

MEMORANDUM OF UNDERSTANDING

Between

County of Ontario
20 Ontario St.
Canandaigua, New York 14424

And

Town of Gorham
4736 South St.
PO Box 224
Gorham, NY 14461

And

Town of Hopewell
2716 County Road #47
Canandaigua, NY 14424

Regarding

Explore extension of Sewer Service from Route 5 & 20 south near State Rt 247 and/or from State Route 364 east to serve the Lincoln Hill and Reed Corners areas in the Towns of Gorham and Hopewell that have low permeable rate/high clay content soils.

Purpose

Identify and manage private, public, and grant funding for construction of a sanitary sewer (especially to leverage private investment in sewer infrastructure to ensure sanitary sewer service can serve a greater area of the towns than just Lincoln Hill Farms). To work cooperatively to obtain necessary easements and/or land acquisition, the identification of the potential service area, and work toward a final intermunicipal cooperation agreement to manage the project. In addition, to coordinate efforts in constructing a sewer extension with working with New York State Department of Transportation to potentially provide a new local road connection between County Road 18 and Route 5 & 20 in support of the Town of Gorham's Access Management Plan to provide alternative access in the State Rt 364 corridor. Finally, to identify and implement storm water mitigation and management in the Fall Brook watershed as a sub-watershed of Canandaigua Lake. The partners envision a multi-phase project effort may be required to address these cooperative issues.

Partners

Designated partners of the MOU are: the County of Ontario, the Town of Gorham, and the Town of Hopewell. It is anticipated that the partners may work with other entities on various individual projects, and with the

consent of all partners, may formalize their relationship with such entities by including them as signatories and partners to this Memorandum of Understanding.

Responsibilities of the Partners

Each partner will have at least one representative attend periodic meetings to review options, costs, and issues associated with expanding the Canandaigua Lake County Sewer District as described herein. Each partner shall determine what, if any actions and/or expenses it will incur and/or contribute to this cooperative effort which may include such things as but not limited to evaluating engineering concept plans, polling local residents and landowners concerning modification of sewer district boundaries and/or service areas, developing project cost estimates, preparing and/or preparing grant applications, and contributing to and/or conducting planning, engineering and/or environmental studies. It is understood and agreed between the partners that authorization for these actions and/or expenses may involve action by the legislative board governing each partner, and thus authorization by a partner's representative shall not be deemed final until properly approved by the respective partner's legislative body.

Conclusion

This MOU is not binding on any of the partners except to the extent of action taken by a partner's legislature. The partners will endeavor to enter into a binding agreement in the event the sewer extension project necessitates it. Any partner may withdraw from this MOU at any time with or without cause upon thirty (30) days' notice. Any partner that withdraws from this memorandum of understanding shall remain responsible for all costs it's legislature agreed to be responsible for associated with the efforts contemplated herein up until the time it provides notice of such withdrawal to the other partners.

Christopher P. DeBolt, County Administrator
County of Ontario

Frederick S. Lightfoote, Supervisor
Town of Gorham.

Date

Date

Bill Namestnik, Supervisor
Town of Hopewell

Date