

**TOWN OF GOSHEN
RESOLUTION**

**A RESOLUTION AUTHORIZING THE ENDORSEMENT OF A PROPOSED
JOINT CONSOLIDATION AGREEMENT PURSUANT TO SECTIONS 751 2(a)
AND 752 OF THE GENERAL MUNICIPAL LAW CONSOLIDATING FOUR
TOWN OF GOSHEN WATER DISTRICTS,
TO WIT: WATER DISTRICT NO. 1 – HAMBLETONIAN PARK ; WATER
DISTRICT NO. 2 – ARCADIA HILL WATER DISTRICT; WATER DISTRICT
NO. 3 – STONEHEDGE WATER DISTRICT; AND WATER DISTRICT NO. 4 –
SCOTCHTOWN PARK WATER DISTRICT INTO ONE CONSOLIDATED
WATER DISTRICT SUBJECT TO THE COMPLETION OF PROCEEDINGS
PURSUANT TO ARTICLE 17A OF THE GENERAL MUNICIPAL LAW OF THE
STATE OF NEW YORK**

**INTRODUCED BY: COUNCILMEMBER GEORGE LYONS
SECONDED BY: COUNCILMEMBER RICHARD FLORIO
DATED: NOVEMBER 9, 2023**

WHEREAS, the Town of Goshen has heretofore established the following Town of Goshen Water Districts, to wit: Water District No. 1 – Hambletonian Park; Water District No. 2 – Arcadia Hill; Water District No. 3 – Stonehedge Water District; and Water District No. 4 – Scotchtown Park and the said Town of Goshen on behalf of the four existing water districts wishes to consolidate all of such areas into the Town of Goshen Consolidated Water District, a municipal corporation existing pursuant to the Laws of the State of New York and created pursuant to the provisions of Article 17 A of the General Municipal Law of the State of New York, and;

WHEREAS, the Town Board by and through its Supervisor is desirous of endorsing and subsequently entering into the annexed proposed Joint Consolidation Agreement consolidating the four water districts into one consolidated water district serving the following water districts: Water District No. 1 – Hambletonian Park ; Water

District No. 2 – Arcadia Hill ; Water District No. 3 – Stonehedge ; and Water District No. 4 – Scotchtown Park; and

WHEREAS, the new Consolidated Water District will assume jurisdiction over all areas previously served by the four water districts; and

WHEREAS, in order to consolidate the four water districts it is necessary that the Town of Goshen comply with all the provisions of Article 17A of the General Municipal Law of the State of New York.

NOW, THEREFORE, IT IS:

RESOLVED, the Town Board of the Town of Goshen acting on behalf of the Town of Goshen, Water District No. 1 – Hambletonian Park ; Water District No. 2 – Arcadia Hill; Water District No. 3 – Stonehedge; and Water District No. 4 – Scotchtown Park, hereby endorses the attached proposed Joint Consolidation Agreement; and it is further,

RESOLVED, the Town personnel and officers shall undertake the steps required under the aforesaid Article 17A of the General Municipal Law of the State of New York to comply with the provisions thereof to effect such consolidation.

Upon Roll Call Vote:

Supervisor Joseph Betro	Aye	Councilmember Richard Florio	Aye
Councilmember Philip Canterino	Aye	Councilmember George Lyons	Aye
Councilmember Douglas Bloomfield	Aye		

VOTE CARRIES 5 to 0

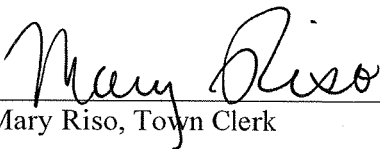
Dated: Goshen, New York
November 9,2023

CERTIFICATION OF TOWN CLERK

I, the undersigned Clerk of the Town of Goshen, Orange County, New York, DO
HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on the 9th day of November, 2023 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 9th day of November, 2023.



Mary Riso, Town Clerk

[Faint circular stamp, likely the official seal of the Town of Goshen]

JOINT CONSOLIDATION AGREEMENT

THIS JOINT CONSOLIDATION AGREEMENT made the ____ day of January, 2024, between the TOWN OF GOSHEN, a municipal corporation existing by and under the laws of the State of New York and having its principal place of business located at 41 Webster Avenue, Goshen, New York 10924, (hereinafter referred to as "Town"), and WATER DISTRICT NO. 1 – HAMBLETONIAN PARK WATER DISTRICT; WATER DISTRICT NO. 2 – ARCADIA HILL WATER DISTRICT; WATER DISTRICT NO. 3 – STONEHEDGE WATER DISTRICT; AND WATER DISTRICT NO. 4 – SCOTCHTOWN PARK WATER DISTRICT.

Whereas, the Town of Goshen has previously established the water districts as set forth in the following chart:

Description	Year Established	Taxable Parcels
Water District No. 1 – Hambletonian Park Water District	September 4, 1958	254
Water District No. 2 – Arcadia Hill Water District	November 12, 1973	289
Water District No. 3 – Stonehedge Water District	1971	42
Water District No. 4 – Scotchtown Park Water District	1960	45

and,

Whereas, the proposed water district consolidation will involve approximately 630 parcels by consolidating Water District No. 1 – Hambletonian Park Water District; Water District No. 2 – Arcadia Water District; Sewer District No. 3 – Stonehedge Water District; and Water District No. 4 – Scotchtown Park Water District into one consolidated water district; and,

Whereas, two of the water districts do not meet Department of Health requirements for disinfection, all four water districts lack adequate capacity, emergency

power must be provided and the quality of existing water supplies must be improved by treatment to remove excess iron and manganese; and

Whereas, the proposed water district consolidation will result in capital charges and operation charges being spread among the consolidated district residents, hookup fees to be determined by the terms of a local law to be adopted by the Town Board of the Town of Goshen.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

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

Water District No. 1 – Hambletonian Park Water District ; Water District No. 2 – Arcadia Hill Water District; Water District No. 3 – Stonehedge Water District; and Water District No. 4 – Scotchtown Park Water District.

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

c. The Consolidated Water District shall have the duty and obligation to supply potable water and water service to the Consolidated Water District.

d. The territorial boundaries of the proposed Consolidated Water District of the Town of Goshen, Orange County, State of New York, are attached hereto as Schedule A.

e. The proposed Consolidated Water District shall be of the type or class that would be formed as a water 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 Water District shall be formed by the consolidation of the four original water districts under Article 17A, Title 2 of the General Municipal Law of the

State of New York. The proposed Consolidated Water District shall be operated and administered by the Town Board of the Town of Goshen in the same fashion as water districts created under Articles 12 and 12A of the Town Law.

f. The governmental organization of the proposed Consolidated Water District shall consist of the present members of the Goshen Town Board and town employees assigned to work in the town's water department. The present members of the Goshen 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 department shall be appointed by the Town Board of the Town of Goshen and shall be selected in accordance with the Civil Service Law of the State of New York. The proposed water 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 there is indebtedness relating only to Water District No. 2 – Arcadia Hill Water District. The debt was initially issued on April 27, 2021 by Oppenheimer & Co. in the principal amount of \$700,000 to pay for the acquisition of the water tank. The present balance approximates \$525,000.

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

Debt Service	Distributed annually and equally among the presently existing 630 parcels and any additional parcels to be contained within the consolidated water district according to the terms of a facility
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	fee calculated annually by determining the amount of fixed costs of operation, including but not limited to personnel salaries, annual contract costs and debt service divided by the number of existing and future users within the consolidated water district.
Operation and Maintenance (Water Use Rate)	Distributed annually pursuant to the facility fee among the presently existing 630 parcels and any additional parcels contained within the consolidated water district based upon a water use rate per one thousand gallons of water consumed calculated by determining the costs other than fixed costs.

There will be a reduction in the time required to complete administrative services for the proposed consolidated water district. The cost of consolidation will equal approximately Thirty Thousand and 00/100 Dollars (\$30,000.00).

h. The assets of the water districts consist of, among other items, underground infrastructure piping, water mains, water meters, wells, sheds, lift stations, a water treatment plant and water towers. The consolidated water district will have a total taxable value of approximately \$13,000,000.

i. Existing indebtedness or any liabilities for the water districts consists of indebtedness within the Arcadia Hill Water District initially issued on April 27, 2021 by Oppenheimer & Co. in the principal amount of \$700,000 to pay for the acquisition of a water tower. The present principal balance approximates \$525,000.

j. Upon the creation of the consolidated water district the existing assets and liabilities of each water district will be assumed by the proposed consolidated water district. As set forth within subparagraph (g) of this proposed Joint Consolidation Agreement there is annual capital indebtedness associated with Water District No. 2 –

Arcadia Hill Water District in the amount of \$35,000 until 2035 when the debt will be extinguished.

k. The administration and uniform enforcement of local laws and ordinances, resolutions, orders and the like will be carried out in the proposed consolidated water 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 water districts. Not later than two years following the effective date of consolidation, the Town Board of the Town of Goshen shall adopt any new laws, ordinances, rules and regulations as may be necessary to redress any conflicts and to redress any ambiguities, if any, among the then existing laws, ordinances, rules and regulations to provide for consolidating the administrative and uniform government of the consolidated water district.

l. The effective date of the proposed consolidation shall be April 1, 2024.

m. The place or places for the public hearings on the Joint Consolidation Agreement shall be the Town Hall, Town of Goshen, 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.

WATER DISTRICT NO. 1 – HAMBLETONIAN PARK WATER DISTRICT

By: _____
Joseph Betro, Supervisor

WATER DISTRICT NO. 2 – ARCADIA HILL WATER DISTRICT

By: _____
Joseph Betro, Supervisor

WATER DISTRICT NO. 3 – STONEHEDGE WATER DISTRICT

By: _____
Joseph Betro, Supervisor

WATER DISTRICT NO. 4 – SCOTCHTOWN PARK WATER DISTRICT

By: _____
Joseph Betro, Supervisor

TOWN OF GOSHEN, ORANGE COUNTY,
STATE OF NEW YORK

By: _____
Joseph Betro, Supervisor

SCHEDULE A
TOWN OF GOSHEN CONSOLIDATED WATER DISTRICT

Town of Goshen, Orange County, New York

Note: This description was created from the Orange County Real Property Tax Service Agency 2022 GIS Tax Parcels and is not based on an actual field survey.

There are currently four Water Districts (Hambletonian Park, Arcadia Hills, Scotchtown Park, and Stonehedge) within the Town of Goshen, Orange County, NY, the boundaries of which are described below. These four districts will be administratively consolidated into one water district, the Town of Goshen Consolidated Water District.

The existing Hambletonian Park Water District is divided into two areas; a northern area and a southern area. The northern area shall be bounded and described as follows:

- Beginning at the Village of Goshen boundary and the northwest corner of Tax Parcel 6-1-1.1;
- Thence easterly following the southern right-of-way of Craigville Road to the northeast corner of Tax Parcel 7-5-2;
- Thence southerly to the northern right-of-way of Meadowbrook Lane;
- Thence continuing to follow the northern right-of-way of Meadowbrook Lane to the northwestern corner of Tax Parcel 7-7-6.1;
- Thence easterly to the northeastern corner of Tax Parcel 7-7-6.1;
- Thence southerly to the intersection of Tax Parcel 7-7-1 and Tax Parcel 8-1-3;
- Thence following the entire boundary of Tax Parcel 8-1-3 to its intersection to the southeast corner of Tax Parcel 8-1-12.1;
- Thence easterly to the southeast corner of Tax Parcel 8-1-12.1;
- Thence northerly to southeastern boundary of Tax Parcel 7-10-6;
- Thence continuing northerly along the eastern boundary of Tax Parcel 8-1-12.221 (outside district) to its intersection of the southwest corner of Tax Parcel 6-3-6;
- Thence westerly to the eastern right-of-way of Upper Magic Circle Drive;
- Thence continuing southerly along the eastern right-of-way of Upper Magic Circle Drive;
- Thence easterly to the its intersection of Tax Parcel 6-4-6.2;
- Thence southwesterly to the southeast corner of Tax Parcel 6-4-7.1;
- Thence northwesterly to its intersection of Tax Parcel 8-1-21 (outside district);
- Thence continuing to follow the eastern boundary of Tax Parcel 8-1-21 (outside district) to its intersection of Tax Parcel 6-1-1.1;
- Thence continuing to follow the boundary of Tax Parcel 6-1-1.1 to the point of the beginning.

The southern area shall be bounded and described as follows:

- Beginning at the northeast corner of Tax Parcel 29-1-85;
- Thence following the western boundary of Tax Parcel 8-1-9.221 (outside district) to its intersection of Tax Parcel 29-1-78;

- Thence following the entirety of Tax Parcel 29-1-78 until it again intersects Tax Parcel 8-1-9.221 (outside district);
- Thence continuing to follow the western boundary of 8-1-9.221 (outside district) to intersection of the westerly right-of-way of Laurel Circle;
- Thence crossing Laurel Circle to its intersection of the eastern boundary of Tax Parcel 8-1-9.212(outside district);
- Thence continuing along the eastern boundary of Tax Parcel 8-1-9.212 (outside district) to the southeasternmost corner of Tax Parcel 8-1-9.222 (outside district);
- Thence following the boundary of Tax Parcel 8-1-9.222 to the point of the beginning.
- The following five Tax Parcels contain water district assets and are also within the existing Hambletonian Park Water District:
 - 1) Tax Parcel 6-4-6.2 (Water Tower)
 - 2) Tax Parcel 8-1-12.1 (Water Treatment Plant, Well A, & Well 5)
 - 3) Tax Parcel 7-1-16 (Well 1)
 - 4) Tax Parcel 8-1-3 (Well 4)
 - 5) Tax Parcel 29-1-78 (Well H6, H8, & Heritage Treatment Building)

The existing Town of Goshen Arcadia Hills Water District shall be bounded and described as follows:

- Beginning at the northwest corner of Tax Parcel 25-1-26.2;
- Thence continuing southeast along the right-of-way of Route 6 to the Town of Goshen Boundary;
- Thence following the northern and western boundaries of Tax Parcel 11-3-35 (outside district) to the southeast corner of Tax Parcel 27-1-4;
- Thence following the northern boundary of Tax Parcel 11-1-49.22 (outside district) to the northwest corner of Tax Parcel 27-9-15;
- Thence following the eastern boundary of Tax Parcel 11-1-46.21 (outside district) to the point of the beginning.
- The following 12 Tax Parcels contain water district assets and are also within the existing Arcadia Hills Water District:
 - 1) Tax Parcel 25-1-26.2 (Well 21, Well 22, Well 23)
 - 2) Tax Parcel 11-5-56 (Water Tower)
 - 3) Tax Parcel 25-1-26.1 (Treatment/ Well 1-A4)
 - 4) Tax Parcel 11-1-55 (Pump/ Well 1-3)
 - 5) Tax Parcel 11-1-65 (Treatment Plant, Well 51, Well 53, & Pump Station)
 - 6) Tax Parcel 11-1-67 (Well 52)
 - 7) Tax Parcel 25-4-19 (Treatment Plant/ Well 8A)
 - 8) Tax Parcel 11-1-60 (Well House)
 - 9) Tax Parcel 11-1-62 (Wells 9 & 10)
 - 10) Tax Parcel 11-1-46.23 (Donation Well 2)
 - 11) Tax Parcel 11-146.22 (Donation Well 1)
 - 12) Tax Parcel 11-1-57.8 (New Water Tank)

The existing Town of Goshen Scotchtown Park Water District shall be bounded and described as follows:

- Beginning at the point of intersection of John Drive and Scotchtown Road;
- Thence southerly along the eastern right-of-way of Scotchtown Road to the southwest corner of Tax Parcel 1-4-2;
- Thence easterly along the southern boundaries of Tax Parcel(s) 1-4-3, 1-4-4, 1-4-5, 1-4-6, and 1-4-7 to the southeastern corner of parcel of Tax Parcel 1-3-8;
- Thence northeasterly along the border of Tax Parcel 1-3-8;
- Thence westerly along the border of Tax Parcel 1-3-8 to its intersection of Tax Parcel 1-3-4;
- Thence northwesterly to its intersection with John Drive;
- Thence northwesterly to the northwest corner of Tax Parcel 1-1-10;
- Thence southwestery to the corner of Tax Parcel 1-1-9;
- Thence westerly to the northwest corner of Tax Parcel 1-1-3;
- Thence southerly following the eastern right-of-way of Scotchtown Road to the point of the beginning.
- The following Tax Parcel contains assets and is also within the existing Scotchtown Park Water District:
 - 1) Tax Parcel 1-3-8 (Pump House)

The existing Town of Goshen Stonehedge Water District shall be bounded and described as follows:

- Beginning at the point of intersection of Knoell Road and Partridge Lane;
- Thence southerly along the eastern right-of-way of Knoell Road to the southwest corner of Tax Parcel 26-4-9;
- Thence southeasterly passing Eagle Court to the southeast corner of Tax Parcel 26-2-7;
- Thence northeasterly to the northeast corner of Tax Parcel 26-2-2;
- Thence westerly to the southeast corner of Tax Parcel 26-2-1;
- Thence northeasterly along Tax Parcel 26-2-1 to its northeastern corner;
- Thence westerly along the northern boundary of Tax Parcel 26-2-1 to the western right-of-way of Stone Hedge Drive;
- Thence northerly crossing Stone Hedge Drive to the northeast corner of Tax Parcel 26-1-4;
- Thence northwesterly to the northwest corner of Tax Parcel 26-1-1;
- Thence southwestery to its intersection with Stone Hedge Drive;
- Thence following the northern right-of-way of Stone Hedge Drive to its intersection with Knoell Road;
- Thence southerly following the western right-of-way of Knoell Road to the point of the beginning.
- The following two Tax Parcels contain assets and are also within the existing Stonehedge Water District:
 - 1) Tax Parcel 9-1-1.23 (Well Site-Pump House)
 - 2) Tax Parcel 9-1-1.221 (Water Tank)