

**CONSOLIDATION AGREEMENT
OF
WATER DISTRICTS AND WATER IMPROVEMENT AREAS
WITHIN THE TOWN OF BATAVIA, NEW YORK**

THIS AGREEMENT is entered into by the Town of Batavia, New York municipal corporation with its offices at 3833 West Main Street Road, Batavia, New York.

WHEREAS, New York General Municipal Law Article 17-A authorizes water and sewer districts to consolidate into combined districts if such combination “shall be conducive to the public health, welfare, and convenience and be of special benefit to the lands of the districts”; and

WHEREAS, the water districts and water improvement areas within the Town of Batavia were duly established by the Town Board over the past 56 years; and

WHEREAS, the Town Engineer has studied whether it would be to the mutual benefit, and in the best interests of, the customers each serves, to consolidate all water districts and improvement areas within the Town of Batavia into one District, and determined that such combination would create greater operating efficiencies, provide better service to the public each serves, generate cost savings by avoiding duplication in administrative services, and allows capital improvement costs to be shared among all customers within a hydraulically connected water system; and

WHEREAS, New York General Municipal law Article 17-A requires endorsement of a Consolidation Agreement to commence proceedings to consolidate Districts, and the purpose of this Agreement is to comply with this requirement;

NOW, THEREFORE, in consideration of the foregoing recitals, The Town Board sets forth the following terms and conditions for the consolidation:

1. Names of Districts and Improvement Areas to be Consolidated:

The water districts and water improvement areas to be consolidated include all of the water districts and water improvements areas established by the Town of Batavia within the Town of Batavia municipal boundaries and include, but may not be limited to, the following:

- Batavia Consolidated Water District
- South Main Street Road Improvement Area
- Bennett Heights Water Improvement Area
- Hartshorn, Hopkins, & Pearl Street Road Water District
- Lover's Lane Water District
- Ellicott Street Road Water District
- Alexander & Pike Road Water District
- Rose Road Water District
- Putnam & Shepard Road Water District
- Pearl Street Road Water
- Wilkinson Road Water District
- Wortendyke & Pike Road Water District
- Pratt Road Water District
- Creek & East Road Water District
- Batavia North Water District
- Oakwood Hills Water District
- Batavia Southwest Water District
- Batavia Bethany Townline Road Water District
- Batavia Northwest Water District

2. Name of the Proposed Consolidated Water District:

The name of the proposed consolidated District would be Batavia Townwide Water District.

3. Rights, Duties, and Obligations of the Proposed Consolidated Water District:

All of the rights, duties, and obligations of each of the separate water districts and water improvement areas under existing contracts and agreements, including, but limited to, those

related to personnel matters, provisions of water, and payment of outstanding obligations, shall become the rights, duties, and obligations of the Batavia Townwide Water District as of the effective date specified in paragraph (12) below. The water districts and water improvement areas have a combined debt of \$6,655,603 in outstanding bonds and/or bond anticipation notes. The water rates within the existing water districts and water improvement areas are the same.

4. Territorial Boundaries of the Proposed Consolidated Water District:

The boundaries of the Batavia Townwide Water District shall be the municipal boundary for the Town of Batavia less a parcel on Macomber Road, the parcels along the north side of Keifer Road, and parcels along Dorman Road beyond the existing district. This consolidated boundary encompasses all parcels within an existing water district or water improvement area but removes interior boundaries. A detailed district description and map is set forth in Exhibit A. All Exhibits are incorporated herein and made a part hereof by this reference.

5. Type and/or Class of the Proposed Consolidated Water District:

The Batavia Townwide Water District shall be a Water District.

6. Governmental Organization of Proposed District Insofar as it Concerns Elected and Appointed Officials and Public Employees, Along with Transitional Plan and Schedule for Elections and Appointments of Officials:

The consolidation will have no effect on elected or appointed officials or public employees and, therefore, no transitional plan or schedule for elections or appointments officials is needed. Employees involved with the operation and management of each of the existing water districts and water improvement areas are currently employees of the Town of Batavia and shall continue to be employees of the Town after consolidation.

7. Fiscal Estimate of the Cost Of and Savings Which May be Realized from Consolidation:

The consolidation of all the water districts and water improvements areas established by the Town of Batavia within the Town of Batavia municipal boundaries will result in moneys being saved and long-term costs lowered. An avoidance of costs can be expected in preparing

and maintaining one budget instead of individual budgets for each water district and water improvement area. Administration hours by the Town Engineer, Operations Manager, Billing Clerk, Financial Clerk, Town Supervisor, and Town Board or the hiring of additional personnel will be avoided. Specific cost savings include avoiding the need to perform a financial audit on each individual water district and water improvement area. Annual administrative cost savings are estimated to be approximately \$1,220,634. The costs of maintenance and repair will be spread over a larger user base. These savings will result in lower costs to property owners in the Batavia Townwide Water District than would be required if all financial laws were followed for the existing districts.

8. Each Entity's Assets, Including Real and Personal Property, and their Fair Value:

The combined fair value of the assets within the existing water districts and water improvements areas established by the Town of Batavia within the Town of Batavia municipal boundaries to be consolidated is approximately \$34,463,596. The fair value of the assets within the individual water districts and water improvement areas are as follows:

- Batavia Consolidated Water District: \$10,337,990
- South Main Street Road Improvement Area: \$204,301
- Bennett Heights Water Improvement Area: \$202,399
- Hartshorn, Hopkins, & Pearl Street Road Water District: \$1,281,392
- Lover's Lane Water District: \$341,716
- Ellicott Street Road Water District: \$1,313,862
- Alexander & Pike Road Water District: \$917,986
- Rose Road Water District: \$695,767
- Putnam & Shepard Road Water District: \$756,766
- Pearl Street Road Water: \$168,898
- Wilkinson Road Water District: \$396,713
- Wortendyke & Pike Road Water District: \$497,753
- Pratt Road Water District: \$1,899,040
- Creek & East Road Water District: \$2,246,453
- Batavia North Water District: \$8,922,168

- Oakwood Hills Water District: \$1,059,360
- Batavia Southwest Water District: \$2,689,094
- Batavia Bethany Townline Road Water District: \$531,938
- Batavia Northwest Water District: No Assets Yet

9. Each Entity's Liabilities and Indebtedness, Bonded and Otherwise, and their Fair Value:

The combined fair value of the long-term indebtedness, including outstanding bonds and/or bond anticipation notes within the existing water districts and water improvements areas established by the Town of Batavia within the Town of Batavia municipal boundaries to be consolidated is \$6,655,603. The fair value of the liabilities and debts within the individual water districts and water improvement areas are as follows:

- Batavia Consolidated Water District: \$648,845
- South Main Street Road Improvement Area: \$5,358
- Bennett Heights Water Improvement Area: None
- Hartshorn, Hopkins, and Pearl Street Road Water District: \$326,000
- Lover's Lane Water District: \$96,000
- Ellicott Street Road Water District: \$154,000
- Alexander & Pike Road Water District: \$606,000
- Rose Road Water District: \$155,000
- Putnam & Shepard Road Water District: \$262,000
- Pearl Street Road Water: \$93,000
- Wilkinson Road Water District: \$149,000
- Wortendyke & Pike Road Water District: \$159,400
- Pratt Road Water District: \$413,000
- Creek & East Road Water District: \$567,000
- Batavia North Water District: \$2,300,000
- Oakwood Water District: None
- Batavia Southwest Water District: \$615,000
- Batavia Bethany Townline Road Water District: \$106,000
- Batavia Northwest Water District: No Debts Yet

10. Terms for the Disposition of Existing Assets, Liabilities and Indebtedness of Each Entity, Either Jointly, Separately, or in Certain Defined Proportions:

Upon consolidation, the funds of all the water districts and water improvement areas will be joined into one. Real and personal property currently owned by each of the existing water districts and water improvement areas will become the property of the Batavia Townwide Water District. Any pre-consolidation debts duly incurred and agreements entered into by the water districts and water improvement areas to be consolidated shall continue to be honored by the Batavia Townline Water District and satisfied according to their terms.

11. Terms of the Common Administration and Uniform Enforcement of Local Laws, Ordinances, Resolutions, Orders, and the Like, Within the Proposed Consolidate District:

Local Laws, Ordinances, Resolutions, and Orders affecting the Batavia Townwide Water District will continue to be administered and enforced by the Town of Batavia. All properties included in the Batavia Townwide Water District shall pay the assumed liabilities and long-term debt annually through an ad valorem tax based on property assessment. Charges for the cost of operation and maintenance of the water distribution system shall be based on each property's metered water consumption, which are currently billed quarterly.

12. Effective Date of the Proposed Consolidation:

The effective date of the proposed consolidation shall be December 31, 2027.

13. The Time(s) and Place(s) for the Public Hearing(s) on the Proposed Joint Consolidation Agreement:

The Town Board shall meet at the Batavia Town Court, 4120 West Main Street Road, Batavia on Wednesday, September 30, 2026, at 7:00 post meridiem to hear public comments on this proposed Consolidation Agreement.

IN WITNESS WHEREOF, the parties have signed this Agreement on the _____ day of _____, 20____.

TOWN OF BATAVIA

Gregory H. Post, Supervisor