New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
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# Local Law Filing

**(Use this form to file a local law with the Secretary of State.)**

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ **County** ☐ **City** ☒ **Town** ☐ **Village**
*(Select one:)*

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STATE RECORDS
NOV 17 2017
DEPARTMENT OF STATE

**of** Duanesburg

**Local Law No.** 7 **of the year 20** 17

**A local law** Amending Sewer Use Law Section 605 And Adding Addendum No. 3 To Establish Fees for
*(Insert Title)*
Sewer District No. 3" amends the Town of Duanesburg Sewer Use Law section 605 and
adds "Addendum No. 3" to establish fees for Sewer District No.3.

**Be it enacted by the** Town Board **of the**
*(Name of Legislative Body)*

☐ **County** ☐ **City** ☒ **Town** ☐ **Village**
*(Select one:)*

**of** Town of Duanesburg **as follows:**

**(If additional space is needed, attach pages the same size as this sheet, and number each.)**

**(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)**

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on 11-9 20 17, in accordance with the applicable *(Name of Legislative Body)* provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)**

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20[ ][ ], in accordance w ith the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20____. Such local *(Elective Chief Executive Officer*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

**6. (County local law concerning adoption of Charter.)**
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: November 9, 2017

(Seal)

# TOWN OF DUANESBURG LOCAL LAW NO. 7 OF 2017

## A LOCAL LAW AMENDING SEWER USE LAW SECTION 605 AND ADDING ADDENDUM NO.3 TO ESTABLISH FEES FOR SEWER DISTRICT NO. 3

**BE IT ENACTED** by the Town Board of the Town of Duanesburg in the County of Schenectady as follows:

**Section 1. Title of the Local Law.**

This local law shall be entitled "A Local Law Amending Sewer Use Law Section 605 and Adding Addendum No. 3 To Establish Fees for Sewer District No. 3."

**Section 2. Authorization.**

This local law is enacted pursuant to the Municipal Home Rule Law and Article 16 of the Town Law of the State of New York.

**Section 3. Purpose.**

The purpose of this local law is to amend Sewer Use Law section 605 to allow for four (4) inch internal pipe diameter with a ¼ inch per for (2%) slope in Sewer District No. 3 and add Addendum No. 3 to the Sewer Use Law to establish fees for Sewer District No. 3.

**Section 4. Amendments to Section 605 of the Sewer Use Law and Addition of Addendum No. 3 to the Sewer Use Law**

Section 605 is hereby amended as follows.

**Section 605 – Lateral Pipe Materials**

Building and street lateral pipe materials shall be one of the following:

(1) Tar-coated, service-grade, cast iron soil pipe conforming to ASTM Specification A-74, "Cast Iron Pipe and Fittings". All dimensions, weight and markings of the pipe shall conform to the requirements of ANSI, Designation A112.51, except spigot ends shall be "plain end," if gasket joints are used.

(2) Polyvinyl chloride (PVC) pipe and fittings conforming to ASTM Specification D-2241, "SDR-26 Polyvinyl Chloride (PVC) Sewer Pipe and Fittings". All pipe shall be suitable for gravity sewer service. Provisions shall be made for contractions and expansion at each joint with a rubber ring. The bell shall consist of an integral wall section stiffened with two PVC retainer rings with securely lock the solid cross-section ring into position. Minimum "Pipe Stiffness" (F/Y) at five percent (5%) deflection shall be 46 PSI when tested in accordance with ASTM Specification D-2412.

If installed on fill or unstable ground, the building or street lateral may need to be uniformly supported on a poured concrete cradle approved by the DR. The distance between consecutive joints, as measured along the centerline of the installed pipe, shall not be less than ten (10) feet, except under abnormal circumstances, in which case this dimension may be diminished, if approved by the DR. The size and slope of building and street laterals shall be subject to approval by the DR, but in no event shall the internal pipe diameter be less than 6 inches, nor shall the pipe slope be less than 1/8 inch per foot (1%), except in Sewer District No. 3 where four (4) inch internal pipe diameter with a 1/4 inch per foot (2%) slope shall be allowed.

Sewer Use Law is hereby amended by adding the following addendum

**TOWN OF DUANESBURG**
**SEWER USE LAW**
**ADDENDUM NO. 3**

Amend Section 1103 to establish the fees for permits for Sewer District No. 3 in the year 2017 and 2018 as follows:

- The permit fee for residential, commercial, or industrial laterals shall be set at $30.00.
- The connection fee shall be set at $1,000 per user, except that the connection fee shall be waived for properties within the district if the permit is obtained before October 31, 2018.
- The Administrative Surcharge Fee for 2018 shall be prorated by month in accordance with Table 1.
- The above fees along with the prorated O&M costs for the remainder of the year shall be paid at the time of permit application.

| Year | Month | Permit Fee | Administrative Surcharge | Prorated O&M | Connection Fee | Total Permit Fee |
|---|---|---|---|---|---|---|
| 2017 | November | $30 | $0 | $230 | $0 | $260 |
| | December | $30 | $20 | $210 | $0 | $260 |
| 2018 | January | $30 | $40 | $190 | $0 | $260 |
| | February | $30 | $60 | $170 | $0 | $260 |
| | March | $30 | $80 | $150 | $0 | $260 |
| | April | $30 | $100 | $130 | $0 | $260 |
| | May | $30 | $120 | $110 | $0 | $260 |
| | June | $30 | $140 | $90 | $0 | $260 |
| | July | $30 | $160 | $70 | $0 | $260 |
| | August | $30 | $180 | $50 | $0 | $260 |
| | September | $30 | $200 | $30 | $0 | $260 |
| | October | $30 | $220 | $10 | $0 | $260 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | November | $30 | $0 | 0 | $1,000 | $1,030 |

Amend the User Unit Schedule provided in Appendix B of the Sewer Use Law to apply to Sewer District No. 3.

**Section 5 Supersession.**

Pursuant to the powers granted by the Municipal Home Rule, this Local Law supersedes all provisions of the Town of Duanesburg Town Code, in so far as such statues are inconsistent with this Local Law and any other laws or regulations of the Town of Duanesburg are superseded to the extent necessary to give this Local Law full force and effect. All other provisions shall remain the same.

**Section 6. Severability.**

Each separate provision of this Local Law shall be deemed independent of all other provisions therein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

**Section 7. Effective Date.**

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.

**TOWN OF DUANESBURG TOWN BOARD**

**RESOLUTION NO. 151 -2017**

**November 9, 2017**

**Making a SEQRA Determination and Adopting Local Law No. 7 of 2017 Amending the Sewer Use Law**

**WHEREAS**, Local Law No. 7 entitled "A Local Law Amending Sewer Use Law Section 605 And Adding Addendum No. 3 To Establish Fees for Sewer District No. 3" amends the Town of Duanesburg Sewer Use Law ("Sewer Use Law") section 605 and adds "Addendum No. 3" to establish fees for Sewer District No. 3;

**WHEREAS,** the Town Board determined the proposed local law is a Type II action and, therefore, exempt from SEQRA review;

**WHEREAS**, a public hearing was duly noticed and held on November 2, 2017;

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby adopts Local Law No. 7 of 2017 and directs that the local law be filed in the Town Clerk's office and with the NYS Secretary of State's Office.

Motion made by Councilmember Leoni
Motion seconded by Councilmember Passanno

Roger Tidball, Supervisor

Town Clerk/Deputy Town Clerk

Present: Councilmembers Leoni, Ganther and Passanno, Supervisor Tidball
Absent: Councilmember Potter

Council Members:

| | | | |
|---|---|---|---|
| Roger Tidball | Yea | Nay | Abstain |
| John Ganther | Yea | Nay | Abstain |
| Rick Potter | Yea | Nay | Abstain |
| Randy Passanno | Yea | Nay | Abstain |
| Charles Leoni | Yea | Nay | Abstain |