

Erie County Water Authority

350 Ellicott Square Building • 295 Main Street • Buffalo, NY 14203-2494
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*Copied to: TA
Supervisor*

November 14, 2013

Johanna Coleman
Town Clerk
Lancaster Town Hall
21 Central Ave.
Lancaster, NY 14086

Dear Clerk Coleman:

Enclosed herewith please find an Extract from the Minutes of the Meeting of the Erie County Water Authority held on Thursday, October 31, 2013 amending our Tariff effective January 1, 2014 and a copy of the actual amendment at Schedule "A".

Also enclosed please find nine (9) pages containing the Authority's Tariff amendments effective January 1, 2014. These pages replace the corresponding pages currently in your copy of the Authority's Tariff. These replacement pages should be inserted in your binder containing the Authority's Tariff and the existing pages should be discarded.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

ERIE COUNTY WATER AUTHORITY

Matthew J. Baudo

Matthew J. Baudo
Secretary to the Authority/Personnel Director

MJB:tf
Enclosures



CERTIFICATION

I, MATTHEW J. BAUDO, the duly elected and qualified **SECRETARY TO THE AUTHORITY** to the **ERIE COUNTY WATER AUTHORITY**, a corporation existing under the Laws of the State of New York, do hereby certify that I have compared the annexed resolution which is an extract from the Minutes of the Meeting of the Authority held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 31st day of October, 2013 a quorum being present and that said resolution is a true and correct copy of the resolution so adopted and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said corporation this 31st day of October, 2013.

Matthew J. Baudo

Matthew J. Baudo
Secretary to the Authority/
Personnel Director

(SEAL)

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
ERIE COUNTY WATER AUTHORITY
OCTOBER 31, 2013**

At a regular meeting of the Erie County Water Authority held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 31st day of October, 2013, a quorum being present, the following resolution was adopted:

WHEREAS, The Act creating the Erie County Water Authority (Authority) and the General Bond Resolutions establishing issuance of all Authority bonds mandate: that the Authority maintain rates and fees sufficient to operate and maintain the waterworks system; to pay the principal and interest on its Revenue Bonds as they become due and payable; and to maintain reserves for capital improvements as well as for all obligations and indebtedness of the Authority; and

WHEREAS, The Authority's Senior Staff has the responsibility to review, analyze and make recommendations relative to charges and procedures contained in the Authority's Tariff; and

WHEREAS, Various department heads have conducted this review and have recommended amendments to the Authority's Tariff; and

WHEREAS, Robert J. Lichtenthal, Jr., Deputy Director, Steven V. D'Amico, Budget and Financial Analyst and Wesley C. Dust, Executive Engineer have reviewed the above recommendations and changes and concur with them; and

WHEREAS, Edward A. Betz, Associate Attorney has also reviewed all these recommendations and changes and concurs with them; and

WHEREAS, After considering all the above recommendations, the Authority has determined that for the best interest of the public to maintain its quality water supply that the Tariff should be amended as set forth in the attached Schedule "A";

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's Tariff, as previously amended, is hereby revised and amended in accordance with Schedule "A" attached hereto and made part hereof, to become effective at 12:01 a.m. January 1, 2014; and be it further

RESOLVED: That the Secretary to the Authority or in his absence the Assistant Secretary is hereby authorized and directed to file in the office of the Clerk of the County of Erie a duly certified copy of this resolution along with a copy of the revised pages to the Tariff and to publish a copy of these amendments authorizing the abovementioned changes in two newspapers having a general circulation in the County pursuant to Section 1054, Subdivision 10, of the Public Authorities Law; and be it further

RESOLVED: That the Secretary or in his absence the Assistant Secretary, is further directed to forward a copy of this resolution along with a copy of the revised pages of the Tariff to the Town, Village or City Clerks of each of the towns, villages or cities receiving water from the Authority and that the Secretary or in his absence the Assistant Secretary is further directed to furnish a duly certified copy of this resolution along with a copy of the revised pages of the Tariff to all Fiscal Agents named in the Authority's Bond Resolutions.

A motion was made by Mr. Jann seconded by Mr. O'Brien and carried to adopt the foregoing resolution.

SCHEDULE "A"

AMENDMENTS TO THE ERIE COUNTY WATER AUTHORITY'S TARIFF TO BECOME EFFECTIVE AT 12:01 A.M. JANUARY 1, 2014

UNDERLINED PORTIONS INDICATE NEW MATERIAL PORTIONS IN BRACKETS [] INDICATE DELETIONS

2.00 AVAILABILITY AND TYPES OF SERVICE

- 2.26 The temporary or occasional service of water will be provided for construction jobs, fairs, circuses, military installations, emergency inter-system connections and the temporary service of water to a premises or property on which no permanent structure is or has been erected after receipt of the proper application and advance payment of fees and deposits as specified in paragraphs 13.[02] 01, 14.06 and 14.08.

6.00 INSTALLATION OF METERS

- 6.09 The Authority reserves the right to remove [and test] any meters at any time and to substitute another meter in its place. In case of a disputed account involving the question as to the accuracy of the meter, such meter will be tested by the Authority upon request of the customer and after advance payment of fees as specified in paragraphs 14.03 and 14.11. In the event that the meter so tested is found to have an error in registration to the prejudice of the customer in excess of four (4%) percent, the fee advanced for testing will be refunded. The most recently rendered bill will be adjusted to correct such registration.

9.00 PAYMENT FOR WATER SERVICE AND ADJUSTMENTS

- 9.03 The quantity recorded by the meter shall be considered the amount of water passing through the meter, which amount shall be conclusive on both the customer and the Authority, except as hereinafter provided:
- A. In cases where it is found that the meter has ceased to register or has registered inaccurately, the quantity may be determined by the average registration of the meter in a corresponding past period when in order, except where it [appears] can be shown that there has been a change of occupancy of the premises or in the use of water in which case an adjustment shall be made.
- B. In cases where it is found that a reading cannot be obtained, an estimated bill may be rendered to the customer. The quantity may be determined by the average registration of the meter in a corresponding past period, except where it [appears] can be shown that there has been a change of occupancy of the premises or in the use of water. In such cases, when a reading is obtained, the bill will be adjusted to reflect the actual consumption with full credit for minimum charges for the periods involved.

9.05 If a customer requests that a final meter reading be made at a time other than the normal service hours of 9:00 a.m. to 4:00 p.m., Monday through Friday, a service charge as specified in paragraph 14.[30]03 will be made. If a customer makes arrangements to have a final reading made during the normal service hours specified above and fails to keep the appointment thus necessitating an additional trip, a service charge as specified in paragraph 14.[30]03 will be made.

9.10 A one time courtesy delinquent charge reversal may be given if the customer has a good payment history, requests the reversal and is not merely refusing to pay the delinquent charge. [The Policy] This shall apply to accounts billed under Erie County Water Authority's Tariff, Service Classification No. 1.

[All commercial accounts (Cycles 50-56) one time courtesy delinquent charge reversals must be reviewed, approved and applied by the Billing Supervisor, and others, pursuant to the monthly schedule shown below.

All delinquent charge reversals are to be approved as follows:

Quarterly Accounts:

\$0 - 20	Customer Service Reps.
\$21 - 249	Business Office Supervisors (Chief Customer Service Rep., Supervising Account Clerk)
\$250 - 499	Cash Manager and Comptroller
\$500 and above	Board of Commissioners

Monthly Accounts:

The Senior Customer Service Rep-Commercial Accounts is not allowed to make any adjustments.

\$0 - 249	Business Office Supervisors (Chief Customer Service Rep., Supervising Account Clerk)
\$250 - 499	Cash Manager and Comptroller
\$500 and above	Board of Commissioners]

13.00 CLASSIFICATION RATES AND CHARGES

SERVICE CLASSIFICATION NO. 1

13.01 The following classification of services rendered, facilities furnished hereunder and rates and charges therefore are hereby established.

RATE:

Meters read and billed quarterly: (To Nearest Thousand Gallons)

First 300,000 gallons per quarter at \$[2.96] 3.00 per 1000 gallons
 Next 1,950,000 " " " " [2.63] 2.67 " " "
 Next 5,250,000 " " " " [2.41] 2.45 " " "
 Over 7,500,000 " " " " [2.12] 2.16 " " "

Meters read and billed monthly: (To Nearest Thousand Gallons)

First 100,000 gallons per month at \$[2.96] 3.00 per 1000 gallons
 Next 650,000 " " " " [2.63] 2.67 " " "
 Next 1,750,000 " " " " [2.41] 2.45 " " "
 Over 2,500,000 " " " " [2.12] 2.16 " " "

SIZE OF METER	QUARTERLY MINIMUM CHARGE	ALLOWANCE PER QUARTER GALLONS	MONTHLY MINIMUM CHARGE
5/8 inch	\$ [26.64] <u>27.00</u>	9,000	\$ [8.88] <u>9.00</u>
3/4 inch	[35.52] <u>36.00</u>	12,000	[11.84] <u>12.00</u>
1 inch	[62.16] <u>63.00</u>	21,000	[20.72] <u>21.00</u>
1-1/4 inch	[79.92] <u>81.00</u>	27,000	[26.64] <u>27.00</u>
1-1/2 inch	[115.44] <u>117.00</u>	39,000	[38.48] <u>39.00</u>
2 inch	[186.48] <u>189.00</u>	63,000	[62.16] <u>63.00</u>
3 inch	[355.20] <u>360.00</u>	120,000	[118.40] <u>120.00</u>
4 inch	[586.08] <u>594.00</u>	198,000	[195.36] <u>198.00</u>
6 inch	[1,124.70] <u>1,140.30</u>	390,000	[374.90] <u>380.10</u>
8 inch	[1,755.90] <u>1,781.10</u>	630,000	[585.30] <u>593.70</u>
10 inch	[2,466.00] <u>2,502.00</u>	900,000	[822.00] <u>834.00</u>
12 inch	[3,333.90] <u>3,383.10</u>	1,230,000	[1,111.30] <u>1,127.70</u>
20 inch	[7,390.20] <u>7,503.00</u>	2,820,000	[2,463.40] <u>2,501.00</u>
24 inch	[9,848.40] <u>10,002.00</u>	3,840,000	[3,282.80] <u>3,334.00</u>

Infrastructure Investment Charge:

The following Infrastructure Investment Charge rate and rules are hereby established effective January 1, 2011:

1. In the case of meters read and billed quarterly, an Infrastructure Investment Charge rate of [nine] twelve dollars (\$[9]12.00) per quarter shall be applied.
2. In the case of meters read and billed monthly, an Infrastructure Investment Charge rate of [three] four dollars (\$[3]4.00) per month shall be applied.

SUMMER USE SURCHARGE

The following summer use surcharge rate and rules are hereby established effective November 1, 1992:

1. In the case of meters read and billed quarterly, a summer use surcharge of [seventy-three (\$.73)] seventy-four (\$.74) cents per 1,000 gallons of water shall be applied on any billings rendered between May 1 and October 31, where the quantity of water billed is in excess of one-hundred twenty (120%) percent of the winter bill. The winter bill shall be the bill rendered for the same premises in the immediately preceding January, February or March. The summer use surcharge shall be applied only on the portion of the bill which is in excess of one hundred twenty (120%) percent of the winter bill.
2. In the case of meters read and billed monthly, a summer use surcharge of [seventy-three (\$.73)] seventy-four (\$.74) cents per 1,000 gallons of water shall be applied on any billings rendered between May 1 and September 30, where the quantity of water billed is in excess of one hundred twenty (120%) percent of the winter bill. The winter bill shall be that bill rendered for the same meter in the immediately preceding January. The summer use surcharge shall be applied only on the portion of the bill in excess of one hundred twenty (120%) percent of the winter bill.

Adopted by resolution 09/20/90 - Schedule "A" to become effective 10/15/90 and Schedule "B" to become effective 09/20/90

Adopted by resolution 10/19/90 to become effective 01/01/91

Adopted by resolution 02/21/91 to become effective 03/15/91

Adopted by resolution 08/28/91 to become effective 09/15/91

Adopted by resolution 09/10/92 to become effective 11/01/92 and PFP increase to become effective 01/01/93

Adopted by resolution 06/24/93 to become effective 08/01/93

Adopted by resolution 02/17/94 to become effective 03/15/94

Adopted by resolution 12/16/94 to become effective 01/15/95

Adopted by resolution 09/07/95 to become effective 10/01/95

Adopted by resolution 11/09/95 to become effective 01/01/96

Adopted by resolution 07/15/96 to become effective 08/01/96

Adopted by resolution 10/10/96 to become effective 01/01/97

Adopted by resolution 12/12/96 to become effective 01/01/97

Adopted by resolution 12/04/97 to become effective 01/01/98

Adopted by resolution 11/25/98 to become effective 01/01/99

Adopted by resolution 03/25/99 to become effective 04/14/99

Adopted by resolution 07/08/99 to become effective 09/01/99

Adopted by resolution 11/24/99 to become effective 01/01/00

Adopted by resolution 02/15/01 to become effective 03/11/01

Adopted by resolution 11/15/01 to become effective 01/01/02

Adopted by resolution 11/26/02 to become effective 01/01/03

Adopted by resolution 12/05/02 to become effective 01/01/03

Adopted by resolution 11/20/03 to become effective 01/01/04

Adopted by resolution 11/30/04 to become effective 01/01/05

Adopted by resolution 11/28/05 to become effective 01/01/06

Adopted by resolution 03/23/06 to become effective 05/01/06

Adopted by resolution 11/20/06 to become effective 01/01/07

Adopted by resolution 03/08/07 to become effective 04/01/07

Adopted by resolution 11/30/07 to become effective 01/01/08

Adopted by resolution 11/30/09 to become effective 01/01/10

Adopted by resolution 03/03/10 to become effective 04/05/10

Adopted by resolution 12/02/10 to become effective 01/01/11

Adopted by resolution 11/23/11 to become effective 01/01/12

Adopted by resolution 11/15/12 to become effective 01/01/13

Adopted by resolution 08/08/13 to become effective 08/15/13

Adopted by resolution 10/31/13 to become effective 01/01/14

- 2.26** The temporary or occasional service of water will be provided for construction jobs, fairs, circuses, military installations, emergency inter-system connections and the temporary service of water to a premises or property on which no permanent structure is or has been erected after receipt of the proper application and advance payment of fees and deposits as specified in paragraphs 13.01, 14.06 and 14.08.
- 2.27** The temporary or occasional service of water to a premises will be provided from existing mains of the Authority appropriate to the service requested, upon private rights-of-way (other than streets or highways) after receipt of the proper application and advance payment of fees as specified in paragraphs 13.02, 14.06 and 14.08.

MISCELLANEOUS SERVICE

- 2.28** Whenever application is made for any service or facility of the Authority not herein specifically provided for, the same may be provided in the discretion of the Authority but subject to such terms and conditions as the Authority may in each circumstance prescribe by resolution.

GENERAL RULES

SUPPLY OF WATER

- 2.29** The Authority undertakes to use reasonable care and diligence to provide a constant supply of water at a reasonable pressure to customers, but reserves the right at any time, without notice, to shut off the water in its mains for the purpose of making repairs or extensions, or for other purposes, and it is expressly agreed that the Authority shall not be liable for (1) a deficiency or failure in the supply of water, or (2) water pressure, or for any damages caused thereby, or by the bursting or breaking of any main or service pipe or any attachment to the Authority's property. All customers having boilers, hot water heaters, interior piping, etc. upon their premises depending upon the pressure in the Authority's pipes to keep them supplied, are cautioned against danger of collapse or bursting and all such damage shall be borne exclusively by the customers.

Adopted 09/07/95
Adopted 02/15/01
Adopted 03/03/10
Adopted 10/31/13

Rev. 10/01/95
Rev. 03/11/01
Rev. 04/05/10
Rev. 01/01/14

- 6.07** It shall be the obligation of the customer to maintain and, when necessary, repair the facilities required to house the meter. If the customer fails to maintain the housing, the Authority may undertake repairs or replacement of same and shall be fully reimbursed by the customer for all actual costs incurred. The Authority shall not be liable for damages to any premises caused by flooding in connection with the testing, removal or failure of any meter.
- 6.08** Where more than one meter is required to record the total consumption of water by a customer, additional meters for such purposes will be furnished by the Authority but shall be set on the customer's premises in such manner and at such location as the Authority may prescribe.
- 6.09** The Authority reserves the right to remove any meters at any time and to substitute another meter in its place. In case of a disputed account involving the question as to the accuracy of the meter, such meter will be tested by the Authority upon request of the customer and after advance payment of fees as specified in paragraphs 14.03 and 14.11. In the event that the meter so tested is found to have an error in registration to the prejudice of the customer in excess of four (4%) percent, the fee advanced for testing will be refunded. The most recently rendered bill will be adjusted to correct such registration.
- 6.10** If the customer makes arrangements to have a meter set, serviced, read or replaced and fails to keep the appointment thus necessitating another installation trip, a service charge as specified in paragraph 14.03 may be made.
- 6.11** If it is necessary for the Authority to pump water out of a meter pit in order to read or maintain a meter, the customer will be required to pay a service charge as specified in paragraph 14.12.
- 6.12** Customers who request a different size meter after the initial installation has been made will be required to pay a service charge based on the larger of the new or existing meter as specified in paragraph 14.10.

6.13 SHARED METERS

1. Shared meter situations are only permitted by the informed consent of the customer of record. Upon the complaint of the customer of record involved in a shared meter arrangement, the owner shall make arrangements for separate service for the complaining party unless the complaining party shall by lease or other written agreement have formally consented to the shared meter arrangement.

9.00 PAYMENT FOR WATER SERVICE AND ADJUSTMENTS

- 9.01** All bills are payable in accordance with the terms of the applicable service classification. The owner of a property is responsible for the payment of all bills. The Authority, at its option and as a courtesy to the owner, may send bills in care of the occupant. If a new service is installed or a change in occupancy occurs at any time during the billing period, the minimum charge and the amount of water allowed thereunder will be prorated according to the number of days remaining to complete the billing period after the service has been made available.
- 9.02** Customers will be billed quarterly or monthly at the option of the Authority.
- 9.03** The quantity recorded by the meter shall be considered the amount of water passing through the meter, which amount shall be conclusive on both the customer and the Authority, except as hereinafter provided:
- A. In cases where it is found that the meter has ceased to register or has registered inaccurately, the quantity may be determined by the average registration of the meter in a corresponding past period when in order, except where it can be shown that there has been a change of occupancy of the premises or in the use of water in which case an adjustment shall be made.
 - B. In cases where it is found that a reading cannot be obtained, an estimated bill may be rendered to the customer. The quantity may be determined by the average registration of the meter in a corresponding past period, except where it can be shown that there has been a change of occupancy of the premises or in the use of water. In such cases, when a reading is obtained, the bill will be adjusted to reflect the actual consumption with full credit for minimum charges for the periods involved.
 - C. In cases where a reading is obtained prior to the assigned billing date for the account, a calculated bill may be rendered to the customer based on the reading obtained.
 - D. In case of a disputed account involving the question as to the accuracy of the meter, such meter will be tested by the Authority upon request of the customer. The fee for testing such meter will be as specified in paragraph 14.11. In the event that the meter so tested is found to have an error in registration to the prejudice of the customer in excess of four (4%) percent, the fee advanced for testing will be refunded. The most recently rendered bill will be adjusted to correct such registration.

Adopted 09/07/95
Adopted 12/04/97
Adopted 03/03/10
Adopted 10/31/13

Rev. 10/01/95
Rev. 01/01/98
Rev. 04/05/10
Rev. 01/01/14

- 9.04** The customer shall notify the Authority in advance of any change in ownership or occupancy. The Authority may require the customer to give such advance notice in writing. No adjustment of bills will be made by the Authority as between the old and new owners and/or the old and new tenants unless ten (10) days notice prior to change of occupancy has been given to the Authority. No rebate will be given for unoccupied premises unless notice of non-occupancy is given as required herein as in paragraph 2.37 hereof. When transfers of ownership arise from the sale or foreclosure of a property, the new owner will be responsible for the payment of all charges accumulated prior to the date of sale.
- 9.05** If a customer requests that a final meter reading be made at a time other than the normal service hours of 9:00 a.m. to 4:00 p.m., Monday through Friday, a service charge as specified in paragraph 14.03 will be made. If a customer makes arrangements to have a final reading made during the normal service hours specified above and fails to keep the appointment thus necessitating an additional trip, a service charge as specified in paragraph 14.03 will be made.
- 9.06** All bills are to be payable net cash when rendered. In case any water bill or charges provided for in and by these rules shall not be paid within fifteen (15) days following the rendering of the bill, the Authority or its agents may discontinue water service to the customer and service will not be re-established until such unpaid charges, together with the charge for restoration of service as elsewhere provided herein are fully paid, and the deposit as specified in paragraph 14.06 has been paid.
- 9.07** Where the interior piping in any existing premises cannot be changed without undue or excessive cost to the customer or where more accurate registration would be obtained by two or more meters, the installation and use of more than one meter may be permitted by the Authority. In such case, the consumption through all meters will be combined to compute the total bill, but in no event will the total bill be less than the combined minimum charge for all said meters. In all other cases, meters will be billed individually.

- 9.10** A one time courtesy delinquent charge reversal may be given if the customer has a good payment history, requests the reversal and is not merely refusing to pay the delinquent charge. This shall apply to accounts billed under Erie County Water Authority's Tariff, Service Classification No. 1.
- 9.11** A delinquent service charge as specified in paragraph 14.04 shall be applied to all outstanding accounts where payment has not been received by the Authority within ten (10) days after the due date as specified on the bill.
- 9.12** Any check, draft, electronic fund transfer, credit card payment or other form of payment offered as consideration for the payment of any charge or fee specified within these Rules and Regulations which is subsequently returned for insufficient funds or otherwise not honored for payment will be subject to an additional fee as specified in paragraph 14.05.

13.00 CLASSIFICATION RATES AND CHARGES

SERVICE CLASSIFICATION NO. 1

13.01 The following classification of services rendered, facilities furnished hereunder and rates and charges therefore are hereby established.

APPLICABLE TO USE OF SERVICES FOR:

General Metered Purposes including sales to Domestic, Commercial, Industrial, Irrigation, Public Authorities, Water Districts and other Municipal Customers.

CHARACTER OF SERVICE:

Continuous and supplemental supplies

RATE:

Meters read and billed quarterly: (To Nearest Thousand Gallons)

First	300,000	gallons	per	quarter	at	\$3.00	per	1000	gallons
Next	1,950,000	"	"	"	"	2.67	"	"	"
Next	5,250,000	"	"	"	"	2.45	"	"	"
Over	7,500,000	"	"	"	"	2.16	"	"	"

Meters read and billed monthly: (To Nearest Thousand Gallons)

First	100,000	gallons	per	month	at	\$3.00	per	1000	gallons
Next	650,000	"	"	"	"	2.67	"	"	"
Next	1,750,000	"	"	"	"	2.45	"	"	"
Over	2,500,000	"	"	"	"	2.16	"	"	"

Adopted 12/16/94
 Adopted 11/09/95
 Adopted 07/15/96
 Adopted 12/12/96
 Adopted 12/04/97
 Adopted 03/25/99
 Adopted 11/15/01
 Adopted 11/26/02
 Adopted 11/20/03
 Adopted 11/30/04
 Adopted 11/28/05
 Adopted 11/20/06
 Adopted 11/30/07
 Adopted 11/30/09
 Adopted 10/31/13

Rev. 01/15/95
 Rev. 01/01/96
 Rev. 08/01/96
 Rev. 01/01/97
 Rev. 01/01/98
 Rev. 04/14/99
 Rev. 01/01/02
 Rev. 01/01/03
 Rev. 01/01/04
 Rev. 01/01/05
 Rev. 01/01/06
 Rev. 01/01/07
 Rev. 01/01/08
 Rev. 01/01/10
 Rev. 01/01/14

SIZE OF METER	QUARTERLY MINIMUM CHARGE	ALLOWANCE PER QUARTER GALLONS	MONTHLY MINIMUM CHARGE
5/8 inch	\$ 27.00	9,000	\$ 9.00
3/4 inch	36.00	12,000	12.00
1 inch	63.00	21,000	21.00
1-1/4 inch	81.00	27,000	27.00
1-1/2 inch	117.00	39,000	39.00
2 inch	189.00	63,000	63.00
3 inch	360.00	120,000	120.00
4 inch	594.00	198,000	198.00
6 inch	1,140.30	390,000	380.10
8 inch	1,781.10	630,000	593.70
10 inch	2,502.00	900,000	834.00
12 inch	3,383.10	1,230,000	1,127.70
20 inch	7,503.00	2,820,000	2,501.00
24 inch	10,002.00	3,840,000	3,334.00

Note: Monthly minimum allowance is 1/3 the quarterly allowance.

Infrastructure Investment Charge:

The following Infrastructure Investment Charge rate and rules are hereby established effective January 1, 2011:

1. In the case of meters read and billed quarterly, an Infrastructure Investment Charge rate of twelve dollars (\$12.00) per quarter shall be applied.
2. In the case of meters read and billed monthly, an Infrastructure Investment Charge rate of four dollars (\$4.00) per month shall be applied.

Adopted 12/16/94
 Adopted 11/09/95
 Adopted 07/15/96
 Adopted 12/12/96
 Adopted 12/04/97
 Adopted 11/15/01
 Adopted 11/26/02
 Adopted 11/20/03
 Adopted 11/30/04
 Adopted 11/28/05
 Adopted 11/20/06
 Adopted 11/30/07
 Adopted 11/30/09
 Adopted 12/02/10
 Adopted 11/23/11
 Adopted 11/15/12
 Adopted 10/31/13

Rev. 01/15/95
 Rev. 01/01/96
 Rev. 08/01/96
 Rev. 01/01/97
 Rev. 01/01/98
 Rev. 01/01/02
 Rev. 01/01/03
 Rev. 01/01/04
 Rev. 01/01/05
 Rev. 01/01/06
 Rev. 01/01/07
 Rev. 01/01/08
 Rev. 01/01/10
 Rev. 01/01/11
 Rev. 01/01/12
 Rev. 01/01/13
 Rev. 01/01/14

COMPUTATION OF RATES FOR APARTMENTS, CONDOMINIUMS AND MOBILE HOME PARKS

Where water is provided through one meter to multiple dwelling units, as defined in paragraph 1.09, rates will be based on consumption by the average use per dwelling.

The total quantity of water recorded by a meter will be divided by the number of dwelling units served through that meter. The resulting average usage figure will then determine the proper rate to apply to the total water used.

SUMMER USE SURCHARGE

The following summer use surcharge rate and rules are hereby established effective November 1, 1992:

1. In the case of meters read and billed quarterly, a summer use surcharge of seventy-four (\$.74) cents per 1,000 gallons of water shall be applied on any billings rendered between May 1 and October 31, where the quantity of water billed is in excess of one-hundred twenty (120%) percent of the winter bill. The winter bill shall be the bill rendered for the same premises in the immediately preceding January, February or March. The summer use surcharge shall be applied only on the portion of the bill which is in excess of one hundred twenty (120%) percent of the winter bill.
2. In the case of meters read and billed monthly, a summer use surcharge of seventy-four (\$.74) cents per 1,000 gallons of water shall be applied on any billings rendered between May 1 and September 30, where the quantity of water billed is in excess of one hundred twenty (120%) percent of the winter bill. The winter bill shall be that bill rendered for the same meter in the immediately preceding January. The summer use surcharge shall be applied only on the portion of the bill in excess of one hundred twenty (120%) percent of the winter bill.
3. Customers of the Authority engaged in farming operations shall be eligible for a refund of the surcharge, but only if the following requirements are satisfied:
 - A) The customer must be engaged in "farming operations", which is defined, for purpose of this section, as an individual, partnership, or corporation, owning or leasing land used in agricultural production, meaning not less than 10 acres of land used as a single operation in the preceding two (2) years for the production for sale of crops and/or livestock of an average gross sales value of ten thousand (\$10,000.00) dollars or more. Furthermore, the land used in agricultural production, must have the primary purpose of growing crops and/or raising livestock and livestock products, all of which must be for human consumption.

Adopted 06/24/93
Adopted 11/26/02
Adopted 11/30/09
Adopted 03/03/10
Adopted 10/31/13

Rev. 08/01/93
Rev. 01/01/03
Rev. 01/01/10
Rev. 04/05/10
Rev. 01/01/14

722

JOHANNA M. COLEMAN, TOWN CLERK
TOWN OF LANCASTER
21 CENTRAL AVE.
LANCASTER, N.Y. 14086
AREA CODE 1-716 683-9028

COPY

November 18, 2013

The Honorable Town Board
Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

Re: Ransom Auto Parts
Application for a 2014 License to Operate a Salvage Yard

COPY

Dear Town Board Members:

Enclosed is a copy of the above referenced renewal application for your review. Please notify me if you wish this office to prepare a resolution authorizing the issuance of this license.

Sincerely yours,

OFFICE OF THE TOWN CLERK



Johanna M. Coleman
Town Clerk

JMC/dt

Encl.

cc: Jeffrey Simme, Building Inspector [Encl.]

File: License/Licsalvg (P7)

COPY

COPY

COPY

Rev: November 1, 2007

TOWN OF LANCASTER
21 Central Avenue
Lancaster, New York 14086
Office Of The Town Clerk

Original License Application
 Renewal License Application

Application For License Pursuant to the Provisions of Chapter 4 of the Code of the Town of Lancaster entitled:

SALVAGE YARDS

Location of Place of Business: 867 Ransom Road
Lancaster New York 14086

Zoning of Place of Business: 6

Premises are owned or leased by applicant (circle one). If leased, attach copy of lease.

INFORMATION ON APPLICANT

Name of Applicant: Ransom Auto Parts Inc
Street Address: 867 Ransom Rd
City/Town/Village: Lancaster New York 14086
Phone: (Home) 683-0673 (Business) 684-1520
Date of Birth: _____

Corporate Applicants:

Use Exhibit "A" to list the name, address, corporate position, date of birth and past five (5) year residences of each corporate officer, director, or holder of ten percent (10%) or more of corporate stock of the applicant corporation.

Co-partnerships Applicants:

Use Exhibit "A" to list information on partners.

Individual Owner Applicants:

Use Exhibit "A" to list information on self.

INSURANCE REQUIREMENT

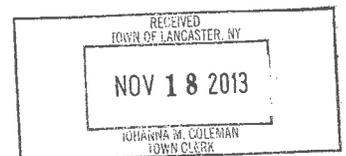
Applicant must attach to the application Certificates of Insurance indicating current insurance coverage for Worker's Compensation and Disability Benefits Insurance on the applicant's employees. Please note that Acord forms are not acceptable proof of New York State Workers' Compensation or disability benefits insurance coverage. If you have **no employees**, check here

DENNIS HANISZEWSKI
Print Name of Applicant

Dennis Hanzew
Signature and Title

Date: 11-14-13, 2013

\$250.00 non-refundable application fee received on (Date) 11/18/13





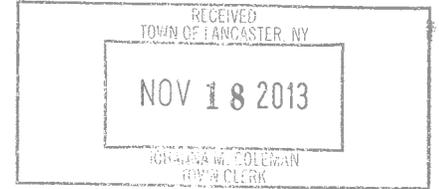
BUFFALO CRUSHED STONE

Division of New Enterprise Stone & Lime Co., Inc.

2544 Clinton St. • P.O. Box 710 • Buffalo, NY 14224 • (716) 826-7310 • FAX (716) 826-1342

423

November 15, 2013



Johanna M. Coleman, Town Clerk
Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

Re: Special Use Permit - 2014
Wehrle/Barton Facility: ML90018

Dear Mrs. Coleman:

Enclosed is our annual application for Special Use Permit for Sandbanks, Gravel Pits and Stone Quarries for 2014 and a check for Five Thousand Dollars (\$5,000.00) made payable to the Town of Lancaster.

A copy of the current combined Wehrle/Barton Quarry permit dated March 15, 2010 was submitted with our 2010 application and the associated mining and reclamation maps both dated 09/03/03 have not changed.

If you have any questions or need any additional information, please feel free to contact me at this office.

Very truly yours,

J. S. Laraiso
Exec. Vice President

JSL/dcm
Encs.

724

JOHANNA M. COLEMAN, TOWN CLERK
TOWN OF LANCASTER
21 CENTRAL AVE.
LANCASTER, N.Y. 14086
AREA CODE 1-716 683-9028

COPY

November 18, 2013

Mr. Joseph S. Laraiso, Exec. Vice President
Buffalo Crushed Stone, Inc.
P.O. Box 710
Buffalo, New York 14224

Dear Mr. Laraiso:

Enclosed is a Special Use Permit for the year **2014** to excavate sand, gravel and stone aggregates at the site outlined in said permit within the Town of Lancaster.

Sincerely yours,

OFFICE OF THE TOWN CLERK


Johanna M. Coleman
Town Clerk

JMC/dt

Encl.

cc: J. Simme, Building Inspector (Encl.)

COPY

COPY

COPY

2014 SPECIAL USE PERMIT

TOWN OF LANCASTER

Pursuant to the authority vested in the Town Clerk of the Town of Lancaster by resolution of the Town Board of the Town of Lancaster dated the 6th day of July 1992, Buffalo Crushed Stone, Inc., 2544 Clinton Street, P.O. Box 710, Buffalo, New York 14224, is hereby granted a Special Use Permit to excavate sand, gravel and stone aggregates within an area generally defined by Harris Hill Road, Wehrle Drive, Barton Road and the New York State Thruway within the Town of Lancaster:

Mined Land I.D. # 90018 - Expires 3/13/2015

The excavating of sand, gravel, and stone aggregates at this site shall be in conformity with the DEC mining permit issued for this site and reclamation plans supporting the issuance of the DEC permit.

This permit begins on January 1, 2014 and expires December 31, 2014.

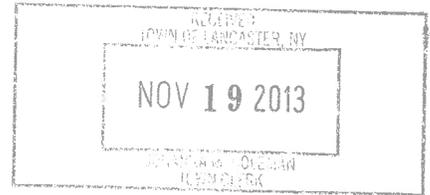

Johanna M. Coleman, Town Clerk

Date: November 18, 2013



725

November 18, 2013



Metro Bee Groups
Mr. Tray Measer, CEO
5564 Main Street
Williamsville, New York 14221

Dear Mr. Measer,

I have never written a letter to the editor in my entire life to any newspaper. Please see attached the letter I wrote to the Lancaster Bee Editor. I hand delivered it on Saturday before Veterans Day. I bought a Lancaster Bee the Thursday of that week and lo and behold, the article was not in the Bee. I put a call into the Lancaster editor the same day. I received no call back. On Friday, I called again and received a call later and was told that I could not quote another newspaper and that the Board did not say that they couldn't help a preservation group because the help needed was on private property. The editor said that is not what the Board said and that it was about liability. My question is, why did I not receive a call from the editor before printing of the Bee to let me know how "wrong" I was.

I again talked to the Hull House volunteer and was told that it was a question of private property and then they went on about liability and comp time, etc. Lancaster is such a town/village of preserving old homes I cannot accept that they wouldn't/couldn't help to preserve a portion of the oldest log structure in Erie County since the Gipple Log Cabin is in all the county history books.

Since I am also forwarding this letter to the Town of Lancaster Supervisor, Board Members and Town Clerk, I would just like to say that if I had had a big enough truck I would have brought it to the cabin, let the volunteers put the few logs they preserved on it, drove it to the Hull House and let the volunteers remove the logs from the truck.

The Hull House Foundation volunteers are preserving the Hull House which has a lot of history as does the Gipple Log Cabin. These people are preserving a part of Lancaster History. Do anyone of you appreciate that fact and I wonder if the Lancaster people appreciate what they are doing?

Since I supposedly got my facts wrong maybe when a Lancaster Board Meeting is held, the Supervisor, Board and Town Clerk should also research facts before they get so upset. You've had irate residents at your meetings before, for example the Kennedy Court development.

Sincerely yours,

Sharon L. Taylor, Executor, Estate of Hazel Gipple
606 Columbia Avenue
Lancaster, New York 14086

Cc: Julie Halm, Lancaster Bee Editor
Lancaster Town Supervisor
Lancaster Board Members
Town Clerk

November 7, 2013

Ms. Julie Halm
Lancaster Bee
5564 Main Street
Buffalo, New York 14221

RE: Letter to the Editor

I read with interest the article in the Bee and Buffalo News on November 5 and 7 respectfully. regarding the property on Harris Hill Road and Werhle Drive... As to the News article that stated the property was owned by Sam Tadio I would like to inform the public, Supervisor and Board that the owner of this property is the Estate of Hazel Gipple. As to the Bee article I don't think anyone in authority should get upset until they researched the facts and found out why something was not done. Also in the Bee on the 7th there was an article regarding the Gipple Log Cabin The Hull House volunteers cleared the overgrowth on the cabin, dismantled the cabin and are ready to move the logs. It is my understanding that a member of the Hull House came to a Board meeting and asked for help in removing the logs to the Hull House Property and were told no because the cabin was on private property. Ironically, if the cabin hadn't been moved, what is left of it, the Town wanted the developer to put a perimeter around the cabin and an access road up to the cabin? Would it then be considered private property? Haven't the Hull House people brought pride to this community making the public aware of part of Lancaster's history?



Sharon L. Taylor, Executor for the Estate of Hazel Gipple
606 Columbia Avenue
Lancaster, New York 14086

Apartment complex project comes to a halt; residents still upset

by JULIE HALM

Editor November 7, 2013

The 252-unit apartment complex project that Bella Vista Group had proposed for the area of 375-391 Harris Hill Road came to an abrupt halt on Monday, when the company withdrew its proposal.

According to Lancaster Town Board member Donna Stempniak, the move, which came on the day a public hearing was slated, may have been strategic.

Stempniak said during the public hearing on Monday that if the project, which included the rezoning of the area, had been denied, the company would have had to wait another year before resubmitting its application. Because the company pulled out, it can resubmit at any time.

Many residents were still displeased, however, saying the distribution of required documents had been spotty at best. Bella Vista was required to mail documents concerning the proposed complex to all residents within 200 feet of what would have been its border. Residents who spoke at the hearing said the documents came weeks apart for various residents, with two people in the area never receiving them at all.

"I am shocked that you didn't

get it," said Town Clerk Johanna Coleman.

The clerk and Supervisor Dino Fudoli said they would consider, for future instances in the town, having the companies involved responsible for printing and compiling the documents and then submitting them to the clerk's office for mailing. In that way, the town itself would have record of who had been mailed.

Stempniak noted that postage and other costs can be a pricey endeavor, and it was suggested that the companies would still be responsible for the payment of postage.

In a work session held prior to the meeting, members of the board discussed an unusual request submitted by businessman Russell Salvatore.

Salvatore had notified the Town Board that he would like to be buried on his Transit Road property, and documents suggested that while stipulations exist involving the action, such as the requirement of a hired funeral director to oversee the process, there does not seem to be any code or bylaw prohibiting it.

Members of the board gave their verbal consent to the request, provided that no information comes up that indicates the burial would be a legal issue.

BHO News 11/5/13

LANCASTER

Residents criticize 252-unit complex

By KAREN ROBINSON

NEWS STAFF REPORTER

The controversial 252-unit apartment complex that Bella Vista Group wanted to build along Harris Hill Road in Lancaster drew the ire of nearby residents Monday night, the same day the town received official word that the developer withdrew its proposal.

But the developer could still come back with another proposal for the same site at any time.

Town leaders said they'd just received formal notification earlier Monday of the developer's intention to pull its plan from review, with little indication as to what was behind its decision.

However, the Town Board still went ahead with a public hearing that had been advertised far in advance of Monday on the proposed rezoning that would have been necessary for the apartment project eyed for 375-391 Harris Hill Road.

The Town Board got an earful from residents who live in the area and are opposed to the requested rezoning of approximately 33 acres to multi-family from just residential, which would have allowed for the apartment development.

Moreover, Erie County officials found fault with how incomplete the application was, citing the lack of a traffic study, sanitary sewer issues, and the site's proximity to an active quarry that mines limestone rock for various regional construction projects.

Residents had their concerns, as well, chief among them density and traffic congestion in an area already facing plenty of traffic.

"The residential density is way out of character for the (neighborhood)," said Ron Oswald, whose Harris Hill Road home sits across from the property now owned by Samuel Tadio, of Cheektowaga.

Oswald questioned the impact of an apartment complex with parking allowed for 524 vehicles on current traffic, which often is bumper to bumper between 4 and 6 p.m. daily, he said.

Oswald also was concerned about a dumpster that would be near his property and the resulting odors that would impact him.

He and others also noted the existing wetlands of the property that Bella Vista was targeting for the apartments.

Several Harris Hill-area neighbors complained to town officials that they received the required notification from the developer at different times, some a few weeks ago and some very recently, while two said they never received any notice, which is required of developers to notify property owners within 200 feet of a proposed development.

By withdrawing the proposal, Bella Vista can still resubmit another one at any time. Had the developer let the town take action and it was denied, Bella Vista would have had to wait a full year before resubmitting another plan. Any new proposal would require another town public hearing.

The town Planning Board tabled the project Sept. 4 and then denied it two weeks later.

Councilwoman Donna Stempniak, liaison to the Planning Board, told residents how Erie County officials were not satisfied with the project and cited it for being incomplete when it went to review it. Stempniak also said residents should talk with one another to keep updated, in case Bella Vista would resubmit another plan soon.

email: krobinson@buffnews.com

Buff News

Correction

11-11-13

A stretch of land including 33.2 acres from 375 to 391 Harris Hill Road in Lancaster is owned by the estate of Hazel Gipple and not Samuel Tadio of Cheektowaga, as was reported in Tuesday's News. Tadio was under contract to buy the land, but canceled out last month. Inaccurate information had been provided by the town.

...

The Buffalo News corrects published errors of substance. To request a correction, please notify the editor by writing to: P.O. Box 100, Buffalo, NY 14240. Or call The News at 849-4444 and ask to speak to the editor of the department in which the article was published. Or email citydesk@buffnews.com or fax your request to 856-5150.

726

JOSEPH W. KEEFE

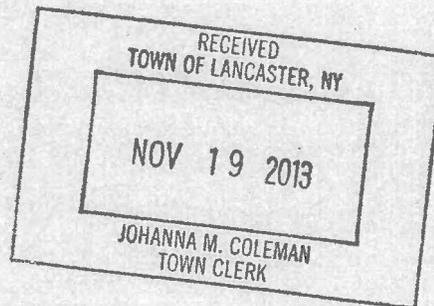
Attorney and Counselor At Law
25 Central Avenue
Lancaster, New York 14086
Telephone (716) 683-4222 Facsimile (716) 683-4228
e-mail: josephwkeefe@yahoo.com

November 19, 2013

Dino Fudoli
Town of Lancaster Supervisor

Town Council Members:
Donna Stempniak
John Abraham
Mark Aquino
Ronald Ruffino

21 Central Avenue
Lancaster, NY 14086



Dear Supervisor and Town Council Members:

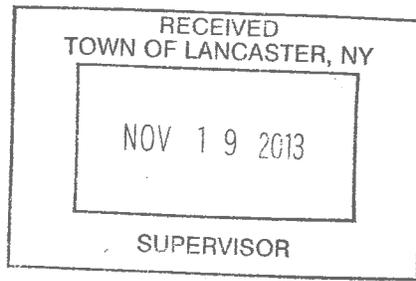
As you know, I currently serve on the Lancaster Town Planning Board. Please consider me for reappointment to the Board. My resume is on file with the Town Clerk. Thank you for your consideration.

Very truly yours,


JOSEPH W. KEEFE, ESQ.

727

TC
TB



Dear Supervisor Fudoli:

As you may recall, I recently presented at your last official meeting regarding healthcare reform, which I am pleased to have had the opportunity to do. I sincerely hope you found the information to be helpful, as our firm is continually seeking ways to keep our clients well-informed of all changes and regulations that are associated with the administration and offering of benefits.

Since 2010, with the enactment of Health Care Reform, we have been striving to create resources that will prepare our clients for the upcoming changes associated with the reform including, but not limited to, employer education and employee communications. In addition to our extensive knowledge of Health Care Reform, our firm also has the ability to provide union services on site. This inclusive service aids in relations and negotiations associated with the employee benefit process.

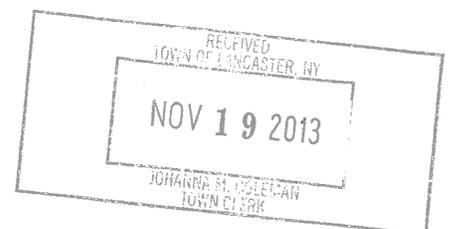
We, at Employee Benefit Concepts, are a dedicated team of professionals that look forward to having the opportunity to work with you collectively in providing a full range of services for your organization and valued employees.

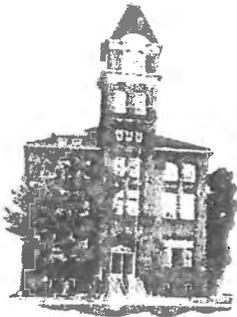
If you would like to discuss or have any questions relative to healthcare reform, your benefit offerings, or need any additional assistance, I encourage you to contact our office at (716) 674-7900. Thank you again for your time and allowing me to share the upcoming marketplace changes with you.

Sincerely,

Christopher J. Fiorello
Managing Partner, CBC, GBDC

Employee Benefit Concepts
1900 Ridge Rd
West Seneca, NY 14224
P: (716)-674-7900
F: (716)-674-9350





Town of Lancaster

OFFICE OF THE TOWN ATTORNEY

21 Central Avenue
Lancaster, New York 14086
PHONE: (716) 684-3342
FAX: (716) 681-7475

JOHN M. DUDZIAK
Town Attorney

MEMO

To: Supervisor, Town Board Members, Planning Board Members, Building Inspector, Town Engineer and Town Clerk

From: John M. Dudziak, Town Attorney

Date: November 20, 2013

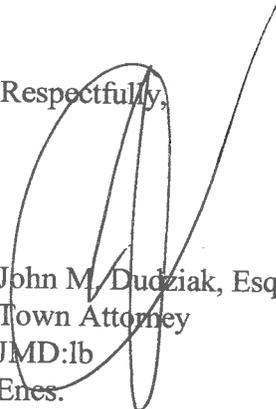
Subject: SEQR Review – Rezone; Young Development, Inc., 00 & 5828 Broadway; GB & A-R to MFR-4

PLEASE NOTE:

There will be a SEQR Review on the above-referenced project on Monday **December 2, 2013** at 6:00 P.M. in the Town Hall located at 21 Central Avenue, Lancaster, New York.

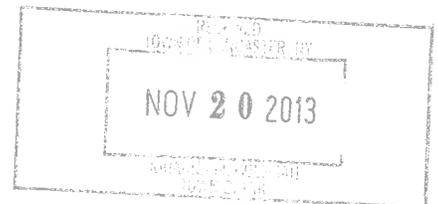
If you have any questions please feel free to this office.

Respectfully,



John M. Dudziak, Esq.
Town Attorney
JMD:lb
Encs.

CC: Sean Hopkins, Esq.



729
JOHANNA M. COLEMAN, TOWN CLERK
TOWN OF LANCASTER
21 CENTRAL AVE.
LANCASTER, N.Y. 14086
AREA CODE 1-716 683-9028

November 21, 2013

Buffalo News
Lancaster Correspondent
1 News Plaza
Buffalo, New York 14240

Lancaster Bee
5564 Main St
Williamsville, New York 14221

Lancaster Source
75 Boxwood Lane
Cheektowaga, New York 14227

**NOTICE OF SPECIAL MEETING OF THE TOWN BOARD AND PLANNING BOARD OF
THE TOWN OF LANCASTER**

Notice is hereby given that the Municipal Review Committee, comprised of the Town Board and the Planning Board of the Town of Lancaster, will hold a meeting on Monday, December 2, 2013 at 6:00 P.M. at the Town Hall, 21 Central Avenue, Lancaster, New York for the SEQRA Review – Rezone 00 & 5828 Broadway from GB & A-R to MFR-4.

Thank you for your cooperation in disseminating this information to the public. Please call me at 683-9028 if you have any questions.

Sincerely yours,

OFFICE OF THE TOWN CLERK



Johanna M. Coleman, Town Clerk

JMC/dt

cc: Town Board

NOTE: Post on Town Clerk's Bulletin Board

COPY

COPY

COPY

COPY

COPY