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[Vol. 40] Water Power and Control Commission

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 Cherry Creek 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 Contract of a Water Supply System

Water Supply Application No. 652

(Water Power and Control Commission, September 1, 1931)

Application approved as modified.

BY THE COMMISSION.—Elvin J. Bambury, mayor of the incorporated village of Phoenix in the town of Schroepel, Oswego county, acting on behalf and in the name of said municipality, on July 22, 1931, made application to the Water Power and Control Commission for approval of the plans of said village for the acquisition or taking of an additional water supply, the taking or condemnation of lands for a new or additional source of water supply and of the construction proposed in connection therewith. This application was filed in the office of the Commission on July 23, 1931.

After due notice, published in the *Phoenix Register*, the hearing on this application was held in the office of the village clerk, in the village of Phoenix, on August 19, 1931, at 2:00 o'clock (standard time) in the afternoon. At this hearing the Commission considered the petition, maps and plans submitted, examined witnesses and heard arguments for the project. The petitioner was represented by Ira P. Betts, village attorney. In addition Mayor Bambury, Trustee Cecil L. Burton and Water Commissioner Arthur C. Moyer appeared in person in support of the application. No objections were filed and no one appeared in opposition.

On August 19, 1931, the Commission caused an engineering inspection to be made of the sites of the proposed works and of the proposed source of water supply.

Phoenix now proposes to abandon Oswego river as a source of public water supply and in lieu thereof to obtain a supply of water from a well to be put down approximately three miles northeast of the village and about halfway between Phoenix and Caughdenoy. This well is to be formed by a steel caisson, twenty to twenty-five feet in diameter, sunk through twelve feet of clay into the underlying gravel stratum. The top of this caisson is to be well raised above the surface of the surrounding country and the material excavated from the well is to be used to form an embankment around it. Adjacent to the well there is to be erected a small fireproof pumping station, in which the pumping equipment from the present upper station on Oswego river is to be installed. This consists of two pumps, each of 400 gallons per minute capacity, one operated by an electric motor and the other by a gasoline engine. In addition it is probable that a smaller electrically operated pump will be installed in order that water may be pumped continuously during the hours of low

draught. From the pumping station a twelve-inch cast iron force main about 17,000 feet in length is to be built to connect with the existing distribution system. No treatment of the water is proposed. The total appropriation for this work is \$75,000.

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 situated in the town of Schroepfel, Oswego county, on the right bank of Oswego river about two miles below Three River Point. This community is served by the Syracuse and Oswego branch of New York Central railroad. There are three paper mills, a machine shop and a chair factory in the village and on the opposite side of the river there are three more paper mills. The present population of the village is estimated at upwards of 1,757. The assessed valuation of property therein is \$919,107. There is outstanding bonded indebtedness in the amount of \$73,480, of which amount \$20,480 was issued for water supply purposes.

Private enterprise installed a public water supply system in the village of Phoenix about the year 1886. This plant was purchased by the village in 1920. Water is obtained from Oswego river and is pumped to the distribution mains without either purification or treatment. One pumping station is situated at the dam and operates by water power. It is near the center of the village and is the one customarily used. The other pumping station is further upstream and contains two 400-gallon per minute electrically operated pumps. This is operated only in emergencies. Oswego river at this point is entirely unfitted to be used as a source of water supply. In view of the fact that it carries the wastes of the Solvay process works near Syracuse, in addition to the sewage from Syra-

cuse itself and all communities in the valley of the Seneca river, there is some doubt as to whether it would be economically feasible adequately to purify the water of this stream. It is certain that it should not be used as a source of water supply if any other can be obtained. The health records of this community seem to show that few people, if any, drink this water. Drinking water and the majority of the water used for cooking is obtained from individual wells of the ordinary type. As this village has a public sewerage system which discharges its sewage into Oswego river below the dam the water in these wells has remained of reasonably good quality. Nevertheless there is most imperative need for a suitable source of water supply for the village of Phoenix.

On May 7, 1929, we approved a water supply application from this village (Water Supply Application No. 506). The project then approved involved the sinking of a well east of the village at the apex of great bend of Oneida river. For some reason this project was never carried out and it has now been officially abandoned.

The William T. Field Engineers, Incorporated, a firm of engineers with an office in the city of Watertown, have been retained as engineers for the village in connection with this project.

At a meeting held June 16, 1931, the board of trustees of this village adopted the present plan, authorized a bond issue in the amount of \$75,000 to defray the cost thereof and submitted this action for ratification at a taxpayers' election. This election was held on July 7, 1931, and the action of the trustees upheld by vote of 101 to 37. The making of this petition was authorized by resolution of said trustees, adopted at a meeting held July 21, 1931.

The proposed wells are to be put down east of a swamp which lies north of big bend of Oneida river on Six Mile and Potts creeks. The surface is nearly

level over this whole area. On the surface there is some thin muck, generally it is clay and the clay bed seems to be everywhere at least fifteen feet in thickness. Under it there is a stratum of water-bearing gravel which at the site selected for the well is over fourteen feet in thickness. A small test well was put down at this point and last August was tested by pumping at the rate of 250 gallons per minute for 50 hours without appreciable effect upon the yield. It, therefore, appears that such a well should give a continuous yield at least equal to 360,000 gallons per day, the present usage in the village. This is particularly true in that the test was made during the extreme dry weather of the summer of 1930. It may be noted in passing that the consumption of water in this village seems to be inordinately high and we advise the village authorities to take steps to curtail it.

The site selected for this well is about one-third of a mile west of one highway, three-quarters of a mile north of another and at a greater distance from all other roads. The nearest house is about one-third of a mile distant. The nearest possible source of pollution is Trout brook, several hundred feet distant. The village proposes to acquire some twenty-two acres of land, the nearest boundary of which will be 300 feet from the well. The proposed well is to be protected from surface wash by the caisson and surrounding embankment and is also to be covered. Under these circumstances there seems no present possibility of contamination of water therein from local sources. Analyses of this water show it to be somewhat hard but otherwise of good quality.

There is reason to suppose that these works can be completely constructed at a cost not in excess of the available appropriation.

Final detailed plans of the well and pumping station could not be filed at this time, as they are subject to revision when excavation has revealed the exact condi-

tions at the sites of these works. We should require that these structures be built in strict conformity with plans thereof and specifications therefor, which previously have been submitted to and approved by this Commission.

It does not appear that the carrying out of this project will have any adverse effect on the water supply interests of the people of any other portion of the State.

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.

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 and to make safe all dams or reservoirs to be constructed by said plans that the application, maps and plans submitted should be modified to conform to the following:

1. The well and adjacent pumping station shall be fully completed in strict conformity with plans thereof and specifications therefor which have previously been submitted to and approved by this Commission.

2. In the event that hereafter the village of Phoenix shall desire to sink any additional wells on this tract of land, authority for such sinking is hereby given; but they must be put down in locations satisfactory to this Commission and in accordance with plans approved as in (1) above.

3. The land proposed to be acquired by the village of Phoenix shall be used only for water supply purposes and shall be fenced. The well and pumping station shall be surrounded by a high fence, at least fifty feet distant from the well and provided with a secure gate, which shall be kept locked; the entrance of ani-

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mals and unauthorized persons within this enclosure shall be prevented as far as possible.

4. The Commission reserves the right to require additional sanitary precautions to be taken or the treatment or purification of the water, shall changed conditions or future analyses show such action to be necessary.

5. 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.