

**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
MARCH 7, 2023**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL (COUNCIL CLERK)
3. APPROVAL OF MINUTES January 17, 2023
4. CORRESPONDENCE, COMMUNICATION AND REPORTS (COUNCIL CLERK)
5. FOR THE GOOD OF THE CITY (PUBLIC PARTICIPATION)
6. REMARKS OF THE MAYOR
7. REMARKS OF DEPARTMENT HEADS
8. PUBLIC HEARINGS AND GRIEVANCES Local Law #1 of 2023
A Local Law Transferring Authority
Regarding The Fire Police To The Fire
Department
9. PETITIONS AND COMPLAINTS (NOTHING THIS EVENING)
10. REMARKS OF THE ALDERMAN AND REPORTS OF COMMITTEES
11. UNFINISHED BUSINESS (NOTHING THIS EVENING)
12. NEW BUSINESS (RESOLUTIONS)
 - Resolution authorizing an amendment to the City's Credit Card Policy to include the Superintendent of Recreation
 - Resolution accepting a \$7,500 award from the USPCA AKC Reunite K9 Grant Program
 - Resolution Authorizing an Agreement with the County Of Orange for STOP-DWI Enforcement
 - Resolution authorizing a \$2,500 Budget Transfer for the Purchase of Enhanced Investigative Flock Software
 - Resolution establishing the 2023 Spring Clean-Up and Electronic Drop-off Dates
 - Resolution authorizing a \$7,000 Budget Transfer for the Purchase and Installation of a Fence
13. LOCAL LAWS (NOTHING THIS EVENING)
14. AUDIT OF CLAIMS AND ACCOUNTS (FINANCE COMMITTEE CHAIR)
15. ADJOURNMENT





COMMON COUNCIL MEETING
CITY OF MIDDLETOWN
January 17, 2023 Minutes
City Hall
16 James Street
Middletown, New York 10940

P R E S E N T

Miguel Rodrigues, President of Common Council
Ald. Gerald Kleiner
Ald. Paul Johnson
Ald. Kate Ramkissoo
Ald. Kevin Witt
Ald. Jude Jean-Francois
Ald. Andrew Green
Ald. Sparrow Tobin

A B S E N T

Ald. Joseph Masi

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1. Pledge of Allegiance

(Pledge of Allegiance)

PRESIDENT RODRIGUES: Please remain standing as I ask for a moment of silence, past member of Engine 2, Charles Lee Clark. May he rest in peace. Thank you.

2. Roll Call

PRESIDENT RODRIGUES: Roll.

Roll Call: Tobin, Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, President Rodrigues.

3. Approval of Minutes.

PRESIDENT RODRIGUES: Approval of minutes.

RICHARD MCCORMACK, CITY CLERK: We have the December 20th, 2022.

PRESIDENT RODRIGUES: Do I have a motion to approve? Alderman Green. Seconded by Alderman Witt. All in favor.

ALDERMANS: Aye.

4. Correspondence, Communications and Reports

PRESIDENT RODRIGUES: Correspondence.

RICHARD MCCORMACK, CITY CLERK: Nothing this evening.

5. For the Good of the City

PRESIDENT RODRIGUES: For the Good of the City, I would like the Mayor to come up. Do it here.

MAYOR DESTEFANO: Are you going to come up?

PRESIDENT RODRIGUES: You want to do both of us together?

MAYOR DESTEFANO: Yeah, both of us. Yeah, we'll do it over here, Ray.

Busy place tonight and well deserved. We have the Super Bowl champions with us tonight. So we want to offer our congratulations and let you all know how proud we are as a City that your, your program has excelled for many, many years. And, you know, the -- this Board and the previous Board, we have been very supportive because of the great work you've been doing, the parents and the volunteers and especially the players where we have constructed Wolslayer Field in your honor for your use and to grow that league and to make sure you have facilities. And before the field was even permanently dedicated, you guys brought us home a Super Bowl championship. So we want to say thank you.

So tonight we're going to present each member a certificate along with a \$10,000 check. That's only a joke. Andrew said he played on the team too. But we're going to present a certificate of recognition for each member to say thank you for your hard work throughout the year and congratulations for a job well down.

So we'll call up individually. As you get up, if you could just stand up here, so then we can take a group picture and post it on all our social media, so we can let our whole community know how proud we are of the hard work that you've done.

(Presentation of Certificates to Super Bowl Champions)

1. Ethan Arundell
2. Jonah Batista
3. Elijah Brown
4. Jacob Carey
5. Matthew DeGroat
6. Liam Flynn
7. Raymond Gray
8. Jionni Lawrence
9. Carter Lewis
10. Owen McZorn
11. Jacob Pryce
12. Tru Myers
13. Maeson Reynolds

MAURICE LEWIS: Yeah. So my name is Maurice Lewis. I was the head coach, fortunately, this year with the youth football. A lot of these young guys up here was their first year ever playing in the sport. They got signed up

and they got into the contact of football. And a lot of people didn't believe that they can get this far. Mind you, they did not only win the Super Bowl, but they went undefeated winning the Super Bowl. And that's, and that's big. The only team in Middletown that did that.

And just for the record, for the youth, it starts here with the kids, you know. We -- Middletown supports the sports big time especially with football. And it starts right here with these young ones. So, you know, if you know anybody or you've got any young ones that want to sign up, I think it's been advertised and posted for the register for this year. It's posted on the website as well, I believe. Look into it, sign the kids up because this is where it starts.

All right. Thank you for your time. Appreciate it.

(Recess taken)

PRESIDENT RODRIGUES: All right. For the Good of the City, anyone else would like to address the counsel, please step forward.

UNIDENTIFIED MALE SPEAKER: I get a little bit of a mystery as -- and I talked to Alex Smith, your counsel. He didn't have an answer for me, so he told me to come here

and said you guys will probably straighten things out for me. So this is the deal.

I have a two-family house in Middletown and I don't live there. And I had the Inspector Sixto, I think, Martinez, he went through. And it's a three bedroom and it's a couple, but there's another guy, he's not related and he lives in the other bedroom. And, you know, he, he even, like, gave me the law that it pertains to. But, basically, what it says is you -- if you're renting an apartment, you can't have a non-related person living in that apartment. That's kind of like the law says. And I told him, I said, you know, that doesn't make sense. Like, suppose, suppose you get a couple that's not married, they're not related, and they're living. Like, why, why is that okay?

And, like I told him, like, that *90 Day Fiancé* show, I said if they rent an apartment in Middletown, they can't do it because you've got two unrelated people living in a, you know, renting an apartment. And he kind of agreed with me. He goes, you know what, it doesn't make sense to me either, but he goes it's the law. Like, I'm here to enforce the law, so it's not up to me to decide. It makes sense. You know, and I agree with him. That's not his -- not his thing.

So then I contacted -- you have like a website and I just thought I contact another Inspector Walt Welch and he never got back to me. So I guess he doesn't have an answer either. Then I contacted your -- the lawyer, Alex Smith. He wasn't -- he didn't really know. He said, like, why don't you come here.

So, so I'm here. And because I know, I know a couple that lives in Middletown, they're not married. They have an apartment, you know, together and they never got challenged, you know. It, it's kind of a funny law, I think. I think even if you rent an apartment you should be allowed to have, like, one unrelated person. And by related it means, you know, parents, kids or siblings, no cousins or anything like that.

PRESIDENT RODRIGUES: What's the address of the property?

MALE SPEAKER: It's 413 North Street.

PRESIDENT RODRIGUES: 413 North Street. And I, I guess you're the landlord?

MALE SPEAKER: Yes.

PRESIDENT RODRIGUES: And it's a two family.

MALE SPEAKER: Yes.

PRESIDENT RODRIGUES: So if you have a lease, they don't have to be married or -- or related. So if

they're there, if -- if me and Rick want to be roommates and we're both, we're both on a lease, it's -- that's legal. But it sounds like you're, like, trying to rent a room if the person comes in and the person comes back. That's not allowed.

MALE SPEAKER: Okay. That's the kind of explanation I was looking for. Okay. So, okay. I run the whole thing like really, like, loosey-goosey and I have no written agreements with anybody.

PRESIDENT RODRIGUES: Okay.

MALE SPEAKER: But, but, basically, if you're saying if I signed up a lease with everybody's name on it, then it's legit?

PRESIDENT RODRIGUES: So, it depends on -- on the city. When the city inspectors, they come out, they have to do a rental permit. They have to do the inspection. They'll ask for a copy of the lease and they'll say who's on the lease. Me and Rick are one apartment, this one's on this apartment and that's it. And if we move out, you've got to report to the city again that you, you have a vacancy and, and you need a rental permit.

MAYOR DESTEFANO: Who collects the rent from that person?

MALE SPEAKER: I do.

MAYOR DESTEFANO: Well, you're, you're, you're running a boarding house then and that's the problem.

MALE SPEAKER: Okay. Well, you know what?

MAYOR DESTEFANO: So, the case, the case that you presented is not entirely accurate where if me and a friend rented an apartment and we're unrelated, that's not what the code says. The code says is that you're renting an apartment to two separate people.

MALE SPEAKER: Okay.

MAYOR DESTEFANO: You're renting and you're collecting rent from two separate people, so that, that's your issue.

MALE SPEAKER: Okay. So if I just collected from one person and I have an agreement that has all their names on it --

MAYOR DESTEFANO: You still, you still can potentially have some problems with how you're operating it. But I can't give you legal advice at this meeting. But, but the -- the question that you answered is the driver for the code enforcement because you're collecting rent from two separate individuals. And so the, the code doesn't say you can't -- that people have to be married to live together or are related to live together. But the code is specific to avoid people creating boarding houses

and collecting rent from separate individuals.

MALE SPEAKER: Okay. Because it says "Borders are not permitted in two-family dwellings" which makes him a border at what you're saying.

MAYOR DESTEFANO: Right. He's not a borders. He's, he's your tenant. You have two separate tenants, so.

MALE SPEAKER: You know, actually wanted to just collect the rent once and they combined their money.

MAYOR DESTEFANO: Well --

MALE SPEAKER: It's like become, like, a, you know, but I, I could do that. I just tell them, hey, this is the deal.

MAYOR DESTEFANO: Yeah, there's, there's ways of doing it correctly.

MALE SPEAKER: Okay.

MAYOR DESTEFANO: But I can't give you that advice at the meeting here. I don't know -- I don't -- I'd have to read the whole law. But the -- once you answered the question that you were collecting from both individually --

MALE SPEAKER: Yeah.

MAYOR DESTEFANO: -- you're -- you're basically running a boarding house and that's prohibited.

MALE SPEAKER: Okay. Okay.

MAYOR DESTEFANO: All right.

MALE SPEAKER: So who do I contact to restructure it, so it's like proper?

MAYOR DESTEFANO: Well, first thing I'm gonna do is I'm gonna have a conversation with Mr. Smith why he would not let us know what was happening coming to the meeting and getting blindsided. So I'll have that conversation with him tomorrow and see if there's more details that I'm missing here. So, we'll, we'll get back. If you want to call and leave your -- our -- leave your number, name and number with the clerk, I'm sure we'll be able to get back to you. Okay?

MALE SPEAKER: Okay. All right.

MAYOR DESTEFANO: All right. Thanks.

MALE SPEAKER: Thank you.

PRESIDENT RODRIGUES: Okay. Anyone else would like to address the Council?

6. Remarks of the Mayor

PRESIDENT RODRIGUES: Okay. Remarks of the Mayor.

JOSEPH DESTEFANO, MAYOR: I want to thank you for the moment of silence. Charlie Clark was my father-in-law. And Charlie spent many years as a member of the Eagles and Middletown Fire Department. And I'm sure his family thanks

you for, for the moment of silent.

Also, on other news the -- tonight you have in front of you and it has to be passed tonight by all three municipal boards before and, and then plus the Orange County, so four, four legislative bodies, the sales tax sharing agreement. The agreement is expired effective February 28th. And it takes a while to get it processed through the controller's office. Been -- there are deadlines that have to be met.

This agreement, if you recall for the last few years, during the census count that we -- every meeting we had slides up asking the people to fill out their census forms to make sure they respond that it matters to city taxpayers, that every person that possible be counted. Well, for the next 10 years, we will now -- we have flipped the sales tax formula where Middletown was once a point or so, point-and-a-half behalf Newburgh, City of Newburgh on population. We have now flipped it the other way. We are now two points in front of Newburgh on population. And I don't mean that as a competition, I mean that as a -- as a matter of fact where the sales tax agreement that you're adopting tonight will continue the process of the cities, towns, and villages in Orange County share about 26 percent plus of sales tax collected from all different businesses

and utilities within the county. Of that 26 percent plus, 32 percent plus is shared with the three cities. And by -- you may ask for those who have not been around for a while or not familiar with it is the reason why there's a -- the contract is between the County and the three cities because the three cities are the ones that have a legal right to preempt the county on sales tax. So, in order to avoid this battle over this distribution of money, we have for the past 25 or so years have had this agreement in place and it's worked for all involved. The towns and villages are a benefactor of the -- of the contract. And for no other reason other than they have representation and the county legislature also and the right thing for the county to also include them in the sharing agreement.

So we are now going to pick up in the next calendar year approximately \$500,000 to the good for Middletown tax payers based on all the work that was done during the census. I want to thank Maria and Caitlin from Economic Development, especially Caitlin who took the bull by the horns and she really attended a lot of the meetings. Maria I know also did a lot, meeting with different groups and all the organizations that we worked with trying to get people counted. And all the hard work that was done even by members of the Board who we asked to make sure that your

neighborhoods were -- people were aware that not only is the census the right thing to do, but it was the right thing to do for the City and for them as taxpayers.

So we're hoping for a vote tonight. It will then be sent on to the other two cities for their signature and then forwarded to the County for a vote in early February.

And that's all I have this evening. Any questions?

PRESIDENT RODRIGUES: Questions for the Mayor?

All right. Thank you, Mayor.

MAYOR DESTEFANO: You have one.

PRESIDENT RODRIGUES: Alderman Johnson.

ALD. JOHNSON: Not related to this and I don't want to blindside you, Mr. Mayor, but Alderman Witt had communicated with Alderwoman Wray and myself that at the Parks Commission they were talking about the plans for the water attraction at Maple Hill. And we have discussed with you a couple times in the last year or so about a survey. How should -- what do you envision? How should we proceed? Is there anything that might happen in 2023?

MAYOR DESTEFANO: Well, I -- I think the discussions that we had were more for the two of you --

ALD. JOHNSON: Right.

MAYOR DESTEFANO: -- the 3rd Ward to do some type

of survey in that neighborhood to see what they would like there. They -- they might like the peace and quiet --

ALD. JOHNSON: Okay.

MAYOR DESTEFANO: -- that's come with the closure of the pool. And we can then put some resources into expanding the Davidge Park area. But there's also been discussion of a -- of a -- what you call it, not a pool there, a sprinkle --

ALD. JOHNSON: Splash Pad.

MAYOR DESTEFANO: -- splash -- splash pad --

ALD. JOHNSON: Right.

MAYOR DESTEFANO: -- which is more geared towards little kids and since the facilities are there and it would be much cheaper. A new pool will probably run us in the area -- I don't -- I'm only going by what Newburgh is paying and it's a much larger pool, grant you, but Newburgh is paying over \$14 million for their pool. And they're using ARPA funds. Now, we would not be paying that kind of money here, but I guarantee you that it would be in the 2 to 3 million dollar range if we were going to replace Maple Hill.

But with our problems with lifeguards and the users -- the primary users of the pools now are -- are young kids and they seem to be enjoying the -- the splash

pad, so. But we would defer to you --

ALD. JOHNSON: Okay.

MAYOR DESTEFANO: -- and Kate for the -- for some guidance. And if you wanted to do a survey monkey for city wide, we certainly can do that also. But I think the -- the immediate feedback should come from that neighborhood and see what their -- see what their opinions are because it is right across the street from the residential area. It's not like Davidge where it's somewhat isolated. It's - - it's adjacent to a residential area.

ALD. JOHNSON: And we'll proceed and figure out how to proceed with the survey.

MAYOR DESTEFANO: Yep.

ALD. JOHNSON: Thank you very much.

MAYOR DESTEFANO: Thank you.

PRESIDENT RODRIGUES: Okay.

MAYOR DESTEFANO: Thank you.

PRESIDENT RODRIGUES: Thank you, Mayor.

7. Remarks of Department Heads

PRESIDENT RODRIGUES: Reports of departments, Economic Development.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Good evening, everyone. The office has been working on our annual meetings for the bid district, the Community Development

Agency, the IDA, submission of the action plan and submission also the Restore New York Grant regarding the O&W. So all those good things have been happening past couple of weeks as we start off 2023.

And that's all I have for tonight.

PRESIDENT RODRIGUES: Any question for Maria?

All right. Thank you, Maria.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Thank you.

PRESIDENT RODRIGUES: DPW Commissioner.

JACOB TAWIL, DPW COMMISSIONER: Good evening. I will start by thanking DASNY and for coming down here and making presentation before the Common Council regarding the water and sewer connection. They are located on 17, the Mid-Hudson Psychiatric Center. They are building brand new facility, \$300 million the state is investing in it because, you know, creating or keeping about 550 jobs locally in here. The City is very excited and we're very happy like the Mayor stated during the meeting and the council. Their support for the project and providing water and sewer services for this campus as the state does not want to be in the water and sewer business. So we're happy to accommodate them and encourage that project to move forward and hopefully to provide additional growth, commercial growth, like the Mayor stated in the agreement

between us and the County along 17M. So this is an excellent project and it's just gonna be the beginning, I think, for -- for the growth for 17M.

The traffic operation as you can see the project has almost died down because of the weather and will resume, hopefully, in February, weather permitting. And there's still some minor work that's taking place by the contractor for the traffic operations in downtown and putting up no parking signs and no standing here to coordinate and so on and so forth. They're just catching up, Boyce, the general contractor, otherwise the project is moving along very well.

You approved awarding the contracts for rebuilding -- not rebuilding for addressing deficiency issues at Shawangunk Dams which are three dams. The contractor has been working with us back and forth for the insurance and so that we can sign the contract and the construction can get started. And the same for Kinch Reservoir. There's one dam in there that's going be upgraded and -- and rebuilt.

And that's all I have for tonight. If you have any questions for me.

PRESIDENT RODRIGUES: Any questions for Jacob?
All right. Thank you, Jacob.

JACOB TAWIL, DPW COMMISSIONER: Thank you.

PRESIDENT RODRIGUES: City Treasurer.

LEONORA LIZ, CITY TREASURER: Hi, good evening, everyone. I have in front of you a Resolution to pass tonight. The City would like to offer a dual option with Night Shift Health Insurance plan. This is something new for this year. The plan will be self-insured under the City. The Resolution is to allow ClaimDOC services to administer the plan. And what they will do is administer the claims, help with the enrollment process, educate eligible employees for the plan. And also what they specialize is referenced-based pricing meaning that they will go back to the providers and not necessarily pay an in-network price or out-of-network price, but pay the actual cost of the services provided by the providers. Right now we do have the PBA bargaining unit that has approved for us to offer this plan. CSEA is now pending.

And that's all I have for today. If there's any questions?

PRESIDENT RODRIGUES: Any questions for the City Treasurer? All right. Thank you.

LEONORA LIZ, CITY TREASURER: Thank you.

PRESIDENT RODRIGUES: Police Chief.

JOHN EWANCIW, POLICE CHIEF: Good evening. So

the last couple of weeks since we met, we've had some alarming activity throughout the City. We had the shots fired incidents. I have briefed most of you on that. Some of you I've had either follow-up conversation, in-person, telephone or by text. It's alarming to me as it's alarming to you, it's alarming to our community.

We have some challenges. I can't sit here and tell you why these are happening. I can tell you that we are working diligently. We are using resources that we have available to us, both, locally and through our law enforcement partners.

Some of the challenges that I'll share with you, I can't share the tactics or where we are as far as the investigations. We don't have specific victims in these. It's not like we have someone coming forward and saying, hey, this is what was done to me. We have presumed victims that are not 100 percent cooperative at this point, so that creates a challenge in and of itself. So a lot of that legwork is being done through technology, through, you know, the support of our community residents that are providing us some digital evidence which I greatly appreciate their -- their support and their willingness to do such. It's been very, very helpful.

We are treating this just as we would treat a

homicide. We put all of our resources into it. We don't put it on the backburner. This is on the front burner. These are very, very important to us. And we are doing our due diligence day in and day out. They follow up every day. I get a briefing every day where we are, leads that have been developed, status, who we're looking out.

Throughout the process we have made some arrests. They're not connected directly to the incidents, but they were people that may or may not have been involved indirectly. Our -- our goal was to maybe garner some information from those people to further our investigation. So we are trying to turn every stone. We're looking for, you know, support from the community. We encourage members of the community if they have anything, if they believe they may have some information, some knowledge, a piece of video, anything of that, it helps us build our puzzle as I've shared with you in the past. We build this by little puzzle pieces and our goal is to come up with a picture at the end and that's what we would present for charges.

So it is something we take very serious. We are working. The men and women are working. Not just our detectives, the patrol officers that are out there day in and day out, they are trying to do what they can by making arrests, finding information.

I've also put out some additional details over -- we started last week to put out additional resources on the street to, one, be out there to combat it, but also to try to garner some information as well, follow up on tips.

With that, I have nothing else unless you have questions for me. If you would like to discuss this in more detail, I am open. I can't give you very specifics, but in private I can give you some additional information if you so desire.

PRESIDENT RODRIGUES: Any questions for the police chief? Thank you, Chief.

JOHN EWANCIW, POLICE CHIEF: Thank you.

PRESIDENT RODRIGUES: Superintendent of Recreation.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION:
Good evening, everyone. I want to welcome Hector Mapes, our newest full-time employee to the Parks Department. He started January 1st. He's a great addition. He comes with many valuable skills and knowledge and capabilities. So he's definitely a great addition to our Parks Department.

Our update on our Maintenance Department, there have been several trees down on the reservoir trails, so they're working to get those removed, especially the ones that are crossing active trails right now.

They are power washing with that big steamer machine that we have from COVID, the locker rooms that were Memorial Pool. There's years and years' worth of paint built up in those locker rooms, so they are in the process of power washing that out now. So when the weather breaks in early spring, they can do a new resurfacing, paint job on there. Hopefully that's not gonna chip as easily because we're getting all those layers and layers and years and years of paint off.

The bathroom stalls were installed at Wolslayer Field. And they're also doing constant resurfacing and up keeping of the ice rink during the week and then on the weekends as well with filling the barrel, so it can be resurfaced by the skate staff during the weekends.

The Recreation Department, if you checked out our site, our winter programming is up. Our -- new to us now we're doing boxing clinics along with we still have our regular Monday through Friday boxing class that you register and pay the monthly fee. But we're now adding clinics just for another introduction and use of our great boxing facility that we have.

Indoor soccer, basketball clinics, crochet, cheerleading clinics, martial arts, and we do have our spring -- two spring programs up, the Spring Break Program

when the kids have no school that week, that registration is up as long -- along with our break dancing.

We still do have our free programming going on. For the teen and youth our open gym, our teen boxing, Storytime Come Alive, and the youth fitness.

I'd like to say that we were awarded funding for 2023 by the Orange County Youth Bureau. We just got notice. We're gonna get \$10,000 towards our Summer Playground Lunch Program and \$28,820 towards our free recreational fitness programs. It's definitely a major help by getting reimbursed for these free programs that are very well attended throughout the year.

The dog park, we are having another event there for Valentine's Day. Nicole did come up with a clever name and that will be out soon. That event with the dog park and a whole kissing booth.

Ice rink, if you've gone by on the weekends, it's been very busy, very active. Our Saturdays we started some themed Saturdays with different decades of music and gold parties. This past Saturday was a rock and roll Saturday, so we played the theme music along with it. We also added a -- a senior skate and just an adult skate during the week. That was not too well attended, but it was asked a lot, so we're hoping that those numbers pick up, so we can

keep that going into February.

We also -- keep an eye out for Cops and Cocoa event that we're gonna have at the ice skating rink. The chief said he's gonna be out there ice skating. He used to be a professional figure skater back in the day, so keep an out for that.

JOHN EWANCIW, POLICE CHIEF: Just -- just my shoes.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION: Salvation Army is also interested in joining with us and doing a hot cocoa night down at the ice skating rink. And, also, we're in the process of working with Community Development for a winter festival at the ice skating rink. Any questions? Yes.

PRESIDENT RODRIGUES: Alderman Tobin.

ALD. TOBIN: I just made one -- one suggestion. I know we have a no smoking sign on the other sign of the rink, but there was someone smoking, like, right next to the picnic tables when I was there and it just getting all over the place. Maybe a temporary sign.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION: Absolutely, yeah. We'll look into their placements and where they're at.

ALD. TOBIN: I went down there. The kids had a

great time. There's all these kids. They're loving skating with their parents. In fact, a friend of mine I work with he grew up here, he'd sometimes go to Ice Time with his kids. It cost him over \$50 bucks. He came over here to visit his parents and they went out for a few dollars and enjoyed some good family time, you know, so that was very good.

And I was just curious as a neighbor of the Academy Ave. Park, I noticed the pavilion was taken down. I just -- I was driving by the other day. I just -- not that I'm in favor of replacing it, I was just wondering is there a plan to replace it or just --

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION:

They are. They're gonna build if you've seen Maple Hill has it, Davidge Park has it, the single pavilions that just have one picnic table.

ALD. TOBIN: Oh, okay.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION: And

that was there was just a gazebo. That was really close to the road and was never used for anything. I believe it was for the bicentennial parade that it was put up years and years ago. So it was falling apart and was only used for things that it shouldn't be use for --

ALD. TOBIN: Some people hanging out.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION: --

so it was taken down. But something is gonna be replaced by summer for our summer lunch program.

ALD. TOBIN: Thank you.

PRESIDENT RODRIGUES: Anyone else? Alderman Kleiner.

ALD. KLEINER: Thank you. Good evening, Raelynn.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION: Good evening.

ALD. KLEINER: I had a constituent question asked if Wolslayer Field and the track, is that gonna be available for any public use because it -- it's always locked so.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION:

Yeah, once -- we're waiting for our fencing to get put up around the track. So once the fencing is up and we can -- we don't want people going especially with the snow, like snowmobiles or four wheelers and tearing up the track. So once we get the fencing up and prohibit anything larger than bodies going through the gate onto the track, then it will be open to public, yes.

ALD. KLEINER: And also more pickleball discussion, so I know we're waiting for information on possibility of doing pickleball courts. But I just want to

keep that fresh in our minds.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION:

Yes, yes.

ALD. KLEINER: It seems to be quite popular.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION:

Yes, it is very popular. And I know it is hard.

ALD. KLEINER: They don't like sharing tennis courts.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION:

Yes, the tennis players don't want to share with the pickleball, pickleball doesn't want to share with tennis, so we are looking for an alternate spot to have them placed even if it's just with temporary netting that can be, like, put out and taken away.

ALD. KLEINER: Right. Okay.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION: So we are definitely looking into it.

ALD. KLEINER: Thank you.

PRESIDENT RODRIGUES: Okay. Anyone else.

All right. Thank you, Raelynn.

City Clerk.

RICHARD MCCORMACK, CITY CLERK: Nothing this evening.

PRESIDENT RODRIGUES: Any questions for the City

Clerk? All right.

8. Public Hearing and Grievances:

RICHARD MCCORMACK, CITY CLERK: Good evening. We have a public hearing this evening. Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, January 17th, 2023, on or as near as 7:30 p.m. as possible, Common Council Chambers, 2nd Floor, 16 James Street to hear any and all persons wishing to be heard on the proposed zoning amendment to Chapter 475 to allow two family dwellings in OR2, two family owner occupied residential districts which are zoning districts to permanently be non-owner occupied if the dwelling was occupied as a two-family dwelling at the time the zoning district was created.

Any persons wishing to be heard will be given the opportunity to speak either for or against proposed zoning amendment. The complete proposed zoning amendment is available in the office of the Common Council Clerk, 16 James Street or on the City website. The public hearing will be conducted in person and via video teleconference and live on Channel 20. Any person unable to participate at the time of the public hearing can email comments may be submitted in advance to rmccormack@middletown-ny.com by order of the Common Council, Richard McCormack, Clerk of

the Common Council.

PRESIDENT RODRIGUES: At this time, the public hearing is now open to the public. Any member would like to speak? Okay. Any Board Member, any Alderman? Do I got a motion to close?

ALD. JOHNSON: So moved.

PRESIDENT RODRIGUES: Alderman Johnson, seconded by Alderman Witt. All in favor?

ALDERMANS: Aye.

PRESIDENT RODRIGUES: The public hearing is now closed.

9. Petitions and Complaints

(None this evening)

10. Remarks of the Alderman

PRESIDENT RODRIGUES: Remarks of Alderman, Alderman Witt.

ALDERMAN WITT: Nothing this evening.

PRESIDENT RODRIGUES: Alderman Green.

ALD. GREEN: Yeah, thank you very much. Just, Mayor, my condolences to you and your family on your loss. You know, please pass that along to everyone.

Congratulations to our Super Bowl champions. It's always wonderful when you can see our youth coming in here doing some amazing things and to go undefeated and win

the Super Bowl. And many of those kids first year, that's -- that's just quite the achievement.

And just a reminder that we're not going to have our constituents meeting for February. We are going to pass because even though it seems to be 60 degrees some of these days, there's still a real possibility of some snow and ice in the future. So we will meet again on March 13th here in the Council Chambers. Thank you very much.

PRESIDENT RODRIGUES: Okay. Alderman Kleiner.

ALD. KLEINER: Thank you. I want to thank the YMCA and the Greater Middletown Interfaith Council. They had a Martin Luther King event on Sunday at the YMCA Annex. And usually James Rollins, Bishop Rollins would be hosting the event, but he had a death in the family. My condolences to him. But it was a very nice presentation and so many of the kids got up and before they did their poetry or played their music they said "I am living the dream." So it, it made it very real to them and was a very nice event.

The warming station still needs a bunch of two-hour volunteers. And if you can do it, this is from 8 p.m. to 10 p.m. just to help serve food and such. And, and it's not an overnight thing. So, again, that's Middletownwarmingstation.com.

I want to also make sure people do save the date, April 22nd, that's Saturday, April 22nd. That is gonna be our city spring clean-up event. So we -- hopefully it won't conflict with anything, like, little league parades or school events or such, so we keep trying to get that date out early enough, so people understand it and people save it.

Also, I want to send my condolences to the Mayor's family for Charles Clark.

Also, our neighbor, Dr. Parida passed away yesterday. He's just a long-time volunteer of medical help around the world, so he will be missed.

And our, our opponent in one of our elections, Joe Finneran, his dad, Mr. Stack, passed away. We're all familiar with Mr. Stack. He was quite a character, but he, he will be missed too. My condolences to all. And thank you.

PRESIDENT RODRIGUES: Alderwoman Wray.

ALD. WRAY: Good evening. Mayor, my condolences to your family. I'm sorry for your loss.

For our Middie football, a lot of those kids tonight were my students that I see at school. And they're always wearing their jerseys in the building. They're a great team. They just -- I think the, the youth in our

town if you take a good look at them always make us very proud. And I love moments like these when we get to kind of highlight that for everyone. And I just want to say congratulations to them and thank you to the coaches because I know those are all volunteers giving up a lot of their time and the, the team moms and things like that. It's a big job and it really does take a village. But great work to all of them.

I just want to apologize to everyone in this room in advance for my change of name. I've returned to my maiden name for anyone who wants to know why everyone is calling Alderman Wray. But it will take some time, but I think we'll get used to it.

That's really all I have for this evening. As it relates to our talk tonight about the, the Maple Hill Park and what we're doing with the pool, I just say to our constituents, we will be gathering some answers from everyone in our ward that we can gather from the neighborhood and try to, you know, get some ideas to bring back to Rec and see what we can do.

That's all I have. Thank you.

PRESIDENT RODRIGUES: Okay. Alderman Johnson.

ALD. JOHNSON: Alderman Wray, I'm already in, so we're, we're good with that.

Mr. Mayor, I'm sorry to hear about that. I know it was a long week in regards to Linda as well.

Nothing else. Thank you.

PRESIDENT RODRIGUES: Alderman Jean-Francois.

ALD. JEAN-FRANCOIS: Good evening. Mayor, my condolences, to you and your family.

And this evening, DPW Committee met this evening. We had a representative from Disney -- member of the DASNY members. This is a very exciting project for the City and the regions because to provide water and sewer services to the area. This is gonna be pretty big. I'm looking forward for that project to start. Can't wait.

And, also, congratulations to the, to the Middies D-1 football team for winning the Super Bowl. I've seen these kids coming up here, it remind me at times it's so -- it goes so fast because I remember my two boys started playing youth football. And, and that kind of brings a lot of memory. It almost bring tears to my eyes as time went so fast. You know, I miss that a lot. Thank you.

PRESIDENT RODRIGUES: Thank you. Alderman Tobin.

ALD. TOBIN: Yes, my condolences to the Mayor. I'm sorry for your loss.

Yeah, congratulations to the Middie champs. That's great to see. I think I saw a lot of them at the

Middie Bowl Game too, so from the youth all the way up. They're, you know, Middletown is fully engaged in our youth and it shows.

And, also, with sports, Stephan Monchery, congratulations to him. He won the prestigious Eastern States Wrestling Classic. As a coach and a referee, that's one of the toughest tournaments in our region. A lot of future NCA champs come out of that tournament, like, they move on to, I can even say Olympic champs have wrestled there. So it's really a tough tournament. And that he placed one, first. I think he knocked off the number one seeded person in the state already going, you know, and the season not over. So congratulations to the Middletown team. They had a number of place finishers. I think there's a female wrestling team now, so they're -- and they had a whole female tournament. So it's a, it's a sport that's on the rise. And I'd like to congratulate them for all the hard work they're doing.

And then I just want to let everybody know the reason -- I figured out the reason why we're having a light winter is because I bought a snow blower this year and I haven't used it once. So maybe it will continue. Thank you.

11. Unfinished Business.

(None this evening)

12. New Business.

PRESIDENT RODRIGUES: All right. New business.

RICHARD MCCORMACK, CITY CLERK: Good evening. We have a Resolution sponsored by Alderman Witt appointing members of the Industrial Development Agency.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Witt, seconded by Alderman Green. Any discussion? Roll.

Roll Call: Ayes: Tobin, Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, President Rodrigues. Carries.

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Green reappointing Fran Amelio to the Board of Assessment Review.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Green, seconded by Alderman Kleiner. Any discussion? Roll.

Roll Call: Ayes: Tobin, Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, President Rodrigues. Carries.

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Kleiner appointing Jim Burtis to the Zoning Board of Appeals.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Kleiner, seconded by Alderman Wray. Any

discussion? Roll.

Roll Call: Ayes: Tobin, Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, President Rodrigues. Carries.

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Wray reappointing members of the Electrical Licensing Board.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Wray, seconded by Alderman Johnson. Any discussion? Roll.

Roll Call: Ayes: Tobin, Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, President Rodrigues. Carries.

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Johnson authorizing a proposal from H2O to renew contracts for services at the water and waste water treatment plants.

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

Roll Call: Ayes: Tobin, Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, President Rodrigues. Carries.

RICHARD MCCORMACK, CITY CLERK: A Resolution sponsored by Alderman Jean-Francois awarding bids for surplus vehicles.

PRESIDENT RODRIGUES: Resolution sponsored by

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

Roll Call: Ayes: Tobin, Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, President Rodrigues. Carries.

RICHARD MCCORMACK, CITY CLERK: A Resolution sponsored by Alderman Tobin authorizing the 2023 Perma Contract.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Tobin, seconded by Alderman Wray. Any discussion? Roll.

Roll Call: Ayes: Tobin, Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, President Rodrigues. Carries.

RICHARD MCCORMACK, CITY CLERK: A Resolution sponsored by Alderman Witt authorizing an agreement with ClaimDOC Services to administer the City's employer-sponsored employee health benefit plan.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Witt, seconded by Alderman Green. Any discussion? Roll.

Roll Call: Ayes: Tobin, Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, President Rodrigues. Carries.

RICHARD MCCORMACK, CITY CLERK: A Resolution sponsored by Alderman Green authorizing the Sale and Compensating Use Tax Sharing Agreement with the County of

Orange.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Green, seconded by Alderman Kleiner. Any discussion? Roll.

Roll Call: Ayes: Tobin, Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, President Rodrigues. Carries.

RICHARD MCCORMACK, CITY CLERK: A Resolution sponsored by Alderman Kleiner authorizing an application for Round 7 Restore New York Funds to the O&W Building Restoration Project.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Kleiner, seconded by Alderman Green. Any discussion? Roll.

Roll Call: Ayes: Tobin, Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, President Rodrigues. Carries.

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Wray authorizing a street closure for the winter festival.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Wray, seconded by Alderman Johnson. Any discussion? Roll.

Roll Call: Ayes: Tobin, Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, President Rodrigues. Carries.

RICHARD MCCORMACK, CITY CLERK: A Resolution

sponsored by Alderman Johnson authorizing an Amendment to City Code Chapter 475, Zoning.

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

Roll Call: Ayes: Tobin, Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, Masi, President Rodrigues. Carries.

ALD. WRAY: Mr. President, I'd like to make a motion from the floor.

PRESIDENT RODRIGUES: Go ahead.

ALD. WRAY: I'd like to resolve the Common Council, the City of Middletown hereby authorize a public hearing to take place on Tuesday, February 7th, 2023 at or as close to 7:30 p.m. as possible to hear any and all persons who wish to be heard on the proposed subdivision in Orange Terrace.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Wray, seconded by Alderman Johnson. Any discussion? Alderman Johnson.

ALD. JOHNSON: Yes, thank you. I know we discussed this in Committee and Alderman Wray and I do understand that there is somewhat of a (indiscernible) approval of this project by the administration. But we

appreciate the opportunity. Most of the people we've heard from in our residence -- in our Ward rather are contiguous to the property and they're, they're upset by it, so this will give them an opportunity to come and the entire Council can hear what they have to say. So thank you.

PRESIDENT RODRIGUES: Okay. Anyone else? Roll.

Roll Call: Ayes: Tobin, Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, President Rodrigues. Carries.

13. Local Laws

(None this evening)

14. Audit of Claims and Accounts

ALD. JOHNSON: Oh, yes, audit. Sure. Where is Mr. Masi when I need him. Did I ever say I needed him?

ALD. WITT: I got it right here.

ALD. WRAY: We got it. We got it. We have it.

ALD. JOHNSON: I move the accounts be audited, the claims be adjusted and the City Treasurer be authorized to issue warrants for their payment.

PRESIDENT RODRIGUES: Resolution sponsored by cranky Mr. Johnson, seconded by Alderman Jean-Francois. Roll.

Roll Call: Ayes: Tobin, Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, President Rodrigues. Carries.

ALDERMANS: Aye.

15. Adjournment

PRESIDENT RODRIGUES: Move for adjournment.

ALD. JOHNSON: So moved.

(PROCEEDING CONCLUDED)

CERTIFICATE

I, LISA KANE, certify the foregoing transcript of proceedings of the January 17, 2023 Middletown City Council meeting was prepared using the required electronic equipment and is a true and accurate record of the proceedings.

Signature: *Lisa Kane*

Date: February 24, 2023

Agency: American Legal Transcription
11 Market Street, Suite 215
Poughkeepsie, New York 12601

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

THE FOLLOWING WAS PRESENTED

By Ald. Witt

Sec'd by Ald. Green

Date of Adoption 01.17.23

Index No: 27-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

Resolution appointing of Members to the Industrial Development Agency Board (IDA)

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's appointment of the following individuals to the Industrial Development Agency (IDA) for a one (1) year term expiring on December 31, 2023.

Elizabeth Nemeth
Brian Seigerman

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

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Kleiner

Date of Adoption 01.17.23

Index No: 28-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

Resolution reappointing Fran Amelio to the Board of Assessment Review

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's appointment of Fran Amelio to the Board of Assessment Review for a term expiring on September 30, 2027.

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

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner

Sec'd by Ald. Wray

Date of Adoption 01.17.23

Index No: 29-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

Resolution appointing Jim Burtis to the Zoning Board of Appeals (ZBA)

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's appointment of Jim Burtis, Zoning Board of Appeals (ZBA), replacing Don Luis, for a term expiring on December 31, 2025.

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

THE FOLLOWING WAS PRESENTED

By Ald. Wray

Sec'd by Ald. Johnson

Date of Adoption 01.17.23

Index No: 30-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

Resolution reappointing Members of the Electrical Licensing Board

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of members of the electrical licensing board for a term expiring on December 31, 2023.

Jerry Caliendo
Tom Murtaugh
Walter Welch
Robert Metz
Mark Fellenzer

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Kleiner

Date of Adoption 01.17.23

Index No: 31-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

Resolution authorizing a proposal from H2O to renew contracts for Services at the Water and Waste Water Treatment Plants

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizing a proposal from H2O, dated January 6, 2023, requesting renewal of the contracts for monthly services at the Water Treatment Plant (WTP) and Waste Water Treatment Plant (WWTP).

The fee for services at the WTP for 2023 will be a total of \$24,062.50 per month for 12 months. This is currently a budgeted item; however, a budget transfer will need to take place at a later date from the water and sewer balance to cover the difference. The fund transfer request will come from the City Treasurer.

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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Johnson

Date of Adoption 01.17.23

Index No: 32-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

Resolution awarding bids for Surplus Vehicles

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and award the following bids for surplus vehicles auctioned off through Auctions International:

2003 Ford Crown Vic (VIN#2FAHP71W53X173468) - \$590.00
 2004 Ford Crown Vic (VIN#2FAHP71W04X138872) - \$1,075.00
 2004 Chevy Silverado (VIN#1GCHK23U84F250418) - \$600.00
 2005 Ford Crown Vic (VIN#2FAHP71W35X126779) - \$590.00
 2005 Mack Garbage Truck (VIN#1M2B225C65M005104) - \$14,900.00
 1986 HMMWV Military Troop Carrier- \$10,600.00

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

THE FOLLOWING WAS PRESENTED

By Ald. Tobin

Sec'd by Ald. Wray

Date of Adoption 01.17.23

Index No: 33-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

Resolution authorizing the 2023 Perma Contract

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the 2023 Perma Contract.

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes switching from paying installments throughout the year to paying the account in full at the beginning of the year, in order to receive a discount, the amount of the contract is \$724,515, with the discount it is \$710,785.

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.

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

THE FOLLOWING WAS PRESENTED

By Ald. Witt

Sec'd by Ald. Green

Date of Adoption 01.17.23

Index No: 34-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

**Resolution authorizing an agreement with ClaimDOC Services to administer the City's
Employer-sponsored employee health benefit plan**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes an agreement with ClaimDOC Services to administer the City's Employer-sponsored employee health benefit plan.

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes a Stop Loss Insurance Policy "capping" how much the City will have to contribute each year towards the plan premium.

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign both of the agreements.

The City would like to offer a dual option health insurance plan to eligible employees alongside with NYSHIP. The City would like to use ClaimDOC Services to administer the City's Employer-sponsored employee health benefit plan (an ERISA Self – Fund Health plan). This optional plan has the potential to offer significant savings in health insurance premium by using reference-based pricing on health claims. In addition to processing claims, ClaimDoc will provide appropriate language for the Explanation of Benefits (EOB), resolve all legal action/defense if needed, provide education/enrollment services for employees enrolling into the plan and implement a "Pave the Way" program that provides a member advocate to assist with any concerns the employee may have. The agreement will be for a three-year term, with an annual renewal.

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

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Kleiner

Date of Adoption 01.17.23

Index No: 35-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

**Resolution authorizing a Sale & Compensating
Use Tax Sharing Agreement with the County of Orange**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Sale & Compensating Use Tax Sharing Agreement with the County of Orange from March 1st, 2023 through February 28, 2026.

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.

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

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner

Sec'd by Ald. Green

Date of Adoption 01.17.23

Index No: 36-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

**Resolution authorizing an application for Round 7 Restore NY funds for the O&W
Building Restoration Project**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes an application for Round 7 Restore NY funds for the O&W Building Restoration Project, in the amount of \$2 million. The proposed project will go toward the rehabilitation of the former O&W Train Station.

The City of Middletown finds that the proposed project is consistent with the municipality's local revitalization or urban development plan; that the proposed financing is appropriate for the specific project; that the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities where applicable.

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

THE FOLLOWING WAS PRESENTED

By Ald. Wray

Sec'd by Ald. Johnson

Date of Adoption 01.17.23

Index No: 37-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

Resolution authorizing a Street Closure for the Winter Festival

RESOLVED; that the Common Council of the City of Middletown authorizes the closure of Union Street on Saturday, February 4, 2023 (Snow Day Saturday, February 18, 2023) from 10AM-5PM for the Winter Festival.

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Jean-Francois

Date of Adoption 01.17.23

Index No: 38-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

Resolution authorizing an Amendment to City Code Chapter 475, Zoning

WHEREAS, the Common Council wishes to allow two-family dwellings in OR-2 (Two-Family Owner-Occupied Residential Districts) zoning districts to permanently be non-owner-occupied if the dwelling was occupied as a two-family dwelling at the time this zoning district was created.

Resolved, and be it Ordained, by the Common Council of the City of Middletown, New York, as follows:

Section 1 - The Code of the City of Middletown, N.Y., Chapter 475, Zoning, be and is hereby amended by replacing Paragraph 3 of Subsection A (Permitted Uses), of Section 475.11, OR-2 Two-Family Owner-Occupied Residential Districts, to read as follows:

(3). Two-family owner-occupied dwelling constructed or converted from a single-family usage after the effective date of this Section, not to exceed one dwelling building on each lot. One of the two dwelling units must be occupied by the owner of the property.

Section 2 - The Code of the City of Middletown, N.Y., Chapter 475, Zoning, be and is hereby amended by adding a new Paragraph 4 to Subsection A (Permitted Uses), of Section 475.11, OR-2 Two-Family Owner-Occupied Residential Districts, to read as follows:

(4). Two-family non-owner-occupied dwelling, not to exceed one dwelling building on each lot, provided that the property was occupied as a two-family dwelling on the effective date of this Section.

Section 3 - This ordinance shall take effect immediately.

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

THE FOLLOWING WAS PRESENTED

By Ald. Wray

Sec'd by Ald. Johnson

Date of Adoption 01.17.23

Index No: 39-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

Resolution authorizing a Public Hearing for a Sub-Division at Orange Terrace

Resolved that the Common Council of the City of Middletown hereby authorizes a public hearing to take place on Tuesday, February 7, 2023, at or as close to 7:30 PM as possible to hear any and all persons who wish to be heard on a proposed sub-division at Orange Terrace.

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Jean-Francois

Date of Adoption 01.17.23

Index No:

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 MOVE THE ACCOUNTS BE AUDITED, THE CLAIMS ADJUSTED AND THE
TREASURER BE AUTHORIZED TO ISSUE WARRENTS FOR THEIR PAYMENTS**

**CITY OF MIDDLETOWN
NOTICE OF PUBLIC HEARING
Local Law Number 1 of 2023**

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, March 7, 2023, on or as near to 7:30 p.m. as possible, in the Common Council Chambers, 2nd floor, 16 James Street, to hear any and all persons wishing to be heard on the recently passed Local Law Number 1 of 2023 regarding:

**A LOCAL LAW TRANSFERRING AUTHORITY REGARDING THE FIRE POLICE TO THE
FIRE DEPARTMENT**

A full text of Local Law Number 1 of 2023 is available in the office of the Common Council Clerk, City Hall, 16 James Street, Room 12 and on the City Website.

Richard P. McCormack
City Clerk

Publish: 3/1/23 & 3/2/23
City Website

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Masi

Date of Adoption 02.21.23

Index No: LL#1 of 2023

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

LOCAL LAW #1 OF 2023

**A LOCAL LAW TRANSFERRING AUTHORITY REGARDING THE FIRE POLICE
TO THE FIRE DEPARTMENT**

**BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF
MIDDLETOWN AS FOLLOWS:**

Section 1. Purpose of this Enactment. The purpose of this enactment is to transfer authority regarding the Fire Police from the Police Commission to the Fire Department.

Section 2. Paragraph 4 of Section 129 of the Charter of the City of Middletown is hereby deleted in its entirety.

Section 3. Paragraph 5 of Section 129 of the Charter of the City of Middletown is hereby replaced in its entirety to read as follows:

5. To provide by rule or regulation as to the qualifications of a person to be a police officer of said city, or to be chief of police, a lieutenant of police or a sergeant of police of said city; or to be a special police officer; provided, however, that no person not

theretofore a police officer of the city shall receive an original appointment as police officer unless he is over the age of twenty-one years and under the age of thirty-five years; and no person shall be appointed to membership in the police force or continue to hold membership therein, who is not a citizen of the United States or who has been convicted of a felony or who cannot understandingly read or write the English language or who shall not have resided in this state during one year next preceding his appointment; and no person shall continue to hold his position as police officer or as a member of the police force in any capacity after he has reached the age of sixty-five years.

Section 4. Paragraph 7 of Section 129 of the Charter of the City of Middletown is hereby replaced in its entirety to read as follows:

7. To enact, modify and repeal orders, rules and regulations for the government and discipline of the police department; to define the duties of all police officers and of the chief of police, the lieutenants of police and the sergeants of police; and to define the powers and duties of special police officers.

Section 5. Section 159-A of the Charter of the City of Middletown is hereby replaced in its entirety to read as follows:

§ 159-A. The Mayor, after receiving recommendations from the Chief of the Fire Department, shall appoint qualified persons to be fire police of the City of Middletown. The Mayor shall appoint such number of persons to be fire police as he/she deems to be necessary and proper. The persons appointed as fire police shall hold office for one (1) year from time of appointment.

(1) All applicants for appointment as a fire policeman, shall be citizens of the United States, over the age of twenty-one (21) years, residents of the City of Middletown, and members of a volunteer fire company organized in the City of Middletown. No person shall be appointed as a fire policeman who shall have been previously convicted of a felony or a misdemeanor involving moral turpitude.

(2) All persons appointed as fire policemen shall take an oath of office as prescribed by New York General Municipal Law Section 209-c or any successor statute.

(3) No person may take the oath of office as a fire policeman without first completing all of the training required for peace officers and fire police by New York State law and the Division of Criminal Justice Services ("DCJS"), including training in the use of firearms and other weapons and in the use of physical and deadly physical force.

(4) Upon filing the oath of office with the City Clerk, such appointees shall thereupon, as required by New York State law, become vested while on duty with all the powers and shall discharge all the duties of peace officers.

(5) The Chief of the Middletown Fire Department or his/her designee must submit a Peace Officer Registry Entry/Certification of Initial Appointment form to DCJS for each new appointee. However, Section III of this form does not have to be completed; nor does the form have to include the signature of the City's Civil Service Administrator. Additionally, the Chief or his/her designee must annually transmit to DCJS no later than January 15th a list of those peace officers who are members of the fire police squad or those who have ceased to serve in the previous twelve months.

(6) It shall be the duty of the fire police, to detect and prevent fires; to place fire lines so as to provide facilities for the Fire Department to work advantageously; to keep unauthorized persons outside such fire lines; to aid and assist the police department in regulating highway traffic to and from all fires; to enforce all ordinances of the City relating to the protection of the fire department apparatus and members. The fire police shall obey all orders, rules and regulations as promulgated by the Chief or any assistant Chief of the Fire Department. Additionally, fire policemen, when not engaged in actual firefighting duties, are subject to and subordinate to the authority of all police officers, State Troopers, and County Sheriff's deputies.

(7) Fire police are not authorized to carry firearms or weapons while on duty, unless specifically authorized to do so by the Mayor for a specified event; however, no member of the fire police can carry a firearm on duty unless he/she possesses the appropriate license to do so pursuant to Section 400.00 of the New York Penal Law.

(8) The Mayor may at any time he/she deems necessary and for the public interest deputize and appoint for such period as he/she may direct, any fire policeman as a special police officer as provided by § 129 of this Charter and such fire police shall thereupon become vested with and shall discharge all the duties of police officers.

(9) Any fire policeman during the tenure of his/her appointment shall be accorded and possessed with the same rights and privileges if injured or killed while in the active performance of his/her duties as are now accorded and possessed by volunteer firemen by the laws of the State of New York.

(10) Fire police are to be disciplined in the same manner as paid firemen in accordance with Section 157-B of this Chapter. Fire police are subject to and entitled to the protections of all provisions of Section 157-B.

(11) For the purpose of furthering the objects for which they are appointed and in conformity with the requirements of the Fire Department, the fire police are authorized and empowered to form an organization to be known as the Middletown Fire Police; to elect one captain, one sergeant, one roundsman, a secretary and a treasurer, as their officers, and to adopt by-laws for the guidance of the organization not inconsistent with the provisions of this Charter, which by-laws must be approved by the Mayor and Common Council. Such fire police may adopt a uniform, cap and badge for their better identification, subject to the approval of the Chief of the Fire Department.

Section 6. Severability.

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Local Law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law.

Section 4. Effective Date.

This Local Law shall be effective upon filing with the office of the Secretary of State.

LOCALiQ

Observer-Dispatch | Daily Messenger
Times Telegram | New Jersey Herald
Times Herald-Record

PO Box 631202 Cincinnati, OH 45263-1202

PROOF OF PUBLICATION

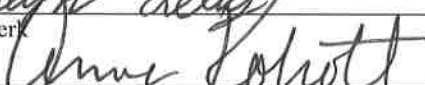
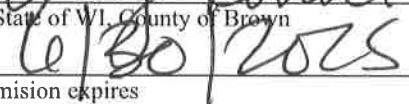
Richard McCormack
NANCY T
Middletown, City
16 JAMES STREET
MIDDLETOWN NY 10940

STATE OF NEW YORK, COUNTY OF ORANGE

The Times Herald-Record, a daily newspaper distributed in the Orange, Ulster, Pike, PA and Sullivan Counties, published in the English language in the City of Middletown, County of Orange, State of New York printed and published and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issues dated on:

03/02/2023, 03/03/2023

and that the fees charged are legal.
Sworn to and subscribed before on 03/03/2023


Legal Clerk

Notary, State of WI, County of Brown


My commission expires

Publication Cost: \$52.46

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AMY KOKOTT
Notary Public
State of Wisconsin

CITY OF MIDDLETOWN NOTICE OF PUBLIC HEARING

Local Law Number 1 of 2023

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, March 7, 2023, on or as near to 7:30 p.m. as possible, in the Common Council Chambers, 2nd floor, 16 James Street, to hear any and all persons wishing to be heard on the recently passed Local Law Number 1 of 2023 regarding:

A LOCAL LAW TRANSFERRING AUTHORITY REGARDING THE FIRE POLICE TO THE FIRE DEPARTMENT

A full text of Local Law Number 1 of 2023 is available in the office of the Common Council Clerk, City Hall, 16 James Street, Room 12 and on the City Website.

Richard P. McCormack
City Clerk

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 03.07.23

Index No: 53-23

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				

**Resolution authorizing an amendment to the City's Credit Card Policy to include the
Superintendent of Recreation**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes an amendment to the City's Credit Card Policy to include the Superintendent of Recreation with an applicable limit of \$2,000.

Leonora Liz

From: Leonora Liz
Sent: Friday, February 24, 2023 5:08 PM
To: Raelynn Bertholf
Subject: Re: Credit Card

This was approved. I will start the process

Kind Regards,

Leonora Liz
(She/Her/Hers)

City Treasurer

City Of Middletown



(W) www.middletown-ny.com | (A) 16 James Street, Middletown, NY 10940 | (P) 845-346-4153 | (F) 845-343-1101

"To handle yourself, use your head; to handle others, use your heart. " – Eleanor Roosevelt

From: Raelynn Bertholf <raelynn@middletown-ny.com>
Sent: Friday, February 24, 2023 12:27:01 PM
To: Joseph DeStefano <mayordestefano@yahoo.com>
Cc: Leonora Liz <LLiz@middletown-ny.com>
Subject: RE: Credit Card

Good afternoon,

Just wondering if there was any thought into getting a credit card for the Recreation Department.

Thank you,

Raelynn Bertholf

Raelynn Bertholf
Superintendent of Recreation
Recreation Department
393 County Rt. 78
Middletown, NY 10940
(845) 346-4180 office
(845) 344-2918 fax

"Commitment to Community"

From: Raelynn Bertholf

Sent: Friday, January 27, 2023 2:12 PM

To: Joseph DeStefano <mayordestefano@yahoo.com> (mayordestefano@yahoo.com) <mayordestefano@yahoo.com>

Cc: Leonora Liz <LLiz@middletown-ny.com>

Subject: Credit Card

Good afternoon,

I would like to know if it's possible to get credit card for the Recreation Department. It would be used for the following situations:

1. Title Boxing is a vendor we have used in the past that no longer takes PO's. They have lower pricing than other comparable vendors we use like Dick's Sporting Good and Amazon.
2. Our boxing gym needs certain permits and certifications for our coach. In the past I pay for it and submit for reimbursement.
3. February 7th we are taking kids to Albany for Legislative Day and will be buying them lunch and submitting for reimbursement.
4. Summer CPR Certifications are reimbursed.
5. We often buy items for Special Events at Sam's Club but they do not take PO's so we either get reimbursed or get it from ShopRite for more money.

Thank you for this consideration,

Raelynn Bertholf

Raelynn Bertholf
Superintendent of Recreation
Recreation Department
393 County Rt. 78
Middletown, NY 10940
(845) 346-4180 office
(845) 344-2918 fax

"Commitment to Community"

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 03.07.23

Index No: 54-23

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				

Resolution accepting a \$7,500 award from the USPCA AKC Reunite K9 Grant Program

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the acceptance of \$7,500 award from the USPCA AKC Reunite K9 Grant for the purchase of a new police K9.

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the creation of a separate budget line for these funds.

JOHN EWANCIW
CHIEF OF POLICE



TELEPHONE
845-343-3151
FAX NUMBER
845-346-4140

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

February 27, 2023

Honorable Joseph M. DeStefano
Mayor- City of Middletown
City Hall
Members of the City of Middletown Common Council
16 James Street
Middletown, NY 10940

RE: USPCA AKC REUNITE K9 Grant

Dear Mayor DeStefano and Members of the Council:

We are requesting permission to accept an award in the amount of \$7,500 from the USPCA AKC Reunite K9 Grant for the purchase of a new police K9.

Upon approval, I am kindly asking that a **separate budget line** item be set up to access these funds.

Very truly yours,



John Ewanciw

JE:ccd

⑧

AKC Reunite
8051 Arco Corporate Drive
Suite 200
Raleigh, NC 27617



Page 1 of 1

Date: 01/24/2023
Check #: 91471
Payment Amount: 7,500.00
Vendor #: VN23940



006873 R3K6T1A
CITY OF MIDDLETOWN POLICE DEPT
2 JAMES ST
MIDDLETOWN NY 10940



Remittance Advice

Invoice Date	Invoice No.	Invoice Description	Invoice Net Amount
01/17/2023	2023-01-17 GRANT	ADOPT A K-9 COP GRANT	7,500.00

PLEASE DETACH BEFORE DEPOSITING CHECK

THIS CHECK CONTAINS MULTIPLE FRAUD DETERRENT SECURITY FEATURES

AKC Reunite
8051 Arco Corporate Drive
Suite 200
Raleigh, NC 27617



66-156/531

Date: 01/24/2023
Check #: 91471

Pay Exactly **Seven Thousand Five Hundred and 00/100 -US Dollars **

Amount
\$****7,500.00

TO THE CITY OF MIDDLETOWN POLICE DEPT
ORDER
OF

WELLS FARGO BANK, N.A.

TE Phillips
Authorized Signer

⑈0000091471⑈ ⑆053101561⑆ 2079900135282⑈

Jeffry Thoelen

Subject: USPCA AKC REUNITE K9 Grant

From: Mark Darnell <k9grantapplication@gmail.com>

Date: January 18, 2023 at 14:02:48 EST

To: Patrick Cunningham <pcunningham@middletownpolice.com>

Subject: USPCA AKC REUNITE K9 Grant

Lt. Cunningham,

I am **PLEASED** to inform you that your USPCA AKC REUNITE K9 Grant Application has been **APPROVED!**

It will take approximately 5-8 weeks to receive the check in the amount of \$7500. Please be advised that you may receive the AKC REUNITE Stickers prior to the check as they are mailed separately.

Congratulations!

The Check will be made out to the entity that is on the W-9 Form. It is the only way we can do it. Thank you for your understanding.

Please Keep This Email and Notify me when you have Received the Check so that I may close your file.

Thank You!

Always Working to Improve Police K9

Mark A. Darnell

USPCA Grant Coordinator

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



**UNITED STATES
POLICE CANINE
ASSOCIATION, INC.**
Celebrating 50 Years

Association Logo

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Quick Links

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[K9 Training Activities](#)

[Donate](#)

Upcoming Events

Thu Feb 23, 2023

[Region 2 Spring Detector Trials](#)

Category: Regional Detector Dog Certification

Sun Mar 26, 2023

[Region 21 Narcotic Detection Certification Trials 2023](#)

Category: Regional Detector Dog Certification

Thru Apr 6, 2023

[Region 3 Iron Dog](#)

Category: Region Event

Sun Apr 9, 2023

[Region 25 Certification Trials](#)

Category: Region Event

Fri Apr 14, 2023

[Region 18 Narcotic Trial](#)

Category: Regional Detector Dog Certification

[View Full Calendar](#)

Our Sponsors





ADOPT A K-9 COP A MATCHING GRANT PROGRAM

Many police K-9 units are suffering budget cuts and town and municipality codes do not allow departments to solicit money. The "Adopt a K-9 Cop" donations from AKC Reunite and AKC Clubs help the police department's need for a new K-9 to become a reality. AKC Reunite will match the funds raised by AKC Clubs three to one, not exceeding \$7,500.



Doc | Loveland Police Department
Sponsoring Club: United States Police Canine Association

To Learn More:

USPCA members can partner with USPCA:
www.uspcak9.com/akc-k9-grant-program

To work with your local AKC dog club:
Visit www.akcreunite.org/k9
Email relief@akcreunite.org



Rebel | Stratford Police Department
Sponsoring Club: Trap Falls Kennel Club



AKC Reunite/USPCA

Adopt a K-9 Cop

Matching Grant Program

Guidelines and Application

The United States Police Canine Association, Inc. (USPCA) and the American Kennel Club (AKC) have agreed to form an alliance. One of the benefits of this alliance is the AKC Reunite, **Adopt a K-9 Cop matching grant**. Our association with AKC allows us to sponsor **USPCA members** for grants to purchase canines. **A maximum of one grant per department and a total of 250 grants will be awarded in 2023.** How this works:

1. Limited to Law Enforcement
2. Departments must agree to display the AKC Reunite car logo on their police vehicle.
3. ***The USPCA can sponsor your requests, but you must be a member of the USPCA.*** [JOIN HERE](#)
You may have your representative or designee join initially, and then if you let us know, we can switch this membership over to the handler. YOU CANNOT JOIN AS A DEPARTMENT.
Membership must follow a handler or administrator. If a handler has not been selected yet, please have an administrator join, and then the membership can be moved to the handler down the road as needed. IF YOU KNOW WHO THE HANDLER IS GOING TO BE, PLEASE HAVE THE HANDLER FILL OUT THE APPLICATION (using the JOIN HERE link above, or by going to www.uspca.org and clicking on join). PLEASE DO NOT FILL OUT AN APPLICATION FOR THE HANDLER IF YOU KNOW WHO THE HANDLER IS GOING TO BE.
4. If your department commits to funding at least \$2500, AKC Reunite Adopt a K9 Cop will grant your department up to 75% of your requested amount, to a maximum amount of \$7500.00 to assist

you with the purchase of your new K9. (example: maximum request of \$10,000 could result in a grant amount to you of \$7500.00)

5. **A letter on department letterhead is needed confirming you have/will be committing \$2500 toward the cost of the police K9.**

6. You must include the following documentation with your application:

- a. Completed W-9
- b. Proof of 501 C-3 status, if applicable

APPLICATION INSTRUCTIONS:

- Applications must be in writing on the designated form. Do not remove or omit any of the application's questions.
- To apply, submit the following application in a hard-copy format (Sections A, B, C D, and E). Emailed versions are acceptable in portable document format (PDF) form only. Do not fax the grant application.
- Retain one copy of the application for your records. Multiple copies, videotapes, or other attachments will not be accepted.
- Do not bind the application with staples or folders or put them into binders, as we must be able to separate and copy the application. Paper clips and binder clips are permitted.
- You will be contacted by telephone or email if there are any discrepancies or concerns regarding the application.
- Applicants will receive a Grant Follow-Up email from AKC REUNITE/AKC Adopt a K9 Cop annually.
- A grant application must be signed by an officer in a supervisory capacity, usually a Lt or higher
- **Please be specific on your application in Section C, Question #2,**

Submit applications to Mark Darnell at the following email: Please note that the grant check will be issued to the agency and address listed on the W9.

k9grantapplication@gmail.com

If you are a Chief, Sheriff, or supervisor applying for this grant and you do not have a handler selected yet, just go ahead and apply using the name listed on the application. Once you get a handler selected, we would be more than happy to move this membership from you to the selected handler within the current year of the application.

If you're wondering what Region you belong to: See below: These are general breakdowns of what Region you should request. Some of the boundaries are not hard fast, so use the closest to you.

Region 1 - Florida

Region 2 - Carolinas

Region 3 - Virginia, Maryland, DC, WV

Region 4 - Massachusetts, into New Hampshire, Vermont

Region 5- Ohio, Indiana, Kentucky

Region 6 - Pennsylvania

Region 7 - New York State

Region 9 - Maine, New Hampshire

Region 10 - Louisiana

Region 11 - Oklahoma

Region 12 - Minnesota, Dakotas

Region 13 - Tennessee

Region 14 - Colorado, Wyoming

Region 15 - New Jersey

Region 16 - Illinois, Missouri

Region 18 - Minnesota, Wisconsin

Region 19 - Michigan

Region 20 - Texas

Region 21 - Iowa

Region 22 - Georgia, Alabama

Region 23 - Western US States (Regions there are inactive at this time)

Region 25 - Texas

Region 26 - Mississippi



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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 03.07.23

Index No: 55-23

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				

**Resolution Authorizing an Agreement with the County Of Orange for STOP-DWI
Enforcement**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the attached contract with the County of Orange for our STOP-DWI enforcement period of March 12, 2023 through January 1, 2024.

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.

FURTHER RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to add this funding to their STOP DWI Budget line A.3141.103.

The total amount of the 1st period award is for 70 hours of service or a dollar amount not to exceed \$4,927. 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.

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

February 27, 2023

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 12, 2023 through January 1, 2024. The total amount of the 1st period award is for 70 hours of service or a dollar amount not to exceed \$4927. 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

ORANGE COUNTY, NEW YORK



Steven M. Neuhaus
County Executive

Coordinator
Brendan R. Casey
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

FROM: Brendan R. Casey, Orange County STOP-DWI Coordinator

DATE: February 17, 2023

Enclosed is your department's contract for the 2023 STOP-DWI (Regular) enforcement patrol year funding **beginning on March 12, 2023 and ending on January 1, 2024**. The contract is for participation for the **full year**. The enclosed contract indicates the Not-to-Exceed total hours and/or dollar amount for the 1st Period beginning on March 11, 2023, and ending on June 1, 2023, in the amount of **\$4927/70**. You will be subsequently notified by letter of the awarded amount of the total dollars/hours 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 VIA FAX (845) 291-2121, EMAIL (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 11th day of March, 2023, 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 11, 2023** and end **January 11, 2024**.

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

MUNICIPALITY

By: _____
Steven M. Neuhaus
County Executive

By: _____
Name: _____
Title: _____

DATE: _____

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 11, 2023 through June 1, 2023, which includes St. Patrick's Day and the Memorial Day holiday weekend.

Second Enforcement Period – July 1, 2023 through September 5, 2023, which includes the Independence Day and Labor Day holiday weekend enforcement campaigns.

Third Enforcement Period – November 11, 2023 through January 1, 2024, 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, 2022 through January 1, 2023, 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 **FOUR THOUSAND NINE HUNDRED TWENTY-SEVEN AND 00/100 (\$4927)** covering **70** man-hours for the first enforcement period of 2023. 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 2023.

COUNTY will notify MUNICIPALITY in writing of its eligibility for awards, if any, for the second and third enforcement period of 2023 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.

Orange County STOP-DWI Enforcement Patrol

Police Department: _____

Patrol Period: _____

Note: This form must be completed and returned to STOP-DWI in order to receive payment.

SUMMARY SHEET

Number of Patrol Sheets Attached: _____

Total Hours: _____

No. of Stops: _____

1192 Arrests: _____

1192 Tickets: _____

511-2 & 511-3 Arrests: _____

Zero Tolerance Detentions: _____

Other Tickets: _____

Total number of tickets issued during this same time where the officers' time was not funded by the STOP-DWI Program:

1192 Tickets: _____

511-2 & 511-3 Tickets: _____

Zero Tolerance Detentions: _____

Other Tickets: _____

Chief's Signature: _____

Please return this Summary Sheet along with all Enforcement Patrol Sheets and hourly/overtime rate for Police Officers with total claim amount to:

Christine Saccone
Emergency Services Center
22 Wells Farm Road
Goshen, NY 10924
EMAIL: csaccone@orangecountygov.com
PHONE: 615-0565 FAX: 291-2121

Department: _____

Address: _____

Chief of Police: _____

Submitted by: _____

Contact Phone #: _____

Date	Officer	Hours	Regular Rate	Overtime Rate	Total
TOTALS:					

Orange County STOP-DWI Enforcement Patrol

Date: _____ Time Began: _____ Beginning Miles: _____
 Police Dept: _____ Time Ended: _____ Ending Miles: _____
 Officer's Name: _____

NOTE: This form must be completed and returned to STOP-DWI in order to receive payment

<i>Time</i>	<i>Location and Reason for Stop</i>	<i>Vehicle Plate #</i>	<i>Sobriety Check (Y/N)</i>	<i>Number of Tickets Issued</i>	<i>1192 Arrest (Y/N)</i>	<i>511-2 511-3 Arrest (Y/N)</i>	<i>Zero Tolerance Detention (Y/N)</i>

Comments: _____

Total Hours: _____
 # of Stops: _____
 #1192 Arrests: _____
 #1192 Tickets: _____
 511-2,3 arrests: _____
 Zero Tol. Det. : _____
 #Other Tickets: _____

Chief's Signature: _____

CITY OF MIDDLETOWN, NEW YORK

**COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 03.07.23

Index No: 56-23

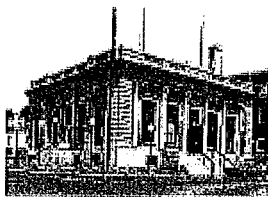
NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

**Resolution authorizing a \$2,500 Budget Transfer for the Purchase of Enhanced
Investigative Flock Software**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$2,500, in the following manner, for the purchase of enhanced investigative Flock Software.

From	Amount	To
A.3120.200	\$2,500	A.3120.400

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

February 15, 2023

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

Dear Mayor DeStefano and Members of the Board of Estimate,

I am requesting that the City of Middletown Common Council approve the following transfers within our 2023 budget lines:

From	Amount	To
A.3120.200 Other equipment	\$2,500	A.3120.400 Contractual Services

This transfer is being requested for the purchase of enhanced investigative Flock Software.

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 Ald. _____

Sec'd by Ald. _____

Date of Adoption 03.07.23

Index No: 57-23

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				

Resolution establishing the 2023 Spring Clean Up and Electronic Drop off Dates

RESOLVED; that the Common Council of the City of Middletown established the following schedule for the 2023 annual spring clean-up and electronic drop off event.

Spring Clean Up will begin on Monday April 17, 2023 in the First Ward, April 24, 2023 in the Fourth Ward, May 1, 2023 in the Third Ward and will end the week of May 8, 2023 in the Second Ward. The pickup schedule is attached.

Following the Spring Clean Up, an Electronics Drop Off Event for City residents will be scheduled for Saturday May 20, 2023 from 8:00am until 3:00pm, under the same conditions as per previous years with drop off to be located at DPW facilities at 76 Monhagen Ave. DPW employees will be present to assist in the operation.

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Commissioner of Public Works be able to hire Advanced Recycling at a price of \$1,800 per day for picking up the electronic recycling.

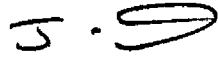
DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: February 28, 2023

To: Honorable Mayor DeStefano, Honorable Members of the Board
of Estimate and Apportionment, Members of the Common Council

Cc: Leonora Liz, Treasurer, Richard McCormack, Clerk

From: Jacob Tawil, Commissioner of Public Works 

Re : 2023 Spring Annual Clean Up Week and Electronics Drop Off Event

We are respectfully requesting a resolution approving the attached dates for the City's annual spring clean-up and electronic drop off event.

Spring Clean Up will begin on Monday April 17, 2023 in the First Ward, April 24, 2023 in the Fourth Ward, May 1, 2023 in the Third Ward and will end the week of May 8, 2023 in the Second Ward. The pickup schedule is attached.

Following the Spring Clean Up, an Electronics Drop Off Event for City residents will be scheduled for Saturday May 20, 2023 from 8:00am until 3:00pm, under the same conditions as per previous years with drop off to be located at DPW facilities at 76 Monhagen Ave. DPW employees will be present to assist in the operation. We are requesting authorization that the Commissioner of Public Works be able to hire Advanced Recycling at a price of \$1,800 per day for picking up the electronic recycling.

2023 CITY OF MIDDLETOWN SPRING ANNUAL CLEAN UP WEEK

Bulk Trash Pick-up for all single and two family homes

We will pick up no more than 12 items.

Once trash is picked up on your street, trucks **WILL NOT** return.

ONLY 12 ITEMS will be picked up.

The City will remove additional items and a bill will be issued for the work required.

Only 4 tires off-rims per house will be picked up.

NO ADDITIONAL NOTIFICATION WILL BE GIVEN PRIOR TO PICKUP.

An item is a single large item, couch, chair, etc., or box of smaller items. The material must be placed on the curb and separate from the household garbage since different crews pick up garbage.

We **will not pick up** stone, dirt, car parts, construction debris, or hazardous waste including **TVs, computer monitors, computer towers, and batteries**. New York State law prohibits any resident from placing any electronic device on the curb or sidewalk for pickup.

Please visit www.middletown-ny.com for locations where you can dispose of your electronics. Appliances must have the doors removed to protect the City's children. Refrigerators shall be freon free prior to placement on the curb for pickup.

VIOLATORS OF THESE DIRECTIVES MAY BE PROSECUTED IN CITY COURT.

CLEAN UP SCHEDULE

First Ward – April 17, 2023

(Set out Sunday evening, April 16, 2023)

Fourth Ward – April 24, 2023

(Set out Sunday evening, April 23, 2023)

Third Ward – May 1, 2023

(Set out Sunday evening, April 30, 2023)

Second Ward – May 8, 2023

(Set out Sunday evening, May 7, 2023)

***Electronic Drop Off Day has been designated for City residents only on
Saturday May 20, 2023 from 8:00AM until 3:00PM located at the DPW
recycling center
(76 Monhagen Ave.)**

If you are unsure as to which Ward you reside you can check the map on our website or call DPW at 343-3169 for determination.

Joseph M. DeStefano
Mayor

J. Miguel Rodrigues
Alderman-at-Large

Jacob S. Tawil, P.E.
Commissioner of Public Works

Ross Mastria
Deputy Commissioner

CITY OF MIDDLETOWN, NEW YORK

**COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 03.07.23

Index No: 57-23

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				

Resolution authorizing a \$7,000 Budget Transfer for the Purchase and Installation of a Fence

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$7,000, in the following manner, to install fencing on city-owned property located on Brewster Drive next to house number 5.

The Proposed fence will discourage unauthorized access to the area while including gates to accommodate the city's equipment as needed to access the area

FROM	AMOUNT	TO
General Fund Balance	\$7,000	A.1490.200
		Other Equipment

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: March 1, 2023
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

I am requesting a transfer from the General Fund to Contractual Services to install fencing on city owned property located on Brewster Drive next to house number 5.

The Proposed fence will discourage unauthorized access to the area, while including gates to accommodate city's equipment as needed to access the area

FROM	AMOUNT	TO
1. General Fund	\$7,000	A.1490.400 Contractual Services

Thank you.

MC

KETCHAM FENCING, INC.

19 Borden Street
Otisville, New York 10963
(845) 386-1161
(845) 218-7976 Fax
www.KetchamFence.com
Ketchamfence@yahoo.com

PROPOSAL SUBMITTED TO City of Middletown	PHONE 845-741-6119	DATE 2/21/23
STREET John St	JOB NAME Security Fence	
CITY, STATE AND ZIP CODE Middletown, NY	JOB LOCATION Brewster Dr Next to #5	
ARCHITECT Gerald Ketcham & Ross	EMAIL rmastriva@middletownny.com	FAX

We Propose hereby to furnish material and labor – complete in accordance with specifications below, for the sum of.
See Below

Payment to be made as follows: **Net 30 – Cash, Check or Credit Card**

ALL MATERIAL IS GUARANTEED TO BE AS SPECIFIED. ALL WORK TO BE COMPLETED IN A WORKMANLIKE MANNER ACCORDING TO STANDARD PRACTICES. ANY ALTERATIONS OR DEVIATION FROM SPECIFICATIONS BELOW INVOLVING EXTRA COSTS WILL BE EXECUTED ONLY ON WRITTEN ORDERS, AND WILL BECOME AN EXTRA CHARGE OVER AND ABOVE THE ESTIMATE. ALL AGREEMENTS CONTINGENT UPON STRIKES, ACCIDENTS OR DELAYS BEYOND OUR CONTROL, OWNER TO CARRY FIRE, TORNADO AND OTHER NECESSARY INSURANCE. OUR WORKERS ARE FULLY COVERED BY WORKMAN'S COMPENSATION INS.

Authorized Signature: **Gerald Ketcham**

Note: This proposal may be withdrawn by us if not accepted within **30 days**

We hereby submit specifications and estimates for:

OVERALL LENGTH- **45'**

OVERALL HEIGHT- **48"**

DRIVE GATE- **2 – 12' Double Swing**

CHAIN LINK- **Galvanized**

WIRE MESH- **2"**

WIRE GAUGE- **9**

DIAMETER TERMINAL POST- **2 1/2"**

DIAMETER LINE POST- **2"**

DIAMETER TOP RAIL- **1 5/8"**

DIAMETER GATE FRAME- **1 5/8"**

DIAMETER GATE POST- **3"**

TENSION WIRE - **7 Gauge for the Bottom**

LINE POST SPACING - **10' or less**

FENCE TO FOLLOW GENERAL CONTOUR OF GROUND

ALL POSTS SET IN CONCRETE

ALL PIPE 40 WEIGHT

Supply and Install:

45' x 48" Commercial Grade Galvanized Chain Link Fence

Includes:

2 – 12' Double Swing Gates

Material, Labor & Equipment: \$6,890.00

Prevailing Wages Applied

LATE PAYMENT CHARGES at the rate of 1.5% per month or an annual percentage rate of 18% will be charged on all accounts over 30 days past billing date.

"In the event Ketcham Fence must retain a collection agency or law firm to collect past due balances owed to Ketcham Fence, you agree to pay any and all collection agency fees, court costs, attorney fees or incidental costs associated with collecting"

RESPONSIBILITY OF BUYER. I agree to locate and identify the property line, easements and all underground cables and pipes. I agree that I am solely responsible for the location of the fence described in this proposal. I will also defend Ketcham Fencing Inc. and reimburse them for all costs in connection with any claims made by anyone about the location of the fence. I am responsible for any special work described on the back of this proposal.

CUSTOMER IS ALSO RESPONSIBLE FOR any necessary permits or variances.

CONTRACTS INCLUDING INSTALLATION of fence are based on the condition that the entire work can be completed without interruption. If the work is interrupted for any reason due to change or delays on the part of the Purchaser, an extra charge covering the time lost and the extra expenses incurred will be made. UNTIL COMPLETE PAYMENT HAS BEEN MADE for the entire job, all materials used thereon shall be the property of the seller, and the seller shall at its option, in the event of a default in any of the payments, remove the materials whether they be attached, or may otherwise appear to be part of the realty, without any recourse against the seller. Until final payment, all fences shall be deemed to be personality, and title shall remain with the seller.

Acceptance of Proposal. The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

Date of Acceptance _____

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald.

Date of Adoption 03.07.23

Index No:

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 MOVE THE ACCOUNTS BE AUDITED, THE CLAIMS ADJUSTED AND THE
TREASURER BE AUTHORIZED TO ISSUE WARRENTS FOR THEIR PAYMENTS**