



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
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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

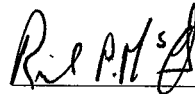
BY: JOSEPH M. DeSTEFANO, MAYOR

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

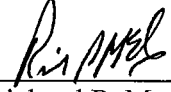


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

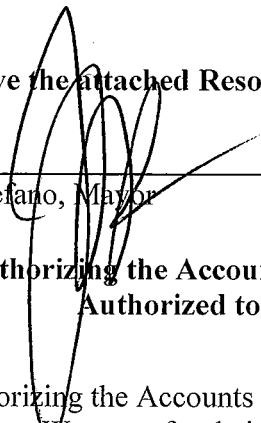
By: Alderman Johnson
Seconded by: Alderman Green
Date of Adoption: January 7, 2025
Index No: 21-25

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

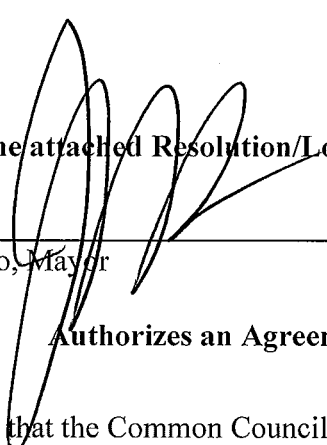
By: Alderman Jean-Francois
Seconded by: Alderwoman Wray
Date of Adoption: January 7, 2025
Index No: 19-25

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

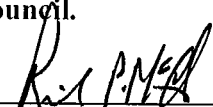


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

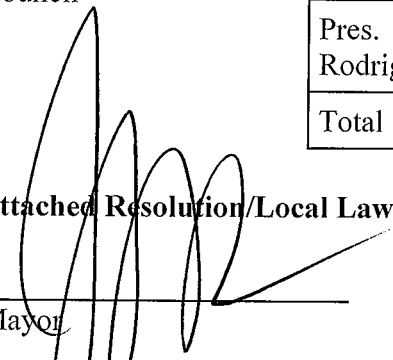
By: Alderwoman Wray
Seconded by: Alderman Johnson
Date of Adoption: January 7, 2025
Index No: 18-25

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.

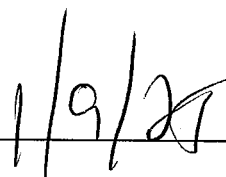

Richard P. McCormack
Clerk to the Common Council

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

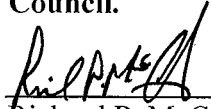


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

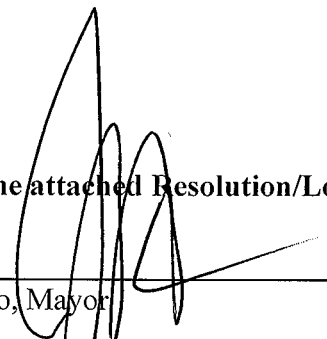
By: Alderman Kleiner
Seconded by: Alderman Green
Date of Adoption: January 7, 2025
Index No: 17-25

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

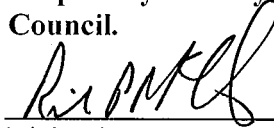


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

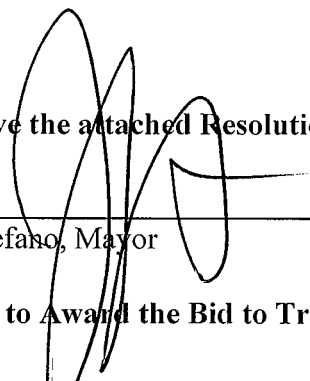
By: Alderman Green
Seconded by: Alderman Kleiner
Date of Adoption: January 7, 2025
Index No: 16-25

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

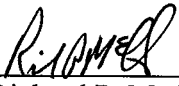


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

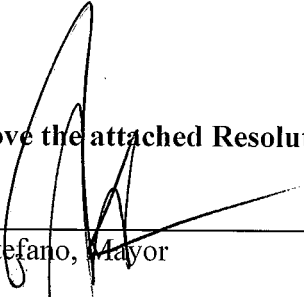
By: Alderman Witt
Seconded by: Alderman Johnson
Date of Adoption: January 7, 2025
Index No: 15-25

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.

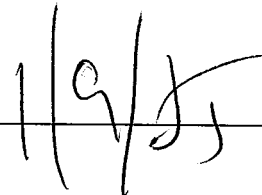

Richard P. McCormack
Clerk to the Common Council

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:

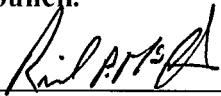


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

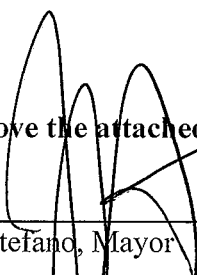
By: Alderman Tobin
Seconded by: Alderman Jean-Francois
Date of Adoption: January 7, 2025
Index No: 14-25

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.

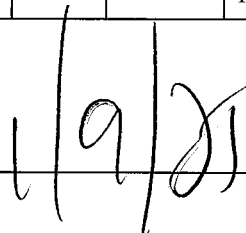

Richard P. McCormack
Clerk to the Common Council

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

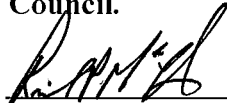


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

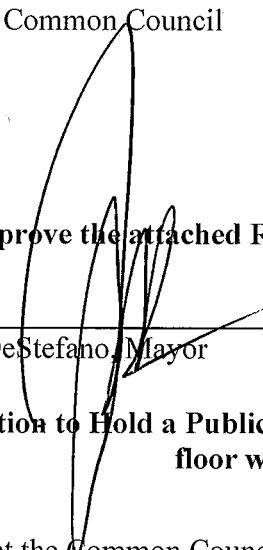
By: Alderman Jean-Francois
Seconded by: Alderman Johnson
Date of Adoption: January 7, 2025
Index No: 13-25

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 1/9/25

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

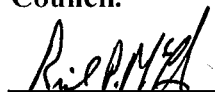


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

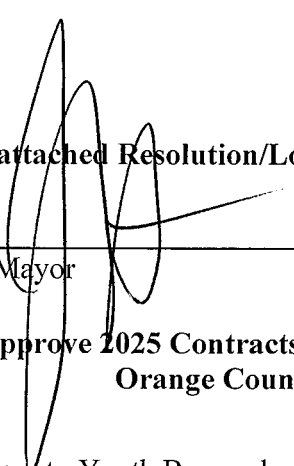
By: Alderman Witt
Seconded by: Alderman Kleiner
Date of Adoption: January 7, 2025
Index No: 8-25

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.

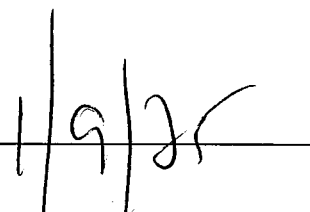

Richard P. McCormack
Clerk to the Common Council

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



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

1/9/25

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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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.

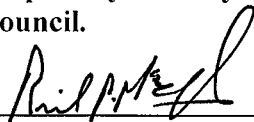


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

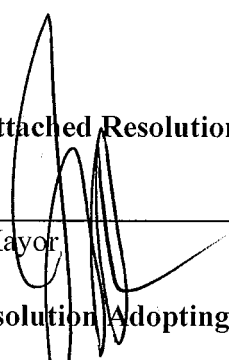
By: Alderman Kleiner
Seconded by: Alderwoman Wray
Date of Adoption: January 7, 2025
Index No: 4-25

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.

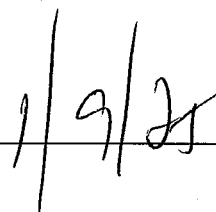

Richard P. McCormack
Clerk to the Common Council

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



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.

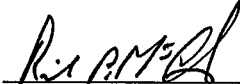


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

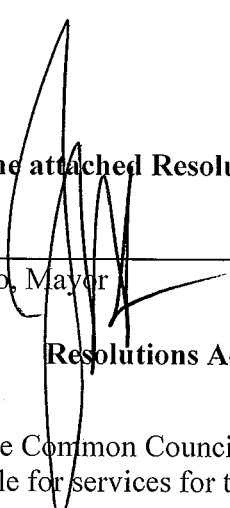
By: Alderman Green
Seconded by: Alderman Tobin
Date of Adoption: January 7, 2025
Index No: 3-25

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 1/9/25

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
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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

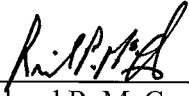


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

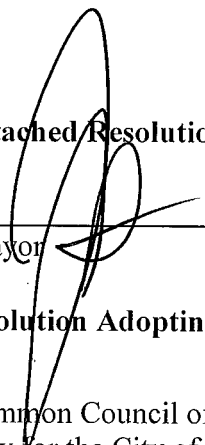
By: Alderman Johnson
Seconded by: Alderwoman Wray
Date of Adoption: January 7, 2025
Index No: 2-25

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

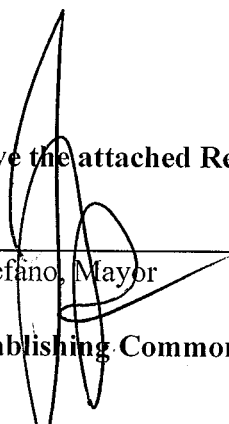
By: Alderman Witt
Seconded by: Alderman Green
Date of Adoption: January 7, 2025
Index No: 1-25

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