

**FELTON BOROUGH
YORK COUNTY, PENNSYLVANIA**

RESOLUTION # 2025-10

**RESOLUTION TO EXTEND THE TERM OF THE AMENDED AND RESTATED
INTERGOVERNMENTAL COOPERATION AGREEMENT FOR THE
IMPLEMENTATION OF THE YORK COUNTY REGIONAL CHESAPEAKE BAY
POLLUTANT REDUCTION PLAN**

WHEREAS, the Municipality is party to an Intergovernmental Cooperation Agreement for the Implementation of the York County Regional Chesapeake Bay Pollutant Reduction Plan dated as of December 8, 2020 (the "Agreement"); and

WHEREAS, the MS4 PAG-13 under which a Chesapeake Bay Pollutant Reduction Plan is a requirement, was originally set to expire on March 15, 2023; and

WHEREAS, the PA Department of Environmental Protection gave notice in the September 24, 2022, PA Bulletin that it is extending the existing PAG-13 Permit for 24 months to March 15, 2025, to adequately address issues related to the renewal of PAG-13; and

WHEREAS, the PA Department of Environmental Protection gave notice in the May 18, 2024, PA Bulletin that it is extending the existing PAG-13 Permit until PAG-13 is reissued to adequately address issues related to the reissuance of PAG-13; and

WHEREAS, Section 9.a. of the Agreement, as amended in 2023, stipulates that the term of the Agreement ends on December 31, 2025; and

WHEREAS, the Parties desire to extend the term of the Agreement to cover the additional time period for submitting the York County Regional Chesapeake Bay Pollutant Reduction Plan Final Report; for the PA Department of Environmental Protection to reissue PAG-13, and for the York County Stormwater Consortium to develop any plan required by the reissued PAG-13 and prepare cost scenarios to implement the plan; and

WHEREAS, this Amendment will not result in any additional fees to be paid by the Participants;

**AMENDMENT TO THE
AMENDED AND RESTATED INTERGOVERNMENTAL
COOPERATION AGREEMENT
FOR THE IMPLEMENTATION OF THE
YORK COUNTY REGIONAL CHESAPEAKE BAY
POLLUTANT REDUCTION PLAN**

THIS AMENDMENT is made the 7th day of July, 2025, by and among the York County Planning Commission (“YCPC”) and the municipalities executing this Amendment, which executed the Amended and Restated Intergovernmental Cooperation Agreement for the Implementation of the York County Regional Chesapeake Bay Pollutant Reduction Plan (the “Agreement”) (collectively, the “Participants” or the “York County Stormwater Consortium” or the “Consortium”). The YCPC and each Participant shall individually be referred to as a “Party” and shall collectively be referred to as the “Parties.”

BACKGROUND

A. The Agreement was proposed to appropriate Municipalities that adopted a Resolution to opt-in to the Regional Chesapeake Bay Pollutant Reduction Plan (the “Regional Plan”), including those that hold a Pennsylvania Department of Environmental Protection (“DEP”) MS4 Permit (regarding stormwater discharges), which are required to prepare and implement a Chesapeake Bay Pollutant Reduction Plan (“CBPRP”), and those with MS4 Permit Waivers as well as some non-urbanized municipalities; and

B. YCPC has led a group of interested local government units through the process of developing the Regional Plan, as an alternative to each of the local government units with an MS4 Permit developing their own Plan; and

C. The Plan was submitted to DEP on December 8, 2020, and approval obtained; and

D. Section 9.a of the Agreement, was amended in 2023, which stipulates that the term of the Agreement ends on December 31, 2025; and

E. The parties enter into this 2025 Amendment to extend the term of the original Agreement and Amendments.

INTENDING TO BE LEGALLY BOUND, the parties agree as follows:

1. **Term.** The Term of the Agreement is hereby extended such that it shall end on December 31, 2030.

2. **Full Force and Effect.** Except as set forth herein, all provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have caused this amendment to the Intergovernmental Cooperation Agreement for the Implementation of the York County Regional Chesapeake Bay Pollutant Reduction Plan to be executed on July 7, 2025.

WITNESS/ATTEST:

Felita Borough
Print Name of Municipality
YORK COUNTY, PENNSYLVANIA

By: [Signature]
Signature

Joy Flinchbaugh
Print Name/Title
Borough Secretary

By: [Signature]
Signature

Garland Martin Council President
Print Name/Title