

A LOCAL LAW AUTHORIZING THE LEASE OF SEWAGE DISPOSAL SYSTEMS FROM CERTAIN MUNICIPALITIES WITHIN THE ONONDAGA COUNTY CONSOLIDATED SANITARY DISTRICT FOR COUNTY PURPOSES

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ONONDAGA, AS FOLLOWS:

Section 1. Purpose. A well maintained public sewer system is a valuable community asset. The purpose of this local law is to lease, for county purposes, public sewage disposal systems owned by certain municipalities, thereby enhancing opportunities for economic development and regional prosperity.

Section 2. Findings. The Meadowbrook-Limestone service area is located within the Onondaga County Consolidated Sanitary District. The City of Syracuse, Towns of Manlius, DeWitt and Pompey, and Villages of Manlius and Fayetteville, or portions thereof, are located within the Meadowbrook-Limestone service area ("Participating Municipalities"). The Participating Municipalities own and operate sewage disposal systems, in varying degrees of age and condition, which ultimately convey sewage to the County-owned Meadowbrook-Limestone wastewater treatment plant.

Leasing the Participating Municipalities' sewage disposal systems to the County allows for increased economies and efficiencies. Properly maintained sewers prevent inflow and infiltration from entering the sewer system, thereby protecting the County from expending limited financial resources to treat clean water and preventing the County and its ratepayers from incurring unnecessary and costly facility expansion expenses. In addition, the County is responsible to state and federal regulators for the "end of pipe" treatment plant discharges, with the County, as well as the Participating Municipalities, subject to fines and penalties for system malfunctions and/or permit exceedances. Challenges amplify during wet weather conditions, where increased flows become unpredictable in quantity and quality. Leasing the Participating Municipalities' sewage disposal systems to the County allows for enhanced capacity management and improved compliance, in addition to promoting stewardship of the natural resources enjoyed by the community as a whole.

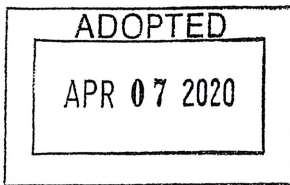
Section 3. Leases and Agreements Authorized. The leasing, for county purposes, of the sewage disposal systems within the Onondaga County Consolidated Sanitary District (CSD) owned by the Town of Manlius, Town of DeWitt, Town of Pompey, Village of Manlius, and Village of Fayetteville, as well as that portion of the sewage disposal system owned by the City of Syracuse and located within the Meadowbrook-Limestone Service Area of the CSD, is hereby authorized. The leased sewage disposal systems include sanitary sewers and exclude stormwater conveyances, with the exception of public combined sanitary/stormwater conveyances existing at the time of the effective date of the lease with the respective municipality and until any such public combined sanitary/stormwater conveyance is separated, at which time the separated sanitary sewer conveyance is included within the respective lease and the separated stormwater conveyance excluded from said lease. The leases further include the real and personal property comprising or related to such leased sewage disposal systems and consist of, inter alia, all land, buildings, basins, pump stations, outfalls, storage facilities or mechanisms, structures, fixtures (including interceptors and collection lines), improvements, and real property interests such as easements, access rights, rights of way, permits, licenses and leases. The leases are for a period not to exceed forty (40) years, with four (4) possible consecutive renewals of ten (10) years each. The leases authorize the County, if and as may be agreed to by the County Executive, to pay each Participating Municipality an amount not to exceed \$200,000 to be used towards sewage disposal system debt obligations remaining after the use of each Participating Municipality's existing surplus sewer funds to reduce or retire such outstanding debt. Alternatively, at each Participating Municipality's election and in conjunction with a village main street or

a town center or hamlet development project, the County may perform up to Two Hundred Thousand dollars (\$200,000.00) worth of WEP-approved green infrastructure projects. The consideration for the leases shall be one dollar per year and the continued benefit to the public of a long-term, strong and sustainable sewer system and the anticipated efficiencies and cost savings to be gained from consolidated administration and operation of the sewer assets. The County Executive is authorized to enter in said leases and such other documents and agreements reasonably necessary to effectuate the leases and implement the intent of this local law.

Section 4. Effective Date.

This local law shall take effect upon filing, consistent with the provisions of Municipal Home Rule Law.

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I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

7<sup>th</sup> DAY OF April, 2020

*Deborah A. Matus*

CLERK, COUNTY LEGISLATURE  
ONONDAGA COUNTY, NEW YORK

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LEGISLATURE  
ONONDAGA COUNTY  
NEW YORK