

**RESOLUTION – PUBLICLY OWNED SEWER SYSTEM**

At a meeting of the Rensselaer County Water and Sewer Authority, held at 1600 Seventh Avenue, Troy, New York, on the 17<sup>th</sup> day of July, 2019, at 3:00 p.m. local time, the following Members of the Authority were:

	<b>PRESENT:</b>	<b>ABSENT:</b>
Robert Pasinella, Jr.	_____	____ <u>X</u> ____
Kenneth M. Harting	<u>X</u> (via phone)	_____
John Mooney	____ <u>X</u> ____	_____
John Fetscher	____ <u>X</u> ____	_____

**ALSO PRESENT:**

John J. Bonesteel, Chief Executive Officer  
Jay H. Sherman, Secretary  
Robert Hotz, Chief Financial Officer  
Philip H. Dixon, Authority Counsel  
Henry V. LaBarba, Authority Consulting Engineer

After the meeting had been duly called to order, the following resolution was offered by Mr. Harting and seconded by Mr. Mooney, to wit:

**WHEREAS**, New York State requires that each publicly owned sewer system (“POSS”) in the State must be registered with the New York State Department of Environmental Conservation (“DEC”); and

**WHEREAS**, the Authority owns a sewer transmission main along Valley View Drive (the “Authority Main”) in the Town of North Greenbush (the “Town”) that is a POSS; and

**WHEREAS**, in furtherance of DEC’s POSS requirements, it is appropriate for the Authority and the Town to formalize their relationship with respect to the Authority Main; and

**WHEREAS**, it is also desirable for the Authority and the Town to formalize the method of coordinating the collection of the Authority’s hook-up fees for use of the Authority’s Main.

**NOW, THEREFORE**, it is hereby

**RESOLVED**, the Authority hereby approves the agreement with the Town of North Greenbush, in substantially the form annexed hereto.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Robert Pasinella, Jr.	voting	<u>Absent</u>
Kenneth M. Harting	voting	<u>Yes</u>
John Mooney	voting	<u>Yes</u>
John Fetscher	voting	<u>Yes</u>

The foregoing Resolution was thereupon declared duly adopted.

## **AGREEMENT**

This Agreement, made as of the 1<sup>st</sup> day of July, 2019, between the Rensselaer County Water and Sewer Authority, having offices at 1600 Seventh Avenue, Troy, New York 12180 (the “Authority”) and the Town of North Greenbush, New York, having offices at 2 Douglas Street, Wynantskill, New York, 12198 (the “Town”).

**WHEREAS**, the Authority owns and operates a trunk sewer line known as the Valley View sewer line (the “Authority Line”) located along Valley View Drive in the Town; and

**WHEREAS**, the Authority Line receives sewage from sewer collection systems in the Town and conveys such sewage to an interceptor sewer main owned and operated by Rensselaer County Sewer District No. 1 (the “District”) for treatment at the District’s sewage treatment facility; and

**WHEREAS**, the Authority Line is a “publicly owned sewer line,” as that term is defined by the Sewage Pollution Right to Know Act (the “Act”) and, as such, has registered with the New York State Department of Environmental Conservation (“DEC”) pursuant to 6 NYCRR §750-1.22, et seq.; and

**WHEREAS**, the Authority has established connection fees (\$1,500 per single family residence or equivalent dwelling unit (“EDU”) in flow) for new discharges which will pass through the Authority Line; and

**WHEREAS**, the Authority and the Town wish to formalize procedures regarding notifications pursuant to the Act, maintenance of the Authority Line and connection fees.

**NOW, THEREFORE**, it is hereby agreed as follows:

1. The contact for the Authority with respect to the POSS regulation shall be Jay H. Sherman, Authority Secretary (518-270-2914), and the Town’s contact shall be Michael Miner,

Building Department Coordinator (518-283-2714, ext. 13). Each party shall amend such contact information to keep it current by notifying the other party in writing.

2. The Town shall maintain its collection system(s) tributary to the Authority Line in good condition so as to prevent any obstructions, impediments or other conditions that would impair the functioning of the Authority Line, and shall remedy any such conditions arising from the Town's collection system.

3. The Town shall maintain the Authority Line by physically inspecting the Authority Line's route and manholes at least once per year, and shall provide the Authority with the results of such inspection.

4. The following procedures shall be utilized with respect to the Authority's connection fees for new sewage discharges within the Town that will use the Authority Line:

A. When the Town receives an application that proposes one or more new connections, the Town will forward a copy to the Authority with a request that the Authority's engineer confirm that the Authority Line has sufficient capacity to accommodate the new additional flows. The request should also be accompanied by a payment of \$1,500 to cover the cost of the engineering evaluation.

B. The Authority shall respond within thirty (30) days of receipt of the Town's request, providing the Authority engineer's opinion whether the Authority's Line could handle such flows and stating what the specific connection fee(s) would be for the proposed connection.

C. The Town shall not issue any building permits for any buildings with new sewage connections using the Authority Line

until the Authority confirms that it has received the appropriate connection fee.

**WHEREFORE**, the parties hereto have set their hands as of the 1<sup>st</sup> day of July, 2019.

TOWN OF NORTH GREENBUSH

By: \_\_\_\_\_  
Louis J. Desso, Supervisor

RENSSELAER COUNTY WATER AND SEWER AUTHORITY

By: \_\_\_\_\_  
Robert L. Pasinella, Jr., Chairman