

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



**CITY OF MIDDLETOWN
BOARD OF ESTIMATE AND APPORTIONMENT MINUTES
SEPTEMBER 2, 2025**

Roll Call

Present: Mayor DeStefano, Council President Rodrigues, Alderman Masi

Absent:

Approval of Minutes

Accept the Minutes of 8/18/2025

Motion by: Alderman Masi **Seconded by:** Council President Rodrigues

AYES: Mayor DeStefano, Council President Rodrigues, Alderman Masi

NAYS: None

ABSTAIN: None

New Business

Authorization to accept additional STOP-DWI High Visibility Engement enforcement funding for 2025

*Attached please find the contract **amendment** with the County for our 2023-2024 STOP-DWI High Visibility Engagement (formerly crackdown campaign) enforcement period of November 1, 2024 through September 30, 2025.*

The total amount of the award has been increased to \$10,000 from the original contracted amount of \$5,000. Please be kind enough to prepare a resolution authorizing the Mayor to sign the updated agreement.

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

Request to authorize the Treasuret to add this additional funding of \$5,000 to our newly renamed STOP DWI High Visibility grant line A.3126.103.

Motion by: Alderman Masi **Seconded by:** Mayor DeStefano

AYES: Mayor DeStefano, Council President Rodrigues, Alderman Masi

NAYS: None

ABSTAIN: None

Authorization to transfer within the Police Department 2025 Budget

Requesting that the City of Middletown Common Council approve the following transfer requests within our 2025 budget lines to cover the following costs:

<i>From</i>	<i>Amount</i>	<i>To</i>
<i>A.3120.100</i>	<i>\$100,000</i>	<i>A.3120.103</i>
<i>Personal Services</i>		<i>Overtime</i>

<i>A.3120.100</i>	<i>\$35,000</i>	<i>A.3120.200</i>
<i>Personal Services</i>		<i>Equipment</i>
<i>For the purchase of a new kennel to be used by animal control</i>		

<i>A.3120.100</i>	<i>\$80,000</i>	<i>A.3120.201</i>
<i>Personal Services</i>		<i>Vehicles</i>
<i>For the purchase of a replacement unmarked police vehicle to include the purchase and transfer cost of safety lighting and equipment.</i>		

Motion by: Mayor DeStefano **Seconded by:** Alderman Masi

AYES: Mayor DeStefano, Council President Rodrigues, Alderman Masi

NAYS: None

ABSTAIN: None

Authorization to approve Transfer within 2025 Water Fund Budget *Respectfully requesting a transfer of funds from the personal services line, F.8330.100, into the WTP Overtime account, F.8330.103, to cover projected overtime at the Filter Plant for the remainder of this year. Currently, the WTP is short-staffed by two (2) licensed operators. One position funding is being used to pay for the H2O licensed operator to cover.*

Be it Resolved; that the Board of Estimate and Apportionment authorizes the Treasurer to transfer \$20,000 in the following manner,

<i>FROM</i>	<i>TO</i>	<i>AMOUNT</i>
<i>F.8330.100</i>	<i>F.8330.103</i>	<i>\$20,000.00</i>

Motion by: Council President Rodrigues **Seconded by:** Alderman Masi

AYES: Mayor DeStefano, Council President Rodrigues, Alderman Masi

NAYS: None

ABSTAIN: None

Authorization to Return FEMA funds

Per the attached e-mail communications, the NYS Division of Homeland Security and Emergency Services has received a de-obligation from FEMA in the amount of \$61,317.15.

The reason stated for the de-obligation is that the above roads are FHWA (Federal Highway Administration) roads and not eligible for FEMA funding through public assistance. The de-obligation is from June 2012. However, the Division of Homeland Security paid the City of Middletown for their expenditures September 4, 2012.

Request that the \$61,317.15 be returned to the Division of Homeland Security and Emergency Services and the check be cut upon approval of this request.

Motion by: Mayor DeStefano **Seconded by:** Alderman Masi
AYES: Mayor DeStefano, Council President Rodrigues, Alderman Masi
NAYS: None
ABSTAIN: None

Resolution Authorizing Transfer within Senior Center Budget Lines

BE IT RESOLVED, by the Board of Estimate and Apportionment, that the Treasurer is hereby authorized to transfer funds within the Senior Center budget as follows:

<i>FROM</i>	<i>TO</i>	<i>AMOUNT</i>
<i>A.2705.05 – Senior Donations</i>	<i>A.6772.05 – Program Use of Donations</i>	<i>\$1,500.00</i>

BE IT FURTHER RESOLVED, that this transfer shall be used to cover Senior Center activity and event expenses expected through the end of the fiscal year.

Motion by: Council President Rodrigues **Seconded by:** Alderman Masi
AYES: Mayor DeStefano, Council President Rodrigues, Alderman Masi
NAYS: None
ABSTAIN: None

Resolution Authorizing Revised Agreement with Fusco Engineering for Design, Construction Management, and Incidental Services for the O&W Project

WHEREAS, on December 22, 2021 Fusco Engineering submitted a proposal for Design and Construction Management for the referenced project, which was approved by the Common Council under Resolution Index No. 58-22 in the amount of \$2,166,844.00, based on a project budget of \$11,650,000; and

WHEREAS, the project tenant changed from ABCD to RECAP, resulting in delays and requiring design changes; and

WHEREAS, actual construction bids received were in excess of \$30 million, excluding RECAP's share; and

WHEREAS, Fusco Engineering has submitted a revised proposal dated August 22, 2025, for Design, Construction Management, and other incidental services, with a breakdown as follows:

- *Design* \$1,374,238.00
- *Construction Management* \$1,442,602.00
- *Historical Tax Credit* \$75,000.00
- *Environmental Review* \$84,030.00
- *Parking Lot Subdivision & Design* \$39,342.00
- **Total** **\$3,015,212.00**
- *Contingency* \$150,342.00
- **TOTAL PACKAGE** **\$3,165,554.00**

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Middletown hereby approves and authorizes the revised agreement with Fusco Engineering in the amount of \$3,165,554.00 for Design, Construction Management, and incidental services as set forth above.

Motion by: Mayor DeStefano **Seconded by:** Alderman Masi
AYES: Mayor DeStefano, Council President Rodrigues, Alderman Masi
NAYS: None
ABSTAIN: None

Resolution Authorizing a Transfer within the Department of Public Works Budget for a Paint Striping Machine

***BE IT RESOLVED** that the Common Council authorizes the transfer of funds within the 2025 budget as follows, to cover the cost of a new paint striping machine.*

FROM	AMOUNT TO
<i>A.8160.100 – Sanitation Payroll</i>	<i>\$8,435.00 A.5110.200 – Other Equipment</i>

Motion by: Alderman Masi **Seconded by:** Council President Rodrigues
AYES: Mayor DeStefano, Council President Rodrigues, Alderman Masi
NAYS: None
ABSTAIN: None

Resolution Authorizing a Transfer within the Department of Public Works Budget for Additional Signage and Painting

***WHEREAS,** additional traffic signs were installed and more paint was used than originally budgeted, and sign costs increased by 15–25%, creating a shortage in the Traffic Paint and Signs line,*

***NOW, THEREFORE, BE IT RESOLVED** that the Common Council authorizes the transfer of funds within the 2025 budget as follows:*

FROM	AMOUNT TO
<i>A.8160.100 – Sanitation Payroll</i>	<i>\$15,000.00 A.1620.477 – Traffic Paint & Signs</i>

Motion by: Alderman Masi **Seconded by:** Council President Rodrigues
AYES: Mayor DeStefano, Council President Rodrigues, Alderman Masi
NAYS: None
ABSTAIN: None

Resolution to accept National Fitness Campaign Grant Award

Resolution to accept National Fitness Campaign Grant Award:

WHEREAS, the City of Middletown has submitted a Grant Application to National Fitness Campaign (NFC) for participation in their 2025 initiative to install and activate outdoor Fitness Courts® in over 1000 municipalities and schools across the country, and;

WHEREAS, the City of Middletown will accept a \$40,000 National Grant from the NFC Grant Committee and Statewide Partners, and endeavor to provide a local match in the amount of \$165,000 from budgeted or internal funds within fiscal year 2025 to promote and implement a free-to-the-public outdoor Fitness Court®, and;

WHEREAS, the City of Middletown will endeavor to provide a local funding confirmation in the amount designated on the quote detailing the remaining funds for participation, provided by the National Fitness Campaign no later than September 19, 2025 as identified on the official Grant Program Requirement document.

WHEREAS, the City of Middletown believes joining the National Fitness Campaign is an important step in building a healthier community, commits to funding to participate in NFC's 2025 Campaign, and will earn local and regional recognition as a leader in providing accessible health and wellness infrastructure and programs.

NOW THEREFORE:

BE IT RESOLVED, that the City of Middletown will collaborate with NFC to join the National Fitness Campaign, implement the outdoor Fitness Court® program, and make fitness free for community residents and visitors.

Motion by: Mayor DeStefano **Seconded by:** Council President Rodrigues
AYES: Mayor DeStefano, Council President Rodrigues, Alderman Masi
NAYS: None
ABSTAIN: None

BID Opening for Plumbing for the O & W Project

Water/Sewer/Lawn Maintenance Adjustment

Adjournment

@4:23PM

Motion by: Alderman Masi **Seconded by:** Mayor DeStefano
AYES: Mayor DeStefano, Council President Rodrigues, Alderman Masi

NAYS: None

ABSTAIN: None

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

Memo

To: Chief Ewanciw
From: Sgt. Jason Beaudette
Date: August 26, 2025
Re: Disposal of Narco Unit vehicles

The following is a list of vehicles owned by the police department that have been identified for disposal, by means of scrap. The vehicles have surpassed their useful life and the cost to repair the vehicles will exceed their value.

year	make	vin number	vehicle number	color	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

Respectfully,

Sgt. Jason Beaudette #1255

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

Memo

To: Chief Ewanciw
From: Sgt. Jason Beaudette
Date: August 26, 2025
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2007	Nissan Maxima	1N4BA41E77C816497	N/A	Blue	Engine/Stretched timing chain

Respectfully,

Sgt. Jason Beaudette #1255



REPORT SUMMARY



CLAIM INFORMATION

Owner	City Of Middletown Middletown, NY 10940
Loss Unit	Police 2023 Ford EXPLORER POLICE AWD 6cyl. 3.3l Sport Utility Vehicle
Loss Unit Type	SPECIALTY VEHICLES
Loss Incident Date	08/09/2025
Claim Reported	08/15/2025



INSURANCE INFORMATION

Report Reference Number	126816676
Claim Reference	F6H8980005
Adjuster	Albrecht, Logan
Appraiser	Vargas, Nichole
Odometer	25,795
Last Updated	08/18/2025 01:32 PM



VALUATION SUMMARY

Base Value	\$ 31,320.00
Adjusted Value	\$ 31,320.00
Tax (8.125%)	+ \$ 2,544.75
Tax reflects applicable state, county and municipal taxes.	
Deductible	- \$ 500.00

Total	\$ 33,364.75
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The total may not represent the total of the settlement as other factors (e.g. license and fees) may need to be taken into account.

The CCC ONE® Market Valuation Report reflects CCC Intelligent Solutions Inc.'s opinion as to the value of the loss unit, based on information provided to CCC by TRAVELERS.

BASE VALUE

This is derived from comparable unit(s) available or recently available in the marketplace at the time of valuation, per our valuation methodology described on the next page.

Inside the Report

Valuation Methodology.....	2
Loss Unit Information.....	3
Comparable Units.....	6
Valuation Notes.....	9
Supplemental Information.....	10

VALUATION METHODOLOGY

How was the valuation determined?



CLAIM INSPECTION

TRAVELERS has provided CCC with the zip code where the loss unit is garaged, loss unit VIN, mileage/hours, options and additional equipment, as well as loss unit condition, which is used to assist in determining the value of the loss unit.



DATABASE REVIEW

CCC maintains an extensive database of units that currently are or recently were available for sale in the U.S. This database includes units advertised for sale by dealerships or private parties. All of these sources are updated regularly.



SEARCH FOR COMPARABLES

When a valuation is created the database is searched and comparable units are selected. On current year units, new units for sale at the time of the valuation may have been used. The zip code where the loss unit is garaged determines the starting point for the search. Comparable units are similar to the loss unit based on relevant factors. If a sufficient number of comparable units cannot be located, CCC may also obtain dealer quotations for a unit with attributes as reported by the insurer.



CALCULATE VALUATION

Adjustments to the price of the selected comparable units are made to reflect differences in attributes, including mileage/hours, options, additional equipment, refurbishments, after factory equipment, and condition. Dollar adjustments are based upon market research. Finally, the Base Value is the straight average of the adjusted values of the comparable units. Due to the unique nature of the loss units valued in the Commercial and Recreational Vehicle division, a valuation specialist handles each request individually.

 LOSS UNIT INFORMATION

LOSS UNIT DETAILS

Location	Middletown , NY 10940
VIN	1FM5K8AB4PGB58966
Year	2023
Make	Ford
Model	EXPLORER POLICE AWD
Drivetrain	4X4

LOSS UNIT CONDITION

	Condition
Overall Rating	Average

Vehicles sold in the United States are required to have a manufacturer assigned Vehicle Identification Number(VIN). This number provides certain specifications of the vehicles .

Please review the information in the Loss Unit Information Section to confirm the reported mileage and condition, and to verify that the information accurately reflects the options, additional equipment, refurbishments or other aspects of the loss unit that may impact the value.

TRAVELERS uses condition inspection guidelines to determine the condition of the loss unit prior to the loss. The guidelines describe physical characteristics for the loss unit, for the condition selected based upon age. Inspection Notes reflect observations from the appraiser regarding the loss unit's condition.

LOSS UNIT EQUIPMENT

CT - Transmission	AUTOMATIC TRANSMISSION	✓
	4 WHEEL DRIVE	✓
PO - Power	POWER STEERING	✓
	POWER BRAKES	✓
	POWER WINDOWS	✓
	POWER LOCKS	✓
	POWER MIRRORS	✓
	POWER DRIVER SEAT	✓
IS - Seats/Interior	BUCKET SEATS	✓
	CLOTH SEATS	✓
	RECLINING/LOUNGE SEATS	✓
CS - Convenience	AIR CONDITIONING	✓
	DUAL MIRRORS	✓
	INTERMITTENT WIPERS	✓
	TILT WHEEL	✓
	CRUISE CONTROL	✓
	REAR DEFOGGER	✓
	MESSAGE CENTER	✓
	STEERING WHEEL TOUCH CONTROLS	✓
	REAR WINDOW WIPER	✓
	TELESCOPIC WHEEL	✓
	CLIMATE CONTROL	✓
	OVERHEAD CONSOLE	✓
CR - Radio	AM RADIO	✓
	FM RADIO	✓
	STEREO	✓
	SEARCH/SEEK	✓
	AUXILIARY AUDIO CONNECTION	✓
CW - Wheels	STYLED STEEL WHEELS	✓
SS - Safety	AIR BAG (DRIVER ONLY)	✓
	PASSENGER AIR BAG	✓
	ANTI-LOCK BRAKES (4)	✓
	4-WHEEL DISC BRAKES	✓
	TRACTION CONTROL	✓

To the left is the equipment of the loss unit that TRAVELERS provided to CCC.

LOSS UNIT EQUIPMENT

OP - Other	STABILITY CONTROL	✓
	FRONT SIDE IMPACT AIR BAGS	✓
	HEAD/CURTAIN AIR BAGS	✓
	HANDS FREE	✓
	BACKUP CAMERA	✓
	XENON OR L.E.D. HEADLAMPS	✓
	PRIVACY GLASS	✓
	REAR SPOILER	✓
	CLEARCOAT PAINT	✓
	TRAILER HITCH	✓
	CALIFORNIA EMISSIONS	✓

ADDITIONAL EQUIPMENT

Push Bumper	✓
Trailer Package	✓
Full Size Light Bar	✓

COMPARABLE UNITS

	Loss Unit	Comp 1	Comp 2
Price		\$23,900	\$20,111
Year/Make/Model	2023 Ford EXPLORER POLICE AWD	2022 Ford EXPLORER POLICE AWD	2021 Ford EXPLORER POLICE AWD
Odometer	25,795	21,155	80,763
Configuration			
Model Description	3.3L	3.3L	3.3L
Body Type	SPORT UTILITY VEHICLE	SPORT UTILITY VEHICLE	SPORT UTILITY VEHICLE
Drivetrain	4X4	4X4	4X4
Engine Cylinder	6	6	6
Options			
TW - Tilt Wheel	✓	✓	✓
DG - Head/Curtain Air Bags	✓	✓	✓
PS - Power Steering	✓	✓	✓
TX - Traction Control	✓	✓	✓
M3 - Auxiliary Audio Connection	✓	✓	✓
PW - Power Windows	✓	✓	✓
FM - FM Radio	✓	✓	✓
PX - Backup Camera	✓	✓	✓
DM - Dual Mirrors	✓	✓	✓
DT - Privacy Glass	✓	✓	✓
BS - Bucket Seats	✓	✓	✓
SE - Search/Seek	✓	✓	✓
MC - Message Center	✓	✓	✓
SL - Rear Spoiler	✓	✓	✓
WP - Rear Window Wiper	✓	✓	✓
T1 - Stability Control	✓	✓	✓
SP - Power Driver Seat	✓	✓	✓
CC - Cruise Control	✓	✓	✓
AB - Anti-Lock Brakes (4)	✓	✓	✓
ST - Stereo	✓	✓	✓
AC - Air Conditioning	✓	✓	✓
4W - 4 Wheel Drive	✓	✓	✓
AG - Drivers Side Air Bag	✓	✓	✓
SY - Styled Steel Wheels	✓	✓	✓

Comp 1 Updated Date: 07/23/2025

2022 Ford EXPLORER POLICE AWD
VIN 1FM5K8AB9NGA29621

Dealership STATE SURPLUS AUTO S

Location Newark, NJ

Contact ,

Telephone (973) 358-8549

Source Dealer Ad

Stock # A29621

Comp 2 Updated Date: 06/18/2025

2021 Ford EXPLORER POLICE AWD

VIN 1FM5K8AB0MGA19168

Dealership YOSH MOTORS 22

Location Somerville, NJ

Contact ,

Telephone (908) 258-9437

Source Dealer Ad

Stock # A19168

Comparables used in the determination of the Base Value are not intended to be replacement units but are reflective of the market value, and may no longer be available for sale.

Price is the amount that the dealership will accept to sell the unit, though a lower price may be obtainable through negotiation.

COMPARABLE UNITS

	Loss Unit	Comp 1	Comp 2
IP - Clearcoat Paint	✓	✓	✓
EM - California Emissions	✓	✓	✓
CL - Climate Control	✓	✓	✓
CO - Overhead Console	✓	✓	✓
AM - AM Radio	✓	✓	✓
XE - Xenon Or L.e.d. Headlamps	✓	✓	✓
IW - Intermittent Wipers	✓	✓	✓
XG - Front Side Impact Air Bags	✓	✓	✓
CS - Cloth Seats	✓	✓	✓
PB - Power Brakes	✓	✓	✓
RD - Rear Defogger	✓	✓	✓
AT - Automatic Transmission	✓	✓	✓
TH - Trailer Hitch	✓	✓	✓
RG - Passenger Air Bag	✓	✓	✓
TL - Telescopic Wheel	✓	✓	✓
RL - Reclining/Lounge Seats	✓	✓	✓
PL - Power Locks	✓	✓	✓
TQ - Steering Wheel Touch Controls	✓	✓	✓
PM - Power Mirrors	✓	✓	✓
DB - 4-Wheel Disc Brakes	✓	✓	✓
HF - Hands Free	✓	✓	✓

Additional Equipment

Dispatch System	✗	✓	✗
Partition	✗	✓	✗
Push Bumper	✓	✗	✗
Trailer Package	✓	✗	✗
Full Size Light Bar	✓	✗	✗

Condition	Average	Average	Average
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Adjustments:

Make/Model/Trim	\$ 7,500	\$ 9,600
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Additional Equipment

Dispatch System	- \$ 927	
Partition	- \$ 371	
Push Bumper	\$ 233	\$ 233
Full Size Light Bar	\$ 956	\$ 956
Odometer	- \$ 2,187	\$ 2,635

Condition

 COMPARABLE UNITS

Adjusted Comparable Value	\$29,104	\$33,535
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VALUATION NOTES

08/18/2025 13:18 - STANDARD EQUIPMENT: 4W, AB, AC, AG, AM, AT, BS, CC, CL, CO, CS, DB, DG, DM, DT, EM, FM, HF, IP, IW, M3, MC, PB, PL, PM, PS, PW, PX, RD, RG, RL, SE, SL, SP, ST, SY, T1, TH, TL, TP, TQ, TW, TX, WP, WU, XE, XG

08/18/2025 13:18 - AVERAGE MILEAGE: 29933

This Market Valuation Report has been prepared exclusively for use by TRAVELERS, and no other person or entity is entitled to or should rely upon this Market Valuation Report and/or any of its contents. CCC is one source of valuations, and there are other valuation sources available.

SUPPLEMENTAL INFORMATION

 LOSS UNIT HISTORY INFORMATION

VINGuard®

VINGuard® Message: VINGuard has decoded this VIN without any errors

SUPPLEMENTAL INFORMATION



EXPERIAN® AUTOCHECK® VEHICLE HISTORY REPORT

TITLE CHECK	RESULTS FOUND
Abandoned	✓ No Abandoned Record Found
Damaged	✓ No Damaged Record Found
Fire Damage	✓ No Fire Damage Record Found
Grey Market	✓ No Grey Market Record Found
Hail Damage	✓ No Hail Damage Record Found
Insurance Loss	✓ No Insurance Loss Record Found
Junk	✓ No Junk Record Found
Rebuilt	✓ No Rebuilt Record Found
Salvage	✓ No Salvage Record Found
EVENT CHECK	RESULTS FOUND
NHTSA Crash Test Vehicle	✓ No NHTSA Crash Test Vehicle Record Found
Frame Damage	✓ No Frame Damage Record Found
Major Damage Incident	✓ No Major Damage Incident Record Found
Manufacturer Buyback/Lemon	✓ No Manufacturer Buyback/Lemon Record Found
Odometer Problem	✓ No Odometer Problem Record Found
Recycled	✓ No Recycled Record Found
Branded Title Auction	✓ No Branded Title Auction Record Found
Water Damage	✓ No Water Damage Record Found
VEHICLE INFORMATION	RESULTS FOUND
Accident	✓ No Accident Record Found
Corrected Title	✓ No Corrected Title Record Found
Driver Education	✓ No Driver Education Record Found
Duplicate Title	✓ No Duplicate Title Record Found
Emissions Safety Inspection	✓ No Emissions Safety Inspection Record Found
Fire Damage Incident	✓ No Fire Damage Incident Record Found
Lease	✓ No Lease Record Found
Lien	✓ No Lien Record Found
Livery Use	✓ No Livery Use Record Found
Government Use	✓ No Government Use Record Found
Police Use	✓ No Police Use Record Found
Fleet	✓ No Fleet Record Found
Rental	✓ No Rental Record Found
Fleet and/or Lease	✓ No Fleet and/or Lease Record Found
Fleet and/or Rental	✓ No Fleet and/or Rental Record Found
Repossessed	✓ No Repossessed Record Found
Taxi use	✓ No Taxi use Record Found
Theft	✓ No Theft Record Found

CCC provides TRAVELERS information reported by Experian® regarding the 2023 Ford EXPLORER POLICE AWD 6cyl. 3.3l (1FM5K8AB4PGB58966). This data is provided for informational purposes. Unless otherwise noted in this Market Valuation Report, CCC does not adjust the value of the loss unit based upon this information.

LEGEND :

- ✓ No Event Found
- ⊘ Event Found
- 📄 Information Needed

TITLE CHECK

THIS VEHICLE CHECKS OUT

AutoCheck's result for this loss unit show no significant title events. When found, events often indicate automotive damage or warnings associated with the unit.

EVENT CHECK

THIS VEHICLE CHECKS OUT

AutoCheck's result for this loss unit show no historical events that indicate a significant automotive problem. These problems can indicate past previous car damage, theft, or other significant problems.

VEHICLE INFORMATION

THIS VEHICLE CHECKS OUT

AutoCheck's result for this loss unit show no vehicle information that indicate a significant automotive problem. These problems can indicate past previous car damage, theft, or other significant problems.

ODOMETER CHECK

THIS VEHICLE CHECKS OUT

AutoCheck's result for this loss unit show no indication of odometer rollback or tampering was found. AutoCheck determines odometer rollbacks by searching for records that indicate odometer readings less than a previously reported value. Other odometer events can report events of tampering, or possible odometer breakage.

SUPPLEMENTAL INFORMATION



FULL HISTORY REPORT RUN DATE: 08/18/2025

Below are the historical events for this vehicle listed in chronological order.

EVENT DATE	EVENT LOCATION	ODOMETER READING	DATA SOURCE	EVENT DETAIL
			Independent Source	Vehicle Manufactured and Shipped to Dealer
08/28/2023	MORRISTOWN, NJ	10	Dealer Listing	Vehicle Listed for Sale
02/19/2024	NY	52	Motor Vehicle Dept.	Emission Inspection
02/19/2024	NY		Motor Vehicle Dept.	Passed Safety Inspection
04/01/2024	MIDDLETOWN, NY		Motor Vehicle Dept.	Title

AUTOCHECK TERMS AND CONDITIONS:

Experian's Reports are compiled from multiple sources. It is not always possible for Experian to obtain complete discrepancy information on all vehicles; therefore, there may be other title brands, odometer readings or discrepancies that apply to a vehicle that are not reflected on that vehicle's Report. Experian searches data from additional sources where possible, but all discrepancies may not be reflected on the Report.

These Reports are based on information supplied to Experian by external sources believed to be reliable, BUT NO RESPONSIBILITY IS ASSUMED BY EXPERIAN OR ITS AGENTS FOR ERRORS, INACCURACIES OR OMISSIONS. THE REPORTS ARE PROVIDED STRICTLY ON AN "AS IS WHERE IS" BASIS, AND EXPERIAN FURTHER EXPRESSLY DISCLAIMS ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE REGARDING THIS REPORT.

YOU AGREE TO INDEMNIFY EXPERIAN FOR ANY CLAIMS OR LOSSES, INCLUDING COSTS, EXPENSES AND ATTORNEYS FEES, INCURRED BY EXPERIAN ARISING DIRECTLY OR INDIRECTLY FROM YOUR IMPROPER OR UNAUTHORIZED USE OF AUTOCHECK VEHICLE HISTORY REPORTS.

Experian shall not be liable for any delay or failure to provide an accurate report if and to the extent which such delay or failure is caused by events beyond the reasonable control of Experian, including, without limitation, "acts of God", terrorism, or public enemies, labor disputes, equipment malfunctions, material or component shortages, supplier failures, embargoes, rationing, acts of local, state or national governments, or public agencies, utility or communication failures or delays, fire, earthquakes, flood, epidemics, riots and strikes.

These terms and the relationship between you and Experian shall be governed by the laws of the State of Illinois (USA) without regard to its conflict of law provisions. You and Experian agree to submit to the personal and exclusive jurisdiction of the courts located within the county of Cook, Illinois.

SIDEWALK ROAD	☐
DRY	☒
WET	☐
ICY	☐
SNOWY	☐

CITY OF MIDDLETOWN, N. Y.
ACCIDENT REPORT
(CITY INVOLVED)

CHECK V I	
WEATHER CONDITION:	
CLEAR	☒
CLOUDY	☐
FOG	☐
RAIN	☐
SNOW	☐

TIME	0226 ☒ A.M. ☐ P.M.	MONTH	8	DAY	9	YEAR	25	ACCIDENT INVOLVED	☒ Injury ☐ Death ☐ Property Damage Only	ACCIDENT NO. CM-15864-25	COMPLAINT NO.
CITY PROPERTY DAMAGE	☐ LIGHT POLE ☐ STREET SIGN ☐ FIRE HYDRANT ☒ VEHICLE ☐ SIDEWALK										
LOCATION	ON North St AT INTERSECTION WITH Railroad Ave OR FEET N E S W OF INTERSECTION — LANDMARK — OR POLE NO. IF INSIDE OR OTHER THAN ABOVE ADDRESS AND ROOM NO. OR OTHER SPECIFIC LOCATION										
OWNER OF PROPERTY	NAME CITY STATE ZIP										
INSURANCE CO. AND AGENT											
PERSONS INJURED OR KILLED	SURNAME	FIRST NAME	ADDRESS				SEX	AGE	D. O. B.	VEH. NO.	
	1 Barclay	Bruce					M	36	2-27-89	1	
NATURE OF INJURY	SURNAME	FIRST NAME	ADDRESS				SEX	AGE	D. O. B.	VEH. NO.	
	2 Gilliard	James	7 Walnut LN Middletown NY				M		6-29-67	2	
NATURE OF PROPERTY DAMAGE	1 Left side of face/head							TREATED BY		HOSPITAL	
	2 Complaints of pain							DR. Abie Li		Garnet	
DEFECTS	☐ ROADWAY ☒ NONE ☐ HOLE ☐ OBSTRUCTION — WIDTH LENGTH DEPTH FT. FT. IN. ☒ LIGHTED ☐ UNLIGHTED IS LOCATION UNDER REPAIR ☐ YES ☒ NO If Yes note information under details										
CITY VEHICLE NO. 1	OPERATOR'S FIRST NAME		LAST NAME		DRIVER'S LICENSE NO.				SEX	AGE	D. O. B.
	Bruce D.		Barclay		709 952 780				M	36	2-27-89
VEHICLE NO. 2	DEPT.	MAKE OF VEHICLE	YEAR	TYPE	REG. NO.	VEHICLE IDENTIFICATION NO.		SIREN	RED LIGHT		
	Police	Ford	23	SUBN	9	1FM5K8AB4PG-B58966		ON OFF	ON OFF		
WITNESSES	OPERATOR'S FIRST NAME		LAST NAME		OWNER'S FIRST NAME		LAST NAME				
	James A.		Gilliard		Vivian B		Gilliard				
DESCRIBE ACCIDENT AND ALL OTHER PERTINENT INFORMATION	ADDRESS		CITY	STATE	ZIP	ADDRESS		CITY	STATE	ZIP	
	7 Walnut Ln.		Middletown	NY	10940	P.O. Box 642		Woodbridge	NY	12789	
INVESTIGATING OFFICER	SEX	D. O. B.	CONDITION OF DRIVER: ☐ Fell Asleep ☒ Normal ☐ Defect ☐ Ill ☐ Intox		MAKE	YEAR	TYPE	REG. NO.	STATE	VEH. IDENT.	
	M	6-29-67			Subaru	20	Subn	HWJ8158	NY	JF2SKALCOLH584809	
SHIELD NO.	DRIVERS LICENSE INFORMATION		LICENSE OR PERMIT NO.		STATE	INS. CODE	AGENT				
	☐ Unlic. ☐ Permit ☒ Operators ☐ Chauff.		633 369 857		NY	011	CITY				
REVIEWED BY	OPERATOR		☐ SUMMONSED ☒ NO ACTION		CHARGES IF ARRESTED OR SUMMONSED		SUMMONS NO.		ARREST NO.		
DATE OF REPORT	1 Erik Call 845 313 8768 1360 RT 209 Cuddebackville NY 12729										
	2										
DATE FORWARDED	VI responding to an emergency call for service was traveling North on N Street and Approaching intersection of N. Street and Railroad Ave. V2 has green light and proceeds through intersection, Making left turn from Railroad Ave onto North Street. VI strikes V2 on the front driver side in the intersection. Airbags deployed in both vehicles. Occupants of both vehicles transported/continued										

SIDEWALK ROAD	☐
DRY	☒
WET	☐
ICY	☐
SNOWY	☐

CITY OF MIDDLETOWN, N. Y.
ACCIDENT REPORT
(CITY INVOLVED)

CHECK	
WEATHER CONDITION:	
CLEAR	☐
CLOUDY	☐
FOG	☐
RAIN	☐
SNOW	☐

TIME	0226 ☒ A.M. ☐ P.M.	MONTH 8	DAY 9	YEAR 25	ACCIDENT INVOLVED ☒ Injury ☐ Death ☐ Property Damage Only	ACCIDENT NO. CM-15864-25	COMPLAINT NO.									
CITY PROPERTY DAMAGE	☐ LIGHT POLE ☐ STREET SIGN ☐ FIRE HYDRANT ☒ VEHICLE ☐ SIDEWALK															
LOCATION	ON North St AT INTERSECTION WITH Railroad Avenue OR FEET N E S W OF INTERSECTION — LANDMARK — OR POLE NO. IF INSIDE OR OTHER THAN ABOVE ADDRESS AND ROOM NO. OR OTHER SPECIFIC LOCATION															
OWNER OF PROPERTY	NAME CITY STATE ZIP															
INSURANCE CO. AND AGENT																
PERSONS INJURED OR KILLED	SURNAME		FIRST NAME		ADDRESS		SEX	AGE	D. O. B.	VEH. NO.						
	1 Henson		Susan		7 Walnut Lane		M	57	9-14-67	2						
NATURE OF INJURY	SURNAME		FIRST NAME		ADDRESS		SEX	AGE	D. O. B.	VEH. NO.						
	1 Complaints of Pain															
NATURE OF PROPERTY DAMAGE	TREATED BY		HOSPITAL													
	1 DR. Abie Li		Garnet													
DEFECTS	ROADWAY		NONE		HOLE		OBSTRUCTION		WIDTH		FT.		LIGHTED		IS LOCATION UNDER REPAIR	
	SIDEWALK		OTHER (Specify)		LENGTH		DEPTH		FT.		IN.		UNLIGHTED		YES NO	
CITY VEHICLE NO. 1	OPERATOR'S FIRST NAME		LAST NAME		DRIVER'S LICENSE NO.		SEX		AGE		D. O. B.					
	DEPT.		MAKE OF VEHICLE		YEAR		TYPE		REG. NO.		VEHICLE IDENTIFICATION NO.		SIREN		RED LIGHT	
VEHICLE NO. 2	OPERATOR'S FIRST NAME		LAST NAME		OWNER'S FIRST NAME		LAST NAME		ADDRESS		CITY		STATE		ZIP	
	SEX		D. O. B.		CONDITION OF DRIVER: ☐ Fell Asleep ☐ Normal ☐ Defect ☐ Ill ☐ Intox		MAKE		YEAR		TYPE		REG. NO.		STATE	
WITNESSES	DRIVERS LICENSE INFORMATION		LICENSE OR PERMIT NO.		STATE		INS. CODE		AGENT		CITY					
	☐ Learners ☐ Operators ☐ Unlic. ☐ Permit ☐ Chauff.															
DESCRIBE ACCIDENT AND ALL OTHER PERTINENT INFORMATION	OPERATOR		☐ SUMMONSED		CHARGES IF ARRESTED OR SUMMONSED		SUMMONS NO.		ARREST NO.							
	☐ ARRESTED		☐ NO ACTION													
INVESTIGATING OFFICER	SHIELD NO.		REVIEWED BY		TIME		DATE OF REPORT		DATE FORWARDED							

New York State Department of Motor Vehicles
POLICE ACCIDENT REPORT
MV-104A (7/18)19
17

Local Codes
CM25015864
08092025-119828

☐ AMENDED REPORT

1	Accident Date Month 08 Day 09 Year 2025	Day of Week Saturday	Military Time 02:26	No. of Vehicles 2	No. Injured 3	No. Killed 0	Not Investigated at Scene ☐	Left Scene ☐	Police Photos ☒ Yes ☐ No	20		
2	VEHICLE 1 Vehicle 1 - Driver License ID Number 709952780 Driver Name - exactly as printed on license BARCLAY, BRUCE Address (Include number and street) 2 JAMES STREET City or Town MIDDLETOWN State NY Zip Code 10940 Date of Birth Month 02 Day 27 Year 1989 Sex M Unlicensed ☐ No. of Occupants 1 Public Property Damaged ☐				VEHICLE 2 Vehicle 2 - Driver License ID Number 633369857 Driver Name - exactly as printed on license GILLIARD, JAMES A Address (Include number and street) 7 WALNUT LANE City or Town MIDDLETOWN State NY Zip Code 10940 Date of Birth Month 06 Day 29 Year 1967 Sex M Unlicensed ☐ No. of Occupants 2 Public Property Damaged ☐						21	
3	Name—exactly as printed on registration CITY, MIDDLETOWN Address (Include number and street) 16 James St City or Town Middletown State NY Zip Code 10940 Plate Number POLICE State of Reg. NY Vehicle Year & Make 2023 FORD Vehicle Type SUBN Ins. Code 994				Name—exactly as printed on registration GILLIARD, VIVIAN B Address (Include number and street) PO Box 642 City or Town WOODRIDGE State NY Zip Code 12789 Plate Number HUW8458 State of Reg. NY Vehicle Year & Make 2020 SUBA Vehicle Type SUBN Ins. Code 011						22	
4	Ticket/Arrest Number(s)				Ticket/Arrest Number(s)						23	
5	Violation Section(s)				Violation Section(s)						24	
6	Check if involved vehicle is: ☐ more than 95 inches wide; ☐ more than 34 feet long; ☐ operated with an overweight permit ☐ operated with an overdimension permit; VEHICLE 1 DAMAGE CODES Box 1 - Point of Impact 1 2 Box 2 - Most Damage 01 01 Enter up to three more damage codes 3 4 5 02 Vehicle Towed: By JOHNNYS TOWING To HOLLYWOOD				Check if involved vehicle is: ☐ more than 95 inches wide; ☐ more than 34 feet long; ☐ operated with an overweight permit ☐ operated with an overdimension permit; VEHICLE 2 DAMAGE CODES Box 1 - Point of Impact 1 2 Box 2 - Most Damage 11 11 Enter up to three more damage codes 3 4 5 Vehicle Towed: By DEVOS To DEVOS				Circle the diagram below that describes the accident, or draw your own diagram in space #9. Number the vehicles. Rear End Left Turn Right Turn Head On 1. 3. 5. 7. Sideswipe (same direction) Left Turn Right Turn Sideswipe (opposite direction) 2. 4. 6. 8. ACCIDENT DIAGRAM		25	
7	VEHICLE DAMAGE CODING 1-13. SEE DIAGRAM ON RIGHT 14. UNDERCARRIAGE 17. DEMOLISHED 15. TRAILER 18. NO DAMAGE 16. OVERTURNED 19. OTHER				Place Where Accident Occurred: County ORANGE ☒ City ☐ Village ☐ Town of MIDDLETOWN Road on which accident occurred RAILROAD AVE (Route Number or Street Name) at 1) intersecting street NORTH ST (Route Number or Street Name) or 2) ☐ N ☐ S ☐ E ☐ W of (Milepost, Nearest intersecting Route Number or Street Name) Feet Miles				Cost of repairs to any one vehicle will be more than \$1000. ☒ Yes ☐ No		26	
8	Reference Marker				Coordinates (if available) Latitude/Northing: 41 Longitude/Easting: -74				Accident Description/Officer's Notes Vehicle 1 (MPD CAR 9) Responding in an emergency capacity with lights and sirens activated to 13 Railroad avenue, traveling north on North Street and approaching Railroad avenue. V1 enters intersection and collides with V2 (Subaru Crosstrek) which was proceeding through a green light at the intersection, turning South onto North Street from Railroad Avenue. V1 Strikes V2 in the front driver side door. Both vehicles sustained heavy damage and airbag deployment. Operator of V1 City of Middletown Police Officer Bruce Barclay sustained injury to the left side of his head and was transported to Garnet Medical Center Via Empress EMS. Operator of V2, James Gilliard and Passenger Susan Henson had complaints of pain and were also transported to Garnet Medical Center via Empress EMS. Both vehicles were later towed from the scene. Witness 1: CALL, ERIK A. - 1360 ROUTE 209 CUDEBACKVILLE NY 12729 - C: (845) 313-8768 /		27	
9	8 9 10 11 12 13 14 15 16 17 BY TO 18				Names of all involved				Date of Death Only		28	
A	1 1 9 1 36 M 1 10 6 284				BARCLAY, BRUCE						29	
L	2 1 A 1 58 M 1 12 6 271				GILLIARD, JAMES A						-	
B	2 3 4 1 57 F X 12 6 271				HENSON, SUSAN J						30	
C											-	
D											-	
E											-	
F											-	
OFFICER'S RANK AND SIGNATURE	Sergeant NAPOLI, MICHAEL Electronically signed 08/12/2025 04:51 See 9 NYCRR 540.4				Badge/ID No. CM1734 NCIC No. 03501		Precinct/Post Troop/Zone		Station/Beat/ Sector		31	
				Reviewing Officer Sergeant #CM1734 NAPOLI, MICHAEL Date/Time Reviewed 08/12/2025 04:52						32		

REPORT OF MOTOR VEHICLE ACCIDENT POLICE LINE OF DUTY ACCIDENT

☐ **AMENDED REPORT**

Page 2 of 2 pages

Precinct
Local Accident Number CM25015864
08092025-119828

IMPORTANT: If you are the officer in charge, complete and sign this form, and attach it to the MV-104A or MV-104AN.

Accident Date	Accident Time	County
08 09 2025 Month Day Year	02:26 In Military Time	ORANGE

NAMES OF DRIVERS:
(Please Print or Type)

Check the box below if the vehicle was operated by a **police officer during emergency operation** (as defined by Vehicle and Traffic Law Section 114-b) when the accident occurred. If the officer(s) was not charged with a violation or found to be grossly negligent, DMV will not display the accident on the police officer's license abstract pursuant to Section 605(a)(4) of the Vehicle and Traffic Law.

	Last	First	M.I.	State of Veh. Reg.	Plate Number	Driver License State	Driver License Number
VEH 1 ☒	BARCLAY	BRUCE		NY	POLICE	NY	709952780
VEH 2 ☐	GILLIARD	JAMES	A	NY	HUW8458	NY	633369857
VEH 3 ☐							
VEH 4 ☐							
VEH 5 ☐							
VEH 6 ☐							

Pursuant to Section 605 of the New York State Vehicle and Traffic Law, the attached Police Accident Report is also the motorist report for vehicle number(s) 1

Date	Signature of Owner of Police Vehicle/Police Agency Representative X #CM1734 NAPOLI, MICHAEL Electronically signed 08/12/2025 04:52 See 9 NYCRR 540.4	NCIC # 03501
------	---	------------------------

MACVEAN, LEWIS, SHERWIN & McDERMOTT, P.C.

JEFFREY D. SHERWIN
THOMAS P. CLARKE
KEVIN F. PRESTON

OF COUNSEL
HON. ROBERT A. ONOFRY
NYS SUPREME COURT JUSTICE
(RET.)

ATTORNEYS AT LAW

34 GROVE STREET – P.O. BOX 310
MIDDLETOWN, NEW YORK 10940
(845) 343-3000
(845) 856-5178
FAX (845) 343-3866

PAUL T. McDERMOTT (RET.)
KENNETH A. MACVEAN
(1926-1999)
KERMIT W. LEWIS
(1923-2002)
LOUIS H. SHERWIN
(1917-2013)
V. FRANK CLINE
(1919-1997)

September 9, 2025

REFER TO: J56,037

By Email: asmith22@hvc.rr.com
Alex Smith, Esq.
City of Middletown City Court
2 James Street
Middletown, New York 10940

mayordestafano@yahoo.com
Joseph DeStefano

Re: Robert L. Lounsbury, Jr. and City of Middletown

Dear Alex and Joe:

I am writing at Alex's request to outline the terms of settlement in the above captioned matter.

The terms are as follows:

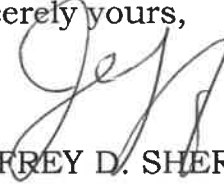
1. This matter is settled for the total sum of \$97,500 in full settlement of all claims and subject to the conveyance of good title of the parking lot which is the subject of this lawsuit.
2. The plaintiff will provide the City of Middletown with a general release in form satisfactory to counsel for the City of Middletown.
3. Upon approval by the City of Middletown, the City of Middletown will issue a check payable to MacVean, Lewis, Sherwin & McDermott, P. C. in the sum of \$97,500 which will be held in escrow until such time that title of this matter closes and we are in receipt of a general release and stipulation of discontinuance, with prejudice.
4. Plaintiff's counsel will provide us with a stipulation of discontinuance, with prejudice, in form satisfactory for filing in the Orange County clerk's office.

The above is my understanding of the terms of settlement of this matter.

Please advise if you have any questions or suggestions.

Thank you.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Jeff D. Sherwin', written over the printed name.

JEFFREY D. SHERWIN

JDS/lg

CITY OF MIDDLETOWN
Office of Economic & Community Development

September 10, 2025

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

RE:
REDC Round 14 Empire State Development Grant Funds
CFA # 145349 - O&W Building Restoration Project
&
Restore NY VII O&W Building Restoration # 135956

Dear Members,

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

We are seeking the approval and endorsement from the Common Council to identify Mayor DeStefano as the authorized representative and sole signatory, and to authorize the Treasurer to issue a BAN, as these are both reimbursable grants.

Thank you for your attention to this matter.

Maria Bruni, Director
Economic & Community Development



Orrick, Herrington & Sutcliffe LLP
51 West 52nd Street
New York, NY 10019-6142

+1 212 506 5000

orrick.com

September 10, 2025

Via E-Mail (liliz@middletown-ny.com)

Ms. Leonora Liz
Treasurer
City of Middletown
16 James Street
Middletown, NY 10940

Douglas E. Goodfriend

E dgoodfriend@orrick.com

D +1 212 506 5211

F +1 212 506 5151

Re: City of Middletown, Orange County, New York
O&W Railroad Station Rehabilitation - – Additional \$3,900,000
Orrick File: 42347-2-508

Dear Leonora:

In accordance with your recent request, we have prepared and enclose herewith a draft form of bond resolution relating to the above matter for adoption by the Common Council.

Please see that this resolution is adopted by the affirmative vote of at least two-thirds of the entire voting strength of the Common Council. After adoption, the summary Legal Notice of Estoppel of the resolution, a form of which is enclosed herewith for your convenience, should be published once in the official newspaper of the City.

When available kindly furnish us with a certified copy of the enclosed resolution, together with an original printer's affidavit of publication of the Legal Notice of Estoppel thereof, **via e-mail only**.

Please do not hesitate to call if you have any questions.

With best wishes,

Very truly yours,

Douglas

Douglas E. Goodfriend
DEG/es
Enclosures

cc: Alex LoCascio (alocascio@capmark.org)
Janet Morley (jmorley@capmark.org)

ADDITIONAL MONEY BOND RESOLUTION
(O&W Railroad Station Rehabilitation)

At a regular meeting of the Common Council of the City of Middletown, Orange County, New York, held at the Common Council Chambers, City Hall, in Middletown, New York, in said City, on September 16, 2025, at _____ o'clock P.M., Prevailing Time.

The meeting was called to order by _____, and upon roll being called, the following were

PRESENT:

ABSENT:

The following resolution was offered by Councilman _____, who moved its adoption, seconded by Councilman _____, to-wit:

BOND RESOLUTION DATED SEPTEMBER 16, 2025.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$3,900,000 BONDS OF THE CITY OF MIDDLETOWN, ORANGE COUNTY, NEW YORK, TO PAY COSTS IN CONNECTION WITH THE O&W RAILROAD STATION REHABILITATION, IN AND FOR SAID CITY.

BE IT RESOLVED, by the affirmative vote of **not less than two-thirds of the total voting strength** of the Common Council of the City of Middletown, Orange County, New York, as follows:

Section 1. For the specific object or purpose of paying costs in connection with the O&W Railroad Station rehabilitation, in and for the City of Middletown, Orange County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued an additional \$3,900,000 bonds pursuant to the provisions of the Local Finance Law. Said specific object or purpose is hereby authorized at a new maximum estimated cost of \$19,900,000.

Section 2. The plan for the financing of such \$19,900,000 maximum estimated cost is as follows:

- a) By the issuance of the \$6,000,000 bonds of said City heretofore authorized to be issued therefor pursuant to a bond resolution dated April 12, 2024;
 - b) By the issuance of the \$10,000,000 bonds of said City heretofore authorized to be issued therefor pursuant to a bond resolution dated November 19, 2024; and
 - c) By the issuance of the additional \$3,900,000 bonds of said City herein authorized;
- provided, however, that the amount of obligations ultimately to be issued will be reduced by any State and/or Federal grants-in-aid to be received by said City for said purpose.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Middletown, Orange County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall

annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Middletown, Orange County, New York, by the manual or facsimile signature of the City Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Treasurer. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Treasurer shall determine.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____

The resolution was thereupon declared duly adopted.

* * * * *

CERTIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF ORANGE)

I, the undersigned Clerk of the City of Middletown, in the County of Orange, New York (the "Issuer"),
DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on September 16, 2025.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Common Council of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Common Council.
5. That all members of the Common Council of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (***the meeting at which the proceeding was adopted***) was caused to be given **PRIOR THERETO** in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

POSTING (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this ____
day of September, 2025.

City Clerk

(CORPORATE SEAL)

LEGAL NOTICE OF ESTOPPEL

The bond resolution, summary of which is published herewith, has been adopted on September 16, 2025, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Middletown, Orange County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the City Clerk for a period of twenty days from the date of publication of this Notice.

Dated: Middletown, New York,

September 16, 2025.

/s/ Richard McCormack
City Clerk

BOND RESOLUTION DATED SEPTEMBER 16, 2025.

A RESOLUTION AUTHORIZING THE ISSUANCE OF AN ADDITIONAL \$3,900,000 BONDS OF THE CITY OF MIDDLETOWN, ORANGE COUNTY, NEW YORK, TO PAY COSTS IN CONNECTION WITH THE O&W RAILROAD STATION REHABILITATION, IN AND FOR SAID CITY.

Specific object or purpose:	O&W Railroad Station Rehabilitation
Period of probable usefulness:	25 years
New maximum estimated cost:	\$19,900,000
Obligations previously authorized:	\$10,600,000
Amount of additional obligations to be issued pursuant to this resolution:	\$3,900,000 bonds to reduced by grants received in connection therewith