

DREW CAMPANY
Water Superintendent
Commissioners:
KATHY ERDO, DAVE CIMPI
JIM CHAMBERLAIN, ZAK KRISTAN
IHOR SEMKO

Liza Saunders, Clerk

CITY OF ONEIDA
WATER DEPARTMENT



109 N. Main Street
Oneida NY 13421

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DOCUMENT TITLE:
KNOTTY PINE'S REQUEST FOR WATER LINE REPLACEMENT – FOR WATER BOARD COMMISSION

ATTACHMENT 1:
RICK RUTHERFORD'S KNOTTY PINE DINER LETTER TO WATER BOARD

ATTACHMENT 2:
WATER SUPERINTENDENT'S RESPONSE LETTER REGARDING KNOTTY PINE

ATTACHMENT 3:
MAP AND STREET VIEW OF KNOTTY PINE

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ATTACHMENT 5:
QUOTE TO REPLACE WATER COPPER LINE FOR KNOTTY PINE

Prepared by:

Drew Campany
Water Superintendent

Knotty Pine Diner, Inc.

October 10, 2025

Andrew Campany
Water Superintendent
City of Oneida Water Department
109 North Main St.
Oneida, NY 13421

Dear Drew,

Per our recent conversations and emails regarding repairing the defective water line under route 5 in Wampsville that supplies our water, I am providing a summary of the problem for you to take to the Water Board meeting on Tuesday, October 14, 2025.

Our issues started quite some time ago when the water line under route 5 that goes from the main on the south side of the road to our curb box in our parking lot on the north side of the road froze. I'm not sure of the exact date or year but it must have been eight to ten years ago. I'm sure the water department has record of the repair. When our cook was opening that morning, he found there to be no water. I investigated everything on our end to the extent I could and was not able to find the problem, so I called the water department. They seemed a bit frustrated with me and told me that if they find that the frozen section is on our building's side of the curb box that we would be responsible for paying the water department for fixing it. Having no other alternative, I agreed and asked them to come out, which they did later that afternoon. They dug down to the curb box and started investigating from there. They found that the line under route 5 that goes from the main to our curb box had frozen. They snaked a tube down it from the open hole in our parking lot and ran hot water to thaw the line. This resulted in no charges for us as the problem was on Oneida Water Department's side of our curb box. I asked what was going to be done to keep the problem from happening again and was told that the water department wasn't going to do anything. I asked how we keep the water line from freezing again and was instructed to keep our water running at night when it gets cold out. Upon further discussion about this with the water department employee that instructed this, he said he would ask his boss if they could put a jump meter in so we wouldn't have to pay for the water being used to keep the line from freezing at night. He later told me that his boss said no. Obviously, this was a bit frustrating to be told to pay for water to keep the line under the road from freezing. This also puts additional water into our septic system for the sole purpose of keeping the water line from freezing.

Knotty Pine Diner, Inc.

So, we have been keeping water running at night for several years now when it gets cold to be sure that we can have running water the next morning. We can't afford to test this to find out if that line will freeze again because if it does, we are closed down for that day which means we lose the days revenues, our employees can't work and therefore don't get paid, and our food stock gets a day older with some things not lasting more than they day they are supposed to be used on that would then get thrown away. The line freezing cost us thousands of dollars in lost revenue, waste, etc. the first time and our employees didn't work or get paid that day it happened. We cannot afford to have that happen again and find it very upsetting to have to rely on running the water at night when it gets cold to be sure we have running water the next day. It clearly stands to reason that if the water line froze once, it will certainly freeze again. The line is only $\frac{1}{2}$ " which means it must be very old as $\frac{3}{4}$ " has been code for quite some time. I'm sure the line is occluded with buildup considering its age and as the Water Department suspects, the line probably isn't deep enough to keep it from freezing.

When discussing the repair of this line recently, you gave us a quote totaling \$4,625.10 to replace the line under route 5 from the main to our curb box. Not only can we not afford this, but as we discussed, we also don't see how it could possibly be our responsibility to pay for repairing this defective line. This is not a new line, it is a repair to a defective line which, in our opinion, is the Water Departments responsibility, not ours. As I mentioned, I have spoken to quite a few people about this (professionals and non-professionals) and no one can understand how or why there would be any cost for us to fix a problem on the Water Department's side of the curb box. It's unprecedented and unheard-of.

As requested, that is the gist of the situation. I hope this is enough to provide some insight to the Water Board. We appreciate the time you've already put into this and truly appreciate you taking it to the Water Board for us!

If you or the Water Board have any questions or need any additional information, please feel free to call or email me.

Best Regards,



Rickey M. Rutherford
Knotty Pine Diner, Inc.

DREW CAMPANY
Water Superintendent
Commissioners:
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October 14, 2025

Subject: Response to Rickey Rutherford at the Knotty Pine Diner

Addressed to the Water Board Commissioners

Rick, owner of Knotty Pine Diner, has requested that the City of Oneida Water Department replace his existing 1/2-inch copper service line with a 3/4" copper line, running from the water main across Route 5 to his curb box. He reports that the line froze several years ago and that the department responded at that time to thaw it. He now claims the line is defective and is asking that the Water Department install a new line at no cost.

According to the **City of Oneida Water Department Rules and Regulations**, Section IX – *Service Pipes Maintained*, the property owner is responsible for maintaining the service line from the water main to the premises, including all fixtures and appurtenances. The department can perform replacement work if requested, but the cost of materials and labor must be billed to the customer.

Section X – *Defective Services* further states that defective residential services up to and including one inch in diameter may be replaced by the Water Department from the main to the curb, with the customer charged an annual fee covering the average cost of materials only. This applies only in cases where the line is truly defective—such as through failure, deterioration, or noncompliance with current standards—not when the issue results from temporary environmental conditions like freezing.

In this case, the service line froze once during an extreme cold-weather event that affected several other properties across the system that same day. There has been no indication of recurring failure or any material defect since. The line remains operational and continues to provide reliable service. A one-time freeze under severe weather does not meet the definition of a defective line under department policy.

Replacing this line would also present significant logistical and financial challenges. The portion of the water main along the shoulder of Route 5 is located on a steep embankment and partially within a private driveway. Excavation would require a New York State DOT right-of-way permit, associated fees, site plan and traffic control drawings, and coordination with multiple agencies. This would be a time-intensive and costly process for work that benefits a single customer and addresses a problem that occurred only once under extraordinary conditions.

The department's position is to follow established policy to ensure fairness and consistency for all ratepayers. Granting this request would set a precedent that could lead to similar expectations from other property owners and would not be financially sustainable. The

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department can, however, replace the service line upon the owner's request and charge for materials and labor in accordance with current rates.

Given these facts, I recommend that the Board uphold existing policy and decline to authorize the replacement of this service line at the department's expense. The line is not defective, remains operational, and the freezing incident appears to have been an isolated event. The customer can minimize any future risk by maintaining a small trickle of water during periods of extreme cold. And, honestly, we would prefer not to perform the work due to the high traffic area and sloped embankment.

Sincerely,

Drew Campany
Water Superintendent



Aerial View with Water Lines



Area of excavation to get to water main

9/30/25

Superintendent of the Water Department. Before a permit shall be granted by the Superintendent, the applicant will be required to pay all sums that may be demanded by the Board of Water Commissioners, for time required and material used, in making tap, connecting service pipe to water main, setting up the account and the purchase of a meter larger than 3/4 inch. The fee charged for service to a new customer will be set annually.

IX. SERVICE PIPES MAINTAINED

The owner of the property into which water is introduced by a new service pipe will be required to put in and maintain in perfect order, at his own expense, said service pipe from the main to his premises, including all fixtures therein provided for delivering or supplying water for any purpose; and in case such service and fixtures are not so kept in repair, the Superintendent of the Water Department may shut off the supply of water.

X. DEFECTIVE SERVICES

In all premises where water from the city mains are now delivered by a system of pipes and fixtures for water services, and where the service pipes and fixtures are not of the standard or pattern prescribed in the rules and regulations of the Water Department; or where such fixtures and devices for the prevention of damage to the service, or waste of water, as are prescribed in said rules and regulations, are lacking from said system, the customer shall at any time, when so required by order of the Board of Water Commissioners make such changes in and additions to said system or fixtures for said services shall be required by the Board of Water Commissioners, and at the customers own expense. Any defective residential service up to and including one inch will be replaced from the water main to the curb by the Water Dept. The fee charged for said replacement service will be set annually in order to cover the average cost of materials only. The service pipe from the curb box to the house is to be installed by a plumber hired by the customer. The full cost of a service replacement from the curb to the cellar will be borne by the property owner. Upon refusal of any person to comply with this rule, the water shall be shut off.

Water services inactive for a period of three (3) years from the date of initial turn off shall not be turned on unless the service meets the current material specifications. The customer shall be responsible for replacing the service if any portion of the service line contains lead. The City will replace the service from the main to the curb in accordance with the Rules and Regulations governing the same.

XI. STEAM BOILERS

In all places where steam boilers or hot or cold-water tanks are supplied with water from the City water system, the owner or customer must see that the plumber places a suitable safety valve, vacuum valve, or other proper device, to prevent damage from collapse or explosion when the water is shut off. There will be no cross connections allowed. The Board of Water Commissioners, or the City of Oneida, shall not be liable for any damage resulting from sudden shutting off of the supply of water from any steam boiler or other fixture deriving its supply from the City water system. It is intended that suitable notice of such shutting off shall be given to the customers when practicable.

WATER BOARD MEETING
Tuesday October 21, 2025
3:30 P.M.
City Hall
Water Department Conference Room

Roll call was answered by: Commissioners Erdo, Chamberlain, Cimpi, Semko, Kristan

Absent:

Others Present: Drew Campany, Water Superintendent, Liza Saunders, Clerk of the Board

The meeting opened at: 3:39pm

Moved by: Commissioner Chamberlain

Seconded by: Commissioner Erdo

Item 1: Approval of September 9, 2025, Meeting Minutes:

RESOLVED, to approve Water Board minutes of September 9, 2025, meeting minutes.

Moved by: Commissioner Erdo

Seconded by: Commissioner Chamberlain

Ayes: 5

Nays: 0

Absent: 0

Motion Carried

Item 2: Naming a new Water Board Chairman:

Commissioner Cimpi nominated Commissioner Chamberlain as the new chairperson.

Nomination was seconded by Commissioner Erdo.

RESOLVED, to name Jim Chamberlain the new chairperson of the Water Board.

Ayes: 5

Nays: 0

Absent: 0

Motion Carried

Item 2: Discussion of possible water service replacement for Knotty Pine, 100 Genesee St.:

See attachments

Discussion: The Water Board members agreed that because this has only happened once in the past ten years it is not sufficient for the Water Department to replace the service line at their own expense. It would establish a precedence that would not adhere to the current Water Departments rules & regulations, and would establish if we allow it for one, it must be allowed for all. However, the water department could replace the line if the property owner agreed to be responsible for all expenses associated with the job.

RESOLVED, to grant the service line replacement for the Knotty Pine, 100 Genesee St.

Motioned by: Commissioner Chamberlain

Seconded by: Commissioner Cimpi

Ayes: 0

Nayes: 5

Absent: 0

Motion Denied

Reports

Water Superintendent, Drew Company gave a department report, letting all members know that things are operating smoothly and he is prioritizing work that should be done in a timely manner.

He let the members know that the plant shutdown was unsuccessful due to a broken valve they found while in the process, so the shutdown will happen again at a later date. He told members that we are ahead of the game with our EPA lead and copper testing, with letters already sent out and 30-40 people interested in testing, while the EPA requested only a plan by January of 2026.

Motion to Adjourn:

Mentioned by: Commissioner Cimpi

Seconded by: Commissioner Semko

Ayes: 5

Nayes: 0

Absent: 0

Motion Carried

The City of Oneida Water Board adjourned at 4:13pm.

Respectfully submitted,

Liza Saunders
Clerk of the Board

Knotty Pine Diner, Inc.

October 29, 2025

Andrew Campany
Water Superintendent
City of Oneida Water Department
109 North Main St.
Oneida, NY 13421

Dear Drew,

Please accept this letter as my formal request to Appeal the recent decision made by the water board regarding replacing our Defective Water Line under route 5.

The water board's decision to not repair the line was based on the water line only having frozen once in the last 10 years. As I explained to you, this is only because we keep our water running at night when the weather gets cold which keeps it from freezing. We were instructed to do this by the water department after it froze. I must assume that they felt it was likely to freeze again, or they would not have instructed us to keep our water running at night. Also, as I have explained, I can't experiment and not run the water to test if it will freeze again as we will be shut down for the day when it freezes again, as we were the first time it froze. That means we lose a full day's revenue, our stock gets a day older, much of our prepared food goes to waste, and most importantly, none of our employees get paid for work that day. Again, if the water department thought this was a "once every ten years issue", they would not have instructed us to keep our water running at night to keep it from freezing again. Though it is still tough to understand why it is acceptable to have anyone's water line freeze even once every ten years.

You said that the water department feels the water line is not deep enough! I do not understand how this does not classify as a "defective line"? Per previous conversations, if the water line was to have broken when it froze, the water department would have fixed it at no expense to us. In the same vein, we were not charged when the water department dug up the curb box and thawed out the frozen line because it was on the water department's side of our curb box. This line needs to be replaced, and it should be done at the expense of the water department, not at our expense. Having us pay to replace the line would be like us trying to charge one customer for the cost of a new fryer when they order French fries because the fryer broke and they were the next order of fries! That clearly makes no sense!

We just want to have consistent running water without having to worry about the water department's line freezing and we truly don't think this is too much to ask!

Best Regards,



Rickey M. Rutherford
Knotty Pine Diner, Inc.