

Dam Project Update

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Beaver Dam Lake Protection and Rehabilitation District

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District Board Members

Lawrence Rossini, Chairman
Louis Cascino, Vice Chairman
Margaret Collins, Secretary
Bridget Bergonzi
Anthony Gooler
Doreen LoSauro
Robert Ward

IT IS IMPORTANT TO READ BOTH PAGES OF THIS UPDATE

Project Overview

This is a complex project being managed by the Orange County Department of Public Works (DPW) for the residents of the Beaver Dam Lake Protection and Rehabilitation District. Work to be performed consists of structural improvements, repairs and modifications needed to conform to current Federal and State dam safety requirements. The lake is planned to be drained for most of the construction phase of this project.

Project Update

The Beaver Dam Lake dam rehabilitation project took an important step forward during the last few weeks. During September, the Ways and Means Committee and the Physical Services Committee of the Orange County Legislature approved submission of the formal request to the NY State Comptroller to approve the overall cost of the project. The full County Legislature voted unanimously at their October 1st meeting to approve the application and it was sent to the NY State Comptroller last week. Lake District Chairman Rossini spoke at the meeting to thank the Legislators for their continued support of our community. Resident Rich Sarnowski also attended.



The NY State Comptroller must agree that the improvements to the dam are in the public interest, that the cost of the project will not be an undue burden on the properties in the district, that all properties to be assessed will be benefited and that no benefited property has been excluded. Once approval from the Comptroller is received, the Orange County Legislature must then vote to approve bonding for the project.

Orange County estimates that the financial approvals will be completed by early 2016 and that bids for the construction of the project will be advertised shortly afterwards. The current projection is to have a contract executed and work commenced by Spring of 2016 with substantial completion by the end of the year. It is still anticipated that the lake will be refilled during the Spring of 2017 as previously reported in the April 2015 Lake District Newsletter. **However, it must be stressed that these projections can change due to administrative issues and other unforeseen difficulties related to work on a structure that is well over 100 years old.**

Seepage Investigation

Four engineering firms were interviewed during April and May as potential candidates to perform construction management and an analysis of a suspected seepage area behind the dam as requested by NYSDEC. Lake District Chairman Rossini and Vice Chairman Cascino participated in the selection process along with engineers from DPW as well as representatives from Orange County General Services and the County Executive's Office. Civil Dynamics of Stockholm, NJ was selected due to their extensive engineering experience with similar dam projects. Their contract with the County was executed on August 25th and on September 2nd they examined the suspected seepage area accompanied by Mr. Rossini and Mr. Cascino. Preliminary findings from Civil Dynamics indicates that no additional remedial measures are necessary in this area. This finding has been reported to NYSDEC and they will need to concur. Civil Dynamics is also being asked to perform a general review of the existing project designs for completeness and potential areas of cost savings.

Project Funding

The estimated \$3,700,000 cost of this project will be paid for by the taxpayers of the Lake District over an estimated period of 15 years as explained in previous newsletters and e-mails as well at several informational meetings. At the December 2014 Lake District elections, 87% of the voters supported the project and the proposed financing method.

NYS Grant Public Access Issue

A NYS Environmental Grant in the amount of \$999,850 has been approved to help offset the cost of the project. However, it has been unclear if a "Public Access" provision in the grant program could mean that our lake would be open to the general public outside of our community. At the December 2014 Lake District elections, 78% of the voters did not support accepting the grant if it meant requiring "Public Access" to Beaver Dam Lake. Lake District Board Chairman Rossini has been working with DPW Commissioner Viebrock who has been interfacing with NYSDEC attorneys in an effort to resolve the issue in favor of the District. It has been presented that the approved grant application addressed the public access question by stating that the escorted guest(s) of a District resident met "limited public access" requirements. This has met with a potentially positive **verbal** response from NYSDEC but nothing definitive has been received in writing. Also, there is a related access provision in NYS Environmental Conservation Law that will need to be reconciled. Based on the latest (2014) cost estimates, accepting the grant would mean only an \$82 per year cost savings for most District taxpayers.

Lake District Tax Assessments

As previously stated, Orange County must demonstrate to the NY State Comptroller that no benefited property has been excluded from paying a fair share of Lake District taxes. In order to meet this requirement, a review of all properties located in the Lake District was performed. Several benefited properties were found to be paying no Lake District tax at all. A number of others where homes had been built over the past several years were still being assessed as vacant lots. Several multiple family homes were found to be assessed as single family. At least two properties were found to be assessed at more than they should have been. DPW and Orange County Real Property Tax Services are in the process of addressing these inequities.