

**TOWNSHIP OF RESERVE  
ALLEGHENY COUNTY, PENNSYLVANIA  
RESOLUTION NO. 779**

**A RESOLUTION OF THE RESERVE TOWNSHIP BOARD  
OF COMMISSIONERS APPROVING THE MUTUAL  
AGREEMENT TO TERMINATE THE OPERATIONS AND  
MAINTENANCE AGREEMENT BETWEEN THE  
PITTSBURGH WATER AND SEWER AUTHORITY AND  
THE TOWNSHIP OF RESERVE.**

WHEREAS, the Township of Reserve (“Township”) entered into an Operations and Maintenance Agreement (“O&M Agreement”) with the Pittsburgh Water and Sewer Authority (“PWSA”) on or about August 11, 2023; and

WHEREAS, the Parties desire to terminate the O&M Agreement, as amended, pursuant to a Mutual Agreement to Terminate Operation and Maintenance Agreement (the “Mutual Termination”); and

WHEREAS, the Reserve Township Board of Commissioners has reviewed and considered the terms and conditions of the Mutual Termination and hereby intend to authorize the same.

NOW, THEREFORE, be it resolved by and through the authority of the Board of Commissioners of the Township of Reserve, as follows:

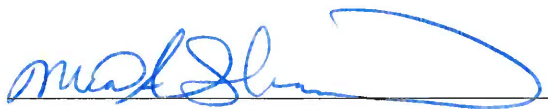
1. The Board of Commissioners hereby approves and adopts the Mutual Agreement to Terminate Operations and Maintenance Agreement between the Pittsburgh Water and Sewer Authority and the Township of Reserve.
2. The duly appointed or elected officials and officers of the Township of Reserve are hereby authorized and directed to execute the Mutual Termination on behalf of the Township of Reserve, and to take any further actions necessary to effectuate the termination of the O&M Agreement.
3. It is hereby declared as the intention of the Board of Commissioners of the Township of Reserve that, if any provision of this resolution is held invalid or unenforceable by any court of competent jurisdiction, the remaining provisions shall continue to be valid and enforceable to the fullest extent permitted by law.

4. Any terms of prior resolutions that conflict with this resolution are hereby deemed to be repealed only to the extent that such terms are inconsistent herewith.
5. This Resolution shall take effect immediately upon adoption, or as soon thereafter as allowed by law.

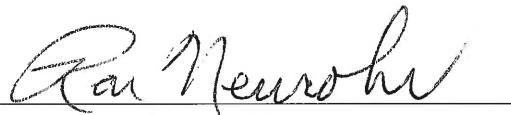
DULY RESOLVED and ADOPTED this 20th day of May 2024.

**ATTEST:**

**TOWNSHIP OF RESERVE**



Mia Shores, Secretary-Treasurer  
Reserve Township

By: 

Ron Neurohr, President  
Board of Commissioners

**MUTUAL AGREEMENT TO TERMINATE  
OPERATIONS AND MAINTENANCE AGREEMENT**

This Mutual Agreement to Terminate Operation and Maintenance Agreement (the “Mutual Termination”), by and between THE PITTSBURGH WATER AND SEWER AUTHORITY, a municipal authority of the Commonwealth of Pennsylvania (“PWSA”) organized and existing under the Pennsylvania Municipality Authorities Act, 53 Pa.C.S. Ch.56, as amended (the “Authorities Act”) and the TOWNSHIP OF RESERVE, Allegheny County, Pennsylvania, a political subdivision (First Class Township) of the Commonwealth of Pennsylvania (the “Owner”) (PWSA and the Owner, collectively referred to as the “Parties”).

WHEREAS, on or about August 11, 2023, the Parties entered into an Operations and Maintenance Agreement (the “O&M Agreement”); and

WHEREAS, on or about \_\_\_\_\_, the Parties entered into an Amendment to the Operations and Maintenance Agreement (the “Amendment”); and

WHEREAS, the Parties desire to terminate the O&M Agreement and the Amendment on the terms and conditions set forth in this Mutual Termination; and

NOW, THEREFORE, in consideration of the Parties agreeing to terminate their obligations as set forth the O&M Agreement and the Amendment, and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties, each intending to be legally bound, covenant and agree as follows:

**1. Termination O&M Agreement and Amendment.** The Parties mutually agree and consent to the termination of the O&M Agreement and the Amendment, effective as of the date of this Mutual Termination. The Parties agree that no rights or obligations are intended to survive termination of the O&M Agreement and/or the Amendment.

2. **Mutual Release of Claims.** The Parties, for themselves and their respective commissioners, directors, employees, successors and assigns hereby release and covenant not to pursue, any claims or potential claims, with respect to the O&M Agreement and the Amendment, and fully release and discharge each other from such claims and potential claims, whether known or unknown, and all obligations, covenants and liabilities, under the O&M Agreement and/or the Amendment. The Parties acknowledge that the foregoing releases apply to claims based on tort, contract, or statute; and to claims for attorneys' fees, expenses, costs or interest arising out of any claims or actions arising therefrom.

3. **Survival.** This Mutual Termination shall be binding upon, and shall inure to the benefit of, the Parties and their respective successors and assigns.

4. **Further Acts.** The Parties each shall take such further acts and execute such additional documents as may be necessary or appropriate to carry out the terms of this Mutual Termination.

5. **Counterparts.** This Mutual Termination may be executed simultaneously in any number of counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

6. **Miscellaneous Terms.** Capitalized terms not otherwise defined in this Amendment will have the meanings ascribed to them in the O&M Agreement and/or the Amendment. Headings are inserted for the convenience of the parties only and are not to be considered when interpreting this Mutual Termination. Words in the singular mean and include the plural and vice versa. Words in the masculine include the feminine and vice versa. No regard for gender is intended by the language in this Mutual Termination.

**[REMAINDER OF PAGE INTENTIONALLY BLANK]**

IN WITNESS WHEREOF the Parties have duly affixed their signatures to this Mutual

Termination under hand and seal on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

THE PITTSBURGH WATER AND SEWER  
AUTHORITY

By: \_\_\_\_\_  
William Pickering  
Chief Executive Officer

Approved by The Pittsburgh Water and Sewer Authority Board on \_\_\_\_\_, 2024 at Board  
Agenda Item No. \_\_\_\_\_ of 2024.

Approved as to form:

\_\_\_\_\_  
Legal Counsel

\_\_\_\_\_  
Director of Finance

ATTEST:

**TOWNSHIP OF RESERVE**

Jan Kowalski  
Jan Kowalski, Township Manager

By: Ron Neurohr  
Ron Neurohr, President  
Board of Commissioners

Approved by the Reserve Township Board of Commissioners on May 20th, 2024 via  
Resolution No. 779.