

Resolution to approve of the Plant to Plant Agreement and Multijurisdictional Pretreatment Agreement between the City of Ithaca, Town of Ithaca, Town of Dryden and Village of Cayuga Heights

WHEREAS, the Ithaca Area Wastewater Treatment Facility (IAWWTF), which is owned and operated by the IAWWTF Owners, treats municipal wastewater originating from the City and Town of Ithaca, as well as portions of the Town of Dryden, pursuant to a Joint Sewer Agreement dated December 31, 2003, as it may be amended; and

WHEREAS, the Village of Cayuga Heights Wastewater Treatment Plant (VCHWWTP), which is owned and operated by the Village of Cayuga Heights, treats municipal wastewater from the Village of Cayuga Heights as well as portions of the Towns of Ithaca, Dryden, Lansing, and the Village of Lansing under the terms of individual agreements with the Village of Cayuga Heights and their respective sewer use laws and ordinances; and

WHEREAS, the four municipalities believe that it is in their best interests to make full use of existing community assets before building new or expanding existing facilities, provided any proposed agreement makes allowance for future demands within those municipalities during the agreement period, and that the costs are distributed in accordance with the benefits received, including avoided costs; and

WHEREAS, because their mission is to serve the aforementioned municipalities, there is a history of cooperation between the owners of the two wastewater treatment plants focused on protecting the environment by cooperating in the treatment of sewage; and

WHEREAS, the municipalities' Intermunicipal Wastewater Agreement dated December 31, 2003, endorses the concept of the Village of Cayuga Heights' utilization of excess IAWWTF capacity to leverage the efficient treatment of waste without causing an environmental emergency and/or to comply with DEC point discharge regulations; and

WHEREAS, the IAWWTF Owners must implement and enforce a pretreatment program to control discharges from all IAWWTF industrial users pursuant to requirements set out in 40 CFR Part 403; and

WHEREAS, the Village of Cayuga Heights agrees to adopt a sewer use law that subjects the industrial users within its boundaries whose wastewater discharges are capable of flowing to the IAWWTF to the necessary pretreatment controls, and to implement and enforce that sewer use law, and

WHEREAS, the Special Joint Committee of the IAWWTF (SJC), at its meeting of January 11, 2023, voted to recommend to its municipal boards to approve the two agreements attached hereto (including any non-substantive changes made for clarity by the SJC Chair and Attorney): (A) Plant to Plant Agreement Between City of Ithaca, Town of Ithaca, Town of Dryden and Village of Cayuga Heights, and (B) Multijurisdictional Pretreatment Agreement Between City of Ithaca, Town of Ithaca, Town of Dryden and Village of Cayuga Heights, contingent on approval of both agreements by the City of Ithaca, Town of Ithaca, Town of Dryden and Village of Cayuga Heights with further recommendation that the effective date of the two agreements be as of August 15, 2021,

Now, therefore be it

RESOLVED, that the City of Ithaca Common Council approves the two agreements attached hereto (including any non-substantive changes made for clarity by the SJC Chair and Attorney): (A) Plant to Plant Agreement Between City of Ithaca, Town of Ithaca, Town of Dryden and Village of Cayuga Heights, and (B) Multijurisdictional Pretreatment Agreement Between City of Ithaca, Town of Ithaca, Town of Dryden and Village of Cayuga Heights, contingent on approval of both agreements by the City of Ithaca, Town of Ithaca, Town of Dryden and Village of Cayuga Heights; and be it further

RESOLVED, that the effective date of the two agreements be as of August 15, 2021.