

RESOLUTION NO. 2015092

RE: ESTABLISHING ZONE "O" ZONE OF ASSESSMENT IN  
THE DUTCHESS COUNTY WATER DISTRICT IN THE  
TOWN OF HYDE PARK, DUTCHESS COUNTY

Legislators MICCIO, SAGLIANO, PERKINS, FARLEY, and IGNAFFO offer the following and move its adoption:

WHEREAS, the New York State Legislature, by Chapter 592 of the Laws of 1991 (§1142, Public Authorities Law), created the Dutchess County Water & Wastewater Authority (WWA), and established the Dutchess County Water District covering all the areas within the boundaries of Dutchess County, and

WHEREAS, the WWA is entering into an Agreement with the Town of Hyde Park, owner of the Arbors Water System, regarding the WWA's acquisition of that system which is located in the Town of Hyde Park; and

WHEREAS, the WWA's ability to close on this acquisition and provide water service to the customers of the Arbors Water System is contingent on the creation of a Water District Zone of Assessment encompassing all properties in the said water system, which will include a total of one hundred and fifty-five (155) tax parcels, consisting of five single family residences and one hundred and fifty (150) condominium units within the Arbors Condominiums, and

WHEREAS, the WWA has presented to this Legislature a notice of project pursuant to Section 1124 of the Public Authorities Law which outlines the WWA's plan to establish Zone of Assessment "O" for the Arbors Water System, located in the Town of Hyde Park, and

WHEREAS, this Legislature has before it a Map, Plan and Report entitled "Map, Plan and Report, County Water District Zone of Assessment O" which was submitted to it by the WWA with the Notice of Project pursuant to Section 1124, and

WHEREAS, WWA proposes to enter into a Twelfth Restatement of the Amended Service Agreement with Dutchess County (County), on behalf of the proposed Zone of Assessment O whereby the District will provide water service to customers within the Zone at rates established by WWA, and

WHEREAS, said Map, Plan and Report identifies the parcels to be included in the Zone of Assessment, describes the infrastructure to be used to provide water service, and provides the estimated annual cost for water service for the typical property in the proposed Zone of Assessment, and

WHEREAS, the first year cost to the typical single family home is estimated to be three hundred and sixty-four dollars (\$364), and

WHEREAS, this Legislature must create Zone of Assessment O covering the area of the Arbors Water System described in "Attachment A," and

WHEREAS, this Legislature conducted a public hearing on this proposal on April 15, 2015, and heard all persons interested, and

WHEREAS, the establishment of said Zone of Assessment O will ensure an efficient water system for all properties within the service area, now, therefore, be it

RESOLVED that this Legislature hereby waives the notice provisions of Section 1124 of the Public Authorities Law and by this Resolution consents to this project, and be it further

RESOLVED, that it is hereby determined that all the property and property owners within the proposed Zone of Assessment O are benefited thereby and all the property and property owners benefited are included within the proposed Zone of Assessment O and it is in the public interest to create the Zone of Assessment O in the County Water District, and be it further

RESOLVED, that a Zone of Assessment in the County Water District, to be known as Zone of Assessment O in the Town of Hyde Park, more particularly described in "Attachment A" attached hereto, is hereby established, and be it further

RESOLVED, that this resolution is subject to permissive referendum.

CA-068-15  
CRC/BB/kvh/G-1217-N  
3/10/15  
Fiscal Impact: See attached statement

STATE OF NEW YORK  
COUNTY OF DUTCHESS

ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 13<sup>th</sup> day of April 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13<sup>th</sup> day of April 2015.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

# FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

## APPROPRIATION RESOLUTIONS (To be completed by requesting department)

Total Current Year Cost \$ \_\_\_\_\_

Total Current Year Revenue \$ \_\_\_\_\_  
and Source

Source of County Funds (check one):  
 Existing Appropriations,  Contingency,  
 Transfer of Existing Appropriations,  Additional Appropriations,  Other (explain).

Identify Line Items(s):

Related Expenses: Amount \$ \_\_\_\_\_  
Nature/Reason:

Anticipated Savings to County: \_\_\_\_\_

Net County Cost (this year): \_\_\_\_\_  
Over Five Years: \_\_\_\_\_

Additional Comments/Explanation:

Prepared by: Bridget Barclay, DCWWA

Prepared On: 03/09/15

**APPENDIX "A"**

**DUTCHESS COUNTY WATER DISTRICT  
ZONE OF ASSESSMENT "O" or Omicron  
*Arbors Water System***

**DESCRIPTION OF ZONE**

**(map and parcel listing)**

The Dutchess County Water District Zone of Assessment "O" or Omicron shall include all those tax parcels presently indicated on the attached boundary map. These parcels are further described by the following list of tax parcel grid numbers:

|                     |                     |                     |
|---------------------|---------------------|---------------------|
| 6163-03-097456-0000 | 6163-03-109406-0000 | 6163-03-110485-0000 |
| 6163-03-099451-0000 | 6163-03-097459-0000 | 6163-03-130444-0000 |
| 6163-03-123421-0000 | 6163-03-115444-0000 | 6163-03-133456-0000 |
| 6163-03-130440-0000 | 6163-03-140453-0000 | 6163-03-131411-0000 |
| 6163-03-108393-0000 | 6163-03-132464-0000 | 6163-03-097461-0000 |
| 6163-03-118430-0000 | 6163-03-130438-0000 | 6163-03-116481-0000 |
| 6163-03-107398-0000 | 6163-03-113393-0000 | 6163-03-133459-0000 |
| 6163-03-088462-0000 | 6163-03-088454-0000 | 6163-03-123441-0000 |
| 6163-03-123423-0000 | 6163-03-121489-0000 | 6163-03-110479-0000 |
| 6163-03-110483-0000 | 6163-03-101479-0000 | 6163-03-111417-0000 |
| 6163-03-116392-0000 | 6163-03-119487-0000 | 6163-03-101448-0000 |
| 6163-03-106395-0000 | 6163-03-109408-0000 | 6163-03-115450-0000 |
| 6163-03-111411-0000 | 6163-03-110480-0000 | 6163-03-140456-0000 |
| 6163-03-108403-0000 | 6163-03-111412-0000 | 6163-03-110478-0000 |
| 6163-03-111410-0000 | 6163-03-117484-0000 | 6163-03-088456-0000 |
| 6163-03-111414-0000 | 6163-03-101473-0000 | 6163-03-133454-0000 |
| 6163-03-110482-0000 | 6163-03-135475-0000 | 6163-03-111408-0000 |
| 6163-03-088458-0000 | 6163-03-101472-0000 | 6163-03-124428-0000 |
| 6163-03-123419-0000 | 6163-03-111415-0000 | 6163-03-123422-0000 |
| 6163-03-130409-0000 | 6163-03-119391-0000 | 6163-03-111409-0000 |
| 6163-03-108401-0000 | 6163-03-133462-0000 | 6163-03-088460-0000 |
| 6163-03-115449-0000 | 6163-03-108396-0000 | 6163-03-133460-0000 |
| 6163-03-123445-0000 | 6163-03-123442-0000 | 6163-03-133468-0000 |
| 6163-03-115443-0000 | 6163-03-123443-0000 | 6163-03-108395-0000 |
| 6163-03-110481-0000 | 6163-03-101471-0000 | 6163-03-097460-0000 |
| 6163-03-123440-0000 | 6163-03-111416-0000 | 6163-03-124430-0000 |
| 6163-03-124431-0000 | 6163-03-088463-0000 | 6163-03-131406-0000 |
| 6163-03-130436-0000 | 6163-03-108404-0000 | 6163-03-130402-0000 |
| 6163-03-088459-0000 | 6163-03-107405-0000 | 6163-03-123448-0000 |
| 6163-03-109405-0000 | 6163-03-130437-0000 | 6163-03-106396-0000 |

|                     |                     |                     |
|---------------------|---------------------|---------------------|
| 6163-03-110476-0000 | 6163-03-133472-0000 | 6163-03-133461-0000 |
| 6163-03-134414-0000 | 6163-03-097453-0000 | 6163-03-140455-0000 |
| 6163-03-123449-0000 | 6163-03-115448-0000 | 6163-03-111413-0000 |
| 6163-03-088457-0000 | 6163-03-124432-0000 | 6163-03-101475-0000 |
| 6163-03-133463-0000 | 6163-03-130435-0000 | 6163-03-119427-0000 |
| 6163-03-140451-0000 | 6163-03-140448-0000 | 6163-03-097458-0000 |
| 6163-03-133455-0000 | 6163-03-115445-0000 | 6163-03-123447-0000 |
| 6163-03-097457-0000 | 6163-03-101478-0000 | 6163-03-115446-0000 |
| 6163-03-123420-0000 | 6163-03-101476-0000 | 6163-03-107397-0000 |
| 6163-03-133458-0000 | 6163-03-088455-0000 | 6163-03-097462-0000 |
| 6163-03-110477-0000 | 6163-03-106394-0000 | 6163-03-124429-0000 |
| 6163-03-130443-0000 | 6163-03-097454-0000 | 6163-03-088461-0000 |
| 6163-03-109407-0000 | 6163-03-140450-0000 | 6163-03-108402-0000 |
| 6163-03-130439-0000 | 6163-03-115447-0000 | 6163-03-140454-0000 |
| 6163-03-101470-0000 | 6163-03-097455-0000 | 6163-03-130441-0000 |
| 6163-03-140449-0000 | 6163-03-101474-0000 | 6163-03-110484-0000 |
| 6163-03-140452-0000 | 6163-03-123446-0000 | 6163-03-130375-0000 |
| 6163-03-123444-0000 | 6163-03-101477-0000 | 6163-03-110362-0000 |
| 6163-03-107404-0000 | 6163-03-107399-0000 | 6163-03-098364-0000 |
| 6163-03-133457-0000 | 6163-03-140457-0000 | 6163-03-105344-0000 |
| 6163-03-130442-0000 | 6163-03-115442-0000 | 6163-03-113318-0000 |
| 6163-03-108394-0000 | 6163-03-115441-0000 |                     |



**DUTCHESS COUNTY**

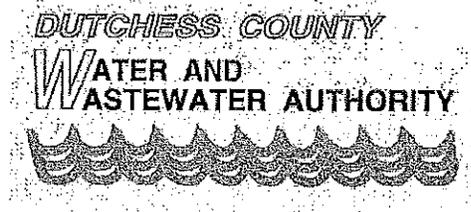
**Proposed County Water District  
Zone of Assessment "O" or Omicron**

(Arbors Water System)  
Hyde Park, NY

**MAP, PLAN AND REPORT**

February 2015

Dutchess County Water and Wastewater Authority  
Poughkeepsie, NY



February 2015

**PROPOSED COUNTY WATER DISTRICT ZONE OF ASSESSMENT "O" or Omicron  
(ARBORS WATER)**

**MAP, PLAN AND REPORT**

**INTRODUCTION**

This Map, Plan and Report contains the information required for the formation of the proposed County Water District Zone of Assessment "O" or Omicron, which includes an area of approximately fifty (50) acres located along the southern edge of the Town of Hyde Park east of US Route 9. The Arbors customer base (Water District Map: Appendix A) consists of one hundred and fifty (150) condominium units served through one wholesale connection to the Arbors Condominiums consecutive water system, and five (5) additional residential customers.

Upon successful formation of proposed County Water District Zone of Assessment "O" or Omicron (the "Zone") by the Dutchess County Legislature, ownership and operation of the Arbors Water System will transfer to the Dutchess County Water and Wastewater Authority ("DCWWA", "Authority") in accordance with the terms and conditions set forth in an agreement between the Authority and the Town of Hyde Park (Town.) Information provided herein includes the proposed Zone's boundaries and a list of the tax parcels that will comprise the future Zone, as well as a description of the current and proposed infrastructure by which potable water will be produced, treated and delivered to customers.

In addition, budgetary estimates for the first year operation and maintenance costs, and capital costs, as well as a cost allocation formula, have been included with this report.

The Dutchess County Water and Wastewater Authority will enter into a contract (the "Service Agreement") with Dutchess County on behalf of the Zone for the purpose of administering the retail sale of water services to all properties within the proposed Zone, with such service to be provided through the water system facilities as described below. The Authority will administer the Zone pursuant to guidelines established by the Service Agreement and collect water revenues. Water service rates will be set annually by the Authority.

**HISTORY**

The Arbors Condominiums project was originally served by the privately held Arbors Water Corporation, using on-site wells as the water source. Poor water quality and supply forced them to seek an alternate source, resulting in a transfer of the system to the Town and, in March 2002, the creation of the Arbors Water District by resolution of the Town of

Hyde Park. In 2003 the Town entered into a wholesale water purchase agreement with the Poughkeepsie Joint Water Board (PJWB). The original treatment building from the former water district now serves as the customer meter enclosure for the Condominiums.

In 2011 the Town of Hyde Park was awarded a Local Government Efficiency Grant from the New York State Department of State. The purpose of the grant was to support an independent evaluation of the Arbors Water System, with a focus on opportunities to streamline and improve the service delivery. The grant provided for an engineering evaluation of the system and consideration of the option to transfer the assets and management of the system to the DCWWA. Pursuant to the grant, the Town completed a Reorganization Study and Proposed Dissolution Plan for the Arbors Water District (February, 2015) and, on February 19, 2015 conducted a public hearing on the Study and Plan. On February 23, 2015 the Town Board passed a resolution of intent to transfer ownership and management of the Town's water and sewer systems, including Arbors Water, to the DCWWA.

#### **COUNTY WATER DISTRICT ZONE OF ASSESSMENT "O" or Omicron**

The proposed County Water District Zone of Assessment O (Omicron) delineated on the attached map and list of tax parcels (Appendix "A"), presently includes a total of one hundred and fifty five (155) tax parcels of which one hundred and fifty (150) are attached residential condominium properties, and five lots developed as single family residences. The Arbors Condominium development is built out and all residences are occupied.

#### **PHYSICAL FACILITIES**

##### **Water Supply and Treatment System**

Water for the Arbors system is purchased from the Poughkeepsie Joint Water Board (PJWB), whose water source is a 19.3 MGD water treatment facility drawing water from the Hudson River. Water sold to Arbors is metered via a master meter near the intersection of Legion Road and Windsor Drive. The Arbors Water System has an agreement with the PJWB to purchase 32,000 gal/day of water with an encroachment fee charged for additional usage above 40,000 gal/day. This is a "Take or Pay" agreement, which means that the District pays for 32,000 gal/day whether or not the District uses the entire amount.

The Agreement between the Arbors Water District and the PJWB states that Poughkeepsie is not obligated to provide fire service to the District. Due to the capacity of the Poughkeepsie's Spring Street pumping station, which provides flow to the Arbors District, system capacity is insufficient to meet fire flow requirements.

##### **Transmission and Distribution**

The Arbors Water System includes a master meter at point of purchase from PJWB, approximately 1,300 feet of 8-inch ductile iron water main and appurtenances, and five single family residential service connections prior to the customer owned master meter at Arbors Condominiums.

The master meter for the Arbors Condominium is housed in the Arbors Former Water Treatment Building. The building is owned by the Arbors Condominium Homeowners Association. Easement documents grant the water system owner access to the water main on the Condominium Homeowners Association property and to the Former Treatment Building to access and repair the water main and to read/inspect the water meter. The building is in generally poor condition, and should be repaired by the Condominium Homeowners Association.

#### **SOURCE CAPACITY AND QUALITY EVALUATION**

Water for the Arbors System is purchased from the Poughkeepsie Joint Water Board (PJWB), whose water source is a 19.3 MGD water treatment facility drawing water from the Hudson River. The purchase agreement for 32,000 gal/day is more than sufficient to meet the needs of the District, which averages about 23,000 gal/day. The primary concern of the water system is addressing the water quality issues associated with Disinfection By-Products (Total Trihalomethanes and Haloacetic Acids.). Disinfection By-Products levels are primarily a function of the quality of water leaving the PJWB water treatment facility, and water age. Water age is complex and affected by the operation of storage facilities in the Poughkeepsie system, and the flow of water throughout the entire Poughkeepsie distribution system as well as within the Arbors water distribution system. The Arbors District is currently addressing these issues with a proactive flushing program. It is anticipated that water quality will improve with future improvements designed for the Poughkeepsie water treatment facility. According to the PJWB, construction is anticipated to be complete by the summer of 2016.

#### **FUTURE DEMAND**

The Arbors Condominium development is built out and all residences are occupied. There are no current or anticipated plans to expand the Arbors Water System.

#### **FUTURE CAPITAL ISSUES**

An engineering evaluation of the Arbors Water System was completed as part of the Reorganization Study, and is included as Appendix A to the Study. The distribution system was found to be in good condition, with no significant history of water main failures, and so there is no reason to believe that the pipe will require replacement prior to its expected useful life of 50-80 years. The engineering evaluation noted several repairs to be made to the District's master meter, including; repair of a leaking pressure reducing valve, installation of bollards to protect the meter pit, and repair and painting of pipe supports within the meter pit. These improvements will be funded through the system's operational budget. As previously noted, improvement needs for the building housing the Arbors Condominium Association master meter are the responsibility of the Condominium Association.

#### **PROJECTED CAPITAL COSTS AND ALLOCATION**

At this time there are no capital improvements to be funded through the issuance of bonds. Should the Authority, in the future, issue bonds for capital improvements, annual debt

expenses will be allocated equitably among all parcels within the District through the assignment of benefit units to each parcel. The methodology for the assignment of benefit units is attached (see Appendix C.) All benefit units would be charged at the same rate. The annual benefit assessment would appear on the respective property owner's yearly property tax bill.

**OPERATION AND MAINTENANCE (O&M) COSTS**

The O&M Budget Projection is the total cost to the DCWWA to operate the Arbors Water System; purchase of water, laboratory fees, labor, insurance, typical repairs and other ongoing costs. The DCWWA has developed an O&M budget projection to illustrate estimated First Year costs of the Arbors Water System under Authority ownership, based on the Authority's prior operating expenses and history for comparable size water systems, and possible anticipated repairs to the system. A copy of the O&M budget projection, using 2015 as a base year for demonstration purposes of those First Year costs, has been included as Appendix "B". The first year operational cost (2015 dollars) is estimated at \$45,100.00.

DCWWA proposes to maintain the current rate structure, which contains two categories; the individually metered single family residences, and the Arbors Condominium. Charges to individually metered single family residences include a quarterly charge of \$91.05, for use of up to 27,300 gallons, plus a charge of \$3.75 per thousand gallons of metered water usage above the minimum. Charges to the Arbors Condominium include a quarterly charge of \$9,255.71, for use of up to 2,775,501 gallons, plus a charge of \$3.75 per thousand gallons of metered water usage above the minimum.

The below table depicts proposed annual cost per customer category.

| <b>Table: Water Rates and Typical Cost Per Customer</b>   |                    |                  |   |
|---|--------------------|------------------|---|
| <b>Charge</b>   | <b>Type</b>        | <b>Rate</b>      | <b>Typical Annual Charge Per Customer</b> |
| <b><i>INDIVIDUALLY METERED SINGLE FAMILY RESIDENCE</i></b>  |                    |                  |   |
| Flat Rate Water   | Quarterly Charge   | \$91.05          | \$364.20                                  |
| Metered Rate  | Usage Charge       | \$3.75/1,000 gal | \$0*                                      |
|   | <b>Grand Total</b> |                  | <b>\$364.20*</b>                          |
| <b><i>ARBORS CONDOMINIUM – MASTER METER</i></b>   |                    |                  |   |
| Flat Rate Water   | Quarterly Charge   | \$9,255.71       | \$37,022.84                               |
| Metered Rate  | Usage Charge       | \$3.75/1,000 gal | \$0**                                     |
|   | <b>Grand Total</b> |                  | <b>\$37,022.84</b>                        |
| <i>*Based on 110 gallons per day for typical residential customer, which are below the minimum.</i> |                    |                  |   |
| <i>**Based on 2013-14 Recorded Usage Data depicting flows below minimum.</i>                        |                    |                  |   |

It should be noted that, pursuant to the water purchase agreement, the PJWB may pass on to the Arbors Water System "a proportionate share of subsequent capital costs to the water treatment facility." Based on the current estimated costs of the ongoing improvements to

the water treatment plant, the PJWB has estimated the additional cost to be in the range of \$0.25 per thousand gallons, or a 13% increase over the current rate. This would increase the District's annual water purchase cost (for the Take or Pay volume) by about \$3,000 per year.

#### **CONNECTION CHARGES**

The Arbors Condominium development has reached full build out and no further development is anticipated. At the time the Map, Plan and Report was drafted, the typical residential connection charge was \$500.

#### **Annual Cost per a Typical Property – First Year: \$364.20**

The total annual cost for a typical property in a zone is generally a combination of the long-term capital charges (debt service) and water usage charges. In the proposed District a typical property will be a single family dwelling unit. Given the assumptions and estimates described above, the projected "First Year" total cost for a typical single family dwelling in County Water District Zone of Assessment "O" (Omicron) will be three hundred and sixty four dollars twenty cents (\$364.20). A system budget based on these rates will build appropriate fund balances to maintain the public water system in good working order.

#####

#### **APPENDICES**

Appendix A – Description of County District Zone of Assessment "O" or Omicron  
(Map & Parcel List)

Appendix B – Proposed Operation & Maintenance Budget

Appendix C - Proposed Benefit Assessment Methodology

APPENDIX "A"

**DUTCHESS COUNTY WATER DISTRICT  
ZONE OF ASSESSMENT "O" or Omicron  
*Arbors Water System***

**DESCRIPTION OF ZONE**

**(map and parcel listing)**

The Dutchess County Water District Zone of Assessment "O" or Omicron shall include all those tax parcels presently indicated on the attached boundary map. These parcels are further described by the following list of tax parcel grid numbers:

- |                     |                     |                     |
|---------------------|---------------------|---------------------|
| 6163-03-097456-0000 | 6163-03-109406-0000 | 6163-03-110485-0000 |
| 6163-03-099451-0000 | 6163-03-097459-0000 | 6163-03-130444-0000 |
| 6163-03-123421-0000 | 6163-03-115444-0000 | 6163-03-133456-0000 |
| 6163-03-130440-0000 | 6163-03-140453-0000 | 6163-03-131411-0000 |
| 6163-03-108393-0000 | 6163-03-132464-0000 | 6163-03-097461-0000 |
| 6163-03-118430-0000 | 6163-03-130438-0000 | 6163-03-116481-0000 |
| 6163-03-107398-0000 | 6163-03-113393-0000 | 6163-03-133459-0000 |
| 6163-03-088462-0000 | 6163-03-088454-0000 | 6163-03-123441-0000 |
| 6163-03-123423-0000 | 6163-03-121489-0000 | 6163-03-110479-0000 |
| 6163-03-110483-0000 | 6163-03-101479-0000 | 6163-03-111417-0000 |
| 6163-03-116392-0000 | 6163-03-119487-0000 | 6163-03-101448-0000 |
| 6163-03-106395-0000 | 6163-03-109408-0000 | 6163-03-115450-0000 |
| 6163-03-111411-0000 | 6163-03-110480-0000 | 6163-03-140456-0000 |
| 6163-03-108403-0000 | 6163-03-111412-0000 | 6163-03-110478-0000 |
| 6163-03-111410-0000 | 6163-03-117484-0000 | 6163-03-088456-0000 |
| 6163-03-111414-0000 | 6163-03-101473-0000 | 6163-03-133454-0000 |
| 6163-03-110482-0000 | 6163-03-135475-0000 | 6163-03-111408-0000 |
| 6163-03-088458-0000 | 6163-03-101472-0000 | 6163-03-124428-0000 |
| 6163-03-123419-0000 | 6163-03-111415-0000 | 6163-03-123422-0000 |
| 6163-03-130409-0000 | 6163-03-119391-0000 | 6163-03-111409-0000 |
| 6163-03-108401-0000 | 6163-03-133462-0000 | 6163-03-088460-0000 |
| 6163-03-115449-0000 | 6163-03-108396-0000 | 6163-03-133460-0000 |
| 6163-03-123445-0000 | 6163-03-123442-0000 | 6163-03-133468-0000 |
| 6163-03-115443-0000 | 6163-03-123443-0000 | 6163-03-108395-0000 |
| 6163-03-110481-0000 | 6163-03-101471-0000 | 6163-03-097460-0000 |
| 6163-03-123440-0000 | 6163-03-111416-0000 | 6163-03-124430-0000 |
| 6163-03-124431-0000 | 6163-03-088463-0000 | 6163-03-131406-0000 |
| 6163-03-130436-0000 | 6163-03-108404-0000 | 6163-03-130402-0000 |
| 6163-03-088459-0000 | 6163-03-107405-0000 | 6163-03-123448-0000 |
| 6163-03-109405-0000 | 6163-03-130437-0000 | 6163-03-106396-0000 |

6163-03-110476-0000  
6163-03-134414-0000  
6163-03-123449-0000  
6163-03-088457-0000  
6163-03-133463-0000  
6163-03-140451-0000  
6163-03-133455-0000  
6163-03-097457-0000  
6163-03-123420-0000  
6163-03-133458-0000  
6163-03-110477-0000  
6163-03-130443-0000  
6163-03-109407-0000  
6163-03-130439-0000  
6163-03-101470-0000  
6163-03-140449-0000  
6163-03-140452-0000  
6163-03-123444-0000  
6163-03-107404-0000  
6163-03-133457-0000  
6163-03-130442-0000  
6163-03-108394-0000

6163-03-133472-0000  
6163-03-097453-0000  
6163-03-115448-0000  
6163-03-124432-0000  
6163-03-130435-0000  
6163-03-140448-0000  
6163-03-115445-0000  
6163-03-101478-0000  
6163-03-101476-0000  
6163-03-088455-0000  
6163-03-106394-0000  
6163-03-097454-0000  
6163-03-140450-0000  
6163-03-115447-0000  
6163-03-097455-0000  
6163-03-101474-0000  
6163-03-123446-0000  
6163-03-101477-0000  
6163-03-107399-0000  
6163-03-140457-0000  
6163-03-115442-0000  
6163-03-115441-0000

6163-03-133461-0000  
6163-03-140455-0000  
6163-03-111413-0000  
6163-03-101475-0000  
6163-03-119427-0000  
6163-03-097458-0000  
6163-03-123447-0000  
6163-03-115446-0000  
6163-03-107397-0000  
6163-03-097462-0000  
6163-03-124429-0000  
6163-03-088461-0000  
6163-03-108402-0000  
6163-03-140454-0000  
6163-03-130441-0000  
6163-03-110484-0000  
6163-03-130375-0000  
6163-03-110362-0000  
6163-03-098364-0000  
6163-03-105344-0000  
6163-03-113318-0000



**APPENDIX "B"**

Proposed

**Operation & Maintenance Costs**

*Illustrative of projected first year O & M expenses, revenues and rates*

for customers of

Arbors Water System (County District Zone of Assessment "O" or Omicron)

**DCWWA PROPOSED 2015 BUDGET  
ARBORS WATER SYSTEM**

|                               |               |
|-------------------------------|---------------|
| <b>Beginning Fund Balance</b> | <b>25,157</b> |
| <hr/>                         |               |
| <b>Annual Expenses</b>        | <b>45,097</b> |
| Water Purchase                | 24,000        |
| Power/Chemicals               |               |
| Operations                    | 9,647         |
| ERM                           | 1,800         |
| Lab/Sampling/Permit           | 2,757         |
| Administration                | 5,233         |
| Legal/Engineering             | 750           |
| Insurance                     | 500           |
| Operations Contingency        | 410           |
| <b>Annual Revenues</b>        | <b>45,097</b> |
| Water Sales/Penalties         | 39,097        |
| Property Taxes                |               |
| Other                         |               |
| Transfer from Fund Balance    | 6,000         |
| <b>Ending Fund Balance</b>    | <b>19,157</b> |

**APPENDIX "C"**

Arbors Water System (County District Zone of Assessment "O" or Omicron)

**Proposed Benefit Assessment Methodology**

**COUNTY WATER DISTRICT  
ZONES OF ASSESSMENT C, D, H, M, O and U (Not J or K)**

**PART COUNTY SEWER DISTRICT #1, 2, 3 & 6**

**BENEFIT ASSESSMENT METHODOLOGY**

**DEVELOPED LAND (Use the higher of either LAND USE/WATER USE or ACREAGE)**

**LAND USE/WATER USE**

**RESIDENTIAL**

**FIRST DWELLING UNIT 10**

**EACH ADDITIONAL DWELLING UNIT 8**

**COMMERCIAL/INSTITUTIONAL:**

**FIRST 500 GPD WATER USAGE 20**

**EACH ADDITIONAL 100 GPD 4**

**ACREAGE**

**FIRST 2 ACRES 10**

**EACH ADDITIONAL WHOLE ACRE 2**

**UNDEVELOPED LAND**

**FIRST 2 ACRES 8**

**EACH ADDITIONAL WHOLE ACRE 2**

**STATE PARK LANDS**

**FIRST 500 GPD WATER USAGE 20**

**EACH ADDITIONAL 100 GPD 4**

McKinney's Consolidated Laws of New York Annotated  
Public Authorities Law (Refs & Annos)  
Chapter 43-a. Of the Consolidated Laws  
Article 5. Public Utility Authorities  
Title 6-C. Dutchess County Water and Wastewater Authority (Refs & Annos)

McKinney's Public Authorities Law § 1142

§ 1142. Dutchess county water district

Currentness

<[As added by L.1991, c. 592. See, also, Public Authorities Law § 1142, in another title 6-C, post.]>

There is hereby defined and established an area to be known as the "Dutchess county water district" which shall embrace all the territory located within the county. After the establishment of the Dutchess county water district, such district shall have such powers as are provided in and shall be governed in accordance with the provisions of article five-A of the county law, including, without limitation, the power to enter into contracts, and carry out the terms thereof, with the city of New York, the New York city municipal finance authority, New York city water board, or any agency or instrumentality thereof, for the purchase of water.

**Credits**

(Added L.1991, c. 592, § 1, eff. July 23, 1991.)

McKinney's Public Authorities Law § 1142, NY PUB AUTH § 1142

Current through L.2015, chapters 1 to 13

---

End of Document

© 2015 Thomson Reuters. No claim to original U.S. Government Works.

McKinney's Consolidated Laws of New York Annotated  
Public Authorities Law (Refs & Annos)  
Chapter 43-a. Of the Consolidated Laws  
Article 5. Public Utility Authorities  
Title 6-C. Dutchess County Water and Wastewater Authority (Refs & Annos)

McKinney's Public Authorities Law § 1124

§ 1124. Powers of the authority

Currentness

<[As added by L.1991, c. 592. See, also, Public Authorities Law § 1124, in another title 6-C, post.]>

The authority shall have the power:

1. To sue and be sued;
2. To have a seal and alter the same at pleasure;
3. To borrow money and issue bonds or other obligations and to provide for the rights of the holders thereof;
4. To enter into contracts and to execute all instruments necessary or convenient or desirable for the purposes of the authority to carry out any powers expressly given it in this title;
5. To acquire by purchase, gift, grant, transfer, contract or lease or by condemnation pursuant to the eminent domain procedure law, lease as lessee, hold, and use any real or personal property or any interest therein, as the authority may deem necessary, convenient or desirable to carry out the purpose of this title. In connection with the acquisition of such properties, the authority may assume any obligations of the owner of such properties and, to the extent required by the terms of any indentures or other instruments under which such obligations were issued, the authority may assume and agree to perform covenants and observe the restrictions contained in such instruments; and furthermore the owner or any properties which the authority is authorized to acquire, is hereby authorized to sell or otherwise transfer the same to the authority, whereupon the authority shall become charged with the performance of all public duties with respect to such properties with which such owner was charged and such owner shall become discharged from the performance thereof, and as a means of so acquiring for such purpose, the authority may purchase all of the stock of any existing privately owned water or sewage corporation or company and in the case of a sale or other transfer of properties of a public utility corporation pursuant to this provision, upon the purchase of the stock of such corporation or company it shall be lawful to dissolve such corporation within a reasonable time, and in the case of an acquisition of properties from a municipality pursuant to this provision, it may assume the primary responsibility for the payment of any bonds or notes issued by such municipality for such properties;
6. To develop, construct or maintain a project; provided, however, that the authority shall not enter into any contract for the construction of a project without having first submitted such project, following completion of compliance with the requirements of the state environmental quality review act and the regulations promulgated in connection therewith in connection with such project, to the county legislature for county legislative review, as herein described. For purposes of such county legislative

review, construction shall not include such engineering, architectural, legal, fiscal and economic investigations and studies, surveys, designs, plans, procedures and other actions necessary or reasonably required to develop a project or to present a project to the county legislature for county legislative review. County legislative review shall encompass a process by which the county legislature shall have the opportunity to review and deny a project proposed to be constructed by the authority. County legislative review shall commence with the authority's delivering, by mail or personally, to the clerk of the county legislature a notification that the authority proposes to construct a project. Such notification shall include a description of the project, the proposed cost and the proposed plan for the financing of such cost and such engineering, architectural, fiscal and economic investigations and studies, surveys, designs and plans prepared by the authority in connection with the project. Following receipt of such notification, the county legislature shall take such action as it may determine in its discretion to be appropriate in connection with its review of the project, which action may include adoption of a resolution, by the affirmative vote of at least two-thirds of the entire voting strength of the county legislature, to deny to the authority the right to construct the project, which vote, to be effective, shall be cast at a meeting held no later than the second consecutive regular meeting of the county legislature following delivery to the clerk of the county legislature of the notification herein described. The date of delivery of notification shall be the date on which such notification shall be actually received by the clerk of the county legislature. If the then current rules and regulations of the county legislature require the filing of a resolution with the clerk of the county legislature to be a specified number of days prior to a meeting of the county legislature for introduction of such resolution at such meeting, such notification shall be deemed to be a resolution and shall be subject to such filing requirement. If the county legislature shall so vote to deny to the authority the right to construct a project, the resolution to so deny shall be submitted to the county executive in such manner and at such time as is provided in the county charter for resolutions subject to approval or disapproval by the county executive. If the county executive shall, within the time permitted for such action, disapprove such resolution, such resolution shall be of no force and effect unless the county legislature shall override such disapproval in such manner and at such time as is provided in the county charter for such action. Nothing in this section shall prohibit the resubmission by the authority to the county legislature at any time of a proposed project which has been previously disapproved;

7. To operate and manage and to contract for the operation and management of properties of the authority;

8. To lease properties of the authority to the county or any other municipality in the county, or any instrumentality thereof, upon such terms and conditions as shall be determined by the authority, the county, the municipality or such instrumentality, as the case may be;

9. To apply to the appropriate agencies and officials of the federal, state and local governments for such licenses, permits or approvals of its plans or projects as it may deem necessary or advisable, and upon such terms and conditions as it may deem appropriate, and to accept, in its discretion, such licenses, permits or approvals as may be tendered to it by such agencies and officials;

10. To appoint such officers and employees as are required for the performance of its duties, to fix and determine their qualifications, duties and compensation, and to retain or employ counsel, auditors, engineers and private consultants on a contract basis or otherwise for rendering professional or technical services and advice;

11. To make plans and studies necessary, convenient or desirable for the effectuation of the purposes and powers of the authority and to prepare recommendations in regard thereto;

12. To enter upon such lands, waters or premises as in the judgment of the authority shall be necessary for the purpose of making surveys, soundings, borings and examinations to accomplish any purpose authorized by this title, the authority being liable only for actual damage done;

13. To apply for and to accept any gifts or grants or loans of funds or property or financial or other aid in any form from the federal government or any agency or instrumentality thereof, or from the state or any agency or instrumentality thereof or from any other source, for any or all of the purposes specified in this title, and to comply, subject to the provisions of this title, with the terms and conditions thereof;

14. To supply and sell water for domestic, commercial and public purposes at retail to individual consumers within the county or wholesale to municipalities, water districts or district corporations within the county and to collect, treat and discharge sewage produced for such purposes by such generators; provided, however, that the authority shall not sell water at retail to individual consumers or contract with individual consumers for the collection or treatment of sewage where such individual consumers are located in a municipality, water district, sewer district or district corporation which is empowered to provide water or sewer services, as the case may be, unless the authority shall have first notified, in writing, by certified mail, such municipality, water district, sewer district or district corporation that it intends to sell water at retail to individual consumers located therein or collect or treat sewage from individual consumers located therein, as the case may be, identified either by name or location or by the area to be served, and such municipality, water district, sewer district or district corporation does not notify the authority, within sixty days of receipt of such notice, that it objects to the authority selling water or collecting or treating sewage, as the case may be, to such individual consumers;

15. To purchase water in bulk from any person, private corporation or municipality when necessary or convenient for the operation of any water facility;

16. To enter into cooperative agreements with other authorities, municipalities, water districts, sewer districts, district corporations, utility companies, individuals, or corporations, within or without the county, for any lawful purposes necessary or desirable to effect the purposes of this title upon such terms and conditions as shall be determined to be reasonable;

17. To make by-laws for the management and regulation of its affairs and subject to agreements with bondholders, rules for the sale of water or the collection of sewage and the collection of rates, rents and charges therefor. A copy of such rules and by-laws, and all amendments thereto, duly certified by the secretary of the authority shall be filed in the office of the county clerk of the county and shall be published thereafter once in each of two newspapers having a general circulation in the county. Violations of such rules shall be punishable by fine, not exceeding fifty dollars, or by imprisonment for not longer than thirty days, or both;

18. To fix rates and collect charges for the use of the facilities of, any services rendered by or any commodities furnished by the authority such as to provide revenues sufficient at all times to pay, as the same shall become due, the principal and interest on the bonds or other obligations of the authority together with the maintenance of proper reserves therefor, in addition to paying as the same shall become due the expense of operating and maintaining the properties of the authority together with proper reserves for maintenance, contingencies and all other obligations and indebtedness of the authority; provided, however, that nothing contained in this subdivision, or in this title, shall empower the authority to collect rentals, charges, rates or fees from the owners of real estate, or the occupants of real estate (other than the occupants of premises owned or occupied by the authority or by the state or any civil division thereof) located in any city unless the electors of such city shall approve the granting to the authority of such powers by a majority vote at a general or special election in such city;

19. To utilize the service of officers and employees of the county and to pay a proper portion of compensation or costs for the services of such officers or employees with the consent of the county executive, and upon notice to the chair of the county legislature;

20. To provide for the discontinuance or disconnection of the supply of water or the provision of sewerage service, or both, as the case may be, for non-payment of fees, rates, rents or other charges therefor imposed by the authority, provided such discontinuance or disconnection of any supply of water or the provision of sewerage service, or both, as the case may be, shall not be carried out except in the manner and upon notice as is required of a waterworks corporation pursuant to subdivisions three-a, three-b and three-c of section eighty-nine-b and section one hundred sixteen of the public service law; and

21. To do all things necessary, convenient or desirable to carry out its purposes and for the exercise of the powers granted in this title.

**Credits**

(Added L.1991, c. 592, § 1, eff. July 23, 1991.)

McKinney's Public Authorities Law § 1124, NY PUB AUTH § 1124

Current through L.2015, chapters 1 to 13

---

End of Document

© 2015 Thomson Reuters. No claim to original U.S. Government Works.