

1. INTRODUCTION

The Village of Victory has never constructed sewage collection or treatment systems. Sewage generated from a large portion of the homes located in the main core of the Village is discharged into a storm sewer system which leads to Fish Creek at multiple outlets. In 1992, the Village will be embarking on a construction program to build a wastewater treatment facility and a sewage collection system. It is expected that this project will be funded in part by the U.S. Department of Housing and Urban Development and the U.S. Farmers Home Administration. The Village must develop and enact an equitable means of distributing system operation and maintenance costs to its users.

This Use Charge System is the means whereby the Village of Victory will collect funds from the sewage disposal system users for payment of the operation and maintenance costs of the collection facilities and its share of the Village of Schuylerville's wastewater treatment facilities.

The local share of capital costs (construction and development) is collected from users and benefitted property owners to pay the debt service associated with the financing of the proposed sewage collection system and sewage treatment plant project referenced above. These capital costs will be collected under a separate charge system and are not included as a part of this law.

The estimated cost of the construction of the sewage disposal facilities. It is projected that a total of \$1,827,640 of Federal and State grants will be available for this project, leaving the Village share at \$577,160.

2. DEFINITIONS AND ABBREVIATIONS

A. Word Usage

Words used in the present tense include the future; the singular number includes the plural and the masculine shall include the feminine. The term "shall" is mandatory; the term "may" is permissive.

B. Definitions

Unless otherwise expressly stated, the following terms shall, for the purposes of this law, have the meanings herein indicated:
BOD (denoting "biochemical oxygen demand") - The quantity of oxygen utilized in the biochemical oxidation of organic or other unstable matter under standard laboratory procedure in five (5) days at twenty degrees centigrade (20° C.), expressed in parts per million by weight.

CONTRIBUTOR - User

EXTRANEEOUS FLOWS - Those flows which enter the sewage disposal system which are not related to sewage but originate as groundwater or rainwater. These flows enter the system by way of pipeline or manhole leaks or illegal connections to the system.

ENVIRONMENTAL PROTECTION AGENCY, OR EPA - The United States Environmental Protection Agency or, where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

FEDERAL WATER POLLUTION CONTROL ACT (sometimes herein referred to as the "Clean Water Act") - The United States Federal Water Pollution Control Act, as amended in 1977 or thereafter.

POLLUTANT - Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.

SEWAGE - Any liquid waste containing animal, human or vegetable matter in suspension or solution, and may include liquids containing chemicals in solution.

SEWAGE TREATMENT PLANT - Any arrangement of devices and structures used for treating sewage.

SEWAGE DISPOSAL SYSTEMS - All facilities for collecting, pumping, treating and disposing of sanitary sewage.

SEWER - A pipe or conduit for carrying sewage.

SUSPENDED SOLIDS - Solids that either float on the surface of or are in suspension in water, sewage or other liquids and which are removable by laboratory filtering.

TOXIC POLLUTANT - Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provision of CWA 307 (a) or other Acts.

USER - Any person who contributes, causes or permits the contribution of wastewater into the Village sewage disposal system.

VILLAGE - The Village of Victory.

WASTEWATER - The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions, together with other matter which may be present, whether treated or untreated, which is contributed into or permitted to enter the sewage treatment plant.

C. Abbreviations

The following abbreviations shall have the designated meanings:

<u>BOD</u>	Biochemical Oxygen Demand (five day)
<u>CFR</u>	Code of Federal Regulations
<u>USEPA</u>	United States Environmental Protection Agency
<u>l</u>	Liter
<u>mg</u>	Milligrams
<u>mg/l</u>	Milligrams per liter
<u>SS</u>	Suspended Solids
<u>NYSDEC</u>	New York State Department of Environmental Conservation
<u>(~)</u>	Approximately
<u>gpd</u>	Gallons per day
<u>STP</u>	Sewage Treatment Plant
<u>i.e.</u>	That is

3. GENERAL

A. Basis for Operation and Maintenance Charges

The Victory sewer use charge system is based on estimated use of the sewer system in the form of estimated sewage generation. The rate of sewage generated from a typical household is estimated at 400 gallons per day and then other users are charged based on the amount of sewage generated above an average household. This program is based on an average strength residential sewage with BOD and SS concentrations of less than 300 mg/l. Users discharging concentrations of these pollutants over 300 mg/l or discharging toxic pollutants to the sewer system will be charged a surcharge.

B. Review of Operation and Maintenance Charges

The Village of Victory will review, during the first year of the usage of this system and at least once every five years, the sewer use charge system, the system operation and maintenance costs and the waste contribution of certain users to ensure that the system remains equitable and to ensure that adequate monies are collected to support the total cost of operation and maintenance.

C. Initial Basis for Operation and Maintenance Costs

First year operation and maintenance costs are based on projected operation and maintenance costs based on the most current information available. Although these costs may change, the use charge system will remain the same and the rate/unit will be modified as required.

4. OPERATION AND MAINTENANCE

First year operation and maintenance costs are based on projected operation and maintenance costs that are based on the most current information available. The bulk of the operation and maintenance costs will originate from the operation of the wastewater treatment plant. The Village will be contracting with the Village of Schuylerville to utilize the existing Schuylerville wastewater treatment plant under a property sale/lease-back agreement.

This agreement will involve a sale of a portion of the Village of Schuylerville wastewater treatment plant property to the Village of Victory, while at the same time incorporating a lease-back agreement that would make the Village of Schuylerville responsible for the operation and maintenance of the entire wastewater treatment plant, as well as control of any changes being made to the entire plant and all administration and rate setting.

The operation and maintenance budget for the Village of Schuylerville is at this time \$68,000 per year, or \$85(~) per home. This value will rise and fall, dependent on the operation and maintenance costs at the sewage treatment plant. The Village of Victory user would pay the same as a Village of Schuylerville user for the operation of the sewage treatment plant. This fee would be determined by dividing the total number of use units tributary to the sewage treatment plant into the total operation and maintenance cost.

Included with the operation and maintenance cost of the existing Schuylerville wastewater treatment plant is a capital cost recovery associated with the Village of Schuylerville. The Village of Schuylerville wastewater treatment plant cost approximately \$2,280,000. After grants, the Village bonded \$965,000, of which the average Village user pays \$115 per year. Although the Village of Victory will be providing additional facilities at the Schuylerville wastewater treatment plant, it will also be utilizing many of the existing facilities. Therefore, the Village is responsible for a portion of the Schuylerville sewage treatment plant capital cost. Each Victory use unit will be charged a negotiated lump sum fee which will be used by Schuylerville to offset capital costs. The first year fee is estimated at \$25.00 per unit. This fee will be collected as part of the operation and maintenance cost in Victory. It is the second component of the operation and maintenance billing.

The third operation and maintenance cost component consists of personnel costs to provide proper maintenance of the collection system and any repair or purchases which may be required for the same.