

**RESOLUTION CALLING PUBLIC HEARING REGARDING  
THE PETITION OF PLAINS ROAD AREA RESIDENTS FOR  
THE ESTABLISHMENT OF WATER DISTRICT NO. 5**

At a regular meeting of the Town Board of the Town of New Paltz, Ulster County, New York, held at the Town Hall, in New Paltz, New York, in said Town on the 19<sup>th</sup> day of November, 2015, at 7:30 o'clock P.M., Prevailing time.

The meeting was called to order by Council Member Logan, and upon roll being called, the following roll was taken:

	<u>PRESENT</u>	<u>ABSENT</u>
Supervisor Susan Zimet	<u>✓</u>	<u>      </u>
Council Member Jeffrey Logan	<u>✓</u>	<u>      </u>
Council Member Kevin Barry	<u>✓</u>	<u>      </u>
Council Member Daniel Torres	<u>✓</u>	<u>      </u>
Council Member Marty Irwin	<u>✓</u>	<u>      </u>

The following resolution was offered by Council Member Logan, who moved its adoption, seconded by Council Member Torres, to wit:

WHEREAS, a written petition dated as of November 18, 2015, has been submitted in due form by 48 property owners in the Plains Road area of New Paltz, pursuant to Article 12 of the New York Town Law, which has been presented and filed with the Town Board of the Town of New Paltz, County of Ulster, New York, for the establishment of a Town Water District, to be known as Water District No. 5, which is bounded and described on Exhibit A attached thereto, and

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of New Paltz:

(a) A public hearing be and the same hereby is called by adoption of the Order for Public Hearing bearing even date herewith, to consider the proposed Water District No. 5 of the Town of New Paltz, pursuant to section 193 of the Town Law of the State of New York.

(b) The Town Clerk shall give notice of said hearing by publication of said Order, certified by the Town Clerk, in the New Paltz Times, the official newspaper of the Town, at least ten (10) days and not more than twenty (20) days before the date set therein for the hearing as aforesaid, and shall also post a copy of said Order on the signboard of the Town maintained pursuant to section 30 of the Town Law, at least ten (10) days and not more than twenty (20) days before the date designated for the hearing as aforesaid.

(c) Prior to such publication, there shall be on file for public inspection with the Town Clerk, a detailed explanation of how the estimated cost of hook-up fees, if any, to, and the cost of the district or extension to, the typical property and, if different, how the typical one or two family home was computed, which costs pursuant to Town Law section 193(2)(c) shall include operation, maintenance, user charges and other charges, related to the improvements in the first year following formation of the district.

The question of the adoption of the foregoing resolution and appended order was duly put to a vote on roll call which resulted as follows:

<u><b>VOTE</b></u>	<u><b>AYE</b></u>	<u><b>NAY</b></u>	<u><b>ABSTAIN</b></u>
Supervisor Susan Zimet	<u>✓</u>	<u>      </u>	<u>      </u>
Council Member Jeffrey Logan	<u>✓</u>	<u>      </u>	<u>      </u>
Council Member Kevin Barry	<u>✓</u>	<u>      </u>	<u>      </u>
Council Member Daniel Torres	<u>✓</u>	<u>      </u>	<u>      </u>
Council Member Marty Irwin	<u>✓</u>	<u>      </u>	<u>      </u>

The resolution was thereupon duly adopted.

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At a regular meeting of the Town Board  
of the Town of New Paltz, in the  
County of Ulster, New York, held at  
the Town Community Center on  
November 19, 2015 at 7:30 P.M.

PRESENT: Supervisor Susan Zimet, Council Member Jeffrey Logan, Council  
Member Kevin Barry, Council Member Daniel Torres, Council Member Marty Irwin

-----X  
In the Matter of the : ORDER CALLING  
Establishment Water District No. 5 : PUBLIC HEARING  
in the Town of New Paltz, :  
in the County of Ulster, New York. :  
-----X

WHEREAS, a written petition dated as of November 18, 2015 has been submitted in due  
form by 48 property owners in the Plains Road area of New Paltz, containing the required  
signatures, which has been presented and filed with the Town Board of the Town of New Paltz,  
County of Ulster, New York, for the establishment of a Town Water District, to be known as  
Water District No. 5, which is bounded and described on Exhibit A attached thereto; and

WHEREAS, the improvements proposed consist of the construction and maintenance of a  
water system to serve said extension in the District in accordance with a certain map and plan  
description prepared by David Clouser & Associates, made a part of such petition and on file in  
the office of the Town Clerk of said Town; and

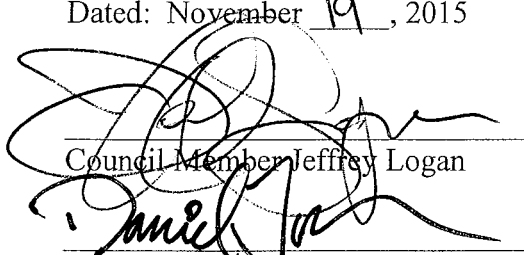
WHEREAS, it is the understanding and intention of the petitioners that the Town will  
construct the system initially at its own expense, which will be reimbursed by the City of New  
York Department of Environmental Protection ("DEP") pursuant to a separate intergovernmental  
agreement heretofore adopted by this Town Board, so that no expenses occasioned by the  
creation of said District herein petitioned shall be levied and collected from the several lots and  
parcels of land within the said District by assessment or otherwise and any and all of such work  
will be done and completed by said DEP in accordance with the map and plan described in the

petition; and that the Town will accept title thereto by itself or by the government agent for said District, free and clear of encumbrances except right of access to said improvements by adjoining landowners, when completed, pursuant to said agreement with DEP, and

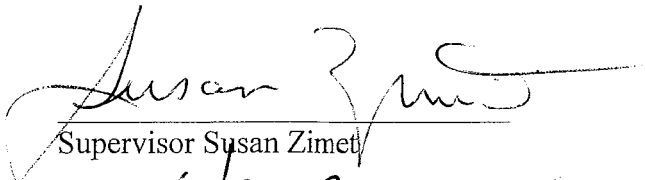
WHEREAS, the maximum amount proposed to be expended for the construction of the proposed water system is estimated to be \$2,375,000.00, and after reimbursement of all eligible expenses from DEP, is \$0.00 dollars; the future expense of hook-up fees for users of the proposed water system shall additionally be paid by the DEP at no cost to the town or to the users within the district; that the DEP shall additionally provide the sum of \$125,000.00 to cover the costs of maintenance and operation following the formation of the district; and thereafter, the estimated cost to the average user is estimated to be approximately \$18.00 per month (\$216.00 per year) based upon a three (3) bedroom home with average usage of 200 gallons per day based upon industry standard costs for the type of groundwater source and supply public water system to be constructed;

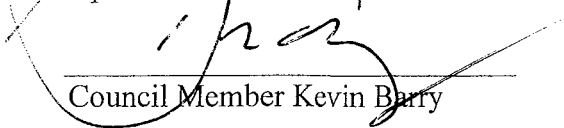
NOW, THEREFORE, be it ORDERED, that a meeting of the Town Board of the Town of New Paltz will be held at the Town Hall of the Town of New Paltz, on December 8, 2015, at 7:30 on said day, to consider said petition and to hear all persons interested in the subject thereof, concerning the same, and for such other and further action on the part of said Town Board, with relation to the premises.

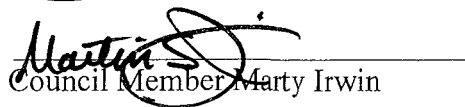
Dated: November 19, 2015

  
Council Member Jeffrey Logan

  
Council Member Daniel Torres

  
Supervisor Susan Zimet

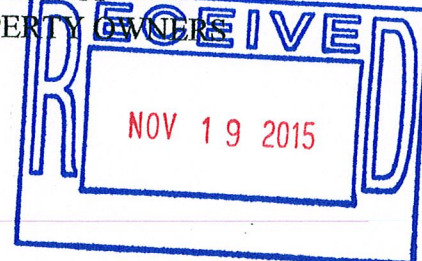
  
Council Member Kevin Barry

  
Council Member Marty Irwin

Petition of Property Owners for Establishment of Water District

In the Matter of the Establishment of  
Water District No. 5, in the Town of New Paltz,  
County of Ulster, State of New York

PETITION OF  
PROPERTY OWNERS



TO THE TOWN BOARD OF THE TOWN OF NEW PALTZ,  
IN THE COUNTY OF ULSTER, STATE OF NEW YORK:

We, the undersigned petitioners, being the owners of taxable real property situate in the proposed water district hereinafter described, and owning in the aggregate more than one-half of the assessed valuation of all the taxable real property in said proposed water district, as shown upon the latest completed assessment roll of the Town of New Paltz (hereinafter the "Town"), in the County of Ulster, State of New York, and resident owners owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property in the proposed water district owned by resident owners, according to said latest completed assessment roll, do hereby petition your Honorable Board to establish Water District No. 5 which shall comprise that portion of said Town outside of any incorporated village or city and wholly within said Town and shall be bounded as described on Exhibit A attached hereto and made a part hereof.

This petition is submitted with the understanding that all construction work for the laying out and installing of the improvements within said proposed District as described on said Exhibit A will be paid for initially by the Town [district] but reimbursed by the City of New York Department of Environmental Protection ("DEP") pursuant to a separate intergovernmental agreement, so that no expenses occasioned by the creation of said District herein petitioned shall be levied and collected from the several lots and parcels of land within the said District by assessment or otherwise and any and all of such work will be done and completed by said DEP in accordance with the map and plan hereinafter described. Further it is understood by the undersigned petitioners that the Town intends to construct all improvements within said Water District as aforesaid and will accept title thereto by itself or by the government agent for said District, free and clear of encumbrances except right of access to said improvements by adjoining landowners, [and DEP pursuant to special agreement].

Accompanying this petition and annexed hereto as Exhibit B are a map and plan prepared by David Clouser & Associates, duly licensed by the State of New York, showing the boundaries of the proposed District and a general plan of the proposed water system to be constructed therefor including all outlets and the terminus and course of each proposed main.

The maximum amount proposed to be expended for the construction of the proposed water system is estimated to be \$2,375,000.00, and after reimbursement of all eligible expenses from DEP, is \$0.00 dollars.

The expense of operation and maintenance of said Water District No. 5 shall be assessed, levied and collected from the several lots and parcels of land within the proposed Water District

No. 5 so much upon and from each as shall be in just proportion to the amount of benefit which the Town Board shall determine the improvement shall confer upon the same.

WHEREFORE, your petitioners respectfully submit this petition for your approval and ask that you take all necessary actions as may be needed so as to permit the progress of the construction of the improvements herein recited and set forth.

Dated:

Subscribing Witness	Date of Signing	Signature of Property Owner	Residence of Owner	Assessed Valuation on Last Assessment Roll [fill in later]
Thomas J. Vantassell	10/26/15	Maria A. Becker	7 Woodland	\$ 231,881
Thomas J. Vantassell	10/26/15	Margaret C. Henley	120 Plains Rd	220,990
Thomas J. Vantassell	10/29/15	McDermott Steel	17 Woodland Dr.	216,931
Thomas J. Vantassell	10/29/15	Charlie J. Jankel	142 Plains Rd	383,069
Thomas J. Vantassell	10/29/15	Ar m	16 Woodland Dr.	250,990
Thomas J. Vantassell	10/31/15	Maya Prohensky	144 Plains Rd	124,059

STATEMENT OF WITNESS [required on each page of signatures]

I, THOMAS J. VANTASSELL (name of witness) state: I am a duly qualified voter of the State of New York and now reside at 20 Woodland Drive, New Paltz, NY 12561 (residence address). Each of the individuals whose names are subscribed to this petition sheet containing 06 (fill in number) signatures, subscribed the same in my presence on the dates above indicated and identified himself or herself to be the individual who signed this sheet. I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn. TV!

Date: 11/18/15 Witness Signature: Thomas J. Vantassell

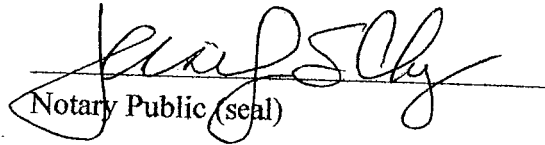
UNIFORM FORM OF SUBSCRIBING WITNESS ACKNOWLEDGMENT

STATE OF NEW YORK ) ss:  
COUNTY OF ULSTER (name of county) )

On the 18<sup>th</sup> day of Nov. in the year 2015 before me, the undersigned, a notary public in and for said state, personally appeared THOMAS J. VANTASSELL, the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in [address]; that he/she/they know(s) [name] to be 20 Woodland Drive, New Paltz, NY 12561 Thomas J. Vantassell

the individual described in and who executed the foregoing instrument; that the said subscribing witness(es) was (were) present and saw said <sup>Thomas S. Vautasson</sup> [name] execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness thereto.

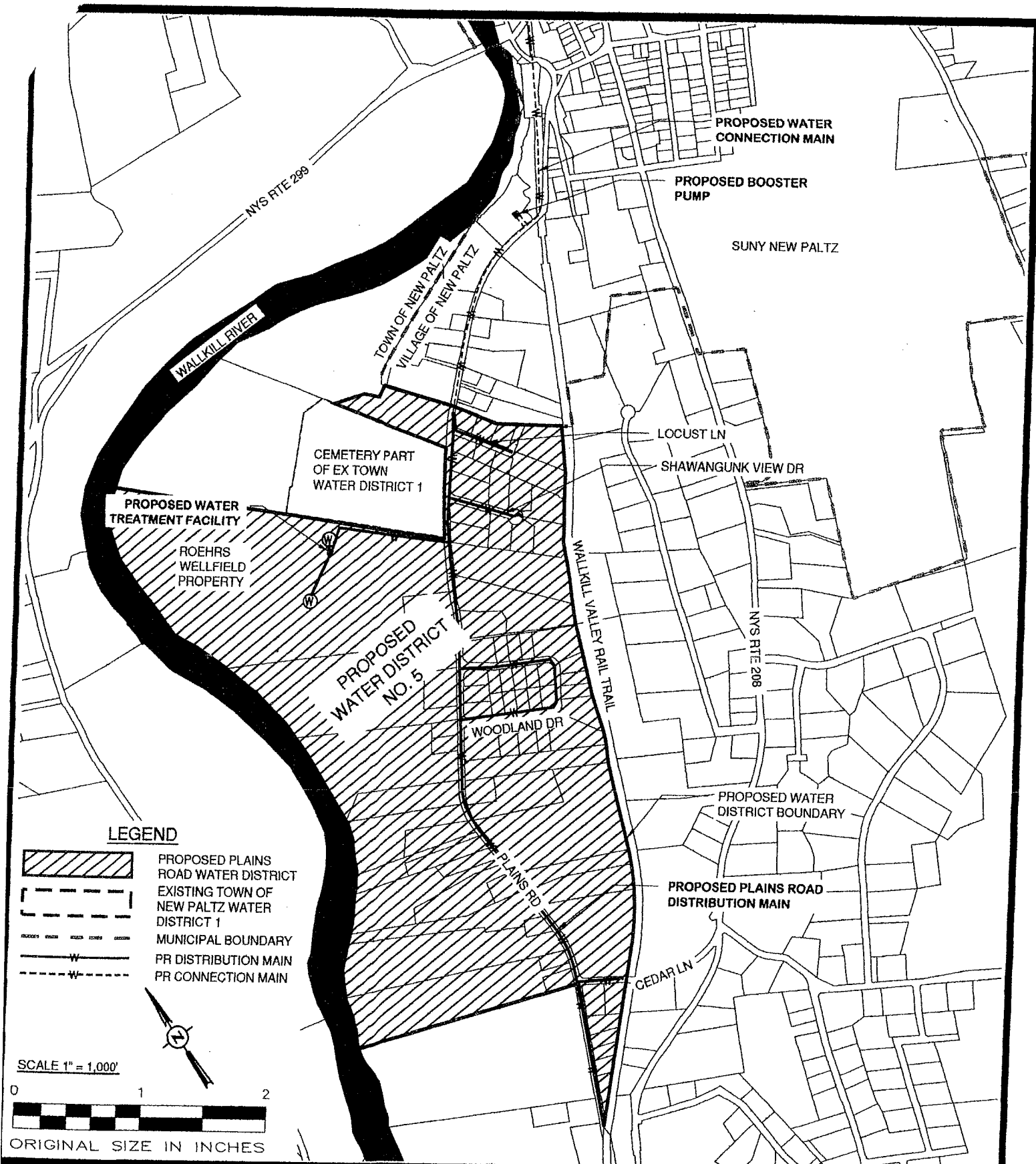

JENNIFER S. CHANG  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02CH6231719  
Qualified in Ulster County  
My Commission Expires November 29, 2018

  
Notary Public (seal)

[In lieu of the signed statement of a witness who is a duly qualified voter of the state *qualified to sign the petition*, the following statement signed by a notary public or commissioner of deeds shall be accepted:]

On the dates above indicated before me personally came each of the voters whose signatures appear on this petition sheet containing . . . . . (fill in number) signatures, who signed same in my presence and who, being by me duly sworn, each for himself or herself, said that the foregoing statement made and subscribed by him or her, was true.

[signature] \_\_\_\_\_  
[Office]

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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.	
<b>EXHIBIT-A</b>	

## **EXHIBIT B - Map and Plan Description of Proposed Water District No. 5**

As a result of a detailed investigation of groundwater resources available to the New Paltz community, a plentiful and high quality water supply source was identified at 101 Plains Road (the Roehrs Construction permitted Gravel Mine). This water supply source was tested and determined to be of ample capacity and appropriate quality to supply a portion of the water needs of the Village of New Paltz as a backup water supply during the planned Catskill Aqueduct maintenance shutdown. To develop this water supply source, a recommendation was made in the Water Supply Investigation's 2014 Final Report to develop the water source in accordance with all NYS Department of Environmental Conservation and NYS Department of Health regulatory requirements, and to establish a water district in the Plains Road area of the Town. The development of a permanent water supply would ensure a continuous, safe public water supply to the residents within the proposed water district. The development of the water district would also mitigate any impacts that the use of the 101 Plains Road wellsite might impose on nearby individual wells during scheduled aqueduct maintenance shutdown periods when a backup water supply would require increased water supply usage.

During periods of the aqueduct maintenance shutdown, the maximum withdrawal rate will be no more than 400 gallons per minute. This 400 gallon per minute withdrawal rate was proven safe and accepted by the NYS Department of Conservation throughout the 10-week maximum duration shutdown period following their agency's thorough review of all the well testing data. During non-shutdown water district usage, the rate of water withdrawal needed to supply water district users is estimated to be 20 gallons per minute.

The map on Exhibit A indicates the boundaries of the proposed Town Water District No. 5, the *proposed wells, the water treatment facility, and the water distribution mains planned to be installed in the public road right-of-ways within the proposed water district.* The proposed water district will serve 86 properties within its boundaries. Water services to individual homes within the water district will be connected to the water distribution mains that will be located in the road right-of-ways. Fire hydrants will be installed in the proposed water district to improve area fire protection. The cost of all improvements within the proposed water district boundary has been preliminarily estimated to be \$2,375,000. The cost of all the above described improvements will be reimbursed to the Town as described in an Intergovernmental Agreement between the Town and the NYC Department of Environmental Protection (DEP). Accordingly, the proposed water district will be a "no cost improvement district" to the district residents, with all planning, design, acquisition and construction costs reimbursed by the DEP.

Although the details of the water district's design has not yet been completed, the operation and maintenance of the proposed water district has been estimated to cost the average user \$18 per month, based on a 3 bedroom home with average usage of 200 gallons per day. The estimates of the water district's operation and maintenance costs were based on industry standard costs for this type of groundwater source and supply public water system. The proposed water system will be operated under the strict requirements of the NYS Department of Health, including regular water quality testing and monitoring. Water use rates will be reviewed on an annual basis and adjusted when required by the Town Board to ensure that water district expenses correlate with water district revenues.

**Petition of Property Owners for Establishment of Water District**

In the Matter of the Establishment of  
Water District No. 5, in the Town of New Paltz,  
County of Ulster, State of New York

PETITION OF  
PROPERTY OWNERS

TO THE TOWN BOARD OF THE TOWN OF NEW PALTZ,  
IN THE COUNTY OF ULSTER, STATE OF NEW YORK:

We, the undersigned petitioners, being the owners of taxable real property situate in the proposed water district hereinafter described, and owning in the aggregate more than one-half of the assessed valuation of all the taxable real property in said proposed water district, as shown upon the latest completed assessment roll of the Town of New Paltz (hereinafter the "Town"), in the County of Ulster, State of New York, and resident owners owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property in the proposed water district owned by resident owners, according to said latest completed assessment roll, do hereby petition your Honorable Board to establish Water District No. 5 which shall comprise that portion of said Town outside of any incorporated village or city and wholly within said Town and shall be bounded as described on Exhibit A attached hereto and made a part hereof.

This petition is submitted with the understanding that all construction work for the laying out and installing of the improvements within said proposed District as described on said Exhibit A will be paid for initially by the Town [district] but reimbursed by the City of New York Department of Environmental Protection ("DEP") pursuant to a separate intergovernmental agreement, so that no expenses occasioned by the creation of said District herein petitioned shall be levied and collected from the several lots and parcels of land within the said District by assessment or otherwise and any and all of such work will be done and completed by said DEP in accordance with the map and plan hereinafter described. Further it is understood by the undersigned petitioners that the Town intends to construct all improvements within said Water District as aforesaid and will accept title thereto by itself or by the government agent for said District, free and clear of encumbrances except right of access to said improvements by adjoining landowners, [and DEP pursuant to special agreement].

Accompanying this petition and annexed hereto as Exhibit B are a map and plan prepared by David Clouser & Associates, duly licensed by the State of New York, showing the boundaries of the proposed District and a general plan of the proposed water system to be constructed therefor including all outlets and the terminus and course of each proposed main.

The maximum amount proposed to be expended for the construction of the proposed water system is estimated to be \$2,375,000.00, and after reimbursement of all eligible expenses from DEP, is \$0.00 dollars.

The expense of operation and maintenance of said Water District No. 5 shall be assessed, levied and collected from the several lots and parcels of land within the proposed Water District

No. 5 so much upon and from each as shall be in just proportion to the amount of benefit which the Town Board shall determine the improvement shall confer upon the same.

WHEREFORE, your petitioners respectfully submit this petition for your approval and ask that you take all necessary actions as may be needed so as to permit the progress of the construction of the improvements herein recited and set forth.

Dated:

Subscribing Witness	Date of Signing	Signature of Property Owner	Residence of Owner	Assessed Valuation on Last Assessment Roll [fill in later]
Thomas J. VanTassel	11/4/15	Jim Gurvey	94 Plains Rd.	\$ 290,792
Thomas J. VanTassel	11/7/15	Adam Stein	145 Plains Rd.	285,941
Thomas J. VanTassel	11/14/15	[Signature]	2 Shawangunk View	270,099
Thomas J. VanTassel	11/14/15	Elizabeth Brown	147 Plains Rd.	278,812
Thomas J. VanTassel	11/15/15	Mark C. Cogan	150 PLAINS RD.	420,891
Thomas J. VanTassel	11/15/15	South Chandler	166 Plains Rd.	256,832

STATEMENT OF WITNESS [required on each page of signatures]

I, Thomas J. VanTassel, (name of witness) state: I am a duly qualified voter of the State of New York and now reside at 20 Woodland Drive, New Paltz, NY 12561. (residence address). Each of the individuals whose names are subscribed to this petition sheet containing 6 (fill in number) signatures, subscribed the same in my presence on the dates above indicated and identified himself or herself to be the individual who signed this sheet. I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

Date: 11/18/15 Witness Signature: Thomas J. VanTassel

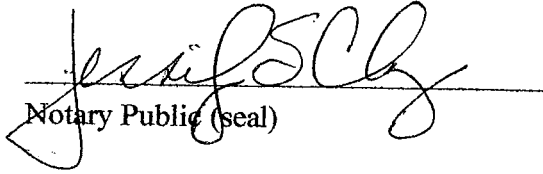
UNIFORM FORM OF SUBSCRIBING WITNESS ACKNOWLEDGMENT

STATE OF NEW YORK ) ss:  
COUNTY OF CULSTER [name of county] )

On the 18<sup>th</sup> day of Nov. in the year 2015 before me, the undersigned, a notary public in and for said state, personally appeared THOMAS J. VANTASSELL, the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in [address]; that he/she/they know(s) [name] to be 20 Woodland Drive, New Paltz, NY 12561 Thomas J. VanTassel

the individual described in and who executed the foregoing instrument; that the said subscribing witness(es) was (were) present and saw said <sup>Thomas J. Ventresca</sup> [name] execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness thereto.

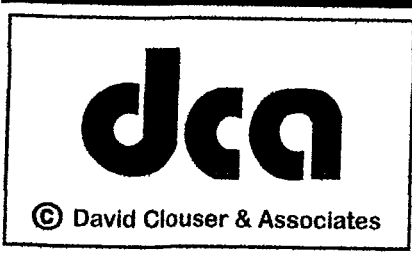
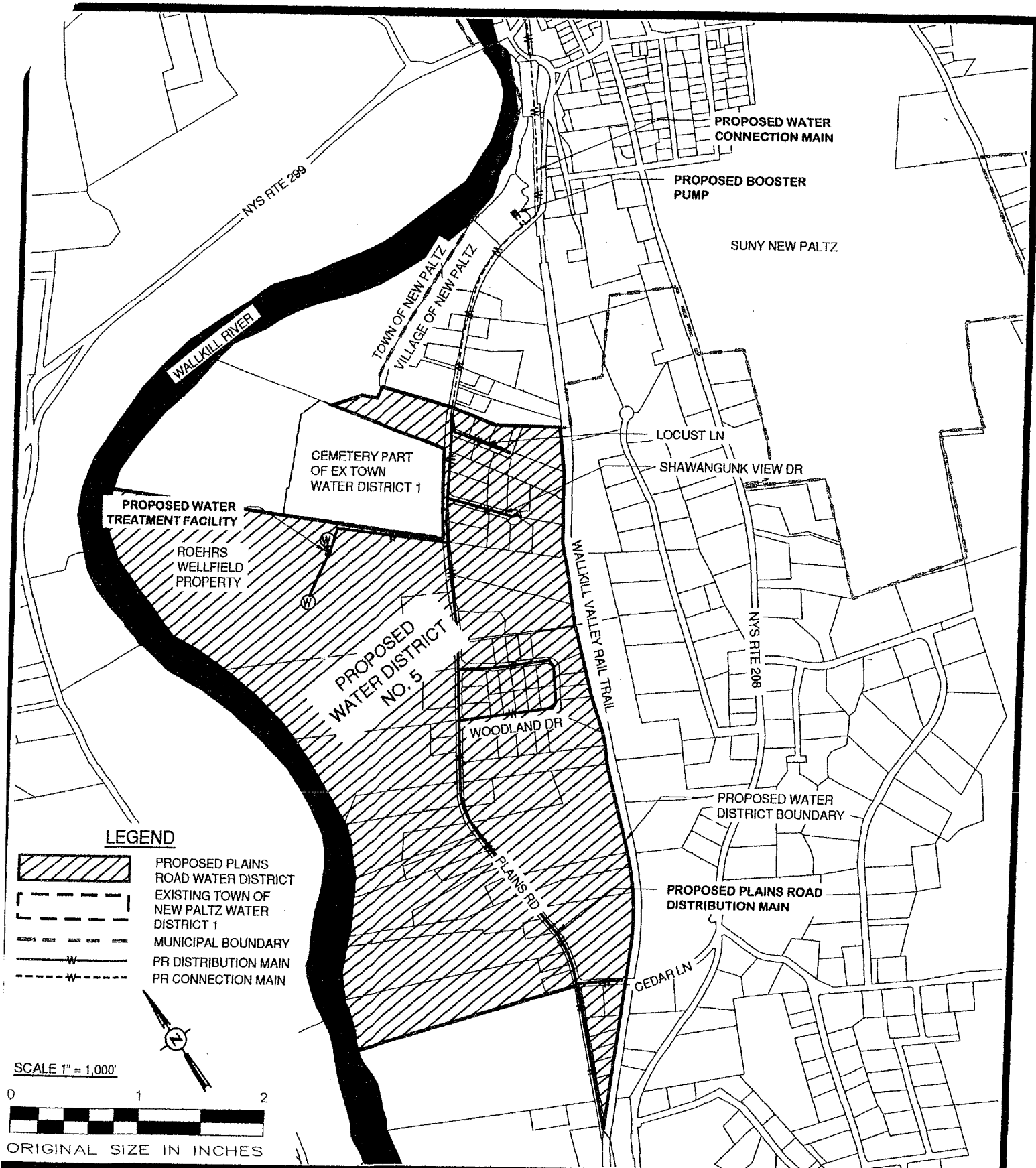
JENNIFER S. CHANG  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02CH6231719  
Qualified In Ulster County  
My Commission Expires November 29, 2018

  
Notary Public (seal)

[In lieu of the signed statement of a witness who is a duly qualified voter of the state *qualified to sign the petition*, the following statement signed by a notary public or commissioner of deeds shall be accepted:]

On the dates above indicated before me personally came each of the voters whose signatures appear on this petition sheet containing . . . . . (fill in number) signatures, who signed same in my presence and who, being by me duly sworn, each for himself or herself, said that the foregoing statement made and subscribed by him or her, was true.

[signature] \_\_\_\_\_  
[Office]



**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.	
<b>EXHIBIT-A</b>	

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During periods of the aqueduct maintenance shutdown, the maximum withdrawal rate will be no more than 400 gallons per minute. This 400 gallon per minute withdrawal rate was proven safe and accepted by the NYS Department of Conservation throughout the 10-week maximum duration shutdown period following their agency's thorough review of all the well testing data. During non-shutdown water district usage, the rate of water withdrawal needed to supply water district users is estimated to be 20 gallons per minute.

The map on Exhibit A indicates the boundaries of the proposed Town Water District No. 5, the proposed wells, the water treatment facility, and the water distribution mains planned to be installed in the public road right-of-ways within the proposed water district. The proposed water district will serve 86 properties within its boundaries. Water services to individual homes within the water district will be connected to the water distribution mains that will be located in the road right-of-ways. Fire hydrants will be installed in the proposed water district to improve area fire protection. The cost of all improvements within the proposed water district boundary has been preliminarily estimated to be \$2,375,000. The cost of all the above described improvements will be reimbursed to the Town as described in an Intergovernmental Agreement between the Town and the NYC Department of Environmental Protection (DEP). Accordingly, the proposed water district will be a "no cost improvement district" to the district residents, with all planning, design, acquisition and construction costs reimbursed by the DEP.

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3  
Petition of Property Owners for Establishment of Water District

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In the Matter of the Establishment of  
Water District No. 5, in the Town of New Paltz,  
County of Ulster, State of New York

PETITION OF  
PROPERTY OWNERS

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IN THE COUNTY OF ULSTER, STATE OF NEW YORK:

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The maximum amount proposed to be expended for the construction of the proposed water system is estimated to be \$2,375,000.00, and after reimbursement of all eligible expenses from DEP, is \$0.00 dollars.

The expense of operation and maintenance of said Water District No. 5 shall be assessed, levied and collected from the several lots and parcels of land within the proposed Water District

No. 5 so much upon and from each as shall be in just proportion to the amount of benefit which the Town Board shall determine the improvement shall confer upon the same.

WHEREFORE, your petitioners respectfully submit this petition for your approval and ask that you take all necessary actions as may be needed so as to permit the progress of the construction of the improvements herein recited and set forth.

Dated:

Subscribing Witness	Date of Signing	Signature of Property Owner	Residence of Owner	Assessed Valuation on Last Assessment Roll [fill in later]
Dave Rosenberg	9/15/15	<i>[Signature]</i>	1 Woodland Dr	\$ 303,861
Dave Rosenberg	9/15/15	<i>[Signature]</i>	1 Woodland Dr.	
Dave Rosenberg	9/15/15	Custaloo (Burke)	92 Plains Rd.	238,911
Dave Rosenberg	9/15/15	Carol Rosenberg	8 Woodland Dr NP	230,297
Dave Rosenberg	9/15/15	<i>[Signature]</i>	11 Woodland Dr New Paltz, NY 12561	214,554

STATEMENT OF WITNESS [required on each page of signatures]

I, David A. Rosenberg (name of witness) state: I am a duly qualified voter of the State of New York and now reside at 8 Woodland Dr., New Paltz, NY (residence address). Each of the individuals whose names are subscribed to this petition sheet containing 5 (fill in number) signatures, subscribed the same in my presence on the dates above indicated and identified himself or herself to be the individual who signed this sheet. I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

Date: Nov. 18, 2015 Witness Signature: *[Signature]*

UNIFORM FORM OF SUBSCRIBING WITNESS ACKNOWLEDGMENT

STATE OF NEW YORK ) ss:  
COUNTY OF ULSTER (name of county) )

On the 18<sup>th</sup> day of November in the year 2015 before me, the undersigned, a notary public in and for said state, personally appeared David A. Rosenberg, the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in [address]; that he/she/they know(s) [name] to be

8 Woodland Dr  
New Paltz, NY

*[Signature]*  
David A Rosenberg

the individual described in and who executed the foregoing instrument; that the said subscribing witness(es) was (were) present and saw said Diana Rosenberg execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness thereto.

JENNIFER S. CHANG  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02CH6231719  
Qualified in Ulster County  
My Commission Expires November 29, 2018

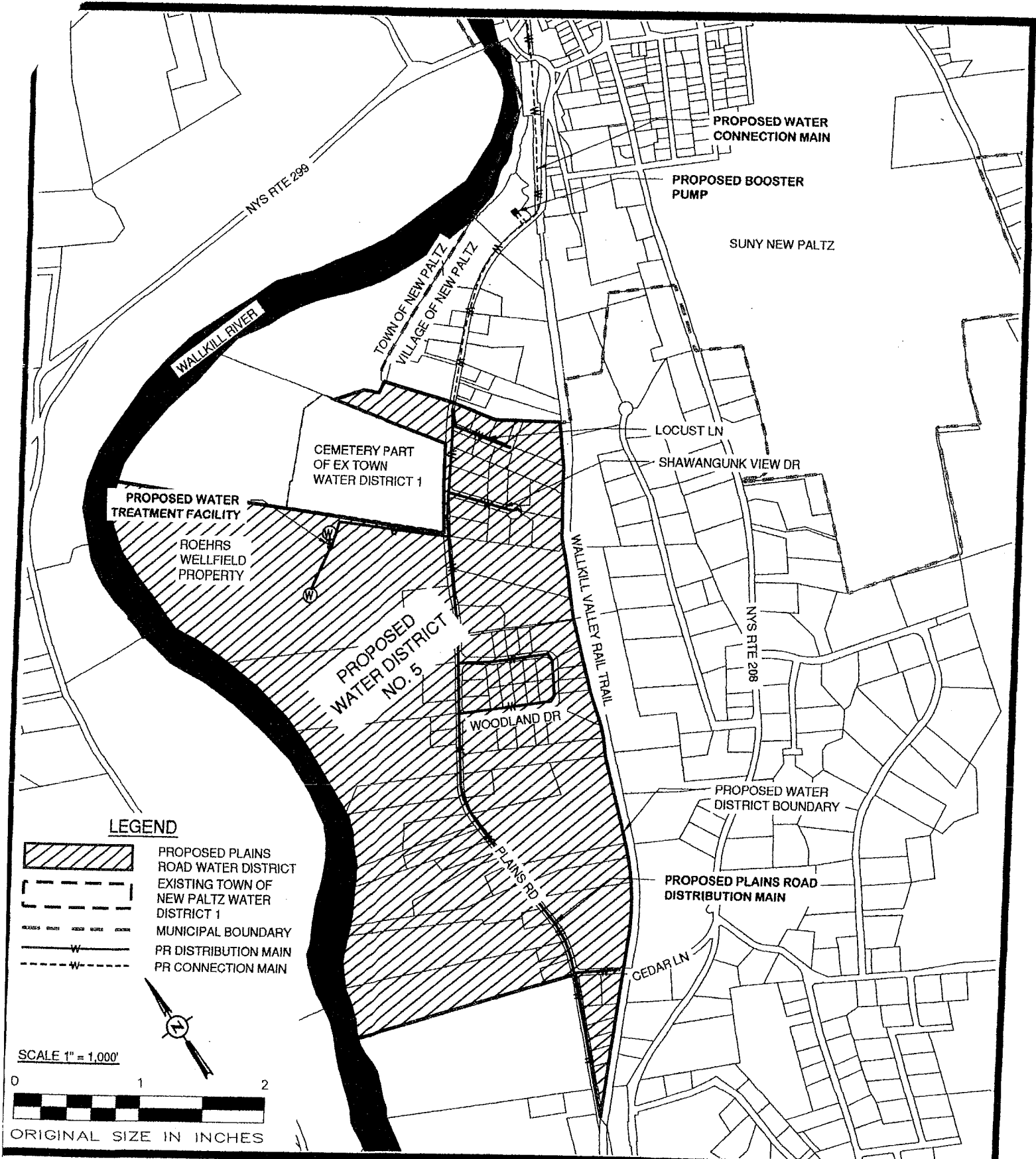
Jennifer S. Chang  
Notary Public (Seal)

[In lieu of the signed statement of a witness who is a duly qualified voter of the state *qualified to sign the petition*, the following statement signed by a notary public or commissioner of deeds shall be accepted:]

On the dates above indicated before me personally came each of the voters whose signatures appear on this petition sheet containing . . . . . (fill in number) signatures, who signed same in my presence and who, being by me duly sworn, each for himself or herself, said that the foregoing statement made and subscribed by him or her, was true.

[signature] \_\_\_\_\_

[Office]



## 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**

**dca**

© David Clouser & Associates

## **EXHIBIT B - Map and Plan Description of Proposed Water District No. 5**

As a result of a detailed investigation of groundwater resources available to the New Paltz community, a plentiful and high quality water supply source was identified at 101 Plains Road (the Roehrs Construction permitted Gravel Mine). This water supply source was tested and determined to be of ample capacity and appropriate quality to supply a portion of the water needs of the Village of New Paltz as a backup water supply during the planned Catskill Aqueduct maintenance shutdown. To develop this water supply source, a recommendation was made in the Water Supply Investigation's 2014 Final Report to develop the water source in accordance with all NYS Department of Environmental Conservation and NYS Department of Health regulatory requirements, and to establish a water district in the Plains Road area of the Town. The development of a permanent water supply would ensure a continuous, safe public water supply to the residents within the proposed water district. The development of the water district would also mitigate any impacts that the use of the 101 Plains Road wellsite might impose on nearby individual wells during scheduled aqueduct maintenance shutdown periods when a backup water supply would require increased water supply usage.

During periods of the aqueduct maintenance shutdown, the maximum withdrawal rate will be no more than 400 gallons per minute. This 400 gallon per minute withdrawal rate was proven safe and accepted by the NYS Department of Conservation throughout the 10-week maximum duration shutdown period following their agency's thorough review of all the well testing data. During non-shutdown water district usage, the rate of water withdrawal needed to supply water district users is estimated to be 20 gallons per minute.

The map on Exhibit A indicates the boundaries of the proposed Town Water District No. 5, the *proposed wells, the water treatment facility, and the water distribution mains planned to be installed in the public road right-of-ways within the proposed water district.* The proposed water district will serve 86 properties within its boundaries. Water services to individual homes within the water district will be connected to the water distribution mains that will be located in the road right-of-ways. Fire hydrants will be installed in the proposed water district to improve area fire protection. The cost of all improvements within the proposed water district boundary has been preliminarily estimated to be \$2,375,000. The cost of all the above described improvements will be reimbursed to the Town as described in an Intergovernmental Agreement between the Town and the NYC Department of Environmental Protection (DEP). Accordingly, the proposed water district will be a "no cost improvement district" to the district residents, with all planning, design, acquisition and construction costs reimbursed by the DEP.

Although the details of the water district's design has not yet been completed, the operation and maintenance of the proposed water district has been estimated to cost the average user \$18 per month, based on a 3 bedroom home with average usage of 200 gallons per day. The estimates of the water district's operation and maintenance costs were based on industry standard costs for this type of groundwater source and supply public water system. The proposed water system will be operated under the strict requirements of the NYS Department of Health, including regular water quality testing and monitoring. Water use rates will be reviewed on an annual basis and adjusted when required by the Town Board to ensure that water district expenses correlate with water district revenues.

**Petition of Property Owners for Establishment of Water District**

-----

In the Matter of the Establishment of  
Water District No. 5, in the Town of New Paltz,  
County of Ulster, State of New York

PETITION OF  
PROPERTY OWNERS

-----

TO THE TOWN BOARD OF THE TOWN OF NEW PALTZ,  
IN THE COUNTY OF ULSTER, STATE OF NEW YORK:

We, the undersigned petitioners, being the owners of taxable real property situate in the proposed water district hereinafter described, and owning in the aggregate more than one-half of the assessed valuation of all the taxable real property in said proposed water district, as shown upon the latest completed assessment roll of the Town of New Paltz (hereinafter the "Town"), in the County of Ulster, State of New York, and resident owners owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property in the proposed water district owned by resident owners, according to said latest completed assessment roll, do hereby petition your Honorable Board to establish Water District No. 5 which shall comprise that portion of said Town outside of any incorporated village or city and wholly within said Town and shall be bounded as described on Exhibit A attached hereto and made a part hereof.

This petition is submitted with the understanding that all construction work for the laying out and installing of the improvements within said proposed District as described on said Exhibit A will be paid for initially by the Town [district] but reimbursed by the City of New York Department of Environmental Protection ("DEP") pursuant to a separate intergovernmental agreement, so that no expenses occasioned by the creation of said District herein petitioned shall be levied and collected from the several lots and parcels of land within the said District by assessment or otherwise and any and all of such work will be done and completed by said DEP in accordance with the map and plan hereinafter described. Further it is understood by the undersigned petitioners that the Town intends to construct all improvements within said Water District as aforesaid and will accept title thereto by itself or by the government agent for said District, free and clear of encumbrances except right of access to said improvements by adjoining landowners, [and DEP pursuant to special agreement].

Accompanying this petition and annexed hereto as Exhibit B are a map and plan prepared by David Clouser & Associates, duly licensed by the State of New York, showing the boundaries of the proposed District and a general plan of the proposed water system to be constructed therefor including all outlets and the terminus and course of each proposed main.

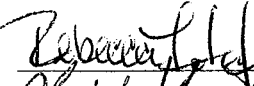

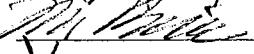
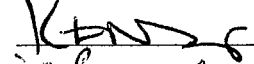
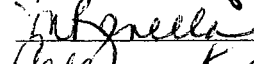
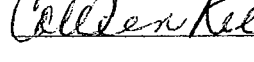
The maximum amount proposed to be expended for the construction of the proposed water system is estimated to be \$2,375,000.00, and after reimbursement of all eligible expenses from DEP, is \$0.00 dollars.

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WHEREFORE, your petitioners respectfully submit this petition for your approval and ask that you take all necessary actions as may be needed so as to permit the progress of the construction of the improvements herein recited and set forth.

Dated:

Subscribing Witness	Date of Signing	Signature of Property Owner	Residence of Owner	Assessed Valuation on Last Assessment Roll [fill in later]
David Rosenberg	9/15/15		16 Woodland Dr.	NP 12561 \$317,228
David Rosenberg	9/15/15		18 Woodland Dr.	NP 12561
David Rosenberg	9/15/15		8 Locust Lane	NY 12561 312,772
David Rosenberg	9/15/15		13 Woodland Dr.	NP 12561 257,129
David Rosenberg	10/10/15		13 Woodland Dr.	NP 12561
David Rosenberg	10/10/15		182 Plains Rd	NP 12561 199,307

STATEMENT OF WITNESS [required on each page of signatures]

I, David A. Rosenberg (name of witness) state: I am a duly qualified voter of the State of New York and now reside at 8 Woodland Dr. New Paltz, NY (residence address). Each of the individuals whose names are subscribed to this petition sheet containing 6 (fill in number) signatures, subscribed the same in my presence on the dates above indicated and identified himself or herself to be the individual who signed this sheet. I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

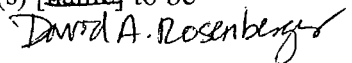
Date: Nov 18, 2015 Witness Signature: 

UNIFORM FORM OF SUBSCRIBING WITNESS ACKNOWLEDGMENT

STATE OF NEW YORK ) ss:  
COUNTY OF ULSTER )

On the 18th day of November in the year 2015 before me, the undersigned, a notary public in and for said state, personally appeared David A. Rosenberg, the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in address; that he/she/they know(s) name to be

8 Woodland Dr.  
New Paltz, NY



the individual described in and who executed the foregoing instrument; that the said subscribing witness(es) was (were) present and saw said David A. Rosenberg execute the same, and that said witness(es) at the same time subscribed his/her/their name(s) as a witness thereto.

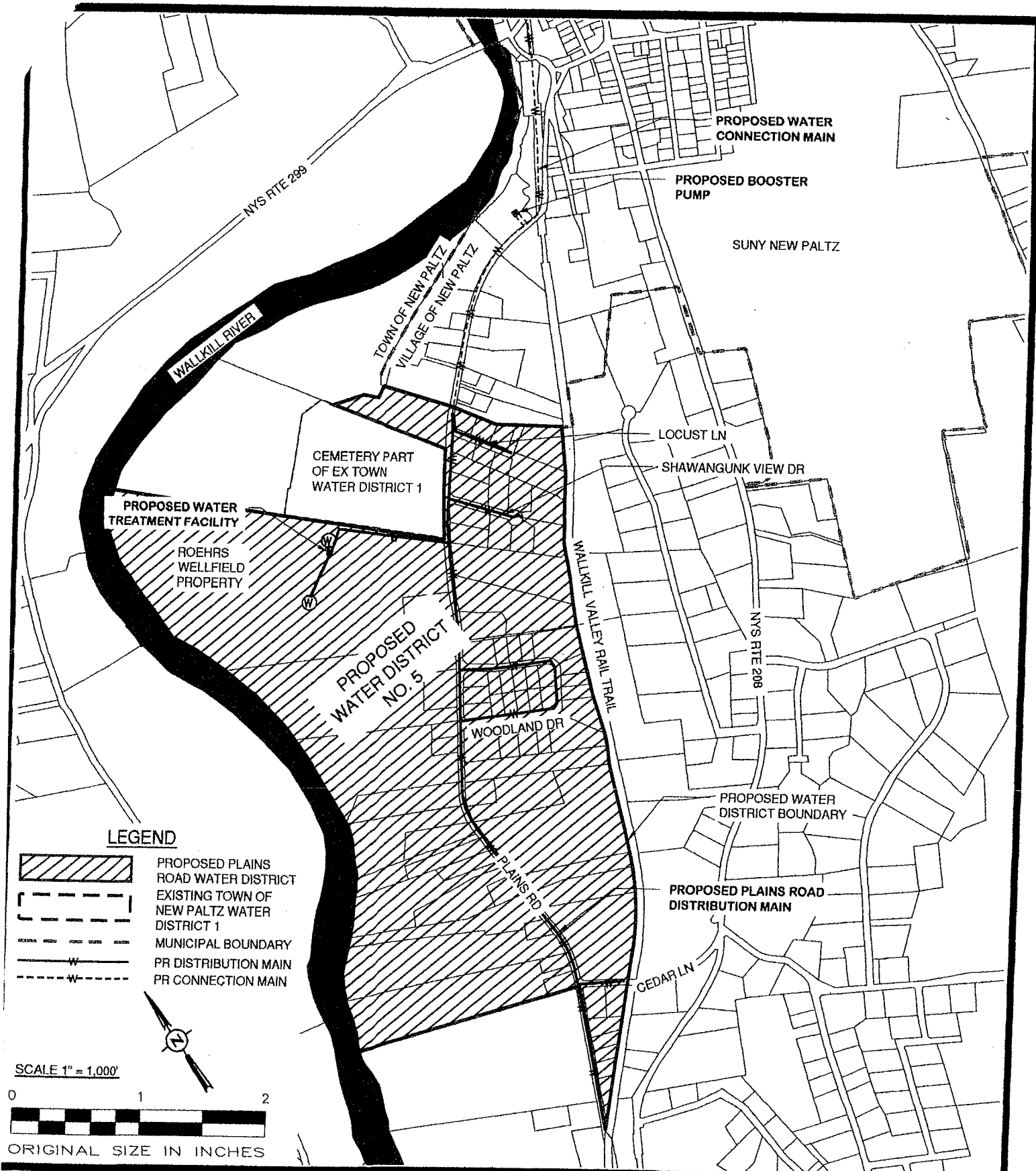
JENNIFER S. CHANG  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02CH6231719  
Qualified In Ulster County  
My Commission Expires November 29, 2016

Jennifer S. Chang  
Notary Public (seal)

[In lieu of the signed statement of a witness who is a duly qualified voter of the state *qualified to sign the petition*, the following statement signed by a notary public or commissioner of deeds shall be accepted:]

On the dates above indicated before me personally came each of the voters whose signatures appear on this petition sheet containing . . . . . (fill in number) signatures, who signed same in my presence and who, being by me duly sworn, each for himself or herself, said that the foregoing statement made and subscribed by him or her, was true.

[signature] \_\_\_\_\_  
[Office]



**dca**

© David Clouser & Associates

## PROPOSED WATER DISTRICT NO. 5

### PROPOSED ROEHRS WELLFIELD WATER DISTRICT BOUNDARY MAP

TOWN OF NEW PALTZ  
ULSTER COUNTY, NEW YORK

DATE  
08/31/15

DRAWN BY  
MLT

PROJECT NO.

55008

SHEET NO.

**EXHIBIT-A**

## **EXHIBIT B - Map and Plan Description of Proposed Water District No. 5**

As a result of a detailed investigation of groundwater resources available to the New Paltz community, a plentiful and high quality water supply source was identified at 101 Plains Road (the Roehrs Construction permitted Gravel Mine). This water supply source was tested and determined to be of ample capacity and appropriate quality to supply a portion of the water needs of the Village of New Paltz as a backup water supply during the planned Catskill Aqueduct maintenance shutdown. To develop this water supply source, a recommendation was made in the Water Supply Investigation's 2014 Final Report to develop the water source in accordance with all NYS Department of Environmental Conservation and NYS Department of Health regulatory requirements, and to establish a water district in the Plains Road area of the Town. The development of a permanent water supply would ensure a continuous, safe public water supply to the residents within the proposed water district. The development of the water district would also mitigate any impacts that the use of the 101 Plains Road wellsite might impose on nearby individual wells during scheduled aqueduct maintenance shutdown periods when a backup water supply would require increased water supply usage.

During periods of the aqueduct maintenance shutdown, the maximum withdrawal rate will be no more than 400 gallons per minute. This 400 gallon per minute withdrawal rate was proven safe and accepted by the NYS Department of Conservation throughout the 10-week maximum duration shutdown period following their agency's thorough review of all the well testing data. During non-shutdown water district usage, the rate of water withdrawal needed to supply water district users is estimated to be 20 gallons per minute.

The map on Exhibit A indicates the boundaries of the proposed Town Water District No. 5, the proposed wells, the water treatment facility, and the water distribution mains planned to be installed in the public road right-of-ways within the proposed water district. The proposed water district will serve 86 properties within its boundaries. Water services to individual homes within the water district will be connected to the water distribution mains that will be located in the road right-of-ways. Fire hydrants will be installed in the proposed water district to improve area fire protection. The cost of all improvements within the proposed water district boundary has been preliminarily estimated to be \$2,375,000. The cost of all the above described improvements will be reimbursed to the Town as described in an Intergovernmental Agreement between the Town and the NYC Department of Environmental Protection (DEP). Accordingly, the proposed water district will be a "no cost improvement district" to the district residents, with all planning, design, acquisition and construction costs reimbursed by the DEP.

Although the details of the water district's design has not yet been completed, the operation and maintenance of the proposed water district has been estimated to cost the average user \$18 per month, based on a 3 bedroom home with average usage of 200 gallons per day. The estimates of the water district's operation and maintenance costs were based on industry standard costs for this type of groundwater source and supply public water system. The proposed water system will be operated under the strict requirements of the NYS Department of Health, including regular water quality testing and monitoring. Water use rates will be reviewed on an annual basis and adjusted when required by the Town Board to ensure that water district expenses correlate with water district revenues.

5  
Petition of Property Owners for Establishment of Water District

-----  
In the Matter of the Establishment of  
Water District No. 5, in the Town of New Paltz,  
County of Ulster, State of New York

PETITION OF  
PROPERTY OWNERS

-----  
TO THE TOWN BOARD OF THE TOWN OF NEW PALTZ,  
IN THE COUNTY OF ULSTER, STATE OF NEW YORK:

We, the undersigned petitioners, being the owners of taxable real property situate in the proposed water district hereinafter described, and owning in the aggregate more than one-half of the assessed valuation of all the taxable real property in said proposed water district, as shown upon the latest completed assessment roll of the Town of New Paltz (hereinafter the "Town"), in the County of Ulster, State of New York, and resident owners owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property in the proposed water district owned by resident owners, according to said latest completed assessment roll, do hereby petition your Honorable Board to establish Water District No. 5 which shall comprise that portion of said Town outside of any incorporated village or city and wholly within said Town and shall be bounded as described on Exhibit A attached hereto and made a part hereof.

This petition is submitted with the understanding that all construction work for the laying out and installing of the improvements within said proposed District as described on said Exhibit A will be paid for initially by the Town [district] but reimbursed by the City of New York Department of Environmental Protection ("DEP") pursuant to a separate intergovernmental agreement, so that no expenses occasioned by the creation of said District herein petitioned shall be levied and collected from the several lots and parcels of land within the said District by assessment or otherwise and any and all of such work will be done and completed by said DEP in accordance with the map and plan hereinafter described. Further it is understood by the undersigned petitioners that the Town intends to construct all improvements within said Water District as aforesaid and will accept title thereto by itself or by the government agent for said District, free and clear of encumbrances except right of access to said improvements by adjoining landowners, [and DEP pursuant to special agreement].

Accompanying this petition and annexed hereto as Exhibit B are a map and plan prepared by David Clouser & Associates, duly licensed by the State of New York, showing the boundaries of the proposed District and a general plan of the proposed water system to be constructed therefor including all outlets and the terminus and course of each proposed main.

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WHEREFORE, your petitioners respectfully submit this petition for your approval and ask that you take all necessary actions as may be needed so as to permit the progress of the construction of the improvements herein recited and set forth.

Dated:

Subscribing Witness	Date of Signing	Signature of Property Owner	Residence of Owner	Assessed Valuation on Last Assessment Roll [fill in later]
David Rosenberger	9/16/15	Paul Hulburt	24 Woodland Dr. NP	\$267,327
David Rosenberger	9/16/15	James J. Adams	24 Woodland Dr. NP	
David Rosenberger	9/16/15	Angy Moore	2 Woodland Dr. NP	224,257
David Rosenberger	9/18/15	Maley Zher	14 Woodland Dr NP	275,545
David Rosenberger	9/18/15	JL	9 Woodland Dr. NP	286,832

# STATEMENT OF WITNESS [required on each page of signatures]

I, David A. Rosenberger (name of witness) state: I am a duly qualified voter of the State of New York and now reside at 8 Woodland Dr. New Paltz, NY (residence address). Each of the individuals whose names are subscribed to this petition sheet containing 5 (fill in number) signatures, subscribed the same in my presence on the dates above indicated and identified himself or herself to be the individual who signed this sheet. I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

Date: Nov. 18, 2015 Witness Signature: David A. Rosenberger

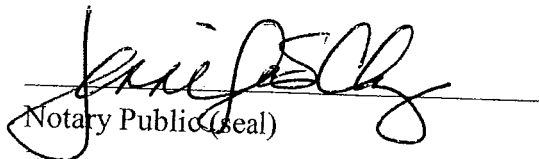
## UNIFORM FORM OF SUBSCRIBING WITNESS ACKNOWLEDGMENT

STATE OF NEW YORK ) ss:  
COUNTY OF ULSTER )

On the 18<sup>th</sup> day of November in the year 2015 before me, the undersigned, a notary public in and for said state, personally appeared David A. Rosenberger, the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in 8 Woodland Dr. New Paltz, NY; that he/she/they know(s) David A. Rosenberger to be

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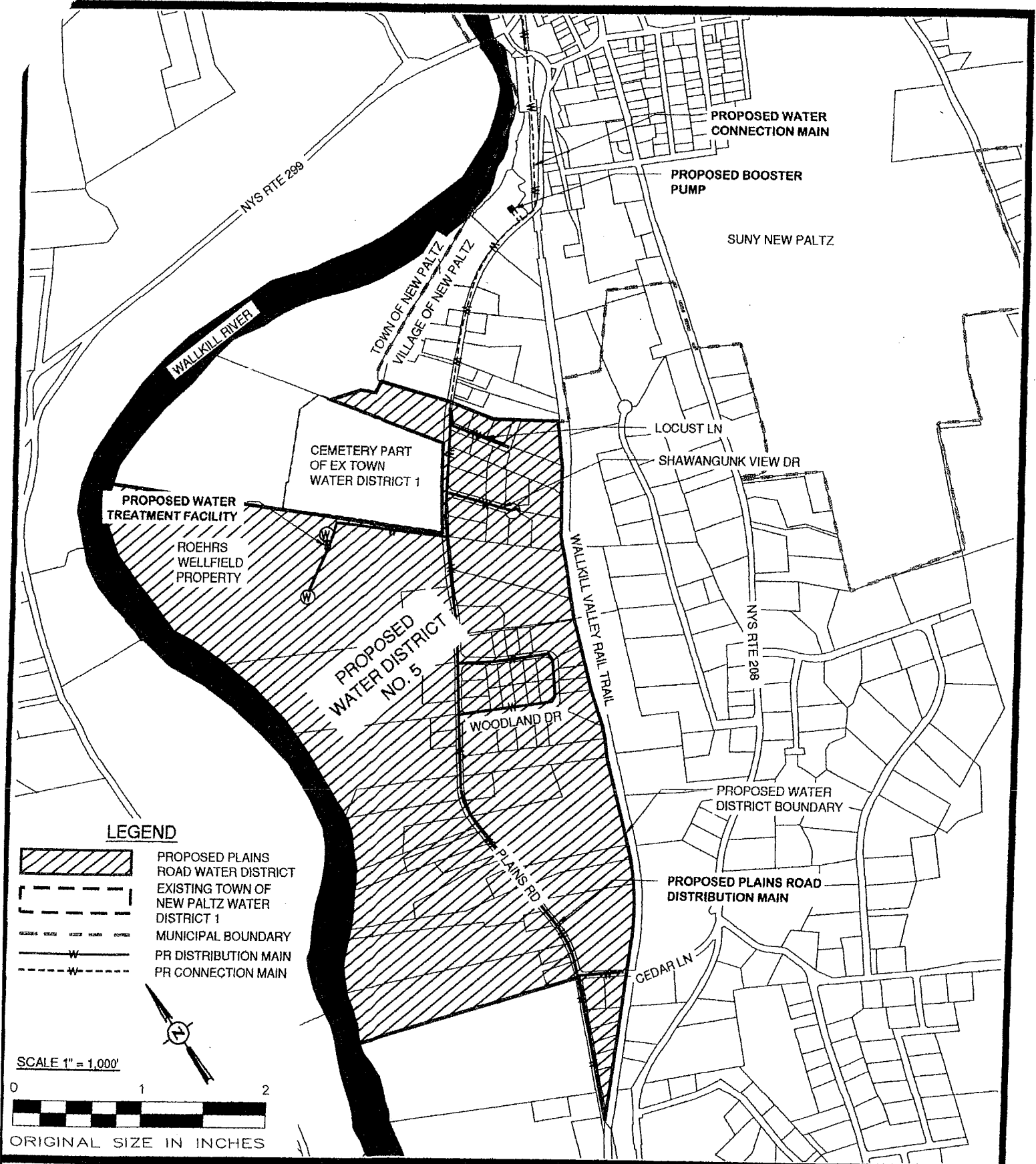
JENNIFER S. CHANG  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02CH6231719  
Qualified in Ulster County  
My Commission Expires November 29, 2014

  
Notary Public (seal)

[In lieu of the signed statement of a witness who is a duly qualified voter of the state *qualified to sign the petition*, the following statement signed by a notary public or commissioner of deeds shall be accepted:]

On the dates above indicated before me personally came each of the voters whose signatures appear on this petition sheet containing . . . . . (fill in number) signatures, who signed same in my presence and who, being by me duly sworn, each for himself or herself, said that the foregoing statement made and subscribed by him or her, was true.

[signature] \_\_\_\_\_  
[Office]



## 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**

**dca**

© David Clouser & Associates

## **EXHIBIT B - Map and Plan Description of Proposed Water District No. 5**

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**Petition of Property Owners for Establishment of Water District**

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In the Matter of the Establishment of  
Water District No. 5, in the Town of New Paltz,  
County of Ulster, State of New York

PETITION OF  
PROPERTY OWNERS

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TO THE TOWN BOARD OF THE TOWN OF NEW PALTZ,  
IN THE COUNTY OF ULSTER, STATE OF NEW YORK:

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WHEREFORE, your petitioners respectfully submit this petition for your approval and ask that you take all necessary actions as may be needed so as to permit the progress of the construction of the improvements herein recited and set forth.

Dated:

<u>Subscribing Witness</u>	<u>Date of Signing</u>	<u>Signature of Property Owner</u>	<u>Residence of Owner</u>	<u>Assessed Valuation on Last Assessment Roll [fill in later]</u>
David Rosenberger	9/18/15	Joseph Mallach	90 Plains Rd NP	\$ 248,218
David Rosenberger	9/18/15	Vito Mallach	90 Plains Rd NP	
David Rosenberger	9/18/15	Bruce Sporn	28 Woodland Dr NP	306,931
David Rosenberger	9/18/15	Myra Sporn	28 Woodland Dr NP	
David Rosenberger	9/18/15	Sean Healy	19 Woodland Dr. NP	284,059
David Rosenberger	9/18/15	Sara Healy	19 Woodland Drive NP	

STATEMENT OF WITNESS [required on each page of signatures]

I, David A. Rosenberger (name of witness) state: I am a duly qualified voter of the State of New York and now reside at 8 Woodland Dr. New Paltz, NY (residence address). Each of the individuals whose names are subscribed to this petition sheet containing 6 (fill in number) signatures, subscribed the same in my presence on the dates above indicated and identified himself or herself to be the individual who signed this sheet. I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

Date: Nov. 18, 2015

Witness Signature: David A. Rosenberger

UNIFORM FORM OF SUBSCRIBING WITNESS ACKNOWLEDGMENT

STATE OF NEW YORK ) ss:  
COUNTY OF ULSTER )  
~~(name of county)~~

On the 18<sup>th</sup> day of November in the year 2015 before me, the undersigned, a notary public in and for said state, personally appeared David A. Rosenberger, the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in 8 Woodland Dr New Paltz, NY; that he/she/they know(s) David A. Rosenberger to be

the individual described in and who executed the foregoing instrument, that the said subscribing witness(es) was (were) present and saw said [name] execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness thereto.

JENNIFER S. CHANG  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02CH6231719  
Qualified in Ulster County  
My Commission Expires November 29, 2019

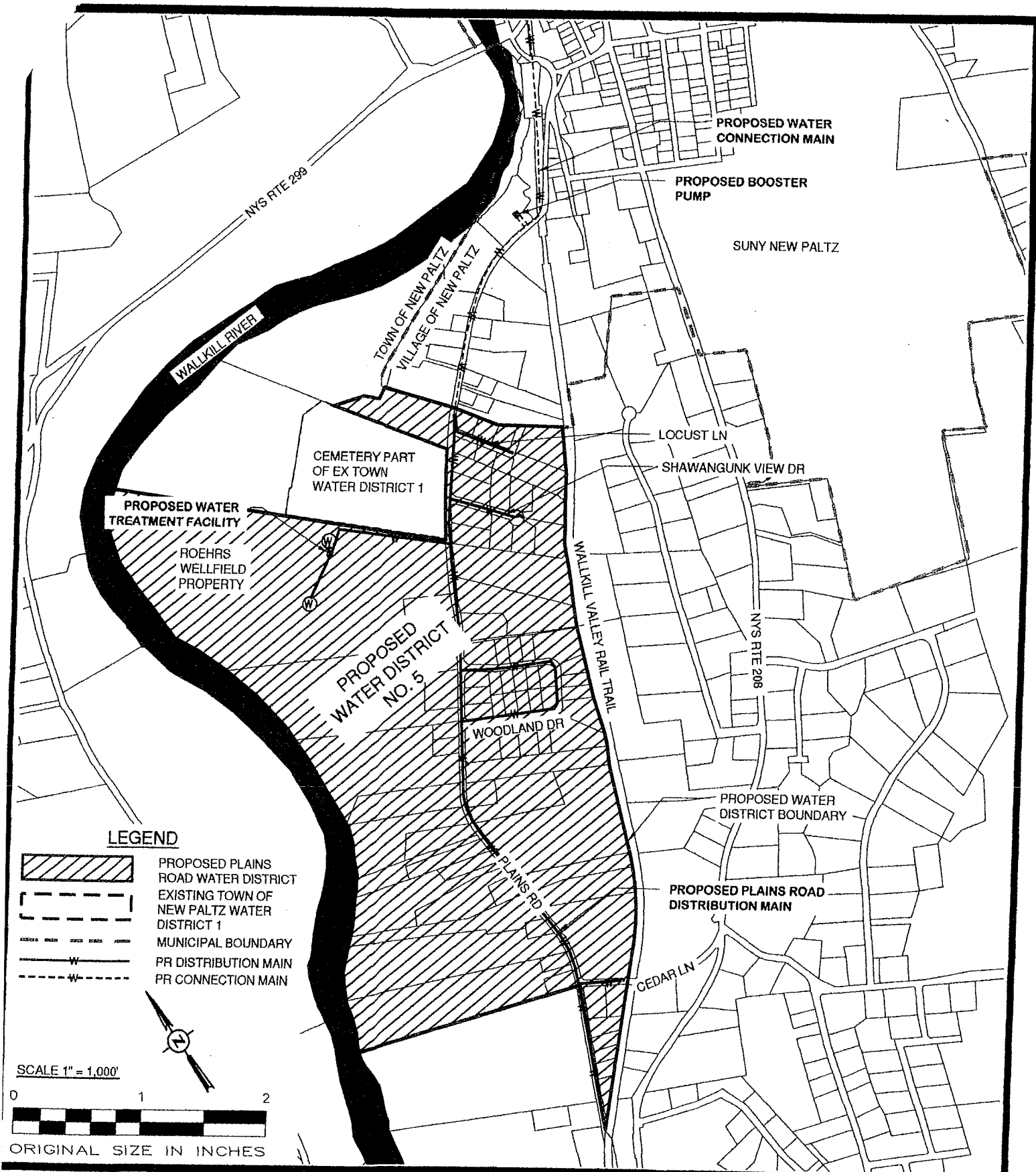
[Signature]  
Notary Public (seal)

[In lieu of the signed statement of a witness who is a duly qualified voter of the state *qualified to sign the petition*, the following statement signed by a notary public or commissioner of deeds shall be accepted:]

On the dates above indicated before me personally came each of the voters whose signatures appear on this petition sheet containing . . . . . (fill in number) signatures, who signed same in my presence and who, being by me duly sworn, each for himself or herself, said that the foregoing statement made and subscribed by him or her, was true.

[signature] \_\_\_\_\_

[Office]



**dca**

© David Clouser & Associates

## 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**

## **EXHIBIT B - Map and Plan Description of Proposed Water District No. 5**

As a result of a detailed investigation of groundwater resources available to the New Paltz community, a plentiful and high quality water supply source was identified at 101 Plains Road (the Roehrs Construction permitted Gravel Mine). This water supply source was tested and determined to be of ample capacity and appropriate quality to supply a portion of the water needs of the Village of New Paltz as a backup water supply during the planned Catskill Aqueduct maintenance shutdown. To develop this water supply source, a recommendation was made in the Water Supply Investigation's 2014 Final Report to develop the water source in accordance with all NYS Department of Environmental Conservation and NYS Department of Health regulatory requirements, and to establish a water district in the Plains Road area of the Town. The development of a permanent water supply would ensure a continuous, safe public water supply to the residents within the proposed water district. The development of the water district would also mitigate any impacts that the use of the 101 Plains Road wellsite might impose on nearby individual wells during scheduled aqueduct maintenance shutdown periods when a backup water supply would require increased water supply usage.

During periods of the aqueduct maintenance shutdown, the maximum withdrawal rate will be no more than 400 gallons per minute. This 400 gallon per minute withdrawal rate was proven safe and accepted by the NYS Department of Conservation throughout the 10-week maximum duration shutdown period following their agency's thorough review of all the well testing data. During non-shutdown water district usage, the rate of water withdrawal needed to supply water district users is estimated to be 20 gallons per minute.

The map on Exhibit A indicates the boundaries of the proposed Town Water District No. 5, the proposed wells, the water treatment facility, and the water distribution mains planned to be installed in the public road right-of-ways within the proposed water district. The proposed water district will serve 86 properties within its boundaries. Water services to individual homes within the water district will be connected to the water distribution mains that will be located in the road right-of-ways. Fire hydrants will be installed in the proposed water district to improve area fire protection. The cost of all improvements within the proposed water district boundary has been preliminarily estimated to be \$2,375,000. The cost of all the above described improvements will be reimbursed to the Town as described in an Intergovernmental Agreement between the Town and the NYC Department of Environmental Protection (DEP). Accordingly, the proposed water district will be a "no cost improvement district" to the district residents, with all planning, design, acquisition and construction costs reimbursed by the DEP.

Although the details of the water district's design has not yet been completed, the operation and maintenance of the proposed water district has been estimated to cost the average user \$18 per month, based on a 3 bedroom home with average usage of 200 gallons per day. The estimates of the water district's operation and maintenance costs were based on industry standard costs for this type of groundwater source and supply public water system. The proposed water system will be operated under the strict requirements of the NYS Department of Health, including regular water quality testing and monitoring. Water use rates will be reviewed on an annual basis and adjusted when required by the Town Board to ensure that water district expenses correlate with water district revenues.

**Petition of Property Owners for Establishment of Water District**

-----

In the Matter of the Establishment of  
Water District No. 5, in the Town of New Paltz,  
County of Ulster, State of New York

PETITION OF  
PROPERTY OWNERS

-----

TO THE TOWN BOARD OF THE TOWN OF NEW PALTZ,  
IN THE COUNTY OF ULSTER, STATE OF NEW YORK:

We, the undersigned petitioners, being the owners of taxable real property situate in the proposed water district hereinafter described, and owning in the aggregate more than one-half of the assessed valuation of all the taxable real property in said proposed water district, as shown upon the latest completed assessment roll of the Town of New Paltz (hereinafter the "Town"), in the County of Ulster, State of New York, and resident owners owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property in the proposed water district owned by resident owners, according to said latest completed assessment roll, do hereby petition your Honorable Board to establish Water District No. 5 which shall comprise that portion of said Town outside of any incorporated village or city and wholly within said Town and shall be bounded as described on Exhibit A attached hereto and made a part hereof.

This petition is submitted with the understanding that all construction work for the laying out and installing of the improvements within said proposed District as described on said Exhibit A will be paid for initially by the Town [district] but reimbursed by the City of New York Department of Environmental Protection ("DEP") pursuant to a separate intergovernmental agreement, so that no expenses occasioned by the creation of said District herein petitioned shall be levied and collected from the several lots and parcels of land within the said District by assessment or otherwise and any and all of such work will be done and completed by said DEP in accordance with the map and plan hereinafter described. Further it is understood by the undersigned petitioners that the Town intends to construct all improvements within said Water District as aforesaid and will accept title thereto by itself or by the government agent for said District, free and clear of encumbrances except right of access to said improvements by adjoining landowners, [and DEP pursuant to special agreement].

Accompanying this petition and annexed hereto as Exhibit B are a map and plan prepared by David Clouser & Associates, duly licensed by the State of New York, showing the boundaries of the proposed District and a general plan of the proposed water system to be constructed therefor including all outlets and the terminus and course of each proposed main.

The maximum amount proposed to be expended for the construction of the proposed water system is estimated to be \$2,375,000.00, and after reimbursement of all eligible expenses from DEP, is \$0.00 dollars.

The expense of operation and maintenance of said Water District No. 5 shall be assessed, levied and collected from the several lots and parcels of land within the proposed Water District

No. 5 so much upon and from each as shall be in just proportion to the amount of benefit which the Town Board shall determine the improvement shall confer upon the same.

WHEREFORE, your petitioners respectfully submit this petition for your approval and ask that you take all necessary actions as may be needed so as to permit the progress of the construction of the improvements herein recited and set forth.

Dated:

Subscribing Witness	Date of Signing	Signature of Property Owner	Residence of Owner	Assessed Valuation on Last Assessment Roll [fill in later]
David A. Rosenberger	Oct 7, '15	<i>[Signature]</i>	21 Woodland Dr. NP	\$196,931
David A. Rosenberger	Oct 8, '15	<i>[Signature]</i>	15 Woodland Dr. NP	226,535
David A. Rosenberger	Oct. 8, '15	<i>[Signature]</i>	15 Woodland Dr. NP	
David A. Rosenberger	Oct 9, '15	<i>[Signature]</i>	6 Shawangunk View, NP	304,653
David A. Rosenberger	Oct 9, '15	<i>[Signature]</i>	6 Shawangunk View, NP	
David A. Rosenberger	Oct 9, '15	<i>[Signature]</i>	6 Woodland Dr. New Paltz	251,584

STATEMENT OF WITNESS [required on each page of signatures]

I, David A. Rosenberger (name of witness) state: I am a duly qualified voter of the State of New York and now reside at 2 Woodland Dr. New Paltz, NY (residence address). Each of the individuals whose names are subscribed to this petition sheet containing 6 (fill in number) signatures, subscribed the same in my presence on the dates above indicated and identified himself or herself to be the individual who signed this sheet. I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

Date: Nov 18, 2015 Witness Signature: David A. Rosenberger

UNIFORM FORM OF SUBSCRIBING WITNESS ACKNOWLEDGMENT

STATE OF NEW YORK ) ss:  
COUNTY OF ULSTER )

On the 18<sup>th</sup> day of November in the year 2015 before me, the undersigned, a notary public in and for said state, personally appeared David A. Rosenberger, the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in 6 Woodland Dr. New Paltz, NY; that he/she/they know(s) David A. Rosenberger to be

the individual described in and who executed the foregoing instrument; that the said subscribing witness(es) was (were) present and saw said David A. Rosenberg execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness thereto.

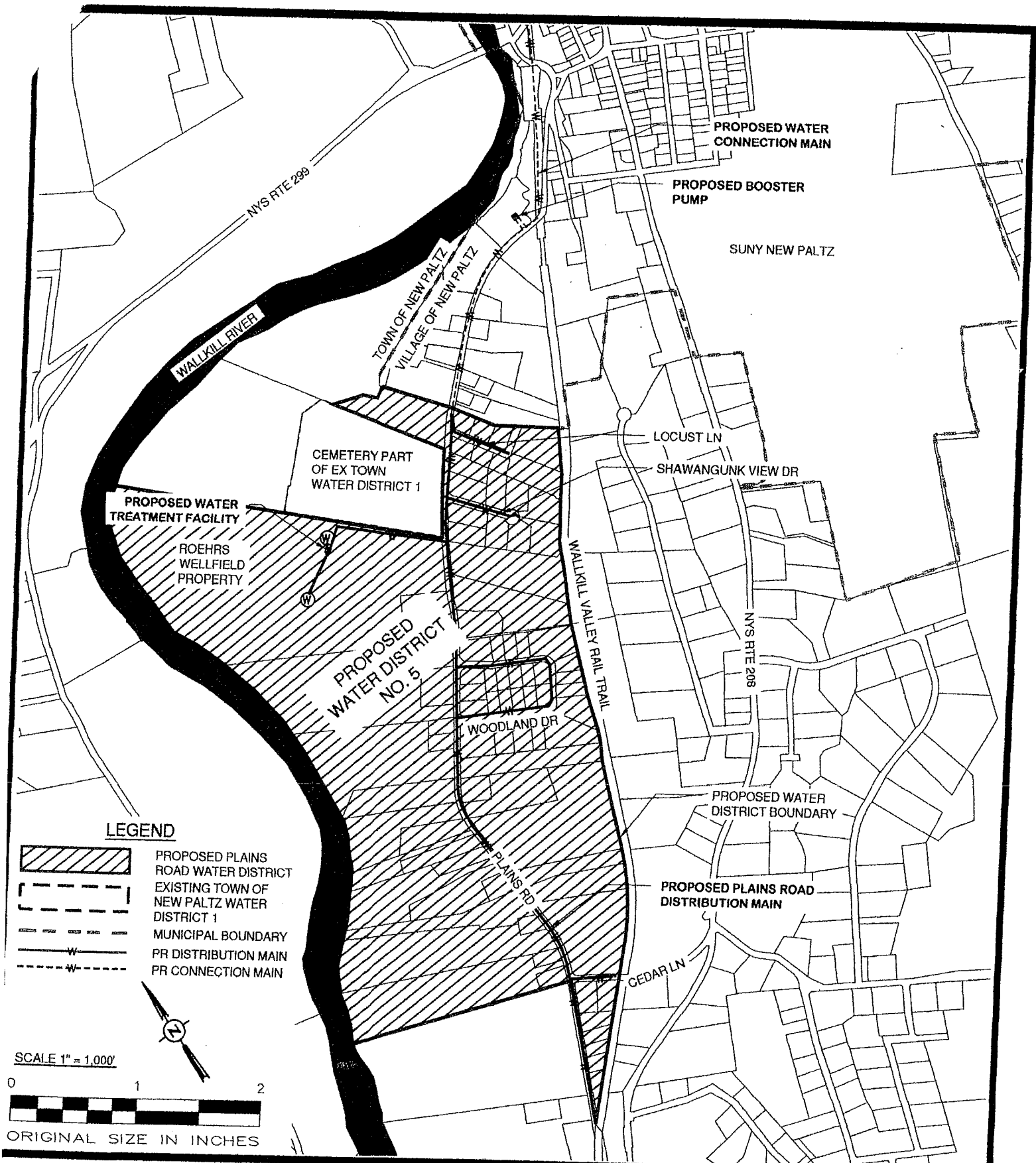
JENNIFER S. CHANG  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02CH6231719  
Qualified In Ulster County  
My Commission Expires November 29, 2016

J. S. Chang  
Notary Public (seal)

[In lieu of the signed statement of a witness who is a duly qualified voter of the state *qualified to sign the petition*, the following statement signed by a notary public or commissioner of deeds shall be accepted:]

On the dates above indicated before me personally came each of the voters whose signatures appear on this petition sheet containing . . . . . (fill in number) signatures, who signed same in my presence and who, being by me duly sworn, each for himself or herself, said that the foregoing statement made and subscribed by him or her, was true.

[signature] \_\_\_\_\_  
[Office]



**dca**

© David Clouser & Associates

## 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**

## **EXHIBIT B - Map and Plan Description of Proposed Water District No. 5**

As a result of a detailed investigation of groundwater resources available to the New Paltz community, a plentiful and high quality water supply source was identified at 101 Plains Road (the Roehrs Construction permitted Gravel Mine). This water supply source was tested and determined to be of ample capacity and appropriate quality to supply a portion of the water needs of the Village of New Paltz as a backup water supply during the planned Catskill Aqueduct maintenance shutdown. To develop this water supply source, a recommendation was made in the Water Supply Investigation's 2014 Final Report to develop the water source in accordance with all NYS Department of Environmental Conservation and NYS Department of Health regulatory requirements, and to establish a water district in the Plains Road area of the Town. The development of a permanent water supply would ensure a continuous, safe public water supply to the residents within the proposed water district. The development of the water district would also mitigate any impacts that the use of the 101 Plains Road wellsite might impose on nearby individual wells during scheduled aqueduct maintenance shutdown periods when a backup water supply would require increased water supply usage.

During periods of the aqueduct maintenance shutdown, the maximum withdrawal rate will be no more than 400 gallons per minute. This 400 gallon per minute withdrawal rate was proven safe and accepted by the NYS Department of Conservation throughout the 10-week maximum duration shutdown period following their agency's thorough review of all the well testing data. During non-shutdown water district usage, the rate of water withdrawal needed to supply water district users is estimated to be 20 gallons per minute.

The map on Exhibit A indicates the boundaries of the proposed Town Water District No. 5, the *proposed wells, the water treatment facility, and the water distribution mains planned to be installed in the public road right-of-ways within the proposed water district*. The proposed water district will serve 86 properties within its boundaries. Water services to individual homes within the water district will be connected to the water distribution mains that will be located in the road right-of-ways. Fire hydrants will be installed in the proposed water district to improve area fire protection. The cost of all improvements within the proposed water district boundary has been preliminarily estimated to be \$2,375,000. The cost of all the above described improvements will be reimbursed to the Town as described in an Intergovernmental Agreement between the Town and the NYC Department of Environmental Protection (DEP). Accordingly, the proposed water district will be a "no cost improvement district" to the district residents, with all planning, design, acquisition and construction costs reimbursed by the DEP.

Although the details of the water district's design has not yet been completed, the operation and maintenance of the proposed water district has been estimated to cost the average user \$18 per month, based on a 3 bedroom home with average usage of 200 gallons per day. The estimates of the water district's operation and maintenance costs were based on industry standard costs for this type of groundwater source and supply public water system. The proposed water system will be operated under the strict requirements of the NYS Department of Health, including regular water quality testing and monitoring. Water use rates will be reviewed on an annual basis and adjusted when required by the Town Board to ensure that water district expenses correlate with water district revenues.

**Petition of Property Owners for Establishment of Water District**

-----

In the Matter of the Establishment of  
Water District No. 5, in the Town of New Paltz,  
County of Ulster, State of New York

PETITION OF  
PROPERTY OWNERS

-----

TO THE TOWN BOARD OF THE TOWN OF NEW PALTZ,  
IN THE COUNTY OF ULSTER, STATE OF NEW YORK:

We, the undersigned petitioners, being the owners of taxable real property situate in the proposed water district hereinafter described, and owning in the aggregate more than one-half of the assessed valuation of all the taxable real property in said proposed water district, as shown upon the latest completed assessment roll of the Town of New Paltz (hereinafter the "Town"), in the County of Ulster, State of New York, and resident owners owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property in the proposed water district owned by resident owners, according to said latest completed assessment roll, do hereby petition your Honorable Board to establish Water District No. 5 which shall comprise that portion of said Town outside of any incorporated village or city and wholly within said Town and shall be bounded as described on Exhibit A attached hereto and made a part hereof.

This petition is submitted with the understanding that all construction work for the laying out and installing of the improvements within said proposed District as described on said Exhibit A will be paid for initially by the Town [district] but reimbursed by the City of New York Department of Environmental Protection ("DEP") pursuant to a separate intergovernmental agreement, so that no expenses occasioned by the creation of said District herein petitioned shall be levied and collected from the several lots and parcels of land within the said District by assessment or otherwise and any and all of such work will be done and completed by said DEP in accordance with the map and plan hereinafter described. Further it is understood by the undersigned petitioners that the Town intends to construct all improvements within said Water District as aforesaid and will accept title thereto by itself or by the government agent for said District, free and clear of encumbrances except right of access to said improvements by adjoining landowners, [and DEP pursuant to special agreement].

Accompanying this petition and annexed hereto as Exhibit B are a map and plan prepared by David Clouser & Associates, duly licensed by the State of New York, showing the boundaries of the proposed District and a general plan of the proposed water system to be constructed therefor including all outlets and the terminus and course of each proposed main.

The maximum amount proposed to be expended for the construction of the proposed water system is estimated to be \$2,375,000.00, and after reimbursement of all eligible expenses from DEP, is \$0.00 dollars.

The expense of operation and maintenance of said Water District No. 5 shall be assessed, levied and collected from the several lots and parcels of land within the proposed Water District

No. 5 so much upon and from each as shall be in just proportion to the amount of benefit which the Town Board shall determine the improvement shall confer upon the same.

WHEREFORE, your petitioners respectfully submit this petition for your approval and ask that you take all necessary actions as may be needed so as to permit the progress of the construction of the improvements herein recited and set forth.

Dated:

Subscribing Witness	Date of Signing	Signature of Property Owner	Residence of Owner	Assessed Valuation on Last Assessment Roll [fill in later]
David A. Rosenberger	12/14/2015	[Signature]	120 PLAINS RD NP	\$ 255,050
David A. Rosenberger	10/14/2015	[Signature]	123 PLAINS RD	
David A. Rosenberger	11/14/2015	[Signature]	123 PLAIN RD	233,564
David A. Rosenberger	12/14/15	[Signature]	4 WOODLAND DR.	272,673
David A. Rosenberger	10/14/15	Cal C. No. 1	120 PLAINS ROAD	

STATEMENT OF WITNESS [required on each page of signatures]

I, David A. Rosenberger (name of witness) state: I am a duly qualified voter of the State of New York and now reside at 8 Woodland Dr. New Paltz, NY (residence address). Each of the individuals whose names are subscribed to this petition sheet containing. 5 (fill in number) signatures, subscribed the same in my presence on the dates above indicated and identified himself or herself to be the individual who signed this sheet. I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

Date: Nov 18, 2015 Witness Signature: David A. Rosenberger

UNIFORM FORM OF SUBSCRIBING WITNESS ACKNOWLEDGMENT

STATE OF NEW YORK ) ss:

COUNTY OF ULSTER )

On the 18<sup>th</sup> day of November in the year 2015 before me, the undersigned, a notary public in and for said state, personally appeared David A. Rosenberger, the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in [address]; that he/she/they know(s) [name] to be

8 Woodland Dr.  
New Paltz, NY

David A. Rosenberger

the individual described in and who executed the foregoing instrument; that the said subscribing witness(es) was (were) present and saw said Paul A. Rosenberg execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness thereto.

JENNIFER S. CHANG  
NOTARY PUBLIC-STATE OF NEW YORK

No. 02CH6231719

Qualified in Ulster County

My Commission Expires November 29, 2016

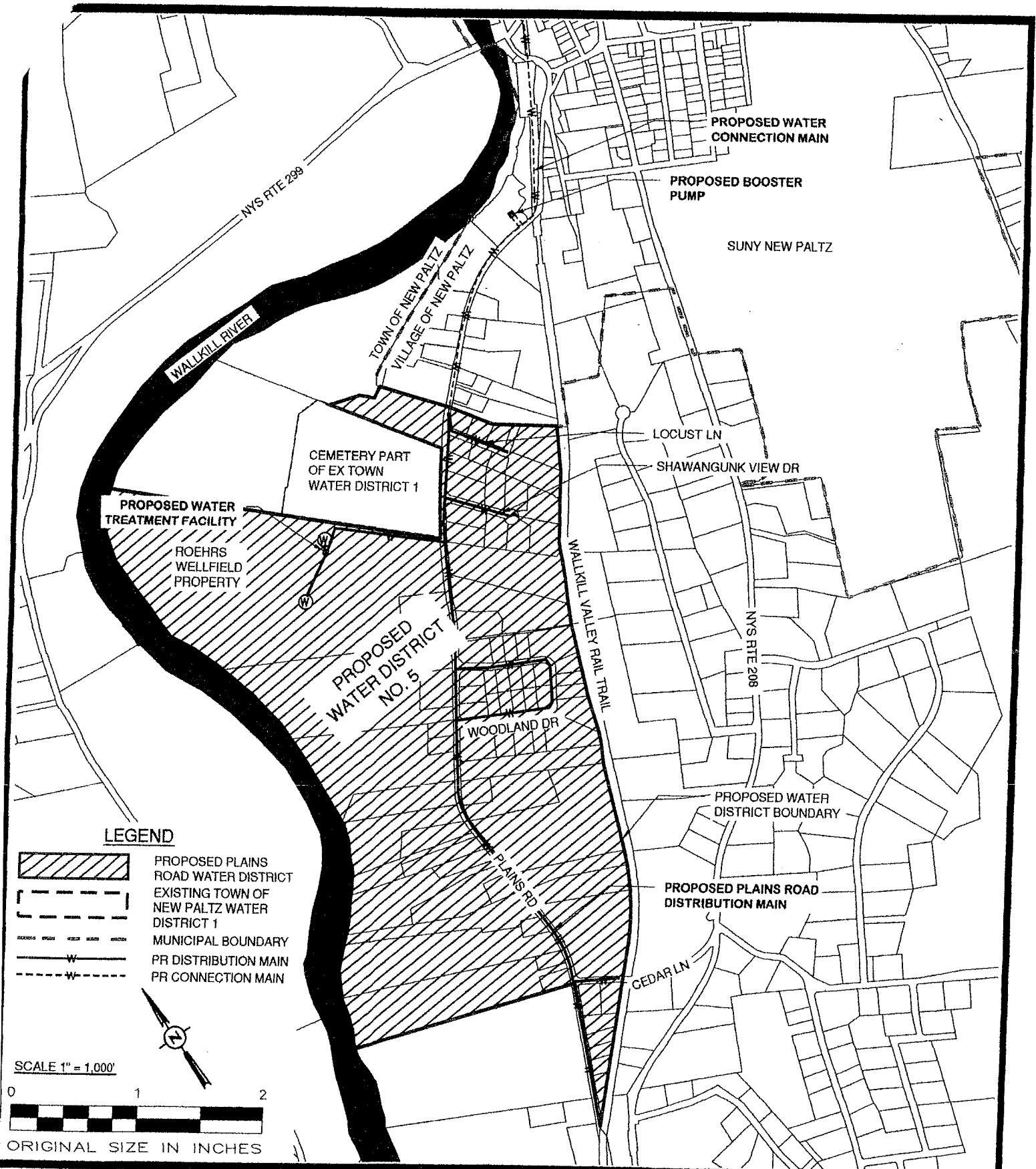
Jennifer S. Chang  
Notary Public (seal)


[In lieu of the signed statement of a witness who is a duly qualified voter of the state *qualified to sign the petition*, the following statement signed by a notary public or commissioner of deeds shall be accepted:]

On the dates above indicated before me personally came each of the voters whose signatures appear on this petition sheet containing . . . . . (fill in number) signatures, who signed same in my presence and who, being by me duly sworn, each for himself or herself, said that the foregoing statement made and subscribed by him or her, was true.

[signature] \_\_\_\_\_

[Office]



 © David Clouser & Associates	<b>PROPOSED WATER DISTRICT NO. 5</b>		DATE 08/31/15	DRAWN BY MLT
	<b>PROPOSED ROEHRS WELLFIELD WATER DISTRICT BOUNDARY MAP</b>		PROJECT NO. 55008	
	TOWN OF NEW PALTZ ULSTER COUNTY, NEW YORK		SHEET NO.	
			<b>EXHIBIT-A</b>	

## **EXHIBIT B - Map and Plan Description of Proposed Water District No. 5**

As a result of a detailed investigation of groundwater resources available to the New Paltz community, a plentiful and high quality water supply source was identified at 101 Plains Road (the Roehrs Construction permitted Gravel Mine). This water supply source was tested and determined to be of ample capacity and appropriate quality to supply a portion of the water needs of the Village of New Paltz as a backup water supply during the planned Catskill Aqueduct maintenance shutdown. To develop this water supply source, a recommendation was made in the Water Supply Investigation's 2014 Final Report to develop the water source in accordance with all NYS Department of Environmental Conservation and NYS Department of Health regulatory requirements, and to establish a water district in the Plains Road area of the Town. The development of a permanent water supply would ensure a continuous, safe public water supply to the residents within the proposed water district. The development of the water district would also mitigate any impacts that the use of the 101 Plains Road wellsite might impose on nearby individual wells during scheduled aqueduct maintenance shutdown periods when a backup water supply would require increased water supply usage.

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The map on Exhibit A indicates the boundaries of the proposed Town Water District No. 5, the proposed wells, the water treatment facility, and the water distribution mains planned to be installed in the public road right-of-ways within the proposed water district. The proposed water district will serve 86 properties within its boundaries. Water services to individual homes within the water district will be connected to the water distribution mains that will be located in the road right-of-ways. Fire hydrants will be installed in the proposed water district to improve area fire protection. The cost of all improvements within the proposed water district boundary has been preliminarily estimated to be \$2,375,000. The cost of all the above described improvements will be reimbursed to the Town as described in an Intergovernmental Agreement between the Town and the NYC Department of Environmental Protection (DEP). Accordingly, the proposed water district will be a "no cost improvement district" to the district residents, with all planning, design, acquisition and construction costs reimbursed by the DEP.

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**Petition of Property Owners for Establishment of Water District**

-----

In the Matter of the Establishment of  
Water District No. 5, in the Town of New Paltz,  
County of Ulster, State of New York

PETITION OF  
PROPERTY OWNERS

-----

TO THE TOWN BOARD OF THE TOWN OF NEW PALTZ,  
IN THE COUNTY OF ULSTER, STATE OF NEW YORK:

We, the undersigned petitioners, being the owners of taxable real property situate in the proposed water district hereinafter described, and owning in the aggregate more than one-half of the assessed valuation of all the taxable real property in said proposed water district, as shown upon the latest completed assessment roll of the Town of New Paltz (hereinafter the "Town"), in the County of Ulster, State of New York, and resident owners owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property in the proposed water district owned by resident owners, according to said latest completed assessment roll, do hereby petition your Honorable Board to establish Water District No. 5 which shall comprise that portion of said Town outside of any incorporated village or city and wholly within said Town and shall be bounded as described on Exhibit A attached hereto and made a part hereof.

This petition is submitted with the understanding that all construction work for the laying out and installing of the improvements within said proposed District as described on said Exhibit A will be paid for initially by the Town [district] but reimbursed by the City of New York Department of Environmental Protection ("DEP") pursuant to a separate intergovernmental agreement, so that no expenses occasioned by the creation of said District herein petitioned shall be levied and collected from the several lots and parcels of land within the said District by assessment or otherwise and any and all of such work will be done and completed by said DEP in accordance with the map and plan hereinafter described. Further it is understood by the undersigned petitioners that the Town intends to construct all improvements within said Water District as aforesaid and will accept title thereto by itself or by the government agent for said District, free and clear of encumbrances except right of access to said improvements by adjoining landowners, [and DEP pursuant to special agreement].

Accompanying this petition and annexed hereto as Exhibit B are a map and plan prepared by David Clouser & Associates, duly licensed by the State of New York, showing the boundaries of the proposed District and a general plan of the proposed water system to be constructed therefor including all outlets and the terminus and course of each proposed main.

The maximum amount proposed to be expended for the construction of the proposed water system is estimated to be \$2,375,000.00, and after reimbursement of all eligible expenses from DEP, is \$0.00 dollars.

The expense of operation and maintenance of said Water District No. 5 shall be assessed, levied and collected from the several lots and parcels of land within the proposed Water District

No. 5 so much upon and from each as shall be in just proportion to the amount of benefit which the Town Board shall determine the improvement shall confer upon the same.

WHEREFORE, your petitioners respectfully submit this petition for your approval and ask that you take all necessary actions as may be needed so as to permit the progress of the construction of the improvements herein recited and set forth.

Dated:

Subscribing Witness	Date of Signing	Signature of Property Owner	Residence of Owner	Assessed Valuation on Last Assessment Roll [fill in later]
David Rosenberg	10/17/15	[Signature]	5 Locust Ln. N.P.	\$283,267
David Rosenberg	10/17/15	[Signature]	5 Locust Lane N.P.	
David Rosenberg	10/17/15	[Signature]	2 Locust Ln N.P.	252,970
David Rosenberg	10/17/15	[Signature]	170 Plains Rd N.P.	221,485
David Rosenberg	10/17/15	[Signature]	20 Woodland Dr N.P.	296,337
David Rosenberg	10/17/15	[Signature]	20 Woodland Dr N.P.	

STATEMENT OF WITNESS [required on each page of signatures]

I, David A. Rosenberg (name of witness) state: I am a duly qualified voter of the State of New York and now reside at 8 Woodland Dr New Paltz NY (residence address). Each of the individuals whose names are subscribed to this petition sheet containing. 6 (fill in number) signatures, subscribed the same in my presence on the dates above indicated and identified himself or herself to be the individual who signed this sheet. I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

Date: Nov. 18, 2015 Witness Signature: David A. Rosenberg

UNIFORM FORM OF SUBSCRIBING WITNESS ACKNOWLEDGMENT

STATE OF NEW YORK ) ss:  
COUNTY OF WESTER )

On the 16<sup>th</sup> day of November in the year 2015 before me, the undersigned, a notary public in and for said state, personally appeared David A. Rosenberg, the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in 8 Woodland Dr New Paltz NY; that he/she/they know(s) David A. Rosenberg to be

the individual described in and who executed the foregoing instrument; that the said subscribing witness(es) was (were) present and saw said [name] execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness thereto.

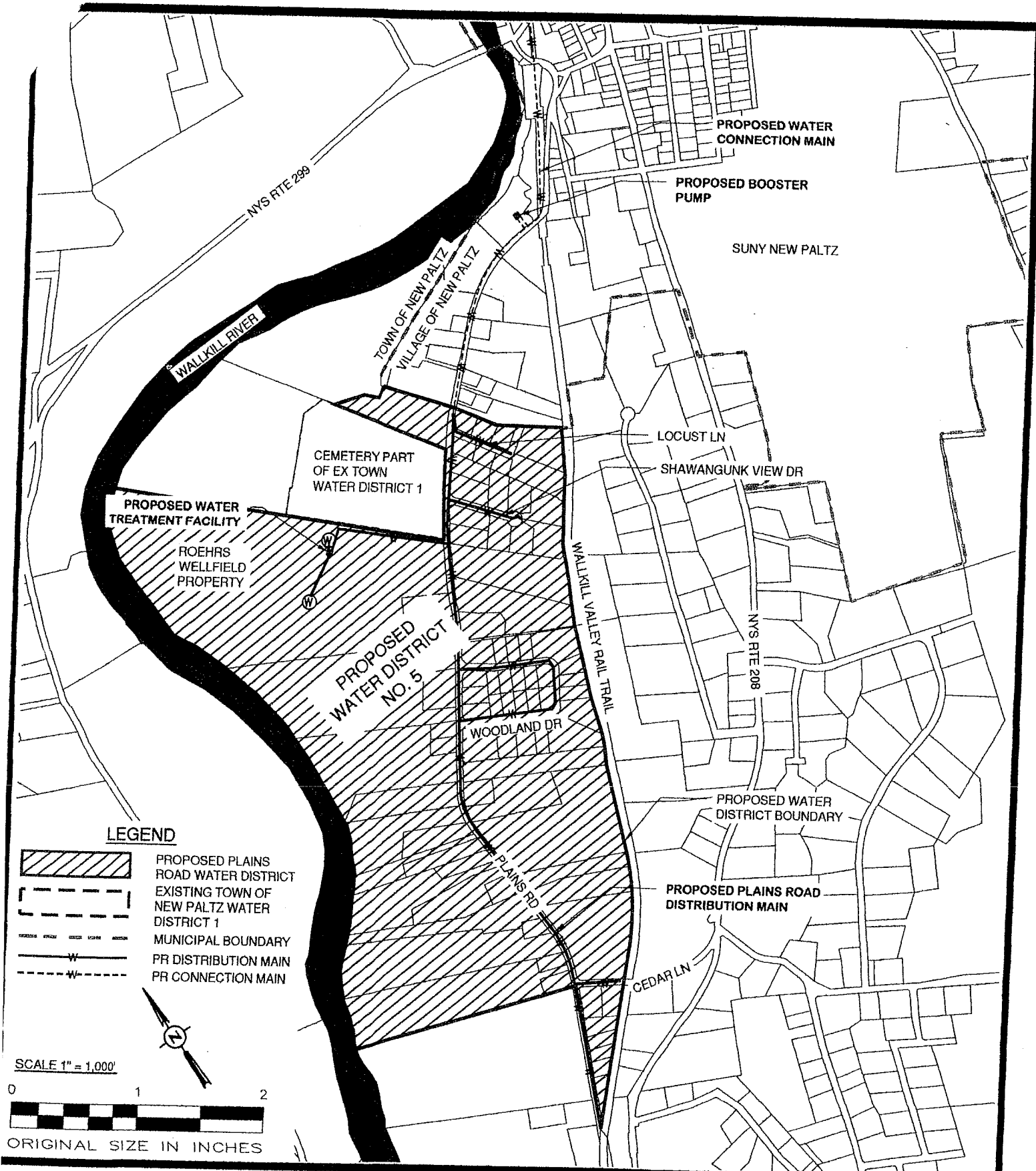
JENNIFER S. CHANG  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02CH6231719  
Qualified in Ulster County  
My Commission Expires November 29, 2016

[Signature]  
Notary Public (seal)

[In lieu of the signed statement of a witness who is a duly qualified voter of the state *qualified to sign the petition*, the following statement signed by a notary public or commissioner of deeds shall be accepted:]

On the dates above indicated before me personally came each of the voters whose signatures appear on this petition sheet containing . . . . . (fill in number) signatures, who signed same in my presence and who, being by me duly sworn, each for himself or herself, said that the foregoing statement made and subscribed by him or her, was true.

[signature] \_\_\_\_\_  
[Office]



**dca**

© David Clouser & Associates

## PROPOSED WATER DISTRICT NO. 5

### PROPOSED ROEHRS WELLFIELD WATER DISTRICT BOUNDARY MAP

TOWN OF NEW PALTZ  
ULSTER COUNTY, NEW YORK

DATE 08/31/15 DRAWN BY MLT

PROJECT NO.

55008

SHEET NO.

**EXHIBIT-A**

## **EXHIBIT B - Map and Plan Description of Proposed Water District No. 5**

As a result of a detailed investigation of groundwater resources available to the New Paltz community, a plentiful and high quality water supply source was identified at 101 Plains Road (the Roehrs Construction permitted Gravel Mine). This water supply source was tested and determined to be of ample capacity and appropriate quality to supply a portion of the water needs of the Village of New Paltz as a backup water supply during the planned Catskill Aqueduct maintenance shutdown. To develop this water supply source, a recommendation was made in the Water Supply Investigation's 2014 Final Report to develop the water source in accordance with all NYS Department of Environmental Conservation and NYS Department of Health regulatory requirements, and to establish a water district in the Plains Road area of the Town. The development of a permanent water supply would ensure a continuous, safe public water supply to the residents within the proposed water district. The development of the water district would also mitigate any impacts that the use of the 101 Plains Road wellsite might impose on nearby individual wells during scheduled aqueduct maintenance shutdown periods when a backup water supply would require increased water supply usage.

During periods of the aqueduct maintenance shutdown, the maximum withdrawal rate will be no more than 400 gallons per minute. This 400 gallon per minute withdrawal rate was proven safe and accepted by the NYS Department of Conservation throughout the 10-week maximum duration shutdown period following their agency's thorough review of all the well testing data. During non-shutdown water district usage, the rate of water withdrawal needed to supply water district users is estimated to be 20 gallons per minute.

The map on Exhibit A indicates the boundaries of the proposed Town Water District No. 5, the proposed wells, the water treatment facility, and the water distribution mains planned to be installed in the public road right-of-ways within the proposed water district. The proposed water district will serve 86 properties within its boundaries. Water services to individual homes within the water district will be connected to the water distribution mains that will be located in the road right-of-ways. Fire hydrants will be installed in the proposed water district to improve area fire protection. The cost of all improvements within the proposed water district boundary has been preliminarily estimated to be \$2,375,000. The cost of all the above described improvements will be reimbursed to the Town as described in an Intergovernmental Agreement between the Town and the NYC Department of Environmental Protection (DEP). Accordingly, the proposed water district will be a "no cost improvement district" to the district residents, with all planning, design, acquisition and construction costs reimbursed by the DEP.

Although the details of the water district's design has not yet been completed, the operation and maintenance of the proposed water district has been estimated to cost the average user \$18 per month, based on a 3 bedroom home with average usage of 200 gallons per day. The estimates of the water district's operation and maintenance costs were based on industry standard costs for this type of groundwater source and supply public water system. The proposed water system will be operated under the strict requirements of the NYS Department of Health, including regular water quality testing and monitoring. Water use rates will be reviewed on an annual basis and adjusted when required by the Town Board to ensure that water district expenses correlate with water district revenues.

**Petition of Property Owners for Establishment of Water District**

In the Matter of the Establishment of  
Water District No. 5, in the Town of New Paltz,  
County of Ulster, State of New York

PETITION OF  
PROPERTY OWNERS

TO THE TOWN BOARD OF THE TOWN OF NEW PALTZ,  
IN THE COUNTY OF ULSTER, STATE OF NEW YORK:

We, the undersigned petitioners, being the owners of taxable real property situate in the proposed water district hereinafter described, and owning in the aggregate more than one-half of the assessed valuation of all the taxable real property in said proposed water district, as shown upon the latest completed assessment roll of the Town of New Paltz (hereinafter the "Town"), in the County of Ulster, State of New York, and resident owners owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property in the proposed water district owned by resident owners, according to said latest completed assessment roll, do hereby petition your Honorable Board to establish Water District No. 5 which shall comprise that portion of said Town outside of any incorporated village or city and wholly within said Town and shall be bounded as described on Exhibit A attached hereto and made a part hereof.

This petition is submitted with the understanding that all construction work for the laying out and installing of the improvements within said proposed District as described on said Exhibit A will be paid for initially by the Town [district] but reimbursed by the City of New York Department of Environmental Protection ("DEP") pursuant to a separate intergovernmental agreement, so that no expenses occasioned by the creation of said District herein petitioned shall be levied and collected from the several lots and parcels of land within the said District by assessment or otherwise and any and all of such work will be done and completed by said DEP in accordance with the map and plan hereinafter described. Further it is understood by the undersigned petitioners that the Town intends to construct all improvements within said Water District as aforesaid and will accept title thereto by itself or by the government agent for said District, free and clear of encumbrances except right of access to said improvements by adjoining landowners, [and DEP pursuant to special agreement].

Accompanying this petition and annexed hereto as Exhibit B are a map and plan prepared by David Clouser & Associates, duly licensed by the State of New York, showing the boundaries of the proposed District and a general plan of the proposed water system to be constructed therefor including all outlets and the terminus and course of each proposed main.

The maximum amount proposed to be expended for the construction of the proposed water system is estimated to be \$2,375,000.00, and after reimbursement of all eligible expenses from DEP, is \$0.00 dollars.

The expense of operation and maintenance of said Water District No. 5 shall be assessed, levied and collected from the several lots and parcels of land within the proposed Water District

No. 5 so much upon and from each as shall be in just proportion to the amount of benefit which the Town Board shall determine the improvement shall confer upon the same.

WHEREFORE, your petitioners respectfully submit this petition for your approval and ask that you take all necessary actions as may be needed so as to permit the progress of the construction of the improvements herein recited and set forth.

Dated:

<u>Subscribing Witness</u>	<u>Date of Signing</u>	<u>Signature of Property Owner</u>	<u>Residence of Owner</u>	<u>Assessed Valuation on Last Assessment Roll [fill in later]</u>
<u>Carol J. Rosenberger</u>	<u>10/24/15</u>	<u>Ralph She</u>	<u>3 WOODLAND DRIVE</u>	<u>\$ 217,426</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

STATEMENT OF WITNESS [required on each page of signatures]

I, CAROL J. ROSENBERGER (name of witness) state: I am a duly qualified voter of the State of New York and now reside at 3 WOODLAND DRIVE, NEW PALTZ, NY 12561 (residence address). Each of the individuals whose names are subscribed to this petition sheet containing 1 (fill in number) signatures, subscribed the same in my presence on the dates above indicated and identified himself or herself to be the individual who signed this sheet. I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn. CJR

Date: 11/18/15 Witness Signature: Carol J. Rosenberger

UNIFORM FORM OF SUBSCRIBING WITNESS ACKNOWLEDGMENT

STATE OF NEW YORK ) ss:  
COUNTY OF ULSTER (name of county) )

On the 18<sup>th</sup> day of Nov. in the year 2015 before me, the undersigned, a notary public in and for said state, personally appeared CAROL J. ROSENBERGER, the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in [address]; that he/she/they know(s) [name] to be 3 WOODLAND DRIVE, NEW PALTZ, NY 12561 CAROL J. ROSENBERGER

the individual described in and who executed the foregoing instrument; that the said subscribing witness(es) was (were) present and saw said [name] execute the same, and that said witness(es) at the same time subscribed his/her/their name(s) as a witness thereto. *Ma*

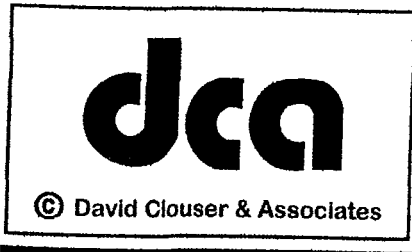
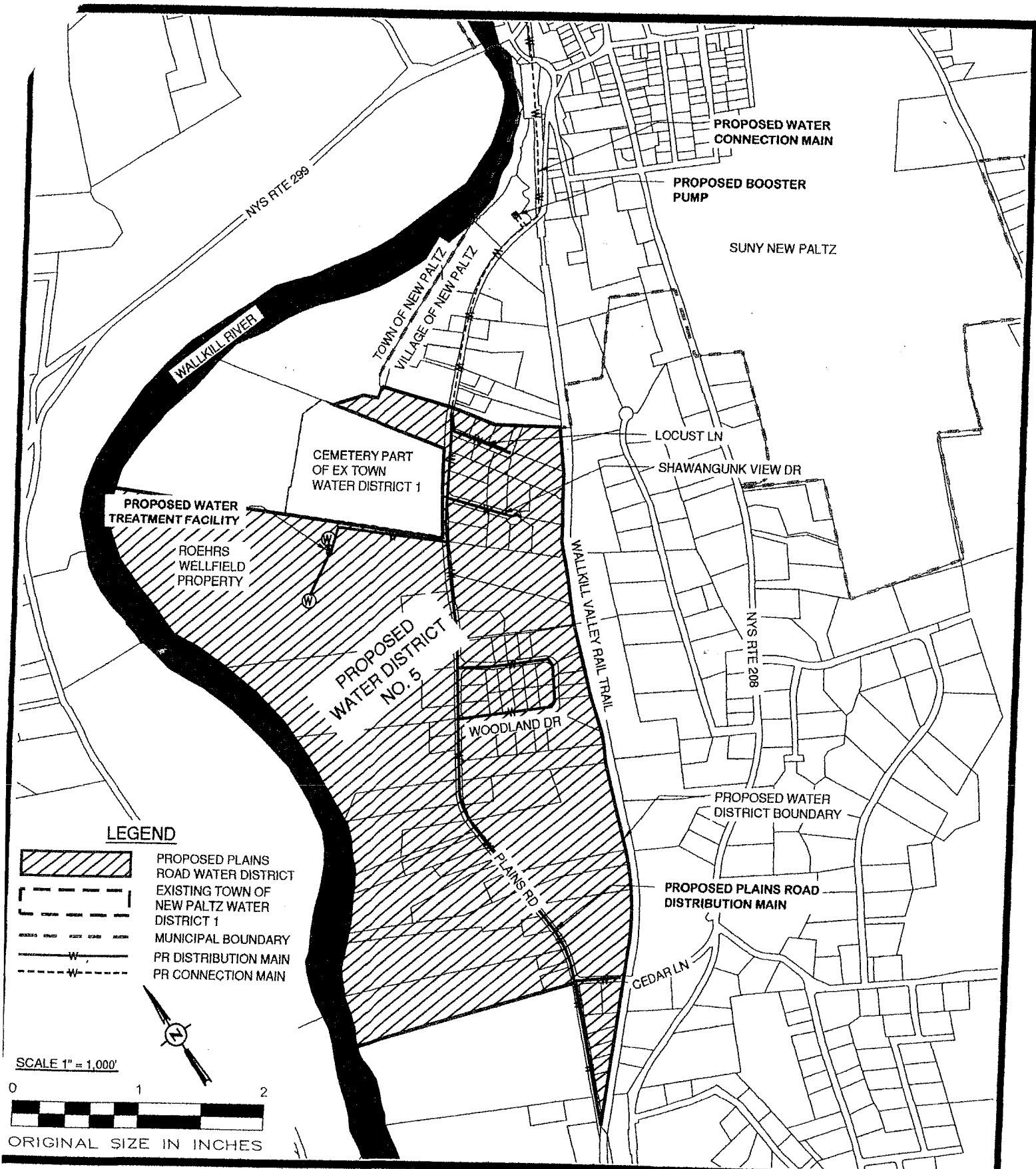
JENNIFER S. CHANG  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02CH6231719  
Qualified in Ulster County  
My Commission Expires November 29, 2010

*Jennifer S. Chang*  
Notary Public (seal)

[In lieu of the signed statement of a witness who is a duly qualified voter of the state *qualified to sign the petition*, the following statement signed by a notary public or commissioner of deeds shall be accepted:]

On the dates above indicated before me personally came each of the voters whose signatures appear on this petition sheet containing . . . . . (fill in number) signatures, who signed same in my presence and who, being by me duly sworn, each for himself or herself, said that the foregoing statement made and subscribed by him or her, was true.

[signature] \_\_\_\_\_  
[Office]



**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.	
<b>EXHIBIT-A</b>	

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The map on Exhibit A indicates the boundaries of the proposed Town Water District No. 5, the proposed wells, the water treatment facility, and the water distribution mains planned to be installed in the public road right-of-ways within the proposed water district. The proposed water district will serve 86 properties within its boundaries. Water services to individual homes within the water district will be connected to the water distribution mains that will be located in the road right-of-ways. Fire hydrants will be installed in the proposed water district to improve area fire protection. The cost of all improvements within the proposed water district boundary has been preliminarily estimated to be \$2,375,000. The cost of all the above described improvements will be reimbursed to the Town as described in an Intergovernmental Agreement between the Town and the NYC Department of Environmental Protection (DEP). Accordingly, the proposed water district will be a "no cost improvement district" to the district residents, with all planning, design, acquisition and construction costs reimbursed by the DEP.

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9

**Petition of Property Owners for Establishment of Water District**

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In the Matter of the Establishment of  
Water District No. 5, in the Town of New Paltz,  
County of Ulster, State of New York

PETITION OF  
PROPERTY OWNERS

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TO THE TOWN BOARD OF THE TOWN OF NEW PALTZ,  
IN THE COUNTY OF ULSTER, STATE OF NEW YORK:

We, the undersigned petitioners, being the owners of taxable real property situate in the proposed water district hereinafter described, and owning in the aggregate more than one-half of the assessed valuation of all the taxable real property in said proposed water district, as shown upon the latest completed assessment roll of the Town of New Paltz (hereinafter the "Town"), in the County of Ulster, State of New York, and resident owners owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property in the proposed water district owned by resident owners, according to said latest completed assessment roll, do hereby petition your Honorable Board to establish Water District No. 5 which shall comprise that portion of said Town outside of any incorporated village or city and wholly within said Town and shall be bounded as described on Exhibit A attached hereto and made a part hereof.

This petition is submitted with the understanding that all construction work for the laying out and installing of the improvements within said proposed District as described on said Exhibit A will be paid for initially by the Town [district] but reimbursed by the City of New York Department of Environmental Protection ("DEP") pursuant to a separate intergovernmental agreement, so that no expenses occasioned by the creation of said District herein petitioned shall be levied and collected from the several lots and parcels of land within the said District by assessment or otherwise and any and all of such work will be done and completed by said DEP in accordance with the map and plan hereinafter described. Further it is understood by the undersigned petitioners that the Town intends to construct all improvements within said Water District as aforesaid and will accept title thereto by itself or by the government agent for said District, free and clear of encumbrances except right of access to said improvements by adjoining landowners, [and DEP pursuant to special agreement].

Accompanying this petition and annexed hereto as Exhibit B are a map and plan prepared by David Clouser & Associates, duly licensed by the State of New York, showing the boundaries of the proposed District and a general plan of the proposed water system to be constructed therefor including all outlets and the terminus and course of each proposed main.


The maximum amount proposed to be expended for the construction of the proposed water system is estimated to be \$2,375,000.00, and after reimbursement of all eligible expenses from DEP, is \$0.00 dollars.

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WHEREFORE, your petitioners respectfully submit this petition for your approval and ask that you take all necessary actions as may be needed so as to permit the progress of the construction of the improvements herein recited and set forth.

Dated:

Subscribing Witness	Date of Signing	Signature of Property Owner	Residence of Owner	Assessed Valuation on Last Assessment Roll [fill in later]
David Rosenberg	10/17/15		12 Woodland Dr. NP	\$226,733
David Rosenberger	10/23/15	Marion Weiss	22 Woodland Dr.	229,208
David Rosenberger	10/22/15	Frank Lopez	174 Plains Rd NP2	207,525
David Rosenberger	10/22/15	William (Pam) [unclear]	181 Plains NP2	201,782
David Rosenberger	10/24/15	Stephen J. DeBry	5 Woodland Dr. NP	247,129

STATEMENT OF WITNESS [required on each page of signatures]

I, David Rosenberg (name of witness) state: I am a duly qualified voter of the State of New York and now reside at 8 Woodland Drive, New Paltz, NY (residence address). Each of the individuals whose names are subscribed to this petition sheet containing 5 (fill in number) signatures, subscribed the same in my presence on the dates above indicated and identified himself or herself to be the individual who signed this sheet. I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

Date: Nov. 18, 2015

Witness Signature: David A. Rosenberg

UNIFORM FORM OF SUBSCRIBING WITNESS ACKNOWLEDGMENT

STATE OF NEW YORK ) ss:  
COUNTY OF ULSTER )

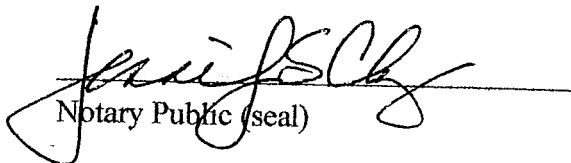
On the 18 day of November in the year 2015 before me, the undersigned, a notary public in and for said state, personally appeared David A. Rosenberg, the subscribing witness(es) to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in address; that he/she/they know(s) name to be

8 Woodland Dr.  
New Paltz, NY

David A. Rosenberg

the individual described in and who executed the foregoing instrument; that the said subscribing witness(es) was (were) present and saw said [name] execute the same; and that said witness(es) at the same time subscribed his/her/their name(s) as a witness thereto.

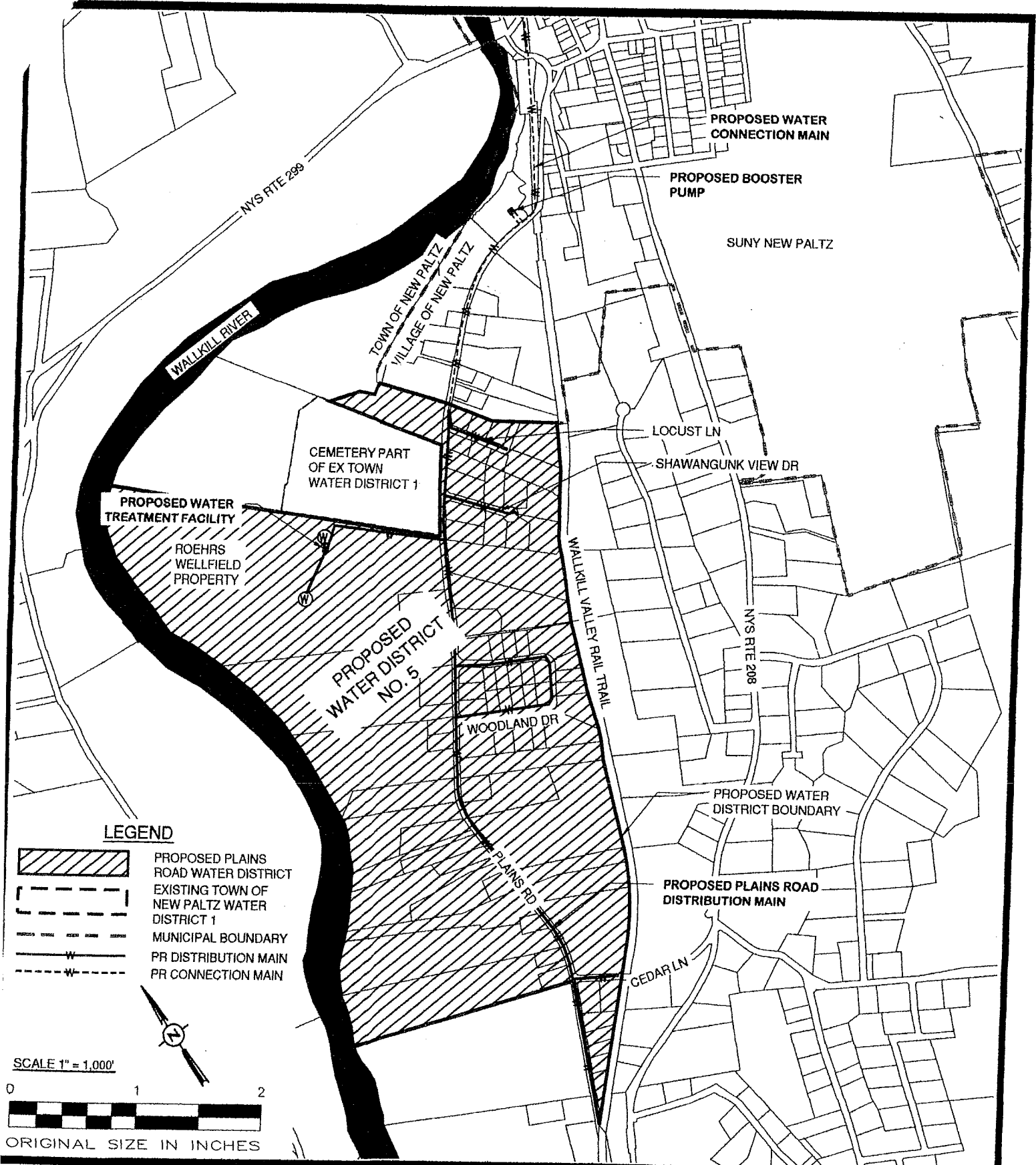

JENNIFER S. CHANG  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02CH6231719  
Qualified in Ulster County  
My Commission Expires November 29, 2018

  
Notary Public (seal)

[In lieu of the signed statement of a witness who is a duly qualified voter of the state *qualified to sign the petition*, the following statement signed by a notary public or commissioner of deeds shall be accepted:]

On the dates above indicated before me personally came each of the voters whose signatures appear on this petition sheet containing . . . . . (fill in number) signatures, who signed same in my presence and who, being by me duly sworn, each for himself or herself, said that the foregoing statement made and subscribed by him or her, was true.

[signature] \_\_\_\_\_  
[Office]

© David Clouser & Associates

**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.	
<b>EXHIBIT-A</b>	

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David Rosenberger	10-24-15	[Signature]	139 Plains Rd	\$220,297
David Rosenberger	10-24-15	[Signature]	111	
David Rosenberger	10/24/15	[Signature]	151 Plains	375,347
David Rosenberger	10/24/15	[Signature]	88 Plains Rd.	286,733
David Rosenberger	10/24/15	[Signature]	10 LOCUST LANE, NEW ALBANY	253,267

STATEMENT OF WITNESS [required on each page of signatures]

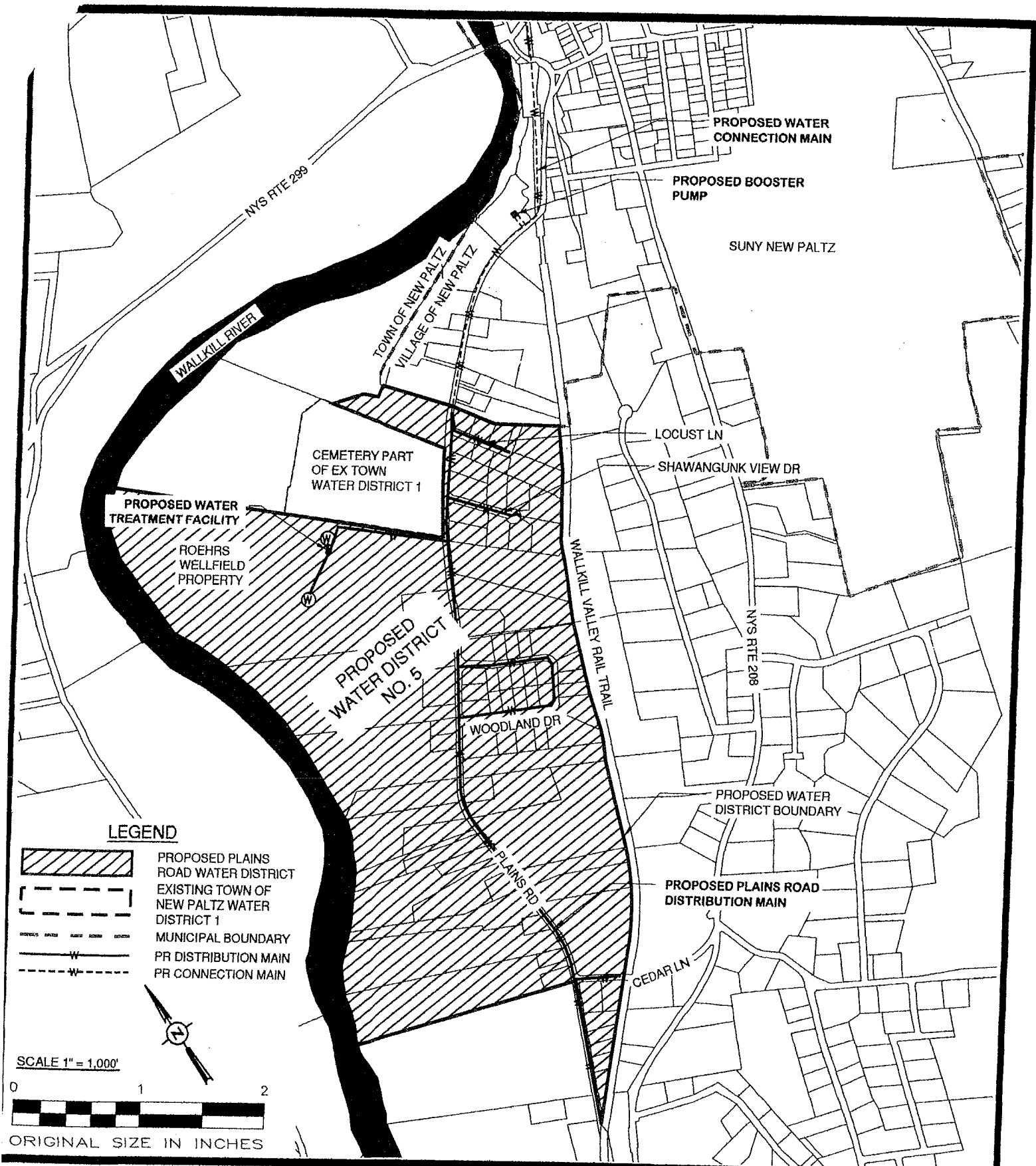

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© David Clouser & Associates

**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
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