

MAP, PLAN and REPORT

Prepared for the Creation of TOWN WATER DISTRICT NO. 5



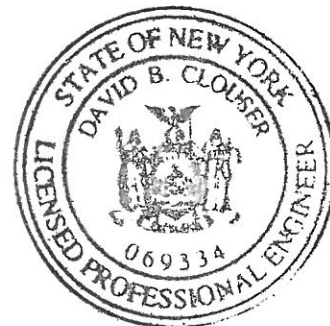
Prepared for the TOWN OF NEW PALTZ TOWN BOARD

Town of New Paltz,
Ulster County, New York

Prepared by:

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December 3, 2015

I. PURPOSE

The preparation of this *Map, Plan and Report* was authorized by the Town of New Paltz Town Board to describe the location, scope and cost of proposed Water District No. 5. The purpose of establishing Water District No. 5 is to ensure the availability of public water service to residences in the general area of Plains Road, and to simultaneously provide for the development of one identified groundwater supply source as part of a larger effort to develop a Backup Water Supply for the New Paltz community. Proposed Water District No. 5 is generally located south of the municipal boundary of the Town and the Village and west of the existing Wallkill Valley Rail Trail linear park, including properties along Plains Road, Locust Lane, Shawangunk View Drive, Woddland Drive and a portion of Cedar Lane.

This *Map, Plan and Report* has been prepared following receipt of a Petition to the Town Board by a majority of the property owners within the proposed new water district boundary. The preparation of this *Map, Plan and Report* complies with the requirements for establishing a Water District in accordance with NYS Town Law Article 12. Specific boundaries of the proposed Water District No. 5, including a plan and description of the included properties based upon tax map information are provided in this report as well as an estimated water use by the properties included in this proposed new water district. The average annual costs proposed for the water district users are also provided in this report.

II. PROCEDURE UNDER TOWN LAW ARTICLE 12

The following steps are set forth in Town Law Article 12 for the formal creation of a Water District by resolution of the Town Board:

1. Upon receipt of a signed petition by a majority of owners of taxable real property within a proposed Water District, the Town Board may cause to be prepared a *Map, Plan and Report* of the area of the proposed Water District extension.
2. The Town Board adopts an order that specifies the date, time and place of a public hearing, the boundaries of the proposed Water District, the extent of proposed improvements, and the maximum amount to be expended.

The following procedure are followed in setting the required public hearing:

- a. The Town Clerk publishes the Order in the official newspaper no less than 10 and no more than 20 days before the scheduled hearing date and posts a copy of the Order on the designated notice board at Town Hall.
 - b. The Town Clerk forwards a copy of the Order to the NYS Comptroller on or about the date of publication.
3. The *Map, Plan and Report* for the Water District is prepared and presented to the Town Board. The contents of the *Map, Plan and Report* must include, but not be limited to, the description of the water district boundaries, the source of the water supply, the mode of constructing the proposed improvements, the estimated cost of construction, the method of financing the improvements and estimated revenues that will be generated, the estimated cost of the proposed new water district's maintenance and operation, and the maximum yearly estimated cost to the typical property.

In this case, there will be no capital cost expenditures required since the implementation of this Water District is included as an element that will be developed as a part of a Backup Water Supply for the Town and Village of the New Paltz, with all development costs associated with the creation of this water district (including water source development, pumping and treatment, water distribution and fire protection infrastructure, individual service connections, all engineering, legal and administrative costs and associated property acquisition costs) are proposed to be reimbursed by the New York City Department of Environmental Protection (NYC DEP). Accordingly, this proposed Water District No. 5 is proposed to be developed at no cost to the Town.
4. The Town Board conducts a public hearing.
5. The Town Board determines that: (1) all the properties in the proposed District are benefited; (2) all benefited properties are included in the district; and (3) it is in the public interest to create the new Water District.
6. Following compliance with the requirements of the State Environmental Quality Review Act (SEQRA), the Town Board passes a resolution that approves the creation of the Water District.
7. The Town Board files a copy of the resolution with the Department of Audit and Control to establish the Water District extension.

8. The Department of Audit and Control determines if the public interest will be served by creating the new Water District and if the costs will be an undue burden to the benefited properties.
9. If permission is required and granted, Audit and Control's Final Order is adopted by the Town Board.
10. The Order of the Town Board is recorded with the County Clerk and filed with Audit and Control.

III. GENERAL WATER SUPPLY SYSTEM BACKGROUND AND DESCRIPTION

The Town of New Paltz is approximately 25 square miles in area and is located in the southern portion of Ulster County. The New York City-owned and operated Catskill Aqueduct, along with the Village of New Paltz reservoir system and water treatment facilities is located off Mountain Rest Road in the western portion of the Town. These facilities make up the source, supply and treatment for the public water supply that serves the residents and businesses of the Village of New Paltz, the SUNY New Paltz campus and those portions of the Town of New Paltz served by four previously established water districts.

The Village of New Paltz is authorized to withdraw water from the Catskill Aqueduct water supply pursuant to the terms and conditions of a formal agreement with the City of New York. The cost of withdrawal from this aqueduct water source and supply is determined by a metered usage basis at rates periodically set by the City of New York. The water supply from the City's aqueduct is supplemented by water withdrawn from a Village-owned surface water storage reservoir system.

The water supply and water treatment system are owned and operated by the Village of New Paltz. The Village of New Paltz owns the water main distribution and supply network within its municipal boundaries and the water system's storage facilities and transmission mains. Both the Town and SUNY New Paltz water distribution systems are connected to the Village water system storage, transmission and distribution network. The Town of New Paltz's water districts and SUNY New Paltz both purchase treated water from the Village of New Paltz on a metered usage basis. The SUNY New Paltz campus owns, operates and maintains its internal water supply mains. The water distribution system within the Town is owned and operated by the four individually established Town water districts. The total Village, SUNY New Paltz campus and Town

water district's daily metered usage averages approximately 800,000 gallons per day (i.e., 556 gallons per minute).

A Backup Water Supply must be developed in order to provide a continuing public water supply to the New Paltz community during the NYC DEP planned Catskill Aqueduct maintenance shutdown events. These aqueduct maintenance shutdowns are scheduled to commence in October 2017 for a maximum shutdown duration of 10 weeks and will reoccur for at least two more 10 week periods in 2018 and 2019. As a result of a detailed investigation of potential alternative water supply sources capable of meeting the New Paltz water system demand during these planned aqueduct shutdown periods, a groundwater supply source located on property at 101 Plains Road was identified, tested and determined to be of ample capacity and appropriate water quality to supply a portion of the community's water supply needs during the planned 10 week maximum duration aqueduct maintenance shutdown periods. To develop this groundwater source as one element of a community Backup Water Supply, and to ensure that a continuous supply of water will be provided to the surrounding Plains Road area during the aqueduct maintenance shutdown period, a recommendation was made in the detailed water supply investigation's 2014 Final Report to establish and develop a water district in this area of the Town.

The projected average daily water use during the first 2017 aqueduct maintenance shutdown is 878,400 gallons per day (i.e., 610 gallons per minute). This average daily use is planned to be supplied through a backup water supply system that incorporates increased yields gained as a result of improvements to and enhanced operation of the existing Village reservoirs, the development of two identified groundwater supply sources and the implementation of water demand management and water conservation programs to reduce existing water usage and reduce unaccounted for water losses in the community's existing water infrastructure.

IV. PROPOSED WATER DISTRICT BOUNDARY

The location of proposed Water District No. 5 to be created includes 86 properties within the Plains Road area as shown on the Map attached as Exhibit A. The area of the properties included in the proposed Water District No. 5 was determined by the results of data collected from area homeowners' wells during the July 2014 well testing conducted during the backup water supply investigation. This collected field monitoring data was used to develop a hydrogeological model that projected the effects of drawdown on area individual well water supplies. This hydrogeological model was used to conservatively determine the proposed boundary of the water district, and recommended the resultant

mitigation through connection to a municipal water supply. This mitigation of the availability of a developed public water supply will eliminate the effect of drawdown on individual well supplies during the use of the 101 Plains Road groundwater well source as one of the components of the proposed backup water supply system.

The proposed specific properties to be benefited by the formation of this proposed Water District No. 5 by tax map designation and property address is attached as Exhibit B.

V. DESCRIPTION OF THE PROPOSED WATER DISTRICT SUPPLY SOURCE AND IMPROVEMENTS

The Map shown on the attached Exhibit A indicates the location of the water supply wells and proposed water treatment facility on the 101 Plains Road property. The conceptual location of the water distribution main network is also shown on the Exhibit A Map.

The proposed water supply wells have been tested and proven capable to provide a water supply of high water quality and at a rate of up to 400 gallons per minute for the planned 10-week maximum duration aqueduct maintenance shutdown periods. As detailed in the discussion that follows herein, the anticipated average daily water demand required to supply the proposed water district properties is a minor fraction (i.e., approximately 5%) of the well testing flow rate achieved for qualification of a temporary backup water supply source in July 2014.

The proposed water district includes 86 properties, of which 81 are shown in the Assessor's rolls as single family residential properties. Noting that a few of these properties have other accessory uses that use water, a conservative estimate of water use for the proposed water district would be to consider all 86 properties as having a single family residential use. A maximum daily water demand for 86 three-bedroom residences (i.e., using NYSDEC design loading criteria of 110 gallons per bedroom per day) would be 28,380 gallons per day (gpd), or 19.7 gallons per minute (gpm). It is noted that this water use rate is considered conservative since actual average daily water use rate is typically approximately 60% of the NYSDEC design loading rate (i.e., 17,028 gpd or 11.8 gpm). Accordingly, the use of the wells during non-shutdown operations is estimated to be no greater than an average daily flow of 20 gpm, and more likely will average on a daily basis approximately 11.8 gpm. Based on prior July 2014 well testing results, the 101 Plains Road groundwater well supply will easily meet this water demand for the proposed Water District No. 5.

Water quality testing of the primary production well (PW-1) indicated only the NYS Department of Health requirement for disinfection treatment would be required for being permitted as a public water supply source. Specific information on the water quality laboratory testing results and the method of disinfectant treatment is provided in the Backup Water Supply Investigation 2014 Final Report. Well pumps and booster pumps will be provided to deliver the water supply to the water district and be capable of providing the additional volume of water to the Village water system during the planned aqueduct maintenance shutdown periods. A discussion of the conceptual design of the proposed wellfield development, provisions for water treatment, water district distribution infrastructure and proposed transmission mains to supply a portion of the backup water supply to the Village water system is also provided in the 2014 Final Report.

Water distribution mains within the proposed water district are proposed to be located within the right-of-way's of the public roadways. These water distribution mains will provide service to properties with frontages on Plains Road, Locust Lane, Shawangunk View Drive, Woodland Drive and that portion of Cedar Lane located westerly of the Wallkill Valley Rail Trail. Approximately 9,700 feet of water distribution main will be required to be installed to serve the properties within the proposed water district. An additional water transmission main of approximately 3,500 feet will be installed northerly along the right of ways of Plains Road and the Wallkill Valley Rail Trail for connection to the existing Village water system on Main Street for use as one of the backup water supply sources during aqueduct maintenance shutdown periods. Enhanced fire protection to homes is also planned to be provided by the installation of new fire hydrants throughout the proposed water district.

Individual water supply services are also proposed to be provided to each residence within the proposed water district. Each home served by the new public water supply will have its separate water meter. If requested by the property owner, a filter to remove the required chlorine residual disinfectant from the residence's water supply will be provided by an inline carbon filter.

VI. PROPOSED WATER DISTRICT DEVELOPMENT COSTS

An updated Conceptual AACE Class 5 Construction Cost Estimate indicates the total cost for the water district's wellfield development, treatment, distribution mains, fire hydrants, residential service connections, transmission mains to the Village infrastructure and necessary pumping and control equipment is anticipated to be approximately \$5.50

million, and of this total \$2.38 million has been estimated to be the cost develop the water distribution mains, service connections and fire hydrants within the area of the proposed water district. This current estimated cost does not include land acquisition costs.

The above described water district related development and land acquisition costs are proposed to be reimbursed in their entirety by the NYC DEP as part of the funding reimbursement planned to assist with the development of the entire community backup water supply system. Accordingly, the capital cost anticipated to be paid by the Town for the development of Water District No. 5 is \$ 0.00, requiring no municipal financing of the proposed capital improvements that are necessary to create and implement the proposed Water District No. 5.

VII. ESTIMATED COST OF OPERATION AND MAINTENANCE (O&M) OF THE PROPOSED WATER DISTRICT

The cost of operation of a water supply includes costs of materials and equipment required for treatment necessary to comply with NYS Department of Health standards and regulations; sampling, testing and reporting water quality to maintain water supply permit requirements; the wages of a qualified water treatment plant operator; electrical costs for pumping and distribution of finished water; meter reading, billing and collection; and following up on user's requests. The costs associated with routine maintenance includes routine and scheduled maintenance of equipment; meter maintenance; minor equipment repair; housekeeping and building maintenance; hydrant flushing and periodic leak detection surveys of the water main network. Non-routine maintenance costs includes major equipment purchase, major equipment replacement and repair of water main breaks.

The operation costs for a groundwater supply source are less than costs to operate the existing Village water supply system, which requires the purchase of raw water from the NYC DEP and treatment of the aqueduct and reservoir supplemental surface water source. To estimate the costs of operation and routine maintenance of the Water District No. 5 groundwater supply source, our office previously reviewed records of similar groundwater supply water district budget cost records from the Dutchess County Water and Wastewater Authority. For comparative purposes, O & M costs were also calculated using a recognized professional publication entitled "*Preliminary Cost Estimation Models for Construction, Operation, and Maintenance of Water Treatment Plants*" (Sharma, J., et al.; ASCE, 2011). The results indicated that the cost of producing the treated water from the 101 Plains Road wellfield source (i.e., well withdrawal and disinfection treatment), labor costs, distribution, routine maintenance, regulatory

monitoring/testing reporting costs, meter reading, billing and administration to be \$3.00 per 1,000 gallons produced. As a comparison, this estimated water rate may be compared to the present Village water system base rate charge of \$4.69 per 1,000 gallons produced.

It is important to note that the non-routine maintenance cost, as described above, will be provided by the Village Department of Public Works as documented in an Inter-Municipal Agreement (IMA) between the Town and the Village, dated November __, 2015 (refer to the attached Exhibit C).

VIII. ESTIMATED ANNUAL COSTS TO THE WATER DISTRICT USER

As permitted by NYS Town Law Section 202 of Article 12, all capital costs necessary for connection to the proposed District extension are to be borne entirely by the Owners of the lands that will be benefited by the establishment of the District extension. In this instance, no capital costs associated with this water district creation, development and implementation will be borne by the Owners of the properties within the district since all capital costs are proposed to be reimbursed by the NYC DEP as discussed in Section VI, "Proposed Water District Development Costs".

Actual usage will be determined by individual meter readings. Under this type of system those who use a large amount of water would pay a greater share of the O&M costs than those who use a lesser amount. Not only is such a system equitable, but it also encourages the conservation of water and subsequent lowering of total annual operational costs.

Further, the NYC DEP has offered to reimburse the Town for all development and land acquisition costs associated with the creation of the proposed water district. Additionally, the NYC DEP has approved a fund of \$125,000 to be provided after the water district is implemented to be allocated to assist in water user rates. The terms of its use are that the funds may be used to pay for water chargers by the district water customers for the water costs of up to 6,000 gallons of water use per month. The 6,000 gallons per month was determined to approximate the average use by a single family 3-bedroom residence to be 200 gpd. It is anticipated that this fund may last for 5 to 6 years, based on the number of residences that are anticipated to be connected to the new public water supply. Those water district customers that exceed the 200 gpd rate would be billed for the excess water used greater than the 6,000 gallons per month at the present water rate being charged.

Based on the assumed average of 200 gallons per day water usage per single-family 3-bedroom residence, the total annual cost for a typical, single-family residential dwelling is estimated in the following table. (Note that the following estimated annual user cost assumes that the above described user charge reimbursement fund has been depleted.)

<u>ANNUAL ESTIMATED USER COST</u>			
<u>Average</u>		<u>Average Water</u>	<u>Total Estimated</u>
<u>Capital Cost</u>		<u>Use Cost</u>	<u>Annual Cost</u>
<u>\$ 0</u>	+	<u>\$ 216.00</u>	= <u>\$ 216.00</u>

If major system improvements would need to be initiated by the water district in the future, then long-term bonds might be necessary to finance these improvements if they would exceed the water district's operating fund balance. The bonding method to be used would be subject to review and approval by the Town Board. With the non-routine maintenance responsibilities of water district infrastructure assumed by the Village through the IMA, financing major repairs and/or replacement of water district infrastructure and equipment is not anticipated.

In accordance with NYS Town Law Section 231 (2) and NYS Town Law Section 202-a, the Town Board must annually prepare detailed written estimates setting forth the anticipated revenues and expenditures for the District. This is necessary in order to determine the amount of funds required to meet the expense for operation and maintenance of the water system for each fiscal year commencing the first day of January.

After preparation of the annual estimate, the Town Board is empowered to adjust water district user rates that will be applied to manage the Water District's annual expenses. A public hearing is then scheduled and conducted to entertain comments or objections regarding a change in the water district user rates. The Town Board must adopt the proposed annual user rates, or make amendments and conduct another public hearing before adoption.

All water users' service connections in the proposed Water District will be metered. Adjustments to the Water District's use rates for Water District users will be made based upon actual metered usage.

IX. SUMMARY AND CONCLUSIONS

The purpose of establishing Water District No. 5 is to ensure the availability of public water service to residences in the general area of Plains Road, and to simultaneously provide for the development of one identified groundwater supply source as part of a larger effort to develop a Backup Water Supply for the New Paltz community.

A formal Petition requesting creation of a Town water district was signed by a majority of the residents residing within that area of Plains Road shown on the Map attached as Exhibit A and designated as proposed Water District No. 5. This Petition was received by the Town Board and this *Map, Plan and Report* was authorized to be prepared in compliance with the procedures set forth in NYS Town Law Article 12.

The Exhibit A Map indicates the 86 properties will be located within the proposed water district and Exhibit B lists the properties by Tax Map Identification Index and property address. The source of the water supply is proposed to be the previously developed groundwater supply wellfield located on the 101 Plains Road property. The groundwater wells were extensively tested in July 2014 and found to provide an ample supply capacity, high water quality, and are suitable for use as a public water supply.

Improvements necessary to develop the proposed water district will include disinfection treatment of the water source, pumping, distribution mains and service connections to the residences. In addition, the wellfield source has been proven to be able to supply a portion of a backup water supply to the community water system during planned 10-week duration aqueduct maintenance shutdown periods. Accordingly, a transmission main is included in the water district improvement plans that will connect to the existing Village water system. Land acquisition of the wellfield property at 101 Plains Road is also a necessary element of implementing the new water district.

All costs associated with the development of the proposed water district, including land acquisition, are proposed to be reimbursed to the Town by the NYC DEP as part of the funding reimbursement of the larger community Backup Water Supply system. Accordingly, the proposed water district can be developed and implemented at no capital cost to the Town.

An estimate of cost for operation and maintenance for the proposed water district is provided. Operation of the facilities and routine maintenance will be paid for based on water use rates that are reviewed and adjusted if necessary annually by the Town Board. Maintenance responsibilities for major equipment repair or replacement and water line break repairs are being assumed by the Village in accordance with an Inter-Municipal Agreement between the Town and the Village, which will further reduce maintenance costs that are customarily the responsibility of a water district.

The annual cost to a water district customer is estimated to be \$216.00, based on the average use anticipated for a water district customer that owns a typical 3-bedroom single family home.

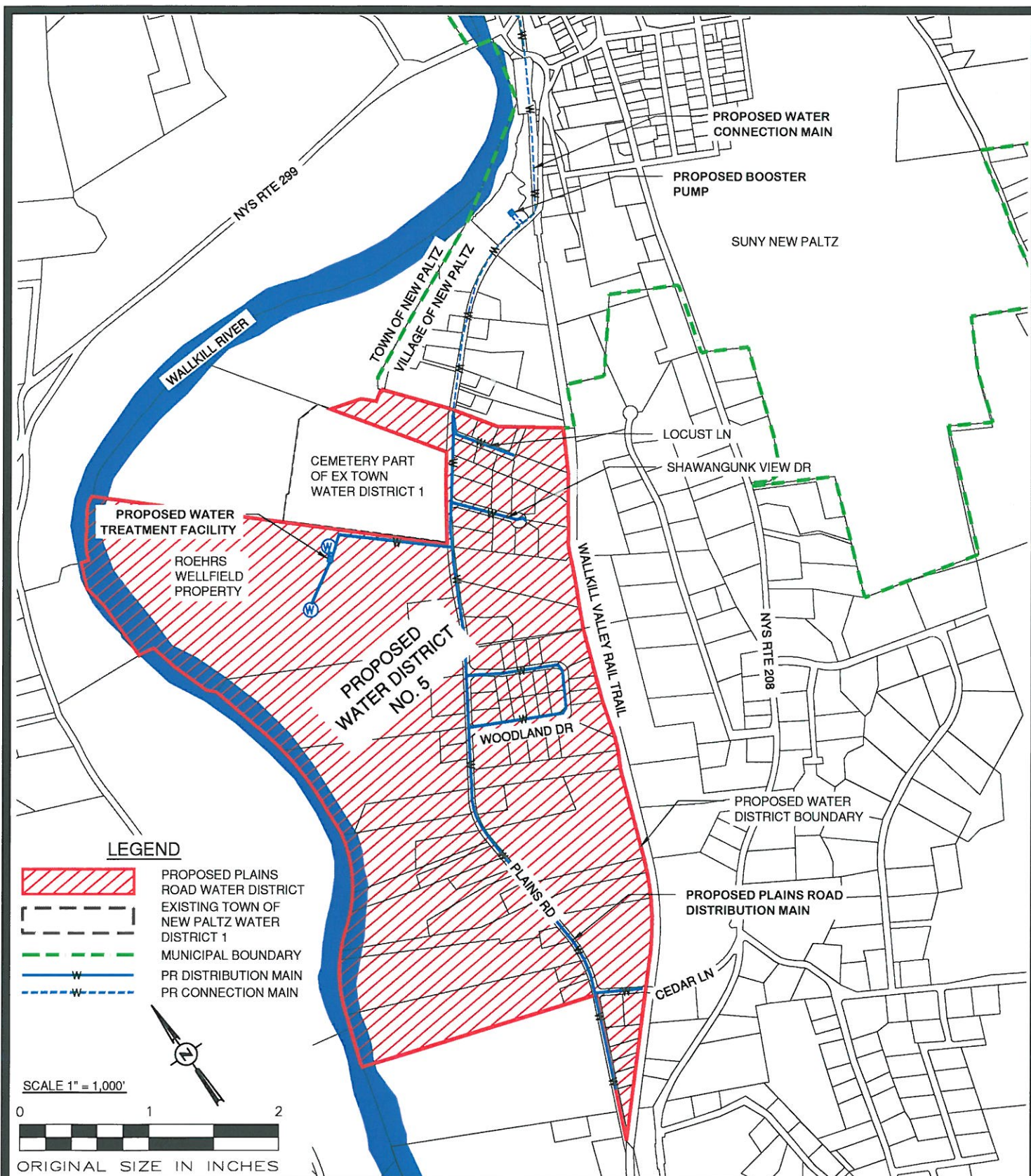
The creation of proposed Water District No. 5 assures continuous public water service availability to properties that have individual well supplies that may potentially be affected during the planned aqueduct maintenance shutdown periods at which time the 101 Plains Road water supply wells are planned to be used at a higher withdrawal rate to supply a portion of the existing community water supply needs.

The creation of a water district in this area will potentially benefit all properties within the proposed water district boundaries since all properties may be served by a reliable, publicly maintained water supply, without reliance on individual water well supplies and treatment systems that must be maintained by the homeowner. The proposed water district improvements also includes fire hydrants to enhance firefighting capabilities in this area of the Town.

An additional advantage of this new public water supply is that it can be provided to new water district users without a corresponding reduction in the capacity of the existing Village water system, since this proposed water district will be served by a new groundwater supply source.

Attachment 1 –

EXHIBIT A – *Water District No. 5 Boundary Map*



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PROPOSED WATER DISTRICT NO. 5

PROPOSED ROEHRS WELLFIELD WATER DISTRICT BOUNDARY MAP

TOWN OF NEW PALTZ
ULSTER COUNTY, NEW YORK

DATE	DRAWN BY
08/31/15	MLT

PROJECT NO.

55008

SHEET NO.

EXHIBIT-A

Attachment 2 –

**EXHIBIT B -*Tax Map Identification and Address of Properties to be
Included Within the Proposed Water District No. 5***

Water District No. 5 Property List

Tax ID	Property Street Address	Post Office
86.1-3-19	Plains	New Paltz, NY 12561
86.1-3-21.200	Plains	New Paltz, NY 12561
86.1-3-22.100	Plains	New Paltz, NY 12561
86.1-3-22.200	47 Plains	New Paltz, NY 12561
86.14-2-1	Plains	New Paltz, NY 12561
86.14-1-58.110	100 Plains	New Paltz, NY 12561
86.3-1-33	103 Plains	New Paltz, NY 12561
86.14-1-58.210	106 Plains	New Paltz, NY 12561
86.14-1-1	109 Plains	New Paltz, NY 12561
86.14-1-2	111 Plains	New Paltz, NY 12561
86.14-1-44	114 Plains	New Paltz, NY 12561
86.14-1-3	117 Plains	New Paltz, NY 12561
86.14-1-46	118 Plains	New Paltz, NY 12561
86.3-1-32	119 Plains	New Paltz, NY 12561
86.14-1-47	120 Plains	New Paltz, NY 12561
86.14-1-4	121 Plains	New Paltz, NY 12561
86.14-1-30.100	122 Plains	New Paltz, NY 12561
86.14-1-5	123 Plains	New Paltz, NY 12561
86.14-1-27	126 Plains	New Paltz, NY 12561
86.3-1-31	129 Plains	New Paltz, NY 12561
86.14-1-26.200	130 Plains	New Paltz, NY 12561
86.3-1-30	133 Plains	New Paltz, NY 12561
86.14-1-26.300	134 Plains	New Paltz, NY 12561
86.3-1-29	137 Plains	New Paltz, NY 12561
86.14-1-6.200	139 Plains	New Paltz, NY 12561
86.14-1-6.100	141 Plains	New Paltz, NY 12561
86.14-1-26.100	142 Plains	New Paltz, NY 12561
86.14-1-7	145 Plains	New Paltz, NY 12561
86.14-1-25.100	146 Plains	New Paltz, NY 12561
86.14-1-9.100	147 Plains	New Paltz, NY 12561
86.14-1-24.100	150 Plains	New Paltz, NY 12561
86.14-1-10.200	151 Plains	New Paltz, NY 12561
86.14-1-10.110	157 Plains	New Paltz, NY 12561
86.14-1-11.100	159 Plains	New Paltz, NY 12561
86.14-1-23.100	160 Plains	New Paltz, NY 12561
86.14-1-12.100	161 Plains	New Paltz, NY 12561
86.14-1-13	163 Plains	New Paltz, NY 12561
86.14-1-22	166 Plains	New Paltz, NY 12561
86.3-2-6	167 Plains	New Paltz, NY 12561

Water District No. 5 Property List

Tax ID	Property Street Address	Post Office
86.14-1-20	170 Plains	New Paltz, NY 12561
86.14-1-19	172 Plains	New Paltz, NY 12561
86.14-1-14	173 Plains	New Paltz, NY 12561
86.14-1-18	174 Plains	New Paltz, NY 12561
86.3-2-7	175 Plains	New Paltz, NY 12561
86.14-1-17	178 Plains	New Paltz, NY 12561
86.14-1-15	181 Plains	New Paltz, NY 12561
86.14-1-16	182 Plains	New Paltz, NY 12561
86.1-3-33.200	88 Plains	New Paltz, NY 12561
86.1-3-33.300	90 Plains	New Paltz, NY 12561
86.1-3-33.400	92 Plains	New Paltz, NY 12561
86.1-3-33.500	94 Plains	New Paltz, NY 12561
86.1-3-34	96 Plains	New Paltz, NY 12561
86.1-3-28	1 Locust Ln	New Paltz, NY 12561
86.1-3-25	10 Locust Ln	New Paltz, NY 12561
86.1-3-29	2 Locust Ln	New Paltz, NY 12561
86.1-3-27	3 Locust Ln	New Paltz, NY 12561
86.1-3-30	4 Locust Ln	New Paltz, NY 12561
86.1-3-26	5 Locust Ln	New Paltz, NY 12561
86.1-3-31	6 Locust Ln	New Paltz, NY 12561
86.1-3-32	8 Locust Ln	New Paltz, NY 12561
86.1-3-33.170	1 Shawangunk Vw	New Paltz, NY 12561
86.1-3-33.120	2 Shawangunk Vw	New Paltz, NY 12561
86.1-3-33.130	4 Shawangunk Vw	New Paltz, NY 12561
86.1-3-33.140	6 Shawangunk Vw	New Paltz, NY 12561
86.1-3-33.150	8 Shawangunk Vw	New Paltz, NY 12561
86.1-3-33.160	9 Shawangunk View	New Paltz, NY 12561
86.14-1-45	1 Woodland	New Paltz, NY 12561
86.14-1-57	11 Woodland	New Paltz, NY 12561
86.14-1-38	12 Woodland	New Paltz, NY 12561
86.14-1-56	13 Woodland	New Paltz, NY 12561
86.14-1-37	14 Woodland	New Paltz, NY 12561
86.14-1-55	15 Woodland	New Paltz, NY 12561
86.14-1-36	16 Woodland	New Paltz, NY 12561
86.14-1-52	17 Woodland	New Paltz, NY 12561
86.14-1-35	18 Woodland	New Paltz, NY 12561
86.14-1-51	19 Woodland	New Paltz, NY 12561
86.14-1-43	2 Woodland	New Paltz, NY 12561

Water District No. 5 Property List

Tax ID	Property Street Address	Post Office
86.14-1-34.100	20 Woodland	New Paltz, NY 12561
86.14-1-48	21 Woodland	New Paltz, NY 12561
86.14-1-33.100	22 Woodland	New Paltz, NY 12561
86.14-1-32.100	24 Woodland	New Paltz, NY 12561
86.14-1-31.100	28 Woodland	New Paltz, NY 12561
86.14-1-49	3 Woodland	New Paltz, NY 12561
86.14-1-42	4 Woodland	New Paltz, NY 12561
86.14-1-50	5 Woodland	New Paltz, NY 12561
86.14-1-41	6 Woodland	New Paltz, NY 12561
86.14-1-53	7 Woodland	New Paltz, NY 12561
86.14-1-40.100	8 Woodland	New Paltz, NY 12561
86.14-1-54	9 Woodland	New Paltz, NY 12561

Attachment 3 –

EXHIBIT C – *Inter-Municipal Agreement between the Town and
Village of New Paltz*

INTERMUNICIPAL AGREEMENT
BETWEEN THE VILLAGE AND TOWN OF NEW PALTZ
REGARDING THE LONG TERM MAINTENANCE OF THE
WATER SUPPLY SYSTEM IN THE TOWN

This Intermunicipal Agreement regarding the cost of long term capital costs and maintenance of the Water Supply System between the Village and Town of New Paltz dated as of this ____ day of November, 2015 (“Maintenance Agreement”) by and between the Village (the “Village”) of New Paltz, a municipal corporation with offices located at 25 Plattekill Avenue, New Paltz, New York, and the Town of New Paltz (the “Town”) a political subdivision of the State of New York, with offices at the Town Hall, 1 Clearwater Road, New Paltz, New York, (collectively, “the Parties”).

RECITALS

WHEREAS, on or about the 4th day of May, 2015, the Parties hereto entered into an Intermunicipal Agreement entitled “Intermunicipal Agreement Regarding the Sale of Water between the Village and Town of New Paltz” (the “IMA”); and

WHEREAS, in the IMA at paragraph #2 it states,

“The Parties agree and understand that the Town’s maintenance obligations shall be generally limited to ordinary and actual use, and that any costs of extraordinary maintenance, including for example, repair and replacement of Village-specific and/or major components of the Town Water Systems or components which do not require regular attention shall be negotiated as needed and in good faith by separate and mutual agreement.”; and

WHEREAS, the Parties after negotiating in good faith, have agreed to enter into this mutual agreement to address issues of extraordinary maintenance of the Town Water Systems as contemplated by the IMA and have given notice of this Maintenance Agreement to the New York City Department of Environmental Protection, which has not raised any objection to it; and

WHEREAS, at a regular meeting of the Village Board of the Village of New Paltz, held the ____ day of November 2015, and at a regular meeting of the Town Board of the Town of New Paltz held the ____ day of October 2015, the Parties each approved the terms set forth herein by an appropriate and binding Resolution and authorized each of their respective Chief Executive Officers to sign this Agreement and to be bound thereby,

NOW, THEREFORE, it is agreed between the Parties that, if the water wells and delivery systems that are the subject of the Intergovernmental Agreement between the City of New York, (“NYC”) and the Town dated June 30, 2015, (the “Design IGA”) are in fact established (the “Town Water Systems”), the Parties agree as follows:

1. Any costs of extraordinary maintenance, including for example, repair and replacement of Village-specific and/or major components of the Town Water Systems or components which do not require regular attention will be paid for by the Village during the period of the IMA or of any extensions thereto.
2. The Village also agrees that during the period of the IMA, or of any extensions thereto, it shall be responsible for the cost of the repair and replacement of any waterlines owned by the Town and located within Water District #5 as it was set forth in the Design IGA with NYC.
3. As clarification of this agreement, the Parties agree and understand that the Town’s maintenance obligation shall be generally limited to performing ordinary and regular operation of the Town Water Systems on a day to day basis, including such items as chemicals, daily monitoring of the wells and all regulatory paperwork and reporting requirements, utility costs, internal and external lighting, grounds and building maintenance both interior and exterior, and cleaning of the water pumping and treating facility.

4. The Town agrees at all times to keep the entire Town Water Systems and all of their components insured for their full value against all hazards to the same level and with the same coverage as all other municipal facilities. In the case of any compensable loss, from any cause, of any component of the Town Water System maintained by the Village, the Town agrees that it shall fully apply for and vigorously pursue any such compensation from any source, whether public or private, and the Village shall be paid any and all such compensation thereafter received in consideration of its cost in fulfilling its obligation of repair or replacement of the Town Water Systems under this provision.
5. The requirement of the Village to fulfill the provisions of this Maintenance Agreement is dependent upon the continuing explicit authorization by the Town to Village employees, (or its designated contractors or agents), full access to the Town Water Systems and full access and excavation authority to all Town rights of way and public roads in the Town where the waterlines referred to herein are laid. Such access shall be provided both for inspection and evaluation of the lines and facility equipment as well as for repair.
6. This instrument shall be executed in duplicate and at least one copy thereof shall be permanently filed, after execution thereof, in the office of the Clerk of each party.

IN WITNESS WHEREOF,

The Village of New Paltz has caused its corporate seal to be affixed hereto and these presents to be signed by Timothy Rogers, its Mayor, duly authorized so to do, and to be attested to by the Village Clerk; and

The Town of New Paltz has caused its corporate seal to be affixed hereto and these presents to be signed by Susan Zimet, its Supervisor, duly authorized so to do, and to be attested to by the Town Clerk; both as of the day and year first above written.

Seal of the Village of New Paltz

Attest:

Village of New Paltz

By: _____
Timothy Rogers, Mayor

Kathryn Doyle-Bunker, Village Clerk,

Seal of the Town of New Paltz

Attest:

Town of New Paltz

By: _____
Susan Zimet, Town Supervisor

Rosanna Mazzaccari, Town Clerk,