



**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
APRIL 18, 2023**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
4. CORRESPONDENCE, COMMUNICATION AND REPORTS
5. FOR THE GOOD OF THE CITY
6. REMARKS OF THE MAYOR
7. REMARKS OF THE DEPARTMENT HEADS
8. PUBLIC HEARINGS AND GRIEVANCES
 - 8.1 Public Hearing: Prohibition on Short-Term Rentals in the City of Middletown
9. PETITIONS AND COMPLAINTS
10. REMARKS OF THE ALDERMAN AND REPORTS OF THE COMMITTEES
11. UNFINISHED BUSINESS
12. NEW BUSINESS
 - 12.1 Resolution authorizing a \$35,133.59 Budget Transfer for a Permanent Restroom at Davidge Park
 - 12.2 Resolution authorizing a proposal from BFJ Planning for a Master Plan for the Middletown Transportaion Center site.
 - 12.3 Resolution accepting a donation from the Olde Erie Brewpub and Grille for the City for the City-wide Clean-Up
 - 12.4 Resolution Authorizing an Agreement with Civic Plus for a New City Website
 - 12.5 Resolution approving the Memorandum of Agreement between the Middletown Civil Service Association (CSEA) and the City of Middletown

12.6 Resolution Waiving Fees Side Walk Sales in the Business Improvement District from Friday, May 5, 2023, through Sunday, May 7, 2023

12.7 Resolution Confirming the Mayor's Appointment of Ray Pantel to the Electrical Board

12.8 Resolution amending Resolution 67-23, dated April 4, 2023, to Increase the Funding Award to \$17,000

12.9 Resolution Approving the Volunteer Firefighters Length of Service Award Program (LOSAP) List for 2022

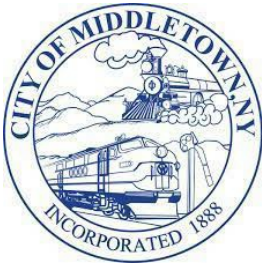
12.10 Resolution awarding the 2023 Street Materials & Asphalt Materials Bid

13. LOCAL LAWS

14. AUDIT OF CLAIMS AND ACCOUNTS

14.1 Resolutions Directing the Audit of Claims and Accounts

15. ADJOURNMENT



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: April 18, 2023

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				

Public Hearing: Prohibition on Short-Term Rentals in the City of Middletown

CITY OF MIDDLETOWN

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, April 18, 2023, on or as near to 7:30 p.m. as possible, Common Council Chambers, 2nd floor, 16 James Street, to hear any and all persons wishing to be heard on a proposed zoning amendment to Section 475 by adding a new Section 475-35-1, Short-Term Rentals, to read as follows:

475-35-1. Short-Term Rentals. The short-term rental of a residential property or a portion thereof for a period of less than thirty (30) days is prohibited in all zoning districts in the City of Middletown, subject to certain exemptions available on the website in the Office of the City Clerk.

Any and all persons wishing to be heard will be given an opportunity to speak either for or against the

proposed zoning amendment.

The complete proposed zoning amendment is available in the office of the Common Council Clerk, City Hall, 16 James Street, room 12, and on the City Website.

For any person unable to participate at the time of the public hearing, email comments may be submitted in advance to rmccormack@middletown-ny.com

By the order of the Common Council.

Richard P. McCormack

Clerk of the Common Council

Publish: 4/13/23 & 4/14/23

City Website

ATTACHMENTS:

[Short Term Rentals.pdf](#)

[OC Planning Referral: Short Term Rental Prohibition.pdf](#)

[PH Notice Zoning Amendment Short Terms Rentals.pdf](#)

[Short Term Rentals Affidavit.pdf](#)

[Orange County Planning Sign Off](#)

RESOLUTION

WHEREAS, various complaints are being received by the City regarding short-term rentals in residential dwellings.

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

Section 1 – The Code of the City of Middletown, N.Y., Chapter 475, Zoning, is hereby amended by adding a new Section 475-35-1, Short-Term Rentals, to read as follows:

475-35-1. Short-Term Rentals. The short-term rental of a residential property or a portion thereof for a period of less than thirty (30) days is prohibited in all zoning districts in the City of Middletown, subject to the following exemptions:

A. A legally operating commercial hotel/motel is not subject to this prohibition;

B. Short-term rentals of property during emergencies affecting the City of Middletown declared by any federal, state, county or City authority shall not be subject to this prohibition, provided that the owner of the property obtains permission for the rental from the Commissioner of Public Works; and

C. Family members who are granted the use of premises without charge shall not be subject to this prohibition.

Nothing in this Section shall be construed as amending or excusing compliance with the provisions of Section 475-35 of the Zoning Code.

Section 2 - The Code of the City of Middletown, N.Y., Chapter 296, Housing, is hereby amended by adding a Subsection C, Short-Term Rentals, to Section 296-18, Term of permit; renewal, to read as follows:

C. Short -Term Rentals. No permit may be issued for short-term rentals of less than thirty (30) days, except as provided in Section 475-35-1 of the Zoning Code.

Section 3 - The Code of the City of Middletown, N.Y., Chapter 296, Housing, is hereby amended by adding a Subsection C, Short-Term Rentals, to Section 296-36, Term

of rental permit; renewal, to read as follows:

C. Short -Term Rentals. No permit may be issued for short-term rentals of less than thirty (30) days, except as provided in Section 475-35-1 of the Zoning Code.

Section 4 - This ordinance shall take effect immediately.



Orange County Department of Planning

124 Main Street
Goshen, NY 10924-2124
Tel: (845) 615-3840
Fax: (845) 291-2533

Alan J. Sorensen, AICP
Commissioner
www.orangecountygov.com/planning

Coversheet: NYS General Municipal Law (GML) §239-l, m, and n Referral

This coversheet should be completed by the local board having jurisdiction. GML 239 coversheets submitted by an applicant's design professional will no longer be accepted without the signature of the responsible referring local board municipal official or their designated administrative assistant (for example city, village or town clerk, planning or zoning board chairperson or secretary). Please include all materials that are part of a "full statement" as defined by NYS GML §239(m), as "all materials required by and submitted to the referring body as an application on a proposed action". Emails with this coversheet, municipal board signature and full statement to landuseprojects@orangecountygov.com are acceptable.

Referral ID No.: County Use Only

Municipality: Middletown, City

Tax Map No.:

Local Referring Board: City Council

Tax Map No.:

Applicant: City of Middletown, Common Council

Tax Map No.:

Project Name: City-wide Prohibition on Short-Term Rentals

Local File No.:

Location of Project Site: City-Wide

Zoning District:

Reason for County Planning Review (e.g. within 500 ft. of a Municipal Boundary

Type of Review:

☐ Comprehensive Plan Update/Approval

☒ Zoning Amendment

☐ Zoning District Change, from to

☒ Ordinance Modification, cite section:

☐ Local Law:

☐ Site Plan, non-residential sq. ft. proposed:

Which approval is the applicant seeking? ☐ SKETCH / ☐ PRELIMINARY / ☐ FINAL

☐ Subdivision, number of lots proposed:

Which approval is the applicant seeking? ☐ SKETCH / ☐ PRELIMINARY / ☐ FINAL

☐ Special Use Permit:

☐ Lot Line Change:

☐ Variance: ☐ AREA / ☐ USE

☐ SEQRA:

☐ Other:

Local Board comments/elaboration:

Richard P. McCormack

3/29/2023

City Clerk

Name/Signature of local official

Date

Title

Municipal Contact Phone No.: 845-346-4168

**CITY OF MIDDLETOWN
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Any and all persons wishing to be heard will be given an opportunity to speak either for or against the proposed zoning amendment.

The complete proposed zoning amendment is available in the office of the Common Council Clerk, City Hall, 16 James Street, room 12, and on the City Website.

For any person unable to participate at the time of the public hearing, email comments may be submitted in advance to rmccormack@middletown-ny.com

By the order of the Common Council.

Richard P. McCormack
Clerk of the Common Council

Publish: 4/12/23 & 4/13/23
City Website

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:

04/13/2023, 04/14/2023

and that the fees charged are legal.
Sworn to and subscribed before on 04/14/2023

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$70.12

Order No: 8692224

Customer No: 684389

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THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

NICOLE JACOBS
Notary Public
State of Wisconsin

CITY OF MIDDLETOWN NOTICE OF PUBLIC HEARING

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By the order of the Common Council.

Richard P. McCormack
Clerk of the Common Council
City Website



Steven M. Neuhaus
County Executive

Orange County Department of Planning

124 Main Street
Goshen, NY 10924-2124
Tel: (845) 615-3840
Fax: (845) 291-2533

Alan J. Sorensen, AICP
Commissioner

www.orangecountygov.com/planning
planning@orangecountygov.com

County Reply – Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l, m, & n

Local Referring Board: City of Middletown Common Council
Applicant: City of Middletown Common Council
Project Name: Short Term Rental Zoning Amendment
Proposed Action: Zoning amendment to prohibit short-term rentals of less than thirty (30) days in all zoning districts within the City of Middletown, subject to certain exemptions.
Reason for County Review: Zoning Amendment
Date of Full Statement: April 10, 2023

Referral ID #: MTC 03-23M

Tax Map #: City Wide

Local File #: None Provided

Comments:

The Department has received the above referenced site plan and has found no evidence that significant intermunicipal or countywide impacts would result from its approval. We have no advisory comments regarding this project.

County Recommendation: Local Determination

Date: April 11, 2023

Prepared by: Obed Varughese
Planner

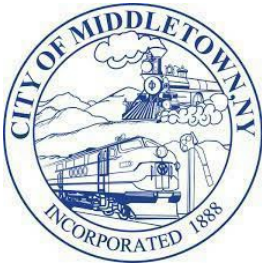

Alan J. Sorensen, AICP
Commissioner of Planning

As per NYS General Municipal Law 239-m & n, within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available on-line at www.orangecountygov.com/planning.

RECEIVED

APR 17 2023

**CITY CLERK
CITY OF MIDDLETOWN**



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: April 18, 2023

Index No: 84-23

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 \$35,133.59 Budget Transfer for a Permanent Restroom at Davidge Park

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer the remainder of the money in the Reservoir Restroom Capital Project H.0764.900 to a new Capital Project line allowing them to put a much-needed permanent restroom in the back of Davidge Park near shelters 1 & 2.

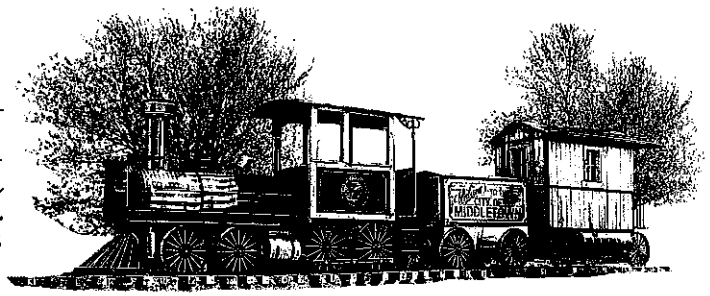
FROM	AMOUNT	TO
H.0764.900 Reservoir Restroom General Expense	\$35,133.59	H.0764.01 Parks and Rec- Davidge Park Restrooms

ATTACHMENTS:

[Transfer of Capital \\$.pdf](#)

Middletown Recreation and Parks Department

393 CR-78, Middletown, New York 10940 Tel: (845)346-4180 Fax: (845)344-2918



Tuesday, April 11, 2023

RE: Transfer of Capital Budget Funds

Dear Board of Estimates & Council Members:

The Recreation & Parks Department is requesting authorization for the Treasurer to transfer the remainder of the money in the Reservoir Restroom Capital Project H.0764.900 to a new Capital Project line allowing us to put a much-needed permanent restroom in the back of Davidge Park near shelters 1 & 2.

There is \$35,133.59 left in H.0764.900. \$25,000 of the \$75,000 original budget was ARPA money.

As per the Deputy Commissioner of the Parks Department the estimated cost to install a new bathroom would be \$29,435.

\$10,500.00 – Electric Work

\$7,835.00 – 10X 20 Shed

\$5,500.00 – Plumbing Work

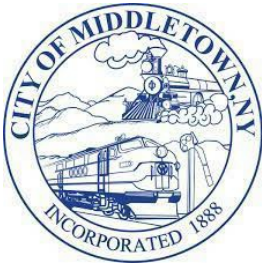
\$600.00 – Item 4

\$5,000.00 – Material & Supplies

Sincerely,

A handwritten signature in black ink, appearing to read "RaeLynn Bertholf".

RaeLynn Bertholf, Superintendent of Recreation
Middletown Recreation & Parks Department



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: April 18, 2023

Index No: 85-23

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 proposal from BFJ Planning for a Master Plan for the Middletown Transportation Center site.

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes a proposal by BFJ regarding the preparation of a Master Plan for the Middletown Transportation Center site and vicinity.

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 proposal.

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the use of \$55,000.00 of ARPA funds to pay BFJ for their work as presented in the proposal.

FROM	AMOUNT	TO
A.4785-ARPA Project	\$55,000	H.0996.900- INFILL DEVELOPMENT PROJECT

ATTACHMENTS:

BFJ_Middletown TOD Plan proposal_REVISED-03_29_23.pdf
Downtown Infill Project Master Plan Proposal.pdf

March 29, 2023

Mayor Joseph DeStefano
City of Middletown
16 James Street
Middletown, NY 10940

Subject: Revised Proposal for Transit-Oriented Development (TOD) Master Plan

Dear Mayor DeStefano:

To follow up on our recent discussions and my calls with Jonathan Drapkin, BFJ is pleased to submit a revised proposal to prepare a TOD Master Plan for the Middletown Transportation Center site and vicinity. This project will build from our previous work for the City on a conceptual redevelopment plan for the site, and would be undertaken in coordination with the Orange County Planning Department to ensure consistency with both their planned bus terminal parking improvements and objectives for connectivity with the Heritage Trail.

As discussed with Mr. Drapkin, we have eliminated the market analysis portion of our prior proposal, as the City has confidence in the market based on guidance from its market advisor, the success of recent housing development in the vicinity, and known development in the pipeline. We have also revised the project phasing to expedite the Request for Expressions of Interest (RFEI) in light of the anticipated timing of available State funding that could be brought to development at the site.

This proposal letter sets forth our proposed project approach, scope of work, timeline and budget for completing the requested work. This approach is designed to be flexible according to the City's needs and the timing considerations for the County, which needs to finalize the planned transit improvements in the short-term. We have structured the project as a single phase, culminating in a report that can enable the City to issue a formal Request for Proposals for development of the site according to a Preferred Development Scenario. After that point, our future work would be based on further discussion with the City. We would envision that BFJ could assist with coordination on the RFP, if needed, and we would also be available to assist the City with any zoning revisions that are needed to facilitate a shovel-ready site that can accept the selected developer program. Finally, once a developer has been engaged and submitted actual plans, we can assist with site plan and SEQR review; that work would likely be funded by the developer via an escrow account.

CHARLOTTE, NC
CHATHAM, NJ
CHICAGO, IL
NEW YORK, NY
PITTSBURGH, PA
STAMFORD, CT
WASHINGTON, DC

PAUL BUCKHURST Ariba, AICP
FRANK S. FISH FAICP
GEORGES JACQUEMART PE, AICP
SARAH K. YACKEL AICP

BUCKHURST FISH
& JACQUEMART, INC.
115 FIFTH AVENUE
NEW YORK, NY 10003
T. 212.353.7474
F. 212.353.7494

WWW.BFJPLANNING.COM

SCOPE OF WORK

Task 1: Project Kickoff and Baseline Analysis

This task will begin with a series of online meetings with City staff, followed by in-person meetings (which could be held on one day) with City and County representatives to confirm our understanding of the master plan parameters and requirements:

- Online meetings/calls will allow BFJ to identify the City's goals and begin to gather information in advance of in-person meetings.
- Meeting with City staff to confirm site limitations with regard to ownership, leasing agreements, contamination, and infrastructure, and the status of addressing these limitations.
- Meeting with City staff and the City's market advisor (Paul Adler from Rand Commercial) to confirm previous work undertaken on the market for residential and commercial uses. (Note that this meeting could be virtual if needed, based on Mr. Adler's availability.)
- Meeting with County Planning staff to confirm the required needs for the bus terminal, including parking, number of stalls, and timing for improvements/funding. City staff should attend this meeting, and if possible, representatives from Coach USA should also be in attendance.

With the completion of this baseline analysis, at the conclusion of this task, BFJ should be able to confirm the general location of the transit component of the project, allowing the County to confirm route locations as part of its overall bus network redesign.

Task 2: TOD Scenarios

Development Concepts

The analysis completed in the prior tasks will act as a framework for the development of a proposed concepts for the TOD Master Plan. BFJ will prepare two (2) development concepts to illustrate reasonable approaches for future site development. Options will be considered for:

- Mixes of uses (i.e. residential, retail, other commercial uses)
- Building density and scale
- Potential for "green" buildings/infrastructure and technological improvements (e.g. Wi-Fi and EV charging infrastructure).
- Open space and landscape
- Site access
- Access to the Heritage Trail and other amenities

The two draft scenarios will build from prior BFJ efforts, as informed by updated conditions and further input from the County in Task 1 above. These options would be reviewed at a meeting with the City, after which we will agree on the Preferred Development Program.

Confirmation of the Preferred Development Program will enable the County to proceed with the transit improvement piece of the project, utilizing existing available funding. For the City’s part, the rest of the process will involve engaging the development community to implement the mixed-use portion of the Preferred Development Program, and refining the program to a sufficient level to issue an RFP.

Preliminary Zoning Envelope

Based on the Preferred Development Program agreed to in Task 1, BFJ will identify the key zoning parameters, at a minimum building height and floor area ratio (FAR), that would be required for the development. We have found that having a basic set of required zoning parameters and other factors is necessary to ensure that, when going out to the development community, the municipality has a common baseline, allowing for an “apples to apples” comparison of submissions.

Request for Expressions of Interest

BFJ will draft a Request for Expressions of Interest (RFEI) to be issued by the City to the development community, inviting developers to submit their input and questions regarding the Preferred Development Program. The RFEI will outline the City’s Preferred Development Program and identify any zoning changes that the City is prepared to undertake to facilitate that program. Importantly, the RFEI will ask that developers identify any additional zoning changes or other actions needed to fully prepare the site for development. This feedback will be incorporated into the final report that will form the basis of the developer RFP.

Preliminary Site Plan and Final Report

Based on input from the development community and further refinement with the City, we will develop a preliminary site plan illustrating land uses, building layouts, circulation, and open space resources. The program will also indicate residential types and densities and will illustrate, as appropriate, potential gateway areas and special corridors. We will draft a short final report that summarizes the Preferred Development Scenario, the zoning and any other City actions needed to implement the program, and the preliminary site plan.

Our proposed scope ends with the final report. After that point, we would discuss with the City the need for any additional work by BFJ, including assistance with the RFP and zoning revisions, and would provide a scope and fee for such work accordingly.

BUDGET

As shown in the table below, we have estimated a fee of \$55,000 for the two project tasks outlined above.

Task 1: Project Kickoff and Baseline Analysis	\$10,000
Task 2: TOD Scenarios (including RFEI)	\$45,000
Total	\$55,000

SCHEDULE

The project schedule is driven by the City's objective to prepare the site and position future development to obtain State funding, as well as the County's need to confirm bus route locations at the TOD site as soon as possible.

The timeline below illustrates a roughly 2-3 month process. We assume the in-person kickoff meetings would occur on April 24. With a contract in place, we can be working with the City to obtain necessary documentation from the County in advance of those meetings, to expedite decision-making on the location of the transit facility. In addition, we can begin working on the RFEI early-on, in terms of outlining and agreeing on its components, so that, when the Preferred Development Scenario is identified during Task 2, the RFEI can be released to the development community and resulting input can be integrated into the preliminary site plan and final report.

Task	April	May	June
Phase 1: Selection of Preferred Development Program			
Task 1: Project Kickoff and Baseline Analysis			
Task 2: TOD Scenarios			
Client Meeting			

STAFFING

The BFJ Team would consist of myself as principal-in-charge, with Jonathan Martin as project manager and urban designer. As you know, Jonathan prepared the TOD concepts in our prior work and is thus quite familiar with the site. He also has comparable experience with this type of work, for example on the Harriman project and a TOD planning effort including developer procurement on behalf of the Village of Scarsdale. Principals Frank Fish and Georges Jacquemart would provide guidance on zoning/developer procurement and transportation, respectively. Resumes for all proposed staff are attached to this proposal.

We are pleased to be considered for this opportunity and look forward to working with the City on a project with significant potential to further its downtown revitalization. A countersignature below will serve as authorization to proceed with work on the scope of work described above. Please don't hesitate to contact me at 212-353-7458 or s.favate@bfjplanning.com should you have any questions or need additional information.

Sincerely,



Susan Favate, AICP, PP
 Principal

Middletown Revised TOD Master Plan Proposal
March 29, 2022
Page | 5

AUTHORIZATION OF WORK

Agreed to:

Mayor Joseph DeStefano
City of Middletown, NY

Date

CITY OF MIDDLETOWN
Office of Economic & Community Development

April 12, 2023

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

RE: Transit-Oriented Development Master Plan

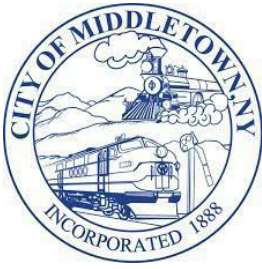
Dear Members:

I am requesting authorization to accept the proposal from BFJ Planning and for the Mayor to sign and agree to the work proposed by BFJ regarding the preparation of a Master Plan for the Middletown Transportation Center site and vicinity.

Also, authorization to utilize \$55,000.00 of ARPA funds to pay BFJ for their work as presented in the proposal.

Thank you for your attention to this matter.

Maria Bruni, Director
Economic & Community Development



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: April 18, 2023

Index No: 86-23

Names	Ayes	Noes	Abstain	Absent
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Ald. Masi				
Pres. Rodrigues				
Total				

Resolution accepting a donation from the Olde Erie Brewpub and Grille for the City for the City-wide Clean-Up

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and accepts a donation of \$50 from DeStefano's Olde Erie Brewpub & Grille, LLC for the City's Annual Clean-Up Day and authorizes the Treasurer to deposit the funds to line A.2705.01 City Wide Pride -Gift and Donations.

ATTACHMENTS:

[Accept a Donation from Olde Erie.pdf](#)



Richard P. McCormack
City Clerk, Registrar

CITY OF MIDDLETOWN

Office of the City Clerk, Registrar & Common Council Clerk

16 James Street, Middletown, NY 10940

Tel: (845) 346-4166 Fax: (845) 344-5428 www.middletown-ny.com

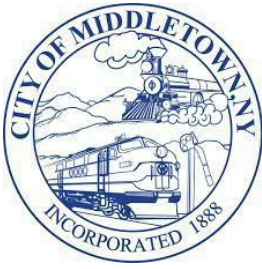
To: Mayor DeStefano, Council President Rodrigues, Members of the Board of Estimate and Members of the Common Council

From: Rick McCormack, City Clerk

CC: Leonora Liz, City Treasurer

RE: Authorization to accept a donation from DeStefano's Olde Erie Brewpub & Grille, LLC

Requesting that the Board of Estimate accepts a donation of \$50 from DeStefano's Olde Erie Brewpub & Grille, LLC for the City's Annual Clean-Up Day.



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: April 18, 2023

Index No: 85-23

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 Civic Plus for a New City Website

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes an agreement with Civic Plus, for 37,500, for a new City website. The new website will incorporate the current Police Department site and the Middletown Business Improvement District website.

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 said agreement.

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the use of \$37,500 in ARPA funds*to cover the unanticipated expense.

FROM	AMOUNT	TO
ARPA FUNDS	\$37,500	A.1010.400 Common Council Clerk – Contractual Services

*The Middletown Business Improvement District will reimburse the City \$4,560 (\$3,700 One-time and \$860/yr , annual maintenance fee), which is the cost of migrating and hosting their webpages. The BID will continue to reimburse the City for the annual maintenance fee moving forward,)

ATTACHMENTS:

Middletown NY - Engage Premium Contract v3.pdf
Civic Plus Website REVISED.pdf
Civic Plus Memo REVISED.pdf

**CivicPlus**

302 South 4th St. Suite 500
Manhattan, KS 66502
US

Quote #:

Q-40753-1

Date:

3/29/2023 3:54 PM

Expires On:

4/28/2023

Client:

MIDDLETOWN, NEW YORK

Bill To:

MIDDLETOWN, NEW YORK

SALESPERSON	Phone	EMAIL	DELIVERY METHOD	PAYMENT METHOD
Pete Vagnone	785-222-4909	pete.vagnone@civicplus.com		Net 30

QTY	PRODUCT NAME	DESCRIPTION	PRODUCT TYPE
1.00	Annual - CivicEngage Central	Annual - CivicEngage Central	Renewable
1.00	Hosting & Security Annual Fee - CivicEngage Central	Hosting & Security Annual Fee - CivicEngage Central	Renewable
1.00	SSL Management – CP Provided Only	SSL Management – CP Provided Only 1 per domain (Annually Renews)	Renewable
1.00	DNS and Domain Hosting Setup (http://URL)	DNS and Domain Hosting Setup (https://www.middletown-ny.com/en/)	One-time
1.00	DNS and Domain Hosting Annual Fee (http://URL)	DNS and Domain Hosting Annual Fee (https://www.middletown-ny.com/en/)	Renewable
1.00	Premium Implementation - CivicEngage	Premium Implementation	One-time
328.00	Content Development - 1 Page - CivicEngage	Content Development - 1 Page - CivicEngage	One-time
6.00	System Training (4h, virtual) - CivicEngage	CivicEngage System Training - Virtual, Up to 4 Hours	One-time
1.00	Agendas & Minutes Migration - PDF - 100 Meetings - CivicEngage	Content Migration : Agendas & Minutes - Per 100 Meetings (Approx. 1 year)	One-time
1.00	48 Month Redesign Premium Annual - CivicEngage Central	48 Month Redesign Premium Annual - CivicEngage Central	Renewable
1.00	Premium Department Header Package - CivicEngage	Page specific Site ID, Navigation, Banner, Graphic Links, Colors; follows main site layout.	
1.00	Premium Department Header Annual Fee - CivicEngage	Premium Department Header Annual Fee: 'Department Name'	Renewable

QTY	PRODUCT NAME	DESCRIPTION	PRODUCT TYPE
1.00	Premium Department Header Implementation - CivicEngage	Premium Department Header Implementation	One-time

List Price - Year 1 Total	USD 45,104.00
Total Investment - Initial Term	USD 37,373.58
Annual Recurring Services - Year 2	USD 8,813.07

Initial Term & Renewal Date	12 Months
Initial Term Invoice Schedule	100% Due at Start Date

Renewal Procedure	Automatic 1 year renewal term, unless 60 days notice provided prior to renewal date
Renewal Invoice Schedule	Annually on date of signing
Annual Uplift	5% starting in Year 2

This Statement of Work ("SOW") shall be subject to the terms and conditions of the CivicPlus Master Services Agreement and the applicable Solution and Services terms and conditions located at <https://www.civicplus.help/hc/en-us/p/legal-stuff> (collectively, the "Binding Terms"), By signing this SOW, Client expressly agrees to the terms and conditions of the Binding Terms throughout the term of this SOW.

Acceptance

The undersigned has read and agrees to the following Binding Terms, which are incorporated into this SOW, and have caused this SOW to be executed as of the date signed by the Customer which will be the Effective Date:

Authorized Client Signature

CivicPlus

By:

By:

Name:

Name:

Title:

Title:

Date:

Date:

Organization Legal Name:

Billing Contact:

Title:

Billing Phone Number:

Billing Email:

Billing Address:

Mailing Address: (If different from above)

PO Number: (Info needed on Invoice (PO or Job#) if required)



Richard P. McCormack
City Clerk, Registrar

CITY OF MIDDLETOWN

Office of the City Clerk, Registrar & Common Council Clerk

16 James Street, Middletown, NY 10940

Tel: (845) 346-4166 Fax: (845) 344-5428 www.middletown-ny.com

To: Mayor DeStefano, Council President Rodrigues, Members of the Board of Estimate and Members of the Common Council

From: Rick McCormack, City Clerk

CC: Leonora Liz, City Treasurer

RE: Authorization to Enter into an Agreement with Civic Plus for Web Hosting Services

I am requesting that the Board of Estimate authorize the attached agreement with Civic Plus for web hosting services for \$37,500, for the migration of the following websites; City of Middletown, Middletown Police Department, and the Middletown Business Improvement District.

The \$37,500 is inclusive of a one-time migration fee of \$28,980 and the first year of hosting services at \$8,393.40. The Middletown Business Improvement District will reimburse the City \$4,560 (\$3,700 One-time and \$860/yr , annual maintenance fee)

Further requesting the Board of Estimate authorize the Mayor to sign the agreement.

Also requesting the Board of Estimate authorize the Treasurer to transfer \$45,104 from the General Fund to cover the costs associated with the new website.

FROM	AMOUNT	TO
General Fund	\$37,500	A.1010.400 Contracted Services

Late last year, after the 2023 budget was completed, our current web host, “Edmunds GovTech” notified us that our website would need to be migrated to a different platform to increase security. The cost of the migration would have been \$5000 and our annual hosting fees would increase from \$1620 to \$5000.

Presently, the City has three sites maintained with Edmunds, the City website, the Police Department and the Business Improvement District.

The migration would cost \$15,000 (City, Police & BID) plus the increase in annual maintenance fees totaling \$15,000.

After conversations with the Police Department and the Business Improvement District, it was evident that there was an overall sense of dissatisfaction with our current design and web host and it was difficult to justify the increased costs for essentially the same website.

I began conversations with Civic Plus, to see what they would be able to offer in terms of an upgrade to our website- making it more user-friendly, responsive to residents, and a more efficient and pleasant user experience.

The initial cost to build out the website (for all three entities) in year 1 is ~~\$35,778~~ \$28,980.18. The annual cost for year one is ~~\$9,326~~ \$8393.40. The total for year one would be ~~\$45,104~~ \$37,500. This includes migrating all the current pages for the Police Department, BID, and City to the new platform.

	Edmunds Migration	Edmunds Annual	Civic Plus Migration (One-time fee)	Civic Plus Annual (YR1)
City Site	\$5,000	\$5,000	35,778 \$28,980.18	\$9326 \$8,393.40
Police	5,000	\$5,000		
BID	5,000	\$5,000		
Total	\$15,000	\$15,000		
YEAR 1			\$4,500	\$950
BID Contribution			\$3,700	\$860
YEAR 1 (City)			\$31,278 \$25,280.18	\$8376 \$7,533.40

In an effort to further streamline our online presence and reduce costs- the Police Department and BID will forgo their own websites and house their pages under the City’s domain. This will reduce the annual maintenance fees by 66%. Both entities will maintain their domains (www.middletownpolice.com and www.middletownbid.org) which will be redirected to their new home on the City website.

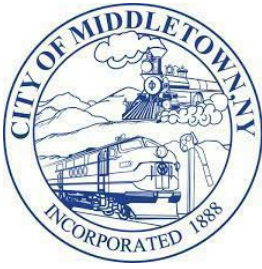
The new website will be ADA Compatible and translatable through Google Translate. While our current website relies heavily, on PDFs (which are not translatable) the new site will rely more on embedded text and graphics, which will improve the user experience and ensure ADA compatibility and language accessibility.

The new website will launch by August 17, 2023.

I am requesting a transfer of \$37,500 (Migration+ 1st Year Annual) to cover the initial costs for the migration and year one service. As this was an unforeseen expense, I respectfully request a transfer from the General Fund to cover these costs.

Costs for migrating the BID site will be paid for through the Business Improvement District budget to the City.

Moving forward the annual maintenance fee for the website will be covered through normal budgetary appropriations through the City Clerk's Office and through a contribution from the BID Office. Civic Plus places their annual increase at 5%.



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: April 18, 2023

Index No: 88-23

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 approving the Memorandum of Agreement between the Middletown Civil Service Association (CSEA) and the City of Middletown

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and approves the Memorandum of Agreement (MOA) between the **Middletown Civil Service Association (CSEA)** and the City of Middletown, effective January 1, 2022 through December 31, 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.

ATTACHMENTS:

[Final MOA CSEA 2022 - 2026 032023.pdf](#)

**MEMORANDUM OF AGREEMENT
CITY OF MIDDLETOWN
AND
CSEA, INC., LOCAL 1000, AFSCME**

It is agreed by and between the City of Middletown (“City”), the CSEA, Inc., Local 1000, AFSCME, AFLCIO, City of Middletown Unit of Orange County Local 836 (“CSEA”) collectively known as the (“Parties”) that the collective bargaining agreement (“CBA”) between the parties shall be modified as follows:

1. The CBA shall commence on January 1, 2022 and shall end on December 31, 2026.
2. Housekeeping: Update dates and other language in the collective bargaining agreement as appropriate and mutually agreed upon by the parties.
3. Update the CBA to include any applicable Settlement Agreement or Side Letters of Agreement. These documents may be added as appendices to the extent that the revisions do not refer to a particular provision in the CBA.
4. Article III Workday Workweek:
 - a. Section A (3)(a): Delete the last sentence “Upon ratification of this agreement, all sanitation workers have the right to request transfer to the street department, provided there is an opening.”
 - b. Section F Overtime: (1)(b): Add the words “and qualifications” after “seniority” wherever the word “seniority” is used in this section.
5. Article IV Compensation:
 - a. Amend Appendix B salary wage steps annually as follows:

“Effective January 1, 2022 to December 31, 2022, salary schedules shall be increased by 3%;
Effective January 1, 2023 to December 31, 2023, salary schedules shall be increased by 2.5%;
Effective January 1, 2024 to December 31, 2024, salary schedules shall be increased by 2.75%;
Effective January 1, 2025 to December 31, 2025, salary schedules shall be increased by 2.5%; and
Effective January 1, 2026 to December 31, 2026, salary schedules shall be increased by 3%.”
 - b. Section C: Add “July 4th.” Add a new sentence “Dispatchers may use this accrued time in increments of a single 8-hour block of time in accordance with the Police Department policy.”

- c. Section F(1)(c), Pg.8: In the last sentence after “will be paid” insert “at the rate that it was earned.”
 - d. Section F(1)(e), Pg.8: In the second line after “sub-section “h” add “and sub-section “i”; and remove “e” in the second line.
 - e. Section J: add another subsection as follows:
 - “c. Employees who are called in to work before or after their regularly scheduled workday shall be paid an additional half hour at the applicable overtime rate calculated from their time of arrival.”
 - f. Section K (4), Pg.11: In the first sentence, replace “one hundred and eighty (80)” with “two hundred and fifty (\$250).” Add the following sentence to the end of this section: “If an employee leaves prior to the end of the year, the allowance shall be prorated and deducted from the employee’s final paycheck. Employees are required to wear the footwear that meets or exceeds the requirements provided by the City for the employee’s work.” This payment shall be retroactive to January 1, 2023
6. Article VI Leaves With Pay, Section B (2), pg. 15: Add a new sentence to the end of this section “The sick leave accrual for employees hired after December 31, 2022 will be capped at one hundred and eighty (180) days.”
7. Article VIII Insurance and Retirement, Section A Health Insurance, pg. 17:
- a. Add the following sentence to the end of paragraph 2 as follows: “New employees hired after December 31, 2022, shall be responsible to pay the percentage of their cost of health insurance premiums in effect at the time of their retirement and fifty (50%) percent of the health insurance premium for the retiree’s spouse and/or dependents, upon retirement.”
 - b. Add a new numbered paragraph (6) as follows:
 - “6 The City has established the City of Middletown Health Benefit Plan (“Plan”) to provide optional full health insurance coverage under a Self-Insured Plan at no cost to the employee, and their eligible dependents. The Plan is designed to provide covered services, hospital, surgical, medical, major medical, prescription, and related benefits to employees, and their dependents. If at any time, the City’s cost for the Plan is equal to or exceeds the City’s cost for the non-contributory type Empire Core-Plan Insurance offered in Article VIII, numbered paragraph 1, the City shall provide written notice to the Union and the employee that the payment of the premium for the Self Insurance Plan shall revert to the employee’s payment obligations in Article VIII paragraphs numbered 1 and 2. The Plan does not create any vested rights, and the City reserves the right to amend, modify or suspend the Plan at any time and from time to time; and to terminate the Plan in whole or in part at any time. The City shall notify the union, and employees, within fourteen (14) working days of any amendments, modifications, suspension or termination of the plan. If a termination of the plan occurs,

subject to the rules and procedures of the Empire plan, the employee and their eligible dependents will revert to the Empire Plan with no interruption in coverage.

Employee's may change their health insurance plan during open enrollment or under a qualifying event.

The Plan will cover the cost of all claims in excess of the employee's financial responsibility as defined in the annual Explanation of Benefits ("EOB")."

c. Add a new numbered paragraph 7 as follows:

"7. The City will offer all eligible employees the option to join the flexible savings account ("FSA") to pay for qualified medical and dependent expenses. Employee participation in the FSA is voluntary. Employees can enroll in the FSA once a year unless there is a qualifying event. Sign up is between May 1st and May 31st for 2023 and will revert to January 1st to January 31st for the life of the contract. In order to join the FSA, the employee is required to sign a written salary reduction agreement with the City. At the end of the year, the employee forfeits any unused funds in their accounts except employees will have a grace period of up to 2.5 months to expend unused funds or employees may carry over to the next year an amount not to exceed the authorized IRS limit."

8. Article VIII Insurance and Retirement, Section B (2), Dental Plan: The amounts that the City shall contribute are attached hereto as Exhibit "A" to this MOA. The City's contribution amount will change going forward, effective on the date of full ratification by the parties. The actual effective date and the amounts of the City's contribution shall be inserted into the successor CBA. This provision is not subject to retroactive payments.

9. Article VIII Insurance and Retirement, Section C, Optical Plan - The City's contribution amount will remain \$24.34 for the life of this contract.

10. Article IX Employee Status and Rights:

a. Section D: In the first line, insert "continuous" after "length of."

b. Section H (1) pg. 22: In the first line after "a layoff" insert "in the department(s) that the layoff occurred."

11. Page 30 - Appendix A (Article IX) "Grievance Procedures"

a. Section C- Step One (2): At the end of this section add. "The supervisor's failure to render a decision shall be considered a decision denying the Step One grievance."

b. Step Two: In the second line replace "five (5)" with "seven (7)".

- c. Section C – Step Two: Replace the last sentence as follows: “The conference shall be held within ten (10) days of receiving the request, and copies of the Mayor’s decision shall be issued to the aggrieved party and the Union ten (10) days after the date of the conference. The Mayor’s failure to hold a conference or render a decision within the time frames herein shall be considered a decision denying the Step Two grievance.”
 - d. Section C – Step Three – Arbitration, Section 3 - Replace the list of arbitrators with the “the parties will mutually agree on the selection of an arbitrator. If the parties cannot agree on the selection of an arbitrator, the parties shall submit a request to use the Public Employees Relation Board (PERB) process for the selection of an arbitrator.”
 - e. Section D: Add a new paragraph as follows:
 - “4. Under all circumstances, a demand for arbitration must be filed within forty-five (45) days of the decision at Step Two. The parties agree that the failure to file a timely demand for arbitration shall constitute a waiver of the parties’ right to demand arbitration on the matter.”
12. Appendix A, Section 3, Substance abuse:
- a. Subsection 3.3: Replace the last sentence as follows: “The City shall provide the Union President, at the time of each random testing, with a list of all employees tested and the names of the individuals included in the random testing for the CSEA to verify the randomness of the testing. New employees should be added and employees who are no longer employed by the City shall be removed from the general list of employees within 45 days of the date they report for work.”
 - b. Delete paragraph 3.4, Limitations, Section 3, Random Drug Testing.
13. Appendix C Article IV- Section A Job Classifications and Job Grade Groups: Effective on the date of ratification of the contract by both parties, all currently employed dispatchers will be moved to Grade A-17 retroactive to the date of full ratification.
12. Retroactive payments, which shall not include premiums for the dental and vision plans and as otherwise may be precluded herein, shall be extended to all CSEA employees on the payroll on the date of full ratification of this Agreement or who retired from the City’s employment on or before December 31, 2021. Retroactive pay shall be issued within sixty (“60”) days of the date that the MOA is ratified by the CSEA and approved by the Common Council.

13. The CSEA will present the MOA to its members for ratification on/or before April ____ 2023. After ratification by the CSEA, this Agreement will be presented to the Common Council at its next scheduled meeting for action.

Joseph M. DeStefano, Mayor

Date

CSEA, Esther Roman, President

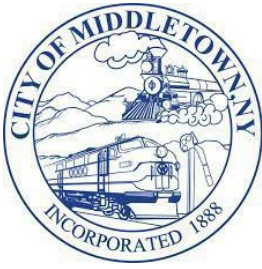
Date

CSEA Vanessa VanAlstyne LRS

Date

EXHIBIT A

As noted in the MOA above, the premiums for the City's contribution for the Dental and Vision premiums are not retroactive. The City's contribution for the Dental and Vision premiums shall only take effect upon full ratification of this MOA by the CSEA and the Common Council.



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: April 18, 2023

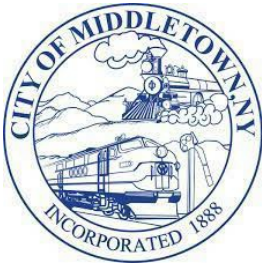
Index No: 89-23

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 Waiving Fees Side Walk Sales in the Business Improvement District from Friday, May 5, 2023, through Sunday, May 7, 2023

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and hereby waives the fees and application process associated with applying for Side-Walk Sales for the weekend of Friday, May 5 through Sunday, May 7, 2023, as part of the City's Cinco De Mayo Celebration.

FURTHER RESOLVED that all rules and regulations currently governing sidewalk sales will remain in full effect for the duration of the weekend.



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

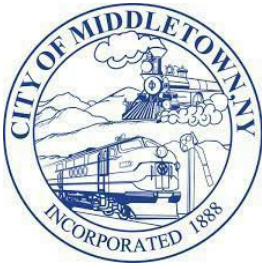
Date of Adoption: April 18, 2023

Index No: 90-23

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 Confirming the Mayor's Appointment of Ray Pantel to the Electrical Board

RESOLVED that the Common Council of the City of Middletown confirms the Mayor's appointment of Ray Pantel to the Electrical Board, replacing Jeff Spiro, for a term expiring on December 31, 2023.



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: April 18, 2023

Index No: 91-23

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 amending Resolution 67-23, dated April 4, 2023, to Increase the Funding Award to \$17,000

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and amends resolution 67-23, adopted on April 4, 2023 to increase the funding awards for the Too Good Programs- Youth Police Academy and Too Good Programs-Youth Community Outreach.

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment accepts a ~~\$17,000~~ \$21,000 Grant from the Orange County Youth Bureau Grant to help fund the Too Good program, youth outreach, and the Youth Leadership Academy.

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the funds be deposited in the following accounts:

A. 3120.501 Youth Leadership Academy \$7,000

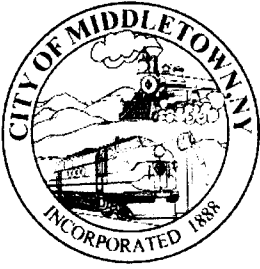
A. 3120.468 Too Good Programs- Youth Police Academy ~~\$5,000~~ \$7,000

A. 3120.468 Too Good Programs- Youth Community Outreach ~~\$5,000~~ \$7,000

ATTACHMENTS:

[OC Police Grant.pdf](#)

[ORANGE COUNTY ADDITIONAL FUNDING FOR TOO GOOD AND JUV ACADEMY-
update.pdf](#)



Item Cover Page

COMMON COUNCIL AGENDA ITEM REPORT

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Johnson

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

DATE OF ADOPTION:

April 4, 2023

SUBJECT:

Resolution to Accept a \$17,000 Grant from the Orange County Youth Bureau

SUGGESTED ACTION:

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment accepts a \$17,000 Grant from the Orange County Youth Bureau Grant to help fund the Too Good program, youth outreach, and the Youth Leadership Academy.

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the funds be deposited in the following accounts:

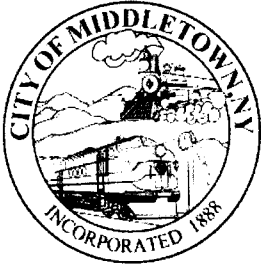
A. 3120.501 Youth Leadership Academy \$7,000

A. 3120.468 Too Good Programs- Youth Police Academy \$5,000

A. 3120.468 Too Good Programs- Youth Community Outreach

\$5,000 ~~\$5,000~~ 7,000

\$ 7,000



Item Cover Page

COMMON COUNCIL AGENDA ITEM REPORT

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Green

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

DATE OF ADOPTION:

April 4, 2023

SUBJECT:

Authorization to Amend City Code as it Pertains to Three-Hour Parking in the Business Improvement Zone

SUGGESTED ACTION:

WHEREAS, the Police Chief has proposed certain deletions from the three-hour parking limitations in the Business Improvement Zone.

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

Section 1 – The Code of the City of Middletown, N.Y., Chapter 460, Vehicles and Traffic, is hereby amended by replacing Section 460.20.1 to read in its entirety as follows:



Steven M. Neuhaus
County Executive

April 5, 2023

Mayor Joseph DeStefano
City of Middletown (Police Department)
2 James Street
Middletown, NY 10940

Dear Mayor DeStefano,

PLEASE NOTE THE FOLLOWING REVISIONS REGARDING AN INCREASE TO YOUR 2023 FUNDING DUE TO A CHANGE IN STATE FUNDING AND OTHER FUNDING CHANGES THROUGH THE YOUTH BUREAU. THESE CHANGES SUPERSEDE ANY PREVIOUS LETTERS AND WILL BE REFLECTED IN YOUR CONTRACT.

<u>Program Name(s)</u>	<u>Funding Amount & Type(s):</u>	<u>Projected Breakdown for STATE funds to be claimed in 2023:</u>
Junior Police Academy	\$ 7,000 YDP	\$ 7,000 (YDP) For expenses from Jan 1 through Sept 30 only \$ 0 (YDP) for expenses from Oct 1 through Dec 31 only

A contract package with instructions will be forthcoming.

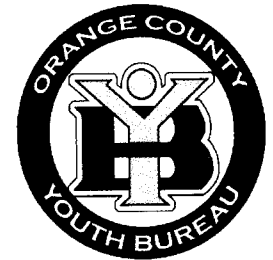
Before you receive your contract package, please be sure to follow up on the items below to assist us with processing your 2023 contract in a timely manner:

#1. Revisions to your 2023 Application(s): If the amount listed above is different from your RFP submission requested amount, you need to submit revised budget paperwork to reflect your final allocation amount(s) to Susan Ambrosino at sambrosino@orangecountygov.com. Any revisions on programmatic forms can be submitted to your Youth Program Technician Michael Bark at mbark@orangecountygov.com.

Note: [REDACTED]

#2. Resolution: In order to shorten contract turnaround time, you were asked to try to submit this by **January 27th, 2023**. If this is not possible due to your municipal meeting schedule, please let us know.

#3. Required Insurance Forms: For the 2023 contract year, the County will require 3 separate updated insurance forms. ALL forms must list the name of your municipality as it appears on your federal



Rachel R. Wilson
Executive Director



40 Matthews Street, Suite 301C, Goshen, NY 10924
Phone: 845.615.3620 Fax: 845.360.9232
Email: YouthBur@OrangeCountyGov.com
Facebook: www.facebook.com/OrangeCountyYB
Website: www.OrangeCountyGov.com/YouthBureau

Promoting *Positive Youth Development* since 1978!



Steven M. Neuhaus
County Executive

April 5, 2023

Mayor Joseph DeStefano
City of Middletown (Police Department)
2 James Street
Middletown, NY 10940

Dear Mayor DeStefano,

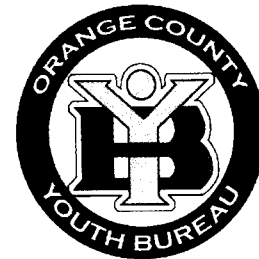
PLEASE NOTE THE FOLLOWING REVISIONS REGARDING AN INCREASE TO YOUR 2023 FUNDING DUE TO A CHANGE IN STATE FUNDING AND OTHER FUNDING CHANGES THROUGH THE YOUTH BUREAU. THESE CHANGES SUPERSEDE ANY PREVIOUS LETTERS AND WILL BE REFLECTED IN YOUR CONTRACT.

<u>Program Name(s)</u>	<u>Funding Amount & Type(s):</u>	<u>Projected Breakdown for STATE funds to be claimed in 2023:</u>
Youth Community Outreach	\$ 5,000 Youth Sports & Education	\$ 5,000 (Youth Sports) For expenses from Jan 1 through Sept 30 only
	\$2,000 SOL	\$ 0 (Youth Sports) for expenses from Oct 1 through Dec 31 only (County SOLUTIONS funds can be claimed for expenses from Jan 1 through Dec 31)

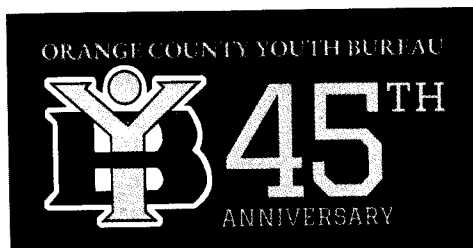
A contract package with instructions will be forthcoming.

Before you receive your contract package, please be sure to follow up on the items below to assist us with processing your 2023 contract in a timely manner:

#1. Revisions to your 2023 Application(s): If the amount listed above is different from your RFP submission requested amount, you need to submit revised budget paperwork to reflect your final allocation amount(s) to Susan Ambrosino at sambrosino@orangecountygov.com. Any revisions on



Rachel R. Wilson
Executive Director



40 Matthews Street, Suite 301C, Goshen, NY 10924
Phone: 845.615.3620 Fax: 845.360.9232
Email: YouthBur@OrangeCountyGov.com
Facebook: www.facebook.com/OrangeCountyYB
Website: www.OrangeCountyGov.com/YouthBureau

Promoting *Positive Youth Development* since 1978!

JOHN EWANCIW
CHIEF OF POLICE



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

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

March 21, 2023

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

Dear Mayor DeStefano and members of the BOE,

The Common Council previously approved a request to accept \$17,000 in funding from the Orange County Youth Bureau on April 4, 2023 resolution #67-23.

We have been notified that a portion of the funding, specifically for the two Two Good Programs are being increased to \$7000 from the \$5000 we requested to be received. Please allow us to accept the additional \$4,000 in an amended resolution for a total of \$21,000.

- A. 3120.501 Youth Leadership Academy \$7,000
- A. 3120.468 Too Good Programs- Youth Police Academy \$7,000
- A. 3120.468 Too Good Programs- Youth Community Outreach \$7,000

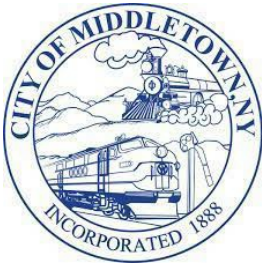
A copy of these awards are attached for your review.

If you have any questions, please contact me.

Very truly yours,

John Ewanciw
Chief of Police

JE:ccd



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: April 18, 2023

Index No: 92-23

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 Approving the Volunteer Firefighters Length of Service Award Program (LOSAP)
List for 2022**

RESOLVED that the Common Council of the City of Middletown approves the attached Volunteer Firefighters Length of Service Award Program (LOSAP) List for 2022.

ATTACHMENTS:

[Losap 2022-City Hall.pdf](#)

2022 DATA REQUEST PACKAGE PROCESS CHECKLIST

Please follow the steps below in order to complete the Data Request Package.



Mark the checkboxes as items are completed.

FIRE DEPARTMENT – Deadline: March 31, 2023



Update the 2022 Firefighter Records listing using the *Instructions* provided.



Certify that the listing is correct by completing the *2022 FIRE DEPARTMENT SERVICE CERTIFICATION FORM* (green form).



Send the entire Data Request Package to the Board of the Sponsoring Municipality by March 31, 2023.



SPONSORING BOARD – Deadline: May 1, 2023



Review and approve the 2022 Firefighter Records listing by signing the *2022 SPONSOR APPROVAL FORM* (blue form).



Send the entire Data Request Package to the Fire Department for posting by May 1, 2023.

FIRE DEPARTMENT – Deadline: Post immediately upon receipt



Complete the “NOTICE TO VOLUNTEERS” section of the *2022 FIRE DEPARTMENT POSTING CERTIFICATION FORM* (purple form).



Post this form and 2022 Firefighter Records listing for no less than 30 days at the Fire Department headquarters in view for all members.



At the end of the posting period, complete the remaining sections of the *2022 Posting Certification Form* and send the entire Data Request Package to the Sponsoring Board.



SPONSORING BOARD – Deadline: July 1, 2023



Review and certify the 2022 Firefighter Records listing by signing the *2022 SPONSOR AUTHORIZATION FORM* (pink form).



Send the completed Data Request Package to:

Penflex Actuarial Services, LLC
50 Century Hill Drive, Suite 3
Latham, NY 12110

2022 SPONSOR APPROVAL FORM

SERVICE AWARD PROGRAM

City of Middletown

Middletown Fire Department

DEADLINE: May 1, 2023

INSTRUCTIONS

This form is to be signed by either the clerk (along with a copy of the certified resolution) or by all members of the City of Middletown governing board once the certified service listing has been reviewed and approved by the Board. Once this form has been completed, the entire Data Request Package should be returned to the Fire Department so that the list can be posted for at least 30 days as required by New York State Law.

APPROVAL

By resolution of the City of Middletown governing board, the 2022 service listing of all volunteer firefighters of the Middletown Fire Department has been approved. Attached is a certified copy of the resolution.

Clerk Signature

Date

If a copy of the certified resolution is not available, please have all members of the governing board sign below. The City of Middletown herein approves the Service Award Program list of all 2022 active members of the Fire Department.

Governing Board Member Signature

Date

Governing Board Member Signature

Date

Governing Board Member Signature

Date

Governing Board Member Signature

Date

Governing Board Member Signature

Date

CERTIFICATION (BLUE)

2022 SPONSOR AUTHORIZATION FORM

SERVICE AWARD PROGRAM

City of Middletown

Middletown Fire Department

DEADLINE: July 1, 2023

This form is to be signed by the Supervisor of the City of Middletown after the 2022 service listing has been posted for 30 days, as certified by the completion of the 2022 Fire Department Posting Certification Form. Please sign and return the entire Data Request Package to:

Penflex Actuarial Services, LLC
50 Century Hill Drive, Suite 3
Latham, NY 12110

AUTHORIZATION

I hereby authorize Penflex Actuarial Services, LLC to use the data submitted herein for the active volunteer firefighters Service Award Program 2022 records. I understand this data will be used to determine the funding requirements of the Service Award Program, the eligibility of participants to be paid Service Award Program benefits, and the amount of benefits to be paid to such persons. I understand that if any of the 2022 administrative services provided by Penflex Actuarial Services, LLC must be redone due to errors in the data submitted herein, there may be an additional charge payable by the Program Sponsor. I further understand that Penflex Actuarial Services, LLC will not be liable for any errors in the calculation of the amounts due or payable from the Service Award Program Trust Fund which is the direct result of error(s) in the data submitted herein.

Signature

Mayor of the City of Middletown

Date

2022 Service Award Program Firefighter Records
Middletown Fire Department Service Award Program

	Last Name	First Name	MI	Date of Birth	Gender	Accrued 2022		Mailing Address	City, State & Zip Code	Status
						Credit	Points Earned			
1	Abrue	Simon		12/31/1962	M	0	—	20 Robertson Drive	Middletown, NY 10940	Active
2	Adams	Keith		12/18/1991	M	1	—	272 North Stree Apt 2F	Middletown, NY 10940	Active
3	Al-Amin	Abdul	J.	11/9/1968	M	1	—	58 Brewster	Middletown, NY 10940	Active
4	Anzurez	Telesforo		1/5/1977	M	4	<u>52</u>	74 Sheffield Drive	Middletown, NY 10940	Active
5	Barber	Nicholas	M.	1/3/1968	M	8	<u>89</u>	56 Phillip Street	Middletown, NY 10940	Active
6	Barone	Eric		10/8/1996	M	5	<u>85</u>	41 Harrison Street	Middletown, NY 10940	Active
7	Barone	Evan		6/17/1994	M	0	—	—	—	Active
8	Barone	Samuel	J.	6/21/1960	M	7	<u>61</u>	41 Harrison Street	Middletown, NY 10940	Entitled 7/2020
9	Battisti	Arthur		7/21/1955	M	3	—	14 Ogden Street	Middletown, NY 10940	Entitled 10/2015
10	Baudendistel	Brandon	R.	8/30/1991	M	1	<u>71</u>	2 Schoonmaker Drive	Middletown, NY 10940	Active
11	Bennet	Robert		3/10/1980	M	8	<u>54</u>	PO Box 82	Middletown, NY 10940	Active
12	Blakeslee	Archie	A.	11/17/1926	M	5	<u>56</u>	35 Belmont Avenue	Middletown, NY 10940	Active
13	Boyea	Amber	R.	5/16/1994	F	2	—	100 Stratford Lane	Middletown, NY 10940	Active
14	Brady	Robert	M.	7/8/1971	M	8	<u>92</u>	50 Gardner Avenue	Middletown, NY 10940	Active
15	Bromley	George		9/25/1963	M	0	—	—	—	Active
16	Browne	Alexander	A.	11/24/1995	M	1	—	14 Knapp Avenue	Middletown, NY 10940	Active
17	Browne	Roberto		4/13/1955	M	0	—	—	—	Active
18	Caba	Juan		10/4/1972	M	5	<u>53</u>	31 Ogden Street	Middletown, NY 10940	Active
19	Catillos	Elliot		7/27/1975	M	0	—	6 Houston Avenue	Middletown, NY 10940	Active
20	Cauchard	Richard	M.	12/20/1956	M	8	<u>69</u>	16 State Street	Otisville, NY 10963	Entitled 10/2019

Please reference the *Instructions* before completing the listing. All blank entries must be completed prior to certification.

2022 Service Award Program Firefighter Records
Middletown Fire Department Service Award Program

	Last Name	First Name	MI	Date of Birth	Gender	Accrued 2022		Mailing Address	City, State & Zip Code	Status
						Credit	Points Earned			
21	Concepcion	Clinton	D.	10/30/1985	M	7	___	PO Box 891	Middletown, NY 10940	Active
22	DeGroat Jr.	Stewart		5/29/1967	M	3	<u>76</u>	33 Horton Avenue	Middletown, NY 10940	Active
23	Delgado	Rodolfo		4/23/1990	M	0	___	64 Montgomery Street	Middletown, NY 10940	Active
24	Delillo	Christopher	J.	6/5/1957	M	1	___	580 S. Centerville Road	Middletown, NY 10940	Entitled 4/2022
25	Dineen Jr.	Patrick		2/22/1994	M	0	___	___	___	Active
26	Dineen Sr.	Patrick		8/27/1968	M	1	___	45 Broad Street	Middletown, NY 10940	Active
27	Duggan	Kevin		10/19/1960	M	0	___	___	___	Active
28	Elia	Dominick	R.	9/26/1970	M	1	<u>167</u>	83 Watkins Avenue	Middletown, NY 10940	Active
29	Flores	Carlos	F.	10/13/1961	M	7	<u>66</u>	230 Highland Avenue	Middletown, NY 10940	Active
30	Flores	Gilbert	J.	3/11/1969	M	5	___	11 Bonnell Street	Middletown, NY 10940	Active
31	Fox	Jay		4/6/1966	M	0	___	___	___	Active
32	Freundlich	Gary		11/21/1984	M	6	___	328 Concord Lane	Middletown, NY 10940	Active
33	Fucci	Bryan	M.	2/26/1991	M	2	___	38 Roosevelt Avenue	Middletown, NY 10940	Active
34	Galarfe	Ian		2/4/1973	M	0	___	___	___	Active
35	Garlinghouse	Randle		1/18/1969	M	0	___	___	___	Active
36	Genoval	Eddie		6/6/1982	M	3	___	133 Lake Avenue	Middletown, NY 10940	Active
37	Gerow	Sean	M.	3/25/1971	M	8	___	16 Heather Lane	Middletown, NY 10940	Active
38	Gomez	Jonathan		1/25/1996	M	0	___	___	___	Active
39	Gonzalez	Jose		6/30/1967	M	0	___	___	___	Active
40	Gordon	Kristopher		5/10/1994	M	0	___	___	___	Active

Please reference the *Instructions* before completing the listing. All blank entries must be completed prior to certification.

2022 Service Award Program Firefighter Records
Middletown Fire Department Service Award Program

	Last Name	First Name	MI	Date of Birth	Gender	Accrued 2022		Mailing Address	City, State & Zip Code	Status
						Credit	Points Earned			
41	Green	Coty	B.	4/15/1996	M	7	<u>64</u>	8 Winthrop Avenue	Middletown, NY 10940	Active
42	Hagan	Bernard	J.	4/26/1982	M	5	<u>101</u>	54 Sproat Street	Middletown, NY 10940	Active
43	Healy	Joseph		5/4/1991	M	3	<u>82</u>	323 Highland Ave.	Middletown, NY 10940	Active
44	Hussini	Michael		5/3/1975	M	0	___	161 Wisner Avenue	Middletown, NY 10940	Active
45	Imholz Jr.	William		3/19/1992	M	2	___	___	___	Active
46	Irizarry Jr.	Leonides		11/14/1967	M	0	___	158 W. Main Street Apt. 2	Middletown, NY 10940	Active
47	Jones	Lillian		5/21/1987	F	1	___	75 Hudson Street	Port Jervis, NY 12770	Active
48	Kelder	William		___	M	0	___	___	___	Active
49	Kent	Gerard		2/14/1970	M	2	___	___	___	Active
50	Lewis	Athony		11/19/1998	M	1	___	20 Irwin Avenue	Middletown, NY 10940	Active
51	Lewis	Kyle		10/16/1995	M	2	___	___	___	Active
52	Lewis	Maurice		2/16/1984	M	1	___	___	___	Active
53	Lewis Jr.	Gerard	E.	2/11/1989	M	6	<u>56</u>	8 Hickory Terrace	Middletown, NY 10940	Active
54	Luis Jr.	Don	B.	8/17/1961	M	8	<u>79</u>	11 Keystone Park	Middletown, NY 10940	Entitled 10/2021
55	Lybolt	Mark		12/24/1967	M	1	___	___	___	Active
56	MacLean	Randy	A.	10/23/1965	M	8	<u>114</u>	48 Lake Avenue	Middletown, NY 10940	Active
57	Manis	Drew	S.	12/26/1996	M	6	<u>83</u>	11 Thomas Jefferson Place	Middletown, NY 10940	Active
58	Matos	Wilberto		11/3/1995	M	1	___	27 W. Main Street	Middletown, NY 10940	Active
59	Menard	Christopher	M.	3/1/1971	M	6	___	163 Wickham Avenue	Middletown, NY 10940	Active
60	Mojica	Jose	F.	2/16/1945	M	8	<u>82</u>	6 Westminster Drive	Middletown, NY 10940	Entitled 1/2021

Please reference the *Instructions* before completing the listing. All blank entries must be completed prior to certification.

2022 Service Award Program Firefighter Records
Middletown Fire Department Service Award Program

Last Name	First Name	MI	Date of Birth	Gender	Accrued 2022		Mailing Address	City, State & Zip Code	Status
					Credit	Points Earned			
61	Murphy	Joseph	12/22/1983	M	0	___	___	___	Active
62	Ortiz	Cesar	8/29/1995	M	1	___	2 Schindler Court Apt. 3	Middletown, NY 10940	Active
63	Perna	Paul	7/22/1961	M	0	___	___	___	Active
64	Perna Jr.	George	6/11/1956	M	8	<u>83</u>	17 Keystone Park	Middletown, NY 10940	Active
65	Predmore Sr.	Kevin	4/1/1970	M	4	<u>54</u>	98 Grand Ave.	Middletown, NY 10940	Active
66	Prokopchak	Peter	___	M	0	___	___	___	Active
67	Rodrigues	Julio	7/27/1987	M	3	___	___	___	Active
68	Rowley	Patrick	4/17/1962	M	8	___	79 Beattie Avenue	Middletown, NY 10940	Active
69	Russo	Edmund	8/18/1965	M	2	___	5 Livingston Street	Middletown, NY 10940	Active
70	Ryder	Daniel	4/24/1968	M	1	___	279 East Main Street	Middletown, NY 10940	Active
71	Ryder	Dustyn	4/5/1995	M	2	___	279 E Main Street	Middletown, NY 10940	Active
72	Saldana	Jacen	12/30/1995	M	0	___	___	___	Active
73	Shah	Anish	11/29/1978	M	0	___	___	___	Active
74	Silvernail	Heidi	2/7/1980	F	1	___	16 Horton Ave	Middletown, NY 10940	Active
75	Simpson	Dorothy	7/11/1980	F	0	___	___	___	Active
76	Sinclair	Easie	7/11/1980	M	0	___	___	___	Active
77	Slingerland	Ashleigh	3/12/1993	F	1	___	126 Fairfax Ave.	Middletown, NY 10940	Active
78	Soriano	Robert	6/22/1996	M	0	___	___	___	Active
79	Stell	Donna	___	F	0	___	___	___	Active
80	Stephens Jr.	Regan	6/17/1976	M	2	___	80 Tall Oaks Drive	Middletown, NY 10940	Active

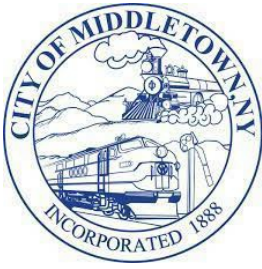
Please reference the *Instructions* before completing the listing. All blank entries must be completed prior to certification.

2022 Service Award Program Firefighter Records
Middletown Fire Department Service Award Program

Last Name	First Name	MI	Date of Birth	Gender	Accrued 2022		Mailing Address	City, State & Zip Code	Status
					Service Credit	Points Earned			
81	Stephens Sr.	Regan	10/28/1950	M	5	—	80 Tall Oaks Drive	Middletown, NY 10940	Entitled 10/2015
82	Tiffany	Wayne	8/9/1946	M	8	<u>50</u>	304 Congers Avenue	Northvale, NJ 07647	Active
83	Torres	Steven	5/17/1995	M	1	<u>68</u>	—	—	Active
84	Vazquez	Josh	7/13/1996	M	0	—	—	—	Active
85	Veillard	Edwin	4/18/1981	M	0	—	—	—	Active
86	Waizenegger	Edward	8/18/1956	M	8	<u>65</u>	28 Pilgrim Corners Road	Middletown, NY 10940	Entitled 10/2016
87	Waizenegger	Mark	10/27/1983	M	0	—	—	—	Active
88	Walker	Chris	—	M	0	—	—	—	Active
89	Williams	Leighton	6/13/1977	M	3	<u>75</u>	19 Hoover Drive	Middletown, NY 10940	Active

Middletown Fire Department Service Award Program

56



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: April 18, 2023

Index No: 93-23

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 awarding the 2023 Street Materials & Asphalt Materials Bid

RESOLVED that the Common Council of the City of Middletown awards the 2023 Street Materials & Asphalt Materials Bid to the

to the lowest qualified bidder(s) as follows. (Copy of the bid tabulation sheet is attached).

Please note, that a recommendation of the award is not based on the unit bid price alone, but also on the close proximity of the source to the City.

-

Dick's Concrete Co., Inc., 1053 County Route 37, New Hampton, NY 10958:

NYS Item 304-2.02: Stockpile @ \$18.00/ton

Crushed Stone: #2 Stockpile @ \$22.00/ton

Run of Bank Gravel delivered to various locations @ \$16.70/cu. yd.

Run of Bank Gravel loaded into City Trucks @ \$13.70/ton

Callanan Industries 93 Sullivan Rd, Monticello NY 12701:

NYS Item 304-2.02: Plant @ \$12.00/ton

Crushed Stone: #2 Plant @\$15.20/ton

Crushed Stone: #3 Stockpile @ \$24.20/ton; Plant @ \$15.20/ton

Rip Rap: Plant @ \$15.75/ton

NYS Item 403.16 T.C. Type 6: F.O.B. @ \$73.00/ton *full tandem truck (± 20 tons per load)

NYS Item 403.18 T.C. Type 7: F.O.B. @ \$75.50/ton*full tandem truck (± 20 tons per load)

NYS Item 403.13 A.C.B.C. Type 3: F.O.B @ \$71.50/ton*full tandem truck (± 20 tons per load)

NYS Item 403.11 B.C. Type 1: F.O.B @ \$66.25/ton*full tandem truck (± 20 tons per load)

NYS Item 403.12 B.C. Type 2: F.O.B @ \$66.25/ton*full tandem truck (± 20 tons per load)

Asphalt Pre-Mix for Cold Patching: Delivery @ \$139.50/ton; \$130.50/ton F.O.B Plant

Tetz & Sons, Inc. /Tetz Asphalt 63 Cemetery Rd., Middletown, NY 10941:

Screened & Washed Sand: Stockpile @ \$28.50/ton; Plant @ \$25.00/ton

Screened Gravel: Stockpile @ \$21.25/ton; Plant @ \$17.26/ton

NYS Item 403.14 A.C.B.C. Type 4: F.O.B @ \$81.00/ton

NYS Item 403.16 T.C. Type 6: F.O.B. @ \$83.00/ton *less than 20 tons per load

NYS Item 403.18 T.C. Type 7: F.O.B. @ \$85.00/ton*less than 20 tons per load

NYS Item 403.13 A.C.B.C. Type 3: F.O.B @ \$80.00/ton*less than 20 tons per load

NYS Item 403.11 B.C. Type 1: F.O.B @ \$80.00/ton*less than 20 tons per load

NYS Item 403.12 B.C. Type 2: F.O.B @ \$80.00/ton*less than 20 tons per load

Rip Rap: Stockpile @ \$26.00/ton; Plant @ \$22.00/ton (Rte. 6 Slate Hill)

ATTACHMENTS:

[2023 STREET MATERIAL AND ASPHALT BID TAB AND RECOMMENDATION OF AWARD LETTER.pdf](#)

Department of Public Works

City of Middletown

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



16 James Street
Middletown, N.Y. 10940-1587
Tel: (845) 343-3169
Fax: (845) 343-4014

April 17, 2023

Board of Estimate & Apportionment
Honorable Mayor and Members
of the Common Council
City of Middletown, NY

RE: Award Recommendation Letter
Street Materials Bid of April 13, 2023

Gentlemen:

I have reviewed the above captioned bids and respectfully request awarding the lowest qualified bidder the following. (Copy of bid tabulation sheet is attached). Please note, that a recommendation of award is not based on the unit bid price alone, but also on the close proximity of the source to the City.

Dick's Concrete Co., Inc., 1053 County Route 37, New Hampton, NY 10958:

NYS Item 304-2.02: Stockpile @ \$18.00/ton
Crushed Stone: #2 Stockpile @ \$22.00/ton
Run of Bank Gravel delivered to various locations @ \$16.70/cu. yd.
Run of Bank Gravel loaded into City Trucks @ \$13.70/ton

Callanan Industries 93 Sullivan Rd, Monticello NY 12701:

NYS Item 304-2.02: Plant @ \$12.00/ton
Crushed Stone: #2 Plant @\$15.20/ton
Crushed Stone: #3 Stockpile @ \$24.20/ton; Plant @ \$15.20/ton
Rip Rap: Plant @ \$15.75/ton
NYS Item 403.16 T.C. Type 6: F.O.B. @ \$73.00/ton *full tandem truck (±20 tons per load)
NYS Item 403.18 T.C. Type 7: F.O.B. @ \$75.50/ton*full tandem truck (±20 tons per load)
NYS Item 403.13 A.C.B.C. Type 3: F.O.B @ \$71.50/ton*full tandem truck (±20 tons per load)
NYS Item 403.11 B.C. Type 1: F.O.B @ \$66.25/ton*full tandem truck (±20 tons per load)
NYS Item 403.12 B.C. Type 2: F.O.B @ \$66.25/ton*full tandem truck (±20 tons per load)

Asphalt Pre-Mix for Cold Patching: Delivery @ \$139.50/ton; \$130.50/ton F.O.B Plant

E. Tetz & Sons, Inc. /Tetz Asphalt 63 Cemetery Rd., Middletown, NY 10941:

Screened & Washed Sand: Stockpile @ \$28.50/ton; Plant @ \$25.00/ton

Screened Gravel: Stockpile @ \$21.25/ton; Plant @ \$17.26/ton

NYS Item 403.14 A.C.B.C. Type 4: F.O.B @ \$81.00/ton

NYS Item 403.16 T.C. Type 6: F.O.B. @ \$83.00/ton *less than 20 tons per load

NYS Item 403.18 T.C. Type 7: F.O.B. @ \$85.00/ton*less than 20 tons per load

NYS Item 403.13 A.C.B.C. Type 3: F.O.B @ \$80.00/ton*less than 20 tons per load

NYS Item 403.11 B.C. Type 1: F.O.B @ \$80.00/ton*less than 20 tons per load

NYS Item 403.12 B.C. Type 2: F.O.B @ \$80.00/ton*less than 20 tons per load

Rip Rap: Stockpile @ \$26.00/ton; Plant @ \$22.00/ton (Rte. 6 Slate Hill)

Respectfully submitted,



Jacob S. Tawil, P.E.
COMMISSIONER OF PUBLIC WORKS

kg
Att.

SAND AND GRAVEL

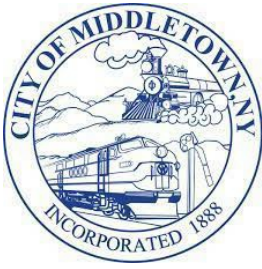
BID of April 13, 2023	Tetz Asphalt, LLC 130 Crotty Rd Middletown NY 10940		Woodbourne Lawn & Garden PO Box 27 Woodbourne NY 12788		Agri Sales Chester Quarry 83 Black Meadow Rd. Chester NY 10918		Agri Sales CMA Bulk 680 Bloomingburg Rd Bloomingburg NY 12721		Agri Sales Javelin Mine 22 McBride Rd Slate Hill NY 10973	
	Stockpile	Plant	Stockpile	Plant	Stockpile	Plant	Stockpile	Plant	Stockpile	Plant
Screened & Washed Sand per ton	\$28.50/TON	\$25.00/TON (RTE. 6 SLATE HILL)	NO BID	\$9.50/ TON	NO BID	NO BID	\$30.75/TON	\$24.75/TON	NO BID	NO BID
Screened Gravel per ton	\$21.25/TON	\$17.26/TON (RTE. 6 SLATE HILL)	NO BID	NO BID	NO BID	NO BID	\$27.00/TON	\$21.00/TON	NO BID	NO BID
NYS Item 304-2.02 per ton	\$21.00/TON	\$14.50/TON (RTE. 94 CHESTER)	NO BID	NO BID	\$18.75/TON	\$12.75/TON	\$20.00/TON	\$14.00/TON	\$20.00/TON	\$14.00/TON
Crushed Stone: #2 per ton	\$26.50/TON	\$22.50/TON (RTE. 6 SLATE HILL)	NO BID	NO BID	\$26.75/TON	\$20.75/TON	\$28.00/TON	\$22.00/TON	\$28.00/TON	\$22.00/TON
#3 per ton	\$26.25/TON	\$22.25/TON (RTE. 6 SLATE HILL)	NO BID	NO BID	\$24.25/TON	\$18.25/TON	NO BID	NO BID	\$25.50/TON	\$19.50/TON
Rip rap(light stone fill) per ton	\$26.00/TON (RTE. 6 SLATE HILL) \$22.00/TON AT PLANT RCA: \$13.50/TON (CEMETERY RD MIDDLETOWN) \$10.00/TON		NO BID	NO BID	\$24.00/TON	\$18.00/TON	NO BID	NO BID	\$26.00/TON	\$20.00/TON
Run of Bank Gravel delivered to various locations within the City of Middletown, NY per cu.yd.	\$17.00 PER CUBIC YARD		NO BID		NO BID		NO BID		NO BID	
Run of Bank Gravel loaded into City owned trucks by the successful bidder per cu.yd.	\$16.75 PER CUBIC YARD		NO BID		NO BID		NO BID		NO BID	
The material upon which the prices are quoted is produced at:	RTE. 6 SLATE HILL RTE. 94 CHESTER CEMETERY RD MIDDLETOWN		299 Main St. Napanoch NY		ADEN CHESTER 83 BLACK MEADOW RD. CHESTER NY		CMA BULK 680 BLOOMINGBURG RD. BLOOMINGBURG NY		JAVELIN MINE 22 McBRIDE RD. SLATE HILL NY	

SAND AND GRAVEL

BID of April 13, 2023	Pirog Bros. Excavating PO Box 41 Circleville NY 10919		Tilcon New York, Inc. 9 Entin Rd Parsippany NJ 07054		Dick's Concrete 1053 County Rte 37 New Hampton NY 10958		Callanan Industries, Inc. PO Box 15097 Albany NY 12212		Woodbourne Lawn & Garden PO Box 27 Woodbourne NY 12788	
	Stockpile	Plant	Stockpile	Plant	Stockpile	Plant	Stockpile	Plant	Stockpile	Plant
Screened & Washed Sand per ton	NO BID	NO BID	NO BID	NO BID	\$30.00/TON	\$25.00/TON	NO BID	NO BID	NO BID	\$10.50/TON
Screened Gravel per ton	NO BID	NO BID	NO BID	NO BID	\$22.00/TON	\$20.00/TON	NO BID	NO BID	NO BID	NO BID
NYS Item 304-2.02 per ton	NO BID	NO BID	\$24.65/TON	\$16.15/TON	\$18.00/TON	\$16.00/TON	\$21.00/TON	\$12.00/TON	NO BID	NO BID
Crushed Stone: #2 per ton	NO BID	NO BID	\$27.75/TON	\$19.25/TON	\$22.00/TON	\$20.00/TON	\$24.20/TON	\$15.20/TON	NO BID	NO BID
#3 per ton	NO BID	NO BID	\$27.75/TON	\$19.25/TON	\$28.00/TON	\$23.00/TON	\$24.20/TON	\$15.20/TON	NO BID	NO BID
Rip rap(light stone fill) per ton	NO BID	NO BID	\$35.00/TON	\$23.50/TON	\$30.00/TON	\$25.00/TON	\$24.75/TON	\$15.75/TON	NO BID	NO BID
Run of Bank Gravel delivered to various locations within the City of Middletown, NY per cu.yd.	\$29.75 PER CUBIC YARD		NO BID		\$16.70 PER CUBIC YARD		NO BID		NO BID	
Run of Bank Gravel loaded into City owned trucks by the successful bidder per cu.yd.	\$21.50 PER CUBIC YARD		NO BID		\$13.70 PER CUBIC YARD		NO BID		NO BID	
The material upon which the prices are quoted is produced at:	MONTGOMERY NY		TILCON GOSHEN QUARRY 2 QUARRY RD GOSHEN NY 10924		1053 CR 37 NEW HAMPTON NY 10958		93 SULLIVAN ROAD MONTICELLO NY 12701		299 Main St. Napanoch NY	

PRE-MIX/ASPHALT MATERIALS

BID OF April 13, 2023 NAME OF BIDDERS:	Item 403.16 Top Course Type 6	Item 403.18 Top Course Type 7	Item 403.14 Asphalt Concrete Binder Course Type 4	Item 403.13 Asphalt Concrete Binder Course Type 3	Item 403.11 Base Course Type 1	Item 403.12 Base Course Type 2	Cold Patch	Material upon which quotes are made is produced at:
Package Pavement 675 Leetown Road PO Box 408 Stormville, NY 12582	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	\$155.00/TON DELIVERED TO CITY \$135.00/TON F.O.B PLANT	PACKAGE PAVEMENT CO, INC.
Tetz Asphalt, LLC 130 Crotty Rd Middletown NY 10940	\$83.00/TON F.O.B PLANT *less than 20 tons per load	\$85.00/TON F.O.B PLANT *less than 20 tons per load	\$81.00/TON F.O.B PLANT	\$80.00/TON F.O.B PLANT *less than 20 tons per load	\$80.00/TON F.O.B PLANT *less than 20 tons per load	\$80.00/TON F.O.B PLANT *less than 20 tons per load	\$140.00/TON F.O.B PLANT	63 CEMETERY RD MIDDLETOWN NY
Tilcon New York, Inc. 9 Entin Rd Parsippany NJ 07054	\$84.00/TON F.O.B PLANT	\$86.50/TON F.O.B PLANT	NO BID	\$80.00/TON F.O.B PLANT	\$78.75/TON F.O.B PLANT	NO BID	NO BID	TILCON GOSHEN QUARRY 2 QUARRY RD GOSHEN NY 10924
Callanan Industries, Inc. PO Box 15094 Albany NY 12212	\$73.00/TON F.O.B PLANT *full tandem truck 20 tons per load	\$75.50/TON F.O.B PLANT *full tandem truck 20 tons per load	NO BID	\$71.50/TON F.O.B PLANT *full tandem truck 20 tons per load	\$66.25/TON F.O.B PLANT *full tandem truck 20 tons per load	\$66.25/TON F.O.B PLANT *full tandem truck 20 tons per load	\$139.50/TON DELIVERED TO CITY \$130.50/TON F.O.B PLANT	93 SULLIVAN RD. MONTICELLO NY



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: April 18, 2023

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				

Resolutions Directing the Audit of Claims and Accounts

I MOVE THE ACCOUNTS BE AUDITED, THE CLAIMS ADJUSTED AND THE

TREASURER BE AUTHORIZED TO ISSUE WARRANTS FOR THEIR PAYMENTS