



**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
JANUARY 21, 2025**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
 - 3.1. Accept the Minutes of December 17, 2024
 - 3.2. Accept the Minutes of January 7, 2025
4. CORRESPONDENCE, COMMUNICATION AND REPORTS
5. FOR THE GOOD OF THE CITY (AGENDA ITEMS & CITY BUSINESS ONLY)
6. REMARKS OF THE MAYOR
7. REMARKS OF THE DEPARTMENT HEADS
8. PUBLIC HEARINGS AND GRIEVANCES
 - 8.1. Public Hearing: Creation of certain restrictions to granting first-floor waivers in the DMU Zoning District.
9. PETITIONS AND COMPLAINTS
10. REMARKS OF THE ALDERMAN AND REPORTS OF THE COMMITTEES
11. UNFINISHED BUSINESS
12. NEW BUSINESS
 - 22-25 Authorization to Transfer Funds within the Water Department to cover Shortage in 2024
 - 23-25 Authorization to Transfer Funds within the 2024 Water Department Budget to Cover Shortages

- 24-25 Authorization to Transfer Funds for Boiler Repairs in the Recreation Department
- 25-25 Authorization to approve the proposal from IWS for hauling and disposal of City MSW, Garbage in 2025
- 26-25 Authorization to Transfer within the Water Department 2024 Budget
- 27-25 Authorization to Accept \$30,000 in Grant Awards from the Orange County Youth Bureau (OCYB) for Youth Leadership, Junior Police Academy, and Youth Community Outreach Programs
- 28-25 Authorization to Accept a \$10,000 Grant from the Office of New York State Senator James Skoufis and the Department of Criminal Justice Service for 2025 National Night Out Against Crime Event
- 29-25 Authorization to accept a \$150,000 2025 SNUG Grant Award from the Department of Criminal Justices Service for Anti-Violence Initiatives
- 30-25 Authorizes a 2% Pay Increase for the Secretary to the Civil Service Commission
- 31-25 Authorizes an Agreement with H2O for Management Services at the Water Treatment Plants
- 32-25 Authorization to Enter into an Agreement with the Humane Society of Port Jervis/Deerpark
- 33-25 RESOLUTION AND NOTICE OF DETERMINATION OF NON-SIGNIFICANCE as it Relates to the Establishment of Minimum Square Footage for New Single Family Dwellings
- 34-25 Authorization to Amend City Code to Adopt a Minimum Square Footage for all New Single Family Dwellings
- 35-25 CITY OF MIDDLETOWN COMMON COUNCIL RESOLUTION AND NOTICE OF DETERMINATION OF NON-SIGNIFICANCE Sub Divisions at the Community Campus
- 36-25 Authorization to Approve 3 Sub-Divisions at the Middletown Community Campus
- 37-25 Authorization to Reappoint Maria Bruni as the Director of Economic & Community Development
- 38-25 Authorization to Reappoint Members of the Industrial Development Agency
- 39-25 Authorization to Reappoint Peter Laskaris as City Historian
- 40-25 Authorization to Reappoint Members of the Electrical Licensing Board
- 41-25 Authorization to Reappoint Deborah Mills the Police Commission
- 42-25 Authorization to Reappoint Anna Madden and Alvaro Garcia to the Architectural Review Board

- 43-25 Authorization to Reappoint Members of the Board of Examining Plumbers
- 44-25 Authorization to Appoint Kalyani Ramkissoon as a non-voting delegate (student) to the Recreation Commission
- 45-25 Authorization to Reappoint David Madden to the Planning Board
- 46-25 Appointment Arthur Livesey to the Board of Assessment Review
- 47-25 Authorization to Reappoint Wendy Rodrigues to the Zoning Board of Appeals
- 48-25 Authorization to Reappoint Richard Croughan as Assistant Corporation Counsel
- 49-25 Authorization to Award Bids for Ornamental Light Fixtures in the Business Improvement District to Kandel Brothers of Middletown

13. LOCAL LAWS

14. AUDIT OF CLAIMS AND ACCOUNTS

- 14.1. Resolution Authorizing the Accounts be Audited, Claims Adjusted, and the Treasurer be Authorized to Issue Warrants for their Payment

15. ADJOURNMENT



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: January 21, 2025
Index No:

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Accept the Minutes of December 17, 2024

Prepared by:

Attachments:

1.	12.17.24 Minutes
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COMMON COUNCIL MEETING
CITY OF MIDDLETOWN

December 17, 2024 Minutes
City Hall
16 James Street
Middletown, New York 10940

J. Miguel Rodrigues, President
Ald. Jude Jean-Francois
Ald. Andrew Green (Absent)
Ald. Paul Johnson
Ald. Gerald Kleiner
Ald. Sparrow Tobin
Ald. Kevin Witt
Ald. Kate Wray
Ald. Joseph Masi

ALSO PRESENT:
Richard McCormack, City Clerk
Joseph M. DeStefano, Mayor

The City of Middletown, NY Common Council

December 17, 2024

ALL: -- United States of America and
to the republic for which it stands one nation
under God indivisible with liberty and justice
for all.

PRESIDENT J. MIGUEL RODRIGUES: Please
remain standing as I ask for a moment of silence
for former Police Lieutenant Bureau Commander
Lawrence Corkey and former Alderman Ashok Sabnis.
May they rest in peace. Thank you. Roll?

CITY CLERK RICHARD MCCORMACK: Alderman
Tobin?

ALDERMAN SPARROW TOBIN: Here.

CITY CLERK RICHARD MCCORMACK: Alderman
Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Here.

CITY CLERK RICHARD MCCORMACK: Alderman
Johnson?

ALDERMAN PAUL JOHNSON: Here.

CITY CLERK RICHARD MCCORMACK:
Alderwoman Wray?

ALDERWOMAN KATE WRAY: Here.

CITY CLERK RICHARD MCCORMACK: Alderman
Kleiner?

ALDERMAN GERALD KLEINER: Here.

CITY CLERK RICHARD MCCORMACK: Alderman

Green? Alderman Witt?

ALDERMAN KEVIN WITT: Here.

CITY CLERK RICHARD MCCORMACK: Alderman
Masi?

ALDERMAN JOSEPH MASI: Here.

CITY CLERK RICHARD MCCORMACK:
President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Here.

CITY CLERK RICHARD MCCORMACK: Quorum
is present. Approval of minutes?

ALDERMAN JOSEPH MASI: So move.

ALDERMAN KEVIN WITT: Second.

PRESIDENT J. MIGUEL RODRIGUES: That's
the November 19th minutes motion by Alderman
Masi, second by Alderman Witt. All in favor?

ALL: Aye.

PRESIDENT J. MIGUEL RODRIGUES: All
right. Correspondence.

CITY CLERK RICHARD MCCORMACK: Good
evening. We have a letter this evening. "Dear
Mayor J.M. DeStefano, I am writing to let you
know about one of your Middletown Police Officers
who helped our granddaughter Rosalie Cicero on
December 4, 2024 at Middletown High School.
While Rosalie was in her classroom, another

student drove her vehicle into Rosalie's parked vehicle. I received a phone call from the Police Officer Troia, Shield Number 1480 of the Middletown Police Department telling me that our Rosalie was not injured. Also, the other student driver was not injured.

"After speaking with Police Officer Troia, our Rosalie told us how caring and kind e was and to her, and also that Rosalie told us how he used zip ties to secure the damaged front end bumper and quarter panel together so she could drive home safely. Police Officer Troia is a caring and professional police officer and a credit to your police department. Again, we applaud and thank him. In closing, be well, safe, and God bless you and yours. Respectfully, Rocca Cicero."

PRESIDENT J. MIGUEL RODRIGUES: Okay.
Received and filed.

CITY CLERK RICHARD MCCORMACK: That's
it.

PRESIDENT J. MIGUEL RODRIGUES: That's
it? Okay. For the good of the city, I would
like to call the mayor up, special recognition.

MAYOR JOSEPH DESTEFANO: Yeah, thank

you for changing the agenda to put this at the head of the agenda, and that --

PRESIDENT J. MIGUEL RODRIGUES: Had to say it.

MAYOR JOSEPH DESTEFANO: Yep. Little sarcasm there, right? Understandable. Understandable. Okay. I would like to invite our Assemblywoman Aileen Gunther up so we can recognize her for all her years of service here in the city of Middletown. So tonight, as you know, Assemblywoman Gunther chose not to run for re-election this past year. She's represented the city of Middletown for I believe 20 years. And Jake her husband, late husband, how many?

ASSEMBLYWOMAN AILEEN GUNTHER: 14.

MAYOR JOSEPH DESTEFANO: 14 years. So we had a Gunther representing the city of Middletown for the past 34 years and it's made a big difference in our community. So I wanted to just touch on a few of the -- we tried to highlight some of the main issues that Aileen worked on for -- directly for our city and the money that she has brought into our community. She has always talked about her -- part of her job is not just to advocate but to bring back our

share here in Middletown, and Aileen certainly has delivered for our city and for our taxpayers.

And if you look at this list of accomplishments, the renovation of the senior center, the municipal parking lot, courthouse acquisition, construction of the multiple-use ballfield, walking track, the pavilion, the O&W Building restoration seed money, driving simulator for the police, purchase and installation of surveillance cameras and infrastructure, light poles for downtown, purchase and rehab of the Middletown and New Jersey rail station, the splash pad at Maple Hill Park, the rec center, the senior center, psychiatric center lighting projects, construction of the pedestrian walkway between North Street and Center Street, and the purchase of a vacant parcel next to the O&W that made the O&W Station a project.

And also advocating for the \$4.1 million that's not even listed here of the CDBG grant that's going into the O&W Station. Just that small list alone over the last several years has totaled over \$8 million, and that money did not come easy and required someone fighting for

us because if it didn't come here, it would've gone to another community. And as you can see on the screen, the projects are -- these are pictures of some of the projects and the amenities that have led to additional quality of life in our community.

And like the O&W station, the M&NJ Station, the Wolslayer Field project, some of the ribbon cuttings that Aileen has attended, the groundbreaking ceremonies where she's advocated for businesses to relocate here in our city, and the courthouse project on South Street. And you can just see the list of accomplishments goes on and on.

She also brought in key people into our community that would normally not be here. The upper left picture is Speaker Heastie. We're -- you know, I've been in Middletown politics since 1984 in one capacity or another, and I don't recall a speaker of an assembly coming into our city walking our downtown led by our assemblywoman to point out and explain the need for additional funding for our community. Well, she did all that.

So one of the things we're also going

to do tonight is this is a -- just the draft of a plaque. One of the big projects that we're going to begin hopefully this spring is the splash pad, the restoration -- or not the -- the replacement of the pool, the swimming pool at Maple Hill Park, and we're going to be replacing that with a splash pad. The splash pad -- the total project is going to be about a million two or a million three dollars, 1.2 or 1.3 million depending upon how the final numbers come in.

But about half of that funding is coming directly because of Assemblywoman Gunther. And it wasn't a project that was planned. We were talking about it last year. And she said what do you need to get it done, and she did. She went out and got the money to get this project done.

So in honor of her and her accomplishments over the years, we felt it was appropriate that the last big project that will be funded through her office under her leadership in Albany should be memorialized with a plaque at that site that her name will be forever associated. And we're going to do a nicer plaque than the one that's there too, so this was just a

little wood background. But it's going to be really, really nice.

And of course this is the splash pad that I know your whole career has been focus on mental health, it's been focused on children and recreation, and that's why we selected this site in order to do so. So in addition, we have -- myself and Council President Rodrigues, if you'd like to come down. We have a proclamation, and I'll read it.

"Whereas it is with great appreciation and gratitude that we acknowledge the dedicated public service of New York State Assemblywoman Aileen Gunther who has represented Middletown and its surrounding communities with unwavering commitment since her election in 2003. And whereas throughout her tenure in the New York State Assembly, Assemblywoman Gunther has been an extraordinary advocate for the city of Middletown securing vital funding and championing transformative projects that have significantly improved the quality of life for our residents.

"And whereas Assemblywoman Gunther has been the steadfast friend to the city of Middletown working collaboratively with local

leaders, including the mayor and common council, the ensure the success of numerous initiatives, and whereas her leadership has brought substantial funding and financial investments into the city of Middletown totaling over \$8 million." And I listed the projects before.

"So today, whereas the tireless efforts of Assemblywoman Gunther have left an indelible mark on our community creating a legacy of progress, partnership, and prosperity, and whereas as Assemblywoman Gunther embarks on her well-deserved retirement from public service, we celebrate her many accomplishments and wish her a continued happiness, health, and success in all future endeavors.

"Now, therefore, be it resolved that we, the mayor, myself, and the common council led by Council President Rodrigues, and all members of the City of Middletown Common Council do hereby proclaim our deepest gratitude and admiration for State Assemblywoman Aileen Gunther and declare December 17th as Aileen Gunter Day in the city of Middletown. And be it further resolved that this proclamation serve as a testament to her exceptional service, dedication,

and friendship to our city, the city of Middletown, and its residents."

And with that proclamation, the Dity of Middletown Day you get an extra dollar or something. We'll give you a dollar bill or something for -- buy a cup of coffee with it, right? But --

ASSEMBLYWOMAN AILEEN GUNTHER: Half a cup.

MAYOR JOSEPH DESTEFANO: But the proclamation is nice.

ASSEMBLYWOMAN AILEEN GUNTHER: Geez, you're cheap.

MAYOR JOSEPH DESTEFANO: And it also has underneath a -- the key to the City of Middletown.

ASSEMBLYWOMAN AILEEN GUNTHER:
(Indiscernible).

MAYOR JOSEPH DESTEFANO: And hopefully you'll -- not hopefully, I know you will remember your years of service here fondly. And we certainly will miss you as our representative, and we know you'll always be our friend here. So thank you so much.

ASSEMBLYWOMAN AILEEN GUNTHER: Thank

you very much.

(Applause)

ASSEMBLYWOMAN AILEEN GUNTHER: I'll be very quick. You know, for the last 20 years it was good people like Joe DeStefano and Maria that allowed me to do something that I really loved. When Jacob passed away, you know, I was with my children, and I was always behind the scenes with Jacob. I did a lot of the dirty work during the elections and things like that, passing out -- you know, passing out things about him, and this, that, and the other thing.

And it just came to me one day. Then I said you know what? I'm a registered nurse. I'm -- I did, you know, a lot of work in the hospital. And I thought, geez, why not me? And it was me, and it was people like Joe DeStefano and Maria and a lot of other people that stood behind me and allowed me to do something that I love.

And I'm crazy about the City of Middletown, and I can't thank all of you enough. This has really turned into something really special. People love coming to Middletown, and it's because of all of you. And I was so happy

to help, but I wasn't the genius behind it. That was Joe and Maria and all the people that work in the City of Middletown. You're doing a great job, and you're doing a great job for your community. So thank you, thank you, thank you.

(Applause)

ASSEMBLYWOMAN AILEEN GUNTHER: Here's my buck.

MAYOR JOSEPH DESTEFANO:
Congratulations.

ASSEMBLYWOMAN AILEEN GUNTHER: Thank you so much. Thank you.

(Applause)

ASSEMBLYWOMAN AILEEN GUNTHER:
Pleasure. Merry Christmas if you're celebrating and happy New Year.

(Multiple speakers)

ASSEMBLYWOMAN AILEEN GUNTHER: Happy holidays (indiscernible).

PRESIDENT J. MIGUEL RODRIGUES: All right. For the good of the city, anyone who would like to address the council please step forward. You have three minutes.

JASON: Good evening, Council. You already know who I am, but for those who don't

know me, I'm Jason and I am from the Fourth Ward of Middletown. I was going to thank Aileen Gunther for her service to this community, to our city. You know, her passion for the city is definitely contagious, and it inspires myself and I know other community members, you know, to keep uplifting our community.

So this is our ninth consecutive meeting tonight. And before I share what I'm about to share, I want you to know that this community keeps coming to these meetings not because we're petulant, not because we have unlimited time to spare, and not because we want to disrupt this council.

We are here because we are horrified by what is happening in Palestine, and we want to work with our local elected representatives to do something about it. You'll be hearing from just four more members of our community tonight. We all have different political beliefs, religious affiliations, and even languages that we speak.

But the five of us speaking tonight are just a small sample of the incredible community that is growing and a community that will continue to fight for a cease-fire resolution in

Middletown, New York. With that, I am proud to introduce Milad Bakleh, a Palestinian and Middletownian. Thank you.

(Applause)

MILAD BAKLEH: Good evening, council. The mayor previously stated that we do not call for a cease fire in South Korea, Syria, or Ukraine. However, none of these ones -- none of these like what happening in Gaza. Gaza has been called the largest concentration camp in history, a holocaust (indiscernible) life and the big on the large screen.

Especially civilian childrens, women, particularly female childrens are not targeted by any of these aggressors. The IGF targets females in a gruesome effort to prevent another generation of Palestinian from being born. I don't see you denouncing Israel and annexing additional Syrian territory. Israel has taken over more than three times the area of Gaza in a matter of days.

While there are courageous warriors who have broken Israel as well, the IGF vents their rage on the helpless children as they lose to the heroes. Israel's strategy has been misinformed,

deny, and to conceal and conceal to justify the murder of innocent childrens who drop bombs that are equivalent to several atomic bomb on our dying planet. Israel comparable to the ward black plague.

If left unchecked, it will destroy the entire planet. The moment when it consumes us here is fast approaching. I would like to tell you a story I learned in school. In a forest, there are -- there was a lion and three black -- three bulls, black, red, and white. The lion was hungry and he wanted to eat, but he knew he couldn't confront the three of them at once.

To solve this, he devised a plan to convince the black and red bull that the white bull is a threat. He argued that the black and the red bull that the white bull color would make them easy target to the hunter. He swayed them and allowed the lion to eat the bull, the white bull.

Sometimes later the lion repeated the manipulation this time convincing the black bull to turn against the red bull. Once again he was successful. Eventually the lion became hungry again, and he set his sight to the black bull.

The black bull said I was eaten the day the white lion was -- the white bull was killed. I just want to let you know half knowledge is more dangerous than no knowledge. We should listen to the international humanitarian organization like Amnesty International, Action for Peace, and so on.

Please snap out of the state of hibernation. We are the bulls in this story. We call for a cease fire in Palestine because atrocity taking place just like the atrocity happened in Nazi Germany. Israel is not only targeting (indiscernible), aid worker, and journalist, and also their loved ones. The atrocity has been widely documented once of the most adjudicated by the international court in modern history.

This is not merely war and people. It is war on the future of civilization. It is up to all of us in this room to do our part to stop it. Thank you.

(Applause)

MIKE MARTIN: Going to break things up a little bit here. Sorry. I guess, what? Maybe July I was here with some other people regarding

the warehouse situation on Wawayanda, and I just wanted to give you a quick update. We've -- the group -- oh, Mike Martin, sorry, a resident of the city of Middletown. And I got involved in Save Wawayanda to shut down these warehouses and other projects because of the traffic and what we thought were the effects on Middletown. And there are several other people that have been here and support this.

So I just wanted to make you aware we did put together a little map showing where all the -- approximate where all these warehouses projects -- there's about ten of them that either approved or in the stages of approval by the town of Wawayanda. And also, the square footage is about 6 million square feet.

And truck traffic at several points is -- well, the most -- Route 6 and 17M, we're looking at minimum 2,000 trucks per day right now. You know, so, you know, it would choke off Middletown. They never took into account Orange Community College, further traffic studies, what happens in Middletown. This was -- these traffic studies were done a long time ago, so I just wanted to make you aware of it.

And I know that Mayor DeStefano has been involved in this and I know several of you have. So just making you aware of it and the rest of the council. That's all I wanted to say. And I -- we have some pamphlets if anybody's interested. Thank you very much.

PRESIDENT J. MIGUEL RODRIGUES: Thank you.

(Applause)

CHARLES LEWIS: Good evening, council. My name's Charles Lewis. I am a resident of Middletown 4th Ward. All of the information I have for you at this point comes from datausa.io. Fifty percent of the population here, that would be just under 4,500 people, live below the poverty. The hire the national average -- it's higher than the national average, which is at 12.5 percent.

The largest demographics are males aged 35, to 44, the second is females from age 12 to 14, and the third are males from age 18 to 24. Middletown lacks the resources to tend to the homeless community as well as the mental health community. And other than the moral argument that should not be forgotten stopping the

genocide, there's another, to fight for the citizens that are here.

We are in Code Blue season and there's not enough resources to help all the people that need it, which is why it troubles me that you prefer to only hear Middletown voices. If I was priced out of my home and I was homeless, am I still a Middletownian? The vast majority of people in Middletown who are in need of emergency housing are sent to either Wallkill or Newburgh. Are they not Middletownians anymore?

We all pay tax to the system, and the taxes are here to help us. Our government has sent over 18 billion to Israel whose national homeless problem is 0.02 percent. This is also a country that can afford its own universal healthcare system.

I'm calling for my leaders to be America first. With the long, long history of poverty here, I feel it necessary to say that we cannot walk and chew gum at the same time. And so now I'm calling on you, my leaders, to advocate for me and the rest of my -- the constituents by bringing us the proper resources we need. And when they ask you how you pay for

it, you tell them the next 18 billion we are going to send to Israel.

Because Israel may be your friend, may be some people's friends in here, but I'm your Middletown family. I was born here. I was raised here. I worked at the homeless shelter. I did the 311 calls. We don't have the resources. So don't tell me you don't have the muster to stand up and say, hey, listen, we need this for our community.

If two rivaling factions in town were having a deadly dispute, the state's first motion would be to de-arming them because you cannot have peace if there's still shooting. But this simple truth is harder than you make it for death and atrocity in your area. The easier peace can be. That is basic sociology. I've worked with grassroots organizations, and we tried to get rid of the (indiscernible) --

PRESIDENT J. MIGUEL RODRIGUES: Your time's up --

CHARLES LEWIS: -- state and federal officials, but they will say --

PRESIDENT J. MIGUEL RODRIGUES: Your time is up.

CHARLES LEWIS: -- the same thing. Our efforts have to start at the local level.

AMANDA CRUMP: Good evening, council members. My name is Amanda Crump. I live in the 4th Ward of Middletown. Tonight we have heard the council's concerns, and we are making an effort to appease you and work with you. We do not want to cause any tension, and we hope that our actions tonight will open the door to have a broader conversation.

We appreciate your efforts in consistently dealing with Middletown business matters, and we have no intentions of disrupting your meetings. We simply ask of you to please send a strong statement to our government officials calling for a cease fire and recognizing that Palestinian and Jewish lives matter.

Many people that are coming from other towns are Jewish and Palestinians that are deeply connected to this issue and want to share their insight and their stories with you, and quite a few are coming from cities that have already passed cease-fire resolutions, which is why they want to help us pass one in our city.

We will continue to reach out and to approach our representatives like James Skoufis, Pat Ryan, Kathy Hochul to name a few, to do what they can to speak up for Palestinian lives. We come to you because we have the privilege to come and speak to you and request a statement on behalf of our city.

We really hope to work together and to continue to be able to appease you. I pray that we can mutually respect each other and have a conversation about what can go into the resolution. Following this meeting we will be reaching out to each of you and hope to work together so that Middletown can be a light in the darkness.

Please pay attention to international law and understand that in the future the American government will not be able to get away with this. You will have a chance -- you have a chance to be the heroes when people above you, quite frankly, don't have the guts to stand up, and instead accept money from Israeli lobbyists like APAC. Thank you again for giving us the space to speak, and we look forward to speaking to each of you.

(Applause)

DELIA DUPRE: Good evening, council members, mayor. My name is Delia Dupre. I am from the 4th Ward, Middletown resident, and I'm here because I am appalled that we have to go through all of this all the time to get a cease fire. I am going to read this because it was given to me, and I'm going to follow the rules.

By passing a cease-fire resolution, it sends a powerful message that the city of Middletown stands for the dignity, the well-being, and preservation of human life. By advocating for the protection of innocent civilians, this council would demonstrate compassion and a commitment to global justice and alignment with universal human rights, principles, regardless of one's religion or nationality.

We absolutely cannot ignore the suffering of innocent civilians in Gaza, Lebanon, and Israel. The violence we are witnessing every day generates strong emotions and different opinions within our own community. Many people here have personal ties to Gaza and Israel or are deeply affected by the ongoing violence. Passing

a cease-fire resolution, which is needed, can serve as a unifying act and help alleviate tensions creating a sense of solidarity within the community where residents of different backgrounds can rally around a common value, peace.

You as local leaders can help Middletown stand as a beacon of hope and lead by example. Show that peace begins with the actions of individuals and local communities which can inspire other communities to join a calling for peace and build momentum for international efforts.

Moral leadership is essential in times of crisis. And while we are not experts on foreign policy, and I'm not either that, and cannot solve all the world's problems, we can stand on the side of justice and humanity by aligning ourselves with the principles of international humanitarian law.

A cease-fire resolution is not simply a political decision. It is a statement of humanity. Be sure that the choices made today shapes the world we leave behind for future generations. By passing a cease-fire resolution,

it benefits this council by (indiscernible) as a leader and advocate for global peace efforts reinforcing our values. It's a little bit more, but my time is up. Thank you for listening.

(Applause)

BEN SURFACE: Good evening, council. My name is Ben Surface. I'm the supervising attorney for the Hudson Valley Justice Center. We serve Orange County and throughout the Mid-Hudson region. Specifically we practice in Middletown City Court representing tenants facing eviction.

I'm here today to encourage the City of Middletown to join the growing number of villages, towns, and cities throughout the state who have opted into the Good Cause Eviction Law. I've had the opportunity to exchange some communication with the mayor, and I know that this is something that council is considering.

And so I'm here today to not only voice my support for moving that process forward and bringing a bill to the council, but to specifically rise in support of drafting the strongest version of the bill possible. Across the state, as towns and municipalities have opted

in, every single town that has chosen to opt into this law has defined a small landlord as a landlord who owns more than one residential rental unit.

The significance of this definition of a small landlord is that it makes it so that tenants don't have to worry about their landlords using LLC loopholes to avoid coverage under this law. One thing we see already in housing court across Orange County, whether it's in the city of Middletown or in the city of Newburgh and into Dutchess County is that landlords, as common practice regardless of this law, will own their properties under separate LLCs.

In New York state, there is no publicly available database to look up LLC ownership making it almost impossible for particularly prose tenants to know whether their landlord, the LLC that owns their building, is owned by somebody who also happens to be a member of another LLC.

And so setting the small-landlord definition above one creates a loophole through which existing corporate landlords and landlords who are interested in avoiding coverage under the

law can exploit this loophole to avoid providing the protections to their tenants.

I'll just take the last bit of my time to add some anecdotes here. So our office represents tenants in the City of Middletown Court. We are here multiple days every week. And when I think -- you know, sometimes when people think about eviction, they think it's all -- you know, it's non-payment of rent, it's the tenants who's breaking the lease.

And what I want to make clear for you is that every week we see tenants who are being evicted for what we call a no-cause holdover. The landlord has given them a 30-day notice or a 60-day notice or a 90-day notice in which they have not alleged any violation of the lease, any unpaid rent, but under the current status quo of the law, that tenant has no defenses against eviction.

So while they have abided by the lease, paid the rent, they are still subject to housing instability even though they've done everything they could to be a good tenant. And so this law puts a very mild level of regulation on landlords to make sure that those kind of evictions can't

happen and to keep the rent increases that tenants are forced to bear within a reasonable threshold. So I look forward to working with the council in the future to answer any questions you may have, and my colleague is here to add some more information. Thank you.

(Applause)

PRESIDENT J. MIGUEL RODRIGUES: Go ahead.

ALLIE DENTINGER: Good evening, council. My name --

PRESIDENT J. MIGUEL RODRIGUES: Oh, oh, hold on a second. Go ahead, Alderman Johnson.

ALDERMAN PAUL JOHNSON: I just would like to, as a point of information to the speaker, I think we're on record as of the last meeting that we acknowledge the one unit. We acknowledge the LLCs. We're in correspondence with the organization. Everything you just said is already in our databank.

We know how many hundreds there were. We're waiting to just aggregate how many were good cause and how many were just non-payment. So I just wanted to be clear we're ahead of this curve, and to say it every week or every other

week is getting a little bit frustrating because we're on record that we're doing this.

The administration is showing, I think, and I think the council agrees, due diligence in looking at the facts of the case as it were and one of the pitfalls of various types of laws. But we got the one unit -- I said this last week. We got the one unit. We got the LLC. Everything you said is knowledge to this council. I just wanted -- I want it to be clear that you know that. Thanks.

PRESIDENT J. MIGUEL RODRIGUES: Go ahead. Sorry about that.

ALLIE DENTINGER: All right. Good evening, council. Thank you so much for hearing our remarks and engaging not only with the -- these housing issues but our organization. My name is Allie Dentinger. I work for the Hudson Valley Justice Center.

Echoing and building off of what Ben said, I currently represent tenants primarily in Dutchess County. And I just want to tell a couple of stories of tenant that have good cause and tenants that don't. So one of the things that's near and dear to my heart is repair

issues.

Up until 2024, tenants actually could not take their landlord to court if they were having a repair issue despite the warranty of habitability being the law of the land for decades in New York state. It's been a right and down in New York City for decades, and it's -- it -- we're -- I don't know how many days into the year we are, but that's how many days we've had this right.

So I represented a tenant in southern Ulster County who had a fire a few units over from his. It knocked out his electric, and we were able to, through the court process, get it on. He got a rent refund for a month he was displaced. And I lay in bed at night and I think about this tenant because there's nothing that protects him right now from the landlord doubling his rent.

So you wouldn't know that based on the data, based on the observations that I have. I'm in courts. There's no way to know that that's a good-cause case when we get into the courts, when we pull apart the eviction filings. Because when his rent doubles because he complained about his

conditions, he can't afford that.

And I'm going to tell you about a tenant in eastern Dutchess that I represent right now. And her landlord and her are just in a mess. There is absolutely disgusting mold in this bathroom. And the tenant started withholding rent, which is her right under the law. And she's entitled to an abatement of that rent and a repair.

But what the landlord has already said through her attorney to us is that we're going to terminate that lease. So she's going to pay all this money. She's disabled. She has no where to go. This was intending to be a forever apartment for her, at least for a long time.

But then I want to tell you about a tenant that I repped with some paperwork today that I filed today that hopefully will be in court later in the week. She lives in a jurisdiction with good-cause eviction in a building with three units. And since last Wednesday, I kid you not, she's had no heat or hot water. Take that in, okay?

So we filed. And I did it fearlessly for her, and she was fearless about it because

she knows that the landlord cannot terminate a tenant -- turnaround and terminate that tenancy for no reason. And I got to look her in the eyes and say I've got your back, the law has your back, and the council has your back by passing this protection.

So I guess I'd just say there isn't going to be perfect data I think that's going to reflect what you want to see. I think this is -- numbers are numbers, but stories are stories. And I would just encourage this council to know that for every day that passes, more and more tenants are receiving increases, receiving terminations.

Rochester tonight actually opted in as well at the single unit. And I also -- thanks to our wonderful office manager, I have some flyers for our office. Some -- half of it is -- one side is English, one side's Spanish. There's some know-your-rights. Please take a few. Give them to your constituents. If you're a tenant, you know a tenant, you love a tenant, please take some if I can leave them on the table up here.

PRESIDENT J. MIGUEL RODRIGUES: Sure.

ALLIE DENTINGER: Thank you so much.

(Applause)

ERIN CROSS: Good evening. My name is Erin Cross, 2nd Ward resident, and I am a proud Jewish member of the Middletown community. For months I have watched common council meeting after meeting by -- be hijacked by groups, some whose members aren't even Middletown residents, spreading blood libel and misinformation disguised as wanting a true cease fire to the Israel-Gaza conflict.

While I commend the idea of a peaceful resolution to the conflict, I have yet to hear any rally Middletown speaker or supporter mention a single word about innocent Israelis kidnapped and brutally murdered, or the hostages that have been treated savagely, and savage is an understatement, simply because they're Israeli or Jewish. They were taken captive by a terrorist group Hamas on October 7, 2023.

Nor have I heard any of them hold Hamas accountable for their savage actions, including rape and torture, yet condemn Israel for defending themselves and their people. This is an injustice to humanity. The fact is there was a cease fire right up until the moment Hamas

terrorists entered the kibbutz scene and the Nova Music Festival murdering over 1,200 innocent Israelis.

Make no mistake. War is bloody. The war was not one that Israel asked for or started. I actually heard a gentleman at the last meeting on December 3, 2024 refer to Hezbollah, a Lebanese Jihadist group, as the party of god -- check it, the time marker is 1:42:08 -- which was just today designated a terrorist organization by Switzerland.

And just today, a grave of over 100,000 victims of Asaad was discovered. Where was your outrage then? Nope. Just Israel. I didn't respond to you, so please don't respond to me.

(Multiple speakers)

PRESIDENT J. MIGUEL RODRIGUES: Let her speak. (Indiscernible) order.

ERIN CROSS: On October 7th, my cousin was serving in the IDF as this massacre unfolded. Other cousins residing in Israel today feared for their lives that day and continue to do so. And another cousin whose stepsister's friends were murdered at the Nova Music Festival.

Beyond the fact that that has brought

up week after week by the common council that a cease fire is a federal issue, not a local issue, I speak for myself and family that as a Jew who grew up and continue to reside in Middletown was a member of Temple Sinai and am now raising my child in the Jewish faith in this community. I will not stay silent.

Thank you, Mayor DeStefano, Common Council President Rodrigues, and fellow council members, for week after week discerning fact from fiction, reiterating that this group and speakers are here just for the publicity of a televised council meeting, and for your unwavering support of the Jewish community.

(Applause)

WARDA: Okay. Thank you for the opportunity to speak today. My name is Warda, a proud Palestinian-American mother and a member of the Orange County community. I have children attending Middletown College, and many of the attendees here today have been to numerous city council meetings, but Middletown holds a special place in my heart as I spend a lot of time and resources here.

I stand before you today with a heavy

heart compelled to share the story of (Indiscernible), a grandfather from Gaza, who's often described his granddaughter as the soul of my soul. The (indiscernible) speaks to the deepest bond and intimate unbreakable connection between loved ones. It's a way of saying that (Indiscernible) his granddaughter wasn't just cherished, she was the essence of his being, the light of his life.

He dedicated life to helping others in need feeding starving children, offering hope in times of despair. Last November, (Indiscernible) three years old, was killed by Israeli forces. As she laid lifeless in his arms, the grandfather whispered soul of my soul to her. And just this Monday, the grandfather who spent his life spreading love and hope was also killed in the bombardment.

He is now among the countless innocent victims on the ongoing genocide. (Indiscernible) and her grandfather's death are part of over 45,000 dead. 45,000 Palestinians have been killed with more than 106 other thousand wounded. These lives, these human beings are not just thousands of miles away.

In fact, Palestinians from (Indiscernible) are in New York, which brings me to Sarah, a courageous 18-year-old who was brought to New York to treat her severe burns that she sustained from a bomb struck by her home killing her two brothers. Sixty percent of her body, sixty of her body was burned. And her dreams of finishing high school and going to college was shattered.

I drove three hours to visit her hoping to offer some comfort. But when I arrived, she didn't want to come out. She was too self-conscious about how she looked. And at that moment, I realized I had no right to be upset. Sarah's life and dreams were torn apart from unimaginable grief and trauma. The United States is 100 percent responsible for destroying her life and murdering her family.

Today I stand before you to ask Middletown City Council to call for an immediate cease fire and an end to violence and genocide in Gaza. And as a community, we have the power to stand up for humanity. We have to raise our voices in demand for peace for the innocent children and families suffering every day.

(Applause)

MAN 1: Good evening, President

Rodrigues, members of the common council, Your Honor the mayor. I just wish to address an issue that's of local interest that may be of interest as well to the members of our common council. I do commend Alderman Johnson, all the members of this body for being proactive in your leadership, whether it's been the issue of creating municipal ID. I know that Alderman Kleiner worked on it, the eviction.

It's great to see that we have a legislative body here that's not reactive but proactive when it comes to the concerns of our local community. I want to address the issue of how we could fight the evil of cancer right here in our back yards.

This past year one of our most interesting or colorful voices of congress, Representative Sheila Jackson Lee, went silent. A native New Yorker by birth, Sheila Jackson Lee served 30 years with distinction on behalf of her Dallas district leading the fight against domestic violence, for criminal justice reform, and sponsored a law making Juneteenth a holiday,

a celebration that's very dear to our Middletown community.

On June the 2nd, 2024, Congresswoman Jackson Lee revealed that she would be undergoing treatment for pancreatic cancer. And within little over a month, July 19, 2024, she was gone, testament to how this tragic disease respects neither age, title, or influence. When it comes to the battle against cancer, we are all in it together.

President Biden pledged to dedicate his presidency and greater federal funding to the fight against cancer. In the meantime, there's much we could do here at the local level. And I would encourage our municipal government in collaboration with our local Middletown -- sorry, medical community to see whether we could bring to some of our local community events, whether it be the farmer's market, community fairs.

Sometimes the local hospitals or medical organizations do have mobile units that bring free testing for different kinds of cancer, and we could bring that here to our community for these special occasions that we have especially during the summer months. We could very well

help save lives making our community a lifesaver community. And I think lobby services are free of charge. And I think working together we could make a difference and save many of our residents through prevention and education.

So I do encourage our legislative body and our mayor, whose leadership as always made a great difference for our city, to look into this. And hopefully we could take a bite out of the evil of cancer right here in our back yard. Thank you.

(Applause)

WOMAN 1: Good evening. "Give me your tired, your poor, Your huddled masses yearning to be free, to breathe free, The wretched refuse of your teeming shore. Send these, the homeless, tempest-tossed to me, I lift my lamp beside the golden door." These words are written on the Statute of Liberty. "Give me your tired, your poor, your huddled masses."

Council, I want to thank you for listening to your residents because you're civil servants. You're public servants. You serve your community, so it is your job to listen to these residents as many times as they come about

the same issue over and over again. You signed up for these jobs. You ran campaigns. Do you get paid as well? Thank you for listening. I hope that you continue to listen.

And I specifically want to thank Mr. Kleiner, Mr. Witt, Mr. Masi, Mr. Rodrigues, Mr. McCormack, Mr. Tobin, Mr. Jean-Francois, and Mr. Johnson for giving these people your full attention and not being on your phones.

(Applause)

WOMAN 1: Thank you for listening to these people. Thank you for serving your community. Oh, and thank you, Mayor, because you also weren't on your phone this time.

MAYOR JOSEPH DESTEFANO:

(Indiscernible).

WOMAN 1: Oh, that's a really wild thing to admit. But thank you. So ultimately, you know, I'm a social worker. I work with unaccompanied youth who cross the southern border. These kids are escaping some of the worst trauma you can imagine. Some of the kids that I work with are from the southwest Asia/North Africa region, including countries like Afghanistan and Egypt.

Everybody's suffering worldwide, and it's at the hands of the U.S. And I know you watch the news, and I know you're informed about what's going on. And I know you see people crying. Let me say something. Nobody deserves to be mourning the loss of their loved ones. That also means that every human life is valued the same.

I hope that you all believe and understand that one Israeli life is not equal to 10,000 Palestinian lives. Please listen to your constituents. Please continue to be the global citizens that you are. Again, I see that Ukrainian flag in that hallway. You do get involved in global issues, especially when it's about democracy, about human rights, about serving your people. Serve your people.

Have a meeting to talk about this resolution. Other -- look at what other municipalities have done. Dedicate the time because they aren't going away. You aren't either. Talk. Be a model of the kind of civility that we need right now. Thank you.

(Applause)

AMIRAN GASOON: Good evening. My name

is Amiran Gasoon. I'm a proud Middletown graduate. I'm also a citizen of Middletown in the 3rd Ward. Thank you, Alderman Johnon, and thank you, Alderwoman Wray. I just want to speak on the frustration of going to these meetings and understanding that, yes, we do have a humanitarian crisis, and I do want to apologize in advance, that this isn't necessarily an address to address the common council. It is to address the public that speaks on these issues.

But this is a humanitarian crisis on both sides might I add, but this is not an issue for the City of Middletown. Middletown cannot do anything about these issues. I am a student studying political science and international relations. And let me tell you, you are supposed to go to your congressmen for these issues. You are supposed to go to your senator.

The City of Middletown is not going to be able to make any kind of significant difference in the outcome of the humanitarian crisis in Gaza. Those issues lie with higher power. You cannot come and berate our councilmen and single out people on our council and claim to be here respectfully.

And also, I'd like to note the hypocrisy of only talking about one side of this issue and also denying other humanitarian crises. To speak about the crises in Syria and other nations not being equivalent, how dare we compare killing and murder and genocide. That is absolutely egregious. And let me reiterate. If you have these issues, go to your congressmen, go to your senator. It does not lie with the City of Middletown.

And to now address the common council, thank you for your patience and thank you for giving me a platform.

(Applause)

PRESIDENT J. MIGUEL RODRIGUES: And congratulations on your 4.0.

AMIRAN GASOON: Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Mayor?

MAYOR JOSEPH DESTEFANO: Maria, can you go to the second set of slides? This document -- well, first let me just comment on the ridiculousness of this being the ninth meeting. And again, I think it's within the power of the common council to do what other communities have done when people abuse the process, that people

at home, some people have come to our meetings and had to leave early that were looking to conduct Middletown business, which the Middletown Common Council should be doing, have not been able to stay because people work. People have other responsibilities, and had to sit here for nine meetings in a row and listen to people tell us that we're not listening to our constituents.

Our 30,000 plus constituents, by the way, are not represented by the handful of Middletown residents that come here along with the numerous people from Beacon, Chester, Monroe. My friend from Bloomingburg is here tonight but he didn't speak thankfully.

The -- to be said that we're ignoring suffering, that what they're doing is a unifying act, I don't find it very unifying, especially since I think, Rick, the last count was over 7,500 emails that we have received in opposition to what this group is requesting and that we will be forwarding to them upon the request through a Freedom of Information request. That they're appalled by the lack of action. That --

AUDIENCE MEMBER: (Indiscernible)
Middletown resident?

MAYOR JOSEPH DESTEFANO: That we lack resources for homelessness. How does anybody with any knowledge of the city of Middletown whatsoever -- and I think he said he was a lifelong resident who volunteered -- have the nerve to come up here and say that we are not doing enough for the homeless? Middletown is the home to the homeless shelter of the county at the former psychiatric center grounds.

We are also a community that supports and funds the warming center in a city-owned building. It is such nonsense to hear this group of people come up over and over and over, begin the whole process with lies, and then when confronted -- each time they're confronted, they double down on lies.

I think they're -- one -- the first speaker tonight I think once again has represented himself to be a Middletown resident. He's not a Middletown resident. Don't come up here and say you're a Middletown resident. You're not a --

AUDIENCE MEMBER: (Indiscernible) is house (indiscernible).

MAYOR JOSEPH DESTEFANO: You're not a

Middletown resident.

PRESIDENT J. MIGUEL RODRIGUES: Point of order.

AUDIENCE MEMBER: Oh, my god.

MAYOR JOSEPH DESTEFANO: What?

PRESIDENT J. MIGUEL RODRIGUES: Point of order now. Point of order now.

MAYOR JOSEPH DESTEFANO: Let's go forward to why do these people come here in such a "unifying way"? Because they have -- they didn't have the brains last time to take all their documents --

AUDIENCE MEMBER: (Indiscernible).

MAYOR JOSEPH DESTEFANO: -- with them. At the last meeting in the back of the room on the chair was this little document that you see up on the screen. And what this document read -- well, on the right is the -- oh, there you go, Maria. Right there.

It reads -- these are the instructions that they are given and handed out prior to coming into our common council meetings. "December 3, 2024 Middletown City Council Meeting". So they're just meeting here. All these interested Middletown area residents are

just meeting here by chance.

"Important, please prioritize Middletown residents speaking first in case public comment is shut down early. Important, if you live in Middletown, be sure to say that when introducing yourself to the council. If you don't live in Middletown," here's the interesting part, "connect yourself in some way." How many times have we heard that? I go shopping at Walmart. I go -- my kids go to college. I do this, I do that. It's all part of the act, and the act is because of that TV camera right up there.

"How you shop, you work here, you were born here, have family here." Well, so do we. So do the people at home. So do the people who have business to conduct for the city of Middletown. They opened again with a lie. The lie is that this is an orchestrated event nationally. Not locally, nationally by the Democratic Socialists of America. This is the draft resolution --

AUDIENCE MEMBER: Are you kidding me?

MAYOR JOSEPH DESTEFANO: -- that was sent to me --

(Multiple speakers)

MAYOR JOSEPH DESTEFANO: Are we going to have order?

AUDIENCE MEMBER: Now you're lying. You're going to (indiscernible)?

PRESIDENT J. MIGUEL RODRIGUES: Point of order.

WOMAN 2: Madam, point of order.

PRESIDENT J. MIGUEL RODRIGUES: Point of order. Point of order.

AUDIENCE MEMBER: (Indiscernible).

PRESIDENT J. MIGUEL RODRIGUES: Point of order.

MAYOR JOSEPH DESTEFANO: Are we ready?

AUDIENCE MEMBER: (Indiscernible).

MAYOR JOSEPH DESTEFANO: Okay. Now, the Democratic Socialists of America, they were again brought -- not bright enough to not send out this email that came to me with the exact resolution and directions on how to approach communities like Middletown. Many of them haven't even been to their own communities. But when they were confronted --

AUDIENCE MEMBER: (Indiscernible).

MAYOR JOSEPH DESTEFANO: When they were

-- can you please bring order to this audience here please?

PRESIDENT J. MIGUEL RODRIGUES: If we

--

AUDIENCE MEMBER: (Indiscernible).

PRESIDENT J. MIGUEL RODRIGUES: You need to stop talking. We didn't interrupt you. Please stop talking. Point of order.

AUDIENCE MEMBER: Why is he only addressing the (indiscernible)?

PRESIDENT J. MIGUEL RODRIGUES: Point of order.

WOMAN 2: Clear the room.

MAYOR JOSEPH DESTEFANO: This was an orchestrated event. They came to their first two meetings and lied. They continue to lie. They send out directions on how to come here and what to do. And it's all with the intent to hijack these common council meetings to bring attention to an issue that has nothing to do with the City of Middletown.

We all have our individual opinions about foreign policy. I've said over and over why the Ukrainian flag is down here, and I'm not going to say it again. But I don't have to

defend myself to these people that come in here and try to take control of city business when we're elected to do city business. I have people that are at home now. I wanted to talk a little bit about tonight about the no parking for the snow emergency, the snow alert the other night in which we gave out about 25 tickets. So people should be aware that we are now issuing tickets if you're not going to follow the snow alerts and to encourage people to sign up for the snow alert.

I wanted to talk about the 11 King Street, that we're closing on that this week with a developer that's going to build 15 apartments. Hopefully 20 percent of them or maybe more affordable under the state guidelines. We wanted to talk about the purchase of the M&NJ Rail Station, an economic development project that is on the corner of Railroad and East Main Street.

Things that Middletown want to know. We want to talk about the Paramount Theater, the successful shows that we've been having, the holiday season, the shows that have been having at the Paramount Theater.

Instead, we have people surrounding the

downtown Christmas tree altering the lyrics to holiday and Christmas music to play their little game and come here and entertain, which they're trying to do on the television camera. I once again call upon the council to consider doing what other communities have done, this is not being bullied, that you have issues on the agenda of the City of Middletown.

And I think their advocate Mr. Kleiner has even spoken in favor of this. If it's an agenda item for the meeting, feel free to speak on it prior to the votes. If it's a non-agenda item like this issue is that is tying up meetings week after week after week, and as they said tonight will continue to tie up meetings week after week after week, then we have an obligation to the residents of the city of Middletown to push that speech to the end of the meeting so that people at home if they so choose can turn off the television, change the channel, do whatever they like.

But at least they got their money's worth at our local elected officials and had their issues addressed. They know if their taxes are going up, their taxes are going down,

services are being provided, and answers to the questions that they ask. And that is our responsibility.

You have an issue with Pat Ryan, call Pat Ryan. Call Chuck Schumer. Call Gillibrand. Send your letters to the White House. Protest all you want on the corner of, you know, Carpenter Avenue in -- not Carpenter, 211 in whatever the hell the name of the street is. I don't know my Wallkill that much, which is like the Bloomingburg guy, right? I'm getting a little confused.

AUDIENCE MEMBER: (Indiscernible).

MAYOR JOSEPH DESTEFANO: But the idea is these people aren't Middletown. Middletown people are the 30,000-plus people that are out here. Those are the people that are calling Masi, Witt. I don't know if they're calling Kleiner. I'm sure you're hearing from them. All of you. They're calling me. They're sending letters, emails to us. They're telling us stop this nonsense, and I hope the council will stop the nonsense. Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Okay.

Remarks of department heads. Economic

Development?

MARIA BRUNI: Good evening, everyone.

I'm just going to touch upon, yes, we've been having a lot of successful shows at the Paramount, a great Christmas season in our city and our downtown. And this weekend we have a few other great events, movie A Christmas Story, How the Grinch Stole Christmas, Christmas with the New York Tenors.

So MiddletownParamount.com, check us out. See what's going on. And as we wrap up our holiday season and I just want to wish everyone a Merry Christmas, happy holidays, and -- oh, menorah lighting Sunday, December 29th right at Run 4 Downtown Park, and that's going to be at 5:00. This is in conjunction with Temple Sainai. So I hope to see you guys there. I'll send out the reminders. We've already posted, and that's all I have for this evening.

PRESIDENT J. MIGUEL RODRIGUES: Any questions for Maria? Thank you.

MARIA BRUNI: Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Thank you, Maria. DPW Commissioner?

COMMISSIONER JACOB TAWIL: Good

afternoon, common council, mayor. The reservoir levels, as you know we are still considering ourselves in a drought condition. We are at 84 percent. We've been pumping nonstop from our emergency sources. And we were able to bring the -- our storage from 71 percent to 84 right now obviously with the rain helping as well as the pumping.

The pumping is quite an expensive operation. We have to man the pump. We have to have -- it's a huge diesel pump and it has to be manned 24 hours a day whenever we have water to pump because we have to maintain minimum outflow from the stream that we are pumping from and so on. So it's expensive, but there is really price on water. Whatever water is worth, whatever you have to pay to get it.

The mayor was going to talk about the city court. We signed the contracts today with the four contractors, the GC. They're actually a heating, ventilation, air conditioning, electrical, and plumbing. Four contracts.

So they're going to be starting the work by the end of this week, and they're going to push forward throughout until the end of next

year where they have to complete the project. Again, that's repurposing the federal courthouse to become two city courts within that building. And the city court will move out of here and to move over to South Street.

Design work for the 24-inch water main, finished water main. Replacement has started with (Indiscernible). The design work for the replacement of the 24-inch raw water line from Kinch down to Shawangunk has started as well, and that's going to be replaced by 36-inch pipe. And that's all I have to report to you. If you have any questions for me?

PRESIDENT J. MIGUEL RODRIGUES: Any questions for Jacob? Alderman Kleiner?

ALDERMAN GERALD KLEINER: Thank you. Commissioner, I just want to thank you. I happened to call you on a Saturday for an issue with the Y and the swimming pool draining and the neighbors. And you went over there right away, and so thank you very much for that.

COMMISSIONER JACOB TAWIL: Thank you. Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Alderman Tobin?

ALDERMAN SPARROW TOBIN: Just to remind the public you can put out two bins after the holidays, right? If you have garbage and your recyclables?

COMMISSIONER JACOB TAWIL: After -- yes, after Christmas you can use recycling blue cord and you can put municipal solid waste. You can put garbage in there. Just after Christmas for that one time. Right, Mayor? We're still doing that, right?

MAYOR JOSEPH DESTEFANO: Right.

PRESIDENT J. MIGUEL RODRIGUES: Okay.
Thank you, Jacob.

COMMISSIONER JACOB TAWIL: Yeah. Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Police chief?

CHIEF JOHN EWANCIW: Good evening.
Just to expand on the mayor's comments about parking, the overnight parking, we did enforce it this last snowstorm. Additionally, we continued enforcement into the daytime hours for the vehicles that were left parked on the road that interfered with the snow removal.

So just as a reminder, it's not just

the overnight parking during the winter events. It's removing the vehicles from the road during the daytime to allow snow removal as well. Otherwise it creates havoc and you get complaints. You call us that you want us to do something as cars are snowed in and plowed in and what not.

Yesterday unfortunately we dealt with a shots-fired incident on a snow day. But the good part is that the members of the Middletown Police Department did an amazing job. Within a few moments after the incident had three individuals in custody, three juveniles, and recovered two illegally possessed handguns. The dedication and the work that went into yesterday's event, outstanding by my staff.

Just the collaboration, the knowledge, and the willingness and drive to really push forward and find these individuals very quickly. So very proud of them. They've done a great job with that as they've done in the last several incidents that were very similar. So those three people have been charged appropriately and we'll see what happens from here with that situation. Thank God no one was injured. We're very

fortunate with that once again.

We held a leadership academy graduation here in this room last Tuesday evening. It was an amazing event. Sergeant Welch, once again, outstanding job. She shines in the job that she does. She connects with the youth, connects with the community, does some really amazing work, and I appreciate the support from the council. I know some of you attended and have attended ones in the past, and we definitely appreciate that partnership and that commitment and support.

Assemblywoman Gunther, I know she left, but I just wanted to publicly thank her for all the support that she's provided us as the Middletown Police Department and a the Orange County Police Chief's Association. She's been nothing but gracious to us as well during her tenure.

And then I would just like to thank the council for all of your support throughout the year. You're always there for us. You support the things that we would like to implement, the programs that we start with both publicly supporting us, financially supporting us. So we greatly appreciate it. We cannot be as

successful as we are without your support. So thank you for that. I just want to wish everyone a merry Christmas and a happy New Year. And if you have anything for me.

PRESIDENT J. MIGUEL RODRIGUES: Any questions for the chief?

CHIEF JOHN EWANCIW: Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Chief, the 25 tickets, was that day and night?

CHIEF JOHN EWANCIW: No, 25 was just the overnight. We continued during the day once we realized that there were still some cars that were not addressed and were being plowed around and covered in snow still.

PRESIDENT J. MIGUEL RODRIGUES: Okay. Thank you.

CHIEF JOHN EWANCIW: You're welcome.

PRESIDENT J. MIGUEL RODRIGUES: Superintendent of recreation?

RAELYNN BERTHOLF: Good evening, everyone. Just wanted to thank Assemblywoman Aileen Gunther for all that she had done for the Recreation Department in securing all the funds. And we are definitely looking forward to the splash pad and getting that project moving. And

I'm really excited about the December 17th, making it a paid day off for city workers. So thank you, Mayor.

MAYOR JOSEPH DESTEFANO: You get one dollar.

RAELYNN BERTHOLF: Keep an eye out for the ice skating rink. We have lots of winter events and activities going on at the ice skating rink. We just had a great candy cane hunt and a chance -- an opportunity for -- Santa visited and doing family photos there. So definitely keep an eye out for more events throughout the winter there at the ice skating rink. Any questions?

PRESIDENT J. MIGUEL RODRIGUES: Any questions? All right. Thank you.

RAELYNN BERTHOLF: Thank you.

PRESIDENT J. MIGUEL RODRIGUES: City clerk.

CITY CLERK RICHARD MCCORMACK: Good evening. I just wanted to take an opportunity -- this opportunity to thank several people who joined us at the mayor's youth council last week. We were taking a focus last week on owning and running your own business here in the city of Middletown, and we were excited to welcome Juan

from the Taco Factory, ArtVicki from Vicki -- ArtVicki Creations, and Fred Williams from 6 West Barbershop. They came and they spoke to our youth about the challenges and successes that are available when you own your own business, and I think it opened up some our youth's eyes to the sometimes not-so-glamorous world of owning their own business. So thank you guys for coming out.

I'd also just like to ask the council on your resolutions tonight, Resolution Number 275-24, we were hoping to have a letter from the Orange County Planning Department that would allow that to go forward this evening. It did not come through. So I'm going to ask somebody from the council to make a motion to table that at the appropriate time.

PRESIDENT J. MIGUEL RODRIGUES: Okay. And our regular meeting in January is going to get moved to the 7th. We're not doing it on the 2nd, so we'll be back on the 7th for the council. Any questions for the city clerk? All right. Public hearings and grievances?

CITY CLERK RICHARD MCCORMACK: Good evening. We have a public hearing this evening. Notice is hereby given that the City of

Middletown will hold a public hearing on Tuesday, December 17, 2024 on or as near to 7:30 p.m. as possible in the Common Council Chambers at 16 James Street to hear any and all persons wishing to be heard on the proposed zoning amendment to Chapter 475-27.1 of the General Regulations, which adopts a minimum square footage for all new single-family dwellings constructed in the city of Middletown.

Any and all persons wishing to be heard will be given the opportunity to speak either for or against the proposed zoning amendment. The complete proposed zoning amendment is available in the Office of the Common Council Clerk, City Hall at 16 James Street, Room 12, and on our city's website. By order of the common council, Richard P. McCormack.

PRESIDENT J. MIGUEL RODRIGUES: Okay. At this time the public hearing's open. Jacob, is there anything to add?

COMMISSIONER JACOB TAWIL: No. Just to clarify, it's requiring the minimum size of a single-family dwelling to be 1,200 square feet because many times at the building department we get hit with I want to build something 800 square

feet, 1,000 square feet, and we don't have anything in our code to specify the minimum size. So this one specifies it, and it will be even for everybody.

PRESIDENT J. MIGUEL RODRIGUES: Okay. Anyone who would like to talk about this? Any council member? Do I have a motion to close?

ALDERMAN JOSEPH MASI: So move.

ALDERWOMAN KATE WRAY: Second.

PRESIDENT J. MIGUEL RODRIGUES: Moved by Masi, seconded by Alderwoman Wray. All in favor?

ALL: Aye.

PRESIDENT J. MIGUEL RODRIGUES: All right. Another public hearing.

CITY CLERK RICHARD MCCORMACK: Good evening. Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, December 17, 2024 on or as near to 7:30 p.m. as possible in the Common Council Chambers, 16 James Street to hear any and all persons wishing to be heard on three proposed two-lot subdivisions at 166-178 Seward Avenue, 57-67 Dorothea Dix Drive, and 122 Dorothea Dix Drive, and 15 Ashley Avenue.

Any and all persons wishing to be heard

will be given the opportunity to speak for or against the proposed subdivisions. The complete proposed application and map of the property for the subdivisions are available in the Office of the Common Council Clerk, 16 James Street, and on the city website by order of the common council.

PRESIDENT J. MIGUEL RODRIGUES: At this time the public hearing is now open. Do we have anybody that wants to brief us why we are doing the subdivision?

MAN 3: Yeah. This is the properties that were acquired from the State of New York. The subdivision at this point will be the lower entrance to Monhagen. You'll now as you go in there are two large homes there. They're in pretty bad condition. We are subdividing them, splitting them up. So we'll be able to put them out for request for concepts and proposals for those too.

The other, it would be the Kleiner Building and Tuckerman Building in the Powerhouse and the 54 Building, which is behind the nurse's quarters. We are going to be keeping the 54 Building with the property behind it. The Kleiner Building will go with the property that

goes down the hill down, I think it's Dorothea Dix. I'm pretty sure it is. And then the Tuckerman Building will also be freestanding, and the power plant will be freestanding with some property behind it.

So the power plant will be retained by the city. That is the most difficult property for redevelopment. Our plans are to transfer Tuckerman and Kleiner, of course with your approval, to the Fei Tian College for college purposes, and the 54 Building at some point, we haven't put together a development plan, will be out for a request for proposals and concepts again and for sale.

And then future changes will also be including the Emma Street warehouse building. The city is retaining some of the garages. We've already begun renovating them for police storage, for fire police, and also other emergency service related activities on the campus. So that's what we're proposing.

I'm sure at some point you -- not sure, you will have a vote on whether these properties are transferred to Fei Tian. Hopefully they will be. I think we've seen the job they have done

with the other properties that were transferred to them with development goals, and so that's it in a nutshell in case you have any questions.

PRESIDENT J. MIGUEL RODRIGUES: When it'll transferred, they'll have timelines, correct?

MAN 3: Yes. Well, that'll be -- that's not part of this, but yes. They'll have development goals put in place similar to what we did with 84 Dorothea Dix. I don't know if anybody's been into that building lately, but that was a building that 10, 15 years ago we thought we were going to tear down and the building is beautiful. So along with Woodman Hall, the former nurses' quarters, etcetera.

PRESIDENT J. MIGUEL RODRIGUES:
Alderman Witt?

ALDERMAN KEVIN WITT: Yeah. Forgive me if this was out there. The two properties you mentioned on Monhagen, are they the two properties below where the fence goes -- kind of goes back in there? Is that part of this?

MAN 3: No, it's the first entrance off of Monhagen. You'll bear left as you go in. You can bear left or you can --

ALDERMAN KEVIN WITT: Oh, oh, okay.

Okay.

MAN 3: Yeah.

ALDERMAN KEVIN WITT: Okay.

MAN 3: And then you have a house there that's privately owned. I believe that might still be RSS. Yeah.

ALDERMAN KEVIN WITT: Okay. It's not the four -- either of the four that are in the front (indiscernible).

MAN 3: No, no, no.

ALDERMAN KEVIN WITT: Okay.

MAN 3: It doesn't front Monhagen.

They front --

ALDERMAN KEVIN WITT: Okay.

MAN 3: -- Seward I believe is --

ALDERMAN KEVIN WITT: Okay.

MAN 3: -- the name of the street.

Seward.

ALDERMAN KEVIN WITT: All right. Thank you. Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Those two vacant homes.

MAN 3: Correct. Correct. They're in pretty bad shape. Jacob did do an evaluation on

them. I believe -- we believe they're structurally sound. They do require a lot of work. And you know, the zoning up there is light industrial in some parts and primarily commercial and office redevelopment, educational, but that'll be addressed when we do the request for concepts and proposals.

PRESIDENT J. MIGUEL RODRIGUES: Okay. Anyone else? Any council members? I have a motion to close? Alderman Masi. Do I have a second?

ALDERWOMAN KATE WRAY: Second.

PRESIDENT J. MIGUEL RODRIGUES:
Aldерwoman Wray. All in favor?

ALL: Aye.

PRESIDENT J. MIGUEL RODRIGUES: All right. Petitions and complaints, remarks of aldermans. Alderman Tobin?

ALDERMAN SPARROW TOBIN: I'd just like to congratulate Assemblywoman Gunther on retirement. She's really been transformative to the city, all the projects that she's shepherded through and worked on to help us out. I also know and it's not just Middletown. She helped Sullivan County out a lot.

And then in the mental health field, she's been tremendously transformative. And also in nursing, she passes -- helped pass through the Safe Staffing Bill that limits ratios of nurses to like maximum amounts in hospitals so they don't get overworked. She also, the Safe-Handling Bill. Nurses actually get hurt more on the job than construction workers because they have to handle dead weight of bodies, and they're more likely to get injured.

So you know, you need safe staffing ratios and safe handling, and she's been a champion of that. So she's been an all around tremendous legislator, and we were lucky to have her. And I would just like to wish everybody happy holidays, merry Christmas, happy New Year, happy Hannukah. Have a good night.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Nothing this evening.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Johnson?

ALDERMAN PAUL JOHNSON: Sure. So there's a thing with people who like birds and

the put up birdfeeders. And they would like the birds to eat the food that they put in the birdfeeder. And if you go on YouTube or on Facebook there's lots of devices to keep squirrels from coming up and eating the food out of the birdfeeder. Now, it doesn't necessarily mean that the bird people don't like the squirrel people, but they find them to be a little bit of a nuisance and they would like to preserve the bird food for the target audience for which the food was purchased. Hold that thought.

I would also like to talk to the residents of the 3rd Ward, best ward. Earlier this evening one of the speakers called my colleagues' diligence and job performance into question. The two of us have served here for approximately ten years give or take. I think we have engendered the trust and confidence of the members of the 3rd Ward.

We've tried to maintain their quality of life in the 3rd Ward in the city of Middletown. We've tried to represent their interests in the 3rd Ward in the city of Middletown, and we advocate for them when we think advocacy is necessary as in the case of the

Orange Terrace Project.

I stand behind my colleagues' job performance, due diligence, and dutifulness of purpose. I would like to call into attention -- well, let's look at this from an anthropological point of view. Yes, there's a handout. I'm going to read the whole thing, Mayor, with all due respect.

"Important, please prioritize Middletown residents speaking first in case public comment is shut down.

"Important, if you live in Middletown, be sure to say that when introducing yourself to the council. If you don't live in Middletown, connect yourself in some way, how you shop, work, born, have family, etcetera.

"Important, do not form a long line behind the first speaker. There should only be one to three people on line. Too many people at once causes the council to get overwhelmed." I'm going to pause for a moment for some vocabulary.

One of the speakers earlier this evening in her remarks, I would say she's part of the leadership team, used the word "appease" twice. What's the definition of appease? Huh.

To pacify or placate. What's the definition of placate? Make someone less angry or hostile. I'm so glad that you think you need to appease me.

Back to the document. "Pick up an agenda sheet to the left -- to your left so you know where you are, because you may be only here for the first time, as you're walking into the chambers, you can see the format and the timeline. The bathroom is on the third floor to the right. The water fountain is located on the second floor in case you're coming here for the first time."

AUDIENCE MEMBER: Thank you. I wrote that.

ALDERMAN PAUL JOHNSON: "When you are speaking" -- point of order. Thank you very much.

AUDIENCE MEMBER: You're welcome.

ALDERMAN PAUL JOHNSON: "When you are speaking" -- who's the wise guy? Could you raise your hand? Thank you. I'm not surprised. "When you are speaking, there is a three-minute timer on the wall to the left. Use this to gauge how much time you have left to speak so you don't get

cut off." This is exemplary of what we are dealing with.

"With the amount of people coming to speak, the meeting could take up to two hours. Don't feel obligated to stay if you need to get home to your family. However, you may want to stick around.

"The meeting is broadcast live on Channel 20 and will be posted to the YouTube account in the next several days. The typical flow of the meeting is we get to speak, then the mayor, and then the council.

"However, that may change tonight as the council has considered restructuring the order of the meeting due to high turnout. Please do your best to remain silent during the meeting. Zionists may try to spread racist tropes as an attempt to cause chaos and shut down public comment."

AUDIENCE MEMBER: (Indiscernible).

ALDERMAN PAUL JOHNSON: "Remain calm and don't let it deter our movement."

AUDIENCE MEMBER: (Indiscernible).

ALDERMAN PAUL JOHNSON: And there is a -- there's a logo that says Rally Middletown on

it. So it seems to me -- and I just have my own opinion, which I'm entitled to apparently, that the leadership has gone to the pied piper school of management. What do I mean by that? Well, they proudly state they have been here nine times and they will keep coming here.

But they also say their mission is to raise public awareness to their cause. There are 340 million people that live in the United States of America. So the members of the 3rd Ward, whom we're trying to serve effectively, I'd like you to join me in asking yourself why are we perseverating on eight people in one town in one county in one state? And why are we being strongarmed that if you don't agree with us, we'll keep coming here and saying the same thing over and over and over again?

Why is that? Is it because there's a camera? Is it because you're being told what to do? Do they need new leadership? Should they decide to look at 20 other municipalities in the County of Orange? Well, what is the goal?

AUDIENCE MEMBER: It's called
(indiscernible).

ALDERMAN PAUL JOHNSON: Is the goal to

bring their cause to public awareness? Or is there a goal to come to the same eight people every two weeks for nine meetings to say exactly the same things over and over again? Why don't you write us and tell us what you think? Thank you very much.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Wray.

ALDERWOMAN KATE WRAY: Good evening.

Well, to our speaker who so eloquently tried to call me out --

AUDIENCE MEMBER: I did.

ALDERWOMAN KATE WRAY: --

(indiscernible) tried to explain to this council what our job is, allow me to explain to you what our job is. I was conducting city business as I sat here as you attempted to --

AUDIENCE MEMBER: (Indiscernible).

ALDERWOMAN KATE WRAY: -- videotape me over my shoulder --

PRESIDENT J. MIGUEL RODRIGUES: You have to stop. Point of order.

ALDERWOMAN KATE WRAY: -- by fielding the messages from my constituents as you approached the podium to once again take over

their meeting. That is what I was responding to on my telephone, the anger of the people who live here in this city who have elected myself and Alderman Johnson to the role of Alderman of the 3rd Ward, and their frustration of not getting their information as they sit meeting after meeting and listen to the same thing again and again.

And to sit at this podium and say thank you for being respectful and listening to me when you yourselves have been disrespectful and rude at every meeting you have attended. Every person at that podium who does not agree with what you have to say, there is commentary, there is sniggering, there is laughter. And then the mayor speaks. The mayor of this city deserves the respect and time at that podium to speak uninterrupted without a peanut gallery of response the same to every other alderman who has spoken when you don't wholeheartedly agree.

This is not what we're here to do. It is not our job to listen to the residents of (Indiscernible) and Monroe and Orange County, which is our new format of not admitting that we don't live here in Middletown, to listen to what

you have to say. Because the residents that I speak for, they are frustrated, and they have had enough, and that is what is on my phone while I sit at this meeting week after week.

Last time you speak on how you keep coming in. Last meeting by the time we got to speak as a body, there were four of you left. Four. It was 10 p.m. Everyone had gone home because you had gotten your camera time and you were done here.

AUDIENCE MEMBER: (Indiscernible).

ALDERWOMAN KATE WRAY: And you left. So you're not here for city business. You're not here to find out what kind of business we're going to conduct at the end of the meeting. You're not here to see if you get that resolution you want. You're here because the cameras are on, which is why we're holding up our signs and taking our pictures. This is -- enough is enough.

We are not a free PR place for your group. We are not. This is where we conduct city of Middletown business, and I am frustrated. And I will say it with my whole chest, and you can try to videotape my notes. You can read them

and the messages from my constituents. Enough is enough. Your behavior in this chamber is absolutely reprehensible and disrespectful to everyone else in the room that's not with you. How dare you come in here and act that way and shake your finger at us and wag your finger on how we behave.

This body responded to your request months ago. We will not change our mind because you continue to line up at that podium. Your answer is your answer. And yes, you are being petulant. And yes, you are behaving like toddlers because you're not getting the answer you want and you're stomping your feet --

AUDIENCE MEMBER: (Indiscernible).

ALDERWOMAN KATE WRAY: -- and yelling until the answer is changed.

AUDIENCE MEMBER: (Indiscernible).

ALDERWOMAN KATE WRAY: And we're still speaking while someone else is speaking again.
(Indiscernible).

AUDIENCE MEMBER: (indiscernible).

ALDERWOMAN KATE WRAY: And here we go.

(Multiple speakers)

ALDERWOMAN KATE WRAY: So I'm about --

I'm done. So yeah. There's your answer. You've gotten it.

ALDERMAN GERALD KLEINER: We're close to out of control, Mr. President.

ALDERWOMAN KATE WRAY: Completely.

PRESIDENT J. MIGUEL RODRIGUES: Chief, we're going to start -- if you -- the comments keep continuing, we're going to stop this, all right? You're not going to be in here. Chief, can we remove them?

MAN 4: Let's go.

AUDIENCE MEMBER: Go ahead.

(Indiscernible) shut down the meeting
(indiscernible).

PRESIDENT J. MIGUEL RODRIGUES: We'll shut -- we'll take a brief recess --

(Recess)

PRESIDENT J. MIGUEL RODRIGUES: -- for remarks of aldermen. I'm going to say for the record that I wasn't for -- and I know last meeting I said I was never going to vote for the change in our agenda. And listening to this, this evening, I had reached out to the leaders or so-called on leader, one of the leaders, and promised that we're going to have a peaceful

meeting. And only three Middletown people were going to speak today. That's what they promised.

And obviously they did not hold to their side. I will ask tonight, Mr. Masi, to read the resolution that we, Masi and Richard, prepared, or Rick -- I'm sorry.

CITY CLERK RICHARD MCCORMACK: I can answer to Richard.

MAN 5: Mr. McDonald.

PRESIDENT J. MIGUEL RODRIGUES: -- and Mr. Masi prepared, and we are not going to tolerate this anymore. This is the Council Chamber. I am going to request that a police officer stand outside the door. And when I say point of order and I point to order to that person, I want that person removed.

I don't care what -- it's a public place of meeting, but this is not fair to the residents of Middletown. It's not fair to our aldermen who have to go run in that room like we're doing a drill, like this is a drill of a threat. This is done tonight. And going forward in the new year, we'll have a resolution that we are going to change our council meeting for the good of the city of Middletown.

So I'll go back to Mr. Kleiner for your remarks and then go back to Mr. Witt. Go ahead, Mr. Kleiner.

ALDERMAN GERALD KLEINER: Thank you. Yeah, I did bring up the idea I think it was three meetings ago and talked about how the county did their meetings and where you address resolutions if -- to begin with. But you have to sign up too to speak, and then you address anything that's a resolution. And you can sign up to speak after the meeting but -- on other issues. But once the business of the meeting is done, then you could sign up to speak. But --

PRESIDENT J. MIGUEL RODRIGUES: When that resolution comes up, you want to put it down that they have to sign in, write down their address, write down whatever they want to talk about? We'll bring it up. It's bringing -- you'll bring it up --

ALDERMAN GERALD KLEINER: Wait until --

PRESIDENT J. MIGUEL RODRIGUES: -- during the resolution.

MAN 6: Wait until I make the resolution.

PRESIDENT J. MIGUEL RODRIGUES: Yeah.

We'll see. But the other thing on the final -- speaking either in the beginning or the end of the meeting is you could not repeat what someone else had said. If the point's already been made, then you can say I agree with that speaker, but then you sit down.

PRESIDENT J. MIGUEL RODRIGUES: Well, I don't --

ALDERMAN GERALD KLEINER: You don't get to go on and on and on about the same --

PRESIDENT J. MIGUEL RODRIGUES: No.

ALDERMAN GERALD KLEINER: -- thing. So that's how the county's done it for many years. So I brought that up I think three meetings ago.

My condolences to the Sabnis family. I had heard last meeting something about that, but until it was official that Ashok had passed. And so my condolences to Dr. Sabnis and the family.

I also want to thank Aileen Gunther. She's just been a remarkable representative in New York state no matter who the governor was. She's been there fighting for Middletown. So I congratulate her and I thank her. And I hope that Paula Kay can continue to do what Aileen has done for so many years.

We went last Thursday to the Mulberry House Senior Center. They celebrated their 70th anniversary. The mayor spoke very well, and Pam Hayes was the special guest. And she spoke about the history of the senior center, but I want to thank them for that. It was a very nice celebration. And they really have expanded in their programs. It's really nice to be able to see that many people being involved and keeping active.

I don't know who will like this or not, but I want to congratulate Port Jervis for being state champs football. And it -- because it tells you that you understand why we lost the Erie Bell game this year. We lost to the best in the state.

Gas prices are down again, but I haven't seen that story yet in The Record. I keep looking. And basically, you know, there was a story where Ireland had closed their embassy. Israel had closed their embassy in Dublin, in Ireland, and they said it's because Ireland had crossed every red line.

I found some really sardonic humor in that, in the idea of crossing red lines. And I

think that people who have come here are well-intentioned. And the rewritten resolution strongly denounced the October 7, 2023 attack on Israel by Hamas and the loss of both Israeli and Palestinian lives. I think they're very frustrated, and this resolution, if it were passed, it says in the end of the resolution that it be sent to the president, to Senator Schumer, Senator Gillibrand, and office of Pat Ryan.

So they're trying to reach out in their way. I think they're really -- it's -- I think it's really heartfelt and they feel kind of helpless to stop what they perceive as a genocide. I know Israel dropped a bomb on Syria that actually registered on the Richter Scales it was so big.

And they've done many hundreds of bombings in Syria while Asaad has been removed, which is really a good thing because Syria lived under tyranny for 50 plus years. And we hope that they -- people find answers to their departed and missing loved ones.

But it's a desperate situation, and they think that calling for a cease fire is the best way for them to address it. So I don't know

at this point, but what happened tonight is not a good way to address it, and it does not help their cause.

Otherwise, I want to wish everyone a -- I call this the winter of our discontent. But a quote from Steinbeck and Shakespeare. But I -- the best you can, I wish everyone a merry Christmas, a happy Hannukah, and a happy New Year, and I hope to see everyone at the menorah lighting. Thank you.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Witt?

ALDERMAN KEVIN WITT: Thank you very much. Huh. They're frustrated. I mean, this is -- this was preposterous tonight. And I'm -- you know, I was -- today I was ready because they put out their little press release that I didn't say anything at the last meeting. And what I chose to do with my time was to address city issues.

The 4,800 people who attended the parade, that was an awesome night, and the presentation by the Recreation Department of serving at least that many people. And I'm not going to give them a journalism lesson, all right? But this behavior that we saw tonight

that ended this, this has been going on every single time that this happens. And I'm not giving them lessons on this because they don't want to listen to the mayor of our city for 25-plus years who calls them out and they look stone-faced.

President Rodrigues, 15 years in that seat, just wants them to act in a way that is professional and have some decorum and some courtesy. When the first five or six people spoke -- actually it was six, right? You could hear a pin drop in here. Mrs. Cross gets up there with a different opinion and she's getting cat-called and has to basically clear her own path to get back to her seat over there.

They're frustrated. I mean, here's my question, all right? Here's my question. You need five votes to have this pass, your resolution pass. And if you noticed, the people who come here, right, the community citizens or sometimes the children that they're handing this stuff off to, they're asking for a cease fire. The leaders of this group are asking for the resolution. That's what they want.

So I want to know, Jason, wherever you

are when you see this, the next time you come here, do me a favor. Please explain to us your strategy at this point that you are going to get at least five of us to change our minds the way this went tonight on top of everything else. Tell me. Right? Tell me. What is your strategy to make the five of us change our mind? That's it. Make it a math problem.

Forget the rest of it, but this is ridiculous. And I'm telling you this too, folks, and this is to our people in our community. I have sat here for five months and watched the signs and the disruption behind. We had an auditor three months ago come here and try to tell us what a great job -- not try to tell us, tell us what a great job our city finances and the shape that our city finances were in, and people are back there waving signs.

You got the mayor trying to talk to us every single week about things and they've waving signs. And they're not even on camera, folks. So it's obviously to distract us or whatever it is.

MAN 5: They're on this camera.

ALDERMAN KEVIN WITT: They're -- right.

Right. Right? So -- and then you have Maria. I don't know. Maria, right? She's trying to give a presentation and they're in that same corner over there by Alderwoman Wray taking photos of themselves holding up this thing. This is a whole giant production, right?

And when this ends, this show is going to be taken on the road somewhere else and somebody is going to be -- this is just my opinion. This is nobody else's, right? This is being taken on the road somewhere else and say we are professional protesters, pay us to advocate for your cause. And I might be wrong, and I'm one guy. But enough is enough of all of this.

They're frustrated. I'm frustrated with all this kind of stuff. And we get blindsided because, you know, we're here. We're telling, yeah, it's going to be different, it's going to be different, it's going to be different. Guy stands next to Kate holding up a sign. It's ridiculous. I'm sorry. Thank you for your indulgence on that. Man.

I want to thank Aileen Gunther for her time and, you know, what she did for us. And so many times we're hearing these new projects that

come up, and the biggest question that we have is how is it going to get paid for. And inevitably, the mayor or President Rodrigues are like, well, she's given us money for this and she's given us money for that. And to see \$8 million just advocated for us is amazing.

So Alderman Green is sick tonight and he wishes everybody a happy and healthy New Year and holiday season. I concur the same. Thank you for your time.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Masi?

ALDERMAN JOSEPH MASI: A couple of things. Jacob and the Department of Public Works, thank you for the great job you guys did with the snowplowing and getting the roads all cleared quickly.

Chief and your department, thank you for making that incident tolerable, and thank you for all the work you guys do. We are lucky. We have probably some of the best department heads with Maria, Raelynn. We really do. We're very fortunate.

Assemblywoman Gunther, thank you for everything that you've done for us.

President Rodrigues, thank you very much. I appreciate that I guess you got to the boiling point too, and I will be introducing a resolution later on this evening changing the --

MAN 6: Agenda.

ALDERMAN JOSEPH MASI: -- I guess it's actually called order of business so that we won't have to -- our constituents won't have to go through that during the regular meeting part. If they want to stick around at the end, that's up to them.

I want to wish everyone a merry Christmas, a happy New Year, a happy Hannukah, and a happy Kwanza. Thank you very much.

PRESIDENT J. MIGUEL RODRIGUES: Just to add onto everybody the frustration, you know, I was there -- I said to the chief they're over Kate. They're trying to record over Kate. They're sitting there. Yes, it's a public meeting, but I mean, we're going to have to draw lines and have to have orders and rules and say you have to sit down. If you're not sitting down, you've got to stand in the back.

We're going to have rules from now on and we're going to make sure that they follow.

It is disruptive behavior when you're putting signs up, especially when you're talking. We don't do that. We don't stand up there with a sign in their face and saying no we're not going to vote for a cease fire resolution. So again, we -- I'm going to request that the police be here for our next couple of more meetings that we have.

And if there's anybody being disruptive or their behavior is out of control, we stop the meeting and we escort them out from now on. We're not going to allow this to anyone, and we're going to continue to do the right thing at all times.

(Applause)

PRESIDENT J. MIGUEL RODRIGUES: I might be a little bit stubborn and hard-headed. I don't like change. A little. Just a little. Just a little. But you know, when I hear my constituents that live in the 2nd Ward come out, that's who I care about. Not you live in Middletown and you don't know where you live.

If you say what ward you live, then I know where you are, and we represent those people. Those are the people that we represent,

you know? I -- and again, their movement, he said lobbyist so he's a lobbyist. He's not for the Gaza, the cease fire. He's going onto another movement as soon as this gets over. This is what they do. And they're trying to get in.

So again, I told them, I said you should go to Chester, you should go to Monroe, you should go to Goshen. And why don't you go there? Because it's a small, little town. And if you start acting up in that little town and your mom and dad drive through that town and you drive through that little town, what's the first thing you do when you get to Montgomery? Say it. What's the first thing you do when you get to Montgomery?

MAN 7: Hit the brakes.

PRESIDENT J. MIGUEL RODRIGUES: You hit the brakes. You drive 20 miles an hour. You know why you drive 20 miles an hour? Because they don't care who you are. You're out of town and you're in their town, that's who's going to clean you up. Okay?

So the same thing goes for Middletown. You come in Middletown and you start acting up, we'll start acting up too. And it's simple.

It's plain and simple. So you're not from Middletown. You're not representing us, you know? Mr. Kleiner at 6:48 getting a resolution for cease fire is -- it not only burns me, but it's uncalled for. I have -- we sit here. We address people.

I reached out to these people many times to sit down and have talks with them and try to address them and try to do something. It's not what we want. I don't think anybody -- we can go right now. I don't know. We don't have the votes to even bring it up, to even pass it, to do anything. Poughkeepsie brought it up. They shot it down, and they moved on. They are no longer in Poughkeepsie.

So I would do that too. Bring it up and then -- and shoot it down. And then let them go away. You know? Enough is enough. And I'm going to, you know, rules January 7th, if you're standing, you're in the front line holding up signs, you will be removed. If you're -- everything else -- and I hope you hear me, you -- if you talk out of line, I'm stopping the meeting. You're getting removed. Plain and simple. You've got to follow the rules.

Aileen Gunther, me and her started together. We came (indiscernible) together. It's not \$8 million. It's probably over 20, 50, \$60 million. And when we worked together on the school project for \$38 million and we built Fowler Field and we built the stadium, she was also the first person to do the wave. We were there on ground.

She did the first wave for the whole crowd. I think it was like 3,200 people against Port Jervis, and we won that game. So I just want to make sure and thank her for all her services, everything she has done for the city of Middletown. It is very, very important in the city of Middletown to have somebody like Aileen in Albany because it's not only our school tax, but it's also the revenue that we get and the help that we get for having -- and I think Paula will do a great job.

She'll definitely -- we have her cell phone already, so we're ready to go and advocate and lobby for our city and our constituents. That's what we do. Not protest and argue with people. Wish everybody happy holidays, merry Christmas, Kwanza, happy Hannukah.

And I didn't -- I don't like Mr. Masi so I'm going to say that just playing around. But we were battling since, what, probably Sunday? We were battling back and forth hard-headed as I am. And today when Rick called me, he was like he's doing it. I said okay, let him do it.

I know it's going to happen, so we were going to do it, and we're going to get it done. I really don't talk a lot because --

ALDERMAN JOSEPH MASI: You what?

PRESIDENT J. MIGUEL RODRIGUES: I don't talk a lot.

ALDERMAN JOSEPH MASI: You what?

PRESIDENT J. MIGUEL RODRIGUES: But our council speaks for everybody. The hardest job as being the council president is trying to get eight people to play nice in the sandbox. And you see that we all play fair in the sandbox. We always do what's right for Middletown. So that's all I have and wish everybody a great holidays, and let's do the new business.

CITY CLERK RICHARD MCCORMACK: Good evening. We have a resolution sponsored by Alderman Masi to transfer \$2,340 from the sewer

budget to cover remote operator training.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by my friend Mr. Masi. Do I
have a second? Alderman Johnson. Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CITY CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:
President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.
Resolution sponsored by Alderman Tobin
authorizing an agreement with the Tristate Geese

Police for Canadian geese control in 2025.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Tobin, seconded
by Alderman Kleiner. Any discussion? Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CITY CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:
President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

A resolution sponsored by Alderman Witt
authorizing a renewal agreement with Nearmap.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Witt, seconded
by Alderwoman Wray. Any discussion? Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CITY CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:
President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.
Resolution sponsored by Alderman Jean-Francois
authorizing a \$41,950 transfer within the 2024
police department budget.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Jean-Francois,
seconded by Alderman Tobin. Any discussion?
Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CITY CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:
President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Johnson
authorizing the acceptance of the RBT proposal

for auditing services for fiscal year 2025.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Johnson,
seconded by Alderman Jean-Francois. Any
discussion? Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CITY CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:
President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.
Resolution sponsored by Alderman Witt authorizing

a proposal from Stratagem Securities for a security system upgrade citywide.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Witt, seconded by Alderman Tobin. Any discussion? Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CITY CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:
President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderwoman Wray

authorizing the assessment collector's warrant
for 2025.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderwoman Wray, seconded
by Alderman Masi. Any discussion? Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CITY CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:
President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Kleiner

authorizing an agreement with Don Paris and RBT CPAs, LLC for ARPA consulting services.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Kleiner,
seconded by Alderman Johnson. Any discussion?
Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CITY CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:
President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Masi authorizing the obligation of the remaining ARPA funds.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Masi, seconded by Alderman Kleiner. Any discussion? Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CITY CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:

President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Johnson

authorizing a \$650 transfer within the 2024
Community Development Budget.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Johnson,
seconded by Alderman Tobin. Any discussion?
Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CITY CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:
President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Johnson authorizing a two percent increase for all department heads and full-time non-union employees.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Johnson, seconded by Alderman Jean-Francois. Any discussion? Alderman Masi?

ALDERMAN JOSEPH MASI: Yeah. I just want people to know I will be voting on this because I am not included in this.

CITY CLERK RICHARD MCCORMACK:

Understood.

ALDERMAN JOSEPH MASI: When we had the board of -- estimate, I could not vote on it and there was only one other person. So I just want you to know I will be voting on it, but I'm not included in it.

PRESIDENT J. MIGUEL RODRIGUES: Okay.

Anyone else? Roll.

CITY CLERK RICHARD MCCORMACK: Tobin??

ALDERMAN SPARROW TOBIN: Aye.

CITY CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Well-deserved.

Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:

President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Tobin
authorizing an agreement with PERMA for workmen's
compensation contract for 2025.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Tobin, seconded
by Alderman Johnson. Any discussion? Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CITY CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:

President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderwoman Wray. It's a resolution and notice of determination of non-significance pursuant to 6 NYC RR as it relates to a zoning change adopting a minimum square footage for all new single-family dwellings.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderwoman Wray, seconded by Alderman Kleiner. Any discussion? Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CITY CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:
President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

That's it for --

PRESIDENT J. MIGUEL RODRIGUES: The
motion for 275 --

CITY CLERK RICHARD MCCORMACK: You have
to table it.

PRESIDENT J. MIGUEL RODRIGUES: -- we
have to table. Could I get a motion to table
that resolution? Alderman Kleiner? All right.

And seconded by Alderman Masi. Any discussion on the table? All right. Roll?

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CITY CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:
President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Audit?

ALDERMAN JOSEPH MASI: I have a motion.

PRESIDENT J. MIGUEL RODRIGUES: Oh, I'm

sorry. Go ahead.

ALDERMAN JOSEPH MASI: That's okay.

All right. I hope I did this right. I want to sponsor the following resolution to amend the Middletown City Code Section 30-1 Order of Business as follows. Letter E, For the Good of the City to now include the words "agenda items only"; second, to add the following, Letter N to now become a second For-the-Good-of-the-City opportunity; and Letter O becomes Audit of Claims and Accounts; and Letter P is Adjournment.

PRESIDENT J. MIGUEL RODRIGUES: Motion by Alderman Masi, second by Alderman --

ALDERMAN SPARROW TOBIN: I'll second.

PRESIDENT J. MIGUEL RODRIGUES: --
Tobin. Any discussion? Alderman Johnson?

ALDERMAN PAUL JOHNSON: Oh, absolutely. Absolutely. So I never want to be accused of being too subtle. The Gaza gang are the squirrels just so we all understand that. They are the nuisance, and I think they've actually graduated to being classified as thugs this evening.

ALDERWOMAN KATE WRAY: Yeah.

ALDERMAN PAUL JOHNSON: So, two weeks

ago I described them as self-righteous, condescending, and disingenuous. In the interest of maintaining my SAT prep course --

ALDERWOMAN KATE WRAY: Yes.

ALDERMAN PAUL JOHNSON: -- I would like to say I now find them to be self-aggrandizing. Definition, acting or intended to enhance one's power, wealth, position, or reputation. I also find them to be manipulative. Definition, characterized by unscrupulous control of a situation or a person.

Now, the pied piper thing, I hope you got that. I don't have to explain the pied piper part, right? That's okay. So once again, I'm a Gemini. I'm old. I'm stubborn. I do not want to be bullied, strong-armed, or appeased -- oh, that's a good word -- to appease the thugs. But now they pushed us over the edge.

I did not want to be forced to change my behavior and my goals as an alderman on this council to accommodate their intimidation tactics. But you know, fortunately for me, they pushed everybody's button over the top, and in good conscience I can say, "Out, damned spot." Thank you. That was Shakespeare, in case you

didn't know that.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Tobin?

ALDERMAN SPARROW TOBIN: I

wholeheartedly agree and support the motion. We don't want this business meeting to become a circus like we've seen in some like school boards throughout the state where people are yelling and screaming from the crowd at people. We're trying to conduct our business. And we see that the leaders don't have control of their people. They're supposed to only have three people. They had seven.

They tell them stop yelling. They're hurling insults at people. Anybody that doesn't agree with them they're attacking. And what was said about Alderman Wray's children was disgusting tonight. And you know, we get into public service to help our neighbors, our friends, you know, and our community not to be subjected to these people, you know, attacking us and insulting and insulting our children. You know, it's just disgusting. So I wholeheartedly support the resolution.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Masi?

ALDERMAN JOSEPH MASI: I just wanted everyone to know this is not the first time the council has done something like this on this specific section. Back in -- on May 23, 1966; February 28, 2011; March 28, 2011; and July 7, 2020 this has been -- this section has been amended. So we're not doing something for the first time. It's been done before. Thank you very much, and I hope we'll all support it.

ALDERMAN PAUL JOHNSON: I'm good.

PRESIDENT J. MIGUEL RODRIGUES: You good?

ALDERMAN PAUL JOHNSON: Yeah, I'm good.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Kleiner?

ALDERMAN GERALD KLEINER: Thank you. I think this has worked very well for the county for many years, so -- and I used to go to a lot of the county meetings back before you had to get frisked to go in and, you know, a lot of things changed. But it always seemed to work well there, so that's why I brought it up. So thank you, Mr. Masi, Alderman Masi, for writing it.

PRESIDENT J. MIGUEL RODRIGUES: All

right. Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CITY CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:
President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Motion
carries.

(Applause)

PRESIDENT J. MIGUEL RODRIGUES: Audit?

ALDERMAN JOSEPH MASI: Mr. President, I
move the accounts be audited, the claim fee

adjusted, and the city treasurer be authorized to issue warrant for their payment.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Masi, second by Alderman Johnson. Roll?

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CITY CLERK RICHARD MCCORMACK: Jean-Francios?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:
President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Motion
carries.

ALDERMAN JOSEPH MASI: Motion to
adjourn.

ALDERMAN GERALD KLEINER: Move second.

(Proceedings concluded)

C E R T I F I C A T I O N

I, Sonya Ledanski Hyde, certify that the
foregoing transcript is a true and accurate
record of the proceedings.



Sonya M. Ledanski Hyde

Veritext Legal Solutions

330 Old Country Road

Suite 300

Mineola, NY 11501

Date: January 15, 2025

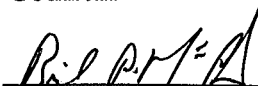


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderman Johnson
Date of Adoption: December 17, 2024
Index No: 262-24

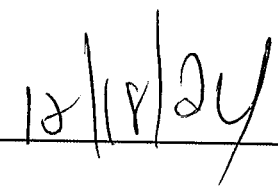
**I hereby certify that the attached is a true
copy of a Resolution and/or Local Law
adopted by the City of Middletown Common
Council.**


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

**Authorization to Transfer \$2,340 in 2024 Sewer Budget to Cover Remote Operator
Training**

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$2,340, in the following manner, to cover training for Richard Nelson's remote Operator training.

FROM
G.8130.450
SEWAGE MATERIAL AND
SUPPLIES

AMOUNT
\$2,340

TO
G.8130.433
SEWAGE TRAINING

Prepared by:

Jacob Tawil

Attachments:

1.	Transfer of Funds 12-3-24-STP training
----	--

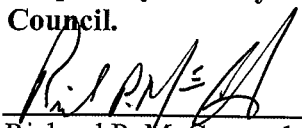


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

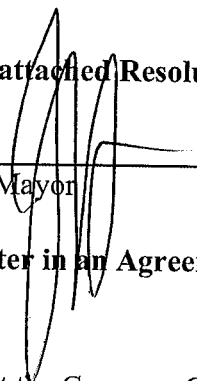
By: Alderman Tobin
Seconded by: Alderman Kleiner
Date of Adoption: December 17, 2024
Index No: 263-24

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date

12/18/24

Authorization to Enter in an Agreement with Tri-State Geese Police for Canadian Geese Control in 2025

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes an agreement with the Tri-State Geese Police for Canadian Geese Control in 2025. The rate is \$385/week, which is a \$10.00 increase from last year. Their work last year met expectations in reducing the geese population in our parks serviced.

BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign the agreement.

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

1.	Geese Police
----	--------------

TRI-STATE



GEESE POLICE

Call Us To...*Get The FLOCK OUT!*

P.O. BOX 283, DINGMANS FERRY, PA 18328

PHONE: 877-GEESE 86 (433-7386) • FAX: 570-686-1503

December 3, 2024

Middletown Recreation and Parks Department
Attn: Raelynn Bertholf, Superintendent of Recreation
Address: 393 County Route 78, Middletown, NY 10940
Office: 845-346-4180
Fax: 845-344-2918
Email: raelynn@middletown-ny.com

Re: Agreement for Weekly Services at **Middletown Recreation and Parks Department**
Middletown, New York

Dear Raelynn:

Thank you for your interest in the services of Geese Police. Please sign the proposals and fax or mail one copy to us. Upon receipt of signed proposal, we will be able to begin services at your request.

Geese Police will provide environmentally safe Canada goose control with use of working border collies. Geese Police will subsequently visit your site at least once a day or more as deemed necessary by Geese Police during any additional week of service. Geese Police visits to the site will occur at different periods of the day for seven (7) days a week.

FEES FOR SERVICE: Geese Police charges the following fees for the service:

- **Fancher Davidge Park
- **Davidge Park Extension
- **Watts Park
- **Maple Hill Park

Weekly Price: **\$ 385.00 /Per Week****
Billed directly to facility.

****Price if sites are serviced simultaneously****

****Suggested Service Dates: February 19, 2025 – June 16, 2025 and August 12, 2025 – November 24, 2025 (32 Weeks Total)****

Addling Fee: \$75.00/ Per Nest Found and Treated
(We Addled 5 Nests in 2024. Budget for the same amount in 2024 \$375.00.)

The additional weekly service will be billed as listed above provided that there is not a five (5) week lapse of service. Geese Police has determined that the conditioning of the Canada Geese will be lost if not subjected to the Border Collies for a period of five (5) weeks. If there is a lapse of five (5) weeks of service, Geese Police will conduct the initial two (2) week service and the client will be charged for that service. It will be the responsibility of the client to notify Geese Police when the services will begin and end for this as needed service contract. Geese Police will provide the service as required and it will be the responsibility of the client to notify Geese Police to end the service. Geese Police will assist the client in making these decisions to achieve the best Canada Goose control program.

ADDLING CHARGES: Geese Police recommends that all its clients register for the *Resident Canada Goose Nest Egg Registration* to obtain federal authorization for treating Canada goose nests and eggs on your property. This new regulation, that replaces the federal permit requirement, is necessary for addling of the Canada goose eggs on your property, which authorizes the control of local population of Canada Geese by freezing, shaking, puncturing or oiling of the eggs and immediately replacing the eggs to the nest. This procedure requires a “no-feeding” policy to be in effect at all times. The client will be responsible for registering with the US Fish & Wildlife Service. Geese Police will assist the client in this process. Geese Police will also supply the information required for the annual report due at the end of the season. Geese Police will give the client permission to name Geese Police as the *agent/employee*. Geese Police will be named as *agent/employee* under the condition that Geese Police will be the only entity to handle the eggs and nests. If another company or your employees handles the eggs or nests, Geese Police will assess a penalty of \$1,000.00 per occurrence. In addition to our weekly service charge, there will be an addling charge of **\$75.00 per nest**.

Land owners and public land managers must be registered for the current breeding season to lawfully conduct these activities as is required since under 16 U.S.C. §707, any individual who takes, kills, attempts to take or pursues any migratory bird, nest or egg shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than \$15,000.00 or be imprisoned not more than six (6) months or both.

SAFETY SUGGESTIONS: Geese Police strongly recommends not to use fishing string, wire or rope to grid lake surfaces. It creates a hazard for our dogs, as well as the geese, other birds and wildlife. It also increases your liability and creates maintenance hazards. Geese Police uses various techniques to persuade geese out of ponds and surrounding areas. It is not necessary to grid lake surfaces with the service provided by Geese Police. The Geese Police techniques are environmentally safe and approved by the State and the Federal Fish & Wildlife Services.

"NO FEEDING" SIGNS: Geese Police strongly suggests that "No Feeding the Water Fowl" signs be placed at your site. Please check with your local municipality to determine if there is an ordinance pertaining to the feeding of Canada Geese. If your municipality has such an ordinance, inquire about having the signs indicate the ordinance number. Geese Police is also available to make suggestions for newsletters and bulletin board notices.

NOTIFICATIONS: It is the client's responsibility to notify Geese Police at least twenty-four (24) hours prior to the application of any chemicals including but not limited to fertilizers, pesticides, herbicides, insecticides, fungicides and water treatments at the site. The chemicals can have an adverse effect on the Border Collies and handlers. Geese Police will not be at the site for a period of twenty-four (24) hours after the application. If the client fails to notify Geese Police of a chemical application at the site and a Border Collie or handler are adversely effected then the client will be responsible for all ensuing damages.

INDEMINITY: Geese Police is fully insured to conduct its service. Geese Police will indemnify and hold harmless the client for any damages that may result from the operation. Geese Police will furnish a copy of its insurance binder upon request.

PAYMENT: The client will pay the service fee for the initial two (2) week period prior to the start of the service at the site. The client will pay the additional weekly services upon receipt of the invoice. The client will be assessed an interest rate of one and half (1½ %) percent monthly or eighteen (18%) percent annual on any invoice that is thirty (30) days late. If Geese Police is required to initiate legal proceedings to collect unpaid amounts, the client will be responsible for all fees and costs incurred by Geese Police to collect said amounts.

If this Agreement is acceptable, please sign below and return this letter to our office.
Thank you for choosing Geese Police for your Canada Goose control.

Very truly yours,

Craig Neveras

Craig Neveras, Owner & President
Geese Police of the Tri-State Area

Middletown Recreation and Parks Department hereby agrees and accepts the
aforementioned terms and conditions on this ____ day of _____, 2024.

Middletown Recreation and Parks Department

Signature of Authorized Agent

Print Name/Title

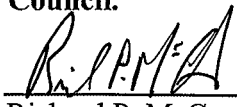


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

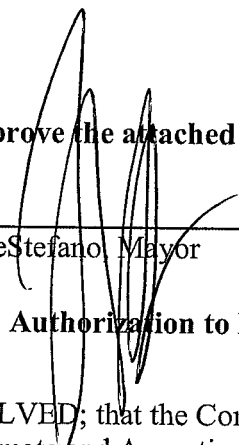
By: Alderman Witt
Seconded by: Alderwoman Wray
Date of Adoption: December 17, 2024
Index No: 264-24

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date

12/18/24

Authorization to Enter into a Renewal Agreement with Nearmap

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes an agreement with agreement with Nearmap to capture aerial imagery twice a year for use in the Assessor's Office.

BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign the agreement.

Prepared by:
Marianne Feely, Assessor

Attachments:

1.	Quote for City of Middletown, NY - 2025 Renewal
----	---

RENEWAL QUOTE

Nearmap US, Inc.
1850 W Ashton Blvd, Suite 500
Lehi, UT 84043, USA
Phone: +1 (801) 609 7250

Customer Name	City of Middletown, NY	Quote Number	Q104277
Contract Commencement	Contract commences upon signing of quote.	Quote Expiry	01/31/2025
Subscription Term	12 Month	Account Rep	David Wengert david.wengert@nearmap.com
Subscription Start Date	01/11/2025	Payment Term	Net 30
		Payment Method	Invoice
Bill To	City of Middletown, NY Marianne Feely 16 James Street, Middletown, New York, 10940 (845)-346-4141 mfeely@middletownny.gov	Ship To	City of Middletown, NY Marianne Feely 16 James Street, Middletown, New York, 10940 (845)-346-4141 mfeely@middletownny.gov

PRODUCT	ALLOWANCE	COVERAGE	SEATS
3D Viewer	NA	Nationwide	NA
GeoData Link	NA	Nationwide	NA
ArcGIS Integration	NA	NA	NA
Nearmap Oblique for ArcGIS	NA	Nationwide	NA
Nearmap Oblique for Government	NA	Nationwide	Unlimited
Subtotal			\$2,500.00
*Estimated Tax			\$0.00
Total			USD \$2,500.00

*The Total includes applicable sales tax for the state which the Licensee is located. If an exemption from sales tax is applicable to the Licensee, the Licensee shall provide to Nearmap, in accordance with state law, relevant tax-exemption documentation. It will be the responsibility of the Licensee to ensure proof of tax-exempt status remains current for subsequent renewals of the Agreement.

ACCEPTANCE OF Q104277 will constitute an Agreement with Nearmap

By selecting "Yes" or **signing below**, you acknowledge that (a)(i) the Additional Terms and Conditions of the previous Agreement between the Licensee and Nearmap applies to this Renewal Quote, unless otherwise specified in Schedule 1 of this Renewal Quote, and (ii) the Product-Specific Terms set out in <https://www.nearmap.com/us/en/legal/product-agreements> applies to this Renewal Quote, (b) you have the authority to agree to this Renewal Quote, (c) you agree to pay the fees set forth herein. You acknowledge that the Coverage Area by Nearmap is outlined at <https://www.nearmap.com/us/en/current-aerial-maps-coverage>.

Note: The terms of your Agreement remain the same unless varied by this Renewal Quote. The total in this Renewal Quote is only an estimate of your next invoice. Final credits and amendments to the subscription is dependent upon the date this Renewal Quote is accepted.

Signature / Digital Acceptance:

Full Name:

PO Number (if required):

If printed, please sign, scan and email to: orders.us@nearmap.com

Date:

Position:

Schedule 1

Additional Terms and Conditions

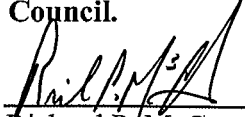


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

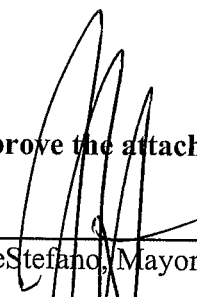
By: Alderman Jean-Francois
Seconded by: Alderman Tobin
Date of Adoption: December 17, 2024
Index No: 265-24

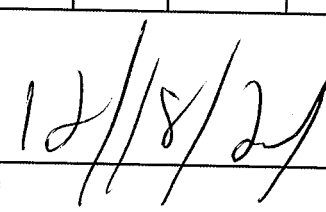
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Authorization to transfer \$41,950 within the 2024 Police Department Budget

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$41,950, in the following manner, to cover the following costs:

FROM
A.3120.100
PERSONAL SERVICES

AMOUNT
\$15,000

TO
A.3120.200
OTHER EQUIPMENT

A.3120.433
PERSONNEL TRAINING

FOR THE PURCHASE OF
NEW DRONE
\$3,700

A.3120.200
OTHER EQUIPMENT

FOR THE PURCHASE OF
RBT EQUIPMENT

A.3120.430
OSHA REQUIREMENTS

\$1,250

A.3120.431
CHEMICAL ANALYSIS

TO COVER SHORTFALL IN
BUDGET

A.3120.433
PERSONNEL TRAINING

\$1,500

A.3120.432
BACKGROUND
INVESTIGATION

TO COVER COST OF NEW
HIRE COSTS

A.3120.100
PERSONAL SERVICES

\$5,000

A.3120.440
REPAIRS TO EQUIPMENT

TO COVER COST FOR NEW
ENGINE IN CAR 12

A.3120.100
PERSONAL SERVICES

\$2,000

A.3120.480
OFFICE EXPENSE

FOR THE PURCHASE OF
REPLACEMENT BOARD
FOR THE CLASSROOMS

A.3120.100
Personal Services

\$15,000

A.3120.103
Overtime

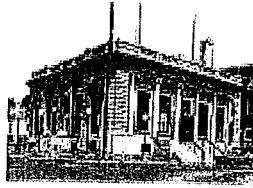
TO COVER A SHORT FALL
IN THIS LINE

Prepared by:
John Ewanciw, Chief of Police

Attachments:

1.	PD Request 12.12.24
----	---------------------

JOHN EWANCIW
CHIEF OF POLICE



TELEPHONE
845-343-3151
FAX NUMBER
845-343-2660

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

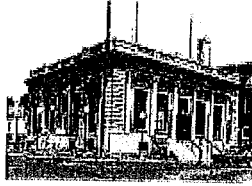
October 23, 2024

Honorable Joseph DeStefano
Mayor-City of Middletown and
Board of Estimate and Apportionment
16 James Street
Middletown, NY 10940

Dear Mayor DeStefano and Members of the Board of Estimate,
I am requesting that the City of Middletown Common Council approve the following transfers requests within our 2024 budget lines to cover the following costs:

From	Amount	To
A.3120.100 Personal Services For the purchase of a new drone	\$15,000	A.3120.200 Equipment
A.3120.433 Personnel Training For the purchase of RBT equipment	\$3,700	A.3120.200 Equipment
A.3120.430 OSHA requirements To cover shortfalls within the budget	\$1,250	A.3120.431 Chemical Analysis
A.3120.433 Personnel Training To cover new hire costs	\$1,500	A.3120.432 Background Investigation
A.3120.100 Personal Services To cover new engine in car 12	\$5,000	A.3120.440 Repairs to equipment
A.3120.100 Personal Services For the purchase of replacement boards for the classroom that are damaged	\$2000	A.3120.480 Office expense
A.3120.100 Personal Services To cover shortfalls within the budget	\$15,000	A.3120.103 Overtime

JOHN EWANCIW
CHIEF OF POLICE



TELEPHONE
845-343-3151
FAX NUMBER
845-343-2660

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

A handwritten signature in dark ink, appearing to read "John Ewanciw".

John Ewanciw
Chief of Police

JE:ccd

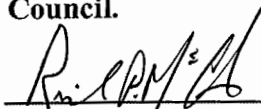


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

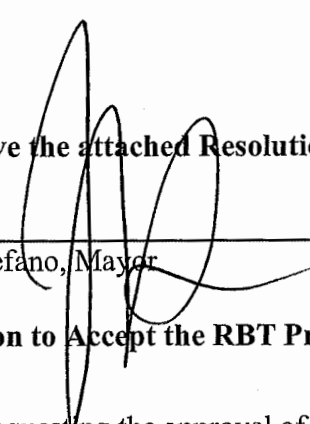
By: Alderman Johnson
Seconded by: Alderman Jean-Francois
Date of Adoption: December 17, 2024
Index No: 266-24

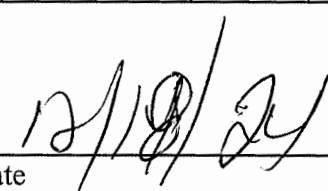
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Authorization to Accept the RBT Proposal for Auditing Services for Fiscal year 2025

Leonora Liz is requesting the approval of the RBT CPA LLP audit services for fiscal year 2024 and authorization for the mayor to sign the agreements. BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes a proposal from RBT CPA LLP for auditing services for 2025.

BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign the proposal.

Prepared by:
Leonora Liz, Treasurer

Attachments:

1.	2025 RBT Proposal
----	-------------------

PROPOSAL PREPARED ESPECIALLY FOR:

City of Middletown,
City of Middletown IDA, and
City of Middletown CDA

Professional Independent Audit Services



November 27, 2024

Submitted by:
Shannon M. Mannese, CPA, CFE
RBT CPAs, LLP
11 Racquet Road, Newburgh, NY 12550
845-567-9000



LIMITED LIABILITY PARTNERSHIP
CERTIFIED PUBLIC ACCOUNTANTS BUSINESS DEVELOPMENT CONSULTANTS



LIMITED LIABILITY PARTNERSHIP
CERTIFIED PUBLIC ACCOUNTANTS BUSINESS DEVELOPMENT CONSULTANTS

November 27, 2024

Leonora Liz, Treasurer
City of Middletown
City of Middletown Industrial Development Agency
City of Middletown Community Development Agency
16 James Street
Middletown, NY 10940

Dear Leonora Liz:

RBT CPAs, LLP is pleased to submit our proposal to City of Middletown, City of Middletown Industrial Development Agency, City of Middletown Community Development Agency for Audit Services for fiscal year ending December 31, 2024.

The RBT CPA team has an in-depth understanding of the work to be performed. Our firm is fully qualified and prepared to commit significant resources and provide the highest level of service to ensure your requirements are met.

We are one of the largest public CPA firms in the Hudson Valley. We have been named a Great Place to Work. Plus, we are a committed corporate citizen that gives back to the communities where our team and clients live and work.

By choosing RBT CPAs, you get peace of mind knowing you hired the best. You can trust us to do our job ethically, professionally, and on time every time. We are confident our team of dedicated professionals, our extensive experience in the Hudson Valley and beyond, and our significant level of partner involvement will meet or exceed your highest expectations.

In addition, you can be 100% confident that local RBT CPAs team is doing the work and handling your financial information, from start to finish. We never send work outside of the U.S.A. We know and trust every single one of our team members. We conduct our due diligence and can attest to our associates' qualifications and

rbtcpas.com

11 Racquet Road
Newburgh, NY 12550

2678 South Road
Suite 101
Poughkeepsie, NY 12601

P.O. Box 757
2215 Rt. 9W
Lake Katrine, NY 12449

P.O. Box 209
51 Sullivan Street
Wurtsboro, NY 12790

4071 Route 9, Stop 1
Hudson, NY 12534

590 Madison Avenue
21st Floor
New York, NY 10022

backgrounds. We support the local causes our team members care about. Plus, we believe hiring local people and keeping jobs in the communities where we operate is simply the right thing to do.

We hope you agree that RBT CPAs is the right organization for your Audit so we can show you firsthand the exceptional client experience, high levels of professionalism, and unwavering ethics we bring to each engagement.

Please let us know if you need any additional information or have any questions. We hope to hear from you soon.

Very truly yours,

Shannon M. Mannese, CPA, CFE

Shannon M. Mannese, CPA, CFE
Partner
845-485-5510
smannese@rbtcpas.com



PROPOSAL 2024

Section 1: Audit Process

Activities	Dates
In Person Pre-planning Meeting • Discuss audit scope and special areas of review • Discuss potential assistance needed above and beyond the scope of the audit • Agree upon coordination plan	January 2024
Interim Fieldwork • Prepare assessment of general control environment, complete all risk assessment related work and fraud reviews • Prepare documentation and testing of monitoring/application controls for the revenue, purchasing/payable, payroll and treasury cycles • Read/abstract government grants and contracts for the year • Prepare confirmations for cash balances and debt • Receive initial schedule of federal expenditures (SEFA) from the City for planning of single audit	January 2024
Year-End Audit Procedures • Test select asset accounts including grants, contracts, and other receivables • Test select liability accounts including debt and government advances • Test grant and contract revenue, contributions and other revenue and expenses • Test Schedule of Expenditures of Federal Awards • Perform OMB Uniform Guidance compliance testing • IDA and CDA completion	March and April 2024
Completion • Closing meeting with management team; review management letter • Meet with management to discuss audit results • Deliver final reports (including final Quality Review)	June 2024
Other Deliverables • Filing of data collection form with clearinghouse	June 2024



PROPOSAL 2024

Section 2: Proposed Fee

We estimate our fees* for the services requested to be as follows for the fiscal years ended December 31, 2024:

Professional Service	2024
Annual Audit of the City of Middletown	\$72,500
Annual Audit of the City of Middletown Industrial Development Agency	\$4,750
Annual Audit of the City of Middletown Community Development Agency	\$5,500
Total	\$82,750



We are proud to say our services are never outsourced or offshored and are solely prepared in the USA

*Estimated out-of-pocket expenses are included in the quoted rates and, therefore the fee is an all-inclusive price.

We believe in "earning our way" and will continuously look for ways to increase the efficiency of our services each year, thereby keeping our fees at a fair level year after year. If our estimate does not meet your expectation, please provide us an opportunity to review our fees and determine if our understanding is not correct. We would never want fees to preclude us from an opportunity to continue working with the City, the IDA, and the CDA.

Our fee estimate is based on receiving closed trial balances by an agreed upon date. Records and schedules should be in audit-ready condition, see description on following page. We also anticipate full support from your staff during your audits, in preparing schedules and analyses, gathering necessary documentation and data, and responding to inquiries in a timely manner.



PROPOSAL 2024

Audit-ready records include, but are not limited to, providing the following documents according to the audit timetable:

- Bank reconciliations agree to cash account balances to bank balances and include support for any reconciling items.
- Detailed receivable schedules, whether due from federal, state, or other governmental sources, agree to receivable balances and include supporting documentation.
- Schedule of utility income and receivable balances reconciled to general ledger.
- Detailed payable schedules agree to liability balances.
- Detailed schedule of bans and bonds reconciled to general ledger/debt service expense.
- Calculation of property tax revenue and deferred revenues.
- Schedule of salaries/personal services and compensated absences are reconciled to general ledger and governmental reports, as appropriate.
- Detailed schedule of open projects, tax reductions, employment data and other information to conform with the PARIS report.
- Detailed schedule of fixed assets shows opening balances, additions, disposals, and ending balances by type of asset.
- Completed schedule of federal expenditures (SEFA), including CFDA numbers, reconciled to general ledger expenditures and federal revenues by program.

Our fees contemplate routine consultation regarding accounting, tax, and other business matters. The City, the IDA, and the CDA should not be concerned about receiving a separate bill for each phone call. In fact, we strongly encourage regular communication and the opportunity to resolve issues as they first appear. In general, we believe the key to fees for services is clear communication of what you will receive, when you will receive it, and how much it will cost. Whether it is through the financial and operational focus of our audit, our year-round service philosophy, or a special consulting assignment, you can always be assured we are committed to quality service that provides demonstrable value.



PROPOSAL 2024

From time to time, however, you may request that we perform research or services that are above and beyond the scope of the audit process. Such additional services would be billed separately and would include any assistance with the implementation of new standards. We will, of course, discuss the objectives of all such projects and provide you with an estimate of the related fees before beginning any work. Further, we will provide updated estimates of time and fees should the scope of the project change before its completion.

Our current standard rates are below which would be discounted for any additional services provided to the City, the IDA, and/or the CDA.

Our standard rates by level of staff are as follows:	2024	Discounted
Partner	\$445	\$356
Quality Control	\$445	\$356
Manager	\$405	\$324
Supervisor	\$365	\$292
Senior Accountant	\$310	\$248
In-Charge Accountant	\$235	\$188
Associate Accountant	\$195	\$156
Administrative Assistant	\$185	\$148

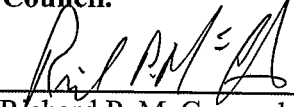


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

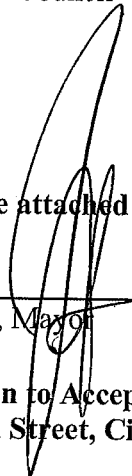
By: Alderman Witt
Seconded by: Alderman Tobin
Date of Adoption: December 17, 2024
Index No: 267-24

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 12/18/24

**Authorization to Accept a Proposal from Strategem Securities Jerry's Park,
Robert/Orchard Street, City Hall, the Senior Center and the Recreation Center for
Security System Upgrades**

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and accepts a proposal from Strategem Securities Jerry's Park, Robert/Orchard Street, City Hall, the Senior Center and the Recreation Center for Security System Upgrades

BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign the agreement.

Prepared by:
Leonora Liz, Treasurer

Attachments:

1.	Scope of Work - Access and Panic Systems - Fire Houses Community Center and Rec Center
2.	Stratagem Proposal - Access and Panic Systems - Fire Houses Community Center and Rec Center (002)

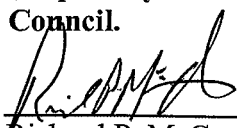


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

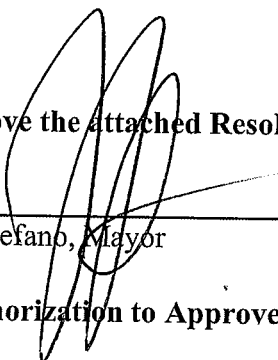
By: Alderwoman Wray
Seconded by: Alderman Masi
Date of Adoption: December 17, 2024
Index No: 268-24

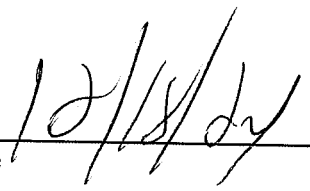
**I hereby certify that the attached is a true
copy of a Resolution and/or Local Law
adopted by the City of Middletown Common
Council.**


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

Authorization to Approve the Assessment Collectors Warrant for 2025

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and approves the Assessment Collectors Warrant for 2025.

Prepared by:
Leonora Liz, Treasurer

Attachments:

1. Tax Warrant 2025

ASSESSMENT
COLLECTOR'S WARRANT
FOR 2025

STATE OF NEW YORK)
COUNTY OF ORANGE) SS.:
CITY OF MIDDLETOWN)

THE PEOPLE OF THE STATE OF NEW YORK TO Leonora Liz, COLLECTOR OF
THE CITY OF MIDDLETOWN, IN SAID COUNTY, GREETING:

YOU ARE HEREBY REQUIRED AND COMMANDED TO COLLECT from the
several persons named in the assessment roll, to which this warrant is annexed, the several sums
mentioned in the total \$23,936,544 column thereof opposite their respective name, together with
your fees thereon as herein provided.

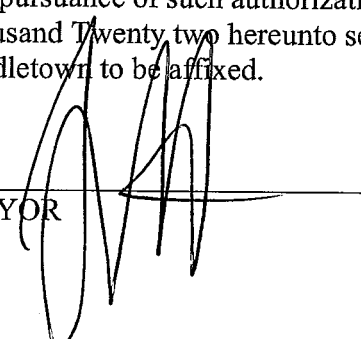
On all sums of taxes or assessments received or collected within thirty days after giving the
notice required by law you are to collect no fees. After the expiration of thirty days, you are
hereby authorized to add and collect two per centum on every dollar for collecting the same as
your fees thereon.

YOU ARE FURTHER REQUIRED AND COMMANDED to pay over all monies so
collected by you, (exclusive of your fees for collection), to the proper officer daily and return this
warrant to me within ninety days from date.

If any person shall neglect or refuse to pay any tax imposed upon him, or the fees herein
allowed, after giving the notice required by law and waiting the time specified in the statute, you
are hereby authorized to levy the same by distress and sale upon any personal property in said
County belonging to, or in possession of, such person and cause the same to be sold, at public
auction or otherwise in accordance with the City Charter, for the payment of such tax and the
fees and expenses of collection, and no claim of property to be made by any other person thereto
shall be available to prevent such sale and for so doing this shall be your sufficient warrant.

IN WITNESS THEREOF, the Common Council of said City, at a regular session, held
on 12/19/23 has authorized this warrant to be signed by the Mayor of said City, and the Seal of
the City to be affixed thereto, by a resolution duly passed by a majority vote of said Council, and
I, in pursuance of such authorization, have this 20th day of December in the year of our Lord Two
Thousand Twenty-two hereunto set my hand and caused the Corporate Seal of the City of
Middletown to be affixed.

MAYOR



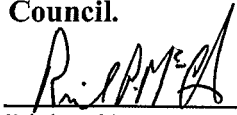


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

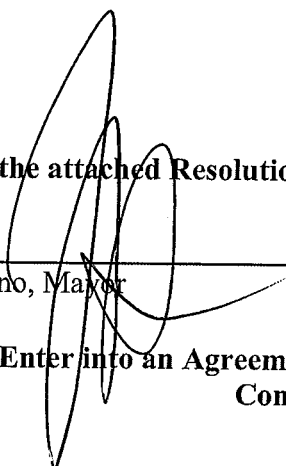
By: Alderman Kleiner
Seconded by: Alderman Johnson
Date of Adoption: December 17, 2024
Index No: 269-24

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 12/18/24

Authorization to Enter into an Agreement with Don Paris and RBT CPAs LLC for ARPA Consulting Services

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes an agreement with Don Paris and RBT CPAs LLC for ARPA Consulting Services

BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign the agreement subject to review by Corporation Council.

Prepared by:
Leonora Liz, Treasurer

Attachments:

1.	BOE Request ARPA Obligation-Consulting
----	--



DEPARTMENT OF FINANCE City Of Middletown

Leonora Liz
Treasurer

16 James Street
Middletown, NY 10940
Tel: (845) 346-4150
Fax: (845) 343-1101

November 2024

To: The Board of Estimate

From: Leonora Liz, Treasurer

I am requesting from the Board of Estimate authorization to approve an agreement with Don Paris and RBT CPA LLC for ARPA Consulting services and further resolve to be reviewed by Corporation Council and further resolve the mayor to sign the agreements.

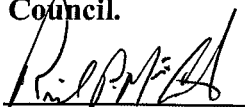


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderman Kleiner
Date of Adoption: December 17, 2024
Index No: 270-24

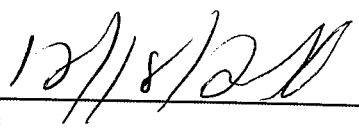
**I hereby certify that the attached is a true
copy of a Resolution and/or Local Law
adopted by the City of Middletown Common
Council.**


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Authorization to Obligate the Remaining ARPA Funds

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the obligation of the remaining unspent ARPA funding in the following matter; and

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment authorizes the Treasurer to appropriate the funds to the following account lines accordingly.

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment authorizes the use of ARPA funds towards the Empress Ambulance Contract agreement from 2025-2026.

The City of Middletown needs to obligate State and Local Fiscal Recovery Funds

(SLFRF) received but not yet obligated or spent. The City of Middletown has to obligate those funds to be in compliance with the December 31, 2024 deadline. Attached is an additional schedule of how those funds are being obligated. All necessary contracts or purchase orders are in place or will be in place by December 31, 2024.

Remaining Balance \$29,977.50

4,000.00	Appraisal of Mountain Supply Parking lot purchase
4,260.00	Façade ADA , not reimbursable by DRI, invoice 104310
9,750.00	Façade Project, not reimbursable by DRI, invoice 002, JTA
42.30	RBT Consulting 2024
5,659.93	Other Equipment
\$ 6,265.27	Additional Ambulance Services 2025-2026
4,000.00	Appraisal of Mountain Supply Parking lot purchase
4,260.00	Façade ADA , not reimbursable by DRI, invoice 104310
9,750.00	Façade Project, not reimbursable by DRI, invoice 002, JTA
42.30	RBT Consulting 2024
5,659.93	Other Equipment
\$ 6,265.27	Additional Ambulance Services 2025-2026
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42.30	RBT Consulting 2024
5,659.93	Other Equipment
\$ 6,265.27	Additional Ambulance Services 2025-2026
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9,750.00	Façade Project, not reimbursable by DRI, invoice 002, JTA
42.30	RBT Consulting 2024
5,659.93	Other Equipment
\$ 6,265.27	Additional Ambulance Services 2025-2026

Prepared by:
Leonora Liz, Treasurer

Attachments:

1.	BOE Request ARPA Obligation-Consulting - remaining balance
----	--



DEPARTMENT OF FINANCE City Of Middletown

Leonora Liz
Treasurer

16 James Street
Middletown, NY 10940
Tel: (845) 346-4150
Fax: (845) 343-1101

December 2024

To: The Board of Estimate

From: Leonora Liz, Treasurer

I am requesting the from the Board of Estimate to further Obligate the remaining unspent ARPA funding in the following matter and authorization to appropriate the funds to the account lines accordingly. Further requesting to authorize the use of ARPA funds towards the Empress Ambulance Contract agreement from 2025-2026

The City of Middletown needs to obligate State and Local Fiscal Recovery Funds (SLFRF) received but not yet obligated or spent. The City of Middletown has to obligate those funds to be in compliance with the December 31, 2024 deadline. Attached is an additional schedule of how those funds are being obligated. All necessary contracts or purchase orders are in place or will be in place by December 31, 2024.

Remaining Balance \$29,977.50

4,000.00	Appraisal of Mountain Supply Parking lot purchase
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9,750.00	Façade Project, not reimbursable by DRI, invoice 002, JTA
42.30	RBT Consulting 2024
5,659.93	Other Equipment
\$ 6,265.27	Additional Ambulance Services 2025-2026

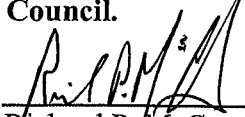


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

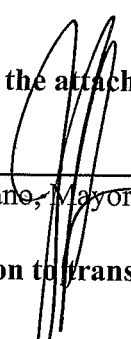
By: Alderman Johnson
Seconded by: Alderman Tobin
Date of Adoption: December 17, 2024
Index No: 271-24

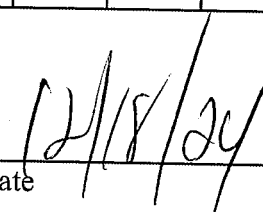
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Authorization to transfer \$650 within the 2024 Community Development Budget

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$650, in the following manner, to cover overages.

FROM	AMOUNT	TO
CD.8686.482	\$650	CD.8686.479
ADVERTISING		EQUIPMENT RENTAL

Prepared by:
Maria Bruni, Director of Economic and Community Development

Attachments:

1. BOE Request Maria Bruni

CITY OF MIDDLETOWN
Office of Economic & Community Development

December 11, 2024

City of Middletown
Board of Estimate
16 James Street
Middletown, New York 10940

RE: Office of Community Development/Dept 8686

Dear Members:

I am requesting budget transfers within the Community Development Department.

FROM	AMOUNT	TO
CD 8686.482 Advertising	\$ 650.00	8686.479 Equipment Rental

This funding transfer will be applied to cover overages in the line.

Thank you

Thank you for your attention to this matter.

Maria Bruni, Director
Economic & Community Development

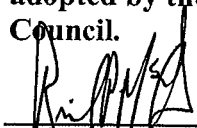


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

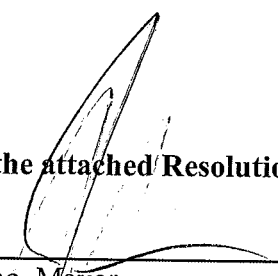
By: Alderman Johnson
Seconded by: Alderman Jean-Francois
Date of Adoption: December 17, 2024
Index No: 272-24

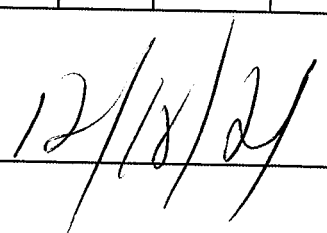
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Richard H. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Authorizes a 2% increase for all Departments Heads and Full-time non-union employees

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes a 2% increase for department heads and full-time non-union employees.

Prepared by:
Leonora Liz, Treasurer

Attachments:

1.	BOE request for nonunion increase
2.	Request for nonunion increase back up 2025



DEPARTMENT OF FINANCE City Of Middletown

Leonora Liz
Treasurer

16 James Street
Middletown, NY 10940
Tel: (845) 346-4150
Fax: (845) 343-1101

December 2024

To: The Board of Estimate

From: Leonora Liz, Treasurer

Requesting from the Board of Estimate to authorize an 2% Salary increase for all Department Heads and full -
time non-union employees effective January 1st, 2025

Middletown Employees
Non Union Full Time/Part-time Employees
Projected 2025 Salaries Increase Proposal

Title	Full - Time				Difference			
	2024	2024	2%	2025	2024	2%	2025	2025
	HiLy Rate	Salary	Raises	HiLy Rate	Salary	HiLy Rate	Salary	Salary
Assessor	43.2692	90,000	1,800	44.1346	91,800			0.8654
Real Property Data	22.4792	51,757	1,035	25.3808	52,792			2.9016
Dir., Comm. Dev.	51.3387	106,785	2,136	52.3655	108,920			1.0268
Asst. Director	26.5558	55,236	1,105	27.0869	56,341			0.5311
Theater Technician	26.0139	54,109	1,082	26.5342	55,191			0.5203
Assistant Director	26.2726	54,647	1,093	26.7981	55,740			0.5255
Loan and Rehab Specialist	25.5024	53,045	1,061	26.0124	54,106			0.5100
Confidential Secretary	21.0865	43,860	877	21.5083	44,737			0.4218
Corporation Counsel	84.0803	87,444	1,749	85.7619	89,192			1.6816
Paralegal	21.6346	45,000	900	22.0673	45,900			0.4327
Secretary	26.2043	54,505	1,090	26.7284	55,595			0.5241
Asst. Commissioner	48.7697	101,441	2,029	49.7451	103,470			0.9754
Asst. Commissioner	49.7452	103,470	2,069	50.7401	105,539			0.9949
Commissioner, DPW	118.3745	246,219	4,924	120.7420	251,143			2.3675
Ordinance Inspector	20.5077	42,656	853	20.9179	43,509			0.4102
Treasurer	61.5755	128,077	2,562	62.8070	130,639			1.2315
Deputy Treasurer	40.0154	83,232	1,665	40.8157	84,897			0.8003
Admin ED Research	30.0115	62,424	1,248	30.6118	63,672			0.6002
Director, Senior Center	31.6135	65,756	1,315	32.2458	67,071			0.6323
Activity Leader	19.1731	39,880	798	19.5566	40,678			0.3835
Bus driver	18.0351	37,513	750	18.3958	38,263			0.3607
Supt. Of Rec.	42.8115	89,048	1,781	43.6677	90,829			0.8562
Asst. Supt. Rec.	35.1670	73,147	1,463	35.8703	74,610			0.7033
Program Coordinator	24.4644	50,886	1,018	24.9537	51,904			0.4893
City Clerk	43.1688	89,791	1,796	44.0322	91,587			0.8634
Confidential Secretary	20.6731	43,000	860	21.0865	43,860			0.4135
Chief of Police	105.1002	218,608	4,372	107.2022	222,981			2.1020
Confidential Secretary	35.0135	72,828	1,457	35.7137	74,285			0.7003
Secretary	24.5192	51,000	1,020	25.0096	52,020			0.4904
TOTAL	2,382,591	47,652	0	2,430,243				



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Tobin
Seconded by: Alderman Johnson
Date of Adoption: December 17, 2024
Index No: 273-24

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Enter into An Agreement with PERMA Workmens Compensation Contract for 2025

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes an agreement with PERMA Workmens Compensation for 2025.

BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign the agreement.

Prepared by:
Leonora Liz, Treasurer

Attachments:

1.	Middletown C 2025 Renewal Quote
----	---------------------------------

Dear Leonora Liz,

Thank you for being a valued member this past year! What an incredible year it has been for PERMA. Thanks to dedicated members like you, we are in the strongest financial position we've ever had, with **over 625 public entities in our program and a surplus exceeding \$60 million—making us the largest and strongest program for public employers in New York State!**

This year, we were thrilled to return over \$2.5 million to our members through our dividend program. This included increasing funds for various safety grant initiatives, along with the introduction of new programs like our sensory room grant for schools. A portion of the dividend was also used for our **Mobile Safety Solutions Center**, a slips, trips, and falls simulator designed to help employees navigate slippery surfaces, steps, and obstacles safely. All these efforts reflect our dedication to reinvesting in safety for our members.

We're also excited to share that most recently our **Board of Directors approved an additional \$7.5 million in dividends over the next three years**, available to renewing members in the year they are disbursed. We take great pride in supporting our members through these initiatives and our program.

As a reminder, **your workers' compensation coverage will expire on January 1, 2025, and will automatically renew** based on the enclosed renewal quote. Please review these documents to verify the job classification codes and payroll allocations are appropriately estimated. **If changes are needed, please contact your Underwriting and Account Manager, Jennifer Hromada, as soon as possible.**

We will continue to offer a **2% discount if your contribution is \$50,000 or more (excluding NYS WCB assessments) if you renew by January 1 and submit full payment electronically.** If you elect this option, page three contains details on how to enroll in ACH and then you will need to contact billing@perma.org to obtain full financial information.

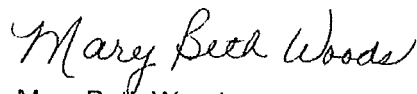
Your PERMA membership includes more than cost-effective workers' compensation coverage. Each year, we host a variety of required safety training sessions, certification courses, award safety grants and have **opportunities for you to remain an active collaborator in how our program operates.** Please take a moment to review our service offerings noted on the enclosed flyer and stay up to date by visiting perma.org.

We appreciate your continued support and look forward to the upcoming year together!

Sincerely,



Jack Wheeler
Chair, PERMA Board of Directors



Mary Beth Woods
Executive Director

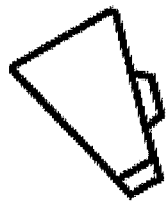
perma.org

Phone: 518-220-1111

Toll Free in US: 888-737-6269

Fax: 877-737-6232

- Mobile Safety Solutions Center



Your Voice Matters!

- Nominate someone for the Board of Directors
- **Vote** on Board of Directors nominations
- Attend the **Annual Member Business Meeting**
- Complete the Annual Member Survey



Educational Conferences & Webinars

- Annual Member Conference
- PESH Safety Awareness Training
- PESH Core Training
- Webinar resources to include: Finance Series, Claims 101, 207 a/c Overviews, Seasonal Employees, Winter Driving Safety, Effective Communication, VFBL Misconceptions and more!

Take advantage!

Our Partners

New York State School Boards Association

New York State Association of Counties

New York State Association of Chiefs of Police

New York State Association of Fire Chiefs

perma.org

solutions@perma.org

To stay up to date on the latest services or offerings, visit perma.org or sign up for our communications by emailing solutions@perma.org.

**ELECTRONIC FUNDS TRANSFER (EFT) AUTHORIZATION FORM FOR
AUTOMATED CLEARING HOUSE (ACH)**

Contact Information

Company Name:		
Fed. Tax ID #:		
Address:		
City:	State:	Zip Code:
Contact Name & Title:		
Phone:		
E-mail Address*:		

***EFT Remittances will be sent to the e-mail address listed above.**

Banking Information

Bank Name:		
Bank Street Address:		
Bank City:	State:	Zip Code:

Transit Routing Number

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Account Type:

☐	Business
☐	Personal
☐	Checking
☐	Savings

Account Number

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

I hereby authorize PERMA to deposit electronic funds into the above account at the above named bank. The bank specified above will not be held liable for any erroneous deposits or adjustments by PERMA. The authorization remains in effect until written notice is given to cancel it.

Signature: _____
(Authorized Signer on Bank Account)

Title: _____

Print Name: _____
(Authorized Signer on Bank Account)

Date: _____

Please email all below information to: accountspayable@perma.org

- ✓ **Completed form**
- ✓ **Voided check or bank letter to verify account information**
- ✓ **Updated W-9 form**



Public Employer Risk Management Association, Inc.
9 Cornell Road, Latham, NY 12110
P: 518-220-1111

Quote Date: 11/8/2024

Member Number: WC 0001224-46

Broker of Record:

City of Middletown
16 James Street
Middletown, NY 10940

Marshall & Sterling-Middletown
420 East Main Street
Middletown, NY 12601

First Dollar Indication

Coverage Period: 1/1/2025 - 12/31/2025

Workers' Compensation and Employers Liability:

Class Code	Description	Estimated Exposure	Estimated Contribution
5506	Street Maintenance-Paving	\$900,000	\$98,201
7520	Waterworks	\$1,225,000	\$55,478
7580	Sewer Plant	\$400,000	\$8,302
7710	Fire Department	\$2,200,000	\$69,924
7720	Police Department	\$8,500,000	\$214,041
8392	Parking Garage	\$65,000	\$1,422
8394	Bus/Ambulance Drivers	\$70,000	\$2,871
8810	Clerical Office	\$3,900,000	\$5,453
8820	Attorneys	\$125,000	\$ 156
8831	Animal Control Officers	\$65,000	\$ 564
9015	Lifeguards/Beaches	\$110,000	\$1,375
9026	Building Operations, Custodial	\$180,000	\$5,991
9063	Recreation	\$305,000	\$2,303
9101	Schools: All Others	\$78,000	\$1,701
9102	Parks Maintenance	\$705,000	\$16,272
9402	Street Cleaning	\$110,000	\$4,033
9403	Refuse Collection	\$950,000	\$75,453
9410	Municipal Employees	\$750,000	\$42,012
Subtotals:		\$20,638,000	\$605,552

All Volunteers - Secondary Medical Coverage:

Included

Volunteer Firefighters Benefits Law (VFBL):

No Coverage Elected

Volunteer Ambulance Workers Benefit Law (VAWBL):

No Coverage Elected



Your Source for Solutions

Public Employer Risk Management Association

P.O. Box 12250, Albany, NY 12212

P: 518-220-1111 | F: 877-737-6232

perma.org

Quote Date: 11/8/2024

Member Number: WC 0001224-46

Broker of Record:

City of Middletown

16 James Street

Middletown, NY 10940

Marshall & Sterling-Middletown

420 East Main Street

Middletown, NY 12601

First Dollar Indication

Coverage Period: 1/1/2025 - 12/31/2025

Total Contribution:	\$605,552
New York State Assessment:	\$27,841
Total Estimated Contribution & Assessment:	\$633,393
2% Credit on Total Contribution, if pay in full by 1/1/2025:	\$12,111
Total Amount due by inception date after taking advantage of the discount:	\$621,282

Please note that the promulgated Experience Modification Factor for the City of Middletown is 0.75.

****This document is for quoting purposes only. Invoice will be issued upon binding of coverage to remit payment****

The invoicing of audits will be waived. An annual audit will be performed; however, this is only to verify that the exposure estimates are accurate for coding and excess insurance purposes.

Quote Date: 11/8/2024

Member Number: WC 0001224-46

Broker of Record:

City of Middletown 16 James Street Middletown, NY 10940	Marshall & Sterling-Middletown 420 East Main Street Middletown, NY 12601
---	--

First Dollar Indication

Coverage Period: 1/1/2025 - 12/31/2025

PERMA Pay Plan

****This document is for quoting purposes only. Invoice will be issued upon binding of coverage to remit payment****

Pay Plan Description
Eleven-Month Billing

Description	Due at Inception
Contribution	\$605,552.00
New York State Assessment	\$27,841.00
Total	\$633,393.00

Invoice Schedule	Amount
Due Date	
1/1/2025 Down Payment	\$158,349.00
2/1/2025 Installment 2	\$47,505.00
3/1/2025 Installment 3	\$47,505.00
4/1/2025 Installment 4	\$47,505.00
5/1/2025 Installment 5	\$47,505.00
6/1/2025 Installment 6	\$47,505.00
7/1/2025 Installment 7	\$47,505.00
8/1/2025 Installment 8	\$47,505.00
9/1/2025 Installment 9	\$47,505.00
10/1/2025 Installment 10	\$47,505.00
11/1/2025 Installment 11	\$47,499.00
Total	\$633,393.00

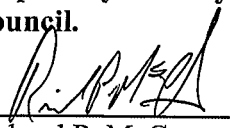


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderwoman Wray
Seconded by: Alderman Tobin
Date of Adoption: December 17, 2024
Index No: 274-24

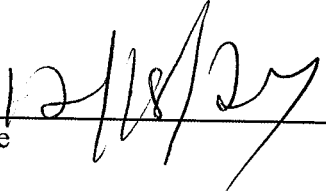
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

**RESOLUTION AND NOTICE OF DETERMINATION OF NON-SIGNIFICANCE
PURSUANT TO 6 NYCRR 617.7 as it Relates to a Zoning Change Adopting Minimum
Square Footage for all New Single Family Dwellings**

WHEREAS, the City of Middletown Common Council has determined, upon recommendations by the Mayor and Commissioner of Public Works, to adopt a minimum square footage for all new single family dwellings constructed in the City of Middletown, and

WHEREAS, the proposed action is described as follows: All single family dwellings constructed in the City of Middletown after the effective date of the accompanying Resolution must contain at least 1,200 square feet of livable floor area, as that term is defined in Section 4 of the City Zoning Code, and

WHEREAS, the proposed rezoning for minimum square footage constitutes an Unlisted Action pursuant to the State Environmental Quality Review Act ("SEQRA") regulations; and

WHEREAS, a public hearing on the proposed rezoning was held on December 17, 2024, and

WHEREAS, the City of Middletown Common Council has thoroughly reviewed and considered the request for rezoning for minimum square footage and the accompanying Short Environmental Assessment Form ("EAF"), and

WHEREAS, the City of Middletown Common Council has identified the relevant areas of environmental concern and thoroughly considered the criteria for determining significance set forth at 6NYCRR Part 617.7 (c), and

WHEREAS, on or about December __, 2024, the Common Council referred this resolution to the Orange County Planning Department pursuant to General Municipal Law § 239-m, and

WHEREAS, the Common Council received a determination from the Orange County Planning Department, dated December __, 2024, concluding that the resolution was a matter for local determination.

NOW, THEREFORE, BE IT RESOLVED that the City of Middletown Common Council declares itself Lead Agency with respect to this rezoning action, and be it

FURTHER RESOLVED that the City of Middletown Common Council hereby declares that the proposed action will not result in a significant adverse impact on the environment, and an environmental impact statement will not be prepared, and be it

FURTHER RESOLVED that this Negative Declaration is made pursuant to Article 8 of the Environmental Conservation Law (SEQRA), and be it:

RESOLVED that the reasons and findings supporting this determination are as follows:

1. There will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; nor a substantial increase in potential for erosion, flooding, leaching or drainage problems.
2. There will not be the removal or destruction of large quantities of vegetation or fauna; nor substantial interference with the movement of any migratory fish or wildlife species; nor impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant; nor the habitat of such species; nor other significant adverse impacts to natural resources.
3. There will not be an impairment of the environmental characteristics of a critical environmental area (CEA) as designated pursuant to 6 NYCRR 617.14(G) because the property is not located within a CEA. Nor is there any CEA nearby.
4. There will not be the creation of any material conflict with the community's current plans or goals as officially approved or adopted.
5. There will not result an impairment of the character or quality of important historical,

archaeological, architectural or aesthetic resources or of existing community or neighborhood character.

6. There will not result a major change in the use of either the quantity or type of energy.

7. There will not be the creation of a hazard to human health.

8. Nothing characteristic of the proposed action would result in a demand for other actions that exhibit the impacts defined in 6 NYCRR Part 617.7(c).

9. All potential changes to the environment have been identified in the Short EAF and analyzed cumulatively by the Council. The totality of potential impacts for the actions currently contemplated, are not significant.

10. No other related development or similar action is proposed for this area in the City of Middletown.

11. The rezoning action is not part of any long-range plan for development that has not already been identified, and there are no other actions that will be taken as a result the actions identified herein. Nor are there any unidentified future actions that are dependent on the actions to be undertaken by the Council, other than the building permit approval process provided for in the Middletown Zoning Code.

Prepared by:

Attachments:

None

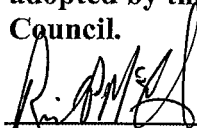


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

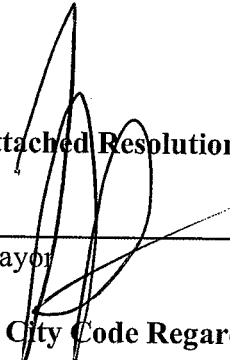
By: None
Seconded by: None
Date of Adoption: December 17, 2024
Index No: 275-24

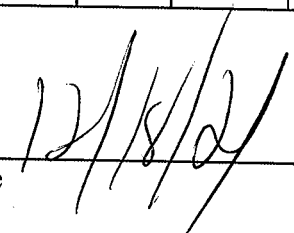
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Resolution to Amend City Code Regarding the Order of Business for Common Council Meetings

WHEREAS, the City of Middletown Common Council seeks to enhance public engagement by amending Section § 30-1 of the City Code to introduce an additional opportunity for public comment at Common Council meetings and

WHEREAS, the Council also aims to streamline the meeting agenda by modifying section "E. For the Good of the City" section to restrict public comments to items listed on the meeting agenda;

NOW, THEREFORE, BE IT RESOLVED that Section § 30-1 of the City Code, "Order of Business," is hereby amended as follows:

1. Pledge of Allegiance
2. Roll Call

3. **Approval of Minutes**
4. **Correspondence, Communications, and Reports**
5. **For the Good of the City (Agenda Items Only)**
6. **Remarks of the Mayor**
7. **Remarks of Department Heads**
8. **Public Hearings and Grievances**
9. **Petitions and Complaints**
10. **Remarks of Aldermen and Reports of Committees**
11. **Unfinished Business**
12. **New Business**
13. **Local Laws**
14. **Audit of Claims and Accounts**
15. **For the Good of the City**
16. **Adjournment**

BE IT FURTHER RESOLVED that this amendment shall take effect immediately

Prepared by:
Joe Masi, Alderman

Attachments:

None



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: January 21, 2025
Index No:

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Accept the Minutes of January 7, 2025

Prepared by:

Attachments:

1.	01.07.25 CC Minutes
----	---------------------



COMMON COUNCIL MEETING
CITY OF MIDDLETOWN
January 7, 2025 Minutes
City Hall
16 James Street
Middletown, New York 10940

J. Miguel Rodrigues, President
Ald. Jude Jean-Francois
Ald. Andrew Green
Ald. Paul Johnson
Ald. Gerald Kleiner
Ald. Sparrow Tobin
Ald. Kevin Witt
Ald. Kate Wray
Ald. Joseph Masi (Absent)

ALSO PRESENT:
Richard McCormack, City Clerk
Joseph M. DeStefano, Mayor

City of Middletown, New York

Common Council Meeting

January 7, 2025

(Pledge Given)

PRESIDENT J. MIGUEL RODRIGUES: Please remain standing as I ask for a moment of silence for former Police Lieutenant Bureau Commander Lawrence Corkey and former Alderman Ashok Sabnis. May they rest in peace.

Thank you.

Roll?

CITY CLERK RICHARD MCCORMACK: Alderman Tobin?

ALDERMAN SPARROW TOBIN: Here.

CITY CLERK RICHARD MCCORMACK: Alderman Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Here.

CITY CLERK RICHARD MCCORMACK: Alderman Johnson?

ALDERMAN PAUL JOHNSON: Here.

CITY CLERK RICHARD MCCORMACK:
Alderwoman Wray?

ALDERWOMAN KATE WRAY: Here.

CITY CLERK RICHARD MCCORMACK: Alderman Kleiner?

ALDERMAN GERALD KLEINER: Here.

CITY CLERK RICHARD MCCORMACK: Alderman

Green? Alderman Witt?

ALDERMAN KEVIN WITT: Here.

CITY CLERK RICHARD MCCORMACK: Alderman
Masi?

ALDERMAN JOSEPH MASI: Here.

CITY CLERK RICHARD MCCORMACK:

President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Here.

CITY CLERK RICHARD MCCORMACK: Quorum
is present.

PRESIDENT J. MIGUEL RODRIGUES:

Approval of minutes?

ALDERMAN JOSEPH MASI: So moved.

ALDERMAN KEVIN WITT? Second.

CITY CLERK RICHARD MCCORMACK: That's
the November 19 minutes. Motion by Alderman
Masi, second by Alderman Witt. All in favor?

(Members respond)

PRESIDENT J. MIGUEL RODRIGUES: All
right. Correspondence.

CITY CLERK RICHARD MCCORMACK: Good
evening. We have a letter this evening.

"Dear Mayor J.M. DeStefano, I am
writing to let you know about one of your
Middletown police officers who helped our

granddaughter, Rosalie Cicero, on December 4th, 2024 at Middletown High School.

"While Rosalie was in her classroom, another student drove her vehicle into Rosalie's parked vehicle. I received a phone call from the Police Officer Troia, Shield Number 1480, of the Middletown Police Department telling me that our Rosalie was not injured. Also the other student driver was not injured. After speaking with Police Officer Troia, our Rosalie told us how caring and kind he was to her and also that Rosalie told us how he used zip ties to secure the damaged front-end bumper and quarter panel together so she could drive home safely. Police Officer Troia is a caring and professional police officer and a credit to your police department. Again, we applaud and thank him. In closing, be well, safe, and God bless you and yours. Respectfully, Rocco Cicero."

PRESIDENT J. MIGUEL RODRIGUES: Okay.
Received and filed. That's it. Okay.

For the good of the city I would like to call the Mayor up.

MAYOR JOSEPH DESTEFANO: Thank you for changing the agenda, put this item at the head of

the agenda. A little sarcasm there, right?

Understandable. Understandable.

I would like to invite our Assemblywoman Aileen Gunther up so we can recognize her for all her years of service here in the City of Middletown.

So tonight, as you know, Assemblywoman Gunther chose not to run for reelection this past year. She has represented the City of Middletown for I believe 20 years. And Jake, her late husband -- how many? Fourteen years. So we had a Gunther representing the City of Middletown for the past 34 years and it's made a big difference in our community.

So I wanted to just touch on a few of the -- try to highlight some of the main issues that Aileen worked on directly for our city and the money that she has brought into our community. She has always talked about part of her job is not just to advocate, but to bring back our share here in Middletown. And Aileen certainly has delivered for our city and for our taxpayers.

And if you look at this list of accomplishments -- the renovation of the senior

center and municipal parking lot, courthouse acquisition, construction of the multiple-use ball field, walking track, the pavilion, the O&W building restoration seed money, driving simulator for the police, purchase and installation of surveillance cameras and infrastructure, light poles for downtown, purchase and rehab of the Middletown and New Jersey Rail Station, the splash pad at Maple Hill Park, the rec center, the senior center, psychiatric center, lighting projects, construction of the pedestrian walkway between North Street and Center Street, and the purchase of a vacant parcel next to the O&W and made the O&W station a project, and also advocating for the \$4.1 million that's not even listed here of the CDBG grant that's going into the O&W station.

Just that small list alone over the last several years has totaled over \$8 million. And that money did not come easy. It required someone fighting for us. Because if it didn't come here, it would have gone to another community.

And as you can see on the screen, the projects are -- these are pictures of some of the

projects and the amenities that have led to additional quality of life in our community and will, like the O&W station, the M&NJ Station, the Wolslayer Field project. Some of the ribbon cuttings that Aileen has attended. The groundbreaking ceremonies where she has advocated for businesses to relocate here in our city and the courthouse project on South Street. And you just see the list of accomplishments goes on and on.

She also brought in key people into our community that would normally not be here. The upper-left picture is Speaker Heastie. You know, I've been in Middletown politics since 1984 in one capacity or another, and I don't recall a speaker of an assembly coming into our city or walking our downtown led by our assemblywoman to point out and explain the need for additional funding for our community. Well, she did all that.

So one of the things we're also going to do tonight is this is just a draft of a plaque. One of the big projects that we're going to begin hopefully this Spring is the splash pad, the restoration -- or not the -- the replacement

of the pool, the swimming pool at Maple Hill Park. And we're going to be replacing that with a splash pad. The total project is going to be about a million-two or a million-three dollars, \$1.2 or \$1.3 million depending upon how the final numbers come in. But about half of that funding is coming directly because of Assemblywoman Gunther. And it wasn't a project that was planned. We were talking about it last year. And she said what do you need to get it done, and she did. She went out and got the money to get this project done.

So in honor of her and her accomplishments over the years, we felt it was appropriate that the last big project that will be funded through her office under her leadership in Albany should be memorialized with a plaque at that site that her name will be forever associated. And we're going to do a nicer plaque than this. This was just a wood background. But it's going to be really, really nice.

And of course this is the splash pad that -- I know your whole career has been focused on mental health and focused on children and recreation. And that's why we selected this site

in order to do so.

So in addition, we have myself -- and Council President Rodrigues, if you would like to come down.

We have a proclamation. And I'll read it.

"Whereas, it is with great appreciation and gratitude that we acknowledge the dedicated public service of New York State Assemblywoman Aileen Gunther who has represented Middletown and its surrounding communities with unwavering commitment since her election in 2003. And whereas throughout her tenure in the New York State Assembly, Assemblywoman Gunther has been an extraordinary advocate for the City of Middletown, securing vital funding and championing transformative projects that have significantly improved the quality of life for our residents. And whereas Assemblywoman Gunther has been a steadfast friend to the City of Middletown, working collaboratively with local leaders including the Mayor and Common Council to ensure the success of numerous initiatives, and whereas her leadership has brought substantial funding and financial investments into the City

of Middletown totaling over \$8 million."

And I listed the projects before.

"Today, whereas the tireless efforts of Assemblywoman Gunther have left an indelible mark on our community, creating a legacy of progress, partnership, and prosperity and whereas as Assemblywoman Gunther embarks on her well-deserved retirement from public service, we celebrate her many accomplishments and wish her continued happiness, health, and success in all future endeavors.

"Now therefore be it resolved that we, the Mayor, myself, and Common Council led by President Rodrigues and all members of the City of Middletown Common Council do hereby proclaim our deepest gratitude and admiration for State Assemblywoman Aileen Gunther and declare December 17th as Aileen Gunther Day in the City of Middletown.

"And be it further resolved that this proclamation serve as a testament to her exceptional service, dedication, and friendship to our city, the City of Middletown, and its residents."

And with that proclamation, the City of

Middletown day, you get an extra dollar or something. We'll give you a dollar bill or something. Buy a cup of coffee with it, right?

But the proclamation is nice. And it also has underneath the key to the City of Middletown. And hopefully you'll -- not hopefully, I know you will remember your years of service here fondly, and we certainly will miss you as our representative and we know you'll always be our friend. Thank you so much.

ASSEMBLYWOMAN AILEEN GUNTHER: Thank you very much. I will be very quick.

You know, for the last 20 years, it was good people like Joe DeStefano and Maria that allowed me to do something that I really loved.

When Jacob passed away, I was with my children. And I was always behind the scenes with Jacob. I did a lot of the dirty work during elections and things like that. Passing out things about him and this, that, and the other thing. And it just came to me one day. Then I said you know what, I'm a registered nurse, I did a lot of work in the hospital. And I thought, gee, why not me? And it was me and it was people like Joe DeStefano and Maria and a lot of other

people that stood behind me and allowed me to do something that I love. And I am crazy about the City of Middletown. And I can't thank all of you enough.

This has really turned into something really special. People love coming to Middletown. And it's because all of you. And I was so happy to help. But I wasn't the genius behind it. That was Joe and Maria and all the people that work in the City of Middletown. You're doing a great job and you're doing a great job for your community. So thank you, thank you, thank you.

Thank you so much. Thank you.

PRESIDENT J. MIGUEL RODRIGUES: All right. For the good of the City anyone who would like to address the council, please step forward. You have three minutes.

JASON NIETZCHMANN: Good evening, Council. You already know who I am. But for those who don't know me, I am Jason and I am from the Fourth Ward of Middletown. I was going to thank Aileen Gunther for her service to this community, to our city. You know, her passion for the City is definitely contagious and it

inspires myself and I know other community members to keep uplifting our community.

So this is our ninth consecutive meeting tonight. And before I share what I'm about to share, I want you to know that this community keeps coming to these meetings not because we're petulant, not because we have unlimited time to spare, and not because we want to disrupt this Council. We are here because we are horrified by what is happening in Palestine and we want to work with our local elected representatives to do something about it.

You'll be hearing from just four more members of our community tonight. We all have different political beliefs, religious affiliations, and even languages that we speak. But the five of us speaking tonight are just a small sample of the incredible community that is growing, and a community that will continue to fight for a ceasefire resolution in Middletown, New York.

With that, I am proud to introduce (indiscernible), a Palestinian and Middletown-ian. Thank you.

MAN: Good evening, Council. The Mayor

previously stated that we do not call for a ceasefire in South Korea, Syria, or Ukraine. However, none of these like what happening in Gaza. Gaza has been called the largest concentration camp in history, a holocaust shown live on the large screen.

Especially civilian children, women, particularly female children are not targeted by any of these aggressors. The IGF targets females in a gruesome effort to prevent another generation of Palestinian from being born.

I don't see you denouncing Israel annexing additional (indiscernible) territory. Israel has taken over more than three times the area of Gaza in a matter of days while there are courageous warriors who have broken Israel as well. The IGF vents their rage on the helpless children as they lose to (indiscernible).

Israel's strategy has been misinform, deny, and conceal to justify the murder of innocent children, to drop bombs that are equivalent to several atomic bomb on our dying planet.

Israel comparable to the (indiscernible) black plague. If left unchecked,

it will destroy the entire planet. The moment when it consumes us here is fast approaching.

I would like to tell you a story I learned in school. In a forest, there was a lion and three bulls; black, red, and white. The lion was hungry and he wanted to eat, but he knew he couldn't confront the three of them at once. To solve this, he devised a plan to convince the black and red bull that the white bull is a threat. He argued that the black and the red bull, that the white bull color would make them easy target to the hunter. He swayed them and allowed the lion to eat the white bull.

Sometimes later, the lion repeated the manipulation, this time convincing the black bull to turn against the red bull. Once again, he was successful.

Eventually, the lion became hungry again and he set his sight the black bull. The black bull said I was eaten the day the white lion -- the white bull was killed.

I just want to let you know half-knowledge is more dangerous than no knowledge. We should listen to the international humanitarian organization like Amnesty

International, Action for Peace, and so on.
Please snap out of the state of hibernation.

We are the bulls in the story. We called for the ceasefire in Palestine because atrocity taking place just like the atrocity happen in Nazi Germany. Israel is not only targeting (indiscernible) aid worker and journalist and also their loved ones. The atrocity has been widely documented once of the most -- adjudicated by the international court in modern history. This is not merely war and people; it is war and the future of civilization. It is up to all of us in this room to do our part to stop it. Thank you.

MIKE MARTIN: I'm going to break things up a little bit here. Sorry.

I guess maybe July I was here with some other people regarding the warehouse situation of Wawayanda. And I just wanted to give you a quick update.

We've -- the group -- Oh, Mike Martin. Sorry. A resident of City of Middletown.

And I got involved in the Save Wawayanda to shut down these warehouses and other projects because of the traffic and what we

thought were the effects on Middletown. And there are several other people that have been here and support this.

So I just wanted to make you aware we did put together a little map showing where all the -- approximately where all these warehouse projects. There are about ten of them that are either approved or in the stages of approval by the Town of Wawayanda. And also the square footage is about 6 million square feet. And truck traffic at several points is -- well, Route 6 and 17M we're looking at minimum 2,000 trucks per day right now. You know, so it would choke off Middletown.

They never took into account Orange Community College, further traffic studies, what happens in Middletown. These traffic studies were done a long time ago.

So I just wanted to make you aware of it. And I know that Mayor Stefano has been involved in this, and I know you have. So just making you aware of it and the rest of the council.

That's all I wanted to say. And we have some pamphlets if anybody is interested.

Thank you very much.

PRESIDENT J. MIGUEL RODRIGUES: Thank you.

CHARLES LEWIS: Good evening, Council. My name is Charles Louis. I am a resident of Middletown, Fourth Ward. All the information I have for you at this point comes from DataUSA.io.

Fifty percent of the population here, that would be just under 4,500, live below the poverty line. The national average -- it's higher than the national average, which is at 12.5 percent. The largest demographics are males aged 35 to 44. The second is females from age 12 to 14 and the third are males from age 18 to 24.

Middletown lacks the resources to tend to the homeless community as well as the mental health community. And other than the moral argument that should not be forgotten, stopping the genocide, there is another; to fight for the citizens that are here.

We are in code blue season and there's not enough resources to help all the people that need it, which is why it troubles me that you prefer to only hear Middletown voices. If I was priced out of my home and I was homeless, am I

still a Middletown-ian? The vast majority of people in Middletown who are in need of emergency housing are sent to either Wallkill or Newburgh. Are they not Middletown-ians anymore?

We all pay tax to the system and the taxes are here to help us. Our government has sent over \$18 billion to Israel, whose national homeless problem is 0.02 percent. This is also a country that can afford its own universal healthcare system.

I am calling for my leaders to be America First. With the long, long history of poverty here, I feel it necessary to say that we cannot walk and chew gum at the same time. And so now I am calling on you, my leaders, to advocate for me and the rest of the constituents by bringing us the proper resources we need. And when they ask you how you pay for it, you tell them the next \$18 billion we are going to send to Israel.

Because Israel may be your friend, may be some people's friends in here. But I am your Middletown family. I was born here, I was raised here. I worked at the homeless shelter. I did the 311 calls. We don't have resources. So

don't tell me you don't have the muster to stand up and say hey, listen, we need this for our community.

If two rivaling factions in town were having a deadly dispute, the state's first motion would be de-arming them. Because you cannot have peace if they're still shooting.

But this simple truth is harder than you make it for death and atrocity in your area, the easier peace can be. That is basic sociology.

I've worked with grassroots organization and we tried to get rid of --

PRESIDENT J. MIGUEL RODRIGUES: Your time is up.

MAN: -- state and federal officials, but they will say the same thing --

PRESIDENT J. MIGUEL RODRIGUES: Your time is up.

MAN: -- our efforts have to start at the local level.

AMANDA CRUMP: Good evening, councilmembers. My name is Amanda Crump. I live in the Fourth Ward in Middletown.

Tonight we have heard the Council's

concerns and we are making an effort to appease you and work with you. We do not want to cause any tension and we hope that our actions tonight will open the door to have a broader conversation.

We appreciate your efforts in consistently dealing with Middletown business matters and we have no intentions of disrupting your meetings. We simply ask of you to please send a strong statement to our government officials calling for a ceasefire and recognizing that Palestinian and Jewish lives matter.

Many people that are coming from other towns are Jewish and Palestinians that are deeply connected to this issue and want to share their insight and their stories with you, and quite a few are coming from cities that have already passed these resolutions, which is why they want to help us pass one in our city.

We will continue to reach out and to approach our representatives like James Skoufis, Pat Ryan, Kathy Hochul, to name a few, to do what they can to speak up for Palestinian lives.

We come to you because we have the privilege to come and speak to you and request a

statement on behalf of our city. We really hope to work together and to continue to be able to appease you.

I pray that we can mutually respect each other and have a conversation about what can go into the resolution.

Following this meeting, we will be reaching out to each of you and hope to work together so that Middletown can be a light in the darkness. Please pay attention to international law and understand that in the future, the American government will not be able to get away with this. You will have a chance -- you have a chance to be the heroes when people above you, quite frankly, don't have the guts to stand up and instead accept money from Israeli lobbyists like APAC.

Thank you again for giving us the space to speak, and we look forward to speaking to each of you.

ELLIOT DUPREY: Good evening, Council members, Mayor. My name is Elliot Duprey. I am from the Fourth Ward, Middletown resident.

And I'm here because I am appalled that we have to go through all of this all the time to

et a ceasefire. I am going to read this because it was given to me and I'm going to follow the rules.

By passing a ceasefire resolution, it sends a powerful message that the City of Middletown stands for the dignity, the wellbeing, and preservation of human life.

By advocating for the protection of innocent civilians, this council will demonstrate compassion and a commitment to global justice and alignment with universal human rights principles regardless of one's religion or nationality.

We absolutely cannot ignore the suffering of innocent civilians in Gaza, Lebanon, and Israel. The violence we are witnessing every day generates strong emotions and differing opinions within our own community.

Many people here have personal ties to Gaza and Israel or are deeply affected by the ongoing violence. Passing a ceasefire resolution, which is needed, can serve as a unifying act and help alleviate tensions, creating a sense in solidarity within the community where residents of different backgrounds can rally around a common value,

peace.

You as local leaders can help Middletown stand as a beacon of hope and lead by example. Show that peace begins with the actions of individuals and local communities which can inspire other communities to join a calling for peace and build momentum for international efforts. Moral leadership is essential in times of crisis. And while we are not experts on foreign policy and cannot solve all the world's problems, we can stand on the side of justice and humanity by aligning ourselves with the principles of international humanitarian law.

A ceasefire resolution is not simply a political decision, it is a statement of humanity. Be sure that the choices we make today shapes the world we leave behind for future generations.

By passing a ceasefire resolution, it benefits this Council by positioning it as a leader and advocate for global peace efforts, reinforcing our values.

There's a little bit more, but my time is up. Thank you for listening.

BEN SURFACE: Good evening, Council.

My name is Ben Surface. I am the supervising attorney for the Hudson Valley Justice Center. We serve Orange County and throughout the Mid-Hudson region. Specifically we practice in Middletown City Court representing tenants facing eviction.

I am here today to encourage the City of Middletown to join in the growing number of villages, towns and cities throughout the state who have opted into the Good Cause Eviction Law.

I've had the opportunity to exchange some communication with the Mayor, and I know that this is something that the Council is considering. So I am here today to not only voice my support for moving that process forward and bringing a bill to the council, but to specifically rise in support of drafting the strongest version of the bill possible.

Across the state as towns and municipalities have opted in, every single town that has chosen to opt into this law has defined a small landlord as a landlord who owns more than one residential rental unit.

The significance of this definition of a small landlord is that it makes it so that

tenants don't have to worry about their landlords using LLC loopholes to avoid coverage under this law. One thing we see already in housing court across Orange County, whether it's in the City of Middletown or City of Newburgh and into Dutchess County is that landlords' common practice regardless of this law will own their properties under separate LLCs. In New York State there is no publicly-available database to look up LLC ownership, making it almost impossible for particularly pro se tenants to know whether their landlord, the LLC that owns their building, is owned by somebody that also happens to be a member of another LLC.

So setting the small landlord definition above one creates a loophole through which existing corporate landlords and landlords who are interested in avoiding coverage under the law can exploit this loophole to avoid providing the protections to their tenants.

I'll just take the last bit of my time to add some anecdotes here.

So our office represents tenants in City of Middletown Court. We are here multiple days every week. And sometimes when people think

about eviction, they think it's nonpayment of rent, it's the tenants who are breaking the lease. What I want to make clear to you is that every week we see tenants who are being evicted for what we call a no-cause holdover; a landlord has given them a 30-day notice or a 60-day notice or a 90-day notice in which they have not alleged any violation of the lease, any unpaid rent. Under the current status quo of the law, that tenant has no defenses against eviction. So while they have abided by the least, paid the rent, they are still subject to housing instability even though they've done everything they could to be a good tenant.

And so this law puts a very mild level of regulation on landlords to make sure that those kind of evictions can't happen and to keep the rent increases that tenants are forced to bear within a reasonable threshold.

So I look forward to working with the council in the future to answer any questions you may have. And my colleague is here to add some more information. Thank you.

Good evening --

PRESIDENT J. MIGUEL RODRIGUES: Hold on

a second. Go ahead, Alderman Johnson.

ALDERMAN PAUL JOHNSON: I just would like to as a point of information to the speaker, I think we're on record as of the last meeting that we acknowledge the one unit. We acknowledge the LLCs. We are in correspondence with the organization. Everything you just said is already in our databank. We know how many hundreds there were. We're waiting to just aggregate how many were good cause and how many were just nonpayment.

So I just want it to be clear, we are ahead of this curve. And to say it every week or every other week, it's getting a little bit frustrating because we're on record that we're doing this. The administration is showing I think -- and I think the Council agrees -- due diligence in looking at the facts of the case as it were. And what are the pitfalls of various types of laws. But we got the one unit. I said this last week. We got the one unit, we got the LLC. Everything you said is knowledge to this Council. I just want it to be clear that you know that. Thanks.

PRESIDENT J. MIGUEL RODRIGUES: Go

ahead. Sorry about that.

ALLIE DENTINGER: Good evening, Council. Thank you so much for hearing our remarks and engaging not only with these housing issues, but our organization. My name is Allie Dentinger. I work for the Hudson Valley Justice Center.

Echoing and building off of what Ben said, I currently represent tenants primarily in Dutchess County. And I just want to tell a couple of stories of tenants that have good cause and tenants that don't.

So one of the things that's near and dear to my heart is repair issues. Up until 2024, tenants actually could not take their landlord to court if they were having a repair issue despite the Warranty of Habitability being the law of the land for decades in New York State. It's been a right down in New York City for decades. And I don't know how many days into the year we are, but that's how many days we've had this right.

So I represented a tenant in southern Ulster County who had a fire a few units over from his. It knocked out his electric. And we

were able to through the court process get it on. He got a rent refund for the month he was displaced. And I lay in bed at night and I think about this tenant. Because there's nothing that protects him right now from the landlord doubling his rent.

So you wouldn't know that based on the data, based on the observations that I have. There's no way to know that that's a good cause case when we get into the courts, when we pull apart the eviction filings. Because when his rent doubles because he complained about his conditions, he can't afford that.

And I'm going to tell you about a tenant in eastern Dutchess that I represent right now. And her landlord and her are just in a mess. There is absolutely disgusting mold in this bathroom. And the tenant started withholding rent, which is her right under the law. And she is entitled to an abatement of that rent and a repair. But what the landlord has already said through her attorney to us is that we're going to terminate that lease. So she's going to pay all this money. She's disabled. She has nowhere to go. This was intending to be

a forever apartment for her, at least for a long time.

But then I want to tell you about a tenant that I repped with some paperwork today that I filed today that hopefully will be in court later in the week. She lives in a jurisdiction with good cause eviction, a building with three units. And since last Wednesday, I kid you not, she has had no heat or hot water. Take that in. Okay?

So we filed -- and I did it fearlessly for her. And she was fearless about it because she knows that the landlord cannot turn around and terminate that tenancy for no reason. And I got to look her in the eyes and say I've got your back, the law has your back, and the council has your back by passing this protection.

So I guess I would just say there isn't going to be perfect data I think that's going to reflect what you want to see. I think that number are numbers, but stories are stories. And I would just encourage this Council to note that for every day that passes, more and more tenants are receiving increases, receiving terminations. Rochester tonight actually opted in as well with

the single unit.

And also, thanks to our wonderful office manager, I have some flyers for our office. One side is English, one side is Spanish. There's some know your rights. Please take a few, give them to your constituents. If you're a tenant, you know a tenant, you love a tenant, please take some. If I can leave them on the table up here?

PRESIDENT J. MIGUEL RODRIGUES: Sure.

ALLIE DENTINGER: Thank you so much.

ERIN CROSS: Good evening. My name is Erin Cross, Second Ward resident. And I am a proud Jewish member of the Middletown community.

For months I have watched common council meeting after meeting be hijacked by groups, some whose members aren't even Middletown residents, spreading blood libel and misinformation disguised as wanting a true ceasefire to the Israel-Gaza conflict.

While I commend the idea of a peaceful resolution to the conflict, I have yet to hear any Rally Middletown speaker or supporter mention a single word about innocent Israelis kidnapped and brutally murdered or the hostages that have

been treated savagely -- and savage is an understatement -- simply because they were Israeli or Jewish. They were taken captive by a terrorist group, Hamas, on October 7th, 2023. Nor have I heard any of them hold Hamas accountable for their savage actions, including rape and torture, yet condemn Israel for defending themselves and their people. This is an injustice to humanity.

The fact is there was a ceasefire right up until the moment Hamas terrorists entered the kibbutzim and the Nova Music Festival, murdering over 1,200 innocent Israelis.

Make no mistake; war is bloody. The war was not one that Israel asked for or started.

I actually heard a gentleman at the last meeting on December 3rd, 2024 refer to Hezbollah, a Lebanese jihadist group, as the party of God. Check it. The time marker is one hour, 42 minutes and eight seconds. Which was just today designated a terrorist organization by Switzerland. And just today a grave of over 100,000 victims of Assad was discovered. Where was your outrage then? Nope. Just Israel.

I didn't respond to you, so please

don't respond to me.

PRESIDENT J. MIGUEL RODRIGUES: Let her speak. Point of order.

ERIN CROSS: On October 7th, my cousin was serving in the IDF as this massacre unfolded. Other cousins residing in Israel today feared for their lives that day and continue to do so. And another cousin whose stepsister's friends were murdered at the Nova Music Festival.

Beyond the fact that it has been brought up week after week by the Common Council that a ceasefire is a federal issue, not a local issue, I speak for myself and my family that as a Jew who grew up and continued to reside in Middletown, was a member of Temple Sinai and am now raising my child in the Jewish faith. In this community, I will not stay silent.

Thank you, Mayor DeStefano, Common Council President Rodrigues, and fellow council members, for week after week discerning fact from fiction, reiterating that this group and speakers are here just for the publicity of a televised council meeting, and for your unwavering support of the Jewish community.

WOMAN: Okay. Thank you for the

opportunity to speak today. My name is (indiscernible), a proud Palestinian-American mother and a member of the Orange County community. I have children attending Middletown College and many of the attendees here today have been to numerous city council meetings, but Middletown holds a special place in my heart as I spend a lot of time and resources here.

I stand before you today with a heavy heart compelled to share the story of Khaled Nabhan, a grandfather from Gaza who has often described his granddaughter as the soul of my soul. (indiscernible) speaks to the deepest bond, an intimate, unbreakable connection between loved ones. It's a way of saying that Reem, his granddaughter, wasn't just cherished; she was the essence of his being, the light of his life. He dedicated life to helping others in need, feeding starving children, offering hope in times of despair.

Last November, Reem, three years old, was killed by Israeli forces. As she laid lifeless in his arms, the grandfather whispered, "soul of my soul" to her. And just this Monday the grandfather, who spent his life spreading

love and hope, was also killed in the bombardment.

He is now among the countless innocent victims on the ongoing genocide. Reem and her grandfather's death are part of over 45,000 dead. 45,000 Palestinians have been killed with more than 106 other thousands wounded.

These lives, these human beings are not just thousands of miles away. In fact, Palestinians from Gaza are in New York, which brings me to Sarah, a courageous 18-year-old who was brought to New York to treat her severe burns that she sustained from a bomb struck by her home, killing her two brothers. 60 percent of her body -- 60 percent of her body was burned. And her dreams of finishing high school and going to college was shattered. I drove three hours to visit her, hoping to offer some comfort. But when I arrived, she didn't want to come out. She was too self-conscious about how she looked. And at that moment, I realized I had no right to be upset. Sarah's life and dreams were torn apart (indiscernible) from unimaginable grief and trauma. The United States is a hundred percent responsible for destroying her life and murdering

her family.

Today I stand before you to ask Middletown (indiscernible) council to call for an immediate ceasefire and an end to the violence and genocide in Gaza. And as a community we have the power to stand up for humanity. we have to raise our voices and demand for peace for the innocent children and families suffering every day.

Good evening, President Rodrigues, members of the Common Council, your honor the Mayor.

MAN: I just wish to address an issue that's of local interest that may be of interest as well to the members of our Common Council. I do commend Alderman Johnson and all of the members of this body for being proactive in your leadership, whether it's been the issue of creating municipal ID. I know that Alderman Kleiner worked on for the eviction -- it's great to see that we have a legislative body here that's not reactive, but proactive when it comes to the concerns of our local community.

I want to address the issue of how we can fight the evil of cancer right here in our

backyards. This past year, one of our most interesting or colorful voices of Congress, Representative Sheila Jackson Lee (indiscernible). A native New Yorker by birth, Sheila Jackson Lee served 30 years with distinction on behalf of her Dallas district leading the fight against domestic violence, for criminal justice reform, and sponsored a law-making Juneteenth a holiday, a celebration that's very dear to our Middletown community.

And on June the 2nd, 2024, Congresswoman Jackson Lee revealed that she will be undergoing treatment for pancreatic cancer. And within little over a month, July 19th, 2024 she was gone, testament to how this tragic disease respects neither age, title, or influence. When it comes to the battle against cancer, we are all in it together.

President Biden pledged to dedicate his presidency and greater federal funding to the fight against cancer. In the meantime, there's much we could do here at the local level. And I would encourage our municipal government in collaboration with our local medical community to see whether we could bring to some of our local

community events, whether it be the farmer's market, community fairs. Sometimes the local hospitals and medical organizations do have mobile units that bring free testing for different kinds of cancer. And we could bring that here to our community for these special occasions that we have, especially during the summer months, we could very well help save lives, making our community a lifesaver community. And I think a lot of these services are free of charge. And I think working together we can make a difference and save many of our residents through prevention and education.

So I do encourage our legislative body and our mayor, whose leadership has always made a great difference for our city, to look into this and hopefully we could take a bite out of the evil of cancer right here in our backyard. Thank you.

WOMAN: Good evening. "Give me your tired, your poor, your huddled masses yearning to be free, to breathe free, the wretched refuse of your teeming shore. Send these, the homeless, tempests tossed to me. I lift my lamp beside the golden door." These words are written on the

Statue of Liberty. Give me your tired, your poor, your huddled masses.

Council, I want to thank you for listening to your residents. Because you're civil servants, you're public servants, you serve your community. So it is your job to listen to these residents as many times as they come about the same issue over and over again. You signed up for these jobs. You ran campaigns. Do you get paid as well? Thank you for listening. I hope that you continue to listen.

And specifically want to thank Mr. Kleiner, Mr. Witt, Mr. Masi, Mr. Rodrigues, Mr. McCormack, Mr. Tobin, Mr. Jean-Francois, and Mr. Johnson for giving these people your full attention and not being on your phones. Thank you for listening to these people. Thank you for serving your community.

Oh, and thank you, Mayor, because you also weren't on your phone this time. Oh. that's a really wild thing to admit. But thank you.

So ultimately , you know, I am a social worker. I work with unaccompanied youth who cross the southern border. These kids are

escaping some of the worst trauma you can imagine. Some of the kids that I work with are from the southwest Asia and north Africa region, including countries like Afghanistan and Egypt. Everybody is suffering worldwide. And it's at the hands of the U.S. And I know you watch the news and I know you're informed about what's going on. And I know you see people crying.

Let me say something. Nobody deserves to be mourning the loss of their loved ones. That also means that every human life is valued the same. I hope that you all believe and understand that one Israeli life is not equal to 10,000 Palestinian lives. Please listen to your constituents. Please continue to be the global citizens that you are. Again, I see that Ukrainian flag in that hallway. You do get involved in global issues, especially when it's about democracy, about human rights, about serving your people. Serve your people. Have a meeting to talk about this resolution. Look at what other municipalities have done. Dedicate the time. Because they aren't going away. You aren't, either. Talk. Be a model of the kind of civility that we need right now. Thank you.

WOMAN: Good evening. My name is (indiscernible). I am a proud Middletown graduate. I'm also a citizen of Middletown in the third ward. Thank you, Alderman Johnson and thank you, Alderwoman Wray.

I just want to speak on the frustration of going to these meetings and understanding that yes, we do have a humanitarian crisis. And I do want to apologize in advance, this isn't necessarily an address to address the Common Council, it is to address the public that speaks on these issues. But this is a humanitarian crisis on both sides, might I add. But this is not an issue for the City of Middletown. Middletown cannot do anything about these issues.

I am a student studying political science and international relations. And let me tell you, you are supposed to go to your congressman for these issues. You are supposed to go to your senator. The City of Middletown is not going to be able to make any kind of significant difference in the outcome of the humanitarian crisis in Gaza. Those issues lie with higher power. You cannot come and berate our councilmen and single out people on our

council and claim to be here respectfully.

And also I would like to note the hypocrisy of only talking about one side of this issue and also denying other humanitarian crises. To speak about the crises in Syria and other nations not being equivalent? How dare we compare killing and murder and genocide? That is absolutely egregious.

And let me reiterate if you have these issues, go to your congressman. Go to your senator. It does not lie with the City of Middletown.

And to now address the Common Council. Thank you for your patience and thank you for giving me a platform.

PRESIDENT J. MIGUEL RODRIGUES: And congratulations on your 4.0. Mayor?

MAYOR JOSEPH DESTEFANO: Maria, can you go to the second set of slides?

This document -- well first let me just comment on the ridiculousness of this being the ninth meeting. and again, I think it's within the power of the Common Council to do what other communities have done when people abuse the process, that people at home -- some people have

come to our meetings and had to leave early that were looking to conduct Middletown business, which the Middleton Common Council should be doing, have not been able to stay because people work, people have other responsibilities and have had to sit here for nine meetings in a row and listen to people tell us that we're not listening to our constituents. Our 30,000-plus constituents, by the way, are not represented by the handful of Middletown residents that come here along with the numerous people from Beacon, Chester, Monroe. My friend from Bloomingburg is here tonight, but he didn't speak, thankfully.

To be said that we are ignoring suffering, that what they're doing is a unifying act, I don't find it very unifying, especially since I think at the last count was over 7,500 emails that we have received in opposition to what this group is requesting and that we will be forwarding to them upon their request through a Freedom of Information request.

That they are appalled by the lack of action, that -- that we lack resources for homelessness. How does anybody with any knowledge of the City of Middletown whatsoever --

and I think he said he was a lifelong resident who volunteered -- have the nerve to come up here and say that we are not doing enough for the homeless. Middletown is the home to the homeless shelter of the county at the former psychiatric center grounds.

We are also a community that supports and funds the warming center in a city-owned building. It is such nonsense to hear this group of people come up over and over and over, begin the whole process with lies, and then when they're confronted, each time they're confronted, they double down on lies. I think the first speaker tonight I think once again has represented themselves to be a Middletown resident. He is not a Middletown resident. Don't come up here and say you're a Middletown resident.

MAN: I've been to his house.

MAYOR JOSEPH DESTEFANO: You're not a Middletown resident.

PRESIDENT J. MIGUEL RODRIGUES: Point of order.

MAN: Point of order now. Point of order now.

MAYOR JOSEPH DESTEFANO: Let's go forward to why do these people come here in such a "unifying" way? Because they didn't have the brains last time to take all their documents with them.

At the last meeting in the back of the room on the chair was this little document that you see up on the screen. And what this document read -- well, on the right is the -- there you go, Maria, right there. It reads -- these are the instructions that they are given and handed out prior to coming into our Common Council meetings.

December 3rd, 2024 Middletown City Council meeting. So they're just meeting here. All these interested Middletown area residents are just meeting here by chance.

Important, please prioritize Middletown residents speaking first in case public comment is shut down early. Important, if you live in Middletown, be sure to say that when introducing yourself to the Council. If you don't live in Middletown -- here is the interesting part -- connect yourself in some way. How many times have we heard that? I go shopping at Wal-Mart,

my kids go to college, I do this, I do that.
 It's all part of the act. And the act is because
 of that TV camera right up there. How you shop,
 you work here, you were born here, have family
 here. Well, so do we. So do the people at home,
 so do the people who have business to conduct for
 the City of Middletown.

They opened again with a lie. The lie
 is that this is an orchestrated event nationally.
 Not locally, nationally, by the Democratic
 Socialists of America. This is the draft
 resolution --

MAN: Are you kidding me --

MAYOR JOSEPH DESTEFANO: -- that was
 sent to me -- are we going to have order?

MAN: You're going to (indiscernible) -
 -

PRESIDENT J. MIGUEL RODRIGUES: Point
 of order. Point of order. Point of order.

MAN: (indiscernible).

PRESIDENT J. MIGUEL RODRIGUES: Point
 of order.

MAYOR JOSEPH DESTEFANO: Are we ready?
 Okay.

The Democratic Socialists of America,

they were again not bright enough to not send out this email that came to me with the exact resolution and directions on how to approach communities like Middletown. Many of them haven't even been to their own communities. But when they were confronted -- when they were -- could you please bring order to this audience here, please?

PRESIDENT J. MIGUEL RODRIGUES: You need to stop talking. We didn't interrupt you. Please stop talking. Point of order.

[OVERLAPPING SPEAKERS]

PRESIDENT J. MIGUEL RODRIGUES: Point of order.

ALDERMAN PAUL JOHNSON: Clear the room.

MAYOR JOSEPH DESTEFANO: This was an orchestrated event. They came to their first two meetings and lied. They continue to lie. They send out directions on how to come here and what to do. And it's all with the intent to hijack these common council meetings, to bring attention to an issue that has nothing to do with the City of Middletown.

We all have our individual opinions about foreign policy. I've said over and over

why the Ukrainian flag is down there, and I'm not going to say it again. But I don't have to defend myself to these people that come in here and try to take control of city business when we're elected to do city business.

I have people that are at home now I wanted to talk a little bit about tonight, about the no parking for the snow emergency, the snow alert the other night and which we gave out about 25 tickets. So people should be aware that we are now issuing tickets if you're not going to follow the snow alerts and to encourage people to sign up for the snow alert.

I wanted to talk about the 11 King Street, that we're closing on that this week with a developer that's going to build 15 apartments. Hopefully 20 percent of them or maybe more affordable under the state guidelines. We wanted to talk about the purchase of the M & NJ Rail Station, an economic development project that is on the corner of Railroad and East Main Street. Things that people in Middletown want to know. We want to talk about the Paramount Theater, the successful shows that we've been having. The holiday season, the shows that have been

happening at the Paramount Theater. Instead, we have people surrounding the downtown Christmas tree altering the lyrics to holiday and Christmas music to play their little game and come here and entertain, which they are trying to do on the television camera.

I once again call upon the Council to consider doing what other communities have done -- this is not being bullied -- that you have issues on the agenda of the City of Middletown. And I think their advocate, Mr. Kleiner, has even spoken in favor of this. If it's an agenda item for the meeting, feel free to speak on it prior to the votes. If it's a non-agenda item like this issue is that is tying up meetings week after week after week, and as they said tonight will continue to tie up meetings week after week after week, then we have an obligation to the residents of the City of Middletown to push that speech to the end of the meeting so that people at home if they so choose can turn off the television, change the channel, do whatever they like. But at least they got their money's worth and our local elected officials and had their issues addressed. They know if their taxes are

going up, their taxes are going down, services are being provided, and answers to the questions that they ask. And that is our responsibility.

You have an issue with Pat Ryan? Call Pat Ryan, call Chuck Schumer, call Gillibrand. Send your letters to the White House, protest all you want on the corner of Carpenter Avenue and -- not Carpenter, 211 and whatever the hell the name of the street is. I don't know my Wallkill that much. I'm like the Bloomingburg guy, right? I'm getting a little confused.

But the idea is these people aren't Middletown. Middletown people are the 30,000-plus people that are out here. Those are the people that are calling Masi, Witt -- I don't know if they're calling Kleiner. I'm sure you're hearing from them. All of you. They're calling me. They're sending letters, emails to us. They're telling us stop this nonsense. And I hope that Council will stop the nonsense. Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Okay.
Remarks of department heads. Economic
Development.

MARIA BRUNI: Good evening, everyone.

I'm just going to touch upon -- yes, we've been having a lot of successful shows at the Paramount, a great Christmas season in our city and our downtown. And this weekend we have a few other great events. Movie, a Christmas Story, How the Grinch Stole Christmas, Christmas with the New York Tenors. So MiddletownParamount.com. Check us out. See what's going on as we wrap up our holiday season. And I just want to wish everyone merry Christmas, happy holidays.

And oh, Menorah lighting Sunday, December 29th. Right at Run4Downtown Park, and that's going to be at 5:00. This is in conjunction with Temple Sinai. So I hope to see you guys there. I'll send out the reminders we've already posted. And that's all I have for this evening.

PRESIDENT J. MIGUEL RODRIGUES: Any questions for Maria? Thank you.

MARIA BRUNI: Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Thank you, Maria. DPW Commissioner?

JACOB TAWIL: Good afternoon, Common Council, Mayor.

The reservoir levels, as you know, we

still consider ourselves in a drought condition. We are at 84 percent. We've been pumping nonstop from our emergency sources and we were able to bring the storage from 71 percent to 84 right now, obviously with the rain helping as well as the pumping. The pumping is quite an expensive operation. We have to man the pump. It's a huge diesel pump and it has to be manned 24 hours a day whenever we have water to pump because we have to maintain minimum outflow from the stream that we are pumping from and so on. So it's expensive, but there is no price on water. Whatever water is worth, whatever you have to pay to get it.

The Mayor was going to talk about the city court. We signed the contracts today with the four contractors, the GC, the heating ventilation air conditioning, electrical and plumbing. Four contracts. So they are going to be starting the work by the end of this week and they are going to push forward throughout until the end of next year where they have to complete the project. Again, that's repurposing the federal courthouse to become two city courts within that building and the city courts will

move out of here and to move over to South Street.

Design work for the 24-inch finished water main. Replacement has started with Barton & Loguidice. Their design work for the replacement of the 24-inch (indiscernible) water line from (indiscernible) to Shawangunk has started as well. And that's going to be replaced by 36-inch pipe.

And that's all I have to report to you. If you have any questions for me?

PRESIDENT J. MIGUEL RODRIGUES: Any questions for Jacob? Alderman Kleiner?

ALDERMAN GERALD KLEINER: Thank you. Commissioner, I just want to thank you. I had to call you on a Saturday for an issue with the Y and the swimming pool draining and the neighbors. And you went over there right away. And so thank you very much for that.

JACOB TAWIL: Thank you. Thank you.

PRESIDENT J. MIGUEL RODRIGUES:
Alderman Tobin?

ALDERMAN SPARROW TOBIN: Just to remind the public, you can put out two bins after the holidays, right? If you have garbage and your

recycling bin?

JACOB TAWIL: Yes. After -- yes.

After Christmas you can use recycling blue cart and you can put municipal -- solid waste. You can put garbage in there. Just after Christmas for that one time.

Right, Mayor? We are still doing that, right?

PRESIDENT J. MIGUEL RODRIGUES: Okay.

Thank you, Jacob.

JACOB TAWIL: Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Police chief?

POLICE CHIEF JOHN EWANCIW: Good evening. Just to expand on the Mayor's comments about parking, the overnight parking. We did enforce it this last snowstorm.

Additionally, we continue enforcement into the daytime hours for the vehicles that were left parked on the road that interfered with the snow removal. So just as a reminder. It's not just the overnight parking during the winter events, it's removing the vehicles from the road during the daytime to allow snow removal as well. Otherwise, it creates havoc and you get

complaints. You call us that you want us to do something as cars are snowed in and plowed in and whatnot.

Yesterday unfortunately we dealt with a shots fired incident on a snow day. But the good part is that the members of the Middletown Police Department did an amazing job. Within a few moments of the incident had three individuals in custody, three juveniles, and recovered two illegally-possessed handguns.

The dedication and the work that went into yesterday's event, outstanding by my staff. Just a collaboration, the knowledge, and the willingness and drive to really push forward and find these individuals very quickly. So very proud of them. They've done a great job with that as they've done in the last several incidents that were very similar.

So those three people have been charged appropriately and we'll see what happens from here with that situation. Thank God no one was injured. We are very fortunate with that once again.

We held a leadership academy graduation here in this room last Tuesday evening. It was

an amazing event. Sergeant Welch once again outstanding job. She shines in the job that she does. She connects with the youth, connects with the community. Does some really amazing work. And I appreciate the support from the council. I know some of you attended and have attended ones in the past. And we definitely appreciate that partnership and that commitment and support.

Assemblywoman Gunther, I know she left. But just wanted to publicly thank her for all the support that she has provided us as the Middletown Police Department and as the Orange County Police Chief's Association. She has been nothing but gracious to us as well during her tenure.

And then I would just like to thank the Council for all of your support throughout the year. You're always there for us. You support the things that we would like to implement, the programs that we start with both publicly supporting us, financially supporting us. So we greatly appreciate it. We could not be as successful as we are without your support. So thank you for that.

I just want to wish everyone a merry

Christmas and a happy new year. And do you have anything for me?

PRESIDENT J. MIGUEL RODRIGUES: Any questions for the chief?

POLICE CHIEF JOHN EWANCIW: Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Chief, the 25 tickets, was all that day and night?

POLICE CHIEF JOHN EWANCIW: No. 25 was just the overnight. We continued during the day once we realized that there were still some cars that were not adjusted and were being plowed around and covered in snow still.

PRESIDENT J. MIGUEL RODRIGUES: Okay, thank you.

POLICE CHIEF JOHN EWANCIW: You're welcome.

Superintendent of Recreation.

RAELYNN BERTHOLF: Good evening, everyone. Just wanted to thank Assemblywoman Aileen Gunther for all that she has done for the recreation department and securing all the funds. And we are definitely looking forward to the splash pad and getting that project moving. And I'm really excited about the December 17th, making it a paid day off for city workers. Thank

you, Mayor.

PRESIDENT J. MIGUEL RODRIGUES: You get one dollar.

RAELYNN BERTHOLF: Keep an eye out for the ice skating rink. We have lots of winter events and activities going on at the ice-skating rink. We just had a great candy cane hunt and an opportunity for -- Santa visited and doing family photos there. So definitely keep an eye out for more events throughout the winter there at the ice-skating rink. Any questions?

PRESIDENT J. MIGUEL RODRIGUES: Any questions? All right. Thank you.

RAELYNN BERTHOLF: Thank you.

PRESIDENT J. MIGUEL RODRIGUES: City Clerk?

CITY CLERK RICHARD MCCORMACK: Good evening. I just want to take this opportunity to thank several people who joined us at the Mayor's Youth Council last week. We were taking a focus last week on owning and running your own business here in the City of Middletown and we were excited to welcome Juan from the Taco Factory, Vicki from ArtVicki Creations, and Fred Williams from Six West Barbershop. They came and they

spoke to our youth about the challenges and successes that are available when you own your own business. And I think it opened up some of our youth eyes to the sometimes not-so-glamorous world of owning your own business. So thank you guys for coming out.

I would also just like to ask the Council on your resolutions tonight, Resolution 275-24, we were hoping to have a letter from the Orange County Planning Department that would allow that to go forward this evening. It did not come through. So I am going to ask somebody from the Council to make a motion to table that at the appropriate time.

PRESIDENT J. MIGUEL RODRIGUES: Okay. And our regular meeting in January is going to move to the 7th. We're not doing it on the 2nd. So we'll be back on the 7th for council.

Any questions for the City Clerk? All right.

Public hearings and grievances.

CITY CLERK RICHARD MCCORMACK: Good evening. We have a public hearing this evening. Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday,

December 17th, 2024 on or as near 7:30 p.m. as possible in the common council chambers at 16 James Street to hear any and all persons wishing to be heard on the proposed zoning amendment to Chapter 475, creating a new section 475-27.1 of the General Regulations which adopt a minimum square footage for all new single-family dwellings constructed in the City of Middletown.

Any and all persons wishing to be heard will be given the opportunity to speak either for or against the proposed zoning amendment. The complete proposed zoning amendment is available in the office of the Common Council Clerk, City Hall at 16 James Street, Room 12, and on our city's website. By order of the Common Council (indiscernible).

PRESIDENT J. MIGUEL RODRIGUES: Okay.
At this time the public hearing is open.

Jacob, is there anything to add?

JACOB TAWIL: No. Just to clarify, it's requiring the minimum size of a single-family dwelling to be 1,200 square feet because many times at the Building Department we get hit with I want to build something 800 square feet, a thousand square feet. And we don't have anything

in our code to specify the minimum size. So this one specifies it and it will be even for everybody.

PRESIDENT J. MIGUEL RODRIGUES: All right. Anyone who would like to talk about this? Any council member?

Motion to close?

ALDERMAN JOSEPH MASI: So moved.

PRESIDENT J. MIGUEL RODRIGUES: Motion by Masi, seconded by Alderman Wray. All in favor?

(Members respond)

PRESIDENT J. MIGUEL RODRIGUES: All right. Another public hearing.

CITY CLERK RICHARD MCCORMACK: Good evening. Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, December 17th, 2024 on or as near to 7:30 p.m. as possible in the Common Council Chambers, 16 James Street, to hear any and all persons wishing to be heard on three proposed two-lot subdivisions at 166-178 Seward Avenue, 57-67 Dorothea Dix Drive, and 122 Dorothea Dix Drive and 15 Ashley Avenue.

Any and all persons wishing to be heard will be given the opportunity to speak for or

against the proposed subdivisions. The complete proposed application and map of the property for the subdivisions are available in the Office of the Common Council Cler, 16 James Street, and on the city website by order of the Common Council.

PRESIDENT J. MIGUEL RODRIGUES: At this time the public hearing is now open. Do we have anybody that wants to brief us why are we doing the subdivision?

MAYOR JOSEPH DESTEFANO: This is the properties that were acquired from the State of New York. The subdivision at this point will be lower entrance to Mohagen. You go in, there are two large homes there. They are in pretty bad condition. We are subdividing them, splitting them up so we will be able to put them out for requests for concepts and proposals for those two.

The other would be the Kleiner building and Tuckerman building and the powerhouse and the 54 building which is behind the nurse's quarters. We are going to be keeping the 54 building with the property behind it. Kleiner building will go with the property that goes down the hill, down - - I think it's Dorothea Dix. I'm pretty sure it

is. And then the Tuckerman building will also be freestanding and the power plant will be freestanding with some property behind it.

So the power plant will be retained by the city. That is the most difficult property for redevelopment. Our plans are to transfer Tuckerman and Kleiner, of course with your approval, to the Fei Tian College for college purposes. And the 54 building at some point -- we haven't put together a development plan -- will be out for a request for proposals and concepts again and for sale. And then future changes will also be including the Emma Street warehouse building. The city is retaining some of the garages. We have already begun renovating them for police, storage for fire, police, and also other emergency service-related activities on the campus.

So that's what we are proposing. I'm sure at some point you -- not sure, you will have a vote on whether these properties are transferred to Fei Tian. Hopefully they will be. I think we've seen the job they have done with the other properties that were transferred to them with development goals. And so that's it in

a nutshell unless you have any questions.

PRESIDENT J. MIGUEL RODRIGUES: When they're transferred, they'll have timelines, correct?

MAYOR JOSEPH DESTEFANO: Yes. Well, that's not part of this, but yes, they will have development goals put in place similar to what we did with 84 Dorothea Dix. I don't know if anybody has been into that building lately, but that was a building that 10, 15 years ago we thought we were going to have to tear down. And the building is beautiful. Along with Woodman Hall, the former nurse's quarters, et cetera.

PRESIDENT J. MIGUEL RODRIGUES:
Alderman Witt?

ALDERMAN KEVIN WITT: Forgive me if this was out there. The two properties you mentioned on Monhagen, are they the two properties below where the fence goes back in there? Is that part of this?

MAYOR JOSEPH DESTEFANO: No. it's the first entrance off of Monhagen. You'll bear left as you go in. You can bear left or you can --

ALDERMAN KEVIN WITT: Okay. Okay.

MAYOR JOSEPH DESTEFANO: Yeah. And

then you have a house there that's privately owned. I believe that might still be RSS. Yeah.

ALDERMAN KEVIN WITT: Okay. It's not the four -- either the four that are in the front --

MAYOR JOSEPH DESTEFANO: No, no. It doesn't front Monhagen. They front Seward I believe is the name of the street.

ALDERMAN KEVIN WITT: All right. Thank you. Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Those two vacant homes.

MAYOR JOSEPH DESTEFANO: Correct. Correct. They are in pretty bad shape. Jacob did do an evaluation on them. We believe they are structurally sound. They do require a lot of work. And the zoning up there is light industrial in some parts and primarily commercial and office redevelopment, educational. But that will be addressed when we do the requests for concepts and proposals.

PRESIDENT J. MIGUEL RODRIGUES: Okay. Anyone else? Any council members? May I have a motion to close?

ALDERMAN JOSEPH MASI: So moved.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Masi. Do I have a second?

ALDERWOMAN KATE WRAY: Second

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Wray. All in favor?

(Members respond)

PRESIDENT J. MIGUEL RODRIGUES: All right. Petitions and complaints, remarks of aldermen.

Alderman Tobin?

ALDERMAN SPARROW TOBIN: I would just like to congratulate Assemblywoman Gunther in retirement. She has really been transformative to the City. All the projects that she has shepherded through and worked on to help us out.

I also know it's not just Middletown. She helped Sullivan County out a lot. And in the mental health field she has been tremendously transformative. And also in nursing she helped pass through the Safe Staffing bill that limits the ratios of nurses to maximum amounts in hospitals so they don't get overworked. She also -- Safe Handling bill. Nurses get actually hurt more on the job than construction workers because they have to handle dead weight of bodies and

they are more likely to get injured. So you need safe staffing ratios and safe handling. And she has been a champion of that. So she has been all around a tremendous legislator and we are lucky to have her.

And I would just like to wish everybody happy holidays, merry Christmas, happy new year, happy Hannukah.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Nothing this evening.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Johnson?

ALDERMAN PAUL JOHNSON: Sure. So there is a thing with people who like birds and they put up bird feeders. And they would like the birds to eat the food that they put in the bird feeder. And if you go on YouTube or on Facebook, there's lots of devices to keep squirrels from coming up and eating the food out of the bird feeder.

Now, it doesn't necessarily mean that the bird people don't like the squirrel people, but they find them to be a little bit of a

nuisance and they would like to preserve the bird food for the target audience for which the food was purchased. Hold that thought.

I would also like to talk to the residents of the Third Ward, best ward. Earlier this evening one of the speakers called my colleagues' diligence and job performance into question. The two of us have served here for approximately ten years, give or take. I think we have engendered the trust and confidence of the members of the Third Ward. We try to maintain their quality of life in the Third Ward in the City of Middletown. We have tried to represent their interests in the Third Ward in the City of Middletown. And we advocate for them when we think advocacy is necessary as in the case of the Orange Terrace project.

I stand behind my colleagues' job performance, due diligence, and dutifulness of purpose.

I would like to call into attention -- well, let's look at this from an anthropological point of view. Yes, there is a handout. I'm going to read the whole thing, Mayor, with all due respect.

"Important. Please prioritize Middletown residents speaking first in case public comment is shut down.

"Important. If you live in Middletown, be sure to say that when introducing yourself to the Council. If you don't live in Middletown, connect yourself in some way. How you shop, work, born, have family, et cetera.

"Important. Do not form a long line behind the first speaker. There should only be one to three people in line. Too many people at once causes the council to get overwhelmed."

I'm going to pause for a moment for some vocabulary.

One of the speakers earlier this evening in her remarks, I would say she is part of the leadership team, used the word appease twice. What's the definition of appease? Huh, to pacify or placate. What's the definition of placate? Make someone less angry or hostile.

I'm so glad that you think you need to appease me.

Back to the document. "Pick up an agenda sheet to your left so you know where you are, because you may be only here for the first

time. As you are walking into the chambers, you can see the format and the timeline. The bathroom is on the third floor to the right, the water fountain is located on the second floor in case you are coming here for the first time.

When you are speaking --

[OVERLAPPING SPEAKERS]

ALDERMAN PAUL JOHNSON: point of order, thank you very much.

MAN: (indiscernible).

ALDERMAN PAUL JOHNSON: When you are speaking -- who is the wise guy? Could you raise your hand? Thank you. I'm not surprised.

"When you are speaking, there is a three-minute timer on the wall to the left. Use this to gauge how much time you have left to speak so you don't get cut off.

This is exemplary of what we are dealing with.

"With the amount of people coming to speak, the meeting could take up to two hours. Don't feel obligated to stay if you need to get home to your family. However, you may want to stick around.

"The meeting is broadcast live on

Channel 20 and will be posted to the YouTube account in the next several days. The typical flow of the meeting is we get to speak, then the Mayor, then the Council. However, that may change tonight as the Council has considered restructuring the order of the meeting due to high turnout.

"Please do your best to remain silent during the meeting. Zionists may try to spread racist tropes as an attempt to cause chaos and shut down public comment. Remain calm and don't let it deter our movement."

And then there is a logo that says "Rally Middletown" on it.

So it seems to me -- and I just have my own opinion which I am entitled to apparently -- that the leadership has gone to the pied piper school of management. What do I mean by that? Well, they proudly state they have been here nine times, and they'll keep coming here. But they also say their mission is to raise public awareness to their cause.

There are 340 million people that live in the United States of America. So to the members of the Third Ward whom we are trying to

serve effectively, I would like you to join me in asking yourself why are we perseverating on eight people in one town in one county in one state and why are we being strongarmed that if you don't agree with us, we'll keep coming here and saying the same thing over and over and over again? Why is that? Is it because there is a camera? Is it because they're being told what to do? Do they need new leadership? Should they decide to look at 20 other municipalities in the County of Orange? Well, what is the goal? Is the goal to bring their cause to public awareness or is their goal to come to the same eight people every two weeks for nine meetings to say exactly the same things over and over again?

Why don't you write us and tell us what you think?

Thank you very much.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Wray.

ALDERWOMAN KATE WRAY: Good evening.

Well, to our speaker who so eloquently tried to call me out, (indiscernible) tried to explain to this Council what our job is, allow me to explain to you what our job is.

I was conducting city business as I sat here as you attempted to videotape me over my shoulder --

PRESIDENT J. MIGUEL RODRIGUES: You have to stop.

ALDERMAN PAUL JOHNSON: Point of order.

ALDERWOMAN KATE WRAY: -- by fielding the messages from my constituents as you approached the podium to once again take over their meeting. That is what I was responding to on my telephone; the anger of the people who live here in this city who have elected myself and Alderman Johnson to the role of aldermen of the Third Ward, and their frustration of not getting their information as they sit meeting after meeting and listen to the same thing again and again.

And to sit at this podium and say thank you for being respectful and listening to me when you yourselves have been disrespectful and rude at every meeting you have attended. Every person at that podium who does not agree with what you have to say, there is commentary, there is sniggering, there is laughter.

And then the Mayor speaks. The Mayor

of this city deserves the respect and time at that podium to speak uninterrupted without a peanut gallery of response - the same to every other alderman who has spoken -- when you don't wholeheartedly agree.

This is not what we are here to do. It is not our job to listen to the residents of (indiscernible) and Monroe and Orange County, which is our new format of not admitting that we don't live here in Middletown, to listen to what you have to say. Because the residents that I speak for, they are frustrated and they have had enough. And that is what is on my phone while I sit at this meeting week after week.

Last time you speak on how you keep coming in -- last meeting by the time we got to speak as a body, there were four of you left. Four. It was ten p.m. Everyone had gone home. Because you had gotten your camera time and you were done here and you left. So you're not here for city business. You're not here to find out what kind of business we're going to conduct at the end of the meeting. You're not here to see if you get that resolution you want; you're here because the cameras are on. Which is why we're

holding up our signs and taking our pictures.
This is -- enough is enough. We are not a free
PR place for your group. We are not. This is
where we conduct City of Middletown business.

And I am frustrated, and I will say it
with my whole chest. And you can try to
videotape my notes, you can read them and the
messages from my constituents. Enough is enough.

Your behavior in this chamber is
absolutely reprehensible and disrespectful to
everyone else in the room that's not with you.
How dare you come in here and act that way and
shake your finger at us and wag your finger at
how we behave?

This body responded to your request
months ago. We will not change our mind because
you continue to line up at that podium. Your
answer is your answer. And yes, you are being
petulant and yes, you are behaving like toddlers
because you're not getting the answer you want
and you're stomping your feet and yelling until
the answer has changed.

[OVERLAPPING SPEAKERS]

And we're still speaking while someone
else is speaking, again.

[OVERLAPPING SPEAKERS]

And here we go. So I'm done. So,
yeah. There's your answer. You've gotten it.

ALDERMAN PAUL JOHNSON: We're close to
out of control, Mr. President.

ALDERWOMAN KATE WRAY: Completely.

MAYOR JOSEPH DESTEFANO: Chief, we are
going to start -- if the comments keep
continuing, we're going to stop this. All right?
You're not going to be in here.

Chief, could we remove him?

ALDERMAN PAUL JOHNSON: Let's go.

PRESIDENT J. MIGUEL RODRIGUES: We'll
take a brief recess for remarks of aldermen.

I'm going to say for the record that I
wasn't for and I know last meeting I said I was
never going to vote for the change in our agenda.
And listening to this this evening, I had reached
out to the leaders or so-called one leader, one
of the leaders and promised that we're going to
have a peaceful meeting and only three Middletown
people were going to speak today. That's what
they promised. And obviously they did not hold
to their side.

I will ask tonight, Mr. Masi, to read

the resolution that we -- Masi and Richard prepared -- or Rick. Sorry. And Mr. Masi prepared. And we are not going to tolerate this anymore. This is the council chamber. I am going to request that a police officer stand outside the door. And when I say point of order and I point the order to that person, I want that person removed. I don't care what -- it's a public place meeting, but this is not fair to the residents of Middletown. It's not fair to our aldermen who have to go run in that room like we're doing a drill, like this is a drill of a threat. This is done tonight. And going forward in the new year we'll have a resolution that we are going to change our council meeting for the good of the City of Middletown.

So I'll go back to Mr. Kleiner for your remarks and then go back to Mr. Witt. Go ahead, Mr. Kleiner.

ALDERMAN GERALD KLEINER: Thank you. Yeah, I did bring up the idea I think it was three meetings ago when we talked about how the county did their meetings and where you address resolutions to begin with. But you have to sign up too to speak and then you address anything

that's a resolution. And you can sign up to speak after the meeting, but on other issues. But once the business of the meeting is done, then you could sign up to speak.

PRESIDENT J. MIGUEL RODRIGUES: When a resolution comes up, we want to put it down that they have to sign in, write down their address, write down whatever they want to talk about, we'll bring it up. We'll bring it up during resolution.

ALDERMAN JOSEPH MASI: Wait until I make the resolution.

ALDERMAN GERALD KLEINER: Yeah. We'll see. But the other thing on the final -- speaking either in the beginning or the end of the meeting is you could not repeat what someone else had said. If the point has already been made, then you can say I agree with that speaker, but then you sit down. You don't get to go on and on and on about the same thing.

So that's how the county has done it for many years. So I brought that up I think three meetings ago.

All right. My condolences to the Sabnis family. I had heard last meeting about

that, but until it was official that Ashok has passed. And so my condolences to Dr. Sabnis and the family.

I also want to thank Aileen Gunther. She has just been a remarkable representative in New York State no matter who the governor was. She has been there fighting for Middletown. So I congratulate her and I thank her. And I hope that all Paula Kay can continue to do what Aileen has done for so many years.

We went last Thursday to the Mulberry House Senior Center. They celebrated their 70th anniversary. The Mayor spoke very well. And Pam Hayes was a special guest and she spoke about the history of the senior center. I want to thank them for that. It was a very nice celebration and they really have expanded in their programs. It's really nice to be able to see that many people being involved and keeping active.

I don't know who will like this or not, but I want to congratulate Port Jervis for being state champs, football. And it tells you that -- you understand why we lost the Erie Bell game this year. We lost to the best in the state.

Gas prices are down again. But I

haven't seen that story yet in the Record. I keep looking.

And basically, you know, there was a story where Ireland had closed their embassy, Israel had closed their embassy in Dublin and Ireland. And they said it's because Ireland had crossed every red line. I found some really sardonic humor in that, in the idea of crossing red lines.

And I think that people who have come here are well-intentioned. And the rewritten resolution strongly denounces the October 7th, 2023 attack on Israel by Hamas and the loss of both Israeli and Palestinian lives. I think they are very frustrated. And this resolution if it were passed, it says in the end of the resolution that it be sent to the President, to Senator Schumer, Senator Gillibrand and Office of Pat Ryan.

So they are trying to reach out in their way. I think really it's heartfelt and they feel kind of helpless to stop what they perceive as a genocide. I know Israel dropped the bomb on Syria that actually registered on the Richter scale it was so big. And many hundreds

of bombings of Syria.

Assad has been removed, which is really a good thing because Syria lived under tyranny for 50-plus years. And we hope that people find answers to their departed and missing loved ones. But it's a desperate situation and they think that calling for a ceasefire is the best way for them to address it.

So I don't know at this point, but what happened tonight is not a good way to address it and it does not help their cause.

Otherwise I want to wish everyone a -- I call this the winter of our discontent. But a quote from Steinbeck and Shakespeare. But the best you can, I wish everyone a merry Christmas and a happy Hannukah and a happy new year. And I hope to see everyone at the menorah lighting. Thank you.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Witt?

ALDERMAN KEVIN WITT: Thank you very much. Huh. They're frustrated? I mean, this is -- this was preposterous tonight. And today I was ready because they put out their little press release that I didn't say anything at the last

meeting and what I chose to do with my time was to address city issues, the 4,800 people who attended the parade, that was an awesome night, and the presentation by the Recreation Department of serving at least that many people.

And I'm not going to give them a journalism lesson. All right? But this behavior that we saw tonight that ended this, this has been going on every single time that this happens. And I'm not giving them lessons on this because I don't want to listen to the Mayor of our city for 25-plus years who calls them out and they look stone-faced.

President Rodrigues, 15 years in that seat, just wants them to act in a way that is professional and have some decorum and some courtesy. When the first five or six people spoke -- actually it was six -- you could hear a pin drop in here. Ms. Cross gets up there with a different opinion, and she's getting cat-called and has to basically clear her own path to get back to her seat over there. They're frustrated?

I mean, here's my question, all right? Here's my question; you need five votes to have this pass, your resolution pass. And if you

noticed, the people who come here, the community citizens or sometimes the children that they're handing this stuff off to, they're asking for a ceasefire. The leaders of this group are asking for the resolution. That's what they want.

So I want to know, Jason, wherever you are when you see this, the next time you come here, do me a favor, please explain to us your strategy at this point that you are going to get at least five of us to change our minds the way this went tonight on top of everything else. Tell me. Tell me what is your strategy to make the five of us change our mind? That's it. Make it a math problem. Forget the rest of it. But this is ridiculous.

And I'm telling you this too, folks -- and this is to our people in our community. I have sat here for five months and watched the signs and the disruption behind -- we had an auditor three months ago come here and try to tell us what a great job -- not try to tell us, tell us what a great job our city finances and the shape that our city finances were in. And people are back there waving signs. You've got the mayor trying to talk to us every single week

about things, and they're waving signs. And they're not even on camera, folks. So it's obviously to distract us or whatever it is -- right. Right. Right?

And then you have Maria, right? She's trying to give a presentation. And they're in that same corner over there by Alderwoman Wray taking photos of themselves holding up -- this is a whole giant production. Right? And when this ends, this show is going to be taken on the road somewhere else and somebody is going to be -- this is just my opinion, this is nobody else's, right? This is being taken on the road somewhere else and say we are professional protestors, pay us to advocate for your cause.

And I might be wrong, and I'm one guy. But enough is enough of all of this. They're frustrated, I'm frustrated with all this kind of stuff. And we get blindsided because we're here, we're telling -- it's going to be different, it's going to be different, it's going to be different. Guy stands next to Kate holding up a sign? It's ridiculous.

I'm sorry, thank you for your indulgence on that.

I want to thank Aileen Gunther for her time and what she did for us. And so many times we're hearing these new projects that come up. And the biggest question that we have is how is it going to get paid for. And inevitably the Mayor or President Rodrigues are like, well, she's giving us money for this and she's giving us money for that. And to see \$8 million just advocated for us is amazing.

Alderman Green is sick tonight and he wishes everybody a happy and healthy new year and holiday season. I concur the same. Thank you for your time.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Masi?

ALDERMAN JOSEPH MASI: A couple things. Jacob and the Department of Public Works, thank you for the great job you guys did with the snow plowing and getting the roads all cleared out quickly.

Chief and your department, thank you for making that incident tolerable. And thank you for all the work you guys do.

We are lucky. We have probably some of the best department heads. Maria, Raelynn, we

really do. We're very fortunate.

Assemblywoman Gunther, thank you for everything that you've done for us.

President Rodrigues, thank you very much. I appreciate that I guess you got to the boiling point, too. And I will be introducing a resolution later on this evening changing the -- I guess it's actually called order of business so that we won't have to -- our constituents won't have to go through that during the regular meeting part. If they want to stick around at the end, that's up to them.

I want to wish everyone a merry Christmas, happy new year, happy Hanukkah and happy Kwanzaa. Thank you very much.

PRESIDENT J. MIGUEL RODRIGUES: Just to add on everybody the frustration. You know, I was there -- I said to the chief they're over Kate, they're trying to record over Kate. They're sitting there. Yes, it's a public meeting, but we're going to have to draw lines and have to have orders and rules and say you have to sit down. If you're not sitting down, you've got to stand in the back.

We're going to have rules from now on

and we're going to make sure that they follow. It is disruptive behavior when you're putting signs up, especially when you're talking. We don't do that. We don't stand up there with a sign in their face and saying no we're not going to vote for a ceasefire resolution.

So again, I'm going to request that the police be here for our next couple meetings that we have. And if there's anybody being disruptive or their behavior is out of control, we stop the meeting and we escort them out from now on. We're not going to allow this to anyone and we're going to continue to do the right thing at all times.

I might be a little bit stubborn and hardheaded. I don't like change. Little. Just a little. But when I hear my constituents that live in the Second Ward come out, that's who I care about. Not you live in Middletown and you don't know where you live. If you say what ward you live, then I know where you are. And we represent those people. Those are the people that we represent. You know?

And again, their movement -- he said lobbyists. So he is a lobbyist. He is not for

the Gaza -- the ceasefire. He is going onto another movement as soon as this gets over. This is what they do. And they are trying to get in.

So again, I told him, I said you should go to Chester, you should go to Monroe, you should go to Goshen. And why don't you go there? Because it's a small, little town. And if you start acting up in that little town and your mom and drive to that town and you drive through that little town, what's the first thing you do when you get to Montgomery? Say it. What's the first thing you do when you get to Montgomery? You hit the brakes and you drive 20 miles an hour. You know why you drive 20 miles an hour? Because they don't care who you are. You're out of town and you're in their town, that's who is going to clean you up. Okay?

So the same thing goes for Middletown. You come into Middletown, you start acting up, we'll start acting up, too. And it's simple. It's plain and simple. So you're not from Middletown, you're not representing us. You know?

Mr. Kleiner at 6:48 getting a resolution for a ceasefire is -- it not only

burns me, but it's uncalled for. We sit here, we address people. I reached out to these people many times to sit down and have talks with them and tried to address them and tried to do something. It's not what we want. I don't think anybody -- we can go right now. I don't -- we don't have the votes to even bring it up, to even pass it, to do anything.

Poughkeepsie brought it up. They shot it down and they moved on. They are no longer in Poughkeepsie. So I would do that, too. Bring it up and then shoot it down and then let them go away. You know? Enough is enough. And I'm going to -- rules of January 7th. You're standing, you're in the front line holding up signs, you will be removed. Everything else -- and I hope you hear me. If you talk out of line, I'm stopping the meeting, you're getting removed. Plain and simple. We've got to follow the rules.

Aileen Gunther. Me and her started together. We campaigned together. It's not \$8 million; it's probably over 20, 50, \$60 million. And when we worked together on the school project for \$38 million and we built Faller Field and we built the stadium, she was also the first person

to do the wave. We were there on the ground. She did the first wave for the whole crowd. I think it was like 3,200 against Port Jervis. And we won that game. So I just want to make sure. And thank her for all her services, everything she has done for the City of Middletown. It is very, very important in the City of Middletown to have somebody like Aileen in Albany. Because it's not only our school tax, but it's also the revenue that we get and the help that we get for having -- and I think Paula will do a great job. She'll definitely -- we have our cell phone ready. So we are ready to go and advocate and lobby for our city and our constituents. That's what we do. Not protest and argue with people.

Wish everybody happy holidays, merry Christmas, Kwanzaa. Happy Hannukah.

And I don't like Mr. Masi, so I'm going to say that, just playing around. We were battling since probably Sunday, we were battling back and forth, hardheaded as I am. And today when Rick called me, he's like, he's doing it. I said okay, let him do it. I know what's going to happen, so we're going to do it and we're going to get it done.

I really don't talk a lot because --

ALDERMAN JOSEPH MASI: You what?

PRESIDENT J. MIGUEL RODRIGUES: I don't talk a lot. But our Council speaks for everybody. The hardest job of being a council president is trying to get eight people to play nice in the sandbox. And you see that we all play fair in the sandbox. We always do what's right for Middletown.

So that's all I have. And I wish everybody a great holiday. And let's do the new business.

CITY CLERK RICHARD MCCORMACK: Good evening. We have a resolution sponsored by Alderman Masi to transfer \$2,340 from the sewer budget to cover remote operator training.

PRESIDENT J. MIGUEL RODRIGUES: Resolution sponsored by my friend Mr. Masi. Do I have a second? Alderman Johnson. Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye

CITY CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:

President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Tobin
authorizing an agreement with the Tri-State Geese
Police for Canadian geese control in 2025.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Tobin, seconded
by Alderman Kleiner. Any discussion? Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye

CITY CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:

President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

A resolution sponsored by Alderman Witt authorizing a renewal agreement with Nearmap.

PRESIDENT J. MIGUEL RODRIGUES: A resolution sponsored by Alderman Witt, seconded by Alderman Wray. Any discussion? Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye

CITY CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:

President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Jean-Francois authorizing a \$41,950 transfer within the 2024 police department budget.

PRESIDENT J. MIGUEL RODRIGUES: A resolution sponsored by Alderman Jean-Francois, seconded by Alderman Tobin. Any discussion? Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye

CITY CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:

President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

A resolution sponsored by Alderman Johnson authorizing the acceptance of the RBT proposal for auditing services for fiscal year 2025.

PRESIDENT J. MIGUEL RODRIGUES: A resolution sponsored by Alderman Johnson, seconded by Jean-Francois. Any discussion? Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye

CITY CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:

President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

A resolution sponsored by Alderman Witt authorizing a proposal for Stratagem Securities for security system upgrades citywide.

PRESIDENT J. MIGUEL RODRIGUES: A resolution sponsored by Alderman Witt, seconded by Alderman Tobin. Any discussion? Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye

CITY CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:

President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

A resolution sponsored by Alderman Wray authorizing the assessment collectors warrant for 2025.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Wray, seconded by Alderman Masi. Any discussion? Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye

CITY CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:

President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman
Kleiner authorizing an agreement with Don Paris
CPA, LLC for ARPA consulting services.

PRESIDENT J. MIGUEL RODRIGUES: A
resolution sponsored by Alderman Kleiner,
seconded by Alderman Johnson. Any discussion?
Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye

CITY CLERK RICHARD MCCORMACK: Jean-

Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:

President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

A resolution sponsored by Alderman Masi authorizing the obligation of the remaining ARPA funds.

PRESIDENT J. MIGUEL RODRIGUES: A resolution sponsored by Alderman Masi, seconded by Alderman Kleiner. Any discussion? Roll?

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye

CITY CLERK RICHARD MCCORMACK: Jean-

Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:

President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

A resolution sponsored by Alderman Johnson authorizing a \$650 transfer within the 2024 community development budget.

PRESIDENT J. MIGUEL RODRIGUES: A resolution sponsored by Alderman Johnson, seconded by Alderman Tobin. Any discussion? Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye

CITY CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:
President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

A resolution sponsored by Alderman Johnson authorizing a two percent increase for all department heads and full-time non-union employees.

PRESIDENT J. MIGUEL RODRIGUES: A resolution sponsored by Alderman Johnson, seconded by Alderman Jean-Francois. Any discussion? Alderman Masi?

ALDERMAN JOSEPH MASI: I just want people to know I will be voting on this because I am not included in this. When we had the Board of Estimate, I could not vote on it. And there was only one other person. So I just want you to know I will be voting on it, but I am not included in it.

PRESIDENT J. MIGUEL RODRIGUES: Okay.
Anyone else? Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye

CITY CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Well-deserved.
Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:

President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

A resolution sponsored by Alderman Tobin authorizing an agreement with PERMA for workman's compensation contract for 2025.

PRESIDENT J. MIGUEL RODRIGUES: A resolution sponsored by Alderman Tobin, seconded by Alderman Johnson. Any discussion? Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye

CITY CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:

President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

A resolution sponsored by Alderwoman Wray. Resolution of determination of non-significance pursuant to 6NYCRR as it relates to a zoning change adopting minimum square footage for all new single-family dwellings.

PRESIDENT J. MIGUEL RODRIGUES: A resolution sponsored by Alderwoman Wray, seconded by Alderman Kleiner. Any discussion? Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye

CITY CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:

President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

PRESIDENT J. MIGUEL RODRIGUES: The motion for 275, we have to table. Can I get a motion to table that resolution? Alderman Kleiner? And seconded by Alderman Masi. Any discussion on the table? All right. Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye

CITY CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:

President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Carries.

Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Audit?

ALDERMAN JOSEPH MASI: I have a motion.

PRESIDENT J. MIGUEL RODRIGUES: Oh, I'm
sorry. Go ahead.

ALDERMAN JOSEPH MASI: That's okay. I
hope I did this right. I want to sponsor the
following resolution to amend the Middletown City
Code Section 30-1, Order of Business as follows.
Letter E, for the good of the city to now include
the words agenda items only.

Second, to add the following, Letter N,
to now become a second for the good of the city
opportunity. And Letter O becomes audit of
claims and accounts and Letter P is adjournment.

PRESIDENT J. MIGUEL RODRIGUES: A
motion by Alderman Masi and seconded by Alderman
Tobin. Any discussion? Alderman Johnson?

ALDERMAN PAUL JOHNSON: Oh, absolutely.
Absolutely. So I never want to be accused of

being too subtle. The Gaza gang are the squirrels, just so we all understand that. They are the nuisance. And I think they've actually graduated to being classified as thugs this evening.

ALDERWOMAN KATE WRAY: Yeah.

ALDERMAN PAUL JOHNSON: So a few weeks ago I described them as self-righteous, condescending, and disingenuous. In the interest of maintaining my SAT prep course, I would like to say I now find them to be self-aggrandizing. Definition, acting or intended to enhance one's power, wealth, position or reputation. I also find them to be manipulative. Definition, characterized by unscrupulous control of a situation or person.

Now, the pied piper thing, I hope you got that. I don't have to explain the pied piper part, right? That's okay.

So once again, I am a Gemini. I'm old, I'm stubborn. I do not want to be bullied, strongarmed, or appease -- oh, that's a good word -- to appease the thugs. But now they pushed us over the edge. I did not want to be forced to change my behavior and my goals as an alderman on

this council to accommodate their intimidation tactics. Buy, you know, fortunately for me they pushed everybody's button over the top. And in good conscience I can say out, damn spot. Thank you. That was Shakespeare in case you didn't know that.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Tobin?

ALDERMAN SPARROW TOBIN: I

wholeheartedly agree and support the motion. We don't want this business meeting to become a circus like we've seen in in some school boards throughout the state where people are yelling and screaming from the crowd when people were trying to conduct their business. And we see that the leaders don't have control of their people. They're supposed to only have three people; they had seven. They tell them to stop yelling. They're hurling insults at people. Anybody that doesn't agree with them they are attacking. And what was said about Alderman Wray's children was disgusting tonight.

And, you know, we get into public service to help our neighbors, our friends, and our community, not to be subjected to these

people attacking us and insulting us and insulting our children. You know, it's just disgusting. So I wholeheartedly support the resolution.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Masi?

ALDERMAN JOSEPH MASI: I just wanted everyone to know this is not the first time the council has done something like this on this specific section. Back on May 23rd, 1966; February 28th, 2011; March 28th, 2011; and July 7th, 2020 this has been -- this section has been amended. So we're not doing something for the first time. It's been done before. Thank you very much and I hope we'll all support it.

PRESIDENT J. MIGUEL RODRIGUES: Are you good? Alderman Kleiner?

ALDERMAN GERALD KLEINER: Thank you. And I think this has worked very well for the County for many years. So -- and I used to go to a lot of the county meetings back before you had to get frisked to go in and, you know, a lot of things change. But it always seemed to work well there. So that's why I bought it up. So thank you, Mr. Masi, Alderman Masi, for writing it.

PRESIDENT J. MIGUEL RODRIGUES: All
right. Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye

CITY CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:
President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Motion
carries.

PRESIDENT J. MIGUEL RODRIGUES: Audit?

ALDERMAN JOSEPH MASI: Mr. President, I
move the accounts be audited and claims be

adjusted and the City Treasury be authorized to issue warrant for their payment.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Masi, seconded by Alderman Johnson. Roll.

CITY CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye

CITY CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CITY CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CITY CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CITY CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CITY CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CITY CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CITY CLERK RICHARD MCCORMACK:
President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CITY CLERK RICHARD MCCORMACK: Motion
carries.

ALDERMAN JOSEPH MASI: Motion to
adjourn.

ALDERMAN PAUL JOHNSON: Second.

C E R T I F I C A T I O N

I, Sonya Ledanski Hyde, certify that the
foregoing transcript is a true and accurate
record of the proceedings.



Sonya M. Ledanski Hyde

Veritext Legal Solutions

330 Old Country Road

Suite 300

Mineola, NY 11501

Date: January 17, 2025



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Tobin
Seconded by: Alderman Green
Date of Adoption: January 7, 2025
Index No: 20-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues			X	
Total	7		1	1

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

1/9/25

Authorization to Enter into an Agreement with Kingsman Holdings, LLC to purchase 11-15 Kings Street

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes an agreement with Denali Realty Ventures, LLC & O'Connell Family Contracting, LLC, to purchase 11-15 Kings Street.

BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign the agreement and any and all contracts, closing documents and necessary documents associated with the sale of 11-15 King Street to Denali Realty Ventures, LLC & O'Connell Family Contracting, LLC.

Prepared by:
Maria Bruni, Director of Economic and Community Development

Attachments:

1.	11 15 King Street Deed of Sale
----	--------------------------------

SECTION 31
BLOCK 8
LOT 17
CITY OF MIDDLETOWN

THIS INDENTURE, made the 8th day of January, 2025

BETWEEN

CITY OF MIDDLETOWN, a municipal corporation, having its principal place of business at 16 James Street, Middletown, New York 10940
party of the first part, and

KINGSMEN HOLDINGS LLC, having its principal place of business at PO Box 98, Middletown, New York 10940
party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars (\$10.00) and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Middletown, County of Orange and State of New York and being more accurately bounded and described as follows:

See Schedule "A" attached hereto and made a part hereof.

Subject to covenants, easements and restrictions of record.

Being the same premises conveyed by City of Middletown, a municipal corporation, to Middletown Hotel Inc., by deed dated June 24, 2022, and recorded in the Orange County Clerk's Office on June 30, 2022, in Liber 15264 of Deeds at page 1142.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this Deed the day and year first above written.

IN PRESENCE OF

CITY OF MIDDLETOWN

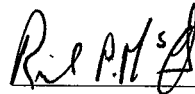
BY: JOSEPH M. DeSTEFANO, MAYOR

STATE OF NEW YORK

SS:

COUNTY OF ORANGE

On the 8th day of January, 2025 before me, the undersigned, a notary public in and for said state, personally appeared JOSEPH M. DeSTEFANO, known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

Record and Return to:

Michael S. Blustein, Esq.
10 Matthews Street
Goshen, New York 10924

SCHEDULE A

Section 31 Block 8 Lot 17

ALL that certain plot, piece or parcel of land, situate, lying and being in the City of Middletown, County of Orange and State of New York, being on the northeast corner of King and Center Streets, said lot is known and numbered and designated as Lot No. 1 on a map of the lands of Frank M. Stratton, made for him by C.H. Smith, C.E. dated April 5, 1893 and filed in the Office of the Clerk of the County of Orange on the 2nd day of January, 1896 as Map #222 and is bounded and described as follows:

BEGINNING at a bolt set in the ground on the corner of King and Center Streets and runs;

THENCE South about 69 degrees 45 minutes East 61.20 feet to a bolt at a corner of lands now or formerly occupied by the Middletown Gas Company;

THENCE North 21 degrees 15 minutes East 87.25 feet;

THENCE North about 69 degrees 45 minutes West 61.20 feet to a bolt in the easterly line of Center Street;

THENCE South 21 degrees 15 minutes West 87.25 feet to the place of BEGINNING.

TOGETHER with the right of way for ingress and egress to and from said premises for pedestrians and vehicles over the alley way on the northerly side of and adjoining said premises and also over the alley way in the rear of the lots 2, 3, 4 and 5 on said map, and the alley way extending from North Street to Center Street, said Center Street having heretofore been called Foundry Street.

The above mentioned premises are also described as follows:

ALL that certain plot, piece or parcel of land, situate, lying and being in the City of Middletown, County of Orange and State of New York, lying on the northeasterly side of King Street and the southeasterly side of Center Street and being more accurately bounded and described as follows:

BEGINNING at the intersection of the northwesterly line of King Street with the southeasterly line of Center Street and runs;

THENCE from the above located point of beginning, along the southeasterly line of Center Street, North 25 degrees 00 minutes 00 seconds East 87.56 feet to a point;

THENCE along the southwesterly line of an 18 foot alleyway and approximately along the rear of the brick building on the herein described premises, South 65 degrees 23 minutes 39 seconds East 61.12 feet to a point;

THENCE along the line of lands now or formerly of Ilse S. Goldsmith, formerly the Middletown Gas Company, South 24 degrees 56 minutes 03 seconds West 87.05 feet to a point on the northeasterly line of King Street;

Thence along the northeasterly line of King Street and along the face of the brick building North 65 degrees 52 minutes 00 seconds West 61.22 feet to the point and place of beginning.

Premises known as 11-15 King Street, Middletown, NY 10940

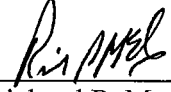


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

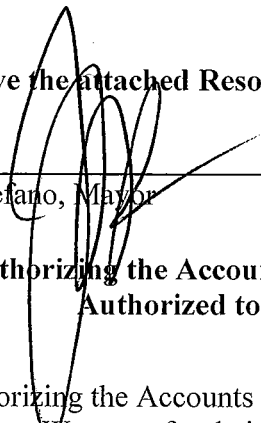
By: Alderman Johnson
Seconded by: Alderman Green
Date of Adoption: January 7, 2025
Index No: 21-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 1/9/25

Resolution Authorizing the Accounts be Audited, Claims Adjusted, and the Treasurer be Authorized to Issue Warrants for their Payment

Resolution Authorizing the Accounts be Audited, Claims Adjusted, and the Treasurer be Authorized to Issue Warrants for their Payment

Prepared by:

Attachments:

None



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

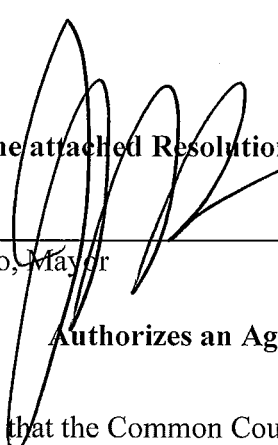
By: Alderman Jean-Francois
Seconded by: Alderwoman Wray
Date of Adoption: January 7, 2025
Index No: 19-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 1/9/25

Authorizes an Agreement with Pamela Welch

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes an agreement with Pamela Welch.

BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign the agreement.

Prepared by:

Attachments:

1.	Pam Welch contract AGREEMENT Final (002)
----	--

AGREEMENT

BY AND BETWEEN THE

City of Middletown

And

Pamela J. Welch, Secretary to Civil Service

Date of promotion to Secretary to Civil Service – Effective when passed by Middletown Common Council, signed by mayor and passed by Civil Service Commission.

The beginning yearly salary for this contract between the City of Middletown and Pamela J. Welch will be \$88,972.00 starting January 1, 2025. This is an exempt position of employment and is not bound to any other binding contract currently recognized by this City.

Annual Salary increases submitted by the mayor to the Board of Estimate. The Board of Estimate recommendation will be forwarded to the common council who will set the annual salary in the same manner that other non-union personnel is handled.

Vacation: First & second year, which ends December 31, 2026
2 Weeks paid Vacation

Third– Fifth years, ending December 31, 2030
3 Weeks paid vacation

Sixth year – Forward
4 Weeks paid vacation

Sick Time: Same as CSEA Contract, One (1) day per month.
Dated Jan. 1, 2022 – December 31, 2026

Personal Time: Five (5) days per year reflective of the CSEA contract.
Dated Jan. 1, 2022 – December 31, 2026

CIVIL SERVICE COMMISSION: This agreement is subject to the approval of the Civil Service Commission. The agreement only addresses work conditions and compensation. In no way does this agreement take authority from the Civil Service Commission for disciplinary actions against the Secretary of the Commission. It is understood by all parties, the Secretary and her employment are governed by the laws of the State of New York.

In lieu of being enrolled in the City of Middletown's health care program, Pamela Welch has the option to elect to be compensated monetarily as is this Cities prescribed practice in accordance with the CSEA contract. Pamela can exercise this option during her employment with the City of Middletown along the same guidelines established in the CSEA contract.

Joseph DeStefano, Mayor _____ Date

Pamela J. Welch, Secretary to Civil Service _____ Date

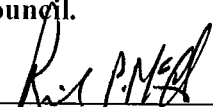


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

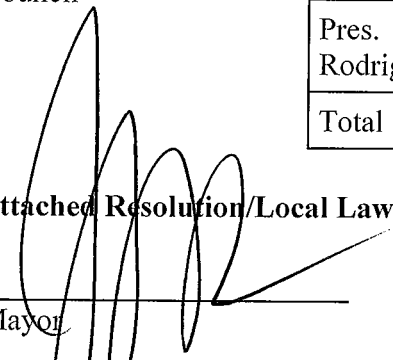
By: Alderwoman Wray
Seconded by: Alderman Johnson
Date of Adoption: January 7, 2025
Index No: 18-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

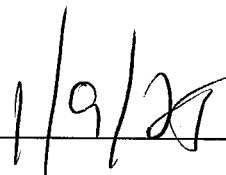

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date



Adoption of Rules of Decorum for City Meetings

Be it resolved that the Common Council of the City of Middletown hereby adopts the following rules of decorum for Common Council meetings and any other meeting body as deemed necessary by the Chair or by majority vote of the said body.

1. Seating and Movement.

A. All attendees of Common Council meetings must remain seated for the duration of the meeting.

B. Congregating along the walls or standing in the Council Chambers is prohibited. Doors and aisles must remain unobstructed at all times.

C. If no seat is available in the Chambers, attendees must remain in the hallway until a seat becomes available.

2. Signs. No signs of any kind will be permitted in the Council Chamber nor inside City Hall.
3. Public Comment Concerning Items on the Agenda or Directly Connected to City Business or Affairs.

- A. Such public comment is permitted at the beginning of every Council meeting, upon the announcement of same by the Presiding Officer.

- B. Each speaker must provide his/her name and address to the Council. Each speaker is allowed to speak for three (3) minutes only. The speaker must remain at the podium.

4. Public Comment Not Concerning Items on the Agenda or Directly Connected to City Business or Affairs.

- A. Such public comment is permitted at the end of the first Council meeting each month, upon the announcement of same by the Presiding Officer. Such public comment is not permitted at any other Council meeting.

- B. Such public comment is limited to thirty (30) minutes per meeting.

- C. Each speaker must provide his/her name and address to the Council. Each speaker is allowed to speak for three (3) minutes only. The speaker must remain at the podium.

5. Disruptive Behavior.

- A. No speaker may use obscenities, or issue threats that are not protected by the First Amendment.

- B. No attendee may interrupt a speaker or member of the Council.

- C. No speaker nor attendee may engage in any loud or disorderly behavior that disrupts the proceedings of the Council.

6. Presiding Officer Authority.

- A. The Presiding Officer has the authority to enforce these Rules and to warn violators. Such warning should include informing the violator that if the violation persists, the violator may be removed from the meeting.

- B. If after being warned, a person persists in the violation, the Presiding Officer may request the Middletown Police to remove such person from the meeting.

- C. Upon such a request, the Middletown Police may request such person to leave. If the violator refuses this request, the Police have the authority to forcibly remove such person from the meeting.

- D. The Police have the authority and the discretion to simply remove such person, or to arrest the person based upon violation of the City Code or New York Penal Law.

Prepared by:

Attachments:

None

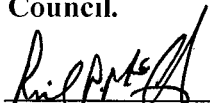


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

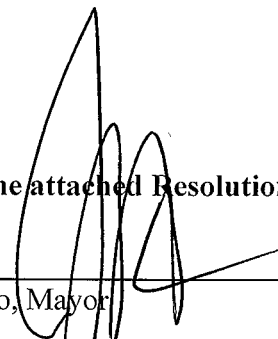
By: Alderman Kleiner
Seconded by: Alderman Green
Date of Adoption: January 7, 2025
Index No: 17-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 1/9/25

Authorization to Amend City Code as it Pertains to Parking Fines

WHEREAS, the Common Council recently amended the Code provisions in Chapter 460, Vehicles and Traffic, Article IV, Emergency Traffic Regulations, governing weather-related parking restrictions, and

WHEREAS the Police Chief and Mayor are recommending an increase in the fines for violations of this Article.

NOW THEREFORE BE IT Resolved, and be it Ordained, by the Common Council of the City of Middletown, New York, as follows:

Section 1 – The Code of the City of Middletown, N.Y., Chapter 460, Vehicles and Traffic, is hereby amended by replacing Section 460-83, Penalties for offenses, to read as follows:

A violation of any of the provisions of this Article shall be punishable by a fine of not more than \$100.

Section 2 - This resolution and ordinance shall take effect immediately.

Prepared by:
Rick McCormack, City Clerk

Attachments:

None

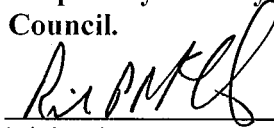


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

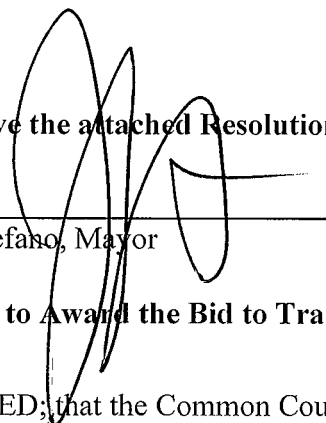
By: Alderman Green
Seconded by: Alderman Kleiner
Date of Adoption: January 7, 2025
Index No: 16-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 1/9/25

Authorization to Award the Bid to Transport and Dispose of Sludge to TAM Enterprises

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment to awards the bid to Transport and Dispose of Sludge to TAM Enterprises.

Prepared by:

Attachments:

1.	2025 SLUDGE BID AWARD RECOMMENDATION
----	--------------------------------------

Department of Public Works

City of Middletown

Jacob S. Tawil, P.E.
Commissioner of Public Works



16 James Street
Middletown, NY 10940
Phone: 845-343-3169
Fax: 845-343-4014

January 3, 2025

Board of Estimate & Apportionment
Honorable Mayor and Members
of the Common Council
City of Middletown, NY

RE: Bid of January 2, 2025 for the transport and disposal of municipal sludge as generated by the City of Middletown Wastewater Treatment Plant

Honorable Mayor, Common Council President and Common Council Members:

Sealed bids for the referenced project were received from five (5) vendors. See attached tabulation form. Bids were opened at the January 2nd Board of Estimate & Apportionment meeting.

After reviewing the bids, I make the recommendation to award the bid to TAM Enterprises, Inc., 114 Hartley Road, Goshen, NY 10924 in the amounts of:

- \$136.00/ton for the first three (3) years
- \$142.00/ton for an additional year
- \$145.00/ton for the second additional year, and
- \$148.00/ton for the third additional year

Fuel surcharging cost may be added per ton, as applicable per the bid package.

Respectfully submitted,

Jacob S. Tawil, P.E.
Commissioner of Public Works

kg

BID OF January 2, 2025

Transport and disposal of municipal sludge as generated by the City of Middletown
Wastewater Treatment Plant, FOB by City Forces.

.....

NAME OF BIDDERS	First 3 yrs.	Addl. 1st yr.	Addl. 2nd yr.	Addl. 3rd yr. /ton
Environmental Protection & Improvement Company, LLC 319 Avenue P Newark, NJ 07105	\$149.87	\$155.12	\$160.54	\$165.36
Spectaserv Inc. 75 Jacobus Ave. Kearny, NJ 07032	\$205.00	\$215.50	\$222.00	\$228.50
Denali Water Solutions LLC 220 S. Commerce Ave. 1 st Floor Russellville, AR 72801	\$156.00	\$163.80	\$168.71	\$173.78
EarthCare (Wind River Environmental, LLC) 99 Maple Grange Rd. Vernon, NJ 07462	\$247.00	\$271.70	\$298.87	\$328.76
TAM Enterprises, Inc. 114 Hartley Road Goshen, NY 10924	\$136.00	\$142.00	\$145.00	\$148.00

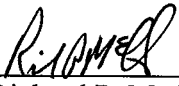


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

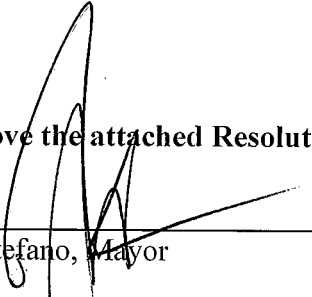
By: Alderman Witt
Seconded by: Alderman Johnson
Date of Adoption: January 7, 2025
Index No: 15-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

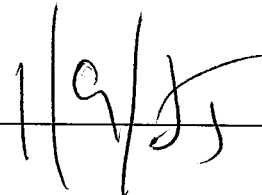

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date



Authorization to Accept Donation from Sharon and Charles Shoemaker for Clinic Scholarship.

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and accepts a \$50.00 donation from Sharon and Charles Shoemaker. Sharon requested this money be used towards a clinic scholarship.

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to deposit the funds into account A.2705.00 Gifts and Donation.

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

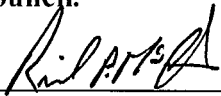


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

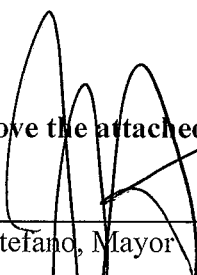
By: Alderman Tobin
Seconded by: Alderman Jean-Francois
Date of Adoption: January 7, 2025
Index No: 14-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

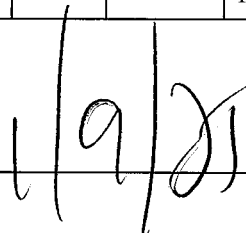

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date


1/9/25

Authorization to transfer funds to cover unanticipated litigation expenses in 2024

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$55,000, in the following manner, to cover unanticipated litigation expenses for 2024.

FROM	AMOUNT	TO
A.9000.870	\$55,000	A.1420.489
Unused Sick leave		Litigation Expenses

Prepared by:

Attachments:

None



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Jean-Francois
Seconded by: Alderman Johnson
Date of Adoption: January 7, 2025
Index No: 13-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

1/9/25

Authorization to Hold a Public Hearing on Adding Certain Restrictions to granting first-floor waivers in the DMU Zoning District

Resolved that the Common Council will hold a public hearing on proposed restrictions to be added to granting first-floor waivers in the DMU Zoning District On Tuesday, January 21, 2025, at or as close to 7:30 PM as possible in the Common Council Chambers.

Prepared by:

Attachments:

None



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Johnson
Seconded by: Alderman Jean-Francois
Date of Adoption: January 7, 2025
Index No: 12-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

1/9/25

Authorization to approve the PERMA Third Party Administration Service Contract for 2025

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes an agreement with PERMA for Third Party Administration Service for 2025

BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign the agreement.

Prepared by:

Attachments:

1. Middletown C-Contract'25 (002)

Public Employer Risk Management Association, Inc. (PERMA)

Program Agreement for Third Party Administration Services

THIS AGREEMENT dated as of _____ entered into by and between the Public Employer Risk Management Association, Inc. ("PERMA"), a New York not-for-profit corporation having its principal place of business at 9 Cornell Road, Latham, New York 12110 and **City of Middletown, a city, having its principal place of business at 16 James Street, , Middletown, NY, 10940** (the "Member"), for administrative services to be provided by PERMA in connection with the Member's obligation to provide workers' compensation benefits for and to its employees.

1. **Purpose.** The Member desires to engage PERMA to provide Worker's Compensation Law claims administration services for certain "tail claims" that have arisen and PERMA is willing to provide those claims administration services upon the terms set forth in this agreement.

2. **Definitions.** For purposes of this agreement, the following terms will have the meanings indicated:

- a. **"Allocated Loss Adjustment Expenses"** means all costs and expenses PERMA incurs that are attributed to the processing of Tail Claims, including, but not limited to, fees, costs, assessments and other charges imposed by the Workers' Compensation Board, medical cost containment and management services, in the amounts set forth in Schedule B, attorneys' fees and disbursements, court reporter services and transcripts, deposition charges and transcripts, fees for the service of process, court costs, courier/express mail, appeal bonds, printing costs related to trials and appeals, witness and expert fees, medical examinations and review, laboratory costs, engineering fees, independent adjuster fees, surveillance, photography and similar costs and expenses reasonably incurred and related to the investigation and defense of claims or the protection and collection of subrogation rights of the Member.
- b. **"Benefit Payments"** means payments that are required by the Workers' Compensation Law and the rules, regulations and decisions of the Workers' Compensation Board to be made to claimants, providers and other vendors with respect to a Tail Claim.
- c. **"Electronic Data Interchange or EDI"** means the Worker's Compensation Board has adopted Claims Electronic Data Interchange Release 3.0, as adopted by the Workers' Compensation Board, or such other electronic data interchange as may be adopted by the Workers' Compensation Board.
- d. **"Tail Claim"** means existing indemnity and medical worker's compensation claims and all Worker's Compensation Board awards against the Member that arose prior to **3/15/2008** that the Member has assigned to PERMA to administer.

3. **Term.** This agreement will be effective on **1/1/2025** and will continue in force for one year, unless sooner terminated in accordance with paragraph 8.

4. **PERMA's obligations.** During the term of this Agreement, PERMA, will provide to the Member the services provided for in this agreement with respect to Tail Claims. PERMA will, as appropriate:

- a. Process claims and disburse Benefit Payments within the timeframe required by the Worker's Compensation Law, provided that the Member advances the funds required and approves payments in accordance with the requirements of this agreement;
- b. Contract with CorVel or another third party for review of medical bills, and with Optum or another third party for pharmacy benefit management services, all at the sole cost and expense of the Member;
- c. Cause all required workers' compensation forms to be prepared and filed;
- d. Contact the injured employee or employees, as appropriate;
- e. For those Members paying by wire/automated clearing house (ACH) transfer, provide to the Member, on a weekly basis, a check register for each check run the previous week and drawn on the bank account established by the member;
- f. For those Members paying by cash, provide to the Member, on a monthly basis, an invoice and check register for each check run during the previous month and drawn on the bank account established by PERMA for the member;
- g. Retain and supervise, on behalf of and at the sole cost and expense of the Member, legal counsel necessary for the prosecution or defense of any claim or litigation related to a claim, subject to the approval of counsel by the Member, which shall not be unreasonably withheld or delayed;
- h. Attend, through a representative of PERMA, or an attorney retained by PERMA, all compensation hearings;
- i. Promptly advise the Member of Worker's Compensation Board decisions related to each claim;
- j. Initiate a challenge to any other administrative decisions made by an Administrative Law Judge or seek to correct a factual error in an administrative decision, if PERMA determines that it is reasonably necessary to do so;
- k. Recommend to the Member whether to request a modification, rescission or review of an award or decision of the Worker's Compensation Board, a panel of the Board, an Administrative Law Judge issued after a hearing and after the exhaustion of administrative remedies, recommend whether to file a judicial appeal and act upon the Member's decision once made;
- l. Settle claims within the authority given PERMA by the Member or as otherwise agreed in writing by the Member and PERMA; and
- m. Pay all claims by check identifying the Member as the insurer.

5. The Member's obligations. The Member will:

- a. Pay all Benefits Payments by either wire/automated clearing house (ACH) transfer or cash advance.
 - i. If paying by wire/automated clearing house (ACH) transfer, the Member must deposit and maintain, in a bank account identified to PERMA, the amount of the Benefit Payments and Allocated Loss Adjustment Expenses PERMA estimates will be required to be paid or incurred during a 30-day period. PERMA may increase or decrease the estimate as PERMA reasonably determines. If PERMA increases the estimate, the Member will promptly replenish the account to the estimated amount by wire/ACH transfer. If PERMA decreases the estimate, PERMA will return the excess amount to the Member. Within 48 hours of receiving from PERMA the check register for each check run the previous week and drawn on the bank account established by the member, the Member will review the check register and transfer to PERMA sufficient funds to cover all payments reflected in the register. If the Member is unable to pay that amount within the time required, PERMA will draw on the deposited amount to pay the Benefits Payments. If the amount of the Benefits payments exceeds the amount of the deposit that is available, PERMA will not make the Benefits Payment until the Member deposits the necessary funds. If PERMA is required by the Workers' Compensation Board to pay a penalty for paying Benefits Payments late because the Member failed to make the deposit required by this paragraph, the Member will be liable to PERMA for the penalty and PERMA will deduct the amount of the penalty from the Member's account.
 - ii. If paying by cash advance, the Member must deposit and maintain, in a segregated bank account established by PERMA, the amount of the Benefit Payments and Allocated Loss Adjustment Expenses PERMA estimates will be required to be paid or incurred during a 90-day period. PERMA may increase or decrease the estimate as PERMA reasonably determines. If PERMA increases the estimate, the Member will promptly pay the additional amount to PERMA. If PERMA decreases the estimate, PERMA will hold the excess amount to be applied to future Benefit Payments and Allocated Loss Adjustment Expenses, and the Member's future required contributions will be reduced accordingly. Within 48 hours of receiving from PERMA the check register for each check run the previous month and drawn on the bank account established by the member, the Member will review the invoice and check register and pay to PERMA, by the 10th day of the month, sufficient funds to cover all payments reflected in the register. If the Member is unable to pay that amount within the time required, PERMA will draw on the deposited amount to pay the Benefits Payments. If the amount of the Benefits payments exceeds the amount of the deposit that is available, PERMA will not make the Benefits Payment until the Member pays the necessary funds to PERMA.

If PERMA is required by the Workers' Compensation Board to pay a penalty for paying Benefits Payments late because the Member failed to make the payments required by this section, the Member will be liable to PERMA for the penalty and PERMA will deduct the amount of the penalty from the Member's account.

- b. Pay to PERMA, within 30 days of invoice, an annual administrative fee for each claim in the amount set forth in Schedule A and all Allocated Loss Adjustment Expenses.
- c. Promptly upon the commencement of this agreement, and thereafter as may be required by PERMA, provide or cause to be provided to PERMA all required EDI and any other information required by the Worker's Compensation Board. The Member must provide the EDI and other information, at the Member's sole cost and expense, in a form reasonably acceptable to PERMA. If PERMA is required by the Workers' Compensation Board to pay a penalty because the Member has failed to provide EDI or any other information, the Member will be liable to PERMA for the penalty and PERMA will deduct the amount of the penalty from the Member's account.
- d. Cooperate fully with PERMA by (i) providing all information PERMA reasonably requests, including all information PERMA reasonably deems necessary or helpful to defend any claim; (ii) if another individual or entity is currently holding the Member's funds with respect to any Tail Claims, directing that individual or entity either to transfer those funds to PERMA or to refund those funds to the Member; (iii) when requested by PERMA, attend hearings and trials by an employee or other person knowledgeable of the facts and authorized to resolve the claim; (iv) assist in effecting settlements, securing and giving evidence, obtaining the attendance of witnesses, and conducting all hearings, suits and other proceedings; (v) arrange that all claims, all related inpatient and outpatient provider bills of any type and any other correspondence that is received relating to Tail Claims, are sent directly to PERMA.
- e. Pay any costs and expenses incurred in the fulfillment of these obligations of the Member.

6. Member Compliance with Worker's Compensation Law. This Agreement does not assign or delegate to PERMA any responsibility the Member has under the Worker's Compensation Law, including, but not limited to, the Member's obligation to provide workers' compensation benefits to its employees, the Member's obligation to report with respect to workers' compensation claims and the Member's record retention obligations with respect to workers' compensation claims. The Member is responsible for all fines and penalties issued under the Worker's Compensation Law as a result of the Member's failure to satisfy those obligations. PERMA does not accept or assume any such responsibility, in whole or in part.

7. Indemnification. PERMA assumes no liability for any obligation of the Member under the Workers' Compensation Law or any decision of the Workers' Compensation Board. The Member will indemnify, defend and hold PERMA, its subcontractors and their respective

affiliates, owners, partners, members, officers, directors, shareholders, agents and employees harmless from and against any and all of any kind, including reasonable attorneys' fees and disbursements, except to the extent that the claims, liabilities, damages or expenses are solely caused by PERMA's gross negligence or willful misconduct.

8. **Termination.** Either party may terminate this agreement on 30 days' notice to the other party. PERMA may terminate this agreement immediately upon notice to the Member if the member fails to pay any amount required to be paid by the member under this agreement. Upon termination, all amounts due PERMA from the Member will become immediately due and payable. The Member's obligations set forth in paragraphs 5 and 7 will survive the expiration or earlier termination of this agreement.

9. **Notices.** Notices under this agreement must be sent by electronic mail or facsimile to the designated contact at the email or facsimile number shown below. Notice sent to the contact person designated by the Member is notice to the Member.

If to the Member:

Attn: Leonora Liz

Fax: 845-343-1101

Email: LLiz@middletown-ny.com

Phone: 845-346-4153

If to PERMA:

Attn: Mary Beth Woods

Fax: 1-877-737-6232

Email: lrice@perma.org Phone:

518-220-1111

10. **Not a contract of insurance.** This is not a contract of insurance. PERMA is not and is not, in any way, to be deemed by reason of this agreement to be an insurer, underwriter or guarantor with respect to any benefits payable for which the Member may be liable with respect to the workers' compensation claims that are the subject of this agreement. PERMA is acting under this agreement solely as a claims' administrator with respect to the Tail Claims, and not as an insurer with respect to those or to any other claims. PERMA will not, under any circumstances, advance its own funds on behalf of the Member.

11. **Applicable law and forum.** This agreement will be construed under and governed by the laws of the State of New York. Any dispute under this agreement must be heard in the Supreme Court of the State of New York, County of Albany. The parties consent to the jurisdiction of that court and the venue.

12. **Force majeure.** PERMA is not responsible for nonperformance or defective or late performance of its obligations under this agreement if the nonperformance, defective or late performance is due to causes beyond its control and occur without its fault or negligence, including without limitation, acts of God, strikes, war (including civil war), acts of any state or government, fire, explosions, the elements, epidemics, quarantine restrictions, blackout, embargo or unusually severe weather.

13. **Third parties.** This agreement is not intended to benefit and may not be construed to benefit, or to create any rights in, any third party.

14. **Amendments.** This agreement may not be modified or amended except in a written document signed by both parties.

15. **Severability.** If any provision of this agreement is held to be invalid or unenforceable for any reason, such invalidity or unenforceability will not affect the remainder of the agreement, which will remain in full force and effect and will be enforceable in accordance with its terms.

16. **Entire agreement; waiver.** This agreement constitutes the entire agreement between the parties and supersedes all prior understandings between the parties.

17. **No waiver.** No waiver or discharge of any breach of this agreement will be effective unless it is in writing signed by the party granting the waiver or discharge. The waiver of any breach of any provision of this agreement is not, and may not be deemed, a waiver of any subsequent breach of any provision of this agreement.

18. **Counterparts.** This agreement may be executed in multiple counterparts. All of the counterparts will, together, constitute a single, complete and fully executed document.

IN WITNESS WHEREOF, PERMA and the Member have duly executed this agreement as of the day and year first above written.

Public Employers Risk Management Association, Inc.

By: Mary Beth Woods

Mary Beth Woods, Executive Director

City of Middletown

By: [Signature] [Signature]
Name and Title

Schedule A

Fees

Indemnity Tail Claims 600 per year per claim

Medical Tail Claims 200 per year per claim

Schedule B

Managed Care Fees

Medical Bill Review and PPO Network Charges \$5.60 per bill

Treasury Services-Per Transaction¹

- Online Review in CareMC/Edge
- Explanation of Review
- Annual 1099 Reporting
- EDI Compliance & Transmission

\$5.75 per Bill

Includes check fee, postage, duplicate bill fee, electronic submission and State reporting (NY HCRA Surcharge).

Enhanced Medical Bill Review 23% of Savings

Includes technical and professional review of bills for correct coding, up coding, unbundling, national condit edits, facility and surgical bill line item audit, review for non-compensable charges, review of implant charges, validation of diagnostic related group (DRG) coding, and review of non-fee scheduled services for fair and reasonable payment. Fees are calculated based on incremental savings achieved below the State mandated fee schedule.

PPO Network 23% of Savings

Includes access to proprietary national PPO network solution. Fees are calculated based on incremental savings achieved below the State fee schedule and enhanced savings.

Out of Network Negotiations 23% Savings

CorVel may negotiate out of network charges with a medical provider to pay an agreed upon rate. Fees are calculated based on an incremental saving achieved below the State fee schedule and enhanced savings.

Mandatory CMS MMSEA Reporting \$8.75 per transaction



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderwoman Wray
Seconded by: Alderman Johnson
Date of Adoption: January 7, 2025
Index No: 11-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to transfer within the 2024 Parks and Recreation Department Budget.

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$ \$9,500.00, in the following manner, to cover overdrawn accounts.

FROM	TO	AMOUNT
A.7200.100 Camp - Personal Services	A.7020.100 General Rec. - Personal Services	\$5,000 program coordinator increase
A.7200.100 Camp - Personal Services	A.7020.103 General Rec. - Overtime	\$2,000 OT from Ice Rink
A.7200.100 Camp - Personal Services	A.7110.103 Parks - Overtime	\$2,500 Parks employees for OT from Ice Rink

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

None



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Kleiner
Seconded by: Alderman Green
Date of Adoption: January 7, 2025
Index No: 10-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
Total	8			1

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

1/9/25

Authorization to Transfer within the the 2024 Recreation Department to cover the cost of a UV system

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$133,000.00, in the following manner, for NEW UV system at the splash pad at War Memorial pool and a filtration system for the splash pad and big pool at War Memorial pool.

FROM	TO	AMOUNT
A.7110.100	A.7180.440	\$40,000.00
Parks - Personal Services	Pools - Repairs to Equipment	
A.7140.100	A.7180.440	\$40,000.00
Playgrounds - Personal Services	Pools - Repairs to Equipment	

A.7180.100	A.7180.440	\$32,000.00
Pools - Personal Services	Pools - Repairs to Equipment	
A.7180.441	A.7180.440	\$7,600.00
Pools - Repairs to Pools	Pools - Repairs to Equipment	
A.7180.450	A.7180.440	\$7,800.00
Pools - Material & Supplies	Pools - Repairs to Equipment	
A.7200.100	A.7180.440	\$5,600.00
Camps - Personal Services	Pools - Repairs to Equipment	
		Total: \$133,000.00

Prepared by:
 Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

1.	If it's Water
----	---------------

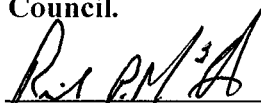


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

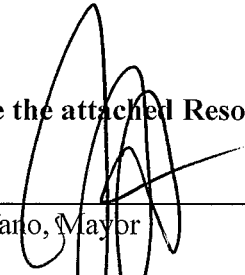
By: Alderman Green
Seconded by: Alderman Kleiner
Date of Adoption: January 7, 2025
Index No: 9-25

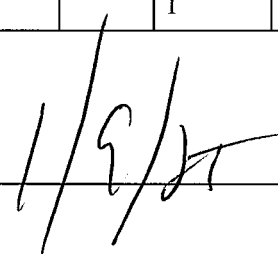
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt			X	
Ald. Masi				X
Pres. Rodrigues	X			
Total	7		1	1

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

Authorization to Change Pay Rates for Part Time Employees for 2025 Winter Programs

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the following pay rates for parttime employees for 2025 Winter Programs.

Recreation Leader for the Winter Break Camp \$18/hr.
Recreation Leader for the Ice-Skating Rink \$18/hr.

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

None

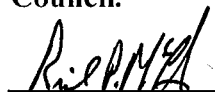


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Witt
Seconded by: Alderman Kleiner
Date of Adoption: January 7, 2025
Index No: 8-25

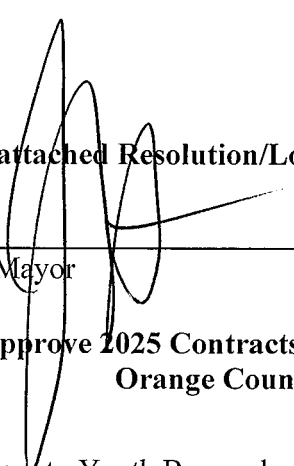
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.



Richard P. McCormack
Clerk to the Common Council

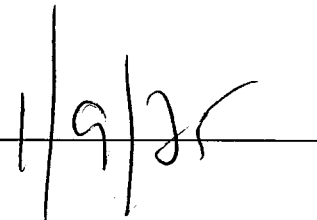
Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
Total	8			

I hereby approve the attached Resolution/Local Law.



Joseph M. DeStefano, Mayor

Date


1/9/25

Authorization to approve 2025 Contracts and Request for Funding in Relation to the Orange County Youth Bureau

Whereas, the Orange County Youth Bureau has approved our RFP application for funding for the 2025 fiscal year. And

Whereas, the funding will come from NYSOCFS, Solutions, and Youth Sports and Education Program. The goal of the funding is to provide youth with opportunities and support to improve the lives of young people in specific "Life Areas." And

Whereas the Middletown and Recreation Department will receive the following allotment of grant money for programming:

Middletown Recreation Young Warrior Boxing Program \$12,510

Middletown Recreation Toddler Programming \$5,000

Middletown Recreation Youth Fitness \$20,605

Middletown Recreation Playground/Summer Feeding Program \$10,000

BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign any and all necessary 2025 contracts and Requests For Funding in relation to the Orange County Youth Bureau on behalf of the City of Middletown.

Prepared by:

Attachments:

None

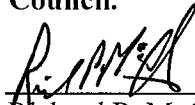


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

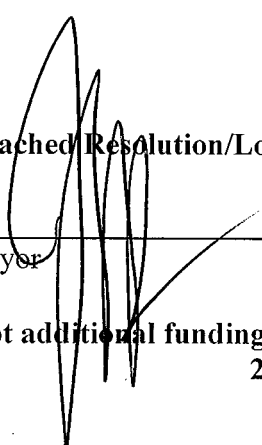
By: Alderman Tobin
Seconded by: Alderman Green
Date of Adoption: January 7, 2025
Index No: 7-25

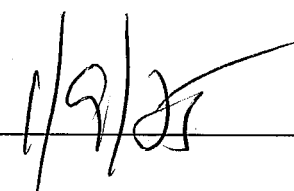
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
Total	8			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

Authorization to accept additional funding for Goldenarea Senior Transportation 2024-2025

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and accepts a additional funding in the amount of \$19,600.34 from Orange County Office for the Aging for 2024 Goldenarea Transportation Program within Senior Department Operating Budget 2024.

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to add the funding to the Other Govt Aid GA.4089.

BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes an amended agreement with the Office of the Aging and further authorizes the Mayor to sign the agreement.

Prepared by:
Julisa Sierra, Senior Center Dir

Attachments:

1.	BOE letter Budget transportation amendment DEC 2024
2.	Amendment #5 for 2024

Senior Transportation: (845) 346-4070
Senior Activities: (845) 346-4071
Fax: (845) 346-4072



Center Information: (845) 346-4073
Senior Travel: (845) 346-4074
Director: (845) 346-4075

December 13, 2024

Board of Estimate
City of Middletown
16 James Street
Middletown, NY 10940

The Senior Citizen Department, Mulberry House Senior Center respectfully requests the Board of Estimate to approve:

1. A resolution to accept additional funding of \$19,600.34 from Orange County Office for the Aging for 2024 Goldenarea Transportation within Senior Department Operating Budget and also review and accept amendments authorizing Mayor's signature of amendments.
2. Also requesting to authorize the Treasurer to add the funding to the Other Govt Aid GA.4089. for outstanding expense of transportation program in 2024.

Respectfully,

Julisa Sierra

Julisa Sierra



**ORANGE COUNTY
AMENDMENT**

NO: 5

EFFECTIVE DATE: January 1, 2024

VENDOR: City of Middletown

AGREEMENT FOR: Title III-B Funding for Transportation Services for the Elderly (RFP OFA01-20)

The Agreement for Vendor Services, dated January 1, 2021, between the **COUNTY OF ORANGE** ("County") and City of Middletown ("Vendor") as previously amended by Amendment No. 4 dated November 8, 2023, as previously amended and extended by Amendment No. 3 dated January 1, 2023, as previously amended by Amendment No. 2 dated September 1, 2022, as previously amended and extended by Amendment No.1 dated January 1, 2022 ("Agreement") is hereby further amended and extended as follows:

- 1) **EXTENSION OF TERM.** The County hereby exercises its third option to extend the term of the Agreement for an additional one (1) year period commencing January 1, 2024, and ending December 31, 2024. (Renewal Term #3)
- 2) The annexed Schedule B-4 hereby supersedes and replaces Schedule B-3 (annexed to Amendment #4) in its entirety.
- 3) **NOT-TO-EXCEED COST.** The not-to-exceed cost set forth in Article 3 of the Agreement is increased by \$25,635.00 to \$137,740.50 as more particularly set forth below.
- 4) **SEXUAL HARASSMENT CERTIFICATION.** Pursuant to the New York State Finance Law §139-l, by execution of this Amendment No. 5 the Vendor and the individual signing this Amendment No. 5 on behalf of the Vendor certifies, under penalty of perjury, that the Vendor has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of Section 201-g of the New York State Labor Law. A model policy and training has been created by the New York State Department of Labor and can be found on its website at:

<https://www.ny.gov/programs/combating-sexual-harassment-workplace>

The County's policy against sexual harassment and other unlawful discrimination and harassment in the workplace can be found on the County's website at:

<https://www.orangecountygov.com/1137/Human-Resources>

- 5) **INTEGRATION.** Except as modified by this Amendment No. 5, the Agreement shall remain unchanged and in full force and effect. The terms used in this Amendment No. 5, unless otherwise defined in this Amendment No. 5, shall have the meanings as set forth in the Agreement. If there shall be any conflict or inconsistency between the terms and conditions of this Amendment No. 5, and the Agreement, the terms and conditions of this Amendment No. 5, shall control.

- 6). **SIGNATURES.** A manually signed copy of this Amendment No. 5, delivered by facsimile, email, or other means of electronic transmission shall be deemed to have the same legal force and effect as delivery of an original signed copy of this Amendment No 5.

The foregoing changes result in the following adjustment of Agreement not-to-exceed cost and term as follows:

Agreement Not-to-Exceed Cost Prior to this Amendment	\$112,105.50
Net Increase resulting from this Amendment	\$25,635.00
Agreement Not-to- Exceed Cost including this Amendment	\$137,740.50
Agreement Term Prior to this Amendment	1/1/2021 – 12/31/2023
Agreement Term including this Amendment	1/1/2021 – 12/31/2024.

COUNTY

VENDOR

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

SCHEDULE B-4

FEES AND EXPENSES

UNITS OF SERVICE	UNIT COST	TOTAL BUDGET/ COST OF SERVICE
6,344 units of Transportation	\$20.77 (per one way trip per person)	\$131,764.00

The COUNTY and VENDOR agree that the sources utilized to fund the Total Cost of Service of \$131,764.00 shall be as follows:

(a) Area Agency Funds – For the satisfactory provision of the SERVICES, the COUNTY will reimburse VENDOR in a total amount not to exceed \$25,635.00;

(b) Anticipated Income – Voluntary contributions in the amount of \$6,315.00 anticipated to be received during the term of this Agreement from those individuals who receive the SERVICES from VENDOR pursuant to this Agreement, which shall be retained by VENDOR and used to expand the SERVICES; and

(c) Subcontractor Funds – VENDOR shall contribute the sum of \$99,814.00. to the cost of the SERVICES after application of those voluntary contributions received from those individuals who receive the SERVICES.

Please Note - Vendor acknowledges and understands that the risk that the voluntary contributions actually received may be less than the \$6,315.00 projected on Schedule B-4 to the Agreement shall be borne by Vendor.



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Jean-Francois
Seconded by: Alderman Tobin
Date of Adoption: January 7, 2025
Index No: 6-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
Total	8			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution Appointing 207A Officer

WHEREAS, for the purpose of both efficiency, and experience in administering General Municipal Law 207-a and 207-c claims, the Mayor recommends that the Common Council confirm the appoint and terms of said appointment of Marshall & Sterling and its representative Gregory Townsend to assist the City in managing, supervising and determining the eligibility of General Municipal Law 207-a and 207-c claims.

NOW, THEREFORE BE IT RESOLVED; that the Common Council of the City of Middletown, concurs with the recommendation of the Mayor to appoint Marshall & Sterling and its representative Gregory Townsend to determine and or recommend to the City whether a firefighter is eligible to receive GML 207-a benefits in accordance with Appendix B, the Procedure of the Administration of Section 207-a of General Municipal Law for Paid Firefighters for the City of Middletown included in the collective bargaining agreement between the City of Middletown and the Middletown Professional Firefighters, Inc.; and

BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown, concurs with the recommendation of the Mayor to appoint Marshall & Sterling and its representative Gregory Townsend as the Claims Manager with the responsibility of administering the GML 207-c procedures for City Police officers in accordance with Article 29, General Municipal Law Section 207-c Procedure negotiated in the collective bargaining agreement between the City of Middletown and the City of Middletown Police Benevolent Association, Inc.; and

BE IT FURTHER RESOLVED, that the Common Council of the City of Middletown determines that said appointment is effective January 1, 2025, and said appointment can be rescinded at any time by the Common Council.

Prepared by:
Rick McCormack, City Clerk

Attachments:

None



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderwoman Wray
Seconded by: Alderman Witt
Date of Adoption: January 7, 2025
Index No: 5-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
Total	8			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

1/9/25

Adoption of a Fund Balance Policy for 2025

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and adopts the attached Fund Balance Policy.

Prepared by:

Attachments:

1.	Fund Balance Policy
----	---------------------

DATE OF ADOPTION:



CITY OF
Middletown
— NEW YORK —

FUND BALANCE POLICY

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VII.	ANNUAL REVIEW AND REVISION.....	5

I. Purpose

City of Middletown, NY (the "City") recognizes the significance of sound financial management and establishes this Fund Balance Policy for the General, Water and Sewer Fund to:

- ❖ Ensure financial stability and resilience against economic fluctuations.
- ❖ Maintain sufficient reserves for emergencies and unforeseen circumstances.
- ❖ Establish guidelines for prudent use of available funds while meeting community needs.
- ❖ Provide transparency in financial reporting to stakeholders.
- ❖ Protect the City's credit worthiness and provide adequate cash flow needs.
- ❖ Protect the City against reducing service levels or raising of taxes due to temporary revenue shortfall, one-time expenditure, emergency and disasters.

The Office of NYS Comptroller recommends local governments establish a policy to maintain reasonable levels of unexpended surplus funds and other principle funds to hedge against unanticipated expenditures and/or revenue shortfalls.

II. Definitions

Fund Balance is the total accumulation of operating surpluses and deficits since the beginning of a local government's existence. The fund balance shall be categorized as follows in accordance with GASB principle 54:

Nonspendable:

Amounts that cannot be spent in the current period either because of their form or because they must be maintained intact. *Classification: prepaid items, inventory*

Restricted:

Amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, grantors, contributors or law and regulation of other governments or through constitutional provisional or enabling legislation. *Classifications: Capital Reserves, Tax Stabilization Reserves, Debt Reserves, Insurance Reserves, and other reserves allowed by State statutes.*

Committed:

Amounts that are subject to purpose constraints imposed by a formal action of the government's highest level of decision – making authority (the Common Council) before the end of the year. The same level of formal action is required to remove the constraints. *Classification: The Office of State Comptroller recommends most local governments do not have committed funds due to reserves.*

Assigned:

Amounts that are subject to a purpose constrained that represents an intended use established by the government's highest level of decision-making authority or by its designated body or official. The purpose of the assigned fund balance represents the residual amount of fund balance. *Classification: The Office of State Comptroller states that resolutions, ordinance, and*

local laws constitute a constraint of resources and will result in an assignment of resources. Encumbrances will typically be considered an assignment of fund balance.

Unassigned:

Represents the residual amount of fund balance in the General Fund. Use is least constrained in this category. In funds other than General Fund, this classification should only be used to report deficit balances. *Classification: all other unassigned fund balances.*

III. Target Levels for Unassigned Fund Balance

The City recommends to maintain an unassigned fund balances at levels consistent with:

5% -20% of the prior year expenditure made from General, Water and Sewer fund.

The City Treasurer shall annually calculate and verify the compliance with this policy. The formula to calculate the fund balance will be as follows:

- ❖ The audited balance available in the unassigned fund balance of the most recent fiscal year, divided by the total expenditures.

Surplus: In the event the unassigned fund balance exceeds the maximum requirement, the excess may be used for any lawful purpose approved by the Common Council.

Deficit: In the event the unassigned fund balance falls below minimum requirement of 5%, the City Treasurer shall prepare and submit a plan to restore balance to minimum target levels in the next budget year.

IV. Use and Allocation

Criteria for Utilization:

- ❖ **Unrestricted Unassigned Fund Balance:** Available for unforeseen expenditures, one-time expense emergencies, offsetting economic downturn, covering an unanticipated or excess shortfall in revenues or spike in expenses or other lawful purposes approved by the governing body.
- ❖ **Restricted, Committed, and Assigned Fund Balances:** Shall be used for their designated purposes only, as specified by legal or contractual obligations or governing body decisions.

V. Reserves

As financial circumstances may warrant, the City will look to establish funds including but not limited to, retirement contribution, contingencies, tax stabilization and capital; emergencies including repairs.

VI. Reporting and Compliance

Regular Reporting:

- ❖ Periodic reporting on fund balance status in financial statements and other relevant documents.
- ❖ Ensuring compliance with accounting standards, governmental regulations, and reporting requirements.
- ❖ Transparency in communicating fund balance status to stakeholders, including the governing body, citizens, auditors, and regulatory authorities.

VIII. Annual Review and Revision

- ❖ The fund balance policy shall be reviewed annually or more frequently if necessary, considering changes in financial conditions, legislative mandates, or organizational needs.
- ❖ This policy will be presented for review and adoption annually by the Common Council.

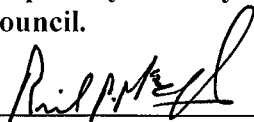


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

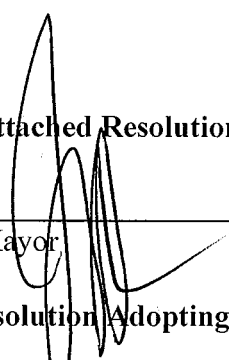
By: Alderman Kleiner
Seconded by: Alderwoman Wray
Date of Adoption: January 7, 2025
Index No: 4-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
Total	8			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 1/9/25

Resolution Adopting a Procurement Policy for 2025

Be it resolved that the Common Council of the City of Middletown herenby adopts the attached Procurement Policy for 2025

Prepared by:
Paul Johnson, Alderman

Attachments:

1.	City of Middletown, NY Procurement Policy
----	---

City of Middletown, NY
Saturday, January 4, 2025

Chapter 104. Procurement Policy

[HISTORY: Adopted by the Common Council 1-3-2012.^[1] Amendments noted where applicable.]

GENERAL REFERENCES

Finance — See Ch. 54.

Investment policy — See Ch. 65.

[1] *Editor's Note: This ordinance superseded former Ch. 104, Procurement Policy, adopted 1-3-2011.*

§ 104-1. Adoption of procedures.

The following procedures are adopted for procurement of goods and services.

§ 104-2. Purchases.

For purchases, the following procedures are to be followed:

- A. For purchases of items costing over \$20,000, competitive bidding in accordance with applicable laws and regulations is required.
- B. For purchases of items costing between \$5,000 and \$19,999.99, three or more written price quotes from suppliers are required.
- C. For purchases of items costing between \$2,000 and \$4,999.99, three or more verbal quotes from suppliers are required.
- D. For purchases of items costing between \$0 and \$1,999.99, appropriate verbal quotes from suppliers, in the discretion of the department head undertaking the purchasing, are required.

§ 104-3. Public works contracts.

For public works contracts, the following procedures are to be followed:

- A. For contracts over \$35,000, competitive bidding in accordance with applicable laws and regulations is required.
- B. For contracts between \$5,000 and \$34,999.99, three or more written quotes from qualified contractors are required.
- C. For contracts between \$2,000 and \$4,999.99, three or more verbal quotes from qualified contractors are required.
- D. For contracts between \$0 and \$1,999.99, appropriate verbal quotes from qualified contractors, in the discretion of the department head who wishes to enter into the contracts, are required.

§ 104-4. Other services.

[Amended 2-5-2013]

- A. In the event it can be anticipated that a particular service (e.g., painting services) may be required by the City for various projects which, in total, are expected to exceed \$35,000 for the year, then the procurement of those services will be subject to competitive bidding.
- B. There are, however, certain types of services provided to the City that may be considered routine and delivered in the ordinary course of business that are not capable of precise cumulative monetary calculation but are necessary to be incurred promptly and/or locally to protect the health, welfare or safety of the residents of the City, employees of the City or structures and equipment owned by the City. Such services include, but are not limited to, repairs to City vehicles such as sanitation trucks or trucks used in snowplowing or street repairs; repairs to City buildings and processes, such as electrical or plumbing work in or on the City's sewage treatment plant or water treatment plant; or assistance from outside companies for snow or garbage removal. In such cases, the cumulative payment to those companies may total more than \$35,000 per year, but it is impossible to know from year to year whether such costs will exceed \$35,000. In such cases, and in accordance with § 104-b, Subdivision 2g, of the New York General Municipal Law, it is the determination of the Common Council of the City of Middletown that the best interests of the City will not be served by competitive bidding in such cases but that the department head charged with such purchases may obtain such routine services as needed by the City in the ordinary course of business from time to time.
- C. Notwithstanding the foregoing, if the department head charged with such purchase determines that the anticipated service covered by that one purchase likely will exceed the cost of \$35,000 and such service is not the subject of any exception under this procurement policy (such as an emergency purchase or the purchase from a sole source supplier), then the procurement of such service will be subject to competitive bidding as set forth elsewhere in this chapter.

§ 104-5. Verbal quotes.

Whenever this policy allows for verbal quotes, the department head must maintain a written log which lists appropriate information from each supplier or contractor supplying such verbal quotes.

§ 104-6. Exceptions.

[Amended 3-19-2024]

- A. Exceptions to the above procurement processes are to be allowed in purchases or public work contracts which involve any of the following situations:
 - (1) Emergencies;
 - (2) True leases;
 - (3) Sole source purchases;
 - (4) Professional services, as defined and described in § 104-12 of this chapter;
 - (5) Best-value analysis, as defined and described in § 104-10 of this chapter;
 - (6) State contracted items; and
 - (7) Purchases through preferred sources, as described in the posting of the New York State Office of General Services.
- B. In all of the above situations, the responsible department head or other City official engaging in the procurement process must:
 - (1) Document the circumstances allowing the exception to the above procurement processes;

- (2) Abide by all relevant state and City ethics laws and codes;
- (3) Attempt to achieve the best value for the City; and
- (4) Should, whenever possible, attempt to make purchases and secure public works contracts at the lowest possible cost to the extent possible under the circumstances.

§ 104-7. Requests for proposals.

Whenever possible, professional services are to be obtained through requests for proposals (RFPs) issued by the Board of Estimate and Apportionment. All responses to RFPs are to be reviewed by the Board of Estimate, which must make a recommendation to the Common Council for final approval.

§ 104-8. Award to other than lowest bidder.

Whenever any contract is awarded to other than the lowest bidder or proposer, the reasons are to be set forth in writing and filed with the appropriate department or board.

§ 104-9. Effect on other procedures.

Nothing in these procurement processes changes any administrative procedures required by the Charter of the City of Middletown, such as the approval of the Board of Estimate and Apportionment for purchases and contracts.

§ 104-10. Contracts awarded based on best-value analysis.

[Added 6-3-2014 by L.L. No. 2-2014]

Notwithstanding anything else contained in this chapter to the contrary, the Common Council, after approval of the Board of Estimate and Apportionment, may award purchase contracts and service contracts that have been procured pursuant to competitive bidding or otherwise under New York General Municipal Law § 103(1) or this chapter by either the lowest responsible bidder standard or the best-value standard.

- A. "Best value" is defined in State Finance Law § 163 to mean "the basis for awarding contracts for services to the offerer which optimizes quality, cost and efficiency, among responsive and responsible offerers. Such basis shall reflect, wherever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for offerers that are small businesses or certified minority- or women-owned business enterprises as defined in subdivisions one, seven, fifteen and twenty of section three hundred ten of the [New York] Executive Law to be used in evaluation of offers for awarding of contracts for services." For purposes of this section, the Common Council adopts the above definition of "best value," as the same may be modified from time to time by the State Legislature.
- B. Pursuant to New York General Municipal Law § 103(1), the best-value standard may be used for purchase contracts, including contracts for service work, but it excludes and may not be used for any purchase contracts necessary for the completion of public works contracts pursuant to New York Labor Law Article 8.
- C. If the monetary thresholds of New York General Municipal Law § 103 are increased or decreased in the future by the State Legislature, the monetary thresholds set forth herein will be deemed simultaneously amended to match the new General Municipal Law thresholds.
- D. Whenever any contract is awarded by the Common Council (after approval of the Board of Estimate and Apportionment) on the basis of best value instead of the lowest responsible bidder,

the basis for determining best value will be thoroughly and accurately documented. Such documentation may include, but is not necessarily limited to, the cost of maintenance; durability; availability of replacement parts or maintenance contractors; longer product life; product performance criteria; quality of craftsmanship; or compatibility with existing City buildings or property.

§ 104-11. Standards for federal award procurement.

[Added 11-15-2016; amended 3-19-2024]

All federal awards, including funds received through New York State pass-through entities and funds under federal CDBG-DR grants, must comply with the provisions of 2 CFR Part 200, subparts A through F. There shall be no contracting with, or awards made to, parties that are suspended or debarred pursuant to federal regulations. A suspension/disbarment clause must be included in all written contracts in which, (1) the vendor must certify that it is not suspended or debarred, and (2) the vendor must promise to notify the City if it/they become suspended or debarred. The City must evaluate the recipient's risk of noncompliance in accordance with 2 CFR 200.213.

§ 104-12. Professional services.

[Added 3-19-2024]

Professional services are defined in New York case law and Comptroller opinions. Generally, professional services require specialized or technical skills or expertise, training, licensing or certifications, exercise of judgment or discretion, a high degree of creativity and/or a relationship of personal trust and confidence. Examples of professional services include, but are not limited to, those provided by physicians, nurses, therapists, engineers, surveyors, attorneys, artists, designers, photographers, publicity agents, laboratories, and insurance or financial service firms. Procurement of professional services does not require competitive bidding as long as there is an inextricable integration of scientific and technical skills.

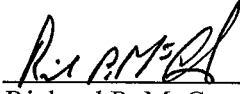


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

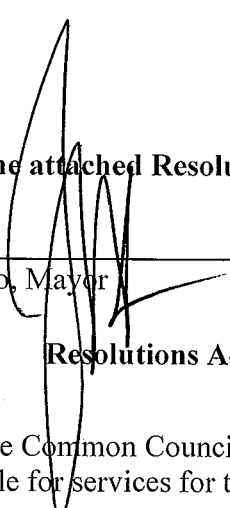
By: Alderman Green
Seconded by: Alderman Tobin
Date of Adoption: January 7, 2025
Index No: 3-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

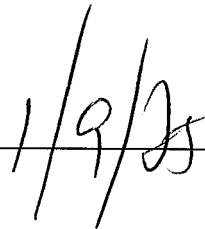

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
Total	8			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date



Resolutions Adopting a Fee Schedule for 2025

RESOLVED; that the Common Council of the City of Middletown does hereby adopt the attached Fee Schedule for services for the City of Middletown.

Prepared by:
Leonora Liz, Treasurer

Attachments:

1.	City of Middletown Fee Schedule
----	---------------------------------

City of Middletown
Fee Schedule

Code	Description	Fee
A500-09	Plumbing Permit	\$10.00 per fixture, minimum of \$25.00
389-14	Sewer Permit	
	Residential	\$100.00
	Industrial	\$400.00
193-11	Building Permit	\$10.00 per \$1,000.00 up to \$500,000
		(projects over \$500,000 to pay 2% inspection fee)
306-2	Junk Yard Permit	\$300.00 per year
193-11C	Demolition Permit	\$200.00
193-11	Move a Building	\$200.00
193-	Certificate of Occupancy	\$100.00 (\$25.00 if construction is under \$10,000)
112-4-J	Abstract Search	\$100.00
394-4 4	Sign Permit	\$50.00
425-5	Swimming Pool Permit	\$50.00
112-4G	Housing Inspection	\$100.00
112-4G	Re-Inspection	\$100.00
296-16	Rooming, lodging & Multi. Dwelling Permit	\$100.00 per building plus \$10.00 per unit
296-32A	Rental Permit Fee	\$100.00 per rental unit
296-32B	Renewal Fee	\$100.00 per rental unit
	Copy of Fire Report	\$25.00
	Public Improvement Inspection	\$125.00 per hour, capped at 4% of estimated cost of such improvements
188-4	Remove Weeds & Vegetation	
	Single Family	\$100.00 minimum
	Two Family	\$250.00 minimum
	Business	\$500.00 minimum

City of Middletown
Fee Schedule

193-52	Sewar/Water Recreational Charge	
	City of Middletown	\$2300 per dwelling unit (up to 12 fixture per dwelling unit for each fixture in excess of 12 fixtures per dwelling unit an additional fee of \$10.00 per fixture).
	Outside the City of Middletown	\$2300 per unit, and the Common Council shall have the discretion to charge a higher fee.
389-50A	Wastewater discharge permit fee	\$200
416-22B	Street Opening Permit	
	Ditch Mobilization Charge	\$50 per ditch, \$3.00 per square foot of opening up to 50 square feet of opening, additional square footage over 50 square feet will be charged at \$2.00 per square foot.
	Septage/Leachrate Rates	Taking rate to be set at \$.098 per gallon Leachate taking rate to be set at the range of \$.055 to \$.06 per gallon \$.05 will be charged to large single contracts of 500,000 gallons and more per year \$.06 per gallon will be charged to others.
	Operating Permit	\$100.00, plus \$50.00 for every 50 occupants over 150 occupants in a public assembly.
	Commercial Gargage Pickup	
	Monthly Rates	
	2 Yard Dumpster	\$95.00
	\$95 Gallon Trash Can (or equivalent)	\$10.00
	Additional 95 Gallon Trashcan (or equiv.)	\$10.00
359-7E	Emergency Standing Water Sworn Statement	\$100 Minimum
166-8	Architectural Review Board Job Estimate	
	\$10,000 or under	\$10.00

City of Middletown
Fee Schedule

\$10,001 to \$100,000	\$25.00
100,001 to \$500,000	\$50.00
\$500,001 to \$1,000,000	\$75.00
\$1,000,001 or higher	\$100,000

193-53	Connection Charge, non-residential	
	Inside and outside the city	Based on the estimated consumption of water and sewer services as compared with the average water and sewer consumption of individual units. All determined by Treasurer and Commissioner of Public Works.
	Planning & Zoning Fees	
	Subdivision	
	Minor 2-3 Lots	\$250.00 plus \$500 escrow, if required \$500.00 plus \$100 per lot for each lot over 10 lots
	Major over 3 lots	and \$1000 escrow (to be replenished as required).
	Planning Board	
	Industrial, Commercial, Mixed Use	\$300.00, plus \$100 for every 1,000 sq. ft. of building floor area over 2,000 sq. ft., plus \$500 escrow if required (to be replenished as required)
	Single of Two Family Residential	\$125.00 \$500 plus \$100 for every dwelling unit over 10
	Multi-Family residential	units, plus \$500 escrow if required. (to be replenished as required)
475-53n	Site Plan of 500 units or more	\$50 plus \$50 for each multiple units of housing
	Zoning Board of Appeals	
	Area Variance	\$100
	Zoning Interpretation	\$100
	Use Variance	\$350
475-51	Change of Zoning	\$250

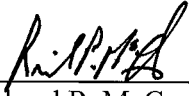


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

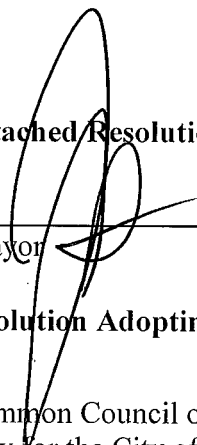
By: Alderman Johnson
Seconded by: Alderwoman Wray
Date of Adoption: January 7, 2025
Index No: 2-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
Total	8			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 1/9/25

Resolution Adopting an Investment Policy for 2025

RESOLVED; that the Common Council of the City of Middletown does hereby adopt the attached Investment Policy for the City of Middletown.

Prepared by:
Leonora Liz, Treasurer

Attachments:

1.	Investment Policy
----	-------------------

Chapter 65

INVESTMENT POLICY

§ 65-1.	Scope.	§ 65-9.	Safekeeping and collateralization.
§ 65-2.	Objectives.	§ 65-10.	Permitted investments.
§ 65-3.	Delegation of authority.	§ 65-11.	Authorized financial institutions and dealers.
§ 65-4.	Prudence.	§ 65-12.	Purchase of investments.
§ 65-5.	Diversification.	§ 65-13.	Repurchase agreements.
§ 65-6.	Internal controls.	§ 65-14.	Operations, audit and reporting.
§ 65-7.	Designation of depositories.		
§ 65-8.	Collateralizing of deposits.		

[HISTORY: Adopted by the Common Council of the City of Middletown 1-3-2022 by Res. No. 3-22¹. Amendments noted where applicable.]

§ 65-1. Scope.

This investment policy applies to all monies and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

§ 65-2. Objectives.

The primary objectives of the City of Middletown's investment activities are, in priority order:

- A. Legal: to conform with all applicable federal, state and other local requirements;
- B. Safety: to adequately safeguard principal;
- C. Liquidity: to provide sufficient liquidity to meet all operating requirements; and
- D. Yield: to obtain reasonable rate of return.

§ 65-3. Delegation of authority.

The governing board's responsibility for administration of the investment program is delegated to the Treasurer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

§ 65-4. Prudence.

- A. All participants in the investment process shall seek to act responsibly as custodians of the

1. Editor's Note: This resolution superseded former Ch. 65, Investment Policy, adopted 1-2-2020.

public trust and shall avoid any transaction that might impair public confidence in the City of Middletown to govern effectively.

- B. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.
- C. All participants involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

§ 65-5. Diversification.

It is the policy of the City of Middletown to diversify its deposits and investments by financial institutions, by investment, and by maturity scheduling.

§ 65-6. Internal controls.

- A. It is the policy of the City of Middletown for all monies collected by any officer or employee of the government to transfer those funds to the Treasurer within one day of deposit, or within the time specified in law, whichever is shorter.
- B. The Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

§ 65-7. Designation of depositories.

The bank and trust companies authorized for the deposit of monies up to the maximum amounts are:

Depository Name	Maximum Amount
JP Morgan Chase	\$18,000,000
TD Bank	\$18,000,000
Sterling National Bank	\$18,000,000
Orange Trust Bank	\$12,500,000
Key Bank	\$5,250,000

§ 65-8. Collateralizing of deposits.

In accordance with the provisions of General Municipal Law § 10, all deposits of the City of Middletown, including certificates of deposits and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

- A. By a pledge of eligible securities with an aggregate market value as provided by GML § 10, equal to the aggregate amount of deposits from the categories designated in Appendix A²

to the policy.

- B. By an eligible irrevocable letter of credit issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of the deposits and the agreed upon interest, if any, or 100% in the case of an irrevocable letter of credit issued in favor of the local government by certain federal home loan banks. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
- C. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of the deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

§ 65-9. Safekeeping and collateralization.

- A. Eligible securities used for collateralizing deposits shall be held by a third party or trust company subject to security and custodial agreements.
- B. The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses rising out of collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with the City of Middletown, or its custodial bank.
- C. The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution or release of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

§ 65-10. Permitted investments.

- A. As authorized by General Municipal Law § 11, the City of Middletown authorizes the Treasurer to invest monies not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:
 - (1) Special time deposit accounts authorized to do business in New York State;

2. Editor's Note: Appendix A is included as an attachment to this chapter.

- (2) Certificates of deposit;
 - (3) Obligations of the United States of America;
 - (4) Obligations guaranteed by the agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
 - (5) Obligations of the State of New York;
 - (6) Obligations issued pursuant to LFL § 24.00 or 25.00 (with the approval of the State Comptroller) by any municipality, school district or district corporation other than the City of Middletown;
 - (7) Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general state statutes governing such entities or whose specific enabling legislation authorizes such investments;
 - (8) Certificates of participation (COPs) issued pursuant to GML § 109-b;
 - (9) Obligations of this local government, but only with any monies in a reserve fund established pursuant to GML § 6-c, 6-d, 6-g, 6-h, g-j, 6-k, 6-l, 6-m, or 6-n.
- B. All investment obligations shall be payable or redeemable at the option of the City of Middletown within such times as the proceeds will be needed to meet expenditures for purposes for which the monies were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the City of Middletown within two years of the date of purchase. The designated depository will confirm all purchases and transactions in writing to the City of Middletown.

§ 65-11. Authorized financial institutions and dealers.

The City of Middletown shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments, which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credited worthy. Banks shall provide their most recent consolidated report of condition (call report) at the request of the City of Middletown. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank as primary dealers. The Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

§ 65-12. Purchase of investments.

- A. The Treasurer is authorized to contract for the purchase of investments:
- (1) Directly, including through a repurchase agreement, from an authorized trading partner.
 - (2) By participation in a cooperative program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.

- (3) By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.
- B. All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed, in writing, to the City of Middletown by the bank or trust company. Any obligations held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law § 10.10.
- C. The custodial agreement shall provide the securities held by the bank or trust company, as agent and of custodian for the City of Middletown, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the City of Middletown a perfected interest in the securities.

§ 65-13. Repurchase agreements.

Repurchase agreements are authorized subject to the following restrictions:

- A. All repurchase agreements must be entered into subject to a master repurchase agreement.
- B. Trading partners are limited to banks or trust companies authorized to do business in New York and primary reporting dealers.
- C. Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- D. No substitution of security will be allowed.
- E. The custodian shall be a party other than the trading partner.

§ 65-14. Operations, audit and reporting.

- A. The Treasurer, having custody of money, shall authorize the purchase and sale of all securities and execute contracts on behalf of the City of Middletown. Oral directions concerning the purchase, transaction, or sale of securities shall be confirmed in writing. The City of Middletown shall pay for purchased securities upon delivery.
- B. The City of Middletown will encourage the purchase and sale of securities through a competitive or negotiated process involving solicitations of at least three bids for each transaction.
- C. At the time independent auditors conduct the annual financial audit of the accounts and affairs of the City of Middletown, the auditors shall audit compliance with the investment guidelines.
- D. The legislative body of the City of Middletown shall review and approve the annual investment report at its annual reorganization meeting.

- E. The provisions of these investment guidelines, and any amendments hereto, shall take effect prospectively and shall not invalidate the prior selection of any custodial bank or prior investment.



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

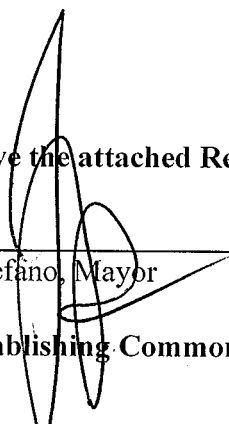
By: Alderman Witt
Seconded by: Alderman Green
Date of Adoption: January 7, 2025
Index No: 1-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
Total	8			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 1/9/25

Resolution Establishing Common Council Standing Committees and Membership for 2025

Resolved, that the Common Council of the City of Middletown hereby establishes the following committees and their membership as Standing Committees of the City of Middletown Common Council:

FINANCE COMMITTEE

Masi, Chairperson
Johnson, Vice-Chair
Jean-Francois
Green
Wray

**PLANNING AND ECONOMIC
DEVELOPMENT**

Green, Chairperson

LEGISLATIVE COMMITTEE

Johnson, Chairperson
Masi, Vice-Chair
Green
Tobin
Wray

PUBLIC WORKS/TRAFFIC

Jean-Francois, Chairperson
Kleiner, Vice-Chair

Johnson, Vice-Chair	Green
Jean-Francois	Wray
Witt	Witt
Wray	
RECREATION & PARKS	PUBLIC SAFETY
Witt, Chairperson	Tobin, Chairperson
Tobin, Vice-Chair	Masi, Vice-Chair
Wray	Wray
Kleiner	Jean-Francois
Masi	Johnson
REVENUE	RECYCLING
Ramkissoon, Chairperson	Jean-Francois, Chairperson
Masi, Vice-Chair	Green, Vice-Chair
Jean-Francois	Kleiner
Johnson	Tobin
Green	Johnson
COMMUNITY COMMUNICATION AND HISTORICAL SOCIETY	QUALITY OF LIFE/CODE ENFORCEMENT ENTIRE CITY
Kleiner, Chairperson	Entire Council on Committee
Tobin, Vice-Chair	
Witt	
Green	
Jean-Francois	

BE IT FURTHER RESOLVED, that the Common Council declares that the Treasurer, Leonora Liz, and the Chairman of the Finance Committee, Joseph Masi, are hereby authorized and directed to sign all checks, drafts, acceptances, undertakings or, other orders on bank accounts of the City of Middletown by personal or by facsimile signature.

Prepared by:

Attachments:

None



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: January 21, 2025
Index No:

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Public Hearing: Creation of certain restrictions to granting first-floor waivers in the DMU Zoning District.

Prepared by:

Attachments:

1.	Notice of Public Hearing DMU Waivers
----	--------------------------------------

**CITY OF MIDDLETOWN
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, January 21, 2025, on or as near to 7:30 p.m. as possible, Common Council Chambers, 2nd floor, 16 James Street, to hear any and all persons wishing to be heard on the proposed zoning amendment to Chapter 475 creating certain restrictions for the granting of first floor waivers in the DMU Zoning District.

Any and all persons wishing to be heard will be given an opportunity to speak either for or against the proposed zoning amendment.

The complete proposed zoning amendment is available in the office of the Common Council Clerk, City Hall, 16 James Street, room 12, and on the City Website.

For any person unable to participate at the time of the public hearing, email comments may be submitted in advance to rmccormack@middletownny.gov

By the order of the Common Council.

Richard P. McCormack
Clerk of the Common Council

Publish: 1/16/25 & 1/17/25
City Website



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 22-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Transfer Funds within the Water Department to cover Shortage in 2024

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$5,490.74 in the following manner To cover a shortage of material and supplies within the Water Department

FROM	TO	AMOUNT
F.8340.484	F.8340.450	5,490.74
Water	Materials and Supplies	
Meters		

Prepared by:
Jacob Tawil

Attachments:

1.	Transfer of Funds 1-8-25-within water budget-supplies
----	---

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: January 8, 2025
To: Honorable Members of the Board of Estimate
And Apportionment
Cc: Leonora Liz-Treasurer
Richard McCormack- City Clerk
From: Jacob Tawil-Commissioner of Public Works
Re: Transfer of Funds

We respectfully request a transfer within our 2024 budget lines to cover shortage on Material and Supplies at the Water Dept.

	FROM	AMOUNT	TO
1.	F.8340.484 Water Meters	\$5,490.74	F.8340.450 Material &Supplies

Thank you.

MC



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 23-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Transfer Funds within the 2024 Water Department Budget to Cover Shortages

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$2,163, in the following manner, to cover shortages in 2024 in the Water Department.

FROM	TO	AMOUNT
F.8330.415	F.8330.400	\$2,163
Light and Heat	Contractual Services	

Prepared by:
Jacob Tawil

Attachments:

1.	Transfer of Funds 1-8-25-within WTP budget-contractual
----	--

Quote #

CITY OF MIDDLETOWN
16 JAMES ST
MIDDLETOWN, NY 10940

Job Location

PARKS & REC MAIN OFFICE BLDG
393 CTY ROUTE 78
MIDDLETOWN, NY 10940

Customer ID	Good Thru	Payment Terms
MDTN CITY - 1075	1/22/25	Net 5 Days

WE HEREBY SUBMIT SPECIFICATIONS AND ESTIMATES FOR:

Item Qty	Description	Price Each	Amount
	HEAT BOILER REMEDY: THE EXISTING HEATING BOILER IS PRESENTLY LEAKING FROM DETERIORATION. WE PROCEEDED TO INSTALL STOP-LEAK TO BUY SOME TIME, AND IT APPEARS TO BE EFFECTIVE, BUT IT IS A TEMPORARY SEAL. PROPOSE THE FOLLOWING: - THERE IS ANOTHER BOILER IN THE SAME ROOM CURRENTLY BEING USED FOR DOMESTIC HOT WATER. - WE CAN PROCEED TO CONVERT THIS BOILER TO CONNECT TO THE EXISTING HEATING SYSTEM. - UPON FINAL CONNECTION AND START-UP, THE LEAKING BOILER WILL BE DISCONNECTED AND TURNED OFF. - ALL WATER LINES AND GAS LINES TO BE DISCONNECTED. ALSO PROPOSED: - THERE IS A HUGE HOT WATER STORAGE TANK. BEING THAT IT IS OVERSIZED FOR THE AMOUNT OF HOT WATER BEING USED IN THAT BUILDING, IT IS NOT COST EFFECTIVE TO RUN. THUS, WE WOULD LIKE TO INSTALL (1) POINT-OF-USE ON-DEMAND GAS WATER HEATER. - WITH A 25 GALLON STORAGE TANK TO PROVIDE DOMESTIC HOT WATER TO THE BUILDING. BY DOING THIS, WE WILL NOT HAVE TO CHANGE ANY OF THE EXISTING PLUMBING.		

Quote for:

CITY OF MIDDLETOWN
16 JAMES ST
MIDDLETOWN, NY 10940

Job Location:

PARKS & REC MAIN OFFICE BLDG
393 CTY ROUTE 78
MIDDLETOWN, NY 10940

Customer ID	Good Thru	Payment Terms
MDTN CITY - 1075	1/22/25	Net 5 Days

WE HEREBY SUBMIT SPECIFICATIONS AND ESTIMATES FOR:

Item Qty	Description	Price Each	Amount
	ABANDONED.		
	*** THIS PROPOSITION WILL ALLOW FOR THE HEATING SYSTEM TO KEEP OPERATING AS-IS. *** THE ABILITY TO USE THIS OTHER BOILER PROVIDES US WITH THE QUICKEST OPTION AND MOST COST EFFECTIVE. *** ANY FUTURE UPDATES TO THE SYSTEM CAN THEN BE PLANNED OUT PROPERLY, INSTEAD OF BEING RUSHED ON AN URGENT BASIS.		
1.00	TIME & MATERIAL BILLING: NOT TO EXCEED A ROUGH ESTIMATE OF: IMPORTANT NOTE: IF THIS LEAKING BOILER COMPLETELY FAILS... THERE WILL BE NO HEAT TO THE BUILDING. PRICE BREAKDOWN: ROUGH ESTIMATED LABOR - \$20,000.00 ROUGH ESTIMATED MATERIALS - \$15,000.00	35,000.00000	35,000.00



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Jean-Francois
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 25-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to approve the proposal from IWS for hauling and disposal of City MSW, Garbage in 2025

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes an agreement with IWS for the hauling and disposal of the City MSW garbage for the year 2025.

The City is able to use the Contract Award by Orange County, where IWS extends the same fees and charges per the County award. The new 2025 Contract has an increase per ton of MSW from \$87.54 to \$89.92. This is an increase of approximately \$30,000 in 2025 budget for this line.

BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign the agreement.

Prepared by:
Jacob Tawil

Attachments:

1.	0857_001
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INTERSTATE

WASTE SERVICES

December 18, 2024

City of Middletown
Department of Public Works
Jacob Tawil, Commissioner of Public Works
16 James St
Middletown, NY 10940-5724

**Re: Municipal Solid Waste Hauling and Disposal Services Rate Per Ton
January 1, 2025 – December 31, 2025**

Mr. Tawil:

Orange County has awarded Interstate Waste Services RFB-OC129-24, Municipal Solid Waste Hauling and Disposal Services effective January 1, 2025 - December 31, 2025.

The bid price for the Initial Term is as follows: \$89.92 per ton

Effective, January 1, 2025, The City of Middletown Rate Per Ton will be adjusted as follows:

2024 Rate Per Ton: \$87.54

2025 Rate Per Ton: \$89.92

Sincerely,

Marisa Kellerhouse
Director of Key Accounts

Interstate Waste Services, Inc.

300 Frank W. Burr Boulevard, Suite 39, Teaneck, New Jersey 07666 • 1-866-DIAL-IWS • interstatewaste.com





Steven M. Neuhaus
County Executive

DEPARTMENT OF GENERAL SERVICES

Renee Arnold-O'Regan
Commissioner

255-275 Main St., P.O. Box 218
Goshen, New York 10924
TEL: (845) 291-2792 FAX: (845) 378-2365
www.orangecountygov.com

Marisa Kellerhouse
Interstate Waste Services, Inc.
300 Frank W. Burr Blvd, Suite 39
Teaneck, NJ 07666

December 16, 2024

NOTICE OF AWARD

Dear Ms. Kellerhouse,

This letter is to inform you that the County of Orange will award a contract to your firm as the result of RFB-OC129-24 Municipal Solid Waste Hauling and Disposal Services.

This notification does not constitute an order. The issuance of a Purchase Order or the execution of a contract between the vendor and the County of Orange shall initiate a transaction.

A representative from the Orange County Department of Public Works will be contacting you to start the contract process.

Attached is the bid summary for your records.

In the meantime, should you have any questions, please do not hesitate to call.

Regards,

Renee Arnold-O'Regan

Renee Arnold-O'Regan
Commissioner of General Services



County of Orange
Department of General Services
Goshen, New York 10924
www.orangecountygov.com
(845) 291-2792

Municipal Solid Waste Hauling and Disposal Services (RFB-OC129-24)

Letting of Thursday, December 5, 2024 @ 3:30 pm

Municipal Solid Waste	IWS		
	Bid Price INITIAL TERM	Bid Price RENEWAL TERM 1	Bid Price RENEWAL TERM 2
Haul and Disposal	\$89.92 per ton (fee to County)	\$94.42 per ton (fee to County)	\$99.14 per ton (fee to County)

Any award shall be subject to the issuance of a purchase order or the execution of a contract between the bidder and the County of Orange.

Denotes Award

Renee Arnold-O'Regan

Renee Arnold-O'Regan
Commissioner of General Services



ORANGE COUNTY, NEW YORK
Department of General Services
PO Box 218, 255-275 Main St.
Goshen, New York 10924

Page 21

RFB TITLE: MUNICIPAL SOLID WASTE HAULING AND DISPOSAL SERVICES

RFB-OC129-24

P. EQUIPMENT SPECIFICATIONS

1. OCTS #1:
110 CY minimum, open top, self-unloading trailers with hydraulic connections for easy hookup and unhooking of trailers (tipper trailers required).
2. OCTS #3:
110 CY minimum, **hard** top, self-unloading trailers with hydraulic connections for easy hookup and unhooking of trailers (trailers must be able to hook up to the transfer station's MSW compactor).
3. Quantity (**All quantities will be dependent on volume, Disposal or Processing Facility location and haul distance**).

OCTS #1: A minimum number of empty trailers onsite at all times: Five (5).

OCTS #3: A minimum number of empty trailers onsite at all times: Three (3).

TERM

1. The County anticipates that the term of the contract will be for one (1) year, beginning on January 1, 2025. The County reserves the right to extend the MSW contract for up to two (2) additional one (1) year period(s) (each commencing on January 1), at the sole option of the County and under the terms and conditions of the original contract, unless alternate terms for renewals/extensions are specified in the contract.
2. The County reserves the right to shorten the anticipated initial term or any renewal of any contract to allow synchronization of the terms of some or all contracts in the interest of implementing a coordinated approach to local solid waste management planning.
3. Upon expiration of the original contract term or any renewal, if authorized by the County, the contract may be extended unilaterally by the County for an additional period of up to two (2) months upon notice to Vendor with the same terms and conditions as the original contract including, but not limited to, quantities (prorated for such extension), prices, and delivery requirements. With the concurrence of Vendor, the extension may be for a period of up to three (3) months in lieu of the up to two (2) month period.

PRICING & PREVAILING WAGE

1. **BID PRICING CONTINGENT ON MINIMUM WEIGHT OF LOADED TRAILER OR CONTAINER WILL BE DEEMED NON-RESPONSIVE.**
2. Pricing must be submitted on the provided Bid Form.
3. **We do not accept any conditional bids (i.e.: minimum quantities, minimum dollar amount orders).**
4. The prices submitted shall be exclusive of federal and state sales taxes (or other taxes inapplicable to government entities) and must not include any tax for which the Bidder may claim exemption because of doing business with the County.



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Green
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 26-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Transfer within the Water Department 2024 Budget

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$21,000 in the following manner to cover the end-of-the-year payroll shortage due to the employee's compensatory time payout for the year 2024. Also, I am requesting a transfer to cover the Water department gas and oil line shortage due to fuel needed to pump the Indigot Reservoir. The requested funds are to be transferred into the 2024 lines.

FROM	TO	AMOUNT
F.8320.100	F.8340.100	\$14,000.00
Pumping Station Personal Services	Distribution Systems Personal Services	

FROM	TO	AMOUNT
------	----	--------

F.8320.100	F.8320.417	\$7,000.00
Pumping Station Personal Services	Gas & Oil	

Prepared by:
Jacob Tawil

Attachments:

1.	BOE MEMO-2024 BUDGET FUNDS TRANSFER
----	-------------------------------------

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: January 13, 2025

To: Honorable Mayor DeStefano, Council President Rodrigues,
Members of the Board of Estimate and Apportionment, Members of the
Common Council

Cc: Leonora Liz, Treasurer and Richard McCormack, City Clerk

From: Jacob S. Tawil, P.E.- Commissioner of Public Works 

Re: Transfer of Funds- Personal Services and Gas and Oil for **2024** Year End

We are respectfully requesting a transfer of funds as described below to cover the end of the year payroll shortage for account F.8340.100 due to the employee's compensatory time pay out for the year 2024. Also, a transfer is being requested to cover the shortage in the Water Departments gas and oil line due to fuel that was needed for them to perform the pumping of the Indigot Reservoir. The requested funds are to be transferred into the 2024 lines.

FROM	AMOUNT	TO
F.8320.100 Pers. Svcs. – Pumping	\$14,000.00	F.8340.100 Pers. Svcs –Distribution
F.8320.100 Pers. Svcs. - Pumping	\$7,000.00	F.8320.417 Gas and Oil- Pumping

Thank you.

JT/kg



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 27-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Accept \$30,000 in Grant Awards from the Orange County Youth Bureau (OCYB) for Youth Leadership, Junior Police Academy, and Youth Community Outreach Programs

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and accepts the following \$30,000 in grant awards from the Orange County Youth Bureau for 2025.

Youth Leadership Academy \$10,000
Junior Police Academy \$10,000
Youth Community Outreach \$10,000

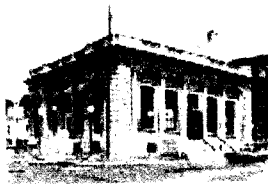
The Police Department requests that the newly established budget lines (number to be determined from Finance) be funded as follows:

Prepared by:
John Ewanciw, Chief of Police

Attachments:

1.	ocyb 2025
----	-----------

JOHN EWANCIW
CHIEF OF POLICE



TELEPHONE
845-343-3151
FAX NUMBER
845-343-2660

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

January 14, 2025

Honorable Joseph DeStefano
Mayor - City of Middletown
Board of Estimate and Apportionment
City Hall
16 James Street
Middletown, New York 10940

Dear Mayor DeStefano and members of the BOE,

The City of Middletown Police Department has been approved for \$30,000 in funding from the Orange County Youth Bureau for 2025.

The purpose of these grants is to serve the youth of Middletown. Specifically, the Junior Police Academy, Youth Outreach, and the Youth Leadership Academy.

We request that the newly established budget lines (number to be determined from Finance) be funded as follows:

Youth Leadership Academy \$10,000
Junior Police Academy \$10,000
Youth Community Outreach \$10,000

A copy of these awards are attached for your review.

If you have any questions, please contact me.

Very truly yours,

John Ewanciw
Chief of Police

JE:ccd



Steven M. Neuhaus
County Executive

ORANGE COUNTY YOUTH BUREAU

Over 46 Years Promoting Positive Youth Development!



Rachel R. Wilson
Executive Director

December 6, 2024

Mayor Joseph DeStefano
City of Middletown Police Department
2 James Street
Middletown, NY 10940

Dear Mayor DeStefano,

I am pleased to inform you that the Orange County Youth Bureau/Board has approved your application(s) for funding for **2025**.

<u>Program Name & Total Funding Amount:</u>	<u>Funding Amount & Type(s):</u>	<u>Projected Breakdown for STATE and/or County funds to be claimed in 2025:</u>
Youth Leadership Program	\$ 0 State*	\$ 0 State *For expenses from Jan 1 through Sept 30 only
Total Funding Amount: \$ 10,000	\$ 10,000 SOL	\$ 0 State *For expenses from Oct 1 through Dec 31 only NOTE: County "Solutions" funding can be claimed for expenses from Jan 1 through Dec 31.
Contingencies/Comments:		

*Effective January 1, 2023, the NYS Office of Children & Family Services changed its funding year for Youth Bureau funding. (Their year for Youth Bureau funding will run between 2 different calendar years from October through September.) To continue working with funded programs on a calendar year of January through December, the Orange County Youth Bureau worked hard to map out a process with as little disruption as possible to fiscal claiming and program reporting. To align with State requirements within the County's contract process and yearend deadlines, we will work closely with the programs that may be impacted. Please refer to the tentative breakdown for how funding will be distributed. This will be adjusted as need to work with the transition with the State. Please feel to contact our office with any questions. Programs receiving County "Solutions" funding can use those funds for expenses throughout the calendar year, from January through December.

Promoting Positive Youth Development since 1978!

40 Matthews Street, Suite 301C, Goshen, NY 10924 Phone: 845.615.3620 Fax: 845.360.9232

Email: YouthBur@OrangeCountyGov.com

Facebook: www.facebook.com/OrangeCountyYB

Website: www.OrangeCountyGov.com/YouthBureau

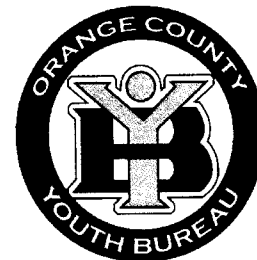
*Sgt. Welch
Solutions*



Steven M. Neuhaus
County Executive

ORANGE COUNTY YOUTH BUREAU

Over 46 Years *Promoting Positive Youth Development!*



Rachel R. Wilson
Executive Director

A contract package with instructions will be forthcoming.

Before you receive your contract package, please be sure to follow up on the items below to assist us with processing your 2025 contract in a timely manner:

#1. Revisions to your 2025 Application(s): If the amount listed above is different from your RFP submission requested amount, you need to submit revised budget paperwork to reflect your final allocation amount(s) to Susan Ambrosino at sambrosino@orangecountygov.com.

Any programmatic revisions on programmatic forms can be submitted to your Youth Program Technician:

- ☐ Michael Bark at mbark@orangecountygov.com
- ☒ Linda Seppey at lseppey@orangecountygov.com.
- ☐ Melissa Yadanza at myadanza@orangecountygov.com

Please see attached documents to use for any needed revisions AND refer to Contingencies/Comments on page 1 of this letter regarding anything additional that may be required.

Note: ALL revisions are due by **THURSDAY, December 19, 2024.**

#2. Resolution: In order to shorten contract turnaround time, please try to submit this by **December 19th, 2024**. If this is not possible due to your municipal meeting schedule, please let us know.

#3. Required Insurance Forms: For the 2025 contract year, the County will require 3 separate updated insurance forms. ALL forms must list the name of your municipality as it appears on your federal identification form. You are asked to submit these insurance forms, **BY DECEMBER 19th, 2024**, even before you receive your contract, to help the process go quicker.

The 3 insurance forms you must submit to the Youth Bureau are as follows:

1. Certificate of Liability Insurance Form (will need to include Sexual Abuse and Molestation coverage):

- Under "Description of Operations," the County of Orange must be listed as Additional Insured.
- Under "Certificate Holder," the listing for all Youth Bureau contracts must appear as follows:

The County of Orange
c/o Orange County Youth Bureau
40 Matthews St, Suite 301-C
Goshen, N.Y. 10924

2. Certificate of Workers' Compensation Form: The County is requesting form C-105.2, U-26.3, CE-200, SI-12, or GSI-105.2. The "Certificate Holder" box must also include the same wording as requested above.

3. Workers' Compensation Certificate of Disability Benefits Insurance: The County is requesting form DB-120.1, CE-200, or DB-155. Under "Name and Address of the Entity Requesting Proof of Coverage," the County of Orange c/o Orange County Youth Bureau, (as above) must be shown.

Promoting Positive Youth Development since 1978!

40 Matthews Street, Suite 301C, Goshen, NY 10924

Phone: 845.615.3620

Fax: 845.360.9232

Email: YouthBur@OrangeCountyGov.com

Facebook: www.facebook.com/OrangeCountyYB

Website: www.OrangeCountyGov.com/YouthBureau



Steven M. Neuhaus
County Executive

ORANGE COUNTY YOUTH BUREAU

Over 46 Years *Promoting Positive Youth Development!*



Rachel R. Wilson
Executive Director

Please notify your insurance agencies/brokers of this information. NO contracts will be processed by the County for year 2025 UNLESS all applicable revisions are submitted and the proper insurance is in place. The forms may be e-mailed to lvandunk@orangecountygov.com or mailed to the attention of Linda VanDunk.

Note: If the insurance expires at any time during the year, the Youth Bureau must receive the updated insurance forms. If you have any questions, please contact Linda at 845-615-3620.

We request that you submit resumes/job applications for each position you have listed on your Budget, Personnel Time Payment, and Staff Qualifications pages by the end of January, 2025. If your program is a Summer program, or will not start until after January, please submit as soon as you have them.

We have worked very hard in our office to streamline the contract process and to shorten the turnaround time to securing your contract. We appreciate your attention to submit everything in a timely manner.

As per the Youth Bureau's Policies and Procedures Manual, please use the following tagline(s) depending on what type of funding you have been allocated on all of your marketing materials related to this program(s). Contact us if you would like to include the Youth Bureau logo.

- a. YDP, YSEF, or RHY funding: "Funded by the New York State Office of Children and Family Services through the Orange County Youth Bureau"
- b. Solutions funding: "Funded by Orange County Solutions funding through the Orange County Youth Bureau"
- c. YDP, YSEF, RHY, and Solutions funding: "Funded by the New York State Office of Children and Family Services and Orange County Solutions funding through the Orange County Youth Bureau"

As always, please do not hesitate to contact the Youth Bureau for any assistance.

Sincerely,

Rachel R. Wilson
Executive Director

Promoting Positive Youth Development since 1978!

40 Matthews Street, Suite 301C, Goshen, NY 10924

Phone: 845.615.3620

Fax: 845.360.9232

Email: YouthBur@OrangeCountyGov.com

Facebook: www.facebook.com/OrangeCountyYB

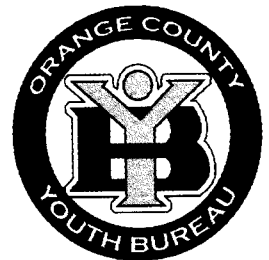
Website: www.OrangeCountyGov.com/YouthBureau



Steven M. Neuhaus
County Executive

ORANGE COUNTY YOUTH BUREAU

Over 46 Years Promoting Positive Youth Development!



Rachel R. Wilson
Executive Director

December 6, 2024

Mayor Joseph DeStefano
City of Middletown Police Department
2 James Street
Middletown, NY 10940

Dear Mayor DeStefano,

I am pleased to inform you that the Orange County Youth Bureau/Board has approved your application(s) for funding for **2025**.

<u>Program Name & Total Funding Amount:</u>	<u>Funding Amount & Type(s):</u>	<u>Projected Breakdown for STATE and/or County funds to be claimed in 2025:</u>
Junior Police Academy Total Funding Amount: \$ 10,000	\$ 10,000 Youth Development Program * \$ 0 SOL	\$ 10,000 State YDP *For expenses from Jan 1 through Sept 30 only \$ 0 State *For expenses from Oct 1 through Dec 31 only NOTE: County "Solutions" funding can be claimed for expenses from Jan 1 through Dec 31.
Contingencies/Comments:		

*Effective January 1, 2023, the NYS Office of Children & Family Services changed its funding year for Youth Bureau funding. (Their year for Youth Bureau funding will run between 2 different calendar years from October through September.) To continue working with funded programs on a calendar year of January through December, the Orange County Youth Bureau worked hard to map out a process with as little disruption as possible to fiscal claiming and program reporting. To align with State requirements within the County's contract process and yearend deadlines, we will work closely with the programs that may be impacted. Please refer to the tentative breakdown for how funding will be distributed. This will be adjusted as need to work with the transition with the State. Please feel to contact our office with any questions. Programs receiving County "Solutions" funding can use those funds for expenses throughout the calendar year, from January through December.

Promoting Positive Youth Development since 1978!

40 Matthews Street, Suite 301C, Goshen, NY 10924

Phone: 845.615.3620

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Facebook: www.facebook.com/OrangeCountyYB

Website: www.OrangeCountyGov.com/YouthBureau

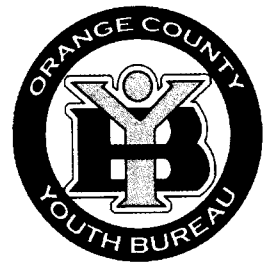
*Office
Galli*



Steven M. Neuhaus
County Executive

ORANGE COUNTY YOUTH BUREAU

Over 46 Years *Promoting Positive Youth Development!*



Rachel R. Wilson
Executive Director

A contract package with instructions will be forthcoming.

Before you receive your contract package, please be sure to follow up on the items below to assist us with processing your 2025 contract in a timely manner:

#1. Revisions to your 2025 Application(s): If the amount listed above is different from your RFP submission requested amount, you need to submit revised budget paperwork to reflect your final allocation amount(s) to Susan Ambrosino at sambrosino@orangecountygov.com.

Any programmatic revisions on programmatic forms can be submitted to your Youth Program Technician:

- ☐ Michael Bark at mbark@orangecountygov.com
- ☒ Linda Seppey at lseppey@orangecountygov.com.
- ☐ Melissa Yadanza at myadanza@orangecountygov.com

Please see attached documents to use for any needed revisions AND refer to Contingencies/Comments on page 1 of this letter regarding anything additional that may be required.

Note: ALL revisions are due by **THURSDAY, December 19, 2024.**

#2. Resolution: In order to shorten contract turnaround time, please try to submit this by **December 19th, 2024**. If this is not possible due to your municipal meeting schedule, please let us know.

#3. Required Insurance Forms: For the 2025 contract year, the County will require 3 separate updated insurance forms. ALL forms must list the name of your municipality as it appears on your federal identification form. You are asked to submit these insurance forms, **BY DECEMBER 19th, 2024**, even before you receive your contract, to help the process go quicker.

The 3 insurance forms you must submit to the Youth Bureau are as follows:

1. Certificate of Liability Insurance Form (will need to include Sexual Abuse and Molestation coverage):

- Under "Description of Operations," the County of Orange must be listed as Additional Insured.
- Under "Certificate Holder," the listing for all Youth Bureau contracts must appear as follows:

The County of Orange
c/o Orange County Youth Bureau
40 Matthews St, Suite 301-C
Goshen, N.Y. 10924

2. Certificate of Workers' Compensation Form: The County is requesting form C-105.2, U-26.3, CE-200, SI-12, or GSI-105.2. The "Certificate Holder" box must also include the same wording as requested above.

3. Workers' Compensation Certificate of Disability Benefits Insurance: The County is requesting form DB-120.1, CE-200, or DB-155. Under "Name and Address of the Entity Requesting Proof of Coverage," the County of Orange c/o Orange County Youth Bureau, (as above) must be shown.

Promoting Positive Youth Development since 1978!

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Fax: 845.360.9232

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Facebook: www.facebook.com/OrangeCountyYB

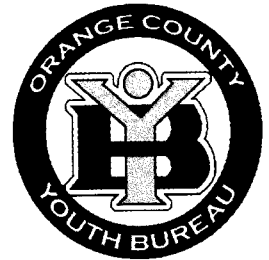
Website: www.OrangeCountyGov.com/YouthBureau



Steven M. Neuhaus
County Executive

ORANGE COUNTY YOUTH BUREAU

Over 46 Years *Promoting Positive Youth Development!*



Rachel R. Wilson
Executive Director

Please notify your insurance agencies/brokers of this information. NO contracts will be processed by the County for year 2025 UNLESS all applicable revisions are submitted and the proper insurance is in place. The forms may be e-mailed to lvandunk@orangecountygov.com or mailed to the attention of Linda VanDunk.

Note: If the insurance expires at any time during the year, the Youth Bureau must receive the updated insurance forms. If you have any questions, please contact Linda at 845-615-3620.

We request that you submit resumes/job applications for each position you have listed on your Budget, Personnel Time Payment, and Staff Qualifications pages by the end of January, 2025. If your program is a Summer program, or will not start until after January, please submit as soon as you have them.

We have worked very hard in our office to streamline the contract process and to shorten the turnaround time to securing your contract. We appreciate your attention to submit everything in a timely manner.

As per the Youth Bureau's Policies and Procedures Manual, please use the following tagline(s) depending on what type of funding you have been allocated on all of your marketing materials related to this program(s). Contact us if you would like to include the Youth Bureau logo.

- a. YDP, YSEF, or RHY funding: "Funded by the New York State Office of Children and Family Services through the Orange County Youth Bureau"
- b. Solutions funding: "Funded by Orange County Solutions funding through the Orange County Youth Bureau"
- c. YDP, YSEF, RHY, and Solutions funding: "Funded by the New York State Office of Children and Family Services and Orange County Solutions funding through the Orange County Youth Bureau"

As always, please do not hesitate to contact the Youth Bureau for any assistance.

Sincerely,

Rachel R. Wilson
Executive Director

Promoting Positive Youth Development since 1978!

40 Matthews Street, Suite 301C, Goshen, NY 10924

Phone: 845.615.3620

Fax: 845.360.9232

Email: YouthBur@OrangeCountyGov.com

Facebook: www.facebook.com/OrangeCountyYB

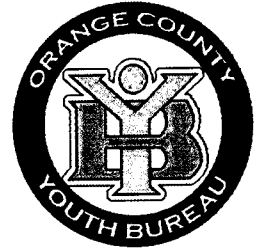
Website: www.OrangeCountyGov.com/YouthBureau



Steven M. Neuhaus
County Executive

ORANGE COUNTY YOUTH BUREAU

Over 46 Years Promoting Positive Youth Development!



Rachel R. Wilson
Executive Director

December 6, 2024

Mayor Joseph DeStefano
City of Middletown Police Department
2 James Street
Middletown, NY 10940

Dear Mayor DeStefano,

I am pleased to inform you that the Orange County Youth Bureau/Board has approved your application(s) for funding for **2025**.

<u>Program Name & Total Funding Amount:</u>	<u>Funding Amount & Type(s):</u>	<u>Projected Breakdown for STATE and/or County funds to be claimed in 2025:</u>
Youth Community Outreach	\$ 0 State*	\$ 0 State *For expenses from Jan 1 through Sept 30 only
Total Funding Amount: \$ 10,000	\$ 10,000 SOL	\$ 0 State *For expenses from Oct 1 through Dec 31 only NOTE: County "Solutions" funding can be claimed for expenses from Jan 1 through Dec 31.
Contingencies/Comments:		

*Effective January 1, 2023, the NYS Office of Children & Family Services changed its funding year for Youth Bureau funding. (Their year for Youth Bureau funding will run between 2 different calendar years from October through September.) To continue working with funded programs on a calendar year of January through December, the Orange County Youth Bureau worked hard to map out a process with as little disruption as possible to fiscal claiming and program reporting. To align with State requirements within the County's contract process and yearend deadlines, we will work closely with the programs that may be impacted. Please refer to the tentative breakdown for how funding will be distributed. This will be adjusted as need to work with the transition with the State. Please feel to contact our office with any questions. Programs receiving County "Solutions" funding can use those funds for expenses throughout the calendar year, from January through December.

Promoting Positive Youth Development since 1978!

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Fax: 845.360.9232

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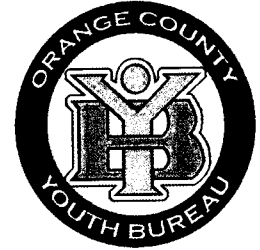
*Office Gali
Solutions*



Steven M. Neuhaus
County Executive

ORANGE COUNTY YOUTH BUREAU

Over 46 Years Promoting Positive Youth Development!



Rachel R. Wilson
Executive Director

A contract package with instructions will be forthcoming.

Before you receive your contract package, please be sure to follow up on the items below to assist us with processing your 2025 contract in a timely manner:

#1. Revisions to your 2025 Application(s): If the amount listed above is different from your RFP submission requested amount, you need to submit revised budget paperwork to reflect your final allocation amount(s) to Susan Ambrosino at sambrosino@orangecountygov.com.

Any programmatic revisions on programmatic forms can be submitted to your Youth Program Technician:

- ☐ Michael Bark at mbark@orangecountygov.com
- ☒ Linda Seppey at lseppey@orangecountygov.com.
- ☐ Melissa Yadanza at myadanza@orangecountygov.com

Please see attached documents to use for any needed revisions AND refer to Contingencies/Comments on page 1 of this letter regarding anything additional that may be required.

Note: ALL revisions are due by **THURSDAY, December 19, 2024.**

#2. Resolution: In order to shorten contract turnaround time, please try to submit this by **December 19th, 2024**. If this is not possible due to your municipal meeting schedule, please let us know.

#3. Required Insurance Forms: For the 2025 contract year, the County will require 3 separate updated insurance forms. ALL forms must list the name of your municipality as it appears on your federal identification form. You are asked to submit these insurance forms, **BY DECEMBER 19th, 2024**, even before you receive your contract, to help the process go quicker.

The 3 insurance forms you must submit to the Youth Bureau are as follows:

1. Certificate of Liability Insurance Form (will need to include Sexual Abuse and Molestation coverage):

- Under "Description of Operations," the County of Orange must be listed as Additional Insured.
- Under "Certificate Holder," the listing for all Youth Bureau contracts must appear as follows:

The County of Orange
c/o Orange County Youth Bureau
40 Matthews St, Suite 301-C
Goshen, N.Y. 10924

2. Certificate of Workers' Compensation Form: The County is requesting form C-105.2, U-26.3, CE-200, SI-12, or GSI-105.2. The "Certificate Holder" box must also include the same wording as requested above.

3. Workers' Compensation Certificate of Disability Benefits Insurance: The County is requesting form DB-120.1, CE-200, or DB-155. Under "Name and Address of the Entity Requesting Proof of Coverage," the County of Orange c/o Orange County Youth Bureau, (as above) must be shown.

Promoting Positive Youth Development since 1978!

40 Matthews Street, Suite 301C, Goshen, NY 10924 Phone: 845.615.3620 Fax: 845.360.9232

Email: YouthBur@OrangeCountyGov.com

Facebook: www.facebook.com/OrangeCountyYB

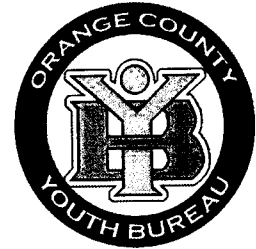
Website: www.OrangeCountyGov.com/YouthBureau



Steven M. Neuhaus
County Executive

ORANGE COUNTY YOUTH BUREAU

Over 46 Years Promoting Positive Youth Development!



Rachel R. Wilson
Executive Director

Please notify your insurance agencies/brokers of this information. NO contracts will be processed by the County for year 2025 UNLESS all applicable revisions are submitted and the proper insurance is in place. The forms may be e-mailed to lvandunk@orangecountygov.com or mailed to the attention of Linda VanDunk.

Note: If the insurance expires at any time during the year, the Youth Bureau must receive the updated insurance forms. If you have any questions, please contact Linda at 845-615-3620.

We request that you submit resumes/job applications for each position you have listed on your Budget, Personnel Time Payment, and Staff Qualifications pages by the end of January, 2025. If your program is a Summer program, or will not start until after January, please submit as soon as you have them.

We have worked very hard in our office to streamline the contract process and to shorten the turnaround time to securing your contract. We appreciate your attention to submit everything in a timely manner.

As per the Youth Bureau's Policies and Procedures Manual, please use the following tagline(s) depending on what type of funding you have been allocated on all of your marketing materials related to this program(s). Contact us if you would like to include the Youth Bureau logo.

- a. YDP, YSEF, or RHY funding: "Funded by the New York State Office of Children and Family Services through the Orange County Youth Bureau"
- b. Solutions funding: "Funded by Orange County Solutions funding through the Orange County Youth Bureau"
- c. YDP, YSEF, RHY, and Solutions funding: "Funded by the New York State Office of Children and Family Services and Orange County Solutions funding through the Orange County Youth Bureau"

As always, please do not hesitate to contact the Youth Bureau for any assistance.

Sincerely,

Rachel R. Wilson
Executive Director

Promoting Positive Youth Development since 1978!

40 Matthews Street, Suite 301C, Goshen, NY 10924 Phone: 845.615.3620 Fax: 845.360.9232

Email: YouthBur@OrangeCountyGov.com

Facebook: www.facebook.com/OrangeCountyYB

Website: www.OrangeCountyGov.com/YouthBureau



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderwoman Wray
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 28-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Accept a \$10,000 Grant from the Office of New York State Senator James Skoufis and the Department of Criminal Justice Service for 2025 National Night Out Against Crime Event

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and accepts a \$10,000 grant award from the Office of New York State Senator James Skoufis and the Department of Criminal Justice Service for 2025 National Night Out Against Crime Event

The funding will be used for operating expenses for our National Night Out Against Crime event.

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to add the funds to a newly established DCJS/Skoufis expense grant line.

Prepared by:
John Ewanciw, Chief of Police

Attachments:

1.	SKOUFIS GRANT FOR 10000 NNO
2.	T104885 Middletown City PD Award Notice

JOHN EWANCIW
CHIEF OF POLICE



TELEPHONE
845-343-3151
FAX NUMBER
845-343-2660

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

December 31, 2024

Honorable Joseph DeStefano
Mayor - City of Middletown
Board of Estimate and Apportionment
City Hall
16 James Street
Middletown, New York 10940

Dear Mayor DeStefano and members of the BOE,

The City of Middletown Police Department has been awarded \$10,000 sponsored by Senator Skoufis' office. The funding will be used for operating expenses for our National Night Out Against Crime event.

I am requesting to have a resolution prepared allowing us to accept this funding, and be added to a newly established DCJS/Skoufis expense grant line.

If you have any questions, please contact me.

Very truly yours,

John Ewanciw
Chief of Police

JE:ccd



Division of Criminal Justice Services

KATHY HOCHUL
Governor

ROSSANA ROSADO
Commissioner

CILLIAN FLAVIN
Deputy Commissioner

Grant Award Notice/Purchase Order

Grantee/Contractor: Middletown, City of/ Middletown City Police Department	Date: 12/18/2024
Program Name: Public Safety Program	Award Amount¹: \$10,000
Contact Name and Title: Chief John Ewanciw	GMS Project ID: LG24-1619-D00
Email: jewanciw@middletownpolice.com	Purchase Order #: T104885
	DCJS #: LG23104885
Additional Information: Funds will be used to support the National Night Out hosted by the City of Middletown Police Department.	
Primary Contact Tammy Moffat Public Safety Grants Representative 1 NYS Division of Criminal Justice Services Office of Program Development and Funding Phone: 518-457-6056 Email: tammy.moffat@dcjs.ny.gov	

Thank you for all the work you do. We look forward to working with you in our continued efforts to safeguard the health and safety of all New York residents and visitors.

Attachment: Legislative Award Information

¹ Award is contingent upon the approval by the NYS Division of Budget.



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Johnson
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 29-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to accept a \$150,000 2025 SNUG Grant Award from the Department of Criminal Justices Service for Anti-Violence Initiatives

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and accepts a \$150,000 SNUG Grant Award from the Department of Criminal Justices Service for Anti-Violence Initiatives.

The City of Middletown Police Department has been awarded \$150,000 to participate in the Anti-Violence initiative from 6/1/2025 to 5/31/2026.

The Anti-Violence Initiatives program aims to utilize funds for operating expenses, travel, equipment, property, utilities, and/or other operating expenses to support the services and expenses of gun violence prevention, street outreach, anti-violence, and shooting/violence reduction programs. I'm requesting that you accept the award and deposit it to the pertaining line accordingly.

Prepared by:
John Ewanciw, Chief of Police

Attachments:

1.	DCJS Anti Violence Grant SNUG 150k
----	------------------------------------

JOHN EWANCIW
CHIEF OF POLICE



TELEPHONE
845-343-3151
FAX NUMBER
845-343-2660

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

January 14, 2025

Mayor Joseph DeStefano
Members of the Common Council
And Board of Estimate
City of Middletown
16 James Street
Middletown, New York 10940

RE: LG25-1010D00
DCJS # LG24104952
2025 SNUG Grant Award

Dear Mayor DeStefano and Members,

The City of Middletown Police Department has been awarded \$150,000 for the period of 6/1/2025-5/31/2026 to participate in the Anti-Violence initiative.

The Anti-Violence Initiatives program is aimed at utilizing the funds for operating expenses, travel, equipment, property, utilities, and or other operating expenses to support the services and expenses of gun violence prevention, street outreach, anti-violence, shooting/violence reduction programs.

Upon approval to accept this funding, I am asking that this funding be added to a *new established* budget expense line named DCJS SNUG 2025.

Thank you.

Very truly yours,

John Ewanciw
Chief of Police

JE:ccd



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Tobin
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 30-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorizes a 2% Pay Increase for the Secretary to the Civil Service Commission

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes a 2% increase in the salary for the Secretary to the Civil Service Commission, effective January 1, 2025.

Prepared by:
Leonora Liz, Treasurer

Attachments:

None



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Jean-Francois
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 31-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorizes an Agreement with H20 for Management Services at the Water Treatment Plants

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes an agreement with H20 for Management Services at the Water Treatment and Waste Water Treatment Plants at the following rates:

Service	Monthly Fee
Water Treatment Plant Chief Operator	\$24,062.50
Wastewater Chief Operator	\$21,525.00
Additional Full Time 3A Operator	\$10,393.75

The monthly rates for 2025 will be as follows:

Service	Current Fee	Net Change	New Monthly Fee
Water Treatment Plant Chief Operator	\$24,062.50	3.0%	24,784.30
Wastewater Chief Operator	\$21,525.00	3.0%	\$22,170.75
Additional Full Time 3A Operator	\$10,393.75	3.0%	\$10,705.50

At the sole discretion of the City, on a temporary full-time basis until the City can provide such services, H2O Innovation will provide the following:

Service	Hourly Fee
Water Treatment Plant Operator	\$75.00
Wastewater Operator	\$75.00

BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign the agreement.

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$20,151.60 in the following manner to cover the increase in the contract price for 2025.

FROM	TO	AMOUNT
Water Fund	WTP-F.8330.400	\$8,661.60
Sewer Fund	STP-G.8130.400	\$11,490.00

Prepared by:

Attachments:

1.	Middletown 2025
2.	Middletown Wastewater Temporary
3.	Middletown Water Temporary



January 7, 2025

**City of Middletown
16 James Street
Middletown, NY 10940**

RE: City of Middletown
Water Treatment Systems
Wastewater Treatment Systems

H₂O Innovation Operation and Maintenance, LLC is pleased to have provided management services to the City of Middletown (“**City**”) for over fourteen years and would like to thank the City for the opportunity to serve your community. We remain committed to our performance with the same expertise, dependability, and loyalty we have demonstrated over the years.

We are currently providing the following services to the City:

Service	Monthly Fee
Water Treatment Plant Chief Operator	\$24,062.50
Wastewater Chief Operator	\$21,525.00
Additional Full Time 3A Operator	\$10,393.75

The monthly rates for 2025 will be as follows:

Service	Current Fee	Net Change	New Monthly Fee
Water Treatment Plant Chief Operator	\$24,062.50	3.0%	24,784.30
Wastewater Chief Operator	\$21,525.00	3.0%	\$22,170.75
Additional Full Time 3A Operator	\$10,393.75	3.0%	\$10,705.50

At the sole discretion of the City, on a temporary full-time basis until the City can provide such services, H₂O Innovation will provide the following:

Service	Hourly Fee
Water Treatment Plant Operator	\$75.00
Wastewater Operator	\$75.00

4 Commerce Street A-2, Poughkeepsie, NY 12603
Phone: (845) 888-5755



Please sign this letter confirming your agreement and acceptance of the above new monthly fees as well as H₂O Innovation standard terms and conditions of operation attached hereto.

Respectfully,

Roy Rysinger

Roy R. Rysinger
Vice President, New York
RoyRysinger@h2oinnovation.com
845.754.1943

Approved this _____ day of _____ 2025,

Name :
Title :

Standard Terms and Conditions - H₂O Innovation Operation & Maintenance, LLC
Provision of Operation and Maintenance Services

1. ACCEPTANCE AND COMPLETE AGREEMENT. All references to “**H₂O Innovation**” shall mean H₂O Innovation Operation & Maintenance, LLC. All references to “**Client**” shall mean the customer named in a purchase order, quotation or proposal. Client shall either sign H₂O Innovation’s Agreement (as defined herein), or alternatively, issue a non-conflicting purchase order containing all necessary information including, without limitation, price, payment terms and schedule, type, quantity or description of the products and/or services to be provided by H₂O Innovation (the “**Work**”), as well as delivery terms, schedule and instructions. All references to the “**Agreement**” shall mean any purchase order, quotation, proposal or agreement agreed upon by both parties, whether issued by H₂O Innovation or by Client.

2. TERMS AND CONDITIONS. The parties agree that these terms and conditions (“**Terms and Conditions**”) are the exclusive and complete terms accompanying the Agreement and no other terms will be deemed relevant to explain or supplement these Terms and Conditions whether oral, written, based on usage of trade, or course of dealing or performance. In case of contradiction between the terms and conditions stated in the Agreement and these Terms and Conditions, the terms and conditions stated in the Agreement shall prevail.

3. PRICE AND PAYMENT. Client shall pay H₂O Innovation for the Work, in accordance with the fees, prices and payment terms detailed in the Agreement to which these Terms and Conditions apply. Payment terms are net thirty (30) days from the date of invoice. Any tax, fee, duty, tariff or other charge of any nature whatsoever, imposed by any governmental authority on or measured by any transaction between H₂O Innovation and Client, shall be paid by Client in addition to the prices quoted or invoiced. If H₂O Innovation were required to pay any such tax, fee, duty, tariff or other charge, Client shall forthwith reimburse H₂O Innovation. Prices are also subject to escalation to reflect price variations of parts, components, raw materials or transportation attributable to or resulting from (i) new tariffs, laws or regulations; (ii) inflation; or (iii) Force Majeure Events.

Additional local support, other than what is already provided for in the Agreement, can be provided by H₂O Innovation at additional cost to Client. Such additional local support includes, without limitation, additional travel costs and expenses as well as any related cancellation and/or rescheduling fees and penalties attributable to Client postponing or forestalling a scheduled visit. A change order or an additional purchase order will be required prior to scheduling such additional Work. Should Client have an outstanding balance due, H₂O Innovation reserves the right to refuse performing the requested Work until such payments are received in full. Client assumes full responsibility for the readiness of the jobsite. Risk of loss shall pass to Client as per the applicable delivery terms provided for in these Terms and Conditions. Ownership of the Work shall remain in H₂O Innovation’s name until the payment for the Work has been received in full by H₂O Innovation.

4. DELIVERY. Any required products are priced and shipped pursuant to the delivery terms stated in the Agreement. Delivery date for the Work shall be clearly stated in the Agreement.

H₂O Innovation shall not be liable for any delays in delivery which are caused by events beyond its control, including, but not limited to delays caused by Client’s inaccurate or incomplete data, changes to the Client’s order, delayed approval of the Work by Client, acts of Client or Client’s agent, or delays in transportation.

5. PERFORMANCE OF WORK. H₂O Innovation will perform the Work in a professional manner, in accordance with good engineering, safety and industry practice and with that degree of care, skill and diligence normal in performing work of a similar nature.

6. CLIENT RESPONSIBILITIES. (1) Client shall, in a timely manner and at its own expense, provide to H₂O Innovation, before of the commencement of the Work and on a continuing basis thereafter, all information necessary for H₂O Innovation’s performance of the Work or required in order to ensure that the Work is provided in a proper and complete manner. Client recognizes that all this information provided to or made available to H₂O Innovation pursuant to this Agreement is

an essential basis to the contract between the parties and therefore warrants and guarantees to H₂O Innovation its quality, reliability and accuracy. Clients hereby grants H₂O Innovation the irrevocable right to use, copy and modify this information and any data related to the Work and to disclose it to any third party who needs to know such information in order to perform the Work. (2) Client shall provide H₂O Innovation with access to its premises, facilities or sites so as to permit H₂O Innovation to perform the Work under this Agreement. (3) Client is responsible for any penalties or any fines that may be imposed by any governmental authority related to an infringement of or general non-compliance related to the specifications of an operating permit, a license or any other required authorization related to the water treatment system for which H₂O Innovation is performing the Work unless the said penalty or fine imposed upon Client is attributable to H₂O Innovation’s wilful misconduct or gross negligence.

7. COMPLIANCE WITH LAWS. To the best of H₂O Innovation’s knowledge, the Work performed for Client complies with most laws, regulations and industrial practices; however, H₂O Innovation does not accept responsibility for any state, city or other local law not specifically brought to its attention. H₂O Innovation’s liability attributable to noncompliance related to the applicable laws and regulations shall be limited to the price paid by the Client under the Agreement.

The parties shall comply with all applicable laws and regulations including, without limitation, environmental and anti-bribery laws relating to bribery, extortion, kickbacks and any other illegal or unfair method of doing business, whether direct or indirect. Each party shall be obligated to reasonably cooperate with the other party in any claim or legal proceeding and to indemnify the other party for any act or omission in connection therewith.

8. DATA PROTECTION. Any and all personal data which is processed by the either party in connection with this Agreement shall be handled and protected pursuant to all applicable data protection laws and regulations which may be in force from time to time relating to the processing of personal data and privacy, including where applicable the guidance and codes of practice issued by any competent supervisory authority, and the equivalent of any of the foregoing in any relevant jurisdiction. Each party shall, and shall procure that its employees, agents and sub-contractors shall: (i) comply with its obligations under any applicable data protection law, and shall not, by act or omission, put the other party in breach of, or jeopardize any registration under, any such data protection law; (ii) promptly and fully notify the other party in writing of any notices received by it relating to the processing of any personal data, including subject access requests, complaints and/or correspondence from any regulatory body and provide such information and assistance as the other party may reasonably require in relation to such notice (at no cost to the other party); (iii) promptly and fully notify the other party in writing if it suspects or becomes aware of any actual, threatened or potential breach of security of personal data; and (iv) obtain appropriate consent from all data subjects to whom it relates, to pass their personal data to the other party for the purposes for which the other party intends to use it.

9. MODERN SLAVERY. Both parties agree to put in place policies and procedures to minimize the risks of modern slavery or human trafficking in their respective supply chain, and to comply fully with any modern slavery, human trafficking or similar applicable laws.

10. WARRANTY. The Work is warranted for a period of sixty (60) days from the date that the Work is completed. In the event a notice of defect is given by Client, H₂O Innovation shall perform the Work again to Client’s satisfaction. All Products provided by H₂O Innovation will be new and of the best quality in every respect. Products will be in sufficient size and capacity and of proper material so as to fulfill in all respects such operating and maintenance conditions specified by the Client. The warranty period shall be twelve (12) months from the date of delivery to Client’s facility, only when such Products are or have been used in normal conditions of operation and in accordance with the operating instructions specified by H₂O Innovation and/or the

manufacturer. This warranty does not cover disposable items, such as fuses, lamps, probes, sensors, filters, cartridges or other disposable items that must be replaced periodically under the normal and foreseeable operating conditions of the products, parts or components warranted hereby. CLIENT DISCLAIMS ALL OTHER WARRANTIES, WHETHER EXPRESS, IMPLIED OR STATUTORY, SUCH AS WARRANTIES OF MERCHANTABILITY AND FITNESS FOR PURPOSE.

11. INDEMNITY. Each party shall indemnify, defend, and hold harmless the other from and against any and all demands, claims, losses, damages or causes of action of every kind and nature, arising out of or related to this Agreement, including but not limited to liabilities attributable to personal injury, death, loss of use, or property damage and resulting from such party actions or negligence or breach of any of its obligations under this Agreement.

12. INSURANCE. Prior to commencement of the Work and at all time during the term of the Agreement, H₂O Innovation shall obtain and maintain, at its own cost, sufficient insurance coverage for commercial general liability, automobile liability, workers compensation liability and employer's liability. Proof of insurance shall be provided to the Client upon demand.

13. HEALTH AND SAFETY. H₂O Innovation shall at all times conduct its operation under the Agreement in a manner to avoid the risk of endangerment to health and bodily harm to persons. H₂O Innovation shall comply with all applicable health and safety laws and regulations.

14. PROPERTY DAMAGES. H₂O Innovation shall protect the property or the site where the Work is executed from damage which may arise as a result of its operations. H₂O Innovation shall, at all times, conduct operations under the Agreement in a manner to avoid risk of loss, theft, or damage by vandalism, sabotage, or by any other means, to any equipment, material, work or property.

15. TERM. Unless otherwise determined in the Agreement, the term of the Agreement shall commence as of the effective date stated therein and shall continue thereafter for a period of one (1) year. At the end of the initial term and of any subsequent term, this Agreement shall be automatically renewed for additional periods of one (1) year, unless either party delivers notice in writing, to the other party, of its intention not to renew the Agreement at least thirty (30) days prior to the expiration of the then current term.

16. TERMINATION FOR DEFAULT. The agreement may be terminated by H₂O Innovation, without notice, upon the occurrence of an event of default, each of the following constitutes an event of default for the purposes of the Agreement:

- i. Client is adjudged bankrupt, or a receiver is appointed on account of its insolvency or it enters into an arrangement for the benefit of its creditors,
- ii. Client persistently fails to pay for the Work and/or Products as required and as per the payment terms of the Agreement, or
- iii. Client otherwise fails to perform or comply with any material term, condition or covenant of the Agreement, being understood and agreed that in case of termination for default, H₂O Innovation shall be entitled to receive compensation in an amount equal to one hundred percent (100%) of Work already completed and/or Products already delivered upon the date of termination including the attributable portion of reasonable overhead and profit as well as all costs and expenses incurred by H₂O Innovation as a result of the Termination.

17. TERMINATION. Unless otherwise agreed in the Agreement, following the initial term of 1 year, either party may terminate the Agreement at any time, by giving the other party sixty (60) days' written notice of termination, being understood and agreed that in such case of termination, H₂O Innovation shall receive payment for the Work already completed and/or Products already delivered upon the date of termination including the attributable portion of reasonable overhead and profit. All outstanding invoices shall be paid the effective termination date.

18. NON-SOLICITATION OF PERSONNEL

During the period beginning on the date the Work begins and ending on the first anniversary of the expiration or termination of the

Agreement, neither party shall, nor assist any other person to, directly or indirectly, (i) solicit, recruit or hire any employee of the other party ("Employee"), and (ii) solicit or encourage any Employee to leave the employment of the other party; provided, however, that the provisions of this section shall not prevent either party from making a general solicitation for employment that are not specifically targeted at the other party Employees.

19. FORCE MAJEURE. Subject to Section 3 of these Standard Terms and Conditions, neither party shall be responsible for delays resulting from events or circumstances beyond the control of such party. Such events may include, without limitation, acts of God, riots, acts of war, epidemics or pandemics, governmental acts, orders or regulations, border restrictions, fires, communication line failures, power failures and earthquakes. ("Force Majeure Events"). Inability to pay moneys or financial hardship shall not, however, constitute Force Majeure Events.

20. CONFIDENTIALITY AND OWNERSHIP OF DOCUMENTS. Each party agrees and commits to maintain all confidential information to which it has access in the scope of Work as confidential, to not disclose it to others and to use it solely for the intended purpose of the Agreement. These obligations of confidentiality shall continue for the term of the Agreement and shall survive indefinitely thereafter. All documents, including drawings, specifications, reports and other data, prepared or furnished by either party are instruments of service in connection with the Work and as such are the exclusive property of such party and shall be used exclusively in connection with the Work. H₂O Innovation is entitled to make copies of the documents for information and reference purposes, only in connection with the Work.

21. ASSIGNMENT. Neither party may assign the Agreement, without prior written consent of the other party. However, H₂O Innovation may assign the Agreement to any of its affiliates or any other entity, that directly or indirectly through one or more intermediaries, controls or is controlled by, or is under the common or shared control, with H₂O Innovation.

22. LIMITATION OF LIABILITY. The total liability of either party for all claims arising out of or relating to this Agreement shall not exceed the annual contract value of the Agreement. Notwithstanding any other provision herein, neither party shall be liable for any special, indirect, consequential, incidental or punitive damages, including without limitation, loss of profit, loss of use or loss of revenues.

23. CHANGE ORDER AND AMENDMENT. The parties acknowledge and agree that the Work is subject to change. The estimate of costs and time for completion of the Work may be modified subject to changes and is contingent upon factors beyond the control of H₂O Innovation. No supplement, modification, or change of the Agreement shall be binding unless executed in writing by the parties to be bound thereby. No waiver of any of the provisions of this agreement shall be deemed or shall constitute a waiver of any other provision (whether or not similar) nor shall such waiver constitute a continuing waiver unless otherwise expressly provided.

24. GOVERNING LAWS. The Agreement shall be governed by and construed in accordance with the laws of the State where the project is located. The parties hereby consent to such jurisdiction and waive all others.



December 21st, 2024

VIA EMAIL

**Jacob Tawil
Commissioner of Public Works
City of Middletown
16 James Street
Middletown, NY 10940**

Subject: Temporary Wastewater Treatment System Operator Coverage

Commissioner Tawil,

On a temporary basis, and until the City is able to secure an internal hire for the Water Treatment Facility, H₂O Innovation can offer a NYSDEC Grade 2A (or higher) hourly staff member. This position shall be as needed and can be discontinued at the City's discretion. There will be no additional charges for overtime or emergency callouts, and staff provided shall work with current City and H₂O staff as directed.

Compensation shall be the following:

NYSDEC Grade 2A or higher wastewater treatment plant operator: **\$75.00 per hour.**

We look forward to a continued relationship with the City, proudly focusing on public health and the environment.

Please let us know if you'd like to proceed.

Sincerely,

A handwritten signature in black ink that reads 'Roy Rysinger'.

Roy Rysinger
Vice President
H2O Innovation
Roy.Rysinger@h2oinnovation.com
845.754.1943



December 21st, 2024

VIA EMAIL

**Jacob Tawil
Commissioner of Public Works
City of Middletown
16 James Street
Middletown, NY 10940**

Subject: Temporary Water Treatment System Operator Coverage

Commissioner Tawil,

On a full-time, temporary basis, and until the City is able to secure an internal hire for the Water Treatment Facility, H₂O Innovation can offer a NYSDOH Grade IIA (or higher) hourly staff member. This position shall be as needed and can be discontinued at the City's discretion. There will be no additional charges for overtime or emergency callouts, and staff provided shall work with current City and H₂O staff as directed.

Compensation shall be the following:

NYSDOH Grade IIA or higher water treatment plant operator: **\$75.00 per hour.**

We look forward to a continued relationship with the City, proudly focusing on public health and the environment.

Please let us know if you'd like to proceed.

Sincerely,

A handwritten signature in black ink that reads 'Roy Rysinger'.

Roy Rysinger
Vice President
H2O Innovation
Roy.Rysinger@h2oinnovation.com
845.754.1943



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderwoman Wray
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 32-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Enter into an Agreement with the Humane Society of Port Jervis/Deerpark

BE IT RESOLVED; the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes an agreement with the Humane Society of Port Jervis/Deerpark Inc.

BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign the agreement.

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	PJ Humane Society
----	-------------------

AGREEMENT

THIS AGREEMENT made this 16 day of January 2025 pursuant to the provisions of Article 7 of the Agriculture and Markets Law, by and between the **City of MIDDLETOWN**, a municipal corporation organized under the laws of the State of New York, party of the first part, address 16 James Street, Middletown, NY 10940 (hereinafter referred to as the "City", and The Humane Society of Port Jervis/Deerpark, Inc., a not-for-profit corporation duly organized and existing under the Not-For-Profit Law of the State of New York, and having its office and principal place of business at 202 Route 209, Port Jervis, New York, 12771, party of the second part (hereinafter referred to as the "Society").

WITNESSETH:

WHEREAS, the Society owns and operates a shelter for the care of dogs and the City requires a facility suitable for such shelter and care, and

WHEREAS, the City desires to utilize the services of the Society and access to said shelter,

NOW, THEREFORE, in consideration of the mutual covenants, promises and agreements contained herein, the Society and the City do hereby agree as follows:

1. The Society shall maintain a shelter for dogs seized within the City by an authorized Dog Control Officer in accordance with Article 7 of the Agriculture and Markets Law. The Society's duties with respect to said dogs shall be performed at the cost and expense of the Society, and are as follows:
 - a) To properly shelter, care, feed, and water such dogs for the minimum redemption period required by the Agriculture and Markets Law;
 - b) To make such dogs available for redemption by their owners for a period of time equal to or greater than the minimum redemption period.
 - c) To make such dogs available for adoption for a period of time equal to or greater than the minimum redemption period if at the end of the appropriate redemption period, said dog has not been redeemed by its owner, provided that the dog's temperament and health makes it suitable for adoption, which is to be determined solely by the Society's Director.
 - d) To determine that the appropriate license has been issued and the appropriate fees paid to the City before the dog is released to the owner. The Society shall have no obligation to return the dog to the owner until satisfactory proof of such has been provided to the Society.
 - e) Any sick or injured animal picked up by the Dog Control Officer shall receive appropriate veterinarian care prior to delivery to the shelter. At the time of delivery to the shelter, the Dog Control Officer shall provide the shelter, in writing, the veterinarian's diagnosis, treatment protocol, and necessary medication

to treat the dog. Any subsequent additional expense related to the dog shall be billed directly to the Town.

f) To arrange for a veterinarian or a New York State licensed technician to humanely euthanize any dog for which euthanasia is necessary and legally authorized, and to arrange for the cremation of any dogs so euthanized.

g) To prepare, retain, and make available to the City complete and accurate records concerning the care and disposition of all dogs cared for by the shelter hereunder as well as any expenses incurred and any fees collected.

2. The Society shall **NOT** accept for impoundment any dogs which:

a) Are in need of veterinary services, except in accordance with paragraph 1(e), or

b) Are not accompanied by the appropriate Dog Control Officer's seizure report

3. The Society shall accept from the Town Dog Control Officer(s) any homeless stray and abandoned which are picked up by the Dog Control Officer(s) in the City. The Society will allow the Dog Control Officers(s) of the City access to its shelter at reasonable times. Nothing herein shall obligate the City to deliver to the Society any minimum number of dogs or all of the dogs seized in the City by the City Dog Control Officer(s).

a) In consideration for the above mentioned services, the City shall remit to the Society, within 20 days after the Town Board has audited and approved for payment the Society's voucher, the sum of **\$300.00 per dog** to be paid quarterly.

4. Nothing contained herein shall limit the Society's rights under Section 183 of the Lien Law, or pursuant to Section 373 of the Agriculture and Markets Law, or as derived from any other general or special law, or by means of any civil action or proceeding to recover from the owner thereof any necessary or reasonable costs and expenses incurred by the Society in providing pound and shelter for any Town dogs.

Nothing contained herein shall limit the Cities rights under applicable provisions of the law, or by means of any civil action or proceeding, to recover from the owner of any dog delivered by the City to the Society's shelter any fees, charges or outstanding fines or penalties owned by such owner of the City.

Nothing herein shall obligate the City to deliver to the Society any minimum number of dogs or all of the dogs seized in the City by the Town Dog Control Officer(s).

6. The term of this agreement is from **January 1, 2025**, through **December 31, 2025**, unless earlier terminated pursuant to the provisions of paragraph 8. In the event that the parties fail to fully renew this Agreement upon the termination of same, this Agreement shall be deemed to be self-perpetuating, unless the same is formally terminated as hereinbefore provided by either party.

7. The Society shall not commence services under this contract unless it has obtained all insurance required under this paragraph and such insurance has been approved by the Town.

a) **Compensation Insurance** - The Society shall take out and maintain during the life of this contract Workers' Compensation insurance for its employees to be assigned to the work hereunder.

b) **General Liability and Property Damage Insurance** - The Society shall take out and maintain during the life of this contract such general liability and property damage insurance as shall protect it from claims for damages for personal injury, as well as from claims for property damage which may arise from operations under this contract. The amounts of such insurance shall be as follows: **(See attached Certificate of Insurance).**

c) The Society shall furnish the above insurances to the City and shall also name the City as an additional named insured in said policies.

d) Any significant incident involving a dog after it has been delivered to the shelter shall be reported to the Office of the Supervisor of the City as soon as possible and not later than twenty-four hours from the time of such incident. A detailed written report must be submitted to the City as soon thereafter as possible but not later than three (3) days after the date of such incident.

8. The City shall have the right to cease performing (except for payment for past services rendered) or terminate the contract if:

a) The Society is adjudged bankrupt or makes an assignment for the benefit of creditors; or

b) A receiver or liquidator is appointed for the Society or for any of its property and is not dismissed within twenty (20) days after such appointment or the proceedings in connection therewith are not stayed on appeal within the said twenty (20) days, or

c) The Society fails or refuses to comply with all applicable laws or ordinances; or

d) The Society is guilty of substantial violation of any provision of this contract;

e) In any event, either party, may, without prejudice to any other rights or remedy it may have, with fourteen (14) days written notice to the other party, terminate this Agreement.

9. The Society shall have the right to ease performing or terminate the contract if the City is guilty of a substantial violation of any provisions of this Contract.

10. It is hereby mutually covenanted and agreed that the relation of the Society to the services to be performed by it under this Contract shall be that of an independent contractor. As an independent contractor, it will be responsible for all damage, loss or injury to persons or property that may arise in or be incurred during the conduct and progress of said services, whether or not the Society, its agents, or employees have been negligent. The Society shall hold and keep the City free and discharged of and from any and all responsibility and liability

of any sort or kind. The Society shall assume all responsibility for risks or casualties of every description, for loss or injury to persons or property arising out of the nature of the services, from the action of the elements, or from any unforeseen or unusual difficulty. The Society shall assume all blame, loss and responsibility of any nature by reason of neglect or violation of any federal, state, county or local laws, regulations or ordinances.

11. The Society agrees to defend, indemnify and save the City, its officers, agents and employees, harmless from any and all liability imposed on the Town, its officers, agents and/or employees arising from the negligence, active or passive, of the Society, and the Town agrees to defend, indemnify and save the Society, its officers, agents and employees, harmless from any and all liability imposed on the Society, its officers, agents and/or employees arising from the negligence, active or passive, of the City.

12. In accordance with the provisions of Section 109 of the General Municipal Law, the Society is hereby prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this Agreement, or of its right, title or interest in this Agreement, or its power to execute this agreement, to any other person or corporation without the previous consent in writing of the City.

13. Each and every provision of law and clause required by law to be inserted in this Contract shall be deemed to have been inserted herein. If any such provision is not inserted through mistake or otherwise, then upon the application of either party this contract shall be physically amended to make such insertion. In particular, the Society shall, amongst other things, fully comply with:

a) Labor Law Section 220-e and Executive Law Sections 291-299 and the Civil rights Law relating to prohibition against discrimination and equal opportunity.

b) Affirmative action as required by the Labor law

14. Should any dispute arise between the City and the Society regarding the manner or sufficiency of the performance of the services to be rendered hereunder, the disputed matter shall be settled by arbitration in accordance with the laws of the State of New York. There shall be three arbitrators, one of whom shall be selected

by each of the parties hereto, and the third by two arbitrators so selected. If the selection of any arbitrator is not made within fifteen

(15) days of the time that either party has notified the other of the name of the arbitrator it has selected, then the arbitrator or arbitrators not selected shall be appointed in a manner provided by the laws of the State of New York. The work shall not be interrupted or delayed pending such decision.

15. The Supervisor has executed this Agreement pursuant to a Resolution adopted by the Town Board of the **Town of MIDDLETOWN**, at a meeting thereof held on

January 16 2025. The Supervisor of the **Town of MIDDLETOWN**, whose signature appears hereafter, is duly authorized and empowered to execute this instrument and enter into such an agreement on behalf of the Town. The Society represents that the officer of the Society, whose signature appears hereafter, is duly authorized and empowered to execute

this instrument and enter into such an agreement on behalf of the Society. The instrument shall be executed in duplicate. At least one copy shall be permanently filed, after execution thereof, in the office of the City Clerk.

16. Any and all notices and payments required hereunder shall be addressed as follows, or to such other address as may hereafter be designated as follows, or to such other address as may hereafter be designated in writing by either party hereto:

To: **City of MIDDLETOWN**
16 James Street
Middletown, NY 10940

To: **The Humane Society of Port Jervis/Deerpark, Inc.**
202 Route 209
Port Jervis, New York 12771

17. No waiver of any breach of any condition of the Agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

18. This Agreement constitutes the complete understanding of the parties. No modifications of any provisions thereof shall be valid unless in writing and signed by both parties.

19. This Agreement is governed by the laws of the State of New York.

IN WITNESS WHEREOF, the **City of MIDDLETOWN** has caused its corporate seal to be affixed hereto and these present to be signed by _____, its Supervisor duly authorized to do so, and to be attested by _____, Clerk of the **City of MIDDLETOWN**, and the Society has caused its corporate seal to be affixed hereto and these presents to be signed by its President, the day and year first above written.

(Seal of the Town)

TOWN OF MIDDLETOWN

Supervisor

Attest:

City Clerk

THE HUMANE SOCIETY OF PORT JERVIS/DEERPARK, INC.

President

Attest:



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Johnson
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 33-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

RESOLUTION AND NOTICE OF DETERMINATION OF NON-SIGNIFICANCE as it Relates to the Establishment of Minimum Square Footage for New Single Family Dwellings

**RESOLUTION AND NOTICE OF DETERMINATION
OF NON-SIGNIFICANCE PURSUANT TO 6 NYCRR 617.7**

WHEREAS, the City of Middletown Common Council has determined, upon recommendations by the Mayor and Commissioner of Public Works, to adopt a minimum square footage for all new single family dwellings constructed in the City of Middletown, and

WHEREAS, the proposed action is described as follows: All single family dwellings constructed in the City of Middletown after the effective date of the accompanying Resolution must contain at least 1,200 square feet of livable floor area, as that term is defined in Section 4 of the City Zoning Code, and

WHEREAS, the proposed rezoning for minimum square footage constitutes an Unlisted Action pursuant to the State Environmental Quality Review Act (“SEQRA”) regulations; and

WHEREAS, a public hearing on the proposed rezoning was held on December 17, 2024, and

WHEREAS, the City of Middletown Common Council has thoroughly reviewed and considered the request for rezoning for minimum square footage and the accompanying Short Environmental Assessment Form (“EAF”), and

WHEREAS, the City of Middletown Common Council has identified the relevant areas of environmental concern and thoroughly considered the criteria for determining significance set forth at 6NYCRR Part 617.7 (c), and

WHEREAS, on or about December __, 2024, the Common Council referred this resolution to the Orange County Planning Department pursuant to General Municipal Law § 239-m, and

WHEREAS, the Common Council received a determination from the Orange County Planning Department, dated December __, 2024, concluding that the resolution was a matter for local determination.

NOW, THEREFORE, BE IT RESOLVED that the City of Middletown Common Council declares itself Lead Agency with respect to this rezoning action, and be it

FURTHER RESOLVED that the City of Middletown Common Council hereby declares that the proposed action will not result in a significant adverse impact on the environment, and an environmental impact statement will not be prepared, and be it

FURTHER RESOLVED that this Negative Declaration is made pursuant to Article 8 of the Environmental Conservation Law (SEQRA), and be it:

RESOLVED that the reasons and findings supporting this determination are as follows:

1. There will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; nor a substantial increase in potential for erosion, flooding, leaching or drainage problems.
2. There will not be the removal or destruction of large quantities of vegetation or fauna; nor substantial interference with the movement of any migratory fish or wildlife species; nor impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant; nor the habitat of such species; nor other significant adverse impacts to natural resources.
3. There will not be an impairment of the environmental characteristics of a critical environmental area (CEA) as designated pursuant to 6 NYCRR 617.14(G) because the property is not located within a CEA. Nor is there any CEA nearby.
4. There will not be the creation of any material conflict with the community’s current plans or goals as officially approved or adopted.

5. There will not result an impairment of the character or quality of important historical, archaeological, architectural or aesthetic resources or of existing community or neighborhood character.

6. There will not result a major change in the use of either the quantity or type of energy.

7. There will not be the creation of a hazard to human health.

8. Nothing characteristic of the proposed action would result in a demand for other actions that exhibit the impacts defined in 6 NYCRR Part 617.7(c).

9. All potential changes to the environment have been identified in the Short EAF and analyzed cumulatively by the Council. The totality of potential impacts for the actions currently contemplated, are not significant.

10. No other related development or similar action is proposed for this area in the City of Middletown.

11. The rezoning action is not part of any long-range plan for development that has not already been identified, and there are no other actions that will be taken as a result the actions identified herein. Nor are there any unidentified future actions that are dependent on the actions to be undertaken by the Council, other than the building permit approval process provided for in the Middletown Zoning Code.

Prepared by:

Attachments:

1.	Short Environmental Assessment Form Part 1 -Min 1200sq fy dwelling (1)
2.	Short Environmental Assessment Form Part 2 -Min 1200sqft- Impact Assessment

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
City of Middletown Common Council			
Name of Action or Project: Minimum Area for all new single family dwellings constructed in the City of Middletown			
Project Location (describe, and attach a location map): All zoning districts in the City of Middletown			
Brief Description of Proposed Action: Adopt minimum of 1,200 Sq Ft of livable floor area for all new single family dwelling to be constructed in the City of Middletown in all zones.			
Name of Applicant or Sponsor: Common Council		Telephone: 845-346-4168	
		E-Mail: rmccormack@middletownny.gov	
Address: 16 James Street			
City/PO: Middletown		State: New York	Zip Code: 10940
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO ☒
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			YES ☐
3. a. Total acreage of the site of the proposed action? _____ NA acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			YES ☐
4. Check all land uses that occur on, are adjoining or near the proposed action: ☒ Urban ☐ Rural (non-agriculture) ☒ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): All City Zoning Districts ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☒	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	☐	☐
	☐	☐
	☐	☒
This action impacts all new construction of single family dwelling in all zoning districts. Each new action will require Building Permit will trigger complete review of the specific site plan/location and drainage.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
This action impacts all new construction of single family dwelling in all zoning districts. Each new action will require Building Permit will trigger complete review of the specific site plan/location and drainage.	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☒	☐
This action impacts all new construction of single family dwelling in all zoning districts. Each new action will require Building Permit will trigger complete review of the specific site plan/location and drainage.		
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>City of Middletown Common Council</u> Date: <u>12/13/2024</u> Signature: <u>Jacob Tawil</u> Title: <u>Commissioner of Public Works</u>		

Project:

Date:

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept “Have my responses been reasonable considering the scale and context of the proposed action?”

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing:		
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

Project:

Date:

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Common Council - City of Middletown

Name of Lead Agency

J Miguel Rodrigouse

Date

President of the Common Council

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Jacob Tawil

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Kleiner
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 34-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Amend City Code to Adopt a Minimum Square Footage for all New Single Family Dwellings

WHEREAS, the Mayor and Commissioner of Public Works are recommending that the Common Council adopt a minimum square footage for all new single family dwellings constructed in the City of Middletown.

NOW THEREFORE, be it Resolved, and be it Ordained, by the Common Council of the City of Middletown, New York, as follows:

Section 1 - The Code of the City of Middletown, N.Y., Chapter 475, Zoning, be and is hereby amended by creating a new Section 475-27.1 of Article IV, General Regulations, to read as follows:

Section 475-27.1. Minimum square footage for new single family dwellings. All

single family dwellings constructed in all zoning districts in the City of Middletown after the effective date of this Resolution must contain at least One Thousand Two Hundred (1,200) square feet of livable floor area, as that term is defined in Section 4 of the Zoning Code.

Section 2 - Severability. If the provisions of any section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this Ordinance.

Section 3 - This Ordinance shall take effect immediately.

Prepared by:

Attachments:

1.	MTC09-24M Local Law - Minimum Squ MnL3pzM
2.	Notice of Public Hearing Single Family Minimum Sq Footage



Steven M. Neuhaus
County Executive

Orange County Department of Planning

124 Main Street
Goshen, NY 10924-2124
Tel: (845) 615-3840
Fax: (845) 291-2533

Alan J. Sorensen, FAICP
Commissioner

www.orangecountygov.com/planning
planning@orangecountygov.com

County Reply – Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l, m, & n

Local Referring Board: Middletown City Board

Referral ID #: MTC09-24M

Applicant: City of Middletown

Tax Map #: Municipal-wide

Project Name: Local Law – Minimum Square Footage for Single Family Dwellings **Local File #:** N/A

Proposed Action: Proposed local law to establish a minimum square footage for proposed single family dwellings.

Reason for County Review: Amendment of local law, as per §239-m.

Date of Full Statement: December 12, 2024.

Comments:

The Department has received the above referenced local law and has found no evidence that significant intermunicipal or countywide impacts would result from its approval. We have no comments at this time.

County Recommendation: Local Determination

Date: January 7, 2025

Prepared by: Jennifer L. MacLeod, AICP
Senior Planner


Alan J. Sorensen, FAICP
Commissioner of Planning

As per NYS General Municipal Law 239-m & n, within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available on-line at www.orangecountygov.com/planning.

**CITY OF MIDDLETOWN
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, December 17, 2024, on or as near to 7:30 p.m. as possible, Common Council Chambers, 2nd floor, 16 James Street, to hear any and all persons wishing to be heard on the proposed zoning amendment to Chapter 475 creating a new Section 475-27.1 of Article IV, General Regulations which adopts a minimum square footage for all new single family dwellings constructed in the City of Middletown.

Any and all persons wishing to be heard will be given an opportunity to speak either for or against the proposed zoning amendment.

The complete proposed zoning amendment is available in the office of the Common Council Clerk, City Hall, 16 James Street, room 12, and on the City Website.

For any person unable to participate at the time of the public hearing, email comments may be submitted in advance to rmccormack@middletownny.gov

By the order of the Common Council.

Richard P. McCormack
Clerk of the Common Council

Publish: 12/11/24 & 12/12/24
City Website



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Green
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 35-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

CITY OF MIDDLETOWN COMMON COUNCIL RESOLUTION AND NOTICE OF DETERMINATION OF NON-SIGNIFICANCE Sub Divisions at the Community Campus

WHEREAS, the City of Middletown Common Council has been presented with proposals for three 2-lot minor subdivisions for properties located at 166-172 Seward Avenue, Middletown, New York, known as Middletown tax parcel Section 21, Block 2, Lot 1, 57-67 Dorothea Dix Drive, Middletown, New York, known as Middletown tax parcel Section 21, Block 2, Lot 6.2, and 122 Dorothea Dix Drive & 15 Ashley Avenue, Middletown, New York, known as Middletown tax parcel Section 21, Block 2, Lot 7.22, and

WHEREAS, the proposed subdivisions each constitute an Unlisted Action pursuant to the State Environmental Quality Review Act ("SEQRA") regulations, and

WHEREAS, the Common Council is the only involved agency under SEQRA for these subdivision requests, and

WHEREAS, the Common Council has received a Short Environmental Assessment Form describing each of these three actions, and

WHEREAS, the Common Council has identified the relevant areas of environmental concern and thoroughly considered the criteria for determining significance set forth at 6 NYCRR Part 617.7 (c).

NOW, THEREFORE, BE IT RESOLVED that the City of Middletown Common Council declares itself Lead Agency with respect to these subdivision requests pursuant to 6 NYCRR § 617.6(b)(1), and be it

FURTHER RESOLVED that the Common Council, after reviewing the materials of each Application, including the Short EAFs, hereby determines that each application is an Unlisted Action under SEQRA, and be it

FURTHER RESOLVED that the Common Council hereby declares that none of proposed actions will result in a significant adverse impact on the environment, and an environmental impact statement will not be prepared for any of the three applications, and be it

FURTHER RESOLVED that these three Negative Declarations are made pursuant to Article 8 of the Environmental Conservation Law.

Prepared by:

Attachments:

1.	MTC08-24N Former State Hospital S RWzvNs9
2.	Lot 1 Subdivision Sketch
3.	Lot 7.21 Subdivision Sketch
4.	Lot 7.22 Subdivision Sketch
5.	Subdivision App Lot 1 - Signed
6.	Subdivision App Lot 7.21 - Signed
7.	Subdivision App Lot 7.22 - Signed
8.	Application SubdivisionREVISED
9.	12-12-24 Middletown, City NY 10847425



Steven M. Neuhaus
County Executive

Orange County Department of Planning

124 Main Street
Goshen, NY 10924-2124
Tel: (845) 615-3840
Fax: (845) 291-2533

Alan J. Sorensen, FAICP
Commissioner

www.orangecountygov.com/planning
planning@orangecountygov.com

County Reply – Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l, m, & n

Local Referring Board: Middletown City Council

Referral ID #: MTC08-24N

Applicant: City of Middletown

Tax Map #: 21-2-1, 21-2-7.21 & 21-2-7.22

Project Name: Former State Hospital Subdivisions

Local File #: N/A

Proposed Action: Subdivision of former State Hospital properties.

Reason for County Review: Within 500 feet of State Route 211, County Route 78, and a municipal boundary.

Date of Full Statement: January 9, 2025.

Comments:

The Department has received the above referenced subdivisions and has found no evidence that significant intermunicipal or countywide impacts would result from their approval.

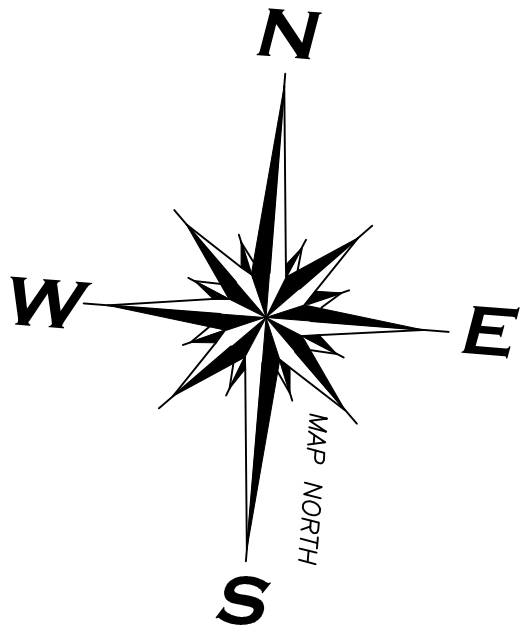
County Recommendation: Local Determination

Date: January 10, 2025

Prepared by: Jennifer MacLeod, AICP
Senior Planner


Alan J. Sorensen, FAICP
Commissioner of Planning

As per NYS General Municipal Law 239-m & n, within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available on-line at www.orangecountygov.com/planning.



I-1A DISTRICT

TABLE OF ZONING REQUIREMENTS							
MINIMUM REQUIREMENTS	LOT AREA	LOT WIDTH	LOT DEPTH	FRONT YARD	ONE SIDE YARD	BOTH SIDE YARDS	REAR YARD
EACH LOT	7,500 SF	75'	N/A	20'	N/A	N/A	10'

LOTS AND BUILDINGS AS SHOWN							
LOT NO. (AS SHOWN)	LOT AREA	LOT WIDTH	LOT DEPTH	FRONT YARD	ONE SIDE YARD	BOTH SIDE YARDS	REAR YARD
1	18,032 SF	139'	N/A	27'	N/A	N/A	52'
2	23,431 SF	321'	N/A	26'	N/A	N/A	40'

GENERAL NOTES:

SUB-SURFACE STRUCTURES WHERE NOT VISIBLE OR READILY APPARENT, WILL NOT BE SHOWN AND THEIR EXTENT WILL NOT BE CERTIFIED.

THE OFFSETS FROM PROPERTY LINES SHOWN HEREON ARE NOT INTENDED TO GUIDE IN THE ERECTION OF POLES, FENCES, RETAINING WALLS, BUILDING ADDITIONS, OR ANY OTHER STRUCTURES OR PLANTINGS AND SHOULD NOT BE USED FOR SUCH PURPOSES.

SUBJECT TO ANY UNWRITTEN AND/OR WRITTEN LICENSES, EASEMENTS, RESTRICTIONS, AND/OR AGREEMENTS.

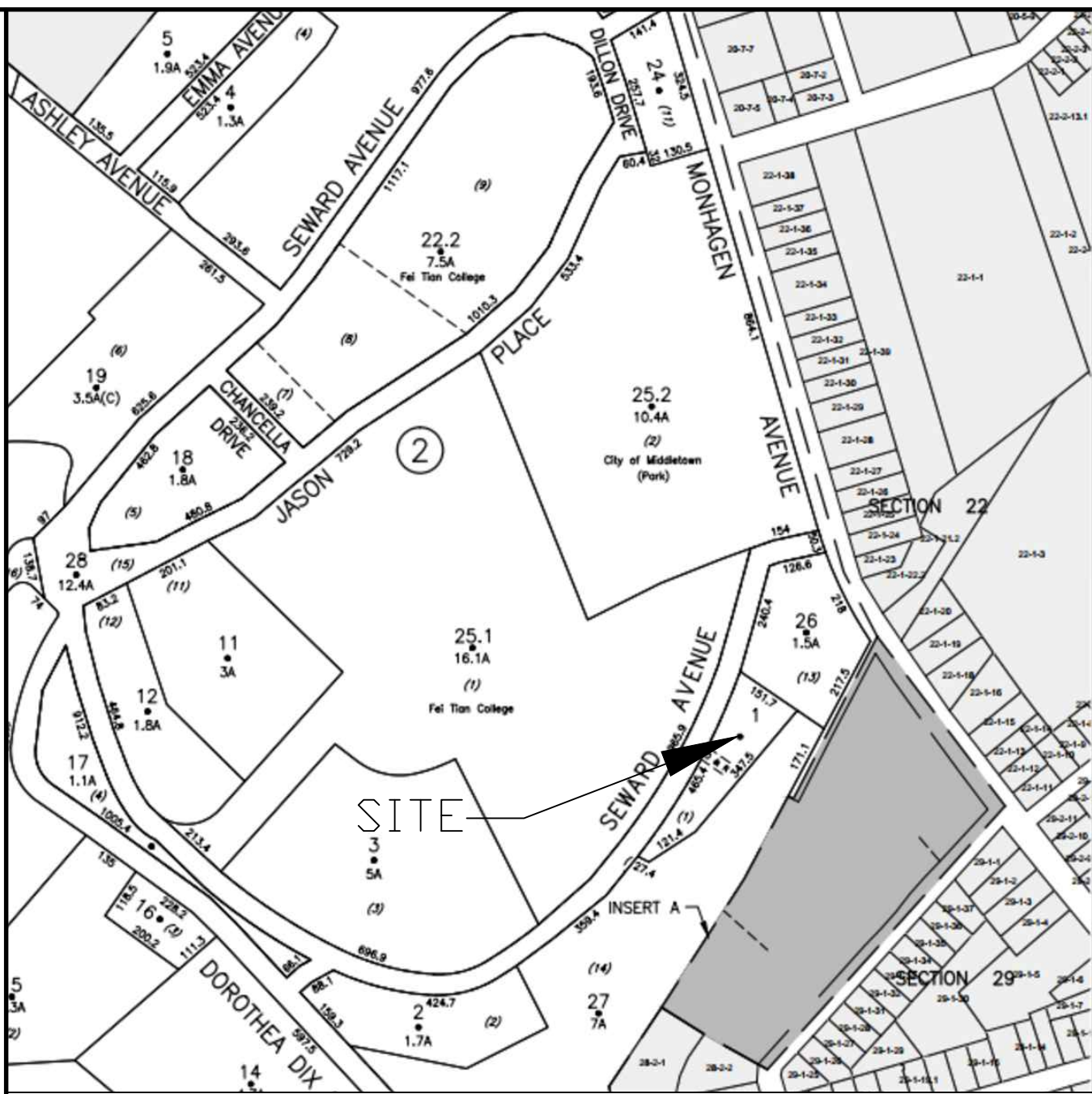
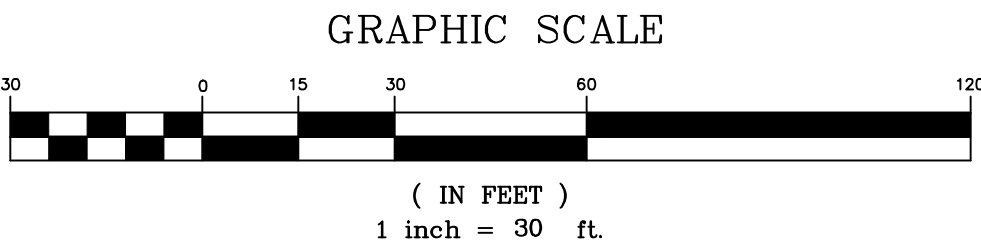
ISSUING OF A NEW TITLE POLICY OR REDATING OF AN EXISTING POLICY REFERENCING THIS SURVEY WITHOUT THE BENEFIT OF AN UPDATE OF THIS SURVEY BY FUSCO ENGINEERING AND LAND SURVEYING, P.C. SHALL TERMINATE ANY LIABILITY EXPRESSED OR IMPLIED HEREON.

I HEREBY CERTIFY:

TO: CITY OF MIDDLETOWN;

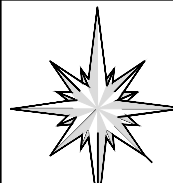
THAT THIS IS AN ACTUAL SURVEY COMPLETED IN THE FIELD ON DECEMBER 21, 2017 AND THAT THE BUILDINGS ARE LOCATED WITHIN THE BOUNDS OF THE LOT AND THAT THERE ARE NO SURFACE ENCROACHMENTS EXCEPT AS SHOWN.

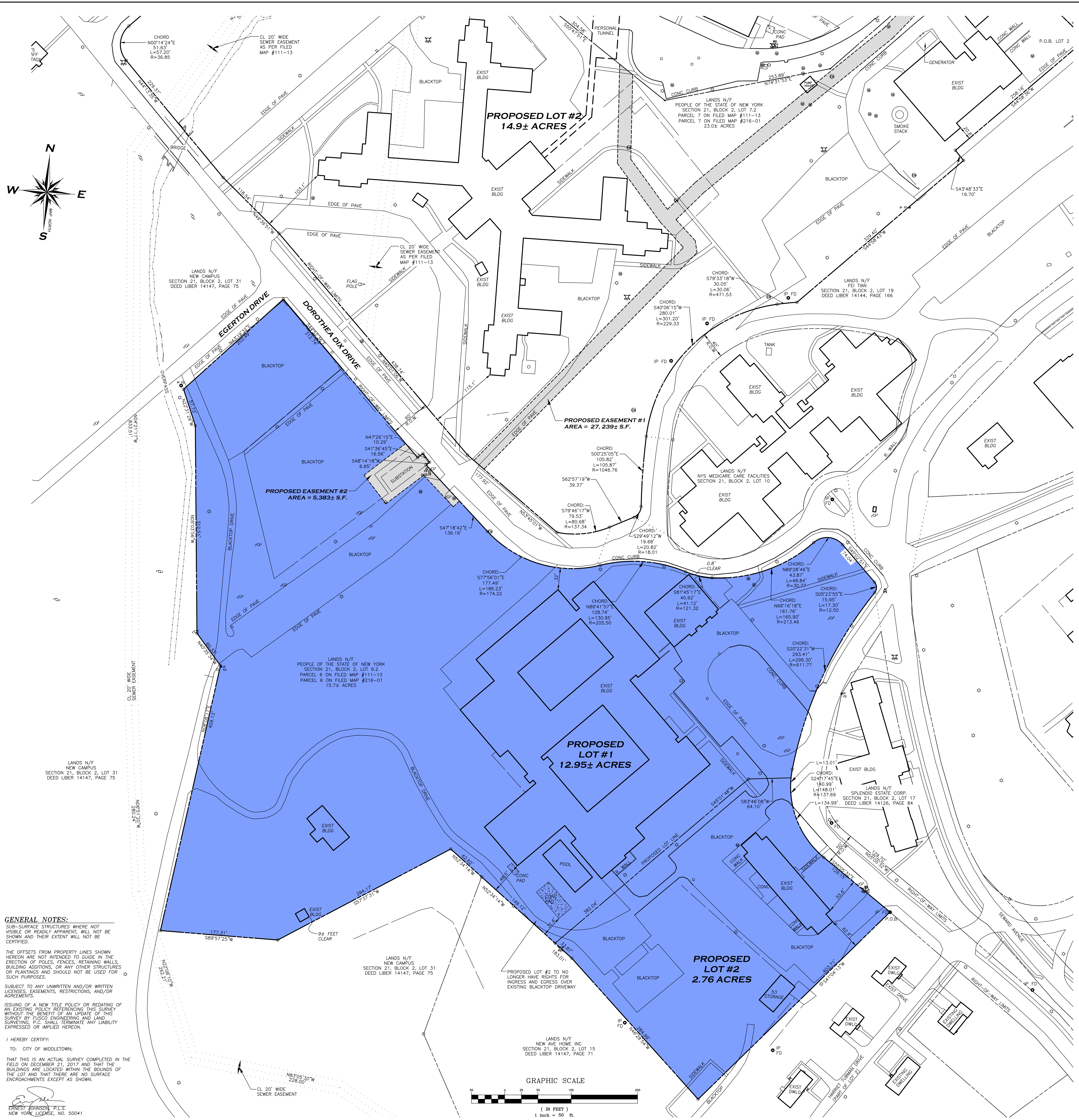

ERNEST JOHNSON, P.L.S.
NEW YORK LICENSE, NO. 50041



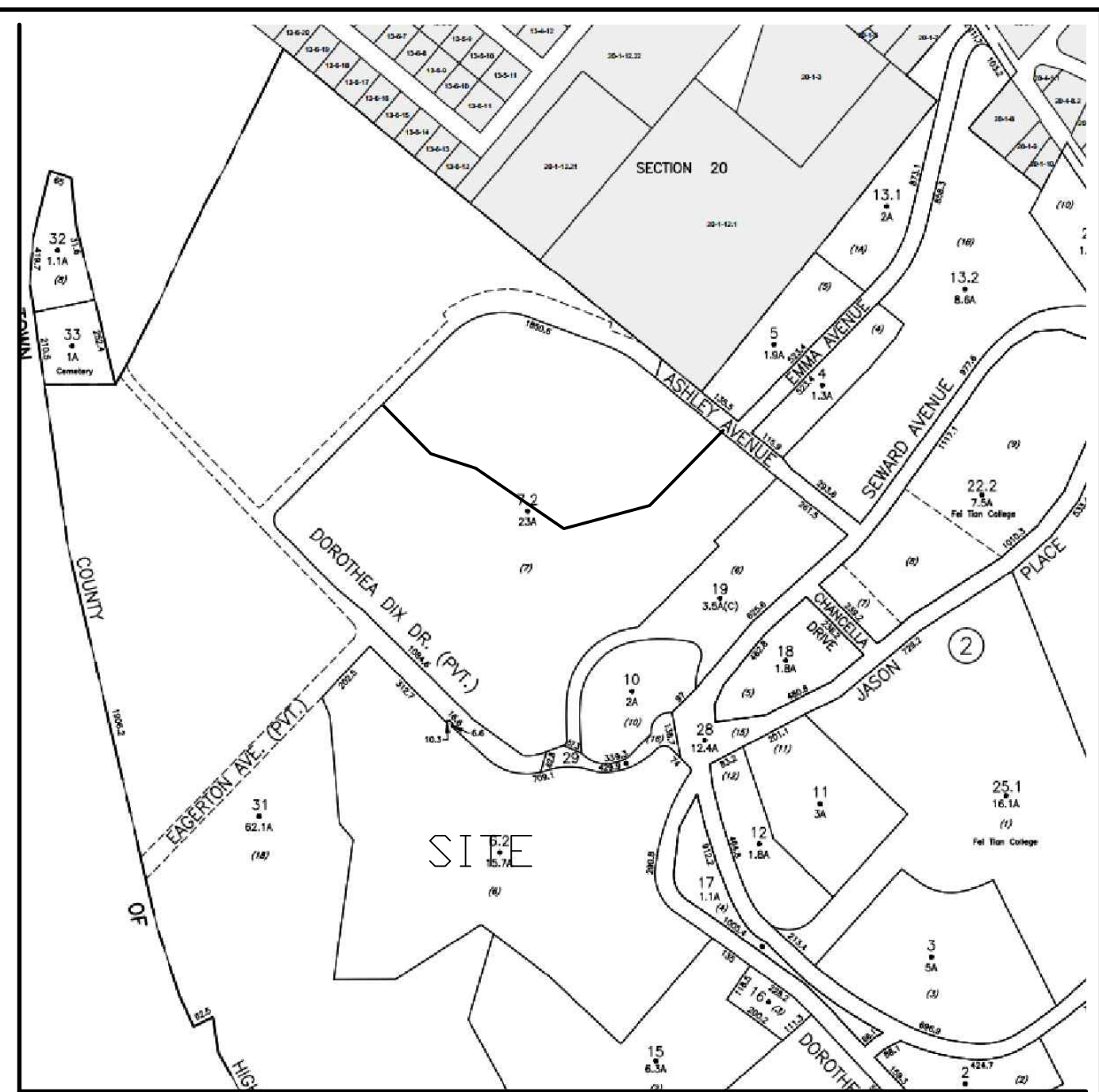
TAX MAP	
SECTION 21, BLOCK 2, LOT 1	
REFERENCE	
DEED LIBER 13353, PAGE 1376	
ORANGE COUNTY FILED MAP PREPARED BY DENNIS J. FAIRCHILD & FUSCO, TAWIL ENGINEERING, PC ENTITLED "SUBDIVISION, STATE OF NEW YORK, MIDDLETOWN PSYCHIATRIC CENTER" FILED ON OCTOBER 24, 2001 AS FILED MAP #216-01	
ORANGE COUNTY FILED MAP PREPARED BY FUSCO ENGINEERING & LAND SURVEYING, PC ENTITLED "18 LOT SUBDIVISION MIDDLETOWN PSYCHIATRIC CENTER" FILED ON APRIL 11, 2013 AS FILED MAP #111-13	
NOTES:	
TAMARACK DRIVE TO BE ABANDONED AS A MEANS OF INGRESS AND EGRESS FOR PROPOSED LOT 1 AND SECTION 21, BLOCK 2, LOT 26	

LEGEND	
	IRON PIPE FOUND
	X CUT FOUND
	CONCRETE MONUMENT FOUND
	UTILITY POLE
	WATER VALVE
	GAS VALVE
	ELECTRIC BOX
	SANITARY MANHOLE
	CATCH BASIN
	LIGHT POLE
	HYDRANT
	MANHOLE
	PROPERTY LINE
	ADJOINER PROPERTY LINE
	CHAIN LINK FENCE
	IRON FENCE
	EXISTING GUIDE RAIL
	PROPOSED LOT LINE

INITIALS	DATE	ISSUED FOR
UNAUTHORIZED ALTERATION OR ADDITION TO A MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS MAP NOT HAVING THE SEAL OF THE LAND SURVEYOR SHALL NOT BE VALID. THIS MAP MAY NOT BE USED FOR OTHER PURPOSES OR TRANSACTIONS. THIS MAP IS COPYRIGHTED BY FUSCO ENGINEERING & LAND SURVEYING, D.P.C., AND MAY NOT BE SOLD, RENTED, LEASED, PHOTOCOPIED, TRACED, ENLARGED, REDUCED, OR TRANSFERRED IN ANY OTHER WAY WITHOUT THE PRIOR WRITTEN CONSENT OF FUSCO ENGINEERING & LAND SURVEYING, D.P.C. ONLY COPIES OF THIS MAP BEARING THE ORIGINAL SEAL OF NEW YORK STATE LICENSED ENGINEER OR LAND SURVEYOR ARE VALID. GUARANTEES OR CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.		
 FUSCO ENGINEERING & LAND SURVEYING, D.P.C. CONSULTING ENGINEERS 233 EAST MAIN ST. MIDDLETOWN, NY 10940 PHONE: (845) 344-5863 FAX: (845) 956-5869		
PROJECT TITLE: SUBDIVISION OF TAX LOT 21-2-1		
CITY OF MIDDLETOWN PREPARED FOR:	APPROVED BY: EJ REVIEWED BY: EJ DRAWN BY: JMH	SCALE: 1"=30' REVISION DATE: DATE: 12/6/24 ADDRESS OF PROPERTY 166-172 SEWARD AVE CITY OF MIDDLETOWN ORANGE COUNTY NEW YORK REFERENCE NUMBER: 24-244 SHEET NUMBER: 1 PAGE 1 OF 1



- LEGEND**
- IRON PIPE FOUND
 - X CUT FOUND
 - CONCRETE MONUMENT FOUND
 - UTILITY POLE
 - WATER VALVE
 - GAS VALVE
 - SANITARY MANHOLE
 - CATCH BASIN
 - LIGHT POLE
 - HYDRANT
 - ELECTRIC MANHOLE
 - MANHOLE
 - PROPERTY LINE
 - ADDITION PROPERTY LINE
 - CHAIN LINK FENCE
 - IRON FENCE
 - EXISTING GUIDE RAIL
 - EDGE OF STREAM
 - EXISTING SEWER EASEMENT
 - PROPOSED LOT LINE
 - EXISTING EASEMENT



TAX MAP
SECTION 21, BLOCK 2, LOT 6.2

REFERENCE
DEED LIBER 13353, PAGE 1376
ORANGE COUNTY FILED MAP PREPARED BY DENNIS J. FAIRCHILD & FUSCO, TAWIL ENGINEERING, P.C. ENTITLED "SUBDIVISION, STATE OF NEW YORK, MIDDLETOWN PSYCHIATRIC CENTER" FILED ON OCTOBER 24, 2001 AS FILED MAP #216-01
ORANGE COUNTY FILED MAP PREPARED BY FUSCO ENGINEERING & LAND SURVEYING, P.C. ENTITLED "18 LOT SUBDIVISION MIDDLETOWN PSYCHIATRIC CENTER" FILED ON APRIL 11, 2013 AS FILED MAP #111-13

NOTES:
THE PEOPLE OF THE STATE OF NEW YORK RESERVE THE RIGHT FOR A BLANKET EASEMENT ACROSS THE ENTIRE SUBJECT PROPERTY FOR ACCESS AND MAINTENANCE TO ANY EXISTING ABOVE OR UNDERGROUND UTILITIES.

R-1 DISTRICT

TABLE OF ZONING REQUIREMENTS

MINIMUM REQUIREMENTS	LOT AREA	LOT WIDTH	LOT DEPTH	FRONT YARD	ONE SIDE YARD	BOTH SIDE YARD	REAR YARD
EACH LOT	7,500 SF	75'	N/A	30'	5'	**	10'

**WITH THE MINIMUM SUM OF WIDTH OF BOTH SIDE YARDS NOT LESS THAN 30% OF LOT FRONTAGE

LOTS AND BUILDINGS AS SHOWN

LOT NO. (AS SHOWN)	LOT AREA	LOT WIDTH	LOT DEPTH	FRONT YARD	ONE SIDE YARD	BOTH SIDE YARD	REAR YARD
1	564,163 SF	1,014'	N/A	0.8'	28'	N/A	48'

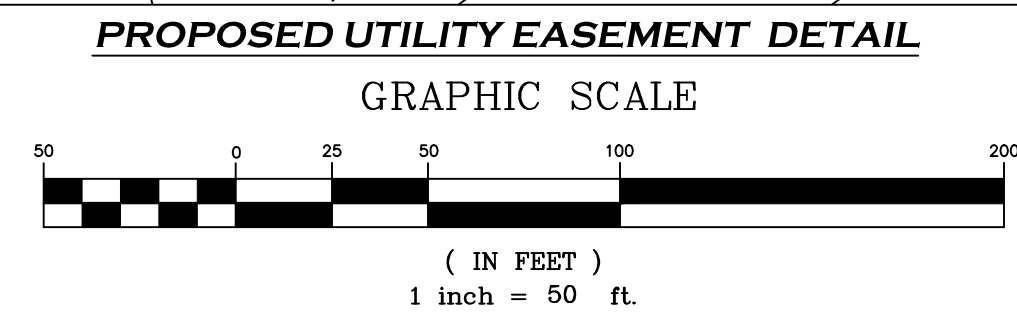
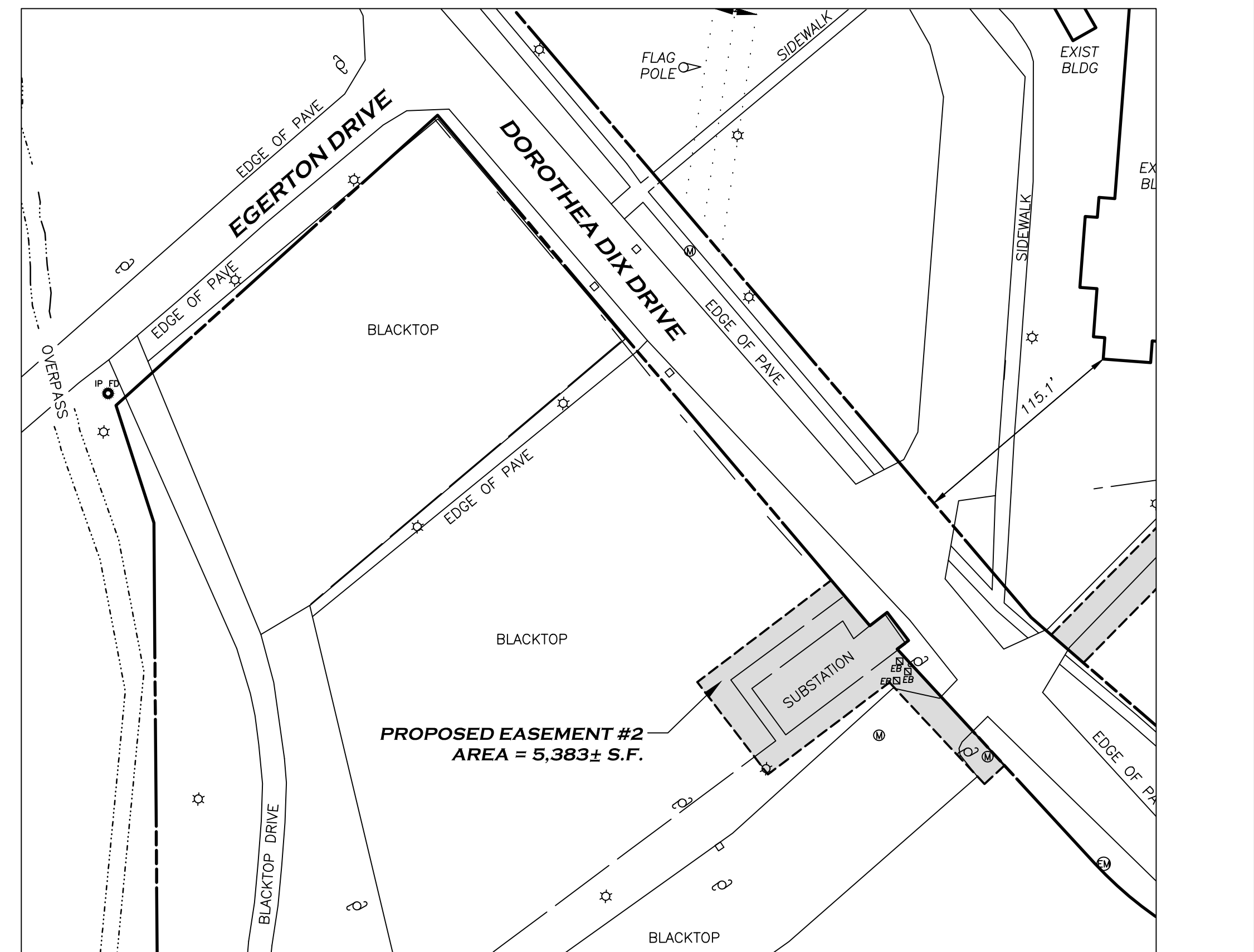
R-1A DISTRICT

TABLE OF ZONING REQUIREMENTS

MINIMUM REQUIREMENTS	LOT AREA	LOT WIDTH	LOT DEPTH	FRONT YARD	ONE SIDE YARD	BOTH SIDE YARD	REAR YARD
EACH LOT	7,500 SF	75'	N/A	20'	N/A	N/A	10'

LOTS AND BUILDINGS AS SHOWN

LOT NO. (AS SHOWN)	LOT AREA	LOT WIDTH	LOT DEPTH	FRONT YARD	ONE SIDE YARD	BOTH SIDE YARD	REAR YARD
2	120,543 SF	292'	N/A	51'	N/A	N/A	292'



GENERAL NOTES:
SUB-SURFACE STRUCTURES WHERE NOT VISIBLE OR READILY APPARENT, WILL NOT BE SHOWN AND THEIR EXTENT WILL NOT BE CERTIFIED.
THE OFFSETS FROM PROPERTY LINES SHOWN HEREON ARE NOT INTENDED TO CLUE IN THE LOCATION OF POLES, FENCES, RETAINING WALLS, BUILDING ADDITIONS, OR ANY OTHER STRUCTURES OR PLANTINGS AND SHOULD NOT BE USED FOR SUCH PURPOSES.
SUBJECT TO ANY UNWRITTEN AND/OR WRITTEN LICENSES, EASEMENTS, RESTRICTIONS, AND/OR AGREEMENTS.
ISSUING OF A NEW TITLE POLICY OR REDATING OF AN EXISTING POLICY REFERRING TO THIS SURVEY WITHOUT THE BENEFIT OF AN UPDATE OF THIS SURVEY BY FUSCO ENGINEERING & LAND SURVEYING, P.C. SHALL TERMINATE ANY LIABILITY EXPRESSED OR IMPLIED HEREON.
I HEREBY CERTIFY:
TO: CITY OF MIDDLETOWN;
THAT THIS IS AN ACTUAL SURVEY COMPLETED IN THE FIELD ON DECEMBER 21, 2017 AND THAT THE BUILDINGS ARE LOCATED WITHIN THE BOUNDS OF THE LOT AND THAT THERE ARE NO SURFACE ENCROACHMENTS EXCEPT AS SHOWN.

ERNEST JOHNSON, P.L.S.
NEW YORK LICENSE NO. 50041

INITIALS	DATE	ISSUED FOR

UNAUTHORIZED ALTERATION OR ADDITION TO A MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS MAP NOT BEARING THE SEAL OF THE LAND SURVEYOR SHALL NOT BE VALID. THIS MAP MAY NOT BE USED FOR OTHER PURPOSES OR TRANSACTIONS. THIS MAP IS COPYRIGHTED BY FUSCO ENGINEERING & LAND SURVEYING, P.C. AND MAY NOT BE SOLD, RENTED, LOANED, PHOTOCOPIED, TRACED, ENLARGED, REDUCED, OR TRANSFERRED IN ANY OTHER WAY WITHOUT THE PRIOR WRITTEN CONSENT OF FUSCO ENGINEERING & LAND SURVEYING, P.C. ONLY COPIES OF THIS MAP BEARING THE ORIGINAL SEAL OF NEW YORK STATE LICENSED ENGINEER OR LAND SURVEYOR ARE VALID. GUARANTEES OR CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

FUSCO ENGINEERING & LAND SURVEYING, D.P.C.
CONSULTING ENGINEERS
233 EAST MAIN ST.
MIDDLETOWN, NY 10840
PHONE: (845) 344-5885
FAX: (845) 896-5885

SUBDIVISION OF TAX LOT 21-2-6.2

CITY OF MIDDLETOWN	APPROVED BY:	SCALE:	ADDRESS OF PROPERTY	STATE OF NEW YORK
PREPARED FOR:	EJ	1"=50'	57-67 DOROTHEA DX DR	COUNTY OF ORANGE
CITY OF MIDDLETOWN	REVIEWED BY:	REVISION DATE:	CITY OF MIDDLETOWN	REFERENCE NUMBER:
DRAWN BY:	JMH	DATE:	ORANGE COUNTY	24-244
		12/6/24	NEW YORK	SHEET NUMBER:
				1
				PAGE 1 OF 1

GENERAL NOTES:

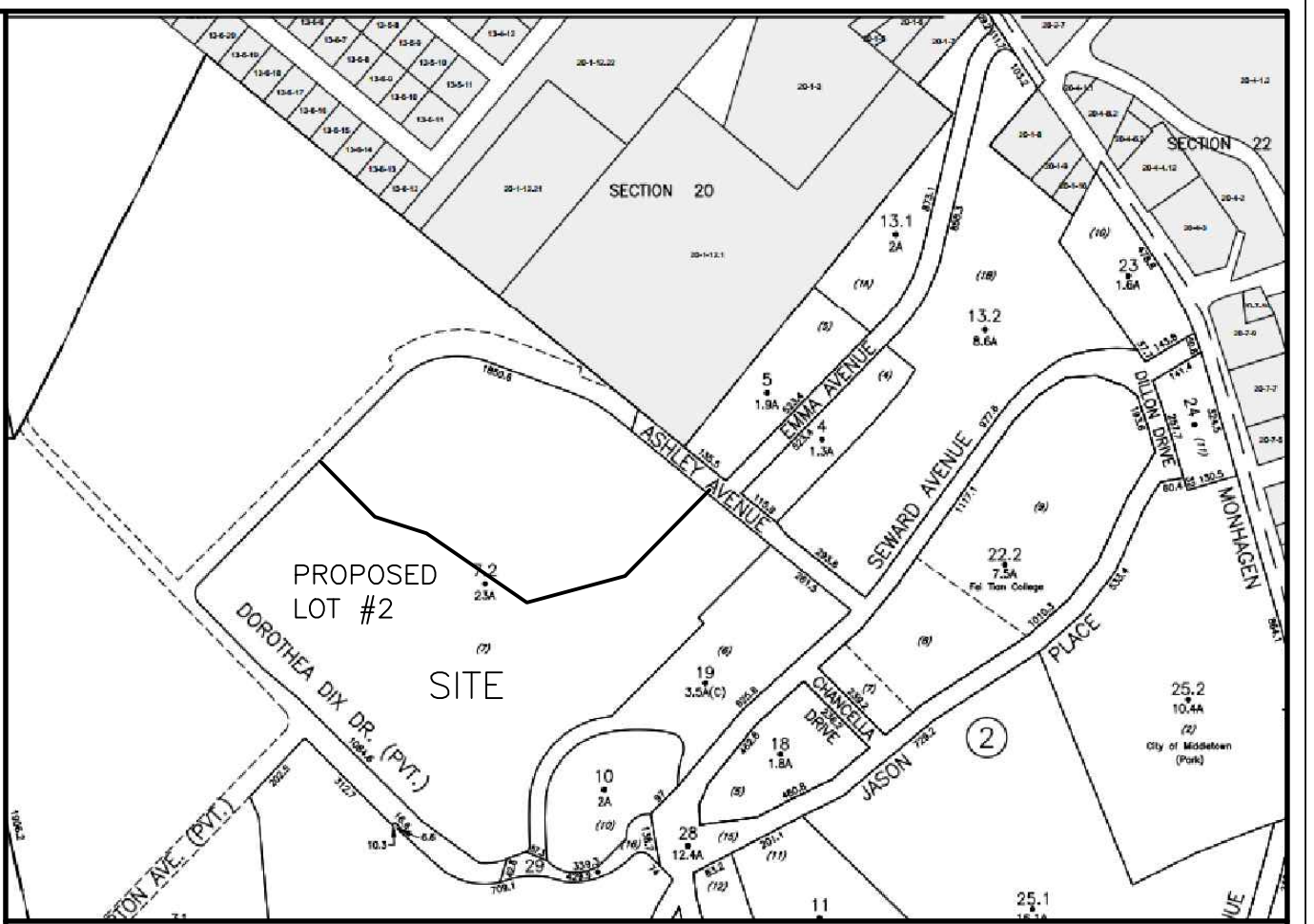
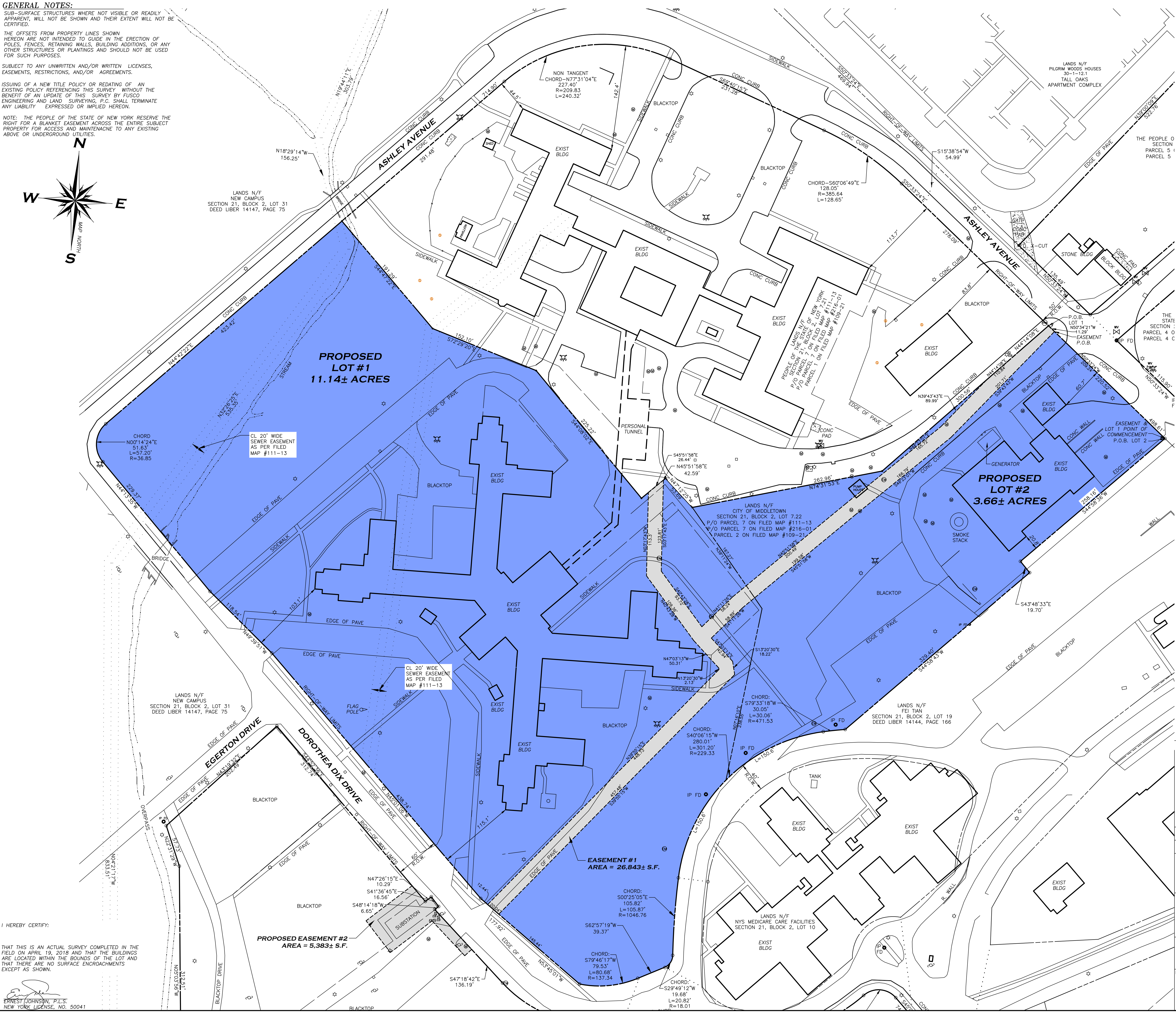
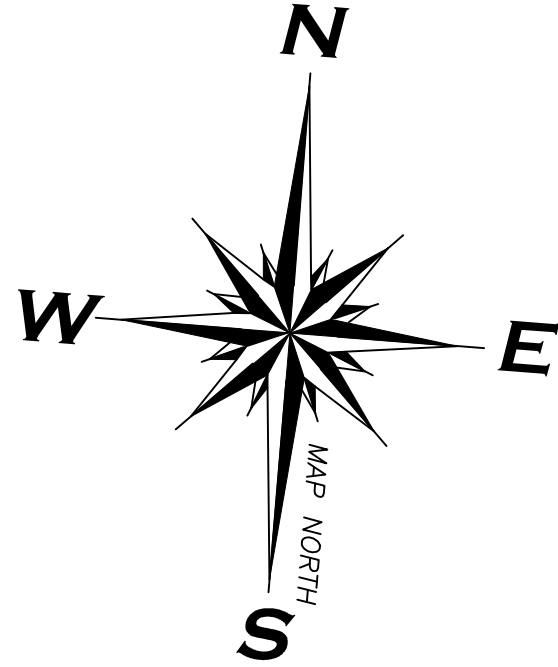
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SUBJECT TO ANY UNWRITTEN AND/OR WRITTEN LICENSES, EASEMENTS, RESTRICTIONS, AND/OR AGREEMENTS.

ISSUING OF A NEW TITLE POLICY OR REDATING OF AN EXISTING POLICY REFERRING THIS SURVEY WITHOUT THE BENEFIT OF AN UPDATE OF THIS SURVEY BY FUSCO ENGINEERING AND LAND SURVEYING, P.C. SHALL TERMINATE ANY LIABILITY EXPRESSED OR IMPLIED HEREON.

NOTE: THE PEOPLE OF THE STATE OF NEW YORK RESERVE THE RIGHT FOR A BLANKET EASEMENT ACROSS THE ENTIRE SUBJECT PROPERTY FOR ACCESS AND MAINTENANCE TO ANY EXISTING ABOVE OR UNDERGROUND UTILITIES.



TAX MAP
SECTION 21, BLOCK 2, LOT 7.22
14.81± ACERS

REFERENCE

DEED LIBER 13353, PAGE 1376
ORANGE COUNTY FILED MAP PREPARED BY DENNIS J. FAIRCHILD & FUSCO, TAWIL ENGINEERING, P.C. ENTITLED "SUBDIVISION, STATE OF NEW YORK, MIDDLETOWN PSYCHIATRIC CENTER" FILED ON OCTOBER 24, 2001 AS FILED MAP #216-01
ORANGE COUNTY FILED MAP PREPARED BY FUSCO ENGINEERING & LAND SURVEYING, P.C. ENTITLED "18 LOT SUBDIVISION MIDDLETOWN PSYCHIATRIC CENTER" FILED ON APRIL 11, 2013 AS FILED MAP #111-13

OWNER OF RECORD

THE PEOPLE OF THE STATE OF NEW YORK
515 BROADWAY
ALBANY, NY 12099

C-3A DISTRICT

TABLE OF ZONING REQUIREMENTS

MINIMUM REQUIREMENTS	LOT AREA	LOT WIDTH	LOT DEPTH	FRONT YARD	ONE SIDE YARD	BOTH SIDE YARDS	REAR YARD
EACH LOT	7,500 SF	75'	N/A	N/A	N/A	N/A	N/A

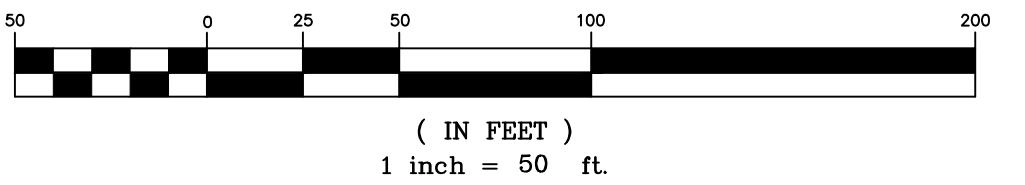
LOTS AND BUILDINGS AS SHOWN

LOT NO. (AS SHOWN)	LOT AREA	LOT WIDTH	LOT DEPTH	FRONT YARD	ONE SIDE YARD	BOTH SIDE YARDS	REAR YARD
1	485,558 SF	1,227'	N/A	N/A	N/A	N/A	N/A
2	159,689 SF	749'	N/A	N/A	N/A	N/A	N/A

LEGEND

- IRON PIPE FOUND
- X CUT FOUND
- CONCRETE MONUMENT FOUND
- UTILITY POLE
- WATER VALVE
- GAS VALVE
- ELECTRIC BOX
- SANITARY MANHOLE
- CATCH BASIN
- LIGHT POLE
- HYDRANT
- ELECTRIC MANHOLE
- MANHOLE
- PROPERTY LINE
- ADJOINER PROPERTY LINE
- CHAIN LINK FENCE
- IRON FENCE
- EXISTING GUIDE RAIL
- EDGE OF STREAM
- EXISTING SEWER EASEMENT
- PROPOSED LOT LINE
- EXISTING EASEMENT

GRAPHIC SCALE

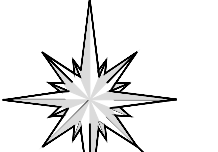


CITY OF MIDDLETOWN SIGNATURE BLOCK

TITLE _____ TITLE _____
SIGNATURE _____ DATE _____ SIGNATURE _____ DATE _____

INITIALS _____ DATE _____ ISSUED FOR _____

UNAUTHORIZED ALTERATION OR ADDITION TO A MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS MAP NOT HAVING THE SEAL OF THE LAND SURVEYOR SHALL NOT BE VALID. THIS MAP MAY NOT BE USED FOR OTHER PURPOSES OR TRANSACTIONS. THIS MAP IS COPYRIGHTED BY FUSCO ENGINEERING & LAND SURVEYING, P.C., AND MAY NOT BE SOLD, RENTED, LEASED, PHOTOCOPIED, TRACED, ENLARGED, REDUCED, OR TRANSFERRED IN ANY OTHER WAY WITHOUT THE PRIOR WRITTEN CONSENT OF FUSCO ENGINEERING & LAND SURVEYING, P.C. ONLY COPIES OF THIS MAP BEARING THE ORIGINAL SEAL OF NEW YORK STATE LICENSED ENGINEER OR LAND SURVEYOR ARE VALID. GUARANTEES OR CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.



FUSCO ENGINEERING & LAND SURVEYING, P.C.
CONSULTING ENGINEERS
233 EAST MAIN ST.
MIDDLETOWN, NY 10940
PHONE: (845) 344-5863
FAX: (845) 956-5865

SUBDIVISION OF TAX LOT 21-2-7.22

CITY OF MIDDLETOWN	APPROVED BY:	SCALE:	ADDRESS OF PROPERTY	REFERENCE NUMBER:
PREPARED FOR:	EJ	1"=50'	122 DOROTHEA DIX DR & 15 ASHLEY AVE	24-244
CITY OF MIDDLETOWN	REVIEWED BY:	REVISION DATE:	CITY OF MIDDLETOWN	SHEET NUMBER:
	JMH	12/6/24	ORANGE COUNTY	1
			NEW YORK	PAGE 1 OF 1



City of Middletown
Middletown, New York
APPLICATION FOR Subdivision
APPLICATION FEE: \$250.00
ESCROW FEE: \$100.00

Number of Lots of the Subdivision 2 Current Zone I-IA

Section 21 Block 1 Lot 1

Address of Subject Property 166-172 Seward Avenue

Owner of Property City of Middletown

Owner Address 16 James Street

City Middletown State NY Zip 10940

Telephone: Home 845-346-4100 Cell:

Email jtawil14@yahoo.com

Applicant Name City of Middletown

If different from Owner

Applicant Address N/A

City State Zip

Telephone: Home Cell:

Email

Minor (2-3 lots) <u>X</u>	\$250.00	Paid <u>Waived</u>
Plus Escrow <u></u>	\$100.00	Paid <u></u>
Major (over 3 lots) <u></u>	\$500.00	Paid <u></u>

Plus \$100 per lot for each lot over 10 lots, and \$1000.00 escrow to be replenished if required

NOTE: Over 4 lot subdivision will go to Planning Board for recommendation before going to Common Council.

Proposed uses; List the number of proposed lots and uses, which are to be created by this subdivision if approved. Additional sheets may be attached if more space is required.

2 lot subdivision

Zoning; In the space provided list all lots or areas which would require a re-zoning of any zoning district. List all factors dealing with the requested re-zoning. Additional sheets may be attached if more space is required.

N/A

Non Compliance of Zoning; In the space provided list all lots, which are not in compliance with the zoning regulations of the City of Middletown. Provide all information from the zoning ordinance in which the lot is non-compliant and the reasons therefore. Additional sheets may be attached if more space is required.

N/A

NOTE; if any of the new lots are non-compliant to the City of Middletown zoning code you may be required to apply to the ZBA for a variance.

A notarized letter from the property owner granting permission to seek the zone change or addition, if the applicant is not the owner, is required for all applications.

NOTE: As per SEQRA law a short form EAF will be required with all applications

Sign at the place indicated and print name

Signature of applicant



Print Name and title Jacob Tawil, Commissioner

Date 12/16/2024

TO BE FILLED OUT BY THE CITY CLERK'S OFFICE

A fee of \$250.00 was collected on _____

Escrow Amount \$100.00 on _____

Signature of Clerk or Designee

Date

Application & Instructions for Subdivisions

A subdivision application is deemed to be accepted by the Common Council when completed applications along with the required fees are in possession of the Clerk.

All applications will be referred to the Common Council Planning Committee. Placement on the agenda is on a first come, first serve basis. The Committee chairperson will schedule the meeting and you will be notified of the date and time. Applications must be in possession of the chair of the Committee at least two weeks before the scheduled meeting.

Each application for a subdivision shall be accompanied by a non-refundable fee of \$250.00 and an escrow fee of \$100.00 used for the public hearing notice. If the entire escrow amount is not used the balance will be refunded to the applicant. The clerk office will require 14 copies of the application and subdivision maps submitted with all the fees.

Additional fees may be required if the Common Council determines that an engineer's review is necessary. If an engineer's review is necessary the applicant must deposit \$500.00 with the clerk to cover engineering fees. If the entire amount is not used the balance will be refunded to the applicant. Additional amounts may be required if necessary.

The Common Council shall fix the time of the public hearing after the Committee has approved the subdivision. Notice of the public hearing shall be published in the official City newspaper for two successive days. Publication of such notice shall begin at least five days before the hearing. The Common Council may require giving additional notice to persons particularly interested or affected in any given location.

A list of names and addresses will be given to you after the Committee approves the subdivision. A letter when the public hearing will be scheduled will be supplied to you and you will be required to mail to all names and addresses when the public notice is in the official newspaper. You will be required to supply a proof of mailing from the post office at the public hearing. If this proof of mailing is not supplied at the public hearing, the hearing will be canceled.

At the public hearing, a presentation of the facts of the subdivision is required by the applicant. You may present all information and data you desire. You may be represented by anyone of your choice. The public will also be provided an opportunity to speak. The members of the Common Council or staff may ask you questions.

If the Common Council approves, at the next scheduled meeting the resolution will be on the agenda to approve the subdivision.

If the subdivision is granted you will have to provide final plans with any changes for the Commissioner of Public Works and the City Clerk to sign and then you will also be required to submit to the County. The City of Middletown will require two (2) final signed paper copies and one (1) PDF copy submitted to the City Clerk.



**City of Middletown
Middletown, New York
APPLICATION FOR Subdivision
APPLICATION FEE: \$250.00
ESCROW FEE: \$100.00**

Number of Lots of the Subdivision 2 Current Zone I-IA & R-1

Section 21 Block 1 Lot 7.21

Address of Subject Property 57-67 Doprthea Dix Dr

Owner of Property City of Middletown

Owner Address 16 James Street

City Middletown State NY Zip 10940

Telephone: Home 845-346-4100 Cell: _____

Email jtawill14@yahoo.com

Applicant Name City of Middletown

If different from Owner

Applicant Address N/A

City _____ State _____ Zip _____

Telephone: Home _____ Cell: _____

Email _____

Minor (2-3 lots) <u>X</u>	\$250.00	Paid <u>Waived</u>
Plus Escrow _____	\$100.00	Paid _____
Major (over 3 lots) _____	\$500.00	Paid _____

Plus \$100 per lot for each lot over 10 lots, and \$1000.00 escrow to be replenished if required

NOTE: Over 4 lot subdivision will go to Planning Board for recommendation before going to Common Council.

Proposed uses; List the number of proposed lots and uses, which are to be created by this subdivision if approved. Additional sheets may be attached if more space is required.

2 lot subdivision

Zoning; In the space provided list all lots or areas which would require a re-zoning of any zoning district. List all factors dealing with the requested re-zoning. Additional sheets may be attached if more space is required.

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N/A

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Sign at the place indicated and print name

Signature of applicant



Print Name and title Jacob Tawil, Commissioner

Date 12/16/2024

TO BE FILLED OUT BY THE CITY CLERK'S OFFICE

A fee of \$250.00 was collected on _____

Escrow Amount \$100.00 on _____

Signature of Clerk or Designee

Date

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**City of Middletown
Middletown, New York
APPLICATION FOR Subdivision
APPLICATION FEE: \$250.00
ESCROW FEE: \$100.00**

Number of Lots of the Subdivision 2 Current Zone C-3A

Section 21 Block 1 Lot 7.22

Address of Subject Property 122 Dorothea Dix Dr & 15 Ashley Ave

Owner of Property City of Middletown

Owner Address 16 James Street

City Middletown State NY Zip 10940

Telephone: Home 845-346-4100 Cell:

Email jtawill4@yahoo.com

Applicant Name City of Middletown

If different from Owner

Applicant Address N/A

City State Zip

Telephone: Home Cell:

Email

Minor (2-3 lots) <u>X</u>	\$250.00	Paid <u>Waived</u>
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Sign at the place indicated and print name

Signature of applicant 

Print Name and title Jacob Tawil, Commissioner Date 12/16/2024

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Escrow Amount \$100.00 on _____

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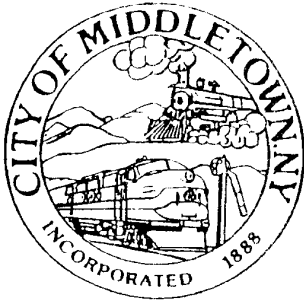
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**City of Middletown
Middletown, New York
APPLICATION FOR Subdivision
APPLICATION FEE: \$250.00
ESCROW FEE: \$100.00**

Number of Lots of the Subdivision _____ Current Zone _____

Section ____ Block ____ Lot _____

Address of Subject Property _____

Owner of Property _____

Owner Address _____

City _____ State _____ Zip _____

Telephone: Home _____ Cell: _____

Email _____

Applicant Name _____

If different from Owner

Applicant Address _____

City _____ State _____ Zip _____

Telephone: Home _____ Cell: _____

Email _____

Minor (2-3 lots) _____	\$250.00	Paid _____
Plus Escrow _____	\$100.00	Paid _____
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Sign at the place indicated and print name

Signature of applicant _____

Print Name and title _____ Date _____

.....

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Escrow Amount \$100.00 on _____

Signature of Clerk or Designee

Date

Application & Instructions for Subdivisions

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FROM THE OFFICE OF THE
CLERK OF THE
COMMON COUNCIL

John C. Naumchik

CITY OF MIDDLETOWN NY

WWW.MIDDLETOWN-NY.COM

Email: jnaumchik@middletown-ny.com

=====

OWNERS ENDORSEMENT

COUNTY OF ORANGE
STATE OF NEW YORK

_____ being duly sworn, deposes and says that he/she resides

at _____ in the County of _____ and

State of _____ and that he/she is the owner in fee or _____

OFFICIAL TITLE

of the _____ Corporation which is the owner

in fee of the premises described in the forgoing application and that he/she has authorized

_____ to make the foregoing application for

approval as described herein.

Sworn before me this day of 20

NOTARY PUBLIC

OWNERS SIGNATURE

16 James Street
Middletown, NY 10940

Phone 845-346-4168
Fax 845-344-5428

Order Confirmation

Not an Invoice

Account Number:	684389
Customer Name:	Middletown, City
Customer Address:	City of Middletown 16 James ST Kelly C Middletown NY 10940-5724
Contact Name:	Martina Tu
Contact Phone:	
Contact Email:	mtu@middletown-ny.com
PO Number:	

Date:	12/10/2024
Order Number:	10847425
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	4.6127
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
MDL Times Herald-Record	2	12/12/2024 - 12/13/2024	Govt Public Notices
MDL recordonline.com	2	12/12/2024 - 12/13/2024	Govt Public Notices

As an incentive for customers, we provide a discount off the total order cost equal to the 3.99% service fee if you pay with Cash/Check/ACH. Pay by Cash/Check/ACH and save!

Total Cash Order Confirmation Amount Due	\$61.56
Tax Amount	\$0.00
Service Fee 3.99%	\$2.46
Cash/Check/ACH Discount	-\$2.46
Payment Amount by Cash/Check/ACH	\$61.56
Payment Amount by Credit Card	\$64.02

Order Confirmation Amount	\$61.56
----------------------------------	----------------

Ad Preview

CITY OF MIDDLETOWN NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, December 17, 2024, on or as near to 7:30 p.m. as possible, Common Council Chambers, 2nd floor, 16 James Street, to hear any and all persons wishing to be heard on the 3 proposed 2 lot subdivisions at 166-178 Seward Ave, 57-67 Dorothea Dix Drive, 122 Dorothea Dix Drive and 15 Ashley Ave.

Any and all persons wishing to be heard will be given an opportunity to speak either for or against the proposed subdivisions.

The complete proposed application and map of the property for the subdivisions are available in the office of the Common Council Clerk, City Hall, 16 James Street, room 12, and on the City Website.

For any person unable to participate at the time of the public hearing, email comments may be submitted in advance to rmccormack@middletownny.gov

By the order of the Common Council.

Richard P. McCormack
Clerk of the Common Council



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderwoman Wray
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 36-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Approve 3 Sub-Divisions at the Middletown Community Campus

WHEREAS, the applicant, City of Middletown, has submitted proposals for three 2-lot minor subdivisions for properties located at 166-172 Seward Avenue, Middletown, New York, known as Middletown tax parcel Section 21, Block 2, Lot 1, 57-67 Dorothea Dix Drive, Middletown, New York, known as Middletown tax parcel Section 21, Block 2, Lot 6.2, and 122 Dorothea Dix Drive & 15 Ashley Avenue, Middletown, New York, known as Middletown tax parcel Section 21, Block 2, Lot 7.22, and

WHEREAS, the purpose of the subdivision of 166-172 Seward Avenue is to allow the conveyance of a portion of this lot for commercial use and/or economic development purposes, and

WHEREAS, the purpose of the subdivision of 57-67 Dorothea Dix Drive is to allow the conveyance of a portion of this lot to Fei Tian College/Northern College/Northern University for

college and community uses such as recreational, athletic programs, dance and music programs, gym, studios, offices, theatre and conference facility, and

WHEREAS, the purpose of the subdivision of 122 Dorothea Dix Drive & 15 Ashley Avenue is to allow the conveyance of a portion of this lot to Fei Tian College/Northern College/Northern University for college uses, and educational and student services, and

WHEREAS, all notices and obligations required by General Municipal Law Section 239-m have been performed, and no objections have been received, and

WHEREAS, the applicant has complied with all applicable requirements for final subdivision approvals, and

WHEREAS, a public hearing was held on January 21, 2025.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Middletown that final subdivision approval be and hereby is granted to

(1) the application to subdivide the property located at Section 21, Block 2, Lot 1 as shown on a map entitled “Subdivision of Tax Lot 21-2-1” prepared by Fusco Engineering & Land Surveying, P.C., dated December 6, 2024, and filed in the Office of the Middletown Common Council Clerk;

(2) the application to subdivide the property located at Section 21, Block 2, Lot 6.2 as shown on a map entitled “Subdivision of Tax Lot 21-2-6.2” prepared by Fusco Engineering & Land Surveying, P.C., dated December 6, 2024, and filed in the Office of the Middletown Common Council Clerk;

(3) the application to subdivide the property located at Section 21, Block 2, Lot 7.22 as shown on a map entitled “Subdivision of Tax Lot 21-2-7.22” prepared by Fusco Engineering & Land Surveying, P.C., dated December 6, 2024, and filed in the Office of the Middletown Common Council Clerk;

and

BE IT FURTHER RESOLVED by the Common Council that the applicant is directed to submit all necessary documents to the Office of the Orange County Clerk to file and record these three subdivisions within 60 days of this Resolution.

Prepared by:

Attachments:

None



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 37-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Reappoint Maria Bruni as the Director of Economic & Community Development

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of Maria Bruni as the Director of Economic & Community Development for a 1 year term, expiring on December 31, 2025.

Prepared by:

Attachments:

None



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Witt
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 38-25

**I hereby certify that the attached is a true
copy of a Resolution and/or Local Law
adopted by the City of Middletown Common
Council.**

Richard P. McCormack
Clerk to the Common Council

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Reappoint Members of the Industrial Development Agency

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of the following individuals to the Industrial Development Agency for a 1-year term expiring on December 31, 2025:

Joseph M. DeStefano
Andrew Britto
Anthony Cantoli
David Madden
Wayne Hawkins
Elizabeth Nemeth
Brian Seigerman

Prepared by:

Attachments:

None



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Kleiner
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 39-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Reappoint Peter Laskaris as City Historian

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of Peter Laskaris as city historian, for a term expiring on December 31, 2025.

Prepared by:

Attachments:

None



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Jean-Francois
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 40-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Reappoint Members of the Electrical Licensing Board

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of members of the electrical licensing board for a term expiring on December 31, 2025.

Jerry Caliendo
Tom Murtaugh
Walter Welch
Robert Metz
Mark Fellenzer

Prepared by:

Attachments:

None



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Johnson
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 41-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Reappoint Deborah Mills the Police Commission

BE IT RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of Deborah Mills to the Police Commission for a 4-year term, expiring on December 31, 2028.

Prepared by:

Attachments:

None



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Tobin
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 42-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Reappoint Anna Madden and Alvaro Garcia to the Architectural Review Board

BE IT RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of Anna Madden and Alvaro Garcia to the Architectural Review Board for a 3-year term, expiring on December 31, 2027.

Prepared by:

Attachments:

None



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Green
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 43-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Reappoint Members of the Board of Examining Plumbers

BE IT RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment William Hayden and Mel Skinner to the Board of Examining Plumbers for a 3-year term, expiring on December 31, 2027.

Prepared by:

Attachments:

None



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Witt
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 44-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

**Authorization to Appoint Kalyani Ramkissoon as a non-voting delegate (student) to the
Recreation Commission**

BE IT RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's appointment of Kalyani Ramkissoon as a non-voting delegate (student) to the Recreation Commission.

Prepared by:

Attachments:

None



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 45-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Reappoint David Madden to the Planning Board

BE IT RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of David Madden to the Planning Board for a 7-year term, expiring on December 31, 2031.

Prepared by:

Attachments:

None



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Witt
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 46-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Appointment Arthur Livesey to the Board of Assessment Review

BE IT RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of Arthur Livesey to the Board of Assessment Review for a term expiring on September 30, 2029.

Prepared by:

Attachments:

None



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Johnson
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 47-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Reappoint Wendy Rodrigues to the Zoning Board of Appeals

BE IT RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of Wendy Rodrigues to the Zoning Board of Appeals to a 5-year term, expiring on December 31, 2029.

Prepared by:

Attachments:

None



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Tobin
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 48-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Reappoint Richard Croughan as Assistant Corporation Counsel

BE IT RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of Richard Croughan to serve as Assistant Corporation Counsel for a term expiring on December 31, 2025.

Prepared by:

Attachments:

None



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Jean-Francois
Seconded by: None
Date of Adoption: January 21, 2025
Index No: 49-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Award Bids for Ornamental Light Fixtures in the Business Improvement District to Kandel Brothers of Middletown

WHEREAS the City has advertised and received bids for the furnishing of ornamental streetlights in the Business Improvement District; and

WHEREAS the bids were received and opened by the Board of Estimate and Apportionment on April 30, 2024, and

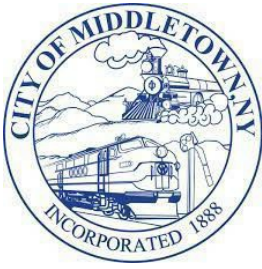
WHEREAS the Commissioner of Public Works is requesting the bids be awarded to the second lowest bidder, Kandel Brothers of Middletown, due to a better quality product;

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Middletown hereby awards the bid for 150, plus 5 spare light fixtures only, as manufactured by Holophane, at a unit price of \$1,224.00 for a total cost of \$189,720 to Kandel Brothers of Middletown.

Prepared by:
Jacob Tawil

Attachments:

1.	#26122 Resolution
2.	aucl3 (2)
3.	C14173-DWG06
4.	QUOTE 38880
5.	QUOTE 38882



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. Wray

Sec'd by Ald. Johnson

Date of Adoption: October 3, 2023

Index No: 194-23

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			

Resolution accepting a \$500,000 Grant for the Purchase and Installation of New Decorative Light Poles and Light Fixtures In The Downtown

BE IT RESOLVED that the Common Council of the City of Middletown, NY, does hereby concur with the Board of Estimate and Apportionment to accept DASNY Grant #26122 for the amount of \$500,000.00, and to authorize the Mayor, as the sole signatory, to sign any and all documents pertaining to this grant.

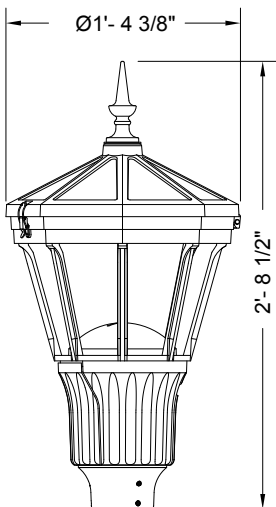
This grant will be used to purchase and install approximately 150 decorative light poles and light fixtures for streets/sidewalks in the downtown. These will replace the existing downtown decorative light poles and fixtures. This grant was secured by Assemblywoman Gunther.

AUCL3

Utility Arlington Series Luminaire Full Cutoff LED3



DIMENSIONAL DATA



Maximum Weight - 36 lbs
Maximum Effective Projected Area - 1.38 sq. ft.

Catalog Number

AUCL3 P40 40K MVOLT FC3 BK SK AO

Notes

Type

Mechanical

- Heavy grade A360 cast aluminum (<1% copper)
- Tool-less access with a spring-loaded latch
- Hidden hinge door allowing the door to swing open and remain open
- Optional internal or external NEMA twist lock photocontrol receptacle. Housing contains a tempered glass window to allow light to reach the cell for internal versions.
- Mount to slip-fitter that will accept 3" high by 2-7/8" to 3-1/8" O.D. pole tenon
- Decorative top cover contains stainless steel hinge which secures entry the LED optical chamber
- Polyester power coat paint to ensure maximum durability
- Rigorous multi-stage pre-treating and painting process yields a finish that achieves a scribe creepage rating of 8 (per ASTM D1654) after over 5,000 hours exposure to salt fog chamber (operated per ASTM B117) on standard and RAL finish options.
- RAL (RALxxxxSDCR) paint colors are Super Durable Corrosion Resistant, 80% gloss.

Electrical

- Surge protection meets ANSI/IEEE C62.41.2 10kV/10kA.
- Standard SPD meets 20kV/10kA per ANSI C136.2-2015.
- Quick disconnect connectors for ease of installation and maintenance.
- Three pole terminal block is standard, with optional prewired leads for ease of installation
- LED electronic 0-10v dimmable driver meets maximum total harmonic distortion (THD) of 20%, >0.90 Power Factor and is ROHS compliant.
- Minimum operating temperature is -40°C.
- Electronic driver has an estimated minimum life of 100,000 hours at 25°C.

Optical

- IP65 rated optical compartment
- LED circuit board located in the top cover
- Asymmetric or Symmetric zero uplight distributions
- 2700K, 3000K and 4000K CCT
- 70CRI Standard

Control Options

- Field Adjustable Output (AO) module - Onboard device that adjusts the light output and input wattage to meet site specific requirements. The AO module is preset at the factory to position number 8
- nLight Air RSBOR6 outdoor fixture-mounted motion and photo-sensor, features a dual radio to communicate wirelessly to other nLight Air devices for group response to motion, on/off control in response to daylight and by switch - RSBOR6

- Long life photocontrol, 20 years - PCLL, P34 and P48 with DTL
- 7 pin photocontrol receptacles internally (PR7) or externally (PR7E) mounted in place of the finial
- DTL DIN dedicated bracket with external mounted antenna - DINBRA

Manufacturing

- Manufactured in Crawfordsville, Indiana, ARRA compliant
- 100% electrical testing on all luminaires before shipment
- Ten (10) years minimum experience in manufacturing LED based products

Certification and Standards

- Luminaire shall be UL 1598 - Wet Location Safety Listing
- Suitable for operation in an ambient temperature -40°C (40°F) to 40°C (104°F) per UL certification for performance packages P05 thru P100 Type 2, 3 & 5 no glass, P05 thru P90 Type 2, 3, 4 & 5 clear glass and P05 thru P90 Type 3 & 5 frosted glass
- Suitable for operation in an ambient temperature -40°C (40°F) to 35°C (95°F) per UL certification for performance packages P100 Type 45 no glass, P100 Type 2, 3, 4 & 5 clear glass and P100 Type 3 & 5 frosted glass
- LM79 compliant
- DesignLights Consortium® (DLC) qualified product. Not all versions of this product may be DLC qualified. Please check the DLC Qualified Products List at www.designlights.org/QPL to confirm which versions are qualified.

Government Procurement

BAA - Buy America(n) Act: Product qualifies as a domestic end product under the Buy American Act as implemented in the FAR and DFARS. Product also qualifies as manufactured in the United States under DOT Buy America regulations.

BABA - Build America Buy America: Product qualifies as produced in the United States under the definitions of the Build America, Buy America Act.

Please refer to www.acuitybrands.com/resources/buy-american for additional information.

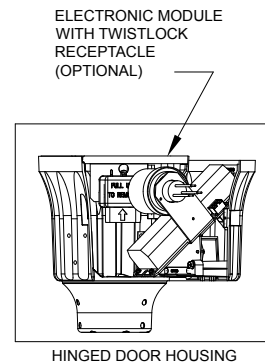
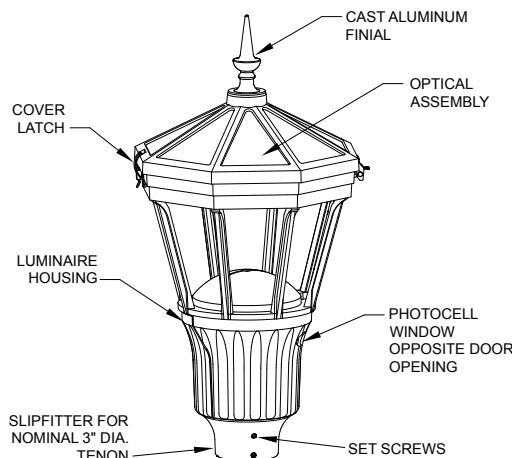
Warranty

5-year limited warranty. This is the only warranty provided and no other statements in this specification sheet create any warranty of any kind. All other express and implied warranties are disclaimed. Complete warranty terms located at: www.acuitybrands.com/support/warranty/terms-and-conditions.

Note: Actual performance may differ as a result of end-user environment and application.

All values are design or typical values, measured under laboratory conditions at 25 °C.

Specifications subject to change without notice.



ORDERING INFORMATION (refer to page 3 for configurable options)

Example: AUCL3 P20 30K MVOLT FC3 BK NF PR7E

AUCL3	P40	40K	MVOLT	FC3	BK	SK
Series	Led performance package	LED Color temperature	Voltage	Optics	Housing Color	Finial
AUCL3 Utility Arlington LED FCO	P05 3,800 nominal lumens	27K 2700K CCT	MVOLT Auto-sensing voltage (120 thru 277) 50/60 HZ	FC2 Type 2 distribution full cutoff	BK Black	NF None
	P10 5,000 nominal lumens	30K 3000K CCT			GR Gray	BL Ball
	P20 6,100 nominal lumens	40K 4000K CCT	HVOLT Auto-sensing voltage (347 thru 480) 50/60 HZ	FC3 Type 3 distribution full cutoff	GH Graphite	SK Spike
	P30 7,600 nominal lumens				GN Green	
	P40 8,800 nominal lumens		XVOLT Auto-sensing voltage (277 thru 480V) with enhanced power quality protection	FC4 Type 4 distribution full cutoff	PP Prime paint	
	P50 10,000 nominal lumens				WH White	
	P60 10,900 nominal lumens			FC5 Type 5 distribution full cutoff	BZ Bronze	
	P70 11,700 nominal lumens				RALxxxxSDCR RAL Super Durable Corrosion Resistant, 80% Gloss Paint, replace xxxx with RAL number.	
	P80 12,600 nominal lumens					
	P90 13,600 nominal lumens					
	P100 14,600 nominal lumens				CMC Custom color match	

AO		
Options: Option Compatibility Matrix on page 3 of 4		
CONTROLS OPTIONS		PREWIRED LEAD OPTIONS
AO Field Adjustable Output		L1H 1.5 ft prewired leads
DINBRA DTL DIN node bracket with external mounted antenna, DTL DIN node ordered and shipped separately		L03 3 ft prewired leads
PR7 NEMA twistlock dimming photocontrol receptacle - 7 pin		L10 10 ft prewired leads
PR7E NEMA twistlock dimming photocontrol receptacle - 7 Pin (Must use NF Finial Option)		L20 20 ft prewired leads
PCLL Long Life DTL Twistlock Photocontrol for Solid State, MVOLT		L25 25 ft prewired leads
P34 Long Life DTL Twistlock Photocontrol for Solid State, 347V		L30 30 ft prewired leads
P48 Long Life DTL Twistlock Photocontrol for Solid State, 480V		
SH Shorting Cap		
RSBOR6 nLight Motion Sensing Photocontrols		
		OPTIC OPTIONS
		CLGL Clear tempered glass lens
		FRGL 10% Frosted tempered glass lens
		HSS Louvered house side shield
		LEM REVEAL COLOR OPTIONS
		MHC LEM Reveal Plate Painted to match Housing Color
		NEMA LABEL OPTIONS
		NL1X1 1" X 1" ANSI Wattage Label
		NL2X2 2" X 2" ANSI Wattage Label

Accessories: Order as separate catalog number.	
HOUSE SIDE SHIELD	SURGE PROTECTION KITS
CLHSSNG25 No glass, Type 2 & Type 5 - Louvered house side shield	SPDPLUGIN MVOLT-20KV Replacement for 120-277V 20KV/ 10KA
CLHSSNG34 No glass, Type 3 & Type 4 - Louvered house side shield	SPDPLUGIN HVOLT-20KV Replacement for 347-480V 20KV/ 10KA
CLHSSGL25 Glass, Type 2 & Type 5 - Louvered house side shield	
CLHSSGL34 Glass, Type 3 & Type 4 - Louvered house side shield	

FINIAL INFORMATION

Mark Appropriate Box for Finial Options



Spike (SK)

☒

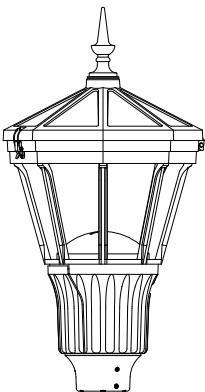


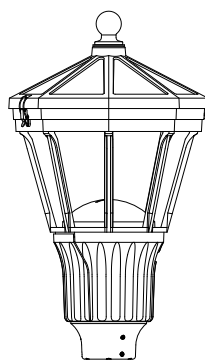
Ball (BL)

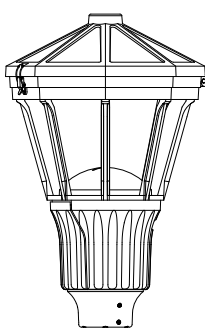
☐

No Finial (NF)

☐







OPTIONS MATRIX

Option Matrix		LED Package											Voltage			Distribution				Finals			Options															
		P05	P10	P20	P30	P40	P50	P60	P70	P80	P90	P100	MVOLT	HVOLT	XVOLT	FC2	FC3	FC4	FC5	BL	NF	SK	AO	DALI	DINBRA	PR7	PR7E	PCLL	PC34	PC48	RSBOR6	SH	HSS	MHC	CLGL	FRGL		
LED Package	P05		N	N	N	N	N	N	N	N	N	N	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	RFD	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
	P10	N		N	N	N	N	N	N	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	RFD	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
	P20	N	N		N	N	N	N	N	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	RFD	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
	P30	N	N	N		N	N	N	N	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	RFD	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
	P40	N	N	N	N		N	N	N	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	RFD	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
	P50	N	N	N	N	N		N	N	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	RFD	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
	P60	N	N	N	N	N	N		N	N	N	N	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	RFD	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
	P70	N	N	N	N	N	N	N		N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	RFD	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
	P80	N	N	N	N	N	N	N	N		N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	RFD	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
	P90	N	N	N	N	N	N	N	N	N		N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	RFD	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
P100	N	N	N	N	N	N	N	N	N	N		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	RFD	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	C	
Voltage	MVOLT	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		N	N	N	Y	Y	Y	Y	Y	Y	Y	Y	RFD	Y	Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	Y	
	HVOLT	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N		N	N	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	Y		
	XVOLT	N	N	N	N	N	N	N	Y	Y	Y	N	N		Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	Y		
Distributions	FC2	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		N	N	N	Y	Y	Y	Y	RFD	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	
	FC3	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N		N	N	Y	Y	Y	Y	RFD	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
	FC4	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N		N	Y	Y	Y	Y	RFD	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N		
	FC5	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N		Y	Y	Y	Y	RFD	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
Finals	BL	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		N	N	Y	RFD	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y		
	NF	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N		N	Y	RFD	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
	SK	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N		Y	RFD	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y		
Options	AO	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
	DALI	RFD	RFD	RFD	RFD	RFD	RFD	RFD	RFD	RFD	RFD	RFD	N	N	N	RFD	RFD	RFD	RFD	RFD	RFD	RFD	N		RFD	N	N	N	N	N	N	N	N	RFD	RFD	RFD	RFD	
	DINBRA	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	RFD		N	N	N	N	N	N	N	Y	Y	Y	Y		
	PR7	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N		N	Y	Y	Y	Y	N	Y	Y	Y	Y		
	PR7E	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	N	Y	N	N	N		Y	Y	Y	Y	N	Y	Y	Y	Y		
	PCLL	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y	N	N	N	Y	Y		N	N	N	Y	Y	Y	Y	Y		
	PC34	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	Y	Y	N		N	N	N	Y	Y	Y	Y		
	PC48	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	Y	Y	N	N		N	N	Y	Y	Y	Y		
	RSBOR6	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N	N		N	Y	Y	Y	Y		
	SH	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N	N	N	N		Y	Y	Y	Y	
	HSS	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	RFD	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	Y	Y	Y
	MHC	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	RFD	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	N	
	CLGL	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	RFD	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		N	
	FRGL	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	C	Y	Y	Y	N	Y	N	Y	Y	Y	Y	Y	RFD	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N			

Y = Combination available / N = Combination not available / RFD = Additional information required, consult factory

LUMEN AMBIENT TEMPERATURE (LAT) MULTIPLIERS

Use the factors to determine relative lumen output for average ambient temperatures from 0-40°C (32-104°F)

Ambient Temp.		Lumen Maintenance - LLD (by Performance Package)										
°C	°F	P05	P10	P20	P30	P40	P50	P60	P70	P80	P90	P100
0	32	1.03	1.03	1.04	1.04	1.04	1.04	1.04	1.04	1.05	1.05	1.05
5	41	1.03	1.03	1.03	1.03	1.03	1.03	1.04	1.04	1.04	1.04	1.04
10	50	1.02	1.02	1.02	1.02	1.02	1.03	1.03	1.03	1.03	1.03	1.03
15	59	1.01	1.01	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02	1.02
20	68	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01	1.01
25	77	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
30	86	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99	0.99
35	95	0.99	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98
40	104	0.98	0.98	0.98	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97

PROJECTED LED LUMEN MAINTENANCE

Data references the extrapolated performance projections for the platforms noted in 25°C ambient, based on 6,000 hours of LED testing (tested per IESNA LM-80-08 and projected per IESNA TM-21-11). To calculate LLF, use the lumen maintenance factor that corresponds to the desired number of operating hours below. For other lumen maintenance values, contact factory.

Lumen Maintenance - LLD (by Performance Package)								
Hours	0	25,000	36,000	50,000	60,000	67,500	75,000	100,000
P05 - P70	1.00	0.94	0.92	0.89	0.87	0.86	0.84	0.79
P80 - P100	1.00	0.93	0.91	0.87	0.85	0.83	0.81	0.76

PERFORMANCE DATA
STANDARD OPTIONS: NO GLASS

LED Package	Glass/Optic	System Watts	27K (27000K, 70CRI)					30K (3000K, 70CRI)					40K (4000K, 70CRI)				
			Lumens	LPW	B	U	G	Lumens	LPW	B	U	G	Lumens	LPW	B	U	G
P05	FC2	30	3,176	106	1	0	2	3,229	108	1	0	2	3,473	116	1	0	2
	FC3		3,290	110	1	0	1	3,344	111	1	0	1	3,597	120	1	0	1
	FC4		3,289	110	1	0	2	3,343	111	1	0	2	3,596	120	1	0	2
	FC5		3,698	123	3	0	1	3,759	125	3	0	1	4,044	135	3	0	1
P10	FC2	39	4,121	106	1	0	2	4,189	107	1	0	2	4,506	116	1	0	2
	FC3		4,268	109	1	0	1	4,339	111	1	0	1	4,667	120	1	0	1
	FC4		4,267	109	1	0	2	4,337	111	1	0	2	4,666	120	1	0	2
	FC5		4,798	123	3	0	1	4,877	125	3	0	1	5,246	135	3	0	1
P20	FC2	48	5,053	105	1	0	2	5,137	107	1	0	2	5,525	115	2	0	2
	FC3		5,233	109	1	0	2	5,320	111	1	0	2	5,723	119	1	0	2
	FC4		5,232	109	1	0	2	5,319	111	1	0	2	5,721	119	2	0	3
	FC5		5,883	123	3	0	1	5,981	125	3	0	1	6,433	134	3	0	2
P30	FC2	59	6,496	110	2	0	2	6,604	112	2	0	2	7,104	120	2	0	2
	FC3		6,689	113	2	0	2	6,800	115	2	0	2	7,315	124	2	0	2
	FC4		6,389	108	2	0	3	6,495	110	2	0	3	6,987	118	2	0	3
	FC5		7,477	127	3	0	2	7,601	129	3	0	2	8,176	139	3	0	2
P40	FC2	69	7,551	109	2	0	3	7,676	111	2	0	3	8,257	120	2	0	3
	FC3		7,775	113	2	0	2	7,904	115	2	0	2	8,502	123	2	0	2
	FC4		7,125	103	2	0	3	7,243	105	2	0	3	7,791	113	2	0	3
	FC5		8,691	126	4	0	2	8,835	128	4	0	2	9,503	138	4	0	2
P50	FC2	81	8,493	105	2	0	3	8,634	107	2	0	3	9,287	115	2	0	3
	FC3		8,745	108	2	0	2	8,890	110	2	0	2	9,563	118	2	0	2
	FC4		8,305	103	2	0	3	8,442	104	2	0	3	9,081	112	2	0	3
	FC5		9,775	121	4	0	2	9,937	123	4	0	2	10,689	132	4	0	2
P60	FC2	91	9,302	102	2	0	3	9,457	104	2	0	3	10,172	112	3	0	3
	FC3		9,579	105	2	0	2	9,738	107	2	0	2	10,475	115	2	0	2
	FC4		9,062	100	2	0	3	9,212	101	2	0	3	9,909	109	2	0	3
	FC5		10,707	118	4	0	2	10,884	120	4	0	2	11,708	129	4	0	2
P70	FC2	98	9,944	101	2	0	3	10,109	103	3	0	3	10,874	111	3	0	3
	FC3		10,240	104	2	0	2	10,410	106	2	0	2	11,198	114	2	0	2
	FC4		9,639	98	2	0	3	9,799	100	2	0	3	10,540	108	2	0	3
	FC5		11,446	117	4	0	2	11,635	119	4	0	2	12,516	128	4	0	2
P80	FC2	107	10,840	101	3	0	3	11,020	103	3	0	3	11,854	111	3	0	3
	FC3		11,163	104	2	0	2	11,348	106	2	0	2	12,207	114	2	0	2
	FC4		10,098	94	2	0	3	10,266	96	2	0	3	11,043	103	3	0	3
	FC5		12,477	117	4	0	2	12,684	119	4	0	2	13,644	128	4	0	3
P90	FC2	117	11,651	100	3	0	3	11,844	101	3	0	3	12,740	109	3	0	3
	FC3		11,997	103	2	0	2	12,196	104	2	0	2	13,119	112	2	0	3
	FC4		10,901	93	2	0	3	11,082	95	3	0	3	11,920	102	3	0	3
	FC5		13,410	115	4	0	3	13,632	117	4	0	3	14,664	125	4	0	3
P100	FC2	130	12,532	96	3	0	3	12,740	98	3	0	3	13,704	105	3	0	3
	FC3		12,904	99	2	0	3	13,119	101	2	0	3	14,111	109	3	0	3
	FC4		11,530	89	3	0	3	11,721	90	3	0	3	12,608	97	3	0	3
	FC5		14,424	111	4	0	3	14,663	113	4	0	3	15,772	121	4	0	3

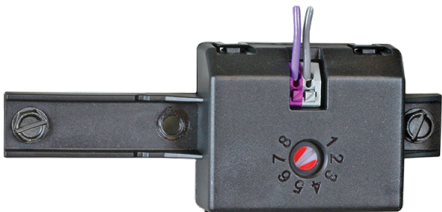
PERFORMANCE DATA
OPTIONAL: CLEAR GLASS

LED Package	Glass/Optic	System Watts	27K (27000K, 70CRI)					30K (3000K, 70CRI)					40K (4000K, 70CRI)				
			Lumens	LPW	B	U	G	Lumens	LPW	B	U	G	Lumens	LPW	B	U	G
P05	FC2	30	2,853	95	1	0	1	2,900	97	1	0	1	3,120	104	1	0	1
	FC3		2,961	99	1	0	1	3,010	100	1	0	1	3,238	108	1	0	1
	FC4		2,862	95	1	0	1	2,909	97	1	0	1	3,129	104	1	0	1
	FC5		3,250	108	2	0	1	3,304	110	2	0	1	3,554	118	2	0	1
P10	FC2	39	3,701	95	1	0	1	3,763	96	1	0	1	4,047	104	1	0	1
	FC3		3,842	99	1	0	1	3,905	100	1	0	1	4,201	108	1	0	1
	FC4		3,712	95	1	0	1	3,774	97	1	0	1	4,060	104	1	0	1
	FC5		4,217	108	3	0	1	4,287	110	3	0	1	4,611	118	3	0	1
P20	FC2	48	4,539	95	1	0	1	4,614	96	1	0	1	4,963	103	1	0	1
	FC3		4,711	98	1	0	1	4,789	100	1	0	1	5,151	107	1	0	1
	FC4		4,552	95	1	0	1	4,628	96	1	0	1	4,978	104	1	0	2
	FC5		5,171	108	3	0	1	5,256	110	3	0	1	5,654	118	3	0	1
P30	FC2	59	5,841	99	2	0	2	5,937	101	2	0	2	6,387	108	2	0	2
	FC3		5,947	101	1	0	2	6,046	102	1	0	2	6,504	110	1	0	2
	FC4		5,530	94	1	0	2	5,622	95	1	0	2	6,047	102	2	0	2
	FC5		6,592	112	3	0	1	6,701	114	3	0	1	7,208	122	3	0	2
P40	FC2	69	6,789	98	2	0	2	6,901	100	2	0	2	7,424	108	2	0	2
	FC3		6,913	100	2	0	2	7,028	102	2	0	2	7,560	110	2	0	2
	FC4		6,167	89	2	0	2	6,269	91	2	0	2	6,743	98	2	0	2
	FC5		7,662	111	3	0	2	7,789	113	3	0	2	8,378	121	3	0	2
P50	FC2	81	7,636	94	2	0	2	7,762	96	2	0	2	8,350	103	2	0	2
	FC3		7,775	96	2	0	2	7,904	98	2	0	2	8,502	105	2	0	2
	FC4		7,188	89	2	0	2	7,307	90	2	0	2	7,860	97	2	0	2
	FC5		8,618	106	3	0	2	8,760	108	3	0	2	9,423	116	3	0	2
P60	FC2	91	8,364	92	2	0	2	8,502	93	2	0	2	9,146	101	2	0	2
	FC3		8,517	94	2	0	2	8,658	95	2	0	2	9,313	102	2	0	2
	FC4		7,843	86	2	0	2	7,973	88	2	0	2	8,577	94	2	0	2
	FC5		9,439	104	3	0	2	9,596	105	3	0	2	10,322	113	4	0	2
P70	FC2	98	8,941	91	2	0	2	9,089	93	2	0	2	9,777	100	2	0	2
	FC3		9,104	93	2	0	2	9,255	94	2	0	2	9,956	102	2	0	2
	FC4		8,342	85	2	0	2	8,481	87	2	0	2	9,122	93	2	0	2
	FC5		10,090	103	4	0	2	10,258	105	4	0	2	11,034	113	4	0	2
P80	FC2	107	9,746	91	2	0	2	9,908	93	2	0	2	10,658	100	2	0	2
	FC3		9,925	93	2	0	2	10,089	94	2	0	2	10,853	101	2	0	2
	FC4		8,740	82	2	0	2	8,885	83	2	0	2	9,557	89	2	0	2
	FC5		11,000	103	4	0	2	11,182	105	4	0	2	12,028	112	4	0	2
P90	FC2	117	10,475	90	2	0	2	10,649	91	2	0	2	11,455	98	3	0	3
	FC3		10,667	91	2	0	2	10,844	93	2	0	2	11,664	100	2	0	2
	FC4		9,435	81	2	0	2	9,591	82	2	0	2	10,317	88	2	0	2
	FC5		11,822	101	4	0	2	12,018	103	4	0	2	12,928	110	4	0	2
P100	FC2	130	11,267	87	3	0	3	11,454	88	3	0	3	12,321	95	3	0	3
	FC3		11,473	88	2	0	2	11,664	90	2	0	2	12,546	97	2	0	2
	FC4		9,979	77	2	0	2	10,144	78	2	0	2	10,912	84	2	0	2
	FC5		12,716	98	4	0	2	12,927	99	4	0	2	13,905	107	4	0	2

PERFORMANCE DATA
OPTIONAL: FROSTED GLASS

LED Package	Glass/Optic	System Watts	27K (27000K, 70CRI)					30K (3000K, 70CRI)					40K (4000K, 70CRI)				
			Lumens	LPW	B	U	G	Lumens	LPW	B	U	G	Lumens	LPW	B	U	G
P05	FC3	30	1,908	64	1	0	1	1,940	65	1	0	1	2,086	70	1	0	1
	FC5		2,039	68	1	0	1	2,073	69	1	0	1	2,230	74	1	0	1
P10	FC3	39	2,475	63	1	0	1	2,516	65	1	0	1	2,707	69	1	0	1
	FC5		2,646	68	1	0	1	2,690	69	1	0	1	2,893	74	1	0	1
P20	FC3	48	3,035	63	1	0	1	3,085	64	1	0	1	3,319	69	1	0	1
	FC5		3,244	68	1	0	1	3,298	69	1	0	1	3,548	74	2	0	1
P30	FC3	59	3,873	66	2	0	1	3,937	67	2	0	1	4,235	72	2	0	1
	FC5		4,124	70	2	0	1	4,192	71	2	0	1	4,509	76	2	0	1
P40	FC3	69	4,502	65	2	0	2	4,577	66	2	0	2	4,923	71	2	0	2
	FC5		4,793	69	2	0	1	4,873	71	2	0	1	5,241	76	2	0	1
P50	FC3	81	5,064	63	2	0	2	5,148	64	2	0	2	5,537	68	2	0	2
	FC5		5,391	67	2	0	1	5,480	68	2	0	1	5,895	73	2	0	1
P60	FC3	91	5,546	61	2	0	2	5,638	62	2	0	2	6,065	67	2	0	2
	FC5		5,905	65	2	0	1	6,003	66	2	0	1	6,457	71	2	0	1
P70	FC3	98	5,929	61	2	0	2	6,027	62	2	0	2	6,484	66	2	0	2
	FC5		6,312	64	2	0	1	6,417	65	2	0	1	6,903	70	2	0	1
P80	FC3	107	6,463	60	2	0	2	6,571	61	2	0	2	7,068	66	2	0	2
	FC5		6,881	64	2	0	1	6,995	65	2	0	1	7,525	70	3	0	1
P90	FC3	117	6,947	59	2	0	2	7,062	60	2	0	2	7,596	65	2	0	2
	FC5		7,396	63	3	0	1	7,518	64	3	0	1	8,087	69	3	0	2
P100	FC3	130	7,472	57	2	0	2	7,596	58	2	0	2	8,171	63	2	0	2
	FC5		7,955	61	3	0	2	8,087	62	3	0	2	8,699	67	3	0	2

COMPONENTS & OPTIONS DATA



AO
Manual field adjustable output dimming device



HSS
*Minimize backlight with a louvered house-side-shield.
Available as a factory installed*

Performance Package	FAO Position	% Lumen Output	% Wattage
P05-P20	8	100%	100%
	7	94%	95%
	6	82%	83%
	5	70%	72%
	4	57%	60%
	3	45%	48%
	2	32%	38%
	1	19%	25%

Performance Package	FAO Position	% Lumen Output	% Wattage
P30-P100	8	100%	100%
	7	94%	93%
	6	83%	81%
	5	71%	69%
	4	59%	56%
	3	46%	44%
	2	33%	32%
	1	19%	20%

ACCESSORIES OPTION DATA



CLHSS
Minimize backlight with a louvered house-side-shield, field accessory



The Rapid Ship Pole and Luminaire program provides quick solutions for urgent needs.
The most popular and readily available are available for those urgent projects. Select from the following options to get up to 20 units shipped in 20 working days or less!

ORDERING INFORMATION

Example: AUCL3 P50 40K MVOLT FC3 BK NF

Series	Lumen/Wattage Package	Color Temperature	Voltage	Optics	Housing Color	Finial
AUCL3 Utility Arlington LED FCO	P05 3,800 nominal lumens	27K 2700 series CCT	MVOLT Auto-sensing voltage (120 thru 277) 50/60 HZ	FC2 Type 2 distribution zero uplight	BK Black	NF None
	P10 5,000 nominal lumens	30K 3000 series CCT	HVOLT Auto-sensing voltage (347 thru 480) 50/60 HZ	FC3 Type 3 distribution zero uplight	GR Gray	BL Ball
	P20 6,100 nominal lumens	40K 4000 series CCT			GH Graphite	SK Spike
	P30 7,600 nominal lumens				GN Green	
	P40 8,800 nominal lumens				WH White	
	P50 10,000 nominal lumens				BZ Bronze	
	P60 10,900 nominal lumens					
	P70 11,700 nominal lumens					
	P80 12,600 nominal lumens					
	P90 13,600 nominal lumens					
	P100 14,600 nominal lumens					
				FC5 Type 5 distribution zero uplight		

Options: Option Compatibility Matrix on page 3 of 4		
CONTROLS OPTIONS A0 Field Adjustable Output DINBRA DTL DIN node bracket with external mounted antenna, DTL DIN node ordered and shipped separately PR7 NEMA Twist Lock Dimming photocontrol receptacle - 7 PIN receptacle only. PR7E NEMA Twist Lock Photocontrol Receptacle - 7 PIN. Externally mounted, available with NF option PCLL DTL long life twistlock photocontrol for solid-state MVOLT SH Shorting cap	PREWIRED LEAD OPTIONS L1H 1.5 ft. prewired leads L03 3 ft. prewired leads L10 10 ft. prewired leads L20 20 ft. prewired leads	OPTIC OPTIONS CLGL Clear tempered glass lens FRGL 10% Frosted tempered glass lens HSS House side shield LEM REVEAL COLOR OPTIONS MHC LEM Reveal Plate Painted to match Housing Color NEMA LABEL OPTIONS NL1X1 NEMA Label 1" x 1" NL2X2 NEMA Label 2" x 2"

Accessories: Order as separate catalog number, ships separately & field installed.	
HOUSE SIDE SHIELD	
CLHSSNG25	No glass, Type 2 & Type 5 - Louvered house side shield
CLHSSNG34	No glass, Type 3 & Type 4 - Louvered house side shield
CLHSSGL25	Glass, Type 2 & Type 5 - Louvered house side shield
CLHSSGL34	Glass, Type 3 & Type 4 - Louvered house side shield

Ordering Guide

CP14173B: POLE ASSEMBLY
Modifications: 13' pole height,
20A GFI outlet w/ in-use cover.

Bolt Circle Detail

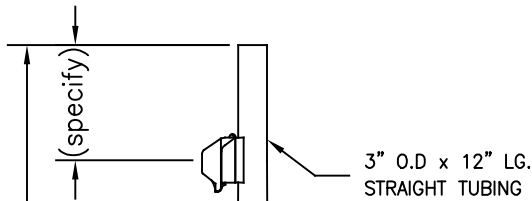
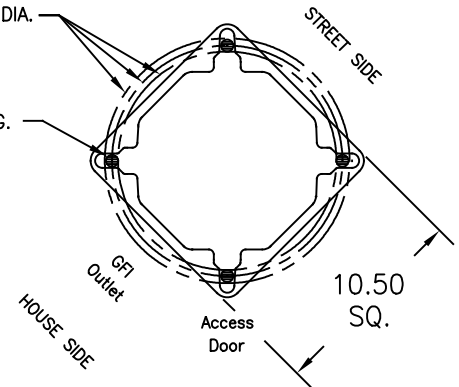
Scale 1:10

BOLT CIRCLE:

11-3/8" DIA.-12-3/4" DIA.
12" DIA. RECOMMENDED

ANCHOR RODS: (4)

5/8" DIA. x 15-3/8" LG.
GALVANIZED STEEL



Color:
Black

POLE ASSEMBLY: MODIFIED,
4"-3" ROUND, TAPERED SMOOTH ALUMINUM,
0.125" WALL THICKNESS, 20A, GFI OUTLET
W/ IN-USE COVER (specify height location &
see Bolt Circle Detail for orientation),
CAST ALUMINUM BASE W/ ACCESS DOOR,
TWO-PIECE, SQUARE BASE COVER

POLE EPA: 7.42,
PER WIND SPEED OF 100 MPH

BASE TEMPLATE
#T01000552

PRODUCT APPROVALS

HADCO

MDS

CUSTOMER

CONFIDENTIAL:

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NOTICE:

This drawing is for reference only. Check for latest revision prior to ordering.

HADCO

100 Craftway Drive
Littlestown, Pa 17340
Phone 800-937-5483
Fax 717-359-0618
www.signify.com

JOB NAME:

City of Middletown, NY

DRAWN BY:

H. Kuhn

SCALE:

1:20

DATE:

03/12/24

DRAWING NUMBER:

C14173-DWG06

REP:

Lightspec

REV:

B

PCN: 24-004

BY:

SMK

DATE: 04/18/24



Kandel Brothers of Middletown, Inc.
151 North Street
Middletown, 10940
Phone (845)343-3200

Customer Quote

Page 1

Quote #	Quote Date	Valid Until / Status
38880	01/17/2025	02/28/2025 / Approved
Store	Store Phone #	SalesRep
KBM	(845)343-3200	Alfred Szajer
Customer Acct #	Job Name	Ship Via / Shipping Method
CITMID	HOLOPHANE LED POST TOPS	Company / Best Way

Bid To

CITY OF MIDDLETOWN
16 JAMES ST
MIDDLETOWN, NY 10940

Ship To

DPW GARAGE
16 JAMES ST
MIDDLETOWN, NY 10940

Line #	Vendor Item #	Item Item Description	Qty	UM	Unit Price	UM	Ext Price
HOLOPHANE 1.0000		HOLOPHANE AUCL3 P40 40K MVOLT FC3 BK SK AO	150	EA	1224.00	EA	183600.00
> ESTIMATED LEAD TIME AFTER RELEASE OF ORDER: 30 DAYS PLUS TRANSIT TIME							
> PRICING FIRM FOR ORDER PLACED AND RELEASED BY 2/28/25							
> FREIGHT ALLOWED							

Sub Total	183,600.00	
Shipping & Handling	0.00	
Quote Total	183,600.00	US\$

Conditions Of Quote



Kandel Brothers of Middletown, Inc.
151 North Street
Middletown, 10940
Phone (845)343-3200

Customer Quote

Page 1

Quote #	Quote Date	Valid Until / Status
38882	01/17/2025	02/28/2025 / Approved
Store	Store Phone #	SalesRep
KBM	(845)343-3200	Alfred Szajer
Customer Acct #	Job Name	Ship Via / Shipping Method
CITMID	HADCO LIGHT POLES	Company / Best Way

Bid To

CITY OF MIDDLETOWN
16 JAMES ST
MIDDLETOWN, NY 10940

Ship To

DPW GARAGE
16 JAMES ST
MIDDLETOWN, NY 10940

Line #	Vendor Item #	Item Item Description	Qty	UM	Unit Price	UM	Ext Price
PHILIPS LIGHTING CO 1.0000		HADCO CP14173B-13A-GFI	150	EA	2350.00	EA	352500.00
> ESTIMATED LEAD TIME AFTER RELEASE OF ORDER: 12-14 WEEKS PLUS TRANSIT TIME							
> PRICING FIRM FOR ORDER PLACED AND RELEASED BY 2/28/25							
> FREIGHT ALLOWED							

Sub Total	352,500.00	
Shipping & Handling	0.00	
Quote Total	352,500.00	US\$

Conditions Of Quote



**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Johnson
Seconded by: None
Date of Adoption: January 21, 2025
Index No:

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

**Resolution Authorizing the Accounts be Audited, Claims Adjusted, and the Treasurer be
Authorized to Issue Warrants for their Payment**

Prepared by:

Attachments:

None