



VILLAGE OF COLONIE

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THOMAS J. TOBIN
MAYOR

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EDWARD SIM
DEPUTY MAYOR

PATTY SCHWARZ LOCKART
TRUSTEE

JAMES M. RUBINO
TRUSTEE

ART WHITE
TRUSTEE

JAMIE L. BLOT
VILLAGE CLERK

MINUTES PUBLIC HEARING

**FOR VILLAGE OF COLONIE LOCAL LAW “To make changes to Chapter 234
“Water” of the Village of Colonie Code and to change the Village water rate and
minimum consumption”**

MONDAY, FEBRUARY 13, 2023

At 6:00 p.m. a motion was made by Trustee White to open the public hearing.
This motion was seconded by Trustee Rubino.

VOTE:	Trustee Lockart	YES
	Trustee Rubino	YES
	Trustee White	YES
	Deputy Mayor Sim	YES
	Mayor Tobin	YES

Motion passed.

Clerk Blot read aloud the public hearing notice as it was duly presented in the newspaper.
Mayor Tobin stated that the hearing would begin with a summary of the rate increase
presented by Deputy Mayor Sim.

Deputy Mayor Sim explained that the Village of Colonie purchases its water from the Latham Water District and in December of 2022, the Mayor and Board of Trustees were notified by that an increase in the water rate was approved for their 2023 budget. They stated that this was an unusually large rate increase, and that it would equate to \$.75 per 1000 gallons of water. In addition, there would also be a 1% increase in the unmetered water surcharge. This increase can't be implemented during a billing cycle, so therefore if approved, it would affect the water usage from March to the end of August and be reflected in the October 2023 water bill. Currently, the Village's residential water rate is \$4.50 per 1000 gallons of water, and the proposed rate would increase to \$5.37 per 1000 gallons of water. He explained that this increase is the passing on of the increase from the Town to the Village residents. The current minimum bill is \$112.50 for usage of 25,000 gallons or less, and to somewhat manage the 19% increase that is being charged by the Town of Colonie, the Mayor and Board are proposing to decrease the minimum usage to 22,000 gallons of water. Deputy Mayor Sim stated that this would result in the minimum bill going from \$112.50 to \$118.14, and this was calculated with concern in mind of our senior residents and those on fixed income. Therefore, this increase would be \$11.28 additional per year for those residents that use 22,000 gallons of water or less. The

current inflation rates are approximately 8% to 15%, and this proposed increase would be a 5% rate with the reduction of the minimum usage.

Deputy Mayor Sim also addressed the difference in water bills between Village of Colonie and Town of Colonie residents. The Town of Colonie would be charging the Village \$4.10 per 1000 gallons of water, in addition to a 12% fee for unmetered water and a debt service. For Town of Colonie residents, they pay for their water usage as a water bill, and then they see the debt service charge as a fee on their Town of Colonie tax bill. Therefore, the extra \$1.27 on the Village of Colonie water bill, in addition to usage, goes towards the unmetered water and debt service that the Village must pay the Town at the end of the billing cycle. Deputy Mayor Sim then opened the hearing to the present residents for discussion.

Ms. Carole Trifileti, resident from Forest Drive, stated that while she does not see a problem with increasing the rate, she questioned why the minimum usage should be decreased. Deputy Mayor Sim explained that the minimum usage would be lowered to benefit the Village residents. If the minimum usage was left at 25,000 gallons, it would result in the minimum bill being \$134.25. By lowering the minimum usage to 22,000 gallons, the goal was to keep the minimum bill at a more manageable cost for residents that use minimum water. Ms. Trifileti further asked what the rate would be if residents exceeded 22,000 gallons of water, to which Deputy Mayor Sim replied that it would then be an additional \$5.37 per 1000 gallons. He explained that while the Village didn't have any control over the rate itself, we can control the established minimum rate.

Ms. Linda Murphy, resident from Benjamin Lane, asked what unmetered water is. Deputy Mayor Sim stated that this is water released at a water main break or through a fire hydrant. Essentially, it is any water that is consumed, but doesn't go through a water meter on a residential or commercial property. Ms. Murphy stated that the Village has not told residents what the Town is charging the Village, and Deputy Mayor Sim offered that it is going to be \$4.10 per 1000 gallons, and before that, it was \$3.35 per 1000 gallons. Ms. Murphy offered that she doesn't believe lowering the minimum rate to 22,000 gallons would be saving any residents money as they still must pay the minimum bill. Deputy Mayor Sim replied that by lowering the minimum to 22,000 gallons from 25,000 gallons, the Village is trying to make the bill more reasonable for those that use minimum water.

Ms. Theresa Swanson, resident from Rapple Drive, asked why there is a minimum bill at all, and why residents can't just pay for their usage. Deputy Mayor Sim stated that this has been the process for many years, and Clerk Blot further explained the difference in Village and Town water bills. Clerk Blot stated that Town of Colonie residents pay for exactly what they use on their water bill, and then they pay an *ad valorem* tax on their town tax bill for the service they are provided from Latham Water. The Village is charged this *ad valorem*, but they cannot add this tax to the Village tax bill. Therefore, since the service charge can't be absorbed anywhere else, it is forwarded to the Village residents through the form of a minimum bill. Clerk Blot added that she currently pays \$3.35 per 1000 gallons of water, in addition to approximately \$80 on the tax bill. Her

water rate is also going up to \$4.10 per 1000 gallons, which is what the Village would be charged as a customer. Ms. Swanson stated that this increase seems like a very large increase when Village residents already pay so much for water. She added that her last bill was high due to nearly 100,000 gallons of consumption, so she is worried what the increased rate will do to her bill.

Mr. Alvin Gamble, councilman from the Town of Colonie Board, was present in the audience. He stated that he spoke with Latham Water Superintendent John Frazer on the morning of the 13th and hoped to provide further explanation of the reasoning behind the water increase. Councilman Gamble stated that the increase in the water rate is due to increases in chemicals needed to process the water and increases in the transportation costs for these chemicals. These chemicals must be transported via the railroad system, and the cost increases have been astronomical.

Ms. Cheryl Rebhan, resident from Hanifin Avenue, asked if the proposed Vly Road subdivision was approved, if they would be paying the increased water rate. Councilman Gamble explained that the water increase would be spread across the entire Village, and not one residence would be excluded from this increase. Councilman Gamble further stated that these increases are small compared to the increases we are seeing across the board and ensured that the Village officials are doing all that they can to keep the Village running. Ms. Rebhan also asked if there were any discounts available for disabled military personnel. Councilman Gamble and Deputy Mayor Sim stated that there are not any discounts available as far as they are aware. Ms. Rebhan asked if there should be, to which Deputy Mayor Sim replied that it is something that could be considered. Deputy Mayor Sim thanked Councilman Gamble for his explanation. He reiterated that a letter was sent to all Village residents about the increase, and that this increase was due to what the Village is being charged by Latham Water. He explained that the Village has no choice but to pass this increase on to the Village residents, hence the increase in the water rate. The purpose of decreasing the minimum rate was a way for the Village to accommodate for those that are on a fixed income and don't use much water.

Ms. Trifiletti asked if any overage from after the water bills are collected would go into an account to be applied to the next billing cycle. Deputy Mayor Sim explained that this is all part of the budget that is produced every April. He stated that if there is any surplus from the previous year's budget, it goes into a fund balance account that can be applied to the next year's budget.

Mr. Sig Peplowski, resident from Aldershoot Road, stated that while he understands the rate increase is due to inflation, he asked if these water rates become permanent. Deputy Mayor Sim replied that the Village passes on the rate that Latham Water decides, and that we could reduce the rate if Latham Water were ever to reduce the rate. Mr. Peplowski asked if this change would become automatic, and Deputy Mayor Sim stated that there would need to be a public hearing to change the rate, regardless of if it is for an increase or decrease. Mr. Peplowski also asked what a debt service is, and Deputy Mayor Sim explained that the debt service is what the Town of Colonie charges for improvements to the water system. This debt service is calculated based on the value of all of the

properties, and it is implemented on the Town of Colonie property tax bill for Town residents that do not live in the Village. For residents in the Village of Colonie, this fee is passed on through the water bill, and it is essentially a break-even rate for the Village. For example, Deputy Mayor Sim offered that the last bill to Latham Water was for \$143,000.00, and the unmetered water charge was \$62,000.00. Mr. Peplowski mentioned that he also has received notice that his water meter needs to be replaced, and asked if the meter changes will reduce the amount of unmetered water. Deputy Mayor Sim stated that while it won't change the amount of unmetered water, the goal is that the meters will be more efficient than they have been. He also added that every Village resident will be getting a new meter.

Mr. Kerry Bytner, resident of Linda Drive, stated that he used to work at Latham Water and knows what those costs go towards. He added that their plant processes nearly 25 million gallons of water a day, and the increased costs are associated with the level of maintenance and updating required for this. Mr. Bytner also stated that the unmetered water also used to be metered, as there were some meters along Central Avenue, but the town has done away with them. He stated that he believes the water increase is warranted based on the cost of everything else and added that he understands the costs can't be absorbed anywhere else.

Ms. Murphy asked if the commercial properties pay a different water rate than the residential properties. Deputy Mayor Sim stated yes, it is \$7.50 per 1000 gallons.

Clerk Blot read aloud correspondence from Janice Potter, resident from Forest Drive. She stated that there should not be an increase in water due to the amount she pays to the Town of Colonie through her tax bill.

Ms. Murphy added that she believes many elderly residents are concerned about the prices increasing. Deputy Mayor Sim stated that he agrees, which is why they proposed the adjustment to the minimum water usage. She asked if when there are water breaks, if that comes out of what is collected from water bills. Deputy Mayor Sim said yes, as water from a water break is considered to be unmetered water. Superintendent Les Decker added that this is why the Department of Public Works quickly tends to water main breaks by immediately shutting the water off to the area in an effort to waste as little water as possible. Ms. Murphy also asked why the Town of Colonie can't fix water main breaks in the Village, since all Village residents also pay a town tax in addition to their Village tax. Deputy Mayor Sim stated that this is due to the history of how the Village and Town of Colonie have agreed to operate, and that the Village owns all of the pipes and lines within its jurisdiction. Ms. Murphy suggested that the Village should rely on the town to repair water and sewer problems as she believes it would save the Village money. Deputy Mayor Sim stated that it would not impact this water rate as the repair aspect of water breaks is separate from the water itself.

Mr. Bytner suggested ways for all residents to check if they have a leak in their home. He recommended adding a drop of food coloring into the tank of their toilet, and if color leaks into the bowl, that means the toilet is constantly running. If the toilet is running,

then water is going through the meter, driving up consumption which would be reflected in an inflated water bill.

Mr. Frank Cuoccio, resident from Stirrup Drive, stated that he understands the water rate increase. However, he stated that the water pressure in the neighborhood is terrible and feels something should be done to improve the water pressure if he is going to have to pay the same water rate as the rest of the Village. He stated that some of his neighbors have had to add extra zones to their sprinkler systems so that they can reach their entire lawn. He added that during the summer months, he is unable to use water in multiple forms at the same time. Deputy Mayor Sim stated that they will look into the issue, and Mr. Cuoccio added that he believes they need to contact a hydraulic engineer that specializes in these issues. The Village, along with their engineer, have looked into the issue for many years, and he stated that nothing has yet to be done. Mr. Bytner shared some information regarding the types of pumps the Town uses for water, and why the pressure on Stirrup Drive may be so weak. He stated that there are other areas in the Town that have poor water pressure too, as some areas can't even produce water out of a sprinkler head. He stated that weaker pressure in the Summer is normal based on how the tanks are filled at night, and how residents typically run their sprinkler systems first thing in the morning. Mr. Cuoccio asked for Mayor Tobin and Deputy Mayor Sim to further look into the issue on Stirrup Drive.

Trustee Lockart thanked the residents for attending, and also thanked Councilman Gamble for attending. She added that she appreciates the relationship between the Town of Colonie and the Village.

Trustee Rubino also thanked all of the residents for their attendance at the hearing. He added that the purpose of the hearing is to consider the residents comments and concerns.

Mayor Tobin stated that he was glad everyone attended and added that they will always keep looking into these issues to make the Village better. He stated that Councilman Gamble attending the hearing is an example of the strong relationship between the Village and the Town.

Deputy Mayor Sim mentioned that he hoped he was able to answer all of the questions everyone had. He reiterated that while this is not an easy task, the Village must pass on the increase from the Town of Colonie.

Trustee White thanked everyone for their attendance.

Deputy Mayor Sim made a motion to adjourn the public hearing. This motion was seconded by Trustee White.

VOTE: All in favor.

Public hearing adjourned at 6:35 p.m.

Respectfully submitted,

Hannah Curran
Administrative Assistant
Village of Colonie