

JOINT CONSOLIDATION AGREEMENT

THIS AGREEMENT made and entered into this ____ day of _____, 2021, by and between the Amawalk-Shenorock Water District (hereafter “AS”), the Amawalk Heights Water District (hereafter “AH”) and the Windsor Farms Water District (hereafter “WF”), each having its principal place of business at 40 Lakeview Drive, Shenorock, New York.

WITNESSETH:

WHEREAS, each of AS, AH and WF are operating water districts in the Town of Somers established pursuant to Town Law of the State of New York and overseen by Boards of Water District Commissioners and servicing defined contiguous areas in the Town of Somers; and

WHEREAS, the Amawalk-Shenorock Water District purchases water from the Northern Westchester Joint Water Works (NWJWW). The water system has an interconnection at the intersection of Mahopac Avenue and Route 35 in Amawalk, NY 10501 and an interconnection at the intersection of Windsor Road and US Route 6 in Yorktown Heights, NY 10598. AS also has two drilled wells and a 1.48M gallon water tank for capacity and fire protection purposes. AH takes water from the Mahopac Avenue interconnection, and WF takes water from the Windsor Road interconnection; and

WHEREAS, no improvements are required to complete the consolidation of the districts. There will be no additional costs to the Town as a result of the consolidation; and

WHEREAS, all districts have the same water rates; and

WHEREAS, the Superintendent of the Water Districts has proposed the consolidation of AS, AH and WF into one operating water district to be known as Somers Consolidated Water District No. 1 and has advanced the following reasons in support of his proposal:

1. A reduction of Westchester County Health Department fees and inspections along with required sampling and monitoring expenses.

2. Difficulties encountered in allocating water consumption charges will be eliminated. A consolidated district will function more efficiently.

3. There will be a reduction in regulatory filings and reporting, and the annual permit fee for three (3) operating water districts will be reduced to one (1).

4. The water rates will remain stabilized, and the separate annual Operation and Maintenance Budgets will be eliminated and absorbed into the budget for the consolidated district.

NOW, THEREFORE, in consideration of the mutual covenants of the parties and for other good and valuable consideration, the receipt of which is hereby acknowledged by each of the parties hereto, it is mutually covenanted and agreed to by and between the parties as follows:

1. The Effective Date of the consolidation for all purposes shall be January 1, 2022.
2. As of the Effective Date, there shall be no debt in either district.

3. Assets consist of the following:

AS assets consist of Water Department Office/Shop located at 40 Lakeview Drive, Shenorock, NY, 1.48M gallon water storage tank located at Ross Drive North, Shenorock, NY, drilled wells located at Travis Road, Baldwin Place, NY, underground infrastructure piping, water mains, fire hydrants, miscellaneous facilities including air relief valves, pressure regulating valves, backflow protection devices and other water main appurtenances, parts and equipment used to maintain the system and three district vehicles.

AH & WF assets consist of additional underground infrastructure piping, additional water mains, fire hydrants, and miscellaneous facilities including air relief valves, backflow protection devices and other water main appurtenances.

4. As of the date of this Agreement, AS has 995 accounts and a fund balance of \$564,354. AH has 102 accounts and a fund balance of \$27,830. WF has 34 accounts and a fund balance of \$72,124.

5. As of the Effective Date, all account holders will become customers of Somers Consolidated Water District No. 1 and all fund balances existing on the Effective Date will be transferred to a new operating account in the name of the consolidated district.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be duly signed and executed as of the day and year first written above.

AMAWALK SHENOROCK WATER DISTRICT
OF THE TOWN OF SOMERS (AS)

By: _____
Rick Morrissey, Chairman
Board of Water Commissioners

AMAWALK HEIGHTS WATER DISTRICT
OF THE TOWN OF SOMERS (AH)

By: _____
Rick Morrissey, Chairman
Board of Water Commissioners

WINDSOR FARMS WATER DISTRICT
OF THE TOWN OF SOMERS (WF)

By: _____
Rick Morrissey, Chairman
Board of Water Commissioners

STATE OF NEW YORK)
) SS.:
COUNTY OF WESTCHESTER)

On the ____ day of _____ in the year 2021 before me, the undersigned personally appeared RICK MORRISSEY, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public