

AGENDA

**BOARD OF TRUSTEES
SPECIAL MEETING**

Tuesday, September 6, 2022 – 4:00PM

OPEN SPECIAL MEETING

NEW BUSINESS:

1. Introduce a Local Law establishing New Water Rates for the Village of Old Westbury and to set a Public Hearing date for Monday, September 19th, 2022.

Motion to Approve

Motion to adjourn

**INCORPORATED VILLAGE OF OLD WESTBURY
BOARD OF TRUSTEES**

**RESOLUTION INTRODUCING A LOCAL LAW
ESTABLISHING NEW WATER RATES FOR THE
VILLAGE OF OLD WESTBURY**

WHEREAS, Trustee _____ recommended to the Board of Trustees, acting in its capacity as the Board of Water Commissioners for the Village of Old Westbury (the “Village”), the enactment of a local law establishing new water rates for the Village; and

WHEREAS, the Board of Trustees, acting in its capacity as the Board of Water Commissioners, finds it appropriate and in the best interest of the Village, in order to protect the health, safety, and welfare of Village residents, and to allow for the appropriate distribution of water and development of its water system, to establish new water rates; and

WHEREAS, the Board of Trustees, acting in its capacity as the Board of Water Commissioners, hereby sets a public hearing date for September 19, 2022, on the proposed water rates and hereby directs the Village Administrator to post and publish notices of said hearing, as required by law.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees, acting in its capacity as the Board of Water Commissioners of the Village, introduces a Local Law establishing new water rates in the Village, and authorizes the Village Administrator to post and publish notices of a public hearing, as required by law, for September 19, 2022.

On motion made by Trustee _____, seconded by Trustee _____, the foregoing Local Law was introduced upon the following vote:

Edward Novick, Mayor	-
Cory Baker, Deputy Mayor	-
Marina Chimerine, Trustee	-
Jeffrey Brown, Trustee	-
Andrew Weinberg, Trustee	-

Dated: Old Westbury, New York
, 2022

Filed: Old Westbury, New York
, 2022

**INCORPORATED VILLAGE OF OLD WESTBURY
BOARD OF TRUSTEES**

LOCAL LAW NO. 3 OF 2022

**ESTABLISHING NEW WATER RATES
FOR THE VILLAGE OF OLD WESTBURY**

WHEREAS, the Board of Trustees of the Incorporated Village of Old Westbury, acting in its capacity as the Board of Water Commissioners, deems it in the public interest to adjust the water rates so as to more accurately reflect the current actual costs and expenses incurred by the Village in providing water service; and

WHEREAS, based upon the costs associated with employment, municipal compliance, maintaining, upgrading, testing, and securing the water distribution system, the Village's expenditures for water related purposes have significantly increased over time; and

WHEREAS, the Village issued a 25 year, \$10,000,000.00 Public Improvement Serial Bond that funded the construction of Well #7, the installation of a one million gallon storage tank at Well #6, facility upgrades to Well #4, the installation of an emergency generator at Well #3, the design and installation of the Supervisory Control and Data Acquisition System, and the installation of water meters with Eye-On-Water technology Village-wide; and

WHEREAS, the Board of Trustees finds that in order to protect the health, safety, and welfare of Village residents, and to allow for the appropriate distribution of water and development of its water system, that the water rates should be adjusted; and

WHEREAS, the new rates adopted by this Local Law do not amend the minimum rate charged for the first 100,000 gallons used by a property owner, and the intent of the increase is for the larger institutional uses to pay their fair share of water usage; and

WHEREAS, this Local Law was introduced by the Board of Trustees on September 6, 2022; and

WHEREAS, this Local Law was the subject of a duly noticed public hearing before the Board of Trustees on September 19, 2022; and

WHEREAS, it is hereby determined that pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. Section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5(c)(26) of 6 N.Y.C.R.R.; and

WHEREAS, the Board has fully considered all public comment on the local law, the recommendations from the Superintendent of Water and the Village's Water Engineer in support of adjusting the water rates, and the applicable statutory standards for adopting this Local Law.

NOW, THEREFORE, BE IT ENACTED by the Board of Trustees of the Incorporated Village of Old Westbury as follows:

Section 1. Legislative Intent.

The Board of Trustees of the Incorporated Village of Old Westbury, acting in its capacity as the Board of Water Commissioners, deems it in the public interest to adjust the water rates so as to more accurately reflect the current actual costs and expenses incurred by the Village in providing water service.

Section 2. New Rates.

The new water rates shall be as follows:

For the first 100,000 gallons used:	\$ 185.00 minimum
For the next 300,000 gallons used:	\$ 4.50 per thousand
For the next 400,000 gallons used:	\$ 5.75 per thousand
Over 800,000 gallons used:	\$ 7.25 per thousand

Section 3. Severability.

If any section or provision of this local law shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair, or invalidate any other part of this local law, or the remainder of, but shall be confined in its operation to the section or provision or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 4. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.

On motion by _____, seconded by _____, the foregoing resolution was adopted by vote as follows:

- Edward Novick, Mayor -
- Cory Baker, Deputy Mayor -
- Marina Chimerine, Trustee -
- Jeffrey Brown, Trustee -
- Andrew Weinberg, Trustee -

Dated: Old Westbury, New York
_____, 2022

Filed: Old Westbury, New York
_____, 2022

DRAFT