

TOWN BOARD  
SPECIAL MEETING  
KING TRACT DEVELOPMENT  
JANUARY 7, 2015  
7:00 PM

Supervisor Jamieson opened the meeting 7:00 PM followed by a salute to the flag. Members present: Supervisor Jamieson, Councilman Murray, Councilwoman Ranni, Councilwoman Smith  
Councilman Valentine arrived at 7:05 p.m.

Also present: Engineer Al Fusco, Water Operator Bill Keller

Supervisor Jamieson thanked everyone for coming. He said the purpose of the meeting was to discuss the possible options to the residents of King Tract with regard to their drinking water concerns. Current options are to bring the water system up to specs or to drill wells.

The Town Board wants the residents to decide what process to pursue. If the residents decide to keep the water system, the Town would make upgrades in a two-phase project. First, being bringing the system up to specs, and then later upgrading all the underground piping within the system's infrastructure. The Town Engineer and the water operator are present to further discuss this option. Costs will be discussed. The other option is well drilling. The Town's building inspector had reached a few companies to obtain information about the feasibility of well drilling. Also the ZBA has been contacted with regards to the necessary approvals for well drilling. Supervisor Jamieson said he wants to make the process as easy as possible for everyone. He stated that the podium should be used for comments. He asked Town Engineer Al Fusco to give his presentation.

Mr. Fusco said he evaluated the system which has a small temporary pump station with 2 wells and a 3/4 mile distribution system of 6" asbestos cement pipe, which services 43 single family homes and has an average daily flow of 12,000 gpd. The original pump house had collapsed and the temporary one constructed on an emergency basis. A new underground pressure tank was installed. It is located in a flood zone, next to a stream that floods. He said we would need to build a new pump house to meet current State and County standards and re-locate outside the flood plain area. This new pump house would not have fire protection. He has found several locations that are feasible about 1,200 feet away. The Town would have to negotiate with the bank for the transfer of those parcels. The wells are in good shape and have excellent water yields and good quality water. New 2' force lines would have to be installed from the wells to the new pump station. Also a telemetering system would have to be installed to control the pumps. For the Town to consider taking this over, a water district would have to be formed. Towards that end, there would be an initial cost of approximately \$200,000 for the pump station that would be bonded to pay for the improvements. In addition to that, we hope to get a small piece of property with frontage to build the pump station. The 4,000 ft. asbestos pipe distribution system is very old and would require replacement. This could be done all at once or on an annual basis of 400 ft. p/year at approximately \$30,000 up to 10 years and a total cost of \$300,000. The total cost of capital improvements would be approximately \$500,000, with annual operating costs for upkeep, maintenance & repair, water testing, and chlorination. Mr. Fusco said this work could be done relatively quickly, with regard to getting approvals, as Orange County Health Department really promotes upgrading systems to ensure a good supply of water to the residents.

Supervisor Jamieson answered Councilwoman Smith's question with regard to the annual expense.

He said it would be approximately \$640-700 p/year for 25 years plus the cost of water. Supervisor Jamieson said the cost of wells might be between \$3,000-\$7,000 for the entire expense.

Supervisor Jamieson opened the floor to the residents for their comments and concerns.

Francisco Arriago, 8 Stephens Place, Chester, NY

Mr. Arriago said he researched the expense of drilling wells and it was estimated at between \$4,000-\$7,000. He asked why the Town is asking for money to upkeep the system if it generates a profit. He asked where Orange County Health Department was when the system blew up.

Supervisor Jamieson said the Town is not in the business of making a profit. Mr. Jamieson explained that the Town expended tens of thousands of dollars to fix the system and is now coming to the assistance of the residents. Councilman Murray explained that repairs and maintenance in any water district is paid by the residents of that particular district. Each district is self-supporting. Supervisor Jamieson explained that only the people residing in that district can be held responsible for the expense.

Irene Maddalena, 3 Ridings Lane, Chester, NY

Ms. Maddalena stated her bills went up tremendously to pay for work that the company was supposed to do. She said they had been paying bills for over 10 years to upgrade the system. Ms. Maddalena said her bill is based on minimum usage at a rate of \$125.00 per quarter. She is concerned about having a well on her property. The creek comes into her property. Mr. Fusco stated that wells should not be flooded if they are placed above grade. This can be accomplished with the proper engineering. Ms. Maddalena expressed concern about seasonal flooding and the contamination it caused.

Ian McDonald 22 Able Noble Drive, Chester, NY

Mr. McDonald stated he thought there was only one well and one pump. He thought there were additional well heads on the property. In 2003, each home was assessed at \$12,000 for improvements. The PSC gave the calculations for the complete development. After Senator Larkin got involved, the issue went away and Mr. McDonald didn't have to pay anything.

Supervisor Jamieson commented that the OSI bought 398 acres. They did not purchase the lot where the water system resides. He stated the aquifer is located under the property the OSI owns. Mr. McDonald commented that at one time the Town considered the possibility of creating a water district. Councilman Murray said if the development had gone through, then Walton Lake would have been added into the district. Supervisor Jamieson said he would look into this possibility. Mr. Fusco said there are two wells in existence, one being used as a back-up with additional test wells. Mr. McDonald suggested that the town look into the use of the additional well heads for any expansion of the Walton Lake Water District.

Ann Bonnie Katz, 9 Stevens Place, Chester, NY

She said she believes the cost of digging wells would be more expensive. Also, she said digging a well may be iffy. Right now the aquifer is supposedly the best in the County with good quality and pressure. She said if they could combine the cost with another water district that would lower the costs. Councilman Murray suggested the total cost could exceed \$17,500 over the 25 year period. She said she was told that she can't dig her own well as part of a water district. Now she said they are being told they can disband the water district. Councilman Murray said it is not a water district. The issue lies

within the County and water company in charge. Mr. Fusco said the residents would need to pursue Orange County for the proper permits. She asked if the cost of the bond would be only for the residents of the neighborhood. Councilman Valentine commented that there are other fees associated with forming a water district beyond the actual physical requirements of the water system, such as legal fees and road work.

Mr. McDonald thought the property was in a paper water district. Councilman Valentine said there was no water district in that area. The Town Clerk pulled the tax records of the properties in question and ascertained that there were no water district taxes on any of the parcels.

Steven Diffley, 5 Stevens Place, Chester, NY

Mr. Diffley asked Mr. Fusco if there was an assessment on each property to sustain a well. Mr. Fusco said that evaluation was not done. Basically, there was a preliminary estimate done by a well company alongside the building inspector's direction. Mr. Diffley said he would like to know the cost before he makes a decision. Mr. Fusco said this is a preliminary exercise to provide clarity and understanding of the possibilities and get a feel for the residents' level of interest. Mr. Diffley commented that there is mention in the Comprehensive Plan regarding the King Tract feeding into the Walton Lake Water District. Supervisor Jamieson said that when the plan was being written, there may have been thoughts about this possibility. The Comprehensive Plan is still in the draft form. Councilman Valentine said the Plan is a guideline and not a formal plan.

Beth Crescimano, 15 Townsend Place, Chester, NY

Ms. Crescimano thanked the Town Board for holding the long-awaited forum to discuss this issue. She expressed her disappointment with the Health Department for allowing the neglect. She asked why it would cost the residents so much money now to get the system where it needs to be. Supervisor Jamieson commented that the reason was exactly that; neglect. Supervisor Jamieson said that while he was out visiting residents he was showed a tin can covering a shut-off valve. Ms. Crescimano asked how Mr. Sherman was able to get away with that. Councilman Murray said that municipalities are held to a higher standard than private owners. Councilwoman Smith added that a crook contractor will do just that. Supervisor Jamieson said the Town doesn't want to take over a system that does not meet County standards. Ms. Crescimano said previously she lived in a private water company supply system and a similar problem ensued. The health department did not help when the water company went defunct. Some of the people drilled their own wells and those that could not afford to drill wells had to cover the expense of the repairs to the water supply system. She encourages her neighbors to think carefully and be united in the decisions going forward.

Lauren Sacrana, Woodhull Terrace, Chester, NY

Ms. Sacrana said she did not have \$7,000 to pay for a well. She said she favors a water district. She asked what the timeframe would be. Mr. Fusco said it would be about 90 days for the property title transfer and legal issues to get underway. Plans would have to go to regulatory agencies for approval and a bid process would take about 6 months to start the work. Depending on whether they do the piping now or in the future, it would be 6 months to one year to get everything flowing well. In the meanwhile, once a water district is formed, the water department would upgrade, if necessary, to keep the system going well. She asked when the Town wants a final decision. Supervisor Jamieson suggested getting a well company to evaluate those who have that preference. Afterwards there could be another meeting to re-group.

Councilwoman Smith asked for a show of hands for the formation of a water district. All of the residents present, shy one, supported that decision.

Ms. Sacrana said what happens if only one home doesn't want to join a water district. Supervisor Jamieson said he thought there would be a consensus going forward.

Tod Miller, 10 Townsend Place, Chester, NY

He was concerned about expenses ongoing in a water district. He thought the well would be a less expensive endeavor. His property resides in the water district but not in the sewer district, since he is not in the sewer district.

Councilman Murray said it is up to the residents to make a decision as to how they want to move forward. Mr. McDonald said in order to make an informed decision, information about wells are still needed.

Supervisor Jamieson said that those properties in questionable locations would have to get a variance from the ZBA. Mr. Fusco said he will send someone out to assess those properties. Supervisor Jamieson said he would have results at the next meeting.

Ms. Maddalena mentioned the possibility of grants for water improvements. Supervisor Jamieson said it would be looked into, as well as low cost financing.

Barbara Morrow, 4 Stevens Place, Chester, NY

Ms. Morrow asked what other location is being considered for the pump house. Bill Keller replied that the location is the top of Woodhull Terrace in the cud-de-sac. Mrs. Morrow asked what would the communication and follow-up with the residents be. Supervisor Jamieson he would put information on the website, TV, mailings and meeting.

Councilwoman Smith suggested that the homeowners take responsibility for keeping in touch with the Board. There is going to be a considerable expense incurred by the Town to conduct this assessment. Supervisor Jamieson asked that if you know you are not interested in drilling wells, then the Town shouldn't have to go out and assess every home. Mr. Fusco said a cursory look would be sufficient to make a recommendation and determine which homes may have more issues.

Ms. Morrow said she and some neighbors complained to the OCDOH two summers ago. There were hearings held and Mr. Sherman was fined. He never paid anything. But without the residents going after the DOH nothing would have been done. The doctor in charge at the time said she had inspected the system but didn't understand how it happened. She said someone wasn't watching the store and that is how it blew up. She agreed with the Town Board that the Health Department doesn't hold private owners to the same standards as a municipality. She feels that if the Town takes it over, they can be assured that they will have good, clean water and a solid system that won't let us down. She asked what the timeline would be since it is the winter. Mr. Fusco said as soon as a decision is made, he will make it a priority. He said we need the OCDOH to partner with us for a quick approval.

Mr. Diffley said it may appear like an adversarial thing but it is not. It is just that over 18 years of dealing with this stuff has made it difficult. He said he recognizes the Town is trying to do something for the residents not to them. He asked how hard the numbers were given earlier. Supervisor Jamieson said the

cost is associated with bonding for 25 years for the total expense of \$500,000. If grants are applied there would be more cost savings. Supervisor Jamieson said his numbers are on the high end of the estimate.

Supervisor Jamieson thanked everyone for coming out in the cold to discuss a problem they have been dealing with for years.

Supervisor Jamieson set the next meeting for Tuesday, February 3, 2015 at 7 p.m.

#### EXECUTIVE SESSION

A MOTION WAS MADE BY Councilman Murray and seconded by Councilwoman Smith to enter into Executive Session at 8:40 p.m. Motion carried 5-0.

A MOTION WAS MADE BY Councilwoman Smith and seconded by Councilman Valentine to adjourn the Executive Session at 8:55 p.m. Motion carried 5-0.

There being no further business brought before the Board, A MOTION WAS MADE BY Councilman Murray and seconded by Councilwoman Ranni to adjourn the Board meeting at 9:00 p.m. Motion carried 5-0.

Respectfully submitted,

Linda A. Zappala  
Town Clerk  
2015-01-07