

175875

New York (State)

DEPARTMENT REPORTS

OF THE

STATE OF NEW YORK (State) -

CONTAINING THE

MESSAGES OF THE GOVERNOR

AND THE

DECISIONS, OPINIONS AND RULINGS

OF THE

State Officers, Departments, Boards
and Commissions

OFFICIAL EDITION

JOSEPH H. WILSON, Director of the Budget

VOLUME 38

ALBANY

J. B. LYON COMPANY, PUBLISHERS

1929



Second. That the plans proposed are justified by public necessity.

Third. That said plans provide for the proper and safe construction of all work connected therewith.

Fourth. That said plans provide for the proper protection of the supply and the watershed from contamination and that filtration is at the present time unnecessary.

Fifth. That said plans are just and equitable to the other municipalities and civil divisions of the State affected thereby and to the inhabitants thereof, particular consideration being given to their present and future necessities for sources of water supply.

Sixth. That said plans make fair and equitable provisions for the determination and payment of any and all legal damages to persons and property, both direct and indirect, which will result from the execution of said plans or the acquiring of said lands.

Wherefore, the Water Power and Control Commission does hereby approve the said application, maps and plans of Avery Tract water district as thus modified.

In the Matter of the Application of the VILLAGE OF PHOENIX for Approval of Its Acquisition of a Source of Water Supply and of Its Financial and Engineering Plans for the Construction of a Water Supply System

Water Supply Application No. 506

(Water Power and Control Commission, May 7, 1929)

Application approved as modified.

BY THE COMMISSION.—Elvin J. Bambury, mayor of the incorporated village of Phoenix, in Oswego county,

acting on behalf and in the name of that municipality, on April 8, 1929, made application to the Water Power and Control Commission asking for approval of the plans of said village for the acquisition and development of a new and additional source of water supply therefor. This application was filed in the office of the Commission on April 10, 1929.

After due notice, published in the *Phoenix Register*, the hearing on this application was held in the office of the village clerk, in said village of Phoenix, on May 2, 1929, at 2:00 o'clock in the afternoon. At this hearing the Commission considered the petition, maps and plans submitted, examined witnesses and heard arguments for the project. The applicant was represented by Elvin J. Bambury, mayor, Cecil L. Burton, trustee, Dr. C. W. Richards and George C. Wood, members of the board of water commissioners, and Mrs. Ruth E. Ray, village clerk. No objections were filed and no one appeared in opposition.

On May 2, 1929, the Commission caused an engineering inspection to be made of the proposed source of water supply and of the sites of the proposed works.

It is proposed to abandon Oswego river as the source of water supply for this village and instead thereof to obtain a supply of water from a well to be sunk near the right bank of Oneida river at a point about one and one-half miles northeast of the center of the village. This well is to be fifteen to twenty feet deep and sixteen feet in inside diameter. It is to be lined with perforated concrete blocks and covered with a tight roof. The excavation is to be twenty-four feet in diameter and the space outside of the lining to be backfilled with gravel to above the level of the water bearing strata and with clay for the remainder of the distance. The curb is to be carried well above the surface of the ground and is to be surrounded by an

earth embankment. Near the well a fire proof pumping station is to be erected. In this station two 500-gallon per minute centrifugal pumps, one actuated by an electric motor and one by a gasoline engine, are to be installed. This equipment is to be moved from the present upper pumping station in the village. About a mile of ten-inch cast iron pipe is to be laid to connect the new pumping station with the existing distribution system in the village. All water is to be chlorinated.

After due study of the petition and its exhibits, the evidence and arguments given at the hearing and the report of the engineers of the Commission on this application, it appears as follows:

Phoenix is an incorporated village in the town of Schroepel, Oswego county, situated in the southerly end of that town, on the right bank of Oswego river somewhat more than two miles below Three River point, where Oswego river is formed by the junction of Seneca and Oneida rivers. In this village or immediately across the river from it are six paper mills, a chair factory and three machine shops. The population was 1,711 in 1925 and is now about the same. The total assessed valuation of property within the village is \$917,107. It has a total outstanding indebtedness of \$40,000, of which the amount of \$23,040 was incurred for water supply purposes. Phoenix is served by the Syracuse and Oswego branch of the New York Central railroad, by the electric car line between those cities and by the Oswego canal (Oswego river).

A public water supply system was installed in this village by private enterprise some thirty-eight years ago. The system was purchased by the village about 1917. Water was originally and is still pumped by water power from Oswego river near the center of the

village. About the time that the system was purchased by the municipality a new intake and pumping station were built farther up stream, but these have seldom been used. It is the equipment from this station which is to be moved to the new site. The distribution system consists of about five miles of mains—chiefly cast iron—and forty fire hydrants. On high ground back of the village there is a standpipe, twenty feet in diameter by 125 feet high.

The water now distributed in Phoenix is pumped directly from the river into the mains with no purification whatsoever. The river is heavily polluted, particularly with the sewage of Syracuse and the wastes from the Solvay works nearby. It is entirely unfit for water supply purposes in its raw state and probably could be purified only with difficulty. It was stated that all drinking water used in the village is taken from private wells. Obviously there is great need of a suitable supply of water for this community.

On March 5, 1929, the board of trustees of this village submitted to vote at the last annual village election a proposition to authorize this project and a bond issue of \$50,000 to defray the cost thereof. The election was held on March 19, 1929, and the proposition carried in the affirmative by a vote of 163 to 122. The making of this application to the Commission was authorized by the said board of trustees on April 8, 1929.

No well has as yet been put down and tested at the site selected. A test well is now being sunk nearby, but no test has been made. It is expected that the material at this point will be sand and gravel overlying shale and that the water will be obtained above the rock. The proposed well will be quite close to Oneida river and the country to the north—along Six-mile creek—is swampy. Unless impervious material

is encountered, it would seem that sufficient water should be obtained from one or more wells of the proposed type. If the well is properly constructed to exclude surface wash and the flood waters of the river and if local sources of pollution are kept at a safe distance, the water so obtained should be of safe sanitary quality. It is impossible to make prediction of any of these matters, so our present approval of this project should be conditional on the results of actual tests and the right to require additional safeguards and further purification should be reserved. Any water so obtained will be vastly better than that now in use.

As the details of the proposed works are still somewhat tentative and should be reviewed and perhaps modified when the final site for the well has been selected and tests made, they also should now be approved only in general terms and it should be required that detailed plans be submitted for approval at a later date.

Land is to be acquired on which to sink the well and erect the pumping station. We think that a liberal area should be purchased at this time in order to eliminate danger of local contamination of the water in the well.

The carrying out of this project will have no effect on the water supply interests of any other municipality.

The legal damages which may be caused by the execution of the plans of the petitioner do not appear to be such as to require any special consideration or legislative enactment in order that they may be equitably determined and paid.

Plans for this work were prepared by The William T. Field Engineers, Inc., of Watertown.

The Commission finds it to be necessary to protect

the water supply and the interests of the applicant and of the inhabitants of the territory supplied by it with water that the application, maps and plans submitted should be modified to conform to the following:

1. Before any water from the proposed well is distributed to the inhabitants of this village, results of analyses of the water therefrom must have been submitted to and approved by this Commission.
2. This Commission reserves the right, in case future analyses or inspections shall show necessity therefor, to require the taking of additional precautions or more effective treatment of the water from this well.
3. The land to be purchased as a site for the well and pumping station shall be used only for water supply purposes. This land and the surroundings of the well shall be protected by sanitary rules and regulations enacted by the State Department of Health and duly put into effect. The village shall put such area into condition conformable with such rules and shall thereafter enforce the same.
4. The well proper and the grading about it shall be constructed and done in strict conformity with detailed plans and specifications which shall previously have been submitted to and approved by this Commission.
5. The village of Phoenix is hereby authorized to supply water to persons in the town of Schroepfel occupying premises along the pipe line between the new well and the village line.
6. On the completion of these works, Oswego river shall be abandoned as a source of water supply for this village and not again used except with the further consent and approval of this Commission. All physical connection between the present intakes and pumps shall be completely severed and not replaced.
7. These works shall be completely constructed within three years of the date of this decision.

The Water Power and Control Commission having given due consideration to the said petition and its exhibits, the proofs and arguments submitted at the hearing and the reports of its engineers thereon, determines and decides as follows:

First. That the application, maps and plans submitted are modified as set forth above and, as so modified, are the plans hereinafter mentioned.

Second. That the plans proposed are justified by public necessity.

Third. That said plans provide for the proper and safe construction of all work connected therewith.

Fourth. That said plans provide for the proper protection of the supply and the watershed from contamination and that filtration is at the present time unnecessary.

Fifth. That said plans are just and equitable to the other municipalities and civil divisions of the State affected thereby and to the inhabitants thereof, particular consideration being given to their present and future necessities for sources of water supply.

Sixth. That said plans make fair and equitable provisions for the determination and payment of any and all legal damages to persons and property, both direct and indirect, which will result from the execution of said plans or the acquiring of said lands.

Wherefore, the Water Power and Control Commission does hereby approve the said application, maps and plans of the village of Phoenix as thus modified.

In the Matter of the Application of WALTER F. CHAMPLIN for Approval of His Acquisition of a Source of Water Supply and Engineering Plans and Specifications for the Construction of a Water Supply System for Roseland Gardens Property in the Town of Bethlehem, Albany county

Water Supply Application No. 507

(Water Power and Control Commission, May 7, 1929)

Application approved as modified.

BY THE COMMISSION.—Walter F. Champlin, on April 11, 1929, made application for approval of his plans for installing a water distribution system in a portion of the town of Bethlehem, Albany county, and the purchase of a supply of water therefor from the city of Albany. This application was filed in the office of the Commission on April 11, 1929.

After due notice, published in the *Knickerbocker Press* of Albany, the hearing on this application was held in the office of the Water Power and Control Commission in the city of Albany, on May 4, 1929, at 10:00 o'clock in the forenoon. At this hearing the Commission considered the petition, maps and plans submitted, examined witnesses and heard arguments for the project. The petitioner appeared in person. No objections were filed.

After due study of the petition and its exhibits, the evidence and arguments given at the hearing and the report of the engineers of the Commission on this application, it appears as follows:

Walter F. Champlin, the petitioner herein, owns a tract of land known as Roseland Gardens, lying in the town of Bethlehem, Albany county, west of and adjacent to the boundary of said city on New Scotland