

Water Easement Meeting– October 11, 2022 – 6:00 pm

Supervisor Smith called the Meeting to order.

Supervisor Smith opened the meeting by thanking everyone for coming and explained why we were having the information meeting about the water easement letters and the water meters. He stated he understood that people were confused and had a lot of questions.

Supervisor Smith asked the guest speakers for the meeting to please introduce themselves. Charles Prior with EDR introduced himself. Kevin Feuka Finance Department DANC introduced himself. Larry Hassler, Town Attorney, introduced himself.

Supervisor Smith gave a background to the water meters, stating that this started going into effect back before the Village of Harrisville was dissolved and became a Hamlet. The meters were supposed to have been installed and the water project completed by 2002. He explained that it kept getting pushed back etc. and didn't get done. Supervisor Smith explained that this water program and installing of the meters is required and being mandated by the state. Attorney Larry Hassler explained that they do not want installers going onto people's property to install without their permission. He stated that barely half of the letters sent out have come back to his office notarized and signed.

Supervisor Smith explained that we will be contracting out through a meter installation company, that will contact homeowners to set up the appointments to put the water meters in. He explained this metering system will meter the water and then transmit water usage readings from a sensor in the meter, so no one will have to come back in each month to read the meters.

Residents stated they want to know who owns the pipelines that come into the houses. Tom Macagg stated the new well was drilled about 8 feet from his well and when they turned it on, he ran out of water, then the water came back about an hour after the water test on the town's new well was done. He stated that the village said they would provide him with water because his well was drained when the new well and tower went in for the town. He stated they said he would pay the same rate as someone in the Village because his well went dry due to the Town's water tower/well. Mr. Macagg stated he wants to know how this is going to affect him and he wants real pipeline going to his house, not the PVC pipe that was put in back when this originally happened. Mr. Macagg also stated that the DANC truck pulls into the pump house by his house daily, but the driver doesn't get out of his truck. He just sits there for 20 to 30 minutes every day. Mr. Macagg wants to know what the driver is doing and is the town paying him to sit there and do nothing? Mr. Macagg feels no one is getting out and doing anything at the pump house and asked, "So what is the town paying DANC for?"

Supervisor Smith told Mr. Macagg that he will have to do some research to answer both of his questions.

Another resident asked Supervisor Smith why this is happening. Supervisor Smith explained that the town must reapply every 4 years for our water permit. The state of New York wants towns to provide a summary every year of how much water is being used. To keep our water, the town must get the meters installed. It is mandated by the State of New York.

Carl Pierce stated that Edwards did the same thing, but they pay a flat rate. Supervisor Smith explained that it will be approximately \$306.00 a month. A resident asked will it stay the at that rate, or go up every year?

Kevin Feuka, from financing, explained that the State will not get the revenue from this. Supervisor Smith stated that there will be more informational meetings as things with the water project progress. He stated the town will bill Monthly or quarterly. Another resident stated that people are worried that they are going to be charged twice for water. It was explained by Supervisor Smith that the \$188.00 + the \$118.00 = the \$306.00 charge. He stated he is not sure which way it will be billed yet, monthly, or quarterly. Supervisor Smith also stated that we do not know the consumption limit that will be set or what the charges will be if a family goes over their set consumption limit. He again stated that there will be more information meetings in the future that will determine that.

Supervisor Smith stated that in the 2021 budget the revenue in the water budget was about \$62,000.00 a year, and expenditures going out is about \$63,000.00 a year. A resident asked how they will meter the water at multifamily dwellings like Harris Courts Apartments. Residents there are concerned that this will not be fair to the residents if they must split the bill for total water usage for the buildings. Mr. Prior from EDR stated that would be up to the property owner how the bills would be paid by the tenants. The owner is responsible for paying the whole bill and how he recoups that from the tenants is up to him.

Supervisor Smith stated again that there would be more meetings to go over the ins and outs of the new water system, the meters, and how much it will cost, and how it will be billed.

Mr. Prior explained the easement letter is to give permission for the DANC Contractor to be allowed onto private property to install the meters. If people do not allow the meters to be installed, they will not be able to get town water. If a meter can't be put into a basement, then it will be installed outside, but the preferred location for the meter install is in the home. This is so there can be a remote reading and a tech will not have to come into the home each month to do a meter reading. There is a sensor the meter that reads water usage and then transmits the readings to DANC. No one will have to come into anyone's home each month for the meter reading. The meters are read by

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a handheld device from outside the home.

Several residents present complained that the easement letters were difficult to understand. Some complained they do not have access to a Notary Public to get the letters notarized. One stated that the bank in Harrisville is only open two days a week and they do not get home from work before they close on those days.

Another resident asked if they could request that the meter not be installed in the house but be installed outside. Mr. Prior stated that if it can't be mounted inside, they will put it outside. The preferred method of installation is to put the meter in the home, so that they do not have to dig a pit to mount the meter outside. He stated there is more of a risk to the equipment to install it outside, and it is cheaper to put the meter in the home. This helps to keep the cost of installation down for the whole town.

Mr. Prior and Supervisor Smith explained to Carl Pierce that only those residents that get town water in the Hamlet of Harrisville will be paying for the new water project, not the taxpayers who do not get water from the town. They explained the total cost of the project, and what some of the improvements would be. Fire hydrants would be brought up to current codes, the well sites will be modernized, two new well houses, new tanks, and a looping of the water mains to help stabilize the flow and water pressure in town are part of the water project. Supervisor Smith stated that DANC is hoping to start installation next month. He stated that the power point presentation given to town in April will be getting uploaded to our town website: www.townofdiana.com in the next week so residents can look at it and see the funding secured, costs etc. and get a better explanation of the project.

Mr. Prior stated the number 2 well on lower maple street is not being used, it is decommissioned and that well number 1 is going to be refitted.

Shelley Hudson Hitchman asked if you have a basement that can't have a meter mounted inside, will that resident be charged to have the meter installed outside. Mr. Prior stated no, the resident will not be charged extra if the meter must be mounted outside. That cost will go into the overall cost of the project.

Jim Cole asked what if they don't want the meter in their house and want it outside. Mr. Prior stated that Mr. Cole would have to talk to the Town Supervisor about that, it will depend on what the Town of Diana's new water law is.

Another resident stated that he owns the pipe coming into his house. If the contractor installing the meter damages that line, who is responsible for paying for that damage. Mr. Prior stated that the contractor putting in the meters is responsible for any damage to personal property, they will fix it, and be responsible for a year if the pipe leaks etc.

Councilman Malbeuf explained that we do not have a choice, we are required to have these meters installed. Required by the State of NY. There is nothing that can be done to stop these meters from going in. He explained that we need to get this work done so we can get as many grants as possible to help cover the costs of the project and keep water in Harrisville and the Town of Diana.

Supervisor Smith stated that he understands that this is hard, be we are getting a better water system that will help the town and our communities. We are required to install this new system and the meters, by the state. It is not up to the board; it is required by NY State. It is going to raise our water bill, but we again will be getting a better system, and we will be doing as much with grants to help with the project as possible. This new system will help with water pressure etc. Supervisor Smith stated he understands why people are upset, and he is trying to stay open to people to help them understand what and what is going on, and to stay transparent.

Another resident stated that he feels the easement letters are incredibly complex and that many don't understand them. Many of the names on the easement letters that went out are dead or live out of state. Rather than an easement with several people listed on it, couldn't they just do a simple letter to whoever is paying for the utilities for the property? Couldn't they do something simple like a hold harmless letter so the meter could be put in? Attorney Larry Hassler explained he didn't want to mess up the letter, so he had the easement go to the bond lawyers and that is why the letters had the language and is in the format that it is in. The resident stated he doesn't think the problem with not getting the letters back is just a difficulty in finding a notary, but more that many just truly do not understand what they are being asked to sign.

Mr. Hassler stated that if someone refuses and says they are not granting them an easement, then that person would not get water when the new water project is implemented. That person would have to drill their own well and pay out of pocket themselves for this. The resident stated that he feels it isn't that people don't want the water project, they just simply don't understand the easement letter and maybe sending an easy-to-understand letter out would be better. The first letter is too full of legalese, complicated and that is why you are not getting signed ones back.

Skip Davis asked with DANC being the water controller now is it required that a person goes and takes a reading at the tank daily, and if those readings must still be recorded, why do we need the meters in everyone's houses. Mr. Prior stated it makes tracking and finding leaks or broken lines easier to pinpoint.

Supervisor Smith stated he talked with Ogdensburg and was told when they flipped their meter

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reader on it read thousands of meters at once. So, this will save time. It is state required that we have these meters. The state gave the town 5 years to get the meters in. We have until 2025 to get this done or we will lose our water in town. With the meters they can find leaks quicker. Councilman Malbeuf explained let's say you are out of town and a line break, and the basement is flooding, with these meters installed that leak can be found quickly. They can see the empty house is using too much water and fix the leak.

Shelly Hitchman asked how long before the State makes a town sewer system a requirement? Councilman Malbeuf stated we can't answer that, and have not control, if the state says it is required, it will be required and there is nothing we as a hamlet/town will be able to do about it. We do have a water fund, but we have had to use some of that to get this required water project up and running.

Supervisor Smith asked if there were any other questions and reminded all present that there will be more meetings on the project, water laws, usage rates etc., and that if anyone wanted to read the power point, they will be able find it on the town website within the next week.

Jim Cole asked if he could have a new letter that explains the easement better, in plain English.

Supervisor Smith thanked all for coming, invited all to stay for the monthly board meeting following directly, then he adjourned the Water Easement meeting 7:02 pm.

Town Clerk

Andrea M. Paterson