

Judith Hansen, Superintendent
Kingston Water Department
111 Jansen Avenue
Kingston, NY 12401
jhansen@kingston-ny.gov

November 17, 2014

Re: Freedom of Information Law (FOIL) Request

Dear Ms. Hansen:

Pursuant to New York's Freedom of Information Law (FOIL) Public Officers Law §87 et. seq., I hereby request that the City of Kingston's Water Department send all records and documented communications, including direct written correspondence and emails, *between* Niagara Bottling Company and/or its representatives and the Board of Water Commissioners — Joseph DeCicco, Al Radel, Robert Niedzielski, Raymond McSpirit, and Dennis Croswell. I also hereby request direct written correspondence and emails, *between* Niagara Bottling Company and/or its representatives and Mayor Shayne Gallo. And I hereby request direct written correspondence and emails, *between* the Town of Ulster and Mayor Shayne Gallo regarding the Niagara Bottling Company proposal.

Additionally, I hereby request all records and documented communication exchanged *among* the Kingston Water Department *about* the proposed Niagara Bottling Company facility, including written correspondence and emails, from Mayor Gallo and the Board of Water Commissioners — DeCicco, Radel, Niedzielski, McSpirit, and Croswell.

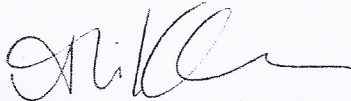
Lastly, I hereby request that the Kingston Water Department send all records and communications on file, including written correspondence and emails, specifically related to the proposed facility between Niagara Bottling Company and the Kingston Water Department.

I am requesting these records as a representative of Food & Water Watch, a non-profit consumer advocacy organization, which has an office in New York. I request a waiver of any fees because my interest in the records is not primarily commercial, and disclosure of the information will contribute significantly to public's understanding of the proposed Niagara Bottling Company's facility. I do not intend to use or forward the requested records, or the information contained in them, for commercial purposes.

If you deny any part of or this entire request, please provide an explanation, including legal authority, specifying the specific exemption you feel justifies the refusal to release the information.

Thank you for your prompt attention to this matter. Please contact me by phone (202-683-2507) or email (agross@fwwatch.org) if you have any questions.

Sincerely,



Alison K. Grass
Food & Water Watch
1616 P Street NW, Suite 300
Washington, DC 20036
T. 202-683-2507



November 24, 2014

Alison K. Grass
Food and Water Watch
1616 P Street NW, Suite 300
Washington, DC 20036

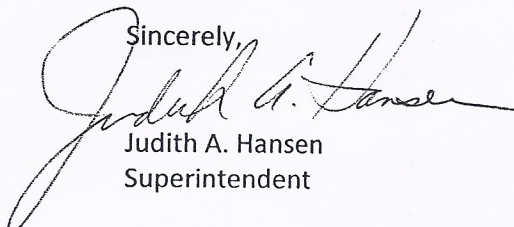
RE: Freedom of Information Law (FOIL) Request dated 11/17/2014

Dear Ms. Grass:

A search of our records reveals the following as it relates to your referenced FOIL request:

1. As described in paragraph 1 of your request, there are no records or documented communications between Niagara Bottling Company and the members of the Board of Water Commissioners (or the Board in its entirety).
2. Any written correspondence or emails that *may* exist between Mayor Shayne Gallo and the Niagara Bottling Co. is not within the purview of the Kingston Water Department (KWD) and would not be in our custody.
3. Similarly, any direct written correspondence, *should it exist*, between the Town of Ulster and Mayor Shayne Gallo is not within the purview of the Kingston Water Department and would not be in our custody.
4. There are no written communications about the proposed Niagara Bottling from Mayor Gallo and the Board of Water Commissioners.
5. The records regarding the balance of your request are available for inspection in the offices of the Kingston Water Department. You may make an appointment to review them by calling our Business Office at (845) 331-0175.
6. Regarding your request to waive the fees associated with copying these records will be submitted to the Board of Water Commissioners for their consideration. The next meeting of the Board is scheduled for December 10, 2014.

Please do not hesitate to contact me if you have questions or require additional information.

Sincerely,

Judith A. Hansen
Superintendent

Commissioners

Joseph DeCicco
President
Alfred Radel
Secretary
Raymond McSpirit
Robert Niedzielski
Dennis Crosswell



Shayne R. Gallo
Mayor

Judith A. Hansen
Superintendent

Kingston Water Department

PO Box 1537
Kingston, N.Y. 12402

September 15, 2014

Mr. Geoff Kamansky
Niagara Bottling, LLC
2560 E. Philadelphia St.
Ontario, CA 91761

Subject: Will Serve Letter for Niagara Bottling at 300 Enterprise Drive

Dear Mr. Kamansky:

This Will Serve Letter is for the proposed project to be located at 300 Enterprise Drive. The proposed project would create a water bottling plant at this location to be constructed by Niagara Bottling, LLC (Niagara).

As outlined in your email of April 15, 2014, Niagara's water demand for this project is as follows:

- Peak demand: 3,715 gallons per minute (GPM) (2,500 GPM (for backwash) + 1.75 million gallons per day (MGD) for bottling)
- Maximum Daily Demand: 1.75 MGD
- Minimum pressure at the delivery point of 50 pounds per square inch (psi)

In reply to your inquiry of August 11, 2014, we wish to advise that, based upon present daily consumption demands of the Kingston Water Department (KWD) water system and following completion of the renovations at its Water Treatment Plant that are slated to be completed in early 2015, the KWD will have the production, supply and delivery capability to supply the Niagara facility with a maximum daily demand not to exceed 1.0 MGD (695 GPM) and minimum pressure at the delivery point of 50 psi. The improvements to its treatment plant will also allow for a greater "production" capability by the KWD for future requirements. Additional improvements to the KWD water distribution system would be necessary to accomplish a higher "delivery" demand to the Niagara facility. In view of this, the Board of Water Commissioners of the City of Kingston Water Department (Board) commissioned its consultant, CDM Smith, to perform a demand analysis and has identified specific improvements to accomplish a "delivery" in excess of 1.0 MGD. The preliminary estimate for the cost of this work, without a geotechnical investigation and assuming minimal rock removal, is approximately \$2M.

Office: 111 Jansen Avenue (845) 331-0175 FAX (845) 340- 9209
E-MAIL: water@kingston-ny.gov

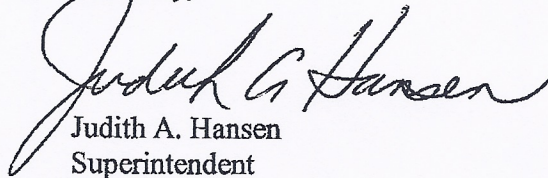
Page 2 of 2
Niagara Bottling, LLC
September 15, 2014

Additionally, under all demand scenarios, Niagara would have to construct a backwash tank capable of supplying their backwash demands. The tank should be sized appropriately and the influent flow to the tank would be limited to no more than 313 GPM to reduce head loss in the distribution system feeding the tank during tank fill cycles.

Therefore, in consideration of the aforementioned conditions and subject to agreement by the KWD Board and Niagara Bottling Co. LLC, the KWD is able to provide Niagara with the requested flows subject to the above. Please let me know if this meets your requirements so that we can execute a more formal agreement that is acceptable to both parties.

The Board of Water Commissioners looks forward to working with Niagara and welcomes you to the City of Kingston.

Sincerely;

A handwritten signature in cursive script, reading "Judith A. Hansen".

Judith A. Hansen
Superintendent

cc: Board of Water Commissioners

For Immediate Release
Monday, October 6, 2014
Proposed Sale of Water to Niagara Bottling LLC
Kingston Water Department

As has been reported, the Board of Water Commissioners received a request from Niagara Bottling LLC for the sale of up to 1.75 million gallons per day (MGD) in April 2014. This request was presented to the Board at their regular meeting on April, 9, 2014. All meetings of the Board of Water Commissioners are open to the public as well as the media. Following that meeting, the Board engaged an independent engineering firm to conduct an impact analysis on the effects of the potential sale. Working with the Department's professional staff, preliminary results of that analysis suggest that the Department has the available resources to supply and treat the requested flows. However, improvements to our infrastructure will be required to provide flows in excess of 1 MGD. Specifically, the installation of a 12-inch main parallel to the existing main, which was installed in the 1950's to serve IBM, will be required to deliver flows to the proposed Niagara site in excess of 1 MGD. Similarly, a short section of transmission main would have to be installed near our distribution reservoir to accommodate any flows to the system in excess of 5 MGD. Both improvements are located within the Town of Ulster. Discussions between the KWD and Niagara continue as Niagara works through its site selection process.

Questions have been raised in the media which focus on the wisdom of undertaking this sale as well as the adequacy of the City's water supply during a drought or similar shortage. These are valid concerns about our drinking water, undeniably one of the City's most valuable resources.

Droughts/Shortages:

With regard to droughts, they have occurred many times since the establishment of the KWD in 1895. For a water utility, the impact of a drought on the system is a function of precipitation as well as demand and, during the past 60 years, droughts of varying severity have occurred in 1957, 1964, 1965, 1967, 1980, 1985, 1988, 1991, 1992, and 2001. The shortage that occurred in 2012 was not the result of a lack of precipitation. Rather, it occurred due to a structural issue at our intake facility that stopped the flow of water into the Reservoir and caused a significant drawdown. Regardless, the impact on our customers was the same.

The Kingston Water Department, in close cooperation with our regulators in the NYS Department of Health and the Ulster County Health Department, closely monitor the levels in the Reservoir and the Water Department has developed protocols to deal with a worsening drought/water shortage. These include various conservation measures, which, at its most severe, could include the curtailment of all non-essential water use. The availability of back-up supplies like NYC's Ashokan Reservoir is also part of our emergency planning. Kingston has the right to obtain water from the Ashokan Reservoir and was poised to access this supply in both 1957 and

1981. In both years, while the equipment to do so was deployed, the droughts ended just prior to activation. Much more recently, the capability to augment our flows from both the Towns of Ulster and Esopus was developed through the cooperation and partnership of all 3 municipalities. We are grateful to both of our neighbors for working with us to develop this interoperability. During an emergency, water can flow from Kingston to our neighbors or from our neighbors to us. NYWARN, the mutual aid association for water utilities in New York State, establishes the framework for such an arrangement and all 3 communities are members.

The drought of 1957 was the worst on record for the KWD and Cooper Lake was depleted to 45% of its capacity, leaving only 60 days' supply in the Reservoir when sufficient rains ended the drought. At that time, the population of Kingston was approximately 30,000 and the average daily usage was 5.5 MGD. This included a 1 MGD commitment to IBM. Despite the conditions of 1957, the Department was able to withstand one of the worst droughts in its history while using considerably more water. Although IBM was cooperative and did cut its consumption during that emergency, it continued to operate. Following the events in 1957, the KWD undertook universal metering and, as a result, consumption dropped dramatically. Since that time, the population of the City has decreased by almost 20% and the daily usage, including the water sale to the Town of Ulster Water Districts and Tech City, still averages 3.9 MGD.

Additionally, as part of the Department's continuing efforts to improve efficiencies, plans are in place to conduct a system-wide leak detection survey in early 2015. Although the Department is aggressive in repairing leaks, we lack the resources to conduct a comprehensive system-wide evaluation. It is anticipated that this work will further reduce usage in the system. Finally, increasing the capacity of Cooper Lake has been discussed various times by the Board since 1961. Earlier this year, prior to being approached by Niagara about this potential sale, the Board engaged a consultant to revisit the feasibility of increasing the capacity of the Reservoir. This would provide additional raw water storage and, in concert with some of the other measures previously outlined, further mitigate the impact of a drought

Potential Benefits of Sale:

The Kingston Water Department, like most water systems in the US, is faced with an aging infrastructure and increasingly costly regulatory mandates. Currently, the Department's capital improvement plan calls for more than \$16 million in projects aimed at major system repairs, improvements, and regulatory compliance. All must be accomplished in the next few years. In the past 3 years, \$5 million was spent on construction of a new UV Treatment facility, reconstruction of our source water intake facility that was destroyed in flood events in 2010, painting the exterior of one of our 3 storage tanks, and replacement of broken water mains under the CSX tracks in the City. Later this year, we are beginning the final phase of renovations at our Edmund T. Cloonan Water Treatment Plant, a project that is expected to cost nearly \$2 million. Regardless of this sale, the remaining work must be done if the residents of the City of Kingston are to continue to enjoy an uninterrupted supply of high quality drinking water. To put

the financial burden of this work in perspective, the KWD currently operates on an annual budget of \$4 million, the lowest of any major City department. The annual payment for a \$5 million bond is about \$400,000 per year, with a term of 20 - 30 years for most of these projects. Considering that all of the revenue to operate the system comes from water rates and associated fees, the impact of borrowing \$5 million dollars translates to a rate increase of 10 percent. Like the sale of water to IBM, which lasted more than 45 years, the possible sale to Niagara has the potential to stabilize water rates for the residents of the City of Kingston for the foreseeable future since it would provide significant capital to undertake these necessary projects.

In the 1870's, with typhoid a persistent problem in the City and significant losses due to structure fires, the residents of Kingston defeated a referendum to establish a public water system citing a fear of increasing government complexity that would raise property taxes during what was a recessionary period. When the KWD finally came into being in 1895, City fathers very deliberately created it as a financially and administratively independent department of the City and placed it under the control of a Board of Water Commissioners whose sole responsibility is the management of the system. By insulating the Department from the direct influence of politics, it allowed the Board to focus solely on the parochial needs of the Department and provided it with a dedicated revenue stream. Throughout its history, the Board has proven itself to be a diligent steward of our drinking water. As a result of those efforts, Kingston's tap water delivers public health protection, fire protection, support for the economy, and the overall quality of life that we presently enjoy. The challenge for the current Board will be to make the necessary improvements to carry the system forward for the next 100 years. Kingston's future depends on their success.

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Hansen, Judith

From: Hansen, Judith
Sent: Thursday, October 09, 2014 7:01 PM
To: James Quigley
Subject: Niagara

Jim

I will explain in greater detail tomorrow, but in my conversation this evening with Geoff Kamansky, the terms that we discussed did not appear to be a concern. Judy

Judith A. Hansen, Superintendent
Kingston Water Department
PO Box 1537
Kingston, N. Y. 12401
(845) 331-0175

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(845) 331-0175

Hansen, Judith

From: Geoff Kamansky <gkamansky@niagarawater.com>
Sent: Monday, September 29, 2014 1:27 PM
To: Hansen, Judith
Subject: RE: Utilities rate schedule - Boices Lane (Town of Ulster) Kingston, N.Y.

Hi Judith, hope you had a great weekend. Please advise.

Thanks
Geoff

From: Geoff Kamansky
Sent: Friday, September 26, 2014 9:49 AM
To: 'Hansen, Judith'
Subject: RE: Utilities rate schedule - Boices Lane (Town of Ulster) Kingston, N.Y.

Hi Judith,

Thank you, appreciate the response. Since you will be discussing with the board about the rates, as their staff member, do you have a recommendation to the board?

It has been communicated to Niagara several times that the potential cost would be \$2.85/1000 gallons. The rates that are mentioned below is substantially different. If this is the case, I will have to remodel our financials and compare to other site finalists.

Please keep in mind that Niagara will potentially spend well over a \$1 million dollars in water infrastructure to hook up to Kingston's water main as well. Thanks for your consideration.

Regards,

Geoff

From: Hansen, Judith [<mailto:jhansen@kingston-ny.gov>]
Sent: Friday, September 26, 2014 3:52 AM
To: Geoff Kamansky
Subject: RE: Utilities rate schedule - Boices Lane (Town of Ulster) Kingston, N.Y.

Geoff

I am meeting with my Board Monday morning to discuss Niagara sale. I will touch base with you following the meeting.

I know you are anxious to move this forward, but need to wait until after meeting with the board before discussing rates. I can tell you that we currently have a contract with Tech City for about 100,000 gpd at a rate of \$6.47/1000 gallons.

Have a great weekend and I will speak to you on Monday.

Hansen, Judith

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Have a great weekend and I will speak to you on Monday.

On Sep 24, 2014 11:43 AM, Geoff Kamansky <geoffkamansky@niagarawater.com> wrote:
Great Judith, appreciate the urgency..Looking forward to our conversation, how about Monday afternoon?

Regards,

Geoff

From: Hansen, Judith [<mailto:jhansen@kingston-ny.gov>]
Sent: Wednesday, September 24, 2014 3:59 AM
To: Geoff Kamansky
Subject: RE: Utilities rate schedule - Boices Lane (Town of Ulster) Kingston, N.Y.

Geoff

Sorry for the delayed response. I have been working in our watershed and there is no cell service there. Yes, I would also like to get this resolved asap. Let me discuss with my board and I will be back to you early next week. Judy

On Sep 23, 2014 11:59 AM, Geoff Kamansky <geoffkamansky@niagarawater.com> wrote:
Hi Judy,

I just left a V/M. Yes, we would like to commence immediately on the volumetric rates. How do I begin?

Thanks

Geoff

From: Hansen, Judith [<mailto:jhansen@kingston-ny.gov>]
Sent: Monday, September 22, 2014 1:07 PM
To: Geoff Kamansky
Subject: RE: Utilities rate schedule - Boices Lane (Town of Ulster) Kingston, N.Y.

Geoff

I am not sure where you got that rate schedule. However, it is our in-City rates and does not apply to any water sale outside of the City of Kingston. Out of City rates are always negotiated in an individual basis with the Board and the prospective purchaser. Judy

*Judith A. Hansen, Superintendent
Kingston Water Department
PO Box 1537
111 Jansen Avenue
Kingston, NY 12402
845-338-5179
845-340-9209 (fax)*

From: Geoff Kamansky [<mailto:geoffkamansky@niagarawater.com>]
Sent: Friday, September 19, 2014 12:31 PM
To: Hansen, Judith
Subject: RE: Utilities rate schedule - Boices Lane (Town of Ulster) Kingston, N.Y.

Hi Judith,

I attached City of Kingston's water rate for 2014. As being a large industrial water user, is there a possibility to have a reduced volumetric rate based off of usage?

I appreciate your feedback.

Thanks
Geoff

From: Hansen, Judith [mailto:jhansen@kingston-ny.gov]
Sent: Friday, April 11, 2014 8:43 AM
To: Geoff Kamansky; James Quigley
Cc: Suzanne Holt; Art Ross (ajross@hartcorp.com) (ajross@hartcorp.com); Todd J. Uhlick
Subject: RE: Utilities Confirmation - Boices Lane (Town of Ulster) Kingston, N.Y.

Geoff

The KWD has no capacity development, impact, or redevelopment fees. The only charges are the quarterly rates for water, the charge for the connection to our mains (tapping fee) for a 12 X 12 tap is approximately \$6,000, and there is a charge for all meters (1 time charge that is equal to the cost of the meter). Judy

Judith A. Hansen, Superintendent
Kingston Water Department
PO Box 1537
111 Jansen Avenue
Kingston, NY 12402
845-338-5179
845-340-9209 (fax)

From: Geoff Kamansky [mailto:gekamansky@niagarawater.com]
Sent: Friday, April 11, 2014 11:11 AM
To: James Quigley; Hansen, Judith
Cc: Suzanne Holt; Geoff Kamansky; Geoff Kamansky; Art Ross (ajross@hartcorp.com) (ajross@hartcorp.com); Todd J. Uhlick
Subject: RE: Utilities Confirmation - Boices Lane (Town of Ulster) Kingston, N.Y.

James/Judith,

I have in my records that there is no charge for water capacity/impact/redevelopment (any one time charges for water) fees from previous notes from Jim. Please verify again, that this is the case as well to this site.

Regards,

Geoff

From: Geoff Kamansky
Sent: Friday, April 11, 2014 8:07 AM
To: James Quigley
Cc: ajross@hartcorp.com; Todd J. Uhlick; bearnhart@lee-assoc.com; Judith Hansen; Suzanne Holt; Geoff Kamansky
Subject: RE: Utilities Confirmation - Boices Lane (Town of Ulster) Kingston, N.Y.

Hi Judith, thanks so much for the candid discussion about your water systems, I appreciate your time. As you understand, this site is a late comer and Niagara is on a fast track to select a finalist. The urgency to quickly verify water capacity for our needs at this site is significant. From our discussion, it sounds like there is enough water capacity to serve our needs, however, both the Town of Ulster and Kingston have to come to some sort of an agreement.

The property, not only must have the utility capacity, but also must have the utility infrastructure (piping, etc.) that can support our utility capacity:

- Water peak flow rates up to 2500 GPM (gallons per minute) ---Average gallons per day range up to 1.75 mm GPD. Please confirm that the water psi can be delivered at least at 50 psi as well.

Please verify if these amounts are servable to the site, and if not what is the maximum availability in GPM and GPD.

Thanks again for your time and effort.

Regards,

Geoff Kamansky

From: James Quigley [mailto:ulstersupervisor@townofulster.org]

Sent: Thursday, April 10, 2014 3:11 PM

To: Geoff Kamansky

Cc: ajross@hartcorp.com; Todd J. Uhlick; pearl@hartcorp.com; 'Judith Hansen'; William F. Cotting; Suzanne Holt

Subject: Utilities Confirmation - Boices Lane (Town of Ulster) Kingston, N.Y.

Gentlemen:

Attached is a letter from the Supervisor of the Town of Ulster providing confirmation for the Waste Water Capacities at the proposed site. The City of Kingston Water Department requests that you contact them directly to discuss the water supply.

Central Hudson has assured me that the required amounts of Electricity and Natural Gas are available to the site with extensions of the existing distribution system.

Contact information has been provided on the last page on the attachment for all Utilities.

Please note that the prior e-mail requesting this information was sent to my personal e-mail address. I request that all future e-mails be sent to the address ulstersupervisor@townofulster.org.

Thank you.

James E. Quigley 3rd, C.P.A.

Supervisor

Town of Ulster

1 Town Hall Drive

Lake Katrine, New York 12449

Tel: (845) 382-2765 x1 **Office**

(845) 336-0082 **Fax**

(845) 594-8618 **Cell**

CONFIDENTIALITY STATEMENT

This message is sent by the Supervisor of the Town of Ulster and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

Please note new e-mail address effective 5/20/2013: UlsterSupervisor@townofulster.org

Hansen, Judith

From: Laustsen, Thomas <LaustsenT@cdmsmith.com>
Sent: Monday, September 15, 2014 4:04 PM
To: Hansen, Judith
Subject: RE: Will serve letter
Attachments: revised Niagara Will Serve LEtter revised9.15.14.docx

Judy,

See attached. We had to bump the flow rate into the backwash tank up to 313 gpm to match the 2500 gpm for thirty minutes every 4 hours that they had requested. Same improvements to the system are necessary.

Also, It looks like we are going to go above the original \$15k you had provided us for this effort. This is mostly due to the additional modeling runs, attendance at last week's meeting, and reviewing the Will Serve Letter. Not sure how much it was yet, but wanted to give you a heads up. Probably would be good if we could get authorized for another \$5k at this point.

Thanks and let me know if you have any questions.

Tom

From: Hansen, Judith [mailto:jhansen@kingston-ny.gov]
Sent: Monday, September 15, 2014 3:52 PM
To: Laustsen, Thomas
Subject: RE: Will serve letter

Thanks. Judy

On Sep 15, 2014 3:41 PM, "Laustsen, Thomas" <LaustsenT@cdmsmith.com> wrote:
Judy,
Looking at it now. Will have to you shortly.

Thanks

From: Hansen, Judith [mailto:jhansen@kingston-ny.gov]
Sent: Monday, September 15, 2014 3:32 PM
To: Laustsen, Thomas
Subject: Will serve letter

Tom

I would really like to get this off of my desk. When do you think you will be able to give it a final review? Judy

Judith A. Hansen, Superintendent
Kingston Water Department
PO Box 1537
111 Jansen Avenue
Kingston, NY 12402
845-338-5179
845-340-9209 (fax)

Commissioners

Joseph DeCicco
President
Alfred Radel
Secretary
Raymond McSpirit
Robert Niedzielski
Dennis Crosswell



Shayne R. Gallo
Mayor

Judith A. Hansen
Superintendent

Kingston Water Department

PO Box 1537
Kingston, N.Y. 12402

September 15, 2014

Mr. Geoff Kamansky
Niagara Bottling, LLC
2560 E. Philadelphia St.
Ontario, CA 91761

Subject: Will Serve Letter for Niagara Bottling at 300 Enterprise Drive

Dear Mr. Kamansky:

This Will Serve Letter is for the proposed project to be located at 300 Enterprise Drive. The proposed project would create a water bottling plant at this location to be constructed by Niagara Bottling, LLC (Niagara).

As outlined in your email of April 15, 2014, Niagara's water demand for this project is as follows:

- Peak demand: 3,715 gallons per minute (GPM) (2,500 GPM (for backwash) + 1.75 million gallons per day (MGD) for bottling)
- Maximum Daily Demand: 1.75 MGD
- Minimum pressure at the delivery point of 50 pounds per square inch (psi)

In reply to your inquiry we wish to advise that, based upon present daily consumption demands of the Kingston Water Department (KWD) water system and following completion of the renovations at its Water Treatment Plant slated to be completed in early 2015, The KWD, will have the production, supply and delivery capability to supply the Niagara facility with a maximum daily demand not to exceed 1.0 MGD (695 GPM) and minimum pressure at the delivery point of 50 psi. The improvements to its filter plant will also allow for a greater "production" capability by the KWD for future requirements. Additional improvements to the KWD water distribution system would be necessary to accomplish a higher "delivery" demand to the Niagara facility. In view of this, the KWD Board of Water Commissioners commissioned its consultant, CDM Smith, to perform a demand analysis and has identified specific improvements to accomplish a "delivery" in excess of 1.0 MGD. The preliminary estimate for the cost of this work, without a geotechnical investigation and assuming minimal rock removal, is approximately \$2M.

Office: 111 Jansen Avenue (845) 331-0175 FAX (845) 340- 9209
E-MAIL: water@kingston-ny.gov

Additionally, under all demand scenarios, Niagara would have to construct a backwash tank capable of supplying their backwash demands. The tank should be sized appropriately and the influent flow to the tank would be limited to no more than 313 GPM to reduce head loss in the distribution system feeding the tank during tank fill cycles.

Therefore, in consideration of the aforementioned conditions and subject to agreement by the KWD Board of Water Commissioners and Niagara Bottling Co. LLC, the KWD is able to provide Niagara with the requested flows subject to the above. Please let me know if this meets your requirements so that we can execute a more formal agreement that is acceptable to both parties.

The Board of Water Commissioners looks forward to working with Niagara and welcomes you to the City of Kingston.

Sincerely;

Judith A. Hansen
Superintendent

cc: Board of Water Commissioners

Hansen, Judith

From: Hansen, Judith
Sent: Friday, September 12, 2014 7:39 AM
To: Al Radel; Dennis Croswell; [REDACTED]
Cc: [REDACTED]
Subject: Summary of meeting with Niagara
Attachments: Niagara Will Serve LERter V4.doc

The meeting with Niagara went well. Prior to the meeting Bill, Tom Laustsen, and I reviewed the letter to make sure that it was legally and technically correct. We elected not to present the letter to them at the meeting. Rather we decided to take today to give it one final review before sending it off. Here are the highlights from the meeting:

1. Niagara is asking for the amount of water that it will need at maximum build-out at the site. For the first few years it is likely that they would use no more than 1 MGD. However, they want to be transparent to the community and believe that they need to state what the eventual demand could be.
2. They seemed receptive to our conditions and restrictions and the needed improvements would be negotiated between KWD and Niagara in an Memorandum of Understanding as we get farther along in the process.
3. The Town of Ulster offered to relinquish some of their "allotment" (about 500,000 gpd) on a temporary basis should that be necessary. Supervisor Quigley was very clear that this would be a temporary measure until the needed improvements could be constructed and that it was in the Town's long term interest to continue to purchase water from KWD.

In a subsequent conversation with Jim Quigley later in the day, he thanked the Board for working so hard to make sure that we could meet Niagara's demand. He also shared that they (Niagara) are looking for local springs that they could use at this facility. At this point, Niagara, while they have yet to officially commit to this site, are proceeding with the planning Board process and the FDA certification process and everything suggests that this is where they intend to locate. Regarding the fear that they will take the tax incentives and leave once they expire, Jim reminded me that they are investing more than \$55M in this site and in the past 2 weeks have expanded the size of their building. They also shared that they have about 25 million customers between NYC and Boston and there are constraints at the Allentown facility that make expansion there difficult.

I am attaching the letter. I anticipate that there could be some minor tweaking, before it is sent and will send the final signed version to everyone when it is ready. If you have additional comments, send them along. Judy

Judith A. Hansen, Superintendent
Kingston Water Department
PO Box 1537
111 Jansen Avenue
Kingston, NY 12402
845-338-5179
845-340-9209 (fax)

Commissioners

Joseph DeCicco
President
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Secretary
Raymond McSpirit
Robert Niedzielski
Dennis Crowell



Shayne R. Gallo
Mayor

Judith A. Hansen
Superintendent

Kingston Water Department

PO Box 1537
Kingston, N.Y. 12402

September 11, 2014

Mr. Geoff Kamansky
Niagara Bottling, LLC
2560 E. Philadelphia St.
Ontario, CA 91761

Dear Mr. Kamansky:

As outlined in your email of April 15, 2014, Niagara's water demand is as follows:

- Peak demand: 2,500 GPM for a duration of 30 minutes
- Maximum Daily Demand: 1.75 MGD
- Minimum pressure at the delivery point of 50 psi.

In reply to your request of August 11, 2014, we wish to advise that, based upon present daily consumption demands of the Kingston water system and following completion of the renovations at its Water Treatment Plant slated to be completed in early 2015, The Kingston Water Department will have the production, supply and delivery capability to supply the Niagara facility with a maximum daily demand not to exceed 1.0 MGD (695 GPM) and minimum pressure at the delivery point of 50 psi. The improvements to its filter plant will also allow for a greater "production" capability by the Water Department for future requirements. However, additional improvements to the Kingston water system would be necessary to accomplish a higher "delivery" demand to the Niagara facility. The KWD cannot provide 2,500 gpm notwithstanding upgrades to its system. If such demand is required by Niagara, it can potentially be accomplished by the customer's design of its own facility. In view of this, the Board of Water Commissioners commissioned its consultant, CDMSmith, to perform a demand analysis and has identified specific improvements to accomplish a "delivery" in excess of 1.0 MGD. The preliminary estimate for the cost of this work, without geotechnical investigation and limited rock removal, is approximately \$2M.

As previously stated and under all demand scenarios, Niagara would have to construct a backwash tank capable of supplying their backwash demands. The tank should be sized appropriately and the influent flow to the tank should be limited to no more than 150 gpm to reduce head loss in the distribution system feeding the tank during tank fill cycles.

Therefore, in consideration of the aforementioned conditions and subject to agreement by the Board of Water Commissioners and Niagara Bottling Co. LLC, the Kingston Water Department

Office: 111 Jansen Avenue (845) 331-0175 FAX (845) 340- 9209
E-MAIL: water@kingston-ny.gov

is able to provide Niagara with the requested flows. Please let me know if this meets your requirements so that we can execute a more formal agreement that is acceptable to both parties. The Board of Water Commissioners looks forward to working with Niagara and welcomes you to the City of Kingston.

Sincerely;

Judith A. Hansen
Superintendent

cc: Board of Water Commissioners

Hansen, Judith

From: Hansen, Judith
Sent: Wednesday, September 10, 2014 9:23 AM
To: 'Laustsen, Thomas'
Subject: RE: Niagara
Attachments: Niagara Will Serve LEtter V4.doc

It will take about 10 minutes from my office. 12:30 is fine. No, we don't need anything else. They are attending our Board meeting today to finally meet the Board and ask questions. I have asked Bill Cloonan to go with us to the meeting Thursday in the hopes that he and their Corp Counsel can start discussions about the contract. Bill finally took the time to review the will serve letters and has made additional changes. I have attached the most recent draft. Judy

From: Laustsen, Thomas [mailto:LaustsenT@cdmsmith.com]
Sent: Wednesday, September 10, 2014 9:11 AM
To: Hansen, Judith
Subject: RE: Niagara

Judy,
I'll swing by and pick you up. If I get there by 12:30 does that give us enough time?

Do I need to bring anything with me besides the draft memo?

Thanks
Tom

From: Hansen, Judith [mailto:jhansen@kingston-ny.gov]
Sent: Wednesday, September 10, 2014 8:31 AM
To: Laustsen, Thomas
Subject: Re: Niagara

Tom
It at 1 pm and is being held at central hudson's building in ulster. The address is 2001 Ulster Avenue, lake katrine NY 12449. That is a couple of miles past office heading on ulster ave (Albany ave in Kingston) toward saugerties. If you want to come to the office, we can ride out together. Judy

Sent from my Verizon Wireless 4G LTE DROID

"Laustsen, Thomas" [mailto:LaustsenT@cdmsmith.com] wrote:

Judy,
Do we have a location for this meeting? I assume it's still at 1?

Thanks
Tom

From: Hansen, Judith [mailto:jhansen@kingston-ny.gov]
Sent: Friday, September 05, 2014 2:50 PM
To: Laustsen, Thomas
Subject: FW: Niagara

Tom
I know this is very short notice, but as you can see, I only got the invite this afternoon. Is it possible for you to attend the meeting with me on the 11th (next Thursday)? Judy

From: James E. Quigley 3rd [mailto:ulstersupervisor@townofulster.org]
Sent: Friday, September 05, 2014 12:45 PM
To: Hansen, Judith
Cc: Peter Romano Jr. - Chazen
Subject: Niagara

AS per our telephone call this morning. I would like to invite you and your engineers (if possible) for the meeting on Thursday, September 11th at approximately 1PM at a place to be determined to discuss the project. The purpose of the meeting is of a technical nature on the utilities and traffic study.

The e-mail below indicates the attendees from Niagara and their roles.

"Hello Jim-

Thank you again for helping coordinate this meeting. Representing Niagara Bottling will be: Ken (process engineer), Clay (building architect), Deseray (Niagara Economic Dev), Brian (Niagara Exec – Legal, Quality and Land Aq), Derek (construction manager) and Todd (Niagara Corporate Council)---- oh and myself.

Please let me know if 1pm on Thursday 9/11 will work.

Thanks!

Pete--"

James E. Quigley 3rd, C.P.A.
Supervisor
Town of Ulster
1 Town Hall Drive
Lake Katrine, New York 12449

Tel: (845) 382-2765 x1 **Office**
(845) 336-0082 **Fax**
(845) 594-8618 **Cell**

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Please note new e-mail address effective 5/20/2013: UlsterSupervisor@townofulster.org

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Alfred Radel
Secretary
Raymond McSpirit
Robert Niedzielski
Dennis Croswell



Shayne R. Gallo
Mayor

Judith A. Hansen
Superintendent

Kingston Water Department

PO Box 1537
Kingston, N.Y. 12402

September 9, 2014

Mr. Geoff Kamansky
Niagara Bottling, LLC
2560 E. Philadelphia St.
Ontario, CA 91761

Dear Mr. Kamansky:

As outlined in your email of April 15, 2014, Niagara's water demand for this project is as follows:

- Peak demand: 3,715 GPM
- Maximum Daily Demand: 1.75 MGD
- Minimum pressure at the delivery point of 50 psi.

In reply to your inquiry we wish to advise that, based upon present daily consumption demands of the Kingston water system and following completion of the renovations at its Water Treatment Plant slated to be completed in early 2015, The Kingston Water Department, will have the production, supply and delivery capability to supply the Niagara facility with a maximum daily demand not to exceed 1.0 MGD with peak demands of 2,500 GPM and minimum pressure at the delivery point of 50 psi. The improvements to its filter plant will also allow for a greater "production" capability by the Water Department for future requirements. Additional improvements to the Kingston water system would be necessary to accomplish a higher "delivery" demand to the Niagara facility. In view of this, the Board of Water Commissioners commissioned its consultant, CDMSmith, to perform a demand analysis and has identified specific improvements to accomplish a "delivery" in excess of 1.0 MGD. The preliminary estimate for the cost of this work, without geotechnical investigation, is approximately \$2M.

Additionally, under all demand scenarios, Niagara would have to construct a backwash tank capable of supplying their backwash demands. The tank should be sized appropriately and the influent flow to the tank should be limited to no more than 150 gpm to reduce head loss in the distribution system feeding the tank during tank fill cycles.

Therefore, in consideration of the aforementioned conditions and subject to agreement by the Board of Water Commissioners and Niagara Bottling Co. LLC, the Kingston Water Department

Office: 111 Jansen Avenue (845) 331-0175 FAX (845) 340- 9209
E-MAIL: water@kingston-ny.gov

Page 2 of 2
Niagara Bottling, LLC
September 9, 2014

is able to provide Niagara with the requested flows subject to the above. Please let me know if this meets your requirements so that we can execute a more formal agreement that is acceptable to both parties.

The Board of Water Commissioners looks forward to working with Niagara and welcomes you to the City of Kingston.

Sincerely;

Judith A. Hansen
Superintendent

cc: Board of Water Commissioners

Hansen, Judith

From: Geoff Kamansky <gkamansky@niagarawater.com>
Sent: Monday, May 19, 2014 12:56 PM
To: Hansen, Judith
Cc: Geoff Kamansky
Subject: RE: Niagara Bottling LLC

Thanks Judith, hope you had a nice vacation, appreciate the information. Please follow up with me if any other pertinent information is discovered.

Regards,

Geoff

From: Hansen, Judith [mailto:jhansen@kingston-ny.gov]
Sent: Friday, May 16, 2014 8:23 AM
To: Geoff Kamansky
Subject: Re: Niagara Bottling LLC

Geoff

Sorry for the delayed response, but I was traveling yesterday and did not have access to email for most of the day.

Our preliminary results show that we should be ok on the 12-inch main for up to 1.5 Mgd. However, we would not be able to deliver it at 50 psi consistently throughout the day. The model is showing that the pressures will range from 40 to 70. As a result, it suggests that a backwash tank at the facility would be required. They want to delve a little deeper, but that is what we are showing now. Judy

Judith A. Hansen, Superintendent
Kingston Water Department
PO Box 1537
Kingston, N. Y. 12401
(845) 331-0175

On May 15, 2014, at 5:25 AM, "Geoff Kamansky" <gkamansky@niagarawater.com> wrote:

Any update? Thanks

Sent from my iPhone

On May 5, 2014, at 5:11 PM, "Geoff Kamansky" <gkamansky@niagarawater.com> wrote:

Hi Judith, hope all is well.

How are things progressing with the water study?

Thanks
Geoff

From: Hansen, Judith [mailto:jhansen@kingston-ny.gov]
Sent: Friday, April 25, 2014 11:34 AM
To: Geoff Kamansky
Subject: RE: Niagara Bottling LLC

Geoff

I have been supplying them with data and I expect that they will start working on it on Monday. I will need to run flow tests here next week so that we can calibrate it. Then they can run the model under various flow conditions. We should have a report from them about 2 weeks after that.

Have a great weekend. Judy

*Judith A. Hansen, Superintendent
Kingston Water Department
PO Box 1537
111 Jansen Avenue
Kingston, NY 12402
845-338-5179
845-340-9209 (fax)*

From: Geoff Kamansky [mailto:gkamansky@niagarawater.com]
Sent: Friday, April 25, 2014 2:08 PM
To: Hansen, Judith
Subject: Niagara Bottling LLC

Hi Judith, it was a pleasure meeting you on Tuesday.
Can you please provide an update on the Hydraulic analysis? Or an ETA of completion?

Thanks,

Geoff

Hansen, Judith

From: Geoff Kamansky <gkamansky@niagarawater.com>
Sent: Tuesday, April 15, 2014 7:01 PM
To: Hansen, Judith
Cc: James Quigley; Bill Cloonan
Subject: RE: Sale of Water from KWD to Niagara

Thanks Judith again,

In the letter it mentions that it appears that projected water demands are feasible. Are the water demands being feasible the same amount mentioned in the email and are below for your reference? Also, how long will the official study take?

- Water peak flow rates up to 2500 GPM (gallons per minute) ---Average gallons per day range up to 1.75 mm GPD. Please confirm that the water psi can be delivered at least at 50 psi as well.

Thank you,
Geoff

From: Hansen, Judith [<mailto:jhansen@kingston-ny.gov>]
Sent: Tuesday, April 15, 2014 3:06 PM
To: Geoff Kamansky
Cc: James Quigley; Bill Cloonan
Subject: Sale of Water from KWD to Niagara

Geoff

As I follow-up to our conversation, I have attached a letter for your consideration. Thank you. Judy

*Judith A. Hansen, Superintendent
Kingston Water Department
PO Box 1537
111 Jansen Avenue
Kingston, NY 12402
845-338-5179
845-340-9209 (fax)*

Commissioners

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Robert Niedzielski
Dennis Crosswell



Shayne R. Gallo
Mayor

Judith A. Hansen
Superintendent

Kingston Water Department

PO Box 1537
Kingston, N.Y. 12402

April 15, 2015

Niagara Bottling, LLC
2560 E. Philadelphia St.
Ontario, CA 91761

Attn: Mr. Geoff Kamansky

Ref: Availability of Water Supply to Boices Lane Extension from the Kingston Water Department

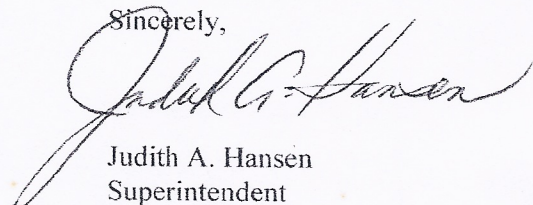
Dear Mr. Kamansky:

Thank you for the opportunity to discuss the possible sale of water to Niagara Bottling, LLC at the referenced location. Although the Kingston Water Department has not been invited to participate in the meetings or negotiations to date, Supervisor Quigley has kept the Department and its Board of Water Commissioners advised of the progress in these discussions as it relates to the project's water supply. Based on our conversation, and those held previously with Mr. Quigley, a detailed analysis of our system hydraulics as well as system capacity will be required before the impacts of the proposed development on our system can be determined. At present, and without actual study, it appears that the projected water demands are feasible. The Board is willing to commit the resources required to undertake this analysis. However, before confirmation, we request that a formal application be submitted to the Department by Niagara outlining its specific requirements.

With respect to your question addressed to Supervisor Quigley whether it can be served by *either* the Town or the City, the City of Kingston Water Department is, by contract, deemed to be the exclusive provider of water to the defined area. The City of Kingston Water Department and the Town of Ulster have a long history of cooperation and are considering a review of that contract which would not have a direct impact on the supply but could change which municipality would continue to be the purveyor of water.

Please do not hesitate to contact me if you have questions. I look forward to meeting you on the 22nd.

Sincerely,



Judith A. Hansen
Superintendent

Office: 111 Jansen Avenue (845) 331-0175 FAX (845) 340- 9209
E-MAIL: water@kingston-ny.gov

Hansen, Judith

From: Geoff Kamansky [REDACTED]
Sent: Friday, April 11, 2014 11:48 AM
To: Hansen, Judith
Subject: RE: Utilities Confirmation - Boices Lane (Town of Ulster) Kingston, N.Y.

Thank you!

From: Hansen, Judith [<mailto:jhansen@kingston-ny.gov>]
Sent: Friday, April 11, 2014 8:43 AM
To: Geoff Kamansky; James Quigley
Cc: Suzanne Holt; Art Ross ([REDACTED]); Todd J. Uhlick
Subject: RE: Utilities Confirmation - Boices Lane (Town of Ulster) Kingston, N.Y.

Geoff
The KWD has no capacity development, impact, or redevelopment fees. The only charges are the quarterly rates for water, the charge for the connection to our mains (tapping fee) for a 12 X 12 tap is approximately \$6,000, and there is a charge for all meters (1 time charge that is equal to the cost of the meter). Judy

*Judith A. Hansen, Superintendent
Kingston Water Department
PO Box 1537
111 Jansen Avenue
Kingston, NY 12402
845-338-5179
845-340-9209 (fax)*

From: Geoff Kamansky [REDACTED]
Sent: Friday, April 11, 2014 11:11 AM
To: James Quigley; Hansen, Judith
Cc: Suzanne Holt; Geoff Kamansky; Geoff Kamansky; Art Ross ([REDACTED]); Todd J. Uhlick
Subject: RE: Utilities Confirmation - Boices Lane (Town of Ulster) Kingston, N.Y.

James/Judith,

I have in my records that there is no charge for water capacity/impact/redevelopment (any one time charges for water) fees from previous notes from Jim. Please verify again, that this is the case as well to this site.

Regards,

Geoff

From: Geoff Kamansky
Sent: Friday, April 11, 2014 8:07 AM
To: James Quigley
Cc: [REDACTED]; Todd J. Uhlick; [REDACTED]; 'Judith Hansen'; Suzanne Holt; Geoff Kamansky
Subject: RE: Utilities Confirmation - Boices Lane (Town of Ulster) Kingston, N.Y.

Hi Judith, thanks so much for the candid discussion about your water systems, I appreciate your time.

As you understand, this site is a late comer and Niagara is on a fast track to select a finalist. The urgency to quickly verify water capacity for our needs at this site is significant. From our discussion, it sounds like there is enough water capacity to serve our needs, however, both the Town of Ulster and Kingston have to come to some sort of an agreement.

The property, not only must have the utility capacity, but also must have the utility infrastructure (piping, etc.) that can support our utility capacity:

- Water peak flow rates up to 2500 GPM (gallons per minute) ---Average gallons per day range up to 1.75 mm GPD. Please confirm that the water psi can be delivered at least at 50 psi as well.

Please verify if these amounts are servable to the site, and if not what is the maximum availability in GPM and GPD.

Thanks again for your time and effort.

Regards,

Geoff Kamansky

From: James Quigley [mailto:ulstersupervisor@townofulster.org]

Sent: Thursday, April 10, 2014 3:11 PM

To: Geoff Kamansky

Cc: [REDACTED] Todd J. Uhlick; [REDACTED] Judith Hansen'; William F. Cotting; Suzanne Holt

Subject: Utilities Confirmation - Boices Lane (Town of Ulster) Kingston, N.Y.

Gentlemen:

Attached is a letter from the Supervisor of the Town of Ulster providing confirmation for the Waste Water Capacities at the proposed site. The City of Kingston Water Department requests that you contact them directly to discuss the water supply.

Central Hudson has assured me that the required amounts of Electricity and Natural Gas are available to the site with extensions of the existing distribution system.

Contact information has been provided on the last page on the attachment for all Utilities.

Please note that the prior e-mail requesting this information was sent to my personal e-mail address. I request that all future e-mails be sent to the address ulstersupervisor@townofulster.org.

Thank you.

James E. Quigley 3rd, C.P.A.

Supervisor

Town of Ulster

1 Town Hall Drive

Lake Katrine, New York 12449

Tel: (845) 382-2765 x1 **Office**

(845) 336-0082 **Fax**

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Please note new e-mail address effective 5/20/2013: UlsterSupervisor@townofulster.org

Hansen, Judith

From: Hansen, Judith
Sent: Thursday, August 14, 2014 4:50 PM
To: 'Geoff Kamansky'
Subject: RE: water will serve letter Niagara Bottling LLC.

Geoff

The Board is certainly interested in working with Niagara on this project. However, it will take us a few days to put the letter together. I would like to discuss a few aspects of this project with you at your convenience and was hoping that you would have some time to talk about it next week. I am available all day on Monday, if that works for your schedule. Judy

*Judith A. Hansen, Superintendent
Kingston Water Department
PO Box 1537
111 Jansen Avenue
Kingston, NY 12402
845-338-5179
845-340-9209 (fax)*

From: Geoff Kamansky [REDACTED]
Sent: Thursday, August 14, 2014 1:17 PM
To: Hansen, Judith; James E. Quigley 3rd
Subject: RE: water will serve letter Niagara Bottling LLC.

Hi Judith,

Were you able to complete?

Thanks
Geoff

From: Hansen, Judith [<mailto:jhansen@kingston-ny.gov>]
Sent: Monday, August 11, 2014 1:27 PM
To: Geoff Kamansky; James E. Quigley 3rd
Subject: RE: water will serve letter Niagara Bottling LLC.

Geoff

I will present this request to the Board of Water Commissioners at their meeting on August 13th.

*Judith A. Hansen, Superintendent
Kingston Water Department
PO Box 1537
111 Jansen Avenue
Kingston, NY 12402
845-338-5179
845-340-9209 (fax)*

From: Geoff Kamansky [REDACTED]
Sent: Monday, August 11, 2014 4:20 PM
To: James E. Quigley 3rd
Cc: Hansen, Judith
Subject: RE: water will serve letter Niagara Bottling LLC.

Hi Judith, hope all is well.

Niagara needs to have a will serve letter similar to the above confidential attachment.
Thanks in advance with your timely response.

I hope to receive be the end of the week.

Regards,

Geoff Kamansky

From: James E. Quigley 3rd [mailto:ulstersupervisor@townofulster.org]
Sent: Monday, August 11, 2014 1:17 PM
To: Geoff Kamansky
Cc: 'Judith Hansen'
Subject: RE: will serve letters from all utilities-Niagara Bottling LLC.

Geoff,

Please contact Judith Hansen of the Kingston Water Dept.(845) 338-5179 directly to discuss the Water Letter. The requirements set forth in the example letters are the purview of the Kingston Water Board and not the Town of Ulster.

Thank you.

James E. Quigley 3rd, C.P.A.
Supervisor
Town of Ulster
1 Town Hall Drive
Lake Katrine, New York 12449

Tel: (845) 382-2765 x1 **Office**
(845) 336-0082 **Fax**
(845) 594-8618 **Cell**

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Please note new e-mail address effective 5/20/2013: UlsterSupervisor@townofulster.org

From: Geoff Kamansky [REDACTED]
Sent: Monday, August 11, 2014 4:11 PM
To: James E. Quigley 3rd
Subject: RE: will serve letters from all utilities-Niagara Bottling LLC.

Hi James, I attached confidential will serve letters that can be utilized as examples on what is needed. I appreciate the follow up and hope to have the letters secured by end of week.

Regards,

Geoff

From: James E. Quigley 3rd [mailto:ulstersupervisor@townofulster.org]
Sent: Monday, August 11, 2014 11:43 AM
To: Geoff Kamansky
Subject: RE: will serve letters from all utilities-Niagara Bottling LLC.

Please send me the form of the letter you are looking for each of the Utilities.

James E. Quigley 3rd, C.P.A.
Supervisor
Town of Ulster
1 Town Hall Drive
Lake Katrine, New York 12449

Tel: (845) 382-2765 x1 **Office**
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From: Geoff Kamansky [REDACTED]
Sent: Monday, August 11, 2014 2:35 PM
To: James Quigley
Subject: will serve letters from all utilities-Niagara Bottling LLC.

Hi James, hope all is well!

Can you assist in contacting each utility entity and having them provide will serve letters? Each letter should reference the site, the maximum build-out capacity, the costs, and meeting our timelines... How quickly can you provide and receive?

Thanks
Geoff Kamansky

From: James Quigley [mailto:ulstersupervisor@townofulster.org]
Sent: Friday, April 25, 2014 11:44 AM
To: Geoff Kamansky; Todd J. Uhlick; Arthur J. Ross
Subject: Water Quality Reports for TO Ulster and Kingston Water Dept.

As discussed.

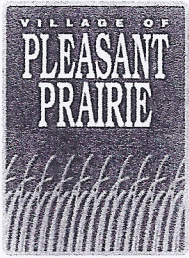
James E. Quigley 3rd, C.P.A.
Supervisor
Town of Ulster
1 Town Hall Drive
Lake Katrine, New York 12449

Tel: (845) 382-2765 x1 **Office**
(845) 336-0082 **Fax**

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March 27, 2014

Geoffrey Kamansky
Operations Manager
Niagara Bottling, LLC
2560 E. Philadelphia St.
Ontario, CA 91761

Re: Water and Sewer Capacity Flows

On behalf of the Village of Pleasant Prairie I want to welcome you and Niagara Bottling to our Village. Based on previous information provided to the Village, Niagara has the following utility requirements:

- Peak water demands up to 2500 gpm at 50 psi;
- Average water demands up to 1.75 MGD- 24/7 operation;
- Peak wastewater discharge up to 1800 gpm;
- Average daily sewer discharges up to 350,000 gpd-24/7 operation.

The Village water and sewer system has the capability and will serve the project located in LakeView Corporate Park to meet the above water and sewer requirements and the infrastructure exists adjacent to the site. The Village's sewer system also has the capability to accept the above discharges. Pleasant Prairie will construct a new sanitary sewer in County Trunk Highway H to convey the project's wastewater discharge to the north and into the LakeView Pump Station which has the capacity to accept this flow. A wastewater discharge meter meeting the Village's specifications can be installed to measure wastewater flow. There currently are no effluent TDS limitations.

As per your recent email, the requirements have been recently adjusted to:

- Average water demands up to **2.0 MGD**- 24/7 operation;
- Average daily sewer discharges up to **500,000 gpd**-24/7 operation.

Listed below are the results for modeling the large user at 2.0 MGD:

User Demand	Flow Rate (gpm)	Duration (hrs)	Daily Volume (gal)
Constant Flow	1,315	22.5	1,775,000
Peak Flow*	2,500	1.5	225,000
Total			2,000,000

*Peak occurs 3 times per day for 30 minutes each occurrence

Average Day Pressures (psi)	Pressure on 16" main
min	47.5
max	62.6
avg	55.9

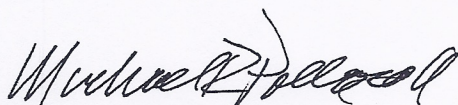
Peak Day Pressures (psi)	Pressure on 16" main
min	48.2
max	64.8
avg	56.3

With the revised flows that have been provided, the Village water and sewer system has the capability and will serve the project located in LakeView Corporate Park to meet the water and sewer requirements and the infrastructure exists adjacent to the site.

Finally, there are no one-time water and sewer charges.

We look forward to construction of this project. Please let me know if you require any additional information.

Sincerely,



Michael R. Pollocoff
Village Administrator

cc: Michael Spence, P.E., Village Engineer



Memo:

To: Board of Water Commissioners

From: Judith Hansen, Superintendent

Re: Niagara Water Sale

Date: September 12, 2014

The meeting with Niagara went well yesterday. They are pleased that, subject to improvements, we have the capacity to deliver the water that they may require. In terms of the details of the sale (how much and who will make or pay for the improvements), that will be negotiated if and when we execute a Memorandum of Understanding (MOU) with them. The **Will Serve** letter is being given a final review by Tom and Bill and I intend to send it to them as soon as it can be finalized.

I have scheduled a meeting with the Mayor regarding the possible sale on Friday, Sept 19th at 10am. I would appreciate it if there could be some Board representation at that meeting. He did seem open to the idea and is now looking for information after being contacted by the media.

FYI, I will be in Syracuse on Tues., Wed., and Thursday next week for the NYSAWWA Tifft conference. However, I am available by email and cell while I am away. Thanks