

## JOINT CONSOLIDATION AGREEMENT

THIS JOINT CONSOLIDATION AGREEMENT made the 24th day of October , 2023, by and between the TOWN OF MOREAU, a municipal corporation existing by and under the laws of the State of New York and having its principal place of business located at 351 Reynolds Road, Moreau, New York, (hereinafter referred to as “Town”), and SEWER DISTRICT NO. 1 (MOREAU INDUSTRIAL PARK); SEWER DISTRICT NO.1, EXT. NO. 1 (LEONELLI APARTMENT COMPLEX); SEWER DISTRICT NO.1, EXT. 2 (BLUEBIRD VILLAGE APARTMENTS) ; SEWER DISTRICT NO. 1, EXT. NO. 3 (THE NEST); SEWER DISTRICT NO. 1, EXT. 3 (HARRISON PLACE APARTMENTS); SEWER DISTRICT NO. 1, EXT. NO. 4 (HARRISON QUARRY/BLUEBIRD TRACE APARTMENTS); and SEWER DISTRICT NO. 1, EXT. NO. 5;

Whereas, the Town of Moreau has previously established one sewer district, six sewer district extensions and four contract users as set forth in the following chart:

<b>Description</b>	<b>Year Established</b>	<b># Taxable Parcels</b>
Sewer District No. 1 (Moreau Industrial Park)	1998	30, improved by an industrial park
Sewer District No. 1 Extension No.1 (Leonelli Apartment Complex)	2008	3, consisting of 384 one and two bedroom apartments
Sewer District No. 1 Extension No. 2 (Bluebird Village Apartments)	2008	1, consisting of 244 two and three bedroom apartments
Sewer District No. 1 Extension No. 3 (The Nest)		1, subdivided into four lots; Lot 1 (Home of the Good Shepard) is improved by a 64 unit senior assisted living building; Lots 2, 3 and 4 are not presently developed.
Sewer District No. 1, Extension No. 3 (Harrison Place Apartments)	2012	1, consisting of 26 apartments
Sewer District No. 1, Extension No. 4 (Harrison Quarry/Bluebird Trace Apartments)	2014	4, expecting to serve 29 four unit apartment buildings and a 70 unit senior living building

Sewer District No. 1, Extension No. 5	2019	85, Part of this Extension is located along Route 9 from Northway Exit 17 to approximately 1500 feet south of Butler Road; the other part of the Extension is located on Bluebird Road which serves a single parcel known as the Bluebird Terrace Mobile Home Park; in addition, the Extension serves two other mobile home parks and 82 commercial properties
Contract Users		Parcel Nos. SBL 51.-2-19.12; SBL 77.1-1-71; SBL 77.1-1-73.2; and SBL 50.-2-100.11

and,

Whereas, the proposed sewer district consolidation will involve approximately 129 parcels by consolidating Sewer District No. 1 (Moreau Industrial Park); Sewer District No.1, Ext. No. 1 (Leonelli Apartment Complex); Sewer District No.1, Ext. 2 (Bluebird Village Apartments); Sewer District No. 1, Ext. No. 3 (The Nest); Sewer District No. 1, Ext No. 3 (Harrison Place Apartments); Sewer District No. 1, Ext. No. 4 (Harrison Quarry/Bluebird Trace Apartments); Sewer District No. 1, Ext. No. 5; and four contract users as described herein 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 residents other than those costs presently existing in all the sewer districts or debt presently existing in one or more of the sewer district extensions or as hereafter incurred.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

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

<b>Sewer Districts</b>
Sewer District No. 1 (Moreau Industrial Park)
Sewer District No. 1, Extension No.1 (Leonelli Apartment Complex)
Sewer District No. 1, Extension No.2 (Bluebird Village Apartments)
Sewer District No. 1, Extension No. 3 (The Nest)
Sewer District No. 1, Extension No. 3 (Harrison Place Apartments)
Sewer District No. 1, Extension No. 4 (Harrison Quarry/Bluebird Trace Apartment Projects)
Sewer District No. 1, Extension No. 5

b. The name of the proposed local government entity which will result from this consolidation shall be “The Town of Moreau Consolidated Sewer District No. 1”, 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 Moreau, Saratoga County, State of New York, are attached hereto and made a part hereof as Schedule A. SEE ALSO APPENDIX G OF THE MAP, PLAN & REPORT.

e. 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 one sewer district, six sewer district extensions (either existing or which should have been created pursuant to either Articles 12 or 12A of the Town Law ) and the Out of District Agreements 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 Moreau in the same fashion as sewer districts created under Articles 12 and 12A of the Town Law.

f. The governmental organization of the proposed Consolidated Sewer District shall consist of the present members of the Moreau Town Board and town employees assigned to work in the town's water and sewer department. The present members of the Moreau 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 departments shall be appointed by the Town Board of the Town of Moreau 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 and schedule for elections and the appointments of any officials.

g. As of the date of this Joint Consolidation Agreement Sewer District No. 1, (Moreau Industrial Park) has incurred pump station rehabilitation costs of \$275,000 which are shared among Sewer District No. 1 and Extensions 1-4. The town has used the available fund balance to cover this cost; sewer rates have been established in Sewer District No. 1 and Extensions 1-4 to recover the pump station costs over a three year period. Sewer District No. 1, Ext. No. 5 has construction costs totaling \$18,140,000 with work scheduled to be completed by December, 2024. Repayment of the construction costs will consist of grants in the amount of \$4,003,000 with the remaining \$14,100,000 financed with thirty year term bonds resulting in an estimated annual debt payment of approximately \$511,000. Debt financing includes a \$10,600,000 0% interest loan from the New York State Environmental Facilities Corporation and a \$3,500,000 market rate loan at an assumed 5% interest rate.

There is no other indebtedness.

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

Debt Service	Ninety percent of the annual debt service will be collected based on the assessed value of all real property within the consolidated sewer district (\$4.28 per \$1000 of assessed value), while the remaining ten percent will be based on the acreage of each parcel within the consolidated district (\$61.89 per acre) distributed annually
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	among all parcels or any additional parcels contained within the consolidated sewer district.
Operation and Maintenance and Excess Treatment Rates	Charged only to users with an active connection to the sanitary sewer and are based on usage and the number of equivalent dwelling units of each property. Users that do not exceed an average usage of 100 gallon per day per EDU usage allowance during a given billing period the operation and maintenance costs shall be collected by an EDU charge. For users exceeding the 100 gallon per day per EDU allowance included within the EDU charge an additional treatment charge applies. The total 2024 EDU rate is as follows: non-treatment portion - \$46.42 per EDU; treatment portion - \$149.29 per EDU.

Sewer District No. 1 and Sewer District No. 1, Extensions 1-4 sewer infrastructure and reserve capacity purchases were funded by the town of Moreau using general tax revenues in an effort to serve the Industrial Park and to encourage economic growth in the area. This force main now serves as the backbone to all sewer district extensions although Extensions 1 through 4 have not contributed towards the shared infrastructure or improvements.

The cost of consolidation is expected to be less than Fifty Thousand and 00/100 (\$50,000.00) Dollars.

h. The assets of the sewer district and its extensions consist of, among other items, lift stations, sewer lines, force mains, gravity collection systems and grinder pumps. The consolidated sewer district will have a total taxable value of approximately \$99,200,000.00. The total value of all district assets is approximately \$22,000,000.00.

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

j. The existing liabilities of each sewer district and its extensions 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 the sewer district and its extensions 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. Not later than two years following the effective date of consolidation, the Town Board of the Town of Moreau 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, 2024.

m. The place or places for the public hearings on the Joint Consolidation Agreement shall be the Town Hall, Town of Moreau, 351 Reynolds Road, Moreau, 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 MOREAU, SARATOGA COUNTY,  
STATE OF NEW YORK

By: \_\_\_\_\_

, Supervisor

SEWER DISTRICT NO. 1

By: \_\_\_\_\_  
, Supervisor

SEWER DISTRICT NO.1, EXT. NO. 1

By: \_\_\_\_\_  
, Supervisor

SEWER DISTRICT NO.1, EXT. NO. 2

By: \_\_\_\_\_  
, Supervisor

SEWER DISTRICT NO. 1, EXT. NO. 3 (The Nest)

By: \_\_\_\_\_  
, Supervisor

SEWER DISTRICT NO. 1, EXT. NO. 3

By: \_\_\_\_\_  
, Supervisor

SEWER DISTRICT NO. 1, EXT. NO. 4

By: \_\_\_\_\_  
, Supervisor

SEWER DISTRICT NO. 1, EXT. NO. 5

By: \_\_\_\_\_  
, Supervisor



**TOWN OF MOREAU**  
**PROPOSED CONSOLIDATED SEWER DISTRICT**  
**BOUNDARY DESCRIPTION**

**September 29, 2023**

Town of Moreau

Saratoga County, New York

The following is intended to describe the bounds of the proposed Consolidated Sewer District in the Town of Moreau, Saratoga County, New York as shown on the map entitled "Town of Moreau, Sewer District Consolidation, Proposed Consolidated Sewer District" prepared by Laberge Group and dated May 17, 2021. The district is comprised of eight noncontiguous areas.

AREA 1

Beginning at a Point located at the intersection of the northerly bounds of New York State Route 9 and the easterly bounds of Tax Map Parcel (Parcel) 63.4-1-76, and continuing northerly along said easterly bounds to a point located with the intersection of the southerly bounds of lands N/F of National Grid;

Thence westerly, along the northerly bounds of the following Parcels: 63.4-1-76, 63.4-1-75, 63.3-1-1, 63.-4-2;

Thence northerly, across the lands of N/F National Grid along the projection of the easterly bounds of Parcel 63.-4-9.111 and continuing along said bounds to the southerly bounds of Butler Road;

Thence westerly along the southerly bounds of Butler Road to its intersection with the easterly bounds of Interstate 87;

Thence, southerly along the easterly bounds of Interstate 87 to the northwest corner of Parcel 63.-4-9-12;

Thence southerly, along the westerly bounds of Parcel 63.-4-9.12 to its intersection with the northerly bounds of Parcel 63.-4-14.2;

Thence westerly, and then southerly, along the northerly and westerly bounds of Parcel 63.-4-14.2 to its point of intersection with the northerly bounds of Parcel 77.1-1-62.1;

Thence westerly, along the northerly bounds of Parcel 77.1-1-62.1 to its intersection with the easterly bounds of Fawn Road;

Thence southerly along the easterly bounds of Fawn Road to the point of intersection with the northerly bounds of Parcel 77.1-1-85;

Thence westerly, across Fawn Road to a point on the westerly bounds of Fawn Road;

Thence southerly along the westerly bounds of Fawn Road to its intersection with the northerly bounds of Parcel 77.1-1-55;

Thence westerly, along the northerly bounds of Parcel 77.1-1-55 to the intersection with the westerly bounds of Parcel 77.1-1-55;

Thence southerly along the westerly bounds of Parcel 77.1-1-55 to its point of intersection with the northerly bounds of Parcel 77.1-1-48;

Thence westerly along the northerly bounds of Parcels 77.1-1-48 and 77.1-1-79 to its point of intersection with the easterly bounds of Parcel 77.1-1-43.1, said point being the northwest corner of Parcel 77.1-1-79;

Thence first westerly and then northerly along the easterly bounds of Parcel 77.1-1-43.1 to its intersection with the southerly bounds of Spier Falls Road;

Thence westerly, along the southerly bounds of Spier Falls Road to its intersection with the easterly bounds of Interstate 87;

Thence southerly, along the easterly bounds of Interstate 87 to its point of intersection with the westerly bounds of Parcel 76.-3-90;

Thence southerly, along the westerly bounds of Parcel 76.-3-90 and 76.-3-20 to the northerly bounds of New York State Route 9;

Thence southerly, across New York State Route 9 to a point on the southerly bounds of New York State Route 9, said point being the north westerly corner of Parcel 76.-3-23;

Thence southerly, along the westerly bounds of Parcel 76.-3-23 to the southwest corner of Parcel 76.-3-23;

Thence easterly along the southerly bounds of Parcel 76.-3-23 to its point of intersection with the westerly bounds of Parcel 76.-3-22;

Thence southerly along the bounds of Parcel 76.-3-22 to the south west corner of Parcel 76.-3-22;

Thence easterly and then northerly along the bounds of Parcel 76.-3-22 to its intersection with the southerly bounds of New York State Route 9;

Thence easterly along New York State Route 9 to its intersection with the easterly bounds of Parcel 76.-3-21-1;

Thence southerly along the easterly bounds of Parcel 76.-3-21-1 to the southwest corner of Parcel 76.-3-21.2;

Thence easterly along the southerly bounds of Parcels 76.-3-21.2 and 77.1-1-39.1 to the southeast corner of Parcel 77.1-1-39.1;

Thence northerly, along the easterly bounds of Parcel 77.1-1-39.1 to the southwest corner of Parcel 77.1-1-35;

Thence easterly along the southerly bounds of Parcel 77.1-1-35 to the south east corner of said Parcel;

Thence northerly along the easterly bounds of Parcel 77.1-1-35 to its intersection with the southerly bounds of New York State Route 9;

Thence easterly, along the southerly bounds of New York State Route 9 to the northwest corner of Parcel 77.1-1-70.2;

Thence first southerly and then easterly along the westerly and southerly bounds of Parcel 77.1-1-70.2 to the point of intersection with the westerly bounds of Fawn Road;

Thence easterly, across Fawn Road to the point of intersection of the easterly bounds of Fawn Road with the southerly bounds of Parcel 77.1-1-71;

Thence easterly along the southern bounds of Parcels 77.1-1-71 and 77.1-1-73.2 to the westerly bounds of Parcel 77.1-1-24;

Thence southerly along the westerly bounds of Parcel 71.1-1-24 to the southern bounds of said Parcel;

Thence easterly, along the southerly bounds of Parcels 77.1-1-24, 77.1-1-22, 77.1-1-21 and 77.1-1-20 to the westerly bounds of Fortsville Road then northerly along the westerly bounds of Fortsville Road to a point directly opposite the intersection of the easterly bounds of Fortsville Road and the southerly bounds of Parcel 77.1-1-6.1;

Thence easterly, across Fortsville to said point of intersection of the easterly bounds of Fortsville Road and the southerly bounds of Parcel 77.1-1-6.1;

Thence along the westerly and then northerly bounds of Parcel 77.1-1-6.1 to its intersection with the westerly bounds of Parcel 77.1-1-3;

Thence northerly and then easterly, then southerly, along the bounds of Parcel 77.1-1-3 to its intersection with the northwest corner of Parcel 77.1-1-2;

Thence southerly, then easterly and northerly along the bounds of Parcel 77.1-1-2 to its intersection with the southern bounds of New York State Route 9;

Thence easterly along the southern bounds of New York State Route 9 to its intersection with the western bounds of Parcel 77.-4-3;

Thence along the easterly and southerly bounds of Parcel 77.4-4-1 to its intersection with the easterly bounds of Parcel 77.-4-34;

Thence southerly along the eastern bounds of Parcel 77.-4-34 to its intersection with the southern bounds of Parcel 77.-4-3;

Thence along the southerly bound of Parcels 77.-4-3, 77.-4-2, 77.-4-36.2 and 77.-4-36.11 to a point;

Thence northerly along the easterly bounds of Parcel 77.-4-36.11 to a point on the southerly bounds of Reynolds Road;

Thence northerly, across Reynolds Road to a point on the northerly bounds of Reynolds Road;

Thence easterly along the northerly bounds of Reynolds road to the south east corner of Parcel 63.3-1-6.1;

Thence northerly, along the easterly bounds of Parcel 63.3-1-6.1 to its intersection with the south west corner of Parcel 63.3-1-3.21;

Thence easterly, along the southern bounds of Parcel 63.3-1-3.21 to the westerly bounds of Parcel 63.3-1-3.12;

Thence southerly, along the westerly bounds of Parcel 63.3-1-3.12 to the south east corner of said Parcel;

Thence easterly along the southerly bounds of Parcels 63.3-1-3.12, 63.3-1-26, 63.3-1-25, 63.3-1-23, 63.3-1-24, 63.3-1-3.111, 63.3-1-3.14, 63.3-1-3.13, and 63.4-1-71 to the south east corner of Parcel 63.4-1-71;

Thence northerly, along the easterly bounds of Parcel 63.4-1-71 to its intersection with the southerly bounds of New York State Route 9;

Thence easterly, along the southerly bounds of New York State Route 9 to its point of intersection with the westerly bounds of Parcel 63.4-1-69.1;

Thence first southerly, then easterly and then northerly around the bounds of Parcel 63.4-1-69.1 to a point on the southerly bounds of New York State Route 9;

Thence from said point, northerly across New York State Route 9 to the Point and Place of Beginning.

Excepting therefrom Parcels 77.1-1-67, 77.1-1-68, 63.3-1-17 and 63.-4-1.11.

## AREA 2

Beginning at a Point located at the intersection of the easterly bounds of Bluebird Road and the northerly bounds of Parcel 50.-3-4.1 thence continuing in a clockwise direction around the bounds of said Parcel to the Point and Place of Beginning.

### AREA 3

Beginning at a point located at the intersection of the northerly bounds of Bluebird Road and the southerly bounds of Parcel 50.-2-1.11 thence continuing in a clockwise direction around the bounds of said Parcel to the Point and Place of Beginning.

### AREA 4

Beginning at a point at the northwestern corner of Parcel 50.-2-19.111 thence continuing in a counter clockwise direction around the bounds of said Parcel to the northwest corner of Parcel 50.-2-19.12;

Thence south easterly along the eastern bounds of Parcel 50.-2-19.112;

Thence south westerly along the southern bounds of Parcel 50.-2-19.112;

Thence north westerly along the western bounds of Parcel 50.-2-19.112 to its intersection with the southern bounds of Bluebird Road;

Thence south westerly along the southern bounds of Bluebird Road to the Point and Place of Beginning.

### AREA 5

Beginning at a point at the north western corner of Parcel 50.-4-1.12 thence north easterly along the northern boundaries of Parcels 50.-4-1.12 and 50.-4-2.1 to the north eastern corner of Parcel 50.-4-2.1;

Thence southerly along the western boundaries of Parcels 50.-4-2.1, 50.-4-3, 50.-4-95, 50.-4-5, 50.-4-8, 50.-4-9, and 50.-4-11 to the southeast corner of Parcel 50.-4-11;

Thence westerly along the southern bounds of Parcels 50.-4-11, 50.-4-96.1, and 50.-4-12 to the southeast corner of Parcel 50.-2-32.3;

Thence northerly and westerly along the western bounds of Parcel 50.-4-12 to the south east corner of Parcel 50.-4-94;

Thence northerly along the eastern bounds of Parcels 50.-4-94 and 50.-4-93 to the northeast corner of Parcel 50.-4-31;

Thence crossing Farnan Road to the northwest corner of Parcel 50.-4-34;

Thence following easterly and northerly along the northern boundaries of Parcels 50.-4-34 and 50.-4-95;

Thence northerly western bounds of Parcel 50.-4-1.11 to the Point and Place of Beginning.

#### AREA 6

Beginning at a point located on the intersection of the southern bounds of Harrison Avenue and the northern bounds of Parcel 37.-1-15.11 thence continuing in a clockwise direction around the bounds of said Parcel to the Point and Place of Beginning.

#### AREA 7

Beginning at a point located on the southwest corner of Parcel 37.-1-21.1 thence southerly and easterly along the southern boundaries of Parcels 37.-1-21.1, 37.-1-26 to the south east corner of Parcel 37.-1-26;

Thence northerly along the western bounds of Parcel 37.-1-19 to its intersection with the southern bounds of Harrison Avenue;

Thence easterly along the southern bounds of Harrison Avenue to the northeast corner of Parcel 37.-1-19;

Thence southerly along the western bounds of Parcel 37.-1-18 to its intersection with the northern bounds of Parcel 37.19-1-25.2;

Thence southeasterly along the southern boundaries of Parcels 37.-1-18, 37.-1-17 and 37.19-1-6 to the northwest corner of Parcel 37.19-1-7;

Thence easterly along the southern bounds of Parcel 37.19-1-7 to its intersection with Sisson Road,

Thence southerly along the western bounds of Sisson Road to the northeast corner of Parcel 37.19-1-8;

Thence westerly to the northwest corner of Parcel 37.19-1-8;

Thence southerly to the south west corner of Parcel 37.19-1-9;

Thence easterly to the north west corner of Parcel 37.19-1-24.11;

Thence southerly along the western boundaries of Parcels 37.19-1-24.11 and 37.19-1-24.12 to its intersection with the northern bounds of Parcel 37.-1-13;

Thence westerly along the northern bounds of Parcel 37.-1-13 to its intersection with the northern boundary of Parcel 50.-2-100.11;

Thence southeasterly along the southern bounds of Parcel 37.-1-13 to the western bounds of Sisson Road;

Thence westerly to the northwest corner of Parcel 50.-3-9;

Thence southerly along the western boundaries of Parcels 50.-3-9 and Parcel 50.-2-8;

Thence westerly along the southern bounds of Parcel 50.-2-8 to its intersection with the western bounds of Sisson Road;

Thence southerly along the western bounds of Sisson Road to its intersection with the southeastern corner of Parcel 50.-2-100.11;

Thence westerly along the northern bounds of Parcel 50.-2-2.1 to its intersection with the eastern boundary of Parcel 50.-2-1.11;

Thence northerly along the Eastern boundary of Parcel 50.-2-1.11 to its intersection with the southern boundary of Parcel 37.-1-15.12;

Thence easterly along the northern boundary of Parcel 50.-2-100.11 to its intersection with the eastern bounds of Parcel 37.-1-34;

Thence northerly along the eastern boundaries of Parcels 37.-1-34 and 37.-1-15.3 to the Point and Place of Beginning.

#### AREA 8

Beginning at a point located at the northwest corner of Parcel 37.-1-10.121 thence easterly along the southern bounds of Harrison Avenue to its intersection with the northwestern bounds of Bluebird Road;

Thence south westerly along the northwestern bounds of Bluebird Road to its intersection with the southern bounds of Parcel 37.-1-10.13,

Thence westerly along the southern border of Parcel 37.-1-10.13 crossing Parcel 50.-4-1.31 to the southeast corner of Parcel 37.-1-10.121;

Thence westerly along the southern bounds of Parcel 37.-1-10.121 to its intersection with the eastern bounds of Parcel 37.-1-36.2;

Thence northerly along the eastern bounds of Parcel 37.-1-36.2 to the Point and Place of Beginning

Excepting therefrom Parcel 50.-4-1.31.