

Town of Ulysses Water Policies

Note: It is intended that this is the first of several water-related policies that the Town Board may consider enacting, and the intention is to create separate articles/sections within a single policy document.

Article ____ : District Creation/Extension Policy

Town residents are entitled to formally petition for the creation of a water district or for the extension of an existing one per New York State Town Law, Chapter 62, Article 12.

Additionally, the Town Board has the ability to initiate new water districts or extensions, subject to permissive referendum, per New York State Town Law, Chapter 62, Article 12A.

In recognition that the formal petition process may be an economic burden to those property owners requesting water, the Town Board may explore forming new water districts or extensions if 75% of residents in the proposed district/extension sign a request form provided by the Town for a district/extension formation and submit these requests and a map of the service area to the Town Clerk. **The name of the property owner and contact (if appropriate), tax parcel number, and contact information for each other will be provided. Additionally, the form shall require interested property owners to indicate the range of expense they would be willing to pay for water (debt service, water, etc.) on a monthly or yearly basis, as well as acknowledge that property owners are required to pay for the hook-up expenses associated with the formation of the new district/extension.**

The Town Board **shall** review the Town's Comprehensive Plan, Agriculture Plan, and any other **New York State, Tompkins County**, and Town plans or documents applicable to the topic and area of the Town. **The review and findings by the Town Board will be shared with the public before the formation of a district.**

The Town Board **shall** also solicit feedback from applicable staff, including, but not limited to: the Water Supervisor, Water Operator, Water Clerk, Town Planner, and Town Supervisor. Initial feasibility discussions should also occur with the Town Engineer. A public hearing, for the purposes of gathering public feedback, will also be held before the Town Board undertakes the initial formation of any potential water district/extension. **Any exploratory cost estimates available will be shared with the public in advance of the Town Board undertaking the initial formation of any potential water district/extension.**

If an effort to be a good steward of general Town funds and in recognition that expenses associated with failed water districts are paid for by the general tax base of the Town-outside-Village owners, the Town Board shall consider the willingness of the property owners in the proposed district to pay any estimated costs associated with the installation of the new district/extension. The Town Board reserves the right to request that the survey form is amended and/or updated, particularly in a situation where new or altered exploratory costs estimates or additional applicable information become available. The Town Board shall require that 75% of

property owners in the proposed new district/extension are in support of the project based on the best exploratory cost estimates available.

If the Town Board decides to initiate the creation of a new district/extension, additional information will be gathered as part of the process, including necessary engineering reports, environmental studies, any additional required documents or studies, and cost estimates associated with the proposed creation and construction of the district. These costs would be paid by the new district/extension service area as part of the debt associated with the overall district/extension if the district/extension is formally established.

The formal creation of the district or extension under this process would be subject to permissive referendum of those properties in the identified service area.

All other applicable federal, state, and local laws and statutes shall be adhered to in the creation of a new district/extension.

Draft as of June 9, 2023, with feedback incorporated from the Town Supervisor, 2nd Deputy Supervisor, Town Clerk, Highway Superintendent/Water Supervisor, and Town Attorney, and members of the public.