



**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
MAY 2, 2023**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES- March 21, 2023
 - 3.1 Accept March 21, 2023 Minutes
4. CORRESPONDENCE, COMMUNICATION AND REPORTS
5. FOR THE GOOD OF THE CITY
 - 5.1 Middletown City School District 2023-2024 Budget Presentation
6. REMARKS OF THE MAYOR
7. REMARKS OF THE DEPARTMENT HEADS
8. PUBLIC HEARINGS AND GRIEVANCES
 - 8.1 Cannabis Dispensary Prohibition
9. PETITIONS AND COMPLAINTS
10. REMARKS OF THE ALDERMAN AND REPORTS OF THE COMMITTEES
11. UNFINISHED BUSINESS
12. NEW BUSINESS
 - 12.1 Resolution accepting a \$3500 Grant from Walmart to Support Kids Day and Night Out Against Crime Events
 - 12.2 Resolution Authorizing a \$3405.30 Budget Transfer to Expand the Community Policing Unit
 - 12.3 Resolution Authorizing the Stewart Military Appreciation Picnic to Use the Mobile Stage
 - 12.4 Resolution Accepting a \$250 donation from Capital Market Advisors for the City Wide

Clean Up Event

12.5 Resolution Authorizing the Submission of the 2023 CDGB Action Plan

12.6 Resolution Accepting a \$250 donation from the Middletown Lions Club for the Fishing Derby

12.7 Resolution Accepting a \$1900 donation from the Enlarged City School District of Middletown for the Summer Bookmobile

12.8 Resolution Establishing a Budget for the Hiring of Three New Police Officers

12.9 Resolution Authorizing a \$1,182.96 Budget Transfer to the ARPA Consultant

12.10 Resolution Authorizing Live Music and Live Music Performances In Outdoor and Sidewalk Cafes

12.11 Resolutions Amending City Code to Establish a Handicap Parking Spot at 26 Prince Street

12.12 Resolution to approve an extension of time of six (6) months for two resolutions dated May 04, 2021, #98-21 and #99-21 for the Presidential Heights Realty Subdivision

12.13 Resolution Authorizing a Public Hearing on a Proposed Change to the Zoning Code in a UR-3 to allow a Daycare Facility

12.14 Resolution Amending City Code to Assess a Fee for Multiple Home Inspections

13. LOCAL LAWS

14. 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: May 2, 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				

Accept March 21, 2023 Minutes

ATTACHMENTS:

[03.21.23 CC Minutes.pdf](#)



COMMON COUNCIL MEETING
CITY OF MIDDLETOWN
March 21, 2023 – Minutes
City Hall
16 James Street
Middletown, New York 10940

P R E S E N T

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

Digitally Recorded Proceeding, transcribed by:
Michele Johanson

AMERICAN LEGAL TRANSCRIPTION
11 Market Street, Suite 215
Poughkeepsie, NY 12601
Tel: (845) 452-3090 - FAX (845) 452-6099
amlegaltrans@aol.com

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1. Pledge of Allegiance

(Pledge of Allegiance)

PRESIDENT RODRIGUES: Please remain standing as I ask for a moment of silence for volunteer Firefighter, Sean Cunningham. May he rest in peace. Thank you. Roll.

2. Roll Call

Roll Call: Alderman Tobin, Alderman Jean-Francois, Alderman Johnson, Alderman Wray, Alderman Kleiner, Alderman Green, Alderman Witt, Alderman Masi, President Rodrigues. The quorum is present.

3. Approval of minutes

PRESIDENT RODRIGUES: Approval of minutes.

UNIDENTIFIED SPEAKER: February 21st and March 7th.

ALD. MASI: So moved.

PRESIDENT RODRIGUES: Motion by Alderman Masi for both minutes.

ALD. WITT: Second.

PRESIDENT RODRIGUES: Seconded by Alderman Witt.
All in favor.

ALDERMEN: Aye.

4. For the Good of the City

PRESIDENT RODRIGUES: Okay, for the Good of the City. We have an audit report presentation.

DONNA COLLEY, RBT: Hi, I'm Donna Colley (phonetic) with RBT, so I'm here to present your December 31st, 2021 audited financial statements.

I'm going to just refer to at first the auditor's report which gives a clean opinion, and that is what you want. So all is good.

I'm going to just do a few comparisons from prior year. Your net position increased by about \$10 million, which is a good thing. That is due to your increase in revenue and decrease in expenses, so perfect.

On the fund level -- oh, actually, no, that's fine. On the fund level, your total fund balances in the funds, which is how you're used to seeing things, is about \$17 million. You had either slight decreases or increases in most of the funds, except water and sewer. They had some bigger decreases.

And just really one last thing. I'm going to skip all the way to the back of the report to the single audit. We just had a couple of findings, and we had tested the ARPA (phonetic) money, so there was just a couple small findings and which the City has already provided a corrective action plan for.

And that is it, unless there's any questions.

PRESIDENT RODRIGUES: A quick question.

DONNA COLLEY: Sure.

PRESIDENT RODRIGUES: Just 2021, why so late?

DONNA COLLEY: Well, you had a few turnovers in management, which definitely prolonged things. The first one, those people had done most of the work, and so the second set of people who came in really had to go through the '21 year reporting and provide everything for us and they had to, you know, see what the -- figure out things for themselves to provide us the information.

And then, during the audit, the second set of management came on, so you had another turnover. So again, that takes time.

PRESIDENT RODRIGUES: Okay. Did you get all the information you need?

DONNA COLLEY: Oh, yes. That's why we're final. And we're right on for -- it hasn't delayed '22. We're on to start in about a month.

PRESIDENT RODRIGUES: And when we can see that report?

DONNA COLLEY: We're hoping, since now we have the same people in here, it should probably in the summer is usually the usual time frame.

PRESIDENT RODRIGUES: All right. Does any member have any questions? Okay.

DONNA COLLEY: All right? Thank you.

PRESIDENT RODRIGUES: Thank you. Thank you.

For the Good of the City, anyone would like to address the Council, please step forward. Okay.

Remarks on the minutes online? No.

ALD. MASI: I don't have much to report tonight, except from I'll be available for questions, but also to advise you April 4th will be the State of the City as required from under the charter. It's a little bit late, but I guess we're all late this year. It's not only '21 late.

PRESIDENT RODRIGUES: Can we start the meeting earlier than than the 7:30?

ALD. MASI: I think that will be up to the Council President, not the First Ward Alderman.

UNIDENTIFIED SPEAKER: It's up to the mayor, if you want, who decides 7:00, if Mr. Johnson can get here at 7:00.

UNIDENTIFIED SPEAKER: I'm staying out of it.

UNIDENTIFIED SPEAKER: Whatever the Council president decides. I'll probably be speaking for close to an hour.

PRESIDENT RODRIGUES: So, you're going to say anything?

UNIDENTIFIED SPEAKER: I'm going to say that Joseph G. Masi is a good man.

PRESIDENT RODRIGUES: Then I'll be here. Any questions?

ALD. JOHNSON: I'll do my best, thank you.

PRESIDENT RODRIGUES: Alderman Kleiner.

5. Remarks of the Mayor

ALD. KLEINER: Yes, thank you. Mayor, I wish -- I wanted to ask if you could give us an update, number one, on the O&W, because we had someone ask about that at the constituents' meeting. And then also, I'm curious on the Psych Center --

MAYOR DESTEFANO: Okay.

GERALD KLEINER: -- the transfer of the property from the State.

MAYOR DESTEFANO: All right. First, O&W. O&W, we just received extensions on the original bids for the shoring and the abatement. The reason for the extensions is we don't have all the money lined up yet. The projections were, with our complying with all of the shipper requirements, which are part of the acceptance of the grants, the numerous grants that we're receiving, along with other factors, have driven up the cost.

You know, the post-COVID costs are significantly higher than pre-COVID. So we're looking at other ways to raise funds. We formed -- are in the process of forming a local development corporation that would make the O&W project eligible for state and federal historic tax credits, which while potentially inject another six to seven million dollars of cash into the project.

And we're also -- Maria's office is examining, and with Caitlyn (inaudible), the new market tax credits. So we're looking to put together as much cash as we can going into the project, and so I know Headstart is going to be relocating his year just on a temporary basis.

So we all want to get in there, but we don't want to start the project and not have enough case to finish the project. So that's why the purpose of forming the LDC and looking at other sources of funds.

We also have another request in for Restore New York that was -- which is a historic grants restoration program through New York State -- and I'm not sure when we'll be hearing one way or the other on that.

So that's the status of O&W.

The Psych Center is in its, probably its fifteenth roll with New York State telling us it's only sixty days away. We have once again forwarded all the

information for probably the tenth time to them, and it just gets bounced around.

My understanding is, after Alex Smith, our corporation counsel, finally became a "nudge," as he uses the term, that it appears that they do have the information that's necessary to identify or to forward to each of the agencies that are required to sign off on the transfer.

And then we are developing our plan for what properties we're going to renovate for fire police, what properties are going to go to the college, the big ones being Kleiner and Tuckerman, which properties we're going to look to develop through maybe a local development corporation or through the private sector, and we're developing that plan.

Keep a note on the old nurses' quarters. I think it was the nurses' quarters, the Tudor building that took -
- that had the fire in the back?

UNIDENTIFIED SPEAKER: Yeah.

MAYOR DESTEFANO: (Inaudible) did receive a \$1.2 million state grant to renovate that as dormitories for the college. The college is projecting 2,000 students within the next five years, and that was a positive move because it's the first injection of state funds into this project up there.

So we know it's going to happen; we just don't -- not sure when it's going to happen, but we've been very forceful with them of late because of the constant break-ins into the vacant buildings, and we're concerned about having another major disaster up there.

So that's where we're at with both projects.

PRESIDENT RODRIGUES: Thank you.

MAYOR DESTEFANO: You're welcome.

UNIDENTIFIED SPEAKER: I have one other question regarding that. Is it --- are you aware that they're using one of those buildings to house some of the Northern Academy students as like a dorm?

MAYOR DESTEFANO: Am I aware that they're doing it now?

UNIDENTIFIED SPEAKER: Yeah.

MAYOR DESTEFANO: Yeah. Yeah, they had (inaudible) approval for dormitory on -- I think it was some of the housing.

UNIDENTIFIED SPEAKER: Yeah.

MAYOR DESTEFANO: The houses towards the Monhagen Avenue side. They're allowed under the zoning code for student and staff related to the college, and I think one or two of the houses do have student dorms.

But the Tudor building the back, Tudor brick building, whatever it's -- whatever it's called, will be housing a lot more than that. I believe they told us probably approaching 200 students and we're ready --

UNIDENTIFIED SPEAKER: College or Northern Academy?

MAYOR DESTEFANO: College.

UNIDENTIFIED SPEAKER: College?

MAYOR DESTEFANO: And they are ready to move now, but they have to wait until they get that state grant number before they can start the work.

UNIDENTIFIED SPEAKER: Understood. Thank you.

MAYOR DESTEFANO: So that will be happening this summer.

Any other questions?

PRESIDENT RODRIGUES: Thank you, Mayor.

MAYOR DESTEFANO: What time are we starting on April 4th, so I know?

PRESIDENT RODRIGUES: 7 o'clock.

MAYOR DESTEFANO: 7 o'clock? Thank you.

PRESIDENT RODRIGUES: It's going to start early. Economic Development.

6. Remarks of Department Heads

MARIA BRUNI, ECONOMIC DEVELOPMENT: Good evening, everyone.

Today we have our IDA meeting and we also had the audit presentation. The IDA came out with a clean audit, and so we're all moving forward to send the audit and the Paris report, just similar to what we do for the CDA, because it's a public authorities, to the New York State. So that occurred today.

We had a great concert at the Paramount this past weekend, Herman's Hermits with Peter Noone. Approached close to 700 folks at the Paramount. It was an awesome show.

So we have a new show announcement. Asia is coming to the Paramount in August, and that's going to be part of the Rock, Roll and Run with the Run4Downtown weekend. So we're partnering up with them for promotions and stuff like that.

So coming up, we have the orchestra featuring former members of ELO. We have a Steely Dan tribute group coming. We have Debbie Gibson. We have Asia, and then we have in the fall some oldies shows. Shadows of the Sixties, Motown. And then we're booking some more right now. And don't forget we have movies as well, middletownparamount.com.

Also, another (inaudible) this week at 100 North Street, this Friday at 3:30, MCM Beauty Supplies. So join us on Friday at 3:30 at 100 North Street.

And that's all I have for this evening.

PRESIDENT RODRIGUES: Any questions for Maria?
Thank you, Maria.

The DPW Commissioner. I saw some (inaudible).
Care to share?

JACOB TAMIL, DPW COMMISSIONER: What is that?

PRESIDENT RODRIGUES: Do you care to share the humor, or shall I look?

JACOB TAMIL, DPW COMMISSIONER: Good afternoon --
Good evening, rather.

So to start off, Alderman Masi, the reservoirs are at ninety-six percent full, and we have plenty of water and, obviously, we're going to start lowering the water level a little bit at the Shawangunk Reservoir for the work to take place.

The contractor, Servidone, is doing a great job. They're very professional and they're working with our guys. We help them with out equipment so that minimize any change orders in the future. And cleaning, we use our Vac truck as an example, to clean the gatehouse and so on and they get divers there. They're really topnotch so far

contractors. We're very happy with their performance, and the project is moving along.

We had a preconstruction meeting for the Kinch Reservoir with the other contractor, and hopefully, things will move along well with the other contractor at Kinch. He's mobilizing to start on April 14th.

The plumbing. Everybody complains about this minimal number of plumbers in the area, as the mayor knows. We have a test coming in April 14th. The deadline to register for this test is March 31st. We already, I believe we have six candidates that they've been reviewed, their credentials reviewed and accepted, to sit for the test. So anybody else who's interested, you know, here we are.

So we're not trying to keep the number of plumbers to a minimum. We're opening it up to qualified plumbers. So hopefully, they will pass the test and we'll have more licensed plumbers.

Yard waste. It's going to start April 3rd, so you can deposit the leaves in the street. Please, everything has to be in a container. If you have branches in there, they'll have to be wrapped with a string so we can pick them up. And it's all in our code and it's going to be advertised on our website and we'll send an Excel as

well with the link to that handout to tell you the specifics -- remind people of the specifics, how the yard waste should be deposited for DPW to come and pick it up. So that will be Monday, April 3rd, we'll start.

We're flushing. We started flushing the water distribution system. We're doing the second and third ward. So again, expect low pressure or sometimes no water while we are doing the flushing in the immediate vicinity of your property, and be on the lookout for discolored water for forty-eight hours after we finish flushing in your neighborhood. If you're working, you come home, you see by the fire hydrant water has been all over the street, it means we have done that area. So just be on the lookout so that the laundry will not be discolored when we do it.

UNIDENTIFIED SPEAKER: Is there a formula of washing clothes -- washing clothes during (inaudible).

JACOB TAMIL, DPW COMMISSIONER: Right. Be on the lookout for discolored water, please, when you do the laundry. Allow forty-eight hours before you use the water for laundry.

Recycling. Again, I don't want to just keep repeating it. I want to start the recycling by thanking Alderman Green because he was able to translate our handout that we use from the county to Spanish, and he's going to

try to do it in Chinese as well. So that will be -- that's going to be -- immediately be, no doubt, with all our literature, whether it is on the water bill, whether it is -- it's going to be on our website. It's going to be going in every rental permit that we send out and on the website and so on, all our social media is going to be on Channel 20. So we'll publicize that as much as possible.

And we continue -- a lot of people are very upset. They call us, they're very upset about the letter they received that their recycling is not picked up, and this is your final warning.

So we explained to them all it takes, just a couple of cans from people who are not complying with the recycling ordinance, and then the whole truck will be rejected. So everybody in that whole neighborhood, in their more than neighborhood. Most of the ward that has been recycling and being very careful about what to recycle, their entire effort will be wasted because a couple of garbage bags that were found in a big yard. In a big -- I'm sorry -- in a big truck which is a compactor.

So, you know, it's not only reflecting on you, it's reflecting on everybody who's trying to recycle and do the right thing. And I know everybody's trying to do the right thing. It just -- you have to be extra-careful about

what to put in your recycling can and what not to put in there.

So we go pick it up again. You know, we take pictures, we document everything, and we go the following week, we pick it up as garbage, your recyclables that were rejected on Sunday. But very soon, we got -- court enforcement is going to start going and they're going to be issuing a notice of violation and courts and all that stuff. We don't want to do that. We don't want to do that, but you know, that's where -- we're trying our best to send a message out and so far no violations were sent out, just letters of warning. So please work with us. We appreciate that very much.

The water department, they continue with their flushing and doing everything else and helping with the dam project. They're really doing a very impressive job. On March 29th, they were working like almost twenty-four hours to replace major high pressure twenty-inch old valve. That was done. We wanted to -- why is it twenty-four hours? Because they had to prepare the ditch and prepare -- find out everything that we need to do and then cut the water off so that our residents will be least inconvenienced by our replacement of this twenty-inch valve.

And I want to thank Council President Rodriguez because he started at night when we're working, and the men appreciate him being there and, you know, just keep the spirit up, and thereafter working twenty-four hours.

After that, they went to sleep Friday morning because the water pressure was restored 7:30 in the morning. They cleaned up. They went to sleep a couple of hours. Some of them came back to plough, or they're ready to come back to plough, to help the street department in their plumbing operation because the street department by itself cannot do the ploughing of the entire city when we have good size storm.

So we appreciate the council president again coming out and being with us for a little bit. And I want to mention, you know, Brian Smith. He's the deputy Commissioner. Scott Knowles (phonetic), he's the foreman. Bob, Ed, and Taylor, they have really done a magnificent job. I mean, jumping in and getting the job done. It's very difficult work.

And as the council president saw, a twenty-inch pipe -- every time we open because it's very old infrastructure -- it goes back to the early 1900 -- every time we open up the ground, we find something new. The actual twenty-inch water main, as the council president saw

in his own eyes, was curved. I've never seen anything like this in my life.

So the guys, they had to be very careful how to cut the pipe, how to cut the old valve out, very close to the valve, remove it so we can put the dresser coupler in there. So it was quite an involved operation, just because of what we found in the field, the actual pipe is curved. Never seen anything like this, but that's -- so I'm very, very happy with the guys and their performance and they're not complaining and they just keep going. We appreciate that very much of them.

Before you tonight there is a request to award the contract for -- for repainting and upgrading the Highland Avenue water storage tank to comply with the current requirements and also repainting it.

Some people, you know, if you want to take a drive over to Highland Avenue, just outside the city, Highland Avenue Extension, you will see how poor the condition of the tank is. So it's really time for it and we appreciate your support for approving this project. And we have about a three million grant on the -- just under three million dollar grant from EFC for this project.

Any questions for me?

PRESIDENT RODRIGUES: Any questions for Jacob?

Thank you, Jacob.

JACOB TAMIL, DPW COMMISSIONER: Thank you.

PRESIDENT RODRIGUES: City Treasurer.

LEONORA LIZ, CITY TREASURER: Good evening, everyone. I have a resolution before you in regards to transferring our yearend overdrafts. I just wanted to address it briefly.

It is part of closing out the 2022 year. We have to, based on our way of accounting for expenses and revenue, to do what's called modified accrual accounting, placing the expenses in the right year, the revenue in the right year. And then, as part of our process, we have to balance out the budget according to its expenses. So I just wanted to clarify that.

Do you have any questions?

PRESIDENT RODRIGUES: Any questions? Alderman Masi?

ALD. MASI: I don't have a question, but I want to congratulate on your auditor's report. Thank you for the good job.

LEONORA LIZ, CITY TREASURER: Thank you.

PRESIDENT RODRIGUES: Anyone else?

UNIDENTIFIED SPEAKER: The 2021. Just saying.

UNIDENTIFIED SPEAKER: Yeah, the latecomers
(inaudible) maybe.

PRESIDENT RODRIGUES: Huh?

UNIDENTIFIED SPEAKER: Yeah, the latecomers can
maybe then want to address the council.

PRESIDENT RODRIGUES: Do you guys want to address
the council?

UNIDENTIFIED SPEAKER: We thought this was about
the parking issues. I guess we're a little confused.

UNIDENTIFIED SPEAKER: That's later.

PRESIDENT RODRIGUES: That's later, public
hearing. We have a public hearing? Yeah, we have a public
hearing. Next.

UNIDENTIFIED SPEAKER: (inaudible) hearing.

PRESIDENT RODRIGUES: Thanks, Mayor for -- Police
Chief.

MAYOR DESTEFANO: I'm sorry, Joe.

JOHN EWANCWI, POLICE CHIEF: Good evening.

A few items for you this evening. As I emailed
the council today, we did have a shooting or shots fired
last night that we're investigating on Prospect Avenue.
There's not much more than I put out on the press release
today. There's not really too much I can give you.

As of right now, we do not have a victim that's coming forward, very similar to previous events. So it makes it that much more difficult, just as we've been experiencing in the past.

Overnight parking, they're ending on March 15th. However, if we do have winter precipitation, the law is still that the cars have to be off the road for night for the DPW, or at any time for the DPW.

Lt. Essam Khalil retired from the department on March 17th after serving just about twenty-four years of service. I just want to recognize him. We did a walkout celebration for him this past Friday, and you know, he's one of the people that will probably go down in the history of Middletown Police Department as being extremely well-known throughout the community. So I thank him for his service and I wish him the best.

Lt. Eric Harget just graduated on March 16th from the 285th FBI National Academy in Quantico, Virginia. He spent the last ten weeks in Quantico doing his studies. It's an amazing program. It's an honor to go to this program. He has joined the ranks of one percent of law enforcement worldwide to have this opportunity, so he's -- he'll be back in the office tomorrow, and we look forward to having him back with his new-found knowledge, and I look

forward to the many years that he'll serve with that experience.

Other than that, I have nothing, unless you have questions for me.

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

Superintendent Recreation.

CHRISTINE BRINCKERHOF, SUPERINTENDENT RECREATION: Good evening.

I have nothing to report. Any questions?

PRESIDENT RODRIGUES: All right, thank you.

City Clerk.

RICHARD MCCORMACK, CITY CLERK: Good evening, everybody. I just want to remind the community and the council that tomorrow the Mayor's Youth Council will be hosting a blood drive at Mulberry House, beginning at 2 o'clock, going till 6:30. They'll be taking walk-ins. If you are so inclined, please stop by. Blood banks are low this time of the year. We could certainly use your help.

Spring Cleanup. The annual citywide cleanup day is on April 22nd. Due to the overwhelming response last year, we are moving the event's starting point from Degnan Square down to the Erie Way Park. That's at 1-31 Union Street here in Middletown. You can sign up through our

website on signup genius. You could pick a location in the city that is near and dear to you, or you can come out that morning and we'll assign you a spot. Gloves and equipment will be provided by the city. We thank the Department of Public Works for their support.

And as part of my city clerk's efforts to go paperless, we have launched our online foil portal. Foil requests now are all digitized. You can request your information digitally, receive response digitally through email. No more need to come into the office and drop off paper or get paper handed to you. This is going to increase a lot of our transparency, and it'll save folks in the community some money because state law requires us to provide documents electronically at no charge to our citizens.

So check it out. It's on our website, Middletown-NY.com -- on the right-hand side, FOIL requests.

That's it.

PRESIDENT RODRIGUES: Any questions for the city clerk?

All right. Public hearings and grievances.

7. Public Hearings and Grievances

RICHARD MCCORMACK, CITY CLERK: Good evening, notice is hereby that the City of Middletown will hold a

public hearing on Tuesday, March 21st, 2023 on or as near as 7:30 p.m. as possible in the Common Council Chambers, 2nd floor, at 16 James Street, to hear any all persons wishing to be heard on proposed changes to the City's parking regulations.

Any and all persons wishing to be heard will be given an opportunity to speak either for or against the proposed changes to the parking regulations. The proposed parking regulations are available in the office the Common Council Clerk, City Hall, at 16 James Street, and on our website.

Any person unable to participate at the time of the public hearing can email comments submitted in advance to R. McCormack at Middletown-NY.com. By order of the Common Counsel.

PRESIDENT RODRIGUES: Okay. At this time the public hearing is now open. Come up.

WILLIAM GONZALEZ: Good evening.

William Gonzalez from Olivia's Empanadas. I actually was invited up here by numerous people. I'm surprised they're not here. So I guess I'm --

PRESIDENT RODRIGUES: They set you up.

WILLIAM GONZALEZ: Yeah, yeah, they set me up. But we -- with these parking rules, it has impede our

business. A lot of my customers are refusing even to get into the restaurant. We're having to bring out the food because they get nervous with this guy giving out tickets.

My staff, right, is having to go out every two or three hours to check on their cars and finding tickets on their cars. One of the main guys across the street, the pizza shop, their delivery guys, they're getting tickets left and right.

Now, we tried talking to the parking guy. He gives us information and then turns around, it turns out to be false information. We're in and out. I got a little, small restaurant. I got no storage. We either go into Sam's Club, Restaurant Depot, and we come back, we do our thing.

Right, he sees us getting in our car in the evening and he tells me, you could come back to the parking lot. Just try not to park in the same spot. I come back and find other spaces, right. He still writes me a ticket. And it's been three tickets in a row. And he knows who I am. I mean, we're in and out all day long, and he's still writing tickets.

Thankfully, that we are able to fight a few of them, but this takes time from us. it's time-consuming, it's costing my business.

My tenant upstairs -- I had a nurse that used to start work -- used to get home at 4 o'clock in the morning, right. They asked her to park at the seventy-two hour parking lot. This is a twenty-three, twenty-four-year-old young girl walking from that parking lot at 4 o'clock in the morning. Have to get up at 7 o'clock in the morning again to go move her car. I offered to pay for her parking permit so I would not lose her. But in the process, she got angry, for lack of a better word, and she moved. She moved. She just left.

Most -- these new rules are benefitting outsiders, but the people that live in the town, the people that pay taxes in the town, are frustrated, and I'm really surprised that they're not here right now because it's way too much for us.

I don't live in the city, but I'm spending more time in parking than anything else. If there's anything else that, like, maybe issuing business owners one ticket or one permit, just one single permit. My wife, the cook, my business depends on her, and by 9 o'clock in the morning she starts sweating. Not because she's hot in that kitchen, but because she knows she has to go move that car. She has to go move that car, and then when she moves it,

three hours later she has -- she starts sweating again, because she knows she has to move that care.

Now, walking three blocks at 9, 10 o'clock at night. Today we closed the restaurant, so we could be here, but we usually get out 9, 10 o'clock at nighttime. Walking to that seventy-two-hour parking, and the light is not that great, it's scary. Being a business owner, people might think that I'm, you know, I have money in my pocket. All I got is holes in my pocket. So imagine me walking at 9 o'clock that night, people thinking -- I'm scared.

So imagine sending my daughter here, but she stays with us, at the same time. 9 o'clock at nighttime, we have to walk all the way to that parking lot because we can't park and then you -- if you go out there right now, that parking lot is empty. It's completely empty. You look at your streets, they're completely empty.

On Thursdays, Fridays, you get a little bit of a crowd, the outsiders. But the town people, they come in, they rush in, they want to take their order, and rush right back out because they want to avoid that ticket.

I have no more comments, and thank you for listening.

ALD. MASI: The seventy-two hour lot you're talking about is the Paramount lot?

WILLIAM GONZALEZ: Yeah. Well, further down.

ALD. MASI: Further down?

WILLIAM GONZALEZ: further down.

ALD. MASI: Not the Param - not in front of the Paramount?

WILLIAM GONZALEZ: Not in front, no. Usually, in front of the Paramount is when the Paramount is open and we -- I think it's four hours also.

ALD. MASI: Okay.

WILLIAM GONZALEZ: Seventy-two-hours is further down the street. I think that's South Street, straight down.

ALD. MASI: Right.

WILLIAM GONZALEZ: Or go all the way close to the other seventy-two-hours is --

ALD. MASI: Canal Street.

WILLIAM GONZALEZ: By the bus station. Close to the bus station.

MAYOR DESTEFANO: Right behind City Hall. I would respond to him because --

PRESIDENT RODRIGUES: Uh-huh.

RICHARD MCCORMACK, CITY CLERK: I don't know what you're -- the people who oppose the parking regulations really are thinking. The parking regulations are there for

your customers, not for your employees, and not for the -- not for the business owners to park in front of their own business.

WILLIAM GONZALEZ: Mm-hmm.

RICHARD MCCORMACK, CITY CLERK: Otherwise you won't have any business and your -- if the customers are afraid -- they're not in your restaurant for more than three hours, three and a half, four hours.

UNIDENTIFIED SPEAKER: Right.

RICHARD MCCORMACK, CITY CLERK: So why would your customers be afraid to park legally to go into your restaurant, unless -- I'll ask. So if they're parking illegally, then -- in front of a fire hydrant or in front -- in a loading zone, then that'll make a difference. But you could understand, if we gave permits out to every apartment and to every business owner, you'd have no customers. Every restaurant, every business here has no customers.

So there has to be a parking management plan. What we've recommended to people -- I'm sure there's more than one person working at night with you when you close at 9 o'clock, is when you slow down -- and we told this to one of the restaurant owners also -- is, let that person go to the -- pick up the car, and then move it closer to the

restaurant, because you're not going to be there till midnight. So at 7, 7:30, move your car then. But the idea is not to continually move your car every three hours, because you're violating the basic -- they can still give you a ticket for that, especially if it's in the same lot, but we can't accommodate, based on the limited parking that we have, businesses, tenants, and customers.

So I don't see how a business survives, and I've been -- my family's been down here in business for -- since 1998, in downtown. And before that, we were in the neighborhood with very limited parking and we didn't allow our customers or -- I mean, our employees to park by our business because that parking spot is taking up a customer's spot.

So it's a matter of planning how you're parking. Right back -- right back here behind City Hall is seventy-two-hour parking, not far from your restaurant. Right on Canal Street is long-term parking. And I understand having someone, a young -- young person or -- I don't want to sound sexist, but a female walking later at night. It could be anywhere. Your parking could be a little concerning in any community, but -- and that's why you have to plan it where you can then move your car when the parking becomes open, or a couple of hours before you're

ready to leave. But what do you think would happen to your business if there's was no parking at all?

UNIDENTIFIED SPEAKER: So most of our customers are people that live in the area, people that walk to our business. I find that the most regulars are people that live right there, and that's where their concerns are. A, B, in addition to that, a lot of tickets are given, I feel, like before the three-hour mark, so I don't -- I don't know what that's about. But also, I myself will be moving to Downtown, Middletown and safety is a big concern. Like, yeah, customers, but if I'm not safe -- like, I've personally been harassed on the street. I've been followed in Downtown in Middletown so if I'm parking very far from where my apartment is, that's like one of my concerns. And then with, like, the overnight parking pass, it ends at 7 a.m., which doesn't make sense to me --

MAYOR DESTEFANO: No, it ends at 11 a.m.

UNIDENTIFIED SPEAKER: Okay, that was one -- a false information I was given, so that's fair to me.

MAYOR DESTEFANO: Yeah.

UNIDENTIFIED SPEAKER: But I think I'm worried about safety, as well as I feel like it's just not -- I feel like maybe some of the closer lots to -- and I don't have all the information, so I could be wrong also on the

lots, but there's some lots I feel like maybe provide overnight parking and not the one by Paramount, but the one that's closer -- I think it's behind, like next to Equilibrium, and that's a little closer, versus doing the one down there where nobody lives down there.

So I feel like it's -- why have that overnight when you could have this parking and just say, okay, maybe during the day when there's business, you know, parking four hours here, but tenants can move their car to these closer parking lots overnight, so that (inaudible).

MAYOR DESTEFANO: If I'm not mistaken, but the lot next to them has overnight parking?

UNIDENTIFIED SPEAKER: Yes (inaudible).

MAYOR DESTEFANO: Yeah, the lot right next to your restaurant has overnight parking. So your tenant has to buy a twenty-five dollar or fifty dollars hours or whatever it is, permit --

UNIDENTIFIED SPEAKER: Anna, what's the price?

UNIDENTIFIED SPEAKER: It's like -- because I think one of the web --

UNIDENTIFIED SPEAKER: Oh, ten dollars a month, it might be.

UNIDENTIFIED SPEAKER: Something like that.

MAYOR DESTEFANO: What is it? Ten dollars a month?

UNIDENTIFIED SPEAKER: It's \$120 a year and it's prorated (inaudible)

MAYOR DESTEFANO: But they don't have to buy it all year if they don't want to.

UNIDENTIFIED SPEAKER: It's prorated on every month, correct.

MAYOR DESTEFANO: They can (inaudible). So it's \$10 a month. They can park overnight right next door to your restaurant. But they can't park at -- before 7 o'clock. It has to be after 7 o'clock, and they have to move their car by 11 o'clock in the morning.

WILLIAM GONZALEZ: Well --

MAYOR DESTEFANO: So they don't have to walk over. They don't -- the -- so if -- I'll give you an example. My wife's restaurant has thirty employees. If we gave out parking -- parking passes -- but well, you got to say only give one or two to each business. Why should your business only get one or two, when you have two employees or three employers, and the business across the street that has thirty employees, only get one or two. You see, the arguments could be made in every case.

WILLIAM GONZALEZ: No. What I'm saying is that -

-

UNIDENTIFIED SPEAKER: (Inaudible) so we can hear you too.

WILLIAM GONZALEZ: I myself or my wife, we're in and out all day long. We have a very small restaurant.

MAYOR DESTEFANO: Dure.

WILLIAM GONZALEZ: We're in and out all day long.

MAYOR DESTEFANO: So you wouldn't get a ticket then.

WILLIAM GONZALEZ: No, we do.

UNIDENTIFIED SPEAKER: We do.

MAYOR DESTEFANO: Not for a three-hour parking.

WILLIAM GONZALEZ: We do.

MAYOR DESTEFANO: But unless you're parking for more than three hours, right, Chief.

JOHN EWANCWI, POLICE CHIEF: Correct. One of the issues that we're having in that parking lot --

PRESIDENT RODRIGUES: Chief, can you come up? Yeah. Yeah.

JOHN EWANCWI, POLICE CHIEF: And I don't know. I doubt that -- I'd actually have to see your tickets to see what you're getting summonsed for --

WILLIAM GONZALEZ: Mm-hmm.

JOHN EWANCWI, POLICE CHIEF: -- and see where you're parking because there is some confusion, especially in the back side, of what is a legal spot and what is not a legal spot or some other business owner's. But one of the main issues we're dealing with right now in that parking lot, and like up the street a little bit, is our delivery drivers are people that are coming, going. Our DoorDash people, they're trying, they're coming in quick. There's not parking spot, so they're stopping right in the middle of that parking lot. Right in the entry point. They get out, they run to the restaurant, and grab the stuff. By the time they get back, they have a summons. But that's not legitimate parking spot.

WILLIAM GONZALEZ: Oh, yeah.

JOHN EWANCWI, POLICE CHIEF: So again, without seeing your ticket, seeing where you're parking, I can't give appropriate guidance.

WILLIAM GONZALEZ: My issue with my tickets is, I go out to Sam's Club, come back, park somewhere else in the same lot, and I get a ticket. And they claim that I've been there over three hours. I've even shown receipts --

MAYOR DESTEFANO: But you left --

WILLIAM GONZALEZ: -- where I was.

MAYOR DESTEFANO: Well, that's a police matter. That's not a policy matter.

WILLIAM GONZALEZ: No.

MAYOR DESTEFANO: That's -- it seems that someone --

WILLIAM GONZALEZ: But what I'm asking -- what I'm saying is that me as a business owner, I don't want my business there be -- and feel like I'm being harassed by this. And it's only this one guy.

UNIDENTIFIED SPEAKER: Right.

WILLIAM GONZALEZ: It's only this one guy. And it's all the time, all the time. He sees us moving the car.

MAYOR DESTEFANO: Well, that would be a separate issue within the parking. So because if you're getting tickets before three hours and you're -- it's not a parking policy issue, it's a parking enforcement issue and that -- the chief will have to address that. And you could speak with him because we wouldn't want to talk about specific employees without having all the information.

But I can assure you I've been here when there was tumbleweeds going down the street --

WILLIAM GONZALEZ: Mm-hmm.

MAYOR DESTEFANO: : -- and you had a lot of parking and, but there was no customers. There was no businesses. Now, you have Saturday night, you had several hundred people at the Paramount Theatre. You had every business Downtown full with customers, and the reason is because those customers had a place to park. If all the tenants parked there and left their cars there for days, what do you -- where does -- what does that do for you as a business person.

Now, your daughter said that most of your customers walk there. So that sort of defeats the argument that your customers are -- you're hurting your business. If most of your customers are walking there, they're not getting tickets for walking there.

UNIDENTIFIED SPEAKER: Well, because they live in the area, and their -- their concern is oh, where am I putting my car, because they're getting tickets all the time (inaudible) --

MAYOR DESTEFANO: Well, so that's -- they can buy an overnight -- like I said, your tenants can get -- for \$10 a month can get a parking pass to park right next door to your building, from 7 o'clock at night to 11 o'clock in the morning.

WILLIAM GONZALEZ: That's the miscommunication because we're being told from 7 o'clock at night to 7 o'clock in the morning.

MAYOR DESTEFANO: No, it starts again at 7 in the morning. The four hours starts again at 7 in the morning. So the -- so you go into 11 o'clock in the morning.

UNIDENTIFIED SPEAKER: Because on the website because that's where I've been getting my information from --

MAYOR DESTEFANO: right.

UNIDENTIFIED SPEAKER: -- it's -- some of the information's wrong.

MAYOR DESTEFANO: Okay.

UNIDENTIFIED SPEAKER: So I was like, oh --

MAYOR DESTEFANO: That might be -- we'll try to make it more -- we'll try to correct it a little bit so it'll be easier to understand, but if I was -- you know, you add %10 a month into your rent -- tenant's rent and give him a parking pass.

WILLIAM GONZALEZ: Well, I tried --

MAYOR DESTEFANO: And that's probably cheaper than getting a ticket.

WILLIAM GONZALEZ: Well, I tried to get (inaudible) --

MAYOR DESTEFANO: Yeah, yeah, yeah. Yeah, but -- but it's, you know, at all times there's not going to be a spot there, but you're -- now, on the positive side, we are looking at building a parking structure. It's going to be close to this area here, but still, it's going to require a block walking.

WILLIAM GONZALEZ: Mm-hmm.

MAYOR DESTEFANO: But it's -- that's going to alleviate some of the parking issues Downtown. But I appreciate your feedback, but the -- we did think this thing through from a building owner's perspective, a tenant's perspective, a business owner's perspective, and a customer's point of view.

And without customers, there's no one paying the bills in Downtown. And now your restaurant might rely mostly on walking, but the other places, or the majority of them rely on people coming from outside, people coming from wherever, other neighborhoods in the city or outside the city. And if they can't park, they're going somewhere else, and that's not good for Downtown.

But we're going to continue to look at it, and we'll try to make it clear for the tenant parking, because that is a big concern. But on the employees is what -- what my wife recommends to them is that, as soon as it

starts to slow down, anyone wants to move their car, 8 o'clock, 8:30, two of them go out together. They go down to the lot by the Paramount, or they come back here where there's long-term parking, they move their cars. And then they're close by. Then at the end of the night, when they all get off, maybe one of them rides another one to the car.

But it's like in any urban setting or even if you were in a mall. One of our waitresses works in -- in a strip mall. They're not allowed to park in front of the strip mall. They have to park in the back, and they have the same concerns about going out at night around the back of the strip mall where there's no lighting and no people.

So, you know, but we'll continue to monitor it and look at it and we appreciate your opening Downtown and we want to keep you, and you do good business and you have good empanadas.

WILLIAM GONZALEZ: I would have brought some but (inaudible) those early.

UNIDENTIFIED SPEAKER: I'll meet with you, if you don't mind, on Thursday or Friday and I could over with you and show you some of the opportunities if you want.

WILLIAM GONZALEZ: I appreciate it. Thank you, everyone.

PRESIDENT RODRIGUES: Thank you.

WILLIAM GONZALEZ: Thank you.

PRESIDENT RODRIGUES: Anyone else? Any members from the Council?

Alderman Kleiner.

ALD. KLEINER: Yeah, I just -- we're past the winter parking with -- it affects the parking lots and even from the overnight parking -- and I'm hoping that the signage is going to be clear because when you read the different lots and you can park Sunday, Monday, Wednesday, and Friday in this part of the lot, and then Tuesday, Thursday, and Saturday in the other part of the lot, but you can't park in the part where they need it clear for snow clearing. There's a lot of regulations and there's a lot of different specifications on where you can and can't park, and what times you can. Even with an overnight parking permit, you have to be in the correct part of the lot, and that's going to depend on what day you're parking. So I just want to make sure that our signage gets those message out very clearly. Thank you.

PRESIDENT RODRIGUES: Anyone else? I got a motion to close the public hearing?

ALD. MASI: So moved.

PRESIDENT RODRIGUES: Alderman Masi, seconded by Alderman Green.

All in favor?

ALDERMEN: Aye.

PRESIDENT RODRIGUES: The public hearing is now closed.

8. Remarks by the Aldermen

PRESIDENT RODRIGUES: Okay, remarks of the aldermen. Alderman. Masi.

ALD. MASI: Two quick things. Maria, thank you very much for the show, although I understand someone else is taking credit for bringing Peter Noone in, but it was a wonderful show. Everyone's talking about, and thanks for the next setup that you have coming in.

Then something on not a pleasant topic. Chief, I want to thank you, your entire department, and you have to deal with -- I don't know if anyone saw this, but I'll read just a little bit of it.

This is what these guys and gals have to deal with on a daily basis and it really comes down to bail reform. Something's got to be done. I'm hoping the governor or legislators do something with it, but just one little incident back on March 12th.

The desk sergeant got a call. Officers responded to the scene, where they found an Asian man on the sidewalk, bleeding profusely from significant facial injuries. The police knew right away who the person was. He was familiar to the police. He was arrested two days earlier and charged with robbery. It was alleged that on March 7th, he threatened a store clerk at that store -- I won't list the store -- and stole \$200.

He was arraigned and mandatorily released on his own recognizance. That was two or three days before he does this awful beating on this person and it's -- this is just one incident.

And our guys and gals have to put up with this on a daily basis, unfortunately, and I think a lot of it comes down to the judge's hands are tied, and it goes up to bail reform. So anyone knows anyone with any influence, hopefully, they'll change it, and when they arrested this guy a week ahead of time, the police would not have had to deal with him in another incident and a poor gentleman got beat severely.

Thank you.

PRESIDENT RODRIGUES: Alderman Witt.

ALD. WITT: Thank you. Just one thing. I just wanted to congratulate Lt. Kahlil on his retirement. He

was very helpful to me in the beginning of my journey here, helping me serve our people. So he was a good guy -- well, he still is, and I wish him all the best.

Thank you.

PRESIDENT RODRIGUES: Alderman Green

ALD. GREEN: Thank you very much. First off, Happy Spring to everyone. It was nice to pull in here tonight at, you know, a little after 6:30 and it was sunny and actually sixty degrees, according to my truck at least. So it's nice to have that, the sun coming back around, a little warm weather.

I did last week attend a school safety tour through the Middletown school district with all the emergency services and other local leaders. (a) The schools are phenomenally safe., I think it's probably one of the safest places you could be, but we did get a chance to see all the wonderful programming that the Middletown schools offer. And I'm not going to go into it in extensive ways, but man, I graduated in 2007, and I want to go back now. And I think that that was pretty much the thought of everyone who took the tour, was that the programming now is just so phenomenal that we want to go back.

Speaking of the schools, the Middletown Fire Department volunteers will be facing against the Twin Towers Middle School staff in a basketball game. This is to raise donations for the mini-mall that they have at Twin Towers Middle School. That game will take place on the 30th of March. It's a Thursday night at 6 p.m. at Twin Towers Middle School. There is a sign-up. I believe you can see it through Facebook, if you want to get some tickets in advance, just because there is a limit at the door to how many could attend. But we look forward to that.

And I was generously asked to be a speaker last night at the Mayor's Youth Council. I just want to say it's a wonderful group of young people and their administrative staff and, you know, they're going to do great things, and I hope that someday we'll see some of them on this council. But please, if you can donate blood, donate blood for their drive this Wednesday.

Thank you.

PRESIDENT RODRIGUES: Alderman Kleiner.

ALD. KLEINER: Thank you. First, I want to thank my compatriot, Alderman Green, for translating the recycling circular that we're going to send out, and he did a Spanish translation of it. I've already sent it to the

country. They're happy to have it. So next we need to have it translated it into Chinese. We're going to be working on that.

The incident that happened and the bail reform, there's a part of bail reform. I mean, bail is a system for getting out of jail. But they have, certainly the law had ended up tying the judge's hands where they absolutely need more discretion for violent crimes.

But the other component to that incident was the mental health services and Mobile Mental Health, and he was taken to Garnet for mental health evaluation and released and released and released. We really don't have effective mental health services. So that, thank you, Alderman Masi, but that also needs to be part of that equation.

We did hold our delayed constituent's meeting. We had canceled it because of the weather report and there's going to get the blizzard and it's going to be at 2 o'clock and at 4 o'clock and 6 o'clock, and so it actually was sprinkling when we would have had our meeting. But we did have it yesterday. We said it's been two months since we had one, so we wanted to have one and I want to thank everyone who turned out for that. Our next constituents' meeting will be on April 10th, so we'll have time to try

and get a speaker and see what we can do. I'll announce that the next meeting.

The citywide cleanup, I just want to mention that it's -- it's at Erie Way, and that is where the farmers' market is. That's where the pavilion is, so if people don't know where Union Street and Erie Way is, that's where we're going to be leaving from this year.

One other thing. The county is having a household hazardous waste drop-off day, and that's at the Orange County transfer station number 1. That's opposite Mid-Hudson Psych in New Hampton. And that's -- that's April 15th. So that's for the household. The day for business is April 14th, but for individuals and for household, and you can bring pharmaceuticals and drop them off there too. So that's something to be aware of.

And that's it. Thank you.

PRESIDENT RODRIGUES: Alderman Wray.

ALD. WRAY: I'm not going to repeat everything Andrew had to say. I did also attend the facilities store at the schools. Absolutely outstanding.

As a mother of a child who's looking at colleges, just to keep in mind that some of these colleges will be a step down in technology and stuff that they have available, and it's a unbelievable. So I agree, absolutely fantastic.

That secret gets out, good luck to the real estate market. It will be a bidding war.

I just have to agree with Alderman Masi this evening. My work is in doing police reporting, and bail reform is an absolutely nightmare in terms of things like domestic violence and things like that, and the recidivism as soon as they're released is -- it's terrifying and it's scary for the people who are at risk.

So I agree, change must be made and that's really all I have to say (inaudible).

PRESIDENT RODRIGUES: Alderman Johnson.

ALD. JOHNSON: Bail reform, that could be quite lengthy conversation. A bad idea, apparently, from the start.

Congrats to the Paramount. It just gets better and better. Congrats to all, whoever's in charge or takes responsibility for it.

Chief, send my congrats to Sam, and congratulations to your FBI graduate. He sounds like an exciting person to have in your staff to kind of give some thoughts on what he learned at the academy. I appreciate that.

In your possession, I've given you a piece of paper because I am positive none of you realize that it was

International Day of Forests today. So be forewarned and reminded. This is a UN initiative, and I've given you a piece of paper, and if you visited the website, which I did, you would read a very small part that says:

"Forests give us so much to our health. They purify the water, clean the air, capture carbon, defy climate change, provide food, lifesaving medicines, and improve our well-being. Yet, despite all these priceless ecological economics, social, and health benefits, forests are endangered by fires, pests, droughts, and unprecedented deforestation. It's up to us to safeguard these precious natural resources."

So my goal this evening is -- to get some applause, which I did, so that's good -- to plant a seed, pun intended. I would really like to know what my fellow council persons, or anybody who's hearing these words is thinking about trees. That's to be continued.

Thank you.

PRESIDENT RODRIGUES: Alderman Jean-Francois.

ALD. JEAN-FRANCOIS: Nothing this evening.

PRESIDENT RODRIGUES: Alderman Tobin.

ALD. TOBIN: Thanks to the treasurer for the clean audit. That was greatly appreciated, and I do agree with Mayor, Olivia's does have great empanadas.

9. New Business

PRESIDENT RODRIGUES: Okay, new business.

RICHARD MCCORMACK, CITY CLERK: Good evening. We have a resolution sponsored by Alderman Tobin authorizing amendment to the Senior Transportation contract.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Jean-Francois accepting \$7,500 in grant awards for the Middletown Police Department from the Division of Criminal Justice Services.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Johnson accepting a Free Little Library form the Minisink Valley Rotary Club.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Wray, awarding the Water Storage Tank Painting and Rehabilitation at Highland Avenue Bid to NUCO Painting Corporation.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Kleiner, adopting a revised Investment Policy of the City of Middletown.

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

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

Carries.

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Green authorizing agreement with Loomis as the Plan Administrator for the City Sponsored Health Insurance Plan.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Witt authorizing 2022 Year-End budget transfers and adjustments.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Masi authorizing street closures for the annual Ruthie Dino-Marshall Run.

PRESIDENT RODRIGUES: Resolution sponsored by

Alderman Masi, seconded by Alderman Witt.

UNIDENTIFIED SPEAKER: Gerry, if you want to go first. Okay. None. I just wanted to say, you know, we did have discussion about this last year about, you know, tabling this and whatever and I do plan to vote for it this evening. We did hear concerns from our constituents last night and, you know, we are going to be having a meeting with some of the organizers just to make sure everything goes as smooth as possible and, you know, I look forward to that and another successful year of the race.

Thank you.

PRESIDENT RODRIGUES: Alderman Kleiner.

ALD. KLEINER: Yeah, I'd just add to that. I did talk to Mr. Micelli (phonetic) who's the director of the Y, and he's going to meet with us and Kelly Patterson (phonetic) and we'll just -- we're trying to keep it on a positive basis and do everything we can to make it as neighborhood-friendly as possible.

Thank you.

PRESIDENT RODRIGUES: Anyone else? Roll.

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

ALD. MASI: Audit. Mr. President, I move the

accounts be audited --

PRESIDENT RODRIGUES: I'm sorry.

ALD. MASI: I'm sorry.

PRESIDENT RODRIGUES: Alderman Johnson.

ALD. JOHNSON: Thank you, Mr. President. In light of the conversation that we had with the Legislative Committee earlier this evening, I would like to offer the following resolution from the floor.

Whereas various complaints have been received by the City regarding short-term rentals in residential dwellings; and whereas the Mayor is recommending a change to the zoning code to prohibit short-term rentals in all zoning districts in the City; now therefore be it resolved that the Common Council of the City of Middletown will hold a public hearing on this proposed change to the zoning code on April 18th, 2023 at or as near to 7:30 p.m. as possible in the Common Council Chamber, 16 James Street, 2nd floor, Middletown, New York.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Johnson. Do I have a second? Alderman Wray.

UNIDENTIFIED SPEAKER: (inaudible) State or the City?

MAYOR DESTEFANO: But the resolution reads April 4th.

ALD. JOHNSON: Well, I changed it in view of the deference to your -- your speech.

MAYOR DESTEFANO: Okay. All right. No, I just want to make sure that you're --

ALD. JOHNSON: we're actually a little bit ahead of the curve, Mayor. I know it's hard to believe.

UNIDENTIFIED SPEAKER: Yeah, we got it.

ALD. JOHNSON: It's true.

MAYOR DESTEFANO: You just sit there.

UNIDENTIFIED SPEAKER: I assume, Mr. Masi, through the resolution can (inaudible).

ALD. MASI: (Inaudible) he had nothing to do with it, and the mayor should not either.

PRESIDENT RODRIGUES: Any discussion?

ALD. WRAY: It's coming from the floor. Let it come -- let it go here.

PRESIDENT RODRIGUES: All right. Roll.

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

PRESIDENT RODRIGUES: Okay. Audit.

ALD. MASI: Now?

PRESIDENT RODRIGUES: Please.

10. Audit of Claims and Accounts

ALD. MASI: Okay. All right, Mr. President, I move the accounts be audited, that the claims be adjusted, and the City Treasurer be authorized to issue warrants for the payment.

PRESIDENT RODRIGUES: Motion from Alderman Masi. Do I have a second? Alderman Johnson. Roll.

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

PRESIDENT RODRIGUES: Move for adjournment.

ALD. MASI: So moved.

(PROCEEDING CONCLUDED)

CERTIFICATE

I, Michele Johanson, certify the foregoing transcript of proceedings of the March 7, 2023, Middletown City Council meeting was prepared using the required electronic equipment and is a true and accurate record of the proceedings.

Signature:



Date: April 24, 2023

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

CITY OF MIDDLETOWN, NEW YORK

COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Tobin

Sec'd by Ald. Kleiner

Date of Adoption 03.21.23

Index No: 59-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

Resolution authorizing an amendment to the Senior Transportation Contract

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes an amendment to the Senior Transportation contract.

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

CITY OF MIDDLETOWN, NEW YORK

COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Johnson

Date of Adoption 03.21.23

Index No: 60-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

**Resolution accepting \$75,000 in Grants Awards for the Middletown Police Department
from the Division of Criminal Justice Services**

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment accepts two grants from the Division of Criminal Justice Services in the amount of \$57,500 and \$17,500, for a total of \$75,000 for operating expenses, contractual services, travel, equipment, property rental and or ownership costs, utilities, and or other operating expense to support the services and expenses of the City of Middletown Police Department.

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes these funds to be deposited in a separate budget expense line.

CITY OF MIDDLETOWN, NEW YORK

COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Tobin

Date of Adoption 03.21.23

Index No: 61-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

Resolution accepting a Free Little Library from the Minisink Valley Rotary Club

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to accept the donation of a Free Little Library from the Minisink Valley Rotary Club.

The library is already constructed and adult books have also been donated along with it. Our Parks Department will have to install a mount and then set it into the ground. We would like to install it near the dog park and gear the book selection towards adult books.

CITY OF MIDDLETOWN, NEW YORK

COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Wray

Sec'd by Ald. Jean-Francois

Date of Adoption 03.21.23

Index No: 62-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

Resolution awarding the Water Storage Tank Painting and Rehabilitation at Highland Avenue Bid to NUCO Painting Corp

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and awards the Water Storage Tank Painting and Rehabilitation at Highland Avenue Bid to NUCO Painting Corp of Islandia, New York in the amount of \$1,114,500.00. This includes base bid in the amount of \$1,094,500, plus the Alternate bid to add Cathodic Protection in the amount of \$20,000.00.

Project Funding Background: This project consists of three separate projects:

1. Highland Ave Tank Repainting and Rehab, subject of this memo.
2. Mountain Ave Tank Replacement.
3. High Barney Tank Replacement.

While the projects were authorized to proceed by the City, we applied and were awarded NYSEFC grant in the amount of \$2.965 million, and \$2.335 million in low-interest loans. Only the balance of the funds needed from all three tank projects will be funded directly by the City. The Cost estimate for the remaining two Tanks is \$4.9 million plus Engineering, land purchase, and other incidentals. Very soon we will be getting the bid prices for the Mountain Ave and High Barney Tanks, at which time we will have the exact cost to fund.

The Commissioner of Public Works will also work with the Mayor and City Treasurer to finalize all funding for the Three Water Storage Tanks projects.

CITY OF MIDDLETOWN, NEW YORK

COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner

Sec'd by Ald. Masi

Date of Adoption 03.21.23

Index No: 63-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

Resolution adopting a revised Investment Policy for the City of Middletown

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment adopts the attached revised Investment policy to include NYCLASS and remove financial institutions the City no longer uses under section 65.7 designation of depositories.

CITY OF MIDDLETOWN, NEW YORK

COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Masi

Date of Adoption 03.21.23

Index No: 64-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

**Resolution authorizing an agreement with Loomis as the Plan Administrator for the City
Sponsored Health Insurance Plan**

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizing an agreement with Loomis to be the Plan Administrator for the City sponsored health insurance plan.

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

Loomis pricing is slightly less for a total of \$38.65 per enrollee per month. Also, the city will be able to offer FSA (to all eligible City Employee for a cost of \$5 per enrollee per month. The City will still see a cost savings on the tax end.

An FSA allows employers that offer this benefit to save the combined Medicare and Social Security tax rate of 7.65% on the value of FSA employee contributions. The employees can save between 15% to 40% on taxes when electing to contribute to an FSA depends on their tax bracket.

CITY OF MIDDLETOWN, NEW YORK

COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Witt

Sec'd by Ald. Green

Date of Adoption 03.21.23

Index No: 64-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

Resolution authorizing 2022 Year-End budget adjustments/transfers

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to make the attached 2022 Year-End budget adjustments and transfers due to over drafts.

CITY OF MIDDLETOWN, NEW YORK

COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Witt

Date of Adoption 03.21.23

Index No: 65-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

Resolution authorizing Street Closures for the Annual Ruthie Dino-Marshall Run

RESOLVED, that the Common Council of the City of Middletown hereby authorizes the Commissioner of Public Works, and/or his designee, and the Chief of Police, and/or his designee, to close any and all streets and intersections as per the attached route necessary and at their discretion, for the YMCA Annual Ruthie Dino Marshall Run on Sunday, June 11, 2023, beginning at 7:00 a.m. and lasting until such time as it is no longer needed.

CITY OF MIDDLETOWN, NEW YORK

COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Wray

Date of Adoption 03.21.23

Index No: 66-23

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

**Resolution authorizing a public hearing on Prohibiting Short Terms Rentals in all
Zoning Districts in the City**

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

WHEREAS, the Mayor is recommending a change to the Zoning Code to prohibit short term rentals in all zoning districts in the City;

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Middletown will hold a public hearing on the proposed change to the Zoning Code on Tuesday, April 18, 2023, at or as near to 7:30 PM as possible in the Common Council Chambers, 16 James Street, 2nd Floor, Middletown, NY.

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Johnson

Date of Adoption 03.21.23

Index No:

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
	9			
TOTAL				

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



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: May 2, 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				

Middletown City School District 2023-2024 Budget Presentation



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: May 2, 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				

Cannabis Dispensary Prohibition

ATTACHMENTS:

[Zoning - Cannabis Dispensaries \(Legislation\).pdf](#)

[PH Zoning Amendment Cannabis Sales.pdf](#)

[Cannabis Sales Prohibition Legal Affidavit.pdf](#)

RESOLUTION

WHEREAS, by Local Law #1 of the Year 2021, adopted July 20, 2021, the City of Middletown opted out of the establishment of cannabis retail dispensary licenses within the City of Middletown pursuant to Section 131 of the New York Cannabis Law.

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, be and is hereby amended by creating a new Section 475-28A of Article IV, General Regulations, to read as follows:

Section 475-28A. Cannabis Sales.

(1). The sale of cannabis, cannabinoids, cannabinoid hemp, cannabis flower, cannabis products, cannabis-infused products, hemp and hemp extract, as those terms are defined in Section 3 of the New York Cannabis Law, is prohibited in and on all private and public property in every zoning district in the City of Middletown.

(2). Penalties. Any person who violates any of the provision of this Section or any person who owns or controls property upon which such violation occurs shall, upon conviction, be guilty of an offense punishable by a fine of not less than \$250 nor more than \$2,000 or by imprisonment for a period not exceeding 15 days, or by both such fine and imprisonment. Each day that a violation is permitted to exist shall constitute a separate offense. The term "person," as used in this Section, shall include the owner, property manager as defined in Chapter 296 of the City Code, occupant, mortgagee, vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent, or any other person, firm or corporation directly or indirectly in control of a premises or part thereof.

Section 2 - Severability. If the provisions of any section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this Ordinance.

Section 3 - This Ordinance shall take effect immediately.

**CITY OF MIDDLETOWN
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, May 2, 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 create a new Section 475-28A of Article IV, General Regulations, to read as follows:

Section 475-28A. Cannabis Sales.

(1). The sale of cannabis, cannabinoids, cannabinoid hemp, cannabis flower, cannabis products, cannabis-infused products, hemp and hemp extract, as those terms are defined in Section 3 of the New York Cannabis Law, is prohibited in and on all private and public property in every zoning district in the City of Middletown.

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.

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

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: 4/26/23 & 4/27/23
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:

04/27/2023, 04/28/2023

and that the fees charged are legal.

Sworn to and subscribed before on 04/28/2023

Legal Clerk

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CITY OF MIDDLETOWN NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, May 2, 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 create a new Section 475-28A of Article IV, General Regulations, to read as follows:

Section 475-28A. Cannabis Sales.

(1). The sale of cannabis, cannabinoids, cannabinoid hemp, cannabis flower, cannabis products, cannabis-infused products, hemp and hemp extract, as those terms are defined in Section 3 of the New York Cannabis Law, is prohibited in and on all private and public property in every zoning district in the City of Middletown.

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.

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

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

MARIAH VERHAGEN
Notary Public
State of Wisconsin



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: May 2, 2023

Index No: 96-23

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

Resolution accepting a \$3500 Grant from Walmart to Support Kids Day and Night Out Against Crime Events

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment accepts a \$3,500 Grant from Walmart to assist in the planning and scheduling of vendors at our annual Kids Day and Night Out Against Crime events.

Furthermore, Chief Ewanciw is also requesting to increase the A.3120.06 Police Department -Use of Donation line by the same amount

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 Police Donation budget line A.2705.06 and that A.3120.06 Police Department -Use of Donation line be increased by the same amount.

ATTACHMENTS:

[WALMART GRANT NOAC 2023.pdf](#)

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

April 18, 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,

Sergeant Welch has applied for a grant from Walmart for \$3500 to assist in the planning and scheduling of vendors at our annual Kids Day and Night Out Against Crime events. The funds have been awarded and we request that the money be added to the Police Donation budget line A.2705.06.

Furthermore, we request to increase the A.3120.501 community expense line by the same amount.

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: May 2, 2023

Index No: 97-23

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 \$3405.30 Budget Transfer to Expand the Community Policing Unit

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$3405.30, in the following manner, to support the expansion of our Community Policing Unit by adding additional personnel to that building, and installing a video entry system.

The requested funding above, and the reallocation of funding for the Biometrics computer in our approved budget, will provide the total funding to complete this job.

From	Amount	To
A.3120.100 Personal Services	\$3,405.30	A.3120.200 Other equipment

ATTACHMENTS:

[Community Policing Expansion.pdf](#)

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

April 25, 2023

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

Dear Mayor DeStefano and Members of the Board of Estimate,

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

From	Amount	To
A.3120.100 Personal Services	\$3,405.30	A.3120.200 Other equipment

for the purpose of supporting the expansion of our Community Policing Unit by adding additional personnel to that building, and installing a video entry system. The requested funding above, and the reallocation of funding for the Biometrics computer in our approved budget, will provide the total funding to complete this job.

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: May 2, 2023

Index No: 98-23

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 the Stewart Military Appreciation Picnic to Use the Mobile Stage

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizing the Stewart Military Appreciation Picnic to use the mobile stage on Sunday, September 10, 2023.

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the City to set up and take down as well as transport the stage and authorizes the Mayor to sign all necessary documents between the City and the organizers.

ATTACHMENTS:

[Req for Stage Stewart Picnic.pdf](#)

Planning Committee

Mike Adams
MSgt. Brandon Arroyo
Sheriff Paul Arteta
CMSgt Timothy Barrett
Heather Bell
Jerry Bergman
Ron Bloomer
Eddie Boles
Joseph Bonura
Mike Bonura
Mia Bright
Brendan Casey
Frank Castella, Jr.
1LT Michael Circe
Fred Dana
Nicole Davis
Dan Depew
Lou Doro
Bob Earl
Lydia Edu-Daley
Angelo Ferrante
Col. Kris Geis
Dominick Greene
Steve Gross
Mike Hansen
Ronald Hicks
Lori Hodgkinson
Paul Hoffner
Joan Kaplan
Capt. Daniel Kiley
Andrew Komonchak
Stefanie Kostenblatt
Alan Mack
Robert Mandel
Chris Masters
Sandy Mathes
Megan Matthews
Steven Neuhaus
Mike Oates
Tom O'Connor
Harry Porr
Steven Powles
Nick Preddice
Lisa Ramirez
Millie Rodriguez
Vincent Rouhotas
Elizabeth Rowley
John Scarpino
Michael Schoendorf
John Sergi
Alan Seidman
Robin Seidman
Jeff Siegel
James P. Smith
Mary Pat Smith
Mark Stier
Matt Stoddard
James Taylor
Meghan Taylor
Scott Toms
MSgt. Ayshah Tual
William Vacca



Stewart Military Appreciation Picnic Planning Committee
330 Meadow Ave. | Newburgh, NY 12550 | 845-562-4280

RECEIVED

APR 17 2023

**CITY CLERK
CITY OF MIDDLETOWN**

March 29, 2023

Dear Mayor DeStefano,

On Sunday, September 10, 2023, the business community of the Hudson Valley is hosting the 7th Stewart Military Appreciation Day Picnic. The City of Middletown has graciously loaned their portable stage to this event in the past and we are requesting they do so again for this year's all-day event.

The Stewart Military Appreciation Day Picnic has been held every three years since 2005 as a "Thank You" to our Marine and Air Force personnel and their families stationed at Stewart. The day is organized and run entirely by volunteers wishing to show their thanks to our military. Each event has fed, entertained and in general thanked approximately 5000 people from our military community.

The entertainment on the stage has become a popular part of the whole day and we are hoping Middletown will assist us again in 2023. Details of the actual move can be worked out later with your Recreation Department, but we are requesting you to respond to our request at your earliest convenience. As you know an event of this magnitude requires a great deal of planning and therefore, we are making this request well in advance of the event.

Thank you for your attention to this request and I look forward to hearing from you. I can be reached at 845-551-9399 or geraldbergman@gmail.com.

Sincerely,

Jerry Bergman

Cc: Maria Bruni, Director of Economic Development

RECEIVED
MAR 31 2023
MAYOR'S OFFICE



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: May 2, 2023

Index No: 99-23

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

Resolution Accepting a \$250 donation from Capital Market Advisors for the City Wide Clean Up Event

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and accepts a \$250 donation from Capital Market Advisors for the City Wide Clean Up Event.

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to deposit the funds to line A.2705.01 City Wide Pride -Gift and Donations.

ATTACHMENTS:

[Accept a Donation from Capital Market Advisors.pdf](#)

[CMA Donation.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 Capital Market Advisors

Requesting that the Board of Estimate accepts a donation of \$250 from **Capital Market Advisors** for the City's Annual Clean-Up Day.

April 13, 2023.

On behalf of Richard Jostora and
Capital Markets Advisors, please accept
our \$250.00 donation to support
the Improve Middletown Event.
We look forward to the event's
success.

Thank you,

Ellen Seath

11 Grace Ave., Suite 308

Great Neck, NY 11021



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: May 2, 2023

Index No: 100-23

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Ald. Tobin				
Ald Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

Resolution Authorizing the Submission of the 2023 CDGB Action Plan

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the Mayor to sign all necessary documents and certifications regarding the 2023 CDGB Action Plan.

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the submission of the 2023 Action Plan to the Office of Housing and Urban Development.

ATTACHMENTS:

[Final 2023 Action Plan.pdf](#)

City of Middletown

2023 Action Plan



Joseph M. DeStefano, Mayor

J. Miguel Rodrigues, Alderman-at-large

Maria Bruni, Director Office of Economic and Community Development

PREPARED BY CITY OF MIDDLETOWN OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT

Executive Summary

AP-05 Executive Summary - 91.200(c), 91.220(b)

1. Introduction

Pursuant to requirements by the United States Department of Housing and Urban Development (HUD), the City of Middletown has prepared the 2023 Action Plan. The objective is for the City to retain eligibility for federal funds such as those already received through HUD's Community Development Block Grant (CDBG) program.

The goal of the Action Plan is to organize and evaluate the efforts of the Middletown municipal government and its residents in defining, determining, debating and, if need be, amending the ideas and policies proposed in the 2020-2024 Consolidated Plan that was prepared by the City's Office of Economic and Community Development and adopted by Middletown's Common Council in 2020.

2. Summarize the objectives and outcomes identified in the Plan

During the Program Year the City of Middletown will address the needs and objectives identified by the municipality in the 2020-2024 Consolidated Plan: to enhance the affordability and sustainability of the housing stock and to create economic opportunities for residents. During the coming year, the City of Middletown, through the Office of Economic and Community Development (OECD) will execute projects using CDBG funds in order to combat the most glaring and widespread problems faced by the population:

A. Inadequate Housing – The age of housing stock in the City of Middletown and the associated cost burden are challenging obstacles. A robust housing rehab program for owner and non-owner-occupied properties, both single and multi-family, will aid in reducing the cost burden of aging housing.

B. Unemployment and Job mobility – Providing access to economic opportunity for residents of the City of Middletown through a small business loan program creates jobs close to home and helps the local economy thrive.

3. Evaluation of past performance

Through the CDBG program, the City of Middletown provides safe, affordable housing and employment opportunities for low- and moderate-income persons throughout the jurisdiction. The Housing Rehabilitation Program is designed to provide low/moderate income residents living in owner-occupied or rental houses with safe, weather insulated dwellings. The Code Enforcement component of the program serves as a rehabilitation support service and a liaison between contractors and recipients throughout the duration of a project. Housing Rehabilitation activities are available throughout the City for all eligible program recipients. Each year at least 19 units are rehabilitated, virally improving neighborhoods as information about the program is passed from neighbor to neighbor.

Non-owner-occupied multi-family units are particularly difficult to bring into the program. Additional outreach is being conducted through mailings, neighborhood canvassing, working with the City's code enforcement officers, public service announcements, and social media.

The cost burden of housing in the City is an intrinsic reason for the Housing Rehabilitation Program. (See the Housing Cost Burden Report in the Appendix)

Outreach to seniors, STAR recipients and families with young children, through water bill flyers, a presence at city-sponsored and other community events has increased exposure of the program to residents.

The Middletown Community Development Agency (CDA), which is NOT funded by the CDBG program, does substantial rehabilitations on homes which have fallen into city ownership and sells them to qualified homebuyers who receive a grant or grants (from various sources) that reduces the sale price to below market value. To date, 9 properties have been sold, 1 sale is pending, and 2 are scheduled for renovation during the coming year.

The Economic Development portion of OECD's program is designed to assist businesses in locating and expanding within the City of Middletown. The Economic Development program provides Small Business Loans (SBL) and guidance to prospective borrowers. SBLs are designed to fill the financing gap between private funds and available equity required by a small business to meet its needs. The City may occasionally grant funds for projects that assist in the accomplishment of economic development objectives. In addition, OECD has participated in the Section 108 Loan Guarantee Program whose funds have been made available to development projects in Middletown. Restaurants, medical offices, light manufacturing facilities, barbershops

and salons as well as auto body repair businesses, linen supply and laundry businesses have all benefited from the program providing jobs and economic stability to low- and moderate-income persons.

Should excess funding be available, Economic Development Project funds may be used for Public Service/Facility projects. Unplanned 108 repayment will be included in Economic Development Programs.

4. Summary of Citizen Participation Process and consultation process

Pursuant to the federal regulations that require the solicitation of public opinion in the creation of Consolidated Plans, the City of Middletown utilizes a Citizen Participation Plan adopted by the Common Council. In addition to following this plan, the Middletown OECD is frequently in contact with local, private, non-profit and public sector groups who work in the housing and supportive service field.

In order to solicit resident input, the will OECD scheduled two (2) public hearings and published notices in both English and Spanish in the *Times Herald-Record*, the regional daily newspaper, and the OECD website. The first was held on November 14, 2022 to solicit citizen input in advance of the preparation of the draft Annual Action Plan. No one from the public was in attendance, nor were any comments submitted. The second public hearing was held on April 26, 2023 to receive comments regarding the final draft of the Plan. No one from the public was in attendance, nor were any comments submitted.

A 30-day comment period began on December 19, 2022 and concluded on January 18, 2023. No comments were received.

The Action Plan is available for citizen review through the Community Development page on the City of Middletown's website (www.middletown-ny.com) and will be available for pick-up and by mail/email upon request.

5. Summary of public comments

There were no comments made or submitted for the first or second public hearings.

There were no comments made or submitted during the comment period.

6. Summary of comments or views not accepted and the reasons for not accepting them

There were no comments made or submitted for the first or second public hearings.

There were no comments made or submitted during the comment period.

7. Summary

Citizen Participation draft: The City of Middletown estimates that it will use a total of \$429,598 to accomplish the goals and objectives of the 2023 Annual Action Plan, based on the prior year award letter dated May 12, 2022. Should the award change, the number of activities will most likely remain the same, but the project and activity budgets will change. The use of program income is likely, but the amount of program income to be used will be based on the amount of program income received during Program Years 2022 and 2023. At this point in time program income is only an estimate.

Final Draft: The City of Middletown will use a total of \$424,711.00 to accomplish the goals and objectives of the 2023 Annual Action Plan, based on the award letter dated February 27, 2023. The use of program income is likely, but the amount of program income to be used will be based on the amount of program income received during Program Years 2022 and 2023. At this point in time program income is only an estimate.

PR-05 Lead & Responsible Agencies - 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role		Name	Department/Agency
Lead Agency	MIDDLETOWN		
CDBG Administrator	MIDDLETOWN	Office of Economic and Community Development	
HOPWA Administrator			
HOME Administrator			
HOPWA-C Administrator			

Table 1 – Responsible Agencies

Narrative

The Office of Economic & Community Development is a department of the City of Middletown government. Since inception the Office has been tasked with the following mission:

The OECD is dedicated to creating a more vibrant community by:

1. Overseeing the business and community climate of the City of Middletown, in cooperation with the Common Council and various City boards and departments.
2. Administering Community Development Block Grant funds.
3. Fostering economic development, redevelopment, growth, expansion, retention and attraction of new and existing businesses in an effort to improve employment opportunities economic growth.
4. Promote neighborhood stabilization through homeownership as well as owner occupied and rental housing rehabilitation assistance.
5. Facilitating communication between commercial interests and the municipal government.

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6. Develop and promote Civic and Cultural Affairs as a tourist draw, economic opportunity and as a quality of life benefit for residents of the City.
7. Provide financing assistance and other incentives for small businesses utilizing all available resources including Industrial Development and Community Development Agency mechanisms as well as CDBG funds.

On October 15, 2019, by resolution, the City of Middletown Common Council appointed the Office of Economic & Community Development as lead agency for the preparation of the 2020-2024 Consolidated Plan and its component parts.

Consolidated Plan Public Contact Information

The Office of Economic & Community Development

Middletown City Hall

16 James Street; 3rd Floor

Middletown, NY 10940

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OMB Control No: 2506-0117 (exp. 09/30/2021)

AP-10 Consultation - 91.100, 91.200(b), 91.215(l)

1. Introduction

The Office of Economic & Community Development (OECD) coordinated an effort that was designed to reach a variety of stakeholders. The effort included public hearings/meetings, participation in the Orange County Consortium's focus group meetings and input from various City of Middletown officials as well as anecdotal information gleaned from previous recipients of CDBG based program assistance.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).

A representative from the OECD attended Orange County's focus groups held on April 3-5, 2019. The focus groups included: affordable/special needs housing and service providers, homeless service agencies, economic development officials, elected officials and health and human service providers.

The health and mental health services provided to the LIHTC communities within the City of Middletown are under the jurisdiction of Orange County.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

Middletown is a member of Orange County's "active Housing Consortium which consists of a wide array of individuals and entities that directly and indirectly serve homeless persons. Through a variety of coordinating councils, networks and other organizational structures the housing needs and priorities for the homeless are analyzed. The connection and integration of resources and programs is coordinated among Consortium members. The integration and coordination of resources and programs ensures that housing and support services are broad based, comprehensive and organized. The County's Housing Consortium meets on a regular basis and has actively sought program funds in a collaborative manner, especially to prevent, prepare for and respond to coronavirus with the ESG-CV funding. Together, as a consortium, they have successfully applied for federal Continuum of Care funding. The Continuum of Care is administered by HONOR ehg, Inc. located at 38 Seward Avenue, Middletown,

New York.” Details regarding the Continuum of Care may be found in the County's Action Plan.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

Middletown is a member of the Orange County HOME Committee and CDBG Consortium and is informed on on-going activities, issues and potential impediments to CoC activities in Orange County.

2. Agencies, groups, organizations and others who participated in the process and consultations

Orange County Office of Community Development, Orange County Government, HONOR Ehg, Regional Economic Community Action Program, Orange County Dept of Health, Independent Living, Orange County Office for the Aging, Orange County Department of Social Services.

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	Orange County Office of Community Development
	Agency/Group/Organization Type	Services - Housing Services-homeless Service-Fair Housing Other government - County
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy Lead-based Paint Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A representative of the City attended focus groups, other meetings and public hearings that were held by Orange County Community Development in preparation of the County Consortium Consolidated Plan as an overview of community needs. Regular contact with County representatives has occurred throughout the current pandemic to keep the local jurisdiction informed of citizen needs.
2	Agency/Group/Organization	Orange County Government
	Agency/Group/Organization Type	Other government - County

	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs Market Analysis Economic Development Anti-poverty Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A representative of the City attended focus groups, other meetings and public hearings that were held by Orange County Community Development in preparation of the County Consortium Consolidated Plan as an overview of community needs. Regular contact with County representatives has occurred throughout the current pandemic to keep the local jurisdiction informed of citizen needs.
3	Agency/Group/Organization Agency/Group/Organization Type	HONOR Ehg Housing Services - Housing Services-homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Market Analysis

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A Representative of the City attended focus groups, other meetings and public hearings that were held by Orange County Community Development in preparation for the County's Consolidated Plan.
4	Agency/Group/Organization	Regional Economic Community Action Program
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Market Analysis
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A representative of the City attended focus groups, other meetings and public hearings that were held by Orange County Community Development in preparation for the County's Consolidated Plan.
5	Agency/Group/Organization	Orange County Dept of Health
	Agency/Group/Organization Type	Health Agency Other government - County
	What section of the Plan was addressed by Consultation?	Market Analysis Lead-based Paint Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A Representative of the City attended focus groups, other meetings and public hearings that were held by Orange County Community Development in preparation of the County's Consolidated Plan for information concerning lead programs. Regular meetings with County representatives have occurred throughout the current pandemic to keep local jurisdictions informed of citizen needs.
6	Agency/Group/Organization	Independent Living
	Agency/Group/Organization Type	Services - Housing Services-Employment services for disabled

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What section of the Plan was addressed by Consultation?	Market Analysis
Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	A representative of the City attended focus groups, other meetings and public hearings that were held by Orange County Community Development in preparation for the County's Consolidated Plan.
7 Agency/Group/Organization	Orange County Office for the Aging
Agency/Group/Organization Type	Services-Elderly Persons Other government - County
What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs non-housing needs
Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The City reviewed reports and research regarding available services and the needs of various clients served by the agency.
8 Agency/Group/Organization	Orange County Department of Social Services
Agency/Group/Organization Type	Other government - County
What section of the Plan was addressed by Consultation?	non-housing needs
Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The City reviewed reports and research regarding available services and the needs of various clients served by the agency.

Identify any Agency Types not consulted and provide rationale for not consulting

All known, pertinent agencies were consulted.

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Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Honor ehg	The County and the City are Consortium members and as such our goals overlap and are consistent with each other.
Orange County Comprehensive Plan	Orange County Office of Planning	The goals of the Comprehensive Plan are consistent with the goals of the City's Strategic Plan
Orange County Economic Development Strategy	Orange County Office of Economic Development	The goals of the Comprehensive Plan are consistent with the goals of the City's Strategic Plan
City of Middletown	City of Middletown	The goals of the City's plans are consistent with the goals of the Strategic Plan

Table 3 - Other local / regional / federal planning efforts

Narrative

The City maintains close contact with other local municipalities and especially Orange County government and has often worked in concert with the aforementioned in order to accomplish mutual goals and objectives favorable to the City and its residents.

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AP-12 Participation - 91.401, 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

The purpose of citizen participation in the consolidated planning process is to allow an open and informed public discussion of community development issues within the City of Middletown. The meetings and discussions should be sufficient in scope so as to include all city residents and citizen groups representing a cross section of the population.

The goal of the citizen participation procedure is to ensure participation of a broad spectrum of city residents, service providers, city departments, nonprofit agencies and other stakeholders in the planning and implementation of the Consolidated Plan. The expectation is that the Plan will aid City government and Economic & Community Development administration by providing the proper planning and development of future programs.

The City of Middletown will hold 2 public hearings for the 2023 Action Plan. The first public hearing was held on November 14, 2022 in advance of the preparation of the plan in order to gather community input. The second public hearing is TBD.

Copies of the plan are available at the OECD office, on the City's website, by email or U.S. Postal service. Legal ads and notices, in English and in Spanish, were placed in the Times Herald-Record and on the City website at www.Middletown-NY.com.

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Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
1	Public Hearing	Non-targeted/broad community	The meeting was held in the Common Council Chambers of City Hall.	There were no attendees and no comments were made	There were no attendees and no comments were made	
2	Public Hearing	Non-targeted/broad community	The meeting will be held in the Common Council Chambers of City Hall.	There were no attendees and no comments were made	There were no attendees and no comments were made	
3	Comment Period	Non-targeted/broad community	n/a	There were no comments.	There were no comments.	

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

Introduction

The City of Middletown will use a total of \$424,711.00 to accomplish the goals and objectives of the 2023 Annual Action Plan, based on the award letter dated May 13, 2022. The use of program income is likely, but the amount of program income to be used will be based on the amount of program income received during Program Years 2022 and 2023. At this point in time program income is only an estimate. Should excess funding be available, Economic Development Project funds will be used for Public Service/Facility. Unplanned 108 repayment will be included in Economic Development Programs.

If there is sufficient funding, and if there are projects to complete, a portion of CDBG funds may be allotted to City of Middletown Community Development Agency Projects (CDA). The CDA oversees the City's Homebuyer Program, which fully rehabilitates abandoned homes acquired by the City through tax sale. These homes are then sold to qualified homebuyers. CDBG funding would be capped at \$100,000.00 per CDA project.

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Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	\$424,711.00	\$347,368.00	0	\$772,079.00	0	Final Draft: The City of Middletown will use a total of \$424,711.00 to accomplish the goals and objectives of the 2023 Annual Action Plan, based on the award letter dated February 27, 2023. The use of program income is likely, but the amount of program income to be used will be based on the amount of program income received during Program Years 2022 and 2023. At this point in time program income is only an estimate. Citizen Participation: The annual allocation is based on the award letter dated May 12, 2022. Program income availability is based on prior year PI and 2023 estimated PI. Prior year resources may be used to increase the budget.

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Anticipated Resources

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Federal funds will leverage the additional resources of small business loan recipients.

Projects listed in the Annual Action Plan are funded solely by CDBG funds and/or CDBG Program Income.

The Small Business Loan program utilizes CDBG funds to support Economic Development through job creation. The small businesses that receive these funds from the City generally have a mix of their own funds, bank commitments, and occasionally Small Business Administration and other loans or grants to fund their projects. The City of Middletown provides gap financing generally for the purchase of equipment.

The City is also able to partner with Orange County HOME to supplement the City's Housing Rehabilitation Program activities when necessary.

While there are City programs and New York State Grants that dovetail or complement CDBG programs, currently no funding is utilized from other sources to complete CDBG projects.

The City has been successful in applying for grants separate from CDBG funds to achieve economic stability for residents and expects to continue applying for grants to complement CDBG activities, especially economic development.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs

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identified in the plan

Housing within the City is old. According to the 2019 American Community Survey 5-Year Estimates, 33.3% or 3,480 occupied housing units were built before 1940. Older homes typically need more maintenance and the costs of that maintenance can be prohibitive for low- and moderate-income households. To assist in making the existing housing stock more affordable, tax foreclosures within the jurisdiction that have been long term vacancies or abandoned properties in marginal neighborhoods are rehabilitated by the Community Development Agency (outside of CDBG funding). They are then sold below market rate to eligible homebuyers. Unique properties are sold outright with specific development goals meant to enhance the neighborhood in which it is located. Proceeds are rolled into upcoming CDA projects. Various grants are available from a variety of sources to reduce the market rate price. To encourage longevity in the home a lien is placed to reflect the amount of the grants. These homebuyers may also be eligible for assistance through the City's CDBG Housing Rehabilitation Program once they own the home and should any further work need to be completed.

Discussion

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Annual Goals and Objectives

AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Housing	2020	2024	Affordable Housing	Middletown, New York	Housing	CDBG: \$324,113.00	Rental units rehabilitated: 6 Household Housing Unit Homeowner Housing Rehabilitated: 14 Household Housing Unit Housing Code Enforcement/Foreclosed Property Care: 20 Household Housing Unit
2	Economic Development	2020	2024	Non-Housing Community Development	Middletown, New York	Economic Development	CDBG: \$14,706.00	Jobs created/retained: 10 Jobs Businesses assisted: 2 Businesses Assisted

Table 6 – Goals Summary

Goal Descriptions

Housing: The objective of the Housing Rehabilitation component of the City of Middletown's Consolidated Plan is to assist eligible low/moderate income households (both owner and renter occupied) to afford safe, weather insulated housing that meets City Housing Code standards.

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Economic Development: The City's Economic Development objectives are designed to assist businesses in locating and expanding in the City. A primary objective of this component of the program is the creation of job opportunities for low/moderate income individuals.

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AP-35 Projects - 91.420, 91.220(d)

Introduction

The following projects will support the City's efforts to create sustainable and affordable housing and assist in providing jobs to low- and moderate-income families and individuals.

The projects and funding described in the 2020-2024 Consolidated Plan are based on the CDBG award letter date May 13, 2022.

#	Project Name
1	Administration and Planning
2	Single Family Housing Rehabilitation
3	Multi-Family Housing Rehabilitation
4	Code Enforcement
5	Economic Development
6	Homebuyer Assistance

Table 7 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The above projects are allocation priorities based on the needs outlined in the City's Consolidated Plan. The greatest obstacles to addressing underserved needs is the availability of funding.

AP-38 Project Summary

Project Summary Information

Administration and Planning: Planning and administration in support of CDBG program.

The planned activities are support for housing rehabilitation for single and multi- family homes and job creation through the assistance of at least two businesses

Single Family Housing Rehabilitation

The objective of the Housing Rehabilitation component of the City of Middletown's Consolidated Plan is to assist eligible low- moderate-income households (owner and renter occupied) to afford safe, weather insulated housing that meets City Housing Code Standards. Funds will be used in the City of Middletown to rehabilitate 14 single family homes.

Multi-Family Housing Rehabilitation

The objective of the Housing Rehabilitation Component of the City of Middletown's Consolidated Plan is to assist eligible low- and moderate-income households (both owner and renter occupied) to afford safe, weather insulated housing that meets City Housing Code Standards. Six units in multi-family housing will be rehabilitated.

Code Enforcement

The objective of the Housing Rehabilitation component of the City of Middletown's Consolidated Plan is to assist eligible low-moderate income households (both owner and renter occupied) to afford safe, weather insulated housing that meets City Housing Code Standards. Code enforcement will support the Single- and Multi-family Housing Rehabilitation Programs

Economic Development

The City's Economic Development Program objectives are designed to assist businesses in locating and expanding within the City of Middletown and to create jobs for low- and moderate-income individuals. Planned activities are business assistance and job creation.

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Homebuyer Assistance

This program is suspended. Program income funds are currently being used to service existing HBA funds.

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AP-50 Geographic Distribution - 91.420, 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The City of Middletown is an entitlement jurisdiction under HUD regulations. All projects are available city-wide and within the municipal boundaries of the city of Middletown. There are no geographic priorities. Each housing activity is granted or loaned based on low-mod household incomes. Economic development objectives require that jobs are created or retained. Every effort is made to hire low-mod individuals for the jobs created or retained.

The United States Department of Housing and Urban Development has developed standards to determine if a concentration of minority or low-income households exists in an area.

- A low-income concentration exists if the Area Median Income for a census tract, neighborhood or other geography is below 50% of the Area Median Income for the Metropolitan Statistical Area (MSA).
- A minority concentration exists when the percentage of households in a particular racial, ethnic minority group is at least 20 percentage points higher than the percentage of that minority group for the Metropolitan Statistical Area.
- A minority concentration also exists when the geography's total percentage of minority persons is at least 20 percentage points higher than the total percentage of all minorities for the MSA as a whole.

Concentration profile of Middletown Census Tracts as compared to Poughkeepsie-

Newburgh-Middletown, NY Metro Area.

Census Tract 11: minority concentration

Census Tract 12: minority concentration

Census Tract 13: no concentrations

Census Tract 15: minority concentration

Census Tract 16: minority concentration

Census Tract 151: minority concentration; low income concentration

Census Tract 151 is the only tract that has both a minority concentration and a low-income concentration according to the Metropolitan Statistical Area, however, Census Tract 12 was slightly above the low-income concentration limit at \$47,963.

2020 was a Census year, however, the Coronavirus Pandemic delayed the release of census data and no data from the 2020 ACS 1-year estimates was released. Therefore, the above data is based off of the 2019 American Community Survey 5 Year Estimates for consistency purposes.

Geographic Distribution

Target Area	Percentage of Funds
Middletown, New York	100

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Investments are not allocated by geography. Rather, since Middletown is an entitlement community, they are allocated city-wide to benefit low- and moderate-income person either in housing rehabilitation or economic opportunity.

Discussion

Annual Action Plan
2023

27

OMB Control No. 2506-0117 (exp. 09/30/2021)

AP-75 Barriers to affordable housing -91.420, 91.220(j)

Introduction

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

Currently there are no local public policies that are perceived to be barriers to affordable housing. The City will continue to review its actions in regards to residential investment and the accompanying public policies.

Discussion

Annual Action Plan
2023

28

AP-85 Other Actions - 91.420, 91.220(k)

Introduction

The City of Middletown actively seeks funding from a variety of sources to enhance the quality of life for its citizens.

Actions planned to address obstacles to meeting underserved needs

The greatest obstacle to meeting underserved needs is the availability of funding. The City will continue to pursue additional CDBG funding and other resources to complement the CDBG grant and program income currently available.

Actions planned to foster and maintain affordable housing

The City's Housing Rehabilitation Program's goal is to foster and maintain affordable housing for low and moderate households, both owner-occupied and rentals.

In 2016 the Middletown Community Development Agency, which is NOT funded by the CDBG) began a homeownership program wherein vacant and abandoned tax-foreclosed properties are rehabilitated and sold in conjunction with a grant to bring the purchase price down to below market price, to income eligible households. Each potential homeowner is required to receive homebuyer counseling and education through Path Stone to ensure a successful path to new and continued homeownership thereby removing blight and providing affordable homeownership opportunities. To date 9 homes have been sold and 4 more are in the preparation stage of rehabilitation.

The City supports developers of affordable housing with various mechanisms available to the city, but prevails upon other county municipalities to share in the responsibility to provide affordable housing for their residents

Actions planned to reduce lead-based paint hazards

The City contracts with an inspector to conduct lead risk assessments and clearances for each housing rehabilitation activity. When necessary, the City works with Orange County HOME program on activities in which the lead assessment boosts the rehabilitation costs beyond the scope of the City's CDBG budget.

Actions planned to reduce the number of poverty-level families

The City of Middletown will continue to work closely with local agencies, encourage

coordination of activities and to identify needs and gaps in care. The City has also been able to refer clients to other local agencies when the need arises for services outside of the scope of the CDBG program, enabling them to obtain assistance with utilities, additional repairs, healthcare and other services. The Housing Rehabilitation Program helps maintain a sustainable supply of affordable homes for low- and moderate- income families as does the Community Development Agency's First-time Homebuyer Program

Actions planned to develop institutional structure

The Office of Economic & Community Development will continue an open dialogue with City officials regarding the needs of Middletown residents.

Actions planned to enhance coordination between public and private housing and social service agencies

The City will endeavor to continue regular, formal communication with agencies in the jurisdiction to ensure coordination of care and to identify gaps and needs.

The City of Middletown is also a member of the Orange County Housing Consortium which endeavors to develop and evaluate efforts to end homelessness and appoints a board member as a city representative to the Middletown Housing Authority (an LIHTC entity).

Discussion

Program Specific Requirements

AP-90 Program Specific Requirements - 91.420, 91.220(I)(1,2,4)

Introduction

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	100,449.98
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan.	0
5. The amount of income from float-funded activities	0
Total Program Income	100,449.98

Other CDBG Requirements

1. The amount of urgent need activities

N/A

Discussion

The years covered in the Annual Action Plan are 2022, 2021, 2020.

Citizen Participation draft: The City of Middletown estimates that it will use a total of \$429,598 to accomplish the goals and objectives of the 2023 Annual Action Plan, based on the award letter dated May 13, 2022. Should the award change the number of activities will most likely remain the same but the project and activity budgets will change. The use of program income is likely, but the amount of program income to be used will be based on the amount of program income received during Program Years 2021 and 2022. At this point in time program income is only an estimate.

Annual Action Plan
2023

31

Should excess funding be available, Economic Development Project funds will be used for Public Service/Facility projects. Unplanned 108 repayment will be included in Economic Development Programs.

NB: There is some concern in the nature of the American Community Survey findings on units built before 1940.

ACS results indicate a change in the number of houses built before 1940 (1939 or earlier) that is not consistent with the number of buildings demolished in any given year between 2010 and 2018.

According to ACS 1539 housing units built before 1940 have disappeared between 2010 and 2018 while the number of new housing units has increased by 711 in the same time period. It seems the number of local demolition permits does not reflect these results for housing units built before 1940. The City may investigate this discrepancy.

Final Draft: The City of Middletown will use a total of \$424,711.00 to accomplish the goals and objectives of the 2023 Annual Action Plan, based on the award letter dated February 27, 2023. The use of program income is likely, but the amount of program income to be used will be based on the amount of program income received during Program Years 2022 and 2023. At this point in time program income is only an estimate.

Appendix

Allocation and authority



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

PRINCIPAL DEPUTY ASSISTANT SECRETARY
FOR COMMUNITY PLANNING AND DEVELOPMENT

February 27, 2023

The Honorable Joseph M. DeStefano
Mayor of Middletown
16 James Street
Suite 6
Middletown, NY 10940-5734

Dear Mayor DeStefano:

Congratulations! I am pleased to inform you of your jurisdiction's Fiscal Year (FY) 2023 allocations for the Office of Community Planning and Development's (CPD) formula programs. Your jurisdiction's FY 2023 available amounts are as follows:

CPD Programs:	Amount
Community Development Block Grant (CDBG)	\$424,711
Emergency Solutions Grant (ESG)	\$0
HOME Investment Partnerships (HOME)	\$0
Housing Opportunities for Persons With AIDS (HOPWA)	\$0
CDBG Recovery Housing Program (RHP)	\$0

These grant funds provide the financial tools to support individuals, families, and communities to address homelessness, affordable housing challenges, aging infrastructure, and economic hardships. CPD is committed to being your partner throughout the process of using these funds. Our local office will assist in finalizing grant agreements, offer technical assistance and training when needed, and monitor and implement grant funds for eligible projects in a timely manner. We will work with you to ensure proper reporting in the Integrated Disbursement and Information System (IDIS) so we can together improve performance data on how these programs are benefitting and touching people's lives, build trust with stakeholder groups and Congress, and amplify the success stories that you and your jurisdiction are able to accomplish with these vital resources.

Based on your jurisdiction's CDBG allocation for this year and outstanding Section 108 balances as of February 27, 2023, you also have \$1,934,555 in available Section 108 borrowing authority. Since Section 108 loans are federally guaranteed, this program can leverage your jurisdiction's existing CDBG funding to access low-interest, long-term financing to invest in your jurisdiction.

Thank you for your continued interest in CPD programs, I greatly appreciate your leadership in using these funds to address your most urgent housing and community development needs, including preventing and reducing homelessness. If you or any member of your staff have questions, please contact your local CPD Field Director.

Sincerely,

A handwritten signature in black ink, appearing to read 'Marion McFadden', with a stylized flourish at the end.

Marion Mollegen McFadden
Principal Deputy Assistant Secretary
for Community Planning and Development

Citizen participation

LOCALiQ

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

PO Box 631202 Cincinnati, OH 45263-1202

PROOF OF PUBLICATION

Caitlin McNamara
Accounts Payable
Middletown, Community Economic &
16 JAMES ST.
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:

10/27/2022

and that the fees charged are legal.
Sworn to and subscribed before on 10/27/2022

Legal Clerk

Notary, State of WI, County of Brown

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CITY OF MIDDLETOWN,
NEW YORK
NOTICE OF PUBLIC
HEARING
CITIZEN INPUT
ANNUAL ACTION PLAN
JANUARY 1, 2023
DECEMBER 31, 2022

The City of Middletown, through the Office of Economic and Community Development ("OECD"), is pleased to announce that they will hold a public hearing on November 14, 2022 at 4 p.m. in Common Council Chambers located on the 2nd floor of City Hall, 16 James Street, Middletown, New York 10940 to identify priority needs of the community in advance of the preparation of the Community Development Block Grant ("CDBG") Annual Action Plan for the January 1, 2023 to December 31, 2023 Program Year.

The goal of the public hearing is to obtain comments and input from the citizens about community needs and neighborhood priorities.

For additional information please contact the OECD Office at 845-346-4170.

All interested parties are invited to attend.

Joseph Desiderio, Mayor
Maria Bruni, Director of OECD
The City of Middletown is an
EEO

Ciudad de Middletown,
Nueva York
Aviso de Audiencia pública
Opinión de ciudadanos
EL Plan de acción anual
1 enero, 2023-31 diciembre,
2022

La ciudad de Middletown, a través de la Oficina de Desarrollo Económico y Comunitario ("OECD"), se complace en anunciar que llevará a cabo una audiencia pública el 14 de noviembre de 2022 a las 4 p.m. en las Cámaras del Consejo Común ubicadas en el segundo piso del Ayuntamiento, 16 James Street, Middletown, Nueva York 10940 para identificar las necesidades prioritarias de la comunidad antes de la preparación del Plan de Acción Anual de la Subvención en Bloque para el Desarrollo Comunitario ("CDBG") para la 1 de enero de 2023 al 31 de diciembre de 2023 Año del programa.

La meta de esta audiencia es para obtener el comentario y sugerencias de ciudadanos sobre necesidades en las comunidades de la ciudad. Para obtener más información por favor llame la oficina de desarrollo y fomento (845) 346-4170.

Todos los partes interesados están invitados a asistir.

Los cámaras del consejo común, Edificio Municipal 16 calle James

Middletown, Nueva York 10940

Alcalde: Joseph Desiderio

Directora: Maria Bruni, OECD

La ciudad de Middletown es un

empleador de oportunidades

iguales.

MARIAH VERHAGEN
Notary Public
State of Wisconsin

LOCALiQ

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

PO Box 631202 Cincinnati, OH 45263-1202

PROOF OF PUBLICATION

Caitlin McNamara
Accounts Payable
Middletown, Community Economic &
16 JAMES ST.
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:

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and that the fees charged are legal.
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CITY OF MIDDLETOWN,
NEW YORK
NOTICE OF
COMMENCEMENT OF
30 DAY PUBLIC COMMENT
PERIOD
DRAFT ANNUAL ACTION
PLAN

JANUARY 1, 2023 -
DECEMBER 31, 2023

The City of Middletown, through the Office of Economic and Community Development ("OECD"), announces the commencement of a 30-day public comment period pertaining to the Draft Annual Action Plan for the Community Development Block Grant program prepared by OECD staff. Copies of the Draft Annual Action Plan for the January 1, 2023 to December 31, 2023 Program Year is available for public view online at www.Middletown-NY.com or by written request to:

Office of Economic and Community Development
City Hall
16 James Street
Middletown, NY 10940

Or
CommDev@Middletown-NY.com

The goal of the 30-day public comment period is to obtain citizen input in the form of comments concerning the contents of the Draft Annual Action Plan for the CDBG 2023 Program Year. The public comment period will begin on December 19, 2022 and conclude at the close of business on January 18, 2023.

Comments may be submitted in writing to:

Office of Economic and Community Development
City Hall
16 James Street
Middletown, NY 10940

Or
CommDev@Middletown-NY.com

For additional information please contact the OECD Office at 845-346-4170.

The City of Middletown is an EEO.

Ciudad de Middletown, Nueva York

Aviso de empuje de periodo de 30 dias

Opinion de ciudadanos

El Plan de accion anual
1 enero, 2023- 31 diciembre, 2023

La Ciudad de Middletown, a través de la Oficina de Desarrollo Económico y Comunitario ("OCDE"), anuncia el comienzo de un periodo de comentarios públicos de 30 días relacionado con el Borrador del Plan de Acción Anual para el programa de Subvenciones en Bloque para el Desarrollo Comunitario preparado por el personal de la OCDE. Las copias del Borrador del Plan de Acción Anual para el Año del Programa del 1 de enero de 2023 al 31 de diciembre de 2023 están disponibles para su vista pública en línea en www.Middletown-NY.com o mediante solicitud por escrito a:

Oficina de desarrollo y fomento de la ciudad de Middletown

Edificio Municipal
16 James Street, piso 3
Middletown, NY 10940

O
CommDev@Middletown-nY.com

El objetivo del periodo de comentarios públicos de 30 días es obtener opiniones de los ciudadanos en forma de comentarios sobre el contenido del Borrador del Plan de Acción Anual para el Año del Programa CDBG 2023. El periodo de comentarios públicos comenzará el 19 de diciembre de 2022 y concluirá al cierre de operaciones el 18 de enero de 2023.

Por favor, enviar comentario escritos por correo a:

Office of Economic and Community Development
City Hall

16 James Street, 3rd Floor
Middletown, NY 10940

O
CommDev@Middletown-NY.com

Para obtener más información llame (845) 346-4170

La ciudad de Middletown es un empleador de oportunidades iguales

LOCALiQ

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

PO Box 631202 Cincinnati, OH 45263-1202

PROOF OF PUBLICATION

Middletown, Community Economic
Accounts Payable
Middletown, Community Economic &
16 JAMES ST.
MIDDLETOWN NY 10940

STATE OF NEW YORK, COUNTY OF ORANGE

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CITY OF MIDDLETOWN,
NEW YORK
NOTICE OF PUBLIC
HEARING
CITIZEN INPUT
ANNUAL ACTION PLAN
JANUARY 1, 2023-
DECEMBER 31, 2023

The City of Middletown, through the Office of Economic and Community Development ("OECD"), is pleased to announce that they will hold a second public hearing on April 26, 2023 at 4 p.m. in Common Council Chambers located on the 2nd floor at City Hall, 16 James Street, Middletown, New York 10940, to identify priority needs of the community in advance of the finalization of the Community Development Block Grant ("CDBG") Annual Action Plan for the January 1, 2023 to December 31, 2023 Program Year.

The goal of the public hearing is to obtain citizen comments concerning the Final Annual Action Plan for the 2023 Program Year.

For additional information please contact the OECD Office at 845-346-4170.

All interested parties are invited to attend.

Joseph DeStefano, Mayor
Maria Bruni, Director of
OECD

The City of Middletown is an
EEO

Ciudad de Middletown, Nueva
York

Aviso de Audiencia publica

Opinión de ciudadanos

EL Plan de acción anual

1 enero, 2023- 31 diciembre,
2023

La Ciudad de Middletown, a través de la Oficina de Desarrollo Económico y Comunitario ("OCDE"), se complace en anunciar que llevarán a cabo una segunda audiencia pública el 26 de abril de 2023 a las 4 p.m. en las Cámaras del Consejo Común ubicadas en el segundo piso del Ayuntamiento, 16 James Street, Middletown, Nueva York 10940, para identificar las necesidades prioritarias de la comunidad antes de la finalización del Plan de Acción Anual de Subvención en Bloque para el Desarrollo Comunitario ("CDBG") para el 1 de enero de 2023 al 31 de diciembre de 2023 Año del programa.

El objetivo de la audiencia pública es obtener comentarios de los ciudadanos sobre el Plan de acción anual final para el año del programa 2023.

Para obtener información adicional, comuníquese con la Oficina de la OCDE al 845-346-4170.

Todas las partes interesadas están invitadas a asistir.

Las cámaras del consejo común, Edificio Municipio

16 calle James

Middletown, Nueva York 10940

Alcalde, Joseph DeStefano

Directora, Maria Bruni, OECD

La ciudad de Middletown es un
empleador de oportunidades
iguales.

CITY OF MIDDLETOWN

Action Plan 2023



Mayor Joseph DeStefano
Council President J. Miguel Rodrigues
OECD Director Maria Bruni
16 James Street; Middletown, NY 10940
CommDev@Middletown-NY.com

OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT

ADMINISTERS THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG). The funds are used for :

HOUSING REHABILITATION PROGRAM

SINGLE FAMILY

MULTI FAMILY

ECONOMIC DEVELOPMENT PROGRAM

SMALL BUSINESS LOAN PROGRAM

PUBLIC SERVICE/FACILITY LOANS & GRANTS



2023 Action Plan

goals and objectives

1. Provide safe, weather proof housing for low and moderate income families through the Housing Rehabilitation Program for low and moderate income families.

The program year objective is to

- **COMPLETE 6 MULTIFAMILY UNITS**
- **COMPLETE 14 SINGLE FAMILY UNITS**

BEFORE

FOURTH WARD
REHAB



AFTER



2023 ACTION PLAN

Goals and Objectives

2. Provide low and moderate income residents with access to economic opportunity.

CDBG FUNDS ASSIST IN THE PURCHASE OF EQUIPMENT FOR SMALL BUSINESSES WHO ARE THEN REQUIRED TO CREATE JOBS, THUS ENHANCING JOB OPPORTUNITIES.

CURRENTLY SERVICING \$1.7 MILLION IN LOANS TO SMALL BUSINESS.

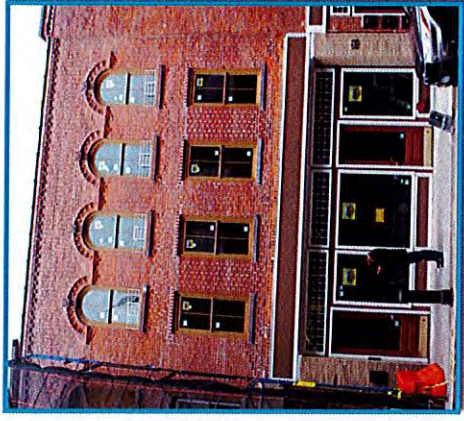
Program year objective

- ASSIST 2 BUSINESSES
- CREATE AT LEAST 10 JOBS

J's Place



30 North St



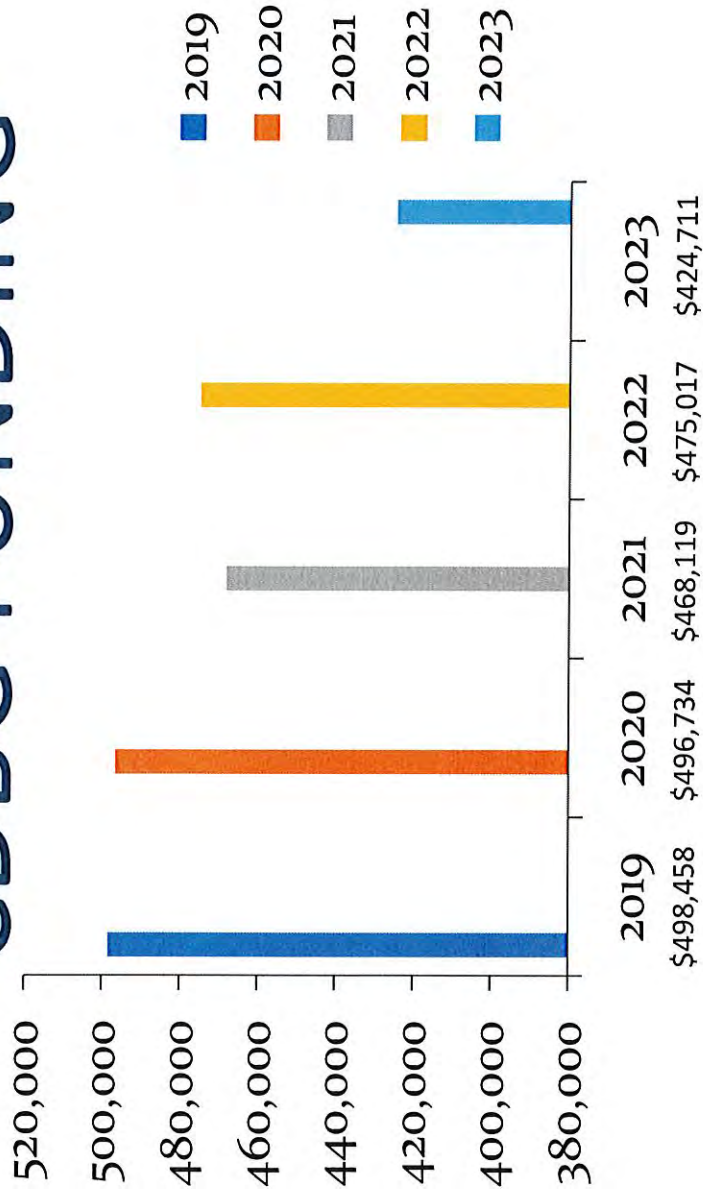
Oak & Reed

Farmer & Baker



Dairy Queen

CDBG FUNDING



Allocation of CDBG funding is dependent upon the congressional appropriations bill which decreased HUD's budget for formula funding to grantees in 2019, 2020, 2021, 2022 and 2023.

The City of Middletown utilizes program income from the repayment of CDBG loans and grants to businesses and homeowners to further supplement Economic Development and Housing Rehabilitation Programs.

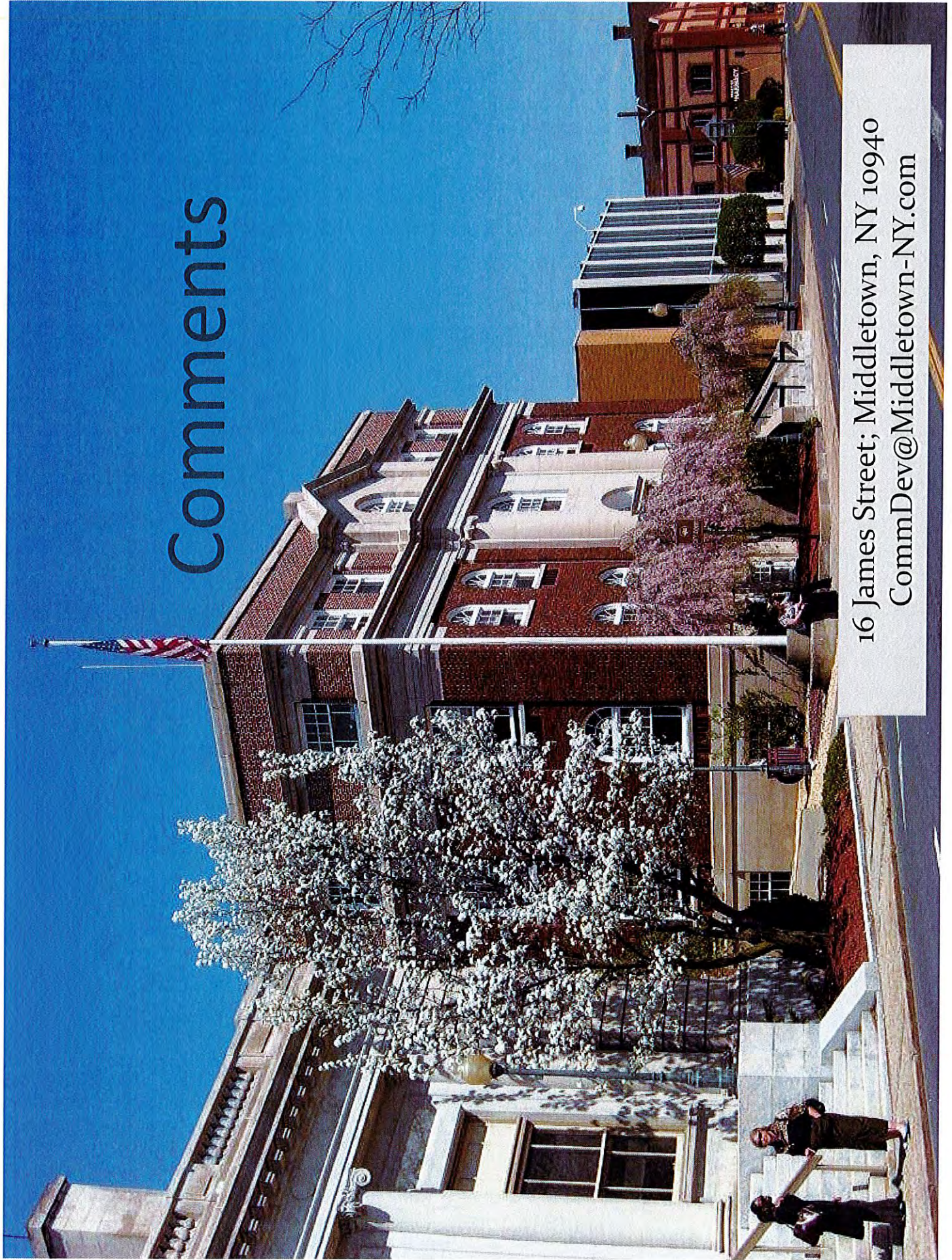
Estimated 2022 ACTION PLAN BUDGET

2023 allocation \$424,711

Estimated program income allocated for Planning and Administration \$25,000

<u>Program</u>	<u>Grant</u>	<u>Program Income</u>	<u>Total</u>
Planning and Administration	\$85,892	\$25,000	\$110,892
Single Family Rehab	\$247,113	\$113,768	\$360,881
Multi Family Rehab	\$60,000	\$68,142	\$128,142
Code Enforcement	\$17,000	\$0	\$17,000
Economic Development	\$14,706	\$139,058	\$153,764
Homebuyer	\$0	\$1,400	\$1,400
	<u>\$424,711</u>	<u>\$347,368</u>	<u>\$772,079</u>

Comments



16 James Street; Middletown, NY 10940
CommDev@Middletown-NY.com

Estimated Budget

Estimated 2023 City Budget/2022 AP budget

CDBG 2023 allocation \$424,711

Estimated 2023 program income allocated for admin \$25,000.00

Prior year estimated program income allocated \$317,481

Program	Grant	Program Income	Old EN \$\$	Total
Planning and Administration	\$ 85,892.00	\$ 25,000.00	\$ -	\$ 110,892.00
Single Family Rehab	\$ 247,113.00	\$ 113,768.00	\$ -	\$ 360,881.00
Multi Family Rehab	\$ 60,000.00	\$ 68,142.00	\$ -	\$ 128,142.00
Code Enforcement	\$ 17,000.00	\$ -	\$ -	\$ 17,000.00
Economic Development	\$ 14,706.00	\$ 139,058.00	\$ -	\$ 153,764.00
Homebuyer	\$ -	\$ 1,400.00	\$ -	\$ 1,400.00
<i>Total</i>	\$ 424,711.00	\$ 347,368.00	\$ -	\$ 772,079.00

Maps

CITY OF MIDDLETOWN

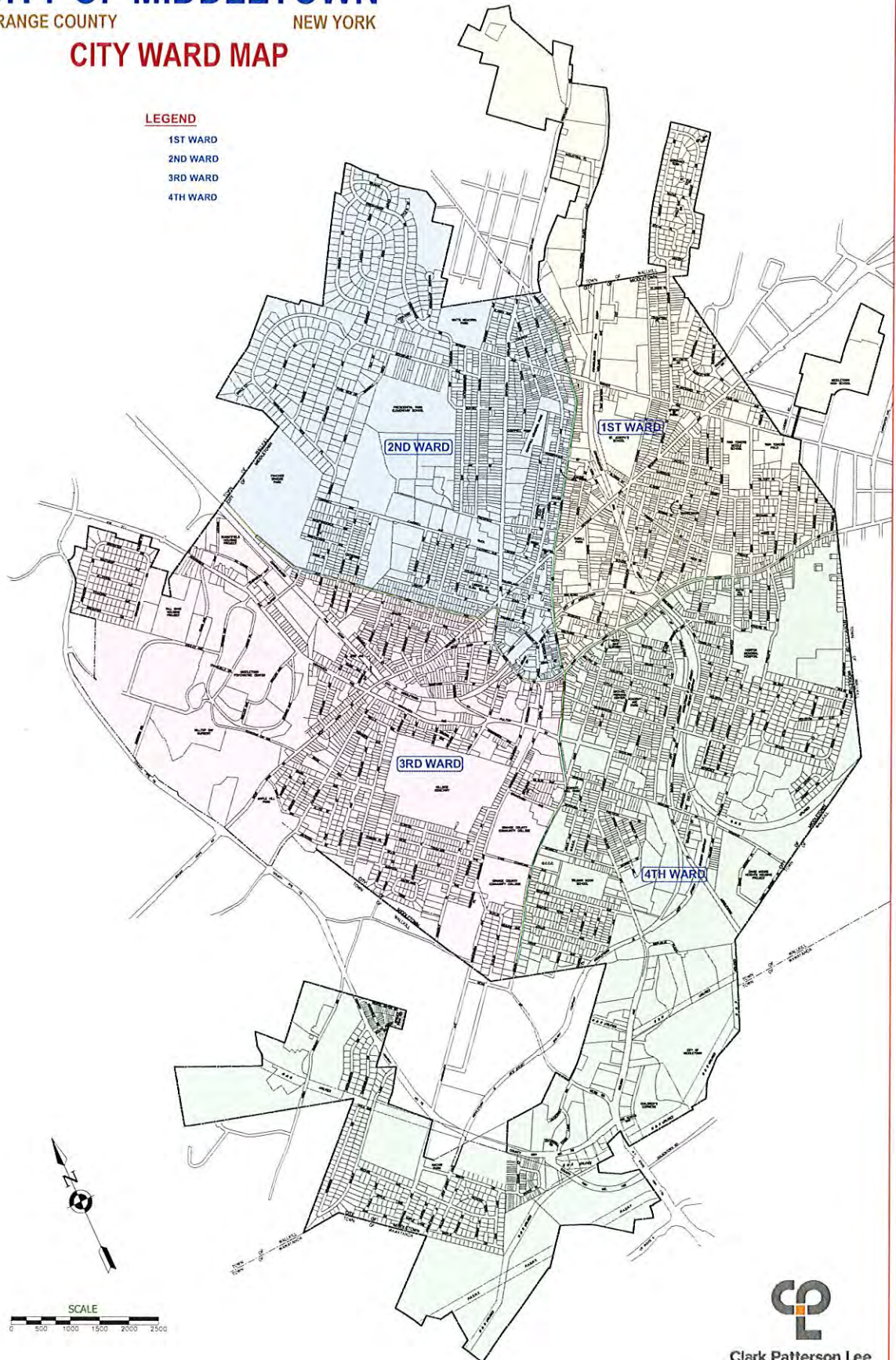
ORANGE COUNTY

NEW YORK

CITY WARD MAP

LEGEND

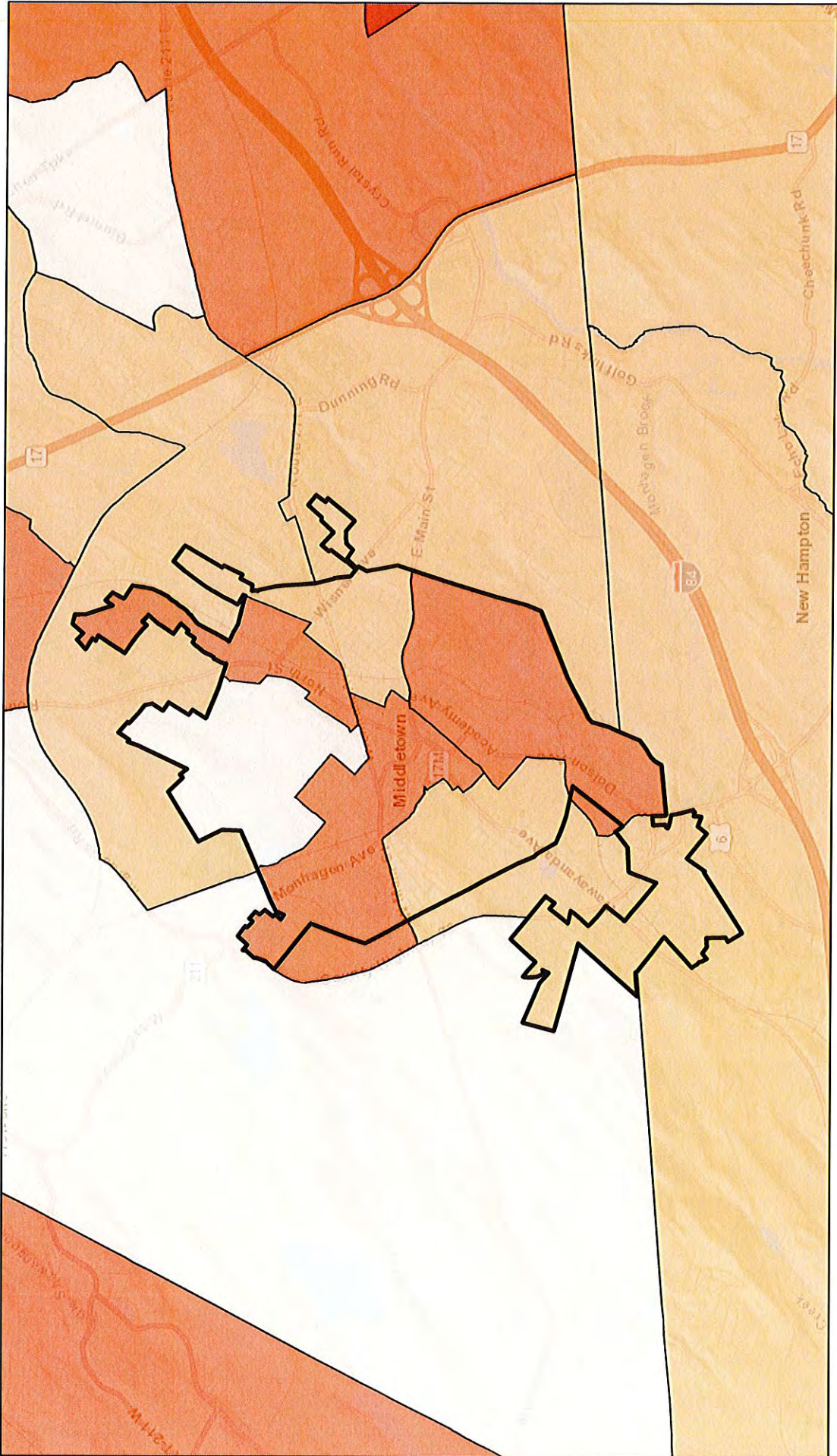
- 1ST WARD
- 2ND WARD
- 3RD WARD
- 4TH WARD



Clark Patterson Lee
ARCHITECTS • ENGINEERS • PLANNERS
JUNE 2017

Housing cost burden

CPD Maps - Housing Affordability Renter Units to 50% HAMFI

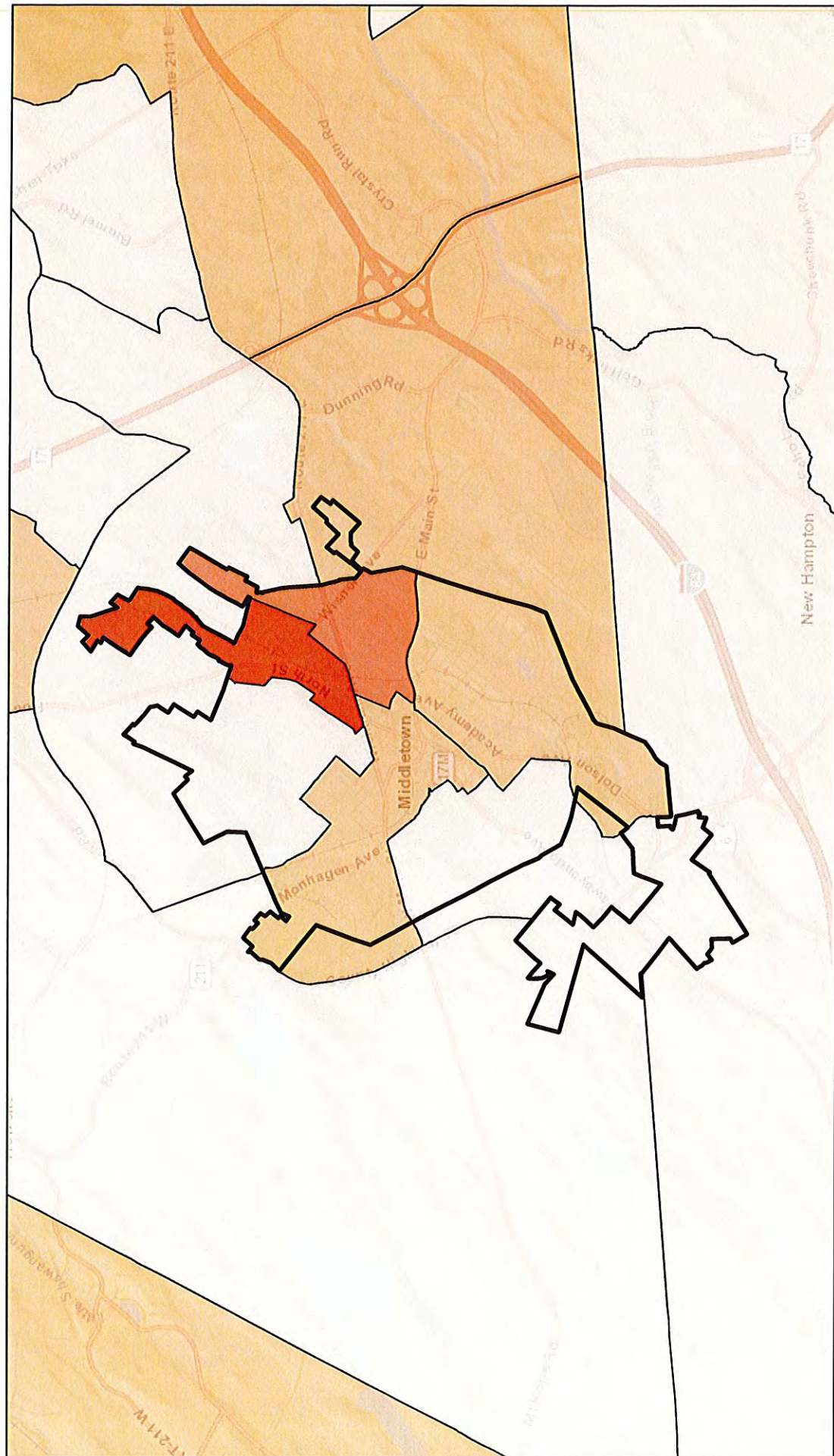


June 7, 2022



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

CPD Maps - Housing Affordability Owner Units to 50% HAMFI



June 7, 2022



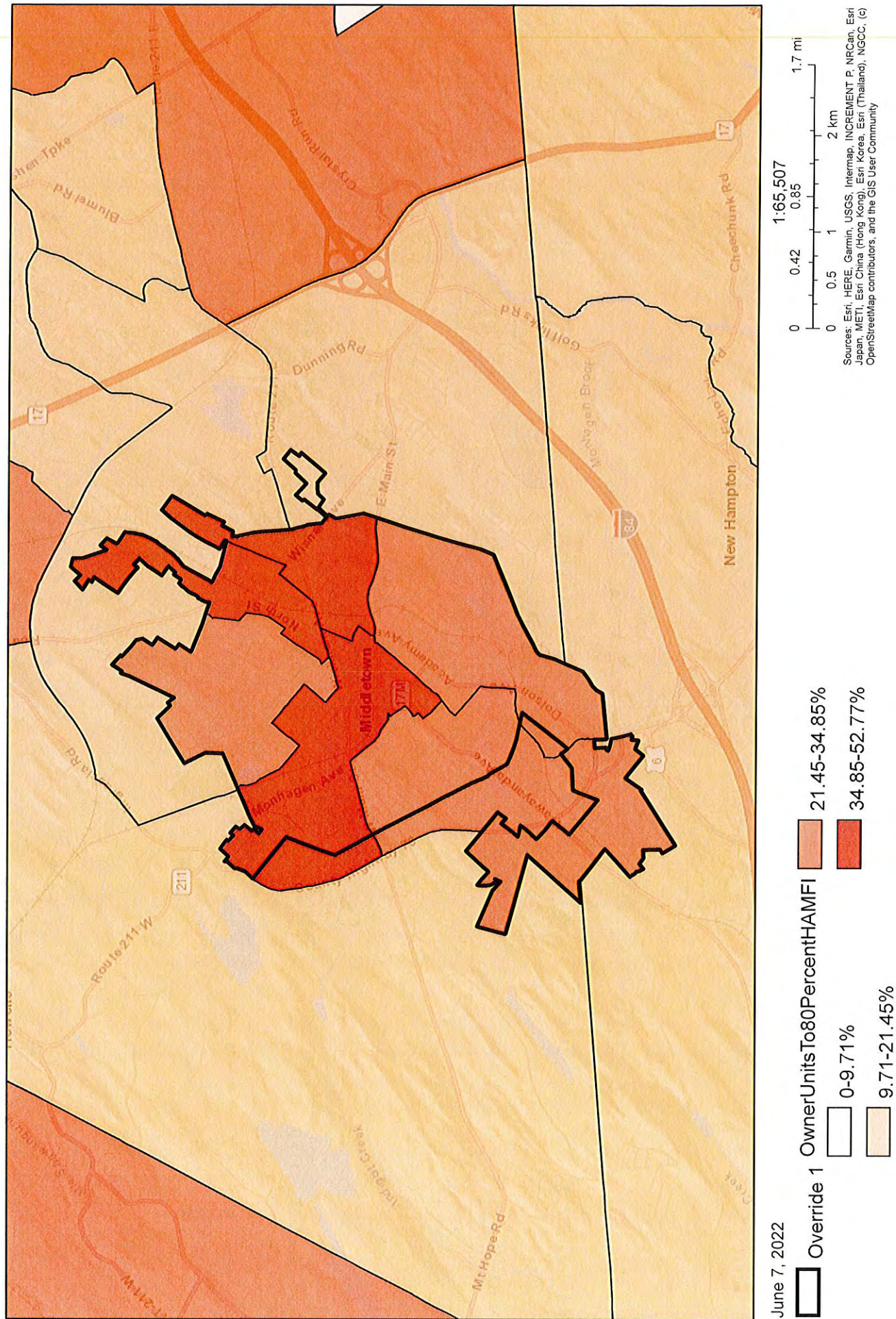
1:65,507

0 0.42 0.85 1.7 mi

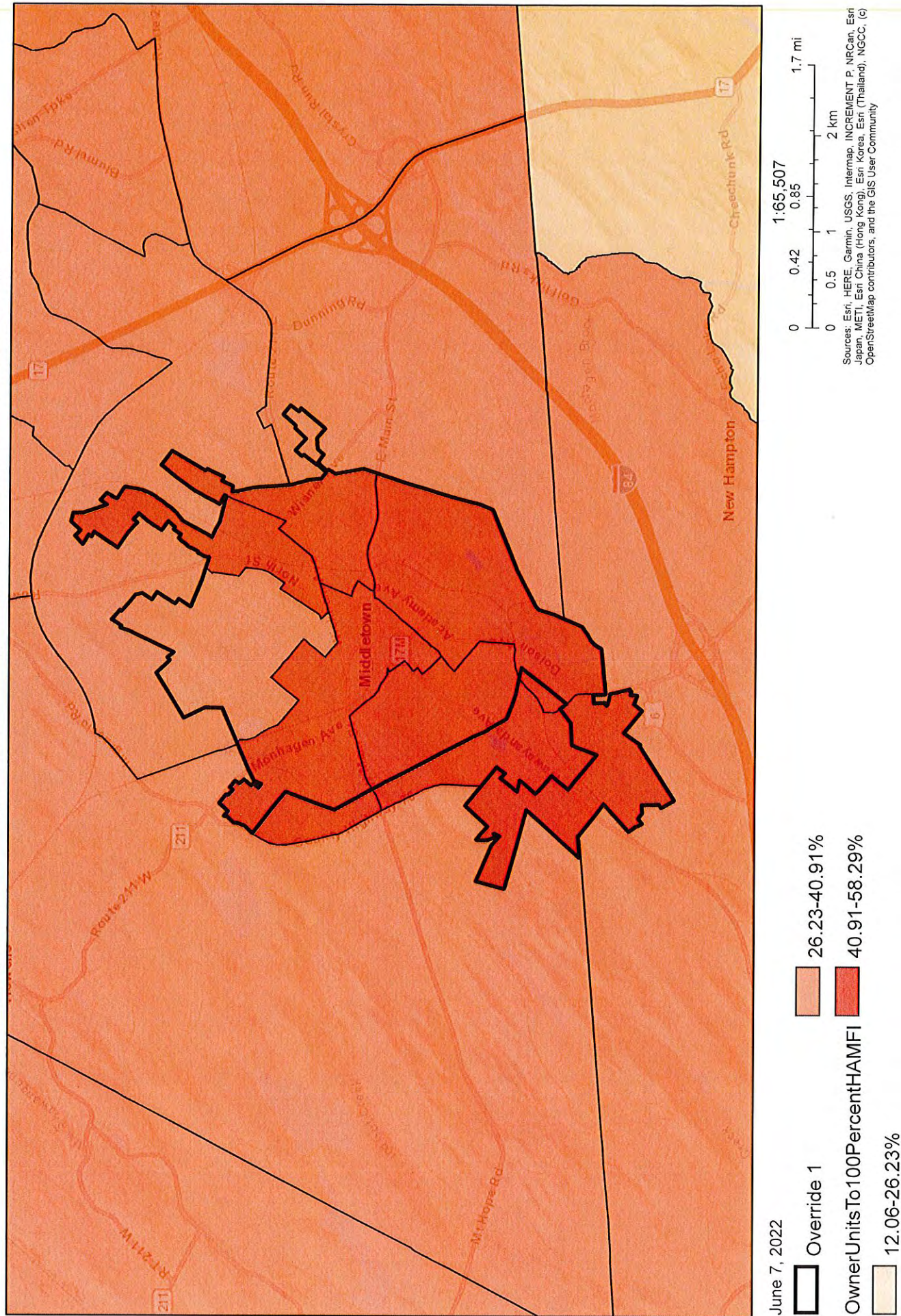
0 0.5 1 2 km

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

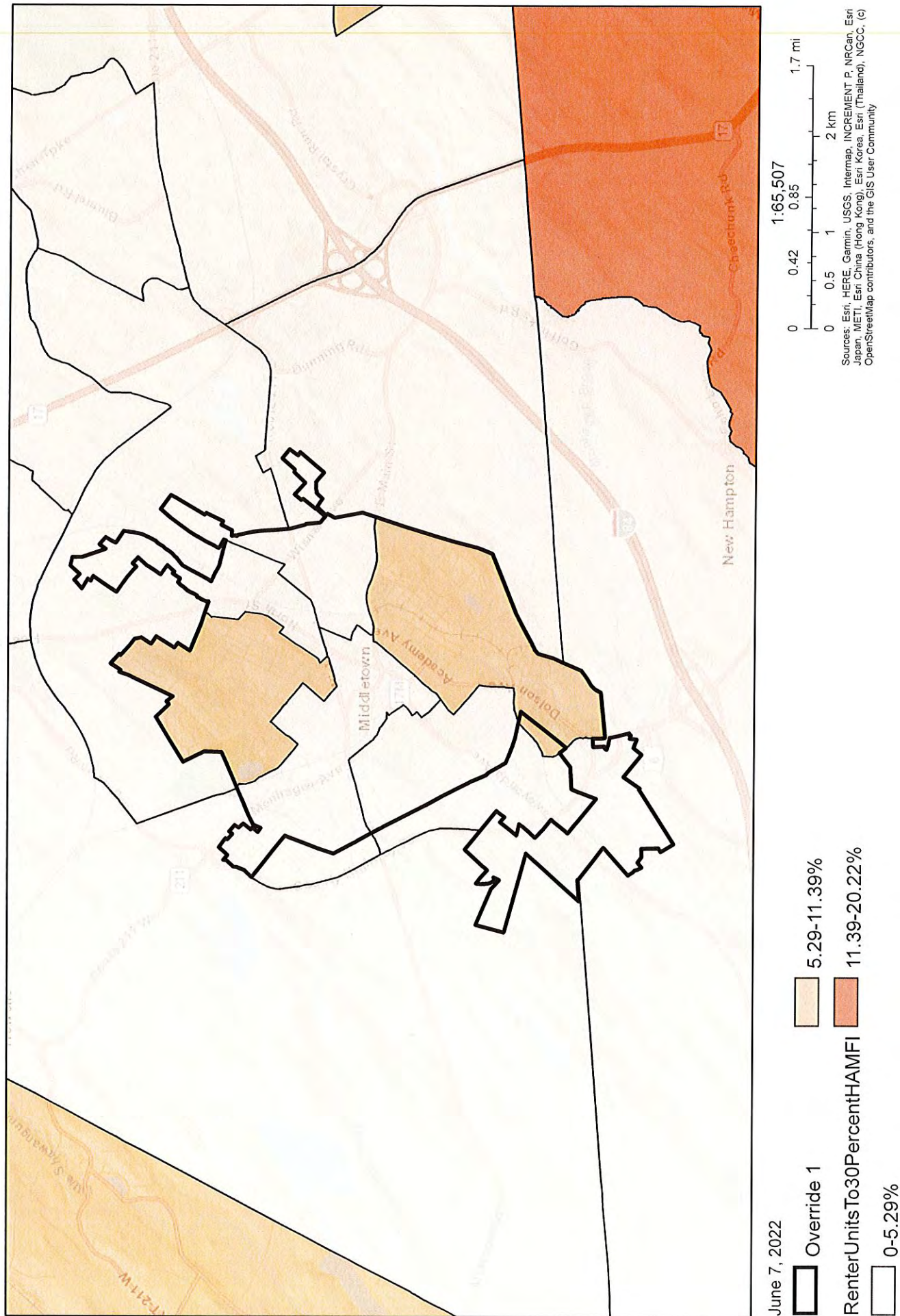
CPD Maps - Housing Affordability Owner Units to 80% HAMFI



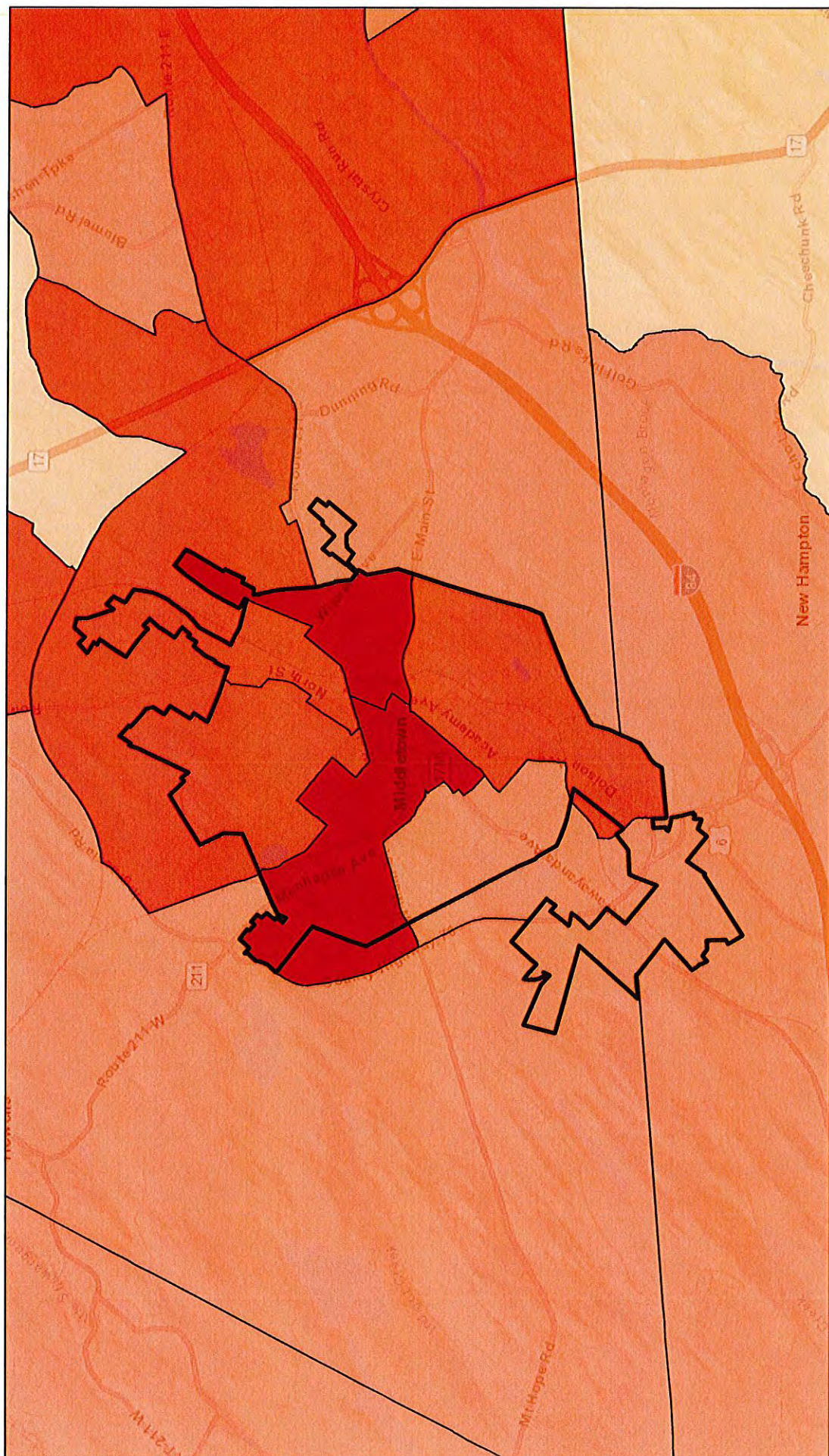
CPD Maps - Housing Affordability Owner Units to 100% HAMFI



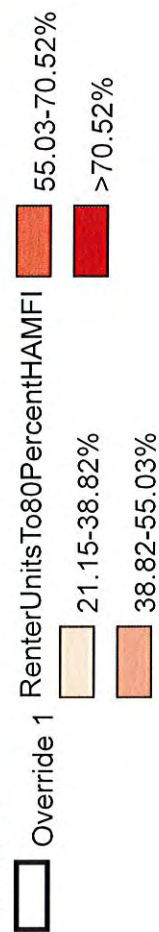
CPD Maps - Housing Affordability Renter Units to 30% HAMFI



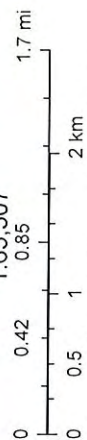
CPD Maps - Housing Affordability Renter Units to 80% HAMFI



June 7, 2022

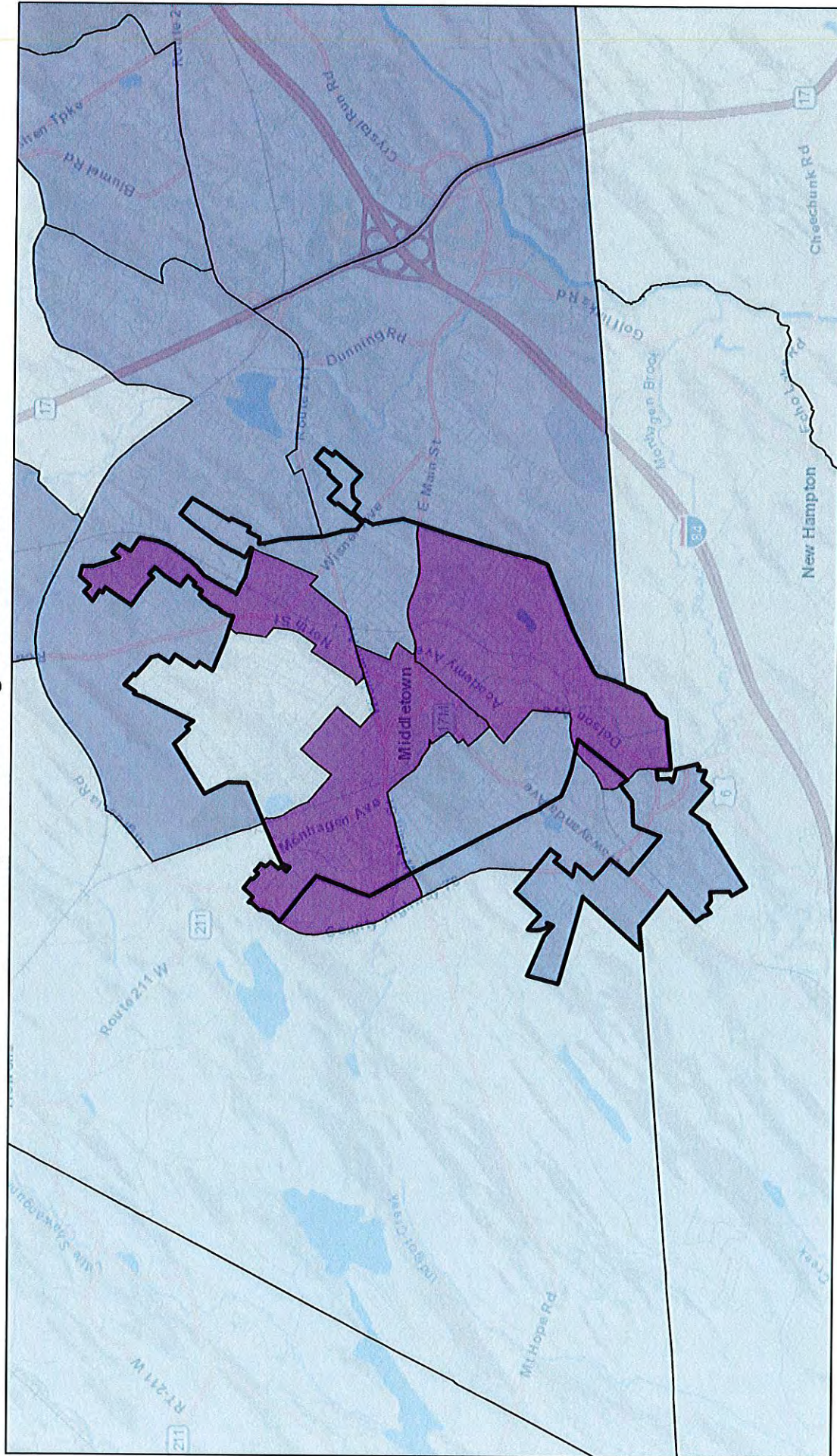


1:65,507



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

CPD Maps - Housing Cost Burden



June 7, 2022

- Override 1
- HousingCostBurden 29.28-38.78% Paying>30%
- 38.78-47.69% Paying>30%
- 47.69-58.44% Paying>30%

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

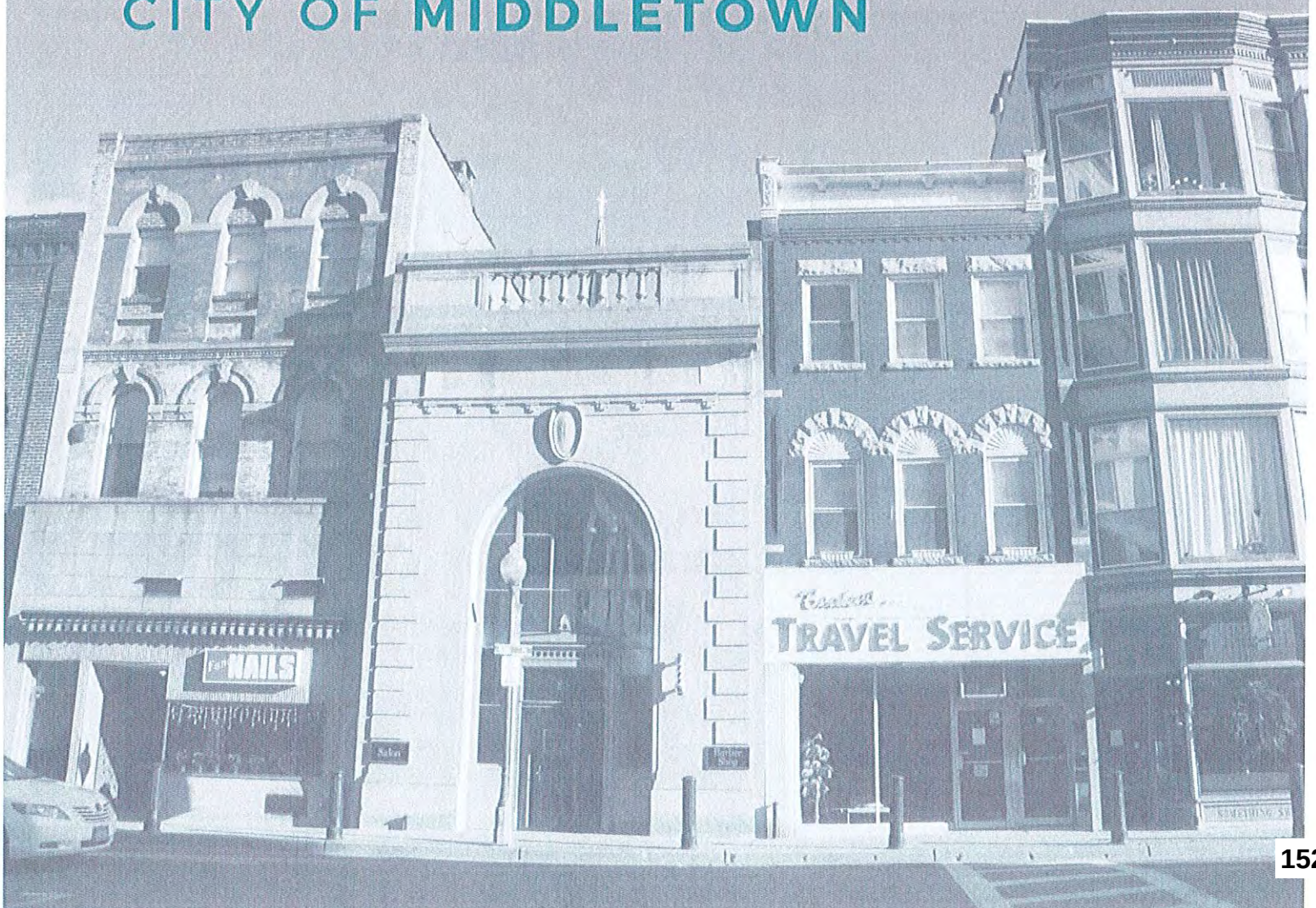
URBAN ACTION AGENDA

Community
Profiles

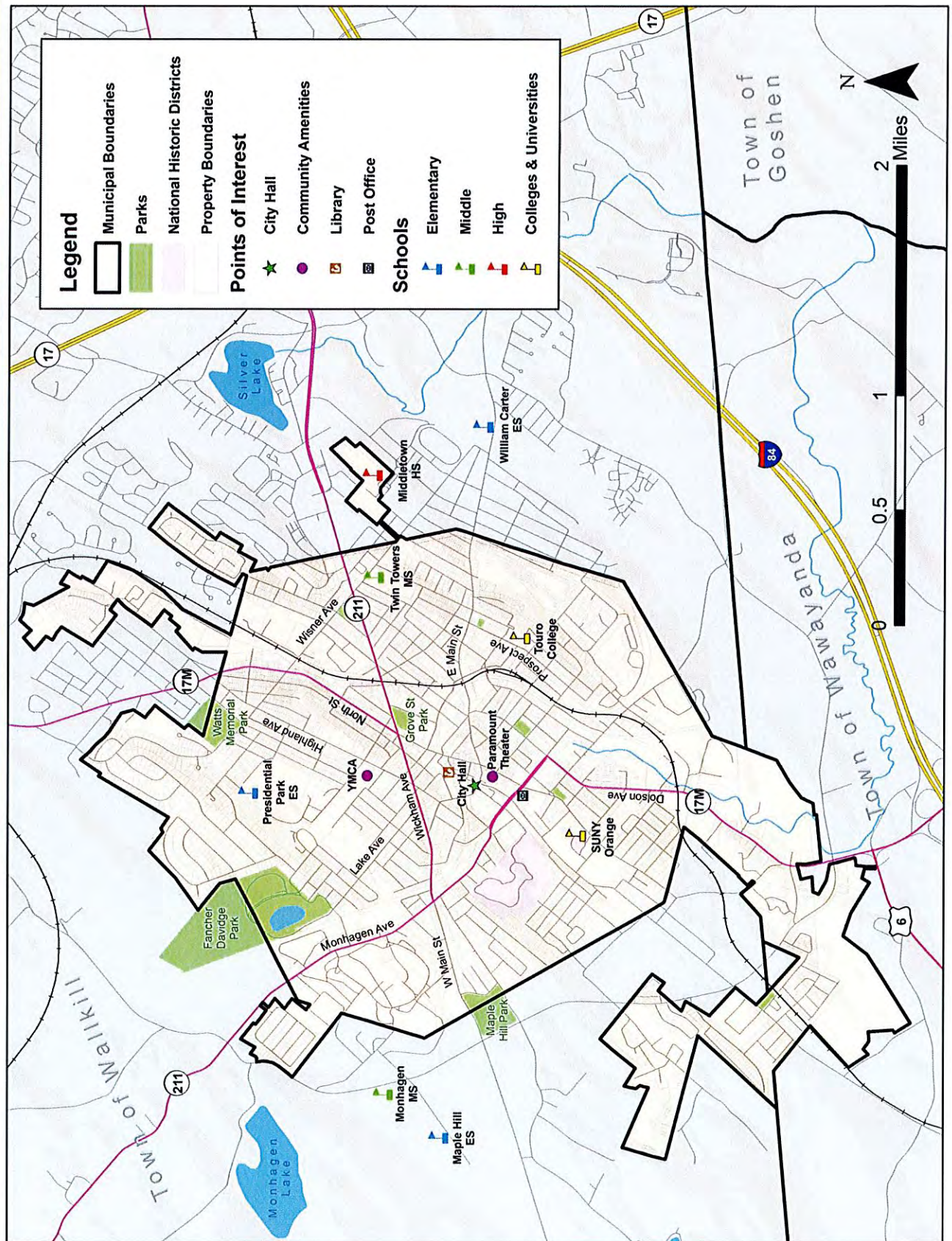
HUDSON VALLEY
PATTERN for PROGRESS

January 2018

CITY OF MIDDLETOWN



city of MIDDLETOWN COMMUNITY OVERVIEW MAP



city of MIDDLETOWN

POPULATION & DEMOGRAPHICS

Population Basics

27,828 Population (2015)

9.6% Population Change since 2000

5.1 Square Miles

5,456 Population Density (people per sq. mile)

Community Snapshot

28% Population under age 20

60% Population ages 20-64

11% Population 65 and older

\$50,441 Median household income

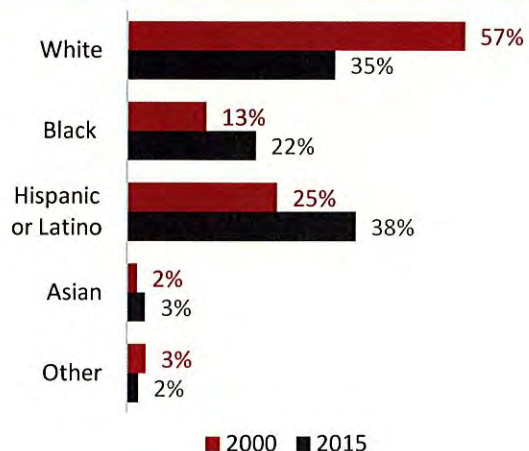
19% Residents with a bachelor's degree or higher

48% Owner-occupied housing

43% Renter-occupied housing

Source: 2015 American Community Survey

Population by Race and Ethnicity



Source: 2015 American Community Survey; 2000 Decennial Census

Population & Demographics Analysis

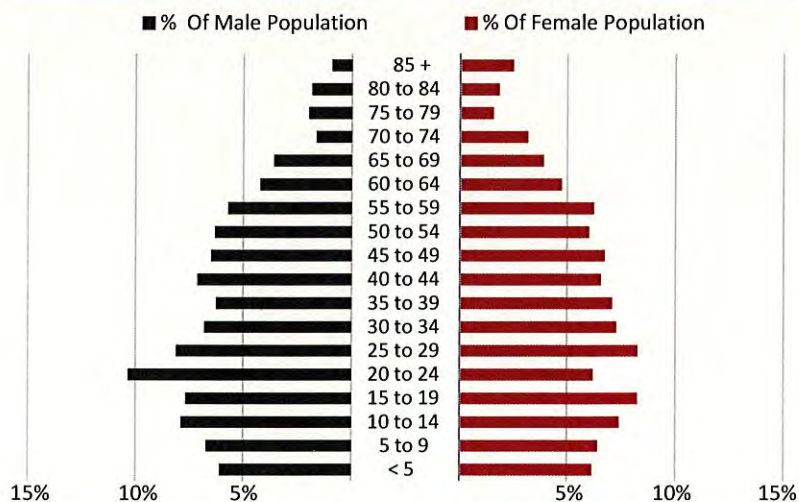
Middletown's population has grown by nearly 10% since 2000. Over that period, while the Hispanic population grew from 25% to 38% and the Black population grew from 13% to 22%, the White population fell from 57% to 35% of the city's total. Almost 30% of Middletown's population is under 20 years old. Most residents were born in the United States, but 18% were born abroad.

Data Notes

Population by Race & Ethnicity – The "Other" category includes Native Americans, Pacific Islanders, those who checked "Other" on the Census, and individuals with two or more races.

Place of Birth – The category of individuals who were born abroad and are not U.S. citizens includes both legal immigrants (with green cards, student visas, etc.) and undocumented immigrants. The U.S. Census does not ask individuals about their immigration status.

Share of Population by Age and Sex



Place of Birth



Source: 2015 American Community Survey

city of MIDDLETOWN

HOUSING

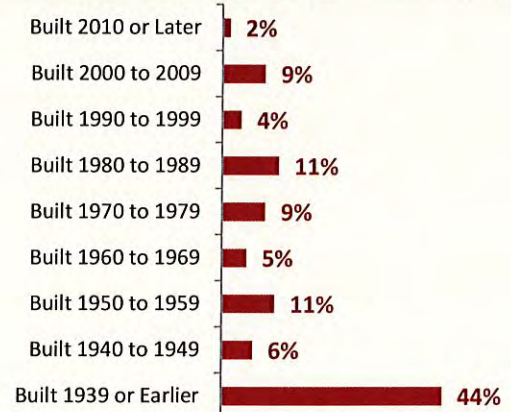
Housing Analysis

Middletown's housing stock is divided relatively evenly between owner-occupied and renter-occupied units. While housing is affordable for 60% of homeowners, 54% of renters are "cost burdened" (paying more than 30% of their income towards housing), including 36% who are severely cost burdened (paying more than 50% of their income towards rent). Inflation-adjusted home values in Middletown have risen by 33% since 2000, exactly the same as in Orange County as a whole. Almost half of all homes are worth between \$100,000 - \$199,999. Over 60% of housing units are at least 50 years old, while only 15% of housing units were built since 1990.

Data Notes

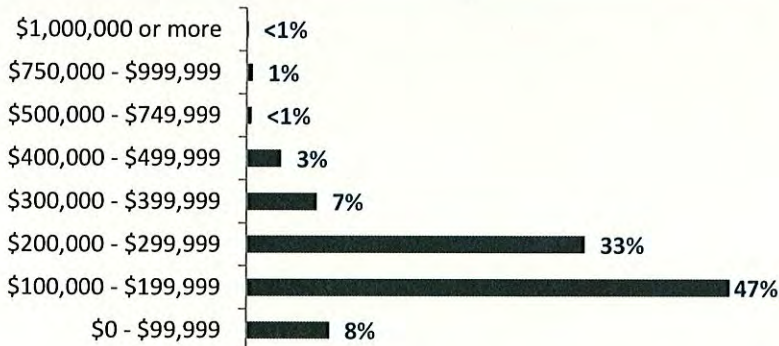
Median Home Value – 2000 figures adjusted for inflation using CPI inflation tables from the U.S. Bureau of Labor Statistics.

Age of Housing Stock



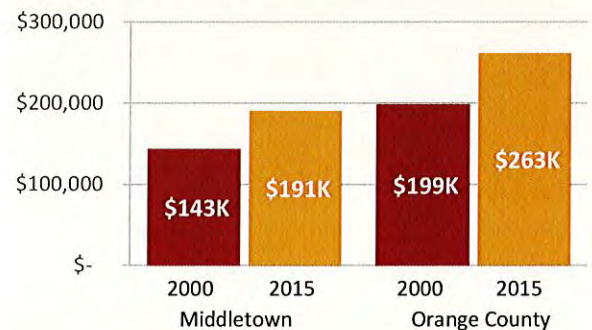
Source: 2015 American Community Survey

Home Values



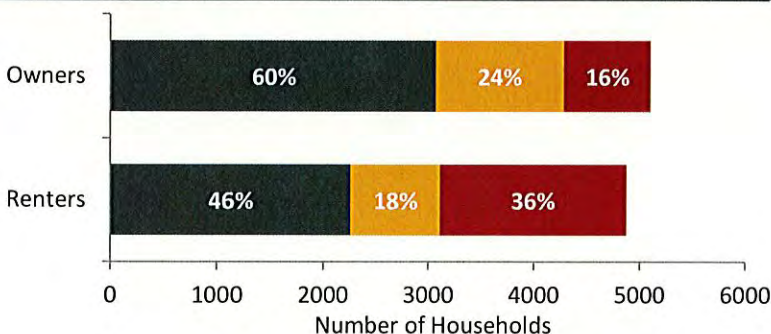
Source: 2015 American Community Survey

Median Home Value



Source: 2015 American Community Survey; 2000 Decennial Census

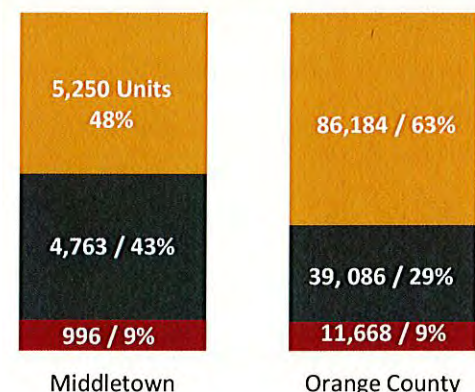
Affordability (% of Income Towards Housing Costs)



■ Affordable (<30%) ■ Unaffordable (30-50%) ■ Severely Unaffordable (>50%)

Source: U.S. Dept. of HUD - Comprehensive Housing Affordability Strategy Data (2017)

Housing Occupancy



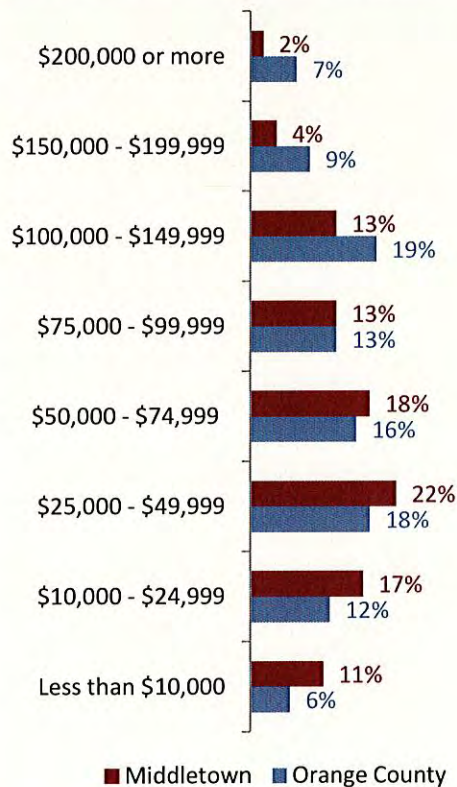
■ Vacant ■ Rented ■ Owned

Source: 2015 American Community Survey

city of MIDDLETOWN

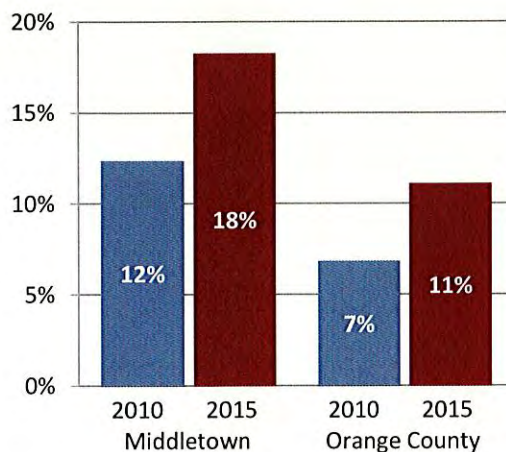
INCOME & POVERTY

Household Income Distribution



Source: 2015 American Community Survey

Households Receiving SNAP



Source: 2010 & 2015 American Community Survey

Income & Poverty Analysis

Since 2000, Middletown's median household income has fallen by 7% when accounting for inflation, while the poverty rate has risen from 15% to 19%. The share of households receiving SNAP benefits has risen from 12% to 18% since 2010. Half of households earn less than \$50,000 while only 19% earn over \$100,000.

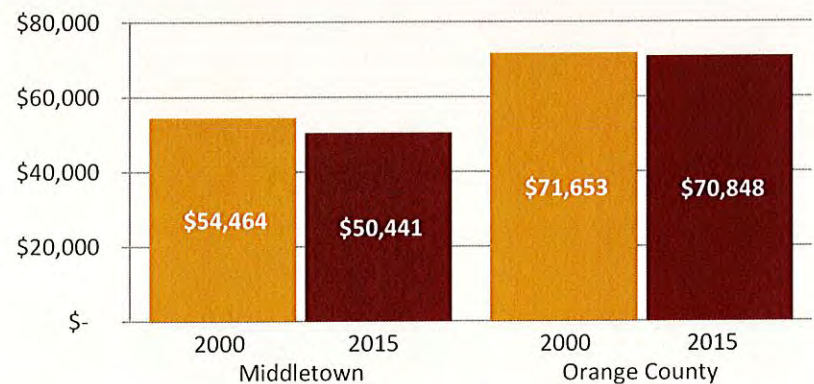
Data Notes

Median Household Income – 2000 figures adjusted for inflation using CPI inflation tables from the U.S. Bureau of Labor Statistics.

Households Below the Poverty Line – The federal poverty line is adjusted on a yearly basis and varies by household size. As of 2015, the poverty line for a family of four was \$24,250.

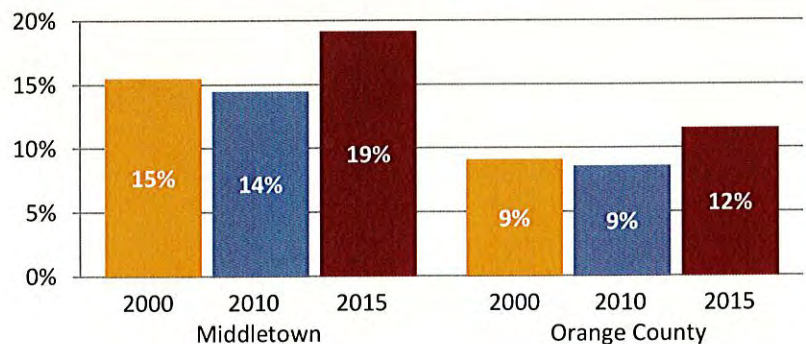
Households Receiving SNAP – SNAP is the Supplemental Nutrition Assistance Program (formerly Food Stamps). To qualify for SNAP, a household must have an income below 130% of the poverty line.

Median Household Income



Source: 2015 American Community Survey; 2000 Decennial Census (Inflation Adjusted)

Households Below the Poverty Line



Source: 2015 American Community Survey; 2000 Decennial Census

city of MIDDLETOWN

ECONOMY

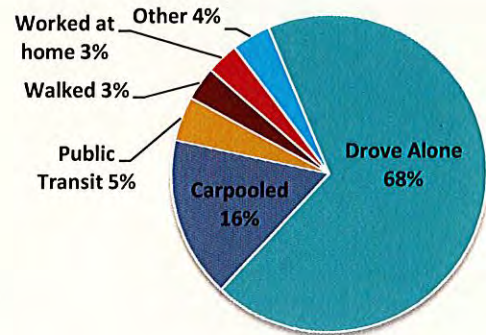
Economy Analysis

The percent of Middletown residents who are employed has edged up since 2000, although the share who are unemployed doubled. Only 28% of Middletown residents work in the city, but 79% work in Orange County. Almost 85% of residents commute by car, while 5% take public transportation. The “educational services, health care and social assistance” and “public administration” sector employs the most Middletown residents, followed by “retail trade.” In 2016, Middletown became the first winner of the NY State \$10 million Downtown Revitalization Initiative award in the mid-Hudson region.

Data Notes

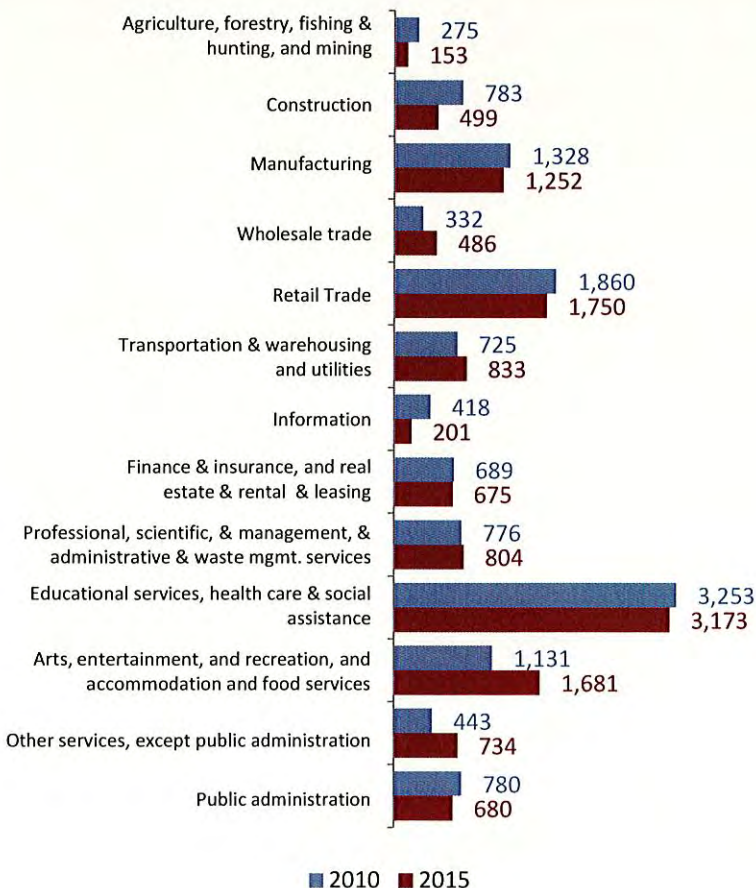
Employment – Data on unemployment comes from American Community Survey, which reports data by municipality. The Bureau of Labor Statistics is a common source for national unemployment rate data but does not report data at the municipal level.

Means of Travel to Work



Source: 2015 American Community Survey

Employment by Industry of Middletown Residents



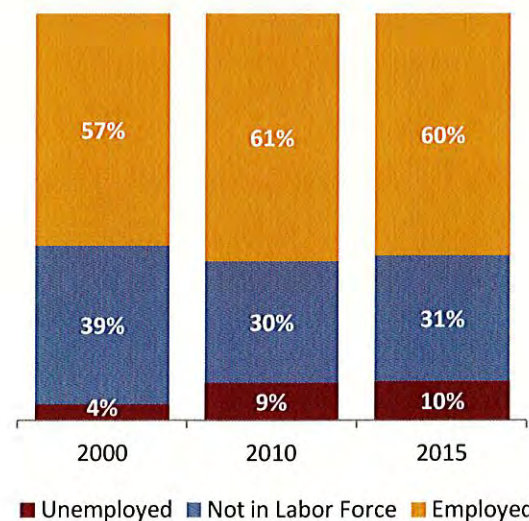
Source: 2015 American Community Survey

Place of Work & Commute Time

% of residents who work in Middletown	28%
% of residents who work in Orange County	79%
Average Commute Time	31 Minutes

Source: 2015 American Community Survey

Employment (Age 16 and Older)

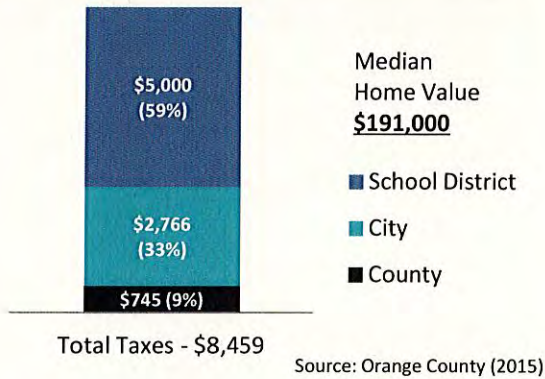


Source: American Community Survey, US Decennial Census

city of MIDDLETOWN

DOLLARS & CENTS

Taxes on Median Home



Dollars and Cents Analysis

Middletown has kept its municipal budget under the Tax Cap every year since 2012 and its bond rating is above average. City property taxes are 33% of the average tax bill. The city has 211 full time and 30 part time employees.

Data Notes

Municipal Finances – The NY Tax Cap law restricts schools and local governments from raising the property tax levy by more than 2% without a supermajority vote of the local governing body.

Municipal Employees – Employees were counted as part time if they earned less than \$30,000 in 2016 and full time if they earned over \$30,000. “General” employees are non-police/fire employees.

Municipal Revenues and Expenditures – Categories are determined by the Comptroller’s Office. “Proceeds of Debt” revenue comes from sale of bonds and is not a recurring yearly source of revenue.

Municipal Finances

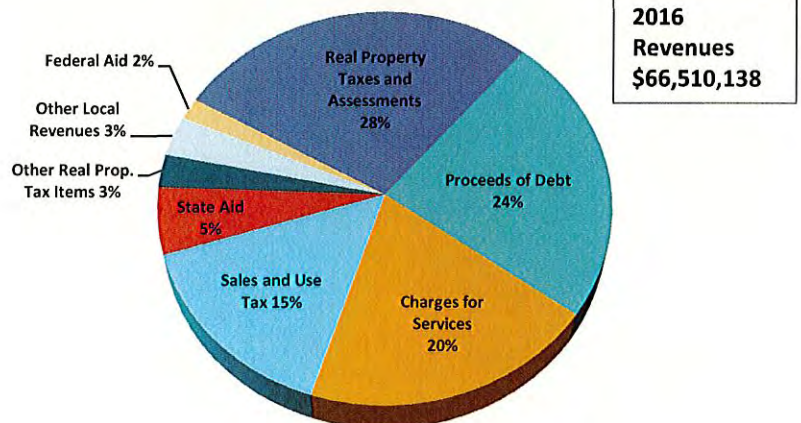
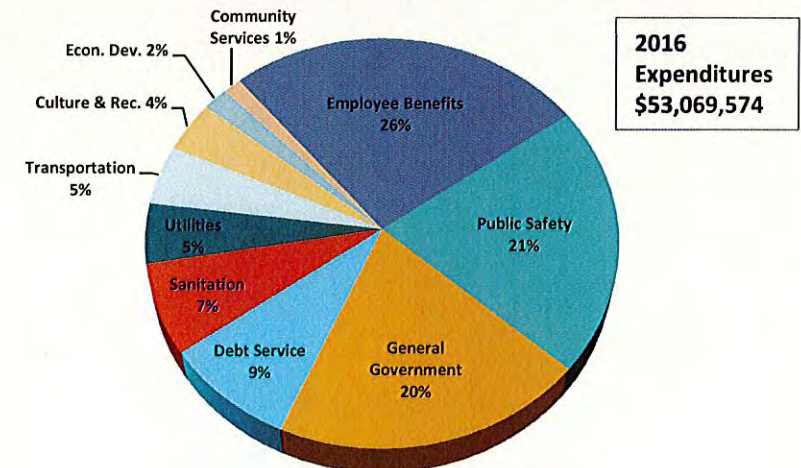
Did City Budget Stay Under NY State Tax Cap?

2012	2013	2014	2015	2016	2017
Yes	Yes	Yes	Yes	Yes	Yes

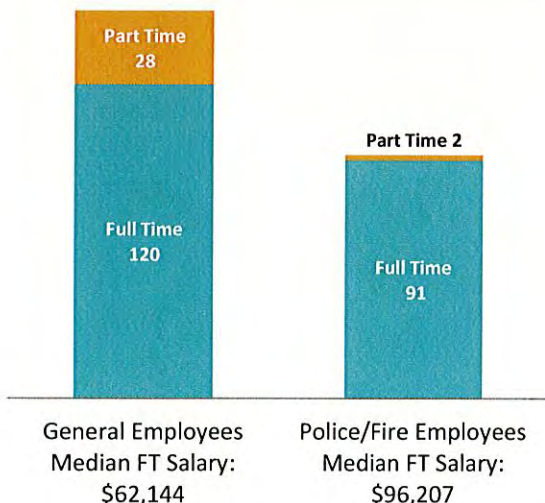
Bond Rating (Moody’s)
A1 (Upper Medium Grade)
Rating Date: May 10, 2016

Sources: Moody’s; Office of the New York State Comptroller

Municipal Revenues and Expenditures



Municipal Employees



Source: Office of the New York State Comptroller (2016)

Source: Office of the New York State Comptroller

city of MIDDLETOWN

EDUCATION

Education Analysis

The City School District of Middletown serves just under 7,500 students in the city and parts of two adjacent towns. Enrollment in the district is growing steadily, rising by 28% since 1997. Over the past decade, the graduation rate has also risen, even as per pupil expenditures have stayed nearly flat. The number of students receiving free or reduced lunch (a measure of poverty) has increased significantly since the 06-07 school year, rising from 53% to 79%.

Data Notes

Expenditures per Pupil – Adjusted for inflation using CPI inflation tables from the U.S. Bureau of Labor Statistics.

Graduation Rate & College/Career Readiness – College/Career Readiness (CCR), also known as Aspirational Performance Measure, is a statistic created by NY State to track high school graduates' ability to succeed in college or the workforce. CCR is based on a student's Regents scores and was introduced in the 09-10 school year. 2015-16 data is not yet available.

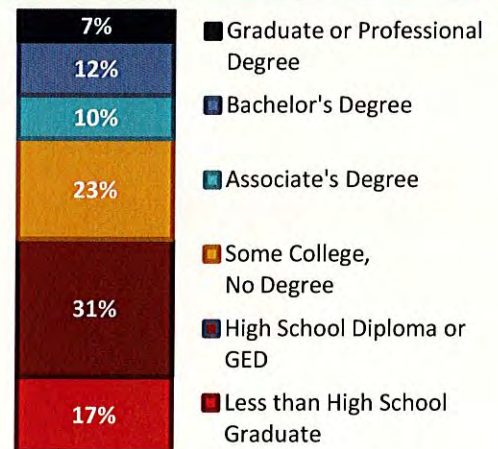
Student Characteristics – Students are eligible for free school lunch if their family's income is below 130% of the poverty line and reduced price lunch if their family's income is below 185% of the poverty line. English Language Learners are students who have been classified as not proficient in English and require additional instruction.

Average SAT Scores

Category	Score (800 max)	Rank Among 23 UAA districts
Reading	458	18
Math	455	T-19
Writing	439	19

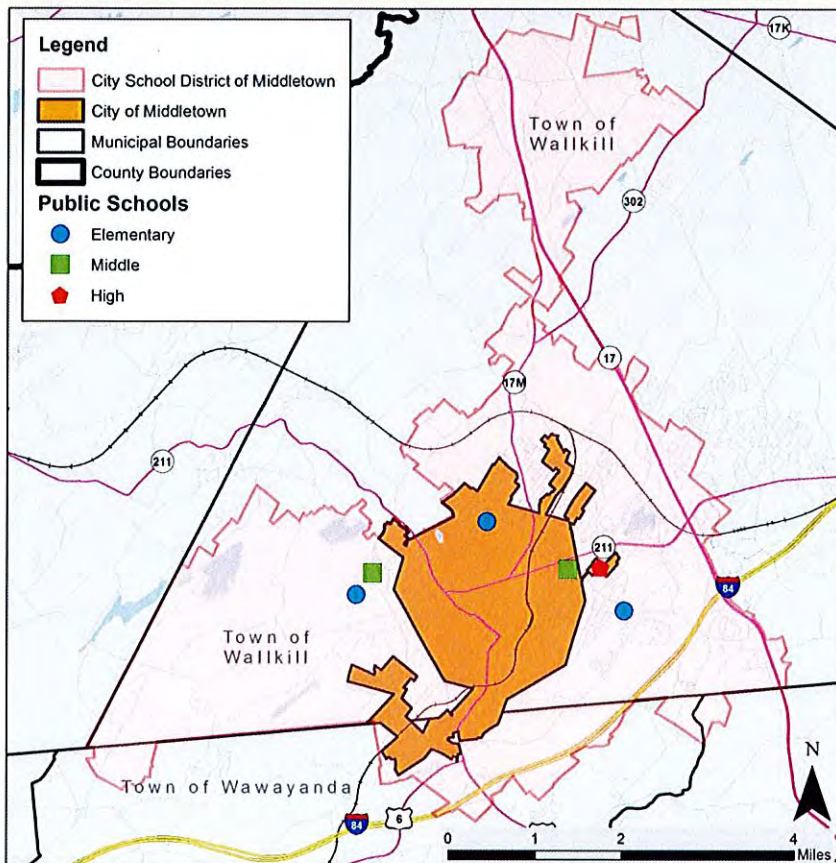
Source: New York State Department of Education (2015-16)

Education Level of City Residents

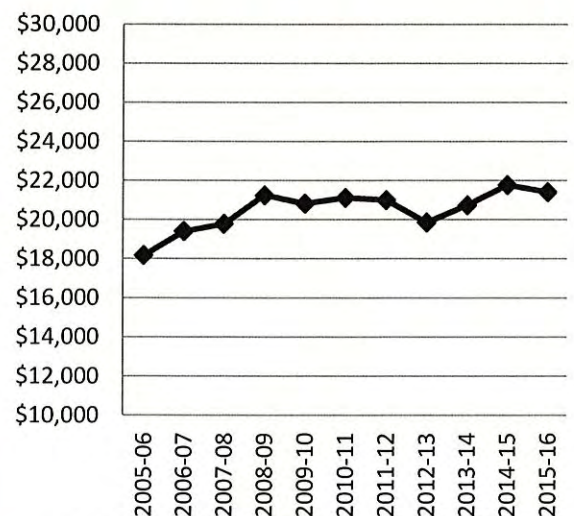


Source: 2015 American Community Survey

City School District of Middletown



Expenditures Per Pupil

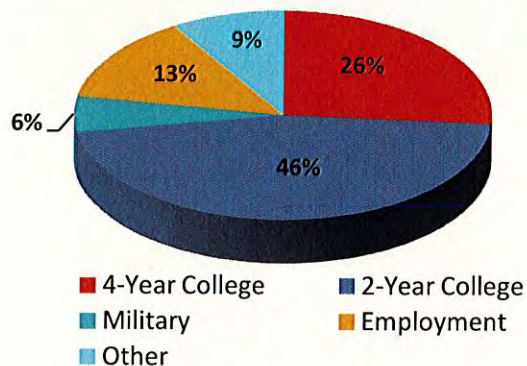


Source: New York State Department of Education (Infl. Adjusted)

city of MIDDLETOWN

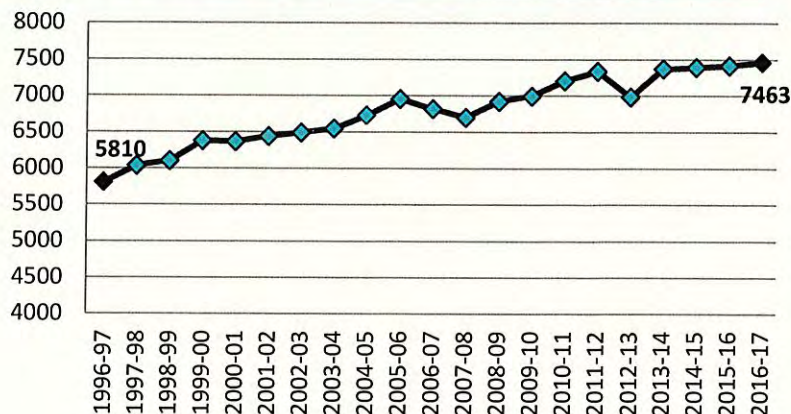
EDUCATION

Post-Graduation Plans of Graduating High School Seniors



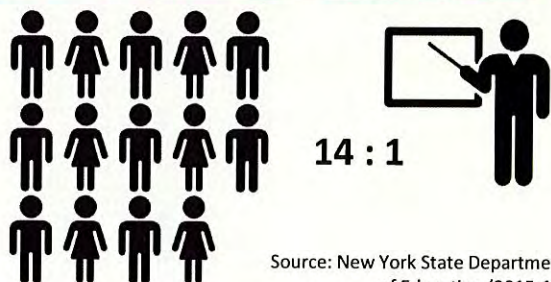
Source: New York State Department of Education (2015-16)

City School District of Middletown Enrollment



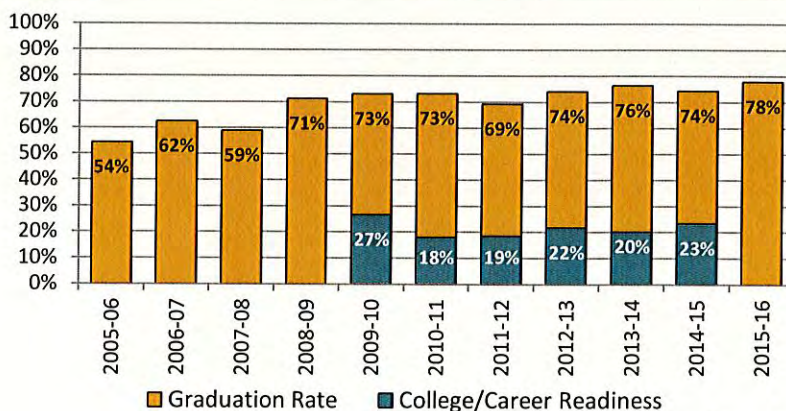
Source: New York State Department of Education

Student to Teacher Ratio



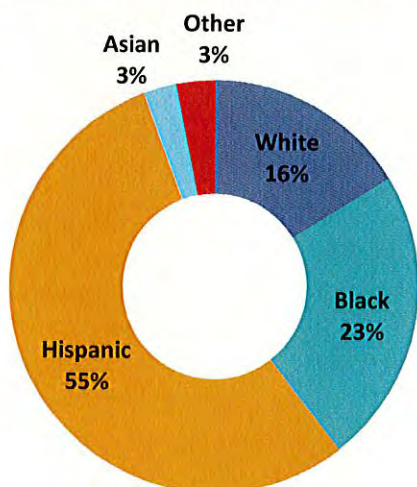
Source: New York State Department of Education (2015-16)

Graduation Rate & College/Career Readiness



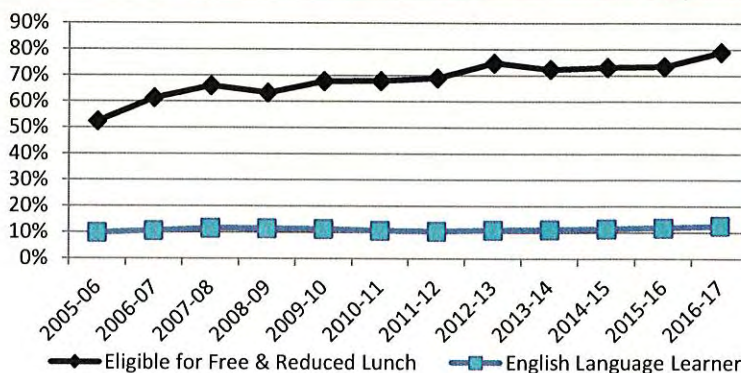
Source: New York State Department of Education

Race & Ethnicity of Students



Source: New York State Department of Education (2015-16)

Student Characteristics



Source: New York State Department of Education

city of MIDDLETOWN

HEALTH

Health Analysis

The number of births in the city has plunged since 2007. 40% of students in Middletown public schools were overweight or obese. 87% of Middletown residents have health insurance.

Data Notes

County Health Ranking – Each year, the Robert Wood Johnson Foundation releases a health ranking for every county in the U.S. These rankings are based on dozens of key health metrics.

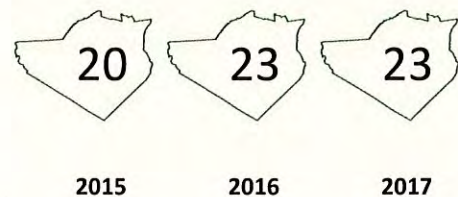
Access to Quality Food – The US Dept. of Agriculture defines census tracts as food deserts if the tracts have high poverty and low access to food. Pattern analyzed GIS data to find supermarket walktimes.

Childhood Obesity – These categories are mutually exclusive. Obese individuals are not also counted as overweight.

County Health Ranking

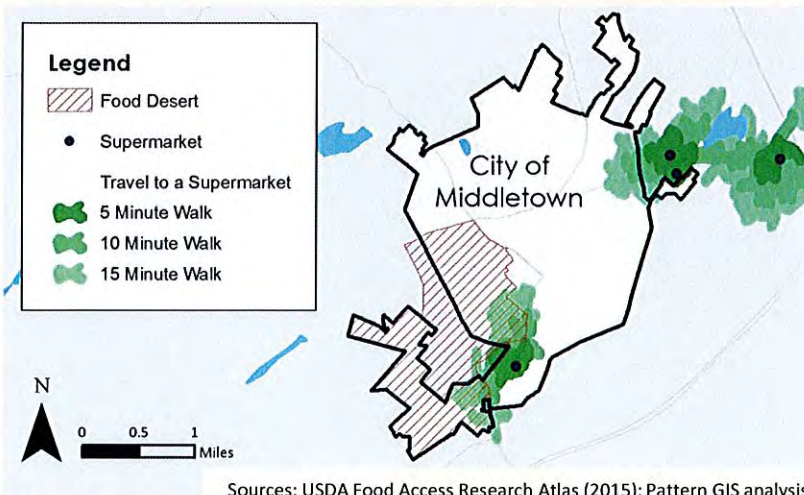
Orange County

Rank out of 62 New York Counties

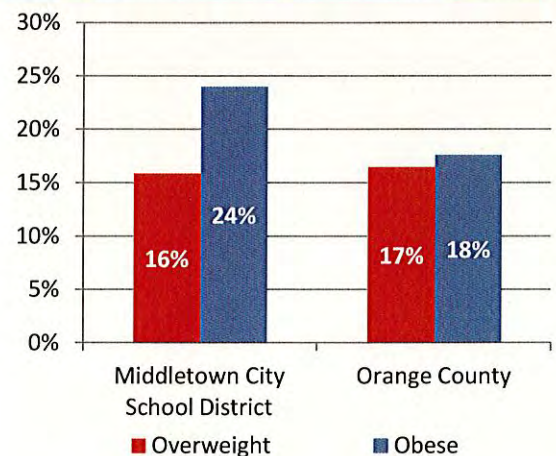


Source: Robert Wood Johnson County Health Rankings

Access to Quality Food

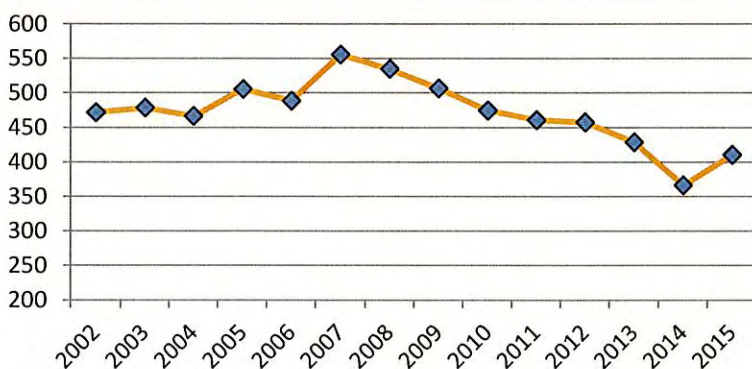


Childhood Obesity



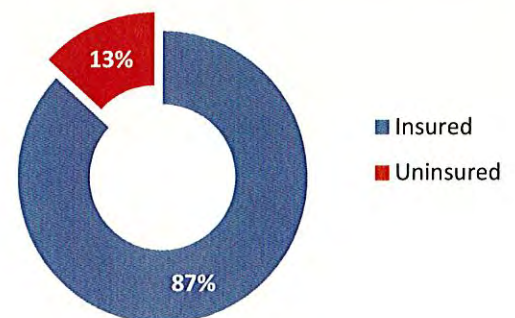
Source: New York State Department of Health (2014-16 average)

Number of Births



Source: New York State Department of Health

Health Insurance Rate



Source: 2015 American Community Survey

city of MIDDLETOWN

QUALITY OF LIFE

Access to Parks



Acres of Open Space
& Parks in Municipality **67**



Residents per Acre of
Parkland **418**

Source: Pattern for Progress Analysis of GIS Data

Quality of Life Analysis

Middletown has several attractive parks scattered throughout the city. After peaking in the early 1990s and rising again during the 2000s, the property crime rate is down by nearly 50% since 2010. The violent crime rate is low, but has slightly increased since 1990.

Data Notes

Per Capita Crime Rate – This metric tracks totals for certain types of property and violent crimes. The property crimes tracked are burglary, larceny, and motor vehicle theft. The violent crimes tracked are murder, rape, robbery, and aggravated assault.

Avg. Annual Household Spending



\$1,989

Apparel & Services



\$3,031

Eating Out



\$4,629

Groceries

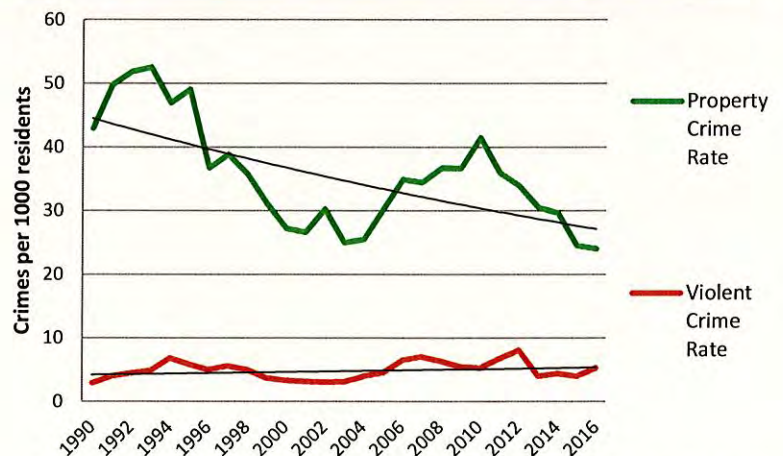


\$4,875

Health Care

Source: ESRI Business Analyst 2017

Per Capita Crime Rate



Source: NY State Division of Criminal Justice Services

ABOUT THIS PROJECT

The Urban Action Agenda (UAA) is a major initiative led by Hudson Valley Pattern for Progress to promote growth and revitalization in urban centers throughout the nine-county Hudson Valley Region. The Valley contains a wide variety of urban centers, large and small, located along the Hudson River and other historic transportation corridors. These cities and villages are where population, social, cultural, civic, and economic activity traditionally clustered. With their existing infrastructure, access to transit, and traditions of denser development, these communities are well positioned to accommodate the region's growth in the 21st Century.

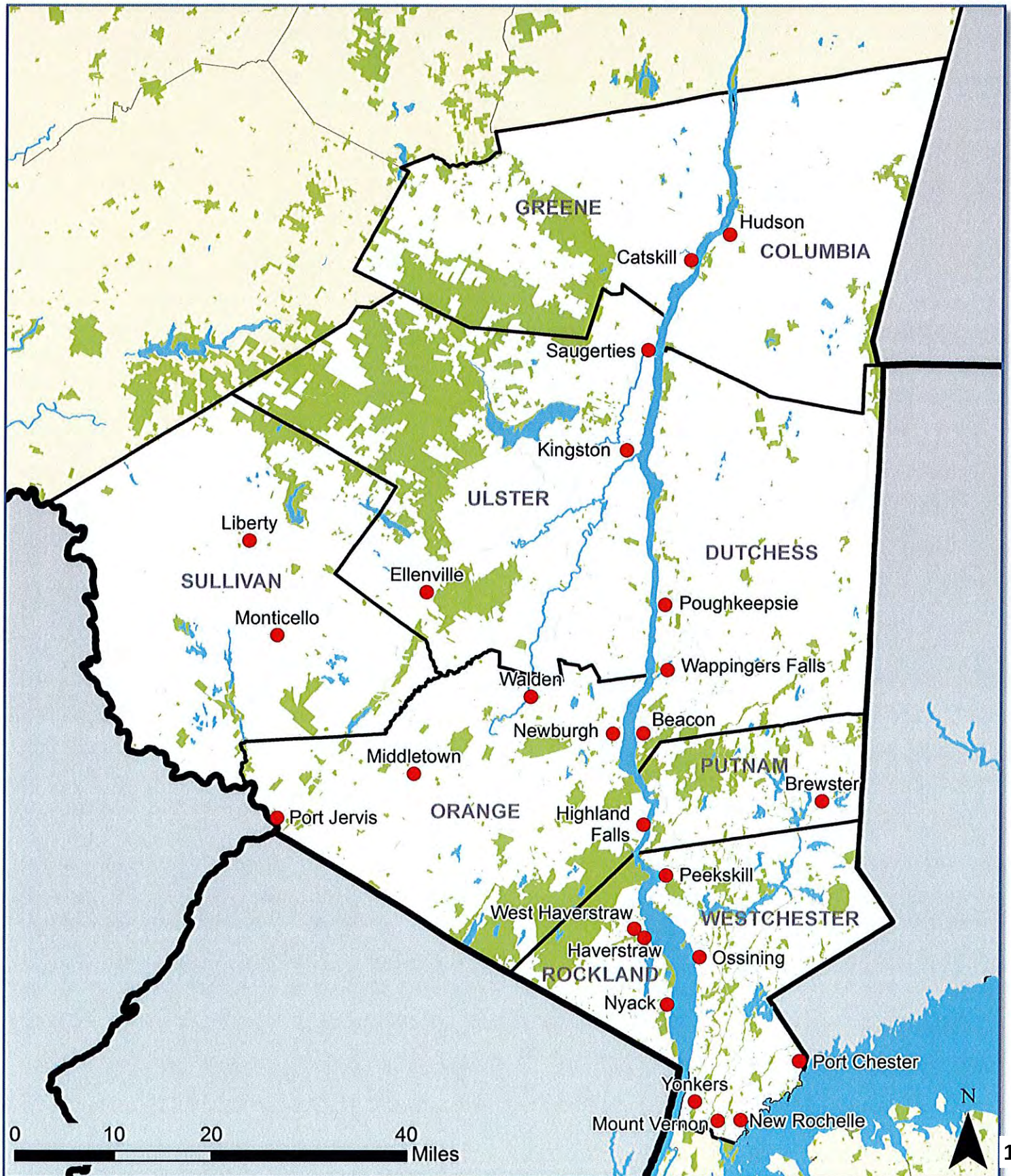
Pattern began working on the UAA profiles in 2014 thanks to a multi-year grant from the Ford Foundation. To keep the project's scale manageable, the UAA focuses on a group of 25 higher-need urban areas in the region, selected for reasons including changing demographics and poverty. An initial set of

profiles were issued in early 2016 in partnership with the Regional Plan Association. Now, this set of updated and expanded community profiles represent the next step in the UAA's efforts to provide useful data to policymakers, residents, and business and community groups in the Valley's urban areas. Current funding for these profiles comes from Empire State Development and the NYS Department of State through the Mid-Hudson Regional Economic Development Council.

About Hudson Valley Pattern for Progress

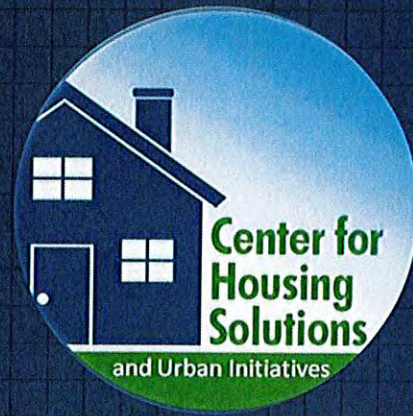
Pattern is a half-century old not-for-profit policy, planning, advocacy, and research organization whose mission is to promote regional, balanced, and sustainable solutions that enhance the growth and vitality of the Hudson Valley. To learn more about Pattern and the UAA, visit our website: www.pattern-for-progress.org.

URBAN ACTION AGENDA COMMUNITIES



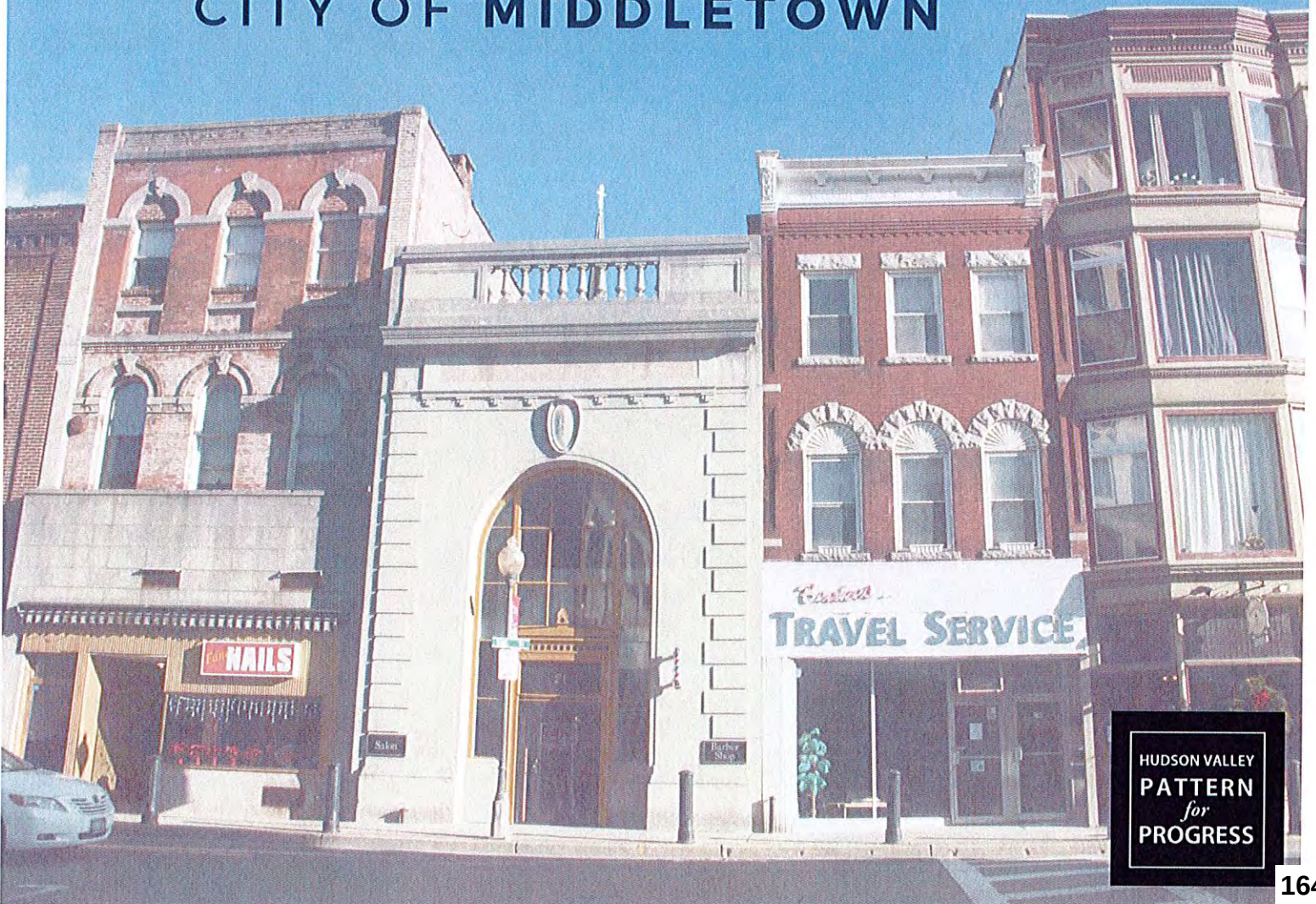
URBAN ACTION AGENDA

Housing Profiles



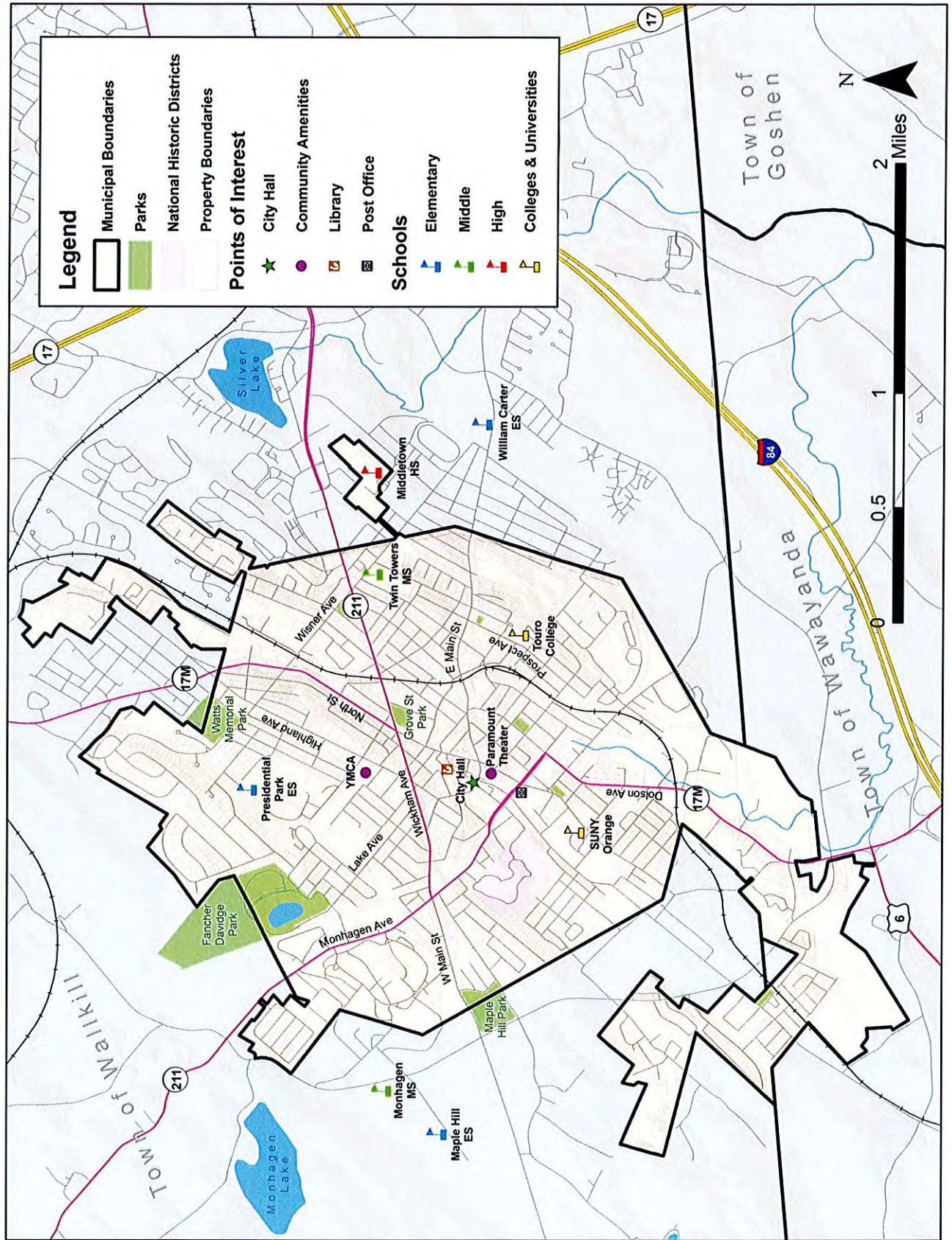
September 2018

CITY OF MIDDLETOWN



HUDSON VALLEY
PATTERN
for
PROGRESS

city of MIDDLETOWN COMMUNITY OVERVIEW MAP



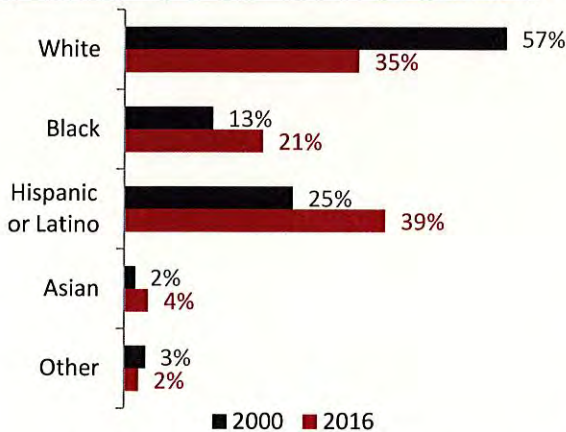
city of MIDDLETOWN

POPULATION & DEMOGRAPHICS

Population Basics

27,601	Population (2016)
8.7%	Population Change since 2000
10,160	Households (2016)
7.3%	Households Change since 2000
5.1	Square Miles
5,412	Population Density (people per sq. mile)

Population by Race and Ethnicity



Source: 2016 American Community Survey; 2000 Decennial Census

Population Stats

27%	Population under age 20
61%	Population ages 20-64
11%	Population 65 and older
35	Median Age

Source: 2016 American Community Survey

Population & Demographics Analysis

Middletown's population has grown by 8.7% since 2000, and the number of households has grown 7.3%. With a downtown renaissance in full swing thanks to a \$10 million Downtown Revitalization Initiative grant from New York State, the city's population is likely to continue growing.

Since 2000, Middletown has been one of the most dramatic examples of a demographic shift notable across the region. Over that time period, the city's Hispanic population grew from 25% to 39% of the total, while the White population plummeted from 57% to 35%. Middletown's Black community also grew, rising from 13% to 21% of the city's population, and the small Asian community doubled in size from 2% to 4% of the total.

The city's population is relatively young, with 27% of residents under age 20, and a median age of 35. Only 11% of residents are 65 or older.

Data Notes

Population by Race & Ethnicity – The "Other" category includes Native Americans, Pacific Islanders, those who checked "Other" on the Census, and individuals with two or more races.

Share of Population by Age and Sex



Source: 2016 American Community Survey

city of MIDDLETOWN

HOUSING CHARACTERISTICS

Analysis

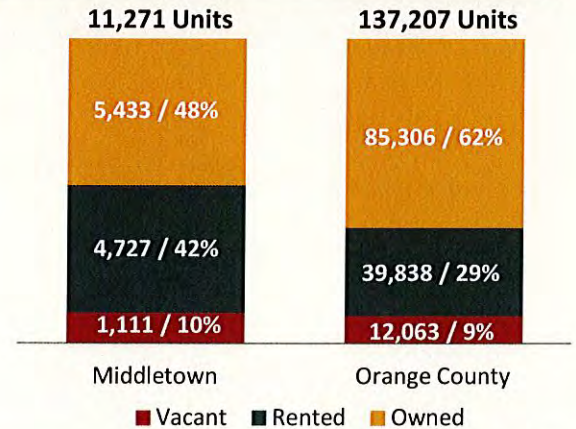
Middletown has a diverse housing stock that is split fairly evenly between single family (54%) and multifamily housing (46%) and between rentals (42%) and owner-occupied homes (48%). 45% of housing units were built before 1950, but a sizable number of new units have been constructed in each decade since. More than half of housing units have three or more bedrooms. Subsidized affordable housing makes up 22% of the market.

Data Notes

Housing Statistics – Figures on public and subsidized housing come from local, state, and federal housing databases. Detailed data on these categories is on page 11 of this profile.

Housing Occupancy – Vacant units do not include seasonally occupied units but do include both vacant homes and unrented apartments.

Housing Occupancy

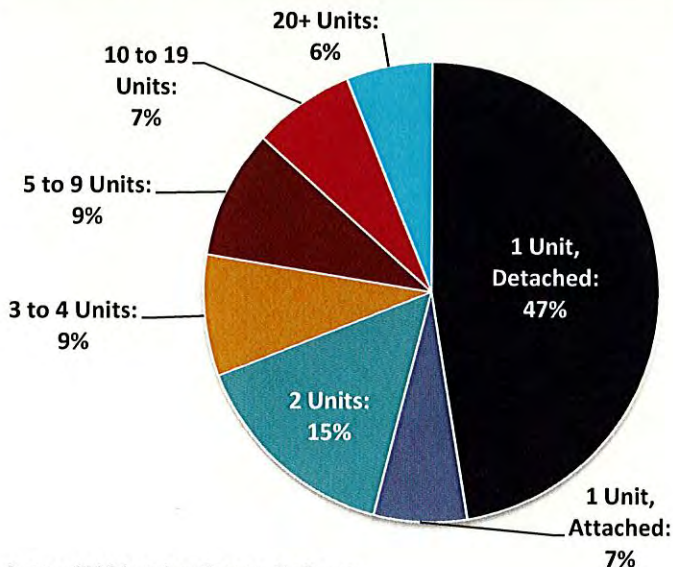


Source: 2016 American Community Survey

Housing Statistics

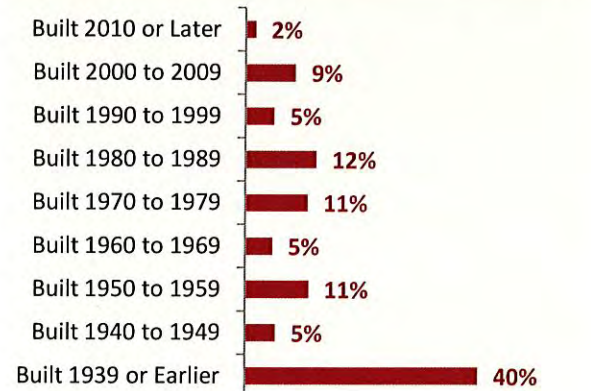
- 54%** Single Family Housing
- 46%** Multifamily Housing
- 61%** Housing built before 1970
- 6%** Public Housing
- 16%** Other subsidized affordable housing
- 78%** Market-rate housing

Units in Structure



Source: 2016 American Community Survey

Age of Housing Stock



Source: 2016 American Community Survey

Housing Bedroom Count

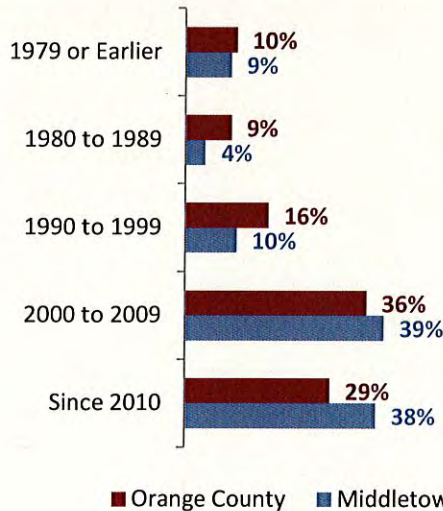
	# of Units	% of Units
No Bedroom	462	4%
1 Bedroom	1,831	16%
2 Bedrooms	3,119	28%
3 Bedrooms	3,691	33%
4 Bedrooms	1,812	16%
5+ Bedrooms	356	3%

Source: 2016 American Community Survey

city of MIDDLETOWN

OCCUPANT CHARACTERISTICS

Year Moved to Current Home



Source: 2016 American Community Survey

Analysis

Since 2000, Middletown's median household income, which is now \$50,320, has declined by 9% (Orange County's median income has declined by 2%) when accounting for inflation. Homeowners with a mortgage, however, have a significantly higher median income (\$83,571) as compared to owners without a mortgage or renters.

Average household size in the city is within the normal range of other UAA communities, with 2.9 people per household among owners and 2.5 people per household among renters.

Nearly 70% of city residents moved to their current home since 2000, including 38% who moved since 2010. Both figures are higher than Orange County averages.

Data Notes

Median Household Income – 2000 figures adjusted for inflation using CPI inflation tables from the U.S. Bureau of Labor Statistics.

Average Household Size

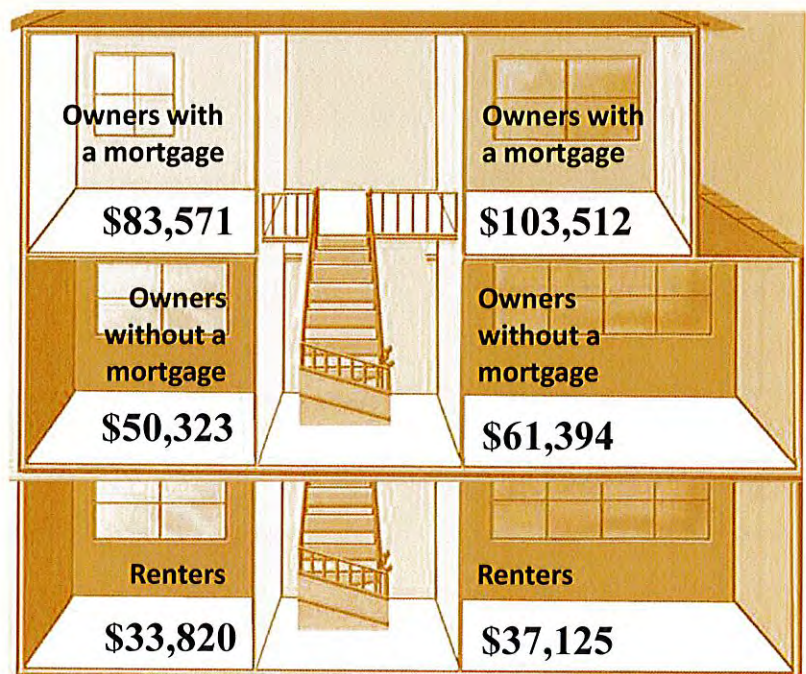
Owners: 2.9 Renters: 2.5

Source: 2016 American Community Survey

Median Income by Tenure

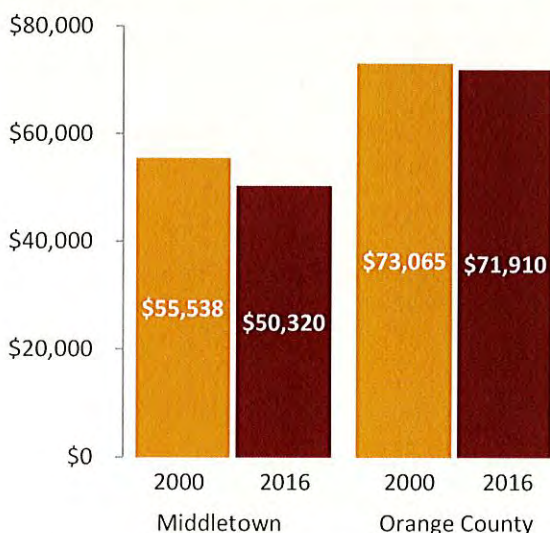
Middletown

Orange County



Source: 2016 American Community Survey

Median Household Income



Sources: 2016 American Community Survey; 2000 Decennial Census (Inflation Adjusted)

city of MIDDLETOWN

RENTAL HOUSING

Analysis

Middletown's median rent has increased 15% since 2000 when accounting for inflation, exactly the same rate that median rents in Orange County as a whole have increased. As of 2016, just 38% of rental units had a monthly rent of less than \$1,000 and only 5% are available for less than \$500. More than half (54%) of renters are cost burdened (paying more than 30%) of their income in rent, including 37% who are paying more than half their income towards rent. Among renters earning less than 50% of the area median income, around 84% are cost-burdened.

Middletown homeowners have fared better, with a 28% rise in home values since 2000 when accounting for inflation (Orange County also saw a 28% rise). Housing costs are affordable for 64% of homeowners.

Data Notes

Rental Statistics – Cost-burdened renter households do not include the category of severely cost-burdened households.

Median Rent – 2000 figures are adjusted for inflation using CPI inflation tables from the U.S. Bureau of Labor Statistics.

Housing Affordability – HAMFI stands for HUD Area Median Family Income, which is the median family income calculated by HUD for each jurisdiction.

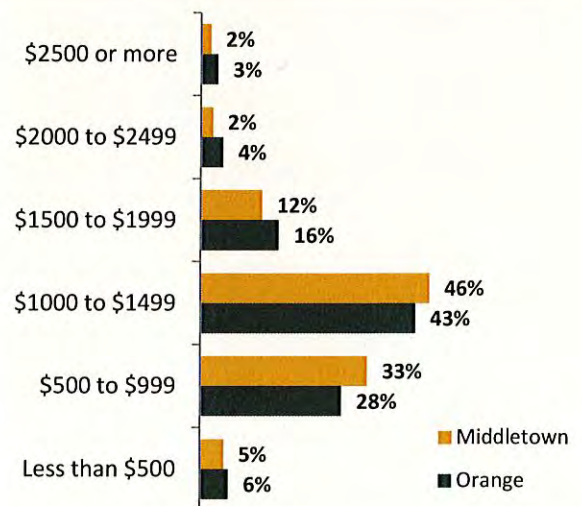
Median Home Value – 2000 figures adjusted for inflation using CPI inflation tables from the U.S. Bureau of Labor Statistics.

Rental Statistics

- 15%** Increase in median rent since 2000
- 824 (17%)** Cost-burdened renter households
- 1,760 (37%)** Severely cost-burdened renter households
- 38%** Apartments with monthly rent below \$1,000

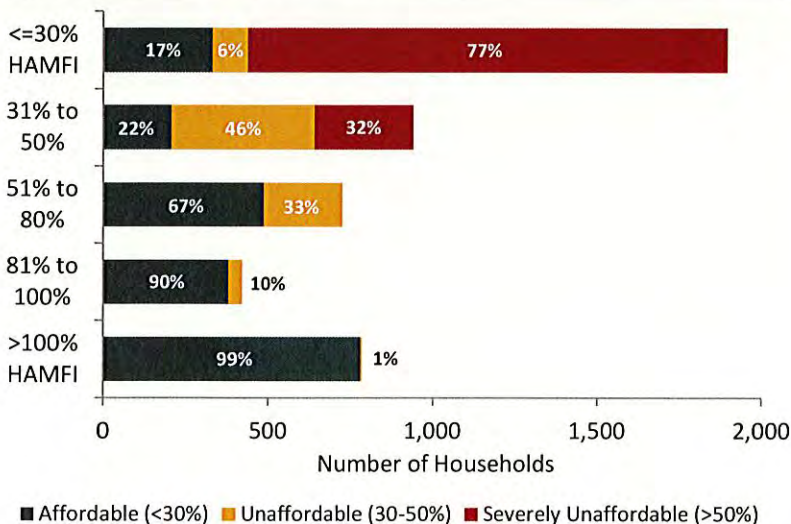
Sources: 2016 American Community Survey; US Dept. of HUD

Distribution of Rents



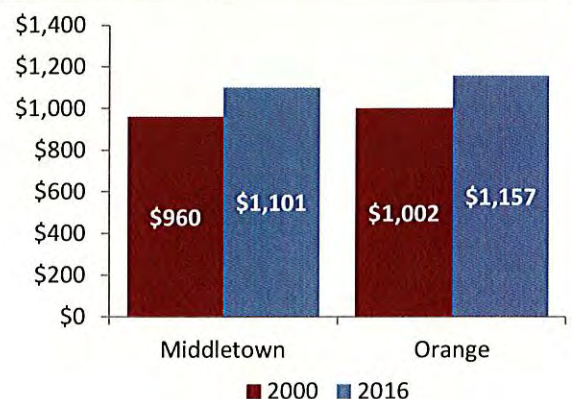
Source: 2016 American Community Survey

Rental Housing Affordability



Source: U.S. Dept. of HUD - Comprehensive Housing Affordability Strategy Data (2018)

Median Rent



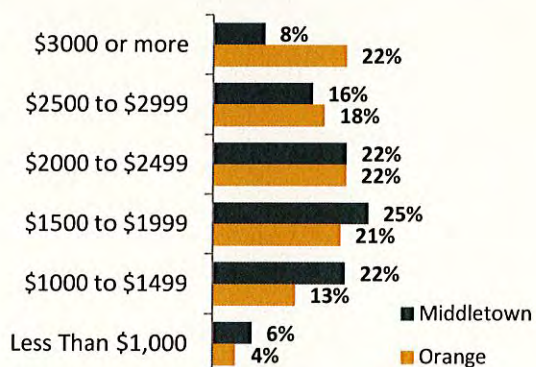
Sources: 2000 Census (Inflation Adj.); 2016 ACS

city of MIDDLETOWN

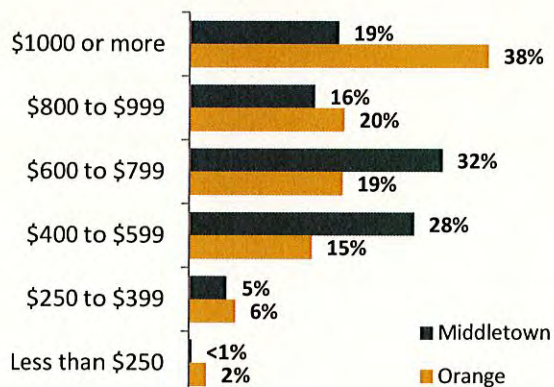
OWNER OCCUPIED HOUSING

Distribution of Owner Costs

With Mortgage

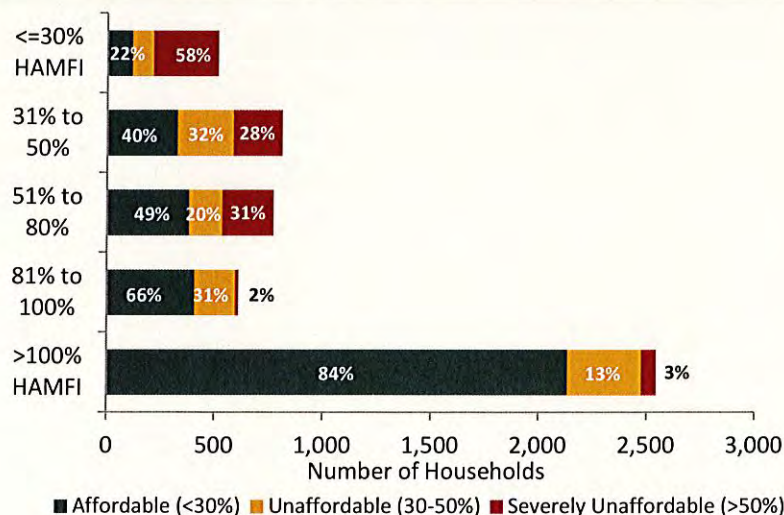


Without Mortgage



Source: 2016 American Community Survey

Housing Affordability



Source: U.S. Dept. of HUD - Comprehensive Housing Affordability Strategy Data (2018)

Median Monthly Owner Costs

\$2,271 Orange County (Mortgage)

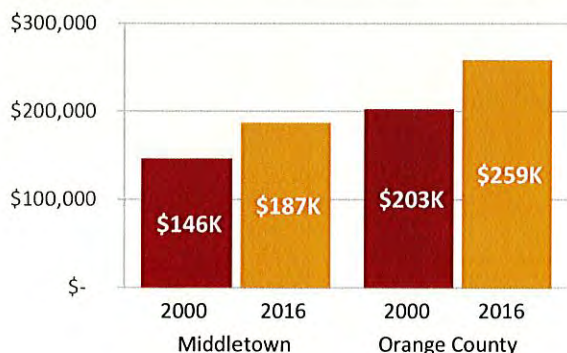
\$871 Orange County (No Mortgage)

\$1,933 Middletown (Mortgage)

\$687 Middletown (No Mortgage)

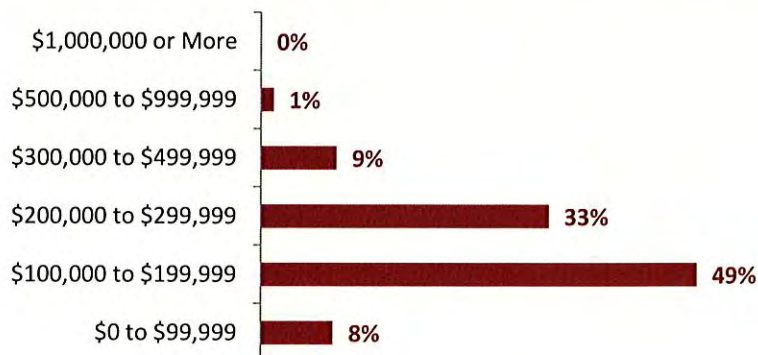
Source: 2016 American Community Survey

Median Home Value



Source: 2016 American Community Survey; 2000 Decennial Census (Inflation Adjusted)

Home Values



Source: 2016 American Community Survey

A CHANGING HOUSING ENVIRONMENT

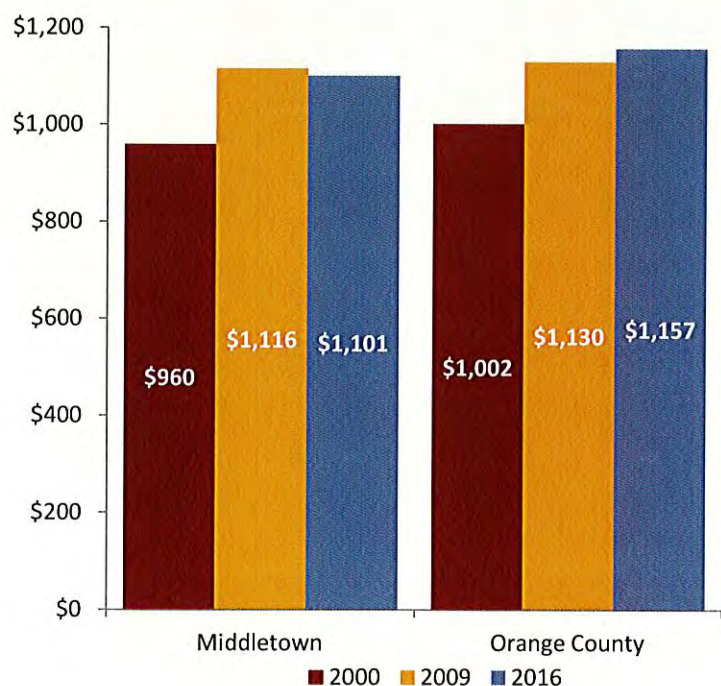
Incorporated in 1888, Middletown was a railroad community with an economic base concentrated in factories which produced shoes, furniture, saw blades and hats. After WW II and the economic transformation away from small factories, many buildings used for manufacturing became vacant. As a result of suburban sprawl, the development of I-84 and regional shopping malls, many downtown businesses closed.

Recently, there has been a resurgence in the downtown, in part fueled by a \$10 million Downtown Revitalization Initiative (DRI) grant from the State of New York. City leadership has been aggressively marketing and attracting private investment. Touro College of Osteopathic Medicine purchased a closed hospital and renovated the complex into a medical college campus. The former Middletown Psychiatric Center was acquired by the city. A large portion of the campus is being converted to the Fei Tian Academy of the Arts, an Asian based secondary school and college specializing in Chinese music, dance and education.

The downtown is witnessing a major transformation as a result of the DRI grant, which leveraged millions of dollars of additional investment from other state and federal grants as well as private and local city funds. The landscape and fabric of the entire community is improving and becoming a pedestrian friendly, urban center. Projects include a new skate park, building façade renovations, streetscape improvements, wayfinding, sidewalks and parking lots.

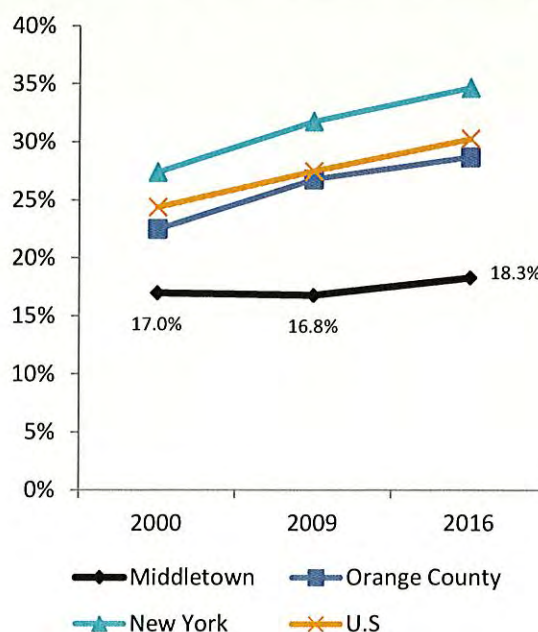
There have been a number of new affordable rental housing complexes developed in the city including the adaptive reuse of a vacant mill building. A local non-profit agency, RECAP, partnered with a private developer to transform a vacant mill building into 42 units of affordable housing. There have also been hundreds of new senior and family rental housing developed in the city and the greater Middletown area. The development of these new affordable units will help mitigate local pressure on rental housing cost increases. There is little evidence of gentrification.

Median Rent



Sources: 2000 Census (Inflation Adj.); 2009 (Inf. Adj.) & 2016 American Community Survey

% of Residents Age 25 and up with Bachelor's Degree or Higher



Sources: 2000 Census, 2009 and 2016 American Community Survey

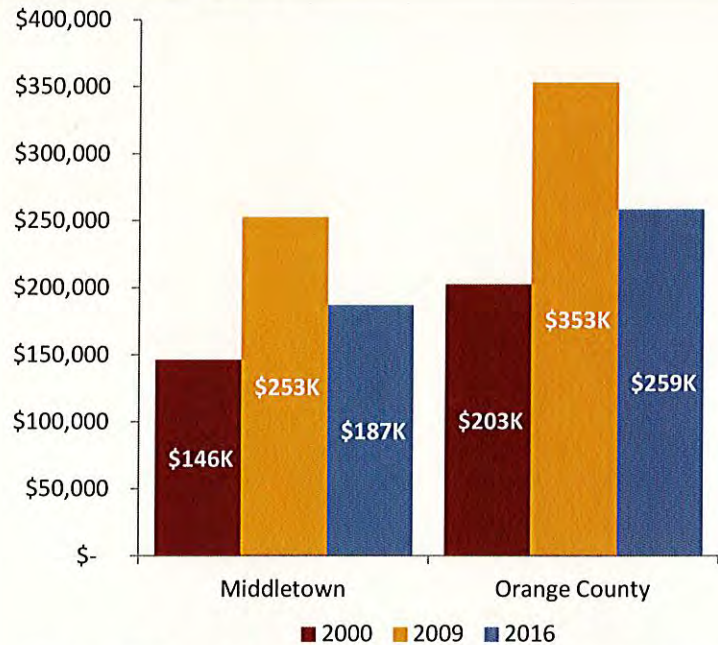
A Toolkit for Housing Policy Top 10 “Best Practices”

A healthy community needs an array of housing options that are affordable to individuals at all income levels. Currently, the growing demand for housing is apparent across all 25 of the UAA communities. Establishing a comprehensive housing strategy is the first step for communities to understand the local needs and state of the housing market and to proactively facilitate the development of housing. The recommendations that follow are offered as strategies to equip local communities with tools to create local policy to help meet the demand for housing.

1. Provide zoning incentives such as a density bonus for developments that set aside a percentage of units as affordable housing.
2. Streamline the permit process to reduce fees for developers of affordable housing and establish a single point of contact to facilitate the approvals.
3. Establish a local Housing Trust Fund for the creation or preservation of affordable housing.
4. Update local comprehensive plans to prioritize affordable housing and establish a framework to support new construction and adaptive reuse of vacant and blighted buildings for housing.
5. Establish strong support from elected officials, school, planning and other local boards, community organizations and economic development agencies.
6. Consider using publically owned buildings and property to develop affordable housing.
7. Establish tax incentives, phase-ins and PILOTS for developers of affordable housing.
8. Conduct vigorous code enforcement to improve poorly maintained housing.
9. Support workforce training and education to facilitate employment and higher wages.
10. Support and require energy efficiency and green building techniques to reduce housing costs for owners and renters.

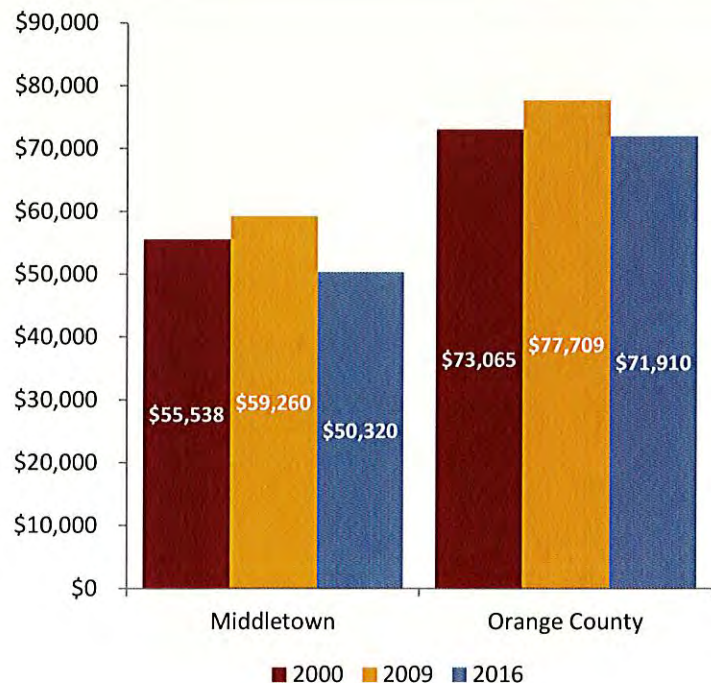
Some of the strategies in this toolkit may not apply to every community.

Median Home Values



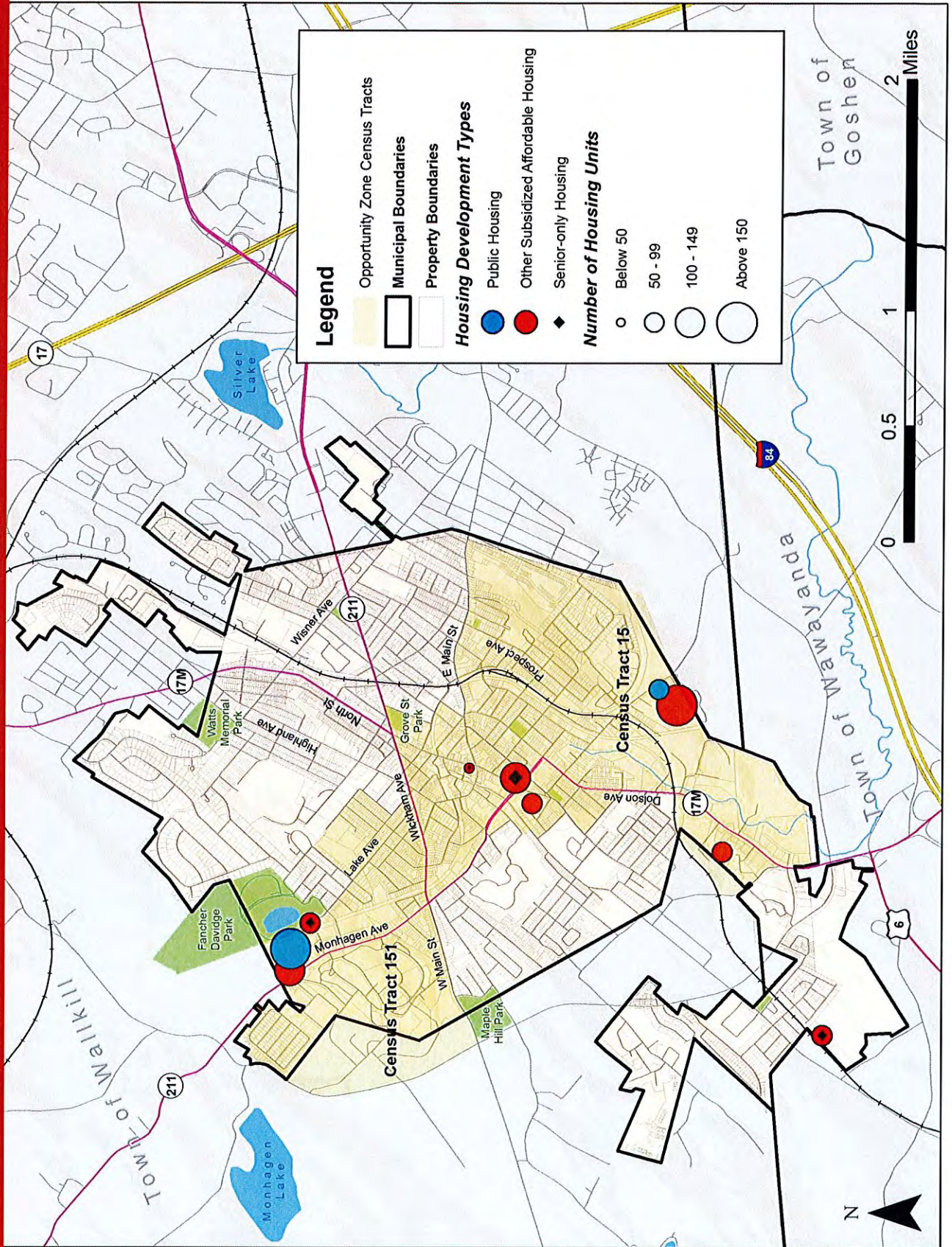
Sources: 2000 Census (Inflation Adj.); 2009 (Inf. Adj.) & 2016 American Community Survey

Median Household Incomes



Sources: 2000 Census (Inflation Adj.); 2009 (Inf. Adj.) & 2016 American Community Survey

city of MIDDLETOWN AFFORDABLE HOUSING

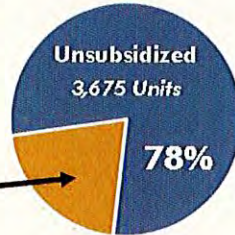


city of MIDDLETOWN

AFFORDABLE HOUSING

Rental Housing Detail

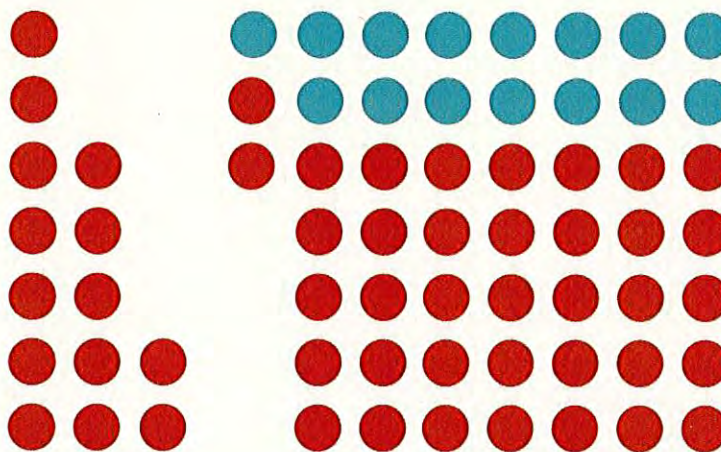
22%
Subsidized
1,052 Units



TOTAL NUMBER OF SUBSIDIZED HOUSING UNITS*

1052

*The subsidized housing unit total only includes sites with 10 or more units. Actual totals are likely to be slightly higher.



298

PUBLIC HOUSING
UNITS

754

OTHER SUBSIDIZED
AFFORDABLE
HOUSING UNITS

SENIOR ONLY
RESIDENCES

270

FAMILY
RESIDENCES

782

20

APPROXIMATELY
20 RESIDENTIAL UNITS

ABOUT THIS PROJECT

The Urban Action Agenda (UAA) is a major initiative led by Hudson Valley Pattern for Progress to promote growth and revitalization in urban centers throughout the Hudson Valley. The Valley contains a wide variety of urban centers located along the Hudson River and other historic transportation corridors. With their existing infrastructure, access to transit, and traditions of denser development, these communities are well positioned to accommodate the region's growth in the 21st Century. To keep the project's scale manageable, the UAA focuses on a group of 25 higher-need urban areas selected for reasons including changing demographics and poverty.

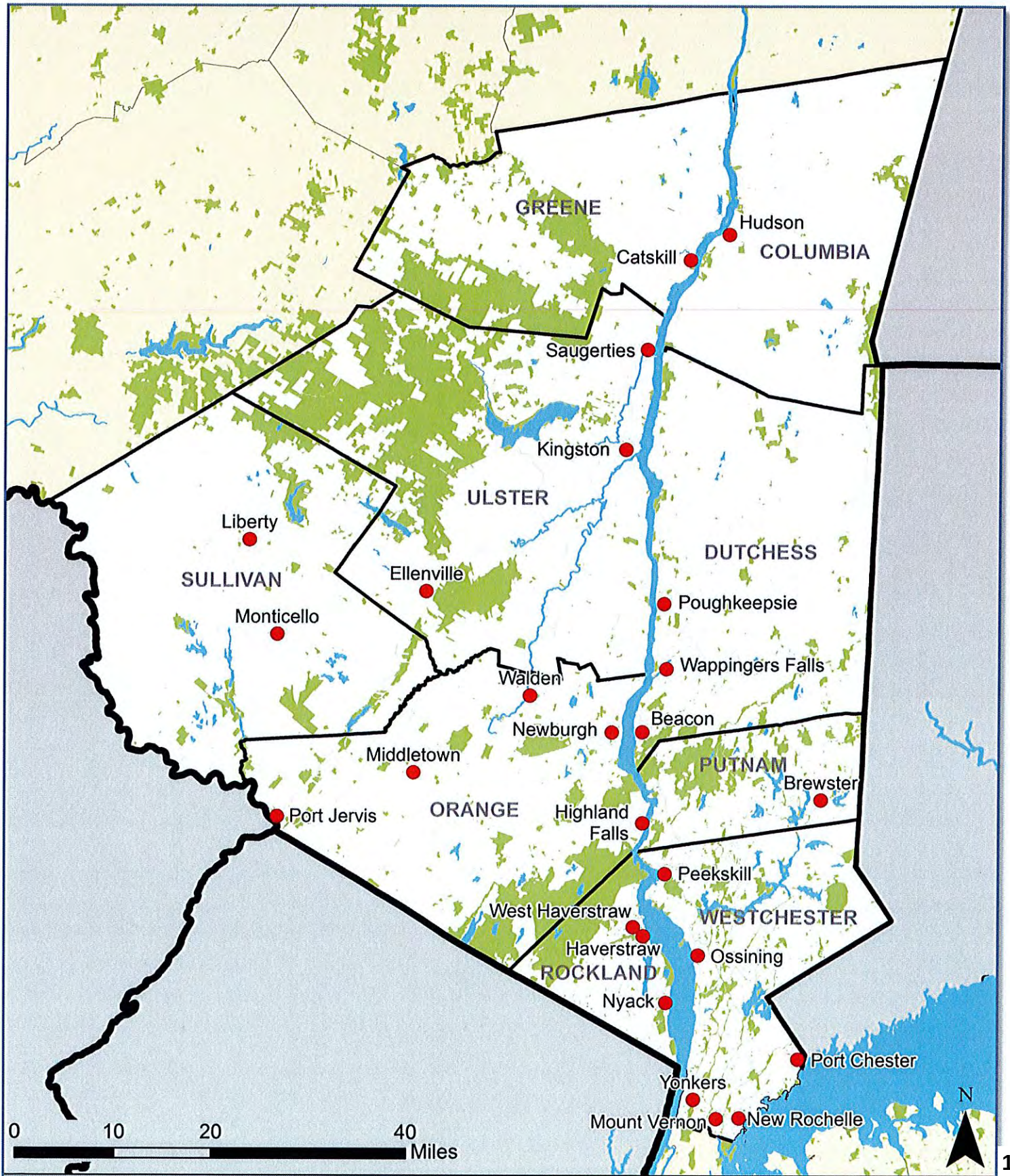
In addition to the creation of an expanded set of Community Profiles issued in March, 2018, Pattern has developed new Housing Profiles for all 25 UAA communities. The Housing Profiles take a deep dive into rental and owner-occupied

housing by providing analysis of affordability, existing conditions, and demographic changes. Shining a spotlight on housing in these 25 communities represent the next step in the UAA's efforts to provide useful data to policymakers, residents, and business and community groups. Funding for the housing profiles comes from Empire State Development and the NYS Department of State through the Mid-Hudson Regional Economic Development Council.

About Hudson Valley Pattern for Progress

Pattern is a half-century old not-for-profit policy, planning, advocacy, and research organization whose mission is to promote regional, balanced, and sustainable solutions that enhance the growth and vitality of the Hudson Valley. To learn more about Pattern and the UAA, visit our website: www.patternforprogress.com.

URBAN ACTION AGENDA COMMUNITIES





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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: May 2, 2023

Index No: 101-23

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

Resolution Accepting a \$250 donation from the Middletown Lions Club for the Fishing Derby

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and accepts a donation of \$250.00 from the Middletown Lions Club to go towards trophies and awards for the 2023 Fishing Derby.

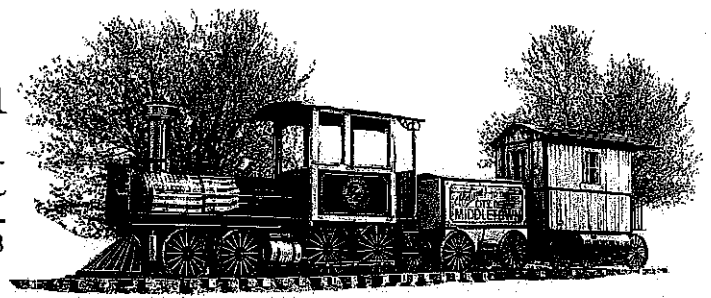
FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to deposit the donation into account A.2029 Special Programs.

ATTACHMENTS:

[Accept a Donation from the Lions Club.pdf](#)

Middletown Recreation and Parks Department

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



Wednesday, April 26, 2023

RE: Authorization to accept donations

Dear Board of Estimates & Council Members:

The Recreation & Parks Department was given a donation in the amount of \$250.00 from the Middletown Lions Club to go towards trophies and awards for the 2023 Fishing Derby. Please accept this donation and authorize the Treasurer to deposit the donation into account A.2029 Special Programs.

The Recreation & Parks Department was given a donation in the amount of \$1,900.00 from the Middletown City School District to go towards the Summer Bookmobile. Please accept this donation and authorize the Treasurer to deposit the donation into account A.2029 Special Programs.

Sincerely,

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

Raelynn Bertholf, Superintendent of Recreation
Middletown Recreation & Parks Department

**MIDDLETOWN CITY SCHOOL DISTRICT**223 Wisner Ave. Extension
Middletown, NY 10940

Check Date

04/12/2023

Check Number

8983

Invoice/CM#	Description	Amount
3/6/23	A23-01971	1,900.00
Vendor: 400650 Middletown Recreation & Parks		Check Total 1,900.00

**MIDDLETOWN CITY SCHOOL DISTRICT**223 Wisner Ave. Extension
Middletown, NY 10940

GENERAL FUND

50-893/219

8983

Webster Bank
Middletown, NY

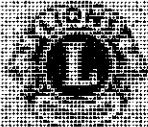
April 12, 2023

*****1,900.00

One Thousand Nine Hundred and 00/100 Dollars

PAY TO THE ORDER OF Middletown Recreation & Parks
393 County Route 78
Middletown, NY 10940

District Treasurer



Middletown Lions Club

CHRYSLER BANK AND TRUST COMPANY

1/19/23

PAY TO THE ORDER OF

City of Middletown

\$550.00

Two Hundred Fifty dollars and no/100

Fishing derby

For To
Diane Lopez

⑆004419⑆ ⑆021902475⑆ 1918081⑆



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: May 2, 2023

Index No: 102-23

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

Resolution Accepting a \$1900 donation from the Enlarged City School District of Middletown for the Summer Bookmobile

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and accepts a \$1,900.00 from the Middletown City School District to go towards the Summer Bookmobile.

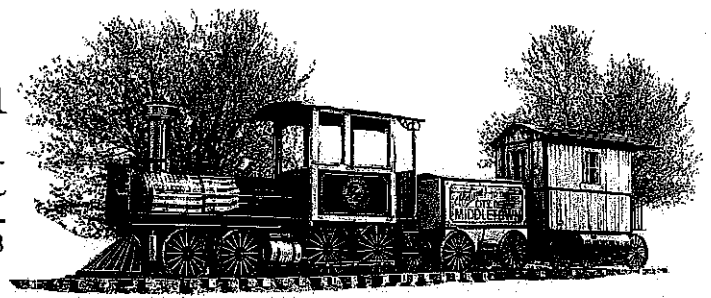
FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to deposit the donation into account A.2029 Special Programs.

ATTACHMENTS:

[Accept a Donation for Recreation and Parks.pdf](#)

Middletown Recreation and Parks Department

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



Wednesday, April 26, 2023

RE: Authorization to accept donations

Dear Board of Estimates & Council Members:

The Recreation & Parks Department was given a donation in the amount of \$250.00 from the Middletown Lions Club to go towards trophies and awards for the 2023 Fishing Derby. Please accept this donation and authorize the Treasurer to deposit the donation into account A.2029 Special Programs.

The Recreation & Parks Department was given a donation in the amount of \$1,900.00 from the Middletown City School District to go towards the Summer Bookmobile. Please accept this donation and authorize the Treasurer to deposit the donation into account A.2029 Special Programs.

Sincerely,

A handwritten signature in black ink that reads "Raelynn Bertholf". The signature is written in a cursive style.

Raelynn Bertholf, Superintendent of Recreation
Middletown Recreation & Parks Department

**MIDDLETOWN CITY SCHOOL DISTRICT**

223 Wisner Ave. Extension
Middletown, NY 10940

Check Date

04/12/2023

Check Number

8983

Invoice/CM#	Description	Amount
3/6/23	A23-01971	1,900.00
Vendor: 400650 Middletown Recreation & Parks		Check Total 1,900.00

**MIDDLETOWN CITY SCHOOL DISTRICT**

223 Wisner Ave. Extension
Middletown, NY 10940

GENERAL FUND

50-893/219

8983

Webster Bank
Middletown, NY

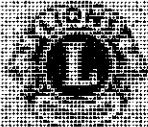
April 12, 2023

S*****1,900.00

One Thousand Nine Hundred and 00/100 Dollars

PAY TO THE ORDER OF Middletown Recreation & Parks
393 County Route 78
Middletown, NY 10940

District Treasurer



Middletown Lions Club

CHRYSLER BANK AND TRUST COMPANY

1/19/23

PAY TO THE ORDER OF

City of Middletown

\$550.00

Two Hundred Fifty dollars and no/100

Fishing derby

For To
Diane Lopez

⑆004419⑆ ⑆021902475⑆ 1918081⑆



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: May 2, 2023

Index No: 103-23

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

Resolution Establishing a Budget for the Hiring of Three New Police Officers

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and establishes the following budget in the Police Department lines in order to accommodate the hiring of three additional police officers, with a start date of June 26, 2023. Starting Salary is set at \$72,598 per PBA contract.

From	Amount	To	Total
General Fund Balance	\$205,785.33	A.3120.100 Personnel Services * Includes holiday pay, buyout and education expenses	\$120,435
		A.3120.200 Police Dept- Other Equipment	\$13,500
		A.3120.410 Police Dept.- Uniform Allowance	\$8,850

		A.3120.432 Police Dept- Background Investigation	\$3,000
		A.3120.433 Police Dept- Personnel Training	\$6,000
		A.9000.860 Health Ins.	\$51,000
		A.9000.889 Dental/Optic Ins	\$3,000

ATTACHMENTS:

[Est a Police Budget.pdf](#)

Richard McCormack

From: Leonora Liz
Sent: Tuesday, April 25, 2023 4:35 PM
To: Richard McCormack
Subject: Police Budget Transfer



Leonora
City Treasurer

CITY OF MIDDLETOWN Office of the City Treasurer

16 James Street, Middletown, NY 10940
Tel: (845) 346-4153 Fax: (845) 343-1101 www.middletown-ny.com

TO: Board of Estimate and Apportionment

I am requesting from the Board of Estimate to establish the following budget in the Police Department Budget to accommodate for the hire of three additional police officers start date June 26, 2023, Starting Salary is set at \$72,598 per PBA contract agreement.

FROM	AMOUNT	TO	Total
General Fund Balance	\$ 205,785.33	A.3120.100	120,435
		Personnel Services	
		<i>*includes holiday pay, buyout and education expense</i>	
		A.3120.200	13,500.00
		Police Dept- Other Equipment	
		A.3120.410	8,850.00
		Police Dept-Uniform Allowance	
		A.3120.432	3,000.00
		Police Dept - Background Investigation	
		A.3120.433	6,000.00
		Police Dept - Personnel Training	
		A.9000.860	51,000.00
		Health Insurance	
		A.9000.889	3,000.00
		Dental/Optic Insurance	



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: May 2, 2023

Index No: 104-23

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 \$1,182.96 Budget Transfer to the ARPA Consultant

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$1182.96, in the following manner, cover the cost for consulting and ARPA reporting for Don Paris.

From	Amount	To
A.4785 ARPA	\$1,182.96	A.3125.100 Finance- Personnel Services

ATTACHMENTS:

[Don Paris Invoice.pdf](#)

[Don Paris Payment Request.pdf](#)

Leonora Liz

From: Donald Paris
Sent: Friday, April 21, 2023 11:12 AM
To: Leonora Liz
Subject: Q-4 ARPA Reporting

Below is my bill for Q-4 2022 ARPA Reporting.

Work was performed in Jan 2023.

\$582.30

Thanks,

Don

Leonora Liz

From: Donald Paris
Sent: Friday, April 21, 2023 11:09 AM
To: Leonora Liz
Subject: Q-4 2022 ARPA

Below are my charges for filing Q-4 2022 ARPA reporting.

Work performed in in Feb 2023

~~\$582.30~~

Thanks,
Don
Donald J.

600.66

Richard McCormack

From: Leonora Liz
Sent: Tuesday, April 25, 2023 4:55 PM
To: Richard McCormack
Subject: BOE Request
Attachments: BOE Request.pdf



Leonora Liz
City Treasurer

CITY OF MIDDLETOWN Office of the City Treasurer

16 James Street, Middletown, NY 10940
Tel: (845) 346-4153 Fax: (845) 343-1101 www.middletown-ny.com

TO: Board of Estimate and Apportionment

I am requesting the authorization from the Board of Estimate for the following transfer to cover the cost for consulting and ARPA reporting for Don Paris:

FROM	AMOUNT	TO
A.4785	\$1,182.96	A.3125.100
ARPA		Finance – Personnel Services

Kind Regards,

Leonora Liz
(She/Her/Hers)

City Treasurer
City Of Middletown

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

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



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: May 2, 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				

Resolution Authorizing Live Music and Live Music Performances In Outdoor and Sidewalk Cafes

Whereas, Section 475-28 (G) (4) of the Code of the City of Middletown prohibits live music and live music performances in outdoor and sidewalk cafes, and

Whereas, the Common Council in 2020 passed a resolution allowing live music and live music performances in outdoor and sidewalk cafes on a trial basis from May 18, 2020 until and including October 15, 2020, and

Whereas, the Legislative Committee of the Common Council has recommended that live music and live music performances in outdoor and sidewalk cafes be allowed for another one-year trial period under the same terms as conditions as existed from May 1, 2023 until and including October 31, 2023.

Now, therefore, be it resolved by the Common Council of the City of Middletown that Section 475-28 (G) (4) of the Code of the City of Middletown is hereby repealed and replaced in its entirety by the following:

Section 475-28 (G). Miscellaneous provisions.

...

(4) Outdoor and sidewalk cafes may be allowed to provide music, so long as such music does not violate or does not conflict with any applicable law or ordinance such as the City's noise ordinance (except as may otherwise be provided below), or does not create a nuisance to surrounding residents or properties. Live music or live music performances are not permitted in or at sidewalk cafes. With respect to outdoor cafes only (and only within the geographic area described below), live music or live music performances will be permitted from May 17, 2022 until and including October 21, 2022 during the hours of 12:00 noon until 10:00 p.m. on Thursday, Friday and Saturday, and 1:00 p.m. until 9:00 p.m. on Sunday, in such a manner as to generate an instantaneous sound pressure level not to exceed 90 decibels (DBA) as measured from any point along the boundary line of the real property on which the outdoor café is located and from which the sound pressure is generated.

For purposes of this subsection (4), live music or live music performances will be allowed in or at outdoor cafes only within the area contained within the City's Business Improvement District (except not in or on properties located south of Fulton Street) and in or on properties on either side of East Main Street from Academy Avenue to the west side of Railroad Avenue.

Live music or live music performances will be allowed in or at outdoor cafes as described above during a trial period lasting only until October 21, 2022, unless the ability and permission to have live music or live music performances in or at outdoor cafes is extended by action of the Common Council of the City. If the time period is not extended by action of the Common Council, then live music or live music performances will not be permitted after October 21, 2022 in or at outdoor cafes.

Lighting in outdoor and sidewalk cafes shall be minimal and shall not be allowed to disturb surrounding residents or properties. No outdoor cooking of any type is permitted in outdoor and sidewalk cafes.

Be it further resolved that Section 475-28 (H) of the Code of the City of Middletown is amended by adding the following as a second paragraph in Section 475-28 (H):

Notwithstanding the previous paragraph and in addition to any penalties imposed under the previous paragraph of this Section 475-28 (H), violations of Section 475-28 (G) (4) of the Code of the City of Middletown may be enforced by the Police Department, any code enforcement officer of the Department of Public Works or the Fire Inspector and disposed of as follows:

- For the first violation of Section 475-28 (G) (4) of the Code of the City of Middletown by an outdoor café's operation, the owner and/or operator of the outdoor café shall be issued a verbal or written warning informing the owner and/or operator of the violation and directing that it be ceased immediately.
- For the second violation and subsequent violations of Section 475-28 (G) (4) of the Code of the City of Middletown by an outdoor café's operation, the owner and/or operator of the outdoor café shall be issued a written violation notice and/or an appearance ticket ordering the owner and/or operator to appear in Middletown City Court to answer the violation(s).
- At any time, the Police Department of the City, upon inspection and discovery of a violation of Section 475-28 (G) (4) of the Code of the City of Middletown by an outdoor café's operation, may immediately cause the offending outdoor cafe to be cleared of patrons, if such action is reasonably necessary to protect the public health, safety, welfare or convenience.
- If the operation of an outdoor cafe is alleged to be in violation of Section 475-28 (G) (4) of the Code of the City of Middletown a second time, the outdoor café permit issued to the owner and/or operator of the outdoor café shall be revoked by the City Clerk.
- Any person found guilty of violating Section 475-28 (G) (4) of the Code of the City of Middletown shall be guilty of a violation and shall be liable for a fine of not less than \$250.00 nor more than \$2,000.00 for the first occurrence, and such fines shall be increased to a fine of not less than \$500.00 nor more than \$4,000.00 for any subsequent occurrence(s).

Be it further resolved that this resolution shall take effect immediately.



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: May 2, 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 Amending City Code to Establish a Handicap Parking Spot at 26 Prince Street

RESOLVED; that the Common Council of the City of Middletown authorizes to amend the City Code Chapter 460, Vehicle and Traffic, Section 460-28 No-parking zone; handicap permit only to add the following:

One spot directly in front of 26 Prince Street to expire 2 years from this date.



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: May 2, 2023

Index No: 107-23

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 to approve an extension of time of six (6) months for two resolutions dated May 04, 2021, #98-21 and #99-21 for the Presidential Heights Realty Subdivision

RESOLVED; that the Common Council of the City of Middletown approves an extension of time in the amount of six (6) months, as per the date on this resolution, for two resolutions dated May 04, 2021, #98-21 and #99-21 for the Presidential Heights Realty Subdivision due to the need that the project has to obtain outside agency approvals for the NYSDEC and OCDOH for water main and sewer main extensions before the map can be filed.

ATTACHMENTS:

[Presidential Heights Sub Div Ext Req.pdf](#)

RONALD S. KOSSAR

ATTORNEY AT LAW

402 EAST MAIN STREET
POST OFFICE BOX 548
MIDDLETOWN, NEW YORK 10940

TELEPHONE (845) 343-5111

TELECOPIER (845) 343-5222

E-MAIL rsklaw@frontiernet.net

April 18, 2023

Alex Smith, Esq.
Corporation Counsel
6 North Street
Middletown, NY 10940

Re: J & G Builders LLC with City of
Middletown Common Council
Application for Subdivision Approval
Extension for the Presidential Heights
Subdivision located at 32 Davidge Road
and 67 Highland View Place, City of
Middletown, Orange County, New York
Section 55, Block 1, Lots 88 and 89.2

Dear Alex:

Please be advised that this office represents J&G Builders LLC in reference to the above-captioned matter.

My client's Project Engineer is John Queenan, P.E. of Lanc & Tully Engineering & Land Surveying, P.C. in connection therewith.

The City of Middletown Common Council has previously approved an extension of time through and including April 3, 2023 in accordance with my client's request set forth in my previous letter address to your office dated September 22, 2022.

I have been informed by my client and Project Engineer, John Queenan, P.E., that my client will need an additional of extension of time of six (6) months.

The reason for the aforesaid additional extension of time is because of the City of Middletown Department of Public Works has required the re-design of the road which necessitated the re-routing of the existing water main which requires review and approval from the Orange County Health Department ("OCHD").

Accordingly, based upon the foregoing, my client, J & G Builders LLC and my office hereby respectfully request that the City of Middletown Common Council grant the aforesaid additional six (6) month extension of time.

Alex Smith, Esq.
Corporation Counsel

April 18, 2023
Page 2

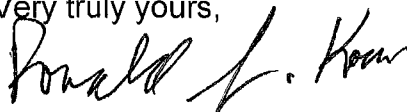
If the City of Middletown Common Council or your office requires an appearance by my client before the City of Middletown Common Council please advise my office accordingly.

If not, kindly confirm whether or not the City of Middletown Common Council has granted my client's request for an additional extension of time for the reason set forth above.

Thank you for your kind assistance and courtesies extended in this matter.

If you have any questions or wish to further discuss this matter, please do not hesitate to contact my office.

Very truly yours,

A handwritten signature in black ink, appearing to read "Ronald S. Kossar". The signature is fluid and cursive, with the first name "Ronald" being the most prominent.

RONALD S. KOSSAR

RSK/sb

cc: J&G Builders LLC
(sent via e-mail)
John Queenan, P.E.
Lanc & Tully Engineering
& Land Surveying, PC
(sent via e-mail)

SENT VIA E-MAIL



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: May 2, 2023

Index No: 108-23

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 Public Hearing on a Proposed Change to the Zoning Code in a UR-3 to allow a Daycare Facility

WHEREAS, the City of Middletown has been presented with a proposal for a child day care facility in the UR-3 zoning district which is abutted on its northwestern side by Irwin Avenue and on its northeastern side by Wisner Avenue, and

WHEREAS, this zoning district also abuts the facilities and playgrounds associated with the Twin Towers Middle School, and

WHEREAS, the Mayor and Economic Development Director are recommending to rezone this particular UR-3 district to allow for child day care facilities.

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Middletown will hold a public hearing on the proposed change to the Zoning Code on Tuesday, May 16, 2023, at or as near to 7:30 PM as possible in the Common Council Chambers, 16 James Street, 2nd Floor, Middletown, NY.

ATTACHMENTS:

[Proposed Legislation Zoning - Day Care Facilities UR-3.pdf](#)

CITY OF MIDDLETOWN COMMON COUNCIL RESOLUTION

WHEREAS, the City of Middletown has been presented with a proposal for a child day care facility in the UR-3 zoning district which is abutted on its northwestern side by Irwin Avenue and on its northeastern side by Wisner Avenue, and

WHEREAS, this zoning district also abuts the facilities and playgrounds associated with the Twin Towers Middle School, and

WHEREAS, the Mayor and Economic Development Director are recommending to rezone this particular UR-3 district to allow for child day care facilities.

NOW, THEREFORE, BE IT RESOLVED, AND BE IT ORDAINED, by the Common Council of the City of Middletown, as follows:

Section 1. The Code of the City of Middletown, N.Y., Chapter 123, Zoning, as adopted March 27, 1967 and amended, be and is hereby further amended by adding a new Paragraph (10) to Subsection C, Uses requiring issuance of both a special use permit and site plan approval by the Planning Board, to read as follows:

- (10) Child day-care facility, provided that such facility:
 - (a) Is licensed by the State of New York;
 - (b) Contains at least 3,000 square feet of usable floor space;
 - (c) Provides an outside play area of at least 600 square feet; and
 - (d) Provides an off-street drop-off area for such children to avoid impacting street traffic in the area.

Section 2. This Ordinance shall take effect immediately.



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

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption: May 2, 2023

Index No: 109-23

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Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

Resolution Amending City Code to Assess a Fee for Multiple Home Inspections

WHEREAS, Articles III and IV of Chapter 296, Housing, of the City Code require an inspection prior to the granting or renewal of a rental permit, and

WHEREAS, the Department of Public Works has been experiencing the necessity of often being forced to conduct multiple inspections of the same rental property due to failure of the property owner to appear for inspections or to correct violations noted in a previous inspection.

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 296, Housing, is hereby amended by adding a new Subsection C to Section 296-16, Fees, of Article III, Rooming, Lodging and Multiple Dwelling Units, to read as follows:

50. Re-Inspection Fees. If three (3) or more inspections are necessary with respect to the granting or renewal of a rental permit due to the failure of the property owner to appear for or correct violations after two (2) scheduled inspections, a fee of Fifty (\$50.00) Dollars shall be assessed against such owner for a third inspection, and a fee of One Hundred (\$100.00) shall be assessed against such owner for a fourth inspection and for each of any further inspections necessary for the subject application. No inspection shall qualify for a violation of this Subsection unless reasonable written notice of the date and time of such inspection was sent to the owner via letter or email by the Department of Public Works prior to the inspection.

Section 2 - The Code of the City of Middletown, N.Y., Chapter 296, Housing, is hereby amended by adding a new Subsection C to Section 296-32, Fees, of Article IV, Rental Permits, to read as follows:

50. Re-Inspection Fees. If three (3) or more inspections are necessary with respect to the granting or renewal of a rental permit due to the failure of the property owner to appear for or correct violations after two (2) scheduled inspections, a fee of Fifty (\$50.00) Dollars shall be assessed against such owner for a third inspection, and a fee of One Hundred (\$100.00) shall be assessed against such owner for a fourth inspection and for each of any further inspections necessary for the subject application. No inspection shall qualify for a violation of this Subsection unless reasonable written notice of the date and time of such inspection was sent to the owner via letter or email by the Department of Public Works prior to the inspection.

Section 3 - This Ordinance shall take effect immediately.