

TOWN OF WEST SENECA



Legal Department

TOWN SUPERVISOR
Gary A. Dickson

TOWN COUNCIL
Robert J. Breidenstein
Joseph J. Cantafio
Susan K. Kims
Jeffrey A. Piekarec

To: Town Board
From: Chris G. Trapp, Esq.
Re: Out of District sewer agreements
Date: May 2, 2022

Marrano will be building three single family residential homes at 6999, 6987, and 6975 Reserve Road which are in the Town of Orchard Park. They would like to connect to the Town of West Seneca Sanitary Sewer District No. 13. A motion is needed authorizing the Supervisor to execute the necessary agreements between the Town and Maranno/Marc Equity Corporation for each of the three lots.

**AGREEMENT
OUT OF DISTRICT SEWER CONNECTION**

This Agreement dated the ____th day of May, 2022, by and between the Town of West Seneca, a Municipal Corporation, located at 1250 Union Road, West Seneca, New York, acting as Commissioner of Sanitary Sewer District No. 13, (the "Town"), and The Maranno/Marc Equity Corporation, 2370 Transit Rd., West Seneca, New York 14224 (the "Customer").

WHEREAS, the Town has created Sanitary Sewer District No. 13 in accordance with the provisions of the law; and

WHEREAS, the Customer resides in the Town of Orchard Park, outside of the boundaries of said sanitary sewer district; and

WHEREAS, the Customer is desirous of using the sanitary sewer facilities of said sewer district; and

WHEREAS, it is the intent of the Customer to build single family residential units on said property, and

WHEREAS, upon the transfer of such property by the Customer to the owner of the residential unit, all such rights and responsibilities herein shall run with the land and transfer to the new owner, and

WHEREAS, the Town of Orchard Park has approved a request of the Customer to pursue an out of district sanitary sewer connection agreement with the Town of West Seneca, as recommended by its Town Engineer.

NOW, THEREFORE, in consideration of the furnishing of sanitary sewer facilities to the Customer by the Town, the Customer does hereby agree as follows:

1. To pay for its proportionate cost of trunk line construction and/or future maintenance to said lines.
2. To obtain and deliver to the Town any and all rights-of-way and easements, in recordable form, which the Town considers necessary to provide said service and pay the costs of recording same.
3. To pay required tap-in fee to the Town and abide by and conform with the rules and regulations of said district now and as amended.
4. To submit plans, prior to tapping in, to the Engineering and Code Enforcement Departments of the Town showing the number of buildings and waste facilities on the property of the Customer.
5. Not to add to or otherwise increase the flow of discharge into sewer

IN WITNESS WHEREOF, the Town Supervisor of the Town of West Seneca, acting on behalf of Town of West Seneca Sewer District No. 13 and an individual authorized to act on behalf of The Maranno/Marc Equity Corporation.

**TOWN OF WEST SENECA
SEWER DISTRICT NO. 13**

By: Hon. Gary A. Dickson, Supervisor
Dated: May __, 2022

**The Maranno/Marc Equity Corporation
6999 Reserve Rd., Orchard Park NY 14127**

By: _____
Dated: May __, 2022

**AGREEMENT
OUT OF DISTRICT SEWER CONNECTION**

This Agreement dated the ____th day of May, 2022, by and between the Town of West Seneca, a Municipal Corporation, located at 1250 Union Road, West Seneca, New York, acting as Commissioner of Sanitary Sewer District No. 13, (the "Town"), and The Maranno/Marc Equity Corporation, 2370 Transit Rd., West Seneca, New York 14224 (the "Customer").

WHEREAS, the Town has created Sanitary Sewer District No. 13 in accordance with the provisions of the law; and

WHEREAS, the Customer resides in the Town of Orchard Park, outside of the boundaries of said sanitary sewer district; and

WHEREAS, the Customer is desirous of using the sanitary sewer facilities of said sewer district; and

WHEREAS, it is the intent of the Customer to build single family residential units on said property, and

WHEREAS, upon the transfer of such property by the Customer to the owner of the residential unit, all such rights and responsibilities herein shall run with the land and transfer to the new owner, and

WHEREAS, the Town of Orchard Park has approved a request of the Customer to pursue an out of district sanitary sewer connection agreement with the Town of West Seneca, as recommended by its Town Engineer.

NOW, THEREFORE, in consideration of the furnishing of sanitary sewer facilities to the Customer by the Town, the Customer does hereby agree as follows:

1. To pay for its proportionate cost of trunk line construction and/or future maintenance to said lines.
2. To obtain and deliver to the Town any and all rights-of-way and easements, in recordable form, which the Town considers necessary to provide said service and pay the costs of recording same.
3. To pay required tap-in fee to the Town and abide by and conform with the rules and regulations of said district now and as amended.
4. To submit plans, prior to tapping in, to the Engineering and Code Enforcement Departments of the Town showing the number of buildings and waste facilities on the property of the Customer.
5. Not to add to or otherwise increase the flow of discharge into sewer

IN WITNESS WHEREOF, the Town Supervisor of the Town of West Seneca, acting on behalf of Town of West Seneca Sewer District No. 13 and an individual authorized to act on behalf of The Maranno/Marc Equity Corporation.

**TOWN OF WEST SENECA
SEWER DISTRICT NO. 13**

By: Hon. Gary A. Dickson, Supervisor
Dated: May __, 2022

**The Maranno/Marc Equity Corporation
6975 Reserve Rd., Orchard Park NY 14127**

By: _____
Dated: May __, 2022

**AGREEMENT
OUT OF DISTRICT SEWER CONNECTION**

This Agreement dated the ____th day of May, 2022, by and between the Town of West Seneca, a Municipal Corporation, located at 1250 Union Road, West Seneca, New York, acting as Commissioner of Sanitary Sewer District No. 13, (the "Town"), and The Maranno/Marc Equity Corporation, 2370 Transit Rd., West Seneca, New York 14224 (the "Customer").

WHEREAS, the Town has created Sanitary Sewer District No. 13 in accordance with the provisions of the law; and

WHEREAS, the Customer resides in the Town of Orchard Park, outside of the boundaries of said sanitary sewer district; and

WHEREAS, the Customer is desirous of using the sanitary sewer facilities of said sewer district; and

WHEREAS, it is the intent of the Customer to build single family residential units on said property, and

WHEREAS, upon the transfer of such property by the Customer to the owner of the residential unit, all such rights and responsibilities herein shall run with the land and transfer to the new owner, and

WHEREAS, the Town of Orchard Park has approved a request of the Customer to pursue an out of district sanitary sewer connection agreement with the Town of West Seneca, as recommended by its Town Engineer.

NOW, THEREFORE, in consideration of the furnishing of sanitary sewer facilities to the Customer by the Town, the Customer does hereby agree as follows:

1. To pay for its proportionate cost of trunk line construction and/or future maintenance to said lines.
2. To obtain and deliver to the Town any and all rights-of-way and easements, in recordable form, which the Town considers necessary to provide said service and pay the costs of recording same.
3. To pay required tap-in fee to the Town and abide by and conform with the rules and regulations of said district now and as amended.
4. To submit plans, prior to tapping in, to the Engineering and Code Enforcement Departments of the Town showing the number of buildings and waste facilities on the property of the Customer.
5. Not to add to or otherwise increase the flow of discharge into sewer

IN WITNESS WHEREOF, the Town Supervisor of the Town of West Seneca, acting on behalf of Town of West Seneca Sewer District No. 13 and an individual authorized to act on behalf of The Maranno/Marc Equity Corporation.

**TOWN OF WEST SENECA
SEWER DISTRICT NO. 13**

By: Hon. Gary A. Dickson, Supervisor
Dated: May __, 2022

**The Maranno/Marc Equity Corporation
6987 Reserve Rd., Orchard Park NY 14127**

By: _____
Dated: May __, 2022