

RESOLUTION #6 OF 2019

A RESOLUTION SCHEDULING A PUBLIC HEARING ON THE PROPOSED NEW KINGSTON SEWER DISTRICT

WHEREAS, New York City (“NYC”) provided funding for the Community Wastewater Management Program (“CWMP”), to be administered by the Catskill Watershed Corporation (“CWC”), which is intended to fund the planning, design and construction of community septic systems and/or the creation of septic maintenance districts in the NYC Watershed West of the Hudson River; and

WHEREAS, the Hamlet of New Kingston, Town of Middletown (“Town”), is identified Community No. 22 of the list of 22 communities lacking community wide wastewater treatment; and

WHEREAS, the Town entered into the Participating Community Agreement with CWC for the study, planning, design and construction of a sewage collection system and/or the creation of a septic maintenance district in the Hamlet of New Kingston (the “Project”); and

WHEREAS, as part of the Study Phase of the Project, the Town and its Project Engineer established, with the New York City Department of Environmental Protection and CWC, that the Town should create a sewage district for certain Town residents located in the Hamlet of New Kingston (“Sewer District”); and

WHEREAS, the Town will not incur any cost from the formation of the Sewer District, which cost is being fully subsidized by CWC through the CWMP; and

WHEREAS, the Project Engineer and Special Counsel have prepared materials needed for the formation of that Sewer District and has filed those materials with the Town Board for its review and consideration.

NOW BE IT RESOLVED:

1. The Board accepts and adopts the following materials prepared by Project Engineer and Special Counsel with regard to the formation of the Sewer District, and directs that same be appended the minutes of this meeting:
 - a. District Formation Summary Report prepared by Young, Sommer, LLC and Lamont Engineers. The Report contains a summary of the Sewer District and provides an explanation of the hook-up fees and costs for residential and non-residential users in the Sewer district, references a proposed Sewer Use Law, a proposed sewer O&M Budget and rate schedule;
 - b. Engineer’s Report and Plan entitled “Preliminary Engineer’s Report-Community Wastewater Management Program for the Hamlet of New Kingston” prepared for

the Town of Middletown by Lamont Engineers detailing the wastewater needs of the Hamlet of New Kingston and delineating the service area for the Sewer District and the proposed treatment technology and locations.

- c. Service Area Map identifying the boundaries of the proposed Sewer district which includes the Tax Map Numbers of the parcels that will be included in the proposed Sewer District.
2. The costs of forming the Sewer District and designing, permitting and constructing the infrastructure are funded pursuant to the CWMP. The Town will not incur any expense in the formation of the Sewer District and the construction of the public improvements, if any, to be constructed within the Sewer District. During the process to form the Sewer District, the Town Board reserves the right to modify the boundaries of the proposed district to address the concerns raised during the public comment period and to serve the best interest of the Town.
 3. A copy of the Engineer's Report and Plan, Service Area Map and a detailed explanation of the costs to each residential and non-residential landowner shall be placed in the Town Clerk's office and made available for public inspection.
 4. That the Town Board shall meet at the Town Hall, Middletown, New York, on the 10th day of April, 2019 at 6:00 P.M., for the purpose of conducting a public hearing on the proposal to establish said Sewer District with the improvements specified above, at which time and place all persons interested in the subject thereof may be heard concerning the same, and it is further
 5. That the Town Clerk is hereby authorized and directed to publish a copy of this order in the Catskill Mountain News, the official Town newspaper and post a copy of the same on the signboard of the Town, in the time and manner required by law.

WHEREUPON, the Resolution was put to a vote, recorded as follows:

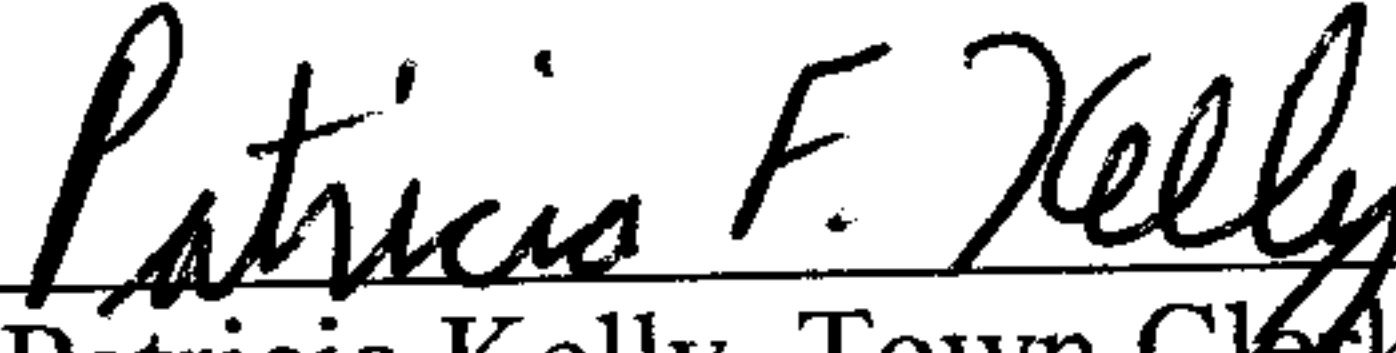
Motion made by: Julia Reischel

Seconded by: Christopher Dabritz

Resolution adopted by a vote of 5 ayes and 0 nays

I hereby certified that the above resolution was duly adopted by the Town Board of the Town of Middletown at its regular meeting held on March 13th, 2019.

Dated: March 13th, 2019



Patricia Kelly, Town Clerk
Town of Middletown

SEAL



STATE OF NEW YORK }
COUNTY OF DELAWARE }
TOWN OF MIDDLETOWN }

I have compared the preceding copy with the original Resolution on file in this office adopted by the Town Board of Middletown at a regular meeting held March 13th, 2019, and I DO HEREBY CERTIFY the same to be a correct transcript therefrom and of the whole of the original. I further certify the vote thereon was as follows:

MEMBERS PRESENT

Davis
Sweeney
Taylor
Reischel
Dabritz

MEMBERS ABSENT

VOTE

~~Yea/Nay~~
~~Yea/Nay~~
~~Yea/Nay~~
~~Yea/Nay~~
~~Yea/Nay~~

Dated: March 13th, 2019

Patricia F. Kelly
Patricia Kelly, Town Clerk
Town of Middletown

