

STATE OF NEW YORK
DEPARTMENT OF CONSERVATION
WATER POWER AND CONTROL COMMISSION

Water Supply Application No. 1764

In the Matter of the Application

- of the -

VILLAGE OF PAINTED POST,

Olcott County, New York for ap-
proval of its acquisition of an
additional source of water supply
and of its financial and engineering
plans for the construction of such
additional water supply and connec-
tion to the existing system.

3rd Application

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Petition Filed January 10, 1947

Hearing held in Painted Post
January 29, 1947

Decision February 4, 1947

DECISION ON WATER SUPPLY APPLICATION NO. 1744

Karl L. Geiss, 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 January 6, 1947, 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 and of the construction proposed in connection therewith. This application was filed in the office of the Commission January 10, 1947.

After due notice, published in the Corning Evening Leader, the hearing on this application was held before John S. Thompson, Associate Engineer of the Commission, in the Village Hall in the village of Painted Post, on January 29, 1947, at 10 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 Mayor Geiss and by other members of the Village Board of Trustees. No objections were filed and no one appeared in opposition.

On January 29, 1947, the Commission caused an engineering inspection to be made of the site of the proposed works and of the proposed additional source of water supply.

Painted Post now asks the approval of this Commission for its development and use as an additional source of public water supply of a new well recently put down by it on its original pumping station property in the northeasterly part of the village, between U. S. Highway Route No. 15 and the tracks of Delaware, Lackawanna and Western Railroad. This well is 6 inches in diameter and about 65 feet deep, and is to be equipped with an electric motor driven deep well turbine pump with a capacity about 350 gallons a minute. Water is to be pumped from the well through a short line of 8-inch pipe directly into the existing village 10-inch force main, leading from the present pumping station to the distribution system and to the storage reservoir. The new pumping equipment is to be housed in a small pumping station to be constructed over the new well as an addition to the existing pumping station. The total estimated cost of this project is \$6,600.00.

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

Painted Post was incorporated as a village in 1893 and covers a portion of the town of Erwin, near the northeasterly corner of that town in Steuben county. It is located at the intersection of Tioga and Cohocton rivers, which here join to form Chemung river. The village is served by the main lines of Delaware, Lackawanna

and Western and Erie Railroads, and it is also the southern terminus of the Rochester Division of Erie Railroad. It is an industrial community of considerable importance, having within its limits the main plant of Ingersoll Rand Company, which employs over two thousand persons. According to the 1940 census the village had a population of 2,370, and it is estimated that its present population is about 2,700. The assessed valuation of all taxable real property located within the village limits is \$1,666,650, and the village has bonded indebtedness to the extent of about \$64,000, about \$9,000 of which was issued for water supply purposes.

A public water supply system was first installed in the village of Painted Post as a municipal enterprise about 1909. The construction of that system and the development of a source of water supply therefor was authorized by a decision of one of our predecessors, the State Water Supply Commission, on September 3, 1909 (Water Supply Application No. 65; 5th Rept. Water Supply Commission p.43). Under authority of a decision of our predecessor the Water Control Commission on Water Supply Application No. 300 (approved October 15, 1922; 18 St. Dept. Repts. 322; Completed Works Approved June 5, 1934), the village was authorized to sell water to the adjacent village of Riverside in the town of Corning. On November 25, 1941, this Commission approved of a second application from the village, covering the construction and development as an additional source of water supply of a 12-inch well put down in the northerly part of the village (Water Supply Application 1508; 64 St. Dept. Repts. 745; Completed Works Approved July 1, 1942). This well produces about 850 gallons of water a minute and now constitutes the most important source of water supply for the village.

The older sources of supply, those installed in 1909, consist of four 6-inch wells, two of which are about fifty feet deep and the others have a depth of about 35 feet, directly connected through suction lines to two electric motor driven triplex-plunger pumps installed in a pumping station on the property. Although these wells still produce considerable water, the pumps are outmoded and worn out. Consideration has been given to replacing these units, but it has been found that the cost of replacing the pumps and cleaning the wells will very nearly be as great as replacing the wells with a new well in the manner now proposed. The latter plan has been recommended to the village and has been adopted by it. When the new well is in service, the old wells are to be abandoned and the lines leading from them cut off and plugged.

The carrying out of this project was authorized by resolutions of the village board adopted on July 11, 1946, and on August 1, 1946, and the making of an application to the Commission for approval of the project was authorized by a similar resolution on December 6, 1946. The cost of the project is to be paid from existing village funds.

Richard C. Ward, a consulting engineer with an office in the city of Corning, has been retained by the village as its engineer in connection with the project, and Mr. Ward appeared at the hearing in behalf of the village.

The well now proposed to be developed has been tested with air lift equipment and is reported to have produced in excess of 150 gallons of water a minute, with little draw down of the water level in the well. The information obtained from this test and from experience with the existing 6-inch wells on the property has been interpreted as an indication that the new well will give the quantity of water expected.

The quality of the water from the existing wells on this property always has been satisfactory and no treatment of the water from them ever has been found necessary. It is expected that the quality of the water from the new well will be equally satisfactory and therefore no treatment now is proposed, nor need any now be required. Sanitary conditions surrounding the well are satisfactory and so long as they remain so no further sanitary requirements are needed. However, no analyses of the water from the test well have yet been submitted, and it must be required that before this well is turned into the system, analyses of samples of water from it shall have been taken and the results of such analyses submitted to the Commission for its approval. Any well abandoned must be filled up and sealed to prevent surface water from entering the water bearing bed. In addition, the Commission must reserve the right of requiring the taking of additional sanitary precautions or the treatment or purification of all water derived from this well should future analyses or inspections indicate a need for such action.

The total estimated cost of this project is \$6,600.50 and, as most of the work already has been completed or is under contract, it is expected that the work can be finished within this estimate.

The plans and specifications submitted in connection with this application provide for safe and suitable construction. It must be required that all of the construction work be carried out in strict accordance with them.

No land is to be taken in connection with this project as the new well is located on land already owned by the village.

The carrying out of these plans will have no adverse effect on 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 petitioner are not such as to require any special consideration or legislative enactment in order that they equitably may 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, and 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. Before any water from this proposed well may be used for any purpose, after a prolonged pumping test, applicant shall have caused a sample of the water therefrom to be collected and analyzed, shall have submitted the results of such analyses to this Commission and shall have been advised by this Commission either that the water is of satisfactory sanitary quality or that certain specified treatment or purification thereof is necessary. In this last case such water shall be used only after full compliance with the full requirements of the Commission.
2. Any old well which may be abandoned shall be filled and sealed to the satisfaction of this Commission to the end that surface water may not flow down the well into the water bearing bed and contaminate the water therein.
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 construction work in connection with this project must be entirely completed in full accordance with the plans and specifications submitted with this application and approved by the Commission.
5. Unless the works authorized by this decision shall have been fully completed by February 1, 1950, 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 abrogate the provisions of Section 524 of the Conservation Law, which forbid the operation of any of these works until as constructed they have been approved by the Commission. Such final approval will be given only on due petition therefor. In general such approval will not be given except for a fully completed system, and it never will be given until all provisions affecting quality of the water and safety of the works fully have been complied with.

The Water Power and Control Commission, having given due consideration to the said petition and its exhibits and the proofs and arguments submitted at the hearing, 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 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 thereto and has filed the same with all maps, plans, reports and other papers relating thereto in its office in the city of Albany, this
4th day of February, 1947.

WATER POWER AND CONTROL COMMISSION

Perry B. Durves
Conservation Commissioner-Chairman

(L.S.)

B. D. Tallant
Deputy Superintendent of Public Works-
Representative

Edward L. Ryan
Assistant Attorney General-Alternate

Attest:

H. SUTER
Secretary to the Commission