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In the Matter of the Application of the Incorporated
VILLAGE OF SCHOHARIE, Town of Schoharie, County
of Schoharie, State of New York, for Additional
Water Supply

Water Supply Application No. 287

(Water Control Commission, May 31, 1922)

Application approved as modified.

BY THE COMMISSION.—Guy D. Vroman, Wallace J. Zimmer and Charles Rorick, respectively the president and trustees of the incorporated village of Schoharie, on May 4, 1922, made application to the Water Control Commission for approval of the project of that village for obtaining a new and additional source of water supply.

On May 19, 1922, the Commission caused the site of the proposed works and the proposed source of water supply to be inspected by one of its engineers.

After due notice published in the *Schoharie Republican* and *County Democrat* of Schoharie, the hearing on this application was held in the Schoharie County Court House in the village of Schoharie on May 19, 1922, 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, as shown by the minutes. The petitioners appeared in person. No objections were filed and no one appeared in opposition.

It is proposed to develop Wilber spring, situated about three and one-half miles northeast of the village, as an additional source of water supply. A small receiving basin is to be constructed at the spring and

water led thence by gravity through a line of pipe, 10,400 feet long, six inches, or perhaps four inches and six inches, in diameter, to connect to the existing supply pipe at the point where it crosses Fox creek.

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:

Schoharie is an incorporated village in the town of Schoharie and is the county seat of Schoharie county. It is situated northeast of the center of that county on Schoharie creek. It is a rural community, containing a milk plant and near a large quarry. It is reached by the Middleburg and Schoharie railroad, a branch line joining the Susquehanna division of the Delaware and Hudson railroad at Schoharie junction.

According to the petition the present population of this village is between 1,000 and 1,100; by the census of 1920 it was 851. The total assessed valuation of taxable property within the village limits was shown by the last roll to be \$419,674. The total outstanding bonded indebtedness of the village is \$19,000, of which amount \$14,400 was incurred for water supply purposes.

A municipal water supply system was constructed by this village in 1905. Water is drawn from a stream tributary to Fox creek, which flows out of a cavern on the southerly slope of Barton Hill, about one mile east of Vroomans. This water is collected in a small basin a short distance below the cavern and flows from thence by gravity through a supply main consisting of six-inch and four-inch cast-iron pipe to a 350,000 gallon distribution reservoir on a hill east of the village. The whole system operates by gravity.

Not long after the construction of this system the source of supply began to be insufficient during dry

weather. This was apparently caused partly by increase in the use of water in the village and partly by a change in the cavern itself, whereby the flow of water into the collecting basin was diminished. For many years the water supply of this village has been augmented by pumping water from Fox creek at a point where it is crossed by the supply main. Last September the flow from the cavern was found to be 20,000 gallons per day and 83,000 gallons in addition were being pumped at large expense. As the water of Fox creek is undoubtedly contaminated and as the village has no authority from the State to use it, it is evident that need for an additional source of water supply exists.

At a meeting held December 20, 1921, the board of trustees of said village submitted to the electors thereof, at a special election, a proposition to develop an additional source of water supply and to issue village bonds to finance the undertaking in an amount not less than \$13,500 and not greater than \$16,500. The election was held January 3, 1922, and the proposition carried in the affirmative without dissenting vote.

Plans of, report on and specifications for the proposed waterworks construction were prepared by Norrell Vrooman, a civil engineer, having an office in the city of Gloversville.

Wilber spring, the proposed source of water supply, is a tributary of Louse kill, which in turn flows into Fox creek. The spring is situated on the southeasterly slope of Barton Hill, about one and three-quarter miles northeast of the present source of supply and at an elevation 100 feet higher than it. This spring, in all probability, comes from a limestone cavern, although no such cavern is visible. The real origin of the water is not known, but very possibly it comes

from a large sink hole about one and one-half miles north of it. Last September, during extreme dry weather, the measured yield of this spring was 134,000 gallons per day, an amount which would be more than sufficient to supply the present needs of the village.

Wilber spring issues from the side of a hill in a patch of woods. Analyses indicate that the water is of satisfactory quality and there are no visible sources of pollution. As it is a limestone spring, unsuspected sources of pollution may exist or later become active. At the present time it seems that the sanitary quality of the water of this spring will be sufficiently protected, as proposed, by the acquisition of a small area of land covering the immediate spring basin, the construction of a tight concrete collecting basin about the spring, which will exclude surface wash, and the fencing of the land about the spring to prevent access of cattle and unauthorized persons to it. As an additional precaution, the Commission will require that, if future inspections or analyses shall show necessity therefor, the village shall, under order from the Commission, sterilize all water drawn from its distribution reservoir by the use of liquid chlorine or other approved means.

Plans and specifications for the proposed works provide for safe and satisfactory construction.

A small tract of land is to be acquired about the spring and a right of way for the pipe line connecting the spring with the existing supply pipe.

Alternative sources of supply exist, but the only ones which appear to be suitable are Schoharie and Fox creeks, water from neither of which sources of supply would be suitable without filtration and sterilization.

The carrying out of this project by the village of Schoharie will not in any way affect the water supply

interests of any other municipality or civil division of the State.

The legal damages which may be caused by the execution of the plans of the village 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.

In order to protect the interests of the inhabitants of this village and the interests of other municipal corporations, civil divisions of the State and the inhabitants thereof, it is hereby determined to be necessary to modify this application as submitted and it is hereby modified to provide as follows:

1. The land about Wilber spring shall be tightly fenced and the entrance of cattle and, as far as possible, of unauthorized persons within the enclosure shall be prevented.

2. If future analyses or inspections shall show necessity therefor, the village shall, upon order of this Commission, sterilize all water supplied to the village of Schoharie by the use of liquid chlorine or other satisfactory process.

3. These proposed works shall be completely constructed and put into use within two years from the date of this decision.

4. After Wilber spring has been developed as a source of water supply for the village of Schoharie, the use of Fox creek as such a source of supply shall be discontinued and that stream shall not again be used until such use has been duly approved by the Water Control Commission.

In consideration of the above, and subject to the modifications heretofore stated, the Commission, therefore, finds and determines:

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

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

Third. 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.

Fourth. 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.

Fifth. 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 Control Commission does hereby approve the said application of the village of Schoharie as thus modified.

In witness whereof, the Water Control Commission has caused this determination and approval to be signed by the members thereof and has caused its official seal to [L. s.] be affixed hereto and has filed the same with all maps, plans, reports and other papers relating thereto in its office in the city of Albany, this 31st day of May, 1922.

WATER CONTROL COMMISSION

ALEXANDER MACDONALD

Conservation Commissioner

CHARLES D. NEWTON

Attorney-General

FRANK M. WILLIAMS

State Engineer and Surveyor

A. H. PERKINS

Secretary to the Commission