

TOWN OF CHESTER

**A RESOLUTION PETITIONING THE NEW YORK STATE PUBLIC SERVICE COMMISSION TO ORDER
ORANGE AND ROCKLAND UTILITIES, INC.
TO ALLOW CUSTOMERS LOCATED IN THE TOWN OF CHESTER TO RETAIN
NON-AMI OR NON-AMR UTILITY METERS WITHOUT ANY FEES OR PENALTIES**

July 10, 2019

TITLE: A resolution petitioning the New York State Public Service Commission to order Orange and Rockland Utilities, Inc. to allow customers located in the Town of Chester to retain non-AMI or non-AMR Utility Meters without any fees or penalties.

At a regular meeting of the Town Board of the Town of Chester, Orange County, New York, held at the Town Hall, 1786 Kings Highway, Chester, New York, on the 10th day of July, 2019, at 7:00 PM prevailing time:

The meeting was called to order by Supervisor Valentine and upon roll being called the following were:

PRESENT: Robert Valentine, Supervisor
Cindy Smith, Deputy Supervisor
Orlando Perez, Councilman
Vincent Finizia, Councilman

The following resolution was offered by Councilwoman Smith, who moved its adoption, seconded by Councilman Perez, to wit:

WHEREAS, on November 14, 2014, Orange and Rockland Utilities, Inc. (“O&R”) filed with the New York State Public Service Commission Tariff Leaves which revised previously filed tariff leaves which sets tariff fees related to electricity and gas service for residential customers who choose to opt-out of using Automated Meter Infrastructure (“AMI”) and Automated Meter Reading (“AMR”) devices;

WHEREAS, the revised Tariff Leaves further state that the proposed tariffs would allow residential customers to opt-out of using AMI devices and instead elect to have O&R install and maintain non-AMI or non-AMR devices, such as Analog Meters, and manually read these meters through bi-monthly in-person meter readings; and

WHEREAS, the O&R AMI and AMR Opt-Out tariffs state that an existing customer receiving service through a non-AMI or non-AMR (e.g. analog utility meter) equipped meter may execute and submit an Application to request that service be continued through a non-AMI or non-AMR equipped meter, and that the customer will not be subject to a meter change fee, but will instead be subject to a monthly non-AMI or non-AMR service fee; and

WHEREAS, the O&R AMI and AMR Opt-Out tariffs state that an existing customer receiving service through an AMI or AMR equipped meter may execute and submit an Application to request that service be continued through a non-AMI equipped meter, but that the customer will be subject to the a meter change fee and a monthly non-AMI or non-AMR service fee; and

WHEREAS, the Town Board of the Town of Chester has received voluminous complaints from residents who want to retain their Analog Utility Meters under the terms of the AMI and AMR Opt-Out

Tariff, but are being told by O&R that their current Analog Utility Meters are going to be replaced by Digital Utility Meters; and

WHEREAS, the Town Board of the Town of Chester, as the result of recent information related to the potential effects of chronic exposure to wireless radiofrequencies radiation, has serious concerns related to the potential health impacts of AMI and AMR meters on residents of the Town of Chester; and

WHEREAS, it is the intention of the Town Board of the Town of Chester to allow residents in the Town of Chester to retain their existing Analog Utility Meters in the interest of public health, safety and welfare; and

WHEREAS, for the purposes of this Resolution, the following terms shall have the meanings hereinafter defined:

“Utility Consumer” shall be defined as an O&R electric ratepayer, including, but not limited to renters, business owners and consumers.

“Electro-Mechanical Analog Utility Meter” shall be defined as a device that measures the amount of electrical energy consumed by a residence, business or an electrically powered device which operates by counting the revolutions of a non-magnetic, but electrically conductive, metal disc that rotates at a speed proportional to the power passing through the meter. This device is purely mechanical and uses no electronic components, no switch mode power supply, no transmitter, no antenna and no radio frequency emissions.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chester shall petition the New York State Public Service Commission to request the following relief:

1. O&R shall provide Utility Consumers in the Town of Chester with a 90-Day written notice in advance of installing any type of digital meter at no additional charges to said Utility Consumer, monthly or otherwise.
2. O&R shall fully inform Utility Consumers in the Town of Chester of their right to participate in the Opt-Out program, which will allow said Utility Consumers to retain their Electro-Mechanical Analog Meters.
3. O&R shall allow Utility Consumers in the Town of Chester who decide to participate in the Opt-Out program to retain their installed Electro-Mechanical Analog Meters and said Utility Consumers shall not be subject to the one-time meter change fee nor the monthly non-AMI or non-AMR service fee.
4. O&R shall offer to Utility Consumers in the Town of Chester Electro-Mechanical Analog Meters as a replacement for previously installed AMI and AMR meters and said Utility Consumers shall not be subject to the a meter change fee or a monthly non-AMI or non-AMR service fee.

The question of the adoption of the foregoing resolution was duly put to a roll call vote which resulted as follows:

Robert Valentine, Supervisor	Yes
Cindy Smith, Deputy Supervisor	Yes
Orlando Perez, Councilman	Yes
Vincent Finizia, Councilman	Yes

Yes 4 No 0 Abstain 0 Absent 1

Dated: July 10, 2019

CERTIFICATION

I, Linda Zappala, Town Clerk of the Town of Chester, do hereby certify that the herein Resolution was adopted at a regular meeting of the Town Board of the Town of Chester held on July 10, 2019 and it is on file and of record, and that said Resolution had not been altered, amended or revoked and it's in full force and effect.

(SEAL)

Linda Zappala, Town Clerk

Dated: July 11, 2019