

Village of Warwick Water Bill Dispute Procedure

Effective October 15, 2018

- When an initial complaint is received by the Water Billing Clerk:
 - The Water Billing Clerk should provide the customer with an information sheet and/or information regarding the main reasons water bills become high and the procedures to determine if leaks are present.
 - Once the customer has exhausted their own investigation within their home, then the Water Billing Clerk will schedule the Water Department to meet the homeowner at their home to take a look at their meter and possibly monitor their meter if necessary to try to determine the underlying cause of the problem.
- The final sixty day past due / shut off notice will include the language regarding the right to dispute a bill:

FINAL NOTICE - YOUR WATER WILL BE TURNED OFF FOR NON-PAYMENT EFFECTIVE: XX/XX/XX

PLEASE BE ADVISED that any questions or inquiries regarding this bill may be made to the Water Billing Clerk at (845) 986-2031 ext. 105. If you wish to dispute this bill, you may do so by submitting to the Water Billing Clerk, in writing 7 days prior to shut off, a brief statement of the grounds for disputing the bill, and an investigation will be scheduled to resolve your dispute prior to the Village taking action to terminate water service to your property.

- Written disputes are to be received by the Water Billing Clerk 7 days prior to shut off (*not business days*).
 - Written disputes are to be reviewed by the Water Billing Clerk, Water Supervisor, and Mayor.
 - If necessary a meeting with the homeowner, Water Billing Clerk, Water Supervisor, and Mayor will be scheduled to allow the homeowner to discuss their account and if necessary, a payment plan may be offered, which subject to Village Board approval.
 - If a payment plan is offered, a memo must be provided from the Water Billing Clerk to the Village Board explaining the circumstance along with the proposed payment plan specific to the homeowner for the Village Board to approve via motion.
 - The Village Board makes the final determination of offering a payment plan and what that plan would entail.
- Once a payment plan has been approved:

- A Water Bill Repayment Agreement must be signed by the homeowner and the Village of Warwick in accordance with the attached example Water Bill Repayment Agreement.
- If a payment plan has been approved, a subaccount will be created for the outstanding balance in accordance with the Water Bill Repayment Agreement.

**AGREEMENT FOR REPAYMENT OF WATER AND SEWER CHARGES
BETWEEN THE VILLAGE OF WARWICK and _____**

This Agreement made the ____ day of _____, 2018 by and between the **Village of Warwick**, with an address at 77 Main Street, Warwick, New York (the "Village") and _____, with an address at _____, Warwick, New York (the "Property Owner").

WHEREAS the Property Owner is the owner of real property located at _____, Warwick New York 10990, being also designated as Section ___, Block ___, Lot ___ on the tax map of the Village of Warwick, County of Orange, State of New York which receives municipal central water service from the Village of Warwick; and

WHEREAS, on or about _____, 2018, the Property Owner received a bill for water and sewer charges from the Village in the amount of \$ _____ generated as a result of a water leak; and

WHEREAS, the Village has agreed to accept payment of the bill in
* _____ (*example: **twenty-four (24) equal payments of One Hundred Forty-Three and 83/100 Dollars (\$143.83)**) to be made *quarterly over the course of six years) in order to offset the hardship of paying the bill in full immediately.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. The Property Owner acknowledges that the entire amount of \$ _____ is currently due and payable, and that the Village is entering into this Agreement solely as an accommodation to the Property Owner to allow repayment of the amount presently due in installments over time; and

2. In order to accept the said repayment installments, the Village shall establish an installment plan on the existing account with a quarterly sewer installment of \$ _____ and water installment of \$ _____ for the payment \$ _____ bill. Ongoing water and sewer charges will continue to be billed from the Property Owner's existing account as well.

3. The Property Owner shall pay the sum of \$ _____ (constituting the sewer installment of \$ _____ and the water installment of \$ _____) to the Village each quarter in addition to such bill for current water and sewer usage as may be due. The first payment shall be deemed due on _____, 2018 and must be submitted by the Property Owner upon the execution of this Agreement. Subsequent payments shall be billed on the *15th day of the month in the months of September, December, March, and June. Bills will be due by the 15th day of the month in the months of October, January, April, and July. **This is dependent on current billing cycle**

4. The repayment installments shall be subject to all fees and procedures as all water accounts in the Village of Warwick except that any fees or penalties shall only be assessed based

on the individual quarterly payment then due or outstanding, not based on the entire balance of the repayment. The fees and procedures shall include, but not be limited to, the following:

- a. A 5% late fee shall be assessed against all payments thirty (30) days past due.
- b. An additional 3% late fee shall be assessed against all payments sixty (60) days past due.
- c. 15 days after the 60-day late fee notice, a shut off notice will be sent via certified mail.
- d. The cost of certified mailings will be added to the account.
- e. In the event water service is shut off, a \$100.00 shut off/reconnect fee will be assessed against the account.
- f. 10 days after the shut off notice is sent; water service will be shut off until the balance is paid by cash or bank check including all late fees and other charges associated with the late payment.
- g. The remaining balance will be relieved onto the yearly Village Taxes if not paid.

5. In the event that the _____, Warwick, New York is sold or title is otherwise transferred or conveyed, the outstanding balance on the account including repayment installments must be paid in full at the time of closing or such transfer or conveyance.

THE VILLAGE OF WARWICK

PROPERTY OWNER

By: Michael Newhard, Mayor

Property Owners Name

STATE OF NEW YORK)
) S.S.:
COUNTY OF ORANGE)

On the ____ day of August, in the year 2018 before me, the undersigned, a Notary Public in and for said State, personally appeared MICHAEL NEWHARD, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in her capacity, and that by his signature on the instrument the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public
STATE OF NEW YORK)
) S.S.:
COUNTY OF ORANGE)

On the ____ day of August, in the year 2018 before me, the undersigned, a Notary Public in and for said State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in her capacity, and that by his signature on the instrument the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public