

JOINT CONSOLIDATION AGREEMENT

THIS JOINT CONSOLIDATION AGREEMENT made the ____ day of October, 2021, between the TOWN OF EAST GREENBUSH, a municipal corporation existing by and under the laws of the State of New York and having its principal place of business located at 225 Columbia Turnpike, Rensselaer, New York 12144, (hereinafter referred to as “Town”), and GENERAL SEWER DISTRICT; HAMPTON MANOR SEWER DISTRICT; COUSE SEWER DISTRICT; THIRD AVENUE SEWER DISTRICT AND ALL RELATED EXTENSIONS ASSOCIATED WITH THE AFORESAID FOUR SEWER DISTRICTS.

Whereas, the Town of East Greenbush has previously established four sewer districts and related extensions; the four sewer districts are set forth in the following chart:

Description	Year Established	#Taxable Parcels
General Sewer District	1953	2603
Hampton Manor Sewer District	1936	795
Couse Sewer District	1971	684
Third Avenue Sewer District	1973	940

and,

Whereas, the proposed sewer district consolidation will involve approximately 5022 parcels by consolidating the General Sewer District; Hampton Manor Sewer District; Couse Sewer District and the Third Avenue Sewer District plus all related sewer district extensions into one consolidated sewer district; and,

Whereas, the proposed sewer district consolidation will not result in any additional costs or debt to the consolidated sewer district or to any related district extension other than presently existing costs or debt or as may hereafter be incurred.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

a. The names of the Local Government entities to be consolidated are:

Sewer Districts
General Sewer District
Hampton Manor Sewer District
Couse Sewer District
Third Avenue Sewer District
All related extensions to the aforesaid sewer districts

b. The name of the proposed local government entity which will result from this consolidation shall be “The Consolidated General Sewer District, hereinafter referred to as “Consolidated Sewer District”.

c. The Consolidated Sewer District shall have the duty and obligation to furnish and to supply sanitary sewer service to the Consolidated Sewer District.

d. The territorial boundaries of the proposed Consolidated Sewer District of the Town of East Greenbush, Rensselaer County, State of New York, are attached hereto and made a part hereof as Schedule A.

e. The four existing sewer districts and related extensions comprising the proposed Consolidated Sewer District shall be of the type or class that would be formed as a sewer district pursuant to the laws of the State of New York under Articles 12 and/or 12A of the Town Law of the State of New York. However, the proposed Consolidated

Sewer District shall be formed by the consolidation of the four sewer districts and related extensions under Article 17-A, Title 2 of the General Municipal Law of the State of New York. The proposed Consolidated Sewer District shall be operated and administered by the Town Board of the Town of East Greenbush in the same fashion as sewer districts created under Articles 12 and/or 12A of the Town Law.

f. The governmental organization of the proposed Consolidated Sewer District shall consist of the present members of the East Greenbush Town Board and town employees assigned to work in the town's water and sewer department. The present members of the East Greenbush Town Board, including the Supervisor, shall serve for the balance of their present terms, and upon termination of their present terms, successors shall be elected as set forth in the Town Law and Election Law of the State of New York. Should any vacancy develop because of any reason, the vacancy shall be filled in accordance with the Town Law and Election Law of the State of New York.

All public employees working in the town's water and sewer department shall be appointed by the Town Board of the Town of East Greenbush and shall be selected in accordance with the Civil Service Law of the State of New York. The proposed sewer district consolidation does not require a transitional plan or schedule for elections and the appointments of any officials.

g. As of the date of this Joint Consolidation Agreement each sewer district and any related extension is charged annually a portion of the capital costs arising from improvements constructed for the benefit of the town's waste water treatment plant. The town of East Greenbush borrowed a total of \$20,373,098 to upgrade the town's waste water treatment plant; the improvements consisted of line replacements and actual

improvements to the plant. The value of the system improvements greatly exceeds the cost of the remaining debt service. A summary of the indebtedness is as follows:

Description	Outstanding Balance as of December 31, 2021	Maturity Year	Annual Payment
2016B EFC WWTP	\$12,850,000	2046	\$650,753.20
2018 RCWSA Sewer	\$4,955,000	2046	\$304,481.26

The Consolidated Sewer District will result in a single budget as follows:

Debt Service	Imposed annually among all parcels or any additional parcels contained within the Consolidated Sewer District as follows: \$123.816 per equivalent dwelling unit for the first year of consolidation and then adjusted annually thereafter, if necessary. The number of Equivalent Dwelling Units for each parcel is determined from the Schedule of Assessment Units for each property type and is attached as Appendix C to the map, plan and report.
Operation and Maintenance Expenses	Imposed annually among all parcels or any additional parcels contained within the consolidated sewer district as follows: \$2.87 per 100 cf metered water use; \$3.84 per 1000 gallons metered water use; \$40.17 minimum use up to 10,500 gallons; and \$45.91 flat rate for unmetered water use. Each customer will pay for 100 cf or 1000 gallons consumed, but if less than 1400 cf or less than 10,500 gallons then the minimum rate shall apply no matter the volume consumed.

The cost of consolidation is expected to be less than One Hundred Thousand and 00/100 (\$100,000.00) Dollars. Costs to the average single family home of the General Sewer District will be decreased by \$124.71 for the first year after consolidation; costs to the average single family home of the Hampton Manor Sewer District will be reduced by \$25.40 for the first year after consolidation; costs to the average single family home of

the Couse Sewer District will increase by \$70.19 for the first year after consolidation; and the costs to the average single family home of the Third Avenue Sewer District will decrease by \$68.65 for the first year after consolidation.

h. The assets of the four sewer districts and their extensions consist of, among other items, underground infrastructure including sewer collection piping, manholes, pump stations and the waste water treatment plant. These assets will remain part of the Consolidated Sewer District. The consolidated sewer district will have a total taxable value of approximately \$174,000,000.

i. Each entity's liabilities and indebtedness together with the fair value thereof is as set forth in subparagraphs (g) and (h) hereof.

j. The existing liabilities of each sewer district and its related extension will be assumed by the proposed consolidated sewer district and paid in the manner set forth in subparagraph (g) hereof. There will be no disposition of existing assets. All the assets of each sewer district and each extension will remain in place.

k. The administration and uniform enforcement of local laws and ordinances, resolutions, and orders will be carried out in the proposed consolidated sewer district during the two years following the effective date of consolidation and be enforced in the same fashion and to the same extent as heretofore existed in the various sewer districts and related extensions. Not later than two years following the effective date of consolidation, the Town Board of the Town of East Greenbush shall adopt any new laws, ordinances, rules, and regulations as may be necessary to redress any conflicts and to redress ambiguities, if any, among the then existing laws, ordinances, rules, and

regulations in order to provide for consolidating the administrative and uniform government of the consolidated sewer district.

l. The effective date of the proposed consolidation shall be January 1, 2022.

m. The place or places for the public hearings on the Joint Consolidation Agreement shall be the Town Hall, Town of East Greenbush, New York. The public hearings will be noticed and conducted pursuant to the requirements of Section 754 of the General Municipal Law.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

TOWN OF EAST GREENBUSH, RENSSELAER COUNTY,
STATE OF NEW YORK

By: _____,
Supervisor

GENERAL SEWER DISTRICT

By: _____,
Supervisor

HAMPTON MANOR SEWER DISTRICT

By: _____,
Supervisor

COUSE SEWER DISTRICT

By: _____,
Supervisor

THIRD AVENUE SEWER DISTRICT

By: _____

, Supervisor