

RESOLUTION NO. 2015095

RE: ESTABLISHING ZONE "R" 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 Pinebrook 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 Pinebrook 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 thirty-nine (139) tax parcels, consisting of one hundred and thirty-two (132) attached residential properties, one Homeowners Association recreation building, one Homeowners Association open space parcel, one sewage treatment plant parcel, one sewer main parcel, one water treatment plant parcel and two well parcels, 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 "R" for the Pinebrook 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 "R" 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 R 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 seventy dollars (\$370), and

WHEREAS, this Legislature must create Zone of Assessment R covering the area of the Pinebrook 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 R 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 R are benefited thereby and all the property and property owners benefited are included within the proposed Zone of Assessment R and it is in the public interest to create the Zone of Assessment R 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 R 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-071-15  
CRC/BB/kvh/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):  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 R  
*Pinebrook Water System***

**DESCRIPTION OF ZONE**

**(map and parcel listing)**

The Dutchess County Water District Zone of Assessment R 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:

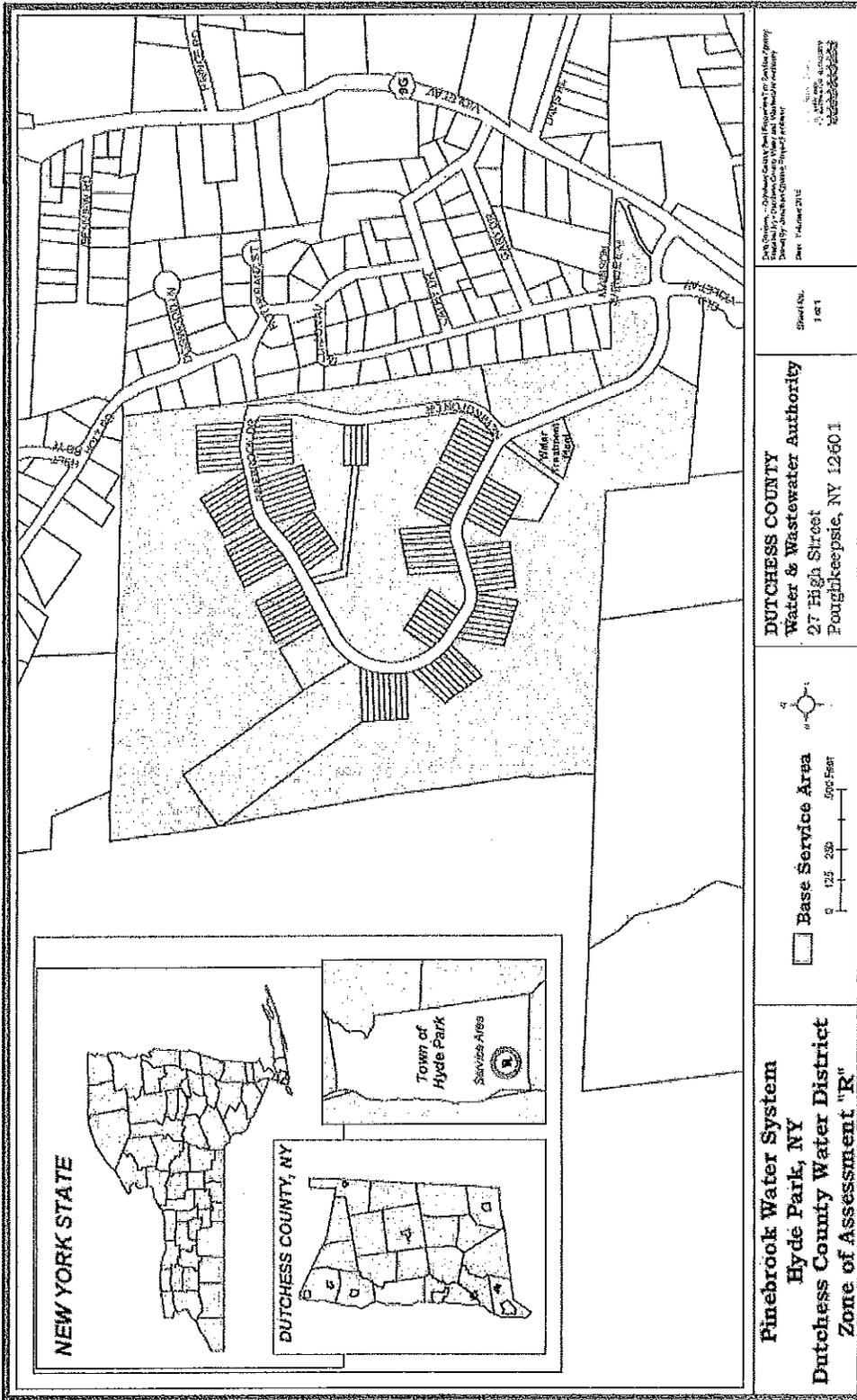
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**DUTCHESS COUNTY**

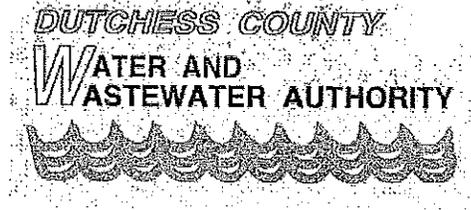
**Proposed County Water District  
Zone of Assessment R**

(Pinebrook 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 R  
(PINEBROOK 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 R, which includes an area of approximately eighty (80) acres located in the southern half of the Town of Hyde Park on Pinebrook Drive. The Pinebrook Service Area (Water District Map: Appendix A) consists of one hundred thirty nine (139) properties including one hundred thirty-two (132) attached residential properties, one (1) Home Owners Association (HOA) recreation building, one (1) HOA open space parcel, one (1) sewage treatment plant, one (1) sewage main parcel, one (1) water treatment plant and two (2) ground water production well parcels.

Upon successful formation of proposed County Water District Zone of Assessment R (the "Zone") by the Dutchess County Legislature, ownership and operation of the Pinebrook 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 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 Pinebrook Estates Water System was originally constructed in the mid-1980s by a private developer. When that developer abandoned the project (after constructing 24 units), the Home Owners Association, by necessity, took over operation of the system. A

new developer purchased the project in 2001, took over the operation of the water system, and ultimately built out the remainder of the planned development. At the request of the developer, the Town acquired the Pinebrook Water System in 2010, and established the Pinebrook Estates Water District.

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 Pinebrook 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 Pinebrook 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 Pinebrook Water, to the DCWWA.

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

The proposed County Water District Zone of Assessment R delineated on the attached map and list of tax parcels (Appendix "A"), presently includes a total of one hundred thirty nine (139) properties consisting of one hundred thirty-two (132) attached residential properties, one (1) Home Owners Association (HOA) recreation building, one (1) HOA open space parcel, one (1) sewage treatment plant, one (1) sewage main parcel, one (1) water treatment plant and two (2) ground water production well parcels.

#### **PHYSICAL FACILITIES**

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

The Pinebrook Water System utilizes ground water from three wells as the source. The ground water from the wells is disinfected with sodium hypochlorite, and stored in two buried tanks. There are two water softener treatment units that have been returned to service following several years being offline. Water is again disinfected and then sent to the system on demand, using system supply pumps and a hydropneumatic tank. There are no booster stations within the distribution system.

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

The distribution system includes approximately 3,800 feet of 6-inch ductile iron pipe. Service laterals include ¾-inch copper to each individual condominium units within Pinebrook. There are currently nine flushing hydrants located in the system. The water system as originally designed and built does not provide fire protection. All customer connections are individually metered.

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

With a total combined capacity of 137 gallons per minute (gpm) from the three wells, the

system has sufficient capacity to comply with the required standard of meeting the maximum day demand of 33 gpm with the best well out of service. All three wells are currently online and functional.

The system has historically had issues with high levels of iron and manganese above the maximum contamination level (MCL.) Raw water hardness levels of 300 to 400 MG/L are well in excess of the level of 80 MG/L considered to be moderately hard. Iron, manganese and hardness levels are particularly high in Wells 2 and 3. Sodium levels have ranged from 52 to 128 MG/L; levels in excess of 20 MG/L are not acceptable for people on severely restricted sodium diets. . In 2013 the District was issued violation by the Dutchess County Department of Health for the inability to operate more than one well at the facility, since treatment is required to operate Well 2 or 3. The two water softener treatment units, originally installed to address iron, manganese and hardness levels, have been returned to limited service following several years of being off-line. The water softeners are operated one cycle per week to maintain functionality. At the time of this report, the water softener system produced approximately 9,000 gallons per cycle. The effectiveness of the existing treatment system will need to be monitored moving forward to determine if additional action will be required.

#### **FUTURE DEMAND**

The Pinebrook development is built out and all residences are occupied. There are no current or anticipated plans to expand the water system customer base.

#### **FUTURE CAPITAL ISSUES**

An engineering evaluation of the Pinebrook 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**

As the Pinebrook Water System is now about thirty years old, and with no significant reconstruction or rehabilitation projects undertaken under the Town's ownership, it is generally recognized that most system components are beyond their typical service life. Despite the age of the system, the facility was deemed to be generally in good condition by the evaluating engineer. There are several mechanical and safety issues that must be addressed immediately and in the next five years, including new booster pumps and chemical feed system upgrades to address safety concerns, and a new roof will be required in the next five years. The effectiveness of the existing treatment system will need to be monitored moving forward to determine if additional action will be required. Additionally, many of these items constitute major repairs or renovations which will materially extend the useful life of water treatment plant and should be weighed against the costs and benefits derived from an interconnection with the Hyde Park Regional Water System.

DCWWA proposes to undertake the following improvements during the first year of system ownership, funded by current dollars and system fund balance:

- Provide eye wash/shower station
- Provide vent for generator fuel tank to building exterior
- Provide fire extinguisher
- Surface prep and paint hydropneumatic tank
- Improve security for wells
- Improve grading around Well 2
- Surge protection for wells
- Secure storage tank vents and manway
- Generator signage and hearing protection
- Replace roof, eave trim and gutters
- Clean and paint interior door lintel
- Provide GFI receptacles

The cost of the proposed improvements is estimated at \$65,000.

### **Distribution System**

The distribution system includes approximately 3,800 feet of 6-inch ductile iron pipe. 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 Pinebrook Water System currently has no outstanding bonded indebtedness. DCWWA is proposing no bond funded improvements during the initial years of ownership.

It should be noted that the engineering evaluation identified approximately \$180,000 in Short Term Improvements (over five years) in addition to those addressed above, and approximately \$556,600 in Long Term Improvement Items to be addressed over the next twenty years. As an alternative, the engineering evaluation considered the potential for an interconnection between the Pinebrook Water System and the DCWWA's Hyde Park Regional Water System. Going forward, DCWWA will evaluate the relative costs and benefits of upgrading existing infrastructure in comparison to opportunities to interconnect to the Hyde Park Regional Water System.

Future major capital improvements required for the Water System would be financed through the issuance of bonds, and annual debt service expenses would 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 (Appendix C.) All benefit units would be charged at the same rate. The annual benefit assessment charge 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 Pinebrook Water System; ground water withdrawal, chemicals, 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 Pinebrook 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 \$48,050.00.

DCWWA proposes to maintain the current Pinebrook Water operation and maintenance rates that includes a quarterly charge of \$40 plus a charge of \$5.25 per thousand gallons of metered water usage. The below table depicts annual cost per customer.

<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>
Flat Rate Water	Quarterly Charge	\$40	\$160
Metered Rate	Usage Charge	\$5.25/1000 gal	\$210*
		<b>Grand Total</b>	<b>\$370</b>

\* Based on 110 gallons per day for typical residential customer.

Should the system ownership be transferred mid-year, the budget would be pro-rated for the portion of the year DCWWA would own the system. All future O&M system budgets, rates, fees and other charges are reviewed annually and subject to change by the DCWWA Board of Directors.

### **CONNECTION CHARGES**

The Pinebrook Development has reached full build out and no additional connections are anticipated.

For any future connections to the Water System, an "Application for Water Service" and a related fee will be required at the time DCWWA water service is requested. Generally, 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: \$370.00**

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 R will be three hundred seventy dollars (\$370.00). 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 R (Map & Parcel List)

Appendix B – Proposed Operation & Maintenance Budget

Appendix C - Proposed Benefit Assessment Methodology

**APPENDIX "A"**

**DUTCHESS COUNTY WATER DISTRICT  
ZONE OF ASSESSMENT R  
*Pinebrook Water System***

**DESCRIPTION OF ZONE**

**(map and parcel listing)**

The Dutchess County Water District Zone of Assessment R 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:

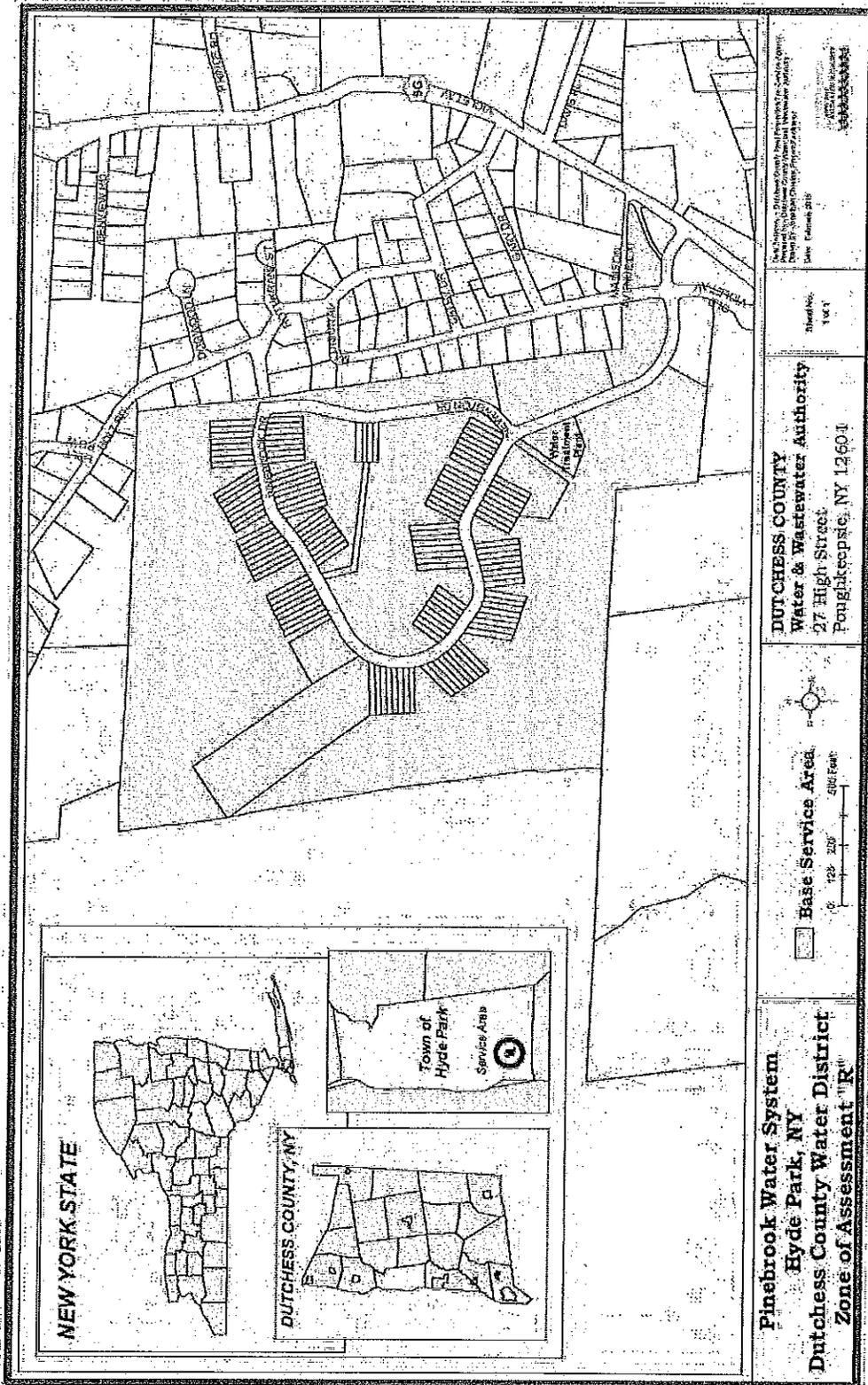
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**APPENDIX "B"**

Proposed

**Operation & Maintenance Costs**

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

for customers of

Pinebrook Water System (County District Zone of Assessment R)

**DCWWA 2015 PROPOSED OPERATION & MAINTENANCE BUDGET  
PINEBROOK WATER SYSTEM**

<b>Beginning Fund Balance</b>	<b>114,624</b>
<b>Annual Expenses</b>	<b>48,044</b>
Power/Chemicals	8,384
Operations	13,793
ERM	11,500
Lab/Sampling	3,089
Administration	9,799
Legal/Engineering	500
Insurance	569
Operations Contingency	500
<b>Annual Revenues</b>	<b>48,044</b>
Water Sales/Penalties	48,044
Transfer from Fund Balance	0
<b>Ending Fund Balance</b>	<b>114,624</b>

**APPENDIX "C"**

Pinebrook Water System (Dutchess County Water District Zone of Assessment R)

**Proposed Benefit Assessment Methodology**

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

**PART COUNTY SEWER DISTRICT #1, 2, 3, 6 & 7**

**BENEFIT ASSESSMENT METHODOLOGY**

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

**LAND USE/WATER USE**

**RESIDENTIAL**

<b>FIRST DWELLING UNIT</b>	<b>10</b>
<b>EACH ADDITIONAL DWELLING UNIT</b>	<b>8</b>

**COMMERCIAL/INSTITUTIONAL:**

<b>FIRST 500 GPD WATER USAGE</b>	<b>20</b>
<b>EACH ADDITIONAL 100 GPD</b>	<b>4</b>

**ACREAGE**

<b>FIRST 2 ACRES</b>	<b>10</b>
<b>EACH ADDITIONAL WHOLE ACRE</b>	<b>2</b>

**UNDEVELOPED LAND**

<b>FIRST 2 ACRES</b>	<b>8</b>
<b>EACH ADDITIONAL WHOLE ACRE</b>	<b>2</b>

**STATE PARK LANDS**

<b>FIRST 500 GPD WATER USAGE</b>	<b>20</b>
<b>EACH ADDITIONAL 100 GPD</b>	<b>4</b>