

**CITY OF MIDDLETOWN**  
**BOARD OF ESTIMATE AND APPORTIONMENT AGENDA**  
**SEPTEMBER 11, 2025 - 4:00 PM**  
**COMMON COUNCIL CHAMBERS**

1. ROLL CALL
2. APPROVAL OF MINUTES
  - 2.1. Accept the Minutes of 09/02/2025

3. NEW BUSINESS

- 3.1. Request to dispose of police vehicles

The following is a list of vehicles utilized by the police department that have surpassed their useful life and the cost to repair the vehicles will exceed their value. Therefore, we request to dispose of them by means of scrap.

| year | make          | vin number        | vehicle color | number | issue(s)                                     |
|------|---------------|-------------------|---------------|--------|----------------------------------------------|
| 2000 | Dodge Neon    | 1B3ES46C2YD581354 | N/A           | Red    | Engine, transmission                         |
| 2005 | Honda Accord  | 1HGCM56405A070500 | N/A           | Gray   | Transmission                                 |
| 2005 | Ford Taurus   | 1FAFP53UX5A106612 | N/A           | Gray   | Electrical issues, various engine/mechanical |
| 2007 | Nissan Maxima | 1N4BA41E77C816497 | N/A           | Blue   | Engine/Stretched timing chain                |

- 3.2. Request to purchase replacement police vehicle in accident by means of insurance funding and transfer within 2025 budget

Requesting approval for the Police Department to utilize the insurance check in the amount of \$33,364.75 that was given back to the city when police vehicle #9 was involved in a motor vehicle accident on 8/9/2025. The vehicle was subsequently deemed totaled and unable to use. Additionally, requesting to authorize the Treasurer to transfer from the 2025 police budget to cover the balance of the cost of the replacement vehicle.

The details of the additional transfer to complete the purchase of this new vehicle is as follows:

|            |          |            |
|------------|----------|------------|
| From       | Amount   | To         |
| A.3120.100 | \$30,000 | A.3120.201 |

Personal Services

Vehicles

3.3. Creation of capital line for temporary borrowing from the General Fund for NFC

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$250,000, in the following manner from the General Fund for temporary borrowing.

|                    |                    |           |
|--------------------|--------------------|-----------|
| From: General Fund | To: H.7110.214     | \$250,000 |
| Balance            | A_2025_P&R_Fitness |           |
|                    | Court Studio       |           |

This temporary borrowing will be reimbursed from a grant. It will allow the Recreation Department to move forward with the National Fitnesss Campaign — Fitness Court Studio.

3.4. Authorization to Accept lacrosse equipment donation from Abt Family

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and accepts a lacrosse equipment donation from Lisa Abt and Family. Equipment includes new and used sticks, helmets, pads and gloves.

3.5. Request to Obligate General Fund Balance to the O&W Project

BE IT RESOLVED; that the Board of Estimate and Apportionment authorizes the Treasurer to transfer \$2,660,00, in the following manner,

|                      |                    |             |
|----------------------|--------------------|-------------|
| FROM                 | TO                 | AMOUNT      |
| General Fund Balance | H01.0005.900       | \$2,660,000 |
|                      | O&W Project - City |             |
|                      | Portion            |             |

Originally, the City's plan was to obligate ARPA funding to cover the renovation cost of the O&W Building. However, due to ARPA regulations this portion was swapped with General Fund Balance.

3.6. Authorization to change a temporary borrowing for the South Street Parking Garage to permanent.

Resolution 169-23 authorized a temporary borrowing from General Fund Balance toward the South Street Parking Garage. The cost of the parking garage is \$5 million for which \$2.5 million will be covered by the NYS DASNY Grant awarded from Senator Skoufis. Requesting the City's portion of the project to be modified to permanent funding rather than temporary borrowing.

3.7. Resolution Authorizing the Terms of a Settlement Agreement in The Matter of Robert Lounsbury Jr. V. City of Middletown

WHEREAS, the City of Middletown has been engaged in litigation entitled *Robert Lunsbury, Jr. v. City of Middletown* concerning a dispute over ownership of a parking lot; and

WHEREAS, the Corporation Counsel has recommended that the matter be resolved in accordance with the terms of settlement set forth herein; and

WHEREAS, the Common Council of the City of Middletown has reviewed the proposed settlement and finds it to be in the best interest of the City;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Middletown that:

1. The matter shall be settled for the total sum of **Ninety-Seven Thousand Five Hundred Dollars (\$97,500.00)**, in full settlement of all claims, subject to the conveyance of good title of the parking lot which is the subject of this lawsuit.
  2. The plaintiff shall provide the City of Middletown with a general release, in form satisfactory to counsel for the City of Middletown.
  3. Upon approval by the Common Council, the City of Middletown shall issue a check in the amount of **\$97,500.00**, payable to **MacVean, Lewis, Sherwin & McDermott, P.C.**, which shall be held in escrow until such time as title closes and the City is in receipt of the general release and stipulation of discontinuance, with prejudice.
  4. Plaintiff's counsel shall provide a stipulation of discontinuance, with prejudice, in form satisfactory for filing in the Orange County Clerk's Office.
  5. The Mayor and/or Corporation Counsel are hereby authorized to take such steps and execute such documents as may be necessary to effectuate the settlement in accordance with the above terms.
- 3.8. Authorization to approve the Restore NY VII Grant and Empire State Development Grant for the O&W Project

The City of Middletown has been awarded two grants through Empire State Development for the O&W Project:

- Restore NY VII: \$1,826,226

- REDC Round 14 Empire State Development Grant Funds: \$2,000,000

**Seeking the approval and endorsement from the Common Council to identify Mayor DeStefano as the authorized representative and sole signatory, and to authorize the Treasurer to recommend a Bond Resolution, as these are both reimbursable grants.**

- 3.9. Authorization to approve an additional Bond Resolution for \$3.9 million toward the O&W Project

Requesting to authorize an additional \$3,900,000 Bond Issuance to pay for the Costs related to the O&W Railroad Station Rehabilitation. In Resolution 235-24, the City approved a total of \$16,000,000

4. WATER/SEWER/LAWN MAINTENANCE ADJUSTMENT
5. ADJOURNMENT