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**In the Matter of the Application of the HAMPTON BAYS  
WATER DISTRICT in the Town of Southampton, Suffolk  
County, for Approval of Its Financial and  
Engineering Plans for the Construction of a Water  
Supply System**

**Water Supply Application No. 600**

(Water Power and Control Commission, April 8, 1931)

**Application approved as modified.**

BY THE COMMISSION.—Clifford L. Jackson, Elmer W. Jackson and Arthur Langsdorf, water commissioners of Hampton Bays water district in the town of Southampton, Suffolk county, acting on behalf and in the name of said district, on January 29, 1931, made application to the Water Power and Control Commission for approval of the plans of the district for the acquisition or taking of a water supply, the taking or condemnation of lands for a new or additional source of water supply and of the construction proposed in connection therewith. This application was filed in the office of the Commission on March 4, 1931.

After due notice, published in the *Hampton Bays News*, the hearing on this application was held in the rooms of the Eugene Hand Post No. 924, American Legion, in Hampton Bays, Suffolk county, on March 31, 1931, at one o'clock in the afternoon. At this hearing the Commission considered the petition, maps and plans submitted, examined witnesses, and heard arguments for the project. The petitioner was represented by George W. Percy, its attorney. The three water commissioners appeared in person in support of the application. No objections were filed and no one appeared in opposition.

On March 31, 1931, the Commission caused an engi-

neering inspection to be made of the sites of the proposed works and of the proposed source of water supply.

It is proposed to establish a water supply system capable of furnishing water for domestic use and fire protection to the greater part of the built up area of Hampton Bays water district. The existing water works plant and source of water supply, owned and operated by Pon Quogue Water Corporation, is to be acquired by the district. On the property now owned by that company an additional well is to be put down and equipped with a small pumping station and a 250-gallon per minute motor driven deep well pump. A distribution system, consisting of 25,200 feet of six-inch, 37,300 feet of eight-inch, and 8,700 feet of ten-inch cast iron pipe is to be constructed in that portion of the district which is on the main island. In the northerly part of the district a 200,000 gallon standpipe is to be erected. The distribution piping in this northerly area is ordinarily to be cut off from the remainder of the system and water forced into it and into the standpipe by a motor operated booster pump on Montauk highway.

In the event that the district and company fail to agree as to a purchase price for the company's property, the district proposes to purchase a supply of water from the company.

After due study of the petition and its exhibits, the evidence and arguments given at the hearing and the report of the engineers of the Commission on this application, it appears as follows:

Hampton Bays water district is that part of the town of Southampton which includes Shinnecock canal, Canoe Place, Good Ground, Pon Quogue, Springville, Tiana, West Tiana, and Squiretown, all served by Hampton Bays station of the Montauk division of

Long Island railroad. It also includes a portion of the beach between Shinnecock bay and Atlantic ocean. This district has the same boundaries as union free school district No. 5 of the town of Southampton. These are also the boundaries of a recently formed fire district.

This portion of Long Island is as yet but little developed. It is estimated that the permanent population is about 1,000 and the summer population perhaps twice that figure. The territory consists of farm lands and summer developments; the latter are growing with some rapidity. The total assessed valuation of property within the district is \$2,325,000.

The question of the supply of water to this area has previously been passed on by us. On May 24, 1929, Pon Quogue Water Corporation made application for approval of its project to supply water to this area and to certain additional portions of South beach, lying on either side thereof (Water Supply Application No. 516). The application was approved, as to the supply on the beach, on June 27, 1929, and, as to that portion of the area on the main island, on December 19, 1929. That company now has in operation a well, pumping station, chlorinator and elevated tank on the main island, a pipe line extending from the pumping station across Shinnecock bay to South beach and easterly along the beach. It has made no attempt to extend its mains on the main island.

We have already determined that union free school district No. 5, which has the same boundaries as Hampton Bays water district, needs a water supply system and properly should be supplied with water from the source of supply now owned and operated by Pon Quogue Water Corporation. The present application differs from that already approved only in that it is proposed to install a municipally owned

plant instead of one privately owned. There is now more imperative need for water in this area than at the time of the earlier proceeding.

Taxpayers' petition asking for the formation of this district was filed with the town board of the town of Southampton on August 20, 1930. The district was formed on September 5, 1930. The signers of the petition to us were elected to be water commissioners on September 27, 1930. These commissioners have qualified for office. The total bond issue authorized is \$130,000.

Sanborn & Bogert, a firm of engineers with an office in the city of New York, have been retained as the engineers of the district.

It appears that Pon Quogue Water Corporation was originally formed to supply water to the holdings of Southampton Bay and Beach Corporation on South beach. It seemingly never was anxious to extend its operations on the main island. We think if this project is to be carried out as now proposed and the district is to take over the plant of the company, we should approve the application, with the proviso that the district also supply water in the additional areas on the beach now supplied or to be supplied by the company.

In the event that district and company cannot reach an agreement as to the purchase of the existing plant and the company continues in operation, we believe we should now authorize the district to purchase water from the company, but we should not authorize it to distribute any water on the beach in competition with the company.

The appropriation available for this work appears to be sufficient.

Plans and specifications filed generally provide for safe and suitable construction, but as they probably are not in final form, we should not now give them

our full approval, but should require that the works be built only in accordance with plans which are hereafter approved.

The district proposes to acquire the lands owned by Pon Quogue Water Corporation and also a tract of land, 0.65 acres in extent, north of the Flanders-Canoe Place road, on which to erect a standpipe.

The carrying out of this project will have no effect on any other civil division of the State or the inhabitants thereof.

The legal damages which may be caused by the execution of the plans of the petitioner do not appear to be such as to require any special consideration or legislative enactment in order that they may be equitably determined and paid.

The Commission finds it to be necessary to protect the water supply and the interests of the applicant and of the inhabitants of the territory supplied by it with water; to protect the water supply and interests of the various municipal corporations and other civil divisions of the State and the inhabitants thereof; to protect the water supply and interests of persons or waterworks corporations engaged in supplying water to any municipal corporation or other civil division of the State and the inhabitants thereof, that the application, maps and plans submitted should be modified to conform to the following:

1. In the event the property of Pon Quogue Water Corporation is acquired by the district, the district authorities shall maintain in full force and effect and shall diligently enforce the provisions of the sanitary rules and regulations which now protect the surroundings of the company's well from contamination.

2. Unless this Commission shall, upon consideration of the results of future analyses of water pumped from the existing and proposed well, otherwise permit, all such water shall before distribution or supply

to any person, corporation or municipality be sterilized to the satisfaction of this Commission.

3. The Commission reserves the right to require, in the event that future analyses or inspections shall indicate necessity therefor, the taking of additional precautions, or the installation and satisfactory operation of purification or treatment works or of additional purification or treatment works of types satisfactory to this Commission.

4. The district is hereby specifically authorized, in the event that it acquires the plant and property of Pon Quogue Water Corporation, to sink in the land about the well, now used by that corporation, as many additional wells as may be needed to meet its present or future requirements; except that such wells must be located as required by the rules and regulations and may be sunk only to the water-bearing horizon now in use.

5. In the event that the district shall acquire the plant and franchises of Pon Quogue Water Corporation, said district must also assume the existing obligations of that company to supply water to two portions of South beach, lying east and west of the boundaries of the district and outside thereof, all as described in our above quoted decisions on the application of said corporation.

6. In the event that the district does not take over the plant and franchises of said corporation, authority is hereby expressly granted to it to purchase water from said corporation.

7. If the district decides to purchase water from Pon Quogue Water Corporation, nothing in this decision and approval contained shall be held to authorize the district, without our further approval, to lay, maintain or operate any mains on South beach.

8. All structures to be built under authority of this

decision and approval shall be fully completed in strict accordance with plans thereof and specifications therefor which have previously been submitted to and approved by this Commission.

9. These works shall be completely constructed within three years of the date of this decision.

The Water Power and Control Commission, having given due consideration to the said petition and its exhibits, the proofs and arguments submitted at the hearing and the reports of its engineers thereon, determines and decides as follows:

*First.* That the application, maps and plans submitted are modified as set forth above and, as so modified, are the plans hereinafter mentioned.

*Second.* That the plans proposed are justified by public necessity.

*Third.* That said plans provide for the proper and safe construction of all work connected therewith.

*Fourth.* That said plans provide for the proper protection of the supply and the watershed from contamination and for the proper treatment 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.

*Wherefore,* the Water Power and Control Commission does hereby approve the said application, maps and plans of Hampton Bays water district, as thus modified.