

VILLAGE OF VOORHEESVILLE WATER SYSTEM RULES AND REGULATIONS

The VILLAGE OF VOORHEESVILLE (the “Village”), through its DEPARTMENT OF PUBLIC WORKS (“DPW”), DIVISION OF WATER, operates a water system (the “Water System”) under the authority of the Village Board of Trustees, and its specified representatives, as indicated below.

The Village undertakes only to use diligence and care to provide a constant supply of water. In the event of interruption of the supply, the Village shall not be liable for any resulting damages. The Village reserves the right to shut off the water in its mains at any time without notice.

The mains, pipes and lines of the Water System may be tapped, and taps and valves, and other equipment of the system, including curb box valves, may be operated, and meters installed, serviced or removed only by designated individuals, with the authorization of the DPW Superintendent (the “Superintendent”).

The property, equipment, supplies and other resources of the Water System, including the water supplied, are not available to anyone for their personal use, except as provided for in these Rules and Regulations.

Use of Water System resources by other jurisdictions or institutions may be approved only by the Village Board of Trustees, upon its finding that such use serves the interests of the Village, the Water System and its users.

All capitalized terms shall have the meaning ascribed to such terms herein.

SUMMARY OF USER RESPONSIBILITIES AND WATER SERVICE CHARGES

These summaries are not all inclusive of all terms of use of the Water System. These Rules and Regulations shall apply at all times.

I. USER RESPONSIBILITIES

The owners of all properties connected to the Water System must:

- (1) Make provisions for installation of a standard meter. It must be in plain view and free of obstructions to reading, servicing or removal.
- (2) Provide access to all parts of the property during all reasonable hours for the purposes of monitoring and maintaining the Water System, including the following:
 - a. inspection of water service, the meter, plumbing or any other equipment related to the Water System for the purposes of determining compliance with these Rules and Regulations;
 - b. replacement of water service, the meter, plumbing or other equipment related to the Water System as determined necessary by the Village Board of Trustees and/or by the DPW Superintendent;

- c. replacement of deficient service lines due to deteriorated conditions and/or unacceptable materials of construction (such as, but not necessarily limited to, lead and galvanized steel pipe); and
 - d. such other purposes as may be deemed necessary by the Village Board of Trustees and/or the DPW Superintendent from time to time.
- (3) Protect and maintain all Water System equipment installed on their property to current standards. This shall include installation of any required valves, meters, plumbing or other equipment—and maintenance of the visibility and accessibility of the curb box cap and stem.
 - (4) Be aware of the billing system and be responsible for timely and full payment of all bills and charges.
 - (5) Provide access for meter readings (including by installation of meters that can be read remotely) or, if permitted by the DPW Superintendent, provide readings, in writing, under conditions prescribed by the DPW Superintendent, when requested.
 - (6) Comply with the general restrictions on water use and any special restrictions that may be imposed from time to time.

II. WATER SERVICE CHARGES

Effective June 1, 2021, charges for all properties connected to the Water System were approved and established as follows:

VILLAGE PROPERTIES

Properties located in whole or in part within the Village (“Village Properties”) shall be assessed a minimum charge (“Minimum Charge”) as set for the on the Village’s Schedule of Water System Fees. The Minimum Charge shall be paid in advance and shall cover the first twenty thousand gallons used. (Owners of Village Properties who are eligible for the 50% senior citizen real property tax reductions may pay one half the Minimum Charge.)

For usage in excess of twenty thousand gallons, property owners shall be assessed an additional charge per thousand gallons used at the “Metered Usage Rates” set for the on the Village’s Schedule of Water System Fees.

OUT OF VILLAGE PROPERTIES

“Out-of-Village Properties” are all those properties, other than Village Properties, which meet the distance-to-main requirements as set forth below and have been authorized by the Village to connect to and use the Water System.

The Minimum Charge and the Metered Usage Rates for Out-of-Village Properties shall be double those of Village Properties.

METER REPLACEMENT FEE

A yearly fee, as set forth on the Village's Schedule of Water System Fees, will be assessed against each owner on an annual basis to cover the anticipated costs of future meter replacement.

III. PAYMENT OF WATER SERVICE BILLS:

Bills related to use of the Water System will be issued by the Village on an annual basis. Bills will generally be issued by June 1 of each year. Reasonable effort will be made to assure that each property owner is made aware of what is owed for their service but it is the property owners' responsibility to be aware when payments are due, determine the amount owed and make payment in accordance with the rules of the Village.

Estimated bills will be rendered in any case when a meter is not providing accurate readings as determined by the DPW Superintendent, or when a user does not provide reasonable access for DPW representatives to read, service, seal and replace a meter. A meter will not be considered read unless it can be fully inspected and serviced.

Payments made after August 1st shall include a penalty of ten percent (10%) of the unpaid amount due. No partial payment for less than fifty percent (50%) of the total bill shall be accepted. The penalty amount shall be increased by an additional five percent (5%) of the unpaid bill on the first day of the month following the month in which the ten percent (10%) penalty accrues and on the first day of each month thereafter.

Unpaid bills relating to use of the Water System shall become a lien upon the real property upon which or in connection with which the water was used. For Village Properties with delinquent Water System bills as of **May 1st** of each year, the amount of the delinquent bill will be added to the annual tax levy and collected with the property tax. An administrative fee, as set for the on the Village's Schedule of Water System Fees, will also be added to all Water System bills that are re-levied.

For Out-of-Village Properties with delinquent Water System bills as of **May 1st** of each year, an administrative fee, as set for the on the Village's Schedule of Water System Fees, shall be charged, together with any costs of mailing a final notice. Out-of-Village Properties with delinquent Water System Bills shall also be subject to having their water service terminated without any further notice of such termination.

Partial payments (for less than fifty percent [50%] of the total amount billed) or payments which do not include all water service charges, accrued penalties, fees and other charges as set forth in these Rules and Regulations will not be accepted.

IV. APPLICATION FOR WATER USE

Application for the use of water must be made at Village Hall by the owner or authorized agent of the owner of the property to be served.

Applications must be accompanied by a payment, as set for the on the Village's Schedule of Water System Fees. (The cost is generally double for non-Village residents, plus the cost—at the time of installation—

for a Village approved water meter.) If an application is approved, the DPW shall provide the property owner or his or her representative with a standard water meter, the cost of which shall be due at the time of installation. (The property owner shall be responsible for purchasing an approved water meter if a larger meter is required.)

The owner of the property for which an application is approved shall be responsible for all other costs associated with the property owner's connection to the Water System, including any costs associated with excavation, curb cuts, installation of the tap and water line and remediation. All work must be performed by an adequately bonded, experienced contractor (approved in advance by the DPW Superintendent); and inspected by a Village representative. Once installation is complete, the owner will be billed the annual Minimum Charge for the current fiscal year.

Water shall only be furnished to Out-of-Village Properties, major subdivisions (within the Village) and commercial users (within the Village) that have received express approval for inclusion in the Water System by the Board of Trustees. Approval shall be at the Board of Trustees' sole discretion. The Board of Trustees shall request input from the DPW Superintendent and consider, at a minimum, the following criteria:

- (1) The property for which an application is being made must be within ONE HUNDRED AND FIFTY FEET (150') of an existing Village Water System main line. (A master meter is required if over 150'; further, Albany Country requires approval for distance over 350')
- (2) Any changes from the standards (i.e. size of tap) or policies set forth in these Rules and Regulations must be approved by the DPW Superintendent.
- (3) All application fees must be paid in full by the applicant prior to installation.
- (4) Approval of the application shall not impair the health, safety and welfare of the Water System, the Village or its residents.

In accordance with Local Law No. 1 for 2025, the Board of Trustees shall have the sole discretion to determine that an application should not be approved in light of its impact on the Village and the Water System.

V. WATER METER READINGS

Water meter readings will be taken at least annually by Village representatives at a time determined by the DPW Superintendent and at the discretion of and under conditions stipulated by the Village. This will be done remotely, if possible, by Village representatives using a radio transmitter located on each meter. In all cases, it will be the responsibility of a property owner to provide an accurate meter reading if requested by the Village and to allow reasonable access to the property for a Village representative to obtain the same.

VI. GENERAL RESTRICTIONS OF USE OF WATER

The Village reserves the right to order the discontinuance of various uses of water whenever and for whatever period it deems necessary to the interests of the Water System and its users. If a user fails to

comply with such an order, the Village may terminate the supply of water to that user without further notice.

- (1) Users may not permit water to run to waste or supply it to others.
- (2) Automated sprinkler systems may not be used at any time without previous approval.
- (3) Sprinkler restrictions may be in effect, at the DPW Superintendent's discretion and as posted, from June 15th to September 15 of each year unless otherwise stipulated by the Board of Trustees. The sprinkler restrictions will restrict the use of sprinklers to:
 - a. Even numbered homes, on Mondays and Wednesdays 7:00-9:00 a.m. and 7:00-9:00 p.m.
 - b. Odd numbered homes to Tuesdays and Thursdays, 7:00-9:00 a.m. and 7:00-9:00 p.m.
 - c. Sprinklers may not be used Fridays through Sundays.

VII. DISCONTINUANCE OF SERVICE

Water service to a property may be discontinued, in accordance with the procedures set forth in Local Law No. 1 for 2025 for any of the following reasons:

- (1) Use of water other than as represented at the time of application.
- (2) Willful waste or use of water through improper or imperfect pipes or any other means.
- (3) Abuse of or damage to any service pipe, seal, meter, or other appliance used in connection with the Water System.
- (4) Non-payment of bills rendered by the Village.
- (5) Cross connection of pipes carrying water supplied by the Water System with those carrying water supplied from any other source or with an apparatus which may endanger the purity or quality of the Water System supply.
- (6) Failure to provide representatives of the Village reasonable access to the property being served for the purpose of inspecting fixtures or piping, or for reading, repairing, testing or removing meters.
- (7) Failure to install and maintain any necessary valves, meters, plumbing or other equipment as determined by the DPW Superintendent.
- (8) For sub-metering or reselling water except to tenants as in the case of multiple dwelling units identified in the application for service.
- (9) Use of any un-metered water except as provided for in these Rules and Regulations.

- (10) Violation of the general requirements of the Water System restrictions on use of water or any other provisions of these Rules and Regulations (including attorneys' fees incurred to enforce these Rules and Regulations).

Any person or entity violating any of these provisions, in addition to discontinuance of service, shall be subject to imposition of costs, fees, charges, and penalties as set forth in these Rules and Regulations.

Out-of-Village Properties whose service is terminated for violation of these Rules and Regulations shall lose all rights to reinstatement of service unless granted by the Village Board of Trustees.

The Village reserves the right to shut off the supply of water to vacant properties. In such cases the property owner will be subject to the same provisions of these Rules and Regulations as those whose water was shut off for violation of these Rules and Regulations.

In the event of termination of service, all costs, fees, charges and penalties owed to the Village by the user must be paid in full and the fee for reinstatement of service paid in advance before service may be reinstated.

VIII. ADDITIONAL FEES AND CHARGES

The charge for making any repairs that the Village deems necessary or for turning a water service off or on, other than initially, will be, for each, the actual cost to the Village. This will include but is not limited to any cost of locating the curb box. If the service was turned off due to non-payment, the minimum cost for reinstatement of service will be as set for the on the Village's Schedule of Water System Fees.

The DPW (or its representative) shall, for a charge as set for the on the Village's Schedule of Water System Fees, paid in advance, test the accuracy of any meter with certified testing devices. If the meter is found to be inaccurate by more than two percent (2%), the Village shall adjust the bill of the last completed year by the percentage of inaccuracy, replace the meter and refund the test fee.

Property owners will be charged for the cost to the Village for repairing or replacing a valve, meter, plumbing or other equipment (including any curb box) installed on their property that is not properly maintained or was damaged by abuse or neglect, including, but not limited to, freezing or hot water backup. There will be a fee to replace curb boxes that are damaged due to mower or vehicle damage.

Any adjustments of bills or estimated bills necessitated by a property owner's failure to comply with these Rules and Regulations will, in addition to any other penalty provided for herein, be subject to an administrative fee as set for the on the Village's Schedule of Water System Fees. This includes, but is not limited to, failure to provide Village representatives reasonable access to the meter or provide requested readings of the meter, either of which results in the rendering of an estimated bill.

For Village Properties, inactive taps will not be charged an annual minimum bill. However, when service is restored, a surcharge of the actual cost or a minimum charge, as set for the on the Village's Schedule of Water System Fees. For Out-of-Village Properties, owners must pay the Minimum Charge at all times to maintain water rights even if the property is vacant.

In the event the Water System itself is required to be extended to provide service to users, the benefited owners shall be responsible for paying their equitable share of the cost of such extension upon connecting

to the Water System. At the discretion of the Board of Trustees, amounts due in connection with such an extension may be permitted to be paid over a reasonable period of time (to be specified by the Board).

IX. WATER SERVICE INSTALLATION SPECIFICATIONS AND PROCEDURES

Installation shall be made during the period April 1st to November 1st unless otherwise approved by the DPW Superintendent and shall be scheduled as soon as possible after approval and completion of an application.

The Village shall furnish an approved meter to be purchased by owner. Any other materials, equipment, and labor in connection with the installation and maintenance of service must be approved by the DPW Superintendent and provided and paid for by the applicant.

The Village supplied meter shall be supplied, installed and maintained directly following a valve inside the wall where the service line enters the structure. All other parts of the installation of water service that are the responsibility of the property owner must comply with specifications as established by the Village, including but not limited to the following:

- (1) All service lines up to 2" shall be either K type copper or 200 psi cts HDPE tubing, the size to be determined by distance from the watermain and pressure. The standard size is 1".
- (2) Lines shall be buried at a minimum of 4' and maximum of 6' and bedded in sand. A typical service install detail is attached.
- (3) A tracer wire must be buried with the service where HDPE is used. The wire must be accessible to Village representatives for service line locating.
- (4) The curb box will be an extendable type with a stainless-steel operating shaft and a cap that has "water" clearly stamped on the surface.
- (6) Provisions shall be made for the meter setting as near as possible to the point of entrance of the service line in the building. A valve shall be maintained by the property owner on either side of the meter. The setting area shall be kept frost free and easily accessible to Village representatives for meter reading and repair.
- (7) In locations where the building being serviced is 200' or more from the main, a meter pit shall be installed as near as possible to the curb box at the owner's expense. The pit should be able to accommodate a standard residential meter and transmitter and be frost free. (Ford, Mueller, etc.)
- (8) In no case will any water line be laid in a sewer or drain trench, nor will any drainage into a water line trench be permitted.
- (9) No red or white lead will be permitted to be used on joints between the main and the meter. Specifications contained in these regulations are intended to serve as a general guide and do not contain specific information concerning meter pits, back flow requirements, etc., which may be obtained from the DPW.

Service lines (that are the responsibility of the property owner) in which the material of construction is determined to be lead or galvanized steel (requiring replacement), in whole or in part, shall be replaced at the earliest possible date following determination of the service line material. Replacement must be completed in a manner and on a schedule that complies with state and federal regulations, as well as these Rules and Regulations. Replacement shall be at the property owner's expense.

X. GENERAL RIGHT TO REPAIR

Subject to any requirements set forth in Local Law No. 1 for 2025, Repair or replacement may be undertaken by the Village using its own forces or by a contractor hired by the Village in the event a property owner refuses to make a repair deemed necessary by the DPW Superintendent in the interest of public safety, health, comfort and general welfare:

- (1) The costs of such replacement will be charged to the property owner and payment will be due within thirty (30) days of invoicing. Late payments shall be subject to a penalty of ten percent (10%) of the unpaid amount due. No partial payment for less than fifty percent (50%) of the total bill shall be accepted. The penalty amount shall be increased by an additional five percent (5%) of the unpaid bill on the first day of the month following the month in which the ten percent (10%) penalty accrues and on the first day of each month thereafter.
- (2) Unpaid bills relating to repair or replacement become a lien upon the real property upon which or in connection with which the water was used. For Village properties with delinquent Water System bills as of May 1st of each year, the amount of the delinquent bill will be added to the annual tax levy and collected with the property tax. An administrative fee, as set for the on the Village's Schedule of Water System Fees, will also be added to all Water System bills that are re-levied.
- (3) In cases where the Village determined, through evidence provided by the property owner, that a hardship exists with respect to payment for replacement of water service, the Village, in its sole discretion may accept payment in five (5) equal installments over a period of five (5) years. The amount to be paid will be added to the water bill. The provision of section **III. PAYMENT OF WATER SERVICE BILLS** shall apply.

XI. MISCELLANEOUS

Specifications contained in these Rules and Regulations are intended to serve as a general guide and do not contain specific information concerning meter pits, back flow requirements, etc., which may be obtained from the DPW.

Property owners are advised to verify with the DPW Superintendent that service is available at their location before contracting for a hook-up. Installation plans must be approved beforehand by the DPW Superintendent (or, where applicable, the Board of Trustees).

It is the law of New York State that before work begins, Dig Safely New York be contacted at 1-800-962-7962. This organization contacts underground gas, electric and telephone utilities to have the equipment located.

The Village reserves the right in all cases to stipulate the size, type, and quality of service lines to be used.

Village representatives of the Water System must inspect all water service installation work while the trench is open. The property owner will supply to the Village a map that locates the curb box by measurement from the corners of the structure where the meter is located before a Certificate of Use will be issued.

These Water System regulations may be changed, amended or altered upon a majority vote of the Village of Voorheesville Board of Trustees, at any time, for the benefit of the residents of the Village of Voorheesville, or for any other reason related to public policy.

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