



**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
MAY 6, 2025**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
 - 3.1. Accept the Minutes of April 1, 2025
 - 3.2. Accept the Minutes of April 15, 2025
4. CORRESPONDENCE, COMMUNICATION AND REPORTS
5. FOR THE GOOD OF THE CITY
 - 5.1. School District Budget Presentation
6. REMARKS OF THE MAYOR
7. REMARKS OF THE DEPARTMENT HEADS
8. PUBLIC HEARINGS AND GRIEVANCES
9. PETITIONS AND COMPLAINTS
10. REMARKS OF THE ALDERMAN AND REPORTS OF THE COMMITTEES
11. UNFINISHED BUSINESS
12. NEW BUSINESS
 - 128- Resolution Accepting Amendment #7 For Additional Funding From The Orange
25 County Office For The Aging For The 2024-2025 Goldenarea Transportation
Program
 - 129- Resolution Authorizing a Budget Transfer Within the 2025 Department of Public
25 Works Budget to Cover the Cost of Vehicle Purchases
 - 130- Resolution authorizing the acceptance of a grant of \$275,000 in CREST through

25 Senator Skoufis's Office

131- Resolution Authorizing Salary Adjustments and Review of Employee Exemption
25 Status in Accordance with New York State Law

132- Resolution Authorizing Treasurer to Transfer Funds Within the Citywide Budget to
25 Cover Final 2024 Fiscal Year Overdrafts

133- Resolution Authorizing Approval Of CDM Smith Proposal For Indigot Water
25 Source Development And Funding Commitment

134- Resolution Amending Chapter 438 of the City Code Regarding Tobacco, Hookah,
25 and Vaping Establishment Licenses

135- Resolution Amending Chapter 460 of the City Code to Prohibit Left Turns from
25 the Park Circle Parking Lot onto North Street

13. LOCAL LAWS

14. AUDIT OF CLAIMS AND ACCOUNTS

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

15. ADJOURNMENT



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

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: May 6, 2025
Index No:

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

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Accept the Minutes of April 1, 2025

Prepared by:

Attachments:

1.	04.01.25 CC Minutes
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COMMON COUNCIL MEETING
CITY OF MIDDLETOWN

April 1, 2025 Minutes
City Hall
16 James Street
Middletown, New York 10940

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

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

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

PRESIDENT J. MIGUEL RODRIGUES: Roll?

CLERK RICHARD MCCORMACK: Alderman
Tobin?

ALDERMAN SPARROW TOBIN: Here.

CLERK RICHARD MCCORMACK: Alderman
Jean-Francois? Alderman Johnson?

ALDERMAN PAUL JOHNSON: Here.

CLERK RICHARD MCCORMACK: Alderwoman
Wray?

ALDERWOMAN KATE WRAY: Here.

CLERK RICHARD MCCORMACK: Alderman
Kleiner?

ALDERMAN GERALD KLEINER: Here.

CLERK RICHARD MCCORMACK: Alderman
Green?

ALDERMAN ANDREW GREEN: Here.

CLERK RICHARD MCCORMACK: Alderman
Witt?

ALDERMAN KEVIN WITT: Here.

CLERK RICHARD MCCORMACK: Alderman
Masi?

ALDERMAN JOSEPH MASI: Here.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Here.

CLERK RICHARD MCCORMACK: Quorum is
present.

PRESIDENT J. MIGUEL RODRIGUES:
Correspondence?

CLERK RICHARD MCCORMACK: Nothing this
evening.

PRESIDENT J. MIGUEL RODRIGUES: For the
good of the city?

CLERK RICHARD MCCORMACK: Good evening.
We have one speaker this evening, Mrs. Susan
Depew.

SUSAN DEPEW: Good evening. I'm Susan
Depew as Rick has already told you. Many of you
know me from years of being called The Litter
Lady. It has become a very fun name. But
anyway, I'm here to officially announce that we
are going to have our yearly clean-up day for
Middletown. It's on Saturday morning April 24th
from 9 until noon, and it's at the New Park
City's Erie Way. It's a beautiful park where you
can skate in the winter time and have fun in the
summer time.

I'd like to thank all the people that have always helped me. I'm the leader of the pack. I'm just one of the pack. I'd like to thank our mayor, Mayor DeStefano, Commissioner Tawil, President Rodrigues, and members of the common council, as well as all the parents, students, and children who have helped clean Middletown and help to make it the city that everyone is proud of. I am pleased to say that the date is in stone so far unless it rains. It's on Saturday morning, April 24th from 9 to 12.

CLERK RICHARD MCCORMACK: I'm sorry. It's April 26th.

SUSAN DEPEW: April 26th. I'm glad you told me that. Thank you. Since 2011, members of the council along with the mayor and everyone who is involved in the city has shown up along with people from the school district, students, parents, and teachers, coaches, all the athletes and members of civic groups. We couldn't have done it without all the help that we get.

Some of the best help is from the children. So we will do this again. Please join us. We have a new surprise for you. You'll have

a new look this year. You'll have to come to see it. But anyway, thank you very much and I really hope you come and enjoy the day. Meet your neighbors, meet your friends, meet the students that have done so many things, and this is part of the list of the things that they are proud of. Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Thank you.

CLERK RICHARD MCCORMACK: That concludes public comment.

PRESIDENT J. MIGUEL RODRIGUES: Remarks of the mayor.

MAYOR JOSEPH DESTEFANO: Yes, good evening. And Sue, I also want to thank you for, number one, organizing this and being part of it for so many years. It is a great event. It brings a community together and is well attended by especially the students. And I'm also thanking in advance the Middletown School District for the coordination they do with all their clubs and the sports teams.

So staying on that subject, we are now

--

PRESIDENT J. MIGUEL RODRIGUES: You're

done.

MAYOR JOSEPH DESTEFANO: What's that?

PRESIDENT J. MIGUEL RODRIGUES: You beeped.

MAYOR JOSEPH DESTEFANO: My time's up?

PRESIDENT J. MIGUEL RODRIGUES: Point of order.

MAYOR JOSEPH DESTEFANO: Did -- you made me lose my train of thought here. The annual spring cleanup is ongoing. The First Ward has been completed. This past Sunday the Fourth Ward started. So please, if your neighbors have everything out still, that means DPW has not come down your street.

But if they have come down your street already, they cannot come back so they have to move onto the next ward, which will be the Third Ward next week that you put out over this weekend, and then the following week will be the First Ward for the -- I mean, Second Ward. I'm sorry, for the final week of the spring cleanup.

All the rules are online. They're on this slide here. Please don't put out electronics, the computers. Air conditioners need to have the air conditioning gas removed.

Otherwise there's a fee for Freon, but that would have to be dropped off at the recycling center. So that electronics pickup will be May 24th. Am I correct, Jacob?

COMMISSIONER JACOB TAWIL: Yeah.

Dropoff, yes.

MAYOR JOSEPH DESTEFANO: Dropoff at the recycling center will be May 24th and which you can drop off your computers or your appliances that don't qualify for the annual spring cleanup week pickup.

Next item would be the City of Middletown water system flushing from March 31st starting -- when we start it through May 2nd we will be doing flushing of the system. As you know that this is done -- we try to do it mostly at night, but there could be disruption in discolored water.

We do get calls every year from a few people who did not see the notice that washed their laundry and it had some discoloration. But -- so the water may be discolored for up to 48 hours. So please take notice of when they're flushing your neighborhood. Do we post specific areas, Jacob, online or no? We just -- we rely

on them to look in the neighborhood before the -- to see where the flushing is.

Because, you know, the pipes are not segregated by ward. So please just keep an eye on it. It's necessary in order to keep our water system safe. And the system will begin -- did begin on March 31st and will continue through May 2nd.

Next item is the collection of yard waste, which we've been getting quite a few calls about. This is for Monday, April 7th. We will begin yard waste pickup. It will be set out on Sunday evenings. Doesn't necessarily mean it will be picked up on Monday. So please just be aware. Just leave it out curbside and we will begin picking up on April 7th.

This is also a service available for Middletown residents only. No commercial yard waste can be brought to the recycling center on Monhagen Avenue. That would be Monday through Friday from 7 a.m. to 3 p.m. If you're a Middletown resident, you'll have to show ID, but you can bring -- you know, if you have a lot of shrubs or whatever you want to bring to the yard on Monhagen Avenue, please free to do so.

Also, yard waste collection will end November 7, 2025, and this consists of grass clippings, weeds, brush, branches, and leaves. If you can put it in cans, that's fine. Barrels or plastic bags, that would be best. Small branches must be securely tied in bundles, and this is according to City Ordinance 407-5. So we're asking for cooperation. And again, if you put it out on Sunday, that doesn't mean it will be picked up on Monday, but it should be picked up within a couple of days.

Next is the electronic drop-off, what I referred to before, and that will be for Saturday, May 24th from 8 a.m. to 3 p.m. It will be at the DPW recycling center at 76 Monhagen Avenue. That's limited to five devices per household. Proof of residency is required. And air conditioners that hold freon will be required to pay a \$25 fee. And this is limited to Middletown residents only.

Another annual progress -- well, some call it progress, some call it annoying, is the milling and paving program. You know, we have invested over the years a lot of money in our milling and paving program, and we're trying to

keep your streets maintained in the best manner possible. But it does require some inconvenience. So this year's paving list is out and it goes by ward. It's available online or will be available online if it's not already available online. And as you can see, Ward 1 is here on the screen now. That's the measurement in tons just to give you an idea of how much blacktop goes down.

Now we start in Ward 2. Just a couple of streets in Ward 2 this year. And Ward 3 we have quite a few, and then Ward 4, Grand Avenue, parts of Grand Avenue, South Street, Stivers Place, and so on. So the proposed milling plan, you have more on Ward 4.

So the idea is to get this done in a manner that would be less -- the least intrusive to you, but at the same time as the summer gets -- months come on, we do try to start very early in the morning. So we -- there will be some interruptions. So keep an eye on our website about which streets will be getting done at the time and, if possible, avoid those streets and intersections as you're doing it.

Tonight you do have a resolution for

the parking garage. That was Parking Garage Phase 2, but this is Parking Garage Phase 1 right here. This was a grant that was received through Senator Skoufis' office for \$2.5 million. The bids were -- we had eight bidders, a little bit more money than we anticipated, but it's around a \$4 million cost. Jacob will be possibly speaking on some of the issues today, but it is the lower lot on Washington Street with an extension of the South Street lot. We're picking up, I believe, 80 to 90 cars total.

But the Phase 1 is being designed so structurally underneath it will support what we hope to be Phase 2 coming down the line somewhere. Obviously Phase 2 will be much more expensive than Phase 1. We're not in a position to do Phase 2 at this point. We'll continue to work. We've had a lot of success in the grant area.

We've already opened discussions with different stage agencies on possible funding somewhere down the line for the Phase 2 of this project. But until we get Phase 1 done, they will not entertain any talk on Phase 2. Makes sense.

So there will be some inconvenience again across from the Paramount in the area of Washington Street. But when done, I think you're going to be very happy and the public will be very happy with the additional parking for both the Paramount and for downtown businesses. And that's all I have. If you have questions, I'd be more than happy to address them.

PRESIDENT J. MIGUEL RODRIGUES: Any questions for the mayor? All right. Thank you, Mayor.

MAYOR JOSEPH DESTEFANO: I believe little league is coming up too, right? The little league parade is on the 12th. So --

COMMISSIONER JACOB TAWIL:
(Indiscernible).

MAYOR JOSEPH DESTEFANO: -- Mr. Masi will be turning 80 that day. Congratulations.

PRESIDENT J. MIGUEL RODRIGUES: Remarks of department heads, economic development.

DIRECTOR MARIA BRUNI: Good evening, everyone. Well, the talk that's been the past couple of days is the movie that's going to be filmed in downtown Middletown and it's going to start tomorrow. It has been in pre-production

throughout the Hudson Valley, and the film is being directed and composed by Mateo Messina and produced by Robert Graf. Messina has written 25 original symphonies and composed for over 30 films, and he just fell in love with downtown Middletown when we came to our city. He said it was the perfect backdrop for this film, and again, has completely fallen in love with our downtown.

So film date number one, which is going to be tomorrow, is going to encompass the center street, alley, and King Street alleyway. Lot 1N of the James Street is going to be closed for production as they're filming. And then film day number two, which is Thursday, is going to take place the intersections of Robert Street, North, and Orchard.

And the stretch of North from Orchard to Franklin Square will be closed to parking, but also intermittently it will be closed to traffic because the opening scene of the movie is going to be that section of North Street. That's what they've been telling me, so that's what the big focus on that section of North Street.

Day three and four, which is April 4th

and 5th, they're going to be shooting inside Hope Studios. That's the studio on Fulton Street, the former Acme Bus Company building right on Fulton and Mulberry.

And then day five, which is Sunday, April 6th, they will still be filming in Hope Studio, but also, they're going to be doing a scene, a -- I can't say it, a Bueller-inspired scene, you know, when the car goes airborne. So that's going to take place on early Sunday evening.

So, everything's subject to change because you've got weather, you got, you know, whatever comes up. But it's exciting. The businesses I know are super excited. And they're going to be using some of the facades or storefronts. They're going to be decorating as well. So we're looking forward to this.

I want to also thank the Orange County Film Office, who we work closely with when the scouts are in town or around our area. They directed or sent the our way. So again, this is super cool and exciting and we're looking forward to it.

PRESIDENT J. MIGUEL RODRIGUES: Awesome.

DIRECTOR MARIA BRUNI: Do you have any questions?

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

ALDERMAN GERALD KLEINER: Yes. The firemen, Joe. And I didn't ask the mayor because I thought you would speak about this. The dedication that has been moved because we advertised it as being Thursday.

DIRECTOR MARIA BRUNI: Right. I believe they're moving it because of weather because we had made arrangements with the folks involved in that. We had made arrangements with the filmmakers and them, but I believe they're moving it because of weather. Correct, Mayor?

ALDERMAN GERALD KLEINER: Okay. So it's --

MAYOR JOSEPH DESTEFANO: Correct.

DIRECTOR MARIA BRUNI: Yeah, for next --

MAYOR JOSEPH DESTEFANO: April 8th.

DIRECTOR MARIA BRUNI: April 8th.

ALDERMAN GERALD KLEINER: April 8th and the same time? What was the time?

DIRECTOR MARIA BRUNI: 6:30.

MAYOR JOSEPH DESTEFANO: 6:30.

PRESIDENT J. MIGUEL RODRIGUES: 6:30.

ALDERMAN GERALD KLEINER: 6:30. Okay.

Thank you.

DIRECTOR MARIA BRUNI: Yep.

PRESIDENT J. MIGUEL RODRIGUES: Okay.

Thank you, Maria.

DIRECTOR MARIA BRUNI: Thank you.

PRESIDENT J. MIGUEL RODRIGUES: DPW

Commissioner?

COMMISSIONER JACOB TAWIL: Yeah. Good evening, all. I want to start off with mentioning the dear code enforcement officer that we -- that has passed away. He was a very good, effective code enforcement officer professional. And you know, it's -- but life has its own burden sometimes and, you know, we all handle it, deal with it different ways. But we're going to miss Dave (Indiscernible) very much, and I'm going to miss him personally. And that's all. I wanted to bring this to your attention and to the public who has dealt with him.

So the reservoir level, Alderman Masi, we are 100 percent capacity. Over even 100 percent capacity. The courthouse construction is

moving very well, moving forward. And the third item is the traffic operations. It's going to start very soon with the pedestrian crossing and they're waiting for temperature at night to be at 50 degrees so we can start putting the pedestrian crossing, the liner, the brick-looking liner.

And the mayor has reported to you on everything else. If you have any questions for me, I'll be happy to answer them. Any questions about the parking garage, the recommendation of award? Okay.

PRESIDENT J. MIGUEL RODRIGUES: Thank you, Jacob.

COMMISSIONER JACOB TAWIL: Yep.

PRESIDENT J. MIGUEL RODRIGUES: City clerk?

CLERK RICHARD MCCORMACK: Nothing this evening. Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Any questions for the city clerk? Mayor, I just had a question about the follow-up on the 6 Knapp Avenue fire.

MAYOR JOSEPH DESTEFANO: Knapp Avenue?

PRESIDENT J. MIGUEL RODRIGUES: 8 Knapp Avenue.

MAYOR JOSEPH DESTEFANO: Yeah.

Actually, I have to give some credit to Alex Smith --

PRESIDENT J. MIGUEL RODRIGUES: Oh, no.

MAYOR JOSEPH DESTEFANO: -- which I usually don't like to do. But he was relentless on this issue, and they were supposed to begin today. Jacob tells me they are in town, the demo company. It was a foreclosure. Deutsche Bank took it over. So -- excuse me, the process has begun. Permits are being taken out and it should be down very shortly.

PRESIDENT J. MIGUEL RODRIGUES: Okay.

Thank you. All right. Remarks of aldermen. Alderman Tobin?

ALDERMAN SPARROW TOBIN: Nothing this evening.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Johnson?

ALDERMAN PAUL JOHNSON: Nothing this evening.

PRESIDENT J. MIGUEL RODRIGUES:

Alderwoman Wray?

ALDERWOMAN KATE WRAY: Nothing.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Kleiner?

ALDERMAN GERALD KLEINER: Too fast. We will have a Second Ward constituents meeting coming up. That's on April 14th, and that's also our set-out day in the Second Ward for our bulk pickup. Saturday, April 5th is a National Day of Protest. It's called Hands Off, and Middletown will be having -- it's taking part in that from 10 a.m. to 2 p.m. That'll be at John Degnan Square. So I hope people come out for that.

I just wanted to mention that I was talking with a friend in California a couple of weeks ago, and, you know, everybody knows what I said about Elon Musk from starting last summer. But I was mentioning Elon Musk and fascism in the same word and the same sentence.

And suddenly an AI voice came on the phone and said that kind of language is not acceptable and ended my phone call on my cell phone, on my Spectrum little flip-top cell phone. I -- so just in case you don't think they're listening, they are and there are things that you just can't say. And they're trying to make protest speech and protests and, you know, free speech, it's trying to make it illegal. So

that's what -- besides -- I call D.O.G.E. the Department of Government Evisceration because that's basically what they're trying to do.

And the billionaires are trying to take the money away from everyone else. So we don't have any of our Republican cowards in congress standing up and stopping them. So that's how I feel. I'm calling them out and what good it can do, but we can at least -- the way they've been all around the country come out and say enough is enough. Thank you.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Green?

ALDERMAN ANDREW GREEN: Thank you.

Yes, hope to see everyone here the 14th for our constituents meeting. Also just to reiterate that you put your items out on Sunday the 13th in the Second Ward. Please, if you've already done so, bring them back in because it's a ways away and it is cluttering the sidewalks. I've noticed a few homes.

So please don't put your stuff out yet in the Second Ward. I know we're all eagerly anticipating getting everything out from spring and spring cleanup, but got to be a little more

patient. Thank you.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Witt?

ALDERMAN KEVIN WITT: I have nothing
this evening.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Masi?

ALDERMAN JOSEPH MASI: Jacob, tell your
people thanks very much. They did a really -- an
excellent job in the First Ward. That's number
one. Jerry, I'll test your theory. I'll call my
nephew later on out in California.

Anyone that has not signed up for the
police exam, the deadline has passed. Please do
not call the office. Do not come in. We can't
accept any more applications. We had the notice
out for over seven weeks, so I'm sorry if you
didn't get to see it or you found out too late,
but the deadline has passed. Thank you very
much.

PRESIDENT J. MIGUEL RODRIGUES: Thank
you. New business.

CLERK RICHARD MCCORMACK: Good evening.
We have a resolution sponsored by Alderman Tobin
authorizing the acceptance of a \$6,210 grant

award from the County of Orange for Stop DWI Enforcement.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Tobin. Seconded by Alderman Green. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Masi authorizing and agreement with the County of Orange to Secure

the County Fire Safety Trailer for National Night
Out Against Crime and Kids Day celebration
events.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Masi. Seconded
by Alderman Witt. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Johnson

authorizing -- accepting a donation from the Middletown Business Improvement District for the purchase of a new license plate reader.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Johnson.

Seconded by Alderman Tobin. Any discussion?

Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderwoman Wray
authorizing a transfer of \$700,000 from Debt
Service Fund balance for the city match portion
of the Water System Improvement Projects, Phase
2.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Wray. Seconded
by Alderman Kleiner. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.
Resolution sponsored by Alderman Kleiner
authorizing the adoption of the Abandoned
Property Unclaimed Funds Policy.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Kleiner.
Seconded by Alderman Green. Any discussion?
Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Green
authorizing a transfer of \$999,977.50 for the
Court House Project.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Green. Seconded
by Alderman Kleiner. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Witt authorizing an increase in part-time police officer hourly rate of pay.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Witt. Seconded by Alderman Tobin. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Masi authorizing

a transfer of \$121,914.59 from the general fund to cover vehicle replacements with the DPW fleet.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Masi. Do I have a second? Alderman Tobin. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Tobin

authorizing an agreement with Harry F. Rotolo & Sons Electric for an alarm system monitoring for all city buildings.

PRESIDENT J. MIGUEL RODRIGUES:

Sponsored by Alderman Tobin. Seconded by Alderman Johnson. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Johnson

authorizing a public hearing on the two-lot subdivision and lot line change at 15 Mercer Avenue and 16 Warren Avenue.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Johnson.

Seconded by Alderman Tobin. Any discussion?

Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Masi authorizing a public hearing on a two-lot subdivision at 20 1/2-30 Low Avenue, front and rear.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Masi. Seconded by Alderman Witt. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Wray authorizing

the awarding of construction bid and project funding for the Parking Garage Project.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Wray. Seconded by Alderman Kleiner. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

That's it for new business.

PRESIDENT J. MIGUEL RODRIGUES: Audit?

ALDERMAN JOSEPH MASI: Mr. President, I
move the accounts be audited and claims be
adjusted and the city treasurer be authorized to
issue warrants for their payment.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Masi. Seconded
by --

ALDERMAN PAUL JOHNSON: Second.

PRESIDENT J. MIGUEL RODRIGUES: --
Alderman Johnson. Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President

Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

PRESIDENT J. MIGUEL RODRIGUES: For the good of the city, do we have anybody?

CLERK RICHARD MCCORMACK: There's nobody -- Kevin Gomez.

PRESIDENT J. MIGUEL RODRIGUES:
(Indiscernible). Come on, Kevin.

KEVIN GOMEZ: I'll make it short like always, right? Good evening, everyone. Yeah. These last two -- Kevin Gomez, a Ward 2 resident. These past two weeks mark the fifth anniversary of the COVID shutdown when Governor Cuomo called New York for its great pause. It was a period where as a community we showed great resilience even though we went through the valley of the shadow of death and we were able to come out.

But I think as in the coming months, years it'll be prudent if the government of the county and municipal level, the different towns, cities, and villages will come together to assess how do we coordinate. Where did we do it right? Where did we do it wrong? Where we could do it better.

The reason for that is as we know one thing's for sure. Pandemics happen from time to time. And this past Friday I happened to listen to a presentation by the borough historian of New York County Robert Snyder at Albany SUNY University. And they collected a -- or during the pandemic they began doing an oral history gathering from the different people's experiences.

I think it's time that at some point down the road we start looking at and come together and see how we could prepare ourselves. Because as I say, those who don't learn from the mistakes of history are bound to repeat it. And so when we have a future pandemic or a future emergency, we could do better and come out even stronger. That's all. Thank you.

PRESIDENT J. MIGUEL RODRIGUES: The City of Middletown never closed. And the council was the only council in New York state that stayed open.

ALDERWOMAN KATE WRAY: Remember those little penalty boxes?

PRESIDENT J. MIGUEL RODRIGUES: Gee.

MAN 1: Oh, yeah.

PRESIDENT J. MIGUEL RODRIGUES: And the
penalty box. Move for adjournment.

ALDERWOMAN KATE WRAY: What's what it
felt like.

MAN 2: Aye.

(Adjourned)

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: April 30, 2025



**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
APRIL 1, 2025**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
4. CORRESPONDENCE, COMMUNICATION AND REPORTS
5. FOR THE GOOD OF THE CITY (AGENDA ITEMS & CITY BUSINESS ONLY)
6. REMARKS OF THE MAYOR
7. REMARKS OF THE DEPARTMENT HEADS
8. PUBLIC HEARINGS AND GRIEVANCES
9. PETITIONS AND COMPLAINTS
10. REMARKS OF THE ALDERMAN AND REPORTS OF THE COMMITTEES
11. UNFINISHED BUSINESS
12. NEW BUSINESS
 - 99-25 Authorization to Accept a \$6,210 Grant Award from the County of Orange for STOP DWI Enforcement Program
 - 100- Authorization to Enter into Agreements with the County of Orange to Secure the
25 County Fire Safety Trailer for the National Night Out Against Crime and Kids Day Celebration Events
 - 101- Authorization to accept donation from Middletown Business Improvement District
25 (BID) for the Purchase of a New License Plate Reader
 - 102- Authorization to Transfer \$700,000 from the Debt Service Fund Balance for the
25 City Match Portion of the Water System Improvements Project, Phase 2

- 103- Authorization to Adopt the Abandoned Property - Unclaimed Funds Policy
25
- 104- Authorization to transfer \$999,977.50 for the Court House Project
25
- 105- Authorization to Increase Part-Time Police Officer Hourly Rate of Pay
25
- 106- Authorization to transfer \$121,914.59 from General Fund Balance to Cover Vehicle
25 Replacements within the DPW Fleet
- 107- Authorizes Agreements with Harry F. Rotolo & Sons Electric for Alarm System
25 Monitoring for City Buildings
- 108- Authorization to Hold a Public Hearing on a 2 Lot Subdivision (Lot Line Change)
25 at 15 Mercer Avenue and 16 Warren Avenue
- 109- Authorization to Hold a Public Hearing on a 2-Lot Subdivision at 20 1/2 -30 Low
25 Avenue, Front and Rear
- 110- Authorization to Award the Construction Bids And Project Funding For The
25 Parking Garage Project

13. LOCAL LAWS

14. AUDIT OF CLAIMS AND ACCOUNTS

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

15. FOR THE GOOD OF THE CITY

16. ADJOURNMENT



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

THE FOLLOWING WAS PRESENTED

By: Alderman Tobin
Seconded by: Alderman Green
Date of Adoption: April 1, 2025
Index No: 99-25

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

4/7/25

Authorization to Accept a \$6,210 Grant Award from the County of Orange for STOP DWI Enforcement Program

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and accepts a \$6,210 grant award from Orange County to Stop DWI Program.

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 with the County of Orange for the Stop DWI Enforcement Program.

Be it further resolved that the Common Council of the City of Middletown, NY concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to deposit this funding to the STOP DWI Budget line, A.3141.103.

Prepared by:
John Ewanciw, Chief of Police

Attachments:

1.	image51783
2.	STOP DWI 2025-2026

ORANGE COUNTY, NEW YORK



Steven M. Neuhaus
County Executive

Coordinator
Robert Doss
Deputy Commissioner
OC Emergency Services

Administrator
John Jones

STOP-DWI / Traffic Safety Programs
22 Wells Farm Road
Goshen, New York 10924
845-615-0566



TO: CITY OF MIDDLETOWN POLICE DEPARTMENT

FROM: Robert Doss, Deputy Commissioner/Orange County STOP-DWI Coordinator

DATE: March 6, 2025

Enclosed is your department's contract for the 2025 STOP-DWI (Regular) enforcement patrol year funding **beginning on March 10, 2025, and ending on January 1, 2026**. The contract is for participation for the **full year**. The enclosed contract indicates the **Not-to-Exceed dollar amount** for the 1st Period beginning on March 10, 2025, and ending on June 1, 2025, in the amount of **\$8000**. **The contract no longer includes a limit on the number of hours you may use**. You will be subsequently notified by letter of the awarded amount of the total dollars for the 2nd and 3rd periods of the year. Please review the attached Schedule A of the contract for enforcement dates and reimbursement requirements.

Please sign and return this contract at your earliest convenience to ensure that your department can participate in the enforcement period. **A BOARD-CERTIFIED RESOLUTION IS REQUIRED FOR THE ACCEPTANCE OF THIS CONTRACT AS WELL AS FOR THE AUTHORIZATION OF A DESIGNATED OFFICIAL TO EXECUTE THE CONTRACT FOR YOUR MUNICIPALITY.**

PLEASE NOTE THAT ARTICLE 17. SIGNATURES ALLOWS FOR A MANUALLY SIGNED COPY OF THIS AGREEMENT TO BE DELIVERED BY EMAIL TO csaccone@orangecountygov.com OR OTHER MEANS OF ELECTRONIC TRANSMISSION.

Also included in the mailing is a completion packet containing:

- Enforcement Patrol Sheet (Copy as needed)
- Patrol Summary Sheet – To be completed at the end of the enforcement period by compiling all Patrol Sheets.
- Final Reimbursement Claim Form – To include participating officers' names, hours and salary/overtime costs per patrol shift. **The maximum reimbursement will be time and one-half based on the participating officer's hourly salary rates and no hourly rate higher than that of your department's highest paid Sergeant will be approved.**

If you have any questions, please do not hesitate to contact me.

Your officers are the front line of defense in keeping our roadways safe from impaired and intoxicated drivers. On behalf of County Executive, Steven Neuhaus and Orange County's STOP-DWI Program, thank you to you and your officers for your commitment to patrolling and protecting the County.



INTER-MUNICIPAL AGREEMENT

THIS INTER-MUNICIPAL AGREEMENT ("IMA") is entered into this 10th day of March, 2025, by and between the **COUNTY OF ORANGE**, a County of the State of New York, with its principal offices at 255-275 Main Street, Goshen, New York, by and through its Department of Emergency Services ("COUNTY"), and the **CITY OF MIDDLETOWN**, a City of the State of New York, with its principal offices at 2 James Street, Middletown, NY 10940 by and through its Police Department ("MUNICIPALITY").

ARTICLE 1. SCOPE OF AGREEMENT

The COUNTY is a municipal corporation chartered under the authority of the State of New York. Among other powers and duties, the COUNTY, by and through its Department of Emergency Services, administers the COUNTY's Special Traffic Options Program for Driving While Intoxicated in accordance with New York State Vehicle and Traffic Law Section 1197 ("STOP DWI Program"). The purpose of the STOP DWI Program is to coordinate and fund Orange County's town, city, and village efforts to reduce alcohol-related traffic injuries and fatalities. To facilitate this goal the COUNTY and the MUNICIPALITY recognize that police patrol enforcement campaigns are an effective tool towards ensuring safe and sober roadways.

It is the intention of the COUNTY, in order to carry out the goals of the STOP DWI Program, to award to the MUNICIPALITY funds in the manner set forth on Schedule A to be used solely to reimburse the MUNICIPALITY for man-hours dedicated to enforcement campaigns during the applicable campaign periods as more particularly described on Schedule A. The expenditure of these funds and all activity of the MUNICIPALITY relating to such funds, shall be in full compliance with the terms and conditions of this IMA and federal, State of New York ("State"), and local laws.

ARTICLE 2. TERM OF AGREEMENT

The term of this IMA shall commence on March 10, 2025 and end January 1, 2026.

ARTICLE 3. PROCUREMENT OF AGREEMENT

The MUNICIPALITY represents and warrants that no person or selling agency has been employed or retained by the MUNICIPALITY to solicit or secure this IMA upon an agreement for, or upon an understanding of, a commission, percentage, a brokerage fee, contingent fee

or any other compensation. The MUNICIPALITY further represents and warrants that no payment, gift or thing of value has been made, given or promised to obtain this or any other agreement between the parties. The MUNICIPALITY makes such representations and warranties to induce the COUNTY to enter into this IMA and the COUNTY relies upon such representations and warranties in the execution hereof.

For a breach or violation of such representations or warranties, the COUNTY shall have the right to annul this IMA without liability, entitling the COUNTY to immediately recover the funds paid hereunder from the MUNICIPALITY. This remedy, if effected, shall not constitute the sole remedy afforded the COUNTY for such falsity or breach, nor shall it constitute a waiver of the COUNTY's right to claim damages or to take any other action provided for by law or pursuant to this IMA.

ARTICLE 4. CONFLICT OF INTEREST

The MUNICIPALITY represents and warrants that neither it nor any of its directors, officers, members, partners or employees, have an interest, and shall not acquire an interest, directly or indirectly which would or may conflict in any manner or degree with the performance of this IMA. The MUNICIPALITY further represents and warrants that in the performance of this IMA, no person having such interest or possible interest shall be employed by it and that no elected official or other officer or employee of the COUNTY, nor any person whose salary is payable, in whole or in part, by the COUNTY, or any corporation, partnership or association in which such official, officer or employee is directly or indirectly interested shall have any such interest, direct or indirect, in this IMA or in the proceeds thereof, unless such person (1) is required by the Orange County Ethics Law, as amended from time to time, to submit a Disclosure form to the Orange County Board of Ethics, amends such Disclosure form to include his/her interest in this IMA, or (3) submits such a Disclosure form and (a) discloses his/her interest in this IMA, or (b)

seeks a formal opinion from the Orange County Ethics Board as to whether or not a conflict of interest exists.

For a breach or violation of such representations or warranties, the COUNTY shall have the right to annul this IMA without liability, entitling the COUNTY to recover the funds. This remedy, if elected, shall not constitute the sole remedy afforded the COUNTY for such falsity or breach, nor shall it constitute a waiver of the COUNTY's right to claim damages or otherwise refuse payment to or to take any other action provided for by law in equity or, pursuant to this IMA.

ARTICLE 5. ASSIGNMENT AND SUBCONTRACTING

No party shall assign any of its rights, interest, or obligations under this IMA, or enter into a sub-contract relating to the funds, without the prior written consent of the COUNTY.

ARTICLE 6. BOOKS AND RECORDS

The MUNICIPALITY agrees to maintain separate and accurate books, records, documents and other evidence and accounting procedures and practices that sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this IMA.

The MUNICIPALITY shall, within five (5) business days written notice from the COUNTY, have all records associated with the funds awarded and the enforcement campaigns available for a physical inspection and/or audit by the COUNTY.

ARTICLE 7. RETENTION OF RECORDS

MUNICIPALITY agrees to retain all books, records and other documents relevant to this IMA for six (6) years after the funds are delivered. The COUNTY, or any State and/or Federal auditors, and any other persons duly authorized by the COUNTY, shall have full access and the right to examine any of said materials during said period.

ARTICLE 8. AUDIT BY THE COUNTY AND OTHERS

All claimant certification forms or invoices presented for payment to be made hereunder, and the books, records and accounts upon which said claimant's certification forms or invoices are based are subject to audit by the COUNTY. The MUNICIPALITY shall submit any and all documentation and justification in support of expenditures or fees under this IMA as may be required

by the COUNTY, so that it may evaluate the reasonableness of the charges, and the MUNICIPALITY shall make its records available to the COUNTY upon request. All books, claimant's certification forms, records, reports, cancelled checks and any and all similar material may be subject to periodic inspection, review and audit by the COUNTY, the State, the federal government, and/or other persons duly authorized by the COUNTY. Such audits may include examination and review of the source and application of all funds whether from the COUNTY and State, the federal government, private sources or otherwise. The MUNICIPALITY shall not be entitled to any interim or final payment under this IMA if any audit requirements and/or requests have not been satisfactorily met.

ARTICLE 9. INDEMNIFICATION

The MUNICIPALITY agrees to defend, indemnify and hold harmless the COUNTY, its officials, employees and agents, against all claims, losses, damages, liabilities, costs or expenses (including reasonable attorney fees and costs of litigation and/or settlement) arising out of any act or omission of the MUNICIPALITY, its employees, representatives, subcontractor, assignees, or agents, relating to this IMA or the funds.

ARTICLE 10. TERMINATION

The COUNTY may, by written notice to the MUNICIPALITY, effective upon mailing, terminate this IMA in whole or in part at any time (i) for the COUNTY's convenience, (ii) upon the failure of the MUNICIPALITY to comply with any of the terms or conditions of this IMA, or (iii) upon the MUNICIPALITY becoming insolvent or bankrupt.

Upon termination of this IMA, the MUNICIPALITY shall comply with any and all COUNTY closeout procedures, including, but not limited to, (i) accounting for and refunding to the COUNTY within thirty (30) days, any unexpended funds which have been paid and/or transferred to MUNICIPALITY pursuant to this IMA; and (ii) furnishing within thirty (30) days an inventory to the COUNTY of all equipment, appurtenances and property purchased by MUNICIPALITY through or provided under this IMA, and carrying out any COUNTY directive concerning the disposition thereof.

Notwithstanding any other provision of this IMA, the MUNICIPALITY shall not be relieved of liability to the COUNTY for damages sustained by the COUNTY by virtue of the MUNICIPALITY's breach of this IMA or failure to perform in accordance with applicable standards.

Any rights and remedies of the COUNTY provided herein shall not be exclusive and are in addition to any other rights and remedies provided by law or this IMA.

ARTICLE 11. GENERAL RELEASE

The acceptance by the MUNICIPALITY, or its assignees, of the funds and of the terms of this IMA, shall constitute, and operate as a general release in favor of the COUNTY, from any and all claims of the MUNICIPALITY arising out of the performance of this IMA.

ARTICLE 12. SET-OFF RIGHTS

The COUNTY shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but are not limited to, the COUNTY's right to withhold for the purposes of set-off any monies otherwise due to the MUNICIPALITY (i) under any other agreement or contract with the COUNTY, including any agreement or contract commencing prior to or after the term of this IMA, or (ii) from the COUNTY by operation of law.

ARTICLE 13. GOVERNING LAW

This IMA shall be governed by the laws of the State of New York. The MUNICIPALITY shall utilize the funds in accordance with this IMA and applicable provisions of all federal, State, and local laws, rules, and regulations.

ARTICLE 14. ENTIRE AGREEMENT

The rights and obligation of the parties and their respective agents, successors and assignees shall be subject to and governed by this IMA, including Schedule A and each award letter, which supersedes any other understandings or writings between or among the parties.

ARTICLE 15. MODIFICATION

No amendment or modification of any of the terms and/or conditions of this IMA shall be valid unless reduced to writing and signed by both parties. The COUNTY shall not be bound by any changes made to this IMA that is not made in compliance with the above, and which imposes on the COUNTY any financial obligation. Unless otherwise specifically provided for therein, the provisions of this IMA shall apply with full force and effect to any such amendment, modification or change order.

ARTICLE 16. SEXUAL HARASSMENT CERTIFICATION

Pursuant to State of New York State Finance Law §139-l, by execution of this IMA, the MUNICIPALITY and the individual signing this IMA on behalf of the MUNICIPALITY certifies, under penalty of perjury, that the MUNICIPALITY 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 State of New York 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>.

ARTICLE 17. SIGNATURES

A manually signed copy of this IMA 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 IMA.

IN WITNESS THEREOF, the parties hereto have executed this IMA as of the date set forth above.

COUNTY OF ORANGE

By: _____
Steven M. Neuhaus
County Executive

DATE: _____

MUNICIPALITY

By: _____
Name: _____
Title: _____

DATE: _____

SCHEDULE A-1
NEW YORK STATE VEHICLE AND TRAFFIC LAW §1197 FUNDS

ENFORCEMENT CAMPAIGNS/AGREEMENT TO PARTICIPATE.

MUNICIPALITY agrees to participate in three (3) STOP DWI Program enforcement campaign periods as follows:

First Enforcement Period – March 10, 2025 through June 1, 2025, which includes St. Patrick's Day and the Memorial Day holiday weekend.

Second Enforcement Period – July 1, 2025 through September 2, 2025, which includes the Independence Day and Labor Day holiday weekend enforcement campaigns.

Third Enforcement Period – November 10, 2025 through January 1, 2026, which includes Thanksgiving, Christmas, and the New Year's holidays enforcement campaigns.

Each of the three (3) enforcement campaigns coincides with state and national enforcement campaign efforts.

DATA SUBMITTAL.

MUNICIPALITY agrees to deliver to the COUNTY enforcement activity data in the form provided by the COUNTY, in its sole discretion, and required to be completed by the COUNTY, no later than ten (10) calendar days after the end of each enforcement period. Failure to timely submit the data may result in the MUNICIPALITY receiving the calculated minimum amount of hours/dollars for the next succeeding enforcement period or no award at all.

AWARD OF FUNDS.

Provided that MUNICIPALITY has performed in accordance with the terms of this IMA, the COUNTY, to the extent that funds are appropriated and available, will make up to three (3) awards of funds to support the MUNICIPALITY's STOP DWI Program enforcement campaigns. Each such award shall be data driven based upon the data submitted by the MUNICIPALITY to the COUNTY for enforcement activities occurring during the preceding enforcement period.

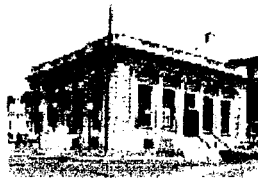
FIRST ENFORCEMENT PERIOD AWARD.

Based on data submittals from the MUNICIPALITY for the prior enforcement period November 11, 2024 through January 1, 2025, which submittals were required to be submitted to the COUNTY pursuant to a separate IMA between MUNICIPALITY and COUNTY, MUNICIPALITY is eligible for an award not to exceed **EIGHT THOUSAND DOLLARS (\$8000) for the first enforcement period of 2025.** The actual award payment to MUNICIPALITY shall be that amount earned as a result of man-hours expended by the MUNICIPALITY for STOP DWI Program enforcement activities during each preceding enforcement period as supported by the data submitted by the MUNICIPALITY.

WRITTEN NOTIFICATION OF AWARDS FOR THE SECOND AND THIRD ENFORCEMENT PERIODS OF 2025.

COUNTY will notify MUNICIPALITY in writing of its eligibility for awards, if any, for the second and third enforcement period of 2025 by a separate written award letter delivered to MUNICIPALITY prior to the commencement of such enforcement period. Each award letter shall state a not to exceed dollar value of the funds available to the MUNICIPALITY for reimbursement of man hours expended operating enforcement patrols during the applicable enforcement period and shall be annexed to and made a part of this IMA.

JOHN EWANCIW
CHIEF OF POLICE



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

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

March 14, 2025

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

Dear Mayor DeStefano and Members of the Board of Estimate,

I am requesting permission to accept a donation in the amount of \$4,000 from Middletown Downtown Business District for the purchase of a License Plate reader and its associated installation costs.

The revenue has been added to A.2705.06, Police Donations line. Upon approval to accept this funding, kindly increase our A.3120.200 budget line by \$3500 for the LPR equipment purchase, and our A.3120.440 line by \$500 for the cost of installation.

Very truly yours,

John Ewanciw
Chief of Police

JE:ccd

Sent check to
Losa on

1/14/2025

to increase our
A. 3120,200



Business Improvement District

RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

live

By Charles Quinn

Sec'd by Matt Pfisterer

Date of Adoption: 09-08-24

Index No:

NAMES	AYES	NOES	ABSTAIN	ABSENT
Charles Quinn	X			
Cheryl Pierce	X			
Margaret Botti	X			
Alvaro Garcia	X			
Juan M. Avalos	X			
John Naumchik	X			
Jose Linaves	X			
Tom Foley				X
Lenora Liz	X			
Matt Pfisterer	X			
Maria Bruni	X			
TOTAL	10			1

WHEREAS; the Middletown Police Department is looking to purchase a camera and software for a License Plate Reader to be used for security in the BID, and

WHEREAS; the License Plate Reader will cost \$3,500 with an additional cost of \$500 for installation costs, and

WHEREAS; the BID will donate to the Middletown Police Department a total of \$4,000.00 for the License Plate Reader with another possible purchase in 2025.

SO LET IT BE RESOLVED; that the board of the Downtown Business District approves the donation to the Middletown Police Department for a License Plate Reader in the amount of \$4,000 to be used for security in the BID district.

4756

**DOWNTOWN MIDDLETOWN DISTRICT
MANAGEMENT ASSOCIATION INC.**

ACCOUNT B
19 SOUTH STREET
MIDDLETOWN, NY 10940

ORANGE BANK AND TRUST COMPANY

50-247/219



12/18/2024

PAY TO THE
ORDER OF City of Middletown NY

\$ **4,000.00

Four Thousand and 00/100***** DOLLARS

City of Middletown NY
16 James Street
Middletown NY 10940



AUTHORIZED SIGNATURE

MEMO

Police Camera Donation

⑈004756⑈ ⑆021902475⑆ 8180139⑈

DOWNTOWN MIDDLETOWN DISTRICT MANAGEMENT ASSOCIATION INC. -- ACCOUNT B

4756

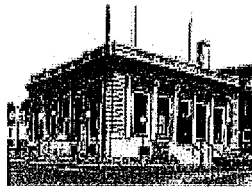
City of Middletown NY

12/18/2024

Police Camera Donation

4,000.00

JOHN EWANCIW
CHIEF OF POLICE



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

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

March 7, 2024

Mayor Joseph DeStefano
Members of the Common Council
And Board of Estimate
City of Middletown
16 James Street
Middletown, New York 10940

Dear Mayor DeStefano and Members,

Attached please find the contract with the County for our STOP-DWI enforcement period of March 10, 2024 through January 1, 2025. The total amount of the 1st period award is for unlimited hours of service or a dollar amount not to exceed \$6210. We will be notified at a later date of subsequent payments to cover the 2nd and 3rd periods of the year. These funds are to be paid to the City of Middletown and not to be reimbursed to the Police Department budget.

Please be kind enough to prepare a resolution authorizing the Mayor to sign the agreement.

This contract must be signed in **blue ink**. Once the contract is signed, please return the original to us for forwarding to the County.

Please add this funding to our STOP DWI Budget line A.3141.103.

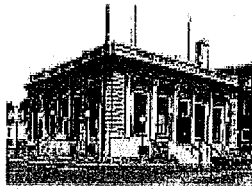
Thank you.

Very truly yours,

John Ewanciw
Chief of Police

Enclosure
JE: ccd

JOHN EWANCIW
CHIEF OF POLICE



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

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

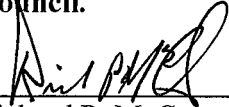


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

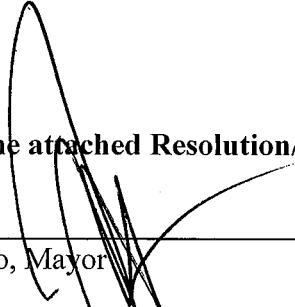
By: Alderman Masi
Seconded by: Alderman Green
Date of Adoption: April 1, 2025
Index No: 100-25

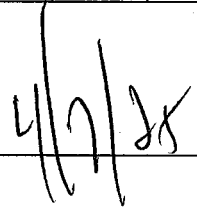
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


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 Enter into Agreements with the County of Orange to Secure the County Fire Safety Trailer for the National Night Out Against Crime and Kids Day Celebration Events

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 with the County Fire Safety Trailer for the National Night Out Against Crime and the Kids Celebration events this summer.

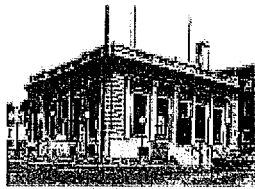
BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign the agreement.

Prepared by:
John Ewanciw, Chief of Police

Attachments:

1.	smokehouse trailer approvals2025
----	----------------------------------

JOHN EWANCIW
CHIEF OF POLICE



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

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

March 14, 2025

Honorable Joseph DeStefano
Mayor - City of Middletown
Board of Estimate and Apportionment
Common Council Clerk McCormack
City Hall
16 James Street
Middletown, New York 10940

Dear Mayor DeStefano, Clerk McCormack, and members of the BOE;

The City of Middletown Police Department would like to secure the County Fire Safety Trailer for the National Night Out Against Crime and the Kids Celebration events this summer.

We ask for you to prepare a resolution to allow the Mayor to sign both contracts regarding the proper use and insurance for the trailer during these events.

If you have any questions, please contact me.

Very truly yours,

John Ewanciw
Chief of Police

JE:ccd

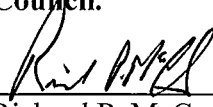


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

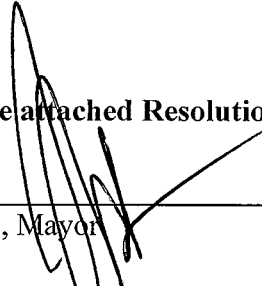
By: Alderman Johnson
Seconded by: Alderman Tobin
Date of Adoption: April 1, 2025
Index No: 101-25

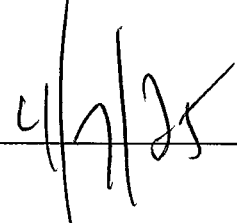
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


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 Middletown Business Improvement District (BID)
for the Purchase of a New License Plate Reader**

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and accepts a \$4,000 donation from Middletown Downtown Business District for the purchase of a License Plate reader and its associated installation costs.

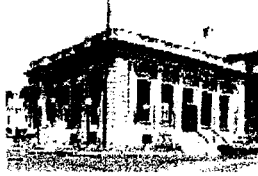
BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment authorizes the Treasurer to deposit the funds in A.2705.06, the Police Donations line, and to increase A.3120.200 budget line by \$3500 for the LPR equipment purchase, and our A.3120.440 line by \$500 for the cost of installation.

Prepared by:
John Ewanciw, Chief of Police

Attachments:

1.	image51793
----	------------

JOHN EWANCIW
CHIEF OF POLICE



BoE 3/27

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

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

March 14, 2025

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

Dear Mayor DeStefano and Members of the Board of Estimate,

I am requesting permission to accept a donation in the amount of \$4,000 from Middletown Downtown Business District for the purchase of a License Plate reader and its associated installation costs.

The revenue has been added to A.2705.06, Police Donations line. Upon approval to accept this funding, kindly increase our A.3120.200 budget line by \$3500 for the LPR equipment purchase, and our A.3120.440 line by \$500 for the cost of installation.

Very truly yours,

John Ewanciw
Chief of Police

JE:ccd

Sent check to
Losa on

1/14/2025

to increase our
A.3120,200



Business Improvement District

RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

line

By Charles Quinn

Sec'd by Matt Pfisterer

Date of Adoption: 09-08-24

Index No:

NAMES	AYES	NOES	ABSTAIN	ABSENT
Charles Quinn	X			
Cheryl Pierce	X			
Margaret Botti	X			
Alvaro Garcia	X			
Juan M. Avalos	X			
John Naumchik	X			
Jose Linaves	X			
Tom Foley				X
Lenora Liz	X			
Matt Pfisterer	X			
Maria Bruni	X			
TOTAL	10			1

WHEREAS; the Middletown Police Department is looking to purchase a camera and software for a License Plate Reader to be used for security in the BID, and

WHEREAS; the License Plate Reader will cost \$3,500 with an additional cost of \$500 for installation costs, and

WHEREAS; the BID will donate to the Middletown Police Department a total of \$4,000.00 for the License Plate Reader with another possible purchase in 2025.

SO LET IT BE RESOLVED; that the board of the Downtown Business District approves the donation to the Middletown Police Department for a License Plate Reader in the amount of \$4,000 to be used for security in the BID district.

4756

**DOWNTOWN MIDDLETOWN DISTRICT
MANAGEMENT ASSOCIATION INC.**

ACCOUNT B
19 SOUTH STREET
MIDDLETOWN, NY 10940

ORANGE BANK AND TRUST COMPANY

50-247/219



12/18/2024

PAY TO THE
ORDER OF City of Middletown NY

\$ **4,000.00

Four Thousand and 00/100***** DOLLARS

City of Middletown NY
16 James Street
Middletown NY 10940



AUTHORIZED SIGNATURE

MEMO

Police Camera Donation

⑈004756⑈ ⑆021902475⑆ 8180139⑈

DOWNTOWN MIDDLETOWN DISTRICT MANAGEMENT ASSOCIATION INC. -- ACCOUNT B

4756

City of Middletown NY

12/18/2024

Police Camera Donation

4,000.00

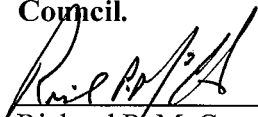


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

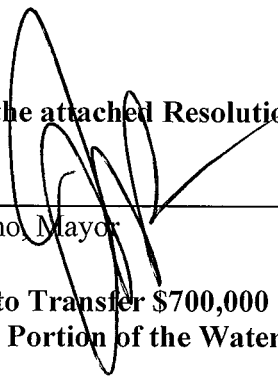
By: Alderwoman Wray
Seconded by: Alderman Kleiner
Date of Adoption: April 1, 2025
Index No: 102-25

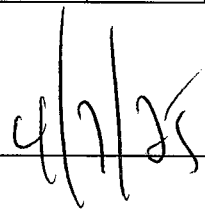
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


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 \$700,000 from the Debt Service Fund Balance for the City Match Portion of the Water System Improvements Project, Phase 2

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 \$700,000, in the following manner, for the City's match for the Water System Improvement Project, Phase 2. Other funding source is through the EPA grant.

FROM	TO	AMOUNT
DEBT SERVICE FUND	H.0947.900	\$700,000
BALANCE -	F_2018_Water System	
(Capital Hookup Fees - Water)	Improvements Phase 1 & 2	

Prepared by:
Jacob Tawil

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: April 1, 2025
Index No: 103-25

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

4/7/25

Authorization to Adopt the Abandoned Property - Unclaimed Funds Policy

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the adoption of an Abandoned Property-Unclaimed Funds Policy per New York State Abandon Property Law.

Prepared by:
Leonora Liz, Treasurer

Attachments:

1.	Unclaim Funds Policy
----	----------------------

DATE OF ADOPTION:



CITY OF
Middletown
— NEW YORK —

ABANDON PROPERTY – UNCLAIM FUNDS POLICY

The City has responsibilities under the New York Abandoned Property Law to keep records regarding certain abandoned property (mostly unclaimed funds) and to report these abandonments to the State Comptroller.

The following is a list of the property that must be recorded.

1. Any money derived from wages which have been unclaimed by a City employee or former employee for a period of one year. After the expiration, these funds should be offered to the State Comptroller with a statement setting forth:

a) The name and last known address of each such employee and the amount that has been unclaimed;

b) The fact that the City is the employer, along with the City's address; and

c) The period of employment during which such salary or wages accrued.

2. Any unclaimed amount representing unredeemed gift certificates sold after December 31, 1983, and which has remained unclaimed by the owner of such amount for five years. After the expiration, these funds should be offered to the State Comptroller with a statement setting forth:

a) The name and last known address of each such owner and the amount that has been unclaimed; and

b) The reason that the City issued the gift certificate and the date of issuance.

3. Any amount representing outstanding checks issued on and after July 1, 1974 in payment for goods or for services, and owing in New York State, and which has remained unclaimed by the owner of such amount for three years. After the expiration, these funds should be offered to the State Comptroller with a statement setting forth:

a) The name and last known address of each such owner and the amount that has been unclaimed; and

b) The reason that the City issued such check and the date of issuance.



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

THE FOLLOWING WAS PRESENTED

By: Alderman Green
Seconded by: Alderman Kleiner
Date of Adoption: April 1, 2025
Index No: 104-25

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 \$999,977.50 for the Court House Project

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 \$999,977.50, in the following manner, for the Court House Project.

FROM	TO	AMOUNT
H.0996.900	999,977.50	H.0916.900
Infill Development		A_2015_Courthouse
Project_Cancelled		

This is to transfer a temporary borrowing originally from the Infill Development Project to the Courthouse Renovation Project. This will be reimbursed by Senator Skoufis Grant.

Prepared by:

Leonora Liz, Treasurer

Attachments:

None

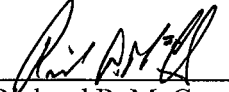


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

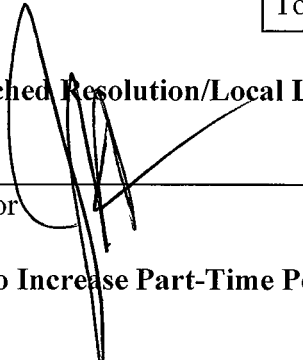
By: Alderman Witt
Seconded by: Alderman Tobin
Date of Adoption: April 1, 2025
Index No: 105-25

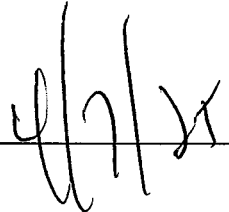
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


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 Increase Part-Time Police Officer Hourly Rate of Pay

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes an increase in the pay rates for part-time Police Officers from \$25 per hour to \$32 per hour.

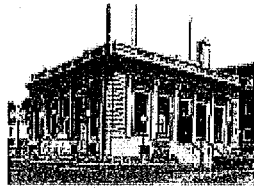
This change will have no impact on our 2025 police budget.

Prepared by:
John Ewanciw, Chief of Police

Attachments:

1.	pt police officer increase
----	----------------------------

JOHN EWANCIW
CHIEF OF POLICE



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

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

March 26, 2025

Honorable Joseph M. DeStefano &
City of Middletown Common Council
16 James Street
Middletown, NY 10940

Dear Mayor DeStefano and Members of the Common Council:

I am requesting consideration for the change of rate for the Part time police officer from \$25 per hour to \$32 per hour in an effort to be more competitive with neighboring departments. This change will have no impact on our 2025 police budget.

If you have any questions please do not hesitate to contact me.

Very truly yours,

John Ewanciw
Chief of Police

JE:ccd

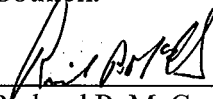


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

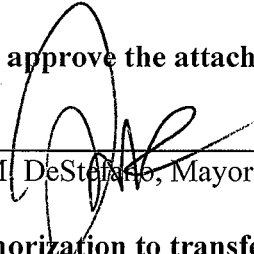
By: Alderman Masi
Seconded by: Alderman Tobin
Date of Adoption: April 1, 2025
Index No: 106-25

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 4/9/25

Authorization to transfer \$121,914.59 from General Fund Balance to Cover Vehicle Replacements within the DPW Fleet

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 \$121,914.59, in the following manner, for the purchase of two (2) 2023 Durango Pursuit-White at \$39,767.80, (To replace a Code Department 2011 Tahoe and provide an additional Code Department Vehicle) and a 2024 Dodge Ram 1500-White at \$42,378.99 that will replace a 2017 Building Inspector truck. The 2017 truck will move to the Lot Crew which is in need of a vehicle.

All 3 Vehicles are currently on the LOT as leftovers from previous years with lower costs using Onondaga #0010808 contracted pricing.

FROM

TO

AMOUNT

General Fund Balance

A.1490.201 Vehicles

\$121,914.59

Prepared by:
Jacob Tawil

Attachments:

1.	DPW Memo
----	----------

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: March 27, 2025
To: Honorable Members of the Board of Estimate
And Apportionment
Cc: Leonora Liz-Treasurer
Richard McCormack- City Clerk
From: Jacob Tawil-Commissioner of Public Works
Re: Transfer of Funds

We respectfully request a transfer within our 2024 budget lines to cover needed vehicle/replacement vehicles within our DPW Fleet.

2- 2023 Durango Pursuit-White at \$39,767.80, that will replace our Code dept 2011 Tahoe and the vacant code vehicle

1-2024 Ram 1500-White at \$42,378.99 that will replace our 2017 Building inspector truck. The 2017 truck will move to the Lot Crew which is in need of a vehicle.

All 3 Vehicles are currently on the LOT as leftovers from previous years with lower costs using Onondaga #0010808 contracted pricing.

	FROM	AMOUNT	TO
1.	A.5110.100 Personal Services	\$121,914.59	A.1490.201 Vehicles

Thank you.

MC

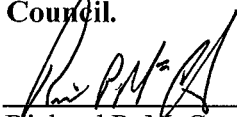


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

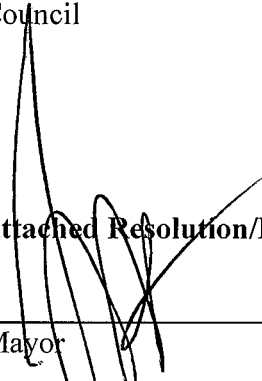
By: Alderman Tobin
Seconded by: Alderman Johnson
Date of Adoption: April 1, 2025
Index No: 107-25

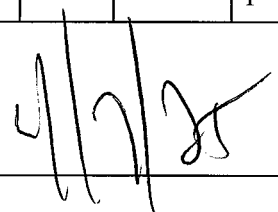
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


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

**Authorizes Agreements with Harry F. Rotolo & Sons Electric for Alarm System
Monitoring for City Buildings**

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes agreements with Harry F. Rotolo & Sons Electric for Alarm System Monitoring for City Buildings.

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

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	city hall
2.	mulberry house
3.	rail trail
4.	sewer plant
5.	warming station
6.	warming station-fire
7.	resolutions parks



HARRY F.ROTOLO & SON, INC.

- Electrical Contractors -

390 East Main Street • Middletown, New York 10940
Phone 845-343-8160 • Fax 845-343-8610

1

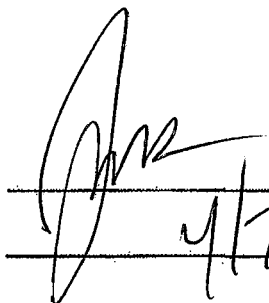
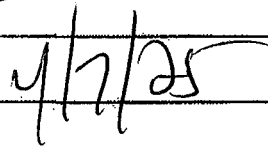
1. City of Middletown-City Hall being owner/occupant (lessee) of hereby premises at 16 James Street, Middletown, NY10940, hereby rent, from Harry F. Rotolo & Son, Inc., a monitoring system to be delivered and installed at the above premises. This agreement shall commence on January 1, 2025 and last for one year from the commencement date. The above owner/occupant (lessee) shall pay in the sum of \$39.00 per month for maintenance plus taxes.
2. Harry F. Rotolo & Son, Inc., in return for such consideration, agree to keep and maintain said monitoring system in good, serviceable condition and inspect it whenever duly notified.
3. It is further agreed that this contract shall automatically renew itself for the period of one year, and from one year thereafter. If any of the above-mentioned subscribers wants to terminate this contract, then written notice must be provided at least 30 days prior to expiration date. There will be a 4% increase on the monthly maintenance fee after the first year and every year following this contract.
4. In the event of a "breach of contract" to this agreement such as failure of installment payment by owner/occupant (lessee), Harry F. Rotolo, Inc. shall have the right to declare the entire balance due. Harry F. Rotolo & Son, Inc. shall also have the right to enter the premises for the purpose of removing the system and attempt to collect any charges that

have accrued or were accrued, hereunder. Harry F. Rotolo & Son, Inc will not be held liable for any damages to the premises during the time of removal of system.

5. The owner/occupant (lessee) shall not disturb, injure, or remove the monitoring system or and/or permit anyone at anytime to do so. The owner/occupant (lessee) shall indemnify Harry F. Rotolo & Son, Inc. from any losses.
6. Harry F. Rotolo & Son, Inc. is not an insurer and does not undertake to guarantee any loss or damage to the owner/occupant (lessee) by reason of burglary, theft, fire, or any other cause. Harry F. Rotolo & Son, Inc. shall not be liable of any negligence or oversight on the part of its employees.
7. Neither party shall change the terms of this contract except by mutual consent in writing.

Signature

Date

Please sign and return original document



HARRY F. ROTOLO & SON, INC.

- Electrical Contractors -

390 East Main Street • Middletown, New York 10940

Phone 845-843-8180 • Fax 845-843-8610

February 28, 2025

City of Middletown
16 James Street
Middletown, NY 10940

Re: Fire Alarm Monitoring- Account# VX8476 (16 James Street, Middletown, NY 10940)

To Whom It May Concern:

We are in the process of updating our records for our alarm accounts. We would appreciate you filling out the below information and returning it to us no later than April 1, 2025. If we do not receive this information from you, then your account will remain the same.

Please list the names and numbers in order that you would like your emergency calls for your Fire/Burglary Alarm System. Please keep in mind that number one is the first to be contact call.

	<u>Name</u>	<u>Phone Number(s)</u>
1)	Central Fire house	845-343-4169
2)	Middletown DPW	845-343-3169
3)	Middletown PD	845-343-3151
4)	Ross Mastria	845-741-6119
5)	Jacob Tawil	845-321-4344
6)		
7)		

Sincerely,

Harry F. Rotolo, III
President
Harry F. Rotolo & Son, Inc.



HARRY F.ROTOLO & SON, INC.

- Electrical Contractors -

390 East Main Street • Middletown, New York 10940
Phone 845-343-8160 • Fax 845-343-8610

1

1. City of Middletown-Mulberry House being owner/occupant (lessee) of hereby premises at 62-70 West Main Street, Middletown, NY 10940, hereby rent, from Harry F. Rotolo & Son, Inc., a monitoring system to be delivered and installed at the above premises. This agreement shall commence on January 1, 2025 and last for one year from the commencement date. The above owner/occupant (lessee) shall pay in the sum of \$39.00 per month for maintenance plus taxes.
2. Harry F. Rotolo & Son, Inc., in return for such consideration, agree to keep and maintain said monitoring system in good, serviceable condition and inspect it whenever duly notified.
3. It is further agreed that this contract shall automatically renew itself for the period of one year, and from one year thereafter. If any of the above-mentioned subscribers wants to terminate this contract, then written notice must be provided at least 30 days prior to expiration date. There will be a 4% increase on the monthly maintenance fee after the first year and every year following this contract.
4. In the event of a "breach of contract" to this agreement such as failure of installment payment by owner/occupant (lessee), Harry F. Rotolo, Inc. shall have the right to declare the entire balance due. Harry F. Rotolo & Son, Inc. shall also have the right to enter the premises for the purpose of removing the system and attempt to collect any charges that

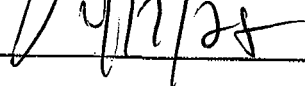
have accrued or were accrued, hereunder. Harry F. Rotolo & Son, Inc will not be held liable for any damages to the premises during the time of removal of system.

5. The owner/occupant (lessee) shall not disturb, injure, or remove the monitoring system or and/or permit anyone at anytime to do so. The owner/occupant (lessee) shall indemnify Harry F. Rotolo & Son, Inc. from any losses.
6. Harry F. Rotolo & Son, Inc. is not an insurer and does not undertake to guarantee any loss or damage to the owner/occupant (lessee) by reason of burglary, theft, fire, or any other cause. Harry F. Rotolo & Son, Inc. shall not be liable of any negligence or oversight on the part of its employees.
7. Neither party shall change the terms of this contract except by mutual consent in writing.

Signature

Date





Please sign and return original document



HARRY F. ROTOLO & SON, INC.

- Electrical Contractors -

390 East Main Street • Middletown, New York 10940
Phone 845-343-8180 • Fax 845-343-8610

February 25, 2025

City of Middletown
15 James Street
Middletown, NY 10940

Re: Fire Alarm Monitoring - Account# PA0026 (62-70 West Main Street, Middletown, NY 10940)

To Whom It May Concern:

We are in the process of updating our records for our alarm accounts. We would appreciate you filling out the below information and returning it to us no later than April 1, 2025. If we do not receive this information from you, then your account will remain the same.

Please list the names and numbers in order that you would like your emergency calls for your Fire/Burglary Alarm System. Please keep in mind that number one is the first to be contact call.

	Name	Phone Number(s)
1)	Central Fire House	845-343-4169
2)	Middletown PD	845-343-3151
3)	Julisa Sierra	845-346-4075/845-978-3748
4)	Middletown DPW	845-343-3169
5)	City Hall Mayors Office	845-346-4100
6)	Ross Mastria	845-741-8119
7)	Jacob Tawil	845-321-4344

Sincerely,

Harry F. Rotolo, III
President
Harry F. Rotolo & Son, Inc



HARRY F. ROTOLO & SON, INC.

- Electrical Contractors -

390 East Main Street • Middletown, New York 10940
Phone 845-343-8160 • Fax 845-343-8610

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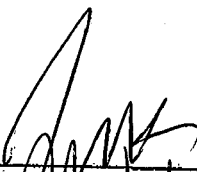
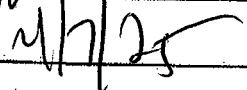
1. City of Middletown-Rail Trail being owner/occupant (lessee) of hereby premises at 45-53 North Street, Middletown, NY 10940, hereby rent, from Harry F. Rotolo & Son, Inc., a monitoring system to be delivered and installed at the above premises. This agreement shall commence on January 1, 2025 and last for one year from the commencement date. The above owner/occupant (lessee) shall pay in the sum of \$39.00 per month for maintenance plus taxes.
2. Harry F. Rotolo & Son, Inc., in return for such consideration, agree to keep and maintain said monitoring system in good, serviceable condition and inspect it whenever duly notified.
3. It is further agreed that this contract shall automatically renew itself for the period of one year, and from one year thereafter. If any of the above-mentioned subscribers wants to terminate this contract, then written notice must be provided at least 30 days prior to expiration date. There will be a 4% increase on the monthly maintenance fee after the first year and every year following this contract.
4. In the event of a "breach of contract" to this agreement such as failure of installment payment by owner/occupant (lessee), Harry F. Rotolo, Inc. shall have the right to declare the entire balance due. Harry F. Rotolo & Son, Inc. shall also have the right to enter the premises for the purpose of removing the system and attempt to collect any charges that

have accrued or were accrued, hereunder. Harry F. Rotolo & Son, Inc will not be held liable for any damages to the premises during the time of removal of system.

5. The owner/occupant (lessee) shall not disturb, injure, or remove the monitoring system or and/or permit anyone at anytime to do so. The owner/occupant (lessee) shall indemnify Harry F. Rotolo & Son, Inc. from any losses.
6. Harry F. Rotolo & Son, Inc. is not an insurer and does not undertake to guarantee any loss or damage to the owner/occupant (lessee) by reason of burglary, theft, fire, or any other cause. Harry F. Rotolo & Son, Inc. shall not be liable of any negligence or oversight on the part of its employees.
7. Neither party shall change the terms of this contract except by mutual consent in writing.

Signature

Date

Please sign and return original document



HARRY F. ROTOLO & SON, INC.

- Electrical Contractors -

390 East Main Street • Middletown, New York 10940
Phone 845-343-8160 • Fax 845-343-8610

February 25, 2025

City of Middletown

16 James Street

Middletown, NY 10940

Re: Fire Alarm Monitoring - Account# NGDL 3895 (45-53 North Street, Middletown, NY 10940)

To: Whom It May Concern:

We are in the process of updating our records for our alarm accounts. We would appreciate you filling out the below information and returning it to us no later than April 1, 2025. If we do not receive this information from you, then your account will remain the same.

Please list the names and numbers in order that you would like your emergency calls for your Fire/Burglary Alarm System. Please keep in mind that number one is the first to be contact call.

	<u>Name</u>	<u>Phone Number(s)</u>
1)	Central Fire House	845-343-4169
2)	Middletown DPW	845-343-3169
3)	Middletown Police	845-343-3151
4)	Ross Mastria	845-741-6119
5)	Jacob Tawil	845-321-4344
6)		
7)		

Sincerely,

Harry F. Rotolo, III

President

Harry F. Rotolo & Son, Inc



HARRY F.ROTOLO & SON, INC.

- Electrical Contractors -

390 East Main Street • Middletown, New York 10940
Phone 845-343-8160 • Fax 845-343-8610

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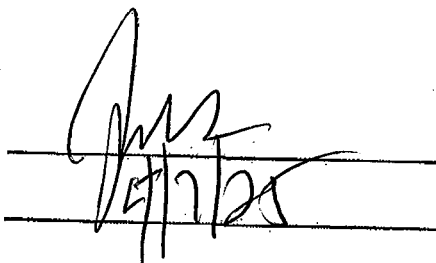
1. City of Middletown-WWTP being owner/occupant (lessee) of hereby premises at 159 Dolson Ave, Middletown, NY10940, hereby rent, from Harry F. Rotolo & Son, Inc., a monitoring system to be delivered and installed at the above premises. This agreement shall commence on January 1, 2025 and last for one year from the commencement date. The above owner/occupant (lessee) shall pay in the sum of \$39.00 per month for maintenance plus taxes.
2. Harry F. Rotolo & Son, Inc., in return for such consideration, agree to keep and maintain said monitoring system in good, serviceable condition and inspect it whenever duly notified.
3. It is further agreed that this contract shall automatically renew itself for the period of one year, and from one year thereafter. If any of the above-mentioned subscribers wants to terminate this contract, then written notice must be provided at least 30 days prior to expiration date. There will be a 4% increase on the monthly maintenance fee after the first year and every year following this contract.
4. In the event of a "breach of contract" to this agreement such as failure of installment payment by owner/occupant (lessee), Harry F. Rotolo, Inc. shall have the right to declare the entire balance due. Harry F. Rotolo & Son, Inc. shall also have the right to enter the premises for the purpose of removing the system and attempt to collect any charges that

have accrued or were accrued, hereunder. Harry F. Rotolo & Son, Inc will not be held liable for any damages to the premises during the time of removal of system.

5. The owner/occupant (lessee) shall not disturb, injure, or remove the monitoring system or and/or permit anyone at anytime to do so. The owner/occupant (lessee) shall indemnify Harry F. Rotolo & Son, Inc. from any losses.
6. Harry F. Rotolo & Son, Inc. is not an insurer and does not undertake to guarantee any loss or damage to the owner/occupant (lessee) by reason of burglary, theft, fire, or any other cause. Harry F. Rotolo & Son, Inc. shall not be liable of any negligence or oversight on the part of its employees.
7. Neither party shall change the terms of this contract except by mutual consent in writing.

Signature

Date

Handwritten signature and date on two horizontal lines. The signature is written on the top line and the date '12/12/25' is written on the bottom line.

Please sign and return original document



HARRY F. ROTOLO & SON, INC.

- Electrical Contractors -

990 East Main Street • Middletown, New York 10940

Phone 845-343-8160 • Fax 845-343-8610

February 25, 2025

City of Middletown
16 James Street
Middletown, NY 10940

Re: Fire Alarm Monitoring - Account# NGDL 6625 (159 Dolson Ave, Middletown, NY 10940)

To Whom It May Concern:

We are in the process of updating our records for our alarm accounts. We would appreciate you filling out the below information and returning it to us no later than April 1, 2025. If we do not receive this information from you, then your account will remain the same.

Please list the names and numbers in order that you would like your emergency calls for your Fire/Burglary Alarm System. Please keep in mind that number one is the first to be contact call.

	<u>Name</u>	<u>Phone Number(s)</u>
1)	Central Fire House	845-343-4169
2)	Middletown DPW	845-343-3169
3)	Middletown Police	845-343-3151
4)	John Wallace	845-216-9523
5)	Brian Smith	845-806-7476
6)	Jacob Tawil	845-321-4344
7)		

Sincerely,

Harry F. Rotolo, III
President
Harry F. Rotolo & Son, Inc.



HARRY F.ROTOLO & SON, INC.

- Electrical Contractors -

390 East Main Street • Middletown, New York 10940
Phone 845-343-8160 • Fax 845-343-8610

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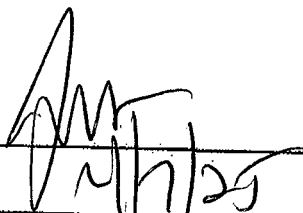
1. City of Middletown-Warming Station (Burglar) being owner/occupant (lessee) of hereby premises at 10 Mulberry Street, Middletown, NY 10940, hereby rent, from Harry F. Rotolo & Son, Inc., a monitoring system to be delivered and installed at the above premises. This agreement shall commence on January 1, 2025 and last for one year from the commencement date. The above owner/occupant (lessee) shall pay in the sum of \$39.00 per month for maintenance plus taxes.
2. Harry F. Rotolo & Son, Inc., in return for such consideration, agree to keep and maintain said monitoring system in good, serviceable condition and inspect it whenever duly notified.
3. It is further agreed that this contract shall automatically renew itself for the period of one year, and from one year thereafter. If any of the above-mentioned subscribers wants to terminate this contract, then written notice must be provided at least 30 days prior to expiration date. There will be a 4% increase on the monthly maintenance fee after the first year and every year following this contract.
4. In the event of a "breach of contract" to this agreement such as failure of installment payment by owner/occupant (lessee), Harry F. Rotolo, Inc. shall have the right to declare the entire balance due. Harry F. Rotolo & Son, Inc. shall also have the right to enter the premises for the purpose of removing the system and attempt to collect any charges that

have accrued or were accrued, hereunder. Harry F. Rotolo & Son, Inc will not be held liable for any damages to the premises during the time of removal of system.

5. The owner/occupant (lessee) shall not disturb, injure, or remove the monitoring system or and/or permit anyone at anytime to do so. The owner/occupant (lessee) shall indemnify Harry F. Rotolo & Son, Inc. from any losses.
6. Harry F. Rotolo & Son, Inc. is not an insurer and does not undertake to guarantee any loss or damage to the owner/occupant (lessee) by reason of burglary, theft, fire, or any other cause. Harry F. Rotolo & Son, Inc. shall not be liable of any negligence or oversight on the part of its employees.
7. Neither party shall change the terms of this contract except by mutual consent in writing.

Signature

Date



4/17/25

Please sign and return original document



HARRY F.ROTOLO & SON, INC.

- Electrical Contractors -

390 East Main Street • Middletown, New York 10940

Phone 845-343-8160 • Fax 845-343-8610

February 25, 2025

City of Middletown
16 James Street
Middletown, NY 10940

Re: Burglar Monitoring- Account# NGDL 7239 (10 Mulberry Street, Middletown, 10940)

To Whom It May Concern:

We are in the process of updating our records for our alarm accounts. We would appreciate you filling out the information below and returning it to us no later than April 1, 2025. If we do not receive this information from you, then your account will remain the same.

Please list the names and numbers in order that you would like your emergency calls for your Fire/Burglary Alarm System. Please keep in mind that number one is the first to be contact call.

	<u>Name</u>	<u>Phone Number(s)</u>
1)	Central Fire House	845-343-4169
2)	Middletown Police	845-343-3151
3)	Middletown DPW City	845-343-3169
4)	Hall Mayors Office	845-346-4100
5)	Ross Mastria	845-741-6119
6)	Jacob Tawil	845-321-4344
7)		

Sincerely,

Harry F. Rotolo, III
President
Harry F. Rotolo & Son, Inc



HARRY F. ROTOLO & SON, INC.

- Electrical Contractors -

390 East Main Street • Middletown, New York 10940
Phone 845-343-8180 • Fax 845-343-8610

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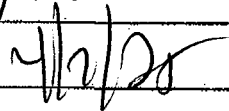
1. City of Middletown-Warming Station (Fire) being owner/occupant (lessee) of hereby premises at 10 Mulberry Street, Middletown, NY 10940, hereby rent, from Harry F. Rotolo & Son, Inc., a monitoring system to be delivered and installed at the above premises. This agreement shall commence on January 1, 2025 and last for one year from the commencement date. The above owner/occupant (lessee) shall pay in the sum of \$39.00 per month for maintenance plus taxes.
2. Harry F. Rotolo & Son, Inc., in return for such consideration, agree to keep and maintain said monitoring system in good, serviceable condition and inspect it whenever duly notified.
3. It is further agreed that this contract shall automatically renew itself for the period of one year, and from one year thereafter. If any of the above-mentioned subscribers wants to terminate this contract, then written notice must be provided at least 30 days prior to expiration date. There will be a 4% increase on the monthly maintenance fee after the first year and every year following this contract.
4. In the event of a "breach of contract" to this agreement such as failure of installment payment by owner/occupant (lessee), Harry F. Rotolo, Inc. shall have the right to declare the entire balance due. Harry F. Rotolo & Son, Inc. shall also have the right to enter the premises for the purpose of removing the system and attempt to collect any charges that

have accrued or were accrued, hereunder. Harry F. Rotolo & Son, Inc will not be held liable for any damages to the premises during the time of removal of system.

5. The owner/occupant (lessee) shall not disturb, injure, or remove the monitoring system or and/or permit anyone at anytime to do so. The owner/occupant (lessee) shall indemnify Harry F. Rotolo & Son, Inc. from any losses.
6. Harry F. Rotolo & Son, Inc. is not an insurer and does not undertake to guarantee any loss or damage to the owner/occupant (lessee) by reason of burglary, theft, fire, or any other cause. Harry F. Rotolo & Son, Inc. shall not be liable of any negligence or oversight on the part of its employees.
7. Neither party shall change the terms of this contract except by mutual consent in writing.

Signature

Date

Please sign and return original document



HARRY F. ROTOLO & SON, INC.

- Electrical Contractors -

390 East Main Street • Middletown, New York 10940

Phone 845-343-8160 • Fax 845-343-8610

February 25, 2025

City of Middletown
16 James Street
Middletown, NY 10940

Re: Fire Alarm Monitoring- Account# PA2000 (10 Mulberry Street, Middletown, NY 10940)

To Whom It May Concern:

We are in the process of updating our records for our alarm accounts. We would appreciate you filling out the below information and returning it to us no later than April 1, 2025. If we do not receive this information from you, then your account will remain the same.

Please list the names and numbers in order that you would like your emergency calls for your Fire/Burglary Alarm System. Please keep in mind that number one is the first to be contact call.

	<u>Name</u>	<u>Phone Number(s)</u>
1)	Central Fire House	845-343-4169
2)	Middletown PD	845-343-3151
3)	Middletown DPW City	845-343-3169
4)	Hall Mayors Office	845-346-4100
5)	Ross Mastria	845-741-6119
6)	Jacob Tawil	845-321-4344
7)		

Sincerely,

Harry F. Rotolo, III
President
Harry F. Rotolo & Son, Inc



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

THE FOLLOWING WAS PRESENTED

By: Alderman Green
Seconded by: Alderman Jean-Francois
Date of Adoption: March 18, 2025
Index No: 90-25

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	9			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

3/20/25

Authorization to Enter into an Agreement with Harry F. Rotolo & Sons Electric for Alarm Monitoring Services at the Recreation and Parks Building

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 Harry F. Rotolo & Son Electric for Alarm Monitoring for the Recreation and Parks Building from April 1, 2025–March 31, 2026, for an annual fee of \$468.00.

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

1. Rotolo-001

1. Middletown Parks & Recreation Dept. being owner/occupant (lessee) of hereby premisses at
393 County Rte 78, Middletown, NY 10940, hereby rent, from Harry F. Rotolo & Son, Inc., a
monitoring system to be delivered and installed at the above premises. This agreement
shall commence on April 1, 2025 and last for one year from the commencement
date. The above owner/occupant (lessee) shall pay in the sum of \$39.00 per month for
maintenance plus taxes.
2. Harry F. Rotolo & Son, Inc., in return for such consideration, agree to keep and maintain
said monitoring system in good, serviceable condition and inspect it whenever duly
notified.
3. It is further agreed that this contract shall automatically renew itself for the period of one
year, and from one year thereafter. If any of the above-mentioned subscribers wants to
terminate this contract, then written notice must be provided at least 30 days prior to
expiration date. There will be a 4% increase on the monthly maintenance fee after the
first year and every year following this contract.
4. In the event of a "breach of contract" to this agreement such as failure of installment

Harry F. Rotolo & Son, Inc. from any losses.

6. Harry F. Rotolo & Son, Inc. is not an insurer and does not undertake to guarantee any loss or damage to the owner/occupant (lessee) by reason of burglary, theft, fire, or any other cause. Harry F. Rotolo & Son, Inc. shall not be liable of any negligence or oversight on the part of its employees.

7. Neither party shall change the terms of this contract except by mutual consent in writing.

Signature

Date



Please sign and return original document

Re: Fire Alarm Monitoring- Account# NGDL 6454 (393 County Rte 78, Middletown, NY 10940

To Whom It May Concern:

We are in the process of updating our records for our alarm accounts. We would appreciate you filling out the below information and returning it to us no later than April 1, 2025. If we do not receive this information from you, then your account will remain the same.

Please list the names and numbers in order that you would like your emergency calls for your Fire/Burglary Alarm System. Please keep in mind that number one is the first to be contact call.

	<u>Name</u>	<u>Phone Number(s)</u>
1)	Matt Lybolt - Working Supervisor	845 - 784 - 6036
2)	Jay Silvernail	845 - 494 - 6387
3)	Raelynn Bertholf- Superintendent	914 - 443 - 2330
4)	Nicole Psarakis - Asst. to the Superint.	845 - 551 - 9083
5)	Celines Rodriguez - Program Coord	845 - 519 - 0441
6)		
7)		

Sincerely,

Harry F. Rotolo, III
President

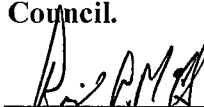


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

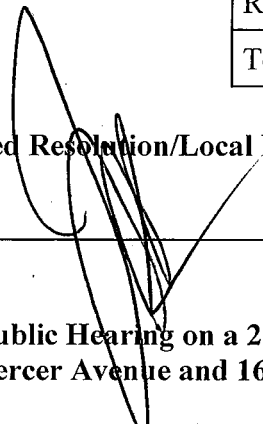
By: Alderman Johnson
Seconded by: Alderman Tobin
Date of Adoption: April 1, 2025
Index No: 108-25

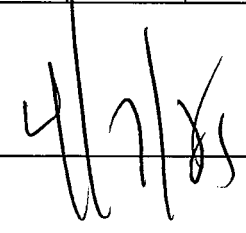
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


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 Hold a Public Hearing on a 2 Lot Subdivision (Lot Line Change) at 15
Mercer Avenue and 16 Warren Avenue**

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, authorizes a public hearing on a proposed two-lot subdivision (lot line change) at 15 Mercer Avenue and 16 Warren Avenue to be held on Tuesday, April 15, 2025 at 7:30PM.

Prepared by:

Attachments:

None

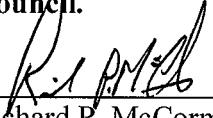


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

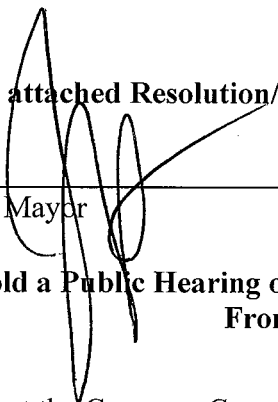
By: Alderman Masi
Seconded by: Alderman Witt
Date of Adoption: April 1, 2025
Index No: 109-25

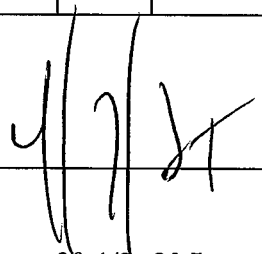
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


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 Hold a Public Hearing on a 2-Lot Subdivision at 20 1/2 -30 Low Avenue, Front and Rear

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, authorizes a public hearing on a proposed two-lot subdivision at 20 1/2 -30 Low Avenue, Front and Rear to be held on Tuesday, April 15, 2025 at 7:30PM.

Prepared by:

Attachments:

None

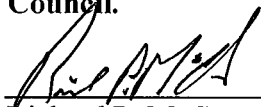


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

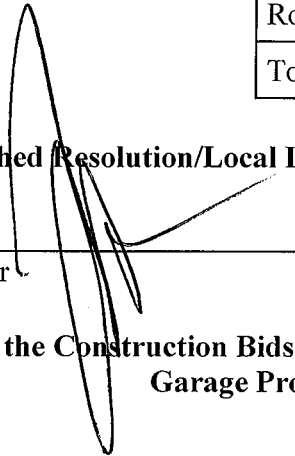
By: Alderwoman Wray
Seconded by: Alderman Kleiner
Date of Adoption: April 1, 2025
Index No: 110-25

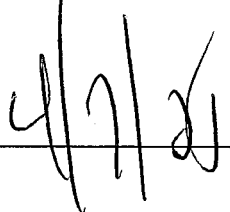
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


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 Award the Construction Bids And Project Funding For The Parking Garage Project

WHEREAS, the City of Middletown solicited bids for the construction of a parking garage, and bids were received on February 23, 2025; and

WHEREAS, the following bids were received and reviewed by the City's Consulting Engineer, CPL, with recommendations for award to the lowest responsible bidders:

1. **General Construction:** 11 bids received ranging from \$3,737,373.00 to \$6,193,104.00. The lowest responsible bid was submitted by Malum Enterprises, LLC of Monroe, NY, for the Base Bid plus Alternate Bid 2 (Anti-Graffiti Paint) in the total amount of **\$3,768,657.00.**
2. **Electric Construction:** 2 bids received ranging from \$258,600.00 to \$302,000.00. The lowest responsible bid was submitted by Harry F. Rotolo & Son Inc. of Middletown, NY, for the total base bid of **\$258,600.00.**

3. **Mechanical Construction:** 3 bids received ranging from \$10,000.00 to \$34,240.00. The lowest responsible bid was submitted by Cadela's Plumbing of Circleville, NY, for the total bid amount of **\$10,000.00**.
4. **Plumbing Construction:** 2 bids received ranging from \$198,694.00 to \$200,500.00. The lowest responsible bid was submitted by Aero Plumbing & Heating Co, Inc. of Great Meadows, NJ, for the total bid amount of **\$198,694.00**.

WHEREAS, the total construction cost amounts to **\$4,811,052.00**, which includes:

- CPL's approved proposal for Design, Bidding, Basic Construction Administration, Survey, and Geotechnical services in the amount of **\$212,200.00**;
- CPL's Extended Construction Administration Services in the amount of **\$92,000.00** (subject to Board of Estimates approval);
- NYS Building Code Specialty Inspections estimated at **\$50,000.00**, to be paid directly by the City as needed;
- Orange & Rockland Utilities' required power line realignment and poles/transformers relocation at a cost of **\$126,567.00**, to be paid directly by the City;
- Additional contingency at 2% totaling **\$94,334.00**.

WHEREAS, a project grant in the amount of **\$2,500,000.00** has been provided through Senator Skoufis; and

WHEREAS, the remaining **\$2,311,052.00** in required funding must be arranged through long-term bonding by the City.

NOW THEREFORE BE IT RESOLVED, that the General Construction contract is awarded to Malum Enterprises, LLC of Monroe, NY, for the total amount of **\$3,768,657.00**.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Electric Construction contract is awarded to Harry F. Rotolo & Son Inc. of Middletown, NY, for the total amount of **\$258,600.00**.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Mechanical Construction contract is awarded to Cadela's Plumbing of Circleville, NY, for the total amount of **\$10,000.00**

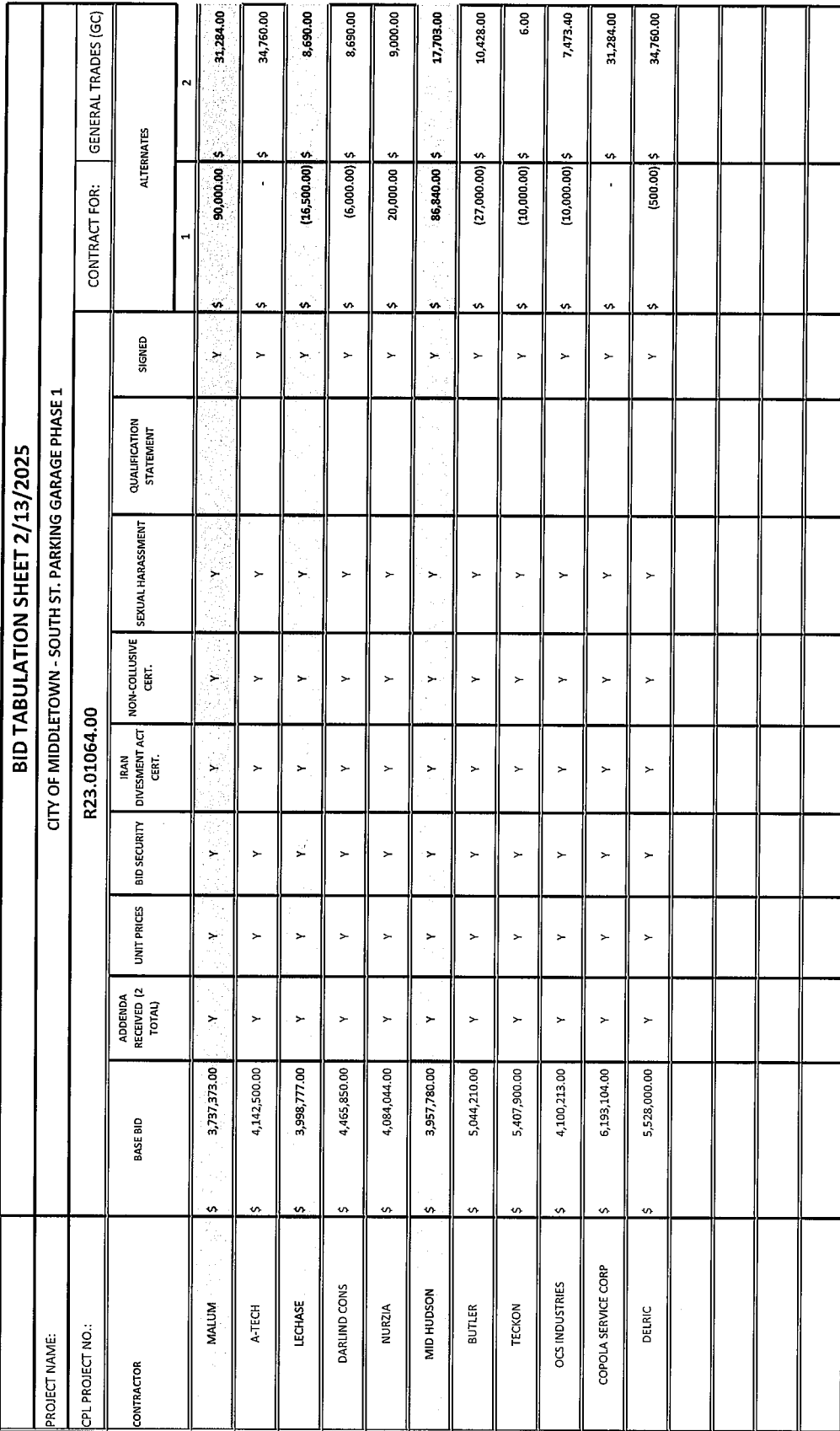
NOW THEREFORE BE IT FURTHER RESOLVED, that the Plumbing Construction contract is awarded to Aero Plumbing & Heating Co, Inc. of Great Meadows, NJ, for the total amount of **\$198,694.00**.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Middletown hereby authorizes the City Treasurer to arrange project funding through long-term bonding; and authorizes the necessary payments for specialty inspections and utility relocation as required.

Prepared by:
Jacob Tawil

Attachments:

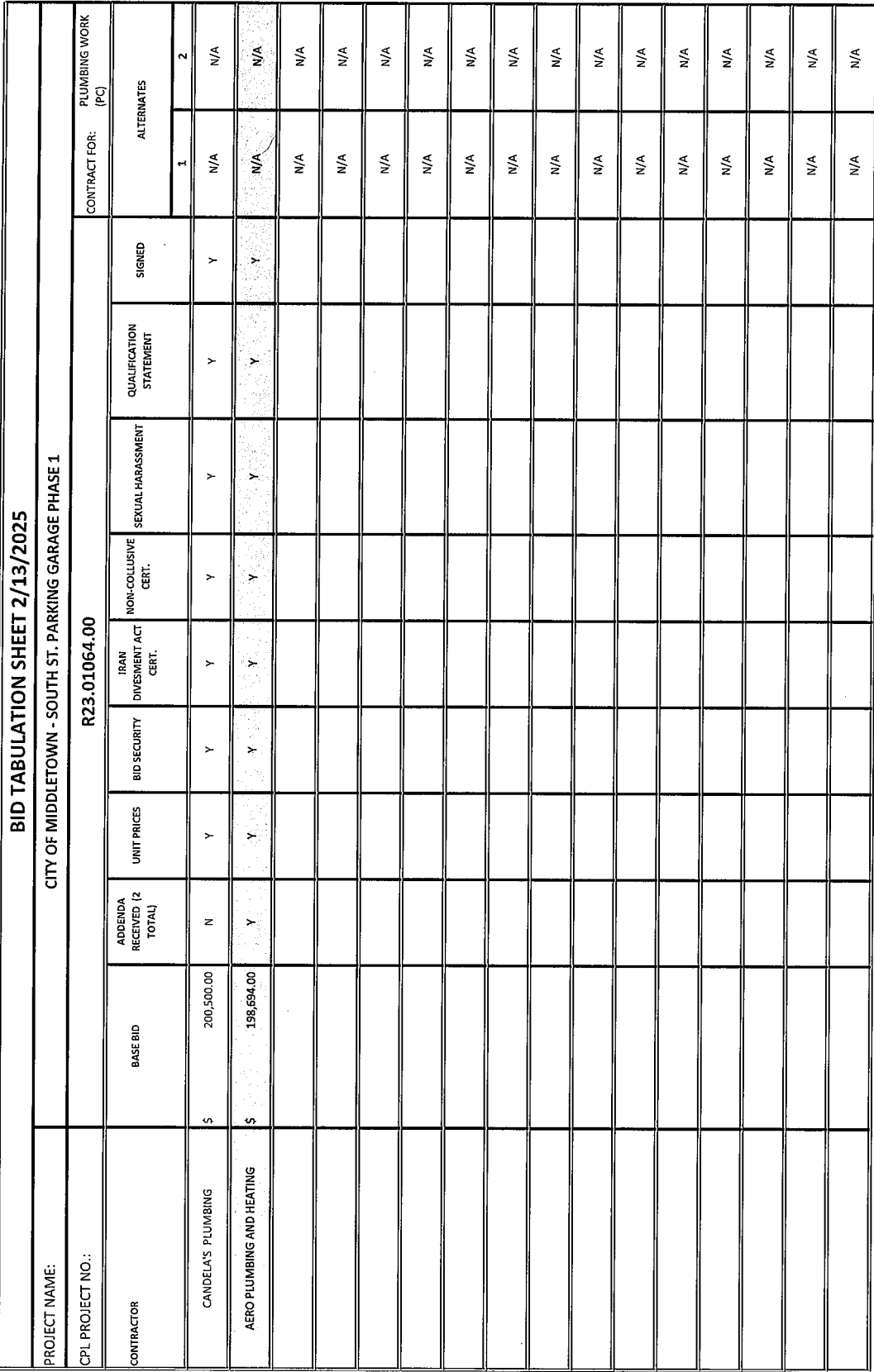
1.	Bid Tabulation Sheet - Middletown C SouthStPG
2.	EC - Recommendation of Award 2025.03.31
3.	GC - Recommendation of Award 2025.03.31
4.	MC - Recommendation of Award 2025.03.31
5.	Middletown PG-Project Cost Summary 2025.03.31
6.	PC - Recommendation of Award 2025.03.31

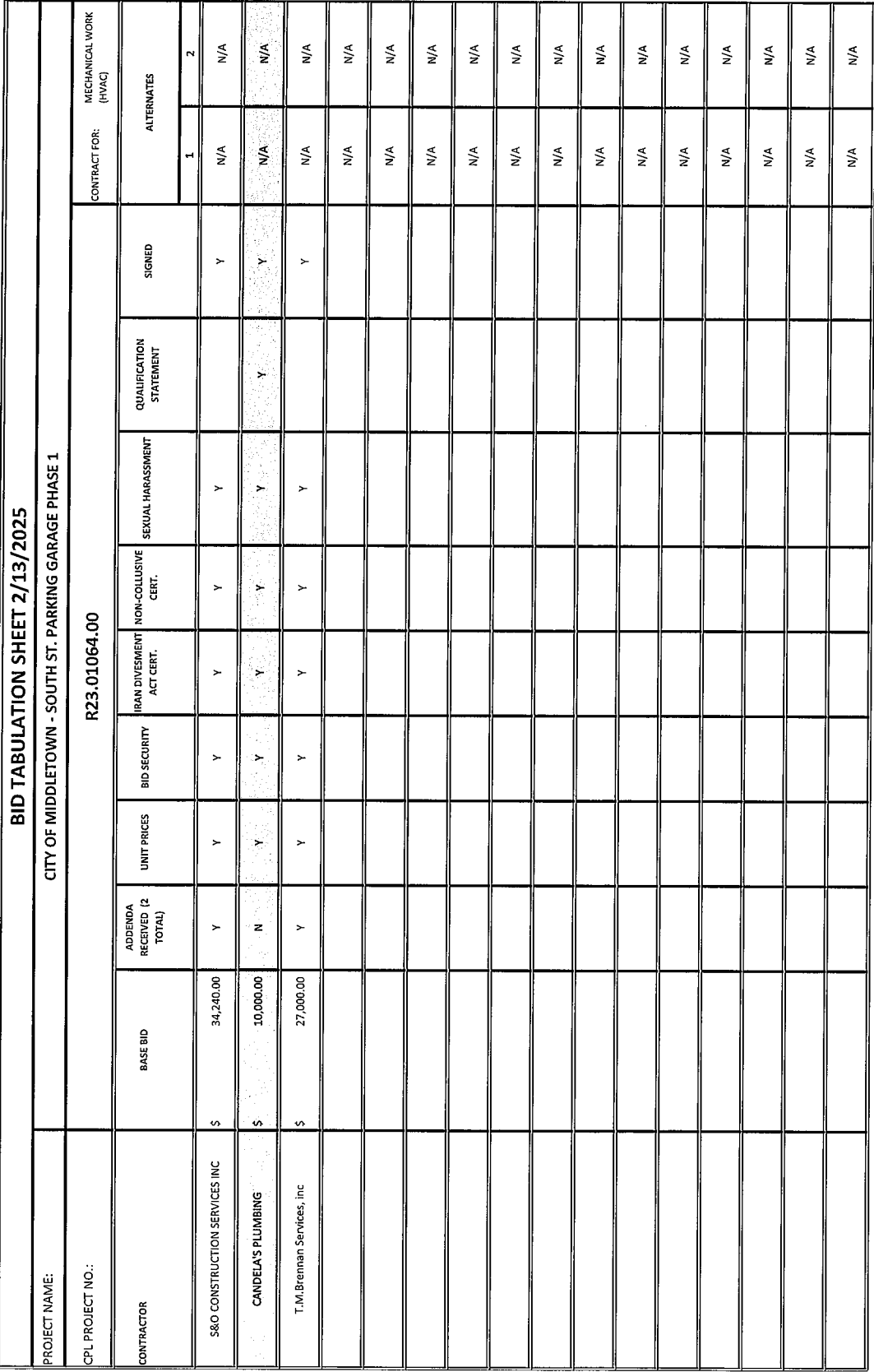


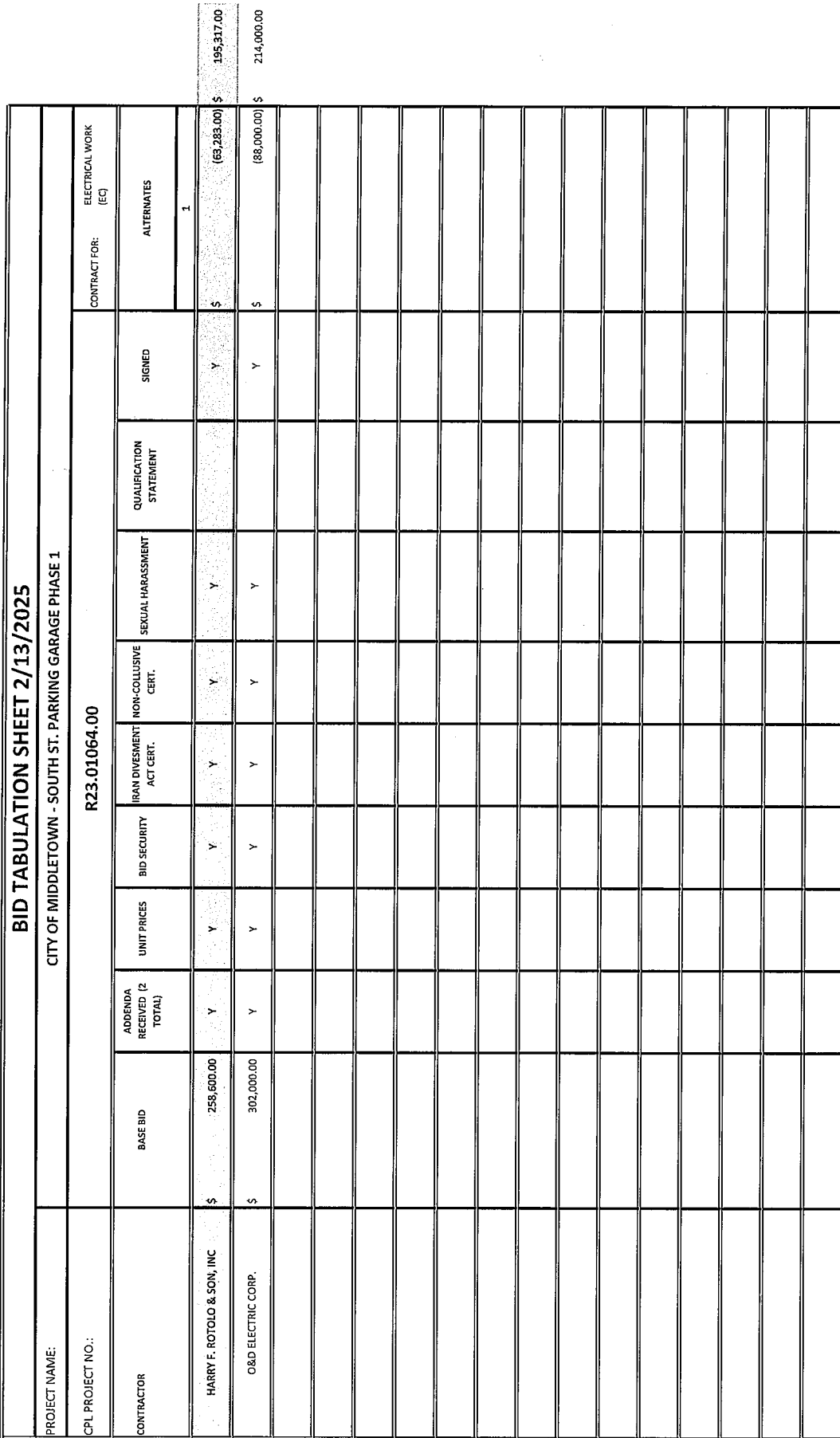
Base Bid + Alternate 1	Bid Base + Alternate 2	Bid Base + Alternates 1 and 2
\$ 3,827,373.00 \$	3,768,657.00 \$	3,858,657.00

\$ 3,982,277.00 \$	4,007,467.00 \$	3,990,967.00
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\$ 4,044,620.00 \$	3,975,483.00 \$	4,062,323.00
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PROJECT NAME:			
CPL PROJECT NO.:			
CONTRACTOR (GC)	BASE BID	ADDENDA RECEIVED (2 TOTAL)	UNIT PRICES
MALUM	\$ 3,737,373.00	Y	Y
CONTRACTOR (PC)	BASE BID	ADDENDA RECEIVED (2 TOTAL)	UNIT PRICES
AERO PLUMBING AND HEATING	\$ 198,694.00	Y	Y
CONTRACTOR (HVAC)	BASE BID	ADDENDA RECEIVED (2 TOTAL)	UNIT PRICES
CANDELA'S PLUMBING	\$ 10,000.00	N	Y
CONTRACTOR (EC)	BASE BID	ADDENDA RECEIVED (2 TOTAL)	UNIT PRICES
HARRY F. ROTOLO & SON, INC	\$ 258,600.00	Y	Y
TOTAL BID		\$ 4,204,667.00	

TOTAL BID + GC ALTERNATE 1 \$ 4,294,667.00

TOTAL BID + GC ALTERNATE 2 \$ 4,235,951.00

TOTAL BID + GC ALTERNATE 1,2 \$ 4,325,951.00

TOTAL BID + GC AND EC ALTERNATES \$ 4,262,668.00

BID TABULATION SHEET 2/13/2025**CITY OF MIDDLETOWN - SOUTH ST. PARKING GARAGE PHASE 1****R23.01064.00**

BID SECURITY	IRAN DIVESMENT ACT CERT.	NON-COLLUSIVE CERT.	SEXUAL HARASSMENT	QUALIFICATION STATEMENT	SIGNED
Y	Y	Y	Y		Y
BID SECURITY	IRAN DIVESMENT ACT CERT.	NON-COLLUSIVE CERT.	SEXUAL HARASSMENT	QUALIFICATION STATEMENT	SIGNED
Y	Y	Y	Y	Y	Y
BID SECURITY	IRAN DIVESMENT ACT CERT.	NON-COLLUSIVE CERT.	SEXUAL HARASSMENT	QUALIFICATION STATEMENT	SIGNED
Y	Y	Y	Y	Y	Y
BID SECURITY	IRAN DIVESMENT ACT CERT.	NON-COLLUSIVE CERT.	SEXUAL HARASSMENT	QUALIFICATION STATEMENT	SIGNED
Y	Y	Y	Y		Y

CONTRACT FOR:	GENERAL TRADES (GC)
ALTERNATES	
1 Pre cast Washes in lieu of cast-in-place	2 Anti- Graffiti Paint
\$ 90,000.00	\$ 31,284.00
ALTERNATES	
n/a	n/a
ALTERNATES	
n/a	n/a
ALTERNATES	
1 - Remove Security Camera System From Scope	
\$ (63,283.00)	

BB + Alternate 1

BB + Alternate 2

\$ 3,827,373.00 \$ 3,768,657.00

BB + Alternate 1,2

\$ 3,858,657.00



March 31, 2025

Mr. Jacob S. Tawil, P.E., Commissioner of Public Works
City of Middletown
16 James St.
Middletown, NY 10940

**Re: South Street Parking Garage
Recommendation of Contract Award for Electrical Construction (EC)**

Dear Mr. Tawil:

We have reviewed the Electrical Construction (EC) bid packages for the above-referenced project submitted on February 13, 2025. There were two (2) bids received, with the base bid amounts ranging from \$258,600.00 to \$302,000.00. You were previously provided with a tabulation of all bids.

Harry F. Rotolo & Son, Inc. (Rotolo) of Middletown, NY submitted the low base bid of \$258,600.00. Their deduct-alternate bid pricing for Item No. EC-A1 Remove Security Camera System from Scope was \$63,283.00.

Rotolo's bid was complete including acknowledgement of Addenda Nos. 1 & 2, Bid Security, and all required documents were filled out correctly (signed and notarized where required). We confirmed that Rotolo understands the scope of work and is comfortable with their bid.

We have also confirmed from the New York State Office of General Services website that as of March 28, 2025, Rotolo has not been debarred from award of a future State contract or been found non-responsible by a State agency or authority, in accordance with New York State Executive Order 192.

Based on the above, and your indication that the City does not wish to accept Alternate No. EC-A1, we recommend that the Electrical Construction (EC) contract be awarded to Harry F. Rotolo & Son, Inc., for the base bid amount of \$258,600.00.

Please contact us if you have any questions or need additional information.

Very truly yours,
CPL

David A. Chase, PE, LEED AP
Principal



March 31, 2025

Mr. Jacob S. Tawil, P.E., Commissioner of Public Works
City of Middletown
16 James St.
Middletown, NY 10940

**Re: South Street Parking Garage
Recommendation of Contract Award for General Construction (GC)**

Dear Mr. Tawil:

We have reviewed the General Construction (GC) bid packages for the above-referenced project submitted on February 13, 2025. There were eleven (11) bids received, with the base bid amounts ranging from \$3,737,373.00 to \$6,193,104.00. You were previously provided with a tabulation of all bids.

Malum Enterprises, LLC (Malum) of Monroe, NY submitted the low base bid of \$3,737,373.00. Their add-alternate bid pricing for Item No. GC-A1 Precast Washes was \$90,000.00 and for Item No. GC-A2 Anti-Graffiti Paint was \$31,284.00.

Malum's bid was complete including acknowledgement of Addenda Nos. 1 & 2, Bid Security, and all required documents were filled out correctly (signed and notarized where required). We confirmed that Malum understands the scope of work and is comfortable with their bid.

We have also confirmed from the New York State Office of General Services website that as of March 28, 2025, Malum has not been debarred from award of a future State contract or been found non-responsible by a State agency or authority, in accordance with New York State Executive Order 192.

Based on the above, and your indication that the City wishes to accept Alternate No. GC-A2 Anti-Graffiti Paint but not GC-A1 Precast Washes, we recommend that the General Construction (GC) contract be awarded to Malum Enterprises, LLC, including the Base Bid and Alternate No. GC-A2, for the amount of \$3,768,657.00.

Please contact us if you have any questions or need additional information.

Very truly yours,
CPL

David A. Chase, PE, LEED AP
Principal



March 31, 2025

Mr. Jacob S. Tawil, P.E., Commissioner of Public Works
City of Middletown
16 James St.
Middletown, NY 10940

**Re: South Street Parking Garage
Recommendation of Contract Award for Mechanical (HVAC) Construction (MC)**

Dear Mr. Tawil:

We have reviewed the Mechanical (HVAC) Construction (MC) bid packages for the above-referenced project submitted on February 13, 2025. There were three (3) bids received, with the base bid amounts ranging from \$10,000.00 to \$34,240.00. You were previously provided with a tabulation of all bids.

Candela's Plumbing (Candela) of Circleville, NY submitted the low base bid of \$10,000.00. There were no alternate bid items for this contract.

Candela's bid was complete including acknowledgement of Addenda Nos. 1 & 2, Bid Security, and all required documents were filled out correctly (signed and notarized where required). We confirmed that Candela understands the scope of work and is comfortable with their bid.

We have also confirmed from the New York State Office of General Services website that as of March 28, 2025, Candela has not been debarred from award of a future State contract or been found non-responsible by a State agency or authority, in accordance with New York State Executive Order 192.

Based on the above, we recommend that the Mechanical Construction (MC) contract be awarded to Candela's Plumbing for the base bid amount of \$10,000.00.

Please contact us if you have any questions or need additional information.

Very truly yours,
CPL

David A. Chase, PE, LEED AP
Principal

City of Middletown South Street Parking Garage Phase 1

3/31/2025

Project Cost Summary

ITEM	ITEM DESCRIPTION	TOTAL
1	Engineering (CPL) ¹	\$212,200
2	Extended Construction Administration Services (CPL) ²	\$92,000
3	Construction ³	\$4,235,951
	<u>Contract</u> <u>Amount</u>	
	General Construction (GC)	\$3,768,657
	Electrical Construction (EC)	\$258,600
	Mechanical Construction (MC)	\$10,000
	Plumbing Construction (PC)	\$198,694
4	Special Inspections (Budget Estimate - to be Contracted by City with testing agency)	\$50,000
5	Orange & Rockland electrical relocations	\$126,567
SUBTOTAL		\$4,716,718
6	Additional Contingency ⁴	2%
PROJECT TOTAL		\$4,811,052

Notes:

¹ Engineering includes Design, Bidding, Basic Construction Administration, Survey, & Geotech.

² Extended Construction Administration Services includes additional onsite representation, billed hourly plus expenses.

³ Construction cost includes \$147,000 total contingency allowances amongst the four prime contracts.

⁴ Additional Contingency above that included in Construction bids.



March 31, 2025

Mr. Jacob S. Tawil, P.E., Commissioner of Public Works
City of Middletown
16 James St.
Middletown, NY 10940

**Re: South Street Parking Garage
Recommendation of Contract Award for Plumbing Construction (PC)**

Dear Mr. Tawil:

We have reviewed the Plumbing Construction (PC) bid packages for the above-referenced project submitted on February 13, 2025. There were two (2) bids received, with the base bid amounts ranging from \$198,694.00 to \$200,500.00. You were previously provided with a tabulation of all bids.

AERO Plumbing and Heating Co., Inc. (AERO) of Great Meadows, NJ submitted the low base bid of \$198,694.00. There were no alternate bid items for this contract.

AERO's bid was complete including acknowledgement of Addenda Nos. 1 & 2, Bid Security, and all required documents were filled out correctly (signed and notarized where required). We confirmed that AERO understands the scope of work and is comfortable with their bid.

We have also confirmed from the New York State Office of General Services website that as of March 28, 2025, AERO has not been debarred from award of a future State contract or been found non-responsible by a State agency or authority, in accordance with New York State Executive Order 192.

Based on the above, we recommend that the Plumbing Construction (PC) contract be awarded to AERO Plumbing and Heating Co., Inc. for the base bid amount of \$198,694.00.

Please contact us if you have any questions or need additional information.

Very truly yours,
CPL

David A. Chase, PE, LEED AP
Principal



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

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: May 6, 2025
Index No:

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

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Accept the Minutes of April 15, 2025

Accept the Minutes of April 15, 2025

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	04.15.25 CC Minutes
----	---------------------



COMMON COUNCIL MEETING
CITY OF MIDDLETOWN

April 15, 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

ALSO PRESENT:

Richard McCormack, City Clerk

Joseph M. DeStefano, Mayor

PRESIDENT J. MIGUEL RODRIGUES: Roll?

CLERK RICHARD MCCORMACK: Alderman

Tobin?

ALDERMAN SPARROW TOBIN: Here.

CLERK RICHARD MCCORMACK: Alderman

Jean-Francois? Alderman Johnson?

ALDERMAN PAUL JOHNSON: Here.

CLERK RICHARD MCCORMACK: Alderwoman

Wray?

ALDERWOMAN KATE WRAY: Here.

CLERK RICHARD MCCORMACK: Alderman

Kleiner?

ALDERMAN GERALD KLEINER: Here.

CLERK RICHARD MCCORMACK: Alderman

Green?

ALDERMAN ANDREW GREEN: Here.

CLERK RICHARD MCCORMACK: Alderman

Witt?

ALDERMAN KEVIN WITT: Here.

CLERK RICHARD MCCORMACK: Alderman

Masi?

ALDERMAN JOSEPH MASI: Here.

CLERK RICHARD MCCORMACK: President

Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Here.

CLERK RICHARD MCCORMACK: Quorum is present.

PRESIDENT J. MIGUEL RODRIGUES:
Approval of minutes?

CLERK RICHARD MCCORMACK: We have the minutes of March 18, 2025 please.

ALDERMAN JOSEPH MASI: So move.

PRESIDENT J. MIGUEL RODRIGUES: Motion by Alderman Masi.

ALDERMAN KEVIN WITT: Second.

PRESIDENT J. MIGUEL RODRIGUES:
Alderman Witt. All in favor?

ALL: Aye.

PRESIDENT J. MIGUEL RODRIGUES: Aye.
Correspondence?

CLERK RICHARD MCCORMACK: We have a 30-day standard application for a liquor license from Resto Pa'm, 107 Academy Avenue, Middletown, New York.

PRESIDENT J. MIGUEL RODRIGUES: Over to the police department. All right. For the good of the city, anyone who would like to address the council please state forward. Do we have anybody signed up?

CLERK RICHARD MCCORMACK: Ms. Depew.

SUSAN DEPEW: Good evening, council.

My name is Susan Depew. Can you hear me?

PRESIDENT J. MIGUEL RODRIGUES: A
little bit down. There you go.

SUSAN DEPEW: My name is Susan Depew.
I live at 57 Prospect Street. As most of you can
remember from other years, every spring we get
together as a city and we clean up the litter
that other people have left. Hopefully this year
we'll have less litter to clean up, but I'm
inviting each and every person who lives in the
city, who visits the city, who's part of the city
in any way; students, teachers, parents, anybody
who would like to spend a few hours helping us
improve our city physically.

Middletown as become a very beautifully
transformed desirable community. All you need to
do is drive down any one of the streets that has
been enhanced by Middletown's positive movements
and you will see a city that's better than it was
a decade ago. For those of you who have moved
here, this is a wonderful city to grow up in, to
learn from, and to have your family become happy,
happier.

Anyway, in the meantime, the main

thoroughfare North Street has become the center of activity that is beautiful and desirable, and there are more things that you can find on North Street. I grew up in Middletown and it reminds me a lot of the Middletown that I had when I was a kid walking down the street. It is a safe place.

The community has not only enhanced its appeal physically, but it's enhanced its schools and the ability to enjoy things beyond the schools and your home. So we are asking everybody who can spend a few hours, one, two, three, or more hours. Join us at our new park. It is -- what's the name of our new park?

CLERK RICHARD MCCORMACK: Erie Way.

SUSAN DEPEW: Erie Way Park. Sorry. And we will don you with a new shirt. I understand we have a new color this year and you will have a new shirt and you'll be given grabbers and garbage bags and things that will help you pick things up without hurting yourself.

So please join us from 9 to 12 on Saturday the 26th and we will be very happy to have you. And I hope you enjoy the day and meet some of your neighbors again. Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Thank you. Is that it?

CLERK RICHARD MCCORMACK: Mr. Gomez. Did you -- oh, I'm sorry. I misread. We're good. That's it.

PRESIDENT J. MIGUEL RODRIGUES: All right. Remarks of the mayor?

MAYOR JOSEPH DESTEFANO: Good evening. And that was not a paid commercial by Sue Depew. That was unsolicited, but we thank you for your kind remarks. And Sue has been around for a while, has been a fantastic business person in our community, and she knows progress when she sees it.

And she knows how to get people organized, and she certainly is doing a good job in that. We have a slide up about the -- coming up on the April 26th date.

But for now we're doing the -- talking about the City of Middletown Water Department. It is flushing water mains during the day right now from March 31st through May 2nd. We will -- the flushing will start and has started in the Second Ward on the 31st of March, will continue through and end on May 2nd in the Fourth Ward, of

course weather permitting.

Some night flushing may occur in certain locations and water may be discolored due to the flushing. We've been harping on this on our social media. At our meetings we're trying to make sure that people are aware of what's going on because we do not want you to wash your white clothes when we're flushing because it could cause discoloration.

So please check our website. Sign up for the civic alert and you certainly will become more aware of what's happening not only regarding the City of Middletown water flushing, but all city issues.

We're also beginning -- began on April 7th the City of Middletown collection of yard waste. And the yard waste is -- will begin on Monday or did begin on Monday, April 7th. Yard waste should be set out on Sunday evenings. And keep in mind it may not and probably will not be picked up on Monday.

So just leave it out. Unlike garbage, you leave it out until it is picked up. The DPW does their best to get around to all the -- each ward, but it -- you need to leave it out until it

does get picked up.

Also, if you want to, you can bring it to the -- and this is available for Middletown residents only, to the yard waste and recyclable center on Monhagen Avenue, which is open from 7 a.m. to 3 p.m.

We're also going to be hosting the electronics drop off on May 24th on Saturday at 76 Monhagen Avenue, which is a DPW garage. It's a limit of five devices per household. If you have an air conditioning unit, try to get rid of the freon. Have the freon removed before that because there will be a fee for the freon. Otherwise the items are at no charge.

But keep in mind that this is Middletown residents only. We ask people not to take in their surrounding neighborhoods' or surrounding communities' electronic devices. This cost the city to dispose of these items.

And one complaint that I have received from a few people is why Memorial Day weekend. And we have to do this when the company is available to accept our goods here. So we'll do our best next year not to do it on Memorial Day weekend, but really it's based on availability of

the vendor.

Yesterday we had a great announcement. Along with Congressman Ryan, Senator James Skoufis, Assemblywoman Kay we were joined by representatives of Middletown Housing Authority. And the Middletown Housing Authority Board represented by Debbie Mills and the chairperson -- who was chairperson and the Executive Director Toni Keys.

A lot of the aldermen were there. A lot of neighbors were there. As you can see in the picture, we did have a large group of people that -- in the photo, but there was just as large of a group there that was supporting what we were proposing.

And this is a great project for the city. As you know, affordable housing is probably the number one issue in our community. And you know, we are talking about good cause and ways to approach good cause. But good cause is how to possibly keep housing more affordable. It's not really affordable. It deals with increases going forward.

But the only way to create more affordable housing is to build inventory. And we

had this opportunity with RUPCO and partnership with the Middletown Housing Authority and the developer Edgemere Development to add 100 units to the Middletown Housing Authority inventory. This is key for our community. The City's participation will have to be in the form of a payment in lieu of taxes.

The agreement will mirror what the housing authority pays now. As you know, there are some taxes that are paid, but it's at a much more smaller number than an average apartment house would be. So that's called the Pilot.

The other portion of the City participation is the donation of 1.1 acres of property that is contiguous to the Housing Authority property on Sweezy Avenue. This property was acquired by the City about 20 years ago for about \$5,000 so there's no significant burden on the City.

But is an important use of the property. We -- you know, what better use than to include it into this project? They then will use this property for the community garden that they received a \$50,000 grant from, Senator Skoufis' office, and they will -- additional

recreational possibilities on this nice piece of property.

But also they then will open up the back of the property for the construction of 50 units at Summit Field and also an additional 50 unit at David Moore Heights. This is not a direct city project. This is a Middletown Housing Authority project with city participation, and I want to make that clear.

Because you're going to hear the next number is \$50 million. So this project will be financed through the tax-exempt bonds issued by New York State, tax credit financing similar to what we're doing with the ONW. But rather than historic tax credits, it's affordable housing or low-income housing tax credits.

The New York Housing Finance Agency will be issuing low-interest loans to the developer, and that's what makes the project work. If you do the math, \$50 million on 100 units you think is 500,000 a unit. But that's a little bit misleading because the 199 units that are existing in the Middletown Housing Authority inventory between Summit Field and David Moore Heights will all be totally renovated.

And that was really exciting to the existing tenants at the facility. And so this is a total of \$50 million this project, and we look forward to moving forward with the Middletown Housing Authority. I expect that we will have a resolution in the next -- probably the next month or two or next meeting that will be prepared and presented to you, both the payment in lieu of taxes and the transfer of the property. Mr. Masi?

ALDERMAN JOSEPH MASI: Mr. Mayor, I hate to interrupt you, but I just got a text from County Legislator 154 who is putting out there that this is nothing more than a political stunt, and that it's not going to help anyone whatsoever. Could you answer that please?

MAYOR JOSEPH DESTEFANO: Well, it's a stupid comment.

ALDERMAN JOSEPH MASI: Well, I agree.

MAYOR JOSEPH DESTEFANO: I think you're referring to Mr. Sierra.

ALDERMAN JOSEPH MASI: Mr. Sierra is -- goes to 154 meetings.

MAYOR JOSEPH DESTEFANO: It's difficult to politicize meetings, but we have been working

with the housing authority. When you insult people with that kind of comment sending -- and he sent it directly to you?

ALDERMAN JOSEPH MASI: No, it's on his page.

MAYOR JOSEPH DESTEFANO: It's always on his page.

ALDERMAN JOSEPH MASI: Someone copied it.

MAYOR JOSEPH DESTEFANO: It's unfortunate that he would make that kind of comment. These are -- people like him probably made the same comment when the 199 units were constructed back in the late 50s and in the 60s.

ALDERMAN JOSEPH MASI: He's claiming you just want the black and brown vote and that's the only reason you're involved in this.

MAYOR JOSEPH DESTEFANO: Of course. Well, I'll let Mr. Sierra answer to the people at the Middletown Housing Authority and continue with my discussion on the people that are in this photo: the Congressman's Office, the State Senator's Office, the Assemblywoman's Office. More importantly than the elected officials that were there are the tenants.

Sheila Dunlop, the tenants' representative, the number of tenants that were there yesterday, it's an insult to General McLeod, who has been almost a 50-year member, volunteer member of the Middletown Housing Authority; Greg Cortez, I believe a 35-year volunteer member of the Middletown Housing Authority. And this is work that they have done. They have put together these projects, these proposals, and we're playing a role in this as a city.

And of course myself, I've had meeting with Debbie Mills the chairperson of the board of directors. And I think it's insulting to not only them, but it's insulting to the people that are in this community. Because we are one of the few communities that do address the needs of affordable housing and we're not just words.

We're looking at projects such as the -- this, the existing Middletown Housing Authority with David Moore, Summit Field, and now this expansion. We look at Tall Oaks. We look at the old College Hill Apartments. We look at the Mill Project on Mill Street. All of these projects lead us to be probably the leader in

affordable housing in our -- in the Hudson Valley, especially when you consider per capita.

So it's not only insulting, it's stupid. And stupid can be stupid all he wants. But we're going to move ahead with this project. It's a \$50 million investment in people in our community. It's 100 new units. It's 199 renovated units. And I'm glad to know that if he was successful in this race in June, does that mean he would kill this project?

ALDERMAN JOSEPH MASI: (Indiscernible).

MAYOR JOSEPH DESTEFANO: Because this project is moving forward with or without Mr. Sierra. And -- but again, they're insulting comments and I will move on from it now.

ALDERMAN JOSEPH MASI: Thank you.

MAYOR JOSEPH DESTEFANO: So thank you for --

ALDERMAN PAUL JOHNSON: Mr. President, just a couple of questions.

PRESIDENT J. MIGUEL RODRIGUES: Sure.

ALDERMAN PAUL JOHNSON: With respect to that sidebar, it's ironic that as you were clarifying that it's a Middletown Housing Authority project we're getting this comment.

But I'm not sure it even is worthy of remark, but nonetheless, with respect to taxes and the pilot --

MAYOR JOSEPH DESTEFANO: Yes.

ALDERMAN PAUL JOHNSON: -- these properties, do they pay full-level taxes, or how does it work?

MAYOR JOSEPH DESTEFANO: No. No, they do not pay full-level. They average much less than a normal apartment development. That is the advantage -- one of the advantages to a developer coming in and making this \$50 million investment. So there is a -- it's not a direct cost, but there's an indirect cost to the community.

And that's why the State will issue tax-exempt bonds. That's why the City of Middletown as a pro-housing community, which is a designation that you have to apply for, you've got to prove your commitment to providing not only affordable housing but additional housing in general.

It's a cumbersome process application that was started by Governor Hochul about a year or two ago. And we did receive that designation based on our actions, based on projects that I

have mentioned before like the Mill Street project --

ALDERMAN PAUL JOHNSON: And long ago was that, Your Honor?

MAYOR JOSEPH DESTEFANO: This was within the last year or two --

ALDERMAN PAUL JOHNSON: Mm-hmm.

MAYOR JOSEPH DESTEFANO: -- of this designation. This project here will also allow us to maintain that designation, and the designation of a pro-housing community opens the door in scoring for additional state grants.

So for example, if a DRI competition, which is now by the way reopened to communities like Middletown that were previous winners, next year when we apply for the DRI grant, once again, the Downtown Revitalization Grant, the \$10 million, I guess that wasn't real either.

When we reapplied for that grant, this designation of being a pro-housing community will elevate us on the scoring chart compared to other communities who are applying that don't have that designation. It's very significant. It's not just words. It's an important title to -- designation to have from the State of New York.

And Maria Bruni's office did work on this with my office and we did receive a designation. This will move forward. But we're not only doing it for the designation. We're doing it because the designation will help us as we move forward, but we're doing it because we care about the 199 people, families, that are living at David Moore Heights and Summit Field. And we also care about providing some affordable housing, true affordable housing, for the 100 families that will be moving into these one- and two-bedroom apartments. So the opposition can cry and scream and --

ALDERMAN PAUL JOHNSON: Well, whatever.

MAYOR JOSEPH DESTEFANO: -- do everything they want. It's -- as I said, you can't beat stupid. You can only tell people really what's going on. I'm sure the people that are involved in the project will have a response to this at some point that it is real. It's not imaginary. It's not made up. And I think it's insulting to black and brown community to make a comment like that.

MAN 1: Mr. Mayor, isn't it --

ALDERMAN JOSEPH MASI: Here's another

--

MAN 1: -- isn't it another IDA pilot?

MAYOR JOSEPH DESTEFANO: No, this -- IDA's have pilots, but they're not structured on -- this is not an IDA pilot. This will be -- IDA may be ultimately the mechanism we use, but there's no IDA financing. This is strictly private financing, state financing, tax-exempt bonds, not city commitment. And there's no city money involved in this whatsoever other than a benefit of being -- have a payment in lieu of taxes that will be a reduced amount.

MAN 1: Thank you.

ALDERMAN PAUL JOHNSON: Do you have any knowledge of the details of the pilot or are you not privy to that?

MAYOR JOSEPH DESTEFANO: I don't have it off the top of my head, but --

ALDERMAN PAUL JOHNSON: Okay.

MAYOR JOSEPH DESTEFANO: -- it's similar to what we have in place now. That has been the request that has been forwarded to me. I did have a brief conversation today with one of the people involved in the project and asked them to forward to us their pilot request.

ALDERMAN PAUL JOHNSON: I see.

MAYOR JOSEPH DESTEFANO: And -- but my understanding is it's going to be similar to what is in place right now. The City has voted on this several times because they are renewable after -- when they refinance. I think it was maybe 17 years ago or 18 years ago that they did a renovation of some of the units so they required -- if -- maybe not everyone's familiar with it, but originally the housing authority was strictly a city -- an agency of the city where the city was responsible for all deficits in the housing authority.

And that was going back to the way the State financed these projects back in the 50s. The New York City like Mitchell-Lama housing. There were a whole bunch of different housing programs that were created back then. The one that Middletown chose to get into in the 50s had a set subsidy. That's -- I think it was like 160 something thousand dollars a year.

So the first 20 or 30 years of the housing authority they operated in a surplus because they were getting this extra money --

ALDERMAN PAUL JOHNSON: Right.

MAYOR JOSEPH DESTEFANO: -- plus the rents, and they were operating it. And -- but then the project started to go underwater. And you saw a deterioration of the facility because they could not make the investment required on the property and they couldn't pay their bills. And the one bill that they couldn't pay was the water and sewer bill to the City of Middletown for these 200 families.

So the city and the developer worked out a deal with New York State because New York State had to change this model. This model was not working with a frozen subsidy and they allowed investors to come in like Edgemere come in and purchase the properties with a commitment that they would remain -- would be remaining to be affordable housing under New York State housing guidelines.

The affordable housing component had to stay in place, but New York then opened the doors for additional funding, which, as you see in this proposed project, in the Mill project, and even Southeast Towers, I wonder if that's phony too, that all these projects are done with state financing. They are not done because a developer

is putting up their private money and going to charge, you know, 30 percent of somebody's income. That's just not how the real world works.

The -- they're going to, as you can see with private landlords, if you're putting up your money, you're going to maximize your return. These properties are regulated by New York State. So we are not only getting the 100 additional regulated units, but we're going to renovate the 199 that are currently there.

So we -- we're excited about the project. I guess Mr. Sierra's not. But we are. And I think when you see the full picture -- and I want to thank all of you who attended yesterday -- that this is a hot project for the city. And I think many communities should be mirroring what we're doing here and maybe we'll make a dent into affordable housing.

ALDERMAN PAUL JOHNSON: And a couple of others. I just want to be clear. MHA initiated this project or you did?

MAYOR JOSEPH DESTEFANO: No, it's discussions, ongoing discussions. Hey, would the City support this? How do we do that? You know,

going back many, many years, you know, we've had some discussions on how to move ahead --

ALDERMAN PAUL JOHNSON: Right.

MAYOR JOSEPH DESTEFANO: -- on certain types of projects. And we work very closely with Debbie Mills --

ALDERMAN PAUL JOHNSON: Mm-hmm.

MAYOR JOSEPH DESTEFANO: -- again, a volunteer on the board who's the chairman of the board or chairperson of the board, and other members of the board, and Toni Keys, their executive director. These are -- they begin as discussions.

You then talk to your state representatives. You talk to your congressmen to see if there's any federal opportunities out there. You go to Washington. You go to Albany. You talk to Assemblywoman Paula Kay and say, hey, is this a doable thing? Is this a real thing?

You put the packages together with the -- all the work or 90 percent of the work is done by the housing authority. And that's why the comment is so insulting.

ALDERMAN PAUL JOHNSON: Right.

MAYOR JOSEPH DESTEFANO: It's done by

them. Advice to us in the city. We do what we can. And as you say, we're playing a role that is integral to the viability of the project with the payment in lieu of taxes. If we don't approve of the payment in lieu of taxes, I doubt very much that this project will go forward.

ALDERMAN PAUL JOHNSON: Right.

MAYOR JOSEPH DESTEFANO: So that's our role. Our role is not to kill it. But as for the leg work and all of the hard work, that is the Middletown Housing Authority, their executive director, their staff, RUPCO, who has a great reputation, and Ulster County for doing these types of projects. Edgemere, the developer who has done a fantastic job from what I've seen.

And the feedback that I'm getting from tenants at both facilities, especially tenants who have been there long term, are saying how much better the facility is run. The improvements that are made, the maintenance that is done, the daily maintenance, the long-term maintenance.

So all of these things play a -- now, if they came in and said this place was not being run adequately, we would say, hey, before we

would sign onto something, we would want to look at the possibility of changing the principals. Because giving you money is not going to just solve the problem. So they have a good track record. I know I've walked and knocked on doors there as you and Kate have --

ALDERMAN PAUL JOHNSON: Mm-hmm.

MAYOR JOSEPH DESTEFANO: -- in the past and recently and then others. And the feedback from the residents -- and that's who I listen to, the residents, not Mr. Sierra, the residents is that they do a good job. And the feedback yesterday from the tenants was that we're looking forward to this. We have confidence in the Middletown Housing Authority and the job they're doing.

And please, we're thankful that you're doing this. We appreciate it. And it's not only for like -- the one lady I think was in -- probably in her mid-70s --

ALDERMAN PAUL JOHNSON: Mm-hmm.

MAYOR JOSEPH DESTEFANO: -- to late 70s, and she said that I know this isn't for me. This is for other people who were like me maybe 20 years ago that couldn't afford to stay in her

community. Now I can live in my community that I grew up in and see my grandchildren and see others, my friends, without fear of being homeless. And that's what it comes down to.

ALDERMAN PAUL JOHNSON: So we're --

MAYOR JOSEPH DESTEFANO: It's that simple.

ALDERMAN PAUL JOHNSON: So we're more collaborators than initiators of the project.

MAYOR JOSEPH DESTEFANO: We're collaborators. We're partners on a small scale, but we are not the sponsor of the project. We have no financial stake in the project other than the payment in lieu of taxes and the donation of the property and the letters of support that will go in for the project, the pro-housing designation.

All of those things play a role in this project. You don't see the state give out \$50 million or be part of a \$50 million project without all the players being on the same page, and we're on the same page.

ALDERMAN PAUL JOHNSON: All right. Well, I'm glad. I think the person in question will sleep better tonight and probably a

retraction is forthcoming.

MAYOR JOSEPH DESTEFANO: I --

ALDERMAN PAUL JOHNSON: I had one other question.

MAYOR JOSEPH DESTEFANO: Yes.

ALDERMAN PAUL JOHNSON: When they redo the units, you may not know the answer, will the people be living in them, or will they have to be relocated?

MAYOR JOSEPH DESTEFANO: Well, what they've done in the past, they do -- when they get an empty unit, they will relocate somebody in --

ALDERMAN PAUL JOHNSON: Oh, I see.

MAYOR JOSEPH DESTEFANO: -- and they do.

ALDERMAN PAUL JOHNSON: They kind of play hop scotch by moving them.

MAYOR JOSEPH DESTEFANO: They move them around.

ALDERMAN PAUL JOHNSON: Thank you very much for your time.

MAYOR JOSEPH DESTEFANO: With their staff and with their people. It's not -- the burden doesn't go onto the tenant.

ALDERMAN PAUL JOHNSON: Thank you.

MAYOR JOSEPH DESTEFANO: Okay. Next is Tuckerman Hall. This is a good one because this is a -- one of the properties that we have taken over at the Middletown Psychiatric Center. And as you know, the -- we took over I think it was 13 properties. A few will be going out for a request for proposals. We're working with the BOA Committee, which is the grant that -- planning grant that we received from New York State for the development of the campus.

The -- there is now out -- if you look on social media, you have the opportunity to comment what you would like to see, the public would like to see at the community campus. And -- but it's not entirely. This is part of what we as city administration has been proposing to the common council.

This is the largest building of those that were forwarded to the City. It's 279,000 square feet, obviously no municipal use. And we have -- our zoning prohibits residential use. We've had plenty of residential inquiries for the property, as Paul and Kate surely know and Miguel being a neighbor up there also.

But the City many years ago changed the zoning to focus on arts education, which is basically our plan and light industrial uses that will not have a negative impact on the community. So if you recall -- now that we own the building, if you recall going back maybe 15 years or so, we're the -- there was a property -- I can't remember the building but Jerry will, the one that burnt down in the middle. What was that called?

ALDERMAN GERALD KLEINER: It was Pavilion 2.

MAYOR JOSEPH DESTEFANO: Pavilion 2. And that privately owned property owned by a shell company, not by the State of New York, owned by a company with no assets other than that building cost the city over \$1 million to tear down after we burnt -- after it burnt down.

But -- and that's what we're trying to hope -- we hope doesn't happen at these facilities. But for example, Tuckerman, just about a week ago, had a fire inside started by some people camping in there. I believe it was homeless people living in the -- although the shelter's right down the street, they decided to

go into the Tuckerman Building, start a fire. And to keep warm, understandable, but not inside a building such as that.

Building did catch on fire. Fire department made a quick stop. But you can see the potential for real problems. So we've had great success with Fei Tien College and transferring these types of buildings to them. So Tuckerman is being proposed to be transferred to them with development goals. If they don't meet the development goals, which I believe are over a period of four to five years, they would then have to pay us \$150,001.

If they meet the development goals, which would mean similar to what they did at 84 Dorothea Dix, and Dorothea Dix was in better condition than Tuckerman is, they would then get the property for \$1. But that would mean that they would have to put in probably upwards of \$20 million into this building.

It's, as I said, 279,000 square feet. Has a -- some environmental issues. Has a lot of problems with the building. So this -- we're restricting it to educational use and other uses related to the college. The college plan is to

have 2,000 students within five years.

And we have a pretty good track record of dealing with Fei Tien College, which will soon be Northern College by the way. They are separating from the campus in Deer Park. Deer Park is going to remain focused on the fine arts. Northern College will not only have a fine arts component, but is now offering degrees in biomedical science, big data, and a whole host of other degrees.

So we're projected to have 2,000 students within five years, so this building will be a necessity. I encourage anyone who doubts the capability of Fei Tien College to bring about this project to go to the campus, go to Woodman Hall, which is a 79,000-square-foot building. All this was done by private -- with Woodman Hall, their money, their time. They bought the building privately, and see what has been done in that building and the transformation.

That campus is changing and it's changing for the better. We will get some critics who will -- of course I'm sure you might get another text who will say we're doing it for the Old Erie Restaurant because somebody up there

went to the restaurant one day.

But the bottom line is people see what's happening in our community. They see not only downtown. They see Dolson Avenue. They see Monhagen Avenue. They Wickham Avenue, the sidewalks, the crosswalks. They see what's happening at the community campus. And it's imperative that we keep moving forward with these types of programs, that you are not going to get -- you can get somebody to come up and build an emergency shelter.

We had Volunteers of America calling us every other week for this building when we first took it -- or not first took it over, but we -- when we first bought the other property on the campus. They wanted to do the -- like a Camp Laguardia style facility.

That's not what we're looking for. We have a homeless shelter there. Middletown does its share in those areas. We're focusing on the education component that we've had a lot of success with, not only with SUNY Orange expansion, Touro Medical, master's degree program at Horton Hospital, the same thing. We had a plan, we stuck to our guns. We focused and we

worked with private developers in order to renovate the former Horton Hospital into what it is today, which is Touro Medical, Touro master's degree programs, PT programs, and a whole host of other things that are going on in that facility.

Same thing here. Woodman Hall at the strip along Ashland Avenue, it's all renovated buildings, private money, no city money whatsoever. This is all private money. I believe they got one grant for \$1.2 million and they've invested probably over 25 to \$30 million into that campus. And you show me one other company or one other group that's going to do that kind of investment and throw another 25 to 30-plus million dollars into Tuckerman Hall.

But on your screen, you'll see the current building. And it's uglier than it is in person than it is in the photo. And then you look at the proposed rendering of what they're doing. And these are -- the work is top notch. The use is something that we should all be proud of as a community.

We've attended -- they had a group from Taiwan last week talking about research and development facilities in association with the

college. These are important things for our community to bring this talent into the community, to bring this talent onto that campus, and to get this private investment.

So it's my recommendation that we do it, that we move ahead. It has job creation. It improves the local economy. It's neighborhood revitalization. If I lived in Brewster Drive area, Pilgrims Estates, or on Monhagen Avenue or West Main Street, I would be very excited about this project because it's bringing a lot of focus onto that campus and a lot of investment onto that campus.

So I hope that you will support the project or the resolution this evening to transfer Tuckerman Hall. Which then brings us to Part 2, the Kleiner Building, which is named after Jerry's -- is it just your dad or your mom and dad? After Jerry's dad.

You've read about and we've been briefed on the Senator Skoufis' efforts to put 10 million into the senate version of the budget. You know, the budget is -- you get three budget proposals: senate, assembly, and governor, and then it's negotiations.

And look at the guy in the blue hat. I just noticed that. You looking up there, Jerry? I didn't put that in there. Somebody else did. But this is the current state of the Kleiner Building. This building is going to cost more than \$10 million to renovate. It is in horrible condition. When the state left it, it was in fantastic condition. But this is the condition that it is today.

We put together a verbal presentation to the senator, followed it up with some other concepts that we would like to see there, the possibility of a multi-cultural community center, intergenerational recreation programs between our seniors and our youth. There's a small theater there, so reactivating small local theater along with other uses that we're still in the discussions with and we will go to town right away on that when and if it happens.

But this will be owned by the city. This will not be owned by Fei Tian College or any other group. This will be a city facility. The grant will be coming to the city and then we will put together the program moving forward in conjunction with yourselves and the community.

We'll do something similar to what we're doing with the BOA grant where we'll seek community input and opportunity for the public to give their feedback.

I'm sure some of the people that are commenting currently on the planning process at the -- online through the --

MAN 2: Survey?

MAYOR JOSEPH DESTEFANO: -- Pathways. Not Pathways, Pattern For Progress who is conducting the survey. It's independent from us. That's independent from the City so it's not us trying to end up with a result. But we have a group of about 20 -- maybe 20 or maybe a little bit more of volunteers from people who have a vested interest in what happens on that campus meeting on a monthly basis doing outreach under the direction of Pattern.

And they're coordinating how this campus will look in the future and what the city should be doing. So this is not an effort by just myself, Maria, her department, or you guys. Paul is on the committee. Superintendent Amy Creeden is on the committee. Maureen Halahan from the Orange County Partnership is on the

committee.

We have residents of the community that are on the committee. Toni Keys from the housing authority across the street is on the committee because it extends over to Monegan on some of those properties over there. So it's exciting times for the community campus between what's happening with the BOA grant and what's happening with the Tuckerman Hall and the Kleiner Building project. So, yes, Jerry.

ALDERMAN GERALD KLEINER: I just wanted to say I spoke to Alderwoman Kay about the project and she said that she put that at the top of the -- her wish list for the assembly budget.

MAYOR JOSEPH DESTEFANO: The assembly budget, yes.

ALDERMAN GERALD KLEINER: So it's -- it is on both, but they haven't gotten to that process yet.

MAYOR JOSEPH DESTEFANO: She has -- yeah. And she has expressed her total support for the project. Both Senator Skoufis and Assemblywoman Kay will be advocating strongly for this thing to happen here.

And I think part of it is the state

might have a little guilt about what they did to that community campus. And if they don't, they should have some guilt. I know the governor wasn't there then and all that, but this goes back to the Pataki days of shutting the facility down. But the sin up there was not doing then what they have been doing for the past seven or eight years, and that's meeting with the local community about the needs and about how we can repurpose these buildings.

And we would not be talking about the amount of money that we're talking about. But we're fighting for it. We've had a lot of success in the grant department. We -- as I said, we advocate very strongly and we do a good job in the grant writing. And we do a good job in the grant receiving too. As you can see over the past several years we have received well over \$70 million in grants that went to O&W, sidewalks, parking lots, façade programs, infrastructure, water tanks, water lines, sewer lines, reservoir watershed area.

All those moneys are heavily financed through grants. The downtown project was about 95 percent financed through state and federal

grants. So we're excited about the opportunity to move forward with that, and my next slide will show you another -- yes.

MAN 2: Just also too, and I may be a little confused on this, but didn't we also buy this building for like \$1?

MAYOR JOSEPH DESTEFANO: Yes. Yes.

MAN 2: Yeah.

MAYOR JOSEPH DESTEFANO: We bought all 13 buildings for \$1. So if we sell one we're even. So -- and I -- so the -- now there are some properties there that have a negative value, and that negative value -- like the power plant, for example. But I can tell you what they've done in other communities.

The New York State Dormitory Authority, who has actual money, has been partnering with like in Albany the former power plant up there in one of the facilities. They've done a great job in funneling money, grant money, which comes then back again to that whole pro-housing community designation that we have.

I'm telling you it's the right path. It's the right development. It's the right type of development, and we're the right team.

Myself, you guys, and the BOA Committee at the psych center property and Pattern for Progress, we have a good team in place to make this all become a reality.

Oh, did I go -- yeah, I finished with Jerry. Is that Miguel giving me the cutoff? Oh, all right.

MAN 3: (Indiscernible).

MAYOR JOSEPH DESTEFANO: Oh, Paul, go ahead.

ALDERMAN PAUL JOHNSON: A couple of things. With respect to the housing project, I don't want to overlook the community garden. That's also part of that project.

MAYOR JOSEPH DESTEFANO: Yes. The community is an important part. That was -- Senator Skoufis had a grant. That did come to us. Someone asked a question before. That grant did come to us. We then reached out to the housing authority and said, listen, this is not our expertise. This is something that you folks are doing at David Moore Heights.

Would there be any interest of you doing it at Summerfield? And they said, well, it's perfect timing because we have been talking

about doing a community garden. Just didn't have the financing. So now they have the financing in place, the \$50,000. The city is partnering them -- with them to do certain work, the preliminary work, the digging, the -- even some of the operational work. The water tanks need to be filled up about three to four times a year. You know, the large water tanks that make it convenient for them to do the watering.

The fire department's agreed to do that. Again, a partnership between DPW, the finance -- I mean, DPW, the fire department, Middletown Housing Authority, and Middletown Economic Development Department. Because these programs come under Maria's umbrella in coordinating this.

And you think it's not a lot of work sometimes, but it is a lot of work. And her and her staff deserve a lot of credit for not only working to bring them about, but also maintaining them and moving them forward. Now, the David Moore Heights project was done many, many years ago through Economic Development Office. It's more self-sustaining.

But now they're asking for a little

help for there too, and I think -- matter of fact, I think I sent an email to all the principals involved today saying, here, here's everybody else's numbers. You people talk to each other. The city's agreed. DPW's agreed. Fire department's agreed. Maria's agreed. We'll do everything we can to help you. Just tell us what needs to be done and when it needs to be done.

ALDERMAN PAUL JOHNSON: Well, I appreciate it. I was on the ground floor of those conversations. I think this is a much better fit than the other locations we looked at.

Two other things. Whitman Hall, as most of you know I had the opportunity to adjunct at the college, and you have to swipe in. It's not open to the public as a building.

But the college kids were -- my "office" is on the fourth floor. The academy kids were on the third floor. And if you walk through that, you would think you're on a SUNY campus. They're really done a beautiful job.

MAYOR JOSEPH DESTEFANO: Yeah.

ALDERMAN PAUL JOHNSON: And lastly, with the BOA, we critiqued the survey at the last

meeting. It's online. I just want to reiterate anybody in the community is welcome to participate. The more feedback we have the better. Thank you.

MAYOR JOSEPH DESTEFANO: Exactly. You don't have to be tied directly into the campus --

ALDERMAN PAUL JOHNSON: Correct.

MAYOR JOSEPH DESTEFANO: -- or a neighbor. Anyone in the Middletown community, or even the greater Middletown community. We're looking for input. We're looking at what people want to see.

ALDERMAN PAUL JOHNSON: Thank you.

MAYOR JOSEPH DESTEFANO: O&W update, it looks like the shoring and abatement part is done or near completion. A lot of the equipment's been removed. The engineers have reported to us yesterday that they will meet the state's deadline of April 30th to have bid documents, and they're scheduled to be advertised by April 30th.

That came from engineers yesterday, and that was the deadline that the state was hoping that we would have. So we're hoping bids will go out on April 30th. That property is a large, large project as you know. So it'll probably be

a 60-day bid period. But we're hoping that we'll get some good numbers on that. As always, we have a qualifier now with what's happening in Washington, D.C. about the funding, especially Head Start as our ultimate tenant.

And you know, there was some discussion about Head Start being cut significantly. So -- but we're going to bid the project and we're going to move ahead. We've stabilized the building, and so we're hoping for some good news moving forward. And the building -- we will probably be boarding it up for safety precautions moving very soon. We're entertaining a change order now from the developer on that.

Now we go to Sue Depew, and Sue has done, for many, many years, such a fantastic job. I mention it every time this is discussed. I need to thank her once again for her commitment for -- to this project and commitment to our community.

April 26th is the clean-up day. It's also my grandson's 11th birthday. So Mr. Masi, if you want to send a gift, you're certainly welcome. But the --

ALDERMAN JOSEPH MASI: (Indiscernible).

MAYOR JOSEPH DESTEFANO: We will be there helping with others in the community. A lot of people showed up. I think last year was close to 400, Kevin. A lot of them were schools, the clubs, the athletic teams. So thank you to the Middletown School District for participating.

But also a lot is people just in the neighborhood and looking at their own neighborhoods or even just picking up the equipment and going back to their own neighborhood doing their own street. So thank you to all who will participate. Those who have participated in the past, we deeply appreciate it.

And we have a couple of more new businesses that opened this past week. We had a ribbon cutting for Estelita's Mexican Kitchen on North Street in the Masonic Lodge Building. And they're a great family.

They've been in the restaurant business as employees for -- both husband and wife for many, many years and decided to open their own restaurant. We were there, and they said they've been very busy, and I'm very happy for them.

And then we have the Middletown Pilates

Club, who has located -- relocated from Westtown. So this group -- was a fantastic turnout for their event on Saturday afternoon. As you can see, our assemblywoman was there, Maria, myself, Miguel. I wake him up. He was taking a nap and said come on down. We can go -- not true? I guess not true.

PRESIDENT J. MIGUEL RODRIGUES: It's true.

MAYOR JOSEPH DESTEFANO: But we --

MAN 4: Beauty sleep.

PRESIDENT J. MIGUEL RODRIGUES: -- we appreciate everyone attending, but this is really -- they had -- I believe they said they had 230 members already. And it's -- the facility is very, very nice. And Andrew and I are going to go down next week and give it a try.

PRESIDENT J. MIGUEL RODRIGUES: Masi's 231.

MAYOR JOSEPH DESTEFANO: 231. Welcome them both. Welcome to Estelita's and the Middletown Pilates Club.

And ending, happy Passover to everyone. Happy Easter to those who celebrate both. And we hope -- the kids are off from school this week,

so everyone be safe. Thank you so much. Any other questions?

PRESIDENT J. MIGUEL RODRIGUES: Great state of the city.

MAYOR JOSEPH DESTEFANO: If Mr. Masi didn't ask so many questions, I wouldn't have been so long.

PRESIDENT J. MIGUEL RODRIGUES: We'll mention the other names like Beetlejuice. All right. Economic Development.

DIRECTOR MARIA BRUNI: Good evening, everyone. Can I just brag a little bit?

ALDERWOMAN KATE WRAY: We love when you brag.

DIRECTOR MARIA BRUNI: Okay. We have a wonderful school district, Middletown School District, right? We have three colleges in our community; SUNY Orange, Touro University, and Northern College, Fei Tian College. Alls I got to say is wow.

And as the mayor was also speaking about the community input, I think it's important, you know? We're having a survey for a reason up at the -- for the campus. So go on our website, take the survey. Because like Dr.

Johnson said, Alderman Johnson, this -- we need to take the survey so the committee could evaluate and keep moving all the great things that are happening on that campus.

Mayor, Tuckerman Hall, correct me if -- it's on 11 acres, correct?

MAYOR JOSEPH DESTEFANO: Yes.

DIRECTOR MARIA BRUNI: Yeah.

MAYOR JOSEPH DESTEFANO: 11

(indiscernible).

DIRECTOR MARIA BRUNI: So that sits on 11 acres. Also, the community garden, I think we were also kind of throwing around, besides the garden, maybe some other activities for the --

MAYOR JOSEPH DESTEFANO: It would be open for them for other recreation. That would be for the housing village.

DIRECTOR MARIA BRUNI: Correct. And that sits on one acre?

MAYOR JOSEPH DESTEFANO: 1.1.

DIRECTOR MARIA BRUNI: 1.1 acre. And that's all I have. Happy Passover, Happy Easter to everybody.

PRESIDENT J. MIGUEL RODRIGUES: Any questions for Maria? Great job, Maria.

DIRECTOR MARIA BRUNI: Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Police Chief.

POLICE CHIEF JOHN EWANCIW: Good evening. As we get into the warmer months, we get the same complaints pretty much yearly: increase in traffic complaints and noise complaints. So what we are doing is for the next several weeks we have dedicated traffic details going out on various days. Most of them are grant-funded to help combat that, especially in the spring months, and the noise complaints.

So as people get outside and enjoy the warmer weather, have their windows open, that is one of our bigger complaints this time of year. So we've -- I have reminded our staff to give the people the opportunity to sign complaints in those situations or we cannot resolve that.

Lastly, just want to let everyone know if we get out before 9, our Service Coordinator Stevenson is hosting a family game night tonight at the Salvation Army. I stopped over there before I came over here. We had a nice turnout. I appreciate all the outreach he's doing and collaboration in the community. Other than that,

I have nothing unless you have questions for me.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Green?

ALDERMAN ANDREW GREEN: Question.

Thank you, Chief. Last night we had our constituents meeting. We had some questions regarding summer programs with -- in terms of neighborhood enforcement. Are we going to be ramping that up -- that program up more or walking patrols, things like that, as usual I imagine? You're going --

POLICE CHIEF JOHN EWANCIW: Yes.

ALDERMAN ANDREW GREEN: Okay.

POLICE CHIEF JOHN EWANCIW:

Traditionally every year as the warmer weather sets in, we encourage all the officers to get out when they have the opportunity between calls. Unfortunately, you know, our staffing is down a little bit --

ALDERMAN ANDREW GREEN: Right.

POLICE CHIEF JOHN EWANCIW: -- this year with some retirements and --

ALDERMAN ANDREW GREEN: Sure.

POLICE CHIEF JOHN EWANCIW: -- some resignations. So we'll do the best that we can

with that. The Neighborhood Unit will still be intact so they'll still be able to get out and do those things as time permits, yes.

ALDERMAN ANDREW GREEN: Great. Thank you.

POLICE CHIEF JOHN EWANCIW: You're welcome.

PRESIDENT J. MIGUEL RODRIGUES: Anyone else? Thank you, Chief. City clerk?

CLERK RICHARD MCCORMACK: Nothing this evening.

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

ALDERMAN ANDREW GREEN: Yes.

PRESIDENT J. MIGUEL RODRIGUES:
Alderman Green.

ALDERMAN ANDREW GREEN: Yeah. I did actually have a question from a constituent about the annual yard sale. I think -- did we do a resolution about that? I believe we did, but --

CLERK RICHARD MCCORMACK: Yes.

ALDERMAN ANDREW GREEN: -- what the date was, that was all.

PRESIDENT J. MIGUEL RODRIGUES: The
14th.

CLERK RICHARD MCCORMACK: June 14th or June 4th? It's the first week of the farmer's market. Marie?

DIRECTOR MARIA BRUNI: June 7th.

CLERK RICHARD MCCORMACK: June 7th.

ALDERMAN ANDREW GREEN: 7th. All right. Thank you. That was all.

CLERK RICHARD MCCORMACK: We'd get there eventually.

PRESIDENT J. MIGUEL RODRIGUES: All right. Anyone else? All right. Public hearings and grievances.

CLERK RICHARD MCCORMACK: We have two public hearings this evening. The first one, notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, April 15, 2025 on or as near to 7:30 p.m. as possible, 16 James Street to hear any and all persons wishing to be heard on the proposed two-lot subdivision resulting in a lot line change at 15 Mercer and 16 Warren Street.

Any and all persons wanting to be heard will be given the opportunity to speak either for or against the proposed two-lot subdivision. The complete application is available in the city

clerk's office and on our city website.

PRESIDENT J. MIGUEL RODRIGUES: Okay.

At this time, the public hearing is now open.

CLERK RICHARD MCCORMACK: We have Tyrone with us this evening, who is the applicant.

TYRONE DIAZ: (Indiscernible).

PRESIDENT J. MIGUEL RODRIGUES: Come on up.

CLERK RICHARD MCCORMACK: Thank you, Mr. Diaz.

TYRONE DIAZ: Back from youth football.

PRESIDENT J. MIGUEL RODRIGUES: What was that?

TYRONE DIAZ: Remember you from youth football.

PRESIDENT J. MIGUEL RODRIGUES: Yeah, you remember me? Oh, okay. Okay. That was a while ago. So just explain to us what you're planning on doing.

TYRONE DIAZ: Oh, I'm sorry. So there was a lot line discrepancy when my new neighbor did a survey. And he is -- I'm actually on his property, and -- but he built the fence that way. So to make things official, he's -- I don't know

if he's saying gifting me the property, but he's saying, you know what, just leave it alone. Go to the city, get all the plans set, you know, straight up here. This way if either one of us have to sell our property, we don't have to go through this again. Right? So it works out for both of us.

MAN 4: Makes sense.

TYRONE DIAZ: Make sense?

PRESIDENT J. MIGUEL RODRIGUES: All right. Anyone else have any questions? Anyone from the public have any questions? You're good.

TYRONE DIAZ: The public back there?

PRESIDENT J. MIGUEL RODRIGUES: It could be anybody.

MAN 4: You're coming in now.

PRESIDENT J. MIGUEL RODRIGUES: There's a line to see you. All right. Do I have a motion to close the public hearing?

ALDERWOMAN KATE WRAY: So move

ALDERMAN PAUL JOHNSON: So move.

PRESIDENT J. MIGUEL RODRIGUES:
Alderman Wray, seconded by Alderman Johnson.
All in favor?

ALL: Aye.

PRESIDENT J. MIGUEL RODRIGUES: You're good.

TYRONE DIAZ: Thank you, sir.

PRESIDENT J. MIGUEL RODRIGUES: Thank you.

ALDERWOMAN KATE WRAY: Have a great night.

TYRONE DIAZ: Take care.

PRESIDENT J. MIGUEL RODRIGUES: 8.2.

CLERK RICHARD MCCORMACK: Our second public hearing this evening, notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, April 15, 2025 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 a proposed two-lot subdivision resulting on a lot line change at 20 1/2 to 30 Low Avenue rear and 20 1/2 to 30 Low Avenue front. Complete application is on file in the City Clerk's Office and on the city website.

PRESIDENT J. MIGUEL RODRIGUES: At this time, the public hearing is now open.

MAN 5: (Indiscernible).

MAYOR JOSEPH DESTEFANO: This is part

of the O&W project. In order to develop the O&W, especially with the Head Start Program, there was a requirement for off-street parking, and this is the property directly behind Mountain View Restaurant. It's actually already subdivided. It's two separate lots. It's a vacant lot that goes behind Mountain View, but we're also doing a little bit of the side so we have better access.

So this will be parking for the O&W development. The development -- the acquisition cost I believe is city funds of 180,000. I'm not exactly sure, but it's around there. But the development of the parcel will be grant funds obtained through either Assemblywoman Gunther at the time and/or Senator Skoufis. So it's probably a 6 to \$700,000 project, majority of it funded by grant. Makes the O&W viable for development.

PRESIDENT J. MIGUEL RODRIGUES: All right. Anyone from the public? Any councilmen have any issues? Motion to close?

ALDERMAN JOSEPH MASI: So moved.

ALDERMAN PAUL JOHNSON: Second.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Masi, second by Alderman Johnson. All

in favor?

ALL: Aye.

PRESIDENT J. MIGUEL RODRIGUES: All right. Remarks of aldermen. Alderman Tobin?

ALDERMAN SPARROW TOBIN: Sure. So I'm off this week on spring break, which is good, but I also have more time to watch the news, which is frustrating in the current climate. We keep witnessing America getting greater and greater every day.

The Hands Off rally in Middletown went well. It was well attended and cathartic I think for all of us. There's a ton of topics that I could talk about, but I'll just focus on one, and that's just to remind everybody the Fifth Amendment clearly states no person shall be deprived of due process. It doesn't say citizen. It's due process.

And the Founding Fathers -- you know, the first two amendments are important in the Bill of Rights, but the Founding Fathers made Amendments 4 through 8 for people accused of crimes because they knew a tyrant would accuse people of crimes and lock them up and throw them away, and that's why they're so specific about

what rights people have. And due process is one of them. Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Good job. Alderman Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Yes. I'd like to wish everyone a happy Easter and a happy Passover. That's all I have. Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Alderman Johnson?

ALDERMAN PAUL JOHNSON: Thank you. I'll concur with Mr. Tobin. The current theory that's been the last few weeks is that the current administration just wants to saturate our frustration so that we can't really concentrate on anything in particular. They seem to be doing a very good job.

Good cause, I just want to give everybody an update. I've been in communication with Brahvan and we've set up a potential date on May 8th for the mayor, myself, Brahvan, and (indiscernible) representor from the Mid-Hudson Tenants Group. And our attorney for CDA, name escapes me.

MAN 5: Gene Grillo.

ALDERMAN PAUL JOHNSON: Gene Grillo.

So Brahvan wanted to know if he could bring a lawyer. I said, well, the more the merrier. We'll have somebody representing tenants, somebody representing landlords. There's still a lot of gray that needs to be clarified, and I've tried to reiterate to Brahvan that we are proceeding with what we deem to be appropriate caution. Thank you.

PRESIDENT J. MIGUEL RODRIGUES:

Aldерwoman Wray?

ALDERWOMAN KATE WRAY: Good evening. You know, to take your tailfeathers on that one, you know, we've been talking about this for a while, but really when we talk about what makes it possible for people to find housing they can afford to live in, this project up at Summit and David Moore Heights, that's what's going to get this done.

This is an important cause. I think it's an important project. I actually know personally a couple of people who are in a situation where they've reached out to the housing authority and there's a waiting list. They just -- there's nothing available. And this is life-changing for people to be able to get

into these units because the rentals that are out in the private market are just out of price range for a lot of people who live and work here and raise their kids here. So I think this is important. I think it's excellent. And for 100 families, it's going to be a miracle.

Maria, I love when you brag because you're 100 percent right. This is the absolute best school district around. I actually ended up speaking to someone at my car dealership getting service the other day. And I explained, hey, my daughter graduated with 80 Syracuse College credits and she was nearly done when she went to school.

And she's like that's -- what? And I'm like, yeah, that's what we do here. It's amazing. And on top of that, you know, our colleges, we just found Amia's white coat from Touro and that was supposed to be her backup plan. But now we need a law school she said. So it's time. But really, that's all I have. I mean, all these amazing things we have going on here. Onward and upward, Middletown.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Kleiner.

MAN 5: Well said.

ALDERMAN GERALD KLEINER: Thank you. I want to thank the late Ellie Mamelok, who was very much involved in starting the Middletown Housing Authority. And she and Dr. Mamelok would let people stay in their house when they had no place else to go. So they were great friends, great neighbors, and a great part of Middletown.

I want to thank all the people who showed up on April 5th to protest what's going on in Washington. And we used to be the leaders of the free world. That's -- that was long ago.

On Thursday, April 8th I also want to thank -- had a dedication for Fireman Joe named after Joe Wheeler who was common council president back in 1907 and raised the money for Fireman Joe to recognize the -- and he was also a fireman, so it's a salute to our fire department, our volunteers, and our paid professionals. And I think Randy McLean and Nicky Barber who worked very hard for that and kept at it.

And also want to thank Steve Cohen, who is Marvin Cohen's son. Steve lives down in Delaware, but he offered to pay all the money to get Fireman Joe back. We -- the mayor wisely

decided to let it go through the court process, but I thank Steve for that very generous offer.

I don't know if people know that two banks are moving. The Orange County Trust Company, which is now the Orange Bank and Trust, which has been in that building since 1892. But at the end of this month, they are closing that building. So they will be available on Dolson Avenue and Chester and other places they are. But they were one of Middletown's oldest businesses in that building.

So hopefully -- I know Maria's already looking at keeping that façade and keeping that building looking the same, whoever ends up buying it or being a tenant.

Also, TD Bank on Dolson Avenue is closing. So that'll be on June 5th, and that leaves the TD Bank in Orange Plaza. So the other side of town, really out of town, town of Wallkill, but they still will be a presence here.

I want to thank everyone who came to our constituents meeting yesterday. Bulk pickup continues as the mayor mentioned. The Second Ward is the last ward, and that's -- they're in the process of picking that up now.

We have a resolution to waive the fees for Cinco de Mayo for sidewalk sales and etcetera. And I hope everyone supports that. And I wish people who celebrate a happy Cinco de Mayo, and we should be downtown celebrating.

I got an email today -- before that, I'm sorry about the little league parade being cancelled, but it was a wise decision because it was snowing pretty hard when the little league parade would've gone on. So I hope they reschedule it, but we'll see what they're able to do. I got an email from the Middletown and Town of Wallkill Veterans Council today that they will be having their Memorial Day celebration this year at the Elks Club on Memorial Day at 11 p.m. So we do hope that's --

CLERK RICHARD MCCORMACK: 11 a.m.

ALDERMAN GERALD KLEINER: I hope that's well attended. It's -- other than -- well, I want to mention my peace plan. I've had a peace plan for Ukraine, and I think it's pretty simple because this seems to be a sticking point. Ukraine withdraw all its troops from Russia, Russia withdraw all its troops from Ukraine, and neither side fire missiles at the other side.

Done. That's it. I'm sure most everyone would agree to that.

With full faith and credit, thank you, Sparrow, for mentioning that. The -- we have a bunch of Republican cowards in congress right now, and they're what making everything possible. They're what's making us the laughing stock of the world. And I hope some of them grow a spine. I've never seen so many spineless people in my life. I wish everyone happy holidays, and that's it. Thank you.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Green?

ALDERMAN ANDREW GREEN: Thank you very much. For everyone celebrating currently, happy Passover and happy Easter to everyone coming up. Hopefully we have some nice weather. It looks like on tap for the week, and hopefully coming, you know, for the future. No surprise winter coming up again.

Fireman Joe was a great dedication. It's a beautiful, beautiful statue. It's back there. Just all the work done by all parties involved was -- you know, it's nice to see it back there. And if you can drive by at night and

see it all lit up, it's really beautiful and I'm just thankful he's back here in the city.

Certainly clean-up's going. You know, Second Ward, some streets had a little. Some little streets had a lot. So certainly, you know, I know Jacob is not with us tonight, but thank you to the DPW for doing all their job there keeping everything nice and clean and picking up the little bit of a lot.

Chief, it's nice to hear that there's going to be extra in terms of parking and traffic patrols. I was going to bring up about parking. I've just noticed lately with a lot of food delivery services and things that come out, a lot of double parking in places and a lot of people parking right up to the curb or corner when you're trying to make turns makes it a little difficult for small cars and emergency vehicles especially to get by should they need to.

And last but not least, in terms of the community campus, you know, I know many of us were able to attend an open house up at Northern Fei Tian up on that campus. And thankfully, you know, I was able to bring along my wife with me. And we were all talking, and we were talking with

some of the people who are up there in management roles and director roles. And really the whole term "community" is something that they really want to lean heavily into.

They talked about certain summer programs they have and that. And my wife said, oh, I think our son would love that. Do you have to be a student up here? And they said, no, no, that's something we're trying to get out is that this is for the community. So the term "community campus" really means community.

This is a part of Middletown. I'm certainly proud of it. I know that I can probably speak for everyone on this council that saying we're proud of every -- all the work that's being done up there. I am so hopeful for that Tuckerman Hall to look even half as nice as that picture.

We won't go deep into that, but that's -- I mean, that place really is going to be just a shining star on that beautiful piece of property that we have, and I look forward to hopefully the Kleiner Building coming up and being a great community center on the community campus after we get all this community input and

for this wonderful community that is Middletown.
Thank you.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Witt.

ALDERMAN KEVIN WITT: Thank you very much. First of all, Susan, thank you so much for just a great way to start the meeting. A very positive. It was a very informative meeting. And the clean-up day that you inspired continues to get bigger and bigger every year.

And to sort of add onto that and with what the mayor said, yes, you can come down and we'll get you a place to go. But you can go and pick up everything and then go back to your own neighborhood. You know, even if you don't go and you just clean up the front of your property and on both sides, that makes a difference. Every little bit counts. So thank you for starting things off great.

On the community campus stuff, the survey that Maria suggested, I do hope people take it because we do take feedback here. And this is a great opportunity, sort of a blank campus -- or canvas, excuse me. And if we may recall, somebody just came up to the microphone

one day and said it might be nice to have an ice rink here and now we do. So you know, it does happen.

And just on the housing authority thing, I think that's just a great project, Mayor. And the way you explained that and with Alderman Johnson's questions, I mean, I hope like -- I hope we can even some time like do it again when it's finalized and have some sort of like a presentation that just captured how you explained it and how many people were involved in making that happen.

Because Summit Field and David Moore Heights are such a big part of what this city is. And I know -- people who I know, grew up with who lived in both places and look back on that fondly. And now you have a whole other generation. Not only you have the current generation of having renovated apartments, but new people in nice housing, nice affordable housing like Kate mentioned is so vital.

And I just, you know, commend everybody for their work and thank the senator, congressman, and assemblywoman for all their help, and, Mayor, for you work with that as well.

So thank you very much.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Masi.

ALDERMAN JOSEPH MASI: Mr. Mayor, I think I interrupted you, and I know that you forgot to mention that the march -- the National Protest Day on April 5th, and I know -- and I thank you for marching along with them. I just want to wish everyone a happy Hannukah and a happy and safe Easter, and enjoy your vacations.

PRESIDENT J. MIGUEL RODRIGUES: Maria, can you come up and talk about the Cinco de Mayo?

DIRECTOR MARIA BRUNI: Yes. Cinco de Mayo celebration, the Business Improvement District along with many merchants organized this -- started organizing this about three years ago. We have a committee: Jose from Alondra's, Naomi from Naomi's Beauty on North Street, Alvaro from Garcia's Market, and Juan from Taco Factory, and then some of the staff of the BID and other board members.

But this celebration this year is going to begin March 2nd, the Friday -- I'm sorry, May 2nd, the Friday to May 5th. We're going to have the sidewalk sales. All the restaurants and

businesses are going to have specials and so forth. But on the 3rd, the Saturday, there's going to be entertainment downtown at Run4 Downtown Park and North Street Park across from Garcia's Market.

And on Sunday is the main event on May 4th, which is going to begin with a celebration march. And we are going to start at Thrall Park, march up North Street to Degnan Square where the main festivities are going to take place with traditional Mexican dancing, music, celebration. And it's just going to be a great day.

The community is really coming together. The businesses downtown are really supporting this and looking forward to this. And I'm proud to be a part of it. We're all proud to be a part of it, and we're looking forward. And they're so happy that this celebration march is going to take place on May 4th. I think the chief, who's going to be assisting and coordinating the march.

And also the -- speaking of school district, the Midi Mariachi Band is going to be performing on that Sunday. So it -- there's a lot going to happen that weekend. Come check it

out. It's going to be fun. And Degnan's going to provide good weather that weekend because last year it did rain, but they're all counting on him for a beautiful weekend. That's all.

PRESIDENT J. MIGUEL RODRIGUES: All right. New business.

CLERK RICHARD MCCORMACK: Good evening. We have a resolution sponsored by Alderman Masi to authorize an agreement with Ackerly & Hubbell Appraisal Corporation.

PRESIDENT J. MIGUEL RODRIGUES: Resolution sponsored by Alderman Masi. Seconded by Alderman Wray. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Masi authorizing
an agreement with Capital Market Advisors for
financial advisory services through December of
2026.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Masi. Seconded
by Alderman Green. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Johnson
authorizing the contract of sale for the purchase
and development of 122 Dorothea Dix Drive,
including development goals and targets.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Johnson.
Seconded by Alderman Wray. Any discussion?
Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.
Resolution sponsored by Alderman Jean-Francois
authorizing renewal agreement with Auction
International.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution by Alderman Jean-Francois. Seconded
by Alderman Tobin. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-

Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President

Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Witt authorizing
to surplus vehicles.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Witt. Seconded
by Alderman Green. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Green authorizing the acceptance of a donation from the Middletown Lions Club.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Green. Seconded by Alderman Tobin. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Kleiner authorizing the waiving of sidewalk sale fees for the Cinco de Mayo celebration.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Kleiner.

Seconded by Alderman Green. Any discussion?

Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-

Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President

Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderwoman Wray

authorizing an agreement with Pets Alive for
stray dogs and cat rescue.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderwoman Wray.

Seconded by Alderman Johnson. Any discussion?

Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries. A resolution sponsored by Alderman Tobin authorizing an agreement with Dumped Stray Animal Rescue.

PRESIDENT J. MIGUEL RODRIGUES: Resolution sponsored by Alderman Tobin. Seconded by Alderman Jean-Francois. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.
Resolution sponsored by Alderman Witt authorizing
to provide end-of-season bonuses for lifeguards.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Witt. Seconded
by Alderman Masi. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.
Resolution sponsored by Alderman Jean-Francois
awarding the street materials and asphalt
materials bids.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Jean-Francois.
Seconded by Alderman Tobin. Any discussion?
Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Wray designating
the month of May 2025 as Frontline Worker
Appreciation Month in the City of Middletown.

PRESIDENT J. MIGUEL RODRIGUES: You
said Alderwoman Wray?

CLERK RICHARD MCCORMACK: Yeah.

PRESIDENT J. MIGUEL RODRIGUES:
Alderman Wray. Seconded -- do I have a second?
Alderman Johnson. Any discussion? Everybody's
in there? PPW? All the employees? All right.
Just want to make sure.

CLERK RICHARD MCCORMACK: Yep. All
frontline workers.

PRESIDENT J. MIGUEL RODRIGUES: All
frontline -- all right. Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderwoman Wray. It's a notice of determination of non-significance pursuant to 6 NYCRR for a two-lot subdivision at 15 Mercer Street and 16 Warren Street.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderwoman Wray.

Seconded by Alderman Johnson. Any discussion?

Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-

Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President

Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Johnson

approving a two-lot subdivision, a lot line change at 15 Mercer Street and 16 Warren Street.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Johnson.

Seconded by Alderman Wray. Any discussion?

Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Masi. It's a resolution and notice of determination of non-significance pursuant to 6 NYCRR for a two-lot subdivision at 20 1/2 - 30 Low Avenue front and rear.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Masi. Seconded by Alderman Witt. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Witt approving a
two-lot subdivision, a lot line change at 20 1/2
- 30 Low Avenue front and rear.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Witt. Seconded
by Alderman Masi. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Green
authorizing the amendment of City Code to remove
a 24-minute parking sign from Lake Avenue.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Green. Seconded
by Alderman Kleiner. Alderman Kleiner?

ALDERMAN GERALD KLEINER: I just wanted
to explain that we had a call from a resident
right on Lake Avenue, and this is almost at the
corner with Wickham. And the resolution, the 24-
minute parking was established back in 1982.

There's no parking on the other side of
the street, so when that was Blanchard's Store or
whatever store followed Blanchard's Store, there
was a need for short-term parking there. Now
that's been vacant long since, so now it's a
residence. So it's absolutely -- we weren't even

aware that the signs were there, but now we are. And so just want them removed because there's no need for 24-minute parking. Thank you.

PRESIDENT J. MIGUEL RODRIGUES: The signs are in the Second Ward or Third Ward sides?

ALDERMAN GERALD KLEINER: They're on the Second Ward side.

PRESIDENT J. MIGUEL RODRIGUES: So across the street from Blanchard's.

ALDERMAN GERALD KLEINER: Mm-hmm.

PRESIDENT J. MIGUEL RODRIGUES: Right? All right. Anyone else?

ALDERMAN PAUL JOHNSON: On the Third Ward.

ALDERMAN GERALD KLEINER: The store is on the Third Ward side.

ALDERWOMAN KATE WRAY: That's what really matters.

ALDERMAN GERALD KLEINER: Former store.

PRESIDENT J. MIGUEL RODRIGUES: Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Motion
carries. Audit?

ALDERMAN JOSEPH MASI: Mr. President, I
move the accounts be audited and the claims be
adjusted and the city treasurer be authorized to
issue a warrant for their payment.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Masi. Seconded
by Alderman Johnson. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

PRESIDENT J. MIGUEL RODRIGUES: Move for adjournment?

ALDERMAN JOSEPH MASI: So moved.

(Adjourned)

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: April 30, 2025



**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
APRIL 15, 2025**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
 - 3.1. Accept the Minutes of March 18, 2025
4. CORRESPONDENCE, COMMUNICATION AND REPORTS
5. FOR THE GOOD OF THE CITY
6. REMARKS OF THE MAYOR
7. REMARKS OF THE DEPARTMENT HEADS
8. PUBLIC HEARINGS AND GRIEVANCES
 - 8.1. Public Hearing: 2 Lot Subdivision (Lot Line Change) 15 Mercer Street/16 Warren Street
 - 8.2. Public Hearing: 2 Lot Subdivision (Lot Line Change) 20 1/2 - 30 Low Avenue (Front/Rear)
9. PETITIONS AND COMPLAINTS
10. REMARKS OF THE ALDERMAN AND REPORTS OF THE COMMITTEES
11. UNFINISHED BUSINESS
12. NEW BUSINESS
 - 111- Authorization to Enter into an Agreement with Ackerly & Hubbell Appraisal Corp
25
 - 112- Authorization to Enter into an Agreement with Capital Market Advisors for
25 Financial Advisory Services through December of 2026

- 113- Authorization to Approve the Contract of Sale for the Purchase and Development
25 of 122 Dorothea Dix Drive, Including Development Goals and Targets
- 114- Authorization to Renew an Agreement with Auctions International
25
- 115- Authorization to Surplus Vehicles
25
- 116- Authorization to Accept a Donation from Middletown Lions Club
25
- 117- Authorization to Waive Side Walk Sale Fees for the Cinco De Mayo Celebration
25
- 118- Authorization to Enter into Agreements with Pets Alive Inc. for Stray Dogs and Cat
25 Rescue
- 119- Authorization to Enter into an Agreement with Dumped Stray Animal Rescue
25
- 120- Authorization to Provide End of Season Bonus for Lifeguards
25
- 121- Award the Street Materials & Asphalt Materials Bids
25
- 122- RESOLUTION DESIGNATING THE MONTH OF MAY 2025 AS FRONTLINE
25 WORKER APPRECIATION MONTH IN THE CITY OF MIDDLETOWN
- 123- Resolution and Notice of Determination of Non-Significance Pursuant To 6
25 NYCRR 617.10 for a 2-Lot Subdivision at 15 Mercer Street and 16 Warren Street
- 12.14. Approves a 2 Lot Subdivision (Lot Line Change) at 15 Mercer Street and 16
Warren Street
- 125- Resolution And Notice Of Determination Of Non-Significance Pursuant To 6
25 NYCRR 617.10 for a 2-lot Subdivision at 20 1/2-30 Low Avenue- Front and Rear
- 12.16. Approval of a 2 Lot Subdivision (Lot Line Change) 20 1/2 - 30 Low Avenue
(Front/Rear)
- 127- Authorization to Amend City Code to Remove 24 Minute Parking from Lake
25 Avenue

13. LOCAL LAWS

14. AUDIT OF CLAIMS AND ACCOUNTS

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

15. ADJOURNMENT



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

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderman Witt
Date of Adoption: April 15, 2025
Index No:

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

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Accept the Minutes of March 18, 2025

Prepared by:

Attachments:

1.	03.18.25 CC Minutes
----	---------------------



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

THE FOLLOWING WAS PRESENTED

By: Alderwoman Wray
Seconded by: Alderman Johnson
Date of Adoption: April 15, 2025
Index No:

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

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Public Hearing: 2 Lot Subdivision (Lot Line Change) 15 Mercer Street/16 Warren Street

Prepared by:

Attachments:

1.	Sub Division 15 Mercer 16 Warren
2.	Notice of Public Hearing Mercer and Warren

**CITY OF MIDDLETOWN
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, April 15, 2025, on or as near to 7:30 p.m. as possible, Common Council Chambers, 2nd floor, 16 James Street, to hear any and all persons wishing to be heard on the proposed 2 lot subdivision, resulting in a lot line change at 15 Mercer Street and 16 Warren Street.

Any and all persons wishing to be heard will be given an opportunity to speak either for or against the proposed 2-lot subdivision.

The complete proposed application and map of the property for the 2-lot subdivision are available in the office of the Common Council Clerk, City Hall, 16 James Street, room 12, and on the City Website.

For any person unable to participate at the time of the public hearing, email comments may be submitted in advance to rmccormack@middletownny.gov

By the order of the Common Council.

Richard P. McCormack
Clerk of the Common Council

Publish: 04/10/25 & City Website



City of Middletown
Middletown, New York
APPLICATION FOR Subdivision
APPLICATION FEE: \$250.00
ESCROW FEE: \$100.00

RECEIVED

AUG 26 2024

CITY CLERK
CITY OF MIDDLETOWN

Number of Lots of the Subdivision 2 Current Zone _____

Property #1) Section 28 Block 4 Lot 7 (Property #2) Section 28 Block 4 Lot 12

Address of Subject Property _____

Owner of Property #1 Anthony Harden & Tajmah Riky

Owner Address 15 Mercer Street

City Middletown State NY Zip 10940

Telephone: Home _____ Cell: 646-302-5296

Email _____

Property #2) Applicant Name Tyron Diaz

If different from Owner
Applicant Address 16 Warren Street

City Middletown State NY Zip 10940

Telephone: Home _____ Cell: 646-302-5296 ✓

Email _____

Minor (2-3 lots) ✓ \$250.00

Plus Escrow ✓ \$100.00

Major (over 3 lots) _____ \$500.00

Paid _____

Paid _____

Paid _____

Plus \$100 per lot for each lot over 10 lots, and \$1000.00 escrow to be replenished if required

NOTE: Over 4 lot subdivision will go to Planning Board for recommendation before going to Common Council.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information																		
Name of Action or Project: 2 lot subdivision																		
Project Location (describe, and attach a location map): 16 Warren St Middletown NY 10940 and 15 Mercer Street Middletown NY 10940																		
Brief Description of Proposed Action: The owners of 15 Mercer St will give a portion of their land to Tyrone DIAZ owner of property located on 16 Warren St. The portion is described on the attached survey. The boundary line will be changed approximately 3.7 feet north of 16 Warren Street (reference PVC fence).																		
Name of Applicant or Sponsor: TYRONE DIAZ		Telephone: 646-302-5296																
Address: 16 Warren St		E-Mail: tyronejulian@gmail.com																
City/PO: Middletown		State: NY	Zip Code: 10940															
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">NO</td> <td style="width: 50%;">YES</td> </tr> <tr> <td style="text-align: center;">☒</td> <td style="text-align: center;">☐</td> </tr> </table>	NO	YES	☒	☐											
NO	YES																	
☒	☐																	
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">NO</td> <td style="width: 50%;">YES</td> </tr> <tr> <td style="text-align: center;">☒</td> <td style="text-align: center;">☐</td> </tr> </table>	NO	YES	☒	☐											
NO	YES																	
☒	☐																	
3. a. Total acreage of the site of the proposed action?		.21 acres																
b. Total acreage to be physically disturbed?		.603 acres																
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.213 acres																
4. Check all land uses that occur on, are adjoining or near the proposed action:																		
<table style="width: 100%;"> <tr> <td>☐ Urban</td> <td>☐ Rural (non-agriculture)</td> <td>☐ Industrial</td> <td>☐ Commercial</td> <td>☒ Residential (suburban)</td> </tr> <tr> <td>☐ Forest</td> <td>☐ Agriculture</td> <td>☐ Aquatic</td> <td colspan="2">☐ Other(Specify):</td> </tr> <tr> <td>☐ Parkland</td> <td colspan="4"></td> </tr> </table>				☐ Urban	☐ Rural (non-agriculture)	☐ Industrial	☐ Commercial	☒ Residential (suburban)	☐ Forest	☐ Agriculture	☐ Aquatic	☐ Other(Specify):		☐ Parkland				
☐ Urban	☐ Rural (non-agriculture)	☐ Industrial	☐ Commercial	☒ Residential (suburban)														
☐ Forest	☐ Agriculture	☐ Aquatic	☐ Other(Specify):															
☐ Parkland																		

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☐	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☒	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☒	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☒	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☒	☐
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>TYRONE DIAZ</u> Date: _____ Signature: _____ Title: _____		

PRINT FORM

BOUNDARY LINE AGREEMENT

Agreement made this 6 day of August, 2024, between Anthony Harden & Tajmah Riley (the "Owner"), having an address at 15 Mercer Street, Middletown, NY 10940 and Tyrone Diaz (the "Adjoining Owner"), having an address at 16 Warren Street, Middletown, NY 10940

WITNESSETH

WHEREAS, Owner is the owner in fee of the property commonly known as **15 Mercer Street** located in the City of **Middletown**, County of **Orange**, State of **NEW YORK**, Section 28 Block 4 and Lot 7, which property is more fully described in a deed dated **11/06/2020** and recorded **11/16/2020** in **Liber 14842 Page 1873** in the Office of the Orange County Clerk (the "Property"); and,

WHEREAS, the Adjoining Owner is the owner in fee of property adjacent to the Property on the Property's **northerly** side, which property is commonly known as **16 Warren Street** located in the City of **Middletown**, County of **Orange**, State of **NEW YORK**, Section 28 Block 4 and Lot 12.1, which property is more fully described in a deed dated **07/16/2004** and recorded **08/30/2004** in **Liber 11598 Page 127** in the Office of the Orange County Clerk (the "Adjoining Property"); and,

WHEREAS, a description of the Property is attached hereto as Exhibit 'A' and made a part hereof; and,

WHEREAS, a description of the Adjoining Property is attached hereto as Exhibit 'B'; and,

WHEREAS, a survey of the Property prepared by **W.E. James Engineering and Surveying, PLLC**, dated **07/15/2024** depicts the common boundary line between the Property and the Adjoining Property on the Property's **northerly** side and on the Adjoining Property's **southerly** side (the "common boundary line"), and which survey also depicts the location of certain **PVC Fences** as being situated as much as **3.7 FEET**, more or less, **south** of the common boundary line. The survey is attached here to as Exhibit 'C' (the "Survey"); and,

WHEREAS, the parties now desire to acknowledge the erroneous placement of the **PVC Fences** and fix and definitively establish the common boundary line between the Property and the Adjoining Property owned by them respectively; and,

NOW, THEREFORE, in consideration of the sum of one dollar and other good and valuable consideration exchanged by each of the parties hereto, the receipt of which is acknowledged, the parties, for themselves, their successors and assigns, covenant and agree, as follows:

The true and correct common boundary line between the Property and the Adjoining Property is as shown on the Survey;

Owner and Adjoining Owner mutually acknowledge that the **PVC Fences** are situated as much as **3.7 FEET**, more or less, **south**, of the common boundary line;

Owner and Adjoining Owner mutually agree and covenant that they own only the land as described in their respective recorded deeds and make no claims against lands owned by the other.

The Adjoining Owner hereby remises, releases and quitclaims unto the Owner, its successors and assigns,

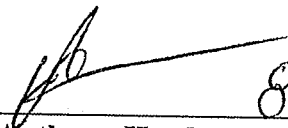
all of its right, title and interest in, and releases any claim of any nature whatsoever to, that specific portion of the Property, including the land on the Property located between the **PVC Fence in the rear of the premises**, which lies 3.3 feet south of the common boundary line at the easterly boundary line and 3.7 feet south of the common boundary line closer to the westerly boundary line, **and the common boundary line** ;

Owner and Adjoining Owner mutually agree and covenant that the **PVC Fences** may remain in their current location so long as same shall stand.

Owner and Adjoining Owner mutually agree and covenant that this Boundary Line Agreement shall run with the land and shall be binding on and inure to the benefit of the successors in interest of the parties and the parties agree to record this Boundary Line Agreement in the Office of the **ORANGE** County Clerk.

This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument.

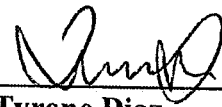
IN WITNESS WHEREOF, the parties have signed this agreement the 6 day of August, 2024.



Anthony Harden 8/6/24



Tajmah Riley 8/6/24

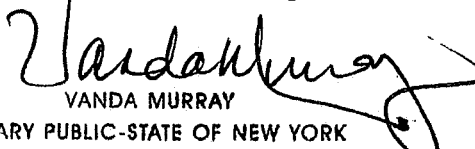


Tyrone Diaz 06 Aug 2024

UNIFORM FORM CERTIFICATE OF ACKNOWLEDGMENT
(Within New York State)

State of New York)
County of Orange) ss.:

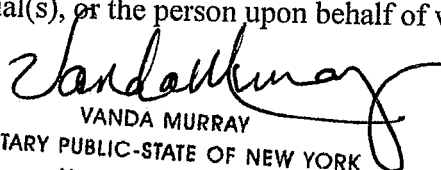
On the 6 day of August in the year 2024 before me, the undersigned, personally appeared Anthony Harden and Tajmah Pikey., personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledgement to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, execute the instrument.


VANDA MURRAY
NOTARY PUBLIC-STATE OF NEW YORK
No. 01MU6225906

Qualified In Orange County
My Commission Expires July 26, 2026

State of New York)
County of Orange) ss.:

On the 6 day of August in the year 2024 before me, the undersigned, personally appeared Tyrone Diaz, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledgement to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, execute the instrument.


VANDA MURRAY
NOTARY PUBLIC-STATE OF NEW YORK
No. 01MU6225906
Qualified In Orange County
My Commission Expires July 26, 2026

DATE: 08/26/2024 TIME: 12:51:19
CITY OF MIDDLETOWN

Receipt # 20245510	
Trans # 563217	Batch: 77
SUBDIVISION-PLANNING	350.00
SUB TOTAL	350.00
TAX	.00
CHECK	350.00
AMT TENDERED	350.00
TOTAL	350.00
CHANGE	.00
CHECK #:	155

TYRON DIAZ
REF NO: SUBD

THANK YOU!



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

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderman Johnson
Date of Adoption: April 15, 2025
Index No:

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

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Public Hearing: 2 Lot Subdivision (Lot Line Change) 20 1/2 - 30 Low Avenue (Front/Rear)

Prepared by:

Attachments:

1.	Notice of Public Hearing 20 and Half - 30 Low Avenue
2.	Sub Division Request Low Avenue
3.	O&W Subdivision Plan

**CITY OF MIDDLETOWN
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, April 15, 2025, on or as near to 7:30 p.m. as possible, Common Council Chambers, 2nd floor, 16 James Street, to hear any and all persons wishing to be heard on the proposed 2 lot subdivision, resulting in a lot line change at 20 ½ -30 Low Avenue and 20 ½ -30 Low Avenue (Rear).

Any and all persons wishing to be heard will be given an opportunity to speak either for or against the proposed 2-lot subdivision.

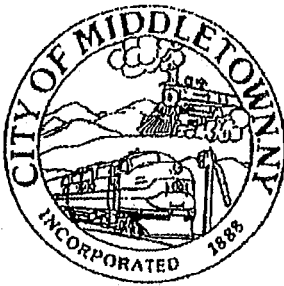
The complete proposed application and map of the property for the 2-lot subdivision are available in the office of the Common Council Clerk, City Hall, 16 James Street, room 12, and on the City Website.

For any person unable to participate at the time of the public hearing, email comments may be submitted in advance to rmccormack@middletownny.gov

By the order of the Common Council.

Richard P. McCormack
Clerk of the Common Council

Publish: 04/10/25 & City Website



City of Middletown
Middletown, New York
APPLICATION FOR Subdivision
APPLICATION FEE: \$250.00
ESCROW FEE: \$100.00

Number of Lots of the Subdivision 2 Current Zone 11

Section 17 Block 3 Lots 13 & 14.22

Address of Subject Property 20 1/2-30 Low Ave & 20 1/2-30 Low Ave Rear

Owner of Property Shifting Gears Holdings, LLC

Owner Address 20 1/2-30 Low Ave

City Middletown State NY Zip 10940

Telephone: Home _____ Cell: 845-591-5440

Email loumntrest@frontiernet.net

Applicant Name City of Middletown

If different from Owner
Applicant Address 16 James Street

City Middletown State NY Zip 10940

Telephone: Home 845-341-4101 Cell: _____

Email mayor@middletown-ny.com

Minor (2-3 lots) <u>X</u>	\$250.00	Paid _____
Plus Escrow <u>X</u>	\$100.00	Paid _____
Major (over 3 lots) _____	\$500.00	Paid _____

Plus \$100 per lot for each lot over 10 lots, and \$1000.00 escrow to be replenished if required

NOTE: Over 4 lot subdivision will go to Planning Board for recommendation before going to Common Council.

RECEIVED
FEB 13 2025
CITY CLERK
CITY OF MIDDLETOWN

Proposed uses; List the number of proposed lots and uses, which are to be created by this subdivision if approved. Additional sheets may be attached if more space is required. The project consists of two existing lots, the applicant is proposing a lot line change. Lot 13 will continue to be used as an equipment supply distributor while lot 14.22 will be used as a parking lot to serve lot 13 and the adjoining O&W property tax lot parcel 14.1.

Zoning; In the space provided list all lots or areas which would require a re-zoning of any zoning district. List all factors dealing with the requested re-zoning. Additional sheets may be attached if more space is required.

N/A

Non Compliance of Zoning; In the space provided list all lots, which are not in compliance with the zoning regulations of the City of Middletown. Provide all information from the zoning ordinance in which the lot is non-compliant and the reasons therefore. Additional sheets may be attached if more space is required.

N/A

NOTE; if any of the new lots are non-compliant to the City of Middletown zoning code you may be required to apply to the ZBA for a variance.

A notarized letter from the property owner granting permission to seek the zone change or addition, if the applicant is not the owner, is required for all applications.

NOTE: As per SEQRA law a short form EAF will be required with all applications

Sign at the place indicated and print name

Signature of applicant

Print Name and title

Lou Frances / owner

Date

1/23/25

TO BE FILLED OUT BY THE CITY CLERK'S OFFICE

A fee of \$250.00 was collected on

Escrow Amount \$100.00 on

Signature of Clerk or Designee

Date



FROM THE OFFICE OF THE
CLERK OF THE
COMMON COUNCIL
John C. Naumchik
CITY OF MIDDLETOWN NY
WWW.MIDDLETOWN-NY.COM
Email: jnaumchik@middletown-ny.com

OWNERS ENDORSEMENT

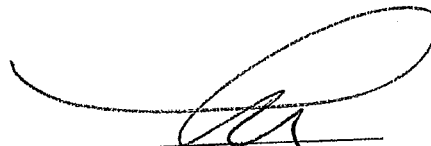
COUNTY OF ORANGE
STATE OF NEW YORK

Lou Fracese being duly sworn, deposes and says that he/she resides
at 20 1/2-30 Low Ave, Middletown in the County of Orange and
State of New York and that he/she is the owner in fee or _____
OFFICIAL TITLE

of the Shifting Gears Holdings, LLC Corporation which is the owner
in fee of the premises described in the forgoing application and that he/she has authorized
City of Middletown & Fusco Engineering to make the foregoing application for
approval as described herein.

Sworn before me this day of 20

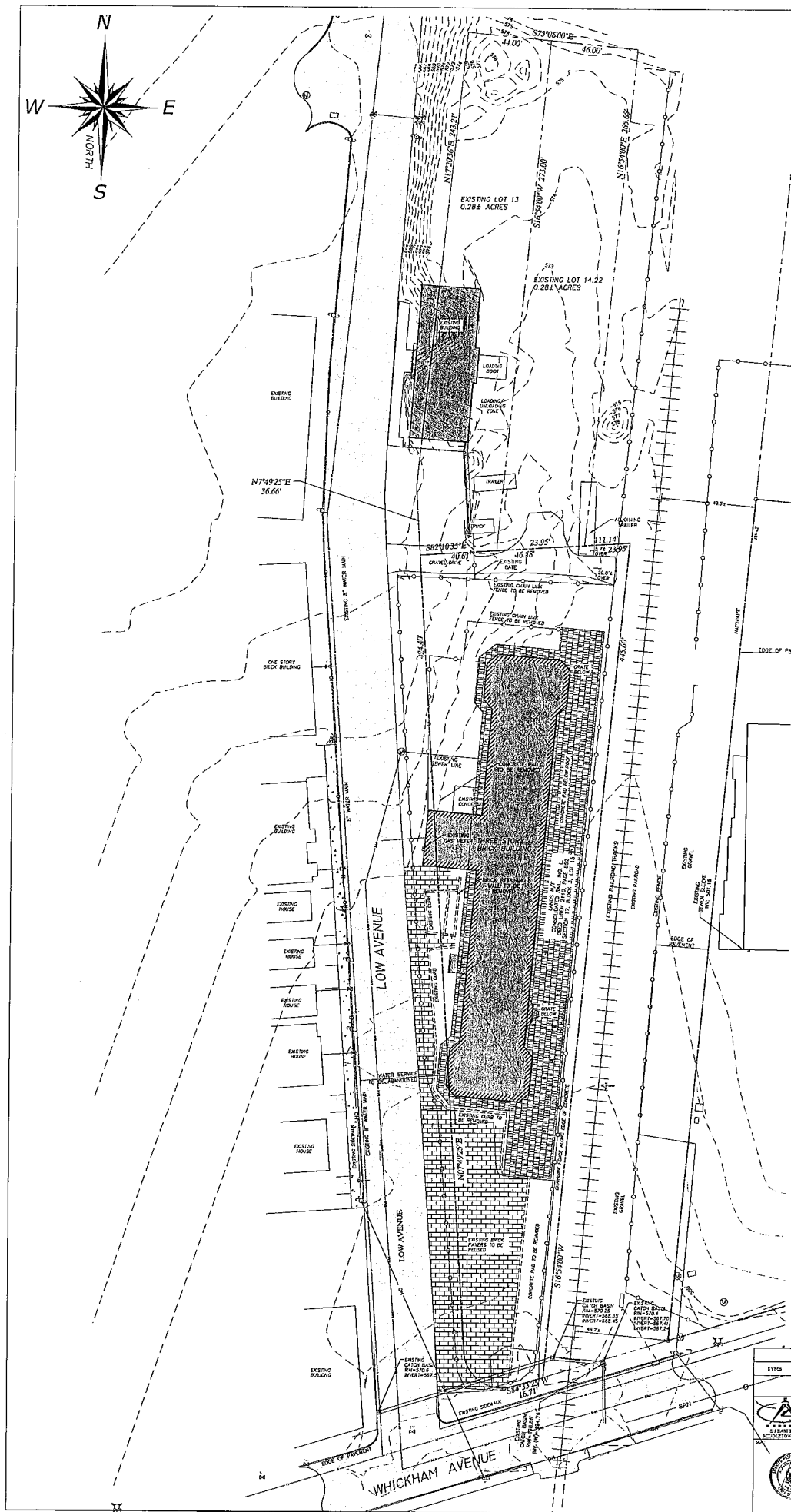
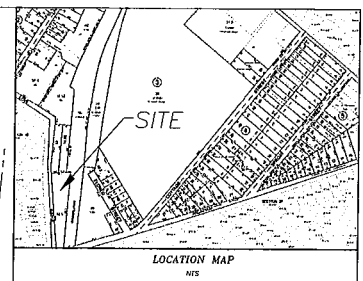
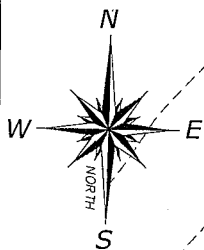
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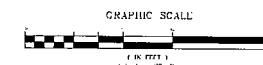
OWNERS SIGNATURE

16 James Street
Middletown, NY 10940

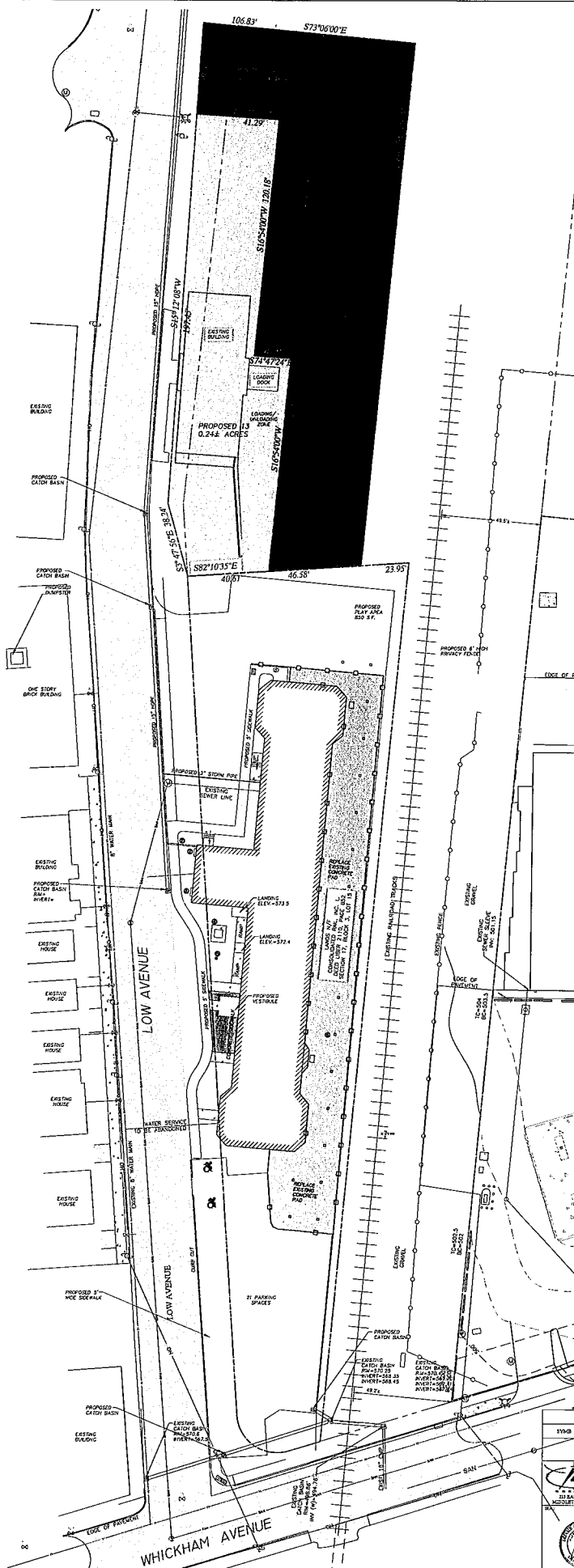
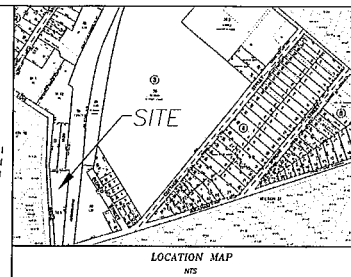
Phone 845-346-4168
Fax 845-344-5428



- LEGEND**
- IRON PIPE FOUND
 - CONCRETE MONUMENT FOUND
 - UTILITY POLE
 - WATER VALVE
 - HYDRANT
 - GAS VALVE
 - ELECTRIC METER
 - GAS METER
 - SANITARY MANHOLE
 - MANHOLE
 - WATER SHUTOFF VALVE
 - CATCH BASIN
 - LIGHT POLE
 - PROPERTY LINE
 - ADJOINER PROPERTY LINE
 - EXISTING RAILROAD TRACK
 - EXISTING CHAIN LINK FENCE
 - EXISTING WATER LINE
 - EXISTING SEWER LINE
 - EXISTING GAS LINE
 - OVERHEAD UTILITIES
 - DRAINAGE PIPE
 - EXISTING GUIDE RAIL
 - PROPOSED GUIDE RAIL
 - PROPOSED SAT FENCE
 - PROPOSED LIMITS OF CLEARING
 - CONTOUR LINE MAJOR
 - CONTOUR LINE MINOR
 - MINOR CONTOUR LINE PROPOSED
 - PROPOSED PRINCE FENCE
 - PROPOSED 6" WATER SERVICE
 - TYP. PROPOSED TAPPING SLEEVE & VALVE
 - PROPOSED WATER VALVE
 - PROPOSED CATCH BASIN
 - PROPOSED LANDSCAPE AREA



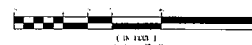
DATE	ISSUED FOR
UNAUTHORIZED ALTERATION OR ADDITION TO A PLAN BEARING A LICENSED PROFESSIONAL ENGINEER'S SEAL IS A VIOLATION OF SECTION 7009, SUB-DIVISION 2 OF THE N.Y. STATE EDUCATION LAW.	
FUSCO ENGINEERING & LAND SURVEYING, P.C. CONSULTING ENGINEERS	
PROJECT TITLE: 0517 PROPERTIES SECTION 17, BLOCK 3, LOT 14.1 2-20 LOW AVENUE	
CITY OF MOHAWK	PARKING SKETCH
PREPARED FOR: CITY OF MOHAWK	APPROVED BY: [Signature]
DESIGNED BY: [Signature]	REVISION DATE: 8/2/24
DRAWN BY: [Signature]	SHEET NUMBER: 1
PAGE 1 OF 4	



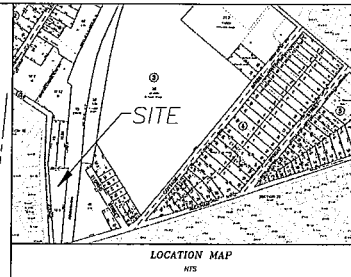
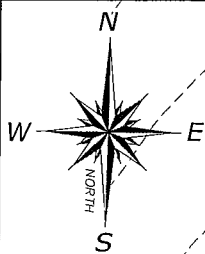
LEGEND

—●—	IRON PIPE FOUND
■	CONCRETE MONUMENT FOUND
—○—	UTILITY POLE
—□—	WATER VALVE
—X—	HYDRANT
—○—	GAS VALVE
—E.M.—	ELECTRIC METER
—O.M.—	GAS METER
—○—	SANITARY MANHOLE
—○—	MANHOLE
—○—	WATER SHUTOFF VALVE
—○—	CATCH BASIN
—○—	LIGHT POLE
-----	PROPERTY LINE
-----	ADJACENT PROPERTY LINE
-----	EXISTING RAILROAD TRACK
-----	EXISTING DRAIN LINE FENCE
-----	EXISTING WATER LINE
-----	EXISTING SEWER LINE
-----	EXISTING GAS LINE
-----	OVERHEAD UTILITIES
-----	GRANITE PIPE
-----	EXISTING GLIDE RAIL
-----	PROPOSED GLIDE RAIL
-----	PROPOSED SILT FENCE
-----	PROPOSED LIMITS OF CLEARING
-----	CONTOUR LINE MAJOR
-----	MAJOR CONTOUR LINE
-----	MAJOR CONTOUR LINE PROPOSED
-----	MINOR CONTOUR LINE PROPOSED
-----	PROPOSED PRIVACY FENCE
-----	PROPOSED 8" WATER SERVICE
● TSV	PROPOSED TAPPING KEELE & VALVE
●	PROPOSED WATER VALVE
●	PROPOSED CATCH BASIN
■	PROPOSED LANDSCAPE AREA

GRAPHIC SCALE



11510	DATE	REVISED FOR	
UNIMPROVED ALTERNATE EDITION ADDRESS TO A PLAN BEARING A LICENSED PROFESSIONAL ENGINEER'S SEAL IS A VIOLATION OF SECTION 7203, PUBLIC CHARTER OF THE CITY OF LOS ANGELES.			
			
FUSCO ENGINEERING & LAND SURVEYING, P.C. CONSULTING ENGINEERS			
PROJECT TITLE:		NEW PROPERTIES	THOSE NOT LISTED PAGE 40/41/42/43
SECTION 17, BLOCK 3 LOT 14.1 2-20 LOW AVENUE			
DRAWING TITLE:		SUBDIVISION PLAN	
CITY OF LOS ANGELES		APPROVED BY: TITLE:	STATE OF CALIFORNIA COUNTY OF DAVENPORT
REVIEWED FOR:		AKF 1-1-20	21-008
CITY OF LOS ANGELES 16 JAMES STREET LOS ANGELES, CALIFORNIA 90014		DESIGNED BY: PREPARED BY:	SHEET NUMBER:
		DRAWN BY: TITLE:	2
			B. 201 2/1/10



PROPOSED RETAINING WALL
RELOCATE EXISTING
UTILITY POLE & MOUNTAIN

EXISTING RETAINING WALL TO REMAIN
(WALL TO BE REPLACED
IN 200 IF REQUIRED)

PROPOSED CATCH BASIN

PROPOSED CATCH BASIN
RELOCATE EXISTING
WATER MAIN

EXISTING HOUSE

EXISTING HOUSE

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LOW AVENUE

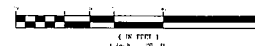
LOW AVENUE

WHICKHAM AVENUE

LEGEND

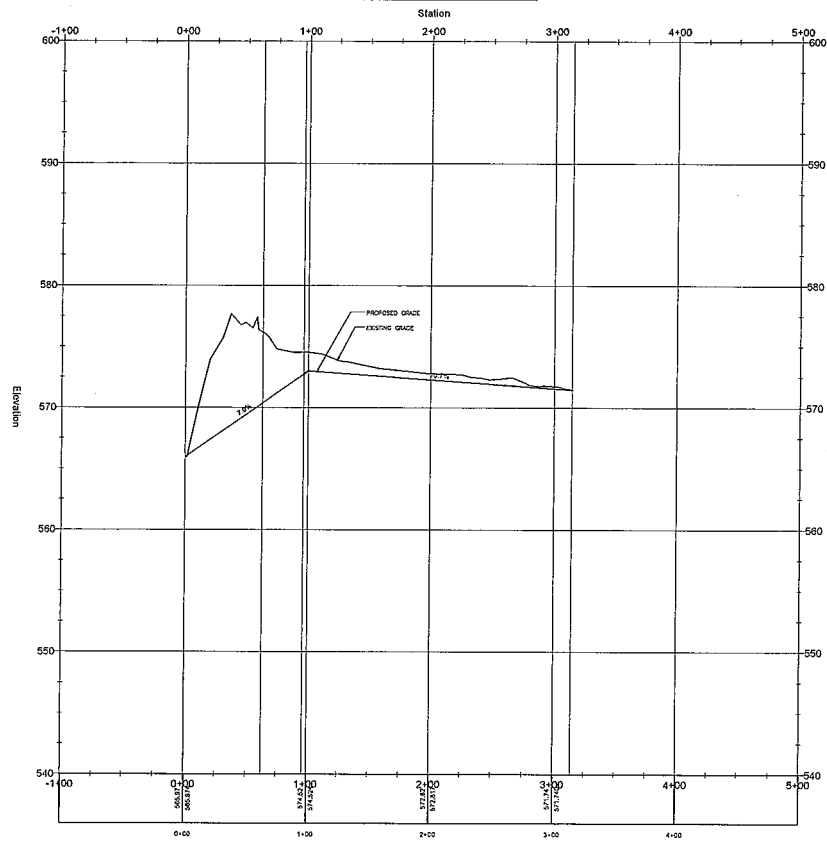
- IRON PIPE FOUND
- CONCRETE MONUMENT FOUND
- UTILITY POLE
- WATER VALVE
- HYDRANT
- GAS VALVE
- ELECTRIC METER
- GAS METER
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- EXISTING GAS LINE
- OVERHEAD UTILITY
- DRAINAGE PIPE
- EXISTING GUIDE RAIL
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- PROPOSED SELF FENCE
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- CONTOUR LINE MAJOR
- CONTOUR LINE MINOR
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- MINOR CONTOUR LINE PROPOSED
- PROPOSED PRIVACY FENCE
- PROPOSED 6" WATER SERVICE
- 10" PROPOSED RAPPING ELEVATE & VALVE
- PROPOSED WATER VALVE
- PROPOSED CATCH BASIN
- PROPOSED LANDSCAPE AREA

GRAPHIC SCALE



SYMBOL	DATE	ISSUED FOR
UNAUTHORIZED ALTERATION OR ADDITION TO A PLAN BEARING A LICENSED PROFESSIONAL ENGINEER'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2 OF THE N.Y. STATE EDUCATION LAW.		
FUSCO ENGINEERING & LAND SURVEYING, P.C. CONSULTING ENGINEERS		
PROJECT FILE: 18 JAMES STREET, MIDDLETOWN, NY 10940		
DATE: 8/6/24		
PAGE 3 OF 4		

Alignment - (1) PROFILE



DATE		ISSUED FOR	
UNAUTHORIZED ALTERATION OR ADDITION TO A PLAN BEARING A LICENSED PROFESSIONAL ENGINEER'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 3 OF THE N.Y. STATE EDUCATION LAW.			
 FUSCO ENGINEERING & LAND SURVEYING, P.C. CONSULTING ENGINEERS		PROFESSIONAL ENGINEER STATE OF NEW YORK EXPIRATION DATE: 06/15/24	
PROJECT TITLE: CANY PROPOSED SECTIONS 17, BLOCK 3, LOT 14.1 2-20 LOW AVENUE			
DRAWN BY: CITY OF MOBILETON PREPARED FOR: CITY OF MOBILETON 18 JAMES STREET MOBILETON, NY 12540	APPROVED BY: [Signature] DATE: 6/1/24 SCALE: 1"=40' SHEET NUMBER: 4	STATE OF NEW YORK COUNTY OF ORANGE REFERENCE NUMBER: 21-088	

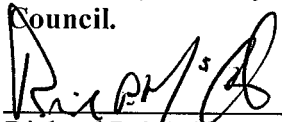


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

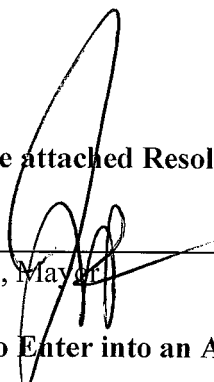
By: Alderman Masi
Seconded by: Alderwoman Wray
Date of Adoption: April 15, 2025
Index No: 111-25

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	9			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 4/18/25

Authorization to Enter into an Agreement with Ackerly & Hubbell Appraisal Corp

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 Ackerly & Hubbell Appraisal Corp for appraisal services

BE IT FURTHER RESOLVED; that the Board of Estimate and Apportionment authorizes the Mayor to sign the agreement. The total fee is \$2,200

Prepared by:
Alex Smith, Corporation Counsel

Attachments:

1.	Ackerly Hubbell Appraisal Proposal
----	------------------------------------



April 3, 2025

City of Middletown
Mayor Joseph Destefano
16 James Street
Middletown NY 10940

Telephone: (845) 346-4100
Email: mayor@middletown-ny.com
C/O: Jeff Sherwin jsherwin@mlsmlaw.com

Re: Lounsbury Property, 103 North Street, City of Middletown, Orange County, NY

**APPRAISAL SERVICES CONTRACT
"ENGAGEMENT LETTER"**

To Whom it May Concern:

This contract is an agreement between Ackerly & Hubbell Appraisal Corp. (APPRAISER), and City of Middletown (CLIENT). Payment is not contingent upon arriving at a particular value.

The subject consists of a vacant land parcel utilized as a parking lot.

- Further described as Parcel 31-2-13 totaling 0.08 acre owned by Robert Lounsbury, Jr. located at 103 North Street in the City of Middletown, NY.

APPRAISER agrees to conduct a scope of services that includes:

- Visual inspection of the subject property and reviewing necessary maps including topographic, flood plain maps, zoning maps, survey, etc.
- Valuing the appropriate interest of the property and based on the highest and best use
- Conducting market research and analysis of similar sales within the subject market for use in the sales approach – the only viable approach to value
- A restricted appraisal will be provided which will adhere to USPAP

CLIENT agrees to remunerate APPRAISER a fee of

- **\$2,200** for a Restricted Appraisal Report as defined as USPAP. An invoice will be provided upon completion of the appraisal. A digital PDF'd copy of appraisal report will be provided only via email.

Post appraisal services:

- Any necessary revisions and discussions regarding the submitted report are included in the initial fee.
- Any further consultations, meetings, or additional appraisal services will be billed on an hourly basis at \$250 per hour.

In order to complete the assignment the following items are requested (information noted as Confidential by the client will remain as such) and if unavailable we will request it from the owner upon client consent:

- Survey

ACKERLY & HUBBELL APPRAISAL CORP.

1072 Main Street · Fishkill · NY · 12524 · Phone: 845-454-6525 · Email: info@rphubb.com

- Property deed
- Documentation of any easements, covenants, etc.

Information marked as "confidential" by the client will remain as such. The purpose of the assignment is to render an opinion of market value of the subject property as of the valuation date. The intended use of the appraisal is to establish market value for the potential purchase of the parcel. The only intended users of this appraisal report is the client, City of Middletown. No party, other than the intended user, should rely on this appraisal for any purpose whatsoever.

Delivery of the restricted appraisal report will be 4 weeks from the date of inspection and receipt of signed engagement; contingent upon receipt of all necessary items in order to complete the appraisal. In the event that any payment is not paid when due, CLIENT shall pay all expenses of collection, including, but not limited to, court costs and attorneys' fees.

Thank you for the opportunity of presenting this contract for your consideration. The contract is valid for 30 days. If the contract meets with your approval, please execute a signed pdf original, required payment and requested data. Signed contract and data in pdf format via email only.

Payment is accepted by check only payable to: Ackerly & Hubbell Appraisal Corp, mailed to:
1072 Main Street, Fishkill NY 12524

Respectfully submitted:

ACKERLY & HUBBELL APPRAISAL CORP.

Andrew Ward

Senior Appraiser

State Certified General Real Estate Appraiser No. 46...48872

AW

Project will commence upon receipt of signed contract and payment

AUTHORIZATION TO PROCEED

I agree to the terms and conditions of the Appraisal Service Contract set forth herein, and hereby authorize APPRAISER to proceed with said services.

Signature

Date

Printed Name

Title

Person to contact for inspection

Phone number

ACKERLY & HUBBELL APPRAISAL CORP.

1072 Main Street · Fishkill · NY · 12524 · Phone: 845-454-6525 · Email: Info@ackerlyappaisals.com



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

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderman Green
Date of Adoption: April 15, 2025
Index No: 112-25

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	9			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Enter into an Agreement with Capital Market Advisors for Financial Advisory Services through December of 2026

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 Capital Market Advisors for Financial Advisory Services through December of 2026

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

Prepared by:
Leonora Liz, Treasurer

Attachments:

1.	Middletown City 4.7.25 (004)
2.	CMA Middletown City 4.7.25 (002)

Capital Markets Advisors, LLC

Independent Financial Advisors

FINANCIAL ADVISORY SERVICES AGREEMENT

This Agreement has been entered into this _____ day of _____, 2025 by and between the City of Middletown, New York (the "City") and Capital Markets Advisors, LLC ("CMA"), a limited liability company created under the laws of the State of New York and having its principal place of business at 11 Grace Avenue, Suite 308, Great Neck, New York 11021.

Section 1 Financial Advisory Services

CMA will provide the following services in connection with bond and note financings (the "Issue"), undertaken by City during the term of this Agreement.

- 1.01 Review legal, financial, economic and other information necessary for CMA to advise the City in planning, structuring and otherwise completing each Issue to be undertaken by the City.
- 1.02 Discuss a plan of financing which will include CMA's analysis and recommendations to the City regarding funding requirements, structuring alternatives, marketing, method of sale, security features, call provisions, credit ratings, credit enhancement, term, federal tax implications and such other matters which the City and CMA agree should be included in the plan of financing.
- 1.03 Prepare or assist in the preparation of financing documents, as required by the City, including but not limited to: term sheet, Official Statement, Notice of Sale and bid sheet, request for a credit rating, request for bond insurance, DTC Letter of Representations, and post-sale analysis.
- 1.04 Upon the request of the City, CMA will assist the City in the selection of other service providers necessary to conduct each Issue including but not limited to Bond Counsel, rating agencies, bond insurer, underwriters, trustee and financial printer, if appropriate.
- 1.05 Prepare and maintain a financing schedule, costs of issue, list of participants, and take such other actions requested by the City to efficiently manage each Issue to meet City's objectives.
- 1.06 Participate in the sale of the debt, confirm net interest cost calculation, verify underwriter's compensation and make a recommendation as to award.
- 1.07 Assist the City with the delivery of proceeds of each Issue, payment of issuance costs and other matters related to closing each Issue.
- 1.08 Prepare final debt service schedules.
- 1.09 Assist with the closing of the Issue and verify receipt of Issue proceeds.

Section 2 Compensation

- 2.01 For CMA's performance of services on behalf of the City as described in Sections 1 hereof, CMA's compensation, a portion of which is contingent on an issue closing, will be as follows:
 - For bond issues: base fee \$10,550 plus \$0.57 per \$1,000 of bonds issued over \$5 million
 - For note issues: base fee of \$5,450 plus \$0.31 per \$1,000 of notes issued for issues over \$5 million
 - For note issues with no Official Statement: \$3,600
 - For issues through NYS EFC: a fee of \$20,500 which includes both short-term and long-term financing of the loan. Such fee is due upon receipt of funding from EFC in the amount of \$10,250 at

Capital Markets Advisors, LLC

Independent Financial Advisors

the closing of the short-term financing and \$10,250 upon the closing of the long-term financing. If only a long-term EFC issue is issued: a fee is \$18,000 at the closing of the loan

- For capital leases: a base fee of \$6,500 plus \$0.50 per \$1,000 of lease debt issued
- For Continuing Disclosure services: an annual fee of \$2,700

- 2.02 For advisory services rendered for which the above fees are not applicable, CMA will be compensated on an hourly basis at a rate of \$195 per hour.
- 2.03 The City will pay normal issuance costs such as printing, postage, photocopying, overnight delivery, web posting, Bond Counsel, rating agency fees and other associated expenses.
- 2.04 Payment of CMA's compensation for a financing is due within 30 days of receipt by the City of CMA's invoice.

Section 3 Term of Agreement

The term of this Agreement shall be from the date hereof to December 31, 202_. **FILL IN "5" or "6" HERE**

Section 4 Responsibilities of Parties

CMA does not assume the responsibilities of the City, nor the responsibilities of the other professionals and vendors representing the City, in the provision of services and the preparation of financing documents for financings under this agreement. CMA accepts the relationship of trust and confidence established between it and the City. CMA agrees to furnish its best skill and judgment in the performance of its services in the most expeditious and economical manner consistent with the interests of the City. Information obtained by the CMA, either through its own efforts or provided by the City, included in the financing documents, or otherwise provided to the City, is by reason of experience and professional judgment, believed to be accurate; however, such information is not guaranteed by the CMA. However, nothing in this paragraph shall relieve CMA from liability due to negligence or want of due diligence in the performance of its services.

Section 5 Binding Effect

All agreements and covenants contained herein are severable and in the event any of them shall be held to be invalid by any competent court, this agreement shall be interpreted as if such invalid agreements or covenants were not contained herein, and the remaining provisions of this agreement shall remain in full force and effect. Each party hereto represents and warrants that this agreement has been duly authorized and executed by it and constitutes its valid and binding agreement and any governmental approvals necessary for the performance of this agreement have been obtained.

Section 6 Required Regulatory Disclosure

Municipal Advisor Regulators

Municipal Securities Rulemaking Board ("MSRB") Rule G-10 requires that municipal advisors, including CMA, provide to their clients the following information once each calendar year: (i) CMA is registered as an independent municipal advisor with the MSRB and the US Securities and Exchange Commission ("SEC"); (ii) CMA is subject to the regulations and rules on municipal advisory activities established by the SEC and MSRB; (iii) the website for the MSRB is www.msrb.org and the website for the SEC

Capital Markets Advisors, LLC

Independent Financial Advisors

is www.sec.gov and (iv) in addition to having educational materials about the municipal securities market, the MSRB website has a municipal advisory client brochure that describes the protections that may be provided by the MSRB rules and how to file a complaint with the appropriate regulatory authority.

Conflicts of Interest Disclosure

CMA is an MSRB Registered Municipal Advisor that conducts all municipal advisory activities subject to the fiduciary standards of conduct. MSRB Rule G-42 requires that municipal advisors disclose to their clients any actual or potential material conflict of interest, including certain categories of potential conflicts of interest identified in Rule G-42, if applicable. If no such material conflicts of interest are known to exist, municipal advisors are required to provide a written statement to that effect.

To the best of CMA's knowledge and belief, neither CMA nor any associated person has any material undisclosed conflict of interest.

- CMA has no financial interest in, nor does CMA receive any undisclosed compensation from, any firm or person that CMA may use in providing any advice, service, or product to or on behalf of any CMA client.
- CMA does not pay contracted MSRB registered solicitors or other MSRB registered municipal advisors directly or indirectly in order to obtain or retain an engagement to perform municipal advisory services for any municipal entity.
- CMA does not receive any payments from a third party to enlist CMA's recommendation of services, municipal securities transactions, or any municipal financial product or service.
- CMA does not have any fee-splitting arrangements with any provider of investments or services to any municipal entity.
- A municipal advisor, including CMA, that is compensated via a contingency fee agreement, has a material conflict of interest arising from compensation for municipal advisory activities performed that are contingent on the size or closing of such transaction for which it is providing advice. This conflict of interest exists if CMA should fail to get paid for its work on a transaction in the event that transaction does not close. Contingency fee agreements are not uncommon or illegal, but the inherent, material conflict of interest that results from such an agreement must be disclosed to the client.
- CMA services a wide variety of other clients that may from time to time have interests that could have a direct or indirect impact on the interests of other municipal clients. These other clients may, from time to time and depending on specific circumstances, have competing interests, such as accessing the market with the most advantageous timing. In acting in the interests of its various clients, CMA could potentially face a conflict of interest arising from these competing client interests. However, none of these other engagements or relationships would impair CMA's ability to fulfill its regulatory duties to its municipal clients.
- There are no other actual conflicts of interest that could reasonably be anticipated to impair CMA's ability to provide advice to any municipal entity in accordance with the standard of fiduciary conduct.

Information Regarding Legal Events and Disciplinary History Disclosure

MSRB Rule G-42 requires that municipal advisors provide to their clients certain disclosures of legal or disciplinary events material to the client's evaluation of the municipal advisor or the integrity of the municipal advisor's management or advisory personnel.

- CMA's Form MA and Form MA-Is for each of the Firm's Associated Persons are posted in the Edgar Database located on the U.S. Securities and Exchange Commission's website (www.sec.gov).

Capital Markets Advisors, LLC

Independent Financial Advisors

- CMA has made a legal event disclosure on its Form MA and two of its Associated Persons' Form MA-I's filed with the U.S. Securities and Exchange Commission.

Future Supplemental Disclosures

As required by MSRB Rule G-42, these disclosures may be supplemented or amended, from time to time as needed, to reflect changed circumstances resulting in new conflicts of interest or changes in the conflicts of interest described, or to provide information with regard to any legal or disciplinary events. CMA will provide its municipal clients with any supplement or amendment as it becomes available throughout the terms of each agreement or contract.

Section 7 Independent Contractor

CMA hereby acknowledges and agrees that its status under this Agreement will be that of an independent contractor. CMA and its officers, agents and employees shall not represent themselves as City employees to any third party, nor shall they make any claim to the City, or to any other person or entity, for benefits or privileges granted to City employees, including but not limited to, Unemployment and Workers Compensation benefits. CMA further acknowledges and agrees that the City shall not take any deductions or withholdings from CMA's compensation to pay federal or state taxes, or any other assessment, cost, expense or obligation which CMA or its officers, employees or agents may incur as a result of CMA receiving compensation pursuant to this agreement.

Section 8 Modification

This Agreement contains the entire agreement of the parties. It may be amended in whole or in part from time to time in writing by mutual consent of the parties.

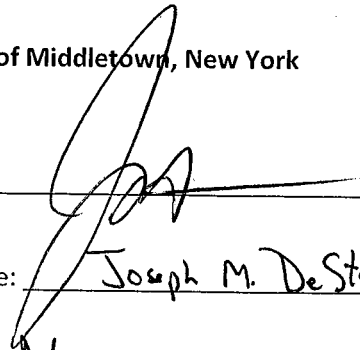
IN WITNESS WHEREOF, the parties have duly executed this Agreement as of the day and year first set forth on the first page hereof.

Capital Markets Advisors, LLC

Richard Tortora

Richard R. Tortora
President

City of Middletown, New York

By: 

Name: Joseph M. DeStefano

Title: Mayor

Capital Markets Advisors, LLC

Independent Financial Advisors

FINANCIAL ADVISORY SERVICES AGREEMENT

This Agreement has been entered into this _____ day of _____, 2025 by and between the City of Middletown, New York (the "City") and Capital Markets Advisors, LLC ("CMA"), a limited liability company created under the laws of the State of New York and having its principal place of business at 11 Grace Avenue, Suite 308, Great Neck, New York 11021.

Section 1 Financial Advisory Services

CMA will provide the following services in connection with bond and note financings (the "Issue"), undertaken by City during the term of this Agreement.

- 1.01 Review legal, financial, economic and other information necessary for CMA to advise the City in planning, structuring and otherwise completing each Issue to be undertaken by the City.
- 1.02 Discuss a plan of financing which will include CMA's analysis and recommendations to the City regarding funding requirements, structuring alternatives, marketing, method of sale, security features, call provisions, credit ratings, credit enhancement, term, federal tax implications and such other matters which the City and CMA agree should be included in the plan of financing.
- 1.03 Prepare or assist in the preparation of financing documents, as required by the City, including but not limited to: term sheet, Official Statement, Notice of Sale and bid sheet, request for a credit rating, request for bond insurance, DTC Letter of Representations, and post-sale analysis.
- 1.04 Upon the request of the City, CMA will assist the City in the selection of other service providers necessary to conduct each Issue including but not limited to Bond Counsel, rating agencies, bond insurer, underwriters, trustee and financial printer, if appropriate.
- 1.05 Prepare and maintain a financing schedule, costs of issue, list of participants, and take such other actions requested by the City to efficiently manage each Issue to meet City's objectives.
- 1.06 Participate in the sale of the debt, confirm net interest cost calculation, verify underwriter's compensation and make a recommendation as to award.
- 1.07 Assist the City with the delivery of proceeds of each Issue, payment of issuance costs and other matters related to closing each Issue.
- 1.08 Prepare final debt service schedules.
- 1.09 Assist with the closing of the Issue and verify receipt of Issue proceeds.

Section 2 Compensation

- 2.01 For CMA's performance of services on behalf of the City as described in Sections 1 hereof, CMA's compensation, a portion of which is contingent on an issue closing, will be as follows:
 - For bond issues: base fee \$10,550 plus \$0.57 per \$1,000 of bonds issued over \$5 million
 - For note issues: base fee of \$5,450 plus \$0.31 per \$1,000 of notes issued for issues over \$5 million
 - For note issues with no Official Statement: \$3,600
 - For issues through NYS EFC: a fee of \$20,500 which includes both short-term and long-term financing of the loan. Such fee is due upon receipt of funding from EFC in the amount of \$10,250 at

Capital Markets Advisors, LLC

Independent Financial Advisors

the closing of the short-term financing and \$10,250 upon the closing of the long-term financing. If only a long-term EFC issue is issued: a fee is \$18,000 at the closing of the loan

- For capital leases: a base fee of \$6,500 plus \$0.50 per \$1,000 of lease debt issued

- For Continuing Disclosure services: an annual fee of \$2,700

- 2.02 For advisory services rendered for which the above fees are not applicable, CMA will be compensated on an hourly basis at a rate of \$190 per hour.
- 2.03 The City will pay normal issuance costs such as printing, postage, photocopying, overnight delivery, web posting, Bond Counsel, rating agency fees and other associated expenses.
- 2.04 Payment of CMA's compensation for a financing is due within 30 days of receipt by the City of CMA's invoice.

Section 3 Term of Agreement

The term of this Agreement shall be from the date hereof to December 31, 202_. FILL IN "5" or "6" HERE

Section 4 Responsibilities of Parties

CMA does not assume the responsibilities of the City, nor the responsibilities of the other professionals and vendors representing the City, in the provision of services and the preparation of financing documents for financings under this agreement. CMA accepts the relationship of trust and confidence established between it and the City. CMA agrees to furnish its best skill and judgment in the performance of its services in the most expeditious and economical manner consistent with the interests of the City. Information obtained by the CMA, either through its own efforts or provided by the City, included in the financing documents, or otherwise provided to the City, is by reason of experience and professional judgment, believed to be accurate; however, such information is not guaranteed by the CMA. However, nothing in this paragraph shall relieve CMA from liability due to negligence or want of due diligence in the performance of its services.

Section 5 Binding Effect

All agreements and covenants contained herein are severable and in the event any of them shall be held to be invalid by any competent court, this agreement shall be interpreted as if such invalid agreements or covenants were not contained herein, and the remaining provisions of this agreement shall remain in full force and effect. Each party hereto represents and warrants that this agreement has been duly authorized and executed by it and constitutes its valid and binding agreement and any governmental approvals necessary for the performance of this agreement have been obtained.

Section 6 Required Regulatory Disclosure

Municipal Advisor Regulators

Municipal Securities Rulemaking Board ("MSRB") Rule G-10 requires that municipal advisors, including CMA, provide to their clients the following information once each calendar year: (i) CMA is registered as an independent municipal advisor with the MSRB and the US Securities and Exchange Commission ("SEC"); (ii) CMA is subject to the regulations and rules on municipal advisory activities established by the SEC and MSRB; (iii) the website for the MSRB is www.msrb.org and the website for the SEC

Capital Markets Advisors, LLC

Independent Financial Advisors

is www.sec.gov and (iv) in addition to having educational materials about the municipal securities market, the MSRB website has a municipal advisory client brochure that describes the protections that may be provided by the MSRB rules and how to file a complaint with the appropriate regulatory authority.

Conflicts of Interest Disclosure

CMA is an MSRB Registered Municipal Advisor that conducts all municipal advisory activities subject to the fiduciary standards of conduct. MSRB Rule G-42 requires that municipal advisors disclose to their clients any actual or potential material conflict of interest, including certain categories of potential conflicts of interest identified in Rule G-42, if applicable. If no such material conflicts of interest are known to exist, municipal advisors are required to provide a written statement to that effect.

To the best of CMA's knowledge and belief, neither CMA nor any associated person has any material undisclosed conflict of interest.

- CMA has no financial interest in, nor does CMA receive any undisclosed compensation from, any firm or person that CMA may use in providing any advice, service, or product to or on behalf of any CMA client.
- CMA does not pay contracted MSRB registered solicitors or other MSRB registered municipal advisors directly or indirectly in order to obtain or retain an engagement to perform municipal advisory services for any municipal entity.
- CMA does not receive any payments from a third party to enlist CMA's recommendation of services, municipal securities transactions, or any municipal financial product or service.
- CMA does not have any fee-splitting arrangements with any provider of investments or services to any municipal entity.
- A municipal advisor, including CMA, that is compensated via a contingency fee agreement, has a material conflict of interest arising from compensation for municipal advisory activities performed that are contingent on the size or closing of such transaction for which it is providing advice. This conflict of interest exists if CMA should fail to get paid for its work on a transaction in the event that transaction does not close. Contingency fee agreements are not uncommon or illegal, but the inherent, material conflict of interest that results from such an agreement must be disclosed to the client.
- CMA services a wide variety of other clients that may from time to time have interests that could have a direct or indirect impact on the interests of other municipal clients. These other clients may, from time to time and depending on specific circumstances, have competing interests, such as accessing the market with the most advantageous timing. In acting in the interests of its various clients, CMA could potentially face a conflict of interest arising from these competing client interests. However, none of these other engagements or relationships would impair CMA's ability to fulfill its regulatory duties to its municipal clients.
- There are no other actual conflicts of interest that could reasonably be anticipated to impair CMA's ability to provide advice to any municipal entity in accordance with the standard of fiduciary conduct.

Information Regarding Legal Events and Disciplinary History Disclosure

MSRB Rule G-42 requires that municipal advisors provide to their clients certain disclosures of legal or disciplinary events material to the client's evaluation of the municipal advisor or the integrity of the municipal advisor's management or advisory personnel.

- CMA's Form MA and Form MA-Is for each of the Firm's Associated Persons are posted in the Edgar Database located on the U.S. Securities and Exchange Commission's website (www.sec.gov).

Capital Markets Advisors, LLC

Independent Financial Advisors

- CMA has made a legal event disclosure on its Form MA and two of its Associated Persons' Form MA-I's filed with the U.S. Securities and Exchange Commission.

Future Supplemental Disclosures

As required by MSRB Rule G-42, these disclosures may be supplemented or amended, from time to time as needed, to reflect changed circumstances resulting in new conflicts of interest or changes in the conflicts of interest described, or to provide information with regard to any legal or disciplinary events. CMA will provide its municipal clients with any supplement or amendment as it becomes available throughout the terms of each agreement or contract.

Section 7 Independent Contractor

CMA hereby acknowledges and agrees that its status under this Agreement will be that of an independent contractor. CMA and its officers, agents and employees shall not represent themselves as City employees to any third party, nor shall they make any claim to the City, or to any other person or entity, for benefits or privileges granted to City employees, including but not limited to, Unemployment and Workers Compensation benefits. CMA further acknowledges and agrees that the City shall not take any deductions or withholdings from CMA's compensation to pay federal or state taxes, or any other assessment, cost, expense or obligation which CMA or its officers, employees or agents may incur as a result of CMA receiving compensation pursuant to this agreement.

Section 8 Modification

This Agreement contains the entire agreement of the parties. It may be amended in whole or in part from time to time in writing by mutual consent of the parties.

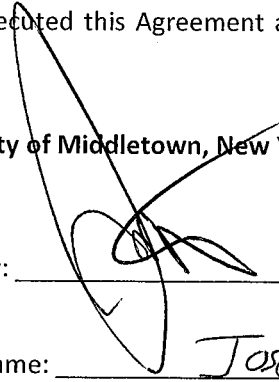
IN WITNESS WHEREOF, the parties have duly executed this Agreement as of the day and year first set forth on the first page hereof.

Capital Markets Advisors, LLC

Richard Tortora

Richard R. Tortora
President

City of Middletown, New York

By:  _____

Name: Joseph M. DeStefano

Title: Mayor

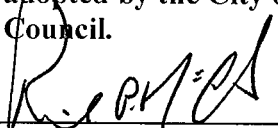


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

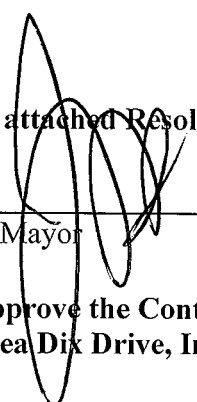
By: Alderman Johnson
Seconded by: Alderwoman Wray
Date of Adoption: April 15, 2025
Index No: 113-25

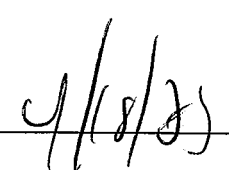
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


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	9			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

Authorization to Approve the Contract of Sale for the Purchase and Development of 122 Dorothea Dix Drive, Including Development Goals and Targets

BE IT RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the contract of sale for the purchase and development of 122 Dorothea Dix Drive, including development goals and targets.

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

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

Attachments:

1.	BOE 122 DOROTHEA DIX DRIVE CONTRACT OF SALE (002)
----	---

CITY OF MIDDLETOWN
Office of Economic & Community Development

April 7, 2025

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

RE: 122 Dorothea Dix Drive

Dear Members:

I am requesting to accept the contract of sale for the purchase of and development of 122 Dorothea Dix Drive, former Tuckerman Hall by Fei Tian College.

Also, requesting to authorize the Mayor to execute any and all documents necessary for the contract of sale that includes timelines with development goals.

This is an "As Is" purchase in its present condition tied to development goals and fees. Use of the premises is for college and educational purposes.

Attached you will find the Contract of Sale with exhibits prepared and reviewed by Corporation Counsel, Alex Smith.

Thank you for your attention to this matter.

Maria Bruni, Director
Economic & Community Development

CONTRACT OF SALE

DATE

CONTRACT OF SALE made as of the ~~27th~~ ^{April} day of ~~March~~, 2025

PARTIES BETWEEN

CITY OF MIDDLETOWN

Address: 16 James Street, Middletown, New York 10940
hereinafter called "SELLER" who agrees to sell, and

FEI TIAN COLLEGE

Address: 14 Jason Place, Middletown, New York 10940
hereinafter called "PURCHASER", who agrees to buy

The property located at 122 Dorothea Dix Drive, Middletown, New York 10940, including all buildings and improvements, if any, thereon (the "PREMISES") (more fully described on a separate page marked "Exhibit A"), and commonly known as Tuckerman Hall.

PURCHASE PRICE

1. The purchase price is \$150,001.00 payable as follows:

(A) **At Closing:** The amount of One Dollar and No Cents (\$1.00) shall be paid to SELLER.

(B) **By a Purchase Money Note and Mortgage,** the terms of which are provided in Paragraph 23 in this Contract.

SUBJECT TO PROVISIONS:

2. The PREMISES are to be transferred subject to:

a. All present and future building, zoning and other restrictions, regulations, laws, ordinances, resolutions and orders of any State, municipal or other governmental authorities having jurisdiction over the PREMISES or the use or improvement thereof.

b. The rights of utility companies, if any, to install, maintain and operate lines, poles, pipes, distribution boxes, and other equipment and installations over, under or along the street next to the PREMISES or the part of the PREMISES next to the street, or

running to improvements on the PREMISES.

c. Encroachments and projections of walls, foundations, trim, fences or other improvements, installations or appurtenances onto the PREMISES or from the PREMISES onto adjoining property; variations between record lines and any tax map; and consents for the erection and maintenance of any structures on, under or above any streets or roads adjoining the PREMISES.

d. Such state of facts as an accurate survey may reveal.

e. Real estate taxes and water and sewer charges, subject to adjustment as hereinafter provided.

TITLE COMPANY APPROVAL:

3. PURCHASER agrees to promptly apply for and procure a title insurance commitment from, and to cause title to the PREMISES to be searched and examined by a duly licensed and reputable title insurance company (the "title company"). PURCHASER agrees to promptly deliver to SELLER'S attorney, Alex Smith, Esq., 16 James Street, Middletown, New York 10940, a copy of the title company's title report or commitment, and any tax search, departmental searches, survey and survey reading. PURCHASER shall **promptly notify** SELLER'S attorney of any objections disclosed by the title and municipal searches. The failure by PURCHASER to so notify SELLER'S attorney within a reasonable time prior to Closing shall constitute a waiver by PURCHASER of any and all objections and defects in SELLER'S title that would have been disclosed by such prompt notification. PURCHASER shall pay all expenses for examination of title, the premium for any title insurance policy, and all other title, survey or other expenses incurred in connection with this Contract or the Closing.

4. SELLER shall have the right to attempt to remedy any defects in title, and shall be entitled to reasonable adjournments of the Closing for such purpose. PURCHASER shall accept such title as the title company will insure in accordance with its standard form of title policy, subject only to the matters provided for in this Contract and such other exceptions as the title company, without special premium to PURCHASER, will omit as exceptions to coverage or will except with insurance against collection out of or enforcement against the PREMISES.

5. In the event that SELLER cannot remedy defects in title, or the title company elects not to insure the PREMISES or requires conditions that neither SELLER nor PURCHASER can meet, then PURCHASER can elect to declare this Contract of Sale terminated or null and void.

CLOSING DEFINED AND FORM OF DEED:

6. "Closing" means the settlement of the obligations of SELLER and PURCHASER to each other under this Contract, including the payment of the purchase price to SELLER, and the delivery to PURCHASER – or an entity designated by PURCHASER for the purpose of temporarily holding title to the PREMISES -- of a Bargain and Sale Deed with Covenant Against Grantor's Acts in proper statutory form for recording so as to transfer full ownership (fee simple title) to the PREMISES, free of all encumbrances except as herein stated. The deed will contain a covenant by SELLER as required by Section 13 of the Lien Law.

CLOSING DATE AND PLACE:

7. Closing will take place at the office of SELLER'S attorney on or about **April 16, 2025.**

STREETS AND ASSIGNMENT OF UNPAID AWARDS:

8. This sale includes all of SELLER'S ownership and rights, if any, in any land lying in the bed of any street of highway, opened or proposed, in front of or adjoining the PREMISES to the center line thereof. It also includes any right of SELLER to any unpaid award by reason of any taking by condemnation and/or for any damage to the PREMISES by reason of change of grade of any street or highway. SELLER will deliver at no additional cost to PURCHASER, at Closing, or thereafter, on demand, any documents which PURCHASER may require to collect the award and damages. At the time that SELLER signs this Contract of Sale, SELLER is not aware of any unpaid award by reason of any taking or condemnation and/or for any damage to the PREMISES by reason of change of grade of any street or highway.

BROKERS:

9. PURCHASER represents and warrants that it has not dealt with any broker in connection with this sale. PURCHASER agrees to indemnify and hold SELLER harmless from and against all liabilities, claims, damages or expenses, including attorney's fees, pertaining to any broker with whom PURCHASER has dealt. This provision shall survive Closing for a period of one (1) year.

APPORTIONMENTS:

10. The following are to be apportioned as of midnight of the day before CLOSING.

- (a) Rents as and when collected.
- (b) Premiums on existing transferable insurance policies and renewals of those expiring prior to Closing.
- (c) Real estate taxes, water charges and sewer rents, if any, on the basis of the lien period for which assessed.
- (d) Gas and oil, if applicable.

11. If Closing shall occur before a new tax rate is fixed, the apportionment of taxes shall be upon the basis of the old tax rate for the preceding period applied to the latest assessed valuation; however, adjustment will be made when the actual tax amount is determined. This provision shall survive the Closing.

12. Any errors or omissions in computing apportionments at Closing shall be corrected. This provision shall survive Closing.

USE OF PURCHASE PRICE TO PAY ENCUMBRANCES:

13. If there is anything else affecting the sale which SELLER is obligated to pay and discharge at Closing, SELLER may use any portion of the balance of the purchase price to discharge it. As an alternative SELLER may deposit money with the title insurance company employed by PURCHASER and required by it to assure its discharge; but only if the title insurance company will insure PURCHASER'S title clear of the matter or insure against its enforcement out of the PREMISES. Upon request, made with a reasonable time before Closing, the SELLER agrees to provide separate certified checks as requested to assist in clearing up these matters.

AFFIDAVIT AS TO JUDGMENTS, BANKRUPTCIES, ETC.:

14. If a title examination discloses judgments, bankruptcies or other returns against persons having names the same as or similar to that of SELLER, SELLER shall deliver a satisfactory detailed affidavit at Closing showing that they are not against SELLER.

PURCHASERS LIEN:

15. All money paid on account of this Contract, and the reasonable expenses of examination of the title to the PREMISES and of any survey and survey inspection charges are hereby made liens on the PREMISES and collectable out of the PREMISES. Such liens shall not continue after default in performance of the Contract by PURCHASER.

SELLERS' INABILITY TO CONVEY AND LIMITATION OF LIABILITY:

16. If SELLER is unable to transfer title to PURCHASER in accordance with this contract, SELLER'S sole liability shall be to refund all money paid on account of this Contract, without interest, plus all charges made for:

- (a) examining the title,
 - (b) any appropriate additional searches made in accordance with this Contract,
- and
- (c) survey and survey inspection charges.

17. Upon such refund and payment this Contract shall be considered cancelled, and neither SELLER nor PURCHASER shall have any further rights against the other. SELLER'S total liability for all of these items, shall not exceed \$350.00, in addition to refund of the downpayment.

CONDITION OF PROPERTY:

18. PURCHASER has inspected the PREMISES and is thoroughly acquainted with its condition. PURCHASER agrees to purchase the PREMISES "as is" and in its present condition subject to reasonable use, wear, tear, and natural deterioration between now and Closing. PURCHASER shall have the right, after reasonable notice to SELLER, to inspect the PREMISES before Closing.

19. PURCHASER acknowledges that neither SELLER nor any representative or agent of SELLER have made any representation or warranty as to the physical condition, state of repair, expenses or operation of the PREMISES or any matter or thing affecting or relating to the PREMISES or this Contract, except as specifically set forth herein. SELLER shall not be liable or bound in any manner by any oral or written statement, representation, agreement or information relating to the PREMISES or this Contract furnished by any real estate broker, agent or other person, unless specifically set forth herein.

20. PURCHASER shall have access to the PREMISES within 48 hours prior to Closing or taking of possession in order to ascertain the condition of the PREMISES.

ASSIGNMENT:

21. PURCHASER may not assign this Contract without the prior written consent of the SELLER. Any attempted assignment without such consent shall be null and void.

However, PURCHASER'S rights under this Contract shall inure to the benefit of PURCHASER'S successors and assigns in the event that the Board of Regents, on behalf of the Education Department of the State of New York, grants a charter or provisional charter to Northern College or Northern University, and Fei Tian College-Middletown is spun off from Fei Tian College to form an independent college or university under the name of Northern College or Northern University.

NOTE AND MORTGAGE

22. The Note and Mortgage from the PURCHASER to the SELLER at Closing will be prepared by SELLER'S attorney, and all costs and fees associated with such Note and Mortgage (including, but not limited to, recording fees and mortgage tax, if applicable) will be paid by PURCHASER.

23. SELLER is not charging interest with respect to the Note and Mortgage. The amount owed under the Note and Mortgage will be forgiven in its entirety if the PURCHASER fulfills certain development goals. If such goals are not fulfilled, the PURCHASER will owe payments to SELLER. The goals and payments are as follows:

A. PURCHASER must receive Planning Board approval for use of the PREMISES for college and educational purposes, including, if needed, dormitories) by November 30, 2025. If this goal is met, SELLER will provide to the PURCHASER a partial release of the Note and Mortgage in the amount of \$25,000.00;

B. PURCHASER must obtain a building permit to perform construction/renovations in accordance with the Planning Board approval by April 30, 2026. If this goal is met, SELLER will provide to the PURCHASER another partial release of the Note and Mortgage in the amount of \$25,000.00;

C. The PURCHASER must obtain a Certificate of Occupancy for Wing A, as depicted on the attached colored map annexed hereto as Exhibit B, for (1) reception, offices and instruction rooms and (2) college-related stores and dining, conference rooms and offices by February 28, 2028. If this goal is met, SELLER will provide to the PURCHASER another partial release of the Note and Mortgage in the amount of \$25,000.00;

D. The PURCHASER must obtain a Certificate of Occupancy for Wing C, as depicted on the attached colored map, for student activities, dormitories and offices by February 28, 2029. If this goal is met, SELLER will provide to the PURCHASER another partial release of the Note and Mortgage in the amount of \$25,000.00;

E. The PURCHASER must obtain a Certificate of Occupancy for Wing B, as depicted on the attached colored map, for (1) instruction rooms and offices, and (2) meeting and conference rooms by February 28, 2030. If this goal is met, SELLER will

provide to the PURCHASER another partial release of the Note and Mortgage in the amount of \$25,000.00; and

F. The PURCHASER must obtain a Certificate of Occupancy for Wing D, as depicted on the attached colored map, for (1) instruction rooms and offices, and (2) meeting and conference rooms by May 31, 2031. If this goal is met, SELLER will provide to the PURCHASER another partial release of the Note and Mortgage in the amount of \$25,000.00.

COMMON COUNCIL APPROVAL

24. This Contract is conditioned upon approval by the City of Middletown Common Council.

DEFAULT

25. If SELLER willfully defaults under this Contract, PURCHASER shall have such remedies as PURCHASER shall be entitled to at law or in equity, including, without limitation, specific performance. If PURCHASER willfully defaults under this Contract, SELLER shall have such remedies as SELLER shall be entitled to at law or in equity.

ENTIRE AGREEMENT:

26. All prior understandings and agreements between SELLER and PURCHASER are merged in this Contract. It completely expresses their full agreement. It has been entered into after full investigation, neither party relying upon any statements made by anyone else that is not set forth in this Contract.

CHANGES MUST BE IN WRITING

27. This Contract may not be changed or cancelled except in writing. The Contract shall also apply to and bind the distributees, heirs, executors, administrators, successors and assigns of the respective parties. Each of the parties hereby authorize their attorneys to agree in writing to any changes in dates and time periods provided for in this Contract.

SURVIVAL:

28. None of the representations, warranties, covenants or other obligations of SELLER hereunder shall survive the Closing, except as expressly provided herein. Acceptance of the deed by PURCHASER shall be deemed full and complete performance and discharge of every agreement and obligation of SELLER hereunder, except those, if any, which

expressly are stated herein to survive the Closing.

SINGULAR ALSO MEANS PLURAL:

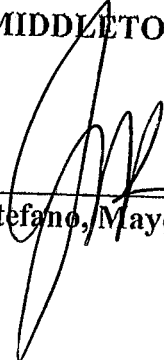
29. Any singular word or term herein shall also be read as in the plural whenever the sense of this Contract may require it.

BINDING EFFECT:

30. This Contract shall not be considered an offer or an acceptance of an offer by SELLER, and shall not be binding upon SELLER until executed and delivered by both SELLER and PURCHASER. Upon such execution and delivery, this Contract shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and permitted assigns.

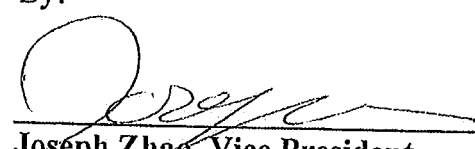
IN WITNESS WHEREOF, SELLER AND PURCHASER have duly executed this Contract on the date first above written.

CITY OF MIDDLETOWN, Seller
By:



Joseph DeStefano, Mayor

FEI TIAN COLLEGE, Purchaser
By:



Joseph Zhao, Vice President

EXHIBIT A – DESCRIPTION OF PROPERTY

All that certain plot, piece or parcel of land, situate, lying and being in the City of Middletown, County of Orange, State of New York and being known and designated as Section 21, Block 2, Portion of Lot 7.22 on the City of Middletown Tax Map, also being known as Portion of Lot 7 on a map entitled "Middletown Psychiatric Center" and as filed in the Orange County Clerk's Office on 4/11/13 as map #111-13 and being known as Lot 2 on a survey map entitled "Re-Survey of P/O Parcel 7 as shown on Filed Map 216-01 and more recently Lot 1 on a filed map entitled 36-2025 and being more accurately bounded and described as follows:

Beginning at a point labeled POB Lot 1 on the marked-up version of Map 36-2025, attached hereto, and along the following course and distance:

1. On a curve to the left having a radius of 229.33 feet for an arc length of 150.6 feet having a chord bearing and distance of South 21-17-32 West 147.91 feet to a point; thence
2. On a curve to the left having a radius of 1046.76 feet for an arc length of 105.87 feet having a chord bearing and distance of South 00-25-05 East 105.82 feet to a point;
1. On a curve to the right having a radius of 18.01 feet for an arch length of 20.82 feet having a chord bearing and distance of South 29-49-12 West 19.68 feet to a point;
2. South 62-57-19 West 39.37 to a point;
3. On a curve to the right having a radius of 137.34 feet for an arc length of 80.68 feet having a chord bearing and distance of South 79-46-17 West 79.53 feet to a point in the northerly bounds of Dorothea Dix Drive; thence

leaving said Fei Tian College and along said Dorothea Dix Drive the following 4 courses:

1. North 53-45-01 West 177.92 feet to a point;
2. North 45-01-06 West 438.74 feet to a point;
3. North 49-39-51 West 118.54 feet to a point;
4. North 44-13-35 West 229.37 feet to a point;

On a curve to the right having a radius of 36.85 feet to an arc length of 57.20 feet having a chord bearing and distance of North 00-14-24 East 51.63 feet to a point in the southerly side of Ashley Avenue; thence leaving said Dorothea Dix Drive and along said Ashley Avenue North 44-42-22 East 423.42 feet to a point; thence leaving said Ashley Avenue and along lands of proposed Lot #1 the following 5 courses and distances:

1. South 44-47-22 East 191.29 feet to a point;
2. South 72-29-20 East 152.10 feet to a point;
3. South 44-08-02 East 225.22 feet to a point;
4. North 45-51-58 East 42.59 feet to a point;
5. South 47-12-25 East 53.69 feet to a point; thence

Thence through Lot 2 as shown on Filed Map 36-2025 the following two courses and distances:

1. South 39-11-24 East 167.27 feet to a point;
 2. South 07-16-10 West 238.55 feet to a point on the southerly bounds of Ashley Avenue;
- to said point or place of beginning and containing 11.14 acres more or less as surveyed by Fusco Engineering and Land Surveying, D.P.C. dated December 6, 2024 and filed with the Orange County Clerk as Filed Map 36-2025.

Subject to easements shown on filed map 36-2025. Subject to any unwritten and/or written licenses, easements, restrictions, and/or agreements.

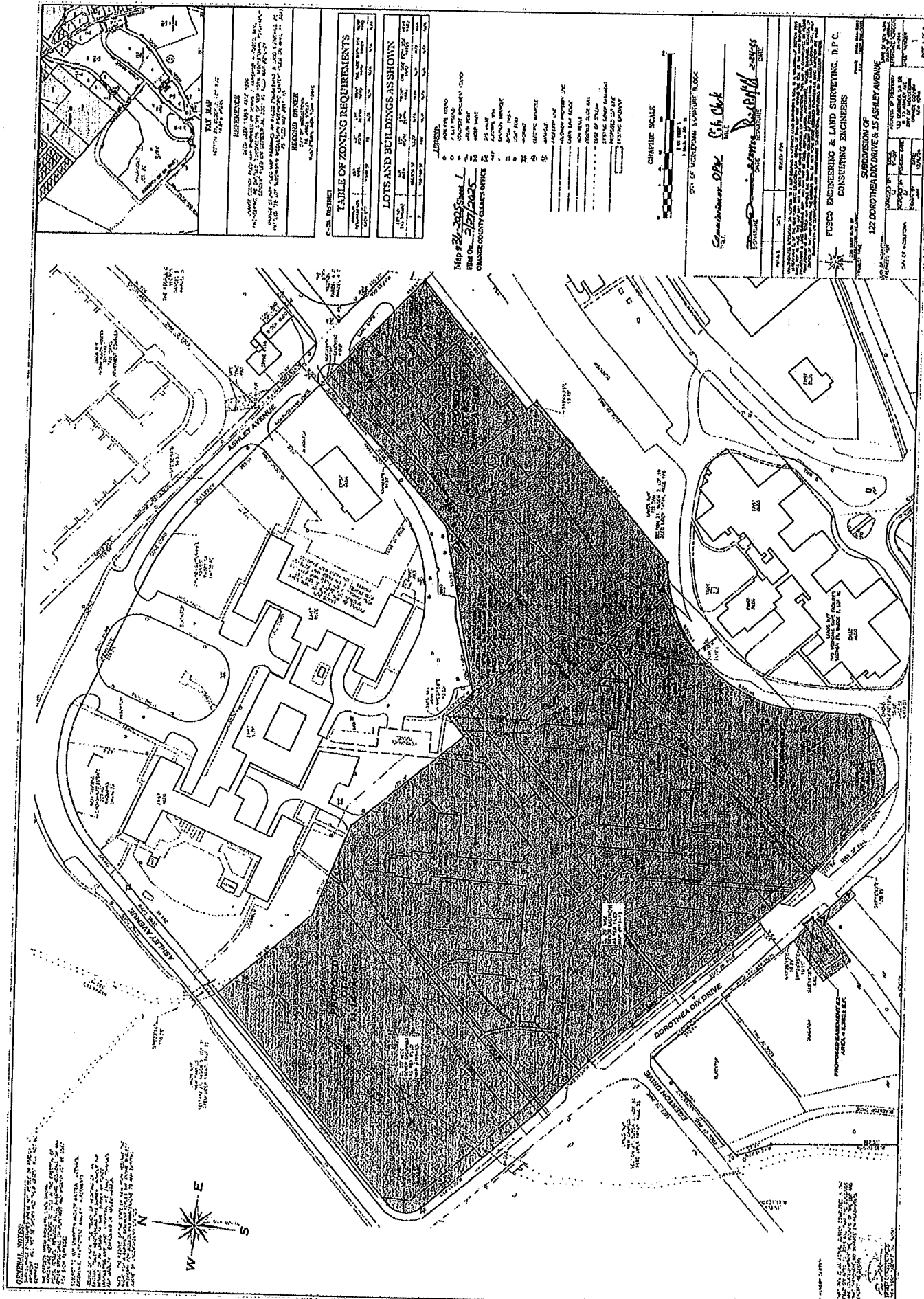
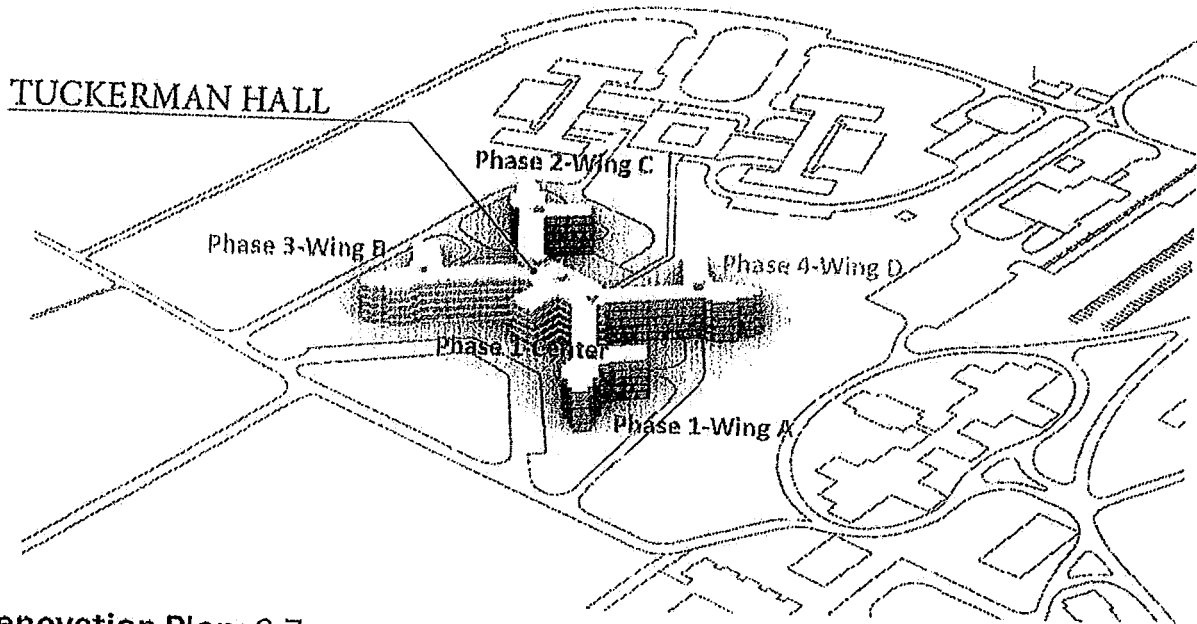


Exhibit B

Tuckerman Hall

General Use: Instructions, Office, Retail, Conference/Meetings, Dormitory



Renovation Plan: 6-7 years

Tentative Phases

1. Planning Board Approval for college/education use
2. Obtain Building Permit
3. CO Phase 1: Wing A (Right front, when facing entrance), Center
 - a. Reception, Offices, Instruction
 - b. Stores, Dining, Conference Rooms, Office
4. CO Phase 2: Wing C (Left back, when facing entrance)
 - a. Student Activities, Dorms, Offices,
5. CO Phase 3: Wing B (Left front, when facing entrance)
 - a. Instructions, Office
 - b. Meeting rooms, Conference rooms
6. CO Phase 4: Wing D (Right back, when facing entrance)
 - a. Instructions, Office
 - b. Meeting rooms, Conference rooms

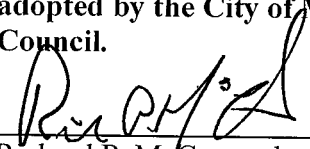


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

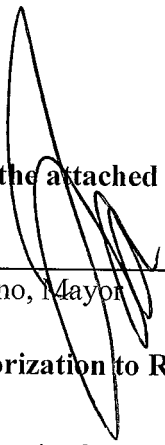
By: Alderman Jean-Francois
Seconded by: Alderman Tobin
Date of Adoption: April 15, 2025
Index No: 114-25

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	9			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 4/18/25

Authorization to Renew an Agreement with Auctions International

BE IT RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes an agreement with Auctions International.

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

Our current contract expired in February of this year. The terms and conditions have not changed.

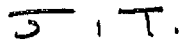
Prepared by:
Jacob Tawil

Attachments:

1.	BOE MEMO- AUCTIONS INTERNATIONAL CONTRACT RENEWAL
----	---

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: April 8, 2025
To: Honorable Mayor DeStefano, Members of the Board of Estimate
and Apportionment, Members of the Common Council
Cc: Leonora Liz, Treasurer and Richard McCormack, City Clerk
From: Jacob Tawil, Commissioner of Public Works 
Re: Renewal of Contract with Auctions International

We are hereby requesting the approval and signature of the attached renewal contract between the City of Middletown and Auctions International. Our current contract expired in February of this year.

The terms and conditions have not changed.

Thank you.

JT/kg

ONLINE AUCTION CONTRACT - AGREEMENT FOR SALE OF GOVERNMENT ASSETS BY ONLINE AUCTION

This Agreement made on / / 20 25, between City of Middletown, hereafter called "Seller", and Auctions International, Inc., 11167 Big Tree Road, East Aurora, NY 14052, hereafter called "Auctioneer":

The Auctioneer hereby agrees to use professional skills, knowledge, and experience to the best advantage of both parties in preparing for and conducting the sale. All auction items will be sold "as is, where is", subject to the Seller's terms.

The Seller agrees to provide titles, keys in all other proof of ownership to customers who present a paid invoice from Auctions International, and release the purchased items once the Auctioneer has received full payment for the goods listed and described in detail on provided condition reports, and / or provided by the electronic means to the Auctioneer.

GOVERNMENT VEHICLES, MACHINERY, EQUIPMENT AND ALL OTHER SURPLUS ASSETS

The Seller agrees to provide merchantable title (with no liens or encumbrances) for motor vehicles, and agrees to write-in the purchase information on the back of any titles issued to purchasers (as required by law). The Seller furthermore agrees not to sell listed merchandise before the term of the online auction is complete, under any circumstances.

The auction is to be held online at www.AuctionsInternational.com, beginning and closing on mutually agreed-upon dates and times. The terms and prices of this contract shall remain in effect for two years after the agreement is executed based on the means of the Seller. Notwithstanding the foregoing, the Seller may terminate this contract at any time for convenience.

It is agreed that all listed merchandise be sold to the highest bidder, "as is, where is", with no warranty, expressed, implied or otherwise, and with the government Seller retaining the right to reject any bids that are insufficient. The Seller agrees to specify a minimum acceptable price on each rejected bid, which will be posted on the past prices page of the Auctioneer's website.

Purchasers will be required to pay a 4% buyer's premium for vehicles and equipment sold within two (2) years of the manufacture date, a 5% buyer's premium for vehicles and equipment within three (3) years of the manufacture date, or a 10% buyer's premium for any vehicles/older equipment to be added to the successful high bid prices, which will constitute the Auctioneer's compensation for these services. There is no commission charged to the Seller.

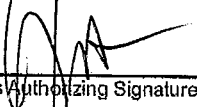
The Seller agrees to provide photographs and description of the auction merchandise to conduct the auction. In the event that the Seller cannot provide this information, the Auctioneer's staff will travel to the Seller's facilities to obtain photos and condition reports of the Seller's items for the following fee: \$30 for each motorized vehicle/equipment item, and \$5 for each general merchandise auction lot. Listing fees are deducted from the net sale proceeds, before final payment is made to the Seller.

The Auctioneer will mail a check to the Seller for all proceeds collected within 15 business days after the Seller approves the bids for the sale items, and all monies are collected, along with an accounting summary. In the event of a bidder's refusal or failure to pay for their invoiced items, the Auctioneer will offer the unsold merchandise to the backup bidder, and the reneging bidder will be banned from future auctions. If the backup bidder does not take the merchandise for the backup bid price, then the merchandise will revert back to the possession of the Seller, after a reasonable time has been allowed for the backup bidder to get their payment to the Auctioneer. At the request of the Seller any unsold merchandise can be re-listed in the future online auction at no cost to the Seller.

INDEPENDENT STATUS. That during the existence of this agreement, the Auctioneer shall remain an individual, independent contractor, retaining its separate identity and shall in no way be considered a division, department or agent of the Seller's agency or organization.

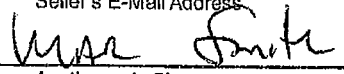
WAIVER. No waiver of any breach of any condition of the agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

ENTIRE AGREEMENT. This Agreement constitutes the entire agreement among the parties with respect to the subject matter of this Agreement, and supersedes any and all prior understandings and agreements, whether written or oral, and all prior dealings of the parties with respect to the subject matter of this Agreement.

(x)  Joseph DeStefano- Mayor 845-346-4100
Seller's Authorizing Signature Printed Name and Agency Title Telephone Number

(x) 16 James Street Middletown NY 10940 Attn: City of Middletown Department of Public Works
Seller's Agency Payment Address (Check will be made out and mailed to Seller, from Auctioneer, for payments received)

(x) jtawill4@yahoo.com and kgass@middletownny.gov
Seller's E-Mail Address

(x)  MARC Smith
Auctioneer's Signature Auctioneer's Printed Name Date

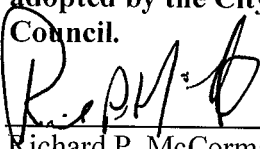


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

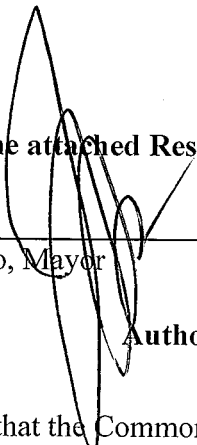
By: Alderman Witt
Seconded by: Alderman Green
Date of Adoption: April 15, 2025
Index No: 115-25

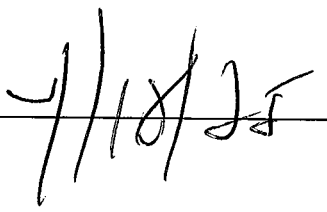
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


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	9			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

Authorization to Surplus Vehicles

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment to declare the following equipment as surplus and authorizes its sale at auction through Auctions International:

1. 2005 Ford Expedition (VIN# 1FMPU16556LA32666). This expedition has major electrical issues and no longer runs. The body and interior of this vehicle are in poor condition. The cost of the necessary repairs would be more than the vehicle is worth.
2. 2008 Chevy 1500 Pick Up Truck (VIN#2GCEK19C481221426). This pick-up truck does not start. It requires a new ignition. The body and interior of this vehicle are in poor condition.
3. 2008 Chevy Tahoe (VIN# 1GNFK03098R264302) This Tahoe does not start and has major electrical issues that would cost more to fix than the vehicle is worth. The body and interior of

this vehicle are in poor condition.

Prepared by:
Jacob Tawil

Attachments:

1.	BOE MEMO- SURPLUS VEHICLES
----	----------------------------

Department of Public Works

Memorandum

To: Honorable Mayor DeStefano, Honorable Members of
the Board of Estimate and Apportionment and Members of the
Common Council

CC: Richard McCormack- City Clerk and Rosa Tumminia- Deputy Treasurer

From: Jacob S. Tawil, P.E. Commissioner of Public Works 

Date: April 8, 2025

RE: Surplus vehicles

We are requesting that the pieces of equipment listed below be declared surplus and authorize the Commissioner of Public Works to dispose of it in the most advantageous way to the City, based on his opinion, most likely through Auctions International.

1. 2005 Ford Expedition (VIN# 1FMPU16556LA32666). This Expedition has major electrical issues and no longer runs. The body and interior of this vehicle is in poor condition. The cost of the necessary repairs would be more than the vehicle is worth.
2. 2008 Chevy 1500 Pick Up Truck (VIN# 2GCEK19C481221426). This pick up truck does not start. It requires a new ignition. The body and interior of this vehicle is in poor condition.
3. 2008 Chevy Tahoe (VIN# 1GNFK03098R264302) This Tahoe does not start and has major electrical issues that would cost more to fix than the vehicle is worth. The body and interior of this vehicle is in poor condition.

Thank you.



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

THE FOLLOWING WAS PRESENTED

By: Alderman Green
Seconded by: Alderman Tobin
Date of Adoption: April 15, 2025
Index No: 116-25

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	9			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

4/18/25

Date

Authorization to Accept a Donation from Middletown Lions Club

BE IT RESOLVED; that the Common Council of the City of Middletown, NY concurs with the Board of Estimate and Apportionment and accepts a \$250.00 donation from the Middletown Lions Club for the annual Fishing Derby and deposit into account A.2705 Recreation Donations.

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

1.	Lions Club Donation
----	---------------------



Middletown Lions Club
P.O. Box 122
Middletown, NY 10940

ORANGE BANK AND TRUST COMPANY

50-247/219

4737



3/24/25

\$ 250.00

DOLLARS

PAY TO THE ORDER OF City of Middletown

Two Hundred fifty dollars

Dianna Grunig
Treasurer

MEMO Fishing derby

⑆004737⑆ ⑆021902475⑆ 1918081⑆

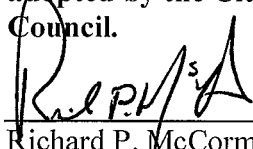


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

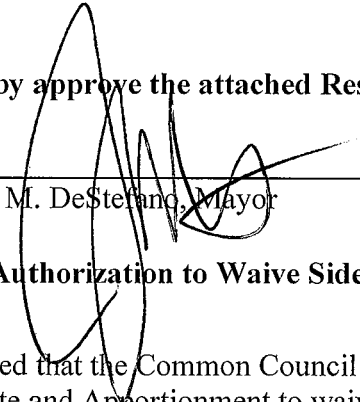
By: Alderman Kleiner
Seconded by: Alderman Green
Date of Adoption: April 15, 2025
Index No: 117-25

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.

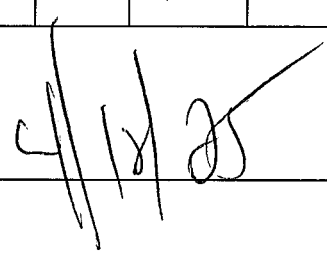

Richard P. McCormack
Clerk to the Common Council

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	9			

I hereby approve the attached Resolution/Local Law.



Joseph M. DeStefano, Mayor



Date

Authorization to Waive Side Walk Sale Fees for the Cinco De Mayo Celebration

Resolved that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to waive the fees for sidewalk sales in the Downtown Mixed Use District for the weekend of May 2, 3, and 4, 2025, as part of the Business Improvement District's Cinco de Mayo Celebration.

Prepared by:
Rick McCormack, City Clerk

Attachments:

None

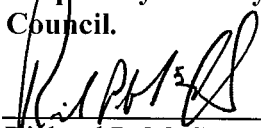


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

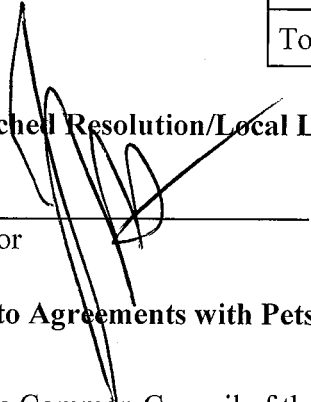
By: Alderwoman Wray
Seconded by: Alderman Johnson
Date of Adoption: April 15, 2025
Index No: 118-25

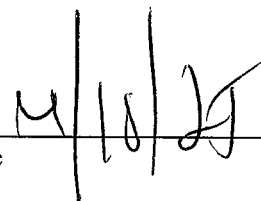
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


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	9			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

Authorization to Enter into Agreements with Pets Alive Inc. for Stray Dogs and Cat Rescue

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes agreements with Pets Alive, Inc for stray dogs and cat rescues.

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

Prepared by:
Rick McCormack, City Clerk

Attachments:

1. Middletown TNR

2.	MiddletownContractDog
----	-----------------------

AGREEMENT

THIS AGREEMENT made this ____ day of ____, 202_ and ending December 31st, 2025, between the **City of Middletown**, a municipal corporation organized under the laws of the state of New York, located at 16 James Street, Middletown, New York 10940 ("City"), and **Pets Alive Inc.**, a charitable organization and corporation under the laws of the State of New York, located at 363 Derby Road, Middletown, New York, 10940.

WITNESSETH

WHEREAS, Pets Alive owns and operates a shelter for the care of dogs, cats, and other animals, as well as provides TNR services; and

WHEREAS, the City of Middletown desires to utilize the services of Pets Alive as set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and agreements contained herein, Pets Alive and the City of Middletown do hereby agree as follows:

Recovery Stations:

- The care for cats at the recovery area shall include but not limited to; feeding, cleaning, identify friendlies and report issues.
- Males recover overnight, females recover in two/three nights.
- Volunteers will be provided with supplies needed (gloves, cleaning products, food, litter, water bowls, litter pans, etc.) by the organization.
- Pets Alive may also use fosters for recovery stations for both kittens and adults as needed.

Issues & Solutions:

- If a feral cat is very late term pregnant, then the female will be housed or fostered in an isolated area until she has given birth and weaned her kittens. Once weaned, the kittens will be altered and adopted out. The mother cat will be spayed and returned.
- Friendly cats will be identified and adopted out as friendly indoor cats.
- All cats released back into the community will be ear tipped. Ear tipping advises that the cat has already been spayed or neutered.

Protocol For Sick Cats:

- Sick cats will be evaluated on a case-by-case basis.
- If a cat is seriously ill and the veterinarian feels the chances of survival are little to nothing, the cat will be humanely euthanized. The City of Middletown will cover up to \$100 which includes the \$50 TNR fee.

- If a cat needs medical attention before it is released back into the community, The City of Middletown will cover up to \$100 for medical expenses.

Volunteers and Staff:

- The TNR project will mainly be handled by volunteers and managed by TNR Coordinator, Debbie Pesola, under management of Pets Alive staff.
- Will verbally notify residents in the area approximately 2 days prior to trapping in each location (for resident's who usually allow their cats outside, will keep their animals inside during trapping days).
- Trapping will take place on Tuesday nights, and will be spayed/ neutered, vaccinated and ear tipped on Wednesdays at The Animal Rights Alliance (T.A.R.A).
- The ACO will assist Pets Alive with notifications in trapping areas as needed.
- Transport cats to and from the vet once trapped.
- Deliver cats to designated recovery areas after surgery.
- Pick up cats from the recovery area and return him/her to the original colony location.

TNR Coordinator and Pets Alive staff will:

- Schedule volunteers to trap, transport, care-give and other needs as identified.
- Interact with the public as needed.
- Track information such as number of cats, locations, number of inquiries, issues, etc.
- Train all volunteers on trapping and releasing.

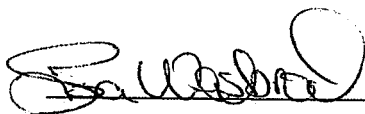
TNR Locations:

- The Middletown ACO will advise Pets Alive via email and or by phone of locations where trapping is needed on city owned property.
- The ACO will direct residents who are in need of TNR services on private property to the Pets Alive website and phone number.

Reimbursement from the City of Middletown, New York:

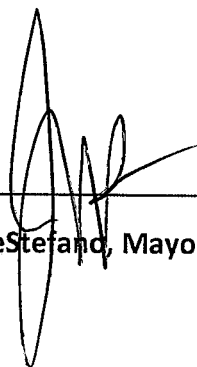
- The City of Middletown will pay Pets Alive a fee of \$50 per cat for TNR services.
- The City of Middletown will notify Pets Alive when the yearly TNR budget is exhausted.

- Pets Alive will provide a monthly invoice to the City of Middletown ACO via email at Msmall@middletownpolice.com and to the confidential secretary at Cdugan@middletownpolice.com.
- Accompanied with each invoice shall be a description of each cat that was trapped along with its location and final disposition of each cat (re-released, adopted out, etc.).
- Any documentation provided by the veterinarian for each cat that was TNR'D should accompany the invoice as well.
- Pets Alive will submit a copy of certificate of liability insurance at the time of signing this contract.



Pets Alive Executive Director

Date



Joseph DeStefano, Mayor

4-18-2025

Date

AGREEMENT

THIS AGREEMENT is made this _____ day of _____, 2025 pursuant to the provisions of Article 7 of the Agriculture and Markets Law, by and between the **City of Middletown**, a municipal corporation organized under the laws of the State of New York located at 16 James Street, Middletown, New York 10940 ("City"), and **Pets Alive Inc.**, a charitable organization and corporation duly organized under the law of the State of New York, located at 363 Derby Road, Middletown, New York 10940.

WITNESSETH:

WHEREAS, Pets Alive owns and operates a shelter for the care of dogs, cats, and other animals; and

WHEREAS, the City desires to utilize the services of Pets Alive as set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and agreements contained herein, Pets Alive and the City do hereby agree as follows:

1. Pets Alive shall provide shelter, subject to the exceptions set forth in Paragraph

2, below, for dogs seized within the City by the authorized Animal Control Officer in accordance with Article 7 of the Agriculture and Markets Law and Chapter 161 of the Middletown City Code ("**Seized Dog**"). Pets Alive agrees:

a) To properly shelter, care, feed and water Seized Dogs for the minimum redemption period required by the Agriculture and Markets Law ("**Redemption Period**"); and

b) To make Seized Dogs available for redemption by their owners for at least the Redemption Period; and

c) To make Seized Dogs available for adoption for any minimum period required by applicable law if, at the end of the Redemption Period, said dog has not been redeemed by its owner (provided that the dog's temperament and health makes it suitable for adoption, which is to be determined in the sole discretion of Pets Alive

2. Pets Alive shall not be obligated to accept any Seized Dogs:

a) If Pets Alive does not have adequate space to house such dogs; or

b) Which are in need of veterinary services, except in accordance with paragraph 3, below, or

c) Which are not accompanied by the appropriate Dog Seizure report; or

d) Which, due to their temperament, are likely to need euthanasia (as Pets

Alive is a no-kill animal sanctuary).

3. Any sick or injured Seized Dog shall receive appropriate veterinarian care prior to delivery to Pets Alive. At the time of delivery, the Animal Control Officer shall provide Pets

Alive, in writing, the veterinarian's diagnosis, treatment protocol, and necessary medication to treat such Seized Dog. Any subsequent veterinary expense related to such Seized Dog shall be billed directly to the City.

4. Pets Alive agrees to prepare, retain, and make available to the City complete and accurate records concerning the care and disposition of all Seized Dogs cared for by Pets Alive hereunder as well as any expenses incurred.

5. In consideration for the above-mentioned services, in addition to the expenses set forth in paragraph 3 above, the City shall pay Pets Alive as follows: (a) Three Hundred Dollar intake fee per Seized Dog accepted by Pets Alive each month. Pets Alive will submit a bill to the City for all expenses set forth in section 3 and this section 5; the City shall pay such bill within thirty (30) days of receipt thereof.

6. Nothing contained herein shall limit Pets Alive's rights under section 183 of the Lien Law, or pursuant to section 373 of the Agriculture and Markets Law, or as derived from any other general or special law, or by

means of any civil action or proceeding to recover from the owner thereof any necessary or reasonable costs and expenses incurred by Pets Alive in providing care, shelter, food and water for any Seized Dog.

7. Nothing contained herein shall limit the City's rights under applicable provisions of the law, or by means of any civil action or proceeding to recover from the owner of any dog delivered by the City to Pets Alive any fees, charges or outstanding fines or penalties owed by such owner to the City.

8. Nothing herein shall obligate the City to deliver to Pets Alive any minimum number of dogs or all Seized Dogs. Pets Alive makes no express or implied representation or warranty; its services hereunder are provided "as is". Pets Alive will not be liable to the City for any incidental, indirect, special, punitive or consequential damages or any kind of lost profits in connection with this Agreement, whether or not either party is aware of the possibility of such damages and notwithstanding the failure of any remedy to achieve its essential purpose. The liability of Pets Alive hereunder will not exceed the amount paid to Pets Alive hereunder in the six (6) months prior to the event giving rise to such liability. In the event that applicable law disallows any or all of the limitations of liability contained in this provision, Pets Alive's liability shall be limited to the greatest extent permitted by law.

9. It is agreed that the relation of Pets Alive to the services to be performed by it under this Agreement shall be that of an independent contractor.

10. Pets Alive agrees to defend, indemnify and save the City, it's officer's, agents and employees, harmless from any and all liability imposed on the City, it's officer's, agents and/or employees arising from the negligence, active or passive, of Pets Alive. The City agrees to defend, indemnify and save Pets Alive, it's officer's, agents, volunteers and employees, harmless from any and all liability imposed on Pets Alive, it's officer's, agents, volunteers and/or employees arising from the City's breach of any obligation hereunder, violation of any law, or negligence (active or passive).

11. The term of this Agreement is from _____ 2025, through December 31st, 2025. Either party, however, without prejudice to any other rights or remedy it may have, may with fourteen (14) days written notice to the other party, terminate this Agreement.

12.

a) This Agreement represents the entire Agreement between the parties regarding the subject matter hereof, which they have equally bargained for, and it supersedes all prior negotiations, writings and agreements regarding such subject matter. Any modifications of the

Agreement must be in writing and signed by both parties.

b) Neither party may assign its rights or delegate its obligations under this Agreement without the other party's prior written consent.

This Agreement will be binding upon the parties hereto and their successors and permitted assigns.

c) No waiver of any term or condition of this Agreement, or any breach of this Agreement or of any part thereof, will be deemed a waiver of any other term or condition of the Agreement or of any later breach of the Agreement or of any part thereof.

d) This Agreement will be construed and interpreted according to the laws of the State of New York, without regard to conflict of law principles. Each party submits to the jurisdiction of the Federal and state courts located in Orange County, New York.

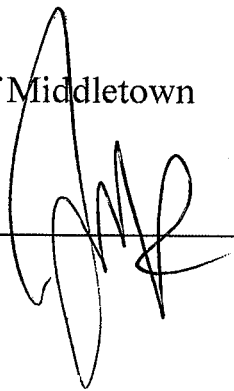
e) If any provision of this Agreement is held by a court of competent jurisdiction to be unenforceable, such provision will be changed and interpreted to accomplish the objectives of such provision to the greatest extent possible under applicable law and the remaining provisions of this Agreement will not be affected and will continue in full force and effect.

- f) All notices required or permitted under this Agreement shall be in writing and be sufficiently given and deemed to have been received upon personal delivery or delivery by overnight courier or certified mail addressed to the parties at the addresses set forth in the preamble hereof. Notice of a change in address shall be given in writing to the other party and shall be effective upon receipt.
- g) This Agreement may be executed in counterparts, each of which taken together shall constitute one single agreement between parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first above written.

City of Middletown

By: _____



Pets Alive Inc.

By: _____



Lisa Weisbrod
Executive Director



**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: April 15, 2025
Index No: 119-25

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	9			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Enter into an Agreement with Dumped Stray Animal Rescue

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 Dumped Stray Animal Rescue, effective February 1, 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:
Rick McCormack, City Clerk

Attachments:

1.	Scanned Document 3-17-25 at 10.14.05 AM
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AGREEMENT

THIS AGREEMENT made this ~~10th~~ ^{11th} day of ~~2021~~ ²⁰²² and ending December 31st, 2025, between the City of Middletown, a municipal corporation organized under the laws of the state of New York, located at 16 James Street, Middletown, New York 10940 ("City"), and Dumped Stray Animal Rescue Inc., a non-profit organization under the laws of the State of New York, located at 76 Houston Avenue, Middletown, New York, 10940.

WITNESSETH:

WHEREAS, Dumped Stray Animal Rescue owns and operates an organization which provides TNR services; and

WHEREAS, the City of Middletown desires to utilize the services of Dumped Stray Animal Rescue as set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and agreements contained herein, Dumped Stray Animal Rescue and the City of Middletown do hereby agree as follows:

Recovery Stations:

- The care for cats at the recovery area shall include but not limited to; feeding, cleaning, identify friendlies and report issues.
- Males recover overnight, females recover in two/three nights.
- Dumped Stray Animal Rescue provides supplies needed (gloves, cleaning products, food, litter, water bowls, litter pants, etc.).
- Dumped Stray Animal Rescue may utilize fosters for recovery stations for both kittens and adults as needed. These fosters will sign a liability waiver through the Dumped Stray Animal Rescue organization.

Issues & Solutions:

- If a feral cat is very late term pregnant, then the female will be housed or fostered in an isolated area until she has given birth and weaned her kittens. Once weaned, the kittens will be altered and adopted out. The mother cat will be spayed and re-released back into her colony.
- Friendly cats will be identified and adopted out as friendly indoor cats when capacity allows.
- All cats released back into the community will be ear tipped. Ear tipping advises that the cat has already been spayed or neutered.

Protocol For Sick Cats:

- Sick cats will be evaluated on a case-by-case basis.
- If a cat is seriously ill and the veterinarian feels the chances of survival are little to nothing, the cat will be humanely euthanized. The City of Middletown will cover up to \$100 which includes the \$50 TNR fee.

Robyn Stewart Will:

- The TNR project will mainly be handled by Robyn Stewart or the Executive Board Member of Dumped Stray Animal Rescue.
 - Notify residents 2 days prior to trapping in each location (for resident's who usually allow their cats outside, will keep their animals inside during trapping days).
 - The ACO will assist Dumped Stray Animal Rescue with notifications in trapping areas as needed.
 - Transport cats to and from the vet once trapped.
 - Deliver cats to designated recovery areas after surgery.
 - Pick up cats from the recovery area and return him/her to the original colony location.
 - Schedule days to trap, transport, care-give and handle other needs as identified.
 - Interact with the public as needed.
- 

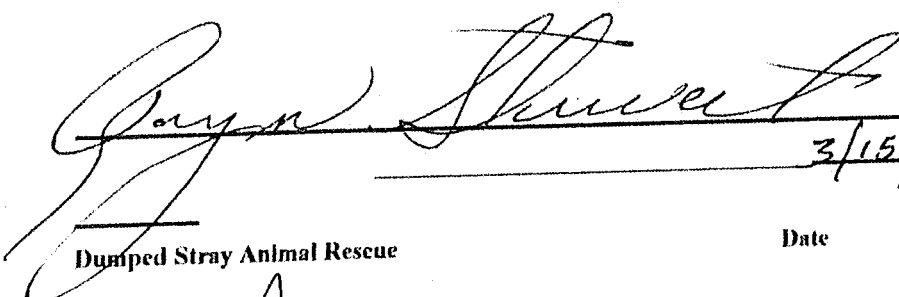
- Track information such as number of cats, locations, number of inquiries, issues, etc.

TNR Locations:

- The Middletown ACO will advise Dumped Stray Animal Rescue via email and by filling out an online TNR application of locations where trapping is needed on city owned properties.
- The ACO will direct residents who are in need of TNR services on private property to the Dumped Stray Animal Rescue website and phone number where they will fill out a TNR application online.

Reimbursement from the City of Middletown, New York:

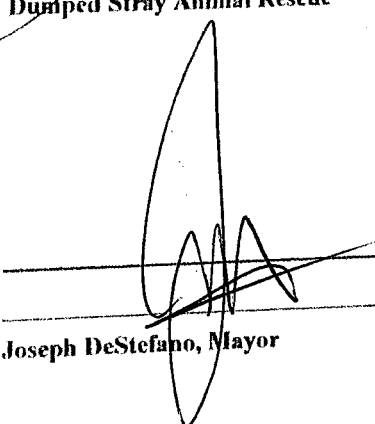
- The City of Middletown will pay Dumped Stray Animal Rescue a fee of \$50 per cat for TNR services.
- The City of Middletown will notify Dumped Stray Animal Rescue when the yearly TNR budget is exhausted.
- Dumped Stray Animal Rescue will provide a monthly invoice to the City of Middletown ACO via email at Menall@middletownpolice.com and to the confidential secretary at Cdugan@middletownpolice.com.
- Accompanied with each invoice shall be a description of each cat that was trapped along with its location and final disposition of each cat (re-released, adopted out, etc.).
- Any documentation provided by the veterinarian for each cat that was TNR'D should accompany the invoice as well.
- Dumped Stray Animal Rescue will submit a copy of certificate of liability insurance at the time of signing this contract.



Dumped Stray Animal Rescue

3/15/25

Date



Joseph DeStefano, Mayor

Date

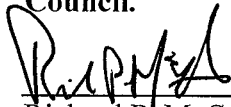


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

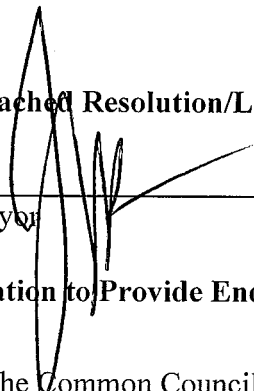
By: Alderman Witt
Seconded by: Alderman Masi
Date of Adoption: April 15, 2025
Index No: 120-25

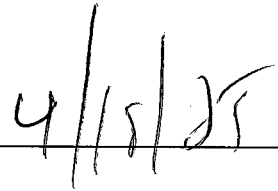
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


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	9			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Authorization to Provide End of Season Bonus for Lifeguards

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Recreation Department to give the following end-of-season bonuses to the Lifeguards.

1. A \$250 referral bonus for current guards who refer a new lifeguard who needs certification. Such individuals will need to pass their LG certification and work through summer 2025. Attendance to scheduled shifts is required unless appropriate documentation is provided, i.e. doctor's note, family emergency, death, etc.
2. A \$250 referral bonus for current guards who refer a lifeguard who already holds their own certification and work through summer 2025 with a minimum of 10 shifts completed. Attendance to scheduled shifts is required unless appropriate documentation

is provided, i.e. doctor's note, family emergency, death, etc.

3. A \$500 end-of-season bonus for those full-time guards who work through summer 2025. Attendance to scheduled shifts is required unless appropriate documentation is provided, i.e. doctor's note, family emergency, death, etc.

4. A \$250 bonus for sub-lifeguards who work through summer 2025 with a minimum of 10 shifts completed. Attendance to scheduled shifts is required unless appropriate documentation is provided, i.e. doctor's note, family emergency, death, etc.

These funds are reimbursable through NY Swims Funding given to the Orange County Youth Bureau.

We are seeking approval to offer lifeguard bonuses for the 2025 pool season. 2 years ago, there was a lifeguard shortage, and we offered a free certification class, which allowed us to have enough lifeguards to open both of our pools. We are doing the same this summer. However, we do not have enough returning lifeguards and/or potential lifeguards registered to take the certification class.

We are hoping that offering end-of-season bonuses would incentivize people to work for us and/or take the free certification class.

Raelynn Bertholf

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

None

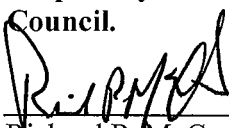


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

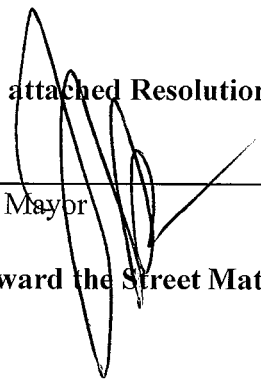
By: Alderman Jean-Francois
Seconded by: Alderman Tobin
Date of Adoption: April 15, 2025
Index No: 121-25

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	9			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 4/18/25

Award the Street Materials & Asphalt Materials Bids

WHEREAS, the City of Middletown solicited bids for the provision of street materials and asphalt materials for the Department of Public Works, with a bid opening held on April 10, 2025; and

WHEREAS, the Department of Public Works has reviewed all submitted bids and recommends awarding contracts to the lowest qualified bidders, taking into account not only the unit prices but also the proximity of the material sources to the City, which impacts delivery efficiency and cost; and

WHEREAS, bid tabulation sheets have been reviewed and are attached hereto for reference;

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of

Middletown hereby authorizes the award of contracts for street and asphalt materials as follows:

To Dick's Concrete Co., Inc., 1053 County Route 37, New Hampton, NY 10958:

- Screened Gravel: Plant @ \$22.50/ton
- NYS Item 304-2.02: Stockpile @ \$18.50/ton and Plant @ \$14.50/ton
- Crushed Stone: #2 Stockpile @ \$23.50/ton and Plant @ \$19.50/ton

To Callanan Industries, 93 Sullivan Road, Monticello, NY 12701:

- Rip Rap: Plant @ \$22.00/ton
- NYS Item 403.16 T.C. Type 6: F.O.B. @ \$77.00/ton
- NYS Item 403.18 T.C. Type 7: F.O.B. @ \$84.50/ton
- NYS Item 403.13 A.C.B.C. Type 3: F.O.B. @ \$75.50/ton
- NYS Item 403.11 B.C. Type 1: F.O.B. @ \$75.50/ton
- NYS Item 403.12 B.C. Type 2: F.O.B. @ \$75.50/ton
- Asphalt Pre-Mix for Cold Patch: Delivery @ \$160.00/ton; F.O.B. @ \$144.00/ton
Award to Callanan Industries when full truck load is needed and ambient temperature permits.

To E. Tetz & Sons, Inc. / Tetz Asphalt, 63 Cemetery Road, Middletown, NY 10941:

- Rip Rap: Stockpile @ \$31.00/ton and Plant @ \$25.00/ton (Chester)
- NYS Item 403.16 T.C. Type 6: F.O.B. @ \$88.00/ton
- NYS Item 403.18 T.C. Type 7: F.O.B. @ \$90.00/ton
- NYS Item 403.14 A.C.B.C. Type 4: F.O.B. @ \$88.00/ton
- NYS Item 403.13 A.C.B.C. Type 3: F.O.B. @ \$87.00/ton
- NYS Item 403.11 B.C. Type 1: F.O.B. @ \$86.00/ton
- NYS Item 403.12 B.C. Type 2: F.O.B. @ \$86.00/ton
- Asphalt Pre-Mix for Cold Patch: F.O.B. @ \$145.00/ton
Tetz to be utilized for short loads and time-sensitive needs as determined by the Deputy Commissioner of Public Works.

To Aden Mining & Materials, 22 McBride Road, Slate Hill, NY 10973:

- Screened & Washed Sand: Stockpile @ \$33.45/ton and Plant @ \$28.95/ton

(Bloomingburg)

- Screened Gravel: Stockpile @ \$25.95/ton
- Crushed Stone: #3 Stockpile @ \$25.95/ton and Plant @ \$21.45/ton
- Run of Bank Gravel: Delivered to City locations @ \$19.50/ton and Loaded into City Trucks @ \$14.45/ton

BE IT FURTHER RESOLVED that all purchases and contracts awarded herein shall comply with the City's procurement policies and applicable New York State laws.

Prepared by:

Attachments:

1.	BOE MEMO- STREET MATERIAL 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

April 11, 2025

Honorable Mayor and Members
of the Common Council
City of Middletown, NY

RE: Award Recommendation Letter
Street Materials & Asphalt Material Bids of April 10, 2025

Gentlemen:

I have reviewed the above captioned bids and respectfully request awarding the lowest qualified bidder the following. (Copy of bid tabulation sheets are attached). Please note, that a recommendation of award is not based on the unit bid price alone, but also on the close proximity of the source to the City.

Dick's Concrete Co., Inc., 1053 County Route 37, New Hampton, NY 10958:

Screened Gravel: Plant @ \$22.50/ton
NYS Item 304-2.02: Stockpile @ \$18.50/ton and Plant \$14.50/ton
Crushed Stone: #2 Stockpile @ \$23.50/ton and Plant \$19.50/ton

Callanan Industries 93 Sullivan Rd, Monticello NY 12701:

Rip Rap: Plant @ \$22.00/ton
NYS Item 403.16 T.C. Type 6: F.O.B. @ \$77.00/ton
NYS Item 403.18 T.C. Type 7: F.O.B. @ \$84.50/ton
NYS Item 403.13 A.C.B.C. Type 3: F.O.B @ \$75.50/ton
NYS Item 403.11 B.C. Type 1: F.O.B @ \$75.50/ton
NYS Item 403.12 B.C. Type 2: F.O.B @ \$75.50/ton
Asphalt Pre-Mix for Cold Patch: Delivery @ \$160.00/ton; \$144.00/ton F.O.B
***Award to Callanan Industries when full truck load is needed and ambient temperature permitting.**

E. Tetz & Sons, Inc. /Tetz Asphalt 63 Cemetery Rd., Middletown, NY 10941:

Rip Rap: Stockpile @ \$31.00/ton and Plant @ \$25.00/ton (Chester)

NYS Item 403.16 T.C. Type 6: F.O.B. @ \$88.00/ton

NYS Item 403.18 T.C. Type 7: F.O.B. @ \$90.00/ton

NYS Item 403.14 A.C.B.C. Type 4: F.O.B @ \$88.00/ton

NYS Item 403.13 A.C.B.C. Type 3: F.O.B @ \$87.00/ton

NYS Item 403.11 B.C. Type 1: F.O.B @ \$86.00/ton

NYS Item 403.12 B.C. Type 2: F.O.B @ \$86.00/ton

Asphalt Pre-Mix for Cold Patch: F.O.B @ \$145.00/ton

***Tetz for short loads and time consideration per judgement of Deputy Commissioner.**

Aden Mining & Materials 22 McBride Rd., Slate Hill, NY 10973:

Screened & Washed Sand: Stockpile @ \$33.45/ton and Plant @ \$28.95/ton
(Bloomingburg)

Screened Gravel: Stockpile @ \$25.95/ton

Crushed Stone: #3 Stockpile @ \$25.95/ton and Plant @ \$21.45/ton

Run of Bank Gravel delivered to various locations within the City @ \$19.50/ton and loaded into City Trucks @ \$14.45/ton

Respectfully submitted,



Jacob S. Tawil, P.E.
COMMISSIONER OF PUBLIC WORKS

kg
Att.

PRE-MIX/ASPHALT MATERIALS

BID OF April 10, 2025	Tetz Asphalt, LLC 63 Cemetery Rd. Middletown NY 10940	Ticon New York, Inc. 9 Entin Rd Parsippany NJ 07054	Callanan Industries, Inc. PO Box 15094 Albany NY 12212		
Item 403.16 Top Course Type 6	Delivered to City: NO BID FOB: \$88.00/ton	Delivered to City: NO BID FOB: \$87.45.00/ton	Delivered to City: NO BID FOB: \$77.00/ton		
Item 403.18 Top Course Type 7	Delivered to City: NO BID FOB: \$90.00/ton	Delivered to City: NO BID FOB: \$89.45/ton	Delivered to City: NO BID FOB: \$84.50/ton		
Item 403.14 Asphalt Concrete Binder Course Type 4	Delivered to City: NO BID FOB: \$88.00/ton	Delivered to City: NO BID FOB: NO BID	Delivered to City: NO BID FOB: NO BID		
Item 403.13 Asphalt Concrete Binder Course Type 3	Delivered to City: NO BID FOB: \$87.00/ton	Delivered to City: NO BID FOB: \$83.45/ton	Delivered to City: NO BID FOB: \$75.50/ton		
Item 403.11 Base Course Type 1	Delivered to City: NO BID FOB: \$86.00/ton	Delivered to City: NO BID FOB: \$82.20/ton	Delivered to City: NO BID FOB: \$75.50/ton		
Item 403.12 Base Course Type 2	Delivered to City: NO BID FOB: \$86.00/ton	Delivered to City: NO BID FOB: NO BID	Delivered to City: NO BID FOB: \$75.50/ton		
Cold Patch	F.O.B: \$145.00/ton	Delivered to City: NO BID FOB: NO BID	Delivered to City: \$160.00/ton FOB: \$144.00/ton		
Material upon which quotes are made is produced at:	63 Cemetery Rd. Middletown NY 10940	Goshen Quarry 2 Quarry Rd. Goshen NY 10924	93 Sullivan Rd. Monticello, NY 12701		

*Award to Callanan Industries when full truck load is
needed and ambient temperature permitting.

*Tetz awarded for short loads and time consideration per
judgement of Deputy Commissioner.

SAND AND GRAVEL

BID of April 10, 2025		Tetz Asphalt, LLC 63 Cemetery Rd. Middletown NY 10940		Aden Mining & Materials PO Box 217 Montgomery NY 12549		Tilcon New York, Inc. 9 Erwin Rd Parsippany NJ 07054		Dick's Concrete 1053 County Rte 37 New Hampton NY 10958		Callanan Industries, Inc. PO Box 15097 Albany NY 12212	
	Stockpile	Plant	Stockpile	Plant	Stockpile	Plant	Stockpile	Plant	Stockpile	Plant	
Screened & Washed Sand per ton	\$36.00/ton	\$29.00/ton @ SLATE HILL PLANT	\$33.45/ton	\$28.95/ton @ Bloomingburg	NO BID	NO BID	\$36.95/ton	\$31.00/ton	NO BID	NO BID	
Screened Gravel per ton	NO BID	NO BID	\$25.95/ton	\$21.45/ton @ Bloomingburg	NO BID	NO BID	\$28.45/ton	\$22.50/ton	NO BID	NO BID	
NYS Item 304-2.02 per ton	\$23.50/ton	\$17.50/ton @ CHESTER PLANT	\$20.19/ton	\$15.96/ton @ Bloomingburg	\$31.15/ton	\$18.15/ton @ Goheen	\$18.50/ton	\$14.50/ton	\$23.40/ton	\$13.40/ton	
Crushed Stone: #2 per ton	\$30.00/ton	\$24.00/ton @ SLATE HILL PLANT	\$25.95/ton	\$21.45/ton @ Bloomingburg	\$35.50/ton	\$22.50/ton @ Goheen	\$23.50/ton	\$19.50/ton	\$38.00/ton	\$22.00/ton	
#3 per ton	\$29.00/ton	\$23.00/ton @ CHESTER PLANT	\$25.95/ton	\$21.45/ton @ Bloomingburg	\$35.50/ton	\$22.50/ton @ Goheen	\$28.45/ton	\$22.50/ton	\$38.00/ton	\$22.00/ton	
Rip rap (light stone fill) per ton	\$31.00/ton	\$25.00/ton @ CHESTER PLANT	\$32.45/ton	\$27.95/ton @ Bloomingburg	\$40.75/ton	\$27.75/ton @ Goheen	\$33.95/ton	\$28.00/ton	\$38.00/ton	\$22.00/ton	
Run of Bank Gravel delivered to various locations within the City of Middletown, NY per cu.yd.	NO BID		\$19.50/ton @ Bloomingburg		NO BID		\$25.00/cu. yd.		NO BID		
Run of Bank Gravel loaded into City owned Trucks by the successful bidder per cu.yd.	NO BID		\$14.45/ton @ Bloomingburg		NO BID		\$18.00/cu. yd.		NO BID		
The material upon which the prices are quoted is produced at	State Hill- 3078 US 6 State Hill, NY and Chester- 66 Tetz Rd, Chester NY		90 Calabar Rd. Montgomery NY 12549 or 22 McBride Rd, State Hill, NY 10973 or 680 Bloomingburg Rd, Bloomingburg, NY 12721		Goheen Quarry 2 Quarry Rd, Goheen NY 10924		New Hampton, NY		93 Sullivan Rd, Monticello NY 12701		

*RCA- Plant \$10.00/ton

*Award to Callanan Industries when full truck load is needed and ambient temperature permitting.
*Tetz awarded for short loads and time consideration per judgement of Deputy Commissioner.

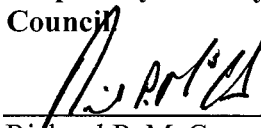


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

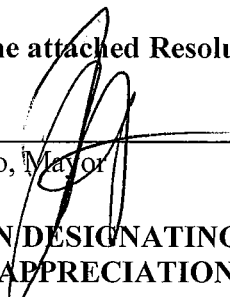
By: Alderwoman Wray
Seconded by: Alderman Johnson
Date of Adoption: April 15, 2025
Index No: 122-25

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	9			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 4/15/25

**RESOLUTION DESIGNATING THE MONTH OF MAY 2025 AS FRONTLINE
WORKER APPRECIATION MONTH IN THE CITY OF MIDDLETOWN**

WHEREAS, every day, frontline workers show up for the people of Middletown—whether it's teachers shaping young minds, healthcare professionals saving lives, firefighters and EMS responding to emergencies, law enforcement officers keeping our streets safe, and Public Works employees ensuring our streets are they are the heart of our community; and or Public Works employees working tirelessly behind the scenes to maintain our infrastructure, ensure clean and safe public spaces, and keep our city running smoothly—they are the heart of our community;

WHEREAS, in moments of crisis—wildfires, floods, pandemics—or in everyday moments like helping a sick child, rescuing a pet, or teaching a struggling student to read, frontline workers continue to serve, even as resources become strained and challenges multiply; and

WHEREAS, more than 70% of the U.S. workforce are frontline workers—people in healthcare,

education, emergency services, transportation, and more—playing a vital role in our economy, our safety, our health, and our children’s development; and

WHEREAS, over 9 million healthcare workers serve nationwide, including right here in Middletown, often placing themselves at risk to deliver critical care; firefighters answer over 36 million emergency calls each year, EMS responds to more than 240 million, and law enforcement officers work tirelessly to protect our neighborhoods; and

WHEREAS, teachers—more than 3.7 million strong nationwide—dedicate themselves to the education and development of our youth, helping shape a brighter future for all; and

WHEREAS, supporting and recognizing frontline workers boosts morale, strengthens community engagement, improves retention and recruitment in essential roles, and reinforces community resilience, especially in times of crisis; and

WHEREAS, organizations like Frontline Impact, launched in 2020 by KIND Snacks Founder Daniel Lubetzky, have helped support frontline workers by donating over 22 million products to more than 1,400 institutions across the country, while Builders is leading the charge to overcome toxic polarization and unite communities around shared values of compassion, courage, and civic responsibility;

WHEREAS, across the United States, over 930,000 Public Works employees serve in roles that include sanitation, water treatment, road maintenance, engineering, and facilities management—and here in Middletown, our dedicated Public Works team maintains over countless miles of roads, oversees waste and recycling for thousands of residents, and responds to infrastructure needs year-round, often in extreme weather and during emergencies;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Middletown, New York, hereby designates the month of May 2025 as:

FRONTLINE WORKER APPRECIATION MONTH

in the City of Middletown and encourages all residents to take time throughout the month to thank, support, and stand with our frontline workers—our teachers, healthcare providers, EMS teams, firefighters, police officers, and so many others—whose tireless efforts keep Middletown safe, healthy, and thriving.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to forward a certified copy of this resolution to relevant local institutions and organizations to encourage recognition and appreciation activities throughout the month of May.

Prepared by:

Attachments:

None

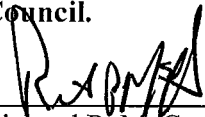


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

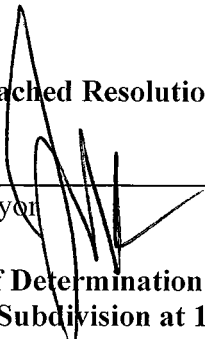
By: Alderwoman Wray
Seconded by: Alderman Johnson
Date of Adoption: April 15, 2025
Index No: 123-25

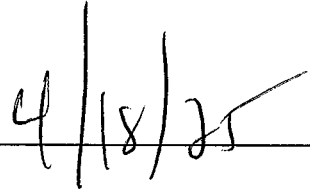
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


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	9			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

**Resolution and Notice of Determination of Non-Significance Pursuant To 6 NYCRR 617.10
for a 2-Lot Subdivision at 15 Mercer Street and 16 Warren Street**

**CITY OF MIDDLETOWN COMMON COUNCIL
RESOLUTION AND NOTICE OF DETERMINATION
OF NON-SIGNIFICANCE PURSUANT TO 6 NYCRR 617.10**

WHEREAS, the City of Middletown Common Council has been presented with a proposal for a 2-lot subdivision for properties located at 15 Mercer Street and 16 Warren Street, Middletown, New York, known as Middletown tax parcels Section 28, Block 4, Lot 7, and Section 28, Block 4, Lot 12.1.

WHEREAS, the proposed subdivision constitutes an Unlisted Action pursuant to the State Environmental Quality Review Act ("SEQRA") regulations, and

WHEREAS, the Common Council is the only involved agency under SEQRA for this subdivision request, and

WHEREAS, the Common Council has received a Short Environmental Assessment Form describing this action, and

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

NOW, THEREFORE, BE IT RESOLVED that the City of Middletown Common Council declares itself Lead Agency with respect to this subdivision request pursuant to 6 NYCRR § 617.6(b)(1), and be it

FURTHER RESOLVED that the Common Council, after reviewing the Application materials, including the Short EAF, hereby determines that the application is an Unlisted Action under SEQRA.

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

FURTHER RESOLVED that this Negative Declaration is made pursuant to Article 8 of the Environmental Conservation Law.

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	Sub Division 15 Mercer 16 Warren
----	----------------------------------



City of Middletown
Middletown, New York
APPLICATION FOR Subdivision
APPLICATION FEE: \$250.00
ESCROW FEE: \$100.00

RECEIVED

AUG 26 2024

CITY CLERK
CITY OF MIDDLETOWN

Number of Lots of the Subdivision 2 Current Zone _____

Property # 1) Section 28 Block 4 Lot 7 (Property # 2) Section 28 Block 4 Lot 12

Address of Subject Property _____

Owner of Property #1 Anthony Harden & Taymah Riley

Owner Address 15 Mercer Street

City Middletown State NY Zip 10940

Telephone: Home _____ Cell: 646-302-5296

Email _____

Property # 2) Applicant Name Tyrone DIAZ

If different from Owner
Applicant Address 16 Warren Street

City Middletown State NY Zip 10940

Telephone: Home _____ Cell: 646-302-5296 ✓

Email _____

Minor (2-3 lots) ☒ \$250.00

Plus Escrow ☒ \$100.00

Major (over 3 lots) _____ \$500.00

Paid _____

Paid _____

Paid _____

Plus \$100 per lot for each lot over 10 lots, and \$1000.00 escrow to be replenished if required

NOTE: Over 4 lot subdivision will go to Planning Board for recommendation before going to Common Council.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: 2 lot subdivision			
Project Location (describe, and attach a location map): 16 Warren St Middletown NY 10940 and 15 Mercer Street Middletown NY 10940			
Brief Description of Proposed Action: The owners of 15 Mercer St will give a portion of their land to Tyrone DIAZ owner of property located on 16 Warren St. The portion is described on the attached survey. The boundary line will be changed approximately 3.7 feet north of 16 Warren Street (reference PVC fence).			
Name of Applicant or Sponsor: TYRONE DIAZ		Telephone: 646-302-5296	
Address: 16 Warren St		E-Mail: tyronejulian@gmail.com	
City/PO: Middletown		State: NY	Zip Code: 10940
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		☒	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		☒	☐
3. a. Total acreage of the site of the proposed action?		.21 acres	
b. Total acreage to be physically disturbed?		.603 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.213 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☐	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☒	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☒	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☒	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☒	☐
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>TYRONE DIAZ</u> Date: _____ Signature: _____ Title: _____		

BOUNDARY LINE AGREEMENT

Agreement made this 6 day of August, 2024, between Anthony Harden & Tajmah Riley (the "Owner"), having an address at 15 Mercer Street, Middletown, NY 10940 and Tyrone Diaz (the "Adjoining Owner"), having an address at 16 Warren Street, Middletown, NY 10940

WITNESSETH

WHEREAS, Owner is the owner in fee of the property commonly known as **15 Mercer Street** located in the City of **Middletown**, County of **Orange**, State of **NEW YORK**, Section 28 Block 4 and Lot 7, which property is more fully described in a deed dated **11/06/2020** and recorded **11/16/2020** in **Liber 14842 Page 1873** in the Office of the Orange County Clerk (the "Property"); and,

WHEREAS, the Adjoining Owner is the owner in fee of property adjacent to the Property on the Property's **northerly** side, which property is commonly known as **16 Warren Street** located in the City of **Middletown**, County of **Orange**, State of **NEW YORK**, Section 28 Block 4 and Lot **12.1**, which property is more fully described in a deed dated **07/16/2004** and recorded **08/30/2004** in **Liber 11598 Page 127** in the Office of the Orange County Clerk (the "Adjoining Property"); and,

WHEREAS, a description of the Property is attached hereto as Exhibit 'A' and made a part hereof; and,

WHEREAS, a description of the Adjoining Property is attached hereto as Exhibit 'B'; and,

WHEREAS, a survey of the Property prepared by **W.E. James Engineering and Surveying, PLLC**, dated **07/15/2024** depicts the common boundary line between the Property and the Adjoining Property on the Property's **northerly** side and on the Adjoining Property's **southerly** side (the "common boundary line"), and which survey also depicts the location of certain **PVC Fences** as being situated as much as **3.7 FEET**, more or less, **south** of the common boundary line. The survey is attached here to as Exhibit 'C' (the "Survey"); and,

WHEREAS, the parties now desire to acknowledge the erroneous placement of the **PVC Fences** and fix and definitively establish the common boundary line between the Property and the Adjoining Property owned by them respectively; and,

NOW, THEREFORE, in consideration of the sum of one dollar and other good and valuable consideration exchanged by each of the parties hereto, the receipt of which is acknowledged, the parties, for themselves, their successors and assigns, covenant and agree, as follows:

The true and correct common boundary line between the Property and the Adjoining Property is as shown on the Survey;

Owner and Adjoining Owner mutually acknowledge that the **PVC Fences** are situated as much as **3.7 FEET**, more or less, **south**, of the common boundary line;

Owner and Adjoining Owner mutually agree and covenant that they own only the land as described in their respective recorded deeds and make no claims against lands owned by the other.

The Adjoining Owner hereby remises, releases and quitclaims unto the Owner, its successors and assigns,

all of its right, title and interest in, and releases any claim of any nature whatsoever to, that specific portion of the Property, including the land on the Property located between the **PVC Fence in the rear of the premises**, which lies 3.3 feet south of the common boundary line at the easterly boundary line and 3.7 feet south of the common boundary line closer to the westerly boundary line, **and the common boundary line** ;

Owner and Adjoining Owner mutually agree and covenant that the **PVC Fences** may remain in their current location so long as same shall stand.

Owner and Adjoining Owner mutually agree and covenant that this Boundary Line Agreement shall run with the land and shall be binding on and inure to the benefit of the successors in interest of the parties and the parties agree to record this Boundary Line Agreement in the Office of the **ORANGE** County Clerk.

This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument.

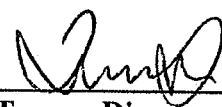
IN WITNESS WHEREOF, the parties have signed this agreement the 6 day of August, 2024.



Anthony Harden 8/6/24



Tajmah Riley 8/6/24



Tyrone Diaz 06 Aug 2024

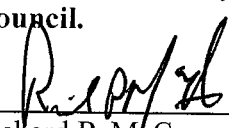


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

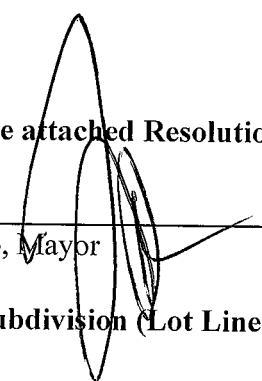
By: Alderman Johnson
Seconded by: Alderwoman Wray
Date of Adoption: April 15, 2025
Index No: 124-25

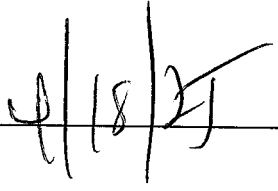
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


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	9			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

Approves a 2 Lot Subdivision (Lot Line Change) at 15 Mercer Street and 16 Warren Street

WHEREAS, the applicants, Anthony Harden, Tajmah Riley and Tyrone Diaz, have presented the City of Middletown Common Council with a proposal for a 2-lot subdivision for a lot line change involving two properties located at 15 Mercer Street and 16 Warren Street, Middletown, New York, known as Middletown tax parcels Section 28, Block 4, Lot 7, and Section 28, Block 4, Lot 12.1.

WHEREAS, Anthony Harden and Tajmah Riley, the owners of 15 Mercer Street, and Tyrone Diaz, the owner of 16 Warren Street, have filed this joint application with the Common Council, and

WHEREAS, the purpose of the lot line change is to allow for the continued usage of an installed fence without encroachment, and

WHEREAS, the Common Council has issued a Negative Declaration for SEQRA purposes pursuant to Article 8 of the Environmental Conservation Law, and

WHEREAS, the applicants have complied with all applicable requirements for final subdivision approval, and

WHEREAS, a public hearing was held on April 15, 2025.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Middletown that final subdivision approval be and hereby is granted to the application to subdivide the properties located at tax parcels Section 28, Block 4, Lot 7, and Section 28, Block 4, Lot 12.1 as shown on a map entitled "Survey Prepared For Anthony Harden & Tajmah Riley" prepared by W.E. James Engineering & Land Surveying, PLLC, dated July 15, 2024, and filed in the Office of the Middletown Common Council Clerk, and

BE IT FURTHER RESOLVED by the Common Council that the applicants are directed to submit all necessary documents to the Office of the Orange County Clerk to file and record this subdivision within 60 days of this Resolution.

Prepared by:

Attachments:

1.	Sub Division 15 Mercer 16 Warren
2.	Notice of Public Hearing Mercer and Warren



City of Middletown
Middletown, New York
APPLICATION FOR Subdivision
APPLICATION FEE: \$250.00
ESCROW FEE: \$100.00

RECEIVED

AUG 26 2024

CITY CLERK
CITY OF MIDDLETOWN

Number of Lots of the Subdivision 2 Current Zone _____

Property # 1) Section 28 Block 4 Lot 7 (Property # 2) Section 28 Block 4 Lot 12

Address of Subject Property _____

Owner of Property # Anthony Harden & Taymah Riley

Owner Address 15 Mercer Street

City Middletown State NY Zip 10940

Telephone: Home _____ Cell: 646-302-5296

Email _____

Property # 2) Applicant Name Tyron Diaz

If different from Owner
Applicant Address 16 Warren Street

City Middletown State NY Zip 10940

Telephone: Home _____ Cell: 646-302-5296 ✓

Email _____

Minor (2-3 lots) ✓ \$250.00
Plus Escrow ✓ \$100.00
Major (over 3 lots) _____ \$500.00

Paid _____
Paid _____
Paid _____

Plus \$100 per lot for each lot over 10 lots, and \$1000.00 escrow to be replenished if required

NOTE: Over 4 lot subdivision will go to Planning Board for recommendation before going to Common Council.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: 2 lot subdivision			
Project Location (describe, and attach a location map): 16 Warren St Middletown NY 10940 and 15 Mercer Street Middletown NY 10940			
Brief Description of Proposed Action: The owners of 15 Mercer St will give a portion of their land to Tyrone DIAZ owner of property located on 16 Warren St. The portion is described on the attached survey. The boundary line will be changed approximately 3.7 feet north of 16 Warren Street (reference PVC fence).			
Name of Applicant or Sponsor: TYRONE DIAZ		Telephone: 646-302-5296	
Address: 16 Warren St		E-Mail: tyronejulian@gmail.com	
City/PO: Middletown		State: NY	Zip Code: 10940
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO ☒	YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO ☒	YES ☐
3. a. Total acreage of the site of the proposed action?		.21 acres	
b. Total acreage to be physically disturbed?		.603 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.213 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☐	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☒	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☒	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☒	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☒	☐
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>TYRONE DIAZ</u> Date: _____ Signature: _____ Title: _____		

BOUNDARY LINE AGREEMENT

Agreement made this 6 day of August, 2024, between Anthony Harden & Tajmah Riley (the "Owner"), having an address at 15 Mercer Street, Middletown, NY 10940 and Tyrone Diaz (the "Adjoining Owner"), having an address at 16 Warren Street, Middletown, NY 10940

WITNESSETH

WHEREAS, Owner is the owner in fee of the property commonly known as **15 Mercer Street** located in the City of **Middletown**, County of **Orange**, State of **NEW YORK**, Section 28 Block 4 and Lot 7, which property is more fully described in a deed dated **11/06/2020** and recorded **11/16/2020** in **Liber 14842 Page 1873** in the Office of the Orange County Clerk (the "Property"); and,

WHEREAS, the Adjoining Owner is the owner in fee of property adjacent to the Property on the Property's **northerly** side, which property is commonly known as **16 Warren Street** located in the City of **Middletown**, County of **Orange**, State of **NEW YORK**, Section 28 Block 4 and Lot 12.1, which property is more fully described in a deed dated **07/16/2004** and recorded **08/30/2004** in **Liber 11598 Page 127** in the Office of the Orange County Clerk (the "Adjoining Property"); and,

WHEREAS, a description of the Property is attached hereto as Exhibit 'A' and made a part hereof; and,

WHEREAS, a description of the Adjoining Property is attached hereto as Exhibit 'B'; and,

WHEREAS, a survey of the Property prepared by **W.E. James Engineering and Surveying, PLLC**, dated **07/15/2024** depicts the common boundary line between the Property and the Adjoining Property on the Property's **northerly** side and on the Adjoining Property's **southerly** side (the "common boundary line"), and which survey also depicts the location of certain **PVC Fences** as being situated as much as **3.7 FEET**, more or less, **south** of the common boundary line. The survey is attached here to as Exhibit 'C' (the "Survey"); and,

WHEREAS, the parties now desire to acknowledge the erroneous placement of the **PVC Fences** and fix and definitively establish the common boundary line between the Property and the Adjoining Property owned by them respectively; and,

NOW, THEREFORE, in consideration of the sum of one dollar and other good and valuable consideration exchanged by each of the parties hereto, the receipt of which is acknowledged, the parties, for themselves, their successors and assigns, covenant and agree, as follows:

The true and correct common boundary line between the Property and the Adjoining Property is as shown on the Survey;

Owner and Adjoining Owner mutually acknowledge that the **PVC Fences** are situated as much as **3.7 FEET**, more or less, **south**, of the common boundary line;

Owner and Adjoining Owner mutually agree and covenant that they own only the land as described in their respective recorded deeds and make no claims against lands owned by the other.

The Adjoining Owner hereby remises, releases and quitclaims unto the Owner, its successors and assigns,

all of its right, title and interest in, and releases any claim of any nature whatsoever to, that specific portion of the Property, including the land on the Property located between the **PVC Fence in the rear of the premises**, which lies 3.3 feet south of the common boundary line at the easterly boundary line and 3.7 feet south of the common boundary line closer to the westerly boundary line, **and the common boundary line** ;

Owner and Adjoining Owner mutually agree and covenant that the **PVC Fences** may remain in their current location so long as same shall stand.

Owner and Adjoining Owner mutually agree and covenant that this Boundary Line Agreement shall run with the land and shall be binding on and inure to the benefit of the successors in interest of the parties and the parties agree to record this Boundary Line Agreement in the Office of the **ORANGE** County Clerk.

This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument.

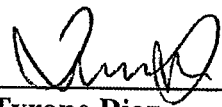
IN WITNESS WHEREOF, the parties have signed this agreement the 6 day of August, 2024.



Anthony Harden 8/6/24



Tajmah Riley 8/6/24

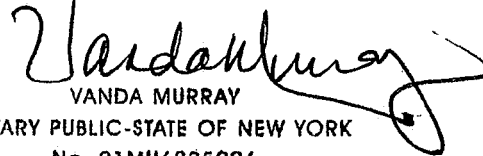


Tyrone Diaz 06 Aug 2024

UNIFORM FORM CERTIFICATE OF ACKNOWLEDGMENT
(Within New York State)

State of New York)
County of Orange) ss.:

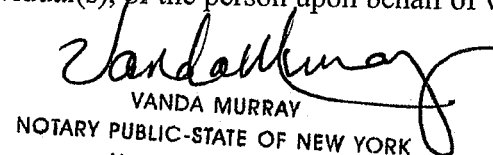
On the 6 day of August in the year 2024 before me, the undersigned, personally appeared Anthony Harden and Tajmah Pikey., personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledgement to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, execute the instrument.


VANDA MURRAY
NOTARY PUBLIC-STATE OF NEW YORK
No. 01MU6225906

State of New York)
County of Orange) ss.:

Qualified in Orange County
My Commission Expires July 26, 2026

On the 6 day of August in the year 2024 before me, the undersigned, personally appeared Tyrone Diaz, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledgement to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, execute the instrument.


VANDA MURRAY
NOTARY PUBLIC-STATE OF NEW YORK
No. 01MU6225906
Qualified in Orange County
My Commission Expires July 26, 2026

DATE: 08/26/2024 TIME: 12:51:19
CITY OF MIDDLETOWN

Receipt # 20245510	
Trans # 563217	Batch: 77
SUBDIVISION-PLANNING	350.00
SUB TOTAL	350.00
TAX	.00
CHECK	350.00
AMT TENDERED	350.00
TOTAL	350.00
CHANGE	.00
CHECK #:	155

TYRON DIAZ
REF NO: SUBD

THANK YOU!

**CITY OF MIDDLETOWN
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, April 15, 2025, on or as near to 7:30 p.m. as possible, Common Council Chambers, 2nd floor, 16 James Street, to hear any and all persons wishing to be heard on the proposed 2 lot subdivision, resulting in a lot line change at 15 Mercer Street and 16 Warren Street.

Any and all persons wishing to be heard will be given an opportunity to speak either for or against the proposed 2-lot subdivision.

The complete proposed application and map of the property for the 2-lot subdivision are available in the office of the Common Council Clerk, City Hall, 16 James Street, room 12, and on the City Website.

For any person unable to participate at the time of the public hearing, email comments may be submitted in advance to rmccormack@middletownny.gov

By the order of the Common Council.

Richard P. McCormack
Clerk of the Common Council

Publish: 04/10/25 & City Website

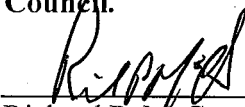


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

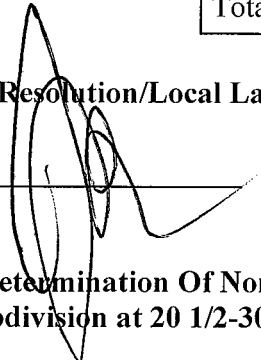
By: Alderman Masi
Seconded by: Alderman Witt
Date of Adoption: April 15, 2025
Index No: 125-25

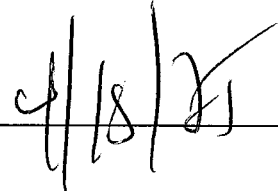
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


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	9			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

Resolution And Notice Of Determination Of Non-Significance Pursuant To 6 NYCRR 617.10 for a 2-lot Subdivision at 20 1/2-30 Low Avenue- Front and Rear

**CITY OF MIDDLETOWN COMMON COUNCIL
RESOLUTION AND NOTICE OF DETERMINATION
OF NON-SIGNIFICANCE PURSUANT TO 6 NYCRR 617.10**

WHEREAS, the City of Middletown Common Council has been presented with a proposal for a 2-lot subdivision for property located at 20½-30 Low Avenue and 20½-30 Low Avenue Rear, Middletown, New York, known as Middletown tax parcels Section 17, Block 3, Lot 13, and Section 17, Block 3, Lot 14.22.

WHEREAS, the proposed subdivision constitutes an Unlisted Action pursuant to the State Environmental Quality Review Act ("SEQRA") regulations, and

WHEREAS, the Common Council is the only involved agency under SEQRA for this subdivision request, and

WHEREAS, the Common Council has received a Short Environmental Assessment Form describing this action, and

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

NOW, THEREFORE, BE IT RESOLVED that the City of Middletown Common Council declares itself Lead Agency with respect to this subdivision request pursuant to 6 NYCRR § 617.6(b)(1), and be it

FURTHER RESOLVED that the Common Council, after reviewing the Application materials, including the Short EAF, hereby determines that the application is an Unlisted Action under SEQRA.

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

FURTHER RESOLVED that this Negative Declaration is made pursuant to Article 8 of the Environmental Conservation Law.

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	SEAF O& W
----	-----------

Short Environmental Assessment Form

Part 1 - Project Information

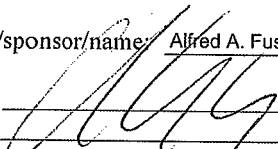
Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

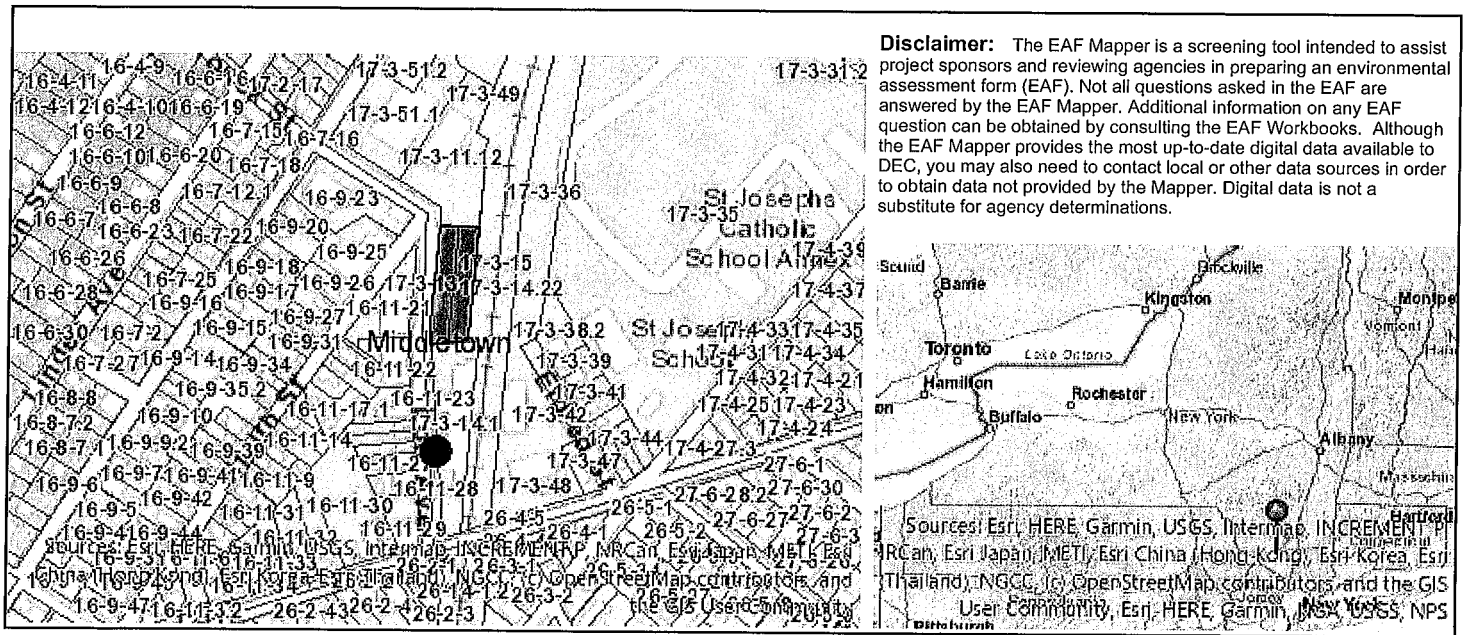
Part 1 – Project and Sponsor Information			
Shifting Gears Holding LLC			
Name of Action or Project: O&W Properties Lot Line Change			
Project Location (describe, and attach a location map): 20 1/2 - 30 Low Avenue			
Brief Description of Proposed Action: The applicant is proposing a lot line change between two existing lots. Lot 13 will continue to be used as an equipment supply distributor and lot 14.22 will be used as parking to serve lot 13 and the adjoining O&W property tax lot #14.1.			
Name of Applicant or Sponsor: Shifting Gears Holding LLC		Telephone: 845-591-5440	
		E-Mail: loumntrest@frontiernet.net	
Address: 20 1/2 - 30 Low Avenue			
City/PO: Middletown		State: NY	Zip Code: 10940
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO ☒
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			YES ☐
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			0.63 acres 0.39 acres 0.63 acres
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. ☐ Urban ☐ Rural (non-agriculture) ☒ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	☒	☐	
The existing building on lot 13 is already connected to the public water supply, lot 14.22 will not have any water service _____			
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	☒	☐	
The existing building on lot 13 is already connected to the public sewer, lot 14.22 will not have any sewer _____			
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☐	☒	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☐	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☒ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	☒	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☐
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
_____ _____	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
_____ _____	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
_____ _____	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Alfred A. Fusco, Jr., P.E.</u> Date: <u>4/15/25</u> Signature: <u></u> Title: <u>Project Engineer</u>		

</

Tuesday, April 15, 2025 10:41 AM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No



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

THE FOLLOWING WAS PRESENTED

By: Alderman Witt
Seconded by: Alderman Masi
Date of Adoption: April 15, 2025
Index No: 126-25

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	9			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Approval of a 2 Lot Subdivision (Lot Line Change) 20 1/2 - 30 Low Avenue (Front/Rear)

WHEREAS, the applicant, City of Middletown, has presented the City of Middletown Common Council with a proposal for a 2-lot subdivision for a lot line change involving two properties located at 20½-30 Low Avenue and 20½-30 Low Avenue Rear, Middletown, New York, known as Middletown tax parcels Section 17, Block 3, Lot 13, and Section 17, Block 3, Lot 14.22.

WHEREAS, the owner of the subject properties, Shifting Gears Holding, LLC, has filed a written Owners Endorsement with the Common Council, authorizing the City of Middletown to make this application, and

WHEREAS, the purpose of the lot line change is to allow for the formation of a parking lot to serve the O&W project, and

WHEREAS, the Common Council has issued a Negative Declaration for SEQRA purposes

pursuant to Article 8 of the Environmental Conservation Law, and

WHEREAS, the applicant has complied with all applicable requirements for final subdivision approval, and

WHEREAS, a public hearing was held on April 15, 2025.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Middletown that final subdivision approval be and hereby is granted to the application to subdivide the properties located at tax parcels Section 17, Block 3, Lot 13, and Section 17, Block 3, Lot 14.22 as shown on a map entitled "Subdivision Plan" prepared by Fusco Engineering & Land Surveying, P.C., dated June 6, 2024, and filed in the Office of the Middletown Common Council Clerk, and

BE IT FURTHER RESOLVED by the Common Council that the applicant is directed to submit all necessary documents to the Office of the Orange County Clerk to file and record this subdivision within 60 days of this Resolution.

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	Notice of Public Hearing 20 and Half - 30 Low Avenue
2.	Sub Division Request Low Avenue
3.	O&W Subdivision Plan

**CITY OF MIDDLETOWN
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, April 15, 2025, on or as near to 7:30 p.m. as possible, Common Council Chambers, 2nd floor, 16 James Street, to hear any and all persons wishing to be heard on the proposed 2 lot subdivision, resulting in a lot line change at 20 ½ -30 Low Avenue and 20 ½ -30 Low Avenue (Rear).

Any and all persons wishing to be heard will be given an opportunity to speak either for or against the proposed 2-lot subdivision.

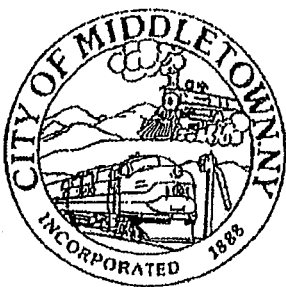
The complete proposed application and map of the property for the 2-lot subdivision are available in the office of the Common Council Clerk, City Hall, 16 James Street, room 12, and on the City Website.

For any person unable to participate at the time of the public hearing, email comments may be submitted in advance to rmccormack@middletownny.gov

By the order of the Common Council.

Richard P. McCormack
Clerk of the Common Council

Publish: 04/10/25 & City Website



City of Middletown
Middletown, New York
APPLICATION FOR Subdivision
APPLICATION FEE: \$250.00
ESCROW FEE: \$100.00

Number of Lots of the Subdivision 2 Current Zone I1

Section 17 Block 3 Lots 13 & 14.22

Address of Subject Property 20 1/2-30 Low Ave & 20 1/2-30 Low Ave Rear

Owner of Property Shifting Gears Holdings, LLC

Owner Address 20 1/2-30 Low Ave

City Middletown State NY Zip 10940

Telephone: Home _____ Cell: 845-591-5440

Email lountnrest@frontiernet.net

Applicant Name City of Middletown

If different from Owner
Applicant Address 16 James Street

City Middletown State NY Zip 10940

Telephone: Home 845-341-4101 Cell: _____

Email mayor@middletown-ny.com

Minor (2-3 lots) <u>X</u>	\$250.00	Paid _____
Plus Escrow <u>X</u>	\$100.00	Paid _____
Major (over 3 lots) _____	\$500.00	Paid _____

Plus \$100 per lot for each lot over 10 lots, and \$1000.00 escrow to be replenished if required

NOTE: Over 4 lot subdivision will go to Planning Board for recommendation before going to Common Council.

RECEIVED
FEB 13 2025
CITY CLERK
CITY OF MIDDLETOWN

Proposed uses; List the number of proposed lots and uses, which are to be created by this subdivision if approved. Additional sheets may be attached if more space is required. The project consists of two existing lots, the applicant is proposing a lot line change. Lot 13 will continue to be used as an equipment supply distributor while lot 14.22 will be used as a parking lot to serve lot 13 and the adjoining O&W property tax lot parcel 14.1.

Zoning; In the space provided list all lots or areas which would require a re-zoning of any zoning district. List all factors dealing with the requested re-zoning. Additional sheets may be attached if more space is required.

N/A

Non Compliance of Zoning; In the space provided list all lots, which are not in compliance with the zoning regulations of the City of Middletown. Provide all information from the zoning ordinance in which the lot is non-compliant and the reasons therefore. Additional sheets may be attached if more space is required.

N/A

NOTE; if any of the new lots are non-compliant to the City of Middletown zoning code you may be required to apply to the ZBA for a variance.

A notarized letter from the property owner granting permission to seek the zone change or addition, if the applicant is not the owner, is required for all applications.

NOTE: As per SEQRA law a short form EAF will be required with all applications

Sign at the place indicated and print name

Signature of applicant

Print Name and title

Lea Frances / owner

Date

1/23/25

TO BE FILLED OUT BY THE CITY CLERK'S OFFICE

A fee of \$250.00 was collected on

Escrow Amount \$100.00 on

Signature of Clerk or Designee

Date



FROM THE OFFICE OF THE
CLERK OF THE
COMMON COUNCIL
John C. Naumchik
CITY OF MIDDLETOWN NY
WWW.MIDDLETOWN-NY.COM
Email: jnaumchik@middletown-ny.com

OWNERS ENDORSEMENT

COUNTY OF ORANGE
STATE OF NEW YORK

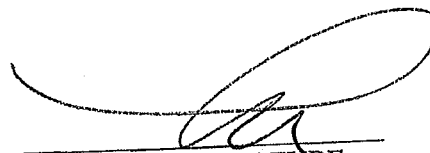
Lou Fracese being duly sworn, deposes and says that he/she resides
at 20 1/2-30 Low Ave, Middletown in the County of Orange and

State of New York and that he/she is the owner in fee or OFFICIAL TITLE

of the Shifting Gears Holdings, LLC Corporation which is the owner
in fee of the premises described in the forgoing application and that he/she has authorized
City of Middletown & Fusco Engineering to make the foregoing application for
approval as described herein.

Sworn before me this day of 20

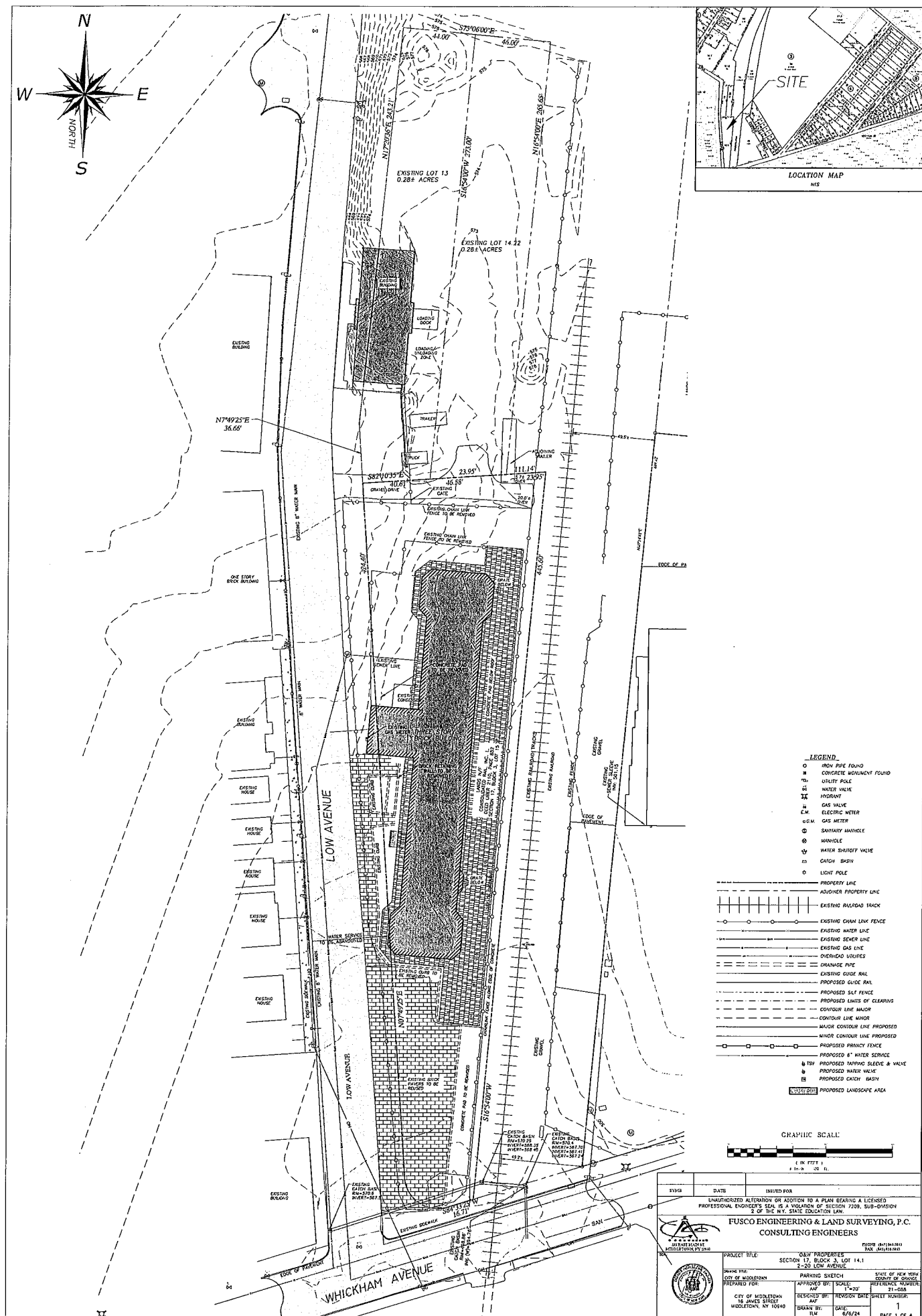
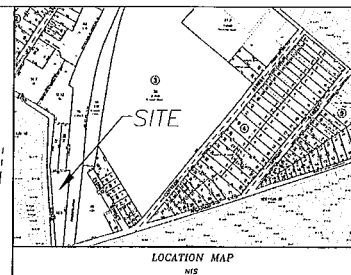
NOTARY PUBLIC

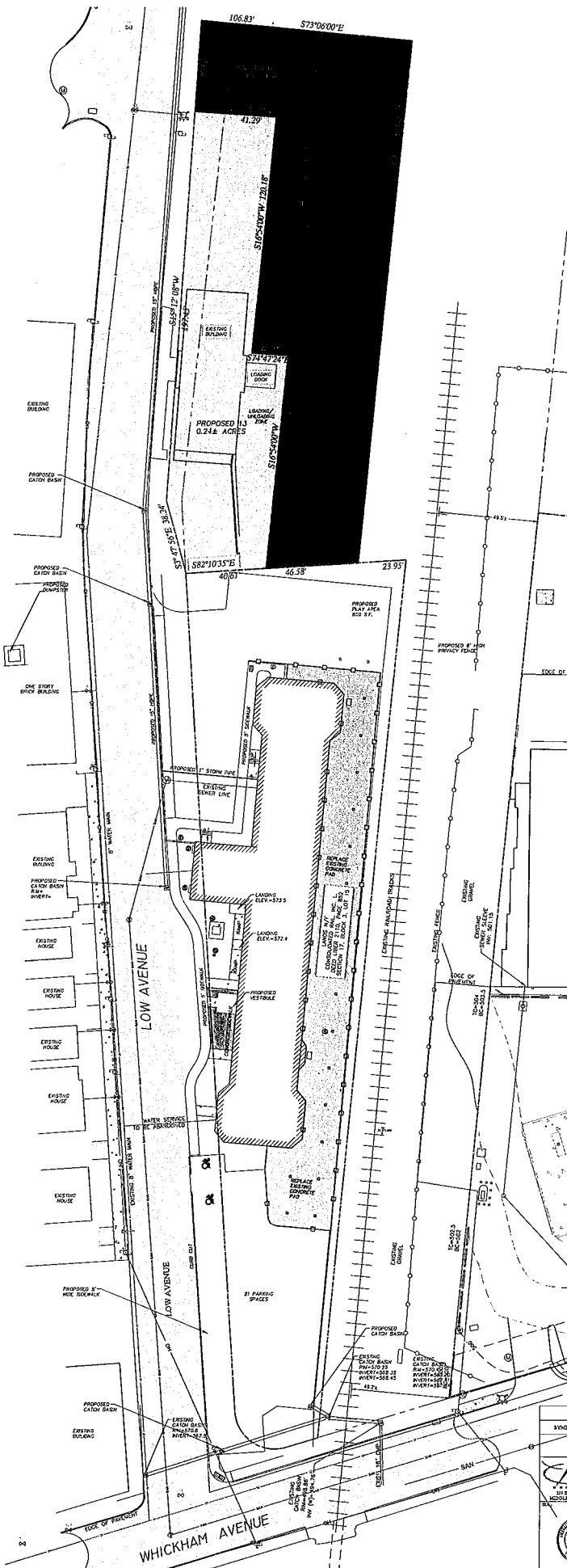
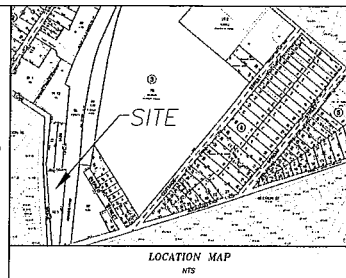
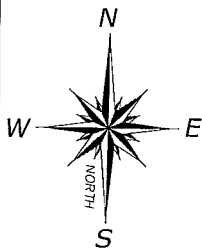


OWNERS SIGNATURE

16 James Street
Middletown, NY 10940

Phone 845-346-4168
Fax 845-344-5428



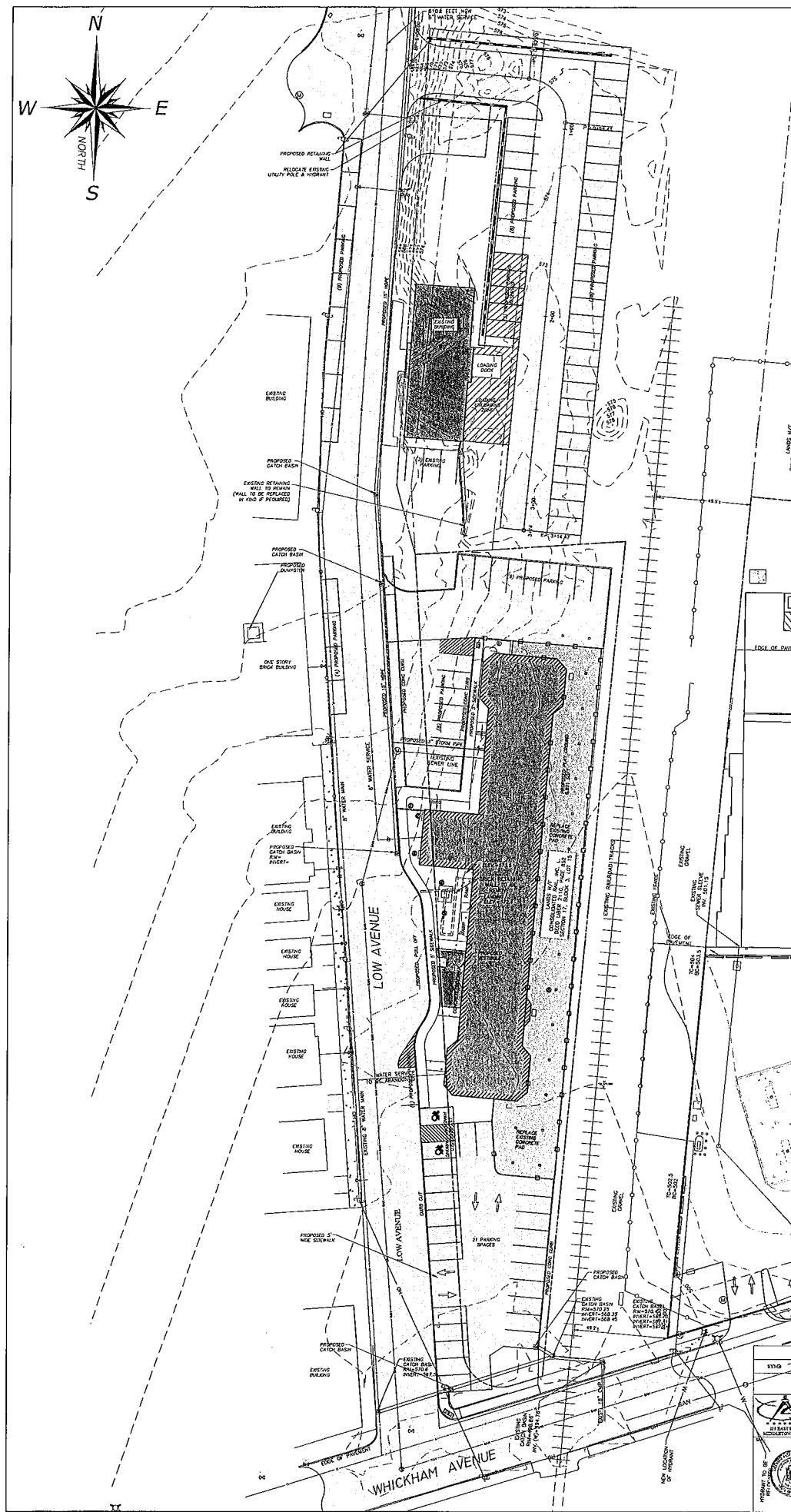
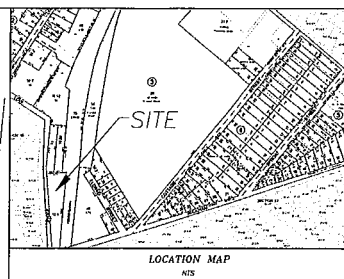


- LEGEND
- IRON PIPE FOUND
 - CONCRETE MONUMENT FOUND
 - UTILITY POLE
 - WATER VALVE
 - WATER METER
 - GAS VALVE
 - ELECTRIC METER
 - GAS METER
 - SANITARY MANHOLE
 - MANHOLE
 - WATER SHUTOFF VALVE
 - CATCH BASIN
 - LIGHT POLE
 - PROPERTY LINE
 - ADJACENT PROPERTY LINE
 - EXISTING RAILROAD TRACK
 - EXISTING CHAIN LINK FENCE
 - EXISTING WATER LINE
 - EXISTING SEWER LINE
 - EXISTING ONE LINE
 - OVERHEAD UTILITIES
 - DRAINAGE PIPE
 - EXISTING GUIDE RAIL
 - PROPOSED GUIDE RAIL
 - PROPOSED SELF FENCE
 - PROPOSED LIMITS OF CLEARING
 - CONTOUR LINE MAJOR
 - CONTOUR LINE MINOR
 - MAJOR CONTOUR LINE PROPOSED
 - MINOR CONTOUR LINE PROPOSED
 - PROPOSED 6\"/>

GRAPHIC SCALE

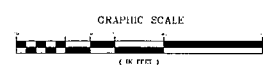


SYMBOL	DATE	ISSUED FOR
UNAUTHORIZED ALTERATION OR ADDITION TO A PLAN BEARING A LICENSED PROFESSIONAL ENGINEER'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2 OF THE N.Y. STATE EDUCATION LAW.		
FUSCO ENGINEERING & LAND SURVEYING, P.C. CONSULTING ENGINEERS		
PROJECT TITLE: NEW PROPERTIES		
SECTION 17, BLOCK 3, LOT 14.1		
COUNTY OF ORANGE		
SUBDIVISION PLAN		
APPROVED BY: [Signature]	SCALE: 1"=20'	STATE OF NEW YORK
PREPARED FOR: [Signature]	DATE: 6/6/24	REFERENCE NUMBER: 21-088
CITY OF MIDDLETOWN	DESIGNED BY: [Signature]	SHEET NUMBER: 2
16 JAMES STREET	DATE: 6/6/24	PAGE 2 OF 4
MIDDLETOWN, NY 10940	DATE: 6/6/24	



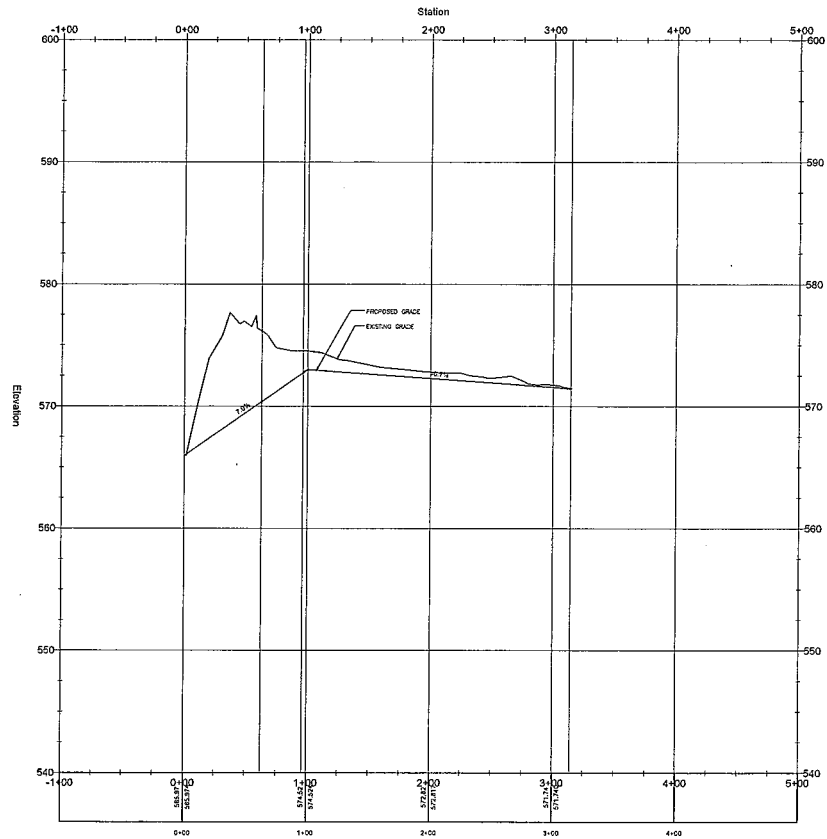
-LEGEND-

—	HIGH PIPE FOUND
■	CONCRETE MONUMENT FOUND
TL	UTILITY POLE
W	WATER VALVE
M	MANHOLE
W	GAS VALVE
E M	ELECTRIC METER
W M	GAS METER
—	SANITARY MANHOLE
W	MANHOLE
W	WATER SHUTOFF VALVE
CB	CATCH BASIN
—	LIGHT POLE
-----	PROPERTY LINE
-----	ADJOINER PROPERTY LINE
-----	EXISTING RAILROAD TRACK
-----	EXISTING CHAIN LINK FENCE
-----	EXISTING WATER LINE
-----	EXISTING SEWER LINE
-----	EXISTING GAS LINE
-----	OVERHEAD UTILITIES
-----	DRAINAGE PIPE
-----	EXISTING GULCH RAIL
-----	PROPOSED GULCH RAIL
-----	PROPOSED SILT FENCE
-----	PROPOSED LINES OF CLEARING
-----	CONTOUR LINE MAJOR
-----	CONTOUR LINE MINOR
-----	MAJOR CONTOUR LINE PROPOSED
-----	MINOR CONTOUR LINE PROPOSED
-----	PROPOSED PERIMCY FENCE
-----	PROPOSED 6" WATER SERVICE
TL	PROPOSED TAPPING SLEEVE & VALVE
W	PROPOSED WATER VALVE
M	PROPOSED CATCH BASIN
-----	PROPOSED LANDSCAPE AREA



STUDY		DATE		ISSUED FOR	
UNAUTHORIZED ALTERATION OR ADDITION TO A PLAN BEARING A LICENSED PROFESSIONAL ENGINEER'S SEAL IS A VIOLATION OF SECTION 208, SUB-DIVISION 3 OF THE N.Y. STATE EDUCATION LAW.					
 FUSCO ENGINEERING & LAND SURVEYING, P.C. CONSULTING ENGINEERS					
 NEW YORK STATE ENGINEER LICENSE NO. 101540		PROJECT TITLE SECTOR 17, BLOCK 3, LOT 14.1 2-20 LUGAN AVENUE		PROJECT NO. JAN. 2010-100	
CITY OF MOHAWKEEN PLANNING BOARD		PLANNING BOARD SCALE APPROVED BY DATE		STATE OF NEW YORK COUNTY OF CITY OF PLANNING BOARD SCALE APPROVED BY DATE	
CITY OF MOHAWKEEN 16 JAMES STREET MOHAWKEEN, NY 12540		APPROVED BY DATE 8/2/24		COUNTY OF CITY OF PLANNING BOARD SCALE APPROVED BY DATE	
				PAGE 3 OF 3	

Alignment - (1) PROFILE



BY:	DATE:	ISSUED FOR:
UNAUTHORIZED ALTERATION OR ADDITION TO A PLAN BEARING A LICENSED PROFESSIONAL ENGINEER'S SEAL IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2 OF THE N.Y. STATE EDUCATION LAW.		
FUSCO ENGINEERING & LAND SURVEYING, P.C. CONSULTING ENGINEERS		
PROJECT TITLE: SECTION 17, BLOCK 3, LOT 14.1 2-20 LOW AVENUE		PLANS: 45/141.003 FOX: 501/14.004
DRAWN BY: CITY OF MOULTON PREPARED FOR:	PROFILE SCALE: 1"=10' DESIGNED BY: DATE:	STATE OF NEW YORK COUNTY OF ORANGE REFERENCE NUMBER: 21-058 SHEET NUMBER: 4
CITY OF MOULTON 10 JAMES STREET MOULTON, NY 10540	DATE: 6/1/24 DRAWN BY: TM	PAGE: 4 OF 4

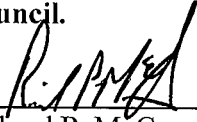


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

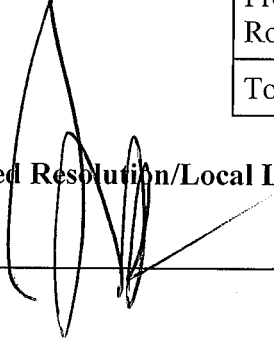
By: Alderman Green
Seconded by: Alderman Kleiner
Date of Adoption: April 15, 2025
Index No: 127-25

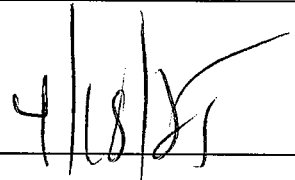
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


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	9			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Authorization to Amend City Code to Remove 24 Minute Parking from Lake Avenue

BE IT RESOLVED; that the Common Council of the City of Middletown authorizes amending City Code Chapter 460-17- 24-Minute Parking, repealing such designation from Lake Avenue on the easterly side beginning at a point 88 feet northerly of Wickham Avenue, two parking spaces.

Prepared by:
Rick McCormack, City Clerk

Attachments:

None



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

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: May 6, 2025
Index No: 128-25

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

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution Accepting Amendment #7 For Additional Funding From The Orange County Office For The Aging For The 2024-2025 Goldenarea Transportation Program

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and accepts Amendment #7 from the Orange County Office for the Aging, providing additional funding in the amount of \$25,635.00 for the 2024–2025 Goldenarea Transportation Program, to be included in the Senior Department Operating Budget.

BE IT FURTHER RESOLVED, that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and approves the review and acceptance of Amendment #7 and any required additional documents, including the Worker’s Compensation Certificate, Certificate of Disability Benefits Insurance, and all accompanying materials.

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 City Treasurer to add the additional funding to Other Government Aid account GA.4089 to be used for outstanding expenses related to the Goldenarea Transportation Program in 2025.

BE IT FURTHER RESOLVED, that the Mayor is authorized to sign Amendment #7 and all associated documents as required by the Orange County Office for the Aging.

Prepared by:
Julisa Sierra, Senior Center Dir

Attachments:

1.	BOE requests April 11 2025
2.	bus quote 2024
3.	2025 IR2025 - 001095- Amendment 7 - City of Middletown IIIB (1)
4.	2025 Iran Divestment Act Certification
5.	2025 Disclosure of Prior Non-Responsibility Determinations
6.	Insurance Memo 2024-2025



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

April 11, 2025

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 Amendment #7 for 2025 additional funding of \$25,635.00 from Orange County Office for the Aging for 2024-2025 Goldenarea Transportation within Senior Department Operating Budget and also review and accept amendments and additional requests to include Worker's Compensation Certificate and Certificate of Disability Benefits Insurance as well as required documents attached requesting Mayor's signature of amendments and required documents.
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 2025.
3. Request to discuss and approve options for Elizabeth Mustion, Recreational Leader (Yoga instructor) to continue at Mulberry House Senior Center
Proposal #1: include Mrs. Mustion to Senior Center Personnel Line 6772.100 at the rate of \$25.00 per hour , request to allow ½ hour set up and ½ hour break down on Wednesdays 8:15am-10:15am for a total of \$50 per class calculated for the remainder of 2025 Budget year (34 weeks) calculates to a request \$1,700.00 from personnel line.
Proposal # 2: Mrs. Mustion will be included in the Senior Center Contractual Services line 6772.400 she would provide Certificate of Liability Insurance and implement a fee for \$5.00 per person and charge to City of \$25.00 per hour of service.
4. Request to add Mitchell Saler to personnel Line 6772.100 at rate of \$25.00 per hour as recreational Specialist (Art Instructor) Thursdays 9:30am-12:30pm at 36 weeks of remaining 2025 Budget year calculates to \$2,700.00.

5. Request to transfer within GoldenArea Transport line to complete purchase of 2025 Shuttle bus for Senior Transportation Services as follows:

<u>FROM</u>	<u>to</u>	<u>Amount</u>
5680.417 Transport Gas & Oil	5680.201	\$5,000

Respectfully submitted,

Julisa Sierra

Julisa Sierra

Bus Plus
75 Ciro Road
North Branford, CT 06471

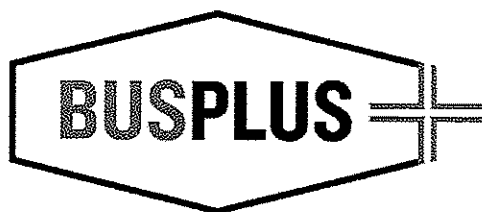
January 30, 2024

Julisa Sierra
Mulberry House Senior Center
62-70 West Main Street
Middletown, NY 10940

Hi Julisa, pleasure speaking with you about your bus needs. Bus Plus is a DBA name for New York Bus Sales. We have grown so much we are using Bus Plus name for our commercial business side. I do have (2) 12 and 2 wheelchairs buses in stock, but they are going quick with the shortages everyone has had recently. It has a double fold down seat as well. If the (2) are sold I won't have another one for about 60 to 90 days. Hopefully I *can help*. *Thanks, Scott*

Scott Davis
Bus Plus
NYBS
860-234-7052 cell

Quote Number: 7409 Updated: 06/20/2024



Bus Plus

7765 Lakeport Rd.
Chittenango, NY, 13037
1-800-962-5768

Account Information:

Account Name: **Mulberry House Senior Center**
Contact Name: **Julisa Sierra**
Address:

Order Information: G5/FRDE450-GAS-CO

No. of Units: **1**
Make and Model: **Micro Bird G5**
Body Model: **DS Series**
Chassis Model: **G5 (5 Row)**
Capacity: **12/2 WC**

Standard Equipment:

Included in Base Price: 12A/2WC 2024 Blue Bird Microbird G5, with a 158" WB * Dual Rear Wheel * Ford Premium 7.3L Engine * 6 Speed Automatic Transmission w Over Drive * Hydraulic Brakes with ABS * 55 Gallon Fuel Tank * 225/75R 16E All Season Tires * Tinted, Tempered Windows * 20,500 Rear Under Seat Heater * Gray Rubber Floor with Matching Step Treads * 32" O/O Electric Door * Heated/Remote Mirrors * LED Dome Lights * Traction Control * Electronic Stability Control * Side Directional Armored LED Lights * 112 dB Backup Alarm

THIS EQUIPMENT MAY BE CHANGED BASED ON OPTIONS YOU SELECT AND ARE LISTED BELOW.

Chassis Equipment:

Feature #	Description	QTY	Extended
587-21	Ford E Series OEM Radio, AM/FM/USB Bluetooth Capable	1	\$0.00

Total Chassis Options: \$0.00

Body Equipment:

Feature #	Description	QTY	Extended
BBX-X	Battery Box for Auxiliary Battery, Includes Door, Tray, and Slides	1	\$0.00
FAK-P	Safety Package, First Aid Kit, Fire Extinguisher, Triangles	1	\$0.00
RCFW	Front Cap Commercial w/ Window	1	\$0.00
ARL-819	Flip Up Arm Rests For Aisle Seats	1	\$0.00
WDC5	T-Slide Dark Tint Windows, 4 Pushout	1	\$0.00
AC-55I-RC	A/C MCC 55K BTU Rear Bulkhead Evaporator, Skirt Condenser, With Grill, Additional Compressor	1	\$0.00
PES-S-001	Paint Exterior White	1	\$0.00
BUC-3W	Rosco Backup Camera w/ Screen in Mirror (White Camera On Rear Cap)	1	\$0.00
LE2-L	Side Directional Lights, Intermediate Side Marker Armored	1	\$0.00
GDS	Stainless Steel RH Entrance Grabrail	1	\$0.00
EDES	Electric Entrance Door Key Switch	1	\$0.00
BFA	Fixed Black Seat Belts	1	\$0.00
HC3	Kit Of 4 Wheel Covers	1	\$0.00
RF10	Driver Running Board, Triple Coat Paint, Textured	1	\$0.00
MRCHC-Z6	Commercial Rosco Mirror, Heated And Remote With Timer	1	\$0.00

Wheelchair Options Package:

Feature #	Description	QTY	Extended
COMM WC Package - Braun Type A	Lift Door, 1,000LB. Braun Century Lift, Additional Leaf Spring, Belt Cutter, Brake Interlock for Lift Door, Decals, Lift Stancion, Dash Indication Lights (Lift Door and Brakes)	1	\$0.00

Total Wheelchair Options: \$0.00

Price Summary:

Base Price	\$123450.00
Options Price	\$0.00
Total Price (Per Bus)	\$123450.00
Number of Units	1

Signature Approving Pricing and Specifications

Grand Total Price \$123450.00

X

P.O. Amount \$123450.00

TERMS AND CONDITIONS:

Pricing Is Only Valid for 30 days.



ORANGE COUNTY AMENDMENT

NO: 7

EFFECTIVE DATE: January 1, 2025

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. 6 effective as of December 5, 2024, as previously amended and extended by Amendment No.5 dated January 1, 2024, 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 fourth and final option to extend the term of the Agreement for an additional (1) one year period commencing January 1, 2025 and ending December 31, 2025 (“Renewal Term # 4”).
- 2) **The annexed Schedule B-6** hereby supersedes and replaces Schedule B-5 (annexed to Amendment # 6) 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 \$182,975.84 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. 7, the Vendor and the individual signing this Amendment No. 7 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. 7, the Agreement shall remain unchanged and in full force and effect. The terms used in this Amendment No. 7, unless otherwise defined in this Amendment No. 7, 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. 7 and the Agreement, the terms and conditions of this Amendment No. 7 shall control.

- 6). **SIGNATURES.** A manually signed copy of this Amendment No. 7 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.7.

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	\$ 157,340.84
Net Increase resulting from this Amendment	\$ 25,635.00
Agreement Not-to- Exceed Cost including this Amendment	\$ 182,975.84
Agreement Term Prior to this Amendment	01/01/2021-12/31/2024
Agreement Term including this Amendment	01/01/2021-12/31/2025

COUNTY

VENDOR

By: _____
Title: _____
Date: _____

By: _____
Title: _____
Date: _____

SCHEDULE B-6

FEES AND EXPENSES

UNITS OF SERVICE	UNIT COST	TOTAL BUDGET/ COST OF SERVICE
4,323 units of Transportation	\$20.77 (per one way trip per person)	\$89,789.00

The COUNTY and VENDOR agree that the sources utilized to fund the Total Cost of Service of \$89,789.00 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 \$4,323.00 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 \$59,831.00 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 \$4,323.00 projected on Schedule B-6 to the Agreement shall be borne by Vendor.

IRAN DIVESTMENT ACT CERTIFICATION

The Iran Divestment Act of 2012 ("Act"), Chapter 1 of the 2012 Laws of New York, added State Finance Law (SFL), §165-a and General Municipal Law §103-g, effective April 12, 2012. Under the Act, the Commissioner of the New York State Office of General Services ("OGS") developed a list ("Prohibited Entities List") of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). In accordance with SFL § 165-a(3), the Prohibited Entities List may be found on the OGS website at <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf>.

Pursuant to General Municipal Law §103-g, by signing below, Offeror certifies as true under the penalties of perjury that:

By submission of this proposal each Offeror and each person signing on behalf of any Offeror certifies, and in the case of a joint proposal each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each Offeror is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the State Finance Law.

A proposal shall not be considered for award nor shall any award be made where the certification has not been made, provided, however, that if in any case the Offeror cannot make the certification, the Offeror shall so state and shall furnish with the proposal a signed statement which sets forth in detail the reasons therefor. The County may award a contract to an Offeror who cannot make the required certification on a case-by-case basis if:

1) The investment activities in Iran were made before April 12, 2012, the investment activities in Iran have not been expanded or renewed after April 12, 2012, and the person has adopted, publicized, and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or

2) The County makes a determination that the goods and services are necessary for the County to perform its functions and that, absent such an exemption, the political subdivision would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.

During the term of the Contract, should the County receive information that a person is in violation of the above-referenced certifications, the County will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the County shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the contractor in default.

The County reserves the right to reject any bid, proposal, contract or request for assignment for an entity that appears on the Prohibited Entities List prior to the award or execution of a contract or any renewal thereof, as applicable, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities List after contract award.

DATE

SIGNATURE

BUSINESS NAME

NAME

TITLE

DISCLOSURE OF PRIOR NON-RESPONSIBILITY DETERMINATIONS

See instructions on next page before completing this form.

Name of Individual or Entity Seeking to Enter into the Procurement Contract: _____

Address: _____

Name and Title of Person Submitting this Form: _____

1. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years? (Please circle): No Yes

If yes, please answer the next questions:

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j (Please circle): No Yes

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please circle): No Yes

4. If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below and attach additional pages as necessary.

Governmental Entity: _____

Date of Finding of Non-responsibility: _____

Basis of Finding of Non-responsibility: _____

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above names individual or entity due to the intentional provision of false or incomplete information? (Please circle): No Yes

6. If yes, please provide details below and attach additional pages as necessary.

Governmental Entity: _____

Date of Termination or Withholding of Contract: _____

Basis of Termination or Withholding: _____

Offeror certifies that all information provided to the Governmental Entity with respect to State Finance Law §139-k is complete, true and accurate.

By: _____ Date: _____
Signature

**Instructions for Completing the
Offeror Disclosure of Prior Non-Responsibility Determinations**

Background:

New York State Finance Law §139-k(2) obligates a Governmental Entity to obtain specific information regarding prior non-responsibility determinations with respect to State Finance Law §139-j. This information must be collected in addition to the information that is separately obtained pursuant to State Finance Law §163(9). In accordance with State Finance Law §139-k, an Offeror must be asked to disclose whether there has been a finding of non-responsibility made within the previous four (4) years by any Governmental Entity due to: (a) a violation of State Finance Law §139-j or (b) the intentional provisions of false or incomplete information to a Governmental Entity. The terms "Offeror" and "Governmental Entity" are defined in State Finance Law §139-k(1). State Finance Law §139-j sets forth detailed requirements about the restrictions on Contacts during the procurement process. A violation of State Finance Law §139-j includes, but is not limited to, an impermissible Contact during the restricted period (for example, contacting a person or entity other than the designated contact person, when such contact does not fall within one of the exemptions).

As part of its responsibility determination, State Finance Law §139-k(3) mandates consideration of whether an Offeror fails to timely disclose accurate or complete information regarding the above non-responsibility determination. In accordance with law, no Procurement Contract shall be awarded to any Offeror that fails to timely disclose accurate or complete information under this section, unless a finding is made that the award of the Procurement Contract to the Offeror is necessary to protect public property or public health safety, and that the Offeror is the only source capable of supplying the required Article of Procurement within the necessary timeframe. See State Finance Law §§139-j(10)(b) and 139-k(3).

Instructions:

The County of Orange includes this disclosure request regarding prior non-responsibility determinations in accordance with State Finance Law §139-k in its solicitation of proposals or bid documents or specifications or contract documents, as applicable, for procurement contracts. The attached form is to be completed and submitted by the individual or entity seeking to enter into a Procurement Contract, Supplemental or Change Order. This document must accompany each Bid Form, Letter of Interest, or Proposal submitted by all Offerors.

**COUNTY OF ORANGE
DEPARTMENT FOR THE AGING**



40 Matthews Street, Suite 305
Goshen, New York 10924
(845) 615-3726
FAX (845) 360-9266

MEMORANDUM

To: All Contracted Vendors
Subject: Insurance Requirements

Please note the following insurance guidelines for vendors providing services for the Orange County Office For the Aging

The minimum requirements for insurance are as follows:

Type of Coverage	Limits of Coverage
Worker's Compensation	Statutory
Disability Benefits	Statutory
Professional Liability	\$1,000,000 each occurrence
(if commercially available for your profession)	\$3,000,000 aggregate

The certificate holder is to be addressed as follows:

**County of Orange
c/o Orange County Office For the Aging
40 Matthews Street, 3rd Floor, Suite 305
Goshen, NY 10924**

County of Orange or the certificate holder (as written above) is to be listed as **additional insured** with respects to liability and the work performed for Orange County. Professional liability is required for anyone who provides counseling services. If professional liability is listed on a separate certificate no additional insured statement is required.

Insurance coverage is required for the length of the contract. It is the responsibility of the vendor to provide updated insurance certificates upon expiration.

The following is a list of accepted forms:

Employer's Liability, General Liability, Professional Liability, Automobile Coverage

- A) ACORD form 25-S is acceptable proof of Coverage.

Workers' Compensation Requirements under Workers' Compensation Law §57

- A) CE-200 (replaces WC/DB-100), Certificate of Attestation of Exemption From New York State Workers' Compensation and/or Disability Benefits Insurance Coverage. Starting December 1, 2008, ONLY applicants eligible for exemptions must file a new CE-200 for each and every new or renewed permit, license or contract issued by a government agency. Each CE-200 will specifically list the issuing government agency and the specific type of permit, license or contract requested by the applicant..

An instruction manual that will further clarify the requirements, including instructions for the CE-200 exemption form, is available to download at the Workers' Compensation Board's website, www.wcb.ny.gov. Once you are on the website, click on Employers/Businesses, then Business Permits/Licenses/Contracts; from there, click on Instruction Manual for Businesses Obtaining Permits/Licenses/Contracts.

OR

- B) C-105.2 -- Certificate of Workers' Compensation Insurance. **PLEASE NOTE:** The State Insurance Fund provides its own version of this form, the U-26.3; **OR**
- C) SI-12 -- Certificate of Workers' Compensation Self-Insurance (the business calls the Board's Self-Insurance Office at 518-402-0247), **OR** GSI-105.2 -- Certificate of Participation in Worker's Compensation Group Self-Insurance (the business's Group Self-Insurance Administrator will send this form to the government entity upon request).

Disability Benefits Requirements under Workers' Compensation Law §220(8)

- A) CE-200 (replaces WC/DB-100), Certificate of Attestation of Exemption From New York State Workers' Compensation and/or Disability Benefits Insurance Coverage. Starting December 1, 2008, ONLY applicants eligible for exemptions must file a new CE-200 for each and every new or renewed permit, license or contract issued by a government agency. Each CE-200 will specifically list the issuing government agency and the specific type of permit, license or contract requested by the applicant..

An instruction manual that will further clarify the requirements, including instructions for the CE-200 exemption form, is available to download at the Workers' Compensation Board's website, www.wcb.ny.gov. Once you are on the website, click on Employers/Businesses, then Business Permits/Licenses/Contracts; from there, click on Instruction Manual for Businesses Obtaining Permits/Licenses/Contracts.

OR

- B) DB-120.1 -- Certificate of Disability Benefits Insurance; **OR**
- C) DB-155 -- Certificate of Disability Benefits Self-Insurance (the business calls the Board's Self-Insurance Office at 518-402-0247).



TO: THE HONORABLE MAYOR AND CITY COUNCIL
AGENDA: Common Council Meeting
DATE: May 6, 2025
ITEM #: 129-25
SUBJECT: Resolution Authorizing a Budget Transfer Within the 2025
Department of Public Works Budget to Cover the Cost of
Vehicle Purchases

Recommendation for Action: BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$2,333.30, in the following manner, to cover the of vehicle purchases.

FROM	TO	AMOUNT
A.1620.200	A.1490.201	\$2,333.30

Prepared by:
Jacob Tawil

Attachments:

1.	Transfer of Funds 4-22-25-Vehicles
----	------------------------------------



TO: THE HONORABLE MAYOR AND CITY COUNCIL
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FROM	TO	AMOUNT
A.1620.200	A.1490.201	\$2,333.30

Prepared by:
Jacob Tawil

Attachments:

1.	Transfer of Funds 4-22-25-Vehicles
----	------------------------------------



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

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: May 6, 2025
Index No: 130-25

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

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution authorizing the acceptance of a grant of \$275,000 in CREST through Senator Skoufis's Office

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and accepts a \$275,000 grant award from CREST funding through Senator Skoufis' Office for Renovation of Senior Center Bathroom and Purchase and Installation of Security Cameras in Various Locations
Project ID: 28303 and approve and endorse Mayor DeStefano as the authorized representative and sole signatory and to authorize the Treasurer to establish the capital lines.

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

Attachments:

1.	Senior Bathroom-Cameras BOE 2025 (002)
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CITY OF MIDDLETOWN
Office of Economic & Community Development

April 29, 2025

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

***RE: Community Resiliency, Economic Sustainability, and Technology Program (“CREST”)
Renovation of Senior Center Bathroom and Purchase and Installation of Security Cameras in
Various Locations
Project ID: 28303***

Dear Members,

The City of Middletown has been awarded \$275,000 in CREST funding through Senator Skoufis’ Office for the above referenced projects.

We are seeking the approval and endorsement from the Common Council to identify Mayor DeStefano as the authorized representative and sole signatory, and to authorize the Treasurer to establish the capital lines.

Thank you for your attention to this matter.

Maria Bruni, Director
Economic & Community Development



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

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: May 6, 2025
Index No: 131-25

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

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution Authorizing Salary Adjustments and Review of Employee Exemption Status in Accordance with New York State Law

RESOLUTION AUTHORIZING SALARY ADJUSTMENTS AND EXEMPTION STATUS REVIEW IN ACCORDANCE WITH NEW YORK STATE LAW

WHEREAS, the New York State Department of Labor has established a minimum salary threshold of **\$60,405.80** for employees classified as exempt under the Fair Labor Standards Act (FLSA); and

WHEREAS, the City of Middletown has reviewed the current salaries and exemption statuses of affected employees to ensure compliance with the 2025 NYS salary threshold; and

WHEREAS, it has been determined that the following positions currently fall below the

threshold and must be reclassified or adjusted accordingly:

Title	Department	Current Hourly Rate	Current Annual Salary	New Salary	Effective Date
Assistant Director	Community Development	\$26.80	\$55,740.00	\$60,405.80	January 1, 2025
Assistant Director	Paramount	\$27.09	\$56,341.00	\$60,405.80	January 1, 2025
Theatre Tech	Paramount	\$26.53	\$55,191.00	\$60,405.80	January 1, 2025
Program Coordinator	Recreation	\$24.95	\$51,904.00	\$60,405.80	May 6, 2025

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Middletown, concurs with the Board of Estimate and Apportionment and authorizes the above-referenced salary adjustments.

Prepared by:

Attachments:

1.	EXEMPTION STATUS REVIEW
----	-------------------------

CITY OF MIDDLETOWN
EXEMPTION STATUS REVIEW

POSITION	DEPARTMENT	RATE	SALARY
ASSISTANT DIRECTOR	COMMUNITY DEVELOPMENT	\$ 26.80	\$ 55,740.00
ASSISTANT DIRECTOR	PARAMOUNT	\$ 27.09	\$ 56,341.00
THEATRE TECH	PARAMOUNT	\$ 26.53	\$ 55,191.00
PROGRAM COORDINATOR	RECREATION	\$ 24.95	\$ 51,904.00

2025 NYS Salary Threshold

60,405.80

60,405.80

60,405.80

60,405.80



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: May 6, 2025
Index No: 132-25

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

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution Authorizing Treasurer to Transfer Funds Within the Citywide Budget to Cover Final 2024 Fiscal Year Overdrafts

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 within the City Wide Budget the final list of overdrafts for Fiscal year 2024

Prepared by:
Leonora Liz, Treasurer

Attachments:

1.	2024 YE Over drafts 5.1.25
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DEPARTMENT OF FINANCE
City Of Middletown

Leonora Liz
Treasurer

4/30/2025

MEMO: Request to the Board of Estimate to Cover the Final Overdrafts for 2024

FROM				TO			
Dept.	Account	Description	Amount	Account	Description	Amount	
Common Council							
	A.1010.464	RECORDS MANAGEMENT	(190.76)		A.1010.479	COMMON COUNCIL CLERK EQUIPMENT	104.61
					A.1010.480	OFFICE EXPENSE	86.15
			\$ (190.76)				\$ 190.76

TO COVER THE COST OF LEGAL AD AND PRINTING EXPENSES IN DECEMBER

Finance

	A.1325.103	OVERTIME	(1,500.00)				
	A.1325.401	TRAVEL EXPENSE	(1,919.50)		A.1325.104	CSEA LONGEVITY PAY	0.50
	A.1325.400	CONTRACTUAL SERVICES	(275.40)		A.1325.460	COLLECTIONS AGREEMENT	1,747.61
	A.1325.433	PERSONNEL TRAINING	(518.34)		A.1325.480	OFFICE EXPENSE	2,939.13
	A.1325.479	EQUIPMENT RENTAL	(474.00)				
			\$ (4,687.24)				\$ 4,687.24

TO COVER THE COST OF PRINTING, MAILING, POSTAGE EXPENSES

Corp. Counsel

	A.1420.103	OVERTIME	(2,000.00)		A.1420.479	EQUIPMENT RENTAL	247.20
	A.1420.210	OFFICE EQUIPMENT	(1,000.00)		A.1420.480	OFFICE EXPENSES	6.62
	A.1420.433	PERSONNEL TRAINING	(500.00)		A.1420.489	LITIGATION EXPENSE	6,911.63
	A.1331.900	GENERAL EXPENSE	(8,485.17)		A.1420.100	PERSONAL SERVICES	4,819.72
			\$ (11,985.17)				\$ 11,985.17

TO COVER COST OF COMPTIME, PAYROLL ACCRUAL, LITIGATION EXPENSES AND OTHER OVER DRAFTS

Civil Service

	A.1430.400	CONTRACTUAL SERVICES	(150.00)		A.1430.100	PERSONAL SERVICES	2,353.98
	A.1430.401	TRAVEL EXPENSE	(433.09)		A.1430.479	EQUIPMENT RENTAL	104.22
	A.1430.490	PRINTING	(500.00)		A.1430.480	OFFICE EXPENSE	37.68
	A.1331.900	GENERAL EXPENSE	(1,412.79)				
			(2,495.88)				\$ 2,495.88

Over due to salary increase and increase in part time hours from (1040 to 1577 hrs)

Public Works Admn

	A.1490.103	OVERTIME	\$ (2,648.05)		A.1490.100	PERSONAL SERVICES	\$ 1,164.69
					A.1490.433	PERSONNEL TRAINING	80.00
					A.1490.479	EQUIPMENT RENTAL	1,291.98
					A.1490.481	TELEPHONE EXPENSE	111.38
			(2,648.05)				2,648.05

TO COVER COST OF PAYROLL ACCRUAL, TOSHIBA PRINTING OVERAGES AND TELEPHONE EXPENSES

Police

	A.3120.100	PERSONAL SERVICES	(51,791.06)		A.3120.108	207C-POLICE	48,750.78
	A.3120.103	OVERTIME	(14,973.38)		A.3120.408	FOOTWARE ALLOWANCE	250.00
					A.3120.417	GAS AND OIL	89.25
					A.3120.433	PERSONNEL TRAINING	331.34
					A.3120.479	EQUIPMENT RENTAL	940.00
					A.3120.480	OFFICE EXPENSE	1,429.69
					A.3140.103	OVERTIME	8,937.32
					A.3141.103	OVERTIME	6,036.06
			\$ (66,764.44)				\$ 66,764.44

TO COVER THE COST OF GRANT COVERED OVERTIME AND 207C, TOSHIBA PRINTER OVERAGES AND OTHER OVERDRAFTS

Fire

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A.3410.111	207A-RETIREE	(243.42)		A.3410.100	PERSONAL SERVICES	21,009.04
A.3410.200	OTHER EQUIPMENT	(1,459.79)		A.3410.103	OVERTIME	46,074.07
A.3410.202	PERSONAL PROTECTIVE EQUIPMENT	(676.60)				
A.3410.204	RADIO SYSTEMS	(415.01)				
A.3410.220	UNIFORMS	(192.38)				
A.3410.400	CONTRACTUAL SERVICES	(98.18)				
A.3410.417	GAS & OIL	(4,443.96)				
A.3410.436	TESTING OF EQUIPMENT	(550.24)				
A.3410.440	REPAIRS TO EQUIPMENT	(407.17)				
A.3410.450	MATERIALS & SUPPLIES	(2,663.83)				
A.3410.479	FIRE DEPT.EQUIPMENT RENTAL	(159.30)				
A.3410.480	OFFICE EXPENSE	(244.51)				
A.3410.481	TELEPHONE EXPENSE	(235.19)				
A.3410.491	FIRE POLICE	(33.42)				
A.3410.492	FIRE RECOGNITION	(6.45)				
A.3410.493	TRAINING FIELD IMPROVE	(326.46)				
A.3410.495	MISCELLANEOUS	(349.46)				
A.3410.496	PERSONNEL TRAINING VOL	(76.60)				
A.3410.497	FIRE PREVENTION PROGRAM	(2,219.85)				
A.3410.500	PHYSICAL EXAMS	(32.00)				
A.3410.506	FIRE PREVENTION-PAID MEN	(6.00)				
A.3420.415	LIGHT & HEAT	(1,677.41)				
A.3420.450	MATERIALS & SUPPLIES	(1,004.26)				
A.5110.100	STREET MAINTENANCE PERSONAL	(49,561.62)				
		\$ (67,083.11)				\$ 67,083.11

TO COVER THE COST OF THE OVERRAGE IN PERSONAL SERVICES OVERTIME

Economic Development

A.6200.401	TRAVEL EXPENSES	(299.85)		A.6200.100	PERSONAL SERVICES	299.85
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TO COVER THE COST OF PAYROLL ACCRUAL

Goldenarea Transportation

A.6772.200	OTHER EQUIPMENT	(2,000.00)		A.6772.402	SHUTLE BUS SUBSIDY	26,435.00
A.6772.415	LIGHT AND HEAT	(12,713.54)		A.6772.479	EQUIPMENT RENTAL	27.23
A.6772.100	PERSONAL SERVICES	(11,748.69)				
		(26,462.23)				26,462.23

TO COVER THE COST OF THE AMENDED CONTRACT WITH ORANGE COUNTY, THE CITIES PORTION

Parks & Rec

A.7321.100	PERSONAL SERVICES	(270.00)		A.7321.103	OVERTIME	270.00
		\$ (270.00)				\$ 270.00

PARAMOUNT

A.7010.448	PROMOTORS AND SPONSOR	\$ (3,388.84)		A.7010.800	CITY SPONSORED EVENTS	\$ (3,388.84)
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TO TRANSFER BACK FUNDS TO COVER THE REST BUDGET

Other

A.9000.830	SOCIAL SECURITY PAYMENTS	(79,138.79)		A.1900.481	TELEPHONE EXPENSE	7,408.07
A.9000.835	MTA MOBILITY TAX	(619.96)		A.8888.900	GENERAL EXPENSES	1,352.90
A.9000.842	COMP -VOL FIRE	(17,478.50)		A.9000.810	STATE RETIREMENT SYSTEM	81,344.29
A.9000.850	UNEMPLOYMENT INSURANCE	(51,515.75)		A.9000.815	POLICE AND FIRE RETIREMENT	242,188.25
A.9000.859	MVP HEALTH INSURANCE	-12,185.95		A.9000.860	WORKMENS COMPENSATION	46,077.67
A.9000.858	MVP HEALTH INSURANCE - RETIREES	-404.89		A.9000.861	STATE HEALTH INSURANCE RETIRESS	57,097.54
A.9000.860	STATE HEALTH INSURANCE - ACTIVE	-129,679.24		A.9000.862	MVP HEALTH INSURANCE ADMIN FEE & HRA	6,221.58
A.9000.870	UNUSED SICK LEAVE	-42,279.86		A.9730.900	DEBT PAYMENT GENERAL EXPENSE	20,781.27
A.9000.889	DENTAL/OPTIC INS	(108,387.36)				
A.9730.701	INTEREST ON DEBT PAYMENT	(20,781.27)				
		\$ (462,471.57)				\$ 462,471.57

DEBT PAYMENTS BUDGET ADJUSTMENT		
INCREASE REVENUE	A.5031	2,088,925.02
INCREASE EXPENSE	A.9730.600	2,088,925.02

TO ADJUST BUDGET TO REFLECT GRANT REIMBURSEMENT AND UNSPENT PROCEEDS USED TOWARD 2024 BAN PAYMENT

Community Development

CD.8686.418	AUTO EXPENSE	(901.54)		CD.8668.457	PROGRAM ELEMENTS -SINGLE/ MULTI FAM GRANT AND LOAN	8,563.49
CD.8686.457	CD PROGRAM ELEMENTSSBL/PUB SER	(8,709.22)		CD.8686.100	PERSONAL SERVICES	139.71
				CD.8686.830	SOCIAL SECURITY PAYMENTS	488.84
				CD.8686.835	MTA MOBILITY TAX	18.30
				CD.8686.889	DENTAL INSURANCE-MG	400.42
		(9,610.76)				9,610.76

TO ADJUST CD BUDGET TO COVER ANY OVERDRAFTS DUE TO YEAR-END ACCRUALS.

Water

F.8320.100	PERSONAL SERVICES	(20,874.20)		F.1900.481	TELEPHONE EXPENSE	3,117.58
				F.8310.480	OFFICE EXPENSE	1,801.14
				F.1990.950	TAXES ON CITY PROPERTY	9,654.20
				F.1900.910	LIABILTY INS. - PREMIUM	-
				F.8310.480	CONTRACTUAL SERVICES	1,801.44
				F.8320.100	PERSONAL SERVICES	3,145.94
		(20,874.20)		f.8888.900	GENERAL EXPENSE	1,353.90
						20,874.20

F.9000.810	SOCIAL SECURITY PAYMENTS	(19,894.51)		F.9000.810	STATE RETIREMENT SYSTEM	31,572.64
F.9000.861	STATE HEALTH INSURANCE RETIREES	(44,341.73)		F.9000.859	MVP HEALTH INSURANCE	3,180.40
				F.9000.860	STATE HEALTH INSURANCE	28,031.87
				F.9000.862	MVP FLEX SPENDING/HRA AMIN EXPENSE	31.33
				F.9000.896	MEAL ALLOWANCE	1,420.00
		\$ (64,236.24)				\$ 64,236.24

TO COVER THE OVER DRAFTS IN THE WATER FUND DUE TO YEAR END ACCRUAL

DEBT PAYMENTS BUDGET ADJUSTMENT

INCREASE	F.5031	INTERFUND TRANSFER	(508,364.00)
TRANSFER FROM	F.9500.904	TRANSFER TO GENERAL FUND	(156,760.97)
INCREASE	F.9710.701	INTEREST ON INDEBTEDNESS	6,897.27
INCREASE	F.9730.600	PRINCIPLE ON INDEBTEDNESS	466,633.00
INCREASE	F.9730.701	INTEREST ON INDEBTEDNESS	185,669.41
INCREASE	F.9730.900	GENERAL EXPENSE	5,925.29

TO ADJUST BUDGET TO REFLECT GRANT REIMBURSEMENT AND UNSPENT PROCEEDS USED TOWARD 2024 BAN PAYMENT
THE CITY ALSO CLOSED ON AN EFC FINANCING FROM SHORT TERM TO LONGTERM FINANCING

Sewer

G.1331.900	GENERAL EXPENSE	(10,133.40)		G.1900.481	TELEPHONE EXPENSE	3,117.65
G.1900.910	LIABILITY INSURANCE	(3,975.20)		G.8110.100	PERSONAL SERVICES	5,630.93
G.9000.860	STATE HEALTH INSURANCE	(4,753.10)		G.8888.900	GENERAL EXPENSE	1,353.88
G.9730.701	INTEREST ON INDEBTEDNESS	(2,764.00)		G.9000.859	MVP HEALTH INSURANCE	8,735.91
				G.9000.862	MVP FLEX SPENDING/HRA ADMIN FEE	23.33
				G.9730.600	PRINCIPAL ON INDEBTNESS	2,764.00
		(21,625.70)				21,625.70

TO COVER OVERDRAFTS IN THE ACCOUNT IN SEWER ACCOUNT

GOLDENAREA

GA.9000.889	DENTAL/OPTIC INS-CSEA	(492.48)		GA.5680.100	PERSONAL SERVICES	8,528.13
GA.5680.103	OVERTIME	(641.55)		GA.9000.810	STATE RETIREMENT SYSTEM	696.65
GA.5680.495	MISCELLANEOUS	(750.00)		GA.9000.891	DENTAL INSURANCE-MGT	579.03
GA.5680.481	TELEPHONE EXPENSE	(774.00)		GA.9000.861	HEALTH INS-RETIREES	563.80
GA.5680.440	REPAIRS TO EQUIPMENT	(2,587.62)		GA.9000.830	SOCIAL SECURITY PAYMENTS	291.06
GA.5680.417	GOLDENAREA TRANSPORT.GAS & OIL	(5,499.37)		GA.9000.860	STATE HEALTH INSURANCE	77.92
				GA.9000.835	MTA MOBILITY TAX	8.43
		\$ (10,745.02)				10,745.02

TO COVER OVER DRAFTS IN THE BUDGET DUE TO GOLDENAREA TRANSPORATION CONTRACT AMENDMENT

Treasurer's Notes

In 2024, the City began offering the MVP health plan to employees on a year-round basis. This change has resulted in significant cost savings for the City.

Equipment rental accounts continue to experience overdrafts due to overages on Toshiba printing equipment. Department Heads are strongly encouraged to monitor printing usage closely to help control costs.

Although the City reached a settlement agreement with Frontier, billing continues to increase each month. Frontier does not appear to be honoring the terms of the agreement. The City will be working with IT consultants to explore alternative service providers.

The City works proactively with departments to ensure timely grant reimbursements, thereby minimizing the need for debt financing whenever possible.



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: May 6, 2025
Index No: 133-25

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.

Names	Ayes	Noes	Abstain	Absent
Mayor DeStefano				
President Rodrigues				
Ald. Masi				
Total				

Richard P. McCormack
Clerk to the Common Council

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution Authorizing Approval Of CDM Smith Proposal For Indigot Water Source Development And Funding Commitment

WHEREAS, the City of Middletown entered into an agreement in 2016, signed by the Mayor and Orange County Executive Steven Neuhaus, granting the City rights to develop the Indigot Water Source as a permanent water supply on County-owned land; and

WHEREAS, the purpose of this development is to supplement the City's water supply and support regional needs including New York State Route 17M and portions of the Towns of Goshen and Wawayanda, while generating both financial returns and regional economic development opportunities; and

WHEREAS, the total estimated cost of the referenced **CDM Smith Study**, dated February 21, 2025, for groundwater exploration and surface reservoir development feasibility, is **\$1,094,100.00**; and

WHEREAS, the **Orange County Industrial Development Agency (OCIDA)** has agreed to contribute **\$514,215.00** toward the groundwater exploration portion of the study, with reimbursement to come from future water revenues generated from the Indigot Water Source;

and

WHEREAS, the **County of Orange** and the **City of Middletown** have each committed to contribute **\$100,000.00** toward the study, bringing the total funded cost of the groundwater phase to **\$714,215.00**; and

WHEREAS, OCIDA has determined that there is insufficient evidence at this time to support funding for the surface reservoir development phase, pending additional research and consultation with the **New York State Department of Environmental Conservation (DEC)** and the **U.S. Army Corps of Engineers (ACOE)** regarding permitting feasibility; and

WHEREAS, the initial phases of the study will include work necessary to determine whether surface reservoir construction is feasible and permissible under state and federal law; and

WHEREAS, the Mayor has recommended approval of the attached **CDM Smith Proposal dated February 21, 2025** and accompanying **City correspondence to OCIDA dated February 24, 2025**, and has further authorized submission of this request to the Board of Estimate and Apportionment and the Common Council for formal action; and

WHEREAS, the **City of Middletown's \$100,000 contribution** shall be funded from the **Water Fund Balance**.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Middletown hereby authorizes:

1. Approval of the CDM Smith Proposal dated February 21, 2025, for groundwater exploration and feasibility study of surface reservoir development at the Indigot Water Source site;
2. The City's financial contribution in the amount of **\$100,000.00**, to be funded from the **Water Fund Balance**;
3. The Mayor to execute any and all necessary documents in connection with this project, including submission of funding agreements and intergovernmental coordination;
4. Continued collaboration with Orange County, OCIDA, CDM Smith, and relevant state and federal agencies to further the development of this vital regional water resource.

FROM	TO	AMOUNT
WATER FUND BALANCE	H.8397.200	\$100,000
	INDIGOT SOURCE WATER	
	FEASIBILITY STUDY	

Prepared by:
Jacob Tawil

Attachments:

1.	Indigot FS Middletown Letter Proposal 20250221
----	--

2.	IDA-Indigot Study Funding 2025-2-24
----	-------------------------------------



60 Crossways Park West
Woodbury, New York 11797
tel: (516) 496-8400

February 21, 2025

Mr. Jacob Tawil, P.E.
Commissioner of Public Works
City of Middletown, New York
16 James Street
Middletown, NY 10940

Subject: City of Middletown
Indigot Source Water Feasibility Study Proposal – Revised 1/22/25 and 2/21/25

Dear Mr. Tawil:

CDM Smith NY Inc. (CDM Smith) is pleased to submit this proposal to develop a feasibility study to evaluate potential water sources to maximize the safe yield from the Indigot Site for the City of Middletown (City). The feasibility study will evaluate the potential of developing a new reservoir, , as well as the development of groundwater supply wells. The feasibility study will determine if one of these sources is suitable to meet the additional demand or if a combination of both could without any adverse impacts to the environment.

Following the source evaluation, CDM Smith will develop an opinion of probable cost for various supply options.

Project Background and Understanding

The City and Orange County officially established the permanent rights and other requirements necessary for the City to take up to an annual average of 1,000,000 gpd of surface water and/or groundwater and convey it to their municipal water system from the Indigo site. The City's Common Council adopted the Resolution on July 13, 2016, approving the easement agreement to be executed with the County. The 'Indigot Reservoir' parcels have the potential to serve as a source of groundwater, surface water (reservoir) or a combination of both to provide a permanent water source for the purpose of enabling economic development (non-residential) inside and outside the City, including the development of the NYS Route 17M corridor.

The City, in addition to supplying potable water within its municipal limits, supplies potable water to out of town accounts in the Town of Wallkill along with supplying a water district in the Town of Wawayanda via an interconnection. The City is committed to supplying water for regional economic development projects including Amy's Kitchen, OMH/DASNY facility and Science of the Soul Conference Center in Goshen. Additional commitments include the future development of the Route17M Corridor along with downtown revitalization and development of the former State



Mr. Jacob Tawil, P.E.
February 21, 2025
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Psychiatric Center property. As the demand for potable water increases within the region because of economic development, the City's system must respond to ensure adequate supply is available. In 2021, the City of Middletown had an average daily demand of 2.54 mgd, with a maximum daily demand of 3.31mgd and a maximum month average daily demand of 2.64 mgd. The obligated water and additional commitments bring the projected future average daily water demand (April 2018) to an estimated 3.5 mgd.

As part of the City of Middletown's ongoing responsibility to ensure sufficient potable supply, the City engaged several firms (Camp Dresser & McKee, Clark Patterson Lee, and Jacobs Engineering) over the last 15 years to calculate the firm yield of the City's raw water storage reservoirs. The following table is a summary of the current water withdrawal, current water withdrawal with obligated water demand and current water withdrawal with obligated and projected water demand versus the Scenario B Safe Yield (which was incorporated into the Water Withdrawal Permit (WWP) dated October 28, 2021) as presented in the City of Middletown WWP Modification Engineer's Report, dated July 2022.

	Average Daily Water Withdrawal	30-Day Maximum Water Withdrawal	Maximum Day Water Withdrawal
"As-Permitted" Scenario B Safe Yield Water Withdrawal	4.20 MGD	5.04 MGD	6.72 MGD
2021 Water Withdrawal	2.54 MGD	2.64 MGD	3.31 MGD
2021 Water Withdrawal with Obligated Water Demand	3.50 MGD	3.60 MGD	4.00 MGD
2021 Water Withdrawal with Obligated and Projected Water Demand	4.20 MGD	4.60 MGD	5.50 MGD

The average daily water withdrawal, the 30-day maximum monthly water withdrawal and the maximum day water withdrawal used in the Safe Yield, which are based on the drought of record (worst condition) with the required Scenario B releases, are all greater than the projected future water demands.

The City's use of Indigot Creek was prior to 2016 and was for a short period of time. Under the City's current Water Withdrawal permit (3-3399-00085/00001), up to 3,500 gpm (7.8 cfs) can be diverted from the Indigot Creek to a drainage channel and then pumped (by portable pump) to existing piping to the Shawangunk Reservoir when needed.

Mr. Jacob Tawil, P.E.

February 21, 2025

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In accordance with the City's Water Withdrawal Permit, a new permanent source of supply is to be identified to ensure the City will continue to provide a safe and reliable potable water supply to its current customers and in support of future water supply commitments. Under the 2016 easement agreement between the City and Orange County, the City has obtained the permanent rights and other requirements necessary for the taking of up to an annual average of 1,000,000 gpd of surface water and/or groundwater from the County property generally known as the Indigot site. The City and the County had entered into prior Agreements dating back to 1981 where the City was granted a license to use a portion of the Indigot Site for the impoundment of a water supply for temporary and emergency purposes.

The current easement agreement allows for the use of diversion structures, impoundment and transmission systems and possibly wells and storage facilities and other improvements necessary to provide for long-term use and function of an integrated water delivery system. The easement agreement allows the City to operate these facilities for the purpose of sustaining existing connections, creation of new commercial (non-residential) connections, and supporting regional economic development and economic development along State Route 17M corridor. The easement agreement pertains to approximately 1,310 acres. Freshwater wetlands under Federal and State jurisdiction are present within this area. Indigot Creek is a Class A waterbody. Obtaining Federal (i.e., US ACOE) and State (NYSDEC) environmental permits will be required prior to any site disturbance or construction activity.

Proposed Scope of Work

The feasibility study for the sustainable development of the Indigot Site is comprised of seven tasks, as described below.

Task 1: Data Compilation and Analysis

The purpose of this task is to consolidate data and knowledge gathered over the past 20 years of studying the Indigot Site. Readily available reports (provided by the City or other easily accessible online sources (NYSDEC, USGS, etc.) will be reviewed and pertinent information will be consolidated into a database for ready access to develop the feasibility plan. Information will include, but will not be limited to:

- Water demands under existing and projected future needs (as reflected in the various Safe Yield analyses)
- Summary of previous investigations and consolidation of significant findings:
 - Orange County Water Master Plan (October 2010)
 - Indigot & Dwaarkill Groundwater Assessment Report (May 2009)

Mr. Jacob Tawil, P.E.

February 21, 2025

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- Orange County Regional Groundwater Study (1994)
- Mid County Water Supply Feasibility Study (HDR January 2012)
- Flow rates for Indigot Creek (USGS stream gauge data 1973-1975)
- Indigot Creek Water Quality data - ATTAINS (USEPA, var. Years)
- Geotechnical/Hydrogeologic investigations
 - Ground-Water Resources of Orange and Ulster Counties, New York (USGS 1985)

A technical memorandum will be prepared and will serve as a chapter to the overall Feasibility Study Report.

Task 2: Reservoir Screening

The Indigot Site will be evaluated for the feasibility of constructing a permanent water supply reservoir. The feasibility of building and utilizing a reservoir will depend on several factors that affect its safe yield and the associated cost/gallon yield that represents its cost effectiveness as a water supply option. The feasibility assessment will include the following steps.

- Flow Estimation: At present, there is limited flow data to assess the potential yield of the proposed system. Historical flow records are only available from 1973-1975 (Figure 1). Although reported records are minimal and 45 years old, flow from Indigot Creek was generally low, rarely exceeding 10 cfs. To assess the feasibility of using Indigot Creek, existing streamflow data from 1973-75 will be used along with gage transposition techniques as used by the USGS

(<https://pubs.usgs.gov/sir/2017/5019/sir20175019.pdf>) and others (Clark Patterson Lee, 2011, Jacobs).

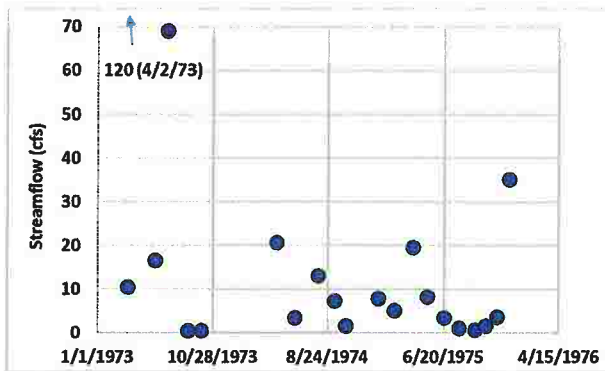


Figure 1 Flow at Indigot Creek (USGS). Gage located approximately 1,000 feet downstream of Indigot intake

- As an optional task, the stream gage at Indigot Creek (Figure 1) could be re-established by the USGS. CDM Smith and the USGS will enter into a Technical Assistance Agreement that would allow the gage to be re-established. The gage would include a 2-ft x 3-ft

Mr. Jacob Tawil, P.E.

February 21, 2025

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shelter, data logger, stage sensor, solar panel, and GOES antenna. Near real-time stage and discharge data would be available approximately hourly and approximately every 20 minutes during high flows at <http://ny.usgs.gov>. Daily values would be published annually online in a Water Year Summary. All equipment would be property of the USGS. The agreement will remain in effect for a 5-year period. The Cost of this Agreement is unknown at this time and not included in the cost of this proposal.

- **Dam Constructability and Leakage Screening:** a suitable site must be found for dam construction. This will require available elevation contours to establish potential alternative dam heights and reservoir depths and the expected area to be flooded. The site must also be evaluated for its suitability to hold water. Ten bore holes will be conducted and evaluated to establish current groundwater levels and subsurface geologic conditions. Boreholes are expected to be up to 75 feet in depth (estimate) and will be cored a minimum of 15 into bedrock if encountered, whichever is encountered first. Static groundwater levels are not known at this time, but are expected to be shallow, likely within 15 feet below the surface (based on adjacent wetlands and indications of shallow private wells in the 2009 Groundwater Assessment Report by SSEC, Inc.). Two monitoring wells will be installed (25 feet deep) and transducers will be added to evaluate seasonal changes in water levels. For the purposes of this feasibility analysis, only GIS data will be utilized. A detail topographic survey would be conducted during the design phase if the project is moved forward following the feasibility study.
- **Potential Reservoir Safe Yield:** potential reservoir yields will be estimated using a single reservoir model. The model will be a spreadsheet based, mass balance model accounting for estimated inflow, evaporation, leakage, required outflow to meet downstream requirements per Scenario B (Mill Pond release: 0.832 MGD, Indigot Creek passby flow, and 0.55 MGD Kinch Pond release: 0.624MGD) per the NYSDEC letter of December 12, 2019, and withdrawals to meet water supply demand. Inflow will be calculated on a daily or weekly basis using the established rainfall-flow regression for a variety of potential rainfall conditions, including wet, normal and dry. The drought of record (1960s) will also be assessed.
- **Assessment of cost effectiveness:** Based on planning level costs of construction and operation, the expected annual cost over a 20-year period will be compared to the expected yield for a variety of expected rainfall conditions. Per-gallon cost effectiveness will be calculated for years with expected inflows for the 10th, 25th, 50th, 75th, and 90th percentile flows using the rainfall-streamflow regression curves and associated allowable withdrawals.



Mr. Jacob Tawil, P.E.

February 21, 2025

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Task 3: Groundwater Evaluation

CDM Smith will utilize the Indigot & Dwaarkill Groundwater Assessment Report as a basis for the groundwater analysis. That report documented work involving the installation of six wells which produced a total of 610 gpm. A separate nearby property, the Dwaarkill site, was also evaluated which produced 445 gpm from four wells with the potential for "significantly more water". For the purposes of this investigation, it is assumed that the Dwaarkill site will not be incorporated into this Feasibility Study, unless otherwise directed by the City. The cost of including the Dwaarkill site into the study is not included in our costs and if requested to be included, would be an additional cost to the project. Water quality from the tested wells was deemed suitable for community water supply use at the time (2009). Well depths ranged from 587 to 984 feet.

Aquifer testing was conducted within the Indigo site in 2008 (Figure 2). Results indicated that the well sites were productive but impacts to neighboring residents is a concern as testing resulted in one well nearly becoming dry and excessive drawdown in a second residential well. Reported drawdown ranged from 90 to 310 feet in the test wells and from 0 to 60 feet in monitoring wells (private residential supply wells). It is not clear from the report if water from the Shawangunk Reservoir was contributing to the northern test wells. Impacts to adjacent wetlands from the test were not included in the analysis.

The test wells installed as part of the aquifer test in 2008 will be visited to determine their viability for use in this Feasibility Study. If the wells can be located and are still viable, they will be redeveloped for water quality sampling. If they are not viable, we will install 3 replacement wells at the similar depths to the existing wells.



Mr. Jacob Tawil, P.E.

February 21, 2025

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Should it be determined that groundwater is a viable source, conceptual level conveyance from the wells and/or reservoir to the treatment plant will be developed (see discussion under Task 4-Treatment Requirements). It is possible that the water from the wells can be discharged to the Shawangunk Reservoir (pending water quality), limiting conveyance needs. This will be evaluated during this task and will potentially build upon previous work conducted by HDR and others.

Assuming the wells are viable, an aquifer test will be conducted to evaluate the impact of the wells on wetlands and evaluate the potential interference with the Shawangunk Reservoir. The aquifer test conducted in 2008 noted significant drawdown in two adjacent residential wells within the vicinity of Wells 6 and 7 as stated above, particularly at a combined pumping rate of 275 gpm. Impacts were much less severe when the wells were pumped at a combined pumping 210 gpm. Due to the potential adverse conditions within the area, the aquifer testing here will be at a reduced rate and compared to the original test.

Six shallow monitoring wells (2-inch) will be installed immediately adjacent to the wetlands to evaluate the impact of the aquifer test on water levels within the wetlands (Figure 3). This evaluation was not conducted during the previous aquifer test. It is assumed that the wells will be installed within the overburden to a depth of no more than 50 feet below the surface. The aquifer test will run for a period of 72 hours and pressure transducers will be installed within the test and monitoring wells to evaluate changes in water level over the duration of the test. Transducers will be installed for a period of one week prior to and after the conclusion of the aquifer test.

Well	Total Depth	Casing Amount	Casing Diameter	Yield
1	960 ft	51 ft	6 inches	60 gpm
2	984 ft	51 ft	6 inches	50 gpm
3			6 inches	
4	670 ft	91 ft	6 inches	120 gpm
5	920 ft	51 ft	6 inches	65 gpm
6	757 ft	51 ft	6 inches	120 gpm
7	587 ft	51 ft	6 inches	150 gpm
8	699 ft	91 ft	8 inches	125+ gpm



Figure 2 Wells utilized for aquifer test in 2008 (from SSEC, 2009)

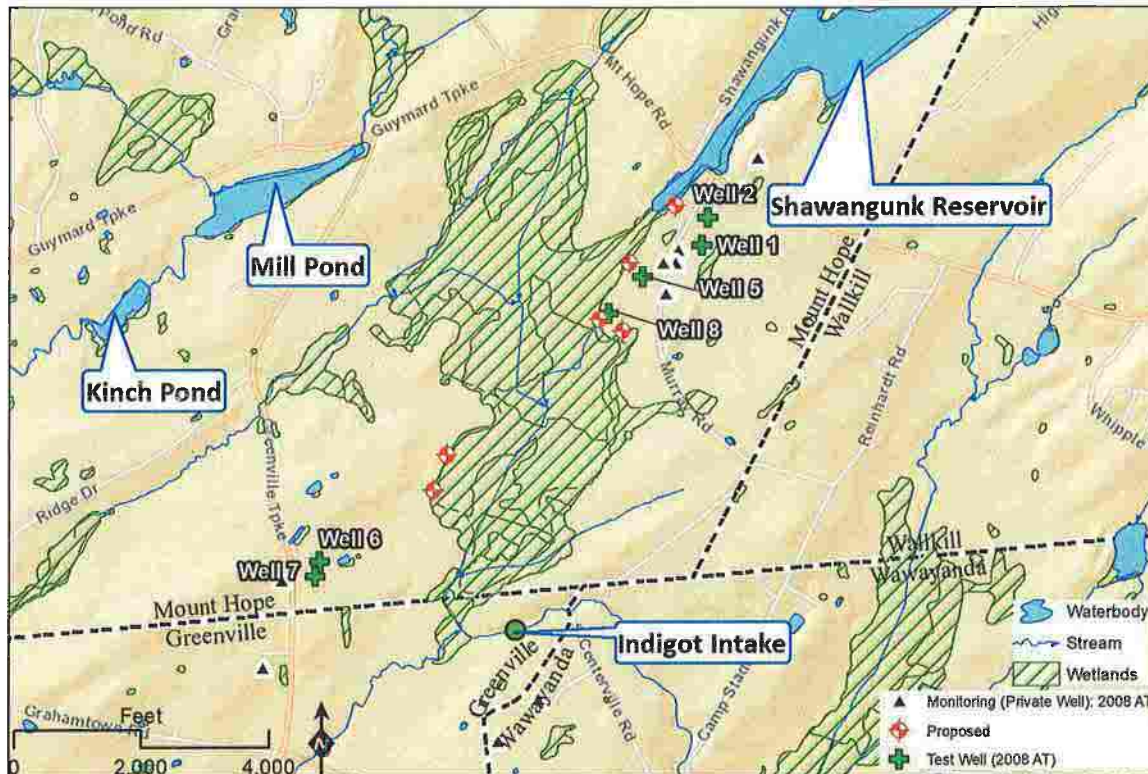


Figure 3 Proposed (initial) Monitoring Wells for Aquifer Test

Task 4 – Treatment Requirements

Water quality data from the previous installed test wells on the Indigo Site indicate that treatment for pathogens, toluene and iron may be required. Treatment at the wellhead may only be required if parameters outside of the existing treatment facility cannot be treated with current processes. Additional treatment may not be needed if the water is blended with reservoir water. This will be evaluated during this task.

Task 5 - Permitting and Regulatory Requirements

Developing the Indigot parcels for use by the City as a water supply source, whether groundwater wells and/or reservoir, will require obtaining a varied list of permits and approvals. Federal and State permits/approvals and regulatory requirements will govern the development of this water supply source. At a minimum, an environmental review of potential impacts will be required in compliance with SEQRA, US ACOE permit obtained as freshwater wetlands are under Federal jurisdiction are present onsite, approval by NYSDOH associated with the improvements to the City's

Mr. Jacob Tawil, P.E.

February 21, 2025

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water supply system, as well as NYSDEC Freshwater wetlands, Protection of Waters, and modification of the City's Water Withdrawal permit. Under this Task, a table depicting the permits and approvals required will be developed. In addition, the regulatory requirements for developing and the operation of a groundwater wells system and reservoir will be provided. This table and supplemental information will be included as a Section of the Feasibility Study.

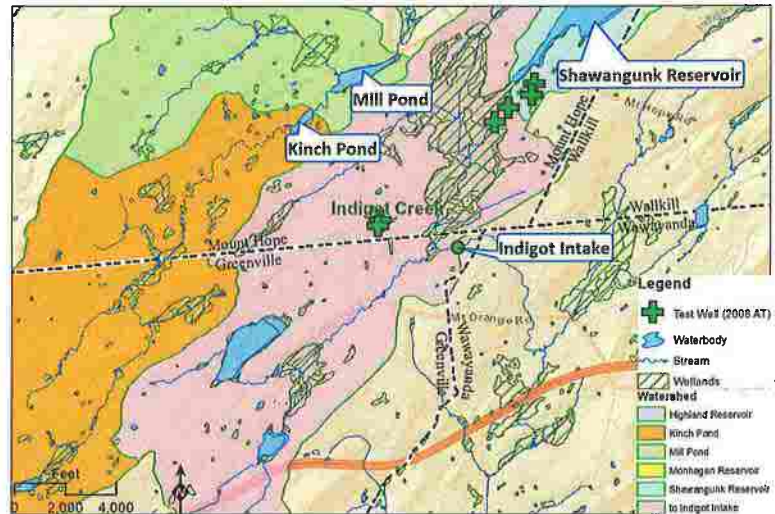


Figure 4 Wetlands within the vicinity of the Indigot Site

Task 6 – Conceptual Level Cost Estimates

Conceptual level cost estimates will be prepared for the development of an Indigot water supply source (wells, reservoir or combination).

Task 7 – Report

Results will be summarized into a comprehensive Indigot Water Source Feasibility Study for the development of an additional water supply source. The report will be transmitted electronically. A draft Feasibility Study report will be provided to the City of Middletown for review. A review meeting will be held and any comments discussed and agreed to comments incorporated into the final report. The Final report will then be provided to the City.

Task 8 – Project Management

Project management throughout the project will be invoiced as a separate task. Project management activities include up to 16 one-hour progress calls throughout the course of the project as well as preparation and submittal of monthly invoices, subcontracting, coordination, etc.

Cost

This Project will be executed as a Task Order under our Master Services Agreement with the City. The proposed cost includes a range for subcontractors including well drillers and boring contractors as it is unknown at this time if the existing wells can be rehabilitated or if new wells



Mr. Jacob Tawil, P.E.
February 21, 2025
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have to be drilled. In addition, the depth to rock is unknown and it is estimated that borings will be no deeper than 75 feet including the coring of 15 feet of rock. The proposed overall project cost is as follows:

CDM Smith Labor	ODC's	Subcontractor Costs	Total
\$535,600	\$8,500	\$550,000	\$1,094,100

However, after the initial evaluation of the alternatives and discussions with the NYSDEC regarding if a reservoir is allowed or not by law or regulations, the cost of the work to evaluate well systems would be as follows:

	CDM Smith Labor	ODC's	Subcontractor Costs	Total
February 2024 Cost	\$535,600	\$8,500	\$550,000	\$1,094,100
January 2025 Cost Reduction	-\$178,885	-\$1,000	-\$200,000	-\$379,885
January 2025 Revised Cost Wells Only	\$356,715	\$7,500	\$350,000	\$714,215

The revised cost for the overall scope of work only is good if authorized by July 1, 2025, after that time, there shall be a cost increase to perform most of the work in 2026. It should also be noted that subcontract cost not used may be converted to labor or ODC's if required.

The work will be invoiced monthly using a 3.0 multiplier on labor based on our master services agreement with the City of Middletown. The authorization As agreed to at the Orange County Industrial Development Agency board meeting held on February 19, 2025, is for the Well Study only is for \$714,215 and is a not to exceed price unless additional work is requested. All work listed in this proposal related to the reservoir component of this study is not authorized at this time except that CDM Smith will determine the viability of the reservoir from stream flow records to present at a meeting with the New York State Department of Environmental Conservation (NYSDEC).





Mr. Jacob Tawil, P.E.
February 21, 2025
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Staffing - Our proposed staffing for this project is as follows:

Keith F. Kelly, P.E. - Client Service Leader

Stephen L. Whiteside, P.E. - Technical Specialist

Kirk Westphal, P.E., D.WRE - Technical Specialist

Daniel O'Rourke, P.G. - Project Manager/Project Hydrogeologist

Trevor McProud / Magdalena Lofstedt - Regulatory/Permitting Review

Schedule

CDM Smith anticipates that the work could be completed within 12-months from authorization to proceed if access to the site is not an issue.

We look forward to continuing to provide services to the City of Middletown in support of its water supply program. Please don't hesitate to contact me if you have any questions regarding this proposal.

Sincerely,

A handwritten signature in blue ink, appearing to read 'KF Kelly', written over the printed name.

Keith F. Kelly, P.E., BCEE
Partner
Camp Dresser McKee & Smith

cc: D. O'Rourke (CDM Smith)
K. Westphal (CDM Smith)



Re: OCIDA February 19th Board Mtg - Details & Zoom Link

From: J Tawil (jtawil14@yahoo.com)

To: kellykf@cdmsmith.com; orourke@cdmsmith.com; mayordestefano@yahoo.com; sneuhaus@orangecountygov.com; rgolden@orangecountygov.com; asorensen@orangecountygov.com; bfioravanti@ocnyida.com

Cc: jtawil@middletownny.gov; kgass@middletownny.gov; drandazzo@orangecountygov.com; mtorelli@orangecountygov.com; jcrist@ocnyida.com; asmith22@hvc.rr.com; hporr3@orangecountygov.com; edenega@orangecountygov.com

Date: Monday, February 24, 2025 at 01:49 PM EST

Good afternoon, *Chairman Crist and Bill*,

Thank you and your board for giving our County Executive Neuhaus and Mayor DeStefano the opportunity to present this Generational project, Indigot New Water Source Feasibility Study, before the IDA honorable board on 2/19/2025.

We do appreciate the support in helping fund this project with limitation to Ground Water Exploration task at this time at a cost of \$714,215.

Per the discussion during IDA meeting, both Orange County and the City of Middletown will each contribute \$100,000 and IDA will fund the balance of \$514,215.

IDA contribution will be reimbursed from future revenues of the new Indigot water source once/if developed and utilized.

The Consultant will start the work with gathering key data regarding the potential and viability of Surface Reservoir construction for initial meeting with DEC to ascertain if construction of Surface Water Reservoir is not permitted by law or regulations.

Please refer to attached CDM Smith proposal with an update date of 2/21/2025.

Project billing will be on a monthly basis for time spent and per the existing master services agreement between CDM Smith and the City of Middletown.

Please send us a copy of the IDA referenced resolution.

All, moving forward:

The Mayor and I suggest that this feasibility study be approved and signed by City of Middletown as it complies with City procurement policies, and we have the background and long institutional knowledge to administer it. I copied our Corporation Council, Alex Smith, on this email.

We also suggest having another short agreement between IDA, Orange County and the City of Middletown for funding this project and referencing any resolutions or other conditions.

We are looking to start the work on this project ASAP, as this feasibility study is a key for future funding for the construction of the Indigot water source that is needed to attract and support new economic development in this region of Orange County.

Please feel free to call if you have any questions, comments or suggestions on how to move forward.

Sincerely,

Jacob

Jacob S. Tawil, P.E. | Commissioner

Department of Public Works

City of Middletown | 16 James Street |

Middletown, New York 10940 |

T: 845-343-3169 | F: 845-343-4014

 Please consider the environment before printing this email.

On Thursday, February 13, 2025 at 07:04:39 AM EST, Bill Fioravanti <bfioravanti@ocnyida.com> wrote:

Good morning all,

The **Wednesday February 19th** OCIDA Board of Directors meeting will begin at **5:00pm**. It will be held at our headquarters located on the Stewart Airport campus at **4 Crotty Lane, Suite 100, New Windsor NY 12553**.

If anyone wishes to participate virtually, following are the Zoom meeting credentials:

Join Zoom Meeting:

<https://us06web.zoom.us/j/89645285769?pwd=dTsTphzb4ePegbVFIX8nifg178dTde.1>

Meeting ID: 896 4528 5769

Passcode: 713005

One tap mobile

+16469313860,,89645285769# US

+16465588656,,89645285769# US (New York)

If you have any questions or technical issues, please call, email or text me anytime. My contact information is below.

Thank you,
Bill

Bill Fioravanti

Chief Executive Officer

Orange County IDA

4 Crotty Lane, Suite 100

New Windsor, NY 12553

O: 845.234.4192

M: 845.820.1791

F: 845.220.2228

bfioravanti@ocnyida.com



ORANGE COUNTY
INDUSTRIAL DEVELOPMENT AGENCY

From: J Tawil <jtawil14@yahoo.com>

Sent: Wednesday, January 29, 2025 2:28 PM

To: Jeff Crist <jeff@crisapples.com>; Kelly, Keith <kellykf@cdmsmith.com>; Bill Fioravanti <bfioravanti@ocnyida.com>

Cc: O'Rourke, Daniel <orourke@cdmsmith.com>; Jacob Tawil <jtawil@middletownny.gov>; Katie Gass <kgass@middletownny.gov>

Subject: Re: Contact Information

Thank Jeff and Bill for arranging the call today.

We will see you on February 19th 5pm. Keith Kelly will be attending with Co Exec, Mayor and me.

Please email the meeting address.

Thank you

Jacob S. Tawil, P.E. | Commissioner

Department of Public Works

City of Middletown | 16 James Street |

Middletown, New York 10940 |

T: 845-343-3169 | F: 845-343-4014



Please consider the environment before printing this email.

On Wednesday, January 29, 2025 at 01:36:02 PM EST, Kelly, Keith <kellykf@cdmsmith.com> wrote:

Jeff my contact information and Dan's E-mail.

Keith F. Kelly, PE, BCEE

Senior Vice President

CDM Smith

324 South Service Road, Melville New York 11747

O: 516 730 3916

C: 516 712-4297

Connect with me on LinkedIn

cdmsmith.com





Indigot FS Middletown Letter Proposal 20250221.pdf
683.9kB



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

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: May 6, 2025
Index No: 134-25

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

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution Amending Chapter 438 of the City Code Regarding Tobacco, Hookah, and Vaping Establishment Licenses

WHEREAS, the Commissioner of Public Works has recommended the amendment of the recently enacted Chapter 438, Tobacco/Hookah/Vaping Establishment Licenses.

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., Section 438-2, Application, is hereby amended by replacing the second Sentence to Paragraph A thereof, to read as follows:

If the applicant is a corporation or limited liability company, the applicant must list an individual who resides within the City of Middletown or within fifteen (15) miles of the City limits for purposes of service, notice, and with the authority to respond to emergencies.

Section 2 - The Code of the City of Middletown, N.Y., Section 438-3, License, is hereby amended by replacing Subparagraph B(2) thereof, to read as follows:

(2). The license is for the subject establishment and ownership thereof only, and is nontransferable.

Section 3 - The Code of the City of Middletown, N.Y., Section 438-5, Conditions for Operation, is hereby amending by deleting Subparagraph C(4) thereof.

Section 4. Severability. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional or illegal by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

Section 5. This Ordinance shall take effect immediately.

Prepared by:

Attachments:

None



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: May 6, 2025
Index No: 135-25

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

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution Amending Chapter 460 of the City Code to Prohibit Left Turns from the Park Circle Parking Lot onto North Street

RESOLUTION

WHEREAS, the Mayor and Police Chief have recommended that left turns be prohibited from the Park Circle parking lot onto North Street.

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, Article I, Traffic Regulations, be and is hereby amended by adding a new Paragraph (3) to Subsection A, Specific turns prohibited, to Section 460.8, Turns, to read as follows:

(3) No vehicle shall be allowed to make a left hand turn onto North Street when exiting the parking lot at 205 North Street, commonly known as Park Circle.

Section 2 - This resolution and ordinance shall take effect immediately

Prepared by:

Attachments:

None