

RESOLUTION #12 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 NEW KINGSTON

WHEREAS, the Town Board of the Town of Middletown previously entered into an agreement with the Catskill Watershed Corporation (“CWC”) to participate in the Community Wastewater Management Program, which program will provide for the design and construction of a wastewater management project in the Hamlet of New Kingston (“Project”); and

WHEREAS, the Hamlet of New Kingston, 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, including sewer main and force main installation and property inspection and installation of septic tanks and sewer service laterals for connection to the sewer collection system (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 septic tanks and 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:

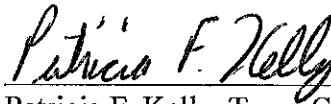
Motion made by: Christopher Dabritz

Seconded by: Julia Reischel

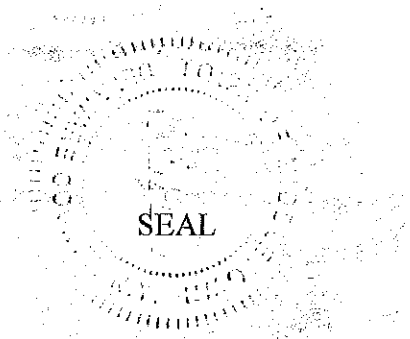
Resolution adopted by a vote of 4 ayes and 0 nays

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 10th, 2021.

Dated: March 10th, 2021



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

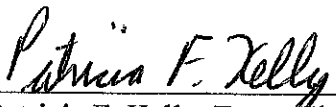
Yea/Nay

Yea/Nay

Yea/Nay

Yea/Nay

Dated: March 10th, 2021



Patricia F. Kelly, Town Clerk
Town of Middletown



TAX NUMBER	PROPERTY ADDRESS	Pipeline Easements	Access Easements	Lateral Access
240.2-1-1	SANFORD HOLLOW RD	x		
240.-2-11.1	27 ISAAC BIRDSALL LN			x
240.2-1-10	OFF COUNTY HWY 6			
240.2-1-11	5126 COUNTY HWY 6	x		
240.2-1-12	5114 COUNTY HWY 6	x		x
240.2-1-13	5096 COUNTY HWY 6	x		x
240.2-1-14	5090 COUNTY HWY 6	x	x	x
240.2-1-15	5060 COUNTY HWY 6	x	x	x
240.2-1-16	28 ISAAC BIRDSALL LN	x	x	x
240.2-1-17	62 ISAAC BIRDSALL LN	x		x
240.2-1-18	5030 COUNTY HWY 6	x		x
240.2-1-19	4990 COUNTY HWY 6	x		x
240.2-1-2	18 SANFORD HOLLOW RD			x
240.2-1-20	4953 COUNTY HWY 6			x
240.2-1-21	4979 COUNTY HWY 6			x
240.2-1-22	OFF COUNTY HWY 6			
240.2-1-23	4995 COUNTY HWY 6	x		x
240.2-1-24	5041 COUNTY HWY 6			x
240.2-1-25	5057 COUNTY HWY 6	x		x
240.2-1-26	10 Faulkner Rd			
240.2-1-27	5069 COUNTY HWY 6	x		x
240.2-1-3	5219 COUNTY HWY 6	x		x
240.2-1-30.1	5083 COUNTY HWY 6	x		x
240.2-1-30.2	5099 COUNTY HWY 6	x		x
240.2-1-31	5107 COUNTY HWY 6	x		x
240.2-1-32	5123 COUNTY HWY 6	x		x
240.2-1-33	5131 COUNTY HWY 6	x		x
240.2-1-34	5157 COUNTY HWY 6	x		x
240.2-1-35	5177 COUNTY HWY 6	x		x
240.2-1-6	5184 COUNTY HWY 6			x
240.2-1-7	5170 COUNTY HWY 6	x		x
240.2-1-8	5150 COUNTY HWY 6	x		x
240.2-1-9	5140 COUNTY HWY 6	x		x
241.-1-1.1	4828 COUNTY HWY 6	x		
219.-1-28	278 Sanford Hollow Rd	x		
240.2-2-13		x		
240.-2-7	Sanford Hollow Rd	x		