

**RESOLUTION #11 OF 2021**

**A RESOLUTION AUTHORIZING THE EXECUTION OF EASEMENTS IN CONNECTION WITH THE CONSTRUCTION AND OPERATION OF THE SEWAGE COLLECTION SYSTEM SERVING THE HAMLET OF HALCOTTSVILLE**

**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 obtain permanent and temporary easements, as well as lateral access agreements for access to private property to install building laterals, for those properties identified in the list attached hereto; and

**WHEREAS**, the Town's special counsel has prepared a proposed form Utility Easement, a combined proposed form Utility & Lateral Access Agreement, a proposed form Temporary Easement (collectively the “Easements”), and a proposed form Lateral Access Agreement (“Access Agreement”); and

**WHEREAS**, the form Easements and Access Agreements for affected property owners will be specific to their particular property but will substantially comply with the proposed forms; and

**WHEREAS**, the Town Board has reviewed the proposed form Easements and Access Agreements; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Middletown hereby:

1. approves the form and substance of the Easement and Access Agreements;
2. authorizes and directs the Town Supervisor, for and on behalf of the Town, to execute and deliver Easements for each affected property owner to the Town’s special counsel for recording with the Delaware County Clerk;

3. authorizes and directs the Town Supervisor, for and on behalf of the Town, to deliver Access Agreements for each affected property owner to the Town's special counsel to retain and circulate to the proper officials, agents and employees of the Town; and
4. authorizes and directs the proper officials, agents and employees of the Town to take such further action as they may deem necessary or appropriate to perform all obligations and commitments of the Town in accordance with the provisions of set forth in the Easements and Access Agreements.

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

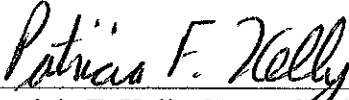
Motion made by: Julia Reischel

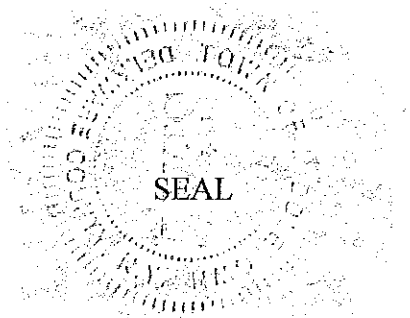
Seconded by: Nelson Delameter

Resolution adopted by a vote of 4 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 10<sup>th</sup>, 2021.

Dated: March 10<sup>th</sup>, 2021

  
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 Patricia F. 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 March 10th, 2021, 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

Sweeney

Delameter

Reischel

Dabritz

Davis

Yea/Nay

Yea/Nay

Yea/Nay

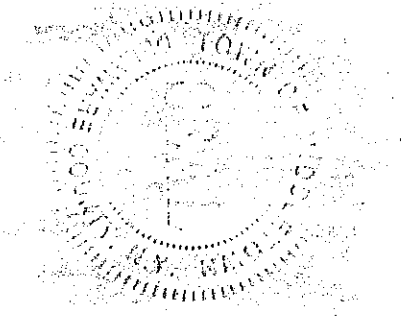
Yea/Nay

Yea/Nay

Dated: March 10<sup>th</sup>, 2021

*Patricia F. Kelly*

Patricia F. Kelly, Town Clerk  
Town of Middletown



TAX NUMBER	PROPERTY ADDRESS	Easement	Lateral
242.2-2-5	422 Halcottsville Road	X	
242.2-2-28	305 Halcottsville Road	X	X
242.2-2-24	261 Halcottsville Road	X	X
242.2-2-23	255 Halcottsville Road	X	X
242.2-1-16	195 Bragg Hollow Road		X
242.2-1-5	88 Bragg Hollow Road		X
242.2-1-9	42 Old River Road		X
242.2-2-9	346 Halcottsville Road	X	X
242.2-2-15	278 Halcottsville Road		X
242.2-2-14	300 Halcottsville Road	X	X
242.2-2-20	63 Halcottsville Road		X
242.2-1-2	186 Bragg Hollow Road		X
242.2-2-13.1	308 Halcottsville Road	X	X
242.2-2-18	214 Halcottsville Road		X
242.2-2-18	214 Halcottsville Road	X	
242.2-2-1	486 Halcottsville Road		X
242.2-2-16	266 Halcottsville Road		X
242.2-1-6.1	25 Old River Road	X	X
242.2-2-26	281 Halcottsville Road	X	X
242.2-2-27	291 Halcottsville Road	X	X
242.2-2-7	Halcottsville Road	X	X
242.2-2-35	374 Halcottsville Road	X	X
242.-1-56.12	87 Bragg Hollow Road	X	X
242.-1-56.2	34 Bragg Hollow Road	X	X
242.-1-56.13	Route 30	X	
242.-1-56.11	Off Bragg Hollow Road	Temp	
242.-1-56.11	Off Bragg Hollow Road	X	
242.2-2-33	391 Halcottsville Road	X	X
242.2-2-25	271 Halcottsville Road	X	X
242.2-1-7	75 Old River Road	X	X
242.2-2-6	390-406 Halcottsville Road	X	X
242.2-1-13	119 Bragg Hollow Road	X	X
242.2-2-8	364 Halcottsville Road	X	
242.2-2-21	Halcottsville Road	X	
242.2-2-22	239 Halcottsville Road	X	X
242.2-1-14	143 Bragg Hollow Road		X
242.2-2-29	319 Halcottsville Road		X
242.2-2-2	476 Halcottsville Road		X
242.2-2-13.2	316 Halcottsville Road		X

242.2-1-15	165 Bragg Hollow Road		X
242.2-2-4	414 Halcottsville Road		X
242.2-1-4	124 Bragg Hollow Road		X
242.2-2-30	341 Halcottsville Road		X
242.2-2-17	244 Halcottsville Road		X
242.2-1-17	205 Bragg Hollow Road		X
242.2-2-19	74 Halcottsville Road		X
242.2-1-3	146 Bragg Hollow Road		X