

**June 7<sup>th</sup>, 2010**  
**Public Hearing/Special Meeting**  
**Petersburgh Town Board**

**1. Public Hearing of Local Law No. 2 of 1986**

The Petersburgh Town Board met and held a Public Hearing for the purpose of hearing those present for or against the approved minor revisions made to Local Law No. 2 of 1986, a Local Law relating to the imposition, charge, consumption, and use of water for the Petersburgh Water District, on June 7<sup>th</sup>, 2010 at 7:00 PM at the Petersburgh Town Hall, 65 Main Street, Petersburgh N.Y. Prior to the hearing, this Law was available for review online at <http://www.Petersburgh.org>.

Present: Supervisor Peter Schaaphok  
Councilwoman Amy Manchester  
Councilman Richard Snyder  
Town Clerk Callie Crisp  
Absent: Councilman Raymond Broadwell  
Councilman William Seel

Guests: Dan McCumber, Pam Eggsware, Tammy Dunlop, Joseph Dunlop, Lynne Torello-Burns

Press: Erin Hoagland

Supervisor Schaaphok called the hearing to order at 7:03 PM.

First to comment on the proposed revisions was Pam Eggsware, who expressed disagreement with Section E. This proposed change would allow the Town Board to raise the Water District rates through a resolution, rather than by changing the law. Supervisor Schaaphok replied that the situation in the future might require flexibility with the rates. The proposed change would also allow units to be removed from the system through a resolution, rather than by changing the law.

Dan McCumber was the next to comment, stating that although he was not interested in chairing the committee, he felt that the committee should be allowed to consult with the Town Board on issues relating to the Water District. A suggestion was made to change Section E.'s wording from 'raised' to 'modified in consultation with the Water District Committee.'

The next issue discussed involved the usage of the Town's fire hydrants. Pam Eggsware questioned Section 4, which states, "No water shall be removed from any fire hydrant within the Town Water District except by the Fire Department for its normal use and purposes." Ms. Eggsware said that not only have personal pools been filled using the Town's hydrants, the County also uses them to fill their street sweepers. Supervisor Schaaphok reiterated Section 4, and stated that these practices demonstrate direct violation of the Town's law. He voiced his intent to investigate the usage of hydrants without authorization.

Water District patrons Pam Eggsware and Tammy Dunlop next questioned Section 3c., which states that if a water bill is not paid by the 30<sup>th</sup> date after the date of the final notice, the water may be shut off until the account is settled.

Both residents pointed out that the late fees are applied to the property's tax bill when left unpaid. Mrs. Dunlop stated that to her knowledge, no water connection has ever been shut off for this reason. Several other patrons agreed with this statement. Ms. Eggsware added that the Town therefore has not been collecting the shutoff fee.

Clarification was requested by the patrons, on the ownership of the shutoff valves and main water lines. Supervisor Schaaphok informed the patrons that from the shutoff to the house was the responsibility of the homeowner, and from the shutoff to the main line was the responsibility of the Water District. It was suggested to add this to the law, in order to clear up confusion. Many patrons also expressed the desire to know the location of their shutoffs.

A discussion took place concerning the incorrect reading of meters. The only way to notice a discrepancy may be to compare the outside meter readings with the inside readings. Todd Stradinger, the Water District Superintendent, keeps a record of all meter readings. Mrs. Eggsware voiced her concern that if wires are disconnected or meter readings are not allowed by the homeowner, such users may be getting away with a much lower water bill. Joseph Dunlop also questioned the proposed \$250.00 fine twice a year for unpaid bills. He asked whether or not those patrons would still be paying less than the properties with honest meter readings. Supervisor Schaaphok reassured Mr. Dunlop that these fees would be applied in addition to their regular bill.

The issue of illegal hydrant usage was once again explored. Ms. Eggsware stated that 2 years ago, the Town allowed 28,000 gallons of water to be removed from the Water District to fill a personal pool on Hill Hollow Road. Ms. Eggsware reported viewing the water delivery truck making 10-12 trips in one day, and also reported resulting problems with the water. Supervisor Schaaphok again stated that this should not have been done. Board Member Amy Manchester did not recall this ever being presented to the Town Board. When the patrons asked about the enforcement of the law, Supervisor Schaaphok declared that the Code Enforcement Officer might be able to enforce the law. This issue of illegal hydrant usage will be further investigated.

Turning discussions back to the new rates, patron Tammy Dunlop expressed concern about the future Water District budget once the loan has been paid off in 2024. She inquired whether the extra money accumulated would stay in the Water District, or be applied to general purposes. The Supervisor responded that the extra revenue would definitely stay in the Water District budget, and could be used to create a reserve fund. A reserve fund could provide funds to make repairs to the system, and allow a backup for emergency situations, such as the recent troubles with the pumps burning out.

A number of other topics were brought up for discussion, such as the water pressure, location of the water samples being taken, and hydrant cleaning. The patrons of the Water District frequently questioned the performance of the current Water District Superintendent. Dan McCumber voiced the patron's intent to form a Water District Committee, and stated that a letter naming the members would be presented to the Town Board once finalized.

Patron Pam Eggsware asked for reassurance that all of the patrons would receive notice of the rate increase. Ms. Eggsware also stated her wish to not be reimbursed for her past bills on her unbuildable lot; she only wishes to be

removed from the system. Dan McCumber graciously offered to accept the reimbursement of her behalf.

With no further comments, Supervisor Schaaphok closed the hearing at 8:02 PM.

## **2. Special Meeting**

A short special meeting was held to discuss the proposed Dog Control Law of the Town of Petersburg. After Supervisor Schaaphok relayed correspondence from Senator Roy McDonald to the Town Board, Section 5 was the first to be discussed. Section 5.05 prohibits dogs to 'habitually chase, run alongside of or bark at motor vehicles or bicycles.' Supervisor Schaaphok proposed removing 'bark' from this section, stating that a dog should not be faulted for barking in order to protect their owner's property.

DCO Lynne Torello-Burns pointed out that Section 7 should clarify DCO as 'appointed' DCO. She also suggested removing 'police officer' from the list of enforcing officials, as the Town does not currently employ and police officers.

Section 11, Penalties, were set for \$250 for a first violation, \$500 for a second violation, and not exceeding \$500 for each subsequent violation. As for the local fees, the proposed end to Agriculture and Markets' Dog Licensing Program will directly affect the Town's Dog Control budget. Clarification was requested about where the current \$2.50 and \$7.50 state fees and the \$3.00 unspayed/unnuetered fees will go once the program has ended. This will allow for a fair local fee to be set in order to cover the Town's Dog Control budget increase.

DCO Lynne Torello-Burns advised the Board of a situation on Stillman Village Road. Recently an accident was caused due to two dogs in the road. Ms. Torello-Burns has been contacted by the police, to question Petersburg's Dog Control Laws. Ms. Torello-Burns has already picked up the same dogs once. She had the dogs vaccinated and gave the owner two weeks to license them. This occurred three weeks ago. Ms. Torello-Burns stated her intent to issue tickets for the unlicensed dogs and wait for the law to pass.

The discussed changes will be made to the Dog Control Law. The law will be available for review online at <http://www.Petersburgh.org>, prior to the scheduled hearing on June 21<sup>st</sup>, 2010 at 6:30 PM at the Petersburg Town Hall.

### **Resolution # 43 Move into Executive Session**

On motion of Councilman Snyder, the following resolution was adopted. Be it resolved that the Board moves into Executive Session at 8:35 PM to discuss a personnel issue. Councilwoman Manchester seconded such motion, and roll call showed the following results:

Supervisor Peter Schaaphok	Aye
Councilman Richard Snyder	Aye

Councilwoman Manchester	Aye
Councilman William Seel	Absent
Councilman Raymond Broadwell	Absent

Supervisor Schaaphok declared the foregoing resolution was duly adopted.

**Resolution # 44**  
**Return from Executive Session**

On motion of Councilman Snyder, the following resolution was adopted. Be it resolved that the Board return from Executive Session at 8:44 PM. Councilwoman Manchester seconded such motion, and roll call showed the following results:

Supervisor Peter Schaaphok	Aye
Councilman Richard Snyder	Aye
Councilwoman Manchester	Aye
Councilman William Seel	Absent
Councilman Raymond Broadwell	Absent

Supervisor Schaaphok declared the foregoing resolution was duly adopted.

**Resolution # 45**  
**Reprimand For Personal Use Of Town Property**

On motion of Councilman Snyder, the following resolution was adopted. Be it resolved that Raymond Harrison be reprimanded for personal use of Town equipment. It is hereby stipulated that such a practice will not occur again. Such motion was seconded by Councilwoman Manchester, and roll call showed the following results:

Supervisor Peter Schaaphok	Aye
Councilman Richard Snyder	Aye
Councilwoman Manchester	Aye
Councilman William Seel	Absent
Councilman Raymond Broadwell	Absent

Supervisor Schaaphok declared the foregoing resolution was duly adopted.

With no further business, on motion of Councilwoman Manchester, seconded by Councilman Snyder, the meeting was adjourned at 8:46 PM.

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Callie Crisp, Town Clerk