

RESOLUTION #11 OF 2020

A RESOLUTION FOR CONSIDERATION OF AMENDING THE TOWN OF MIDDLETOWN SEWER USE LAW AND SCHEDULING A PUBLIC HEARING

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 Halcottsville, 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 to convey the Hamlet of Halcottsville’s wastewater to the NYC Margaretville WWTP and the creation of a sewer use district in the Hamlet of Halcottsville (the “Project”); and

WHEREAS, in connection with the construction of the Project, the Town must amend its Sewer Use Law to include the Halcottsville Sewer District. The amended Sewer Use Law (“Sewer Use Law”) includes a Sewer Rent Law specifying the sewer rate structure and a Sewer Allocation Law defining the procedure for the Town Board to make decisions regarding future connections to the sewer system; and

WHEREAS, the Town's special counsel has prepared the proposed Sewer Use Law; and

WHEREAS, the Town Board has reviewed and modified the proposed Sewer Use Law; and

WHEREAS, a copy of the proposed Sewer Use Law has been made available for public inspection at the Town Hall; and

WHEREAS, by Resolution #7 of 2020, the Town Board scheduled a public hearing for consideration of the proposed *Middletown Sewer Use Law* at the Middletown Town Hall, for the 8th day of April, 2020, but due to New York State COVID-19 mandates, the hearing was not noticed nor held, and the Board desires to reschedule the public hearing.

NOW BE IT RESOLVED:

1. The Town will hold a Public Hearing for consideration of the proposed *Middletown Sewer Use Law* at the Middletown Town Hall, on the **10th day of June, 2020 at 6:00 P.M.** Persons may appear **NEED TO CONFIRM HOW HEARING WILL PROCEED IF BEING HELD REMOTELY** or by agent and will be given the opportunity to present oral or written statements and to submit other documents concerning the Project, and it is further

2. That the Town Clerk is hereby authorized and directed to publish the attached notice of public hearing in the Mountain Eagle, 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: Brian Sweeney

Seconded by: Nelson Delameter

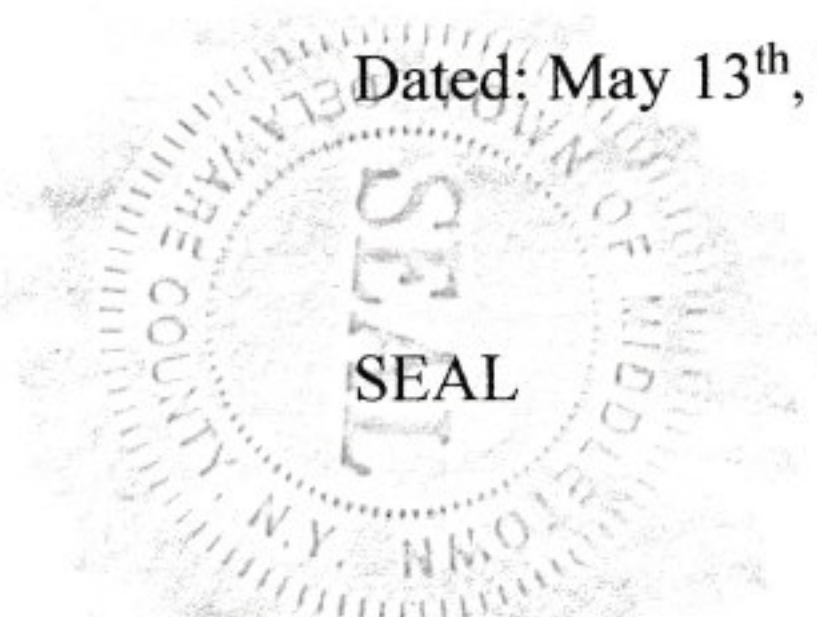
Resolution adopted by a vote of 5 ayes and 0 nays

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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 May 13th, 2020.

Dated: May 13th, 2020

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



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 May 13th, 2020, 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 | MEMBERS ABSENT | VOTE |
|-----------------|----------------|----------------|
| Davis | | <u>Yea/Nay</u> |
| Sweeney | | <u>Yea/Nay</u> |
| Delameter | | <u>Yea/Nay</u> |
| Reischel | | <u>Yea/Nay</u> |
| Dabritz | | <u>Yea/Nay</u> |

Dated: May 13th, 2020

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

