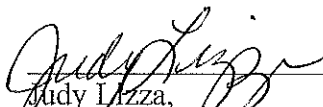
**WHEREAS**, the Township is concerned that such a sale of the Authority at this time would be an egregious abuse of power when the public is rightfully distracted with the COVID-19 pandemic.


**NOW THEREFORE, BE IT RESOLVED** that we, the Supervisors of the Thornbury Township, hereby urge, in the strongest possible terms, that Governor Wolf and the Pennsylvania Department of Community and Economic Development immediately and publicly commit to Chester Water Authority's continued existence as an independent municipal water authority, to protect public access to the Octorara Reservoir and the open space lands surrounding the Reservoir, and to advocate for the best interests of over 200,000 Chester Water Authority ratepayers.

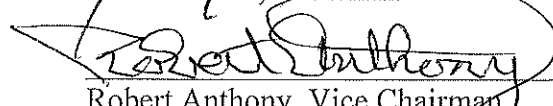
**RESOLVED** this 19th day of May, 2020.

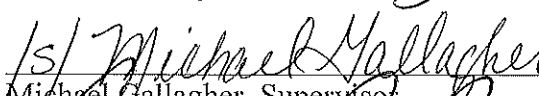
**ATTEST:**

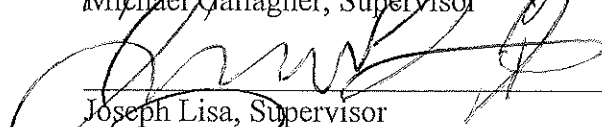
**THORNBURY TOWNSHIP, CHESTER COUNTY  
BOARD OF SUPERVISORS**

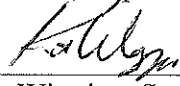
  
\_\_\_\_\_  
Judy Lizza,  
Township Manager

  
\_\_\_\_\_  
James Benoit, Chairman

  
\_\_\_\_\_  
Robert Anthony, Vice Chairman

  
\_\_\_\_\_  
/s/ Michael Gallagher, Supervisor

  
\_\_\_\_\_  
Joseph Lisa, Supervisor

  
\_\_\_\_\_  
Robert Wiggins, Supervisor