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LOCAL LAW NO. 11 2008

A LOCAL LAW AUTHORIZING A RIGHT OF ENTRY AND EASEMENT TO THE ONONDAGA COUNTY WATER AUTHORITY TO CONSTRUCT, OPERATE, MAINTAIN AND REPAIR COVERED STORAGE TANKS AND CONNECTIONS TO THE WATER SUPPLY SYSTEM

BE IT ENACTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY AS FOLLOWS:

Section 1. Purpose.

The County of Onondaga, on behalf of the Onondaga County Water District, owns two reservoirs, commonly referred to as the Eastern and Western reservoirs, which are currently open reservoirs. These reservoirs are vital in supplying water to the Onondaga County Water Authority (OCWA) which in turn supplies water to residents in Onondaga County. Recently enacted and promulgated federal laws and regulations now mandate that open finished water reservoirs, like the Eastern and Western reservoirs, be covered to meet public drinking water standards.

Failure to comply with these laws and regulations could result in the closure of these reservoirs and thereby impact OCWA's ability to supply water to its customers. OCWA has therefore agreed to construct, operate, maintain and repair covered storage tanks and connections to the water supply system at the aforementioned locations. The purpose of this local law is to authorize a right of entry and easement for OCWA to perform these tasks.

Section 2. Easement.

The County is hereby authorized to grant to OCWA an unrestricted right to enter, and an easement over, lands commonly known as the Western Branch Reservoir Facility and the Eastern Branch Reservoir Facility, maps of which are on file with the Clerk of this Legislature, for purposes of constructing, operating, maintaining and repairing covered storage tanks and connections to the water supply system for a consideration of $1.00, payment waived.

Section 3. Term/District Obligations

The term of this right of entry and easement shall be for a period of forty (40) years and solely for the purposes specified herein. During the term of such right of entry and easement the Onondaga County Water District shall continue to sell water to OCWA at rates established from time to time by the Metropolitan Water Board and subsequently approved by this legislature.

Section 4. Authorization.

The Onondaga County Executive, or his designee, is hereby authorized to take such action, including without limitation, the execution of documents and filing of same and any other actions to implement the intent of this local law.

Section 5. County Law.

This Local Law supersedes Section 215 of the County Law.

Section 6. Effective Date.

This local law shall take effect immediately upon filing pursuant to the Municipal Home Rule Law.

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