

**Business of the Village Board
Village of Saranac Lake**

SUBJECT: Adopt Water/Sewer Policy

DATE: 11-14-2022

DEPT OF ORIGIN: Mayor Williams

BILL # 165-2022

DATE SUBMITTED: 11-9-2022

EXHIBITS: _____

APPROVED AS TO FORM:

Village Attorney

Village Administration

EXPENDITURE
REQUIRED

AMOUNT
BUDGETED

APPROPRIATION
REQUIRED:

Resolution to adopt a Water/Sewer Extenuating Circumstances Policy

MOVED BY: Catillaz SECONDED BY: Scollin

VOTE ON ROLL CALL:

MAYOR WILLIAMS

yes

TRUSTEE BRUNETTE

yes

TRUSTEE CATILLAZ

yes

TRUSTEE SCOLLIN

yes

TRUSTEE SHAPIRO

yes

**RESOLUTION TO ADOPT FORGIVENESS POLICY FOR
WATER/SEWER OVERAGE**

WHEREAS, Chapter 22.9 of the New York Conference of Mayors Handbook states that “since water and sewer rents are contractual charges, not taxes, a discount or partial exemption is not constitutionally prohibited”, and,

WHEREAS, since a discount or partial exemption has the effect of granting preferential treatment to a particular class of persons, the classification must not be arbitrary and must have a rational basis, and,

WHEREAS, classification and rational basis for the good of critical infrastructure will be decided at the discretion of the Saranac Lake Village Board of Trustees, and,

WHEREAS, the classification must have substantial and reasonable relation to the accomplishment of a legitimate public objective or purpose, in this case the public purpose would be for critical infrastructure benefits, and,

WHEREAS, in cases where a water/sewer overage is in direct relation to failure of infrastructure, but no clear negligence is found, the Village Board reserves the right to consider all facts and determine if any portion of the charges shall be forgiven or forgiven if agreed upon infrastructure repairs/upgrades are completed by property owner. Forgiveness will be granted a critical infrastructure benefit once per property.

NOW, THEREFORE BE IT RESOLVED, The Village of Saranac Lake Board of Trustees adopts a policy for to forgive particular cases of water/sewer overages directly related to infrastructure failure.