

Resolution No. 14 of 2019

**In the Matter of
The Establishment of the New Kingston Sewer District,
County of Delaware, New York.**

A resolution having been adopted by the Town Board of the Town of Middletown, New York (the "Town"), on March 13, 2019, the Town Board adopted a resolution accepting and adopting the materials needed for the formation of the New Kingston Sewer District ("Sewer District" or "District"), including a description of the proposed District, reciting that the cost of the formation of the District will be fully subsidized by the City of New York and potentially State and Federal grants, directing 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 to be placed in the Town Clerk's office and made available for public inspection, and specifying that said Town Board shall meet at the Middletown Town Hall, Town of Middletown, New York, on the 10th of April, 2019, for the purpose of conducting a public hearing on such proposal to establish the District and to hear all persons interested in the subject thereof concerning the same, and a hearing having been duly held by said Board at such time and place, and said public hearing was continued on May 8, 2019, it having been duly resolved and determined following such hearing that the notice of hearing was published and posted as required by law and otherwise sufficient, that all the property owners within the proposed District were benefitted thereby, that all property owners benefitted were included within the limits of the proposed District, and that it was in public interest to grant in whole the relief sought, and it having been then and further duly resolved that the establishment of such District as proposed be approved, subject to permissive referendum in the manner provided in

Town Law Article 7, and a certificate of the Town Clerk having been filed pursuant to Town Law § 209-e(4), certifying the results of the special election held on June 29, 2019, stating that a majority of the residents of the District voted in favor of the establishment of the District, and the permission of the State Comptroller not being required pursuant to Town Law § 209-f, it is hereby

ORDERED, that the District be established in the Town and designated as the New Kingston Sewer District with the description and boundaries as set forth in Exhibit A, and it is further

ORDERED, that the Town Clerk of the Town of Middletown is hereby authorized and directed to cause a certified copy of this order to be duly recorded in the Office of the Clerk of Delaware County in which the Town is located, within ten (10) after the adoption of this order, and it is further

ORDERED, that the Town Clerk is hereby authorized and directed to file a certified copy of this order with the New York State Comptroller's Office, Albany, New York, within ten (10) days after the adoption of this order.

Dated: July 10th, 2019
Town of Middletown

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

Motion made by: Brian Sweeney

Seconded by: Julia Reischel

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 July 10th, 2019.

Dated: July 10th, 2019

Patricia F. Kelly
Patricia F. 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 July 10th, 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

- Supervisor Davis
- Councilperson Sweeney
- Councilperson Taylor
- Councilperson Reischel
- Councilperson Dabritz

MEMBERS ABSENT

VOTE

- Yea/Nay/Abstain
- Yea/Nay/Abstain
- Yea/Nay/Abstain
- Yea/Nay/Abstain
- Yea/Nay/Abstain

Dated: July 10th, 2019

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

SEAL

EXHIBIT A



LEGEND

- PROPOSED SERVICE AREA
- NEW PROPERTY TAX MAP PROPERTY LINES

NOTES:

1. THIS MAP IS A PRELIMINARY MAP AND IS NOT TO BE USED FOR CONVEYANCE OF REAL ESTATE.

2. THE SERVICE AREA IS SUBJECT TO CHANGE WITHOUT NOTICE.

3. THE SERVICE AREA IS SUBJECT TO THE APPROVAL OF THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.

4. THE SERVICE AREA IS SUBJECT TO THE APPROVAL OF THE NEW YORK STATE DEPARTMENT OF TAXATION.

5. THE SERVICE AREA IS SUBJECT TO THE APPROVAL OF THE NEW YORK STATE DEPARTMENT OF SOCIAL SERVICES.

6. THE SERVICE AREA IS SUBJECT TO THE APPROVAL OF THE NEW YORK STATE DEPARTMENT OF HEALTH.

7. THE SERVICE AREA IS SUBJECT TO THE APPROVAL OF THE NEW YORK STATE DEPARTMENT OF LABOR.

8. THE SERVICE AREA IS SUBJECT TO THE APPROVAL OF THE NEW YORK STATE DEPARTMENT OF EDUCATION.

9. THE SERVICE AREA IS SUBJECT TO THE APPROVAL OF THE NEW YORK STATE DEPARTMENT OF CORRECTIONS.

10. THE SERVICE AREA IS SUBJECT TO THE APPROVAL OF THE NEW YORK STATE DEPARTMENT OF SOCIAL SERVICES.

Lamort
Engineers
100 West 17th Street
New York, N.Y. 10011

**NEW KINGSTON SEWER DISTRICT
COMMUNITY WASTEWATER
MANAGEMENT PROGRAM**

DELAWARE COUNTY NEW YORK STATE

PROPOSED
SERVICE AREA
MAP
NEW KINGSTON

4.B

No.	Date	Description	By	Checked	Scale
1	12/1/78	PRELIMINARY MAP	J. B. LAMORT	J. B. LAMORT	1"=400'
2	12/1/78	FINAL MAP	J. B. LAMORT	J. B. LAMORT	1"=400'

TAX NUMBER	PROPERTY ADDRESS
240.2-1-10	COUNTY HWY 6
240.2-1-11	5126 COUNTY HWY 6
240.2-1-12	5114 COUNTY HWY 6
240.2-1-13	5096 COUNTY HWY 6
240.2-1-14	5090 COUNTY HWY 6
240.2-1-15	5060 COUNTY HWY 6
240.2-1-16	28 ISAAC BIRDSALL LN
240.2-1-17	62 ISAAC BIRDSALL LN
240.2-1-18	5030 COUNTY HWY 6
240.2-1-19	COUNTY HWY 6
240.2-1-2	18 JOHN TUTTLE RD
240.2-1-20	COUNTY HWY 6
240.2-1-21	4979 COUNTY HWY 6
240.2-1-22	COUNTY HWY 6
240.2-1-23	4995 COUNTY HWY 6
240.2-1-24	COUNTY HWY 6
240.2-1-25	5057 COUNTY HWY 6
240.2-1-26	COUNTY HWY 6
240.2-1-27	5069 COUNTY HWY 6
240.2-1-3	5219 COUNTY HWY 6
240.2-1-30.1	5083 COUNTY HWY 6
240.2-1-30.2	5099 COUNTY HWY 6
240.2-1-31	5107 COUNTY HWY 6
240.2-1-32	5123 COUNTY HWY 6
240.2-1-33	5131 COUNTY HWY 6
240.2-1-34	5157 COUNTY HWY 6
240.2-1-35	5177 COUNTY HWY 6
240.2-1-6	5184 COUNTY HWY 6
240.2-1-7	5170 COUNTY HWY 6
240.2-1-8	5150 COUNTY HWY 6
240.2-1-9	5140 COUNTY HWY 6
241.-1-1.1	4828 COUNTY HWY 6
240.-2-11.1	27 ISAAC BIRDSALL LN
240.2-1-1	JOHN TUTTLE RD


CERTIFICATE OF TOWN CLERK
REGARDING ESTABLISHMENT OF NEW KINGSTON SEWER DISTRICT
AND CERTIFYING RESULT OF VOTE

STATE OF NEW YORK)
) SS:
COUNTY OF DELAWARE)

I, Patricia Kelly, Town Clerk of the Town of Middletown, New York (the "Town"), do hereby certify as follows:

1. That on March 13, 2019, the Town Board duly adopted a resolution establishing the New Kingston Sewer District in the Hamlet of New Kingston, Town of Middletown.
2. That said resolution stated that it was subject to a referendum pursuant to Town Law §94.
3. That on June 29, 2019, a proposition for the approval of the aforesaid resolution was submitted at a special town election to the owners of taxable real property of said proposed Sewer District, pursuant to Town Law §209-e.
4. That the result of the vote on such proposition is as follows: 26 YES votes and 4 NO votes.

Dated: July 10th, 2019
Town of Middletown, New York



Patricia F. Kelly
Town Clerk

