**RESOUTION #17 OF 2020**

**A RESOLUTION ADOPTING THE SEWER USE LAW FOR**

**THE TOWN OF MIDDLETOWN**

**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,** the Town Board noticed a Public Hearing held on the 8th day of July, 2020 at 6 P.M. to provide the public with an opportunity to comment on the proposed Sewer Use Law; and

**NOW, THEREFORE, BE IT RESOLVED**, that

1. The Town Board has previously determined that the Sewer Use Law (which incorporates Sewer Rent Law and the Sewer Allocation Law) will not have a significant impact on the environment and are consistent with the prior SEQRA findings for this project; and
2. That Sewer Use Law (which incorporates the Sewer Rent Law and Sewer Allocation Law), being Local Law 1 of 2020, is hereby adopted and the Town Clerk is hereby directed to file said Local Law with the Office of the Secretary of State in accordance with State Law.

**WHEREUPON**, the Resolution was put to a vote and 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 July 8th, 2020.

Dated: July 8th, 2020 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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 July 8th, 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 Yea/Nay

Sweeney Yea/Nay

Delameter Yea/Nay

Reischel Yea/Nay

Dabritz Yea/Nay

Dated: July 8th, 2020

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Patricia Kelly, Town Clerk

Town of Middletown

SEAL