

STATE OF NEW YORK
DEPARTMENT OF STATE
ONE COMMERCE PLAZA
99 WASHINGTON AVENUE
ALBANY, NY 12231-0001
HTTPS://DOS.NY.GOV

KATHY HOCHUL
GOVERNOR
WALTER T. MOSLEY
SECRETARY OF STATE

November 4, 2024

Village of Dolgeville
41 North Main Street
Dolgeville, New York 13329

RE: Village of Dolgeville, Local Law 3, and 4 2024 filed on 10/29/2024

Dear Sir/Madam:

The above referenced material was filed by this office as indicated. Additional local law filing forms can be obtained from our website, www.dos.ny.gov.

Sincerely,
State Records and Law Bureau
(518) 473-2492



Department
of State

VILLAGE OF DOLGEVILLE

INCORPORATED 1891

Mary E. Puznowski, MAYOR

41 North Main Street

Dolgeville, NY 13329

Telephone: (315) 429-3112

Fax: (315) 429-3113

E-Mail - clerk@villageofdolgeville.org

TDD: (315) 477-6447

TAMMY L CHMIELEWSKI

Village Clerk

AMBER KRASZEWSKI

Village Treasurer

KARL MANNE

Attorney

Board of Trustees

CRAIG EGGLESTON

Deputy Mayor

ROBERT P. DYER

ROBERT GRIDLEY

MARILYN WILLIAMS

October 23, 2024

NYS Department of State

41 State Street

Albany, New York 12231

Re: Village of Dolgeville - Local Law No. 3, 2024
Village of Dolgeville - Local Law No. 4, 2024

Dear Sirs/Madams:

Enclosed for filing pursuant to §27 of the Municipal Home Rule Law please find one (1) certified copy of each of the above styled local laws adopted by the Village of Dolgeville.

Very truly yours,



Karl E. Manne
Village Attorney

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Village of Dolgeville

LOCAL LAW NO. 4 OF THE YEAR 2024

A Local Law of the Village of Dolgeville establishing and imposing water rents in the Village of Dolgeville and amending Local Law # 2-2016.

Be it enacted by the Board of Trustees of the Village of Dolgeville as follows:

SECTION 1. Definitions.

Unit. A structure or parcel of real property served by the Village of Dolgeville water system, or other applicable designation herein related to the use of such water.

Dwelling Unit. An apartment or house with living facilities intended for use by a single family.

SECTION 2. Establishment of Water Rents

- A. The Village hereby establishes and imposed water rents for the use of the water system or any part or parts thereof applicable both to users located within the Village and to users located outside the Village, whether within special use districts or otherwise, and establishes and imposes such water rents as an annual charge on all real property located within the Village and being served by such water system.
- B. Water rents will be charged in accordance with class of use as specified herein, inclusive of pro-rata use charges if a unit is being utilized in a multiple manner.
- C. The amount of such water rents are fixed as follows:
 1. Residential Properties. Annual water rents for residential properties and churches within the Village shall be assessed at the rate of \$247.00 per dwelling unit to which water is actively connected. Such rent shall be payable without regard to occupation or vacancy.
 2. Small Commercial Properties. Except as set forth in section 3, infra, annual water rents for commercial properties within the Village shall be assessed at the rate of \$306.00 per unit to which water is actively connected. Any residential dwelling unit within a commercial property shall be charged a separate water rent at the residential rate.
 3. Special Uses. The following are identified as "Special Uses" and shall pay water rents in the amounts stated, subject to the provisions of Section 3, infra.:

Farms:	\$5.15 per head of livestock per year
Emergency Wholesale	\$5.15 per day
Non-potable use	\$5.15 per 300 gallons

4. Large Commercial Properties. The following are identified as "Large Commercial Properties" and shall pay water rents in the amounts stated:

Gehring Tricot Miltex	\$ 48,740.00
North Hudson	\$ 1,950.00
J & M Car Wash, LLC	\$ 2,161.00
Rawlings Sporting Goods	\$ 1,883.00
Dolgeville Central School	\$ 3,014.00
Tumble Forms	\$ 1,131.00
Flocast	\$ 919.00
Laundromats 0-8 machines	\$ 775.00
Laundromats 9-16 machines	\$ 1,548.00
Laundromats 17+ machines	\$ 2,323.00

5. Outside Users. Annual water rents for users outside of the Village shall be assessed at the rate of \$306.00 per dwelling unit and \$402.00 per commercial property.

SECTION 3. Special Rates

The Dolgeville Department of Public Works shall be the designated fill station for outside area resident who are temporarily out of water (Class 9 users). There will be no charge for the first thirty (30) day period in a calendar year. After this (30) day gratis period, there will be the above-described five dollar (\$5.00) charge for a maximum of three hundred (300) gallons of water per day. The designated fill site will only be available during working hours of the Department of Public Works unless prior arrangements are made at the Village Clerk's office. The Village reserves the right to deny this service to outside area residents during periods of water shortage which affect Village users.

Class 10 water purchasers for non-potable use shall pay a charge of five dollars (\$5.15) for each three hundred (300) gallons of water purchased. The Village reserves the right to deny this service during periods of water shortage.

A fee of twenty five dollars (\$25.00) will be due for having water shut-off and for having water turned on at the user's request.

A fee of fifty dollars (\$50.00) shall be due and paid before water is turned back on after being turned off because of non-payment of rent.

SECTION 4. Water Year

For the purposes of this Local law, water rents for users in classes 1 through 5, shall be billed on a quarterly basis with said billings being made on August 1, November 1, February 1, and May 1. Water users in class 3 shall pay the appropriate fee to the Village Clerk before drawing water at the Village water fill station. A receipt for this payment shall be shown to the attendant before water is drawn.

SECTION 5. Collection of Water Rents

Water rents shall be paid within thirty (30) days after the due date thereof.

SECTION 6. Penalties

Penalties for late payment or non-payment of water rents are hereby fixed at a rate of ten percent (10) which may be amended from time to time upon resolution of the Board of Trustees of the Village of Dolgeville.

SECTION 7. Lien for Water Rents

Unpaid, or delinquent, water rents shall constitute a lien upon the real property within the Village served by the water system to the extent as set forth in Section 11-1118 of the Village Law of the State of New York. Unpaid, or delinquent, water rents for outside of village real property served by the water system shall constitute a lien upon such real property in accordance with any judicial judgment that may be rendered for non-payment.

SECTION 8. Collection of Delinquent Water Rents

The Village may enforce the collection of delinquent water rents by any method authorized by Article 11 of the Village law of the State of New York or other applicable law.

SECTION 9. Pro-Ration of Rents for Cancelled Service

In the event a property owner lawfully ceases or terminates water service to the premises during the rent period, the water charge shall be pro-rated by the Village Clerk on a monthly basis to the month of termination.

SECTION 10. Correction of Errors

If any owner of real property on which water rent is imposed deems himself aggrieved because such real property is not served by the water system, or for an error which has been made in computing such water rent, he may file an application for a refund for all or part of such imposed water rent. Such application shall be presented to the Village Board of Trustees with a recommendation in relation thereto. The Village Board of Trustees may refund all or part of such water rent.

SECTION 11. Water Meters.

The Board of Trustees of the Village of Dolgeville may, by subsequent resolution, require that all water to various types and classes of users shall be measured through meters. Such a resolution shall be made by the Board only after a public hearing has been held thereon with at least fifteen (15) days notice to the public.

The following regulations shall apply to each water service where meters are specifically ordered by the Board:

- A. When the Board makes a determination that on a certain date all village water provided to a certain type and class of user will be supplied and sold by measurement only, then and thereafter all water used by such customers shall be metered.
- B. The Village shall provide all water meters and the installation and maintenance thereof shall be a charge to the consumer.

- C. If a meter is out of order and fails to register, the consumer will be charged at the average consumption as shown by the meter when in order.
- D. At the written request of a consumer, the Village will test the meter supplying the premises of said consumer. If the meter on testing is found to be registering over three (3) percent more water than actually passes through it, no charge will be made for the test; otherwise a charge as defined in a Village fee schedule to cover the cost of removing, testing and resetting the meter will be made.
- E. No seal placed by the Village for the protection of any meter, valve or other water connection shall be tampered with or defaced. If the seal is broken, the Village reserves the right to remove and test the meter at the customer's expense.
- F. Where, after installation, damage to any meter is caused by the negligence of the consumer, the charge for renewing or repairing of same shall be at the expense of the consumer. Tampering with any meter shall be a misdemeanor and punishable as provide for Unclassified Misdemeanors in the Penal Law, or other applicable law, of the State of New York.

SECTION 12. Separability

The invalidity of any section, clause, or provision of this Local law shall not affect the validity of any other part of this Local law, which can be given effect without such invalid part or parts.

SECTION 13. Repeal of Prior Laws

Local Law No. 2-2016 and any other prior law, rule or regulation inconsistent herewith is hereby repealed.

SECTION 14. Effective Date

This Local Law shall take effect upon its filing with the Secretary of the State.

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 4 of 2024 of the Village of Dolgeville, New York was duly passed by the Board of Trustees on October 21, 2024, in accordance with the applicable provisions of law.

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.




Tammy L. Chmielewski, Village Clerk

Date: October 23, 2024

(Seal)

State of New York
County of Herkimer

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.



Karl E. Manne, Village Attorney

Date: October 23, 2024

RESOLUTION

Regular meeting of the Village Board of the Village of Dolgeville, held on the 21st day of October, 2024 at 6:00 p.m. at the Village Board Room at 41 North Main Street, Dolgeville, New York.

Present: Mayor Puznowski, Trustees Dyer, Eggleston, Gridley and Williams

Absent: None

Upon motion of Trustee Eggleston, seconded by Trustee Dyer, the following resolution was introduced:

BE IT RESOLVED by the Village Board of the Village of Dolgeville, New York, that the following Local Law No. 4, 2024, attached hereto and made a part hereof, be and the same hereby is enacted and adopted:

(See attached Local Law No. 4, 2024)

The foregoing resolution was duly put to vote on roll call which resulted as follows:

Trustee Dyer:	Aye
Trustee Eggleston:	Aye
Trustee Gridley:	Aye
Trustee Williams:	Aye
Mayor Puznowski::	Aye

This resolution was thereupon declared duly adopted.

CERTIFICATION

I hereby certify that this is a true copy of the foregoing Resolution of the Village of Dolgeville lawfully adopted on the date and at the place stated therein.

Dated: October 23, 2024


TAMMY L. CHMIELEWSKI
Village Clerk