

RESOLUTION NO. 2015105

RE: ESTABLISHING PART COUNTY SEWER DISTRICT NO. 6  
IN THE TOWN OF RED HOOK

Legislators MICCIO, BOLNER, BORCHERT, SAGLIANO, and FARLEY 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

WHEREAS, the WWA is entering into an Agreement, with the Fairways at Red Hook Homeowners Association regarding the WWA's acquisition of that system which is located in the Town of Red Hook; and

WHEREAS, the WWA's ability to close on this acquisition and provide sewer service to the customers of the Fairways is contingent on the creation of a Part County Sewer District encompassing all properties in the said sewer system which will include a total of thirty-six (36) tax parcels, consisting of thirty-six (36) townhouses, 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 A Part County Sewer District #6 for the Fairways at Red Hook, located in the Town of Red Hook, and

WHEREAS, this Legislature has before it a Map, Plan and Report entitled "Map, Plan and Report, Part County Sewer District No. 6" 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 service agreement with Dutchess County (County), on behalf of the proposed Part County Sewer District No. 6 (District) whereby the District will provide sewer service to customers within the District at rates established by WWA, and

WHEREAS, said Map, Plan and Report identifies the parcels to be included in the sewer district, describes the infrastructure to be constructed in order to provide sewer service, and provides the estimated annual cost for sewer service for the typical property in the proposed sewer district, and

WHEREAS, the first year cost to the typical one family home is estimated to be three hundred and ninety six (\$396.00) dollars, and

WHEREAS, this Legislature must create Part County Sewer District No. 6 covering the area of Fairways at Red Hook Sewer System described in "Attachment A," and

WHEREAS, this Legislature will conduct a public hearing on this proposal on April 13, 2015, and hear all persons interested, and

WHEREAS, the establishment of said Part County Sewer District No. 6 will ensure an efficient sewer 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 Part County Sewer District No. 6 are benefited thereby and all the property and property owners benefited are included within the proposed Part County Sewer District No. 6 and it is in the public interest to create the Part County Sewer District No. 6, and be it further

RESOLVED, that a Part County Sewer District, to be known as Part County Sewer District No. 6 in the Town of Red Hook, 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-061-15  
CRC/ca/G-1217-M  
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

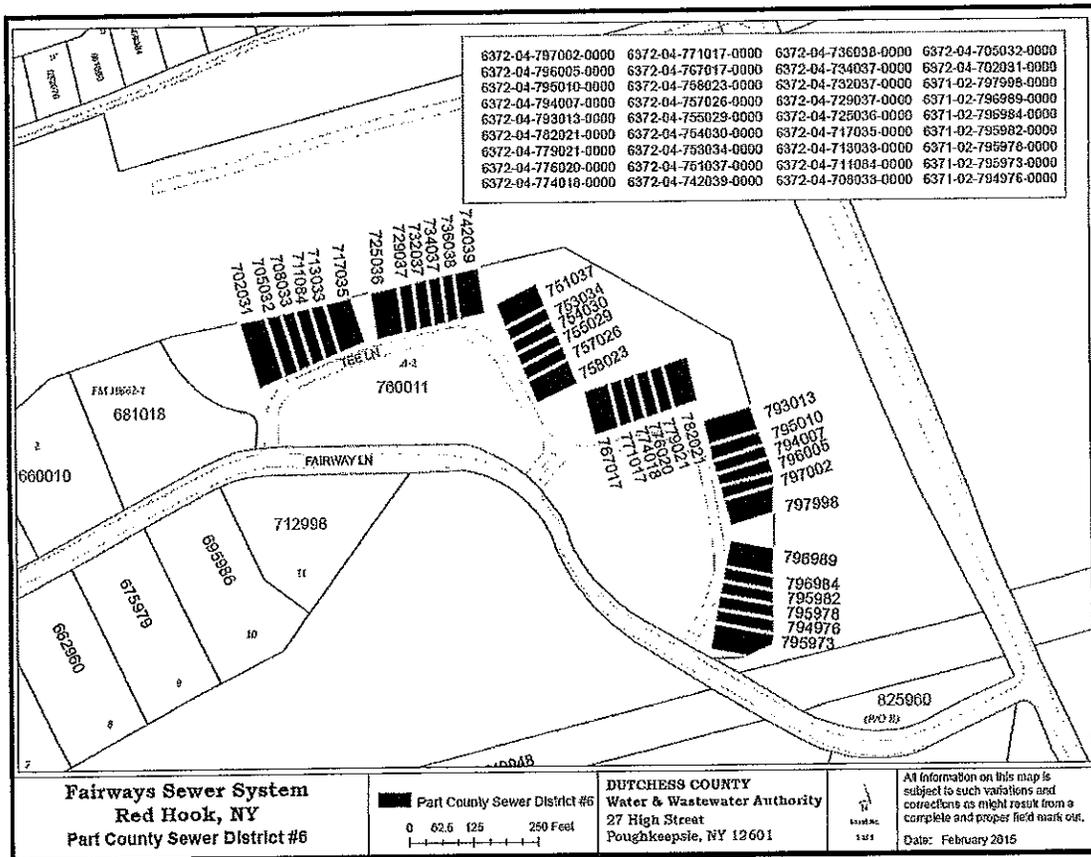
# APPENDIX "A"

## Part County Sewer District #6

### Map and Parcel List

The Dutchess County Part County Sewer District #6 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:

6372-04-797002-0000	6372-04-771017-0000	6372-04-736038-0000	6372-04-705032-0000
6372-04-796005-0000	6372-04-767017-0000	6372-04-734037-0000	6372-04-702031-0000
6372-04-795010-0000	6372-04-758023-0000	6372-04-732037-0000	6371-02-797998-0000
6372-04-794007-0000	6372-04-757026-0000	6372-04-729037-0000	6371-02-796989-0000
6372-04-793013-0000	6372-04-755029-0000	6372-04-725036-0000	6371-02-796984-0000
6372-04-782021-0000	6372-04-754030-0000	6372-04-717035-0000	6371-02-795982-0000
6372-04-779021-0000	6372-04-753034-0000	6372-04-713033-0000	6371-02-795978-0000
6372-04-776020-0000	6372-04-751037-0000	6372-04-711084-0000	6371-02-795973-0000
6372-04-774018-0000	6372-04-742039-0000	6372-04-708033-0000	6371-02-794976-0000





**DUTCHESS COUNTY**

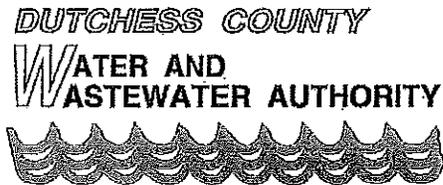
**Part County Sewer District #6**

(Fairways Sewer System)  
Red Hook, NY

**MAP, PLAN AND REPORT**

February 2015

Dutchess County Water and Wastewater Authority  
Poughkeepsie, NY



February 2015

**DUTCHESS COUNTY PART COUNTY SEWER DISTRICT #6  
(Fairways Sewer System)**

**MAP, PLAN AND REPORT**

**INTRODUCTION**

This Map, Plan and Report contains the information required for the formation of the proposed Dutchess County Part County Sewer District #6, which includes an area of approximately 10 acres located along Tee Lane off Farm Lane in the Town of Red Hook, NY.

Upon successful formation of Part County Sewer District #6 (the "District") by the Dutchess County Legislature, ownership and operation of the Fairways Sewer 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 Fairways Homeowner's Association (HOA.) Information provided herein includes the proposed District boundaries and a list of the tax parcels that will comprise the future District, as well as a description of the current and proposed infrastructure by which sewage will be conveyed, treated and discharged.

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 Part County Sewer District for the purpose of administering the retail sale of sewage services to all properties within the proposed District, with such service to be provided through the sewer system facilities as described below. The Authority will administer the District pursuant to guidelines established by the Service Agreement and collect sewer revenues. Sewer service rates will be set annually by the Authority.

**HISTORY**

Red Hook Fairways applied to the NYS Department of Environmental Conservation (DEC) for a State Pollution Discharge Elimination System (SPDES) Permit for the three subsurface disposal systems.

Dutchess County Department of Health (DC DOH) approved subdivision on 10/22/1993.

Fairways at Red Hook, LLC filed an Application for Permit Transfer on 10/1/1998 for SPDES Permit 3-1348-00055/00005-0 which was effective 1/7/93.

DEC issued SPDES Permit Renewal to Fairways at Red Hook, LLC on 10/23/02.

The Town Homes served by the Fairways Sewer System were constructed circa 2002.

DEC modifies SPDES Permit to Fairways at Red Hook, LLC on May 26, 2004 to delete Part II General conditions and adds language to require compliance to 6 NYCRR 750-2.

The wastewater collection, treatment and disposal system is currently owned by the HOA per the HOA offering plan.

Upon system transfer, the Authority will make application to the DEC to transfer the current SPDES Permit from the currently listed name to the DCWWA.

### **PART COUNTY SEWER DISTRICT #6**

The proposed Part County Sewer District delineated on the attached map and list of tax parcels (Appendix "A"), presently includes a total of 36 tax parcels. The proposed District is comprised of six buildings, each with six adjoining townhomes (total of 36 units.). Each townhome is owned fee simple with the common property owned by a homeowner's association. The development is built out and all residences are occupied. The boundaries of Part County Sewer District #6 will be coterminous with those of the Fairways Sewer System service area.

### **PHYSICAL FACILITIES**

The current Fairways Sewer Systems are comprised of the following components:

The Fairways residential development consists of twelve single family residences on individual lots and six buildings, each with six adjoining townhomes (total of 36 townhomes.). The twelve single family residences use individual subsurface wastewater disposal systems and are not a part of the proposed Sewer District. Each townhome is owned fee simple with the common property owned by a homeowner's association. The development is built out and all residences are occupied based upon discussions with the HOA President.

There are three separate wastewater collection and treatment systems. Each system services two sets of adjoining townhouses of six townhouses each (twelve townhouses total per system.)

Each of the three treatment systems consist of the following:

1. A 10,000 gallon septic tank.
2. A 6,500 pump chamber with duplex pumps.
3. A distribution valve box.
4. A subsurface disposal field.

Backup power to operate the pumps is provided by a portable generator. This allows the pump tanks to be emptied in case of a loss of utility power by evacuating a system's tank and then moving on to the next system, etc.

### **PROPERTY ISSUES**

The area of the existing wastewater treatment systems and the space for additional subsurface disposal is extensive and encompasses most of the HOA commonly held space. Pursuant to the Transfer Agreement between the DCWWA and the HOA, the HOA will retain ownership of the property, with DCWWA being provided easements for the area of the collection, treatment and subsurface disposal areas, including the area required to be reserved for future disposal beds, allowing all necessary access for the operation, maintenance and repair of the wastewater treatment systems.

The sewage collection piping, once it leaves the individual town home properties and the disposal system lies within the common property of the HOA. Easements will also be granted by the HOA to DCWWA for the collection system.

### **FUTURE DEMAND**

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

### **OPERATIONAL ISSUES**

The Fairways Sewer System has identified no operational issues at the time of this report.

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

The O&M budget projection is the total cost to the DCWWA to operate the Fairways Sewer System; labor, electricity, insurance, typical repairs and other ongoing costs. The DCWWA has developed an O&M budget projection to illustrate estimated First Year costs of the Fairways Sewer System under Authority ownership, based on the Authority's prior operating expenses and history for comparable size sewer 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 \$14,326.00.

The proposed rate structure based on the O & M budget projection includes income from annual penalties (~\$70) and a proposed flat rate fixed amount, assuming thirty-six customers, of \$396.00 (\$99.00 per quarter.) Sewer charges would be added to the Fairways Water Bill, sent four times per year.

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.

#### **TRANSFER AND CAPITAL IMPROVEMENT COSTS AND ALLOCATIONS**

The Transfer and Capital Improvement Budget (see Appendix C) is the total estimated cost of the property survey, legal and related costs to transfer ownership of the Sewer System, and to complete recommended capital improvements. Total transfer costs are estimated at \$17,300. Four of the six sewage lift pumps are original operating beyond their typical lifespan and are recommended for near term replacement. The current acquisition budget includes the expense of replacing all four pumps under normal operating conditions. Said repair is planned to occur following acquisition within the first year assuming said action does not occur prior to the transfer. The total cost of projected capital improvements, including the pump replacements, is \$9,700. The Fairways Sewer System currently has a fund balance of approximately \$30,000. Pursuant to the agreement between the HOA and the DCWWA, the current system fund balance will be utilized to cover cost of the transfer and identified capital improvements. Accordingly, 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 D.) 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.

#### **CONNECTION CHARGES**

The Red Hook at Fairways Townhome portion of the development has reached full build out and therefore no additional system connections are anticipated.

#### **Annual Cost per a Typical Property – First Year: \$396**

The total annual cost for a typical property in a sewer district is generally a combination of the long-term capital charges (debt service) and sewer usage charges. In the proposed District a typical property will be a single family dwelling (townhouse) unit. Given the assumptions and estimates described above, the projected "First Year" total cost for a typical single family dwelling in Part County Sewer District #6 will be three hundred and ninety-six (\$396) dollars. A system budget based on these rates will build appropriate fund balances to maintain the public sewer system in good working order and help offset future capital improvements.

#####

## APPENDICES

- Appendix A – Description of Part County Sewer District #6 (Map & Parcel List)
- Appendix B – Proposed Operation & Maintenance Budget
- Appendix C - Proposed Transfer and Capital Improvement Budget
- Appendix D – Proposed Benefit Assessment Methodology

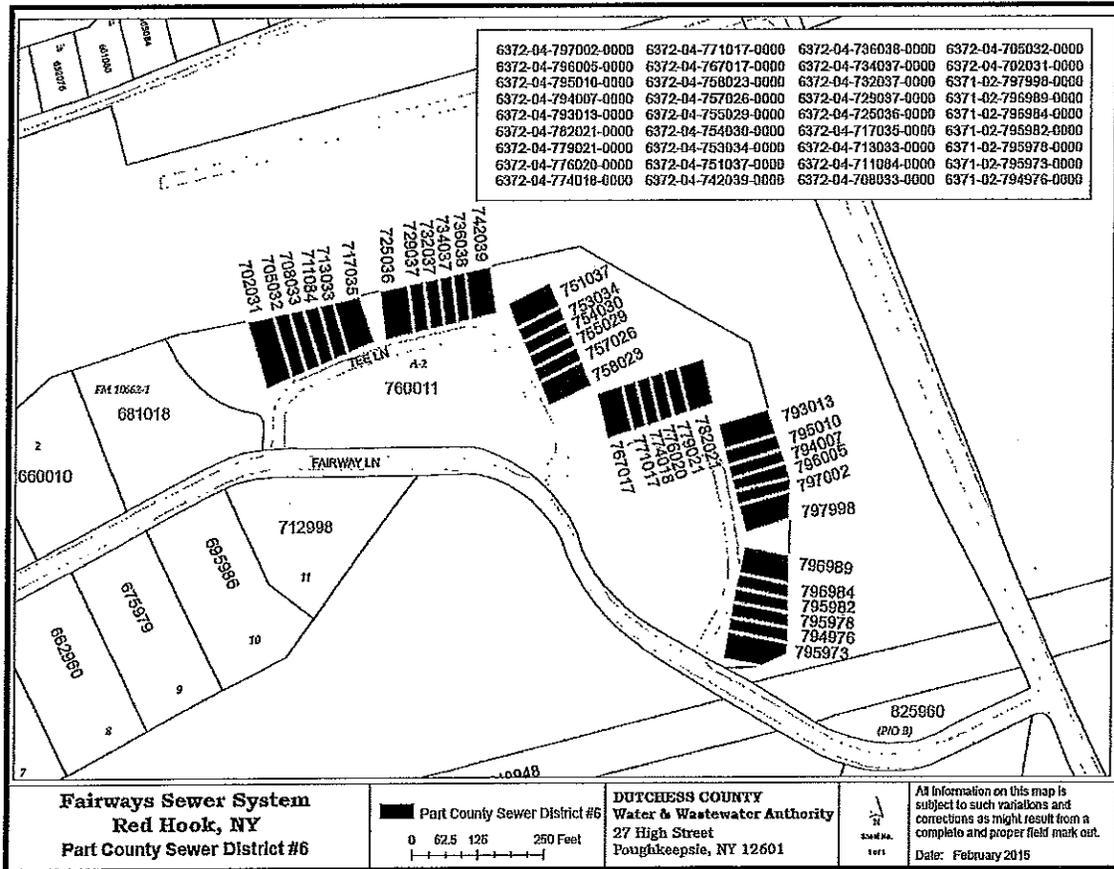
APPENDIX "A"

Part County Sewer District #6

Map and Parcel List

The Dutchess County Part County Sewer District #6 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:

6372-04-797002-0000	6372-04-771017-0000	6372-04-736038-0000	6372-04-705032-0000
6372-04-796005-0000	6372-04-767017-0000	6372-04-734037-0000	6372-04-702031-0000
6372-04-795010-0000	6372-04-758023-0000	6372-04-732037-0000	6371-02-797998-0000
6372-04-794007-0000	6372-04-757026-0000	6372-04-729037-0000	6371-02-796989-0000
6372-04-793013-0000	6372-04-755029-0000	6372-04-725036-0000	6371-02-796984-0000
6372-04-782021-0000	6372-04-754030-0000	6372-04-717035-0000	6371-02-795982-0000
6372-04-779021-0000	6372-04-753034-0000	6372-04-713033-0000	6371-02-795978-0000
6372-04-776020-0000	6372-04-751037-0000	6372-04-711084-0000	6371-02-795973-0000
6372-04-774018-0000	6372-04-742039-0000	6372-04-708033-0000	6371-02-794976-0000



**APPENDIX "B"**

Proposed

**Operation & Maintenance Costs**

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

for customers of

Fairways Sewer System (Part County Sewer District #6)

**DUTCHESS COUNTY  
WATER AND WASTEWATER AUTHORITY**

**Fairways Sewer System (FAS)**  
*Preliminary Operations Budget*  
*Sunday, February 22, 2015*

**EXPENSES**

2015

Item	OPERATION		
	LINE ITEMS	% of budget	Budget
1	Accounting	0.5%	65.00
2	Billing	6.9%	862.56
3	Bookkeeping	8.9%	1,119.10
4	Buildings & Grounds	3.2%	400.00
5	Chemicals	0.0%	0.00
6	Computer Equipment/Technical Support	0.4%	50.00
7	Electric	11.3%	1,420.08
8	Engineering	0.8%	100.00
9	Equipment Repair & Maintenance	10.5%	1,310.00
10	Insurance	4.8%	600.00
11	Lab Costs	0.0%	0.00
12	Legal	0.8%	100.00
13	Meter/Collection	0.0%	0.00
14	Operation	22.8%	2,850.00
15	Operation Support	4.6%	577.00
16	Permit Fees	3.0%	375.00
17	Postage	0.4%	52.80
18	Sanitation	0.0%	0.00
19	STP Sludge Hauling	9.6%	1,200.00
20	Supplies (Buildings)	0.2%	25.00
21	Supplies (Office)	0.2%	25.00
22	Radio Alarm - Remote Monitoring + Burne MSG	11.1%	1,392.00
23	Testing Chemicals/Flow Meter Calibration	0.0%	0.00
24	Water	0.0%	0.00
	<b>SUB TOTAL</b>		<b>12,523.54</b>
25	Operation Contingency		500.00
26	Administration		1,302.35
27	Debt Service		0.00
28	Capital Items & Transfer / Fund Balance Wash		0.00
29	Capital Contingency		0.00
30	<b>OPERATION TOTALS</b>		<b>14,325.89</b>

**INCOME**

31	Sewer Payments		14,256.00
32	Sewer Penalties		70.00
33	Debt Service		0.00
34	<b>TOTAL INCOME</b>		<b>14,326.00</b>

**Proposed Sewer Rates**

35	<b>TOTAL INCOME</b>		<b>14,256.00</b>
36	Customer Count	36	
37	Annual Cost Per Household		396.00
38	Quarterly Flat Rate Fixed Charge**	4	99.00

\*Transfer and capital costs will be covered by fund balance

\*\*Sewer Charges added to water bill mailed every three months (4x/yr.)

**APPENDIX "C"**

Proposed

**Transfer and Capital Improvement Budget**

Fairways Sewer System (Part County Sewer District #6)

**DUTCHESS COUNTY  
WATER AND WASTEWATER AUTHORITY**

**Fairways Sewer System (FAS)**  
*Preliminary Transfer and Capital Budget*  
*Sunday, February 22, 2015*

**TRANSFER COSTS**

12,000.00	Property Boundary Survey of three treatment parcels and sewer line easements on HOA property and easement mapping and descriptions
1,000.00	Title Search and Insurance
1,000.00	Attorney's Fees - Memo of Understanding
1,000.00	Attorney's Fees - Easements
1,500.00	Attorney's Fees - Property Transfer
500.00	Misc. filing fees
0.00	Property taxes remain with HOA Parcel
300.00	Transfer of SPDES Permit Fee

17,300.00	<b>TRANSFER TOTALS</b>
-----------	------------------------

**CAPITAL ITEMS**

7,550.00	Purchase 4 lift pumps year one. Install 2 year one.
250.00	Control Panel Locks
900.00	Valve box tamper proof hasp and pad lock (Total 3)
100.00	Add foam insulation as needed to valve boxes and other infrastructure.
600.00	Add light and receptacles to each control panel (Total 3)
300.00	Install ownership identification signs

9,700.00	<b>CAPITAL TOTALS</b>
----------	-----------------------

27,000.00	Transfer and Capital Total
30,000.00	Available Fund Balance
3,000.00	Subtotal After Application of Fund Balance

**APPENDIX "D"**  
**Part County Sewer District #6**  
**Proposed Benefit Assessment Methodology**

**COUNTY WATER DISTRICT  
ZONES OF ASSESSMENT C, D, H, and M (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**

<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>