



The Town of East Greenbush

225 Columbia Turnpike, Rensselaer, New York 12144

TOWN BOARD MINUTES PUBLIC HEARING Wednesday, April 13, 2016

Call to Order 7:00 PM
Pledge of Allegiance
Town Board Meeting:

Members of Town Board

Present

Absent

Supervisor Conway
Councilor DiMartino
Councilor Matters
Councilor Grant
Councilor Tierney

Town Clerk Kimberly Carlock reads notice:

The East Greenbush Town Board has scheduled a public hearing for Wednesday, April 13, 2016 at 7:00pm at the East Greenbush Town Hall, 225 Columbia Turnpike, to hear public input on the sewer rate increase. Sewer Rate Increase information can be found on the Town Website, www.eastgreenbush.org, or at the Town Clerk's Office.

By orders of the Town Board

Kimberly Carlock, Town Clerk

Supervisor Conway explained that when the Town Sewer rates were established they were passed by local law. Since then all of the increases were passed by resolution and we have since found out that was not the correct path to take. We planned on passing this by resolution, but we have now realized that we will have to pass it by local law. This is a different process and a different time frame. Supervisor Conway explained that we will still hold the Public Hearing tonight, a local law has been drafted and the Board will have it on their desk in the appropriate time frame. There will be a second Public Hearing scheduled for April 28th at 7:00 pm. That will be on the text of the Local Law.

The Town Board gave a presentation regarding the Sewer Rates.

Supervisor Conway explained that he will ask three times if anyone wishes to speak in support of the proposal, and three times if anyone wishes to speak in opposition of the proposal. This is not a question and answer format. Everyone has 5 minutes to speak, and everyone must conduct themselves in a civil manner.

Spoke in Favor of the Proposal:

Liz Tice thanked the Board and had questions regarding the difference between the water bill and the waste water.

John Zdziebloski explained that he used to work for the Town, but spoke regarding issues he has with lack of maintenance and storm water issues. He was speaking in favor of the proposal.

Don Johnson spoke in favor and in regards to a letter Rick Matters wrote in the Advertiser.

A **resident** spoke in favor.

One more **resident** spoke in favor.

Lee Cookson spoke in favor of the proposal. He explained that he thought we were in the beginning of this process, not the end.

James Werking explained that he has worked for the Town in the past, and he came in because he thought he would have some information to offer. He went on to state he thought the Board did such a good job in their presentation he did not know how much more he could offer. He felt they hit all of the points that needed to be hit.

Spoke in opposition of the Proposal:

Pete Stenson explained why he was in opposition of a rate increase. Pete gave information on his proposal that included taking \$500, 000 out of equity, the fund balance to take a year to do the study that Councilperson Matter proposed.

Paul Harder stated that he thinks we are looking at this the totally wrong way to do this. He stated that he is not against an increase, but does not feel they have had enough time to look at it.

A resident spoke in opposition of the way Capital improvement will be used.

Councilor DiMartino wanted to state that our sewer rates have not gone up since 2011. She explained that we all need to pay our fair share. We are looking for grants, businesses will be paying more, nobody likes doing this, but it must be done.

Councilor Matters explained that this is an extremely complex process. She stated that the State Legislature has gone to great pains to put general municipal law in place which gives very clear guidelines about how it is supposed to be done. Councilor Matters went on to explain what she felt that process to be. She stated that going with strictly user fees will have an inherently regressive effect on residents in the lower income bracket. Councilor Matters stated that she has more research to do to see if we have enough qualified staff to manage and maintain this high tech treatment plant. If something goes wrong the monies would have to come out of maintenance and operations first and then the money would go for capitol debt. Councilor Matters went on to explain that she feels that this needs to be done, but needs to be done appropriately. She urged the Board to please take their time to figure this out to get it right.

Councilor Grant stated that if we blow through the Tax Cap that we run the risk of residents losing their star and enhanced star program. He went on to explain that it puts seniors at risk if we blow through the tax cap. He explained that he feels you can control user fees as opposed to the tax levy. He stated that he will vote for a .21 tax raise this year so we can take advantage of every dollar for the wastewater treatment plant.

Councilor Tierney thanked everyone for coming. She went on to clarify what she thought a regressive tax was. Councilor Tierney explained that the information that they presented was three years' worth of solid base line data. They wanted to keep the user fee reasonable and will look at all of the data that is collected in the future. She stated that user fees give the residents some measure of control over their bills. Councilor Tierney also wanted to add that she feels user fees can be used for debt service.

Supervisor Conway stated that he wanted to thank everyone for coming. HE stated that the minimum user fee has not been raised since 2008. Supervisor Conway stated that we absolutely can use user fees for Capital Improvements. He stated that it is time to do something. He stated that this is the time to do this and it is urgent. We need to move forward. He stated that we worked hard on this. They looked at every angle and this is what they came up with. He feels that it is time to stop counting and start doing something.

89-2016 A Resolution to Increase Sewer Rates

WHEREAS, the costs of wastewater treatment and disposal at the Town Wastewater Treatment Plant have increased since the last rate increase more than five years ago, as have the general operation and maintenance costs associated with pumping, and conveyance within the system; and

WHEREAS, the Town is nearing completion on a \$15.6 million upgrade to the Plant itself and the funding for that upgrade will be converted to long-term financing in August 2016 resulting in new debt service payments of approximately \$700,000 per year; and

WHEREAS, no arrangements have been made to meet the costs of the new debt service payments through either the tax levy, user fees or grants and subsidies from other governmental sources; and

WHEREAS, the Town has considered various methodologies to contend with the foregoing increases in costs and debt service while maintaining an equitable rate structure for consumption-based fees for all customers; and

WHEREAS, adjustments in the tax levy will be evaluated on an annual basis; and

WHEREAS, the Town Attorney has issued a written opinion referencing State law and the Town Code which attest the legality of using sewer rate increases for capital improvements and debt service; and

WHEREAS, the Town Board made a public presentation on the sewer system on March 9, 2016, which was published on the Town website on March 10, 2016, a second public presentation on the methodology used to determine the rate increases on March 16, 2016, which was published on the Town website on March 17, 2016 and held a public hearing on the rate increases on April 13, 2016; and

WHEREAS, the Town Comptroller has confirmed that this resolution will not have an adverse impact on Town Finances:

now, therefore, be it

RESOLVED, that the Town adopt the following sewer rate structure:

1. The new sewer rates charged to residential users are as follows:

District	Existing Rate	New Rate as of May 1, 2016
Third Ave:	\$2.59 per 1,000 gals	\$3.50 per 1,000 gals
Couse:	\$2.59 per 1,000 gals	\$3.50 per 1,000 gals

General: \$1.42 per 1,000 gals \$2.40 per 1,000 gals

2. The minimum sewer charge for single family residences is now \$22.50 per three (3) month period in the 3rd Ave and Couse Sewer Districts for use up to 10,500 gallons (1,400 cubic feet); this rate will increase to \$30.38 per three (3) month period, and any use above the minimum will be charged \$3.50 per 1,000 gallons.

3. The minimum sewer charge is now \$12.50 per three (3) month period in the General Sewer District of use up to 10,500 gallons (1,400 cubic feet), this rate will increase to \$21.13 per three (3) month period, and any use above the minimum will be charged \$2.40 per 1,000 gallons.

4. Users in Hampton Manor hamlet are presently billed on a flat rate basis every six months. Non-metered users will pay the following charges based on the number of residential units on each tax parcel:

Hampton Manor

Existing Rate

One Family Flat rate: \$52 per 6 months
Two Family Flat rate: \$90 per 6 months
Three Family Flat rate: \$128 per 6 months
Four Family Flat rate: \$166 per 6 months

New Rates as of May 1, 2016

\$78 per 6 months
\$135 per 6 months
\$192 per 6 months
\$249 per 6 months

The new rates charged to commercial users are as follows:

District	Existing Rate	New Rate as of May 1, 2016
Third Ave:	\$2.70 per 1,000 gals	\$3.65 per 1,000 gals
Couse:	\$2.70 per 1,000 gals	\$3.65 per 1,000 gals
General:	\$1.48 per 1,000 gals	\$2.50 per 1,000 gals
Hampton Manor	\$1.48 per 1,000 gals	\$2.50 per 1,000 gals

and be it further
that the new increase shall become effective immediately.

This resolution was not voted on. There will be another Public Hearing on April 28th to introduce this as local law #1 instead of a resolution.

ADJOURNMENT

Motion to adjourn by Supervisor Conway at 8:02 and seconded by Councilor Grant and brought to a vote as follows:

Supervisor Conway	VOTED: Yes
Councilor Grant	VOTED: Yes
Councilor DiMartino	VOTED: Yes
Councilor Matters	VOTED: Yes
Councilor Tierney	VOTED: Yes

