

SPECIAL MEETING, WARRENSBURG TOWN BOARD, APRIL 2, 2014

A special meeting of the Warrensburg Town Board was held on Wednesday, April 2, 2014 at the Albert Emerson Town Hall at 4:00 p.m. with the following members present:

PRESENT:	Supervisor	Kevin B. Geraghty
	Councilperson	John Alexander
	Councilperson	Linda Baker Marcella
	Councilperson	Bryan Rounds
ABSENT:	Councilperson	Joyce Reed

Councilperson Reed entered the meeting at 4:38 p.m.

OTHERS PRESENT: Donna A. Combs, Town Clerk; Thomas Belden, Water Department; Tracy Benoit, Water Department; Thomas Suozzo, Town Engineer and Alan Hall, Sr.

DISCUSSION - TOWN WATER BILLING

Councilperson Alexander opened discussion telling the Town Board he and the Supervisor had been discussing apartments and they felt a good compromise for the Apartment Owners would be to use a flat rate of \$220.00 plus \$2.20 per 1000 gallon usage for apartments classified as No. 3, No.4 and No. 5's. Councilperson Alexander said he had spoken to 15 of these people, about twenty percent, and they feel that they understand the Town's logic. Councilperson Alexander said that now the Town has the data, the usage and the dollars it is generating so they can afford to do this, to just come up with a fair and balanced flat rate and maybe a fair and balanced per thousand gallons.

Supervisor Geraghty said he did not think apartments are commercial, they are living quarters, the trouble is even with the apartments today, if they have a senior who lives downstairs, and they rent upstairs we do not charge them the rate that is on here, we charge them a senior rate for the bottom and we do not charge them a commercial rate. Supervisor Geraghty said he did not feel that was right, they need to stay consistent. Supervisor Geraghty told Town Clerk Combs he did not care what they did in the past, he wanted to treat everybody fair and he wanted to treat everybody with the same rate. Supervisor Geraghty said who was to say that a young family lives down and they have grandma living upstairs, they are charging them a commercial rate but if it is a senior living downstairs because they own the property and a young kid living upstairs we do not charge them that rate, it is inconsistent and he thinks they need to be consistent, he does not care what they did in the past they need to be consistent for all people who rent apartments and be fair. Supervisor Geraghty said that was all he was going to say about it; it did not make sense that they have different rates all over the place. Supervisor Geraghty said that it would be nice if they had just two rates but they are not there yet. Supervisor Geraghty said he would say Joyce is concerned about what they are going to do

SPECIAL MEETING, WARRENSBURG TOWN BOARD, APRIL 2, 2014

about the single family people and they are not going to do anything right now; he does not here a lot of complaints.

Councilperson Alexander said they do not hear that either, \$195.00 and \$1.95 seems to be a pretty fair rate for residential. Councilperson Alexander said he had a couple different concerns he had sent them emails about. Councilperson Alexander said he felt \$220.00 and then \$2.20 per thousand. Councilperson Alexander asked Tom Suozzo, the Engineer, if he had any thoughts on a way to adjust that a little better.

Tom Suozzo told the Town Board that in a perfect world everybody would have a service connection. Mr. Suozzo told the Town Board they like to rate them as EDU's as he mentioned in his report because that is based on either a single family three or four bedroom single family home, that is working very well, as Councilperson Alexander said. Mr. Suozzo said that when you get into the use of a townhouse or a condo that would be 3/4 of an EDU, that is not a problem here, this is going on all across the United States, they use fractions or percentages from rate of a single family home or EDU. Mr. Suozzo told the Town Board a mobile home or an apartment maybe half of a residential EDU. Mr. Suozzo told the Town Board this is scaling back from what they had originally used but he feels it is the fairest way to do it. Mr. Suozzo told the Town Board if they went to a unit that has three or four apartments and those three or four apartments would be half of an EDU for each, where they loose is there is only one service connection so they are only going to get 20,000 gallons free and loose all of those other 20,000 gallons so there is a little bit of incentive to do it right. Mr. Suozzo told the Town Board it doesn't matter if it is two apartments or twenty apartments, it can all be billed the same and that is his recommendation.

Councilperson Alexander said if you were to take the N03, the one and one, right now they are at \$415.00, if it is two apartments you will take half of an EDU so they are back to \$97.50 times two which is \$195.00. Mr. Suozzo said if it is only one service connection they get the 20,000 gallons. Councilperson Alexander said if they took Mr. Suozzo's analogy, they would be at \$97.50 times two. Councilperson Alexander asked Mr. Suozzo what he would recommend for usage, telling him that right now they are at \$3.90 per thousand on the commercial rate. Mr. Suozzo told them it is all about what the Town Board needs to do, whether they consider it residential or commercial. Councilperson Alexander said that he liked what they discussed before, apartments up to four residential rate and five or more commercial rate.

Supervisor Geraghty asked what difference it made, make them all \$97.50 times the number of apartments.

SPECIAL MEETING, WARRENSBURG TOWN BOARD, APRIL 2, 2014

Councilperson Rounds said it is still a residential use of water, regardless of who owns the building or who lives there.

Councilperson Alexander asked if they wanted to make the usage \$1.95. Supervisor Geraghty said that means if a Senior owns the bottom and the kids are up at top, we are still going to charge them \$97.50 for each unit, you are not going to give the Senior Rate, you will charge them \$97.50. Supervisor Geraghty said to make it standard.

Mr. Suozzo said he would like to propose for the true seniors that the Town look at a quarter of an EDU, what ever the true senior setup is, an EDU. Mr. Suozzo said the true senior couple does not use a lot of water so a quarter of \$195.00, which ever that reduced fee is, they get the 20,000 gallons for free, so say they use 40,000 gallons, that would be \$20.00 more on top of the \$48.75. Mr. Suozzo said that eliminates the seniors that are going 70 to 80 thousand gallons, that puts a handle on that part because they are going to pay for all of that extra water they use. Mr. Suozzo said he did not know why they would be using that much.

Supervisor Geraghty said they would keep the Senior rate the way it is, \$48.75, but now charge usage. Councilperson Alexander said that would be for one single person.

Discussion ensued on the senior rate classification, who qualifies for it, how senior apartments are billed if it is senior owned and all seniors live in the building.

Supervisor Geraghty said if the town changes, they will pay \$97.50 for each unit, plus \$1.95 for each gallon used.

Discussion ensued on Alan Hall's apartment house with Mr. Hall regarding the 17 King Street building.

Tom Belden told the Town Board that for the future they should mandate multiple units having a single line for each one. Supervisor Geraghty asked Mr. Belden if our code says that. Mr. Belden said it does not have a date at this time; there is no date to make us change it. Supervisor Geraghty and Councilperson Alexander said they thought the code said 2016. Supervisor Geraghty said he did not think the public knows this. Councilperson Rounds asked Tom if they had a multi unit building that was being built, it would make sense to be able to come in with a four or six inch line and then divide it up inside.

Supervisor Geraghty said that Mr. Barlow split off his place, he has one entrance, he split off his garage apartment and put a separate meter in. Supervisor Geraghty said there is only once entrance there.

SPECIAL MEETING, WARRENSBURG TOWN BOARD, APRIL 2, 2014

Mr. Suozzo told the Town Board each one has to be looked at case by case. Supervisor Geraghty suggested the Town Code be checked. Mr. Belden said the Town has a lot of places like that, older structures.

Supervisor Geraghty said he was okay with the single seniors, we just do not charge them usage.

Mr. Belden said we have senior's who are using way over the 20,000 gallons. Supervisor Geraghty suggested we charge the Senior rate for anything over 20,000 gallons \$1.95 per thousand. Supervisor Geraghty said as long as we give people a reason, they will be ok with it.

Councilperson Baker-Marcella asked Mr. Suozzo why we put a meter on the property. Mr. Suozzo said to bill in an equitable way, and, because DEC promotes that when people are paying based on usage they will be more conservative. Councilperson Baker-Marcella said we want to measure the water they are using and then asked what difference it makes whether they have one meter or four. Mr. Suozzo told her that if they have four meters it would be split up equally between the four apartments, you would know each individual has, everybody would know exactly what they were using, and fairer for everyone. Councilperson Baker-Marcella said she was just trying to understand why they care about the number of meters, she thought the main objective was to be able to pay for the cost of the water system, and, bill for it in an equitable way. Supervisor Geraghty said yes, if you use it you pay for it. Councilperson Baker-Marcella said she was sorry, that she is in Real Estate and she did not agree with whoever's idea about some quarter units because she just listed a house that has four units in it with two people in each unit. Councilperson Baker-Marcella asked how they are using any more water than the guy across the road who has a house with four people living in it. Councilperson Baker-Marcella said they are not using any more water, so why should we be charging them two to three times as much, not only for the base amount but also for the gallons.

Councilperson Alexander said that is what they are amending right now. Councilperson Baker-Marcella asked what difference it makes; they are saying they want a town house with four people living in it to be half of an EDU.

Mr. Suozzo explained an EDU is a way of averaging things, there is always exceptions, this is a standard that they use.

Supervisor Geraghty said the usage rate would be \$1.95; it is coming way down from \$3.90.

Discussion ensued on the different usages that two family units have versus single family units.

SPECIAL MEETING, WARRENSBURG TOWN BOARD, APRIL 2, 2014

Councilperson Baker-Marcella said at the very least the Town should not be charging them a commercial rate but she did not see why the Town should be charging them any different.

Councilperson Alexander said the fees are being cut in half, a half of an EDU will be \$97.50, half of \$195.00 and they are only going to be paying \$1.95 on a thousand gallons on two apartments that have only one meter, we will keep adding EDU's on for the number of apartments.

Supervisor Geraghty said he felt what ever they based it on, they need to base it on the \$195.00, you can call it three quarters, it does not make any difference as long as you base it on the \$195.00; \$195.00 is their base, and, that is what they are basing everything on.

Supervisor Geraghty said they need to treat every apartment the same, regardless if it is a senior or a twenty year old, they need to all be treated the same. Supervisor Geraghty said it was his thought they were all in agreement \$1.95 per 1000 gallons over the base.

Mr. Suozzo told the Town Board he wished to reiterate that they have an EDU for a house, a half of an EDU for an apartment, a quarter of an EDU for Seniors and the commercial is two times the EDU, everything is based on an EDU.

Mr. Belden asked if everyone was now paying this \$1.95. Councilperson Alexander and Supervisor Geraghty replied if they are non-commercial. Supervisor Geraghty said they need to make the change for the single senior rate because they were not paying any usage, they need to institute that for them, they need to get this explained.

Supervisor Geraghty said we have agreed to charge apartments \$1.95 per gallon of water for anything over 20,000. Supervisor Geraghty said now they are trying to agree with \$97.50 as a flat fee.

Discussion ensued on the multiple apartment fees with Councilperson Alexander saying that for each apartment you will add \$97.50, and usage for the number of gallons will be half.

Supervisor Geraghty said that there are 7 No6's, 16 of the three apartment buildings. Discussion ensued on how the Councilperson Alexander had come up with the proposed \$220.00 rate. Councilperson Alexander said that back in December the Town Board looked at \$220.00 dollars. Councilperson Reed explained that was across the Board, they had bumped the residents up to \$220.00 and gave

SPECIAL MEETING, WARRENSBURG TOWN BOARD, APRIL 2, 2014

them 30,000 gallons instead of 20,000. Councilperson Reed said that when they did the figures it did not come anywhere near where they needed to be with the water budget.

Councilperson Reed questioned the reasons for changing apartments, 79 places, in the midstream of billing and asked what we are going to do for the rest of the residents. Councilperson Alexander said he had spoken to fifteen people out of the 79, personally called them and talked to them and this is where the biggest heartburn is, these people with the \$415 to \$465 with a flat rate is highway robbery and then \$3.90 a gallon but he is not hearing from the residential.

Discussion ensued on relieved water, the county making the town whole and people who have escrows. Councilperson Reed said she felt that if they make changes to the water billing again, they need to factor in the residences too.

Councilperson Baker-Marcella said she did not feel the residences were horribly out of whack where the apartments are.

Councilperson Reed asked the engineer and the water department if these were the figures they could agree to. Supervisor Geraghty said it was not their call; it is the town council's call.

Discussion ensued on the towns' water budget, and, the amount of surplus the water department ended up with at the end of the year.

Councilperson Baker-Marcella said she believed the Town needed a reserve, the school has a limit they can keep in reserve, she thinks when the town is collecting 100 percent more than what it is costing them and there are people who cannot pay their water bills; she thinks it is unjust. Councilperson Baker-Marcella said they did not know what they were doing and they used information provided to them, they used rationale that some people bought and that she did not necessarily buy, somebody thinks because somebody is making money in that building they should pay more for the water, she does not, water is water and if you do not want to pay so much than don't use so much.

Supervisor Geraghty told Councilperson Baker-Marcella he understood her logic but they were not there yet, they are not where they can charge x amount of dollars per gallon.

Supervisor Geraghty said the whole reason for the meeting tonight was to take the apartments out of the commercial and charge them as a residential. Supervisor Geraghty told the Town Board to set a rate for apartments because it is all over the place.

SPECIAL MEETING, WARRENSBURG TOWN BOARD, APRIL 2, 2014

RESOLUTION #70-14

APARTMENT RATE FOR WATER

On motion of Councilperson Alexander, seconded by Councilperson Rounds, the following resolution was ADOPTED by a show of hands:

AYES: Geraghty, Alexander, Rounds

NAYS: Baker-Marcella, Reed

IT IS RESOLVED, that apartments with classification of No3 to No5 will be changed from the commercial rate down to each apartment being a half of an EDU of \$97.50 and the usage rates will be reduced from \$3.90 per thousand to \$1.95 per thousand.

Supervisor Geraghty said every apartment will be treated the same, ere regardless of whether you are 1 or 101, and you live upstairs or downstairs.

Councilperson Alexander said that some of the other stuff that was in the email he sent was concern about the Senior's and they have talked about that and the people with unoccupied homes. Supervisor Geraghty told Councilperson Alexander they needed to make resolutions to make the changes. Supervisor Geraghty told Councilperson Alexander to make a resolution for single seniors first, that the Board has suggested that any usage for seniors over the 20,000 gallons will be \$1.95 per thousand.

RESOLUTION #71-14

SINGLE SENIOR WATER RATE AMENDMENT

On motion of Councilperson Alexander, seconded by Councilperson Rounds, the following resolution was ADOPTED by a show of hands.

AYES: Geraghty, Alexander, Rounds, Reed, Baker-Marcella.

NAYS: None

IT IS RESOLVED, that the Single Senior rate for water is amended to add any usage over the 20,000 gallons allowed for \$48.75 will be \$1.95 per thousand gallons.

DISCUSSION ON UNOCCUPIED DWELLINGS

Councilperson Alexander opened discussion telling the Town Board that unoccupied dwellings that have their meters turned off, not the snowbirds, the people who come back and the customer service turns them back on, they are paying the total rate right now of \$195.00 and they should not be, they should have something like a debt service fee of perhaps \$75.00.

Councilperson Baker-Marcella asked if they were using water. Supervisor Geraghty said it is sort of like the sewer, when the pipe runs in front of their property, we charge them.

SPECIAL MEETING, WARRENSBURG TOWN BOARD, APRIL 2, 2014

VACANT SERVICE CHARGE FOR WATER

A motion was made by Councilperson Alexander, seconded by Councilperson Rounds to create a new rate called debt service for \$75.00 a year. The motion was later revised.

Supervisor Geraghty asked for an example for the Town Board, and, choose John Higgins, 43 King Street. Supervisor Geraghty said the place is for sale and Mr. Higgins had pulled his meter, we are still charging him the base rate of \$195.00, but, he pulled his meter. Supervisor Geraghty said the Board is saying once a meter is pulled the rate should change to \$75.00, when the meter goes back in it will go back to \$195.00.

Councilperson Baker-Marcella asked why he is being charged at all if he is not using any water and does not have a meter. Supervisor Geraghty explained because the pipe goes in front of his house and it is a benefit tax, like the sewer that goes in front of someone's lot but we do not charge them operation and maintenance rate. Supervisor Geraghty said they thought they should reduce it from an EDU rate to a flat fee only if they unhook the meter. Supervisor Geraghty asked if there should be any qualifications with this rate. Supervisor Geraghty said somebody could pull this game; they could put the meter in and pull the meter out.

Mr. Belden said he felt it should have to be off for a year.

Councilperson Baker-Marcella asked if that meant it had to have been off for a year or did the year start when they pull the meter.

Supervisor Geraghty asked why they could not do this quarterly, \$25.00 a quarter, make it \$100.00, so if the meter is pulled when she bills you would charge them \$25.00, that way it would be \$25.00 a quarter.

Councilperson Baker-Marcella asked Mr. Belden if someone could be doing this, emptying one apartment and then calling him, could someone use that to lower their bills.

Supervisor Geraghty said that if at anytime during the quarter they put the meter back on they loose the vacant rate, it is always after the fact.

RESOLUTION #72-14

CREATE VACANT SERVICE CATEGORY

On motion of Councilperson Alexander, seconded by Councilperson Rounds, the following resolution was ADOPTED by a show of hands:

AYES: Geraghty, Alexander, Rounds, Reed, Baker-Marcella

NAYS: None

SPECIAL MEETING, WARRENSBURG TOWN BOARD, APRIL 2, 2014

IT IS RESOLVED to charge vacant buildings \$25.00 per quarter when the meter has been removed for the full quarter from the building.

DISCUSSION - BUSINESS APARTMENTS

Councilperson Alexander opened discussion saying he owns a business in town and he feels that business apartments should stay where they are, commercial because they do own a business and use a lot of water.

Supervisor Geraghty said he had checked with other communities and they do not consider apartments commercial.

Councilperson Reed asked if the changes would show for this billing.

Supervisor Geraghty said the changes would be effective immediately.

DISCUSSION-RETIREMENT AND WATER

Supervisor Geraghty opened discussion saying apparently Mr. Belden is in the retirement system and they need to update their resolution for him.

Town Clerk Combs said anyone who is an Official and signs an oath of office has to be in the resolution.

Supervisor Geraghty said Mr. Belden was a town employee, not a town official. Supervisor Geraghty said the county only does it for elected officials; Mr. Belden is an employee who has a standard straight eight hour work day.

Councilperson Baker-Marcella asked to have the apartments that they just changed for clarification was to give them 30,000 gallons of water.

Supervisor Geraghty said no, twenty and told her what he wrote was \$97.50 plus \$1.95 per gallon over 20,000 gallons and that he wrote for the seniors \$48.75 plus \$1.95 over 20,000 gallons, make it \$100.00 per year, \$25.00 a quarter.

Councilperson Alexander said an No3, which is two apartments would be \$195.00.

SPECIAL MEETING, WARRENSBURG TOWN BOARD, APRIL 2, 2014

There was no further discussion.

On motion of Councilperson Alexander, seconded by Councilperson Reed, the meeting was adjourned at 5:06 p.m.

Donna A. Combs, Town Clerk