

RESOLUTION #18 OF 2021

**A RESOLUTION AUTHORIZING THE REFILEING OF THE
NEW KINGSTON SEWER USE LAW (Local Law No. 1 of 2019)
AS LOCAL LAW NO. 3 OF 2021**

WHEREAS, by Resolution #13 of 2019, in connection with the Project, the Town adopted Local Law No. 1 of 2019 - a Sewer Use Law governing the use of and connection to the Town's Community Wastewater Treatment System ("SUL"). The New Kingston Sewer District SUL also 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, on May 30, 2019, the Town filed the SUL with the Office of the Secretary of State ("SOS") in accordance with State Law; and

WHEREAS, on July 2, 2019, by request of the SOS, the Town submitted a revised local law filing form and copies of the SUL to the SOS for filing; and

WHEREAS, it has come to the attention of the Town that the SUL has not been recorded with the SOS; and

WHEREAS, the Town desires to resubmit the SUL to the SOS for successful recording; and

WHEREAS, upon information from the SOS, the Town must rename Local Law No. 1 of 2019 as a local law in the current calendar year; and

NOW BE IT RESOLVED:

1. The Town Board has previously determined that the Sewer Use Law, 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), previously entitled Local Law No. 1 of 2019, is hereby renamed as Local Law No. 3 of 2021, 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, recorded as follows:

Motion made by: Nelson Delameter

Seconded by: Christopher Dabritz

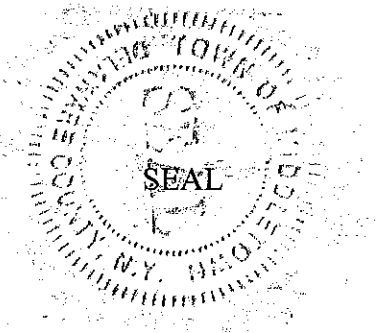
Supervisor Carl P. Davis was not in attendance

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 June 9th, 2021.

Dated: June 9th, 2021

Patricia F. Kelly
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 June 9th, 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

- Councilperson Sweeney
- Councilperson Taylor
- Councilperson Reischel
- Councilperson Dabritz

MEMBERS ABSENT

Supervisor Davis

VOTE

- Yea/Nay/Abstain
- Yea/Nay/Abstain
- Yea/Nay/Abstain
- Yea/Nay/Abstain
- Yea/Nay/Abstain

Dated: June 9th, 2021

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

