

**REGULAR MEETING -BOARD OF TRUSTEES- MARCH 19, 2013-7:00 P.M.**

**PRESENT: ERNEST W. MARTIN, MAYOR; TRUSTEES - JOHN BASILE, TRUSTEE JUDY WOOD-SHAW, TRUSTEE KEITH COLLINS, TRUSTEE ELLEN VOMACKA CLERK/TREASURER: SHERISTIN TEDESCO SUPT. OF PUBLIC WORKS: ABSENT - ROBERT GERASIA ATTORNEY, JAMES PELUSO FIRE CHIEF – TONY CONTI BUILDING CODE OFFICER – LAWRENCE ALLEN**

Mayor Martin called the meeting to order at 7:00 P.M. and led the pledge to the flag.

Presentation given by Andy Rynph of Chazen Engineering in regard to the site plan application for the new Stillwater Town Hall. The presentation was a summary of the external plans for the Town Hall at the existing Parrish Center. The plans for the parking lot will not change. There will be additional striping for handicapped parking and other parking places to bring parking spaces sizing up to code. There are interior renovations being done to the building. The Board is satisfied with the current plans presented.

**CORRESPONDENCE**

The Village Board received a thank you card from the Mahar family for the donation of flowers for the funeral of Jean Mahar.

**FIRE DEPARTMENT REPRESENTATIVE: Tony Conti**

Report given for Feb. 2013. There were 2 alarms, 6 drills and one wake detail during the month of February. Tony stated he would like the key from Bob for the building on Ferry Lane to prepare for the storage of the steamer in the building. (Report on file)

**SUPERINTENDENT OF DPW: Robert Gerasia**

Absent due to snow plowing from the previous night. (Report on file)

**BUILDING CODE OFFICER: Lawrence Allen**

One Certificate of Occupancy provided to Richard Mosier at 1 Park Ave. Three inspections at 88 Colonial Road for footings, walls and back fill. Met with Jim Doyle in regard to the Stillwater Landing Project. (Report on file)

**COMMITTEE REPORTS:**

Trustee Basile reported that there is one subcontract remaining to be completed in April, in regard to the sewer project, and that is the lining of the thirty manholes. I was told this is to begin in a couple weeks. There is also the additional change for Barboit Court's gravity system, the water line needs to be moved for this to be completed. This may or may not be covered by the project. In regard to the water project, the fencing at Hillside will only be on our property and the portion of property to be covered by the easement. There will be three fences installed, one each at Cordero Blvd., Dick Lynch and the Hillside properties.

Trustee Collins – nothing to report at this time in open session.

Trustee Vomacka has been attending the Fire Dept's monthly meetings and they are working on rewriting the by-laws.

Trustee Wood-Shaw reported the Senior Program for February was a success with twenty people in attendance and special guest Paul Tonko. The comprehensive plan is still in progress. There are still volunteers needed for Village Emergency Disasters and I have had the webmaster post this on the website. There will be a Red Cross Shelter Training Class on 4/4/13 that I will be attending. The Board also needs to read the Emergency Comp Plan and approve it.

**TREASURER REPORT – Sheristin Tedesco**

Voucher totals by account for month.

"A" General Fund	\$ 26,175.84
"F" Water Fund	\$ 4,492.18
"G" Sewer Fund	\$ 7,091.17
"H" Capital Projects (Drainage)	\$ 629.00
<b>TOTAL</b>	<b>\$ 38,388.19</b>

The Clerk requested a budget increase of \$9,970.00 to A.1320.400 Auditor and \$6,400.00 to F. 8340.420 Professional Services to repay accounts from monies reimbursed by USDA on Form

E Rev. 13 and increase misc. revenue, paid to us 2/22/13. The auditor invoices were previously paid in 11/12 and 12/12.

**MOTION** to approve budget increase made by Trustee Basile, seconded by Trustee Vomacka. Motion carried 5-0

The Clerk requested a budget increase of \$5300.00 to G.9710.710 EFC Note Interest and Sewer Debt Reserve to cover interest payment that will be due in April 2013 of \$6500.00 that was under budgeted for current year.

**MOTION** to approve budget increase made by Trustee Basile, seconded by Trustee Wood-Shaw. Motion carried 5-0

The Clerk requested a budget transfer of \$4000.00 from Contingent A. 1990.400 to Buildings Gas & Oil A. 1620.409 to cover \$4000 balance carried from previous year that was paid in July 2012 to Bove.

**MOTION** to approve budget transfer made by Trustee Basile, seconded by Trustee Wood-Shaw. Motion carried 5-0

The Clerk requested a budget transfer of \$10,000 from F.1910.400 to A1910.400 to cover recent Adirondack Trust Ins. Invoice. First Insurance invoice of the year is usually split between A&F, but it was not this year because I did not know at the time. After researching past years, that is how I discovered it has been done in prior years.

**MOTION** to approve budget transfer made by Trustee Basile, seconded by Trustee Wood-Shaw. Motion carried 5-0

The Clerk requested a budget transfer of \$2500.00 from F.8340.403 Electricity and \$1500.00 from F.8330.412 Chemicals to F.8330.415 Purification Lab Fees to cover CNA invoice 510213 and estimated invoices for tests in May 2013.

**MOTION** to approve budget transfer made by Trustee Basile, seconded by Trustee Wood-Shaw. Motion carried 5-0

Report for February 2013 – copies provided to all board members listing all bank accounts with all receipts and expenditures for February 2013.

Updated revenue/expense control report – copies provided to all board members. Budget Adjustments – copy given to all board members.

#### **OLD BUSINESS**

**MOTION** to approve the SRX Proposal dated 3/5/13 to repair the WWTP lightning mixer for an amount not to exceed \$14,000 to be paid from G.8120.402 Sanitary Services for I&I made by Trustee Basile, seconded by Trustee Collins. Motion carried 5-0.

**MOTION** to approve the audit claims for the month made by Trustee Basile, seconded by Trustee Vomacka. Motion carried 5-0

**MOTION** to approve the Treasurer's report made by Trustee Vomacka, seconded by Trustee Basile. Motion carried 5-0

**MOTION** to approve the minutes from Regular Meeting dated 2/19/13 and Public Hearing minutes dated 3/7/13 made by Trustee Basile, seconded by Trustee Wood-Shaw. Motion carried 5-0

#### **NEW BUSINESS**

**MOTION** to approve the resolution revising water regulations and rates effective April 1, 2013, made by Trustee Basile, seconded by Trustee Vomacka.

## VILLAGE OF STILLWATER RESOLUTION

### Resolution Revising Water Regulations and Rates Effective April 1, 2013

**WHEREAS**, the "Water Regulations and Rates" were changed by resolution in March 2012;

**WHEREAS**, the Village Board of Trustees are desirous of revising the method of collecting Equivalent Dwelling Unit (EDU) water rents using the semi-annual water bill; **NOW, THEREFORE, BE IT RESOLVED**, that the Water Regulations be revised to include the collection of EDU rents twice each year utilizing the water bill to be effective with the billing April 1, 2013.

<b>Trustee Basile</b>	<b>Voting</b>	<b><u>Aye</u></b>
<b>Trustee Collins</b>	<b>Voting</b>	<b><u>Aye</u></b>
<b>Trustee Vomacka</b>	<b>Voting</b>	<b><u>Aye</u></b>
<b>Trustee Wood-Shaw</b>	<b>Voting</b>	<b><u>Nay</u></b>
<b>Mayor Martin</b>	<b>Voting</b>	<b><u>-----</u></b>

## WATER REGULATIONS AND RATES EFFECTIVE APRIL 1, 2013

### 1. CONNECTION AND TERMINATION OF SERVICE

- A. To connect to the Village Water System, all property owners in the Village of Stillwater must make an application to the Village Treasurer.
- B. Only the Village Department of Public Works (DPW) will be allowed to make connection to said water system. 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 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. All materials for individual service of consumers must be provided by the property owner and all labor in connection with the introduction and maintenance of such individual service must be paid for by such owner. If application is made for 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.
- D. 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.
- E. Each single family residence will be connected to one lateral, each new residence will have their own lateral 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. Rates for 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.

### 2. ACCESS TO VILLAGE WATER DEPARTMENT PROPERTY

- A. All persons not employed by the Village of Stillwater Department of Public Works are prohibited from trespassing on or tampering with the property of said Village Department.

### 3. ACCESS TO CONSUMERS PROPERTY

- A. Upon request, any employee of the Village DPW or member of the Village Board of Trustees shall be allowed access to all areas of any premises to which water is supplied, provided that such request is made at a reasonable hour.

### 4. BREAKAGE AND/OR REPAIRS OF TO THE VILLAGE WATER SYSTEM

- A. The Village reserves the right to shut off the water to its mains for making repairs to said mains or for any other necessary purposes. The Village may do so without prior notice to the consumer and any consumers having boilers on their premises are hereby cautioned against danger of collapse. Risk of damage in such case is borne by the consumer. In case of danger the hot water faucet should be opened.
- B. The Village hereby agrees to use due 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 occurrence, the Village shall not be liable to any consumer for any damages resulting therefrom nor shall the Village be liable for any damage to any consumer caused by any public enemy, the elements or any accident, failure or break in the machinery, reservoirs or supply lines of the Village Water Supply System.
- C. Consumers will be held responsible for the cost of repairs to or replacement of their meter if it becomes inoperable for any reason. If a consumer's shut-off valve is faulty, the Village will replace the valve for a fee of \$20.00 plus the cost of parts.

### 5. TESTING OF CONSUMERS WATER METERS

- A. The Village may, at its own cost and at any time it alone deems necessary, test the accuracy of any meter and replace it with a new one at the consumer's expense if it does not register correctly. In the event a meter does not register correctly, that consumer will be billed by the amount the consumer was charged during the previous period. The DPW will test an old style meter if requested by the consumer upon the payment of a \$35.00 deposit, for new 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 replacement.

### 6. METER RATES, BILLING AND PENALTIES

- A. The water rent rate within the Village shall consist of an annual Equivalent Dwelling Unit (EDU) charge and a water usage rate.
- B. 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 assessor's office and the Table of Equivalent Dwelling Units below. Properties with multiple uses are assigned EDUs for each classification.  
**Table of Equivalent Dwelling Units:**

- 1) 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 the number of EDUs is the number of living units and manufactured homes are 1 EDU each.
  - 2) Each church or patronage is assigned 1 EDU.
  - 3) Each bar is assigned 3 EDUs.
  - 4) Each store with a snack bar or restaurant with less than 50 person seating shall be assigned 3 EDUs with one additional EDU for greater than 50 persons.
  - 5) Each commercial/industrial building shall be assigned one EDU for each unit.
  - 6) Each commercial building that has apartments shall be assigned one EDU for each commercial unit and one EDU for each apartment unit.
  - 7) Each gas station and auto-body repair shop shall be assigned one EDU.
  - 8) Each car washing business shall be assigned one EDU for each washing bay.
  - 9) Each professional office building shall be assigned one EDU for each office.
  - 10) Each marina shall be assigned one EDU.
  - 11) The SCSO 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 \$220 per EDU. The EDU charge will be billed two times each year with the water bill. 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 April 1<sup>st</sup> 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 six-month 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.
- F. The rates quoted herein shall be effective 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 six-month 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 1<sup>st</sup> shall be added to the owner's Village property tax.

## 7. ESTIMATED WATER READINGS

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

- A. The Village reserves the right to declare a "State of Emergency" and to order the discontinuance of the use of sprinkling devices or the use of hoses for any purpose other than the extinguishing of fires. The Village may continue this "State of Emergency" for such periods as it may 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 water to such consumer without further notice.
- B. Consumers must not permit water to run to waste or supply it to others.

Motion carried 3-1

**MOTION** to adjourn to executive session to discuss GE litigation matters made by Trustee Vomacka, seconded by Trustee Collins.  
Motion carried 5-0

**MOTION** to exit executive session made by Trustee Basile, seconded by Trustee Vomacka.  
Motion carried 5-0

The General Election for the Village of Stillwater, County of Saratoga was held on 3/19/13. The results have been verified by the election inspectors Dorothy DeMarco, Cynthia Briggs, Kathleen Wood and Mary Moore and the Clerk Treasurer Sheristin Tedesco. The total number of voters was 24. Total votes for Ellen Vomacka was 23 and total votes for Keith Collins was 19.

**MOTION** to accept the results of the March 19, 2013 Election, by this board, as presented by the election inspectors made by Trustee Basile, seconded by Trustee Wood-Shaw.  
Motion carried 5-0

**MOTION** to adjourn made by Trustee Basile, seconded by Trustee Vomacka.  
Motion carried 5-0

Meeting adjourned 9:15 pm