JUDY WOOD-SHAW, KEITH COLLINS PRESENT: ERNEST W. MARTIN, MAYOR; **TRUSTEES ELLEN VOMACKA,** JOHN BASILE

ALSO PRESENT: ATTORNEY JAMES PELUSO

Mayor Martin called the meeting to order at 7pm and led the pledge to the flag.

charging rents Trustee Basile announced no public hearing to override the tax cap is necessary because they're

VILLAGE OF STILLWATER BOARD OF TRUSTEES

RESOLUTION

water WHEREAS the Village of Stillwater operates a water system for which the regulation and payment of is established by the Village Board of Trustees pursuant to Local Law No. 3 of 1999, and

\$3,887,000 over 38 years at an annual interest rate not to exceed 3.25 percent, the Village wishes to establish Saratoga County Water Authority which the Village has financed in part through an amortized loan of including the debt obligation of the new water pipeline connecting the Village's water distribution system to the system; and revised water rents to meet the increased indebtedness and costs necessary to operate and maintain the water WHERAS, in order to ensure the proper operation, maintenance and financing of said water system,

water system is approximately 166 gallons per day; and WHEREAS, the average water usage of single family homes by inside and outside users of the Village

usersresidential and commercial users; the benefit of the water system to vacant parcels serviceable thereby; and the manner in which the cost associated with the new debt obligation should be borne by the Village's water in assessing the propriety of any revised water rents; WHEREAS, the Village Board of Trustees has duly considered, among other things, the water usage of and

amended and provided for as follows: NOW THERFORE, it is hereby resolved that the Village's water regulations and rents shall be

- **Inside Users.** The annual charges to inside users shall consist of
- **a** An annual charge of \$230.00 per Equivalent Dwelling Unit (EDU). The EDU assigned to each office and the Table of Equivalent Dwelling Units contained with the Village Water Regulations inside water user are based on the real property classification listing on file with the assessor's
- (b) A water rent rate of \$4.12 per 1,000 gallons; and
- All other applicable rates, charges and penalties set forth in the Rates, which are attached to this resolution · Village's Water Regulations and
- Ņ **Outside Users.** Village does not have a contract) shall consist of: The annual charges to outside water users (those persons or entities with whom the
- (a) A water rent rate equal to the contract rate with the Town of Stillwater;
- All other applicable rates, charges and penalties set forth in the Village Water Regulations and Rates, which are attached to this resolution.

2012 and payable within thirty (30) calendar days. IT IS FURTHER hereby resolved that the annual EDU charge for inside users shall be billed on June 1,

Should an insider water user wish to challenge the number of EDUs assigned by the Village, they they must notify the Village Clerk's Office in writing of their objection and the basis thereof within five (5) business days number of EDUs assigned by the Village and include a copy of the Village Water Regulations and Rates IT IS FURTHER hereby resolved that the June 1, 2012 water bill sent to inside users shall identify the

218 of their receipt of the June 1, 2012 bill. Thereafter, inside water users shall be responsible for notifying the Village Clerk's Office in writing of any change in the use of their property that would affect the number of EDUs assigned by the Village at least thirty (30) days prior to June 1st of each year.

WATER REGULATIONS AND RATES EFFECTIVE JUNE 1, 2012

CONNECTION AND TERMINATION OF SERVICE

- \triangleright To connect to the Village Water System, all property in the Village of Stillwater must make an
- Ø application to the Village Treasurer.
 Only the Village Department of Public Public Works (DPW) will be
- O C. The Village Leparment of Public Works (DFW) will be allowed to make connection to said water system.

 C. The Village will furnish a curb stop and curb box to each consumer. The consumer must pay for the water meter and tap. The cost of a ¾ inch water meter will be the included in the tapping fee and must be paid before tapping is installed. Application may be made to the Village Board of Trustees for a connection larger than the standard 1 inch connection. In such event the cost of the meter and meter pit is to be negotiated between the applicant and the Village Board of Trustees and borne by the applicant and the Village Board of Trustees and borne by the applicant and the property owner and all labor in connection with the introduction and maintenance of such individual service and the Department of Public Works arranges for the connection of house service to the mains, the owner will be expected to become a customer within sixty (60) days of completion of connection. If said owner is not a customer within the sixty (60) days, the minimum will be charged for each six (6) month period, which passes without service commencing. This charge will continue until said services are in place.

 In the event a consumer requests their water service be terminated for any reason or length of time, there will be a service charge of \$300.00 to reinstate the service.

 Each single family residence will be connected to the main. On a lateral over a distance of 100 feet a meter pit will be installed at the Village main with the cost to be borne by the property owner. Hates jor connection to the system are pursuant to a fee schedule adopted by the Board.

 F. For industrial, commercial and multi-family the DPW will define the requirements and the associated costs.
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'n ACCESS TO VILLAGE WATER DEPARTMENT PROPERTY

 \triangleright prohibited from trespassing on or tampering All persons not employed by the Village of Stillwater Department of Public Works are Department. the property 으 said Village

ACCESS TO CONSUMERS PROPERTY

- ➣ DPW made at a reasonable hour. areas of any premises to which water supplied, provided that such request Upon request, any employee of the Village Trustees or member of the shall be allowed access Village Board ಠ <u>a</u>
- BREAKAGE AND/OR REPAIRS OF/TO THE VILLAGE WATER SYSTEM
- Þ mains or for any other necessary purposes faucet should be opened. consumer. In case of danger the hot water of damage in such case is borne by the cautioned against danger of collapse. boilers The Village may do so without prior notice to the consumer and any consumers having water to its mains for making repairs to said The Village reserves the right to shut off the 9 their premises are hereby
- Φ diligence and care to provide a constant supply of water through its system to consumers. It is of utmost importance to the Village that no break, failure or accident should occur. In the event of any such The reservoirs or supply lines of Water Supply System. any public enemy, the elements or any accident, failure or break in the machinery, any consumer for any damages resulting therefrom nor shall the Village be liable for occurrence, the Village shall not be liable to damage to any consumer caused by public enemy, the elements or any Village hereby agrees to use due the Village

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Consumers will be held responsible for the cost of renairs to a cost faulty, the Village will replace the valve for a fee of \$20.00 plus the cost of parts. meter if it becomes inoperable cost of repairs to or replacement of their reason. If a consumer's shut-off valve is for any

ឯ METERS TESTING 유 CONSUMERS WATER

➣ remote read meters a deposit of \$70.00 is required. The deposit is refundable in full if the meter is found to be faulty and requires the payment of a \$35.00 deposit, for new accuracy of any meter and replace it with a The Village may, at its own cost and at any time it alone deems necessary, test the period. consumer was charged during the previous consumer will be billed by the amount the meter does does not register correctly. new one at the consumer's expense if replacement. meter if requested by the consumer upon The DPW not register will test an old style correctly, In the event a that

ဂ္ PENALTIES METER RATES, BILLING AND

- ⋗ Unit (EDU) charge and a water usage rate The water rent rate within the Village shall consist of an annual Equivalent Dwelling
- W An EDU is the average amount of water used by a single family residence served by the Village water system (166 gallons per day). EDUs are assigned based on the real property classification listing on file with the EDUs for each classification. Properties with multiple uses are assigned Equivalent assessor's office Dwelling and Units the Table below.

Table of Equivalent Dwelling Units:

- assigned 1 EDU, each 2 family 2 EDUs, each 3 family 3 EDUs, each 4 family 4 EDU each. EDUs, and manufactured homes are Each single family residence is _
- $\overline{\mathcal{S}}$ EDU. Each church or parsonage is assigned 1
- ω Each bar is assigned 3 EDUs.
- restaurant with less than 50 person seating shall be assigned 3 EDUs with one additional EDU for greater than 50 Each persons. store **∀ith** മ snack 50
- Each unit. shall be commercial/industrial assigned one EDU for building each
- <u>ඉ</u> Each for each apartment unit. for each commercial unit and one apartments shall be assigned one commercial building that EDU EDU has
- と Each shop shall be assigned one EDU. gas station and auto-body repair
- ∞ Each assigned car washing ted one EDU one business ₫ each shall be washing

220 9) **(**

- Each professional office building shall be assigned one EDU for each office.
- 10)Each marina shall be assigned one EDU.
- 11)The SCSD and the Stillwater Community Center shall be assigned the number of EDUs equivalent to their usage divided by 166 gallons per day.
- 12)The Stillwater Ambulance Fund, Inc. shall be assigned one EDU.13)Each buildable lot shall be assigned 0.5
- EDUs.

 14)Each vacant property that cannot be
- built upon shall be assigned zero EDUs.

 C. The annual EDU charge shall be \$230. per EDU. The EDU charge will be billed on June 1st of each year. Village property owners are responsible for notifying the Village Clerk's Office in writing of any change in the use or classification of their property that would affect the number of EDUs assigned by the Village at least thirty (30) days prior to June 1st of each year.
- D. The water usage rate within the Village shall be Four and 12/100 (\$4.12) dollars per 1,000 gallons metered. There shall be a sixmonth minimum rate within the Village of \$36.60.
- E. All metered water outside the Village limits will be charged at the contract rate with the Town of Stillwater (\$6.00 per 1,000 gallons). The minimum rate will be based on 10,000 gallons. Minimum semi-annual rates for larger meters may be obtained by application to the Board of Trustees.
- June 1, 2012 until further notice. The June 1, 2012 until further notice. The Village reserves the right to amend or revise any of the foregoing rates and make changes as it may deem necessary. The Village will bill for water usage on a sixmonth cycle. All bills for service are due and payable within thirty (30) days from the date of mailing or presentation. The Village will impose a 5% late fee to each water bill with an outstanding balance each month that it is in arrears. The amount of the total unpaid water bills and the accumulated late fees at May 1st shall be added to the owner's Village property tax.

7. ESTIMATED WATER READINGS

➣ If the DPW is unable to obtain a Department does not have access to read a meter for the use during a period after an estimated reading, the property owner will documented reading, reading and the property owner fails to call in the reading within 3 days, the Village will event a reading is obtained after billing and can install a new remote read meter. In the make the premises available so the DPW that the premises is reading is available then 36,000 gallons will be billed unless we have written notification estimate the reading empty. if no documented based # the meter prior

the estimates are found to be high, there will be no adjustments or refunds on either the water or sewer billed by estimate. However, should the Village underestimate the amount of water used the property owner will be liable for the full cost of the actual water delivered and corresponding costs for sewer rents.

8. DECLARATION OF A "STATE OF EMERGENCY"

- ₽ deem necessary. In the event that any consumer does not immediately comply with such declaration and order, the Village may shut off the supply of wa consumer without further notice. other than the extinguishing of fires. devices or the use of hoses for any purpose discontinuance of The Village reserves the right to declare a "State of Emergency" may Emergency" and to order the ance of the use of sprinkling for such periods as continue supply of water to such In the event that any this "State may The <u>q</u>
- B. Consumers must not permit water to run to waste or supply it to others.

The Mayor opened the floor to public comment after advising the Board has tried to be fair, that everyone wanted a new water source and now we have to pay for it. There will be a .67 per thousand increase in the water rate and a fixed charge of \$230 for debt.

Bonnie M. asked if the Board received a significant number change and would a new bill be issued? Trustee Basile successful challenges. Basile responded of challenges, the rate could ⊢ he expected

months at the new rates, no real response was given. The Clerk asked if her office would be expected to bill two months at the old rates and four

Discussion was held on Trustee Basile's decision to treat properties with five or more units differently than others. The consensus was using consumption for the school was acceptable but all apartments should be treated the same.

Once again, lengthy discussion took place on why all users of the system were not being charged. Mayor Martin responded if he could charge the Town of Stillwater debt, he would but according to NYS Law, Village taxpayers are solely responsible for the debt and Trustee Basile stated the Village owns the line and the Village has to pay for it.

assignment. Several specific properties were discussed resulting ⊒. changing the original EDU

Vomacka MOTION to close the floor to public comment made by Trustee Basile, seconded by Trustee

Motion carried 4-0

MOTION to approve the Resolution and Water Regulations as presented made by Trustee Basile, seconded by Trustee Wood-Shaw

Discussion:

The current effective date is June 1, 2012, the Clerk advised she is unable to generate water bills at the existing rate on 5/31/2012, the rate should change October 1.

Change 6, B, 1 to read "Each single family residence is assigned 1 EDU, each 2 family 2 EDUs, each 3 family 3 EDUs, each 4 family 4 EDUs, each multi family is assigned EDUs equal to the number of living units, and manufactured homes are 1 EDU each."

Change 6, B, 11 to read "The SCSD and Stillwater Community Center shall be assigned the number of EDUs equivalent to their usage divided by 166 gallons per day."

Trustee Collins proposed \$220.00 as EDU rate

MOTION to amend the effective date to 4/24/2012, assign an EDU charge of \$220, change 6, B, 1 & 11, revise 6 C to read \$220 and revise 6 F to read April 24, 2012 made by Trustee Basile, seconded by Trustee Vomacka Discussion: The EDUs will be billed on the June 1 Village Tax Bills

Motion carried 4-0

Basile, seconded by Trustee Vomacka MOTION to adjourn to executive session at 8:45 pm for a personnel matter made by Trustee

Clerk was excused at 8:45pm.