

State of New York
Department of Conservation
WATER POWER AND CONTROL COMMISSION

Water Supply Application No. 1308

In the Matter of the Application

- of the -

VILLAGE OF PAINTED POST,

Steuben County, New York, for ap-
proval of its acquisition of an
additional source of water supply
and of its financial and engineer-
ing plans for the construction of
such additional water supply and con-
nection to the existing system.

Second Application

B A C K G R O U N D

Application filed October 20, 1941

Hearing held in Painted Post,
November 18, 1941

Decision November 25, 1941

APPROVED

DECISION ON WATER SUPPLY APPLICATION NO. 1508

Earl H. Post, Mayor of the incorporated village of Painted Post, in the town of Erwin, Steuben county, acting on behalf and in the name of said village, on October 26, 1941, 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 October 30, 1941.

After due notice, published in The Evening Leader of Corning, the hearing on this application was held in the Village Hall, in the village of Painted Post, on November 16, 1941, at 9:00 o'clock in the forenoon. At this hearing the Commission considered the petition, maps and plans submitted, examined witnesses and heard arguments in favor of the project. The petitioner was represented by Leland B. Bryan, Esq., its attorney. No objections were filed and no one appeared in opposition.

On November 16, 1941, the Commission caused an engineering inspection to be made of the sites of the proposed works and of the proposed additional source of water supply.

The village of Painted Post now asks the approval of this Commission for its development as an additional source of water supply of a new well recently installed in the northerly part of the village between Fairview Avenue

and the tracks of the Delaware, Lackawanna and Western Railroad. At this location on property acquired by the village for such purpose a 12-inch well approximately 100 feet deep has already been put down and it is proposed to equip this well with an electric motor driven deep well turbine pump with a capacity of approximately 1000 gallons per minute discharging water through a line of about 125 feet of 10-inch cast iron pipe to the existing 10-inch supply main of the village leading from the village reservoir to the distribution system and located in Fairview Avenue. Pumping equipment at the well is to be housed in a small cinder block pumping station to be constructed immediately over the well itself. The total estimated cost of this project is \$9,865.

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

Painted Post was incorporated as a village in 1893 and covers a portion of the town of Irwin near the northeasterly corner of that town in Steuben county. It is located at the intersection of the Tioga and Cohansey rivers, which have joined to form the Chemung river. The village is served by the main line of Delaware, Lackawanna and Western Railroad and by the Susquehanna division of Erie Railroad, and it is also the southern terminus of the Rochester division of Erie Railroad.

This village is an industrial community of considerable importance, having within its limits one of the main plants of the Ingersoll Rand Company employing some 2100 persons. The population of the village itself, according to the 1940 census, is 2370, and it is estimated that because of the large increase in business at the Ingersoll Rand plant occasioned by national defense demands, this population has now increased to about 2500 and is still rapidly increasing. The assessed valuation of all taxable real property located within the village limits is \$1,560,934, and the village has bonded indebtedness to an extent of \$117,500 of which approximately \$14,000 was issued for water supply purposes.

A public water supply system was first installed as a municipal enterprise in the village of Painted Post about 1909. The construction of such a system and the development of a source of water supply therefor was authorized by a decision of one of our predecessors in office, the State Water Supply Commission, on September 3, 1909 (Water Supply Application No. 65; 5 State Water Supply Commission 434). This system has since that time remained substantially the same, except for extensions and additions to the distribution system. In addition, under authority of a decision of our predecessor, the Water Control Commission, on Water Supply Application No. 330 (approved October 14, 1922; 26 State Department Reports 322; completed works approved June 5, 1934), Painted Post also sells water to the adjacent village of Riverside in the town

of Coming.

The present sources of water supply for the village consist of four 6-inch wells, two of which are approximately 65 feet deep, while the remaining two are about 50 feet deep. Water is pumped from these wells by the two electric motor driven triplex plunger pumps originally installed in connection with this system. These pumps have capacities of about 225 gallons per minute each. Water is discharged northerly through two lines of 6-inch cast iron pipe to Fairview Avenue where these lines join a 10-inch cast iron main running northerly to the distribution reservoir and southerly and easterly to the village distribution system. The distribution reservoir is a 450,000 gallon open concrete lined basin located on the hillside directly north of the pumping station. In addition to the line from the pumping station running to the north, there is also a connection to the distribution system in West High Street through a 6-inch line running southerly from the pumping station to the intersection on West High Street and Maple Avenue.

The demand for water on the village system at the present time is estimated at about 235,000 gallons per day, and it is feared that should a serious fire occur, for instance, at the plant of the Ingersoll Rand Company, the water supply system of the village would be surely taxed to meet such fire-flow requirements and, if such an emergency should continue even only for a short period of time, the demands

might easily empty the reservoir. Since the Ingersoll Rand plant is largely engaged in national defense work and thus exposed to possible interference through sabotage and other means, it has repeatedly requested the village to provide additional facilities for fire protection which will more nearly meet the requirements of the National Board of Fire Underwriters for such type of plant.

With such a condition in view, the Village Board of Trustees, by resolutions duly adopted on May 7, 1941, and September 16, 1941, authorized the carrying out of the project now proposed and the making of an application to this Commission for approval of this project.

Richard C. Ward, a licensed professional engineer with an office in the city of Corning, has been retained by the village as engineer in connection with this project and the work, if carried out, will be built under his supervision and direction.

This new well which has already been put down has been tested on two different occasions, the first test being made with air-lift pumping equipment at a rate of about 600 gallons per minute and the second test with a regular deep well turbine pump at a rate exceeding 900 gallons per minute for a period of about a week. Even at the greater rate the drawdown in the well amounted to but 26.5 feet from the normal static level of approximately 30 feet below ground level,

indicating that it probably will be possible to obtain the desired quantity of 1000 gallons per minute without serious effect on the ground water levels. In this regard the engineer has stated that pumping at the greater rate does not in any way affect the existing village wells, although during the installation of the new well it was noticed that when the water-bearing horizons tapped by the existing wells were reached, pumping of those wells appeared to lower slightly the water level in the new well.

Samples of water from the new well have been taken and analyses of these samples made. These analyses indicate that the water is of very satisfactory quality. It has been pointed out that in drilling the well three distinct developable water-bearing strata were tapped, the upper two being those in which the existing village wells are located, and these strata generally are separated from the surface and from each other by considerable thicknesses of hardpan, clay or extremely fine sand. It is expected that these impervious layers will be of sufficient extent to eliminate any possibility of pollution of the ground water obtained from the strata to be developed and, therefore, to eliminate any necessity for treatment of the water from this well.

The location of the well itself, however, is not entirely ideal as it is situated in a residentially developed area in a plot of land of rather limited extent. It is but

35 feet from the southerly line of Fairview Avenue and a like distance from the northerly line of the right-of-way of Delaware, Lackawanna and Western Railroad. The residential area, which is at an elevation somewhat higher than the well plot, is served by sewers connected to the village sewerage system. One of these lines, which is of vitrified tile pipe, is approximately 103 feet from the well itself and, although this is closer to the well than is entirely desirable, present analyses indicate that this line either is satisfactorily tight or that the intervening soil is providing adequate natural filtration of any possible leakage. Nevertheless, even though no treatment need now be required, the Commission must reserve the right to require the taking of additional sanitary precautions in the future or the treatment or purification of all water derived from this source of supply should later analyses reveal the necessity for such action. In addition, it must be required that the land owned by the village at this site be restricted to water supply uses only and that the immediate surroundings of the well itself be adequately fenced.

There is a cemetery directly across the railroad tracks from the well and at an elevation considerably lower than the well site. We believe the distance between this cemetery and the well sufficient for the sanitary protection of the well water.

A complete study of the plans and specifications for the construction work on this project has not yet been finished and the village later will be advised of our findings thereon. In general, however, these plans provide for safe and suitable construction.

The total estimated cost of this project is \$9,245, an amount which appears sufficiently liberal to permit the completion of the proposed construction. This cost, as set forth in the resolutions authorizing the project, is to be paid out of surplus funds already available in the Water Department so that no bond issue will be necessary.

Such land as is needed has already been acquired at a nominal price by the village from the Painted Post Development Company.

The legal damages which may be caused by the execution of the plans of the petitioner are not such as to require any special consideration or legislative enactment in order that they may equitably be 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, to make safe all dams, reservoirs or other structures to be constructed by said plans, that the application, maps and plans submitted should be modified to conform to the following:

1. The land surrounding this new well and acquired by the village in connection with this project must hereafter be used for water supply purposes only and the immediate surroundings of the well itself must be protected by a satisfactory fence provided with a gate which normally shall be kept locked. The entrance of animals and unauthorized persons within this enclosure must be prevented as far as possible.
2. All of the area surrounding this well must further be protected from pollution by surface waters or otherwise by the construction of such diversion ditches or embankments as may be necessary and the development of the well itself must be so carried out that there shall be no opportunity for pollution entering the water in it.
3. The Commission reserves the right to require the taking of further sanitary precautions or the treatment or purification of the water from this source should future analyses or inspections show a need for so doing.
4. All of the construction work in connection with this project must be carried out in strict accordance with detailed plans and specifications which first shall have been submitted to this Commission and approved by it.
5. Unless the works authorized by this decision shall have been fully completed by December 1, 1944, or within such extended time as may

have been applied for and granted by the Commission, then and on that date this decision shall be deemed to have lapsed and to be of no further force and effect.

6. Nothing in this decision and approval contained shall be held to obviate the provisions of Section 324 of the Conservation Law, which forbid the operation of any of these works until so constructed they have been approved by the Commission. Such final approval will be given only on the petition therefor. In general such approval will not be given except for a fully completed system, and it will never be given until all provisions affecting quality of the water and safety of the works have been fully complied with.

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.

WHEREAS, the Water Power and Control Commission does hereby approve the said application, maps and plans of the Village of Painted Post, as thus modified.

IN WITNESS WHEREOF, the Water Power and Control Commission has caused this determination and approval to be signed and has caused its official seal to 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 29th day of November, 1941.

WATER POWER AND CONTROL COMMISSION

LITHIAW OGDEN
Conservation Commissioner-Chairman

(L. O.)

ARTHUR W. BRANDT
Superintendent of Public Works

TIMOTHY E. CORAN
Assistant Attorney General

Attest:

J. M. KELLY

Secretary to the Commission