

**TOWN OF PENDLETON
LOCAL LAW NO. 1 OF THE YEAR, 2019**

A Local Law Entitled “Sewer Remediation Trust Fund VER”

WHEREAS, The Town of Pendleton hereby adopts a Local Law amending Chapter 209 of the Town of Pendleton Code applicable to Sewer and Water;

WHEREAS, a public hearing was held on the ___ day of April, 2019 at 6:45 p.m. in the Pendleton Town Hall, Pendleton, New York, on said Local Law, and

WHEREAS, ___ appeared to speak on said Local Law, and

WHEREAS, no amendment(s) was (were) made to said Local Law, now, therefore, be it

RESOLVED, that a Local Law of the Town of Pendleton, New York amending Chapter 209 of the Town of Pendleton Code applicable to Sewer and Water be enacted by the Town Board for the Town of Pendleton, as follows:

**Amendment Chapter 209
Sewer and Water
Sewer Remediation Trust Fund**

§209-14 Purpose.

The Town of Pendleton as Owner/Operator of the sanitary sewer collection system is required under direction of the New York State Department of Environmental Conservation to reduce infiltration and inflow (I & D) of water into the sewage system on a 4:1 ratio for each proposed new source of inflow (i.e., new users) into the sewer system. Accommodating that requirement is difficult for developers as the improvements may be extremely costly and therefore not a cost efficient mechanism for addressing I & I. Accordingly, the Town is establishing a Sewer Remediation Trust Fund into which developers may pay funds which the Town will use to reduce I & I on the most efficient basis possible. Funds deposited will be used to support Town projects reducing I & I flows.

(B) Establishment of fund.

There is hereby established the Town of Pendleton Sewer Remediation Trust Fund.

(C) Responsibilities of new sewer system users.

Prior to hooking up to the Town sewer system, new users are required to file an application for a Sanitary Sewer Extension approval from the NYSDEC, or its designated agent, for any connection designed or intended to convey 2,500 gallons per day or more of residential sewage alone or in combination with storm water and shall perform projects reducing I & I on a 4:1 ratio, pay into Town of Pendleton Sewer

Remediation Trust Fund, or a combination of both.

(D) Credit for remediation efforts.

Credit for remediation efforts shall be based on the attached Schedule A, Erie County Division of Sewerage Management General Infiltration and Inflow (I&I) - Contribution Removal Values By Source, which the Town Board may by resolution amend from time to time.¹

(E) Payment rate.

Payments into the Town of Pendleton Sewer Remediation Trust Fund shall be at a rate of \$100/GPM for new projects, based on the Town's cost to remediate. The Town Board may by resolution amend the amount of credits from time to time.

1. Editor's Note: Said schedule is on file in the Town offices