

## VII. Institutional Evaluation

A. Provide an analysis of all existing wastewater treatment authorities, their past actions and present performance including:

1. Financial and debt status. (Reference-Title 25, §71.61.d.2).

**The Newtown Township Municipal Authority has five Board members, one of whom is the NTMA Treasurer. The Treasurer is responsible for the financial records of the NTMA. Additionally a Bookkeeper and an Accountant are retained by the NTMA to assist with financial matters. The NTMA has the ability to enter into indebtedness to finance sewer expansion projects.**

2. Available staff and administrative resources. (Reference-Title 25, §71.61.d.2)

**The NTMA has no full time staff, however, it does retain a Solicitor, a Engineering firm, a bookkeeper, and an accountant. Additional special Counsel for the Bonds and Financial matters for the proposed alternate of choice will be retrained. A Financial Advisor / Bond Counsel has been / will be retained to assist in the evaluation and determination of the optimal financing arrangement. Additionally, a project manager / director for the NTMA is proposed to be hired to manage the day-to-day business of the NTMA.**

3. Existing legal authority to:

- a. Implement wastewater planning recommendations. (Reference-Title 25, §71.61.d.2).
- b. Implement system-wide operation and maintenance activities. (Reference-Title 25, §71.61.d.2).
- c. Set user fees and take purchasing actions. (Reference-Title 25, §71.61.d.2).
- d. Take enforcement actions against ordinance violators. (Reference-Title 25, §71.61.d.2).
- e. Negotiate agreements with other parties. (Reference-Title 25, §71.61.d.2).
- f. Raise capital for construction and operation and maintenance of facilities. (Reference-Title 25, §71.61.d.2).

**a.-f. : The Newtown Township Municipal Authority (NTMA), originally incorporated as the Newtown Township Sewer Authority, under the Municipal Authorities Act of May 2, 1945, P.L., has the ability to administer and complete the local systems expansion and participate in the regional authority system facility upgrades as required by the additional flow into the regional system.**

B. Provide an analysis and description of the various institutional alternatives necessary to implement the proposed technical alternatives including:

1. Need for new municipal departments or municipal authorities. (Reference-Title 25, §71.61.d.2).

**No additional departments or authorities will be required.**

2. Functions of existing and proposed organizations (sewer authorities, onlot maintenance agencies, etc.). (Reference-Title 25, §71.61.d.2).

**The NTMA is a lease-back Authority, which will construct and own the system.**

3. Cost of administration, implementability, and the capability of the authority/agency to react to future needs. (Reference-Title 25, §71.61.d.2).

**The cost of the administration, implementability, and the capability of the authority / agency to react to future needs is undetermined, however, the NTMA will be responsible for the planning and construction of the system.**

C. Describe all necessary administrative and legal activities to be completed and adopted to ensure the implementation of the recom-mended alternative including:

1. Incorporation of authorities or agencies. (Reference-Title 25, §71.61.d.2).

**No incorporation is required.**

2. Development of all required ordinances, regulations, standards and inter-municipal agreements. (Reference-Title 25, §71.61.d.2).

**An amendment to the “Supplemental Agreement” Attachment Fifteen (15) will be required to implement the plan. The amendment will revise the C.D.C.A. Service Area in Newtown and increase the previous flow allocation.**

3. Description of activities to provide rights-of-way, easements and land transfers. (Reference-Title 25, §71.61.d.2).

**The NTMA will require several easements to implement the Alternate of Choice. The bulk of the installation of infrastructure will occur in the public-right-of-way. The NTMA will negotiate with individual property owners and developer relative to obtaining additional easements for the system.**

4. Adoption of other municipal sewage facilities plans. (Reference-Title 25, §71.61.d.2).

**Newtown Township must review and approve the Sewage Facilities Plan of Edgmont, as flow is routed from Edgmont through Newtown Township.**

5. Any other legal documents. (Reference-Title 25, §71.61.d.2).

**Legal agreements with regard to the Bonds or Financing for the implementation of the Alternate of Choice must be drafted and executed.**

6. Dates or timeframes for items 1-5 above on the project's implementation schedule.

1. **No event, no timeframe required.**
2. **To occur simultaneously with the Act 537 Review and Approval.**
3. **To occur after the approval of the Act 537 Plan Update, upon notice that the plan is satisfactory to the Department.**
4. **Upon submission from Edgmont: date undetermined & controlled by Edgmont.**
5. **To occur simultaneously with the Act 537 Review and Approval.**

- D. Identify the proposed institutional alternative for implementing the chosen technical wastewater disposal alternative. Provide justification for choosing the specific institutional alternative considering administrative issues, organizational needs and enabling legal authority. (Reference-Title 25, §71.61.d.2).

**The Newtown Township Municipal Authority will be the responsible party for executing and implementing the proposed Alternate of Choice.**