

RESOLUTION #22 OF 2021
A RESOLUTION AUTHORIZING THE EXECUTION OF ADGER EASEMENT IN
CONNECTION WITH THE CONSTRUCTION AND OPERATION OF THE
PUMP STATION FOR 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 certain a certain Utility Easement to be located on property owned by Jennifer Adger, Tax Map No. 240.2-1-14, including the following: 7,150 SF Easement for Sewer Main and Pump Station; a Sewer Main Easement 20 ft. wide from SW Corner (Co. Rt. 6) to SE Corner and then North to property line; a Pump Station Easement (Sewer Main Easement is widened to 45’ in SE Corner); an Access Easement using the existing driveway for maintenance of equipment (generally a pickup truck but sometimes larger trucks) for access of the pump station and controls for normal operation and maintenance under normal business hours, as well as any emergency operation and maintenance, a new turn around area adjacent to the pump station to allow for equipment to turn around and exit the property; Above Ground Structures, including a Control Panel (electric meter, electric service panel and pump control panel); Manhole Covers and Gravel Access Turnaround even with ground; and Below Ground Structures, including a Pump Station (concrete tank and pumps (2)), sanitary sewer piping, lateral piping and new septic tank with covers; electric and communications utilities; and

WHEREAS, the Town's special counsel has prepared the proposed Utility Easement in the form attached hereto; and

WHEREAS, the Town Board has reviewed the proposed Utility Easement; and

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

1. approves the form and substance of the Adger Utility Easement;

2. authorizes and directs the Town Supervisor, for and on behalf of the Town, to execute and deliver the Adger Utility Easement to the Town's special counsel for recording with the Delaware County Clerk;
3. 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 Adger Utility Easement.

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

Motion made by: Nelson Delameter

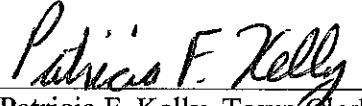
Seconded by: Julia Reischel

Councilperson Christopher Dabritz was not in attendance.

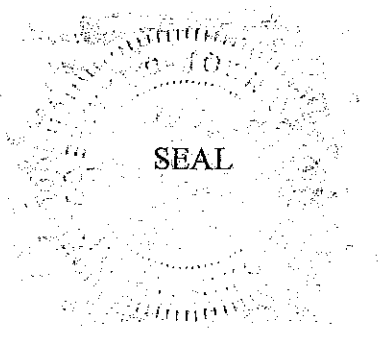
Resolution adopted by a vote of 4 ayes and 0 nays

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 September 8th, 2021.

Dated: September 8th, 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 September 8th, 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
Supervisor Davis		<u>Yea</u> /Nay/Abstain
Councilperson Sweeney		<u>Yea</u> /Nay/Abstain
Councilperson Delameter		<u>Yea</u> /Nay/Abstain
Councilperson Reischel		<u>Yea</u> /Nay/Abstain
	Councilperson Dabritz	Yea/Nay/Abstain

Dated: September 8th, 2021



Patricia F. Kelly, Town Clerk
Town of Middletown

