

RESOLUTION NO. 2015094

RE: ESTABLISHING ZONE "Q" 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 Greenbush 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 Greenbush 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 two hundred seventy-two (272) properties consisting of two hundred forty-nine (249) residential properties, seven (7) undeveloped parcels and sixteen (16) non-residential customers, 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 "Q" for the Greenbush 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 "Q" 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 Q 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 seven hundred and forty dollars (\$740), and

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

WHEREAS, this Legislature conducted a public hearing on this proposal on April 13, 2015, and heard all persons interested, and

WHEREAS, the establishment of said Zone of Assessment Q 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 Q are benefited thereby and all the property and property owners benefited are included within the proposed Zone of Assessment Q and it is in the public interest to create the Zone of Assessment Q 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 Q 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-073-15

CRC/BB/ca/G-1217-N

3/10/15

Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

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):  
 Transfer of Existing Appropriations,  Existing Appropriations,  Contingency,  
 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 Q  
*Greenbush Water System***

**DESCRIPTION OF ZONE**

**(map and parcel listing)**

The Dutchess County Water District Zone of Assessment Q 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:

6163-01-323582	6163-01-412511	6163-02-529558
6163-01-388645	6163-01-426511	6163-02-724515
6163-01-348586	6163-02-602549	6163-02-637550
6163-01-396592	6163-02-503528	6163-02-701546
6163-01-358621	6163-02-554550	6163-02-727545
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6163-01-335584	6163-02-592549	6163-04-506489
6163-01-313576	6163-01-439510	6163-03-459454
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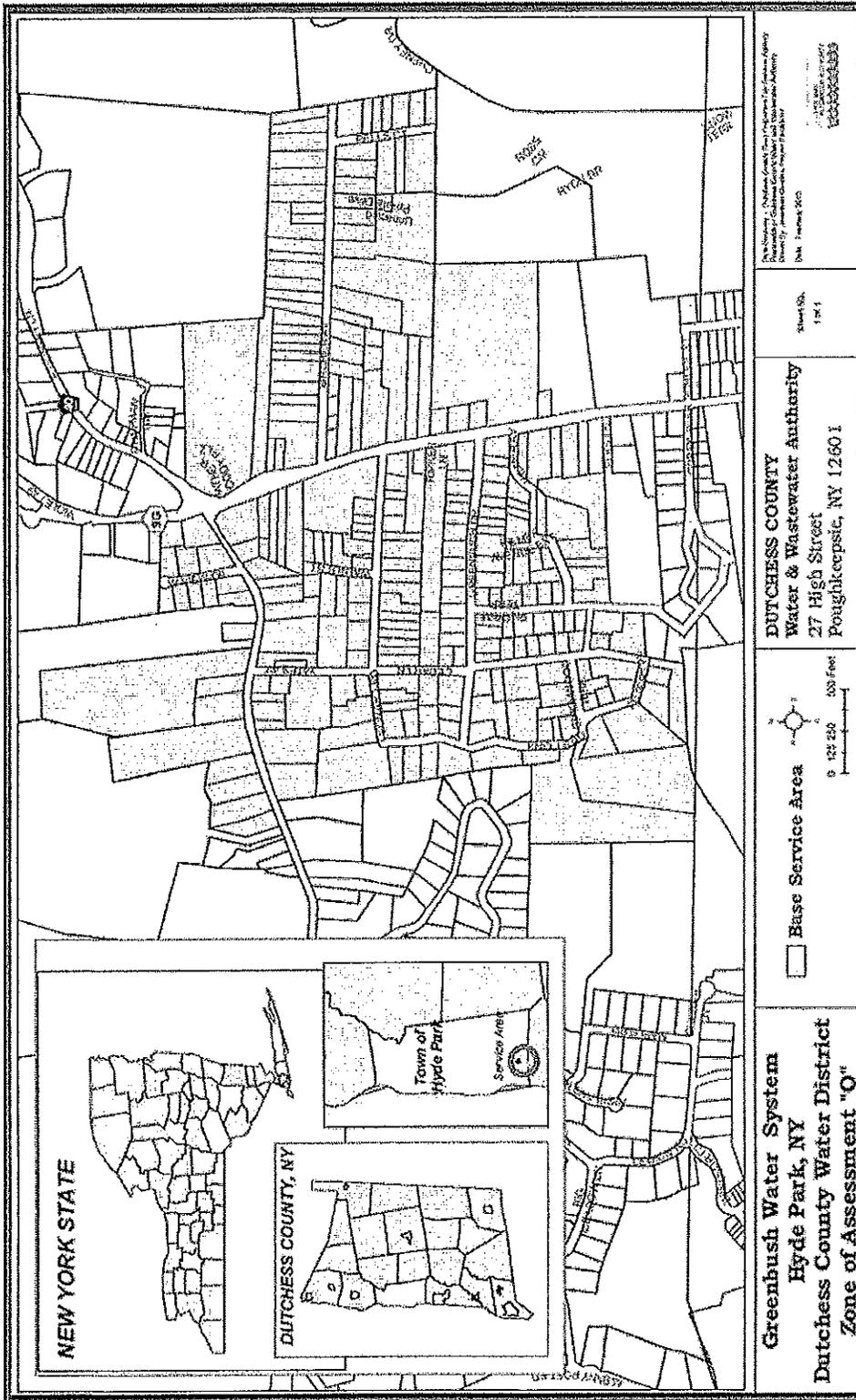
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**DUTCHESS COUNTY**

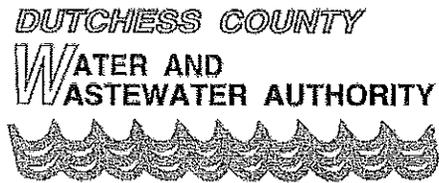
**Proposed County Water District  
Zone of Assessment Q**

(Greenbush Water System)  
Hyde Park, NY

**MAP, PLAN AND REPORT**

February 2015

Dutchess County Water and Wastewater Authority  
Poughkeepsie, NY



**PROPOSED COUNTY WATER DISTRICT ZONE OF ASSESSMENT Q  
(GREENBUSH WATER SYSTEM)**

**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 Q, which includes an area of approximately one hundred eighty-seven (187) acres located along the southern edge of the Town of Hyde Park on US Route 9G. The Greenbush customer base (Water District Maps: Appendix A) contains two hundred seventy-two (272) properties consisting of two hundred forty-nine (249) residential properties, seven (7) undeveloped parcels and sixteen (16) non-residential customers.

Upon successful formation of proposed County Water District Zone of Assessment Q (the “Zone”) by the Dutchess County Legislature, ownership and operation of the Greenbush 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 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 Greenbush Water District was created by the Town of Hyde Park around 2004 in response to methyl tert-butyl ether (MTBE) contamination found to be impacting individual property wells. In 2004 the Town entered into a wholesale water purchase agreement with the Poughkeepsie Joint Water Board (PJWB). The wholesale water purchase, for both Greenbush and the Violet Avenue Water District is metered at a meter pit located near the intersection of Cobey Terrace and Violet Avenue.

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 Greenbush 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 Greenbush 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 Greenbush Water, to the DCWWA.

### **COUNTY WATER DISTRICT ZONE OF ASSESSMENT Q**

The proposed County Water District Zone of Assessment Q delineated on the attached map and list of tax parcels (Appendix "A"), presently includes a total of two hundred seventy-two (272) properties consisting of two hundred forty-nine (249) residential properties, seven (7) undeveloped parcels and sixteen (16) non-residential customers.

### **PHYSICAL FACILITIES**

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

Water for the Greenbush 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 for the Greenbush/Violet Avenue Water system is purchased through a single purchase agreement with the PJWB, and is metered via a master meter near the intersection of Cobey Terrace and Violet Avenue. The water purchase agreement requires the District pay for a minimum of 80,000 gallons per day with the opportunity to purchase additional usage above this at the typical rate. This is a "take or pay" agreement, meaning the District pays for a minimum of 80,000 gallons per day regardless of actual usage. An additional encroachment fee may be charged when flows elevate above 200,000 gallons per day.

The Agreement between the Greenbush and Violet Avenue Water Systems 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 Greenbush Water District, system capacity is insufficient to meet fire flow requirements.

#### **Transmission and Distribution**

The Greenbush Water System includes approximately 2,600 linear feet of ductile iron water main along route 9G, and another 11,850 feet of ductile iron water main along Town roads. The Violet Avenue Water System precedes the Greenbush interconnection with the PJWB system and includes approximately 600 feet of 8-inch ductile iron water main and appurtenances, a shared master meter with Greenbush and eleven service connections.

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

Water for the Greenbush System is purchased from the PJWB, whose water source is a 19.3 MGD water treatment facility drawing water from the Hudson River. Typically, district flows

appear to average 47,436 gallons per day or 33 gallons per minute based on data presented in the Engineering Evaluation Report. Despite the occasional max day, the district does not typically exceed the minimum purchase.

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 Greenbush water system. The water system 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**

There is potential for connection of thirty-four (34) properties within the proposed Zone that could create additional demand. Seven (7) properties are classified as vacant, however only two (2) are potentially developable. These potentially developable vacant properties total 1.26 acres. Assuming 300 gpd for each developable vacant parcel will generate an additional 600 gpd. Twenty-seven (27) developed residential parcels have yet to connect to the system. These residential developed parcels are a mix of twenty-five single family homes and two dual dwellings for a total of twenty-nine dwellings that may connect to the system in the future. Assuming 300 gpd for each dwelling would result in an additional demand of 8,700 gpd on the system. All other properties within the Zone are connected. The total additional demand from all sources is projected to equal 9,300 gpd, which when combined with the current average daily demand of 47,436 gpd, will not exceed the 80,000 gallons per day purchase volume defined under the current water purchase agreement.

#### **FUTURE CAPITAL ISSUES**

An engineering evaluation of the Greenbush Water System was completed as part of the Reorganization Study, and is included as Appendix A to the Study. The engineering evaluation included recommendations for system improvements, organized by priority level.

#### **Treatment Building**

The Greenbush Water System has no treatment buildings, facilities or otherwise.

#### **Distribution System**

The Greenbush Water System includes approximately 2,600 linear feet of ductile iron water main along route 9G, and another 11,850 feet of ductile iron water main along Town roads. According to plans prepared by the design engineer, the water mains in the system are primarily 8-inch, with a small section of 10-inch along Route 9G, and a small section of 4-inch ductile iron along Pells Court, after the booster pump station. The Violet Avenue Water System precedes the Greenbush interconnection with the PJWB and includes approximately 600 feet of 8-inch ductile iron water main and appurtenances, a shared master meter with Greenbush and eleven service

connections. The Greenbush/Violet Avenue water distribution system includes a master meter at point of purchase from PJWB. 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.

### **PROJECTED CAPITAL COSTS AND ALLOCATIONS**

The Town on behalf of the District entered into a Project Financing and Loan Agreement with the New York State Environmental Facility Corporation (NYSEFC) dated June 1, 2004, thereby financing construction of the water system. NYSEFC refinanced the loan in July of 2014. As of January 1, 2015 the amount of bonds outstanding was \$1,415,000. The final maturity date on the bonds is August, 2024. Working with representatives of the NYSEFC, Town and DCWWA legal counsel have determined that the outstanding Greenbush Water loan may be transferred to the DCWWA. In order to transfer the loan, NYSEFC will require the DCWWA to fund a debt service reserve fund. Doing so will increase the annual debt service expense by an estimated \$17,115 each year over the remaining life of the loan (nine years), with the debt service reserve fund being applied to the final loan payment.

As was done previously by the Town the existing annual debt expenses for the Zone will be allocated equitably among all parcels within the Zone 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 will be charged at the same rate. The annual benefit assessment would appear on the respective property owner's yearly property tax bill.

Assuming a total of 3,728 benefit units in Zone Q, and a total annual debt service of \$164,270, the rate will be approximately \$44.06 per benefit unit for Year One under Authority Ownership. In accordance with the attached Benefit Assessment Methodology, a single family dwelling on less than 3 whole acres (the "typical property") will be assigned ten (10) benefit units and could generally expect to pay an annual benefit assessment of four hundred and forty dollars (\$441) for the first year under Authority ownership.

In the future, should any other major capital improvements be required for the Water System that may not have been described herein, an apportioned capital charge would be calculated to cover those improvements and then collected through an annual benefit assessment on each property in accordance with the methodology established for the Zone.

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

The O&M Budget Projection is the total cost to the DCWWA to operate the Greenbush Water System; purchase of water, electricity, alarms, 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 Greenbush 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 \$110,100.00.

DCWWA proposes to maintain the current operation and maintenance rate structure of a biannual charge of \$150.00, per typical single family residence. The below table depicts annual cost for the typical single family customer.

<b>Table: Water Rates and Typical Cost Per Customer (A single family residence)</b>			
<b>Charge</b>	<b>Type</b>	<b>Rate</b>	<b>Typical Annual Charge Per Customer</b>
Flat Rate Water	Biannual Charge (2x year)	\$150.00	\$300.00
Metered Rate	Usage Charge	NA	NA
		<b>Grand Total</b>	<b>\$300.00</b>

It should be noted that, pursuant to the water purchase agreement, the PJWB may pass onto the Greenbush 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 combined Greenbush and Violet Avenue Districts’ annual water purchase cost (for the Take or Pay volume) by about \$7,300 per year.

### **CONNECTION CHARGES**

For any properties within the Zone that are not connected and receiving water service from the Greenbush Water System at the time that the Authority acquires the Water System, an “Application for Water Service” and a related fee will be required at the time DCWWA water service is requested. For a typical single family residential connection, the costs for the water meter, additional plan review and/or inspections, and tap on the main are covered by the Water Service Application (tapping fee) fee which is paid by the property owner to the DCWWA at the time of their request for service. As of the date of this report, the application fee for a standard ¾-inch water service connection in the Zone is \$500 per service and is a one-time charge. The cost to install, repair and/or maintain the water service line from the Authority’s curb valve to the property owner’s house or other structure shall be the sole responsibility of the respective property owner.

### **Annual Cost per a Typical Property – First Year: \$300 + 441=\$741**

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 Zone 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, on less than three (3) whole acres, in County Water District Zone of Assessment Q will be seven hundred and forty dollars (\$741.) 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 Q (Map & Parcel List)

Appendix B – Proposed Operation & Maintenance Budget

Appendix C - Proposed Benefit Assessment Methodology

**APPENDIX "A"**

**DUTCHESS COUNTY WATER DISTRICT  
ZONE OF ASSESSMENT Q  
*Greenbush Water System***

**DESCRIPTION OF ZONE**

**(map and parcel listing)**

The Dutchess County Water District Zone of Assessment Q 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:

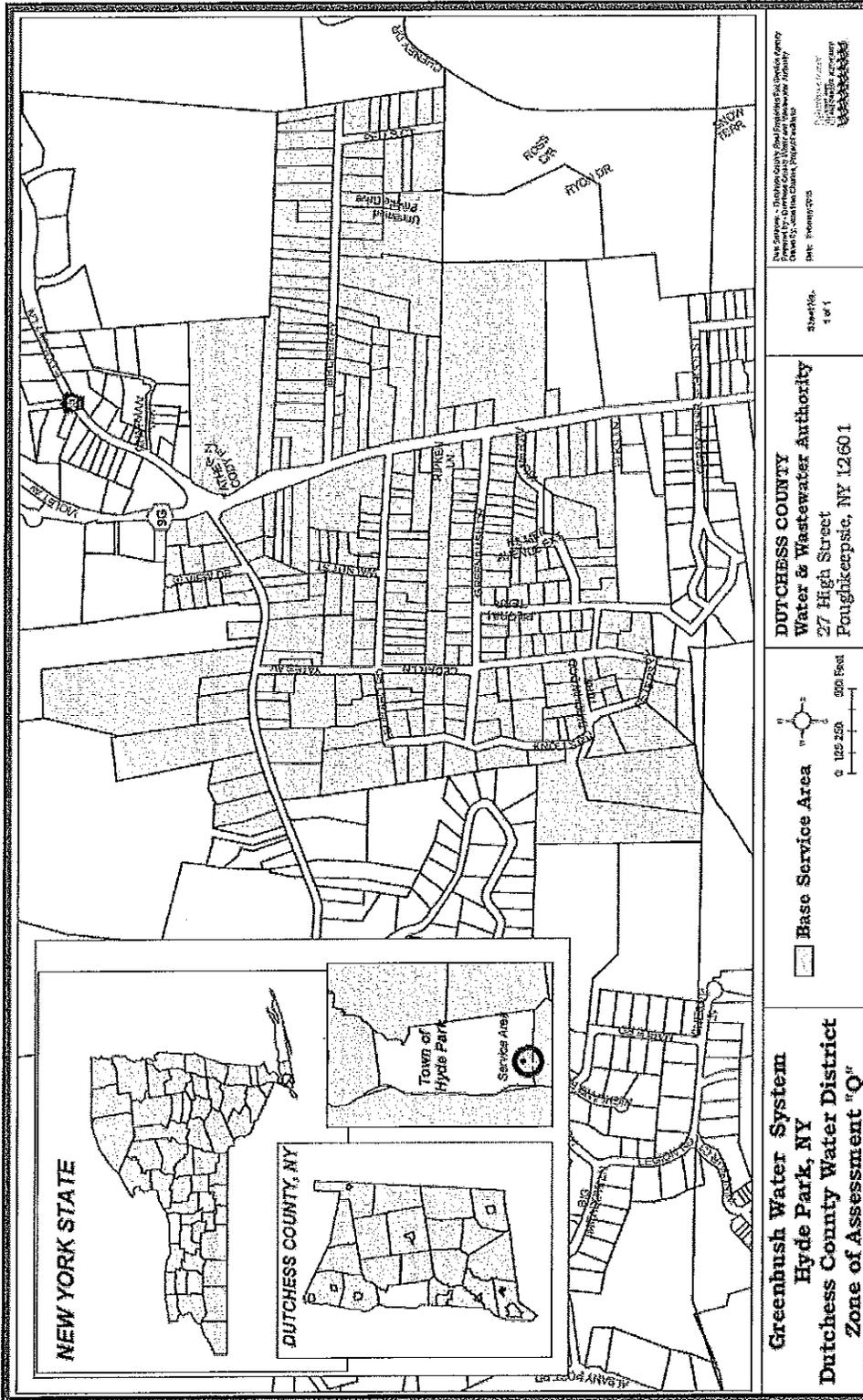
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6163-01-467508	6163-03-459378	6163-01-488562
6163-03-459485	6163-03-419409	6163-03-485433
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6163-01-380516  
6163-01-367519



**APPENDIX "B"**

Proposed

**Operation & Maintenance Costs**

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

for customers of

Greenbush Water System (County District Zone of Assessment Q)

**DCWWA 2015 PROPOSED BUDGET  
GREENBUSH WATER SYSTEM**

<b>Beginning Fund Balance</b>	<b>30,645</b>
<hr/>	
<b>Annual Expense</b>	<b>257,252</b>
Water Purchase	57,000
Power/Chemicals	887
Operations	13,874
ERM	4,915
Lab/Sampling/Permit	3,870
Administration	27,662
Legal/Engineering	750
Insurance	1,139
Debt Service	164,270
<b>Annual Revenues</b>	<b>274,367</b>
Water Sales/Penalties	105,097
Property Taxes	164,270
Other	
Transfer from Fund Balance	5,000
<b>Ending Fund Balance</b>	<b>25,645</b>

**APPENDIX “C”**

Greenbush Water System (County District Zone of Assessment Q)

**Proposed Benefit Assessment Methodology**

**COUNTY WATER DISTRICT  
ZONES OF ASSESSMENT C, D, H, M, O, P, Q 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**