

PETITION
FOR THE ESTABLISHMENT
OF
ISCHUA/CUBA LAKE SEWER DISTRICT
IN THE TOWN OF ISCHUA
CATTARAUGUS COUNTY, NEW YORK

TO THE TOWN BOARD OF THE TOWN OF ISCHUA:

PURPOSE:

1. The undersigned petitioners, in accordance with Article 12 of New York State Town Law, owners in the aggregate of greater than 50% of the assessed value of all the taxable real property in the proposed Sewer District hereinafter described, and the resident owners in the aggregate of greater than 50% of the assessed value of all the taxable real property in the proposed Sewer District hereinafter described, hereby petition to establish a Sewer District to be known as the Ischua/Cuba Lake Sewer District, which District is to be wholly located in the Town of Ischua, Cattaraugus County, New York outside of any incorporated Village or City.

2. This petition is conditioned upon the creation of a Sewer District for the construction by the Town of Cuba, Allegany County, New York, of a sewer conveyance system to the Village of Cuba Waste Water Disposal Plant.

BOUNDARIES:

3. This petition to establish the Sewer District is made in order to provide service to the real property more particularly described as follows:

Beginning at a point on the easterly boundary of the Town of Ischua at the center line of Munger Hollow Road; thence

1. Northwesterly along the center line of Munger Hollow Road a distance of approximately 2,800 feet to the northerly extension of the westerly boundary of Tax Account 59.004-3- 17.1 ; thence

2. Southerly, westerly, southerly, westerly, southerly, easterly, and southeasterly along said northerly extension and the boundaries of Tax Account 59.004-3-17.1 a distance of approximately 9,230 feet to a point on the westerly boundary of the Oil Springs Indian Reservation; thence

3. Northerly and easterly along the westerly and northerly boundaries of the Oil Springs Indian Reservation distance of approximately 2,400 feet to a point on the easterly boundary of the Town of Ischua; thence

4. Northerly along the easterly boundary of the Town of Ischua a distance of approximately 2,540 feet to the point of beginning.

4. The total number of properties benefited in the Town of Ischua is eighteen (18).

MAP REPORT AND PLAN:

5. Attached as Exhibit A, is an Engineering Report submitted by Clark Patterson Associates and prepared by Thomas Swift, P.E.

6. The Engineering Report includes a map and plan that shows the boundary of the Sewer District and a general plan of the sewage conveyance system proposed to be constructed therein including among other things the approximate lay out of the proposed Sewer District, as well as the appropriate location of trunk, interceptor and outfall sewers, grinders, and pumping

stations and flow meters to be constructed within the proposed Sewer District. The proposed sewer district will be served by a low pressure grinder pump collection system to be connected to a larger low pressure grinder pump system to be installed in the Town of Cuba. A grinder pump will be installed in an underground chamber located at each individual residence and/or developed commercial property within the proposed District. The grinder pumps will be connected to force main with a small diameter lateral connection. The existing septic systems will be abandoned in place with the existing septic tanks being filled in or removed. Within the Town of Ischua, the system will include approximately 1,600 lineal feet of 4" force main piping. All wastewater collected will be conveyed through the force main to the collection system in the Town of Cuba where it will be conveyed to the Village of Cuba's wastewater treatment facility. The estimated maximum cost to complete the installation of the low pressure grinder pump system in the Town of Ischua is \$190,000.00.

7. The Town of Cuba will construct the sewer system in accordance with an intermunicipal agreement with the Town of Ischua, and pursuant to the applicable laws, rules, regulations and standards, including without limitation the laws, rules, regulations and standards of the Town of Ischua, the Ischua /Cuba Lake Sewer District, and the Town of Cuba..

8. The Sewer District (or the Town of Ischua, as the case may be) shall not be obligated to accept the dedication of the Sewer System unless the system has been certified in writing by a licensed engineer to be (a) fully functional; (b) in compliance with all applicable laws, rules, regulations and standards; and (c) adequate to service the number of residential units as planned for the sewer district and such other capacity as provided for in the Engineering Report.

PAYMENT FOR SERVICE:

9. The installation of the proposed low pressure grinder pump system will be paid for with a long-term low-interest loan obtained from the Environmental Facilities Corporation and grant fund from the Rural Development Agency, and the assessment, levy and collection of special assessments from the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby. The Town Board plans to assess said properties based on an Equivalent Dwelling Unit (EDU) value assigned to each tax parcel, using the following criteria: (1) vacant, undeveloped parcel greater than 0.25 acres in size – 0.25 EDU; (2) parcel with Single Family Housing – 1 EDU per housing unit; (3) Parcel with Multi-Family Housing - 1 EDU per housing unit; and (4) Parcel with Commercial Development – EDU Value based on actual water usage, compared to the average residential usage, to pay the principal of and interest on said bonds as the same shall become due and payable.

10. No separate connection fee will be charged for connection to the Sewer at the time of original construction.

11. The expected average annual cost to the Typical Property (as defined by Town Law) in the proposed District (which is a single family home) during the first year will be \$576, and there no other expected first year costs. The fee is composed of \$317 expected debt service and \$259 maintenance, operation, treatment and administration cost, including reimbursing the Town of Ischua for legal expenses and out of pocket expenses the Town incurs to establish the Sewer District.

WHEREFORE, Petitioner submits this petition for your approval and asks that you proceed in accordance with the Laws of the State of New York.

Signature pages Attached