

AGREEMENT NO. VI

BINGHAMTON - JOHNSON CITY JOINT SEWAGE PROJECT

AGREEMENT, made this 17<sup>th</sup> day of October, 2001, by and between the City of Binghamton, a municipal corporation located in the County of Broome and State of New York, and the Village of Johnson City, a municipal corporation, located in the County of Broome and State of New York.

WHEREAS, the City of Binghamton (hereinafter referred to as the "City") and the Village of Johnson City (hereinafter referred to as the "Village"), pursuant to Article 5(g) of the General Municipal Law, established a joint sewage project by agreement dated July 14, 1965, known as "Agreement No. I" and this project is administered by a board established by such agreement and known as Binghamton - Johnson City Joint Sewage Board (hereinafter referred to as the "Board"), and

WHEREAS, the City and Village entered into additional agreements dated December 7, 1967 (Agreement No. II), March 4, 1968 (Agreement No. III), March 5, 1973 (Agreement No. IV), and March \_\_\_\_\_, 2000 (Agreement No. V). Agreements II, III, IV and V all relate back to Agreement I and amend the original agreement or set forth additional matters agreed to by the Village and the City concerning the Joint Sewage Treatment Project.

NOW, THEREFORE, in consideration of the mutual promises and covenants of the parties set forth herein, it is hereby agreed that Agreement No. III dated April 24, 1968 between the City and the Village be and the same hereby is amended as follows:

1. Section seven of said agreement is hereby amended to read as follows:

"Section 7. This Agreement shall be effective immediately and shall continue to remain in effect for the entire period of indebtedness to the Environmental Facilities Corporation ("EFC") for Project No. C7-6201-03-00 relating to capital improvements to the plant beginning in 2001. To the extent permitted by law, Agreement I, Agreement II, Agreement III, Agreement IV, Agreement V and this Agreement shall be automatically renewable for five (5) year periods, unless one party gives written notice of termination signed by

the chief executive officer by personally serving such notice upon the clerk of the other party at least one (1) year prior to the end of the original term or of any renewal term."

IN WITNESS WHEREOF the parties hereto have executed this instrument the day and year first above written.

CITY OF BINGHAMTON

By:

Richard C. Bucci  
Richard Bucci, Mayor *J.A.M.C.*

VILLAGE OF JOHNSON CITY

By:

Harry G. Lewis  
Harry G. Lewis, Mayor

Attest:

Stephen F. Jensen  
City Clerk

Thomas F. Augustini  
Thomas Augustini, Village Clerk