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In the Matter of the Application of the ROCHESTER & LAKE ONTARIO WATER SERVICE CORPORATION for Approval of Its Acquisition of the Plant and Water System Formerly Owned and Operated by the Clyde Water Supply Company, in the Village of Clyde, County of Wayne, Upon the Consolidation of Said Clyde Water Supply Company With the Rochester and Lake Ontario Water Company, and for Approval of Its Plant and System as at Present Existing, Known as its "Clyde Plant"

Water Supply Application No. 622

(Water Power and Control Commission, July 13, 1931)

Application approved as modified.

By THE COMMISSION.—William R. Edwards, vice president of the Rochester and Lake Ontario Water Service Corporation, acting on behalf and in the name of that corporation, on May 8, 1931, made application to the Water Power and Control Commission for approval of the plans and the water supply system owned and operated by applicant at the village of Clyde, Wayne county. This application was filed in the office of the Commission on May 15, 1931.

After due notice, published in the Clyde *Herald* and the Lyons *Republican*, the hearing on this application was held in the office of applicant, in Clyde, on June 26, 1931, at 10 o'clock (Standard Time) in the forenoon. At this hearing the Commission considered the petition, maps and plans submitted, examined witnesses and heard arguments in support of the project. The petitioner was represented by Alexander Russell, vice president. No objections were filed and no one appeared in opposition.

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On June 26, 1931, the Commission caused an engineering inspection to be made of the plant and structures of the Clyde plant.

Applicant asks for whatever ratification and approval may be necessary of recent changes in ownership of the company, of the existing plant and source of supply, for delimitation of the area in which it may extend its supply and distribution mains and supply water and for authority, when and if required, to sink and use additional wells on land already owned by it.

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 the application it appears as follows:

Clyde Water Supply Company was incorporated by certificate filed in the office of the Secretary of State on May 21, 1888, for the purpose of supplying water to the inhabitants of the village of Clyde. Rochester and Lake Ontario Water Company was similarly incorporated by certificate so filed on December 30, 1902, to supply water in the towns of Greece, Gates and Brighton and in the villages of Brighton and Fairport, all in Monroe county. Both these companies proceeded to erect plants and to operate them. By certificate of consolidation, filed in the Department of State on January 26, 1928, these two companies were consolidated as Rochester and Lake Ontario Water Service Corporation, the applicant herein.

Clyde is an incorporated village in the town of Galen, Wayne county, lying on Clyde river, between the villages of Lyons and Savannah. It is served by the Erie canal, the New York Central and the West Shore railroads and by the electric car line running between Syracuse and Rochester.

Applicant's water supply plant in Clyde was first

constructed about 1888. Water was formerly obtained from a number of driven wells located on a 3.17 acre parcel of land situated north of West Genesee Street and the old Erie canal at a point about 1,300 feet west of the westerly boundary of the village. The pumping station still stands on this plot, but the wells were long since abandoned. A two-acre plot of land, opposite the first, but south thereof, between the old canal and the right of way of New York Central railroad, was later acquired. On this a dug well was put down, which is the source of water supply now in use. This well is seventeen feet in diameter and twenty feet deep, with a brick curb and a wooden roof. The curb is carried to a height of six feet above the surface of the ground. The area about this well is swampy and subject to overflow.

The pumping station is a brick structure and houses a motor driven tri-plex plunger pump of 17,500 gallons per hour capacity and a 750,000 gallons per day steam pump, together with the necessary boilers and auxiliaries. Pump suction pipes run directly to the well and water is pumped into the distribution system. All water pumped is treated with liquid chlorine. Living quarters for the superintendent adjoin the pumping station.

In the various streets of Clyde and extending westerly to the pumping station is a piping system consisting of about 1,000 feet of ten-inch, 5,700 feet of eight-inch, 11,400 feet of six-inch, and 16,000 feet of four-inch cast iron pipe. There are some eighty-seven fire hydrants and about 640 domestic services. On a hill in the easterly part of the village there is a steel standpipe, twenty feet in diameter by sixty feet high and holding 142,000 gallons.

Present consumption of water in Clyde varies between 125,000 and 200,000 gallons per day; most of

the variation depending on the draft to a canning plant. With heavy pumping the level of the water in the well falls about five feet, when it remains stationary under the heaviest and most prolonged pumping to which it has been subjected. This well has been sunk in a plain, an extension of Montezuma and connected marshes, which extends northerly into Sodus bay. The water bearing stratum is a cemented gravel. The ultimate source of this water and yield of the well are entirely unknown.

Physically this water is attractive. It is of extreme hardness, as is all the ground water of this region.

Water pumped from the present well has shown signs of pollution and all this water is now chlorinated. The area about this well is sometimes flooded so it is particularly important that care be taken to maintain the well curb in such condition that it will keep out all surface water.

We are asked now to authorize applicant to sink additional wells on the land already owned by it, in the event that additional quantities of water shall be needed for this village. This we should allow, but any such future well must be approved by us as to actual location and design, including protection from contamination by surface wash, and may not be used as a source of supply until analyses of water therefrom have been submitted to and approved by us.

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 "Clyde Plant" as it now stands and the ownership thereof hereby receives such approval as may be required under the provisions of the Conservation Law.

2. Authority expressly is conferred on applicant to supply water in and to extend its mains and pipes into any part of the incorporated village of Clyde and to own, maintain, repair and replace all plants, structures, machinery and equipment as may be necessary to that end.

3. Authority is now given for the sinking and use of such additional wells as may hereafter be required for the supply of the people of said village. Such wells may be sunk only on the two parcels of land now owned by applicant, at points previously approved by this Commission and may be built only in accordance with approved plans. After sinking, such wells may not be used unless and until results of analyses of the water therefrom have been made, submitted to and approved by us.

4. This Commission reserves the right to require applicant to take suitable action to protect the surroundings of any well from contamination or to purify or treat the water from any or all wells used by it to the satisfaction of this Commission.

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.

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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 effected 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 Rochester and Lake Ontario Water Service Corporation as thus modified.

In the Matter of the Application of the VILLAGE OF RICHBURG 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. 625

(Water Power and Control Commission, July 27, 1931)

Application approved as modified.

BY THE COMMISSION.—Henry W. Funk, mayor of the incorporated village of Richburg, in the towns of