

RESOLUTION #14 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/or website or upon request; 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 or held,

WHEREAS, by Resolution #11 of 2020, the Board rescheduled the public hearing to June 10, 2020, but due to New York State COVID-19 mandates, the hearing is being postponed.

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 **8th day of July, 2020 at 6:00 P.M.**

2. Persons may appear remotely or remotely 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
3. 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:

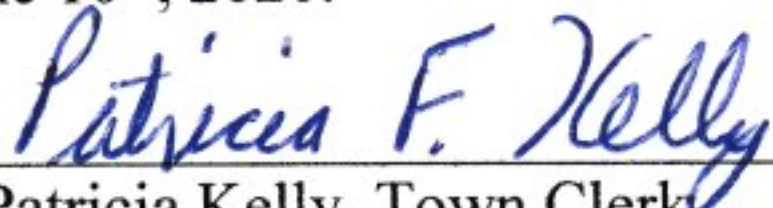
Motion made by: Julia Reischel

Seconded by: Nelson Delameter

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 June 10th, 2020.

Dated: June 10th, 2020


 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 June 10th, 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

Davis
Sweeney
Delameter
Reischel
Dabritz

MEMBERS ABSENT

VOTE

Yea/Nay
Yea/Nay
Yea/Nay
Yea/Nay
Yea/Nay

Dated: June 10th, 2020

Patricia F. Kelly

Patricia Kelly, Town Clerk
Town of Middletown

SEAL