

STAMP Water Works, Inc.
 Meeting Agenda
 Thursday, October 6, 2022
 Location: 99 MedTech Drive, Innovation Zone
 3:00 p.m.

	Topic	Page #'s	Discussion Leader	Desired Outcome
1.	Call To Order – Enter Public Session		P. Zelif	
2.	Additions / Deletions to the Agenda			
3.	Normal Business: Water Code	2-24	M. Masse	Disc / Vote
4.	Temporary Water Connection Agreement	25-27	M. Masse	Disc / Vote
5.	Water Fee Schedule	28-30	M. Masse	Disc / Vote
6.	Adjournment		P. Zelif	Vote

Water Code

Discussion: STAMP Water Works Corp. does not have a Water Code for the STAMP site. Attached is a draft that has been prepared utilizing the Town of Alabama's code as the starting point. The track changes function was utilized so you could see what was originally in the Town's code that was removed. Per discussion with CPL the Appendix A and Appendix B are not needed for this agreement.

Appendix A is showing the relationship of the water service size to the pressure loss the further the residence is off the road. It can be used to size the water service from the water main at the road to the final connection point in the residence.

Appendix B is showing the typical connection that the Town of Batavia requires. Drawing W-1 shows the plumbing that is required inside of the residence after the water service goes through the foundation wall. Drawing W-2 shows the water service as it should be installed from the water main to the foundation wall.

These are the required typical installations for a single family residence. For larger users, there isn't really a "typical" installation. Any water service larger than a 2" water service requires an application designed and stamped by an engineer that the operation and maintenance provider would review and approve. For development at STAMP, these two appendices are really not applicable.

Fund Commitment: None.

Board Action Request: Approval of Water Code, or approval with modifications.

LOCAL LAW ESTABLISHING

~~THE~~ WATER CODE

**OF THE
~~TOWN OF ALABAMA~~
STAMP WATER WORKS CORP.
STAMP SITE
GENESEE COUNTY, NEW YORK**

Enacted: ~~December 12, 2016~~

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SECTION 1.0 - GENERAL INFORMATION

1.1 Establishment, General Information, and Conditions of Service

- A. The ~~Town of Alabama~~ STAMP Water Works Corp., (SWWC) hereby establishes the Water Code of the ~~Town of Alabama~~ Science and Technology Advanced Manufacturing Park (STAMP Site). This code is established for the purpose of regulating water usage in the ~~Town~~ STAMP Site, providing for payment for water usage, providing for and insuring proper and safe water usage, and establishing rights and obligations of water users in the ~~Town~~ STAMP Site and to any out of district users.
- B. From time to time, water in the mains must be shut down due to repairs, leaks, maintenance, or other reasons. It is the intention of the ~~Town~~ SWWC, where practical, to notify owners when the water in the mains is to be shut off; however, it is often impractical and sometimes impossible to do so, and the Town shall not be obligated to provide such notice.
- C. Whenever the water is shut off for any reason, all hot water boilers should be immediately banked and water content checked often and thoroughly, by the Consumer.
- D. Service pipes from the street to buildings shall maintain five feet minimum trench depth to avoid danger of freezing. Particular care shall be exercised to maintain the minimum when crossing gutters, drainage ditches, or other like depressions.
- E. When property is conveyed, written notice shall be given to the ~~Water Billing Clerk~~ SWWC of said conveyance so that the transfer of ownership may be noted and the new owner notified of his accounts.
- F. Improvements to existing water services within the ~~Town of Alabama~~ STAMP Site shall conform to the standards and regulations set forth in this ~~law~~ Code.

1.2 Territory

This law shall apply to all that area within the boundaries of the ~~Town of Alabama~~ STAMP Site ~~exclusive of the Tonawanda Indian Reservation, and also, to all users outside of the Town of Alabama which are served by this system. Service outside the Districts shall be at the discretion of the Town Board.~~

1.3 Definitions

- A. Terms used in this Code are defined as follows:
 - 1. "Board" means the ~~Town Board of the Town of Alabama~~ SWWC Board of Directors.

2. "Consumer" means the person, partnership or corporation or the entity to be served, or their agent.
3. "District" means the ~~Town of Alabama Water Districts~~ STAMP Site.
4. "Irrigation" means the application of water to land for the production of farm crops only.
5. "Non-Irrigation" means drawing water from a hydrant for any purpose other than irrigation.
6. "Owner" means the person(s), partnership, corporation or other entity owning the property to be served, or their authorized agent. The Owner shall be a consumer even when there is another consumer such as a tenant or lessee.
7. "Water Superintendent" means the ~~Superintendent of the Alabama Water Districts~~ the Operation and Maintenance provider for the SWWC, or his authorized representative or the person designated by the Board to oversee the operations of the District, or his authorized representative.
8. "Water Rental Charge" shall mean water usage charges; the charge for using water from the Water Districts.
9. "Water System" means the water distribution system and appurtenances of the ~~Town of Alabama~~ STAMP Site.

SECTION 2.0 - APPLICATION FOR SERVICE; TAP-IN FEE

2.1 Application for New Service

Application for new service shall be made by the owner in writing, on forms provided by the Water Superintendent. Such application shall be made not later than thirty (30) days prior to the beginning of service, and shall contain such information as the Water Superintendent may require. The time for application may, at the discretion of the Water Superintendent, be waived.

The Board reserves the right to accept or reject any or all applications for services of a nature not consistent with this Code, including the right to determine the rates for such services and shall approve only those applications which it finds are in the best interests of the District.

~~2.11 Application for New Service from Out of District~~

~~The Board may accept or reject applications for service from out-of-district users, and shall determine rates for service. It will approve only those applications which it finds are in the best interests of the District. The Board shall, from time to time, by resolution of the Board, establish and amend the water use rates for Out-of-District users. These rates may be set higher than those for in-district users. The rate schedule shall be on file in the Town Clerk's Office.~~

2.2 Application for Transfer of Existing Service

Application for transfer of an existing water service to a new owner shall be made by the new owner on forms provided by the Water Superintendent. Such application shall be made not later than thirty (30) days after the transfer and shall contain such information as the Water Superintendent may require.

At any time, whether or not, a written application for service has been received by the Water Superintendent, any owner and consumer shall be bound by the provisions of this Code.

The Board may accept or reject any or all applications for services of a nature not covered by this Code, including the right to determine the rates for such services and shall approve only those applications which it finds are in the best interests of the District.

2.3 Connection

No person, corporation, owner or consumer shall make any connection or opening into a public water main, except upon authorization of the Water Superintendent. All connections to water mains, including service line work and excavation within public rights-of-way, shall be done by the District or its authorized representatives, including all excavation around or near public water mains, unless the Water Superintendent authorizes or requires a duly licensed and insured contractor make such connections.

2.4 Tap-In Fee

Prior to connection to a public water supply for water service, the owner shall pay to the District a tap-in fee. Said fee shall be based on the materials and labor to accommodate the requested tap-in. The tap-in fee shall be paid directly to the District.

SECTION 3.0 - INSTALLATION OF SERVICE

3.1 Inspection

No water main shall be tapped nor any service connection made, or covered, except on authorization of the Water Superintendent after he has approved all work and materials.

No person, except the Water Superintendent, shall turn the water on or off at any connection to the water main. Water will be turned on by the Water Superintendent to test the pipes before they are covered and immediately turned off until final approval of the completed service installation by the Water Superintendent.

3.2 Service Connections (Permanent)

Taps and connections shall be one inch (1") and shall be carried full size from the water main to the meter, except that larger services will be permitted upon application made to the Water Superintendent, where need for such service is established and where water main size is adequate. Where larger than one inch (1") is required, the owner shall pay to the ~~Town~~SWWC an installation fee, which will fully compensate the District for the cost of the larger service.

Service pipe two inches (2") and smaller shall be Type K copper or virgin resin, ultra-high molecular weight polyethylene tubing, meeting AWWA specification C901, and capable of sustaining indefinitely a pressure load of 200 PSI at room temperature (This material should be a Type 3, Grade P33, Class C material as per AWWA). No underground joints will be permitted except where distances are greater than the lengths available from the manufacturer. In this case, a minimum number of joints will be permitted and these shall be of the flare compression type with copper tubing or push-on joint with PT-CTS Plastic Tubing or as otherwise designated by the Water Superintendent. Service pipe larger than 2" shall be of such material and installed in such manner as the Water Superintendent shall approve, and shall be of type, material and grade as is currently standard in the building industry. All pipe shall meet all requirements for a working pressure of 200 PSI. All service pipe shall be laid in a trench not less than five (5) feet below the surface of the earth. Metal tracer wire/tape to be included in all installations of service lines and accessible at the meter.

Service pipe will be laid by the District from the main to and including the curb stop and box. Owners of vacant lots must demonstrate by commencing construction that they intend to use water. No service will be laid to vacant lots, except as part of developer's work in an approved subdivision extending off of a trunk line installation by the developer. All lines installed, but not intended for immediate use, shall be capped and sealed until ready for immediate use by the consumer.

Permission will not be granted to supply more than one owner from a single tap unless approved by the Water Superintendent due to some extreme hardship. In such cases, a separate shut-off cock must be provided for each such building and, where necessary for access, a permanent easement must be granted to the ~~Town~~SWWC by the owners.

~~For multiple residences in one structure, one meter will be installed for each unit or consumer up to two (2) units. For residences with more than two (2) units or consumers, the District reserves the right to install one master meter. The water usage will be charged to the real property owner. If multiple meters are requested by the real property owner, the District will not be responsible for the cost of the additional meters.~~

No installation shall be permitted which has connections, direct or indirect, with any public or private pumping and/or distribution system or source not fully approved by the New York State Water Resources Commission and by the New York State Department of Health.

3.3 Service Connections (Temporary)

Temporary service connections shall consist of, but shall not be limited to, connections to construction jobs, fairs, circuses, military installations, emergency inter-system connections and for service of water to a premises or property upon which no permanent structure is or has been erected or for a use not serviced from a permanent service.

Except as otherwise directed by the Water Superintendent, or as set forth herein, all requirements for permanent service shall apply to temporary service.

The request for temporary connections shall be made to the Water Superintendent no less than five (5) business days prior to the requested service date. The Water Superintendent may reject any application for service which he determines will not be in the best interests of the district or its customers.

3.4 Service Connections for Fire Protection Only (Sprinkler Systems)

A service may be installed to serve as a source for fire protection only. The Board shall establish from time to time, by resolution, the water usage rate and fee for a meter for fire protection. The schedule shall be on file in the ~~Town Clerk's~~ SWWC's office at 99 MedTech Drive, Suite 106, Batavia, NY 14020.

3.5 Service Connections for Hydrant Use

Hydrant use, for purposes of either irrigation or non-irrigation, is considered a temporary service connection covered under the guidelines in section 3.3. No hydrant use is permitted during periods of hard freeze or when temperatures are below 35° Fahrenheit.

No person shall open a hydrant for any reason unless he has obtained a permit from the Water Superintendent for a temporary service connection. This section shall not apply to volunteer fire companies when engaged in training or firefighting.

Any person desiring to draw water from a hydrant shall use an approved gate valve, meter and backflow device, which shall be furnished and installed only by District personnel. No meters are to be moved from one hydrant to another by any person except District personnel. Meters shall be locked to hydrants by the District. If a customer requests that a meter be moved from one hydrant to another, there will be a fee.

All hydrants must be in full-on position during operation and water flow controlled by a gate valve at the meter.

Any and all damage to hydrant, meter or backflow shall be the responsibility of the owner or consumer.

3.51 Irrigation Hydrant Use

Irrigation pertains ONLY to the application of water to land for the production of farm crops. All rules for hydrant use pertain to irrigation. Agricultural applications shall be reviewed on a case-by-case basis.

3.52 Non-Irrigation Hydrant Use

Non-Irrigation pertains to hydrant use for any purpose other than irrigation. All rules for hydrant use pertain to non-irrigation use.

3.6 Service Connections Requiring a Meter Pit

A water meter shall not be installed ~~in a crawl space, under a kitchen sink, in a closet or in any location not approved by the Water Superintendent. If a building does not have a basement, or any structure located more than 150 feet from the road right-of-way, it~~ SWWC requires a meter box to be installed at the right-of-way. All water services 1-1/2" and larger require a meter-in-vault installation regardless of distance from right-of-way. The meter must be installed in a District-approved meter pit. ~~Refer to Appendix A Water Service Head Loss Chart for estimated pressure reduction for the length of service piping.~~

The owner shall pay to the District the Meter Pit Fee along with the Water Service Tapping Fee, for new construction not included within a capital project at the time of water main installation.

SECTION 4.0 – METER VALVES, METERS, AND BACKFLOW PREVENTERS

4.1 Meter Valves

Meter valves are required on every installation and are the responsibility of the owner or consumer. When a meter is changed or repaired by District personnel on any service that does not have a properly functioning meter valve one may, at the discretion of the Water Superintendent, be installed by the District and the fee for such device shall be billed to the owner as part of the next water bill. Meter Valves will ONLY be installed when District personnel are on the premises for a meter change or repair. No special trips will be made for meter valve installation, as this is the owner's responsibility.

Meter valves shall be installed within 6" of the entry point of the water service line with no branch lines ahead of the water meter. ~~Refer to Appendix B for Details W-1 and W-2.~~

4.2 Meters

4.21 Necessity

No water shall be drawn from the TownSTAMP Site water system for any purpose unless metered in accordance with this Code. This provision shall not apply to volunteer fire companies while training or fighting fires using hydrants. Meters shall be signed for by the owner, or his duly authorized agent, for whose premises the water is to be used.

4.22 Meter Fee

The Board shall establish by resolution from time to time the fee for each size of meter.

4.23 Maintenance

To the extent of ordinary wear and tear, all meters will be maintained by, and at the expense of, the District. The consumer must pay for any damage or replacement due to freezing, hot water, or other external causes.

4.24 Inspection

The Water Superintendent shall be entitled to inspect, test, clean, repair, remove and replace any meter at any time and to substitute another meter in its place.

4.25 Size

The Water Superintendent shall, subject to Board direction, determine the size, type and make of any and all meters employed within or without the District.

4.26 Meter Accuracy Disputes

In the case of a disputed account involving the question of accuracy of the meter, such meter will be tested by the District upon request of the consumer, upon payment of a fee by the owner. In the event that the meter so tested is found to have a registration error in excess of acceptable limits, to the prejudice of the consumer, the fee advanced for testing will be refunded and the bill for the current period adjusted to correct such over registration.

4.3 Backflow Preventer Requirement

The District mandates New York State Department of Health rules followed for backflow prevention devices when required. The backflow prevention devices must be installed per the District's directive before installation is complete and water used, as follows:

- A. All Backflow Prevention Devices and Assemblies shall be approved by the current New York State and Genesee County Department of Health Standards.
- B. All backflow preventers shall be installed by a competent installer and inspected and approved by the Water Superintendent or other authorized District representative.
- C. Upon the transfer of real property or before the issuance of a certificate of occupancy, the owner thereof must submit to the ~~Town~~ Water Superintendent and Town Building Inspector verified proof that the backflow prevention device, as specified by this section, is installed.
- D. When a meter is changed or repaired by the District, any service that does not have the proper backflow prevention device installed shall have one installed by the District if the building's plumbing will accommodate it and the Water Superintendent determines to make such installation. Backflow devices will ONLY be installed when District personnel are on the premises for a meter change or repair. No special trips will be made for backflow device installation, as this is the owner's responsibility. The cost of such device shall be billed to the owner as part of the next water bill. If the District determines not to or is unable to install a backflow device due to the plumbing configuration, or if the owner chooses not to have District personnel install one, the property owner shall be required to have one installed by a competent installer at the owner's expense within 60 days. Upon installation, the owner shall notify the District and make the property available for inspection by District personnel as soon as possible.
- E. All Backflow Prevention Devices and Assemblies shall be installed in a manner which is adequately protected from freezing. If a Backflow Prevention Device or Assembly is not adequately protected from freezing temperatures and is to be used seasonally, will be subject to inspection by the Water Superintendent after each removal and prior to each reinstallation.
- F. ~~Typical residential services will not require backflow prevention. Any use other than a residential water service~~All STAMP Site water users will be required to have backflow prevention:
 - I. Up to and including two inch (2") water services will be decided on a case by case basis, subject to the type of usage. As a minimum requirement two standard check valves, or a double check valve, need to be installed.

2. Larger than two inch (2") water services will require back-flow prevention and must be designed by a licensed engineer.

SECTION 5.0 - TERMINATION OF SERVICE

5.1 Termination by the District

No person, except the Water Superintendent shall terminate or restrict service at any connection to or from the FownSTAMP Site water system.

The Water Superintendent may shut off the water from or in any District main or to any service connection, at any time, without notice when necessary for repair, maintenance or emergency situations. The District will not be responsible for any damage that may result therefrom.

Upon 15-days' notice to the consumer, service may be terminated by the Water Superintendent for any of the following reasons:

- (a) Failure to provide the Water Superintendent access to property for maintenance, reading, replacement or repair of a water meter;
- (b) Failure to repair an unmetered leak in the service within 10 days of detection and notification to repair (verbal or written) by the Water Superintendent. If, in the Water Superintendent's opinion, large volumes of water are being lost, the Water Superintendent may immediately terminate service after notice to the consumer.
- (c) Failure to install a meter valve or back flow preventer upon notice to do so.

If a water bill is delinquent after 60 days following the date of billing, a shutoff notice will be sent by regular mail to the owner. If the unpaid water bill is not paid within twenty (20) days, commencing with the day of mailing said notice, the water supply to the premises of the delinquent will be terminated. Wherever a water supply is terminated for non-payment of a water bill, an additional charge for services, as is established by resolution of the Town Board of Alabama, payable in advance, will be imposed before water service to the premises will be restored.

Charges to restore water service are listed in the Fee Schedule, provided in Appendix AE, on file with the SWWC Fown-Clerk.

The Water Superintendent may immediately terminate service wherever necessary to preserve the integrity of the system; prevent contamination; prevent backflow; or when necessary for the safety of residents of the FownSTAMP Site.

5.2 Termination by the Owner

5.21 Long-term Termination Requests (one year or longer)

An owner requesting discontinuance of service shall submit a "Water Service Termination Request Form" to the Water Superintendent. Upon receipt of such form, the water will be shut off at the curb, after payment of the turn-off fee; provided the Water Superintendent will not terminate service when the premises is occupied by a tenant. When turn off is permanent, water rents will cease.

5.22 Short-term Termination Requests (less than one year)

Short-term termination requests must be made in writing to the Water Superintendent. Upon notification, District personnel will turn off the water at the curb; provided service will not be terminated when the premises are occupied by a tenant. Any owner requesting that water be turned off at the curb for a period of less than one year will be charged turn-off and turn-on fees. Quarterly minimum billings, if any, will continue during the time the water is shut off.

SECTION 6.0 - HYDRANTS AND FIRE REGULATIONS

6.1 Fire

In case of fire or an alarm of fire, all water consumers shall cease the use of water for motors, fountains, sprinkling or irrigation and power purposes during such fire, in the interest of keeping up a strong and effective pressure for fire purposes.

6.2 Operation of Hydrants

No persons except the Water Superintendent, or persons acting under his direction or permission, shall open any fire hydrant or draw water therefrom, except that the Chiefs of the Town Fire Departments and members of those fire companies shall be authorized to draw water as necessary to fight fire, and for training purposes, and at scheduled fire drills. In no case shall inexperienced persons be allowed to manipulate or interfere with any such hydrants, gates, valves or other fixtures of said District.

6.3 Hydrant Location

All hydrants shall be installed on lands, easements or rights-of-way permanently owned or controlled by the District or Town.

Changes in location of existing hydrants will be made, except where otherwise required by law, at the expense of the owner requesting such change in location. All such requests shall be made in writing to the Board, and shall be at the discretion of the Board and/or the Water Superintendent.

New hydrants to be installed where existing hydrants exceed 600 feet spacing near new structures shall have material costs paid for by the Owner. The labor and installation costs shall be paid from the operation and maintenance fund for the District, given the added benefit to the District for fire protection.

6.4 Hydrant Access Requirement

No bushes or large plants shall be planted around or block access to said hydrants. No large objects such as vehicles or machinery shall be parked near to or block access to hydrants.

6.5 Hydrant Access Enforcement

The District may use acceptable methods to maintain access around any hydrant at the discretion of the Water Superintendent. The owner of the real property of the obstruction will be responsible for all costs associated removal of said obstruction.

SECTION 7.0 - PAYMENT FOR WATER SERVICE

7.1 Installation and Repair

A. The following expenses shall be borne by the District:

- i. Cost of making taps, except tap-in fees.
- ii. Maintenance and repair of meters subject to Section 4.0 of these regulations.
- iii. Cost of installing and maintaining service line from main to curb stop inclusive, except in subdivisions involving new water lines and newly built structures in existing water service areas.
- iv. Cost of installation of new hydrant at location of new structure. Material cost shall be by Owner.

B. The following expenses shall be borne by the Owner or consumer:

- i. The cost of all materials and labor for laying and maintaining the service pipe upon and within the premises from the curb box serving said property.
- ii. Tap-in fee as stated in Sections 2.0 and 3.0.
- iii. Water use charges and special assessments.

- iv. Fees for meters in accordance with Section 4.0 of these regulations.
- v. Fees for turning service on or off at the curb as per the fee schedule on file in the ~~Town Clerk's~~SWWC's office.
- vi. The cost of the meter, repair and testing of meters, except for mechanical defects or natural wear and tear, as set forth in Section 4.0 of these regulations.
- vii. Materials for new fire hydrant to be installed. Costs for installation shall be by District from operation and maintenance fund.
- viii. All other fees and charges as established from time to time by resolution of the ~~Town~~Board.

7.2 Water Usage Charges

A. Responsibility for Usage Charges

All water usage will be charged to the consumers of the affected real property. Statements may be sent to a tenant upon written request by the owner on the form provided by the District. The sending of statements to the tenant shall not relieve the owner from responsibility for payment of the same.

B. Adding to Taxes

Unpaid water rental charges, fees and other charges shall be a lien upon the real property upon which, or in connection with which, the water was used, and shall be added to the taxes assessed against the premises.

~~7.3 Special District Assessments~~

~~A. Indirect Benefit~~

~~A special assessment, as permitted by law, shall be laid against the assessed valuation, including exemptions, public service and public franchise, of all properties within the Town of Alabama, to provide for the indirect benefits enjoyed by all properties because of the existence of said District. The Board reserves the right to set, and from time to time adjust, the rate of this indirect benefit assessment according to the best interests of the Town of Alabama Water Districts.~~

~~B. Direct Benefit~~

~~A special assessment, as permitted by law, shall be laid against the assessed valuation, including exemptions, public service and special franchise, on properties abutting water mains or not abutting but receiving water therefrom, to provide for the District benefits enjoyed because of the existence of water service. The Board reserves the right to set, and from time to time adjust, the rate of this District Benefit Assessment according to the best interests of the Town of Alabama Water Districts.~~

SECTION 8.0 - MAIN EXTENSIONS

- 8.1 The Board reserves the right to accept or reject any and all application for main extensions in the best interest of the Districts. All water main extensions are subject to the rules and regulations set forth by the New York State Department of Health and the Bureau of Water Supply Protection.

SECTION 9.0 - SUPPLY OF WATER

9.1 General

The District undertakes to use reasonable care and diligence to provide a constant supply of water at a reasonable pressure to all consumers, but reserves the right, at any time, without notice, to shut off the water in its mains for the purpose of making repairs and/or extensions, or for any other purpose, and the Board and the District shall not be liable for a variation, deficiency or failure in the supply of water, or the pressure thereof, for any cause whatsoever, nor for any damage caused thereby, or by the breaking or bursting of any main or service pipe or any attachment to the District System. All owners having boilers upon their premises which are dependent upon the pressure in the District mains are cautioned against danger of collapse or lack of water and all such damage shall be borne exclusively by the owner.

9.2 Interconnectors

In the interest of public health, the District will not permit its mains or services to be connected directly or indirectly with any service pipe or piping which is in any way connected to any other source of water supply not fully approved by the Department of Health of the State of New York. The District will not permit its mains or service pipes to be connected in any way, directly or indirectly, to piping, tanks, vats or other apparatus which contains liquids, chemicals, or other matter which, if allowed to back flow into the District System could endanger the water supply.

9.3 Shortage

The Water Superintendent, subject to direction of the Board, may, if need be, in periods of draught or emergency, restrict the use of water for non-essential uses (such as irrigation, sprinkling or washing cars) to particular hours determined by the District, or to prohibit it entirely. Failure to comply with such restriction shall constitute a violation of this Code.

SECTION 10.0 – IMPROVEMENTS

10.1 The Board may:

Order existing service pipes and fixtures to be replaced with acceptable material, as determined by the Water Superintendent and to refuse service with all penalties hereinbefore set forth for failure of an owner to comply with such order.

SECTION 11.0 - WATER USE RATES

The Board shall, from time to time, by resolution of the Board, establish and amend the water use rates, fees and charges for the purpose of meeting the expenses of the District in such amounts as shall be determined to be in the best interest of the District. Such rates shall be on file in the ~~Town Clerk's~~ SWWC's office. Refer to Appendix CA.

SECTION 12.0 – VIOLATIONS; PENALTIES FOR OFFENSES

All remedies and penalties set forth are separately applicable. The ~~Town~~ SWWC may enforce this Code by any and all remedies set forth in this section.

12.1 Emergencies

If, in the judgment of the Board or Water Superintendent, an imminent health hazard or imminent danger to property exists, it may immediately cause service to any building or premises to be terminated and not restored until the defects are corrected.

12.2 Notification of Violation

The Board may notify the owner or authorized agent of the owner of the building or premises in which there is found a violation of this Code of such violation and shall set a reasonable time for the owner to have the violation removed or corrected. Upon failure of the owner to have the defect corrected by the end of the specified time interval, the Board may cause the water service to the building or premises or property to be terminated and not be restored until such condition or defects are corrected.

12.3 Fines and Imprisonment

- A. Any violation of this Code shall be an offense and shall be punishable by a fine of not more than ~~\$250~~10,000 and/or imprisonment for a period of 15 days, provided that any violation which is a misdemeanor or felony pursuant to the New York State Penal Law shall be punishable as set forth therein.
- B. Every week that a violation continues shall constitute a separate offense.
- C. Injunctive Relief: In addition to any other remedy, the ~~Town~~SWWC shall be entitled to injunctive relief and any other remedy, including termination of service, as provided in Section 5.1.
- D. Termination: Service may be terminated as provided in Section 5.1.
- E. Nothing herein shall prevent or preclude prosecution pursuant to New York State Penal Law or other state statute.

SECTION 13.0 – EFFECTIVE

This Code is effective as of _____ as approved by the SWWC Board. ~~Local Law shall become effective upon filing with the Secretary of State.~~

APPENDIX A

WATER SERVICE HEAD LOSS CHART

APPENDIX-B

WATER SERVICE DETAILS

APPENDIX GA

FEE SCHEDULE

Mark Masse

STAMP Water Works Corporation

October 6, 2022

Temporary Water Connection Agreement

Discussion: STAMP Water Works, Inc. currently does not have any agreements for companies to request a temporary water hook up. The Town of Batavia has one that they utilize for the municipalities that they provide operating and maintenance services for. Attached is their application and fee schedule for this service.

Fund Commitment: None.

Board Action Request: Approval of the Temporary Water Connection Application and fee schedule.

Gregory H. Post, Supervisor
Daniel G. Underhill, Deputy
Supervisor
Patti Michalak, Councilwoman
Sharon White, Councilwoman
Chad Zambito, Councilman



Teressa M. Morasco, Town Clerk
Raymond Tourt, Highway. Supt.
Andrew J. Young, Sr., Town Justice
Lisa A. Funke, Town Justice

3833 West Main Street Road Batavia, New York 14020-9402
Phone: (585) 343-1729 Fax: (585) 343-8461 TDD: 1-800-662-1220 www.townofbatavia.com

TEMPORARY WATER CONNECTIONS

Temporary water meter assemblies are provided as a courtesy, for use of a temporary nature within the Town of Batavia service area. Temporary water meter assembly users, agree to comply with the water code of the Town of Batavia and the terms and conditions of Temporary Water Connection Fee Schedule.

Temporary Water Connections* (Meter & RPZ)

1 1/2 - 2" inches

Larger than 2" inch

Meter & RPZ - Full Replacement

Deposit & Fee

\$2,000 Deposit & \$250 Fee

\$2,000 Deposit, RPZ by customer & \$250 Fee

At cost, borne by the customer

*Terms & Conditions: An RPZ (Reduced Pressure Zone device) must be installed for any Temporary Water Connections. A meter will be provided by the Town of Batavia for all Temporary Water Connections and billed for consumption used. All Temporary Water Connections are subject to Town Engineer (or designee) approval. Temporary Water Connections expire after 6 months of approval. From October 1st until May 15th, all temporary connections must be contained in a heated box to ensure they do not freeze. Failure to keep the device(s) from freezing will result in forfeit of the \$2000 deposit and the connection will be terminated and removed immediately. The remaining 'Full Replacement' cost will be billed (minus the deposit retained). Failure to pay the quarterly water bill may result in forfeit of deposit and immediate removal of the connection.

In the event there is a water shortage, the temporary water meter customer understands that the use of the temporary water meter assembly may be removed by the Town of Batavia at any time.

I have read and understand the above.

Signature _____

Date _____

This institution is an equal opportunity provider, and employer. If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found on-line at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-0992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to US Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, DC 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.

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TEMPORARY

TOWN OF BATAVIA

~ WATER & SEWER SERVICE APPLICATION ~

Owner Property Information

Tax Parcel Number: _____

Service Address: _____ City: _____ Zip: _____

Owner Name: _____ Phone Number: _____

Billing Address: _____ City: _____ Zip: _____

Property Type: Residential Commercial Industrial Agricultural Other: **TEMP SERVICE**

Please indicate the number of each fixture in the structure(s) to be served:

<u>Fixture</u>	<u>Count</u>	<u>Fixture</u>	<u>Count</u>	<u>Fixture</u>	<u>Count</u>
Toilet		Bathroom Sink		Dishwashing Machine	
Urinal		Kitchen Sink		Washing Machine	
Bath/Shower		Mop Sink; Spigot		Drinking Fountain	
Please list unique/additional fixtures (ie. yard hydrant)?: _____					

Agent Contact Information

Project Contact: _____ Phone Number: _____

Contact Address: _____ City: _____ Zip: _____

Water Service Request

Are you requesting water service? Yes No (If yes, please complete the remainder of this section)

What is the service use? Domestic Fire Service Combined **TEMPORARY WATER SERVICE**

What is the maximum flow required? (non-residential only): _____ gal./day & _____ gal./minute

Sewer Service Request

Are you requesting sewer service? Yes No (If yes, please complete the remainder of this section)

What is the maximum sewer discharge? (non-residential only): _____ gal./day & _____ gal./minute

Applicant Agreement

In consideration of the granting of this permit, the undersigned agrees to accept and abide by all provisions in the Town Water and Sewer Usage Ordinances of the Town of Batavia and any amendments as may be, or have been, adopted from time to time, and all other pertinent ordinances or regulations that may be adopted in the future.

Applicant Signature: _____

Date: _____

Please return completed application to the Town Clerk's Office where:

1. a map will be provided for you to sketch the location of your new service line along with the location of existing utilities (ie. septic systems); and
2. your Connection Fee will be determined.

Water Fee Schedule

Discussion: STAMP Water Works Corp. currently does not have a water fee schedule. Attached is a copy of the Town of Batavia's water fee schedule.

Fund Commitment: None.

Board Action Request: Approval of the Water Fee Schedule for STAMP Water Works, Inc. for use at the STAMP site.

Gregory H. Post, Supervisor
 Daniel G. Underhill, Deputy Supervisor
 Patti Michalak, Councilwoman
 Sharon White, Councilwoman
 Chad Zambito, Councilman



Teresa M. Morasco, Town Clerk
 Raymond Tourt, Highway Supt.
 Lisa Funke, Town Justice
 Andrew Young, Town Justice

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WATER FEE SCHEDULE - MAY 2022

<u>New Service Tap Size (Water Connection)</u>	<u>Connection Fee</u>
Residential*	\$3,000
Non-Residential	By Customer – actual cost if performed by Town at the Customer’s request
*Connection Fee includes all work to be done within the right-of-way by the Town of Batavia.	

<u>Part to be Replaced</u>	<u>Replacement Fee</u>
Meters– 5/8 or 3/4” inch	\$175
MXU Radio Devices	\$175
Meters – 1” inch	\$250
Meters - larger than 1” inch	By Customer - actual cost if provided by Town at Customer’s request
Miscellaneous repairs to Town owned facilities	At cost, borne by the customer
Fire Hydrant – Full Replacement	\$8,700

<u>Service</u>	<u>Fee</u>
Shut Off	\$25
Turn On*	\$25
*The Turn On Fee only applies to an existing service that has been shut off	

<u>Backflow Testing (Non-Compliance)</u>	<u>Fee</u>
Less than 4” inch	\$175
4” - 6” inches	\$200
Larger than 6” inch	\$225
*The Town may test a backflow prevention device(s) to avoid the discontinuance of water service for noncompliance with Town regulations and annual testing. No plumbing or repair work will be completed. Fee(s) will be added to the customer’s water bill.	

<u>Backflow Design Services</u>	<u>Fee</u>
2” inch or less	\$600
Larger than 2” inch	\$900

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Backflow Design Fee is for the preparation of all legal documents and Engineered Design of the backflow device as part of the permitting process only. This does not include installation, testing, or inspection.

<u>Temporary Water Connections*</u> <u>(Meter & RPZ)</u>	<u>Deposit & Fee</u>
1 1/2 - 2" inches	\$2,000 Deposit & \$250 Fee
Larger than 2" inch	\$2,000 Deposit, RPZ by customer & \$250 Fee
Meter & RPZ - Full Replacement	At cost, borne by the customer

*Terms & Conditions: An RPZ (Reduced Pressure Zone device) must be installed for any Temporary Water Connections. A meter will be provided by the Town of Batavia for all Temporary Water Connections and billed for consumption used. All Temporary Water Connections are subject to Town Engineer (or designee) approval. Temporary Water Connections expire after 6 months of approval. From October 1st until May 15th, all temporary connections must be contained in a heated box to ensure they do not freeze. Failure to keep the device(s) from freezing will result in forfeit of the \$2000 deposit and the connection will be terminated and removed immediately. The remaining 'Full Replacement' cost will be billed (minus the deposit retained). Failure to pay the quarterly water bill may result in forfeit of deposit and immediate removal of the connection.