

STATE OF NEW YORK  
CONSERVATION DEPARTMENT  
DIVISION OF WATER POWER AND CONTROL



WATER POWER AND CONTROL COMMISSION

Water Supply Application No. 493

CITY OF KINGSTON  
(2nd Application)

D E C I S I O N

OFFICIAL RECORD

TO REMAIN IN THE CUSTODY OF THE WATER POWER AND CONTROL COMMISSION

State of New York  
Department of Conservation  
WATER POWER AND CONTROL COMMISSION

Water Supply Application No. 493

In the Matter of the Application

- of the -

CITY OF KINGSTON

for approval of its acquisition of  
an additional source of water supply,  
for increasing the storage in Cooper  
Lake, for constructing the Mink Hol-  
low conduits and Cooper Lake conduit,  
for constructing Binnewater equaliz-  
ing reservoir, and for reinforcing  
the distribution system.

2nd Application.

D E C I S I O N

Application filed January 7, 1929.

Hearing held in Kingston on February 1,  
1929 and April 9, 1929.

Decision May 27, 1929.

APPROVED

The petition, maps and profiles submitted having been examined, the witnesses called having been heard, together with arguments of counsel, and due deliberation thereon having been had, the Commission finds that it is necessary, in order to protect the water supply and interests of the applicant and of the inhabitants of the territory supplied by it with water, to protect the water supply and interests of other municipal corporations and other civil divisions of the State and the inhabitants thereof, to bring into co-operation all municipal corporations and other civil divisions of the State which may be affected thereby, to make just and equitable the submitted plan or scheme to determine and provide for the payment of the proper compensation for any and all legal damages to persons or property, whether direct or indirect, which will result from the acquiring of said lands and the execution of said plans, and to make safe all dams or reservoirs to be constructed by said plans, that the application, maps and plans submitted should be modified to conform to the following:

(1) The project which the city is authorized to carry out is as follows:

(a) To divert from Mink Hollow stream, above the existing intake, all of the water available therefrom; except that no water shall be so diverted when the natural flow of said stream, below said intake, would be equal to or less than 500,000 gallons per day.

(2) All watersheds from which the city of Kingston takes a supply of water shall be protected by rules and regulations enacted by the State Department of Health and duly put into effect.

(3) All water supplied or distributed by the city of Kingston shall have been purified by filtration and sterilization to the satisfaction of this Commission. The right is reserved to require the taking of additional precautions or the installation of additional purification works or processes if future analyses or inspections shall indicate necessity for so doing.

(4) On completion of the proposed additional pipe line between Mink Hollow stream and Cooper lake and the proposed pipe line to connect Cooper lake with the filter plant, Reservoirs Nos. 1 and 2, so-called, shall no longer be considered as duly authorized permanent sources of water supply for the city of Kingston. If, during an emergency, it shall thereafter be necessary to use water from said reservoirs, such action shall be deemed to be the utilization of an emergency source of water supply and shall be subject to the provisions of the Public Health Law with regard to such supplies.

(5) Except with the further consent and approval of this Commission, the city of Kingston shall neither make, suffer, nor allow to remain any connections to its pipe lines or reservoirs at any point above the filter plant, nor shall it supply or distribute for any purpose any water from such portions of its system, unless it, or the taker of the water, shall have previously obtained such consent and approval.

(6) Nothing in this approval shall be construed as giving the city of Kingston rights in the watersheds above described and above the proposed points of diversion superior to those of the inhabitants of such watersheds. The right of said inhabitants to be supplied with water from said watersheds, either by privately or publicly owned water supply systems, shall in no way be altered or abridged hereby, but shall remain exactly as they would have been if the city had never acquired any rights under this decision.

Fourth. That said plans provide for the proper protection of the supply and the watersheds from contamination and for the proper filtration of such additional supply.

Fifth. That said plans are just and equitable to the other municipalities and civil divisions of the State affected thereby and to the inhabitants thereof, particular consideration being given to their present and future necessities for sources of water supply.

Sixth. That said plans make fair and equitable provisions for the determination and payment of any and all legal damages to persons and property, both direct and indirect, which will result from the execution of said plans or the acquiring of said lands.

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June 17, 1929 - Certified Copy sent each of  
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