

IN WITNESS THEREOF, the parties hereto have set their hands on the day and year first above written.

THE STATE OF NEW YORK

By: _____

The undersigned has been authorized to execute this Agreement on behalf of the MUNICIPALITY by resolution of the Town or Village Board, a certified copy of which is attached hereto and made a part hereof.

TOWN OF BARRINGTON

By: _____

THE TOWN OF JERUSALEM

By: _____

THE TOWN OF MILO

By: _____

THE TOWN OF PULTENEY

By: _____

THE TOWN OR URBANA

By: _____

THE TOWN OF WAYNE

By: _____

THE VILLAGE OF HAMMONDSPOUR

By: _____

THE VILLAGE OF PENN YAN

By: _____



COPY

Date: January 19, 1991

To: Keuka Lake Channel Perimeter Committee

From: William Weber

Subject: GATE PROJECT UPDATE

cc: Mr. Allan Buddle, NYS DEC Flood Control
Mr. Richard Konsella, c/o Allan Buddle
Mr. James Economides, c/o Allan Buddle
Mr. Carl Stuck, Utilities Manager, Penn Yan
Mr. John T. Andrews, Executive Vice President KLA
Mr. Gordon Mills, Yates Co. Hwy. Supt.
William G. Mayer, Esq., Attorney for Compact
Mr. Michael Smith, USA Army Corps of Engineers
Mr. Fred Baglione, USA Army Corps of Engineers
Mr. Bruce Hansen, Outlet Trail Commission
Ms. Mary Sweet, c/o Bruce Hansen
Mr. Richard Pulver, Village of Hammondsport

Since my last update to you on October 25, 1990, we have had a tour of the outlet, courtesy of Mr. Hansen and the Outlet Trail Commission. As a result of that tour and subsequent events, I thought it prudent to report to you.

1) Outlet Tour

On an absolutely magnificent day in mid-November, the following people toured the outlet:

Hon. Phyllis K. Peek, Supervisor, Town of Pulteney
Hon. Jack Snow, Supervisor, Town of Milo
Hon. Richard Para, Mayor, Village of Hammondsport
Hon. Richard Pulver, Trustee, Village of Hammondsport
Mr. Michael Smith, USA Corps of Engineers
Mr. Fred Baglione, USA Corps of Engineers
Mr. Allan Buddle, NYS DEC
Mr. Bruce Hansen, Outlet Trail Commission
Ms. Mary Sweet, Seneca Pure Water Assoc.
Bill Weber, Secretary to the Compact

We were able to observe the stream at all points along the way to Seneca Lake with the Gates set at full flow. Some of our observations:

1) Tributary contribution to the accumulated stream flow is significant and by the time the water reaches the former NYSEG plant with the twin water falls, it is possible for Keuka Lake water to be less than 50% of the total flow, even with the Lake at 714 feet above sea level and the gates wide open.

2) There are, indeed, places along the stream bank that are experiencing erosion and subsidence. To this problem, there are simple rip-rap type solutions; DEC is looking into this.

3) The tributaries vary greatly in size and DEC has suggested a monitoring system so that the flow contributions can be incorporated into gate settings prescribed by the operation manual for minimal harmful downstream effects.

Please refer to Exhibit A for the USA Corps of Engineers view of the outlet flow situation.

2) Central New York Finger Lakes Flood Control Advisory Committee

I am happy to tell you that Carl Stuck has been appointed by Governor Cuomo to this committee (see Exhibit B). Mr. Stuck's presence on this committee will ensure our representation in the continuing dialogue over the total Oswego River Basin Management plan.

3) Kimball's Gully

You will recall our early understanding on this project. Mr. Yonge arranged for an engineer to perform a topographic analysis as part of the Permit Application and the Committee was prematurely billed for their shares. I have reviewed this with Mr. Stuck and he will set matters straight in a new billing that will encompass the entire cleaning and dredging of the Gully.

The catch basin project is still in the formative stages and there will be no billings to the Committee for this work without your prior authorization.

4) Seneca Lake Pure Water Association

I attach 2 clips (Exhibit C) showing the fine work of Mr. Hansen and his group from Seneca Lake.

Please note the public meetings being held on various Seneca Lake issues, some of which certainly impact Keuka.

Congratulations and best wishes to this new entity!!

5) The NYS DEC/Compact Contract

I am happy to report that Attorney Mayer, Mayor Hull and I are having extremely good communications with DEC on this contract.