

TOWN OF GLENVILLE SEWER DISTRICTS NO. 4 and NO. 6

PROPOSED JOINT CONSOLIDATION AGREEMENT
INTO TOWN OF GLENVILLE CONSOLIDATED SEWER DISTRICT NO. 6

1. **PURPOSE.** The public purpose for the consolidation of existing and contiguous Town of Glenville Sewer District #4 and Town of Glenville Sewer District #6 is to provide long-term, safe, reliable and economical wastewater disposal services to customers within those districts and to provide for the more efficient administration of the Town of Glenville assessment and tax rolls.

BACKGROUND. Town of Glenville Sewer District #4 and Town of Glenville Sewer District #6 are both provided wastewater disposal service by the Town of Glenville. Sewer District #4 and Sewer District #6 are billed benefit charges on a per unit basis by the Town of Glenville for the operations, maintenance, and repair of wastewater transmission and distribution infrastructure and equipment as well as outstanding debt shared by property owners in Sewer District #4 and Sewer District #6.

Each district calculates benefit units as 1 unit for every residential parcel and 0.4 units for every vacant parcel. Sewer District #4 contains 18 parcels with a total benefit unit count of 18.0. Sewer District #6 contains 229 parcels with a total benefit unit count of 228.4. Since 1996, the benefit unit charge has been split proportionately between the two districts based on each district's total benefit unit count. The result is that each district has been paying the exact same benefit unit charge for the past 21 years. For all intents and purposes, these two districts have been treated as one since 1996.

This consolidation is proposed solely to reduce the administrative burden of maintaining additional special districts on the Town of Glenville assessment and tax rolls when two or more of these special districts have been created for the same public purpose, are subject to identical benefit unit rates, and share a common outstanding indebtedness.

METHOD. Sewer District #4 will be incorporated into the larger Sewer District #6. The resulting consolidated Sewer District #6 is to be comprised of the existing infrastructure, users and boundaries of the current Sewer District #4 and Sewer District #6.

2. **AUTHORITY.** Article 17-A of the General Municipal Law of the State of New York ("GML Art 17-A") and specifically Sections 750 through 793 thereof, effective March 21, 2010, authorizes the consolidation of special districts within a town and amends relevant provisions of the Town Law (§§ 57, 81, 195 and 209-q), the Local Finance Law (§24) and the Municipal Home Rule Law ("MHRL") (§33-a) to facilitate such consolidations. The Town of Glenville specifically invokes its authority under the New York State Constitution, MHRL Article 10 and §792 of the GML to supersede any relevant but inconsistent provisions of either state or local laws.

3. Pursuant to GML §752, the names of each local government entity to be consolidated are: Town of Glenville Sewer District #4 and Town of Glenville Sewer District #6.

4. The name of the proposed consolidated local government entity is Town of Glenville Sewer District #6.

5. The rights, duties and obligations of the proposed consolidated local government entity are the same as those that currently exist in Sewer District #4 and Sewer District #6, and are those afforded special districts under the New York State Town Law and GML Article 17-A.
6. The territorial boundaries of the proposed consolidated local government entity are the same as currently exist on the contiguous exterior of current Sewer District #4 and Sewer District #6 with the contiguous interior boundaries removed.
7. The type and/or class of the proposed consolidated local government entity is a "Special District" as that term is defined in Article 12 & 12A of the NYS Town Law for the provision of wastewater collection, disposal and treatment services.
8. The governmental organization of the proposed consolidated local government entity is that of a Special District within a Town as provided in the NYS Town Law. Specifically, the Town Board of the Town of Glenville currently functions as the Commissioners of Sewer District #4 and Sewer District #6 and will continue to function as Commissioners of the consolidated Sewer District #6 without a special election therefore after the consolidation is complete.
9. There is no fiscal impact to users of the current Sewer District #4 or Sewer District #6. Nominal savings are expected in the preparation and administration of Town assessment rolls and tax bills.
10. The infrastructure assets of current Sewer District #4 and current Sewer District #6 consist of sanitary sewer pipes and equipment. There is one pump station located on Acorn Drive with the owner listed as Woodhaven Sewage Corp. This pump station serves current Sewer District #4 and current Sewer District #6. The pump station is approximately 0.95 acres and has an assessed value of \$225,500. As of December 31, 2016, current Sewer District #6 had assets of \$76,693 in unappropriated fund balance, \$40,015 in repair reserve, \$150,078 in capital reserve, and \$414,264 in debt reserve. Besides infrastructure, there are no assets in current Sewer District #4.
11. As of December 31, 2016, the liabilities and indebtedness of current Sewer District #6 consisted of one bond anticipation note in the amount of \$448,600. There are no liabilities in current Sewer District #4.
12. The terms for disposition of existing assets of each local government entity is that they will be merged into the consolidated local government entity Town of Glenville Sewer District #6. Future improvements to the consolidated district will be financed via joint indebtedness paid for on a benefit basis issued by the Town of Glenville Sewer District #6.
13. The terms for the common administration and uniform enforcement of local laws and the like within the proposed consolidated local government entity, are those rules and regulations promulgated by the Town of Glenville, and enforced by the Town of Glenville Commissioner of Public Works and State and County Health Department Regulations consistent with GML §769. All local laws, ordinances, rules or regulations currently in effect for the component Special Districts on the effective date of consolidation shall remain in full force and effect until repealed.

or amended. The Town of Glenville Town Board will adopt such new local laws, ordinances, rules and regulations as necessary to redress conflicts or ambiguities in existing laws and the like for the common administration and uniform governance of the consolidated Sewer District #6.

14. The effective date of the proposed consolidation will be immediately upon the adoption of the Proposed Joint Consolidation Agreement by Resolution of the Glenville Town Board and in conformity with GML §756, which is estimated to be voted on at the August 16, 2017 Town Board meeting.

15. The time and place for the Public Hearing on the Proposed Joint Consolidated Agreement pursuant to GML §754 will be as noticed by resolution of the Glenville Town Board and is expected to be conducted on August 16, 2017 at 7:00 p.m. at the Glenville Town Hall located at 18 Glenridge Road, Glenville, New York 12302.

Proposed by the members of the Town of Glenville Town Board, acting as the Commissioners of Sewer District #4 and Sewer District #6, on this 21st day of June, 2017.

Town Supervisor