

Board of Trustees
Village of Black River, New York



Agenda
Regular Meeting
September 11, 2023

- Call to order.
- Pledge of Allegiance.
- Approval of minutes of the 8/7/23 regular meeting and 8/28/23 special meetings
- Public Comment.
- Police Department Report.
- Code Enforcement Report & review of related correspondence.
- Clerk-Treasurer's Report.
- Superintendent's Report.

Correspondence Received:

- | | |
|-----------------------|---------------------------|
| A) Gary McCullouch | Re: Resignation |
| B) Rt. 3 Sewer Board | Re: Minutes |
| C) Carol & Leo Spink | Re: Yard waste pickup |
| D) Ronald Russell DOL | Re: Public works projects |
| E) James Holland | Re: Resignation |

Correspondence Sent:

New Business:

- A) Set public hearing for Rt. 3 sewer budget
- B) Set public hearing for Water Use Law Amendment

Unfinished Business:

- Reports from Standing Committees.
- Reports from Special Meetings.
- Authorize payment of bills; adjournment.

Mayor Dishaw called the regular meeting to order at 6:00 p.m.

Present:

Mayor Francis Dishaw
Trustee Bonnie Proven
Trustee Randy Lake
Trustee Corey Decillis
Trustee Gary McCullouch
Superintendent Les Williams
Clerk-Treasurer Kristin Williams
Police Chief Steve Wood

A motion was made by Trustee Decillis, seconded by Trustee Proven to approve the minutes of the 7/3/23 regular meeting and the 7/10 & 7/24 special meetings. The motion was carried.

Public Comment: Assemblyman Ken Blankenbush was present to discuss \$75,000 in NY State funding that may be available to help with repairs to the water reservoir.

Resident Mark Wonderly expressed concerns regarding property maintenance in the village.

Resident Mike Montigelli stated that an \$18,000,000 bond is too big and too fast and expressed concerns regarding the lack of public input.

Resident Lee Carpenter asked how much of the water project will be funded with grants.

Trustee McCullouch stated that the village has hired an engineer and that there is a better chance for funding for projects currently.

Trustee Lake stated that he is concerned about the lack of a permissive referendum for the bond resolution and that he cannot commit to it.

No motion was made to adopt the resolution.

Matt Cooper from Barton & Loguidice stated that he looked at the water tank inspection specifications. He stated that he could complete the bid solicitation.

A motion was made by Trustee Lake, seconded by Trustee Decillis to adopt the following resolution:
Resolved, that Matt Cooper from Barton & Loguidice be authorized to complete the bid solicitation for the water storage tank project. Mr. Cooper is to be paid an hourly rate for the solicitation to be deducted from the additional engineering contract. The motion was put to a vote as follows:

Mayor Dishaw	Yes
Trustee Lake	Yes
Trustee Decillis	Yes
Trustee McCullouch	Yes
Trustee Proven	Yes

The motion was carried and the resolution duly adopted.

Police Department Report: Police Chief Wood stated that he worked 93 hours in July, he stopped vehicles for speeding on NYS Rt.3 and South Main St. and that the radar sign has been ordered.

Superintendent's Report: Superintendent Williams stated that Levi Brownell started working and it is going well, the DPW fixed a bulging sidewalk on S. Main St., built a sign board for the park, picked 47 loads of brush, fixed water leaks on both Union & S. Main St., 20 water meters were replaced, the gazebo repair is almost complete and the hole hog needs to be repaired.

Correspondence Received: The board reviewed letters from Troy & Banks and Judith Perkins.

A motion was made by Trustee Decillis, seconded by Trustee McCullough to adopt the following resolution:

Resolved, that the following abstracts of audited vouchers be approved interim abstract dated 7/21/23 in the amount of \$21,765.00 (General Fund: \$19,926.65 Water Fund: \$1,838.35) and regular monthly abstract dated 8/7/23 in the amount of \$46,627.88 (General Fund: \$17,048.78 Water Fund: \$29,569.10). The motion was put to a vote as follows:

Mayor Dishaw	Yes
Trustee Lake	Yes
Trustee Decillis	Yes
Trustee McCullough	Yes
Trustee Proven	Yes

The motion was carried and the resolution duly adopted.

Kathie Montigelli thanked the board for their discussion of the bond resolution.

A motion was made by Mayor Dishaw, seconded by Trustee Lake to adjourn the meeting at 8:15 p.m. The motion was carried.

Respectfully submitted,

Kristin Williams
Clerk Treasurer

Village of Black River
Board of Trustees
Special Meeting
August 28, 2023

DRAFT

Mayor Dishaw called the meeting to order at 6:00 p.m.

Present:

Mayor Francis Dishaw
Trustee Corey Decillis
Trustee Randy Lake
Trustee Bonnie Proven
Superintendent Les Williams
Clerk-Treasurer Kristin Williams

Absent:

Trustee Gary McCullouch

Mayor Dishaw opened the sole bid from D&N Tank for the water storage tank improvements. The bid amount for the tank rehabilitation is \$85,615.00 and the replacement of the dome access hatch is \$13,725.00 for a total of \$99,340.

A motion was made by Trustee Lake, seconded by Trustee Decillis to adopt the following resolution:

Resolved, that the bid from D&N Tank for the water tank rehabilitation and the hatch replacement in the total amount of \$99,340 be accepted. The motion was put to a vote as follows:

Mayor Dishaw	Yes
Trustee Lake	Yes
Trustee Decillis	Yes
Trustee Proven	Yes
Trustee McCullouch	Yes

The motion was carried and the resolution duly adopted.

A motion was made by Mayor Dishaw, seconded by Trustee Decillis to adjourn the meeting at 6:19 p.m. The motion was carried.

Respectfully submitted,

Kristin Williams
Clerk-Treasurer

BLACK RIVER POLICE DEPARTMENT
MONTHLY REPORT
 August-23

	B/R		Jul-23	Jun-23	May-23
ARRESTS -	1		3	0	0
COMPLAINTS -	13		25	16	3
VEHICLE STOPS -	24		33	7	9
TICKETS ISSUED -	11		30	1	4
ACCIDENT REPORTS -	0		0	0	0
PARKING VIOLATIONS -	2		2	1	1
MOTORIST ASSISTS -	1		1	0	0
ASSIST OTHER AGENCY -	4		3	4	1
ESCORTS -	2		0	0	1
VEHICLES TOWED -	0		0	0	0
PROPERTY CHECKS -	2		19	7	2
INCIDENT REPORTS -	1		14	7	2
DOMESTIC REPORTS -	0		0	0	0
OFFENSE REPORTS -	3		3	0	0
FOLLOW UP REPORTS -	4		6	2	0
CRIMES REPORTED -	3		0	0	0

DAYS WORKED PER MONTH - 13/31 DAYS

HOURS WORKED - 95 HOURS

MILES DRIVEN - 350 MILES

EXTRA DETAILS - 24 hrs DWI Patrol, Radar sign up and in use.

SC WOOD #2701

POLICE CHIEF, STEVEN C WOOD #2701
 POLICE DEPARTMENT
 VILLAGE OF BLACK RIVER NY

UTT Report by Date

From 8/1/2023 to 8/31/2023

Date	Officer Name	Badge	Case Number	Section And Offense	Status	Location	Local Code
08/25/2023	WOOD S	01	0321H3TVL9	5091 UNLICENSED OPERATOR	7	SR 3 AT S MAIN ST	23BR00232
08/25/2023	WOOD S	01	0321H3TVK0	37535A PROHIBITED USE/STUD TIRES 5/1-10/15	7	SR 3 AT S MAIN ST	23BR00232
08/25/2023	WOOD S	01	0321H3TVB8	3752A3 NO/INSUFFICIENT TAIL LAMPS	7	SR 3 AT S MAIN ST	23BR00232
08/20/2023	WOOD S	01	0321H39NK9	1180D SPEED IN ZONE	7	SR 3 AT BURNUP RD BR	23BR00225
08/20/2023	WOOD S	01	0321H397W3	37535C UNSAFE TIRE	7	SR 3 AT STAFFORD DR	23BR00222
08/18/2023	WOOD S	01	0321H335J8	37535C UNSAFE TIRE	7	SR 3 @ W REMINGTON ST	23BR00219
08/18/2023	WOOD S	01	0321H331V8	1180D SPEED IN ZONE	7	200 BLK S MAIN ST BR	23BR00218
08/16/2023	WOOD S	01	0321H2VQ2R	37535C UNSAFE TIRE	7	SR 3 AT W REMINGTON ST	23BR00217
08/11/2023	WOOD S	01	0321H295X8	37535C UNSAFE TIRE	7	218 LERAY ST	23BR00208
08/02/2023	WOOD S	01	0321H1CX6K	5111A AGGRAVATED UNLIC OP 3RD (MISD)	7	200 BLK S MAIN ST	23BR00200
08/02/2023	WOOD S	01	0321H1CWTZ	1126A DRIVING TO LEFT OF PAVEMENT MARKINGS	7	200 BLK S MAIN ST	23BR00200

Summary

Query returned 11 records.



JEFFERSON COUNTY STOP-DWI

175 ARSENAL STREET
WATERTOWN, NY 13601

(315) 786-7468

Fax (315) 785-3299



STOP-DWI
COORDINATOR
JASON L. WIDRICK

E-Mail

jwidrick@co.jefferson.ny.us

August 22, 2023

Village of Black River Police Department
Attn: Chief Steve Wood
107 W. Dexter St.
Black River, NY 13612

Dear Chief Wood:

I wanted to reach out to you to extend my thanks and appreciation for your work during the 2022-2023 STOP-DWI High Visibility Engagement Campaign Grant Year, as it winds to a close. By my tally, you have stopped 84 individual vehicles during dedicated STOP-DWI shifts throughout the year, with 34 vehicle stops resulting in vehicle and traffic tickets thus far. These shifts are ones you willingly signed up for, on top of your usual assigned duties within your department. Thank you for your commitment to keeping the roads of Black River and Evans Mills safe. I am looking forward to working with you in the 2023-2024 STOP-DWI High Visibility Engagement Campaign (HVEC) Grant Year. I have secured an initial funding of \$2,000.00 to cover the cost of your HVEC shifts throughout this next season. As the HVEC Season progresses, I will give you more funds for additional enforcement hours as the budget permits. In addition, for your continued efforts to keep our streets safe from impaired drivers, I have included an additional \$2,000.00 for STOP-DWI and enforcement shifts outside of scheduled HVEC periods. Your requests for enforcement equipment have also been granted. Thank you again for your hard work!

Very truly yours,


Jason L. Widrick
Jefferson County Stop-DWI Coordinator

From: Gary McCullouch <gpmccull@gmail.com>
Sent: 8 August, 2023 9:32 AM
To: clerktreasurer blackriverny.org
Subject: Village Trustee Position

Dear Mayor Dishaw and Village of Black River Trustees,

I have made the decision to resign my position of Trustee. I regret that I will not fulfill my entire term, and I apologize that I failed to recognize the factors in this decision before I ran for this current term so that I would not have left mid-term.

As you know, I am employed by the New York State Department of Environmental Conservation as a Professional Engineer. Over the past decade that I have been a Trustee, I have been promoted into positions of increasing responsibility and decision-making authority at DEC. While there has been very little overlap between environmental regulations and village day-to-day activities, recent developments, like the effort to implement drinking water system improvements, have increased the potential for an apparent conflict of interest to arise. As I'm sure you understand, NYS Public Officers Law prohibits not simply actual conflicts, but any appearance or perception of such conflict.

In our exploration of drinking water improvements, we recently retained the services of a Professional Engineering consultant. While DEC does not directly regulate municipal drinking water systems, it routinely interacts with consultants that also work on sewage treatment systems which DEC does regulate. As I may make decisions on matters where our village consultant is involved, an apparent conflict starts to develop. In addition, as we move toward the development of a new supply well, the village will need to modify its water supply permit with DEC. The program manager responsible for this permit is under my direct supervision.

In order to assure the Village of Black River can continue its efforts to improve its drinking water system free from the potential consequences of an apparent conflict, including the likelihood I may need to recuse myself from critical decisions, I believe I will best serve the village by resigning my position.

I wish to express my respect and appreciation for all members of the Village Board. You have embraced your civic responsibility by acting as governing members of a representative democracy. I have learned this is no easy task, as it requires that you balance three tenets which are sometimes in conflict. First and foremost, you must serve with integrity to your own principles. You vote for what you believe is right, regardless of what anyone thinks. Second, you serve to fulfill the will of those that elected you. Third, you seek to understand the issues and vote for what you believe to be in the best interest of all village residents, without undue preference to your political party. At times this means voting not for what it seems people want, but what you believe they need, and what you believe they, if they were in your position, would recognize as what is best.

Lastly, I want to thank the village employees for their service to the people of Black River. These men and women give of themselves far beyond what should be expected in any job. The past decade has given me a deep appreciation for all they do, especially in the toughest of times. I wish all residents could see even a glimpse of what I have seen. Second only to your responsibility to serve the residents is your obligation to treat these staff with dignity and respect, including compensation, benefits, and a work environment that reflects their commitment.

Respectfully,

Gary P. McCullouch

TO: NYS ROUTE 3 CORRIDOR SEWER BOARD

FROM: Christina Vargulick, Secretary (as reported by B. Nutting)

DATE: August 15, 2023

RE: Minutes of August 14, 2023 meeting

Present: S. Allen, F. Dishaw and R. Taylor

Absent: G. Eddy, and B. Peck

Others: B. Nutting and E. Belt

The NYS Route 3 Corridor Sewer/Development Board met at the Village of Black River Municipal Building on Monday, August 14, 2023. F. Dishaw called the meeting to order at 4:32pm.

The Board reviewed the minutes for June 12, 2023. Motion made by S. Allen, seconded by R. Taylor to approve the minutes as presented. Ayes-3, Nays-0. Motion carried.

Operating Report

The period summary for June 2023 was distributed to the Board. The sewer flow was 8.6 MG. Fifty-nine percent (59%) of the total budgeted revenues were received. Expenses year-to-date were fifty-one percent (51%) of the total budgeted. Net cash of \$242,013.94 remained at the end of the period. The reserve account balance was \$226,493.19.

The period summary for July, 2023 was distributed to the Board. The sewer flow was 6.7 MG. Sixty-two percent (62%) of the total budgeted revenues were received. Expenses year-to-date were sixty-nine percent (69%) of the total budgeted. Net cash of \$58,851.56 remained at the end of the period. The reserve account balance was \$227,297.82. There were debt service payments for Rutland Phase 1 for \$39,000 and Town of Rutland Phase 3 for \$74,611.

Motion made by R. Taylor , seconded by F. Dishaw to approve the reports as presented. Ayes-3, Nays-0. Motion carried.

Agreed Upon Procedures (AUP)

Megan Wnek, Drescher & Malecki, LLP, presented the 2022 Agreed Upon Procedures report. The firm made reviews of the following categories: bank reconciliations, certificates of deposit, expenditures, revenue, and compliance with rates. No exceptions were noted as a result of applying the procedure. Motion made by S. Allen, seconded by R. Taylor to approve the report as

presented. Ayes-3, Nays-0. Motion carried.

Sewer Connection

The Board considered a request from Eldon Glick to camera a section of sewer main located at 32377/381 NYS Route 3 (parcel no. 76.05-1-3) to determine if a sewer lateral identified on the DANC GIS map exists. An investigation by O&M personnel concluded that the lateral in question was added to the map in error. There is no as-built drawing for the connection.

B. Nutting estimated the cost to camera the section, including trailer transport of the camera and two operators to conduct the work, at \$600.00. Motion by S. Allen, seconded by R. Taylor to advise Mr. Glick that any costs incurred for the camera investigation will be the responsibility of the property owner. Ayes-3, Nays-0. Motion carried.

(AUP) Request for Proposals

Erica Belt reported that proposals were received from four accounting firms (Bowers, Drescher & Malecki, Lumsden & McCormick, and North Country CPAs). The proposed ranking system scores: 15% for minimum requirements, 15% for audit approach, 15% firm experience, 15% for partner experience, and 40% for cost. E. Belt requested that each Route 3 community score the firms and forward their rankings to her to be compiled prior to the September meeting.

EFC Engineering Planning Grants

B. Nutting reported that Engineering Planning grant applications were submitted for the Towns of Champion, LeRay and Rutland who all submitted their respective authorizing resolutions. If successful, the grant awards require a \$10,000 match. The grants would benefit the entire Route 3 Sewer System by providing funding for preliminary engineering to identify sources of inflow and infiltration which increases the cost of collection and treatment to the system.

Motion by R. Taylor, seconded by S. Allen to authorize the payment of \$10,000 to the Towns of Champion, LeRay, and Rutland if they are awarded their respective grants. Ayes-3, Nays-0. Motion carried.

2024 Budget Discussion

B. Nutting reviewed the tentative 2024 budget as previously discussed by the Board. The Board agreed to a variable rate of \$252 annually/\$63 quarterly and a fixed rate of \$295/EDU. The variable rate for T/Rutland will be \$274 annual/\$68.50 quarterly as agreed previously.

Motion by S. Allen, seconded by F. Dishaw to schedule a public hearing on the 2024 preliminary budget on September 11, 2023 at 4:30pm at the V/Black River Municipal Building. Ayes-3, Nays-0. Motion carried.

Motion made S. Allen, seconded by F. Dishaw to adjourn. The meeting adjourned at 5:08pm.

The next scheduled meeting of the NYS Route 3 Sewer/Development Board will be held on Monday, September 11, 2023 at 4:30pm at the V/Black River Municipal Building.

Christina Vargulick

Christina Vargulick, Secretary
NYS Route 3 Sewer Board of Commissioners

8-17-23

VILLAGE OF BLACK RIVER

TRUSTEES

107 JEFFERSON PLACE

BLACK RIVER, N.Y 13612

RE: YARD WASTE PICK UP - ADDITIONAL DATES
BEYOND JULY

GENTLEMEN:

I WOULD LIKE YOU TO CONSIDER
ADDING AT LEAST 1 MORE YARD PICK
UP DATE FOR THE SUMMER MONTHS.

ONE YARD WASTE PICK UP IS NOT ENOUGH
FOR SUMMER, THAT BEING IN JULY.

I BELIEVE 1 MORE SHOULD BE SCHEDULED
FOR AUGUST AT LEAST, IF NOT EVEN
AN ADDITIONAL ONE FOR SEPTEMBER.

THANK YOU, FOR YOUR CONSIDERATION.

Carol & Lew Spink

137 Maple St.

Black River, N.Y 13612

315 816 0924

clerktreasurer blackriverny.org

From: Russell, Ronald P (LABOR) <Ronald.Russell@labor.ny.gov>
Sent: 25 August, 2023 1:11 PM
To: clerktreasurer blackriverny.org
Cc: Russell, Ronald P (LABOR)
Subject: New York State Department of Labor -Bureau of Public Work -Village of Black River

Good afternoon Ms. Williams -

It was a pleasure meeting you last week. We would like to schedule a sit down with village officials at your offices to go over some of the guidelines and requirements related to the letting of public work contracts. As I stated, I've done quite a few of these meetings with public agencies and we look at them as tool to curtail wage investigations by way of educating governmental entities of the NYS Labor Laws.

This would simply be a Q&A session with handouts where we will go over what the village should be doing to ensure that any private employers/contractors know how to pay their workers, as well as proper record keeping for everyone. We encourage attendees to assemble any questions they may have – this meeting is usually an hour or so, depending on the group.

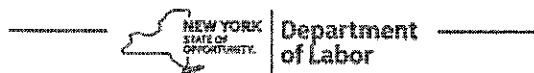
My schedule is quite flexible during regular business hours. We hope the village may create some dates and times where we can address these items to anyone who plays a role in public work projects for their particular government- often times we'll see clerks, supervisors, attorneys, mayors, engineers etc.

Thank you- I look forward to hearing from you and please call with any questions-
Ron (315)-426-2342 direct line

Ronald P. Russell
Public Work Wage Investigator

New York State Department of Labor | Syracuse District Office
333 E. Washington Street
Senator Hughes State Office Building, Room 419, Syracuse NY 13202
Office: 315-428-4056 | Ronald.Russell@labor.ny.gov
Facebook | Twitter | YouTube | LinkedIn

WE ARE YOUR DOL



Code Enforcement Office
Village of Black River, New York



August 31, 2023

Mayor Francis Dishaw
107 Jefferson Place
Black River, NY 13612

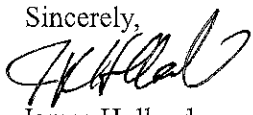
Dear Mayor Dishaw,

Please accept this as my formal notice of resignation from the position of Code Enforcement Officer. My last day will be December 31, 2023 or immediately following the issuance of the Certificate of Occupancy for the new home being built at 121 Howe St, whichever occurs last.

I have chosen this date to allow the village time to find a replacement and to not complicate the process of building this new home. If the board desires to transition to another Code Enforcement Officer prior to the end of the year, I will assist in any way I can with the transition.

I appreciate your support during my tenure here, and I take with me the valuable experiences I have gained over the last five years. It has been a pleasure working with you, the board, and the village's greatest assets, the other village employees.

I wish you and the village the best in the future.

Sincerely,

James Holland
Code Enforcement Officer

CC:Village of Black River Board of Trustees
Village of Black River Planning Board

RD 4 Sewer Corridor Budget - 0% Fixed EDU Increase - 0% Variable EDU Increase

	2024 Budget	2023 Budget	Fixed EDUs	Variable EDUs	Extra Charges	
REVENUE						
- Black River (North & South)	\$299,223.00	\$299,078.50	575.00	476.00	\$15,000	
- Champion	\$116,437.00	\$111,379.75	221.00	203.50	\$2,100	
- LeRay	\$246,343.00	\$245,331.50	495.00	356.00	\$15,000	
- Pamela	\$110,814.00	\$110,187.00	206.00	204.00	\$688	
- Rutland	\$366,265.00	\$371,984.00	635.00	625.00	\$14,000	
- Interest & Misc.	\$6,000.00	\$36.00				
- Transfer from Reserve	\$0.00	\$0.00				
Total Revenues	\$1,146,082.00	\$1,137,956.75	2132.00	1864.50	\$46,788	0.6%
EXPENSES						
Annual DANC O&M Contract	\$100,354.38	\$98,386.65			*	
Annual DANC Administrative Contract	\$11,746.69	\$11,516.37			*	
Municipal Administration						
- Black River	\$3,450.00	\$3,447.00			*	
- Champion	\$1,326.00	\$1,270.50			*	
- LeRay	\$2,970.00	\$2,949.00			*	
- Pamela	\$1,236.00	\$1,236.00			*	
- Rutland	\$3,810.00	\$3,786.00			*	
General Administration	\$3,626.00	\$3,626.00			*	
Repairs & Maintenance	\$82,000.00	\$81,600.00			*	
Utilities	\$43,000.00	\$41,000.00			*	
Collection & Treatment	\$345,000.00	\$325,000.00			*	
Interest (RD Loans & BAN)	\$0.00	\$0.00			*	
Insurance, Legal, Audit	\$9,500.00	\$9,500.00			*	
Total O&M Expenses	\$608,019.08	\$583,317.52				
MISC EXPENSES						
Capital Improvements	\$0.00	\$0.00			*	
Operational Reserves	\$0.00	\$0.00			*	
Contributions to Reserves	\$46,000.00	\$50,000.00			*	
Operating Contingency	\$0.00	\$0.00			*	
Total Misc. Expenditures	\$46,000.00	\$50,000.00				
DEBT SERVICE PAYMENTS						
- Black River North	\$53,725.00	\$53,725.00			*	
- Black River South	\$92,325.00	\$91,025.00			*	
- Champion/Great Bend	\$35,760.00	\$35,760.00			*	
- Champion/Pine Ridge	\$8,100.00	\$8,100.00			*	
- Town of LeRay/Pamella Phase 1	\$61,980.00	\$61,980.00			*	
- Town of LeRay/Pamella Phase 2	\$33,140.00	\$33,140.00			*	
- Rutland Phase 1	\$39,000.00	\$39,000.00			*	
- Rutland Phase 2	\$66,000.00	\$67,000.00			*	
- Rutland Phase 3	\$75,708.00	\$74,811.00			*	
- Gardner Tract	\$15,580.00	\$15,580.00			*	
Total Debt Service Payments	\$483,318.00	\$479,921.00				
Total Expenditures	\$1,137,337.08	\$1,113,238.62				2.12%
Cash Balance Forward (estimated from previous year)	\$ -	\$ -				
Net Cash/Deficit	\$7,744.92	\$24,756.23				
RESERVE ACCOUNT						
- Reserve Account - Beginning Balance	\$ 281,294.27	\$ 153,263.00				
- Transfer to (from) Reserve Account	\$46,000.00	\$50,000.00				
- Interest Income - Reserves	\$ 9,762.00	\$ 1,594.25				
YTD RESERVE CASH BALANCE	\$ 337,056.27	\$ 204,857.25				

Per Quarter
Rutland Variable EDU
Cost \$ 5.50

Fixed \$/EDU	Var \$/EDU	Total
\$289.00	\$248.00	\$537.00
	Increase 2023	% Increase 2023
\$ -	-	0.0%
\$ -	-	0.0%

Proposed Rate to Balance Budget	2024	2023
Fixed \$/EDU:	\$289.00	289
Variable \$/EDU:	\$248.00	248

Notes & Assumptions:

- Increase of 2.0 percent for DANC O&M Contract and 2.0 percent for DANC Administrative Contract and General Administration.
- 0% Fixed Rate Increase and 0% Variable Rate Increase.
- Increase in Rutland Variable Rates due to under billing in previous years
- \$46,000 contribution into reserves
- Increase in revenues by 0.6% and expenditures by 2.1%

**JEFFERSON COUNTY
NOTICE OF PUBLIC
HEARING**

Notice is hereby given that the preliminary budget for the NYS Route 3 Sewer System for the fiscal year beginning the 1st day of January, 2024 has been completed and filed with the clerks in the Towns of Champion, LeRay, Pamelaia, and Rutland and the Village of Black River where it is available for inspection during regular business hours. Further notice is given that the NYS Route 3 Sewer Board of Commissioners will meet and review said preliminary budget and hold a public hearing thereon at the Village of Black River Municipal Building, 107 Jefferson Place, Black River on Monday, September 11, 2023 at 4:30pm and that at such hearing any person may be heard in favor of or against any item or items contained therein.

By Order of the Board of
Commissioners

VILLAGE OF BLACK RIVER WATER USE LAW

Establishment of rules; definitions.

- A. The following rules and regulations are established by the Mayor and Board of Trustees of the Village of Black River, and every person who shall be supplied or whose property shall be supplied automatically accepts said rules, and the same shall constitute a part of the contract between such persons and the Village.
- B. The word “consumer” shall be used in these rules and regulations. It shall mean the owner of the property.
- C. The words minimum charge shall be used in these rules and regulations. It shall be defined as the cost of all indebtedness, fixed operational costs and other costs deemed fixed by the Village.

Current water charges

Water charges may be changed by resolution passed by the Board of Trustees of the Village of Black River.

Water supply.

- A. All piping required for transmission and distribution must conform to current AWWA Standards and Specifications and must conform to New York State Department of Health regulations.
- B. Curb stops shall be provided for each residence, and each residence shall have all water metered at the consumer’s expense.

Water policies inside Village.

- A. The installation, maintenance and repair of water lines on private property beyond the curb stop shall be the responsibility of the consumer.
- B. If, in an emergency situation, the Department of Public Works employee determines that it is in the best interest of the Village to assist with a break due to the severity of the problem, or whereby the break may result in other related problems, the employee must have approval from the Department of Public Works Superintendent to continue. In this situation the consumer must be made aware that a bill for services may be presented.
- C. No water service shall be initiated or terminated and no water meter shall be installed or removed except by employees of the Department of Public Works.
- D. No unauthorized persons shall be permitted to open or shut any fire plug, hydrant, gate, shutoff or curb stop attached to any Village water meter.

- E. Meters will be installed or removed only during regular working days of the Department of Public Works and will not be installed or removed on weekends or holidays.
- F. The Village Department of Public Works may discontinue water service on any part of its system at any time deemed necessary in order to make repairs or extensions. The Village Department of Public Works will attempt to provide advance notice of any discontinuation of service to all users affected thereby, but shall not be required to do so when circumstances do not permit delay.

Water policies outside Village.

- A. The Village of Black River will continue to supply water to properties outside the Village which are already connected to the Village water system. The connecting of new properties outside the Village to the Village water system must have approval from the Village Board.
- B. The Village will neither work on lines outside of the Village or on private property.
- C. Where a contract exists and there is a conflict between the contract and this policy, the wording of the contract shall supersede.

Meters required.

- A. All water services, except those used exclusively for fire purposes, shall be metered. Meters shall be obtained from the Department of Public Works, and all municipal repairs and testing must be made by the Department of Public Works.
- B. Residential water meters shall be furnished by the Department of Public Works at no cost and maintained by the Department of Public Works. Damage to the meter not caused by the Department of Public Works is the responsibility of the consumer, including cost for removal, repair, testing and replacement.
- C. Water meters one inch and larger for new construction shall be purchased by the consumer and shall be installed and maintained by the Department of Public Works. Meters one inch and larger that are preexisting and require replacement will be paid for by the Village. Cost of maintenance of and damage to the meter not caused by the Department of Public Works is the responsibility of the owner of the property where the meter is installed, including cost for removal, repair, testing and replacement.

Location of meters.

- A. All water meters must be placed in an accessible part of the building or basement so that they may be read or removed. When placed in a pit, specifications for such a pit must be obtained at the Department of Public Works. Just inside of the basement or pit wall into which the service pipe extends, a shutoff valve must be placed ahead of the meter. On all water meters two inches and larger, a backflow preventor must be installed under the Department of Public Works specifications. All new, repaired or replaced

services will be required to have a Department of Health approved backflow prevention device after the water meters. All water meters must be in a heated environment to eliminate freezing; the consumer will be required to pay all costs for removal, repair and/or replacement of meters damaged or destroyed due to freezing. Any new construction without basement requires a meter pit. A meter pit must be used when the Superintendent deems necessary due to distance from the water main. *If a meter pit is deemed necessary by the Superintendent, the cost will be borne by the consumer. The consumer will pay current pricing for the required meter pit.*

- B. There shall be no plumbing fixtures, water softeners, etc., tied into the supply line before the meter, with the exception of one hand valve to facilitate the replacement of a meter.
- C. It shall be the obligation of the consumer to provide a suitable location for the piping adapted to receive the water meter and an operable hand valve on the service side of the meter.

Buildings with multiple meters.

In any building with multiple meters, there shall be a main water shutoff just inside the wall and individual shutoffs for each meter in the building. It shall be the responsibility of the consumer to provide the individual valves for each meter.

Breaking of seals.

All water meters, when set, are sealed to prevent tampering. No person except an authorized employee of the Department of Public Works shall break such seals or tamper with said meter.

Inspections.

Any employee of the Department of Public Works, upon proper notification and identification, shall have the right to enter any premises where municipal water is being supplied for the purpose of inspecting, installing, removing or reading a meter, plumbing and fixtures of the water service and all work in connection with the service.

Permits; request for service.

Application for water service from the street main to where the shutoff valve will be located must be submitted a minimum of one week prior to commencing work. Consumer must pay tap in fee upon approval.

Taps.

A separate tap is to be required for each lot supplied with water. This tap is to be made by an employee of the Department of Public Works for three-quarter-inch through one-inch, with the costs to be borne by the consumer. Taps for connections larger than one-inch will be made by the consumer at his expense under Village supervision by an experienced contractor to be verified and approved by the Department of Public Works Superintendent.

Cost of Installation.

- A. Initial hookup to the Village water lines from the main to the curb stop or meter pit which must be located in easement area or right of way will be performed by the Department of Public Works at the current rate. See attached rate and fee schedule.
- B. Repair of leaks from the main to the curb stop will be performed by the Department of Public Works at no expense to the consumer.

Pipe specifications.

All service pipes used to serve residential homes and small commercial businesses must be a minimum of (three quarter-inch through three inches) from the water main to the curb stop and from the curb stop to the building will be Type K copper or SDR 9 or HDPE with a wire, for locating, upon the approval by the Superintendent.

All connections underground will be compression fittings; no sweat joints will be allowed. The service pipe used for large commercial businesses and industry, two inches or over in size, shall be cast-iron or ductile iron pipe from the water main to the curb valve. The service pipe from the curb valve to the building shall be cast-iron ductile or other materials approved by the Superintendent.

Laying of service pipes: notification to Department of Public Works.

Service pipes will be required to be laid not less than 48 inches below the surface of the earth. This applies to the established grade where it has been fixed. A water service cannot be laid in the same trench with a sewer lateral and shall have a minimum of four feet horizontal clearance from any sewer lateral. Additionally, water service lines will have 10 feet lateral clearance from any other utilities, if possible, within the Village right-of-way. No trench will be backfilled in any manner before inspection for leaks and clearances is made by a representative of the Department of Public Works. Pipe must be bedded in sand or other appropriate materials.

Maintenance of service pipe.

The owner of the property into which water is supplied by a service pipe will be required to maintain in perfect order, at his own expense, said service pipe from the curb stop to his building. Failure to make necessary repairs after due notice, in writing, by the Village Board will result in the water being turned off until such time that satisfactory repairs are made. Maintenance of the service pipe from the main to the curb stop will be performed by the Department of Public Works.

Backflow preventors.

Where required by the New York State Department of Health Sanitary Code, Part 5, or local ordinance, a backflow preventer of a suitable type that is currently approved by the Health Department must be installed.

Cross-connection control.

No consumer is allowed any cross-connection from any other source of water under the rules and regulations, Part 5, of the Health Department. When such cross-connections are found, the water from the Village water system will be turned off immediately to prevent contamination of the Village water system. The consumer will disconnect the alternate source as required by Part 5, of the rules and regulations.

Operation of curb stops; sidewalk water shutoff.

No curb stop will be operated by anyone except a representative of the Department of Public Works.

Enlargement of service.

When a consumer requires more water than the existing water pipe can deliver, it is the responsibility of the consumer to pay the cost of the enlargement of said waterline from the water main to the building. The enlargement of the waterline will be considered the same as a new water service.

Water main extensions.

All water main extensions which are to become Village of Black River property, within the Village of Black River, shall be designed and inspected by the Department of Public Works Superintendent. All applicable costs and related fees shall be paid for by the applicant.

Repairs and maintenance.

- A. It shall be the responsibility of the consumer to repair and maintain the service pipes from the Village's curb stop or shutoff to and into the building serviced. All leaks in piping, appliances and outlets shall be promptly repaired by the property owner. If such repairs are not promptly and properly made the Department of Public Works may discontinue service to the property upon twenty-four-hour notice. Any such discontinuation of service shall be for cause under the provisions of this chapter.
- B. Any damage to the Village's curb stop or shutoff caused by the consumer or any person hired by the consumer shall be repaired or replaced by the Department of Public Works and the cost of the labor provided by the Village.

Repair and maintenance of lines; costs.

No person or contractor will attempt to dig up or repair any waterline prior to the service meter valve at any time other than during the normal working hours of the employees of the Department of Public Works. If and when an employee of the Department of Public Works is required to respond outside of normal working hours to turn off the water due to attempted repairs, either internal or external, the consumer will be billed for the actual call-out cost. If the owner does not pay the call-out cost, the amount billed will be placed on the tax relevy.

Operation of fire hydrants.

- A. No fire hydrant will be operated by anyone except a representative of the Department of Public Works or Fire Department. Fire hydrant usage other than emergency must be approved by the Department of Public Works.
- B. No person shall open or interfere with or draw water from any fire hydrant without permission from the Superintendent of Water of the Village of Black River or from the Fire Chief in the event of an emergency.
- C. No person shall park any automobile, trailer, etc., or plow snow or place any materials, including trees, shrubs, fences, etc., so as to obstruct any fire hydrant for service, repair, maintenance or usage of said hydrant.

Water rents.

- A. In addition to any and all other fees and charges provided by law, every person who shall be supplied or whose property shall be supplied water by the Village of Black River shall pay water rent for the water supplied. See attached rate and fee schedule.

Responsibility for water rents.

The owner of any premises which is supplied with water shall be liable for charges of the water used or other expenses in connection with such water service. If water is not being used to do the property being vacant or abandoned, there will still be a minimum charge assessed quarterly.

Changes in ownership.

The consumer or his legal representative shall notify the Village of any change in ownership. If a final water reading is requested due to a sale, ownership will not be changed until the final bill has been paid in full.

Issuance of bills; quarterly collection.

Water bills shall be issued quarterly on or about the first day of January, April, July and October. The Village reserves the right to bill large volume consumers on a more frequent basis.

Water bills.

- A. The owner of a property to which Village water is supplied will be ultimately responsible for the payment of water charges based on such service. Partial payments may be accepted, overpayments will not be accepted.
- B. When a property is leased or rented and there is an agreement between the consumer and tenant that the tenant will pay water charges, the consumer shall still be responsible for the water charges. Said water bill will be sent directly to the consumer, who, in turn, may present the bill to the tenant or property manager for payment. Upon request, the Village may also send a courtesy copy of the water bill to the tenant or property manager. In the event that a tenant or property manager does not pay his water bill, the Village shall not be a party to any action between the consumer and the tenant or property manager.
- C. Failure to receive a water bill does not relinquish responsibility for charges due.
- D. Any request for or requirement for additional readings separate from the regularly scheduled readings will be performed with a charge imposed. See attached rate and fee schedule.

Interest charges on overdue water obligations.

Water charges shall be determined delinquent if not paid within 30 days after the billing date. A 10% penalty shall be added to any bill that is delinquent and unpaid after the due date. If the 30th day of the billing month falls on a weekend or legal holiday, when the Village Clerk's office is closed, payment without penalty shall be extended to the next business day. Penalty may only be waived by resolution of the Village Board of Trustees. Payments with official postmark of due date will be considered to be paid on time. Any delinquent unpaid amount over \$200 on the last day of March shall be charged by the Village as a special assessment and added to the real property taxes of said property.

Non-registering meters.

- A. The reading of a duly installed meter showing the amount of water consumed shall be used for all billing purposes, except where it appears that the meter has ceased to register or has registered inaccurately.
- B. In cases where it is found that a meter has ceased to register or transmit an attempt will be made to get an accurate reading before billing. If an accurate reading cannot be obtained, the consumer will be charged the minimum charge. Once the meter is changed the consumer will be billed according to the actual reading on the mechanical meter.

Abandonment of services.

When a building is torn down and the water service is no longer required to the property or properties, the owner of said property is required to excavate at the water main at the owner's expense, so that the abandoned water line can be disconnected from the water main. The Department of Public Works employees shall do the actual disconnection. The owner is

responsible for refilling the excavation site. Once the process is complete water charges for the property will cease.

Water shutoffs.

- A. Service for water may be discontinued for any of the following reasons:
 - 1. For refusal of reasonable access to property for the purpose of installing, replacing, reading, inspecting, testing, caring for or removal of a meter(s).
 - 2. For excessive waste of water through improper or imperfect pipes, fixtures, or otherwise.
 - 3. For tampering with any service pipe, meter, curb stop, or any other appliance of the Village.
 - 4. For use of water for any property other than the principal property serviced by the service line.
 - 5. In the case of a vacant structure, service may be discontinued after 90 days of nonpayment.
- B. This notice will give the consumer 15 days to rectify the recorded problem(s). In the event that no corrective action is taken by the consumer within the fifteen-day period, then water will be shut off for non-compliance. A list containing the names, date of shutoff and reason for shutoff will provided to the Village Board.
- C. Service will be renewed when the conditions under which service was discontinued are corrected.
- D. Subsection A (2) and (4) above may require a shorter time frame for discontinuing the water service. If the Department of Public Works employee determines that a leak exists in a water line on private property, the severity of the leak shall govern the amount of time given before the service is discontinued. While the Village realizes that there may be some burden to the consumer for the repairs, flooding of neighboring cellars or other related problems could result, in addition to the loss of filtered water.

Liability.

In the event of an emergency, including but not limited to breaks in a water main, the Village shall not be liable for any damage which may result to any person or premises from the shutting off of the water from any main or service for any purpose whatever, even in cases where notification is not given.

Penalties for offenses.

Any person or persons, firm or corporation violating the terms or conditions of this chapter shall be subject to a fine of a minimum of \$50 to a maximum of \$250 or to imprisonment for a term not exceeding 15 days, or both, for each violation.