

**TOWN OF LIBERTY GROVE  
RESOLUTION 3-11**

**CORRECTION OF ERRORS IN DISTRIBUTION OF TREATMENT PLANT CAPACITY ALLOCATIONS**

Whereas the December 19, 1988 agreements between the Village of Sister Bay, the Town of Liberty Grove and the Liberty Grove Utility District #1, hereafter referred to as the Village, the Town and the District respectively, apportioned the Wastewater Treatment Plant capacity as follows:

Municipality	Flow	BOD	SS	P	Design
	gal/day	lbs/day	lbs/day	lbs/day	Capacity
Village	591,000	884	1,040	52	
	64.54%	37.32%	47.49%	50.98%	52.15%
Town	250,000	1,330	954	41	
	26.46%	56.14%	43.84%	40.20%	38.70%
District	104,000	155	182	9	
	11.01%	6.54%	8.36%	8.82%	9.15%
Total	945,000	2,369	2,176	102	
	100.00%	100.00%	100.00%	100.00%	100.00%

and whereas this allocation was modified to redistribute the capacity allocations according to a Town Board resolution of April 7, 1989 as follows:

Municipality	Flow	BOD	SS	P	Design
	gal/day	lbs/day	lbs/day	lbs/day	Capacity
Village	613,664	918	1,080	54	
	64.94%	38.75%	49.63%	52.94%	54.15%
Town	262,952	1,399	1,003	43	
	27.83%	59.05%	46.11%	42.16%	40.70%
District	58,506	87	102	5	
	6.19%	3.68%	4.71%	4.90%	5.15%
Total	935,122	2,404	2,185	102	
Actual Cap.	945,000	2,369	2,176	102	
	100.00%	100.00%	100.00%	100.00%	

and whereas these allocations are in error as evident by the incorrect totals compared to actual

plant capacity,

and whereas these allocations are being used to calculate usage costs and billing amounts,

and whereas the Village has proposed correcting the allocations and has requested the Town and District approve such corrections to allow usage in calculating July 2011 billing amounts,

and whereas there is insufficient time to negotiate an amendment to the intergovernmental agreements as will be required,

therefore, be it resolved that the Town approve proportional correction of the errors per the following table:

Municipality	Flow	BOD	SS	P	Design	Design
	gal/day	lbs/day	lbs/day	lbs/day	Capacity	Capacity(\$)*
Village	620,147	905	1,076	54		
	65.62%	38.20%	49.49%	52.94%	54.28%	51.05%
Town	265,729	1,379	999	43		
	28.12%	58.21%	45.91%	42.16%	40.58%	44.13%
District	59,124	85	101	5		
	6.26%	3.59%	4.64%	4.90%	5.14%	4.82%
Total	945,000	2,369	2,176	102		
	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

*\*Percentages refer to dollar value of each municipality's capacity to total capacity dollar value as of February 28, 2010.*

And be it further resolved that the Town's approval of this agreement of allocation of plant capacity shall be conditioned upon commencement of negotiations between the Town, Village and District on a new intergovernmental agreement on treatment plant operations and maintenance, negotiations to commence by February 15, 2011 with adoption by all parties of a new intergovernmental agreement by December 31, 2011.

*I hereby certify that the preceding resolution was passed at a special meeting of the Liberty Grove Town Board on the 7<sup>th</sup> day of February, 2011 by a unanimous vote of 5-0.*

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 Walter L. Kalms, Clerk/Administrator