



**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
SEPTEMBER 16, 2025**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
 - 3.1. Accept the Minutes of August 19, 2025
 - 3.2. Accept Minutes of September 2, 2025
4. CORRESPONDENCE, COMMUNICATION AND REPORTS
 - 4.1. SLA Standardized 30-Day Notice: Deluca Holdings LLC - 23 West Main Street
 - 4.2. SLA Standardized 30-Day Notice: Fable Restaurant Group, LLC 45-53 North St, Unit 1
 - 4.3. SLA Standardized 30-Day Notice: Something Sweet Dessert Cafe LLC d/b/a Piccolo Cucina E Vino, 17 North Street
5. FOR THE GOOD OF THE CITY
 - 5.1. External Auditors' Report: FY 2024
6. REMARKS OF THE MAYOR
7. REMARKS OF THE DEPARTMENT HEADS
8. PUBLIC HEARINGS AND GRIEVANCES
9. PETITIONS AND COMPLAINTS
10. REMARKS OF THE ALDERMAN AND REPORTS OF THE COMMITTEES
11. UNFINISHED BUSINESS
12. NEW BUSINESS

- 245- Resolution Authorizing a Waiver of 30-Day Notification Requirement – Full
25 Liquor License Application, Fable Restaurant Group DBA Oak & Reed
- 246- Resolution Authorizing a Waiver of 30-Day Notification Requirement – Full
25 Liquor License Application, Piccolo Cucina E Vino, 17 North Street
- 247- Resolution Authorizing the Disposal of Surplus Police Vehicles
25
- 248- Resolution Authorizing the Use of Insurance Proceeds and Transfer of Funds for
25 Police Vehicle Replacement
- 249- Resolution Authorizing the Creation of a Capital Line for Temporary Borrowing
25 from the General Fund for the National Fitness Campaign
- 250- Resolution Authorizing the Acceptance of a Donation of Lacrosse Equipment from
25 Abt Family
- 251- Resolution Authorizing a \$2,660,000 Transfer of Funds for the O&W Project – City
25 Portion
- 252- Resolution Authorizing Permanent Funding for The City’s Portion of The South
25 Street Parking Garage
- 253- Resolution Authorizing the Terms of a Settlement Agreement in The Matter of Robert
25 Lounsbury Jr. V. City of Middletown
- 254- Resolution Accepting the Restore NY VII Grant and Empire State Development
25 Grant for the O&W Project
- 255- Resolution Authorizing the Issuance of an Additional \$3,900,000 Bonds of the City
25 of Middletown, Orange County, New York, to Pay Costs in Connection with the
O&W Railroad Station Rehabilitation
- 256- Resolution Confirming the Mayor's Appointment of Juan Avalos to the Recreation
25 Commission
- 257- Resolution Authorizing Fall 2025 City Wide Leaf Pick Up
25
- 258- Resolution to Accept the External Audit Report for Fiscal Year 2024
25

13. LOCAL LAWS

14. AUDIT OF CLAIMS AND ACCOUNTS

- 14.1. Resolution Authorizing the Accounts be Audited, Claims Adjusted, and the
Treasurer be Authorized to Issue Warrants for their Payment

15. ADJOURNMENT



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

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 16, 2025
Index No:

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Accept the Minutes of August 19, 2025

Accept the Minutes of August 19, 2025

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	08.19.25 CC Minutes
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COMMON COUNCIL MEETING
CITY OF MIDDLETOWN

August 19, 2025 Minutes
City Hall
16 James Street
Middletown, New York 10940

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

ALSO PRESENT:
Richard McCormack, City Clerk
Joseph M. DeStefano, Mayor

ALL: I pledge allegiance to the flag
of the United States of America and to the
Republic for which it stands, one nation, under
God, indivisible, with liberty and justice for
all.

CLERK RICHARD MCCORMACK: Alderman
Tobin.

ALDERMAN SPARROW TOBIN: Here.

CLERK RICHARD MCCORMACK: Alderman
Jean-Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Here.

CLERK RICHARD MCCORMACK: Alderman
Johnson.

ALDERMAN PAUL JOHNSON: Here.

CLERK RICHARD MCCORMACK: Alderwoman
Wray.

ALDERMAN KATE WRAY: Here.

CLERK RICHARD MCCORMACK: Alderman
Kleiner.

ALDERMAN GERALD KLEINER: Here.

CLERK RICHARD MCCORMACK: Alderman
Green.

ALDERMAN ANDREW GREEN: Here.

CLERK RICHARD MCCORMACK: Alderman
Witt.

ALDERMAN KEVIN WITT: Here.

CLERK RICHARD MCCORMACK: Alderman
Masi.

ALDERMAN JOSEPH MASI: Here.

CLERK RICHARD MCCORMACK: President
Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Here.

CLERK RICHARD MCCORMACK: Quorum is
present.

PRESIDENT J. MIGUEL RODRIGUES:
Approval of minutes.

CLERK RICHARD MCCORMACK: We have June
3rd, 17th, and August 4th.

ALDERMAN JOSEPH MASI: So moved.

PRESIDENT J. MIGUEL RODRIGUES: A
motion by Mr. Masi to approve all.

ALDERMAN KEVIN WITT: Second.

PRESIDENT J. MIGUEL RODRIGUES:
Seconded by Alderman Witt. Any discussion? All
in favor.

SOME: Aye.

PRESIDENT J. MIGUEL RODRIGUES:
Correspondence.

CLERK RICHARD MCCORMACK: Nothing this
evening.

PRESIDENT J. MIGUEL RODRIGUES: For the good of the city. (Indiscernible) the mayor for special recognition.

MAYOR JOSEPH DESTEFANO: All right. Good evening, everyone. You know, we have been recognizing some of our long-term businesses in our community.

And we also started to look at community partners. People who have stood out in our community, and have made it extra special.

So tonight on behalf of the recreation and parks department, we had a strong recommendation from Raelynn Bertholf, our supervisor or our superintendent, and Nicole, the deputy superintendent.

That they would like Netta Macri who is the owner of Strawberry Fields Ice Cream, located just inside the Davidge Park area. For her generosity and dedication to our city's youth.

And that's not just for owning an ice cream stand. This is for -- Netta first approached the recreation department of June of 2024, with a genuine desire to collaborate and create opportunities for children.

In 2024 she sponsored a pop-up story

time event, donating ice cream for -- ice cream bar for all of the attendees. She has partnered with our playground program every Friday, personally providing juice ICEEs to every participant. And something she continued to do through this summer.

In 2025 she launched an initiative, an innovative bathing suit drive in collaboration with the recreation department. Donors of a new bathing suit receive a free ice cream at Strawberry Fields, and a free entry into one of the city pools.

So this program ensures that every child can enjoy our pool safely and comfortably. So Netta's efforts have provided countless moments of joy for our children in our community. They have strengthened connections between local businesses and community. And have expanded opportunities for many Middletown families.

So for this, we are very deeply grateful. And upon the recommendation of our parks and recreation department and their staff, that Netta truly represents what it means to be a community partner.

So on behalf of myself, the common

council, and the city of Middletown, we have a certificate of recognition presented by the city of Middletown to Netta Macri for outstanding dedication, generosity, and contributions to the youth of our community. Signed by myself and the council president.

And we would also like to present to her, a key to the city. Netta, could you please come up? And have a chance to say a few words. You got this. And the microphone is yours.

NETTA MACRI: Tremendous. Thank you, Mayor DeStefano. Thank you, council. We started Strawberry Fields two years ago, myself, and my partner Anthony **3:46.

And the truth is, we give away more ice cream than we sell. Absolutely. But the reality is there are so many happy, eager kids that come up to the window. And all of you would probably do the exact same thing.

Now I'm a Middletown local, born and raised. And I grew up playing in Davidge Park. I remember ice skating on the pond, climbing that giant metal white castle, if anybody knows it. Yeah.

I actually had the chance to -- it is

still there. And I had the chance to play with it on my niece's -- just this past summer. And it's been tremendous.

And so the park has come a long way in so many years. And of course, so much of that credit can go to the city of Middletown. But today, I'd like to recognize the park department. Specifically, the superintendent Raelynn Bertholf, Nicole Psarakis, and their entire team.

They truly do so much at Davidge Park. Whether it's the free lunch programs in the summer time, the story times, the pool, the pad. That back-to-school backpack program.

Every time I've approached them, they've always said yes. Made it very easy to work with them, and made it so much fun. I really enjoyed it. And so as a small business owner, collaborating with them has just been a joy and an ease.

So I encourage other small business owners, if you're watching, if you're here, to reach out to work with the Parks Department to find initiatives that you can partner with on -- with them on. And to give to the kids in the community.

It's very rewarding, and not just because you get a key to the city to do it, candidly. But because you get a lot of thank you, and you get a lot of smiles. And you know that in those moments; you're contributing to making very sweet memories for kids in this community. So thank you.

On a personal note, just briefly, our family has been in Middletown for many, many years. My goodness. If you know that Davidge Park area, we owned a small family eatery called Ginos. My grand -- yeah. Folks have probably been there.

It opened in 1970, closed doors in 2020 because of COVID. But that was 50 years of business in town. My grandparents started the business and they worked side by side until they passed. Our family took it over.

And so we'd like to accept today's award and key to the city in honor of them. And then specifically for my nana, who I know, and if you ever met her, you can say it with certainty, also gave away more than she sold. Thank you very much for this tremendous honor.

MAYOR JOSEPH DESTEFANO: Thank you.

CLERK RICHARD MCCORMACK: All right.

Next speaker. Dave Madden.

DAVE MADDEN: Good evening council and Mayor DeStefano.

NETTA MACRI: (Indiscernible) leave the good stuff.

DAVE MADDEN: My name is Dave Madden and I am the director of the annual Run4Downtown, which was this past Saturday. And I'm up here to give a big thanks. A thanks to the mayor, a thanks to all of you in the council.

And I got a note here, and I'm still probably going to miss people. Thanks to the police department, the fire department, DPW, Parks Department, BID, the volunteer groups, Middletown High School, National Honors Society, NJROTC, the girls' volleyball team.

They were monitoring water stations. The runners who showed up, the walkers who showed up. We had record numbers of participants. We had record numbers of finishers. We had record numbers of people downtown for the post-race party.

This was an amazing, amazing day. We had 20 restaurants participating in what we call

this year, flavors without borders taste of downtown which was spectacular.

The response we've gotten from the community, from the participants, from the volunteers, from the restaurant owners themselves, has been second to none.

I'm proud to say that we've gotten some bids. I know that the city was looking to make some improvements to Thrall Park.

We've got some bids in, and it looks like the Run4Downtown this year will be able to contribute enough money to uplight all of the statues at the corner of Wickham and Grove. Add an extra sidewalk in there, bring power to those lights. And we're just super excited.

Next year will be 20 years for us. It's August 15, 2026. And we are really, really pumped. Thank you all.

PRESIDENT J. MIGUEL RODRIGUES: Thank you. All right. Anyone else? Remarks of the mayor.

MAYOR JOSEPH DESTEFANO: Yes. I'd like to begin with a -- comments about the governor's trip last week into the city of Middletown.

Last week we had the privilege of

touring the downtown with Governor Hochul. The governor was interested in seeing firsthand, the improvements that were made possible by the \$10 million-dollar DRI funding. That she was instrumental in implementing the program way back in 2016, when she was lieutenant governor.

And then of course, finally getting the program in full swing when she became governor. So that \$10 million dollars became tens of millions of dollars leveraged into other programs.

But on this walk, the governor -- we showcased projects that included redeveloping properties, new businesses, enhanced streetscapes, improved infrastructure. All part of our downtown revitalization strategy.

I had the opportunity to meet privately also with the governor. Governor Hochul to discuss future city needs and priorities.

And as you know, these are the types of meetings where we have had great success in the past with the governor, in regards to the grant programs, and the success that we've had with many grant programs.

The governor is very respectful to the

needs of the city, and very responsive over the years. And we're hoping that that will continue as we move forward in the future here.

So I did thank her for her ongoing support of city government, our city residents, and her commitment to strengthening communities like ours.

We were joined on the tour by Assemblywoman Paula Kay, alongside Council President Rodrigues. And demonstrating that partnership on all levels of government, and how government is supposed to work.

So the visit reaffirmed that our investments are paying off. The governor was impressed by the maintenance that was done on the investments.

As you know, we put quite a bit of money into trees, and landscaping, pervious pavement, parking lots, sidewalks, the crosswalks. And was very impressed by all of that, and the fact that it's being maintained.

And noted that not every -- not every community does that. And so it reaffirmed those investments, and reaffirmed that they are paying off.

And that -- so with the governor's support, it gives us confidence that Middletown will remain a leader in the revitalization and economic growth in the Hudson Valley of our downtown.

And we hope that we'll have great more -- much more success moving forward as the other programs that we've applied for. As you know, we've applied for a \$20 million dollar grant for new sidewalks that will extend beyond the downtown.

We began that program last year. We got on Lake Avenue, Dolson Avenue. We have done many, many intersections in the city. We're making them handicap accessible.

Without funding from state and federal agencies, we would not be able to afford to do all those things. So the infrastructure improvements in the city of Middletown alone, just the one program was \$31 million dollars. Most of it grant funded.

The \$10 million dollars was outside of that, and entirely grant funded. So we're very happy with the progress that we've made, and the governor did have an opportunity to see that

firsthand.

Had the opportunity to meet many small business people also. Rakesh and you can see Juan from the Taco Factory. And all have very nice things to say about the city, and how it's - - how the downtown is bouncing back after many, many years.

So I want to thank her for her visit. And we did welcome her back, and hopefully she'll make -- take us up on that in the very near future.

Dave did talk about the Run4Downtown. And it's not just the one day, it's the -- they call it the rock and roll weekend, run weekend.

We did estimate about 3,500 people downtown. And I know that between the runners and the walkers, I think that's a pretty accurate number.

And I know Dave doesn't pat himself on the back often, but -- he does. But not on this case, on other things. But Dave and Anna really deserve a lot of the credit, or all the credit. And they share that credit with all of their volunteers, as Dave stated.

The race volunteers are an important

part of the success of the race. But without Piccolo's, and Dave and Anna Madden coordinating this, I don't think it would be -- even happen. Let alone the success that it's been, and the growth that it's had.

So that -- Dave did mention all the city agencies, police, fire, DPW, parks, volunteers, BID district, Maria Bruni, and her -- and her team.

So I wanted to also publicly thank all of them that were involved in the -- in the race and the operation. You know, the run does continue to be a -- both a community tradition, and a driver of also our downtown revitalization.

All these little pockets, all these little things that are happening, are happening for a reason with one goal in mind. And that is to bring back our community, and restore our city to what it once was. And I think we're there.

You know, we have a campaign that we started now, Discover Middletown. But in some cases, it's also Rediscover Middletown. With people who used to live here, or people that still live here in this community. That for one reason or another, do not venture into downtown

Middletown.

So we're hoping that that campaign continues. Events like this are a big part of bringing people back downtown. And when they get here, they're very surprised.

So we hope that they'll continue to patronize businesses, continue to go to events at the Paramount Theater. Enjoy one of the free concerts on Thursday or Friday nights throughout the summer. All those good things that happen as a result of events such as this.

So also, the -- I wanted to address one thing. The chief did tell me that we did get quite a few calls, more so than ever, on people who are a little frustrated by the street closings. And the fact that they can't pull out of the driveway when the race is going on.

That's for a reason. It's an hour or two of inconvenience, I understand. But once the race course is closed, nobody can go into the course. And that's for safety reasons.

Even if Alderman Masi pulled up to a -- one of the entries into the race track. They would not let him in. I would not let him in for other reasons, but they would not let him in for

safety reasons.

So we try to keep the race as -- the runners and the volunteers as safe as possible. That's the reason. I understand that some of you are frustrated by that, but you know, we do know the dates a year in advance.

It's the same date or the same Saturday in August. The third Saturday in August every single year. So you can plan accordingly. If you have to park your car around the corner, maybe that might help.

But the bottom line is that next year is the 20th. We're going to have the race again in August. I think it's August 15, 2020. So that we'll have a opportunity to plan ahead, and make sure that you're able to get out of your driveways, or do whatever is necessary.

So I wanted to just address those issues on a positive note. And then out of one concern, which has really caught on with Spectrum Media, News 12, and others. Is just an unfortunate incident that happened at Middletown Lanes. I know some of you have asked. I did put up an extensive social media post regarding it.

It was at Quinnz Pinz in Middletown

Lanes. And just one point of interest is that the bowling alley does remain open. It is -- they continue to operate as a bowling alley, but alcohol sales are suspended until the liquor issue -- liquor license issue is resolved.

The city has their permit to -- business permit on hold because we cannot issue a business permit for the district bar, who was operating the bar that -- this past week.

And that can't be done until we determine who the legal operator is in proper compliance with New York state law as demonstrated.

Just some clarifications on policies. We don't normally come up here and talk about incidents. Especially, with small businesses but this has really taken a hold on social media. So I felt it was important that I put up a clarification on social media, and also address the council and the public.

It's in part because the public interest and accurate claims are being circulated. So the Quinnz Pinz ownership is publicly disputed. The police reports and the chief and I both stand behind those reports on

accuracy.

And the reason why we stand behind them, maybe for different reasons, but I'll let the chief speak for himself if he would like to address it. But that's -- that'll be up to him.

But the version of events that are in the report, are supported by body cam footage which confirms both the number of people involved, and the statements made during and after the incident.

This evidence along with lease documents provided to the city, have been forwarded to the New York State Liquor Authority. The operator of the bar, of the district bar, provided a lease to the fire inspector stating that they were leasing the liquor license of Quinnz Pins.

Now anyone who's familiar with liquor laws in New York State knows that is a fatal flaw. As described by the New York State Liquor Authority, that anyone who has applied for a license, understands that up front.

It is possibly a fatal flaw, and that could result in revocation. I did not lease the bar to the district.

Quinnz Pinz leased the bar illegally to the district. Quinnz Pinz owner told the fire inspector, or the police, that they leased the bar to the district. The district meaning the two operators who are running the bar.

So that is an important part to remember. They did not get -- their permit has not been issued. Not because of the fight. We understand clearly that fights happen at bars. It has nothing to do with the fight.

That's a separate issue that the liquor authority will resolve. They have a process for handling unruly establishments. Usually, they don't result in much of anything unless it's a continued pattern.

Admittedly there's not -- there has not been a pattern of large fights at the bowling alley. But in this case, there was a large fight.

And I think to lie about it will only dig a deeper hole for them when they get to their hearing. But that's their business, and they can -- they can operate on the advice of counsel.

But and that's a long term. A short-term and a long-term issue for them. The short-

term issue at that bowling alley that night, which required immediate action by the Middletown Fire Department, was the second means of egress from the bar area was barricaded.

So you had a establishment with two means of egress, which are required for the capacity of the bar. And one of them was barricaded, intentionally barricaded, so all people had to funnel out of one exit.

Imagine if there was a problem inside the bar. A fire or any other type of incident that required immediate evacuation. You've seen it on television, you've seen it in other places, and you know.

And you say, how the hell can that happen? Where were the city inspectors? Where was this? Well they were there, and that's one of the reasons why they got shut down.

By creating that situation of closing the second means of egress, they created an overcrowding situation. Because that would reduce the capacity of the bar area to 49 patrons. There's estimated to be about 150 people in the establishment.

So I already addressed the illegal

subleasing of the liquor license. And that is under New York State Law. That is not a city law. And that's not something that the police went there looking for.

The police went there responding to the fight, and all of these other issues came as a result of the fight. So there are other issues in the lease that was presented to the city that are red flags.

And conflict with city zoning requirements such as permission to have a hookah lounge, which is not permitted under our zoning.

In that case, it's not a part of their planning board approval. So there are other issues related to the operation of Quinnz Pinz that need to be addressed.

But the biggest issue they have, and the biggest problem they have, will be with the New York State Liquor Authority, not the city of Middletown.

The local issues can be rectified with a clear. As our legal counsel said, by voiding of this illegal lease by having a clear ownership person who can be held accountable and responsible if something goes wrong there.

You know, there are health department permits that are there. They are serving food there. They're serving liquor there, alcohol, beer.

And it's a business operation, and someone has to be accountable for the operation of every business in any community, not just Middletown.

On a positive note, Quinns Pinz has been a part of Middletown's downtown community in our city for many years. And it is an important business to our community.

It does bring a lot of people into our community, into our downtown. And I was concerned by some of the comments that came out of Mr. Quinn's -- some of the comments made by Mr. Quinn.

But I understand also, that that might be due to frustration of the mistakes that apparently, they made.

And if they made them on the advice of legal counsel, he should probably seek another legal counsel to review what his lawyer told him or didn't tell him.

But I can stand here before you, the

city residents, and the common council, and tell you that it is absolutely illegal to sublet, or to lease your liquor license to any person.

A liquor license requires an extensive background check. It requires a whole process and procedure before the state issues that. And it's not a right that you can just assign to anyone, or sell to anyone at any time you want.

So my position is very clear. I want Quinnz Pinz to succeed. I would like them to reopen at full capacity, but they must follow the rules, and they must follow the -- meet the legal obligations as a licensee of a liquor license under New York State Liquor Laws.

We know that public safety has to be first. That situation was easily rectified by the reopening of the barn doors that were the second means of egress.

There were some other fire issues that I know our fire inspector Mike Guattery is working on. But their problem, as I said, is not so much here with the city of Middletown. Their bigger problem is with the New York State Liquor Authority.

And neither myself, the common council,

the police chief. None of us have the legal authority to revoke a liquor license. That is the sole discretion of the New York State Liquor Authority.

So the next steps must be, the unlawful lease must be canceled. Quinnz Pinz must demonstrate that that lease has been canceled, and provide proof to our city attorney. And they must demonstrate compliance with state law.

The SLA will determine the penalties and future licensing status of Quinnz Pinz. But once resolved of the local issues, they will be -- the city will then reconsider issuing their local business permit, which will then allow them to reopen their business.

So the bottom line is, that it was a serious breach of state liquor law. A very serious breach of public safety standards.

I want to compliment the Middletown Police Department for their quick response there, and the reaction to what happened.

And also the -- thank fire inspector Mike Guattery, and the fire department, and the fire chiefs for their review. And quick review that potentially saved lives if there was --

those doors were barricaded, and they did happen to have a fire.

So I think the process worked, the system worked. And now hopefully, Quinnz Pinz will do the right thing, and own up to the mistake. But more importantly, make the corrections that are necessary and get reopened fully for business very soon.

So if you have any questions, I'd be more than happy to address them.

PRESIDENT J. MIGUEL RODRIGUES: Any questions for the mayor? Alderman Kleiner.

ALDERMAN GERALD KLEINER: Thank you. I want to go back to something more positive. The Run4Downtown.

I also wanted to thank Marshall Sterling -- Marshall & Sterling, because I think that they were a sponsor again this year.

MAYOR JOSEPH DESTEFANO: They were the prime sponsor. Yeah. There were many sponsors.

ALDERMAN GERALD KLEINER:
(Indiscernible).

MAYOR JOSEPH DESTEFANO: They were the -- the big sponsor.

ALDERMAN GERALD KLEINER: Yes.

MAYOR JOSEPH DESTEFANO: Yes, they were.

ALDERMAN GERALD KLEINER: Yeah.
(Indiscernible).

MAYOR JOSEPH DESTEFANO: And that's why they call it the Marshall Sterling Middletown Run4Downtown.

ALDERMAN GERALD KLEINER: Run4Downtown.

MAYOR JOSEPH DESTEFANO: Okay.

ALDERMAN GERALD KLEINER: Okay.

MAYOR JOSEPH DESTEFANO: Thank you, though.

ALDERMAN GERALD KLEINER: Thank you.

PRESIDENT J. MIGUEL RODRIGUES: All right. Anyone else?

MAYOR JOSEPH DESTEFANO: Thank you.

PRESIDENT J. MIGUEL RODRIGUES: All right. Thank you, Mayor. Okay. Remarks of the department heads, economic development.

MARIA BRUNI: Good evening, everyone. I'm looking for your support on some items on the agenda. And a couple of them are from the county of Orange.

There's a grant we received from Orange County Tourism for \$4,999. And that went towards

Run4Downtown, rock, roll, run weekend.

So that money helped with the promotions of the concerts, the race. But also, we were able to send out 14,000 postcards in our community.

They were mailed to households to promote the race, but also put the map on the race to show folks, you know, the route of the race.

So thanks to Orange County Tourism, County of Orange, County Exec Neuhaus for that grant. And also, we received the municipal grant from the County of Orange for the same amount, \$4,999.

That will go towards the purchase of two decorative benches, and a litter can for Thrall Park. So that will go towards that project at Thrall Park.

Another grant we received was from Senator Skoufis in the amount of \$10,000, for the Middletown Barbecue and Resource Fair Day, September 20th.

So I'm looking for support tonight on those three grants. Besides that, that's -- thank you to Anna and Dave, and everybody

involved with Run4Downtown. It was just an amazing weekend. And that's all I have.

PRESIDENT J. MIGUEL RODRIGUES: Any questions for Maria? Great job, Maria.

MARIA BRUNI: Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Fire chief.

DON LUIS: Good evening. Tonight I think we have a resolution that you guys are going to pass for 14 new members.

That's a big number for us for one month, but it's exciting. A lot of the high schoolers, it's starting to become a snowball effect.

We got a couple of members from the high school that joined. And then it was the tell a friend. And hopefully we keep 75 percent, you know. That's a high goal, but hopefully, we can.

And it keeps going this route because some of the -- you know, some of the manpower, and some of the companies are a little low. And we need to get them back up to top speed.

We did have a second alarm fire this month up at the old powerhouse. 917 Ashley

Avenue. And I just received the fire report that it's incendiary. It was set.

The arson dog didn't sit, so they had no accelerants but I believe there was someone living up in the old control room that might have dropped something. Or a lighter, or a cigarette, or something that started the fire.

It looked a lot worse on arrival. Big building, smoke coming from every floor. So we transmitted the second alarm to get more manpower there.

And then I want to thank Slate Hill Fire Department for showing with their fast team. And the standby companies that showed up into the city to cover the city while we were up at the fire.

July was the hottest month for us, but we did 104 calls, which is kind of busy for us. I shouldn't say kind of busy. It's real busy for us.

And then August as of right now, we're at 62 for the month. So these new members got to get -- got to get them in. Got to get them trained, and get them outfitted with the gear, and they can get on the streets. And that's all

I have.

PRESIDENT J. MIGUEL RODRIGUES: Any questions for the fire chief? Alderman Witt.

ALDERMAN KEVIN WITT: Thank you, Chief. Just for anyone who may be watching, did these new firefighters get assigned a company or are they choosing a company?

DON LUIS: It really -- it depends on if they come with a company in mind. If they don't, we actually have -- it's not really a formal committee, but we do have guys that walk them around every apparatus, all (indiscernible) fire houses.

They kind of show them the trucks. If you want to be an engine company or a truck company, or you want to do some rescue and EMS. We show them all that. If they come -- you know, if they come with that, we send them to that company.

We forward -- after Andrew does the background check, we forward the information to that company so they can accept. If they don't, we try to -- if they're not afraid of heights, we try to give them to a truck company.

You know, if they're afraid of heights,

we try to find an engine company that's a little low on manpower, and we send them to them.

ALDERMAN KEVIN WITT: Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Anyone else? Thanks, Chief. Police Chief.

JOHN EWANCIW: Good evening. Since our last meeting, the only real event that we had was night out against crime. So I appreciate all the support.

We had a great turnout, beautiful night. Probably one of the best nights that we've had for that event in a long time. We weren't threatening with rain or anything like that, but we appreciate all the support.

Other than that, I've emailed you all the other concerns that have gone on over the last couple of weeks. And if you have any questions or concerns.

PRESIDENT J. MIGUEL RODRIGUES: Any question? Alderman Witt.

ALDERMAN KEVIN WITT: Thank you, Chief. Just something that's come up in our ward, but also, I've seen it on social media about solicitation with like -- I know specifically Frontier has been, you know, knocking or claiming

to be Frontier.

At my house, one person had identification, one didn't. Like what are the rules that you can share about who can knock on doors in those situations? If you could help with that, that'd be awesome. Thank you.

JOHN EWANCIW: So for door-to-door solicitation, you need a city permit. You have to file with the clerk.

Mr. McCormack gives us information of who has active permits. We've advised because of the Frontier situation. We advise our staff that they didn't have a permit at the time. I don't know if they do at this point, but going back a couple weeks they did not.

So we encourage people if they're unsure, they could call the police department. We're able to come up, interview them, get information, and make sure that they have the proper permits.

And make sure that they're actually from that organization, and that they're not just out there trying to scam people. But please call. Encourage people to call us.

PRESIDENT J. MIGUEL RODRIGUES: Anyone

else? Thank you, Chief. DPW commissioner.

JACOB TAWIL: Good evening, all. We'll start with Alderman Masi. The reservoirs are at 90 percent full.

Obviously, we're having some dry weather last month, just to know what the numbers are. July as an example. The average monthly for July is about five and a half inches per month. We only had 1.6 inches.

In August this month, we only had so far, 3.6 inches. But most of it happened in one day in August -- on August 1st, which is not good for us for all the rain to come down all at once and then dry the whole month.

So it's basically two dry months. It's -- that's why we're down to 90 percent. But we are within an average -- annual average or storage. We're in very good shape.

But as usual, we take the necessary steps to start setting up for skimming operations from the auxiliary, or supplemental water sources that we have.

Capital projects, I'm just going to run through them. If you have any questions, please stop me, or ask me about them at the end of this

segment of my presentation.

Parking garage moving on very well.
Orange & Rockland is doing the wires, rerouting.
After that, the GC will jump in. He's very
anxious to jump in.

Court is moving very -- court project
is moving well. Traffic operation is winding
down, doing some touch up and (indiscernible)
items.

Designed for the low-pressure water
line from the water treatment plant down to
Monhagen Avenue is ongoing. Designed for the
water -- raw water lines from (indiscernible)
over to (indiscernible) phase one only,
partially. Halfway through basically. It's
ongoing as well.

Before you there is a resolution
tonight to award the bids for replacing the water
department garage, and the street department
garage. So we would appreciate your support for
that award.

Now I just -- I rushed through this so
that I can focus. Just to carry on what the
mayor was saying about the governor, and the help
from the state.

And I just want to call out in particular Congressman Ryan, Pat Ryan, because he just -- I shared with you an award that we just had for a million dollar from the EPA.

That's a million dollar towards the raw water line infrastructure. And that goes back to the 2024 round of EPA, and earmarks, and congressional -- congressional -- basically federal government appropriating the fund.

So he gave us \$3.5 million dollars before, and a million dollar now. And he has us on the list for another million dollar for the same raw water line for phase two. And that's for 2026. So we're waiting for Congress to vote on it.

So I mean, this congressman has been tremendous for us with all the money he's providing for us for -- with his office. They really focus on the infrastructure and the water means that nobody sees.

Everybody opens -- expects to open the faucet and see water coming out. It doesn't matter -- you know, they don't care. Not they don't care, of course they care. But they want to make sure that the water is coming out.

But some of the water mains in the ground, they are -- they go back to 19 -- sorry, 1887. In Lake Avenue as an example. Some of our raw -- finished water line.

Raw water line meaning before the water is treated. That's what raw water line is. Coming from the reservoirs all the way to the water treatment plant. That's miles and miles away from the city. It's all 1900. Go back to 1900 water lines.

So Congressman Ryan with the support of the mayor, support of Senator Skoufis, and Assemblywoman Kay, with their letters of support to the federal government. To the EPA supporting Congressman Ryan, has been tremendous help.

And for that, I just wanted to call the congressman out, you know, along with what the mayor said about the governor. He's been tremendous asset to us, supporting us throughout.

With that, I will conclude. If you have any questions about any of the projects, or the grant awards, let me know. Otherwise, I will conclude.

PRESIDENT J. MIGUEL RODRIGUES: Any questions for Jacob? Thank you, Jacob.

Superintendent of Recreation.

RAELYNN BERTHOLF: Good evening, everyone. I just want to start by thanking Anna and Dave Madden. My daughter and wife ran the race this past Saturday. It was incredible.

The medal that my seven-year-old got is -- she is so proud. And for her to complete four miles is a major accomplishment, and she's excited to start doing this every year. So thank you.

To Netta and her family, thank you for all that you do. Just like Netta, I grew up in Davidge Park. We grew up playing, and grew up going to Gino's as well.

So we are so happy to partner with Netta, and bring the free ice cream to the children. And the bathing suits was an awesome touch for the summer.

It's unfortunate that we do have to turn a lot of families away at the pools for not having proper swimwear.

So offering that opportunity to collect bathing suits, and for us to hand out to the kids who do get turned away was a great touch. And we are truly appreciative of that.

So far summer, we've completed Little People Playtime in our sports camp. I'll just give a brief rundown of our numbers for camps this summer.

Week one at Little People Playtime, which is held in our building, we had 26. Week two, 35. Week three, 33. Week four, 32. Week 5, 33. And week six, 26.

Those numbers may seem low, but it's Little People Playtime. So it's four-, five-, and six-year-olds. So that is a lot of four-, five-, and six-year-olds. So total duplicated, 187 kids throughout the summer. Four, five, and six.

Sports camp, week one, 75. Week two, 111. Week three, 132. Week four, 122. Week five, 122. And week six, 113. Total duplicated, 675.

I would definitely like to thank Amy Creeden, and the city school district of Middletown, for giving us the opportunity to be housed in Monhagen Middle School again this summer.

It's a complete game changer being able to be inside, and have access to different areas

throughout the school building. And the amazing facilities that they have outside is so incredible. So thank you, Amy Creeden, and staff.

Lauren Burr and food services. If you don't know, when we are able to be in the school, sign your kid up for camp because they are getting a hot breakfast and a hot lunch every single day served from food services. The kids eat good there.

They had baked barbecue chicken one day, and the kids had it all over their face. They were so happy with their meals that they got every single day.

And it's all free of charge thanks to Lauren Burr and her food services, and everything that they do. So thank you.

We have one week left of pools, and one week left of playgrounds. Once those complete, at a meeting in September, I will have some numbers and estimates for you for those.

Playgrounds, we are looking to revamp those for next summer. We're working with food services now. We want to make sure that we are still giving the free lunches out to the kids.

But if you've been around to the parks during the day, it is like a ghost town. The kids are not coming out at all. We're paying counselors to be there.

They have ideas, they are -- they want to work. They want to do activities with the kids, but they're just not coming out anymore.

Last summer we revamped it again, and tried to do mobile and like pop up things. Not that it was a complete bust, but the numbers are just so -- still so incredibly low. But we're looking.

If everything goes according to plan, applying for the grant funding with the Youth Bureau and getting -- still getting funding for that.

But also working with food services to hopefully, have two evening sites later in the day. Maybe it's the heat that's keeping them in.

So we're working with Lauren Burr and food services to possibly offer dinner meals at two sites. And have counselors there late afternoon into early evening.

And having our two playground sites at the -- our two pool areas, (Indiscernible) and

Davidge. And serving the meals right at the pools with counselors there to do activities with the kids.

So hopefully, being at a pool site will increase our pool numbers. And also increase the amount of lunches that we're giving out, and the amount of kids that we're able to serve. Any questions?

PRESIDENT J. MIGUEL RODRIGUES: Any questions? Alderman Kleiner.

ALDERMAN GERALD KLEINER: Thank you. We have a resolution. I don't know that it specifies it, but to name the new mountain bike trail, lakeside (indiscernible).

So I just wanted to -- you to mention Ryan and --

RAELYNN BERTHOLF: Yes. Ryan (Indiscernible) who was recognized at our recreation commission.

He has done an incredible job, and he has that can't stop won't stop when it comes to those reservoir mountain bike trails. There was a typo on that. I'm not sure if it was corrected. It is only .5 miles.

ALDERMAN GERALD KLEINER: It was

corrected.

RAELYNN BERTHOLF: Okay.

ALDERMAN GERALD KLEINER: Yes.

RAELYNN BERTHOLF: But Ryan, he's just continuous -- continuing to create new trails. I'm working now to try and get our trails updated, with the help of Maria Bruni, updated on the trail maps.

So when visitors are coming, we can get new maps out of the reservoir trails that highlight all the new mountain bike trails, indicated by a specific color. Distinguishing from the hiking trails, the mountain biking trails.

But thank you, Ryan. He's done an incredible job, his crew. And he's -- he can't stop. He's addicted to it. So thank you, Ryan. Thank you, Alderman.

PRESIDENT J. MIGUEL RODRIGUES: All right. Anyone else? Thank you, Raelynn. City clerk.

CLERK RICHARD MCCORMACK: Good evening. Just a reminder to the community, citywide yard sale is just a few weeks away. It's September 13th.

We saw some select spots open at Erie Way Park Pavillion. You can sign up through the website. We're looking forward to it. Hopefully the weather will be on our side this time.

Just in response to Alderman Witt's comments about Frontier. All the solicitors that come into the city of Middletown get permitted through the office of the clerk.

We run background checks on all of them. I have been in touch with Frontier since their incidents occurred. And they assured me that they will be in to fill out the paperwork -- the appropriate paperwork, and pay the fees associated with it.

And hopefully, that'll be resolved sooner rather than later. That's it.

PRESIDENT J. MIGUEL RODRIGUES: The clerk had somebody knock on his door too, right?

CLERK RICHARD MCCORMACK: Frontier had real bad luck. They came to my house. That's how we found out they were doing it without a permit. That's just bad luck right there.

PRESIDENT J. MIGUEL RODRIGUES: Any questions for the clerk? All right. Thank you. Marhsall (Indiscernible), Alderman Masi.

ALDERMAN JOSEPH MASI: Nothing this evening.

PRESIDENT J. MIGUEL RODRIGUES:
Alderman Witt.

ALDERMAN KEVIN WITT: Thank you. Just quickly. Part of Governor Hochul's visit to Middletown, involved a stop at the Middletown school district.

I was not there in this capacity. It was actually a very tight group, invitation only essentially. I was there as support staff for my job with the school district.

And I just wanted -- you know, I mention it because obviously, if things are going well for the school district. And we've talked about it, how it affects the city in a positive way for people.

And a couple of things. When she came up to the high school, she was there for an hour and fifteen minutes. I mean, in and out. And it was -- she was there because she has an edict that all schools, K-12, will be cell phone free this year during the school day.

And she's making these round table discussions. And Middletown actually was one of

the first people -- first people, first school districts in the state to actually do this.

So it was kind of a natural stop here. And she had -- she showed up, and she thought she was at a college campus the way the high school looked. So that was kind of a nice thing to hear.

And her people even, when they did their walk through in the beginning, they wanted to try to find a place for her to have her press conference. And we showed them well; we have this college and career center.

We may have remembered how we got like a book, and that was what we have. Now there's three people working there, including two guidance counselors and a financial aid person.

And the people said well this isn't going to work because it doesn't look like a high school. So then we tried some of our collaborative spaces.

And again, well this doesn't really look like a high school. So she wanted to be looking like she was at a high school. So we found a science room with a periodic table.

So that was the backdrop for the press

conference. That's what they wanted. That was fine. But just the -- had a chance to -- she had a chance to ask questions and speak of our superintendent, our principal, and even three young people.

One who recently graduated, and two rising seniors. All three of them said that there was an adjustment period when this happened with no phones, but at the end of the day, they think it's a good thing that it happens. That there is a cell-free environment, and then the way they work it there.

So I just wanted to share that part of it since we were kind of piggybacking all of it. So thank you very much.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Green.

ALDERMAN ANDREW GREEN: Yeah. I quickly just want to say a big overall thank you to everyone who has volunteered their time, or volunteered food from their business.

We hear such great stories from our local businesses who all give back. And those who volunteer, whether it be fire departments, or for, you know, the various runs, or community

events that go on.

Really overall, I think the theme we've heard tonight was just thank you. So, thanks.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Kleiner.

ALDERMAN GERALD KLEINER: Thank you. I also want to thank the Maddens. And the turnout was spectacular at the Run4Downtown.

You know, there's just so much work that goes into that. So looking forward to next year.

We had a constituents meeting last Monday, and I want to thank Commissioner Tawil, who came out and answered people's questions. And that was very helpful.

Frontier, I'm not surprised. Nothing about them surprises me anymore. I also want to thank Detectives Bailey and Barone.

They did a lot of work to solve a case of somebody shooting themselves in the leg. And then claiming that that they were robbed, and making up stories.

So there's a lot of immediate hard work by the police department, and they did a terrific job. Also thank Senator Skoufis for the \$10,000

grant.

And I want to mention that the grant -- the legislative grant, the \$4,999 that I think Raelynn mentioned. That was from Legislator Michael Paduch. So thank him for that.

Others, I think I'll wait until we get to the resolutions. But the night out was terrific, and thank the police department and everyone involved with that. Looking forward to the barbeque next month.

In Israel on Sunday, you would never know it from the American media, but there were five million people who came out to protest the war in Gaza. The genocide in Gaza. The -- using hunger and starvation. And it's just horrendous.

And we can only hope, as I've said, that the -- in 2026 we actually have elections. And that the elections are free and fair because right now, they're doing everything they can to change the rules.

Going to try and prevent mail-in-voting. That that makes it very difficult for people without easy access to -- getting to vote.

And it's just -- I hope people stand up and don't put up with it. I hope the courts help

us. And we'll see what happens.

But you know, if you don't like the job reports, and you don't like the reports, just fire people and put in your influencers, and your loyalists, and your other totally unqualified people.

I would like to see local Republicans speaking up about what's going on in Washington. And all the -- all the really horrendous cuts. I don't hear much from local Republicans.

And another \$150 billion to ICE is not going to help us as a country. It's not going to make America great again. Thank you.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Wray.

ALDERMAN KATE WRAY: Good evening. I don't really have anything this evening. I just wanted to shout out Netta who left already.

But it really does take a village. And if we can fill our village with more people like her and her family, I think we would see amazing things happen. That's all I have tonight.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Johnson.

ALDERMAN PAUL JOHNSON: With respect to

the school districts, I will admit I winced when that started with Ms. Creeden and the phones.

It's not always good to be ahead of the curve. Sometimes it can be dangerous, but it certainly has stayed her well. And she's been the trendsetter in a very good way.

The governor came and it's a great thing. And we look at superstructure, we look at sidewalks, we look at traffic lights, we look at windows, we look at buildings.

But tonight's exemplifying the fact that Middletown is made for people. And the Madden's are exemplary of why we're happy to have people.

And certainly Netta's story. I probably gave away more than I sold. That's a quote we should all take to the bank, and thank her very much for that. Thank you.

PRESIDENT J. MIGUEL RODRIGUES:
Alderman Jean-Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Yes.
Good evening. I've got to say, Anna and Dave, I'm very proud of you guys. You guys are a huge asset to the city of Middletown.

I happened to be in Rockland County this week and visit a family member, in which

they had family members that reside in Middletown.

And all they talked about is Run4Downtown. And that made me feel real proud about what you guys do in the community. So thank you once again. Job well done. Thank you.

PRESIDENT J. MIGUEL RODRIGUES:
Alderman Tobin.

ALDERMAN SPARROW TOBIN: I would also like to thank Dave and Anna Madden for the outstanding event. It gets better and better each year.

I also have colleagues that tell me, it's so cool down there. It's a lot of fun, and I see them racing. I was doing the watering station near the Lions Club, near the (indiscernible) garage.

And just so proud of everybody getting out there. Got people in shape, people working on it. It was -- everybody's proud of what they're doing. So it's a great event.

Another great event was the night for -- Night Out Against Crime. I'd like to thank the police department and Chief Ewanciw. It's so family friendly and it's -- you just feel so

comfortable down there. And so, great job.

That's it.

PRESIDENT J. MIGUEL RODRIGUES: New business.

CLERK RICHARD MCCORMACK: Good evening. We have a resolution sponsored by Alderman Masi, accepting the resignation of Thomas Murtagh as Chairman of the Board of Electrical Engineer Examiners.

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

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.
Resolution sponsored by Alderman Witt confirming
the mayor's appointment of Sixto Martinez to the
Electrical Licensing Board.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Witt. Seconded
by Alderman Johnson. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carried.
Resolution sponsored by Alderman Green
authorizing cooperation between the city of
Middletown, and the Orange-Ulster -- the Orange-
Ulster Board of Cooperative Educational Services
for literacy classes.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Green. Seconded
by Alderman Tobin. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Witt authorizing
the acceptance of two handcrafted bike stands for
parking lots on the reservoir trails.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Witt. Seconded
by Alderman Wray. Any discussion? Alderman
Kleiner.

ALDERMAN GERALD KLEINER: I just wanted
to mention, they were donated by the shop
Fabrication Welding and Machinery. That's the
business in Florida and New York. So thank you

for the donations.

PRESIDENT J. MIGUEL RODRIGUES: Anyone
else? Roll.

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Witt, authorizes

in the naming of the new Middletown Reservoir
Mountain Bike Trail.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Witt. Seconded
by Alderman Kleiner. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Masi declaring surplus equipment, and authorizing the transfer in lieu of payment.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Masi and seconded by Alderman Green. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.
Resolution sponsored by Alderman Johnson
authorizing an \$800 budget transfer within the
2025 civil service budget.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Johnson.
Seconded by Alderman Kleiner. Any discussion?
Roll.

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Jean-Francois,
declaring surplus equipment and authorizing its
sale at auction.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Jean-Francois.
Seconded by Alderman Johnson. Any discussion?
Roll.

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: It carries.
Resolution sponsored by Alderman Masi,
authorizing budget transfers within the capital
fund to close out completed projects.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Masi. Seconded
by Alderman Green. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderwoman Wray,
authorizing the wholesale waiver agreement with
the New York State Workers' Compensation Board.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Wray. Seconded
by Alderman Tobin. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Tobin,
authorizing an agreement with Stratagem Security
for panic button alarm monitoring services.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Tobin. Seconded
by Alderman Jean-Francois. Any discussion?
Roll.

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: It carries.
Resolution sponsored by Alderman Witt,
authorizing a budget transfer for camp
scholarships.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Witt. Seconded
by Alderman Masi. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: It carries.
Resolution sponsored by Alderman Masi,
authorizing a budget transfer within the water
department.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Masi. Seconded
by Alderman Kleiner. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: It carries.
Resolution sponsored by Alderman Kleiner,
authorizing a budget transfer and reimbursement
to the Business Improvement District for
Maintenance and Beautification Program.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Kleiner.

Seconded by Alderman Johnson. Any discussion?

Roll.

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: It carries.

Resolution sponsored by Alderman Masi,
authorizing the acceptance of county grants and a
budget amendment.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Masi. Seconded
by Alderman Wray. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: It carries.

Resolution sponsored by Alderman Green,
authorizing the acceptance of a grant award from
Senator James Skoufis, and a budget amendment.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Green. Seconded
by Alderman Kleiner. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: It carries.
Resolution by Alderman Johnson, authorizing a
contract with advanced testing for Special
Inspection Services for the South Street Parking
Garage.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Johnson.
Seconded by Alderman Jean-Francois. Any
discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: It carries.
Resolution sponsored by Alderman Jean-Francois,
awarding a contract for roof replacements at the
water building and street building, and
authorizing a budget transfer.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution by Alderman Jean-Francois. Seconded
by Alderman Wray. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: It carries.
Resolution sponsored by Alderman Johnson,
authorizing a \$12,200 budget transfer from within
the Department of Public Works 2025 budget.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Johnson.
Seconded by Alderman Green. Any discussion?

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: I'm sorry.

PRESIDENT J. MIGUEL RODRIGUES: Go
ahead.

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-

Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President

Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: It carries.

Resolution sponsored by Alderman Kleiner,
authorizing the transfer of funds for Water
Supply Safe Yield Study and Engineering Services.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Kleiner.

Seconded by Alderman Johnson. Any discussion?

Roll.

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: It carries.

Resolution sponsored by Alderman Tobin,
authorizing the appointment of Luis Hernandez,
Luis Reyes Lopez, Eden Lugo, Mitch Williams,
Dazlyn Gomez, Tahree Smith, Noel Rodrigues,

Alexander Hernandez, Christopher Perez, Randy Aleman, Atta Ullah, Benjamin Primeaux, Jose Contreras, and Lavar Atkinson as volunteer firefighters.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Tobin. Seconded by Alderman Masi. Any discussion? Alderman Johnson.

ALDERMAN PAUL JOHNSON: Congratulations to the Rodrigues family.

PRESIDENT J. MIGUEL RODRIGUES: Thank you. Anyone else? Roll.

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: It carries.
That's it for new business.

PRESIDENT J. MIGUEL RODRIGUES: Audit.

ALDERMAN JOSEPH MASI: Mr. President, I
move the accounts be audited, the claims fee
adjusted, and the city treasurer be authorized to
issue warrants for the payment.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution by Alderman Masi. Seconded by
Alderman Green. Roll.

CLERK RICHARD MCCORMACK: Tobin.

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois.

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson.

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray.

ALDERMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner.

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green.

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt.

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi.

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues.

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: It passes.

PRESIDENT J. MIGUEL RODRIGUES: Move
for adjournment.

SOME: Aye.

C E R T I F I C A T I O N

I, Sonya Ledanski Hyde, certify that the foregoing transcript is a true and accurate record of the proceedings.



Sonya M. Ledanski Hyde

Veritext Legal Solutions

330 Old Country Road

Suite 300

Mineola, NY 11501

Date: September 5, 2025



**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
AUGUST 19, 2025**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
 - 3.1. Accept the Minutes of June 3, 2025
 - 3.2. Accept Minutes of June 17, 2025
 - 3.3. Accept Minutes of August 4, 2025
4. CORRESPONDENCE, COMMUNICATION AND REPORTS
5. FOR THE GOOD OF THE CITY
 - 5.1. Special Recognition: recognize Netta Macri of Strawberry Fields
6. REMARKS OF THE MAYOR
7. REMARKS OF THE DEPARTMENT HEADS
8. PUBLIC HEARINGS AND GRIEVANCES
9. PETITIONS AND COMPLAINTS
10. REMARKS OF THE ALDERMAN AND REPORTS OF THE COMMITTEES
11. UNFINISHED BUSINESS
12. NEW BUSINESS
 - 212- Resolution Accepting the Resignation of Thomas Murtagh as Chairman of the
25 Board of Electrical Examiners
 - 213- Resolution Confirming the Mayor's Appointment of Sixto Martinez to the Electrical
25 Licensing Board

- 214- Resolution Authorizing Cooperation Between the City of Middletown and the
25 Orange-Ulster Board of Cooperative Educational Services for Literacy Classes
- 215- Resolution Authorizing the Acceptance two (2) hand-crafted bike stands for
25 parking lots on Reservoir trails.
- 216- Resolution Authorizing the Naming of a new Middletown Reservoir Mountain Bike
25 Trail
- 217- Resolution Declaring Surplus Equipment and Authorizing Transfer in Lieu of
25 Payment
- 218- Resolutions Authorizing an \$800 Budget Transfer within the 2025 Civil Service
25 Budget
- 219- Resolution Declaring Surplus Equipment and Authorizing Sale at Auction
25
- 220- Resolution Authorizing Budget Transfers within the Capital Fund to Close Out
25 Completed Projects
- 221- Resolution Authorizing a Wholesale Waiver Agreement with NYS Workers'
25 Compensation Board
- 222- Resolution Authorizing an Agreement with Stratagem Security for Panic Button
25 Alarm Monitoring Services
- 223- Resolution Authorizing a Budget Transfer for Camp Scholarships
25
- 224- Resolution Authorizing a Budget Transfer within the Water Budget
25
- 225- Resolution Authorizing Budget Transfer and Reimbursement to the Business
25 Improvement District (BID) for Maintenance/Beautification Program
- 226- Resolution Authorizing Acceptance of County Grants and Budget Amendment
25
- 227- Resolution Authorizing Acceptance of Grant Award from Senator James Skoufis
25 and Budget Amendment
- 228- Resolution Authorizing Contract With Advance Testing For Special Inspection
25 Services – South Street Parking Garage
- 229- Resolution Awarding Contract For Roof Replacements At Water Building And
25 Street Building, And Authorizing a Budget Transfer
- 230- Resolution Authorizing a \$12,200 Budget Transfer from within the Department of
25 Public Works 2025 Budget
- 231- Resolution Authorizing Transfer Of Funds For Water Supply Safe Yield Study And

25 Engineering Services

232- Resolution Appointing Luis Hernandez, Luis Reyes Lopez, Eden Lugo, Mitchell
25 Williams, Dazlyn Gomez, Tahree Smith, Noah Rodrigues, Alexander Hernandez,
 Christopher Perez, Randy Aleman, Atta Ullah, Benjamin Primeaux, Jose Contreras,
 and Lavar Atkinson as Volunteer Firefighters

13. LOCAL LAWS

14. AUDIT OF CLAIMS AND ACCOUNTS

14.1. Resolution Authorizing the Accounts be Audited, Claims Adjusted, and the
 Treasurer be Authorized to Issue Warrants for their Payment

15. ADJOURNMENT



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

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderman Witt
Date of Adoption: August 19, 2025
Index No:

**I hereby certify that the attached is a true
copy of a Resolution and/or Local Law
adopted by the City of Middletown Common
Council.**


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Accept the Minutes of June 3, 2025

Accept the Minutes of June 3, 2025

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	06.03.25 CC Minutes
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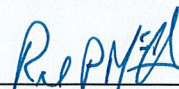


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderman Witt
Date of Adoption: August 19, 2025
Index No:

**I hereby certify that the attached is a true
copy of a Resolution and/or Local Law
adopted by the City of Middletown Common
Council.**


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Accept Minutes of June 17, 2025

Accept Minutes of June 17, 2025

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	06.17.25 CC Minutes
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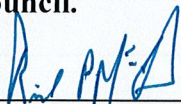


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderman Witt
Date of Adoption: August 19, 2025
Index No:

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Accept Minutes of August 4, 2025

Prepared by:

Attachments:

1.	08.04.25 CC Minutes
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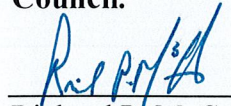


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

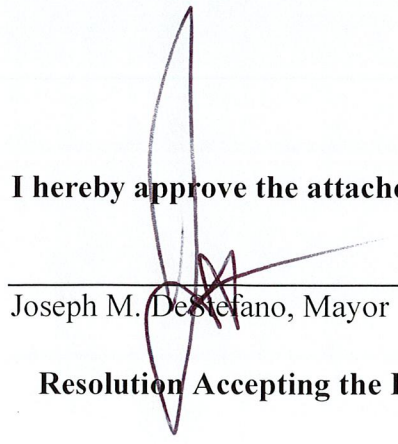
By: Alderman Masi
Seconded by: Alderman Green
Date of Adoption: August 19, 2025
Index No: 212-25

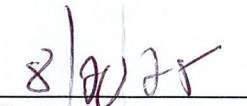
**I hereby certify that the attached is a true
copy of a Resolution and/or Local Law
adopted by the City of Middletown Common
Council.**


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. Desiderano, Mayor


Date

**Resolution Accepting the Resignation of Thomas Murtagh as Chairman of the Board of
Electrical Examiners**

Be it resolved that the Common Council of the City of Middletown hereby accepts the resignation of Thomas Murtagh from the Board of Electrical Examiners effective September 1, 2025.

Prepared by:
Rick McCormack, City Clerk

Attachments:

None

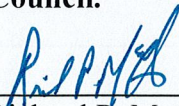


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

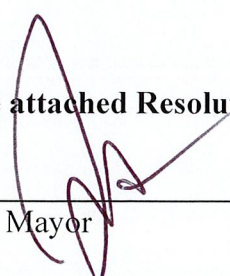
By: Alderman Witt
Seconded by: Alderman Johnson
Date of Adoption: August 19, 2025
Index No: 213-25

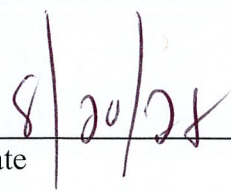
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Resolution Confirming the Mayor's Appointment of Sixto Martinez to the Electrical Licensing Board

WHEREAS, there is hereby established in and for the City of Middletown a Board of Electrical Examiners consisting of six members, appointed by the Mayor and confirmed by the Common Council, in accordance with the provisions of the City Code; and

WHEREAS, the Board includes *one City Inspector of Buildings or the municipal officer performing that duty*; and

WHEREAS, Walter Welch, who previously served in this capacity, has retired, thereby vacating his seat on the Board; and

WHEREAS, Sixto Martinez has been appointed by the Mayor as the City's Building Inspector

and is therefore eligible to serve in this role on the Board of Electrical Examiners;

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Middletown hereby concurs with the Mayor's appointment of **Sixto Martinez** to the Board of Electrical Examiners to fill the unexpired term of Walter Welch, said term to expire on **December 31, 2025**, and to serve without compensation in accordance with City Code provisions.

Prepared by:
Rick McCormack, City Clerk

Attachments:

None

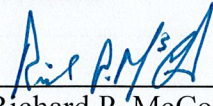


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

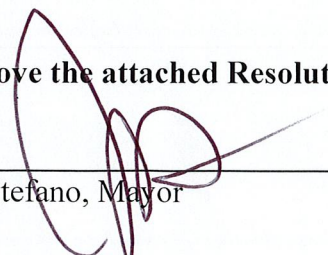
By: Alderman Green
Seconded by: Alderman Tobin
Date of Adoption: August 19, 2025
Index No: 214-25

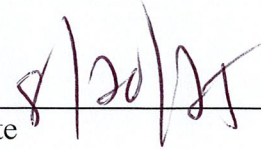
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Resolution Authorizing Cooperation Between the City of Middletown and the Orange-Ulster Board of Cooperative Educational Services for Literacy Classes

BE IT RESOLVED, by the Common Council of the City of Middletown, concurs with the Board of Estimate and Apportionment that the City of Middletown is hereby authorized to enter into a cooperative agreement with the Orange-Ulster Board of Cooperative Educational Services for the purpose of providing literacy classes for the benefit of the citizens of Middletown and the surrounding community, subject to the approval and financing of the Bureau of Adult and Continuing Education of the New York State Education Department; and

BE IT FURTHER RESOLVED, the Common Council of the City of Middletown, concurs with the Board of Estimate and Apportionment that the Mayor of the City of Middletown is hereby authorized to execute any and all agreements, documents, or instruments necessary to effectuate the intent of this resolution. The program will begin on or about September 2, 2025, and will end on or before June 30, 2026.

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

1.	MOU City of Middletown 25.26
----	------------------------------

ADMINISTRATION

Deborah McBride Heppes
Chief Operating Officer

Kerri B. Stroka
Deputy Superintendent

Mark P. Coleman
Assistant Superintendent
Finance and Management Services

Thomas M. Bongiovi
District Superintendent



BOARD MEMBERS

Eugenia S. Pavak, President
William M. Boss, Vice-President

Michael Bello
Lawrence E. Berger
Martha Bogart
David Eaton
Edwin A. Estrada

Sharleen Depew
Clerk of the Board

Division of Adult Education

Director
Sara Puccio
845-291-0300 x10310

Assistant Director
Russell Burns Ed.D
845-291-0300 x10320

Coordinator of Adult and Continuing Education
Lori Yakawiak, Ph. D.
845-781-6715 x10823

Assistant Coordinator
Renee Mulligan
845-291-0300 x 10335

Newburgh Adult Learning Center
3 Washington Center,
First Floor
Newburgh, NY 12550

Adult Education at Amy Bull Crist Area Education Center on Gibson Road
53 Gibson Road
Goshen, NY 10924

LETTER OF AGREEMENT BETWEEN THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF ORANGE AND ULSTER COUNTIES AND CITY OF MIDDLETOWN

The Orange-Ulster Board of Cooperative Educational Services (herein called OU BOCES), 53 Gibson Road, Goshen, New York and the City of Middletown, 16 James Street, Middletown, New York will combine their resources to provide literacy classes for the benefit of the citizens of Middletown and the surrounding community, subject to approval and financing by the Bureau of Adult and Continuing Education of the New York State Education Department. The program will begin on or about September 2, 2025 and will end on or before June 30, 2026.

Obligations assumed by OU BOCES:

1. To aid in the establishment of literacy classes to include English as a Second Language (ESL).
2. The classes will meet as mutually agreed upon.
3. The instructors and facilitators for the program will be selected, supervised and paid by OU BOCES.
4. No tuition charges for this program will be made by OU BOCES to the CITY OF MIDDLETOWN.
5. OU BOCES will be the sole agent responsible for accepting requests for registrations, contacting new students and arranging for their admission to class.
6. Preference for admission to the program will be given to individuals from the CITY OF MIDDLETOWN and the surrounding area.

Obligations assumed by the CITY OF MIDDLETOWN:

1. The CITY OF MIDDLETOWN will provide suitable classroom space.
2. Individuals seeking literacy services will be advised of pertinent information relative to the nature of the program, its duration, and the time and days that the class meets.
3. The CITY OF MIDDLETOWN will make no monetary charge for the use of the facilities to either OU BOCES or the students in the program.

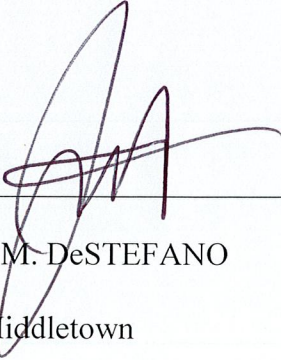
Additional obligations of OUBOCES and the CITY OF MIDDLETOWN:

- a. The OU BOCES shall provide during the life of this agreement general liability and property damage liability covering its operations and use of the premise under this agreement, the limits of coverage to be \$1,000,000 for any one accident, subject to a limit of \$1,000,000 for bodily injury, including wrongful death, for any one person. Property damage liability coverage shall be \$500,000 for each occurrence. All such insurance policies shall be written in the name of OU BOCES, and shall name the Externship Facility as an additional insured, the originals of said policies shall at all times on file with OU BOCES with a certificate of insurance to be issued the Externship Facility. OU BOCES has a \$10,000,000 umbrella policy.
- b. Each party shall indemnify, defend and hold the other harmless from and against any and all claims, suits, actions, causes of action, damages, judgments, liabilities, fines, penalties and expenses, including reasonable attorney fees and litigation costs, arising out of the indemnifying party's intentional or negligent acts or omissions. This provision shall survive any expiration, termination or non-renewal of this Agreement.
- c. This Agreement shall be governed by the laws of the State of New York. Any lawsuit arising under the terms and conditions of this Agreement shall be brought in the Supreme Court of the State of New York for the County of Orange.
- d. This Agreement constitutes the entire agreement between the parties and supersedes all prior negotiations, representations or agreements either oral or written. It may not be modified except by a writing signed by parties.

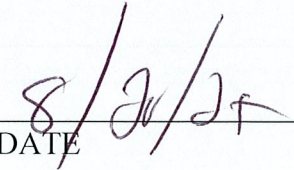
This agreement shall commence on September 2, 2025 and end on June 30, 2026. OU BOCES shall have the option to renew this agreement for an additional like period upon written notice to the Facility no less than thirty (30) days of the termination of this agreement, or as otherwise agreed to by both parties in writing.

KERRI STROKA
Deputy Superintendent
Orange-Ulster BOCES

DATE



JOSEPH M. DeSTEFANO
MAYOR
City of Middletown



DATE

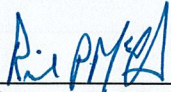


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

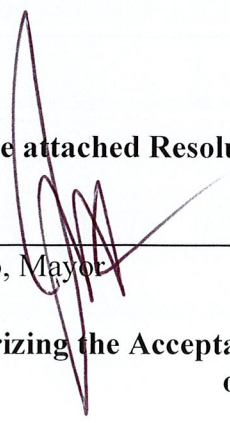
By: Alderman Witt
Seconded by: Alderwoman Wray
Date of Adoption: August 19, 2025
Index No: 215-25

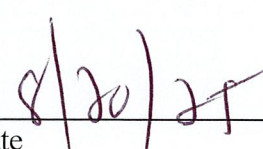
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Resolution Authorizing the Acceptance two (2) hand-crafted bike stands for parking lots on Reservoir trails.

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and accepts a donation of two (2) hand-crafted bike stands from *The Shop, Fabrication, Welding and Machinery* out of Florida, NY. These bike stands will be placed in the Vanduzer parking lot and Highland Lakes Parking lot.

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

None

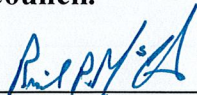


CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

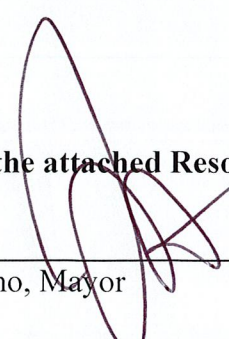
By: Alderman Witt
Seconded by: Alderman Kleiner
Date of Adoption: August 19, 2025
Index No: 216-25

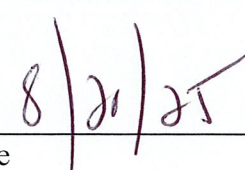
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Resolution Authorizing the Naming of a new Middletown Reservoir Mountain Bike Trail

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and accepts the name of a new Middletown Reservoir Mountain Bike Trail.

Lakeside Burner - .5 mile loop

Named for the location and extreme temperatures Ryan Yasika faced while building this trail during the June 2025 heatwave. It is located between the Black Trail and Highland Lakes Road at the tip of Highland Lake. Lakeside Burner will eventually connect to the Black Trail.

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

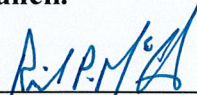


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

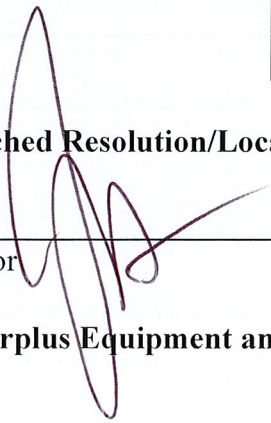
By: Alderman Masi
Seconded by: Alderman Green
Date of Adoption: August 19, 2025
Index No: 217-25

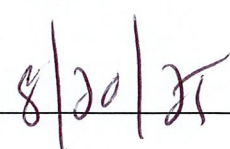
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

Resolution Declaring Surplus Equipment and Authorizing Transfer in Lieu of Payment

BE IT RESOLVED, that the Common Council of the City of Middletown, New York, concurs with the Board of Estimate and Apportionment to declare the following equipment as surplus property:

- **One (1) 2008 Dodge Dump Truck** (currently out of service), requiring a new transmission and minor repairs with an estimated repair cost of \$11,213.00 (per attached quote from Hollywood Towing and Auto).

•

BE IT FURTHER RESOLVED, that the Common Council concurs with the Board of Estimate and Apportionment authorizes the transfer of said vehicle to Pool Plus as payment in lieu of monetary compensation for services rendered, specifically \$4,900 in completed repairs at the

Sproat Street Pool (per attached documentation).

Prepared by:

Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

1.	Hollywood
2.	Pool Plus
3.	2008 Dodge Dump

HOLLYWOOD TOWING & AUTO

Date 7/14/20

Name	City of Middleton	Parks & Rec	Home Phone
Address	16 Stans Street	Work Phone	
City	Middleton	State	N.Y.
Year	08	Model	Ram 3500
Make	Dodge	Prod Date	8/6/16
VIN	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Zip	10940
INSTRUCTIONS:	☐ SAVE OLD PARTS	☐ CALL WHEN READY	Promised For
			AM PM
1	Vehicle Needs New Transmission		AMOUNT
2	Floyd W / Labor		
3	Replace Tangle Converter	18 hours	
4	Rusted Transmission	18 hours	
5			
6			
7			
8			
9			
10			
11			

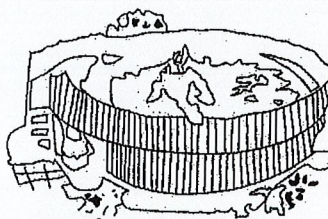
SIGNED X

Terms: STRICTLY CASH unless Arrangements Made

Item No. 150

ABOVE GROUND POOLS ☆ INSTALLATION & SALES

2709 Route 17M
New Hampton, NY 10958
(845) 343-7587



Customer City of Middleton Truck & Rec Date 5/28/28

Address 16 Vans St

City Middletown State NY Phone 845 346-1400

Maintain strict caution when using pools and pool equipment, especially when children and minors are involved.

QUANTITY	ITEM / DESCRIPTION	PRICE
	Replace 4 Commercial inground skimmers Demolition up concrete Install New Skimmers to existing plumbing Seal and cement New Skimmers to existing block Pour New Walkway	ALL BALANCES MUST BE PAID BY CASH OR CERTIFIED CHECK. X
	Job: Great Street Pool	

Integrity of pool foundations are not guaranteed by Pools Plus, Inc. If excavated by others. X

The parties hereto have read the terms of this receipt before signing same and hereby agree that no oral statement, remark, agreement or understanding not contained herein will be recognized or enforced.

IMPORTANT - PLEASE NOTE: MERCHANDISE IN FACTORY PACKAGING

1. Pool must be installed on solid level surface as per manufacturers instructions.
2. As per manufacturer's instructions, mound earth around pool sidewall.
3. Filter and Pool should be properly grounded. GFI only.
4. Check filter manual or town ordinances for #3 above.
5. For health and proper filter operation, correct chlorine content is important.
6. **WARNING** - Diving in pools less than 8 feet deep is prohibited - Running and horseplay are dangerous.

X

NO REFUNDS - Pools Plus, Inc. will issue **Pools Plus, Inc.** credit slips only. This applies to all merchandise including charge account purchases. Merchandise returned for credit must be in original factory packaging and returned within 15 days from date of purchase and accompanied by original sales receipt. No credits or exchanges on specially ordered merchandise.

Certain specific merchandise comes with a manufacturer's warranty. No oral statement, remark, agreement or understanding not contained in the manufacturer's warranty will be recognized or enforced.

In the event of either customer error or Pools Plus, Inc. error, both parties agree to 48 hours to rectify.

Town ordinance requirements, permits and water are customer's responsibility. Installation by **Pools Plus, Inc.** will be under separate agreement and contract.

Customer Signature

Agent

X

MIDDLETOWN CITY
DEPT OF PARKS&REC
16 JAMES ST
MIDDLETOWN NY 10940

00137

CERTIFICATE OF TITLE



NEW YORK STATE



NEW YORK STATE

www.nysdmv.com

Title and Identification No.

3D6WH46A68G214616
3D6WH46A68G214616

Year

2008

Make

DODGE

Model Code

R35

Body/Hull

DUMP

Document No.

241784L

Color

WH

Wt./Sts./Lgth.

8472

Fuel

DIE

Cyl./Prop.

6

New or Used

NEW

Type of Title

VEHICLE

Date Issued

7/29/08

Name and Address of Owner(s)

MIDDLETOWN CITY
DEPT OF PARKS&REC
16 JAMES ST
MIDDLETOWN NY 10940

ODOMETER READING:

00007

ACTUAL MILEAGE

00007

This document is your proof of ownership for this vehicle, boat or manufactured home. Keep it in a safe place, not with your license or registration or in your vehicle or boat. To dispose of your vehicle, boat or manufactured home, complete the transfer section on the back and give this title to the new owner.

Lienholder

Lienholder

* NO LIENS RECORDED *

* NO LIENS RECORDED *

Lienholder

Lienholder

* NO LIENS RECORDED *

* NO LIENS RECORDED *

MV-999 (7/03)

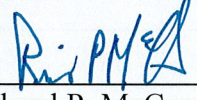


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

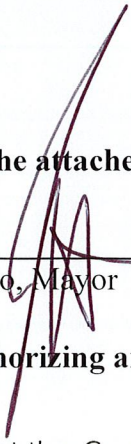
By: Alderman Johnson
Seconded by: Alderman Kleiner
Date of Adoption: August 19, 2025
Index No: 218-25

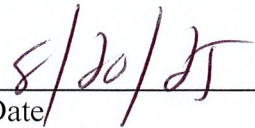
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Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Resolutions Authorizing an \$800 Budget Transfer within the 2025 Civil Service Budget

BE IT RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$800, in the following manner,

FROM	TO	AMOUNT
A.1430.400	A.1430.480	\$800
Contractual Services	Office Expense	

To cover the cost of advertisement for a public meeting in September and additional office supplies.

Prepared by:

Attachments:

1.	Civil Service Budget Transfer request 8.11.25
----	---

Emailed Leonora 8-7-25

MEMO

To: Board of Estimate

From: Pam Welch Civil Service

Date: August 06, 2025

Re: Transfer of funds

Please include in the next Board of Estimate meeting the following transfer of funds.

Transfer \$800.00 from my contractual account #1430.400 to my Office expenses account #1430.480.

I will need to advertise in the Times Herald Record for a public meeting in September which wasn't budgeted for, and more envelopes and office supplies.

Thank you,

Pamela J. Welch

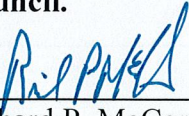


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

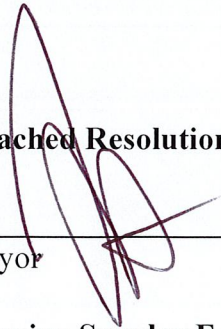
By: Alderman Jean-Francois
Seconded by: Alderman Johnson
Date of Adoption: August 19, 2025
Index No: 219-25

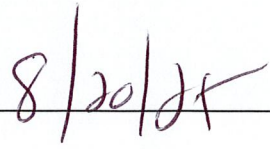
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Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

Resolution Declaring Surplus Equipment and Authorizing Sale at Auction

BE IT RESOLVED, that the Common Council of the City of Middletown, New York, concurs with the Board of Estimate and Apportionment to declare the following vehicles as surplus equipment and authorizes their sale at public auction through Auctions International:

• **2003 Ford F550**

- VIN: 1FDAF57P03ED59029
- Plate: AL6958
- Reason: Dump and compactor are rotted and rusted; vehicle starts but will not go into gear due to possible transmission issue.

- **2008 Chevy Suburban**

- VIN: 1GNFC16048J140127
- Plate: AZ4531
- Reason: Requires brakes and rotors; when braking, vehicle pulls to the right. Will no longer pass inspection; check engine light is on; main frame is rusted badly.

BE IT FURTHER RESOLVED, that the proceeds from the auction shall be deposited into the appropriate City account in accordance with municipal finance procedures.

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

1.	Surplus
----	---------



Vehicle Surplus Form



Vehicle Make: Ford

Vehicle Model: F-550 super duty

Vin: 1FDA57P03ED59029

Plate: A 6958

Reason for Surplus: it dosent move and very
rusty. Dump & compactor is rotted. ~~Starts but~~
Possible transmission issue.

Name: Matt Lybolt

Date: 8/8/25
7/29/25

Signature: Matt Lybolt



Vehicle Surplus Form



Vehicle Make: Chevy

Vehicle Model: Suburban

Vin: 1GWTG16048J140127

Plate: A 4531

Reason for Surplus: Drives - Rotors wont pass
inspection Engine light on.

Name: Matt Lybolt Date: 8/8/25
7/29/25

Signature: Matt Lybolt

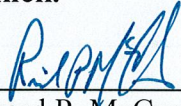


CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderman Green
Date of Adoption: August 19, 2025
Index No: 220-25

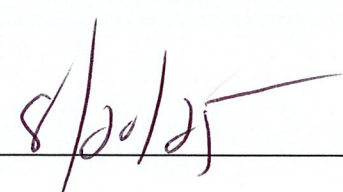
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Resolution Authorizing Budget Transfers within the Capital Fund to Close Out Completed Projects

BE IT RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the Treasurer to transfer \$122,571.03, in the following manner in order to close out capital projects in the Capital Funds,

FROM	AMOUNT	TO
------	--------	----

H.7110.027	\$28,970.63	
------------	-------------	--

A_2023 P&R WAR MEMORIAL POOL
HOUSE FLOORING_BI

Use towards 2024 BAN payment

H.3410.203

A_2023 FIRE COMPUTER
REPLACEMENT_EQUIP

7.10

Use towards 2024 BAN payment

H.7110.209

A_2023 P&R 4 BLEACHERS (1 FOR
WOLSLAYER FIELD & 3 FOR WATTS
PARK) EQUIP 268.09

Use towards 2024 BAN payment

CLOSE OUT PROJECTS BELOW

H.0747.201 1,084.74

A_STREET 2021 DODGE RAM 3500 &
JEEP CHEROKEE

Return to General Fund

H.7110.213 520.16

A_2023 WOLSLAYER FIELD
FOOTBALL SCOREBOARD EQUIP

Return remaining proceeds to Debt Service
Fund

H.0842.900

G_2012WWTP PHASE I/EFC.GENERAL
EXPENSE 23,315.95

Return funds to Sewer Fund

H.0855.900 1,209.00

G_2023 SEPTAGE RECEIVING UNIT

Return Funds to Sewer Fund

H.0868.900 17,915.54

F_2012 W/S MAINS/MANHOLE
REPAIR.GENERAL EXPENSE

Return funds to Water Fund

H.3120.206

A_2023 POLICE REPLACEMENT OF
HEATING AND COOLING SYSTEM BI 3,420.00

Return to General Fund

H.7110.208 0.31

A_2023 P&R 1 CHEVROLET 5500 MED.
DUTY SPREADER DUMP SNOW PLOW
TRUC: REPLAC. 2008

Return to General Fund

H.0941.900

A_2017 STREETSCAPE DRI GRANT 5,887.10

Return to General Fund

H.0912.900	39,972.41
Return to General Fund	
TOTAL	\$122,571.03

H.0995.495
UNSPENT PROCEI
EXPENSE

Prepared by:
Leonora Liz, Treasurer

Attachments:

1.	BOE Request Close Out Capital Projects
----	--



DEPARTMENT OF FINANCE City Of Middletown

Leonora Liz
Treasurer

16 James Street
Middletown, NY 10940
Tel: (845) 346-4150
Fax: (845) 343-1101

August 11, 2025

To: The Board of Estimate From: Leonora Liz, Treasurer

I am requesting to close out the following Capital Projects be closed and proceeds are distributed accordingly. See attached list.

Sincerely,

FROM	AMOUNT	TO
H.7110.207	28,970.63	
A_2023 P&R WAR MEMORIAL POOL HOUSE FLOORING_BI		
Used toward 2024 BAN payment		
H.3410.203		
A_2023 FIRE COMPUTER REPLACEMENT_EQUIP	7.10	
Used toward 2024 BAN payment		
H.7110.209		
A_2023 P&R 4 BLEACHERS (1 FOR WOLSLAYER FIELD & 3 FOR WATTS PARK) EQUIP	268.09	
Used toward 2024 BAN payment		
CLOSE OUT PROJECTS BELOW		
H.0747.201	1,084.74	
A_STREET 2021 DODGE RAM 3500 & JEEP CHEROKEE		
Return to General Fund		
H.7110.213	520.16	
A_2023 WOLSLAYER FIELD FOOTBALL SCOREBOARD_EQUIP		
Return remaining proceeds to Debt Service Fund		
H.0842.900		
G_2012WWTP PHASE I/EFC.GENERAL EXPENSE	23,315.95	
Return funds to Sewer Fund		
H.0855.900	1,209.00	
G_2023 SEPTAGE RECEIVING UNIT		
Return Funds to Sewer Fund		
H.0868.900	17,915.54	
F_2012 W/S MAINS/MANHOLE REPAIR.GENERAL EXPENSE		
Return funds to Water Fund		
H.3120.206		
A_2023 POLICE REPLACEMENT OF HEATING AND COOLING SYSTEM_BI	3,420.00	
Return to General Fund		
H.7110.208	0.31	
A_2023 P&R 1 CHEVROLET 5500 MED. DUTY SPREADER DUMP SNOW PLOW TRUC:		
REPLAC. 2008		
Return to General Fund		
H.0941.900	5,887.10	
A_2017 STREET SCAPE DRI GRANT		
Return to General Fund		
H.0912.900	39,972.41	
A_2015 WOOLWORTH PROJECT DRI GRANT		
total	122,571.03	H.0995.495
		UNSPENT PROCEEDS FOR DEBT EXPENSE



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

THE FOLLOWING WAS PRESENTED

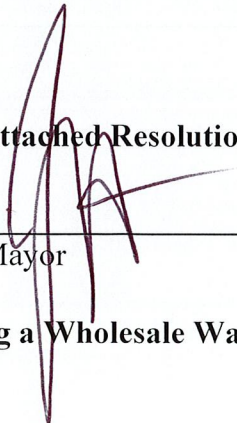
By: Alderwoman Wray
Seconded by: Alderman Tobin
Date of Adoption: August 19, 2025
Index No: 221-25

**I hereby certify that the attached is a true
copy of a Resolution and/or Local Law
adopted by the City of Middletown Common
Council.**


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 8/20/25

Resolution Authorizing a Wholesale Waiver Agreement with NYS Workers' Compensation Board

BE IT RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes an agreement with NYS Workers' Compensation Board to receive a settlement of \$318,028 for older claims.

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

Prepared by:
Leonora Liz, Treasurer

Attachments:

1.	First Amendment to Wholesale Waiver Agreement (City of Middletown) - FINAL 7.31.25
----	--

FIRST AMENDMENT TO WHOLESALE WAIVER AGREEMENT
BETWEEN
THE NYS WORKERS' COMPENSATION BOARD AND THE CHAIR THEREOF,
THE NYS WORKERS' COMPENSATION BOARD'S WAIVER AGREEMENT
MANAGEMENT OFFICE,
AND
THE CITY OF MIDDLETOWN
EXECUTED OCTOBER 26, 2022

THIS FIRST AMENDMENT to the Wholesale Waiver Agreement ("**Agreement**") is entered into by and among (1) **the New York State Workers' Compensation Board and the Chair thereof** (the "**Board**"), in the Board's capacity to oversee and manage the Special Disability Fund ("**SDF**"), as created in Workers' Compensation Law ("**WCL**") §14(6) and §15(8), and in the Board's capacity, pursuant to the authority set forth in WCL §§32(a)-(i), to, among other items, including but not limited to those related to the SDF, approve waiver agreements; (2) **the Board's Waiver Agreement Management Office ("WAMO")**, pursuant to the authority set forth in WCL §§32(e)-(i); (3) and **The Self-Insured Employer, City of Middletown** (the "**SIE**"); The Board, WAMO, and **SIE** are collectively referred to below as the "**Parties**" and individually as a "**Party**." This Agreement shall be effective as of the date on which it is fully executed by all Parties ("**Effective Date**").

WHEREAS, the Parties executed a Wholesale Waiver Agreement on October 26, 2022 ("**Wholesale Waiver Agreement**"), for workers' compensation claims covered by the SIE. Exhibit A, as attached to the Wholesale Waiver Agreement, lists workers' compensation claims entitled to reimbursement pursuant to WCL §§ 14(6) and/or 15(8) that were known to be covered by the SIE at the time of execution of the Wholesale Waiver Agreement;

WHEREAS, pursuant to the terms of the Wholesale Waiver Agreement, the SIE waived entitlement to reimbursement pursuant to WCL §14(6) and/or § 15(8) for the claims listed in Exhibit A to the Agreement;

WHEREAS, at the time of execution of the Wholesale Waiver Agreement there was a pending WCL Section 32 Retail Settlement pending for one of the claims (30209932) for which the SIE was liable and for which the SIE was entitled to reimbursement pursuant to WCL §14(6) and/or § 15(8);

WHEREAS, the claim was included in the Wholesale Waiver Agreement with no compensation provided to the SIE for waiving entitlement to reimbursement pursuant to WCL §14(6) and/or § 15(8) for the claim due to the pending WCL Section 32 Settlement Agreement;

WHEREAS, after execution of the Wholesale Waiver Agreement, the WCL Section 32 Settlement Agreement failed to be fully executed by the relevant parties, leaving liability for the claim with the SIE; and

WHEREAS, notwithstanding the language in Article I of the Wholesale Waiver Agreement, "Waiver," which provides that the Waiver applies to "any and all claims contained in Exhibit A, and any and all claims in which liability under WCL §§ 14(6) and 15(8) has or could potentially apply," the Board and the SIE have agreed that the Board will provide additional compensation to the SIE for the claim in exchange for the waiver of reimbursement pursuant to WCL §§ 14(6) and 15(8) for the claim.

NOW THEREFORE, in consideration of the mutual benefits to be received by the Parties hereto and the mutual covenants and agreements herein contained, the Parties hereby agree as follows:

1. Article I of the Wholesale Waiver Agreement, "Waiver," is deleted in its entirety and replaced with a new Article I, "Waiver," which reads as follows:

Section 1.01 Subject to the receipt by the SIE of the Consideration set out in Section 3.01, the SIE, hereby irrevocably release the Board, WAMO, the SDF, the Special Funds Conservation Committee and their predecessors, successors, assigns, agents, representatives, employees, officers, and directors, from any and all reimbursement claims, liabilities, adjustments, obligations, offsets, actions, litigation costs and fees, causes of action, proofs of claim, suits, debts, sums of money, accounts, reckonings, bonds, bills, covenants, contracts, conversions, agreements, promises, damages, judgments, claims, third-party liens and demands whatsoever, whether known, unknown or suspected, arising out of, or in connection with or in any manner related to any and all claims contained in Exhibit A.

2. Upon the best information and belief of the SIE, the SIE will make all the representations, warranties and covenants set forth in Section 2.01 of the Wholesale Waiver Agreement, "Warranties and Covenants," as of the date of execution hereof.
3. Upon the best information and belief of the Board and WAMO, the Board and WAMO, as applicable, collectively make all the representations, warranties and covenants set forth in Section 2.02 of the Wholesale Waiver Agreement, "Warranties and Covenants," as of the date of execution hereof.
4. Article III of the Wholesale Waiver Agreement, "Consideration," is deleted in its entirety and replaced with a new Article III, "Consideration," which reads as follows:

Section 3.01 The Board and WAMO agree to pay the SIE the sum of One Million Seven Hundred Ninety-Three Thousand Seven Hundred One Dollars and 00/100 (\$1,793,701) from the SDF for the waiver of the SIE's right to seek reimbursement under WCL §§ 14(6) or 15(8) for any and all past, present, and future claims under the Liquidated Insurer Policies (the "**Consideration**").

The Parties acknowledge and agree that the Board and WAMO have already made payment in the amount of One Million, Four Hundred Seventy-Five Thousand, Six Hundred Seventy-Three Dollars and 00/100 (\$1,475,673), and that such payment was made on or about November 1, 2022.

Payment of the remaining Three Hundred Eighteen Thousand Twenty-Eight Dollars and 00/100 (\$318,028) shall be made no later than thirty (30) days following the Effective Date of this Agreement (the "**Completion Date**").

Notwithstanding the foregoing, if the Completion Date occurs on a weekend or a holiday, then the payment must be completed by the end of the next business day. The Board shall make the above captioned payments via first class mail or by Automated Clearing House (ACH) to the SIE.

5. All other terms and conditions of the Wholesale Waiver Agreement shall remain in full force and effect, except to the extent that they are inconsistent with the terms and conditions of this First Amendment.
6. Execution and Approval of this First Amendment.

Section 8.01 Each Party to this Agreement represents that it is authorized to enter into this Agreement and the transactions contemplated herein.

Section 8.02 Each signatory to this Agreement represents that said signatory is authorized and empowered to execute this Agreement and the transactions contemplated herein and that any and all required approval(s) on its behalf have been properly obtained and that the Agreement is entered into voluntarily.

Section 8.03 In signing this Agreement, Joseph DeStefano, Mayor of City of Middletown, represents and attests that he has the authority to bind the SIE to the terms and conditions of this Agreement, and by signing does so bind said Parties to all of the terms and conditions of this Agreement.

Section 8.04 Electronic execution. This Agreement may be signed and exchanged by email or regular/certified/overnight mail and this Agreement as so signed and exchanged will constitute the binding Agreement of the Parties. Delivery of an executed signature page to this Agreement by facsimile or in electronic format (e.g., ".pdf" or ".tif") shall be effective as delivery of a manually executed Agreement.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the Parties have hereunto set their hands as of the dates set forth.

CITY OF MIDDLETOWN

By: _____

Name: Joseph DeStefano
Title: Mayor, City of Middletown
Date:

**DIRECTOR OF THE WAIVER AGREEMENT MANAGEMENT OFFICE, [or designee],
NEW YORK STATE WORKERS' COMPENSATION BOARD**

By: _____

Name: Valerie Vander Wal
Title: Supervising Attorney
Date:

**DIRECTOR OF FINANCE [or designee], NEW YORK STATE WORKERS'
COMPENSATION BOARD, AS ADMINISTRATOR OF THE SPECIAL DISABILITY
FUND**

By: _____

Name: Kelly Kurposka
Title: Director of Finance
Date:

CHAIR [or designee], NEW YORK STATE WORKERS' COMPENSATION BOARD

By: _____

Name: Keith Longden
Title: Acting General Counsel
Date:



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

THE FOLLOWING WAS PRESENTED

By: Alderman Tobin
Seconded by: Alderman Jean-Francois
Date of Adoption: August 19, 2025
Index No: 222-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

8/20/25

Resolution Authorizing an Agreement with Stratagem Security for Panic Button Alarm Monitoring Services

BE IT RESOLVED, that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes an agreement with Stratagem Security Systems to monitor the Panic Button System at City Hall, the Recreation and Parks Department, and the Mulberry Senior Center at a rate of 149.85 per month, through December 2025.

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

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	City of Middletown - Panic Systems - Monitoring Agreement
----	---

STRATAGEM SECURITY INC.
2 Westchester Plaza
Elmsford, NY 10523
(914) 777-5700

STANDARD COMMERCIAL SECURITY AGREEMENT

Date: 06/01/2025

Subscriber's Name: City of Middletown New York

Telephone No.: (845)346-4100

Address: 16 James Street Middletown NY 10940

1. STRATAGEM SECURITY INC. (hereinafter referred to as "STRATAGEM" or "ALARM COMPANY") agrees to sell, install and program, at Subscriber's premises, and Subscriber agrees to buy, an electronic security system consisting of the equipment and services described in the **attached Schedule of Equipment and Services**.

Purchase Price: \$ _____ Approximate date work to begin _____
Taxes: \$ _____ Estimated date work to be substantially completed _____
Total: \$ _____
Down Payment: \$ _____
Balance due upon completion of installation: \$ _____

2. DESCRIPTION OF EQUIPMENT AND SERVICES:

Check Services Provided:

☒ Monitoring ☐ Service ☐ Inspection ☐ Remote Subscriber Access/Cameras ☐ Access Control Administration
☐ Alarm Signal Verification ☐ Guard Response ☒ Other: (See Attached Schedule of Equipment and Services.)

3. PASSCODE TO CPU SOFTWARE REMAINS PROPERTY OF STRATAGEM: Provided Subscriber performs this agreement for the full term thereof, upon termination ALARMCOMPANY shall at its option provide to Subscriber the passcode to the CPU software or change the passcode to the manufacturer's default code. Software programmed by STRATAGEM is the intellectual property of STRATAGEM and any unauthorized use of same, including derivative works, is strictly prohibited and may violate Federal Copyright laws, Title 17 of the United States Code, and may subject violator to civil and criminal penalties. The Equipment shall remain personal property and shall not be considered a fixture, or an addition to, alteration, conversion, improvement, modernization, remodeling, repair or replacement of any part of the realty, and Subscriber shall not permit the attachment thereto of any apparatus not furnished by STRATAGEM.

CHECK BOX FOR APPROPRIATE SERVICES:

4. SERVICES AND CHARGES. Only services selected are included: All recurring charges are billed [select one option]:

☐ Monthly ☐ Quarter Annually ☐ Semi Annually ☒ Annually In Advance

(a) **CENTRAL STATION MONITORING CHARGES:** Subscriber agrees to pay STRATAGEM:

☐ (i) The sum of \$ _____, plus tax for the installation and programming of the communication software and communication devices if separate from the alarm panel if not already installed.

☐ (ii) The sum of \$ 149.85, plus tax, per month, payable in advance for the monitoring of the Security System for the term of this agreement commencing on the first day of the month next succeeding the date hereof, and continuing monthly thereafter, all payments being due on the first of the month: ☐ Telephone ☒ Cellular/Radio ☐ High Speed Internet Monitoring ☐ Intrusion ☒ Panic Alarm
☒ Other: **(See attached Schedule of Equipment and Services.)**

☐ (b) **SERVICE (Strike out i or ii)**

☒ (i) Subscriber agrees to pay STRATAGEM on a per call basis. If this agreement provides for service on a per call basis, Subscriber agrees to pay STRATAGEM for all parts and labor at time of service. Subscriber is not obligated to call STRATAGEM for per call service and STRATAGEM is under no duty to provide service except its warranty service during warranty period. Service by anyone other than STRATAGEM during warranty period relieves STRATAGEM of any further obligations under the Limited Warranty. Initial here for per call service option _____

☐ ~~(ii) Subscriber agrees to pay STRATAGEM for service of the alarm equipment the sum of \$ _____ plus tax, per month, payable in advance for the term of this agreement, commencing the first day of the month next succeeding the date hereof, all payments being due on the first of the month.~~

☐ (c) **INSPECTION:** Subscriber agrees to pay STRATAGEM \$ _____ plus tax, per month, payable in advance for the term of this agreement for inspection service. If this option is selected STRATAGEM will make an annual inspection of the security system. Unless otherwise noted in the Schedule of Equipment and Services inspection service includes testing of all components to insure proper working order. If UL Certified the inspection will comply with UL Requirements. STRATAGEM will notify Subscriber 30 days in advance of inspection date, and it is Subscriber's responsibility to reschedule or permit access. Only one scheduled inspection is included. Testing at inspection insures only that components are in proper working order at time of inspection unless otherwise reported to Subscriber at time of inspection. Inspection does not include repair.

☐ (d) **ALARM SIGNAL VERIFICATION:** Subscriber agrees to pay STRATAGEM the sum of \$ _____ plus tax, per month, for the term of this agreement. If Subscriber selects Alarm Signal Verification as a service to be provided, or if Alarm Signal Verification is required by law, STRATAGEM or its designated central office shall verify the alarm signal by electronic telephone communication, video verification or such other verification system deemed appropriate by STRATAGEM or as required by local law and only verified alarm conditions shall be communicated to police or fire department.

☐ (e) **REMOTE SUBSCRIBER ACCESS / FOR VIDEO STREAMING DATA [VSD] / CLOSED CIRCUIT TV [CCTV]:** Subscriber agrees to pay STRATAGEM the sum of \$ _____ plus tax, per month for the term of this agreement. Select remote access / video services to be provided:

☐ Local DVR ☐ Central Station Remote Video Monitoring for Streaming Video Data
☐ Video Clips Monitored Upon Alarm Activation Only ☐ Verification video clips ☐ Data Storage and Retrieval
☐ Remote Access By Subscriber ☐ Other (describe): _____

☐ (f) **ACCESS CONTROL ADMINISTRATION SERVICES:** Subscriber agrees to pay STRATAGEM the sum of \$ _____ plus tax, per month, for the term of this agreement. Select Access Control Administration services to be provided:

☐ Remote Access Administration ☐ On-site Administration ☐ Data Storage ☐ Data Backup

☐ (g) **GUARD RESPONSE:** Subscriber agrees to pay STRATAGEM the sum of (select payment method) \$ _____ plus tax, per month for the term of this agreement (or \$ _____ plus tax per guard response).

ONE YEAR

5. **TERM OF AGREEMENT: RENEWAL:** The term of this agreement shall be for a period of ~~five years~~ and shall automatically renew month to month thereafter under the same terms and conditions, unless either party gives written notice to the other by certified mail, return receipt requested, of their intention not to renew the agreement at least 30 days prior to the expiration of any term. After the expiration of one year from the date hereof STRATAGEM shall be permitted from time to time to increase the monitoring charge by an amount not to exceed nine percent each year and Subscriber agrees to pay such increase. STRATAGEM may invoice Subscriber in advance monthly, quarterly, or annually at STRATAGEM's option.

6. **CENTRAL OFFICE MONITORING SERVICES:** Upon receipt of a signal from Subscriber's alarm system, STRATAGEM or its designee central office shall make every reasonable effort to notify Subscriber and the appropriate municipal police or fire department depending upon the type of signal received. Not all signals will require notification to the authorities and subscriber may obtain a written response policy from STRATAGEM. No response shall be required for supervisory, loss of communication pathway, trouble or low battery signals. Subscriber acknowledges that signals transmitted from Subscriber's premises directly to municipal police or fire departments are not monitored by personnel of STRATAGEM or STRATAGEM's designee central office and STRATAGEM does not assume any responsibility for the manner in which such signals are monitored or the response, if any, to such signals. Subscriber acknowledges that signals which are transmitted over telephone lines, wire, air waves, internet, VOIP, radio or cellular, or other modes of communication pass through communication networks wholly beyond the control of STRATAGEM and are not maintained by STRATAGEM except STRATAGEM may own the radio network, and STRATAGEM shall not be responsible for any failure which prevents transmission signals from reaching the central office monitoring center or damages arising therefrom, or for data corruption, theft or viruses to Subscriber's computers if connected to the alarm communication equipment. Subscriber agrees to furnish STRATAGEM with a written Call List of names and telephone numbers of those persons Subscriber wishes to receive notification of alarm signals. Unless otherwise provided in the Call List STRATAGEM will make a reasonable effort to contact the first person reached or notified on the list either by telephone call, text or email message. No more than one call to the list shall be required and any form of notification provided for herein, including leaving a message on an answering machine, shall be deemed reasonable compliance with STRATAGEM's notification obligation. All changes and revisions shall be supplied to STRATAGEM in writing. Subscriber authorizes STRATAGEM to access the control panel to input or delete data and programming. If the equipment contains video or listening devices permitting central office to monitor video or sound then upon receipt of an alarm signal central office shall monitor video or sound for so long as central office in its sole discretion deems appropriate to confirm an alarm condition. If Subscriber requests STRATAGEM to remotely activate or deactivate the system, change combinations, openings or closings, or re-program system functions, Subscriber shall pay STRATAGEM \$90.00 for each such service. STRATAGEM may, without prior notice, suspend or terminate its services, in central office's sole discretion, in event of Subscriber's default in performance of this agreement or in event central office facility or communication network is nonoperational or Subscriber's alarm system is sending excessive false alarms. Central office is authorized to record and maintain audio and video transmissions, data and communications, and shall be the exclusive owner of such property. All Subscriber information and data shall be maintained confidentially by STRATAGEM.

7. **SERVICE:** Service pursuant to paragraph 4(b)(ii), includes all parts and labor, and STRATAGEM shall service upon Subscriber's request the security system installed in Subscriber's premises between the hours of 9 a.m. and 5 p.m. Monday through Friday, within reasonable time after receiving notice from Subscriber that service is required, exclusive of Saturdays, Sundays and legal holidays. All repairs, replacement or alteration to the security system made by reason of alteration to Subscriber's premises, or caused by unauthorized intrusion, lightning or electrical surge, or caused by any means other than normal usage, wear and tear, shall be made at the cost of the Subscriber. Batteries, electrical surges, lightning damage, software upgrades and repairs, communication devices no longer supported by communication pathways, obsolete components and components exceeding manufacturer's useful life are not included in service and will be repaired or replaced at Subscriber's expense. No apparatus or device shall be attached to or connect with the security system as originally installed without STRATAGEM's written consent.

8. **SUBSCRIBER REMOTE ACCESS:** If Remote Access is included in the Schedule of Equipment and Services to be installed and services provided by STRATAGEM, the equipment will transmit data via Subscriber's high speed Internet, cellular or radio communication service to Subscriber's Internet connection device which is compatible with STRATAGEM's remote services. STRATAGEM will grant access to server permitting Subscriber to monitor the security system, access the system to arm, disarm and bypass zones on the system, view the remote video camera(s) and control other remote automation devices that may be installed. The remote services server is provided either by STRATAGEM or a third party. STRATAGEM shall install the camera(s) in a permissible legal location in Subscriber's premises to permit Subscriber viewing. STRATAGEM shall have no responsibility for failure of data transmission, corruption or unauthorized access and shall not monitor or view the camera data.

9. **WIRELESS AND INTERNET ACCESS CAPABILITIES:** Subscriber is responsible for supplying high speed Internet access and or wireless services at Subscriber's premises. STRATAGEM does not provide Internet service, maintain Internet connection, wireless access or communication pathways, computer, smart phone, electric current connection or supply, or in all cases the remote video server. In consideration of Subscriber making its monthly payments for remote access to the system STRATAGEM will authorize Subscriber access. STRATAGEM is not responsible for Subscriber's access to the Internet or any interruption of service or down time of remote access caused by loss of Internet service, radio or cellular or any other mode of communication used by Subscriber to access the system. Subscriber acknowledges that Subscriber's security system can be compromised if the codes or devices used for access are lost or accessed by others and STRATAGEM shall have no liability for such third party unauthorized access. STRATAGEM is not responsible for the security or privacy of any wireless network system or router. Wireless systems can be accessed by others, and it is the Subscriber's responsibility to secure access to the system with pass codes and lock out codes. STRATAGEM is not responsible for access to wireless networks or devices that may not be supported by communication carriers and upgrades to subscriber's system will be at subscriber's expense.

10. **ACCESS CONTROL SYSTEM OPERATION AND LIMITATIONS:** If selected as a service to be provided and included in the Schedule of Equipment and Services, Access Control equipment shall be connected to a computer supplied by the Subscriber and connected to Subscriber's computer network. If data storage or backup is selected service STRATAGEM or its designee shall store and/or backup data received from Subscriber's system for a period of one year. STRATAGEM shall have no liability for data corruption or inability to retrieve data even if caused by STRATAGEM's negligence. Subscriber's data shall be maintained confidential and shall be retrieved and released only to Subscriber or upon Subscriber's authorization or by legal process. Internet access is not provided by STRATAGEM and STRATAGEM has no responsibility for such access or IP address service. STRATAGEM shall have no liability for unauthorized access to the system through the Internet or other communication networks or data corruption or loss for any reason whatsoever.

11. (a) **ACCESS CONTROL ADMINISTRATION:** If selected as a service to be provided STRATAGEM will maintain the data base for the operation of the Access Control System. Subscriber will advise STRATAGEM of all change in personnel and or changes access levels of authorization and restrictions, providing Access card serial numbers or biometric data and such information that Subscriber deems necessary to identify personnel. All communication by Subscriber to STRATAGEM regarding personnel access must be in writing via email or fax to addresses designated by STRATAGEM. STRATAGEM shall have remote Internet access to the Subscriber's designated access control computer to program and make data base updates to the system. Subscriber is responsible for maintaining its computer and computer network and Internet access.

(b) **VIDEO SYSTEM OPERATION AND LIMITATIONS:** If selected as a service to be provided and included in the Schedule of Equipment and Services, Video equipment is attached to a digital recorder computer and Subscriber shall not use the computer for any other purpose. Subscriber shall be permitted to access and make changes to the system's operation on site and over the internet. If data storage is selected service, STRATAGEM shall store data received from Subscriber's system for one year. STRATAGEM shall have no liability for data corruption or inability to retrieve data even if caused by STRATAGEM's negligence. Subscriber's data shall be maintained confidential and shall be retrieved and released only to Subscriber or upon Subscriber's authorization or by legal process. Telephone or internet access is not provided by STRATAGEM and STRATAGEM has no responsibility for such access or IP address service. If system has remote access STRATAGEM is not responsible for the security or privacy of any wireless network system or router, and it is the Subscriber's responsibility to secure access to the system with pass codes and lock outs. STRATAGEM shall have no liability for unauthorized access to the system through the internet or other communication networks or data corruption or loss for any reason whatsoever.

12. **STREAMING VIDEO DATA / CCTV:** If selected as a service to be provided and included in the Schedule of Equipment, upon receipt of a video signal the video system is designed to activate in the central station and record video data reception, upon which, STRATAGEM or its designee central office, shall make every reasonable effort to notify Subscriber by email, text, or voice message and the appropriate municipal police or fire department. Subscriber acknowledges that signals transmitted from Subscriber's premises directly to municipal police or fire departments or Subscriber's internal security stations are not monitored by personnel of STRATAGEM or STRATAGEM's designee central office and STRATAGEM does not assume any responsibility for the manner in which such signals are monitored or the response, if any, to such signals. Subscriber acknowledges that signals which are transmitted through the internet, over telephone lines, wire, air waves, cellular, radio, internet, VOIP, or other modes of communication pass through communication networks wholly beyond the control of STRATAGEM and are not maintained by STRATAGEM, except STRATAGEM may own the radio network, and STRATAGEM shall not be responsible for any failure which prevents transmission signals from reaching the central office monitoring center or damages arising therefrom, or for data corruption, theft or viruses to Subscriber's computers if connected to the alarm communication equipment. Subscriber agrees to furnish STRATAGEM with a written list of names and telephone numbers of those persons Subscriber wishes to receive notification of signals. All changes and revisions shall be supplied to STRATAGEM in writing. Subscriber authorizes STRATAGEM to access the supervisory panel to input or delete data and programming. If Subscriber requests STRATAGEM to remotely activate or deactivate the system, change combinations, openings or closings, or re-program system functions, Subscriber shall pay STRATAGEM \$75.00 for each such service. STRATAGEM may, without prior notice, suspend or terminate its services, in central station's sole discretion, in event of Subscriber's default in performance of this agreement or in event central station facility or communication network is nonoperational or Subscriber's alarm system is sending excessive false alarms. Central station is authorized to record and maintain audio and video transmissions, data and communications, and shall be the exclusive owner of such property. All Subscriber information and data shall be maintained confidentially by STRATAGEM.

13. GUARD RESPONSE: If guard response is specified as a service to be provided, upon receipt of an alarm signal, STRATAGEM or its subcontractor shall as soon as may be practical send one or more of its guards to the Subscriber's premises. Unless guard determines that the alarm is a false alarm and that no situation requiring police or fire department services exist, the guard shall notify the central station or police or fire department directly that an emergency situation exists and wait up to 15 minutes for the municipal police or fire department personnel or Subscriber to arrive at the premises and if permitted by the police shall assist in making a search of the premises to determine the cause of the alarm condition. If provided with keys to the premises the guard shall endeavor to secure the premises and repair the security equipment. However, Subscriber acknowledges that the guard is not required to enter the premises or to render any service to the security equipment and shall not be required to remain stationed at Subscriber's premises for more than 15 minutes after initial arrival. Subscriber authorizes the guard to take such action the guard deems necessary to secure the premises and reset the alarm, though Subscriber acknowledges that the guard may not be able to or may not have sufficient time to secure the premises or reset the alarm and put same in working order. If Subscriber requests STRATAGEM to station its guard at the premises for more than 30 minutes, and STRATAGEM has sufficient personnel to provide such service, and STRATAGEM makes no such representation that its personnel will be available, then Subscriber agrees to pay STRATAGEM \$65.00 per half hour plus tax for such service. Subscriber agrees to confirm the request to STRATAGEM to provide extended guard service by email, text or recorded conversation to STRATAGEM at the time request is made and STRATAGEM is authorized to ignore any request not confirmed within 15 minutes.

LIMITED WARRANTY ON SALE

14. In the event that any part of the security system becomes defective, or in the event that any repairs are required, STRATAGEM agrees to make all repairs and replacement of parts without costs to the Subscriber for a period of ninety (90) days from the date of installation. STRATAGEM reserves the option to either replace or repair the alarm equipment, and reserves the right to substitute materials of equal quality at time of replacement, or to use reconditioned parts in fulfillment of this warranty. This warranty does not include batteries, electrical surges, lightning damage, software upgrades and repairs, communication devices that are no longer supported by communication pathways, obsolete components and components exceeding manufacturer's useful life. STRATAGEM is not the manufacturer of the equipment and other than STRATAGEM's limited warranty Subscriber agrees to look exclusively to the manufacturer of the equipment for repairs under its warranty coverage if any. Except as set forth in this agreement, STRATAGEM makes no express warranties as to any matter whatsoever, including, without limitation, the condition of the equipment, its merchantability, or its fitness for any particular purpose. STRATAGEM does not represent nor warrant that the security system may not be compromised or circumvented, or that the system will prevent any loss by burglary, hold-up, or otherwise; or that the system will in all cases provide the protection for which it is installed. STRATAGEM expressly disclaims any implied warranties, including implied warranties of merchantability or fitness for a particular purpose. The warranty does not cover any damage to material or equipment caused by accident, misuse, attempted or unauthorized repair service, modification, or improper installation by anyone other than STRATAGEM. STRATAGEM shall not be liable for consequential damages. Subscriber acknowledges that any affirmation of fact or promise made by STRATAGEM shall not be deemed to create an express warranty unless included in this agreement in writing; that Subscriber is not relying on STRATAGEM's skill or judgment in selecting or furnishing a system suitable for any particular purpose and that there are no warranties which extend beyond those on the face of this agreement, and that STRATAGEM has offered additional and more sophisticated equipment for an additional charge which Subscriber has declined. Subscriber's exclusive remedy for STRATAGEM's breach of this agreement or negligence to any degree under this agreement is to require STRATAGEM to repair or replace, at STRATAGEM's option, any equipment which is non-operational. This warranty gives you specific legal rights and you may also have other rights which vary from state to state. If required by law, STRATAGEM will procure all permits required by local law and will provide certificate of workman's compensation prior to starting work.

GENERAL PROVISIONS

15. DELAY IN INSTALLATION: STRATAGEM shall not be liable for any damage or loss sustained by Subscriber as a result of delay in installation of equipment, equipment failure, or for interruption of service due to electric failure, strikes, walk-outs, war, acts of God, or other causes, including STRATAGEM's negligence in the performance of this agreement. The estimated date work is to be substantially completed is not a definite completion date and time is not of the essence.

16. TESTING OF SECURITY SYSTEM: Security System, once installed, is in the exclusive possession and control of the Subscriber, and it is Subscriber's sole responsibility to test the operation of the Security System and to notify STRATAGEM if it is in need of repair. Service if provided is pursuant to paragraph 4.

17. CARE AND SERVICE OF SECURITY SYSTEM: Subscriber agrees not to tamper with, remove or otherwise interfere with the Security System which shall remain in the same location as installed. All repairs, replacement or alteration to the security system made by reason of alteration to Subscriber's premises, or caused by unauthorized intrusion, lightning or electrical surge, or caused by any means other than normal usage, wear and tear, shall be made at the cost of the Subscriber. Batteries, electrical surges, lightning damage, software upgrades and repairs, communication devices that are no longer supported by communication pathways, obsolete components and components exceeding manufacturer's useful life, are not included in warranty or service under paragraph 4(b) (ii) and will be repaired or replaced at Subscriber's expense. No apparatus or device shall be attached to or connect with the security system as originally installed without STRATAGEM's written consent.

18. ALTERATION OF PREMISES FOR INSTALLATION: STRATAGEM is authorized to make preparations such as drilling holes, driving nails, making attachments or doing any other thing necessary in STRATAGEM's sole discretion for the installation and service of the security system, and STRATAGEM shall not be responsible for any condition created thereby as a result of such installation, service, or removal of the security system, and Subscriber represents that the owner of the premises, if other than Subscriber, authorizes the installation of the security system under the terms of this agreement.

19. SUBSCRIBER'S DUTY TO SUPPLY ELECTRIC AND TELEPHONE SERVICE: Subscriber agrees to furnish, at Subscriber's expense, all 110 Volt AC power, electrical outlet, ARC Type circuit breaker and dedicated receptacle, Internet connection, high speed broadband cable or DSL and IP Address, telephone hook-ups, RJ31x Block or equivalent, as deemed necessary by STRATAGEM.

20. LIEN LAW: STRATAGEM or any subcontractor engaged by STRATAGEM to perform the work or furnish material who is not paid may have a claim against purchaser or the owner of the premises if other than the purchaser which may be enforced against the property in accordance with the applicable lien laws.

21. INDEMNITY / WAIVER OF SUBROGATION RIGHTS / ASSIGNMENTS: Subscriber agrees to indemnify and hold harmless STRATAGEM, its employees, agents and subcontractors, from and against all claims, lawsuits, including those brought by third-parties or by Subscriber, including reasonable attorneys' fees and losses, asserted against and alleged to be caused by STRATAGEM's performance, negligence or failure to perform any obligation under this agreement. Parties agree that there are no third party beneficiaries of this agreement. Subscriber on its behalf and any insurance carrier waives any right of subrogation Subscriber's insurance carrier may otherwise have against STRATAGEM or STRATAGEM's subcontractors arising out of this agreement or the relation of the parties hereto. Subscriber shall not be permitted to assign this agreement without written consent of STRATAGEM. STRATAGEM shall have the right to assign this agreement and shall be relieved of any obligations herein upon such assignment.

22. EXCULPATORY CLAUSE: STRATAGEM and Subscriber agree that STRATAGEM is not an insurer and no insurance coverage is offered herein. The security equipment and STRATAGEM's services are designed to reduce certain risks of loss, though STRATAGEM does not guarantee that no loss will occur. STRATAGEM is not assuming liability, and, therefore, shall not be liable to Subscriber for any loss, data corruption or inability to retrieve data, personal injury or property damage sustained by Subscriber as a result of intrusion, burglary, theft, hold-up, fire, equipment failure, smoke, or any other cause whatsoever, regardless of whether or not such loss or damage was caused by or contributed to by STRATAGEM's negligent performance to any degree in furtherance of this agreement, any extra contractual or legal duty, strict products liability, or negligent failure to perform any obligation pursuant to this agreement or any other legal duty. In the event of any loss or injury to any person or property, Subscriber agrees to look exclusively to Subscriber's insurer to recover damages. Subscriber releases STRATAGEM from any claims for contribution, indemnity or subrogation.

23. INSURANCE: The Subscriber shall maintain a policy of public liability, property damage, burglary and theft insurance under which STRATAGEM is named as additional insured. STRATAGEM shall not be responsible for any portion of any loss or damage which is recovered or recoverable by the Subscriber from insurance covering such loss or damage or for such loss or damage against which the Subscriber is indemnified or insured. In the event of any loss or injury to any person or property, Subscriber agrees to look exclusively to Subscriber's insurer to recover damages. Subscriber shall obtain insurance to cover any loss the security services are intended to detect to one hundred percent of the insurable value, and Subscriber and all those claiming rights under Subscriber waive all rights against STRATAGEM and its subcontractors for loss or damages caused by burglary, theft, water, smoke, fire or other perils intended to be detected by the security services or covered by insurance to be obtained by Subscriber, except such rights as they may have to the proceeds of insurance.

24. LIMITATION OF LIABILITY: Subscriber agrees that should there arise any liability on the part of STRATAGEM as a result of STRATAGEM's negligent performance to any degree or negligent failure to perform any of STRATAGEM's obligations pursuant to this agreement or any other legal duty, equipment failure, or strict products liability, that STRATAGEM's liability shall be limited to the sum of \$250.00 or 5% of the sales price or 6 times the aggregate of monthly payments for services being provided at time of loss, whichever is greater. If Subscriber wishes to increase STRATAGEM's amount of limitation of liability, Subscriber may, as a matter of right, at any time, by entering into a supplemental agreement, obtain a higher limit by paying an annual payment consonant with STRATAGEM's increased liability. This shall not be construed as insurance coverage.

25. LEGAL ACTION: The parties agree that due to the nature of the services to be provided by STRATAGEM, the monthly or other periodic payments to be made by the Subscriber for the term of this agreement form an integral part of STRATAGEM's anticipated profits; that in the event of Subscriber's default it would be difficult if not impossible to fix STRATAGEM's actual damages. Therefore, in the event Subscriber defaults in the payment or any charges to be paid to STRATAGEM, the balance of all payments for the entire term herein shall immediately become due and payable, and Subscriber shall be liable for 80% thereof as liquidated damages and STRATAGEM shall be permitted to terminate all its services, including but not limited to terminating monitoring service, under this agreement and to remotely re-program or delete any programming without relieving Subscriber of any obligation herein.

If STRATAGEM prevails in any litigation or arbitration between the parties, Subscriber shall pay STRATAGEM's legal fees. In any action commenced by STRATAGEM against Subscriber, Subscriber shall not be permitted to interpose any counterclaim. The parties agree that they may bring claims against the other only in their individual capacity, and not as a class action plaintiff or class action member in any purported class or representative proceeding. Any dispute between the parties or arising out of this agreement, including issues of arbitrability, shall, at the option of any party, be determined by arbitration before a single arbitrator administered by Arbitration Services Inc., under its Arbitration Rules www.ArbitrationServicesInc.com, except that no punitive damages may be awarded. Service of process or papers in any legal proceeding or arbitration between the parties may be made by First-Class Mail delivered by the U.S. Postal Service addressed to the party's address in this agreement or another address provided by the party in writing to the party making service. Subscriber submits to the jurisdiction and laws of New York and agrees that any litigation or arbitration between the parties must be commenced and maintained in the county where STRATAGEM's principal place of business is located. The parties waive trial by jury in any action between them unless prohibited by law. Any action by Subscriber against STRATAGEM must be commenced within one year of the accrual of the cause of action or shall be barred. All actions or proceedings against STRATAGEM must be based on the provisions of this agreement. Any other action that Subscriber may have or bring against STRATAGEM in respect to other services rendered in connection with this agreement shall be deemed to have merged in and be restricted to the terms and conditions of this agreement.

26. STRATAGEM'S RIGHT TO SUBCONTRACT SPECIAL SERVICES: Subscriber agrees that STRATAGEM is authorized and permitted to subcontract any services to be provided by STRATAGEM to third parties who may be independent of STRATAGEM, and that STRATAGEM shall not be liable for any loss or damage sustained by Subscriber by reason of fire, theft, burglary or any other cause whatsoever caused by the negligence of third parties, except that STRATAGEM shall not obligate Subscriber to make any payments to such third parties. Subscriber appoints STRATAGEM to act as Subscriber's agent with respect to such third parties, except that STRATAGEM shall not obligate Subscriber to make any payments to such third parties. Subscriber acknowledges, that this agreement, and particularly those paragraphs relating to STRATAGEM's disclaimer of warranties, exemption from liability, even for its negligence, limitation of liability and third party indemnification, inure to the benefit of and are applicable to any assignee, subcontractors and central offices of STRATAGEM.

27. NON-SOLICITATION: Subscriber agrees that it will not solicit for employment for itself, or any other entity, or employ, in any capacity, any employee of STRATAGEM assigned by STRATAGEM to perform any service for or on behalf of Subscriber for a period of two years after STRATAGEM has completed providing service to Subscriber. In the event of Subscriber's violation of this provision, in addition to injunctive relief, STRATAGEM shall recover from Subscriber an amount equal to such employee's salary based upon the average three months preceding employee's termination of employment with STRATAGEM, times twelve, together with STRATAGEM's counsel and expert witness fees.

28. FALSE ALARMS / PERMIT FEES: Subscriber is responsible for all alarm permits and fees, agrees to file for and maintain any permits required by applicable law and indemnify or reimburse STRATAGEM for any fines relating to permits or false alarms. STRATAGEM shall have no liability for permit fees, false alarms, false alarm fines, police or fire response, any damage to personal or real property or personal injury caused by police or fire department response to alarm, whether false alarm or otherwise, or the refusal of the police or fire department to respond. In the event of termination of police or fire response by the municipal police or fire department this agreement shall nevertheless remain in full force and Subscriber shall remain liable for all payments provided for herein. Should STRATAGEM be required by existing or hereafter enacted law to perform any service or furnish any material not specifically covered by the terms of this agreement Subscriber agrees to pay STRATAGEM for such service or material.

29. SECURITY INTEREST / COLLATERAL: To secure Subscriber's obligations under this agreement Subscriber grants STRATAGEM a security interest in the security equipment installed by STRATAGEM and STRATAGEM is authorized to file a financing statement.

30. CREDIT INVESTIGATION: Subscriber and any guarantor authorizes STRATAGEM to conduct credit investigations from time to time to determine Subscriber's and guarantor's credit worthiness.

31. FULL AGREEMENT / SEVERABILITY: This agreement along with the Schedule of Equipment and Services constitutes the full understanding of the parties and may not be amended, modified or canceled, except in writing signed by both parties, except STRATAGEM's requirements regarding items of protection provided for in this agreement imposed by Authority Having Jurisdiction. Subscriber acknowledges and represents that Subscriber has not relied on any representation, assertion, guarantee, warranty, collateral agreement or other assurance, except those set forth in this Agreement. Subscriber hereby waives all rights and remedies, at law or in equity, arising, or which may arise, as the result of Subscriber's reliance on such representation, assertion, guarantee, warranty, collateral agreement or other assurance. To the extent this agreement is inconsistent with any other document, agreement, purchase order or understanding between the parties, the terms of this agreement shall govern. Should any provision of this agreement be deemed void, the remaining parts shall not be effected.

**SUBSCRIBER ACKNOWLEDGES RECEIVING A FULLY EXECUTED COPY
OF THIS 4 PAGE AGREEMENT AND SCHEDULE OF EQUIPMENT AND SERVICES AT TIME OF EXECUTION.**

STRATAGEM SECURITY INC.:

SUBSCRIBER:

By: _____

Joseph M. DeStefano - Signed for The City of Middletown
Name of Subscriber to be Printed Above

Subscriber: Signature by Authorized Officer

Title of Person Signing

Subscriber agrees to have its credit card automatically charged for all charges under this agreement.

Tax ID or EIN

Subscriber: Signature by Authorized Officer

The undersigned personally guarantees Subscriber's performance of this agreement and agrees to be bound by all terms as a party herein.

Title of Person Signing

Credit Card #: _____

Signature (Name Must Be Printed Below) SS#

Expiration Date: _____ Security Code: _____

☐ Mastercard ☐ Visa ☐ American Express

Print Name

Residence Address

Cardholder's Name (As it appears on credit card)

Billing Address: _____

Subscriber's Email Address: _____

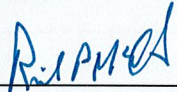


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

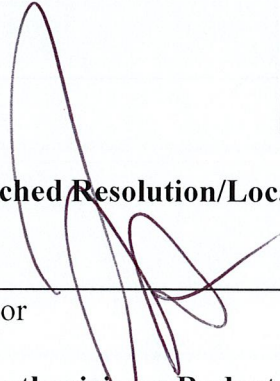
By: Alderman Witt
Seconded by: Alderman Masi
Date of Adoption: August 19, 2025
Index No: 223-25

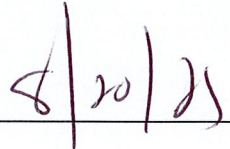
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Resolution Authorizing a Budget Transfer for Camp Scholarships

BE IT RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$2,180.00 in the following manner,

FROM	TO	AMOUNT
A.2705.07 Camp Scholarships	A.2027 Day Camp Fee	\$2,180.00

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

1.	Camp Scholarships
2.	Camp Scholarships

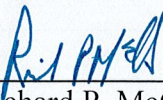


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

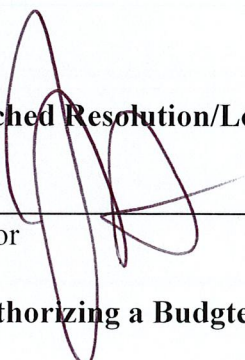
By: Alderman Masi
Seconded by: Alderman Kleiner
Date of Adoption: August 19, 2025
Index No: 224-25

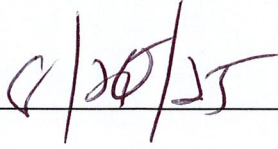
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Resolution Authorizing a Budget Transfer within the Water Budget

BE IT RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$22, in the following manner,

FROM	TO	AMOUNT
F.8320.200	F.8310.400	\$22
PUMPING STATING OTHER EQUIPMENT	Contractual Serv	

TO cover the cost of GASB 75

Prepared by:
Leonora Liz, Treasurer

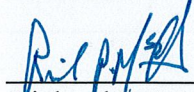


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

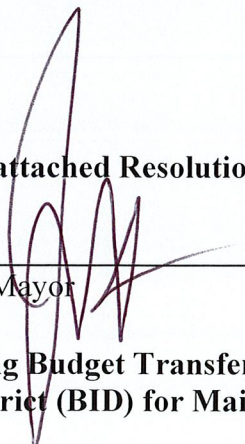
By: Alderman Kleiner
Seconded by: Alderman Johnson
Date of Adoption: August 19, 2025
Index No: 225-25

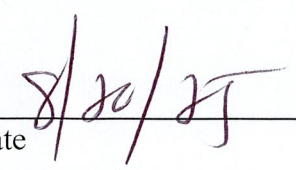
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

Resolution Authorizing Budget Transfer and Reimbursement to the Business Improvement District (BID) for Maintenance/Beautification Program

BE IT RESOLVED, that the Common Council of the City of Middletown, New York, concurs with the Board of Estimate and Apportionment, and hereby authorizes the City Treasurer to transfer funds in the amount of **Fifteen Thousand Dollars (\$15,000.00)** as follows:

FROM	TO	AMOUNT
A.9000.893	A.6200.400	\$15,000
Disability Insurance	Contractual Services	

BE IT FURTHER RESOLVED, that the Treasurer is authorized to issue payment in the amount of **\$15,000.00** to the Business Improvement District (BID) as reimbursement for the following

services performed:

- Landscaping, weeding, mulching, and heavy pruning at **Erie Way Park, Rail Trail Commons Parking Area, and Orchard Street Parking Lot;**
- Tree trimming at **Run 4 Downtown Park** and **King Street;**
- Spraying beds and sidewalks, and weeding/mulching around the **Fireman Joe Statue;**
- Spraying of all tree beds on **North Street, South Street, East Main Street, and West Main Street.**

Prepared by:
Leonora Liz, Treasurer

Attachments:

1.	8.18.25 BID BEAUTIFICATION
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Tony Monaco Landscaping, Inc

60 Scotchtown Dr

Middletown, NY 10941 US

+18452839085

mkubik@hvc.rr.com

Invoice**BILL TO**

City of Middletown Downtown Bid
District
Middletown, NY 10940

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
17716	08/12/2025	\$6,900.00	09/11/2025	Net 30	

DATE	DESCRIPTION	QTY	RATE	AMOUNT
08/12/2025	Erie Way Park - heavy pruning and trimming of bushes and trees. Removal of dead shrubs and plants. Manually pull weeds and spray herbicide. Removal of 2 flowerbeds near pavilion, topsoil, seed and hay. Remove bed around group of trees near sidewalk. Create mulch rings around trees and topsoil, seed and hay rest of area. Area near port-a-potty - supply and install the following: 3 Boxwoods 3 Perennials Supply and install brown mulch to all beds.	1	5,900.00	5,900.00T
08/12/2025	Skate Park - trimming, clean up and mulching of trees.	1	1,000.00	1,000.00T

SUBTOTAL	6,900.00
TAX	0.00
TOTAL	6,900.00
BALANCE DUE	\$6,900.00

Proposal
TONY MONACO LANDSCAPING, Inc.
60 Scotchtown Drive
Middletown, New York 10941
Phone (845)343-9772 Fax (845)343-9774

Date: July 29, 2025
Proposal: City of Middletown Downtown bid district
Phone: 845-741-6117

We hereby submit specifications and estimates for:

Behind Oak and Reed parking lot and the adjacent parking lot
Heavily pruning and trimming shrubs and trees.
Removal of dead shrubs and plants
Manually pull weeds and spray herbicide
Supply and installation of brown hardwood mulch to all beds

Total \$4,200.00

Non-prevailing wage

Payment Terms:
Balance payable upon completion of job

Plus, all applicable tax if necessary.

Restoration of lawn areas consisting of topsoil, seeding and re-mulching where needed.

PAYMENT IS DUE UPON RECEIPT OF INVOICE. A service charge of 2% per month will be added to ALL OVERDUE ACCOUNTS, also liable for all legal and collection fees.

Note: If payment is made in any other means beside cash or check 3% discount will be removed. This proposal may be withdrawn by us if not accepted within 20 days

All material is guaranteed to be as specified. Labor is guaranteed for a period of 1 year. There is no warranty on plants. All private electrical wires, pipes, sewer, etc., are the property owner's responsibility to mark before any digging. Contractor will not be held responsible. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents, or delays beyond our control. Owner is to carry, fire, tornado, and other necessary insurance.

Authorized Signature: *Anthony Monaco*

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

Signature: _____ Date: _____

Proposal
TONY MONACO LANDSCAPING, Inc.

60 Scotchtown Drive
Middletown, New York 10941
Phone (845)343-9772 Fax (845)343-9774

Date: May 9, 2023
Proposal: City of Middletown Downtown bid district
Phone: 845-741-6117

We hereby submit specifications and estimates for:

Run for Downtown Park
Raise up branches on large tree
To include tree bucket and climbing service
Clean up

Total \$1,100.00

Non-prevailing wage

Payment Terms:
Balance payable upon completion of job

Plus, all applicable tax if necessary.

Restoration of lawn areas consisting of topsoil, seeding and re-mulching where needed.

PAYMENT IS DUE UPON RECEIPT OF INVOICE. A service charge of 2% per month will be added to ALL OVERDUE ACCOUNTS, also liable for all legal and collection fees.

Note: If payment is made in any other means beside cash or check 3% discount will be removed. This proposal may be withdrawn by us if not accepted within 20 days

All material is guaranteed to be as specified. Labor is guaranteed for a period of 1 year. There is no warranty on plants. All private electrical wires, pipes, sewer, etc., are the property owner's responsibility to mark before any digging. Contractor will not be held responsible. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents, or delays beyond our control. Owner is to carry, fire, tornado, and other necessary insurance.

Authorized Signature: *Anthony Monaco*

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

Signature: *M.B. President* Date: *5/9/25*
Downtown Business Improvement District

Proposal
TONY MONACO LANDSCAPING, Inc.
60 Scotchtown Drive
Middletown, New York 10941
Phone (845)343-9772 Fax (845)343-9774

Date: May 5 2025
Proposal: City of Middletown Downtown bid district
Phone: 845-741-6117

We hereby submit specifications and estimates for:

Spray beds and sidewalks Run for Downtown Park, Jerry's Park and alleyway, Erie Way Park
Spray beds and sidewalks of Police station, City Hall and Degnan Square
Weed beds and mulch around Fireman Joe Statue.

Total \$1,900.00

Non-prevailing wage

Payment Terms:
Balance payable upon completion of job

Plus, all applicable tax if necessary.

Restoration of lawn areas consisting of topsoil, seeding and re-mulching where needed.

PAYMENT IS DUE UPON RECEIPT OF INVOICE. A service charge of 2% per month will be added to ALL OVERDUE ACCOUNTS, also liable for all legal and collection fees.

Note: If payment is made in any other means beside cash or check 3% discount will be removed. This proposal may be withdrawn by us if not accepted within 20 days

All material is guaranteed to be as specified. Labor is guaranteed for a period of 1 year. There is no warranty on plants. All private electrical wires, pipes, sewer, etc., are the property owner's responsibility to mark before any digging. Contractor will not be held responsible. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents, or delays beyond our control. Owner is to carry, fire, tornado, and other necessary insurance.

Authorized Signature: *Anthony Monaco*

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

Signature: _____

Ma. Ben, President

Date: *5/19/25*

Downtown Business Improvement District

Proposal
TONY MONACO LANDSCAPING, Inc.
60 Scotchtown Drive
Middletown, New York 10941
Phone (845)343-9772 Fax (845)343-9774

Date: May 29, 2025
Proposal: City of Middletown Downtown bid district
Phone: 845-741-6117

We hereby submit specifications and estimates for:

Spray in all sidewalk tree beds on North St., South St., E. Main St., W. Main St.

Total \$400.00

Non-prevailing wage

Payment Terms:
Balance payable upon completion of job

Plus, all applicable tax if necessary.

Restoration of lawn areas consisting of topsoil, seeding and re-mulching where needed.

PAYMENT IS DUE UPON RECEIPT OF INVOICE. A service charge of 2% per month will be added to ALL OVERDUE ACCOUNTS, also liable for all legal and collection fees.

Note: If payment is made in any other means beside cash or check 3% discount will be removed. This proposal may be withdrawn by us if not accepted within 20 days

All material is guaranteed to be as specified. Labor is guaranteed for a period of 1 year. There is no warranty on plants. All private electrical wires, pipes, sewer, etc., are the property owner's responsibility to mark before any digging. Contractor will not be held responsible. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents, or delays beyond our control. Owner is to carry, fire, tornado, and other necessary insurance.

Authorized Signature: *Anthony Monaco*

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

Signature: _____

Man B, President
Middletown BID

Date: *May 30 - 25*

Proposal
TONY MONACO LANDSCAPING, Inc.

60 Scotchtown Drive
Middletown, New York 10941
Phone (845)343-9772 Fax (845)343-9774

Date: May 5, 2025
Proposal: City of Middletown Downtown bid district
Phone: 845-741-6117

We hereby submit specifications and estimates for:

King Street Park
Raise up and trim trees
Clean up

Total \$575.00

Non-prevailing wage

Payment Terms:
Balance payable upon completion of job

Plus, all applicable tax if necessary.

Restoration of lawn areas consisting of topsoil, seeding and re-mulching where needed.

PAYMENT IS DUE UPON RECEIPT OF INVOICE. A service charge of 2% per month will be added to ALL OVERDUE ACCOUNTS, also liable for all legal and collection fees.

Note: If payment is made in any other means beside cash or check 3% discount will be removed. This proposal may be withdrawn by us if not accepted within 20 days

All material is guaranteed to be as specified. Labor is guaranteed for a period of 1 year. There is no warranty on plants. All private electrical wires, pipes, sewer, etc., are the property owner's responsibility to mark before any digging. Contractor will not be held responsible. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents, or delays beyond our control. Owner is to carry, fire, tornado, and other necessary insurance.

Authorized Signature: *Anthony Monaco*

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

Signature: *Ma Bri, President* Date: *5/19/25*
Downtown Business Improvement District

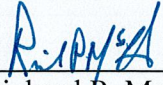


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

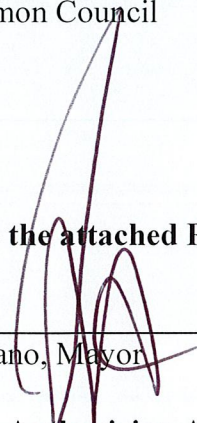
By: Alderman Masi
Seconded by: Alderwoman Wray
Date of Adoption: August 19, 2025
Index No: 226-25

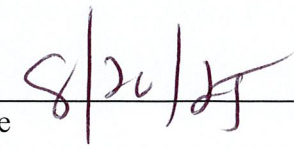
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

Resolution Authorizing Acceptance of County Grants and Budget Amendment

BE IT RESOLVED, that the Common Council of the City of Middletown, New York, hereby authorizes the acceptance of the **Municipal Legislative Grant** from the County of Orange in the amount of **Four Thousand Nine Hundred Ninety-Nine Dollars (\$4,999.00)** and the **Municipal Tourism Grant** from the County of Orange in the amount of **Four Thousand Nine Hundred Ninety-Nine Dollars (\$4,999.00)**; and

BE IT FURTHER RESOLVED, that the Mayor is authorized to sign any and all documents necessary to effectuate the acceptance of said grants, with Legislator **Michael Paduch** serving as the Legislative Sponsor for the Municipal Legislative Grant; and

BE IT FURTHER RESOLVED, that the City Treasurer is authorized to amend the 2025 Budget as follows:

Increase Appropriations

- A.7011.498 – Expense Line: **\$9,998.00**

Increase Revenues

- A.2802 – County Aid & Grants: **\$4,999.00**
- A.2807 – County Aid & Grants: **\$4,999.00**

BE IT FURTHER RESOLVED, that these grant funds shall be applied toward the purchase of **two decorative benches and one litter container** to be installed at **Thrall Park** and during the **Run 4 Downtown ROCK – ROLL – RUN Weekend**.

Prepared by:

Maria Bruni, Director of Economic and Community Development

Attachments:

1.	Municipal Legislative Tourism Grants Program 2025
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CITY OF MIDDLETOWN
Office of Economic & Community Development

August 11, 2025

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

RE: Municipal Legislative& Municipal Tourism Grant Programs

Dear Members:

I am requesting authorization to accept the Municipal Legislative Grant from the County of Orange in the amount of \$4,999.00 & the Municipal Tourism Grant from the County of Orange in the amount of \$4,999.00 and to authorize the Mayor, to sign any and all documents pertaining to these grants. The Legislative Sponsor for the Municipal Legislative Grant is Legislator Michael Paduch.

Also, requesting authorization for the Treasurer to increase the A.7011.498 Expense line by \$9,998.00 and add to the revenue lines A.2802- County Aid & Grants \$4,999.00 and A.2807- County Aid & Grants \$4999.00.

These grant funds will be applied toward the purchase of two decorative benches and a litter container which will be installed at Thrall Park and Run 4 Downtown ROCK – ROLL – RUN Weekend.

Thank you for your attention to this matter.

Maria Bruni, Director
Economic & Community Development

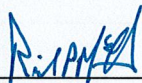


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

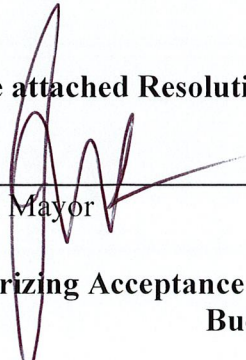
By: Alderman Green
Seconded by: Alderman Kleiner
Date of Adoption: August 19, 2025
Index No: 227-25

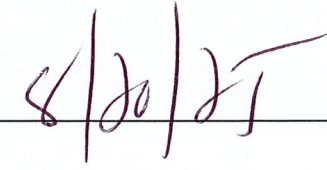
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

Resolution Authorizing Acceptance of Grant Award from Senator James Skoufis and Budget Amendment

BE IT RESOLVED, that the Common Council of the City of Middletown, New York, hereby authorizes the acceptance of a grant award in the amount of **Ten Thousand Dollars (\$10,000.00)** from Senator **James Skoufis**, and authorizes the Mayor to sign any and all documents necessary to effectuate the acceptance of said grant; and

BE IT FURTHER RESOLVED, that the City Treasurer is authorized to amend the 2025 Budget as follows:

Increase Revenue

- A.3501 – State Aid: **\$10,000.00**

Increase Appropriations

- A.7010.800 – Expense Line: **\$10,000.00**

BE IT FURTHER RESOLVED, that this grant award, provided as a **legislative initiative from Senator James Skoufis**, shall be applied toward expenses associated with the **Middletown BBQ & Resource Fair**, to be held in September, and is subject to reimbursement.

Prepared by:

Maria Bruni, Director of Economic and Community Development

Attachments:

1.	Skoufis Grant Award Legislative Initiative
2.	Skoufis Award Letter

CITY OF MIDDLETOWN
Office of Economic & Community Development

August 15, 2025

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

RE: Skoufis Grant Award

Dear Members:

I am requesting authorization to accept the \$10,000.00 grant award from Senator James Skoufis and to authorize the Mayor, to sign any and all documents pertaining to this grant.

Also, requesting authorization for the Treasurer to increase the Revenue line # A.3501 and increase Expense line # A.7010.800

This grant award is a legislative initiative from Senator James Skoufis for the Middletown BBQ & Resource Fair to be held in September. This is a reimbursable grant.

Thank you for your attention to this matter.

Maria Bruni, Director
Economic & Community Development

CHAIR
INVESTIGATIONS AND GOVERNMENT OPERATIONS

COMMITTEES
CORPORATIONS, AUTHORITIES AND COMMISSIONS
FINANCE
INSURANCE
JUDICIARY
LABOR
LOCAL GOVERNMENT



SENATOR
JAMES SKOUFIS
42ND SENATORIAL DISTRICT
STATE OF NEW YORK
DEPUTY MAJORITY LEADER FOR
STATE/FEDERAL RELATIONS

ALBANY OFFICE:
612 LEGISLATIVE OFFICE BUILDING
ALBANY, NY 12247
OFFICE: 518-455-3290

DISTRICT OFFICE:
45 QUAKER AVE., STE. 202
CORNWALL, NY 12518
OFFICE: 845-567-1270

E-MAIL:
SKOUFIS@NYSENATE.GOV

June 27, 2025

Maria Bruni
Director of Economic & Community Development
City of Middletown
16 James Street
Middletown, NY 10940

Dear Director Bruni,

It is my pleasure to award the City of Middletown a grant in the amount of \$10,000 for the Middletown BBQ & Resource Fair. This funding has been secured via budget resolution as a legislative initiative.

This funding can take some time to move forward. After processing all legislative initiative funding, Senate Finance will send award notices to the relevant agencies by the Fall of 2025. Once the agency has received this, it can take up to six months before they reach out to the awardee, although it can certainly be sooner. At the earliest, you would hear back from the administering agency at the beginning of 2026.

Separately, my team will be in touch soon to begin assisting with coordination of this year's event. We appreciate your partnership on this important effort to engage our shared constituents.

If you ever need any status updates, have any questions or need any assistance throughout the grant process, please do not hesitate to contact William Alexander, my Director of Operations, at (845) 567-1270. Thank you for your cooperation and patience as well as your partnership on behalf of those we serve.

Sincerely,

A handwritten signature in black ink, appearing to read "James Skoufis".

James Skoufis
Senator, 42nd District

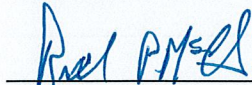


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

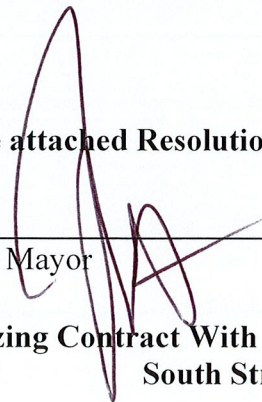
By: Alderman Johnson
Seconded by: Alderman Jean-Francois
Date of Adoption: August 19, 2025
Index No: 228-25

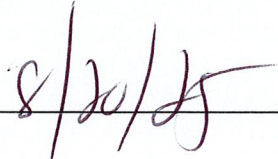
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

**Resolution Authorizing Contract With Advance Testing For Special Inspection Services –
South Street Parking Garage**

BE IT RESOLVED, that the Board of Estimate and Apportionment hereby authorizes the City to enter into a contract with Advance Testing for special inspection services during the construction of the South Street Parking Garage, in an amount not to exceed \$50,000.00, with funding to be drawn from the available project budget.

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

Prepared by:

Attachments:

1.	BOE MEMO- PARKING GARAGE- ADVANCE TESTING
----	---

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: August 18, 2025

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

Cc: Leonora Liz, Treasurer and Richard McCormack,
City Clerk

From: Jacob Tawil, Commissioner of Public Works

Re: South Street Parking Garage- Special Inspections Services

We respectfully request authorization and approval of the enclosed proposal from Advance Testing for special inspection services during the construction of the South Street Parking Garage. Proposals were received from both Advance Testing and Atlantic Testing. These proposals were reviewed and evaluated by the project engineer, CPL, who has provided the attached comparison spreadsheet.

Based on CPL's evaluation and recommendation, we concur with entering into a contract with Advance Testing for special inspection services, with a budget not to exceed \$50,000.

Available project budget will be used for this expense. We will approach this matter again if there are shortages in project funding, as the construction has just started.

Thank you.



August 13, 2025

Jacob Tawil, PE
Commissioner of the Department of Public Works
City of Middletown
16 James Street
Middletown, NY 10940

Re: South Street Parking Garage – Special Inspections Services
Recommendation

Dear Mr. Tawil:

As per the City's request, CPL has solicited proposals for required special inspections during the construction phase of the South Street Parking Garage. Attached please find the following proposals:

- Advance Testing, dated July 29, 2025
- Atlantic Testing Laboratories, dated August 1, 2025

CPL has evaluated the proposals and prepared the attached spreadsheet for comparison purposes.

We recommend that the City enters into a contract with Advance Testing with a budget not to exceed \$50,000.

Very truly yours,

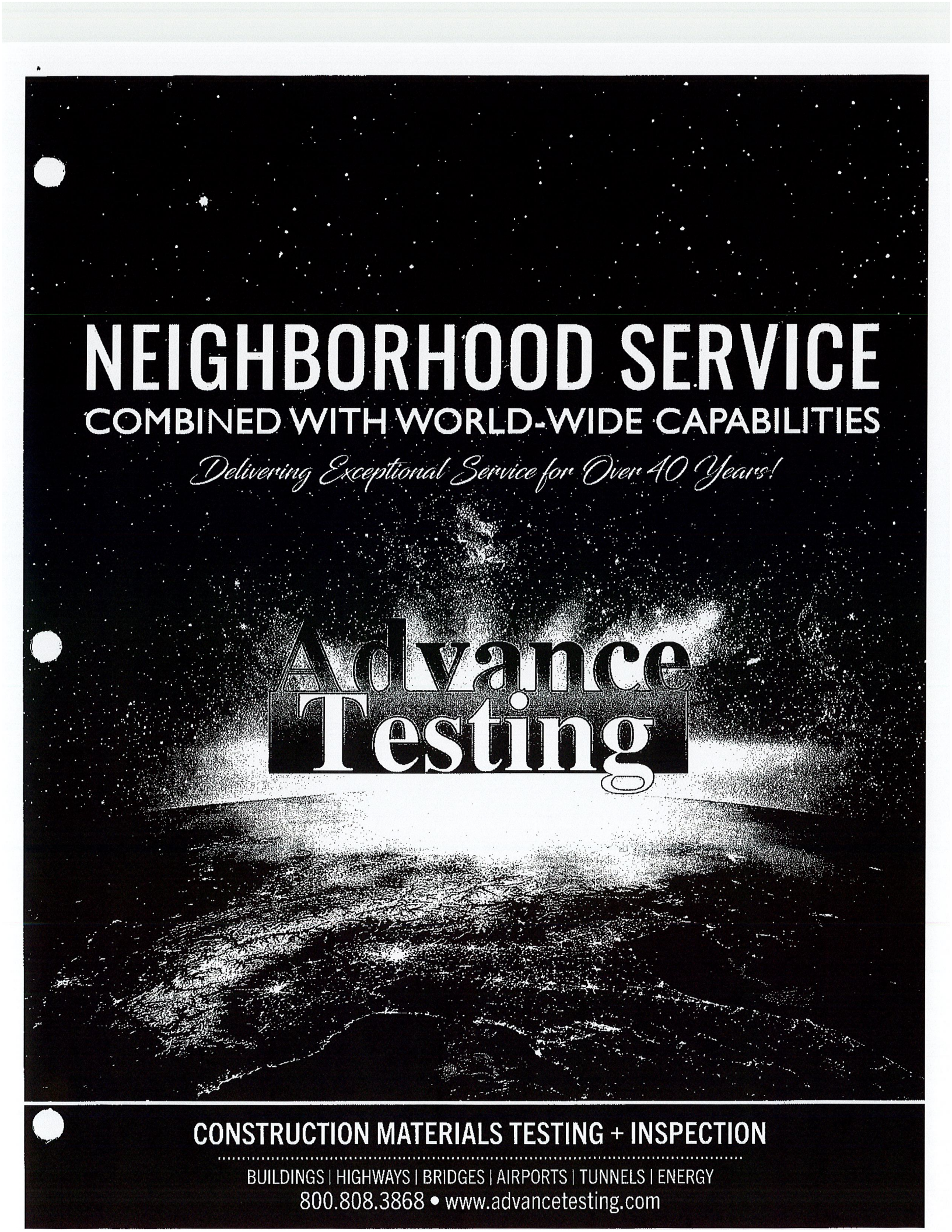
Wanda Livigni
Engineering Project Manager

Enclosures: Proposals

C: File

Middletown - South St Garage
Special Inspections Proposal Comparison solely for Basis of Recommendation

Service	ESTIMATED QTY	Unit Cost		ESTIMATED Total Cost	
		Advance Testing	Atlantic Testing	Advance Testing	Atlantic Testing
Sample Pick up	12	\$245.00	\$165.00	\$2,940.00	\$1,980.00
Soil Compaction Inspection - 1/2 day	10	\$370.00	\$390.00	\$3,700.00	\$3,900.00
Soil Compaction Inspection - full day	15	\$685.00	\$624.00	\$10,275.00	\$9,360.00
Concrete Technician - 1/2 day	5	\$370.00	\$324.00	\$1,850.00	\$1,620.00
Concrete Technician - full day	5	\$620.00	\$550.00	\$3,100.00	\$2,750.00
Reinforced Steel Inspector - full day	4	\$700.00	\$800.00	\$2,800.00	\$3,200.00
Structural Steel/Weld - full day	5	\$950.00	\$800.00	\$4,750.00	\$4,000.00
Masonry Inspector - 1/2 day	5	\$420.00	\$390.00	\$2,100.00	\$1,950.00
Masonry Inspector - full day	5	\$700.00	\$624.00	\$3,500.00	\$3,120.00
Washed Sieve Analysis	2	\$45.00	\$40.00	\$90.00	\$80.00
Gradation/Sieve Analysis	2	\$65.00	\$75.00	\$130.00	\$150.00
Grout test	32	\$19.00	\$24.00	\$608.00	\$768.00
Density Gauge/Meter	22	\$100.00	\$65.00	\$2,200.00	\$1,430.00
Compressive strength concrete cylin	120	\$19.00	\$22.00	\$2,280.00	\$2,640.00
Standard or modified Proctor	4	\$240.00	\$160.00	\$960.00	\$640.00
Travel & Mileage	58 in cluded in rates		\$135.00	\$0.00	\$7,830.00
Comparison Total				\$41,283.00	\$45,418.00



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CONSTRUCTION MATERIALS TESTING & INSPECTION SERVICES

July 29, 2025

City of Middletown
16 James Street
Middletown, NY 10940
Attention: Jacob Tawil

Re: South St. Parking Garage Phase 1 - Middletown, NY

Dear Mr. Tawil,

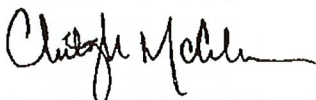
On behalf of Advance Testing, I would like to thank you for giving us the opportunity to submit a proposal for the first phase of the South St. Parking Garage in Middletown, NY. Advance Testing has been honored to contribute to some of the most prestigious construction projects in the region, and our unwavering commitment to quality and excellence has earned us a reputation as a trusted and reliable testing and inspection firm. We work to do this by providing a seasoned management team that takes an active role in meetings and progress discussions, a certified and qualified group of technical inspectors and technicians, a fleet of professionally calibrated equipment and parts, and one of the industry's most state-of-the-art materials testing laboratories.

We have been fortunate to provide service on a wide array of parking structures, inclusive of both on-site inspections and testing, as well as fabrication inspection of the garage components. Some of these have included the newly added parking garage at Garnet Health Medical Center, the 2.7 million square foot Consolidated Rent-A-Car garage at Newark Airport, Resorts World Catskill's partially below-grade parking garage, several parking garages for Regeneron Pharmaceuticals, long-time support of the parking structure at the Poughkeepsie Galleria, and we are currently providing services in support of the new JFK Airport Ground Transportation Center that will house 1,950 parking spaces once completed. I encourage you to review our company's history and project experience, or even schedule a visit to our accredited laboratory to see the attention we give to each of our clients' projects.

I have attached a fee schedule and our service agreement for your review. If you have any questions or would like more information, please do not hesitate to contact me at (845) 496-1600 ext. 215 or cmccracken@advancetesting.com.

Thank you again for considering Advance Testing.

Sincerely,



Christopher McCracken
Vice President of Business Development

— Since — **Advance Testing** — 1984 —

CONSTRUCTION MATERIALS TESTING & INSPECTION SERVICES

The Advance Testing Advantage – What Makes Us Different?

Founded in 1984, Advance Testing Company was established with the intent of raising the bar with regard to quality of service provided by the existing firms within the construction materials testing industry. The company drafted a mission statement consisting of six key points as follows, which continue to be the guiding light for the firm's direction to this day.

- To recognize that our employees are our number one asset and to encourage their dedication and commitment through teamwork, education and recognition.
- To provide our clients with the highest level of professionalism through quality of service, reliability and integrity.
- To treat our clients' interests as though they were our own.
- To be leaders in the field through new and innovative services, training programs and testing equipment.
- To attract and retain talented people.
- To grow and earn a responsible profit to ensure the preservation of Advance Testing, thereby providing opportunities for our employees and our clients.

Advance Testing's primary goal on every project is to not only provide testing and inspection services, but to add value to the owners, architects, engineers, contractors and material suppliers we work with. Our work approach includes ongoing communication with project staff as well as an in-depth analysis of the construction schedule in order to determine personnel and equipment allocation; daily scheduling of inspection and testing activity is completed by utilizing Advance Testing's proprietary project management application; execution of inspection and testing activities by qualified, certified inspectors; formal review of reports by project management; timely resolution of any outstanding issues or non-conformances; and stringent internal Quality Assurance policies. Specific examples of how Advance Testing's work approach adds value are outlined below.

Firm Qualifications & Background

- Accredited and/or validated by AASHTO (American Association of State Highway Transportation Officials), NVLAP (National Voluntary Laboratory Accreditation Program), and USACE (United States Army Corps of Engineers).
- Recipient of the ACIL (American Council of Independent Laboratories) *Customer Service Quality Award* for 12 consecutive years, with special designation as being in the top fifth of firms nationwide for *Timeliness* and *Overall Customer Satisfaction*.
- Licensed by the New York City Department of Buildings (NYCDOB) as a concrete testing agency and an accredited Special Inspection Agency via International Accreditation Service (IAS).
- Offices in NY (3), CT, MA and FL..
- Provided services for over 1,650 projects in 2024, and more than 7,200 projects over the past 5 years.

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Since 1984

CONSTRUCTION MATERIALS TESTING & INSPECTION SERVICES

- Private-sector projects of note: LEGOLAND NY Theme Park, CPV Valley Energy Center, Resorts World Catskills Casino Resort, Tesla Distribution Center, Kartrite Indoor Water Park, Marist College
- Public-sector megaprojects: Mario M. Cuomo Bridge, World Trade Center Reconstruction, Goethals Bridge Replacement Project, Bayonne Bridge Navigational Clearance Project, Delaware Aqueduct Rondout-West Bypass Tunnel, LaGuardia Airport Redevelopment, Newark Airport Redevelopment

Laboratory

- One of the Northeast's most state-of-the-art construction materials testing laboratories.
- Samples received from across the United States, as well as Puerto Rico, Germany, China and Africa.
- No additional fees for rush samples. If allowed by the test method a sample can be received, tested and have a report turned around by following shift of work (under 24 hours).
- Proactively schedule second and third shifts during peak seasonal demand to ensure continuity and complete any expedited testing requests.
- Continually exploring new test methods not currently in scope and invest in the necessary equipment and employee training to meet client needs.

Field Service & Support

- Scope of services offers full gamut of inspection and testing services needed to fulfill all requirements for building construction projects from ground level to roof; and infrastructure projects such as highways, bridges, tunnels, airports, bridges, water and energy facilities from start to completion.
- Management and senior staff are available around-the-clock to provide field technicians with answers to questions that may arise during the course of a shift, with supervisors scheduled 24 hours per day to support night shift work.
- Senior staff routinely perform QA visits to projects to ensure that all testing requirements and client needs are being met.
- Management regularly participates in pre-construction and progress meetings, at no additional cost.
- After-hours emergency support number allows for clients and staff to reach out with any scheduling issues or requests 24 hours a day, 365 days per year. This system sends a voicemail, an e-mail, and a text message to 16 managers including the President of the company, with average response time within five minutes.
- Use of on-site mobile/on-site testing laboratories and equipment storage facilities to reduce costs and increase efficiencies for our clients.
- Affiliate company Atech Center provides wide array of training and certification program development, utilized to train, certify and qualify Advance Testing staff.

Reporting & Document Control

- Offers additional review of specifications to ensure no testing requirements are overlooked.
- Field reports are available in real-time via on-site technician and can be sent back to the office for review prior to leaving the site.

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CONSTRUCTION MATERIALS TESTING & INSPECTION SERVICES

- Deficiencies encountered that can still be corrected without an engineer's approval are identified as an 'outstanding issue' (not an NCR), which Advance Testing will monitor and follow up on until resolved, minimizing delays due to NCRs issued. Should any issues leading to a non-conformance report arise they are corrected immediately when possible, and a report of these items can be generated on a daily basis.
- Ability to provide a complete package of reports in a binder or as a PDF, based on client request.
- On-site project manager can provide daily summary sheet to provide an overview of inspections provided.
- Licensed Professional Engineers available to review/stamp reports at no additional cost.
- No additional cost for preliminary reports, management review or data analysis.
- We pride ourselves on our responsiveness to any inquiries regarding reports or testing requirements.

Operations Department

- Three full-time employees dedicated to staffing projects with the proper technicians and equipment.
- Robust internal document control that allows technicians to access required specs that have been combed through for the correct information.
- Complete complimentary calls to clients with ongoing projects on a daily basis to determine if they will need our services the day following an inspection.
- Propriety check in/check out system allow for real time tracking of technicians to ensure they are on-time to their scheduled project. If technicians late checking in management and supervisory staff receive a text and an email message prompting follow-up with both the technician and client.

Billing & Costs

- Advance Testing's rates are all-inclusive. There are no hidden fees for management or technical support, reporting or other administrative services.
- Flexible billing schedule and option to add reports to verify charges on invoices.
- Ability to track purchase orders and provide routine updates regarding total billing to date.
- The majority of our field personnel are trained and certified to be multi-disciplined, allowing for these technicians to perform multiple services, reducing overall costs.

Over the past 40 years, Advance Testing has established itself as one of the premier construction materials testing and inspection firms by offering a seasoned and knowledgeable management team, a group of highly trained and certified inspectors and technicians, and one of the region's most diverse and capable testing laboratories. However, the primary differentiator in our service is the steadfast commitment to doing whatever it takes to meet our client's needs and ensure that every effort is made to assist in the successful completion of each project.

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CONSTRUCTION MATERIALS TESTING & INSPECTION SERVICES

Jacob Tawil
City of Middletown
July 29, 2025

South St. Parking Garage Phase 1 – Middletown, NY
Proposal #P25_1058

FEE SCHEDULE

On Site Services *:	Half Day Rate	Full Day Rate
Soil Compaction Technician	\$ 370.00	\$ 685.00
Concrete** & Grout Field Technician	\$ 370.00	\$ 620.00
Reinforcing Steel Inspector	\$ 420.00	\$ 700.00
Masonry Inspector	\$ 420.00	\$ 700.00
Bearing Capacity Inspector	\$ 450.00	\$ 780.00
Structural Steel/Welding (Visual, Magnetic Particle, Dye Penetrant) & Bolting	\$ 515.00	\$ 950.00
Post-Installed Anchor Inspector	\$ 420.00	\$ 700.00

***Technician Notes:** Rate is per each inspector, Monday-Friday. For on-site services, half day rate includes travel time, mileage, and up to four hours of time on site and full day rate includes travel time, mileage, and up to eight hours of time on site. For off-site fabrication inspection services, full day rate included up to 8 hours on site and travel/hotel/per diem costs will be billed in accordance with the rates shown. Overtime and Saturday rates will be charged at 1.5 times the regular rate. Sunday and Holiday rates will be charged at 2.0 times the regular rate. Please call Advance Testing for all contracted inspection services at least 24 hours in advance.

****Concrete Notes:**

1. In accordance with ACI 318-11 and ACI 301-10, Building Code Requirements for Structural Concrete, Advance Testing copies the concrete supplier on all concrete compressive strength results. If you would prefer that Advance Testing not send these results to the supplier, please inform Advance Testing of this preference in writing prior to the start of the project.
2. Concrete cylinders are required to be picked up from the project site within 48 hours of being cast. Advance Testing will follow this procedure and pick up any cylinders cast within 48 hours, unless otherwise requested not to do so in writing. Cylinder pick-ups are invoiced at the noted sample pick-up rates as shown on the Fee Schedule.
3. Except as otherwise required by the project specifications, Advance Testing will cast one set of cylinders per 50 yards³ of concrete placed.
4. Advance Testing is not responsible for the mix design or for the QC/QA at the producer unless expressly set forth in Advance Testing's Scope of Work annexed hereto; or for the supplier or contractor's failure to comply with the design, the drawings and specifications, or applicable codes and standards; or for the contractor's means and methods of construction.
5. This Fee Schedule is subject to the terms and conditions of the annexed Service Agreement, which is incorporated as if set forth fully herein.

Advance Testing's rates are inclusive of all management oversight, meeting attendance, technical support (on or off site), travel costs to project site, reporting/report review, engineer close-out, and expedited lab testing.

We want to be a part of the project team!

ADVANCE _____ CLIENT _____
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Since **Advance Testing** 1984

CONSTRUCTION MATERIALS TESTING & INSPECTION SERVICES

Jacob Tawil
City of Middletown
July 29, 2025

South St. Parking Garage Phase 1 – Middletown, NY
Proposal #P25_1058

FEE SCHEDULE

Sample Pick-up:	Per Trip
Sample Pick-up Charges (as needed)	\$ 95.00

Equipment:	Per Day
Density Gauge	\$ 100.00

Laboratory Testing:	Price Per Test
Soil Gradation Analysis	\$ 65.00
Wash Sieve Analysis	\$ 45.00
Full Standard or Modified Proctor Test for Soils (min. of 4 points)	\$ 240.00
Compressive Strength of Advance Testing-cast Concrete Cylinders	\$ 19.00
Compressive Strength of 2x2x2 Mortar or Grout Cubes	\$ 19.00
Compressive Strength of Grout Prisms	\$ 85.00

To indicate acceptance of this fee schedule for the above-mentioned project,
please return a signed copy to our office via email at your earliest convenience.

Payment Terms: Advance Testing Company will prepare a bi-weekly bill which will set forth services rendered and other charges. The amount is due upon receipt of the bill. All amounts not paid within thirty (30) days after the invoice date shall bear an additional charge of one and one-half (1 ½) percent per month until paid.

Respectfully submitted by: Christopher McCracken

Proposal Accepted and Work Authorized for: City of Middletown

Signature/Date

Name

ADVANCE _____ CLIENT _____
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Since 1984

CONSTRUCTION MATERIALS TESTING & INSPECTION SERVICES

Jacob Tawil
City of Middletown
July 29, 2025

South St. Parking Garage Phase 1 – Middletown, NY
Proposal #P25_1058

SERVICE AGREEMENT

This Agreement was made as of July 29, 2025 by and between ADVANCE TESTING COMPANY, INC., which is a Delaware corporation with principal offices located at 3348 Route 208, Campbell Hall, NY (Hereinafter called "ADVANCE"), and City of Middletown (Hereinafter called "CLIENT"). CLIENT'S project is South St. Parking Garage Phase 1 - Middletown, NY (Hereinafter called "PROJECT").

The CLIENT and ADVANCE, for mutual considerations hereinafter set forth, agree as follows:

1. SCOPE OF SERVICES AND SCHEDULE OF PERFORMANCE: As per attached Proposal dated July 29, 2025.
2. COMPENSATION: In consideration of the services rendered, the CLIENT agrees to pay ADVANCE as per attached Fee Schedule to the extent ADVANCE performs the services requested.
3. COMMENCEMENT OF SERVICES: ADVANCE shall not begin work until ADVANCE has received a fully executed AGREEMENT.
4. PAYMENT TERMS: ADVANCE will prepare a bi-weekly bill which will set forth services rendered and other charges. The amount is due upon receipt of the bill. All amounts not paid within thirty (30) days after the bill's mailing date shall bear an additional charge of one and one-half (1 ½) percent per month until paid. Whenever the amount is past due more than forty-five (45) days after bill mailing, ADVANCE may suspend any further work or document delivery called for by this AGREEMENT until such account is made current. The fact that ADVANCE may continue to work beyond the time during which it may have suspended the work shall not be deemed to be a waiver of its rights hereunder. The CLIENT shall be responsible and shall pay ADVANCE for all costs, including attorney's fees, incurred as a result of the collection of any overdue balances. Any advance payment shall be applied to the last charges on the project.
5. INSURANCE AND LIMITATIONS: ADVANCE will maintain statutory workman's compensation insurance, and auto liability insurance to the extent required by law; and general liability insurance as may be reasonably available in the insurance market.
 - a. ADVANCE'S liability for damages resulting from Professional Services errors and omissions shall be limited to a sum not to exceed \$5,000.00 or ADVANCE'S fee, whichever is greater.
 - b. In the event the CLIENT makes a claim in litigation against ADVANCE under the provisions of this AGREEMENT and the CLIENT fails to prove such claim, then the CLIENT shall pay all reasonable charges for ADVANCE'S work, and all costs and expense incurred by ADVANCE in defending itself against the claim, including reasonable attorney fees.
6. ADVANCE shall have the right to declare this AGREEMENT null and void if not executed and returned to ADVANCE by the CLIENT within 30 days.
7. The unit rates in this proposal are based upon the work being performed during regular daytime shifts, Monday through Friday.
8. An automatic increase of 4% will be added at the end of each year.
9. If overtime, weekend or holiday work is required, the following rates shall apply:
 - a. Monday – Friday: overtime shall apply after the initial 8 hours of work, and equal 1.5 times the regular rate of the task(s) being performed
 - b. Saturday: all time worked shall be billed at 1.5x the regular rate for the task(s) being performed
 - c. Sunday and Holidays: all time worked shall be billed at 2.0 times the regular rate for the task(s) being performed.
10. A cancellation charge, equal to half-day unit rate (4 hour minimum), will be charged if the scheduled ADVANCE personnel are en route to jobsite, provided and are not utilized, or cannot perform their work because of weather conditions, site conditions, and/or forces beyond their control.
11. Weekend and holiday cancellation charge will be billed at the applicable full-day rate.

ADVANCE _____ CLIENT _____
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Advance Testing

Since 1984

CONSTRUCTION MATERIALS TESTING & INSPECTION SERVICES

Jacob Tawil
City of Middletown
July 29, 2025

South St. Parking Garage Phase 1 – Middletown, NY
Proposal #P25_1058

12. Reimbursable expenses shall include transportation and per diem expense for out-of-town work, special delivery services, and unusual reproduction expenses.
13. CLIENT is responsible for notifying ADVANCE of all requested testing and inspection services at least 24 hours prior to the date such services are required, as well as for re-inspection of all non-conforming items.
14. ADVANCE reserves the right to adjust the rates quoted herein if this agreement is not approved and returned by the CLIENT within 30 days.
15. The rates used in this proposal are valid for one (1) year from date of issuance.
16. Professional Engineering services will be invoiced at \$ 225.00 per hour subject to adjustment as provided herein.
17. Free and clear access to the work must be provided to ADVANCE personnel by the CLIENT. The CLIENT represents that it has the full legal right, as an owner, tenant, contractor or representative of such party to engage ADVANCE for the services requested and to provide ADVANCE legal access to the premises in order to perform the services, and shall indemnify and hold harmless ADVANCE and its employees against all claims, loss, injury and damage including without limitation ADVANCE'S reasonable legal fees and costs in the event such representation is not true.
18. CLIENT agrees that a scanned and electronically stored version of this document may be employed for all purposes, and shall be admissible in any legal proceeding as if it were an original.
19. ADVANCE shall not be responsible for continuous or exhaustive inspection or testing, it being understood that ADVANCE shall conduct such inspections and testing in accordance with prevailing industry standards.
20. ADVANCE'S responsibility and liability are strictly limited to the specific services described in this Agreement. ADVANCE shall not be responsible nor liable for architectural or engineering errors or for any contractor's means and methods of performance, or its safety practices; or its failure to perform its work properly or furnish suitable materials. ADVANCE shall not be responsible for surface and subsurface conditions or any other site conditions including without limitation soil, water, rock, structures and utilities or for furnishing any site plans, surveys, elevations, dimensions, drawings or specifications except to the extent specifically required under this Agreement. The CLIENT is obliged to provide ADVANCE with an accurate set of plans, surveys, elevations, dimensions, soil analyses and specifications on which ADVANCE is entitled to rely. ADVANCE is not responsible nor liable for any mix design prepared by others; or for QA/QC at the materials plant unless set forth specifically in this Agreement, nor for the CLIENT's or contractors' failure to comply with any designs or specifications. ADVANCE's testing and inspection services are performed on only a representative sampling of the materials and a discrete portion or area of the work as it is being executed by others, and therefore the CLIENT acknowledges that such representative testing and inspection services do not guarantee that materials or work not tested or inspected are in compliance, and that ADVANCE is only responsible for sampling materials and for the accuracy of its test results as required by industry standards, and for accurately reporting the results of such tests and inspections to the CLIENT.

This AGREEMENT is effective on the last signed date.

City of Middletown
16 James Street
Middletown, NY 10940

ADVANCE TESTING COMPANY, INC.
3348 Route 208
Campbell Hall, NY 10916

BY: _____
NAME: _____
TITLE: _____
DATE: 8/20/25

BY: _____
NAME: James P. Smith, Jr.
TITLE: President
DATE: _____

ADVANCE _____ CLIENT _____
This Page Approved (initials)



Poughkeepsie
251 Upper North Road
Highland, NY 12528
845-691-6098 (T)
atlantictesting.com

August 1, 2025

CPL Architecture Engineering Planning
255 Woodcliff Drive, Suite 200
Fairport, New York 14450

Telephone: 845-686-324
Email: wlivigni@cplteam.com

Attn: Wanda Livigni
Engineering Project Manager

Re: Special Inspection and Construction Materials Engineering and Testing Services
City of Middletown South Street Parking Garage Phase 1
Middletown, New York 10940
ATL No. PT998-2283-08-25

Thank you for the opportunity to submit a proposal for the referenced services. In accordance with your request, please find enclosed the following items for review:

- ♦ Scope of Services
- ♦ Fee Schedule
- ♦ AGREEMENT for Special Inspection and Construction Materials Engineering and Testing Services
- ♦ Standard Terms and Conditions

To accept ATL's proposal, return a signed AGREEMENT with attachments via email or to:

Atlantic Testing Laboratories, Limited
Contracts Department
6431 US Highway 11
Canton, New York 13617

One countersigned AGREEMENT will be returned via email, unless otherwise directed.

This proposal is valid for 90 days from the date of issuance. Thereafter, ATL reserves the right to declare the proposal null and void and/or adjust the proposed fees.

If you have any questions or require additional information, please contact me at your convenience. We look forward to your response.

Sincerely,
ATLANTIC TESTING LABORATORIES, Limited

Dylan E. Snyder
Operations Manager

DES/EJD/mrr

Enclosures

**SCOPE OF SERVICES FOR SPECIAL INSPECTIONS AND CONSTRUCTION
MATERIALS ENGINEERING AND TESTING**

**City of Middletown South Street Parking Garage Phase 1,
South Street and Washington Street, Middletown, Orange County, New York**

Based on information provided to ATL by representatives of CPL Architecture Engineering Planning, it is our understanding that the project consists of the construction of a new two-story parking garage. It is further understood that the project is scheduled for the time period of August 2025, through December 2025.

The following Scope of Services for providing Special Inspection and Construction Materials Engineering and Testing services is based on Project Plans dated June 28, 2024, and correspondence with the CLIENT.

Professional Engineering services, required to perform the Scope of Services outlined below, will be provided by ATL Engineering, P.C.

CLIENT will be responsible for determining, requesting, authorizing, and scheduling services. CLIENT agrees that ATL is not responsible for performing services that are neither requested nor authorized by CLIENT, including but not limited to, services that are required by the construction documents and/or outlined in the following Scope of Services.

A. Field Services:

1. Soil:

Provide a Technician to perform the following field testing of fill materials:

- ♦ ASTM D 75: Practice for Sampling Aggregates
- ♦ ASTM D 2922: Density of Soil and Soil-Aggregate in Place by Nuclear Methods
- ♦ ASTM D 3017: Water Content of Soil and Rock in Place by Nuclear Methods
- ♦ ASTM D 6938: In-place Density and Water Content of Soil and Soil-Aggregate by Nuclear Methods

Provide a Special Inspector to observe the following items for compliance with the approved geotechnical report, as required in Section 1705.6 and Table 1705.6 of the Building Code of New York State:

- ♦ Type of controlled fill material used
- ♦ Lift thickness of controlled fill material
- ♦ Testing frequency and results of the in-place density testing

Provide an Engineer or Geologist to observe the following, as required in Section-1705.6 of the Building Code of New York State:

- ♦ Foundation subgrade preparation in accordance with the approved geotechnical report and documents prepared by the Registered Design Professional prior to placement of shallow footings and controlled fill.

2. Concrete:

Provide a Technician to perform the following field tests of freshly mixed concrete:

- ♦ ASTM C 31: Making and Curing Concrete Test Specimens in the Field
- ♦ ASTM C 138: Density (Unit Weight), Yield, and Air Content (Gravimetric) of Concrete
- ♦ ASTM C 143: Slump of Hydraulic Cement Concrete
- ♦ ASTM C 172: Sampling Freshly Mixed Concrete
- ♦ ASTM C 231: Air Content of Freshly Mixed Concrete by the Pressure Method
- ♦ ASTM C 1064: Temperature of Freshly Mixed Portland Cement Concrete

- ♦ Report quantity of fresh concrete tested and test results

Provide a Special Inspector to observe the following items, as required in Section 1705.3 and Table 1705.3 of the Building Code of New York State:

- ♦ Reinforcing steel and placement
- ♦ Formwork dimensions and general location
- ♦ Bolts to be installed in concrete prior to and during placement of concrete where allowable loads have been increased
- ♦ Use of required design mix
- ♦ Sampling and testing of fresh concrete, including fabrication of specimens for strength testing
- ♦ Placement of concrete
- ♦ Installation of precast concrete structures

3. Masonry:

Provide a Special Inspector to observe or perform testing for the following Quality Assurance items, as required in Section 1705.4 of the Building Code of New York State and Table 4 of The Masonry Society (TMS) 602:

- ♦ Proportions of site-mixed mortar and grout
- ♦ Placement of masonry units and construction of mortar joints
- ♦ Placement of reinforcement, connectors, and anchorages
- ♦ Grade and size of reinforcement
- ♦ Grout space prior to grouting
- ♦ Size and location of structural elements
- ♦ Placement of grout
- ♦ Type, size, and location of anchors, and other details of anchorage of masonry to structural members, frames, or other construction
- ♦ Protection of masonry during cold weather and hot weather
- ♦ Preparation of any required grout specimens, mortar cubes or cylinders, and/or verification of prism fabrication

4. Structural Steel:

The CLIENT, OWNER, and/or contractor will ensure that steel fabrication shop inspection and material verifications are performed to satisfy the building code and project document requirements.

Provide a Special Inspector to observe the following field items, as required in Section 1705.2 of the Building Code of New York State:

- ♦ Review material certifications, Welder Performance Qualification Records (WPQR), Welding Procedure Specifications (WPS), and Procedure Qualification Records (PQR) for conformance with project documents and application during erection
- ♦ Compare filler metals and welded joints used for conformance with project documents and approved WPS
- ♦ High strength bolted connections
- ♦ Welding of structural steel, including complete and partial penetration groove welds, singlepass and multiplepass fillet welds, and deck welds
- ♦ Steel frame joint details for compliance with approved construction documents, including details for bracing and stiffening, member locations, and application of joint details

5. Fire-Resistant Penetrations and Joints:

Provide a Special Inspector to perform the following services, as required in Section 1705.17 of the Building Code of New York State:

- ♦ Examine penetration firestops installed in accordance with approved design submittal(s)
- ♦ Examine fire-resistant joint systems installed in accordance with approved design submittal(s)

B. Laboratory Services:

1. Soil:

- ♦ ASTM D 422: Particle-Size Analysis of Soils (without Hydrometer analysis)
- ♦ ASTM D 698: Laboratory Compaction Characteristics of Soil Using Standard Effort
- ♦ ASTM D 1557: Laboratory Compaction Characteristics of Soil Using Modified Effort

2. Concrete and Aggregate:

- ♦ ASTM C 39: Compressive Strength of Cylindrical Concrete Specimens
- ♦ ASTM C 117: Material Finer than 75µm (#200) Sieve in Mineral Aggregates by Washing
- ♦ ASTM C 136: Sieve Analysis of Fine and Coarse Aggregates

3. Masonry:

- ♦ ASTM C 140: Sampling and Testing Concrete Masonry Units and Related Units
- ♦ ASTM C 780: Compressive Strength of Molded Masonry Mortar Cylinders and Cubes
- ♦ ASTM C 1019: Sampling and Testing Grout for Masonry
- ♦ ASTM C 1314: Compressive Strength of Masonry Prisms

C. Additional Services:

1. Transport samples, as required, for laboratory analysis.
2. Provide a Project Manager and/or Professional Engineer to perform the following:
 - ♦ Review project plans and specifications, as provided to ATL, which are relevant to the services outlined in this Scope of Services.
 - ♦ Review test data generated by ATL.
 - ♦ Attend project meetings as directed by CLIENT.
 - ♦ Prepare reports.
 - ♦ Distribute reports as directed by CLIENT. Reports will be distributed by email, unless otherwise directed.

D. Client Responsibilities:

1. Prior to project initiation, provide ATL with copies of the PROJECT plans and specifications, all revisions and addenda, and the statement of special inspections, approved material submittals, approved shop drawings, the geotechnical report, and other applicable documents.
2. Provide safe access, conforming to applicable OSHA and other pertinent regulations, to sampling and testing locations.
3. Coordinate and schedule Steel Special Inspection prior to start of shop fabrication.

4. Provide contact information for report distribution.

NOTES TO THE SCOPE OF SERVICES

ATL's representatives will not accept or reject construction materials, means and methods, material quantities, and/or completed construction.

Untested portions of soil and aggregate samples will be discarded two weeks after completion of the testing.

Compressive strength test specimens will be discarded upon completion of the testing and hold specimens upon the 28-day compressive strength exceeding the minimum specified value, unless instructed otherwise.

We require a minimum of two days advance notice prior to project initiation and one day advance notice for subsequent scheduling of field services. Notice of cancellation must be received by 5:00 PM, Monday through Friday, the day prior to scheduled services, or a minimum charge in accordance with the Fee Schedule will be applicable.

FEE SCHEDULE

Service	Estimated Quantity	Unit Fee	Estimated Cost
Atlantic Testing Laboratories			
Technical Personnel			
Engineer or Geologist	4	\$800.00 / Day	\$3,200.00
Project Manager	8	\$113.00 / Hour	\$904.00
Special Inspector - Soil, Concrete, Masonry, Precast and Fireproofing	20	\$624.00 / Day	\$12,480.00
Special Inspector - Soil, Concrete, Masonry, Precast and Fireproofing	15	\$390.00 / Half Day	\$5,850.00
Special Inspector - Steel	9	\$800.00 / Day	\$7,200.00
Technical Report Review	66	\$55.00 / Report	\$3,630.00
Technician - Soil, Concrete, and Masonry	5	\$550.00 / Day	\$2,750.00
Technician - Soil, Concrete, and Masonry	5	\$324.00 / Half Day	\$1,620.00
Laboratory Testing			
ASTM C 39: Compressive Strength Test or Hold Cylinder (fabricated by ATL)	120	\$22.00 / Cylinder	\$2,640.00
ASTM C 117: Material Finer than 75 mm (#200 sieve) in Mineral Aggregates by Washing	2	\$40.00 / Test	\$80.00
ASTM C 136: Sieve Analysis of Fine and Coarse Aggregates	2	\$75.00 / Test	\$150.00
ASTM C 780: Compressive Strength Test - Molded Masonry Cylinders (ASTM C 39) and Cubes (ASTM C 109)	120	\$22.00 / Specimen	\$2,640.00
ASTM C 1019: Compressive Strength Test (3" x 3" x 6" grout specimens)	32	\$24.00 / Specimen	\$768.00
ASTM C 1314: Compressive Strength Test of Masonry Prisms	--	\$180.00 / Prism	If Required
ASTM D 1557: Laboratory Compaction Modified Effort	4	\$160.00 / Test	\$640.00
ASTM D 698: Laboratory Compaction Standard Effort	--	\$160.00 / Test	If Required
ASTM D 422: Particle-Size Analysis without Hydrometer	2	\$115.00 / Test	\$230.00
Miscellaneous			
Density Meter	22	\$65.00 / Day	\$1,430.00
Sample Pickup - When no other services are performed	12	\$165.00 / Trip	\$1,980.00
Travel - Includes Labor and Mileage	58	\$135.00 / Trip	\$7,830.00
Subtotal Atlantic Testing Laboratories			\$56,022.00
ATL Engineering, P.C.			
Technical Personnel			
Professional Engineer	8	\$160.00 / Hour	\$1,280.00
Subtotal ATL Engineering, P.C.			\$1,280.00
Estimated Cost			\$57,302.00

NOTES TO THE FEE SCHEDULE

The Estimated Cost is based on the foregoing Scope of Services and Fee Schedule, and is not intended to be a not-to-exceed amount. Further, the estimated quantities are based upon Project Plans and correspondence with the CLIENT. The actual cost for ATL services is subject to change should the project require additional site work time, laboratory analyses, and/or report preparation time. The actual number of laboratory analyses and hours expended will be dependent upon field conditions and/or direction by the CLIENT.

The Unit Fees are valid through August 31, 2026. On this date and annually thereafter, an escalation rate of 3.5% will be applied.

As used in this schedule:

A standard half-day is defined as time on-site up to a 4-hour period, Monday through Friday, within the hours of 6:00 a.m. and 6:00 p.m.

A standard day is defined as time on-site up to an 8-hour period, Monday through Friday, within the hours of 6:00 a.m. and 6:00 p.m.

Services provided for 4 or more hours outside the standard day, as defined above, are subject to a night differential.

Unless otherwise stated in the Fee Schedule, daily overtime rates are calculated by dividing the daily rate by 8 and multiplying by 1.50 and hourly overtime rates are calculated by multiplying the hourly rate by 1.50. Services performed on Saturdays and Sundays/Holidays will be invoiced at 1.50 and 1.75 times the unit fees, respectively. Travel performed on Saturdays/Sundays/Holidays may be invoiced at 1.25 times the unit fees.

Travel charge and sample pickup are inclusive of labor and mileage for the referenced project site. Rates for ATL personnel are for time on-site only and are not invoiced portal-to-portal. Travel that is required by ATL to other locations will be invoiced at a separate rate, based on the distance traveled and time expended.

The fee for ASTM C 39 includes the handling and final curing outlined in ASTM C 31. All cylinders fabricated will be invoiced at the unit fee noted in the fee schedule.

AGREEMENT

**SPECIAL INSPECTION AND CONSTRUCTION MATERIALS ENGINEERING AND TESTING
SERVICES**

This AGREEMENT is by and between

CPL Architecture Engineering Planning
255 Woodcliff Drive, Suite 200
Fairport, New York 14450

Herein referred to as "CLIENT" and

Atlantic Testing Laboratories, Limited
6431 US Highway 11
Canton, New York 13617

Herein referred to as "ATL", who agree as follows:

- A. **DECLARATIONS:** CLIENT by virtue of the mutual execution of this AGREEMENT retains ATL to provide Special Inspection and Construction Materials Engineering and Testing Services associated with CLIENT's project (herein referred to as the "PROJECT"), and described as follows:
- City of Middletown South Street Parking Garage Phase 1
South Street and Washington Street
Middletown, Orange County, New York 10940
- B. **SERVICES:** ATL will provide Special Inspection and Construction Materials Engineering and Testing Services for the PROJECT in accordance with the attached Scope of Services.
- C. **FEES:** All services provided for the PROJECT will be invoiced in accordance with the attached Fee Schedule.
- D. **PAYMENT TERMS:** Invoices will be submitted in accordance with the attached Scope of Services and Fee Schedule for the actual services rendered. Invoices are due when rendered and payable in US dollars. Accounts past due 10 days are subject to a service charge of 1.5% per month or an annual percentage rate of 18%.
- E. **CONTRACT DURATION:** This AGREEMENT shall continue in force until ATL has completed its Scope of Services for the PROJECT and has received final payment in full, unless terminated earlier by mutual agreement or as described hereinafter.
- F. **STANDARD TERMS AND CONDITIONS:** The attached Standard Terms and Conditions are a part of this AGREEMENT and are incorporated herein by reference.

This AGREEMENT and its attachments represent the complete and final agreement between CLIENT and ATL. All prior negotiations, representations, and understandings are integrated herein. This AGREEMENT may be amended only by written instrument, signed by authorized representatives of both CLIENT and ATL.

This AGREEMENT and its attached Scope of Services, Fee Schedule, and Standard Terms and Conditions are hereby accepted, agreed upon, and signed by an authorized representative of each party.

ACCEPTED BY:

ATLANTIC TESTING LABORATORIES, Limited

ACCEPTED BY:

CPL Architecture Engineering Planning

Signature

Signature

Printed Name and Title

Printed Name and Title

Date

Date

STANDARD TERMS AND CONDITIONS

1. Definitions.

ATL – Atlantic Testing Laboratories, Limited, with its Corporate Offices located at 6431 US Highway 11, Canton, New York 13617. The firm retained to provide the services under this AGREEMENT.

CLIENT – The Entity or person with whom ATL has entered into this AGREEMENT for the services to be provided under this AGREEMENT.

OWNER – The Entity or person that possesses ownership rights and control over the PROJECT.

2. Right of Entry. CLIENT will provide or arrange for right of entry of the employees, agents, or subcontractors of ATL to perform and complete the work that is the subject of this AGREEMENT.

CLIENT authorizes and/or will coordinate authorization for ATL and/or its representatives to enter and examine the subject property and/or subject building(s) and if applicable, to extract samples for subsequent laboratory analysis, in accordance with the Scope of Services made part of this AGREEMENT.

Further, CLIENT authorizes ATL to make oral and/or written inquiry of appropriate federal, state, and local government agencies or authorities in respect to the services being rendered.

3. Jobsite Activities. In no event shall ATL be responsible or liable for construction means and methods, jobsite superintendence, construction sequencing and/or coordination, or general safety in, on, or about the jobsite.

4. Health and Safety. ATL and its employees, agents, and subcontractors shall be afforded safe access to and on the project site in accordance with all applicable federal and state safety laws and regulations, including, but not limited to, relevant provisions of the OSHA standards. The more stringent of those or any site specific health and safety programs and procedures shall prevail.

In addition to the laws, standards, and regulations above, the OWNER, or CLIENT, as the OWNER's representative, and any agents thereof, including contractors and subcontractors, shall adhere to all applicable safety requirements while within the exclusion zone work area established by ATL.

5. Standard of Care. Services provided by ATL under this AGREEMENT will be performed in a manner consistent with the level of care and skill ordinarily exercised by members of the industry performing similar services using recognized methodologies in the same or comparable locality.

6. Tests, Data, and Reports. In accepting reports of tests, data, and/or observations provided pursuant to this AGREEMENT, CLIENT acknowledges that the extent of ATL's obligation with respect thereto is limited to furnishing of such tests, data, and/or observations which shall not be used by others to determine acceptance of any construction work, nor shall it relieve the contractor in any way from his obligations and responsibilities to conduct the work in conformance with the PROJECT plans and specifications.

7. Ownership and Reuse of Instruments of Service. All data compilation, reports, photographs, and/or drawings produced by ATL as instruments of service, in accordance with this AGREEMENT, shall not be used or reused for unrelated extrinsic purposes by either CLIENT or ATL, without the prior written consent of the other party.

CLIENT agrees to compensate ATL, in accordance with the terms of this AGREEMENT, for all documents and other work produced by ATL as instruments of service. Failure to compensate ATL for services rendered under this AGREEMENT forfeits CLIENT's right to Ownership and use of ATL's instruments of service for any purpose.

ATL shall not be responsible for the interpretation and/or misuse by others of the instruments of services furnished by it. CLIENT agrees to release and hold ATL harmless from and against all claims, damages, losses, and expenses arising from the interpretation and/or misuse by others of instruments of service provided by ATL.

ATL will retain all pertinent records relating to the services performed in accordance with ATL's record retention policy. The records will be made available to CLIENT at all reasonable times, upon written request, and for the cost of retrieval and reproduction.

8. Hidden Conditions. A condition is hidden if it is concealed or is not capable of detection by reasonable visual observation. If ATL recognizes that a hidden condition may exist, ATL will notify CLIENT. ATL shall not be responsible for any costs or liabilities resulting from hidden conditions.

9. Hazardous Wastes. CLIENT shall advise ATL of any known hazardous wastes or hazardous substances existing at or near the site at which ATL is to perform work. If ATL discovers hazardous wastes or hazardous substances after it undertakes the PROJECT, or if ATL discovers the nature or extent of hazardous wastes or hazardous substances differs materially from what CLIENT initially advised, ATL's Scope of Services, Schedule, and Fees made part of this AGREEMENT shall be adjusted, as mutually agreed by CLIENT and ATL.

If reportable quantities of petroleum product and/or chemical contamination are discovered on the PROJECT site during performance of the work tasks described herein, or during any subsequent work completed at the PROJECT site, the appropriate local, state, and/or federal agencies must be notified, as required by law. ATL will make a reasonable attempt to notify CLIENT when reportable quantities are discovered. The OWNER, or CLIENT, as the OWNER's representative, is responsible for providing notification to the proper authorities.

ATL shall have no responsibility for the presence, discovery, handling, removal, or disposal of, or exposure of persons to, hazardous wastes or hazardous substances at the PROJECT site. CLIENT shall indemnify and hold harmless ATL from any liability, loss, damage, or expense arising out of or related to the presence or discovery of hazardous wastes or hazardous substances on the PROJECT site.

The ownership of and responsibility for all contaminated materials, hazardous materials, hazardous wastes, and hazardous substances generated, released, uncovered, transported, and/or collected during the work tasks referred to herein will remain with the OWNER.

10. Limitations of Liability. To the fullest extent permitted by law, CLIENT agrees to limit the liability of ATL and its directors, officers, consultants, agents, employees, subcontractors, and respective shareholders for any and all claims, losses, damages, expenses or claim expenses (including attorneys' fees) arising out of this AGREEMENT, from any cause or causes whatsoever, so that the total aggregate liability of ATL and its directors, officers, consultants, agents, employees, subcontractors, and respective shareholders shall not exceed ATL's total fee for services rendered under this AGREEMENT, or \$50,000, whichever is greater and regardless of the legal theory under which liability is imposed. Such causes by way of example include, but are not limited to: (a) professional negligence, including errors, omissions, or other professional acts; (b) strict liability; (c) breach of contract; (d) environmental contamination resulting from handling, transport, storage, discharge, dispersal or release of hazardous materials; and (e) including without limitation, CLIENT claims of contribution and indemnification with respect to third-party claims.

ATL will not be responsible for any loss, damage, or liability arising from acts or omissions by the CLIENT or OWNER, or any agents, staff, contractors, or other consultants thereof.

Relevant to ATL services provided under this AGREEMENT, CLIENT shall provide ATL with immediate written notification of event or actions that may result in any liability claims, damages, losses, and expenses.

11. Waiver of Consequential Damages. Notwithstanding any other provision of this AGREEMENT, and to the fullest extent permitted by law, CLIENT and ATL waive incidental, indirect, and consequential damages (such as loss of business, loss of income, lost revenues, lost profits, loss of financing, loss of use, and loss of reputation) for claims, disputes, or other matters arising out of or relating in any way to the PROJECT or to this AGREEMENT. This mutual waiver is applicable, without limitation, to all consequential damages that either party may have incurred or may incur, whether arising in contract, tort (including negligence), warranty, strict liability, equity, or that may arise out of or be asserted as a part of a third-party claim.

12. Insurance. ATL represents that it, together with its agents and staff, are protected by worker's compensation insurance, and that ATL has such coverage under public liability and property damage insurance policies ATL deems to be adequate. Certificates for any such policies of insurance will be provided to CLIENT upon written request.

CLIENT recognizes that ATL's insurance policies may contain certain exclusions, including, but not limited to, those for certain claims arising from the discharge, dispersal, release, or escape of pollutants.

13. Dispute Resolution. If a dispute arises out of this AGREEMENT, CLIENT and ATL agree to pursue resolution through good faith discussion and negotiation or other mutually agreed dispute resolution process, including mediation, before instituting litigation.

In the event legal action is necessary to enforce the payment terms of this AGREEMENT, ATL shall be entitled to collect from CLIENT any judgment or settlement sums due plus reasonable attorney's fees, court costs, and other expenses incurred by ATL for such collection action.

14. Termination. ATL or CLIENT may terminate this AGREEMENT for convenience and without cause. Upon receipt of termination notice, ATL will stop work on all services included in this AGREEMENT. CLIENT shall pay ATL for all services performed up to the date of termination notice, plus reasonable termination expenses and fees. Receipt of final payment is a condition precedent to delivery of instruments of service owed up to the date of termination notice. Upon termination for convenience, the terminating party shall have no further rights or remedies.

In the event of failure by either party to perform in accordance with the terms hereof, either party may terminate this AGREEMENT for cause, upon written notice. Such termination may be rescinded by the terminating party if that substantial failure has been remedied within a reasonable period of time.

15. Delay. Neither CLIENT nor ATL will be liable to perform services provided for under this AGREEMENT when such performance is delayed or prevented by an occurrence beyond the control and without fault or negligence of either CLIENT or ATL.

In no event shall ATL be liable or responsible to the CLIENT, its respective shareholders, directors, officers, employees, consultants, contractors, and agents, or OWNER, for or on the account of any stoppage or delay to the PROJECT resulting from the tests, data, results, and/or findings furnished by ATL through performance of the services under this AGREEMENT.

In the event of PROJECT suspension, or delay for more than three months, ATL may elect to finalize all tests, data compilation, analysis, and reports to complete services performed to the date of suspension or delay. CLIENT agrees to compensate ATL, in accordance with the terms of the agreement, for all services completed and other work produced by ATL as instruments of service.

16. Non-Solicitation. During the term of this AGREEMENT and for a period of twelve (12) months thereafter, neither party will actively recruit, solicit, or otherwise attempt to hire the employees of the other party without prior written consent from the other party. Notwithstanding the foregoing, neither party shall be in default of this provision, as a result of: (a) employment advertising in periodicals of general circulation or other general solicitations that are not specifically targeted at the employees of the other party; or (b) hiring of any employees that responds to any such advertising or other general solicitations or as an unsolicited walk-in candidate.

17. Successor and Assigns. CLIENT and ATL each bind themselves, their partners, successors, assigns, and legal representatives to the other party of this AGREEMENT and to the partners, successors, assigns, and legal representatives of such other party, in respect to all covenants of this AGREEMENT. Neither CLIENT nor ATL shall assign, sublet, or transfer its interest in the AGREEMENT without the written consent of the other.

18. Governing Law and Venue. This AGREEMENT shall be governed and construed in accordance with the laws of the State of New York without regard to any conflicts of law provisions. All claims, disputes, and lawsuits arising out of or in connection with this AGREEMENT shall be resolved or adjudicated in the State of New York.

End of Standard Terms and Conditions

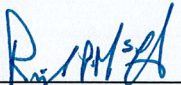


CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

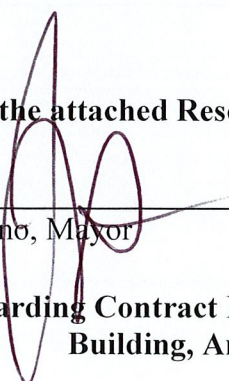
By: Alderman Jean-Francois
Seconded by: Alderwoman Wray
Date of Adoption: August 19, 2025
Index No: 229-25

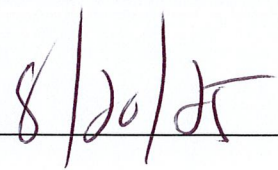
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Resolution Awarding Contract For Roof Replacements At Water Building And Street Building, And Authorizing a Budget Transfer

WHEREAS, a bid was submitted by Tremco Roofing and Building Maintenance, through Weatherproofing Technologies Inc. (WTI), under the State Cooperative Program for the Water Building Roof Replacement (including asbestos abatement) in the amount of \$230,035.06 and for the Street Building Roof Replacement in the amount of \$337,713.27; and

WHEREAS, the project was also bid jointly at a total of \$550,697.31, reflecting a discount of \$17,051.02 compared to awarding the contracts separately; and

WHEREAS, the City's project engineers, CPL, have reviewed the bid proposals and recommend awarding the contract jointly to WTI, and the Department of Public Works concurs with this recommendation; and

WHEREAS, based on the received bid, the total project cost will be \$550,697.31, of which \$516,913.00 has been budgeted, leaving a shortfall of \$33,784.31; and

WHEREAS, it is necessary to transfer funds from the General Fund to cover the remaining balance;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council hereby awards the contract for the Water Building Roof Replacement and the Street Building Roof Replacement jointly to Weatherproofing Technologies Inc. (WTI) in the total amount of \$550,697.31; and

BE IT FURTHER RESOLVED, that the Treasurer is hereby authorized to transfer the sum of \$33,784.31 from the General Fund to cover the remaining balance of this project.

FROM	TO	AMOUNT
General Fund	H.8170.210	\$33,784.31

Prepared by:
Leonora Liz, Treasurer

Attachments:

1.	BOE MEMO- DPW ROOFS REPLACEMENT
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DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: August 18, 2025

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

Cc: Richard McCormack, City Clerk

From: Jacob Tawil, Commissioner of Public Works



Re: DPW Roof Replacements: Award Contract

We respectfully request a council resolution to award the contract for the referenced project. A bid was submitted by Tremco Roofing and Building Maintenance, through Weatherproofing Technologies Inc. (WTI), as part of the State Cooperative Program, with the following proposed costs:

- **Water Building Roof Replacement (including asbestos abatement):** \$230,035.06
- **Street Building Roof Replacement:** \$337,713.27

The project was also bid jointly at a total of \$550,697.31, reflecting a discount of \$17,051.02 compared to awarding the contracts separately. Our project engineers, CPL, recommend awarding the contract jointly to WTI, and we concur with this recommendation.

Based on the received bid, the total project cost will be \$550,697.31. Currently, \$516,913 has been budgeted for this work. Therefore, we respectfully request a transfer of \$33,784.31 from the General Fund to cover the remaining balance.

FROM	AMOUNT	TO
General Fund	\$33,784.31	H.8170.210 Street Garage Roof Construction

Thank you.



August 14, 2025

Jacob Tawil, PE
Commissioner of Public Works
City of Middletown
16 James Street
Middletown, NY 10940

Re: DPW Roof Replacements – Water & Streets Buildings
Bid Results

Dear Mr. Tawil:

I am writing to inform you of the bid results received by Tremco Roofing & Building Maintenance and Weatherproofing Technologies, Inc (WTI) as part of the State Cooperative Program. They are as follows:

- Water Building's Roof including asbestos abatement \$230,035.06
- Street Building's Roof \$337,713.27

The work was also bid jointly, which provided a discount of \$17,051.02:

- If both Buildings' Roofs are awarded, the total is reduced to \$550,697.31

The City's budget for this roof project is \$225,000 for the Water Building's roof and \$291,913 for the Streets Building's roof, with a grand total of \$516,913. The budget for these projects are 2 to 3 years old and unfortunately the cost of construction has increased over that time.

The difference between the City's budget and the current joint building cost is -\$33,784.31.

The City had made the prudent choice to take advantage of the State Cooperative Program. In summary, the process behind the Cooperative Program and the benefits are as follows:

Tremco Roofing & WTI work jointly to provide roofing and building envelope solutions under the OMNIA Partners State Cooperative Program. All contracts offered through OMNIA Partners have been awarded as a result of Request for Proposal (RFP) competitive solicitation process by a public agency/governmental entity (e.g., state, city, county, public university or



school district). The lead agency prepares a competitive solicitation while incorporating language to make the agreement accessible nationally to agencies in states that allow intergovernmental (i.e., "piggyback") contract usage. New York State Office of General Services and the New York State Comptroller's Office has acknowledged the "piggyback" approach for utilization of the Cooperative Program.

OMNIA Partners through its lead public agency, Region 4 ESC, awarded WTI Contract #230404 entitled Roofing Products, Services and Job-Order Contract. The contract was awarded to WTI as a low responsive and responsible bidder based on best value.

Benefits of using a cooperative contract:

- Pre-competed contract—competitively solicited and publicly awarded by a lead public agency utilizing the best public procurement practices, processes and procedures.
- Faster project initiation—projects can begin quickly, often in as little as 30 days, because the bid process has been completed.
- Adheres to the legal requirements specific to public works projects (i.e. prevailing wage rates).
- Provides greater control with a streamlined yet thorough procurement process while reducing administrative burden.
- Performance-based quality construction services.
- Utilizes best-in-class local contractors.
- Simplifies and expedites facility improvement projects while ensuring budget predictability.

The solicitation documents, including OMNIA's response, can be found at <https://www.omniapartners.com/suppliers/tremco-inc/public-sector>.

If the City elected to award the bid(s) for this project, the contracts would be between the City and WTI. WTI will also provide the City with their Certificate of Insurance and provide the required bonding. WTI's Subcontractor will provide their Certificate of Insurance and required bonding to WTI, who upon request will share with the City as well.

In addition, CPL has worked with Tremco for over 15 years and as recently as over the last 6 months at the Greenport Wastewater Treatment Plant. Tremco has been a trusted and reliable partner with many of our Clients.

In order for the deteriorating roofs at the Water and Streets Buildings to be repaired this year, the contracts must be completed by the end of this



Jacob Tawil, PE
City of Middletown Public Works
August 14, 2025
Page 3 of 3

August. If the City needs any additional information to assist in making this decision, please do not hesitate to contact us.

Thank you.

Very truly yours,

Wanda Livigni
Engineering Project Manager

Enclosures: Bid Results

C: File

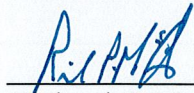


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

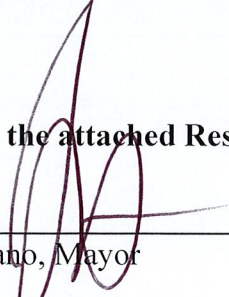
By: Alderman Johnson
Seconded by: Alderman Green
Date of Adoption: August 19, 2025
Index No: 230-25

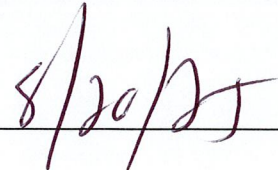
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Resolution Authorizing a \$12,200 Budget Transfer from within the Department of Public Works 2025 Budget

BE IT RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$12,200, in the following manner,

FROM	TO	AMOUNT
A.5110.100	A.1620.100	12,200.00

to support the transfer of employee Mr. Dominick Citriniti from the Street Department account to the Maintenance Department account to better fit the work that he is performing.

To ensure adequate funding for Dominick's salary through the remainder of the 2025 calendar year, we request that \$12,200.00 be transferred to account 1620.100. This amount will cover Dominick's compensation for the remaining eleven (11) pay periods.

Prepared by:
Jacob Tawil

Attachments:

1.	BOE MEMO- MAINT DEPT POSITION
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DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: August 7, 2025

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

Cc: Leonora Liz, Treasurer and Richard McCormack, City Clerk

From: Jacob S. Tawil, P.E.- Commissioner of Public Works 

Re: Transfer of Funds- Maintenance Department Position Fulfillment

We respectfully request a transfer of funds to support the transfer of employee Mr. Dominick Citriniti from the Street Department account to the Maintenance Department account to better fit the work that he is performing.

To ensure adequate funding for Dominick's salary through the remainder of the 2025 calendar year, we request that \$12,200.00 be transferred to account **1620.100**. This amount will cover Dominick's compensation for the remaining eleven (11) pay periods.

FROM	AMOUNT	TO
A.5110.100 Pers. Svcs. – Street	\$12,200.00	A.1620.100 Pers. Svcs –Maint. Dept.

Thank you.

JT/kg



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

THE FOLLOWING WAS PRESENTED

By: Alderman Kleiner
Seconded by: Alderman Johnson
Date of Adoption: August 19, 2025
Index No: 231-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

8/20/25

Resolution Authorizing Transfer Of Funds For Water Supply Safe Yield Study And Engineering Services

WHEREAS, the City of Middletown has been working with **CDM Smith** on matters related to the City Water Supply Safe Yield, including the exploration of **Mill Pond as a potential new water source**; and

WHEREAS, there remain ongoing differences with the **New York State Department of Environmental Conservation (DEC)** regarding the calculation of the Safe Yield of 4.2 MGD, specifically whether this figure should be based on an **annual daily average** as supported by the City, versus a **maximum per day** as required under the DEC permit; and

WHEREAS, additional professional engineering services are necessary to address these issues, as outlined in **Amendment #2 letter dated July 29, 2025**, requesting compensation in the

amount of **\$24,700.00**; and

WHEREAS, the City also anticipates further expenses related to the DEC's ongoing review and therefore requires a **\$10,000.00 contingency**; and

WHEREAS, the total appropriation required is **\$34,700.00**;

NOW, THEREFORE, BE IT RESOLVED, that the **Board of Estimate and Apportionment** hereby authorizes the Treasurer to transfer the sum of **\$34,700.00** in the following manner:

FROM	TO	AMOUNT
Water Fund Balance F.8310.400		\$34,700.00

Prepared by:
Jacob Tawil

Attachments:

1.	BOE MEMO- CDM SMITH WATER WITHDRAWAL AMENDMENT 2
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DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: August 18, 2025
To: Honorable Mayor DeStefano, Members of the Board of Estimate
and Apportionment, Members of the Common Council
Cc: Leonora Liz, Treasurer and Richard McCormack, City Clerk
From: Jacob Tawil, Commissioner of Public Works JT/kg
Re: Water Withdrawal Permit: Amendment #2- Additional Professional
Engineering Services

As you are aware, we have been working with CDM Smith on addressing the City Water Supply Safe Yield, including a new water source, Mill Pond.

We continue to have differences with the DEC regarding the value of the Safe Yield of 4.2/MGD being base on an annual daily average vs. DEC permit that is based on maximum per day.

This is an ongoing effort as explained in the details in the attached July 29, 2025 amendment #2 letter requesting additional compensation for professional engineering services in the amount of \$24,700.00

We are also requesting a contingency of \$10,000.00 expense in anticipation of the DEC ongoing review.

The total request is \$34,700.00

FROM	AMOUNT	TO
Water Fund Balance	\$34,700.00	F.8310.400
		Water Contractual

Thank you.



324 South Service Road
Melville New York 11747
Tel: 516.496.8400
Fax: 516.921.1521

July 29, 2025

Mr. Jacob Tawil, P. E.
Commissioner of Public Works
City of Middletown
16 James Street
Middletown, NY 10940

Subject: Amendment No. 2 – Additional Professional Engineering Services to Assist the City
within Water Withdrawal Public Permit 3-3399-00085/00001

Dear Mr. Tawil:

Camp Dresser McKee & Smith (CDM Smith) is respectfully requesting an amendment to our contract to provide professional engineering services related to Water Withdrawal Public Permit 3-3399-00085/00001.

The City of Middletown's Water Withdrawal Public Permit was set to expire on October 31, 2024. As requested, CDM Smith assisted the City with submitting the Water Withdrawal Public Permit Renewal Application. CDM Smith assembled the required forms and updated the engineering report and supporting information for the City's signature and submittal to New York State Department of Environmental Conservation (NYSDEC) in September 2024. In conjunction with the Water Withdrawal Public Permit Renewal Application, CDM Smith also assisted the City with the development and submittal of the New Public Water Supply Service Extension Application to supply water to the Mid-Hudson Forensic Psychiatric Center in September 2024.

As a result of these submittals, the City received approval to supply Mid-Hudson Forensic Psychiatric Center. In addition, since a timely and sufficient Water Withdrawal Public Permit Renewal Application was received by NYSDEC on September 27, 2024, the City's Water Withdrawal Public Permit qualified for indefinite extension pursuant the State Administrative Procedures Act (SAPA) until a decision is made on the renewal. However, on March 12, 2025, NYSDEC issued a comment letter in regard to the City's Water Withdrawal Public Permit Renewal Application along with the City's Water Withdrawal Public Permit Modification Request for the installation of a permanent intake in Mill Pond. As requested by the City, CDM Smith assisted the City with submitting a new revised engineering report that combines the Water Withdrawal Public Permit Renewal Application and the Water Withdrawal Public Permit Modification Request for Mill Pond.

The additional cost beyond our existing contract incurred to assist the City as presented above is detailed below.



Mr. Jacob Tawil, P.E.

July 29, 2025

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Task 1: Additional Safe Yield Study Assistance

In order to address NYSDEC comments issued to the City, CDM Smith obtained and reviewed the Jacobs Engineering Safe Yield Model since Jacobs Engineering was not available to provide timely assistance to the City. CDM Smith also ran the Safe Yield Model under different peaking factors and developed a Safe Yield Model Sensitivity Memorandum to provide additional insight to address NYSDEC comments. As a result of this additional scope of work, CDM Smith incurred additional hours of work at a cost of \$5,400 to date. CDM Smith is also estimating and requesting an additional 16 hours at a cost of 4,000 to address any future comments from NYSDEC on the revised submittal. See Table 1 for a summary of the cost adjustment.

Tasks 2-4: Net Reduction in Design and Construction Administration Service

Based on the actual level of effort required to design and oversee the stream gauges and flow meter installation, there was a net reduction of \$26,000 for Tasks 2 through 4. See Table 1 for a summary of the cost adjustments.

Task 5: Additional Water Withdrawal Public Permit Renewal Assistance

As noted above, CDM Smith assisted the City with submitting the Water Withdrawal Public Permit Renewal Application along with the New Public Water Supply Service Extension Application to supply water to the Mid-Hudson Forensic Psychiatric Center in September 2024.

CDM Smith also assisted the City with responding to NYSDEC comments and request for additional information issued on March 12, 2025. The NYSDEC letter most notably requested additional information related to the engineering reports, forms, and other permitting requirements, which were part of the water withdrawal renewal and Mill Pond intake packages. As a result, CDM Smith developed and submitted a revised engineering report that combines both the Water Withdrawal Public Permit Renewal Application and the Water Withdrawal Public Permit Modification Request for Mill Pond as required by NYSDEC.

As a result of this additional scope of work, CDM Smith incurred 120 hours at a cost of 29,600 to date. CDM Smith is also estimating and requesting an additional 64 hours at a cost of 11,700 in order to address any future comments from NYSDEC on the revised submittal. See Table 1 for a summary of the cost adjustment.

It is important to note that CDM Smith prepared and submitted Part 1 of the Full Environmental Assessment Form (EAF) as part of the New York State Environmental Quality Review Act (SEQRA) along with the Army Corps/NYSDEC Permit Joint Application Form (JAF). CDM Smith also submitted a request for a Parcel Jurisdictional Determination (Parcel JD) to the NYSDEC in May 2025. Since these items were specifically required due to the permanent Mill Pond intake and associated piping, these costs were incurred and invoiced under the Mill Pond Project. A separate amendment request will be submitted for the Mill Pond Project in order to assist the City in



Mr. Jacob Tawil, P.E.

July 29, 2025

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performing the required notifications and completion of the SEQRA process along with delineating the wetlands within the project boundaries for the permanent Mill Pond intake.

Cost of Services

The following table summarizes the fee for each of the additional scope task described above.

Table 1 – Cost Summary

Task and Description	Current Task Amount	Amendment No. 2 Task Amount Adjustment	New Task Amount
Task 1 - Safe Yield Assistance	\$8,800	\$9,400	\$18,200
Task 2 - Stream Gauge Design	\$26,600	\$5,500	\$32,100
Task 3 - Flow Meter Design	\$62,900	-\$17,200	\$45,700
Task 4 - Construction Admin	\$52,100	-\$14,300	\$37,800
Task 5 - WWP Renewal Assistance	\$12,500	\$41,300	\$53,800
Total	\$162,900	\$24,700	\$187,600

Billing terms within the original contract will apply.

We look forward to continuing to work with the City on this important assignment. Please feel free to contact me if you have any questions regarding this scope.

Very truly yours,

A handwritten signature in black ink, appearing to read 'KE KELLY'.

Keith F. Kelly, P. E.

Partner

Camp Dresser McKee & Smith

cc: P. Cabral, CDM Smith



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

THE FOLLOWING WAS PRESENTED

By: Alderman Tobin
Seconded by: Alderman Masi
Date of Adoption: August 19, 2025
Index No: 232-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

8/20/25

Resolution Appointing Luis Hernandez, Luis Reyes Lopez, Eden Lugo, Mitchell Williams, Dazlyn Gomez, Tahree Smith, Noah Rodrigues, Alexander Hernandez, Christopher Perez, Randy Aleman, Atta Ullah, Benjamin Primeaux, Jose Contreras, and Lavar Atkinson as Volunteer Firefighters

WHEREAS, the City of Middletown Fire Department has recommended the appointment of the following individuals to serve as Volunteer Firefighters; and

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Middletown, New York, that the following individuals are hereby appointed as Volunteer Firefighters with the City of Middletown Fire Department:

- Hernandez, Luis

- Reyes Lopez, Luis
- Lugo, Eden
- Williams, Mitchell
- Gomez, Dazlyn
- Smith, Tahree
- Rodrigues, Noah
- Hernandez, Alexander
- Perez, Christopher
- Aleman, Randy
- Ullah, Atta
- Primeaux, Benjamin
- Contreras, Jose
- Lavar Atkinson

Prepared by:
Andrew Green, Alderman

Attachments:

None

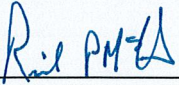


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderman Johnson
Date of Adoption: August 19, 2025
Index No:

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution Authorizing the Accounts be Audited, Claims Adjusted, and the Treasurer be Authorized to Issue Warrants for their Payment

Resolution Authorizing the Accounts be Audited, Claims Adjusted, and the Treasurer be Authorized to Issue Warrants for their Payment

Prepared by:

Attachments:

None



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

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 16, 2025
Index No:

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Accept Minutes of September 2, 2025

Prepared by:

Attachments:

1.	09.02.25 CC Minutes
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COMMON COUNCIL MEETING
CITY OF MIDDLETOWN
September 2, 2025 Minutes
City Hall
16 James Street
Middletown, New York 10940

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

ALSO PRESENT:
Richard McCormack, City Clerk
Joseph M. DeStefano, Mayor

ALL: -- United States of America, and
to the republic for which it stands, one nation
under God indivisible with liberty and justice
for all.

PRESIDENT J. MIGUEL RODRIGUES: Roll.

CLERK RICHARD MCCORMACK: Alderman
Tobin?

ALDERMAN SPARROW TOBIN: Here.

CLERK RICHARD MCCORMACK: Alderman
Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Here.

CLERK RICHARD MCCORMACK: Alderman
Johnson?

ALDERMAN PAUL JOHNSON: Here.

CLERK RICHARD MCCORMACK: Alderwoman
Wray?

ALDERWOMAN KATE WRAY: Here.

CLERK RICHARD MCCORMACK: Alderman
Kleiner?

ALDERMAN GERALD KLEINER: Here.

CLERK RICHARD MCCORMACK: Alderman
Green?

ALDERMAN ANDREW GREEN: Here.

CLERK RICHARD MCCORMACK: Alderman
Witt?

ALDERMAN KEVIN WITT: Here.

CLERK RICHARD MCCORMACK: Alderman
Masi?

ALDERMAN JOSEPH MASI: Here.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Here.

CLERK RICHARD MCCORMACK: Quorum is
present.

PRESIDENT J. MIGUEL RODRIGUES:
Correspondence?

CLERK RICHARD MCCORMACK: This is
evening we have one standardized notice form for
providing 30-day advance notice to a local
municipality (indiscernible) board for a liquor
license for the Taco Factor.

PRESIDENT J. MIGUEL RODRIGUES:
Received and sent it to the police. For the good
of the city?

CLERK RICHARD MCCORMACK: Nobody signed
up.

PRESIDENT J. MIGUEL RODRIGUES: Nobody
signed up. Remarks of the mayor? Be quick.

MAYOR JOSEPH DESTEFANO: Good evening.
A couple of items on the agenda tonight that I'd

like to address. First is the O&W. There's a vote to modify the engineering contract, and hopefully you'll be supportive of that. Jacob has reviewed it. But the -- also today at the Board of Estimate, we had the opening of the plumbing bids. And they did come in within the range that the engineers estimated it to be. About 2.25 million I believe it was.

So we are now ready to have the complete review of all four bids related to the O&W and hopefully be awarding them very soon. So the project has come in a little bit higher than we expected totally, but within working distance. So we're -- I think we're going to have a project moving forward. So hopefully we'll have some good news in the next couple of weeks.

In regards to the Taco Factory liquor license, I wanted to publicly thank both Senator Skoufis and Assemblywoman Kay. So you know that you are not allowed to have liquor license within 200 feet of a church or a school in New York state. The state has modified that a bit in -- because there's three businesses in downtown, longtime businesses: Piccolo's, Taco Factory, and Oak & Reed that were not allowed to have liquor

licenses because of their proximity to churches.

The state has modified or has changed their process where they now allow a municipality, such as Middletown, to make a request on behalf of the licensee if impacted churches or schools are in agreement with the applicant moving from beer and wine to beer, wine, and liquor.

In the cases of the three places that -- when we were notified of these potential -- this option or possibility, Maria and I started working to put together, and with consultation from the chief too, some guidelines that we would need moving forward in order to even consider an application.

These are individual applications. They are not -- they don't go through the liquor authority. First -- they go first to the city. The city then gets in contact with the impacted churches. The churches then send in the necessary documentation that they're okay with it. Then the city would have to say we're okay with considering it, and -- but you're going to get final say, obviously, through the planning board process.

But more importantly, we felt it was important to establish criteria, which we've done. And we're going to be sharing that, and hopefully you'll be adopting it as policy. Part of it is that they'd have to be a longstanding business, and I think the numbers we had were like five years, a place with a track record, that they would have to be -- I think it was 80/20. 80 percent of their business would have to be food, not liquor, that there would be operating hours.

So a lot of factors go into it, but for these three businesses, they meet all the criteria that we established, and we felt it was important to move forward. And, you know, it's a -- the restaurant business is a very difficult business nowadays, especially the sole operators and -- in order to be competitive. And in this environment, they would need to have these licenses.

So these are special state legislation also. It's not an application to the New York State Liquor Authority. It's a separate bill that passes the assembly. After they review it, it passes the senate after they review it, and

then it has to be signed by the governor. All three of those things happened, so I want to thank Governor Hochul, Senator Skoufis, and Assemblywoman Kay for all the work they did on that.

Tomorrow also marks the start of the new school year here in Middletown and I guess mostly -- most of Orange County or a good part of Orange County. We want to remind everyone to drive safety, pay special attention around the schools. You'll notice on Grand Avenue and Irwin Avenue there are new speed humps that were -- appear to be working, at least based on some of the feedback from the neighborhoods that I'm getting, and ask people to obey all school bus zone laws.

Slow down in the school zones and look out for our kids as we -- as they return to school. We are all invested in the success of our students, and I want to wish them a fantastic school to every student, teacher, administrator, and staff member. And your hard work does not go unnoticed. Mr. Witt is our resident school district employee here, and I want to wish him good luck in the upcoming year.

So moving on, I wanted to give an update on the parking garage. Phase 1, as you can see, some of the work has been done off of Washington Street. This is the lower part of the garage. I believe we're waiting on some final utility work by Orange and Rockland before they go into the next part of this Phase 1 project.

We're hoping to pick up or anticipating to pick up about 80 spots. When you look at the site, it -- you can see the -- it's really coming together. And so I wanted to make sure that the public was made aware of that.

We did lose temporarily a row of parking in the back as you can see. So please be aware when you're -- if you're in that lot, make sure you take note of where you're parking your car.

Also, the city court expansion is on schedule to be completed in December. As you know, both of our courts will be moving over to the South Street project. It's funded with -- originally through an acquisition grant of Assemblywoman Aileen Gunther at the time, and Senator Skoufis was able to bring in \$3 million towards this project.

And the project came to about a total of \$6 million of construction. So we'll have both courts relocating from the City of Middletown Police Station, and that will then become part of municipal government, primarily the City of Middletown Police Department expansion and movement from the basement offices up to the first floor in a much more welcoming area for the police to handle daily basis for the public.

We're also proud to announce that the city has been the recipient of another grant through Senator Skoufis. We -- part of this campaign, it's called The National Fitness Campaign, in which the company, the insurance company, MVP, has a grant program. They combine that grant program with a quarter-of-a-million-dollar grant through Senator Skoufis' office.

MVP has a \$40,000 grant, and it's the installation of this equipment we're looking and targeted with the help of Raelyn and her staff, Maple Hill Park section of Maple Hill. And that grant has been approved by MVP. The paperwork came in today through Skoufis' office, and we'll be moving forward on that.

And if I understand, it'll be a much quicker process than the splashpad, which we are now in the final stages of the splashpad. We hope to have that completed, all the paperwork completed, very shortly, and that project will be up and running for 2026.

Some events to invite you to that -- back to school, the community barbecue on September 6th inviting the public. It's called It Takes a Village. It's a back-to-school community barbecue and it's in conjunction with the City of Middletown and Middletown Recreation and Parks. It's activity, food, drinks, family fun. And I know the committee that does -- that puts it on is -- co-sponsors it with the City.

You could see all the co-sponsors on the bottom. I know there's giveaways for the kids for back-to-school items. So if there's an interest, please attend. It usually is very well attended.

And then it must be barbecue month because then at -- September 20th Senator Skoufis will be hosting a barbecue in Erie Way Park in the back. Again, it will be a free barbecue, food, and beverage. We are a co-sponsor as the

City.

The senator has I think threw \$10,000 into this program, and basically, it's to make an awareness of community services. It's a community resource fair. Just an outdoor resource fair. They have a lot of vendors that usually come, and it's very informative. And also, you can grab a hamburger or a hot dog.

But the senator is -- I think this is his second or third year in a row doing it here in the city of Middletown, and we're looking forward to that celebration once again.

Summer's over now, and a lot of the festivals and fairs that we usually see are wrapping. But some of them for us are just beginning. So we're just beginning to celebrate the city's diversity. And September 27th and 28th, for example, there's an arts culture festival at the Middletown Community campus.

They will have different ethnic groups featured there, and it's put on by the Asian-American Community Alliance and Northern University. They have stage performers, artisan crafts. There's a whole bunch of things that will be going on at the community campus, and I

believe they're going to have some of their buildings open. So if the public would like to see what's going on at the college, you'll be able to see it firsthand. And it's expected to be a well-attended event, and we look forward to seeing you there.

Also on Saturday, October 4th, the first Hispanic Heritage celebration will be held at the Mulberry House. And vendors can contact and act. Can also contact Julisa at the -- at Mulberry House. The number is on the screen. If they're interested, it's from 10 a.m. to 3 p.m. The City, of course, is providing the facility and the Mulberry House is providing the activity. And we're looking forward to, again, another nice event.

Which that leads us into Discovery America, which is something that we are -- have been working on for the last month or so. And it's a celebration of Hispanic Heritage Month, which, as you know, begins September 15th and runs until October 15th. It's also -- we in the city here will be declaring that period of time, September 15th through October 15th, as National Hispanic Heritage Month here in the city of

Middletown.

This is a month of an opportunity to celebrate the rich histories, cultures, and contributions of the Hispanic and Latino Americans who strengthen the fabric of our community. National Hispanic Heritage Month ends around Columbus Day, and this year we will be celebrating with our Discover America Festival, as I just mentioned, in the downtown area highlighting Hispanic culture, history, and community.

Coincidentally, for Mr. Masi's sake, it's also important to know that that's Columbus Day weekend. The -- Sunday the October 12th. And so it's a three-day weekend, so we will be doing these celebrations of all different cultures in our downtown but focusing on Hispanic culture and history.

So from our local businesses to our schools, from the arts to the public service, the impact of the Hispanic-Americans as felt across every corner of our city. As you know, the Latino and Hispanic culture are -- races are the fastest growing group in our community, and let's take time to recognize all their achievements,

honor our diversity in the city, and commit to building an inclusive community where everyone can thrive as we have been doing.

So National Hispanic Heritage Month will be September 15th through October 15th here in the city. And that's all I have at this time. If you have any questions, I've be more than happy to address them for you.

PRESIDENT J. MIGUEL RODRIGUES: Any questions for the mayor? Alderman Kleiner?

ALDERMAN GERALD KLEINER: Thank you. I just want to mention the Saturday, October 4th. That 10 a.m. to 3 p.m. at Mulberry House. That's also the day I believe the Seventh Day Adventist Church is doing their parade on Highland Avenue.

MAYOR JOSEPH DESTEFANO: Yes.

ALDERMAN GERALD KLEINER: So if people are going down to Mulberry House, they should be aware of it. I'm not sure exactly what the time that parade takes place, but you might have to find a different way to go down.

MAYOR JOSEPH DESTEFANO: I don't think -- there's not -- it's not going to be a major street closure on Highland Avenue. It's not going to be here for a long period of time. It's

just a march.

ALDERMAN GERALD KLEINER: Just a march?

MAYOR JOSEPH DESTEFANO: Yeah, it's a march from the church, I believe, to the Maddy's Diner area --

ALDERMAN GERALD KLEINER: Okay.

MAYOR JOSEPH DESTEFANO: -- if I recall right, but we'll make sure the notice gets out to the public on that.

ALDERMAN GERALD KLEINER: Thank you.

PRESIDENT J. MIGUEL RODRIGUES:
Alderman Johnson?

ALDERMAN PAUL JOHNSON: Thank you. A couple of things, first of all, in your first half of your comments, congratulations to you and the staff. Those are all major improvements on major initiatives. And we all look forward to them coming to fruition, but that's a pretty good array of things that are moving forward.

With respect to the celebration of diversity, we should do that, especially in this country where diversity has become somewhat of a questionable attribute. So on behalf of all of us on the council, I want to thank you for making sure that all these things are happening.

Because in a lot of places in America, the exact opposite is happening. So thank you.

MAYOR JOSEPH DESTEFANO: You're welcome. So true.

PRESIDENT J. MIGUEL RODRIGUES: Anyone else? All right. Thank you, Mayor. Remarks of the department heads? Economic development?

DIRECTOR MARIA BRUNI: Good evening, everyone. Just update you. It's been a fantastic summer in our city and in downtown with our summer concerts and farmer's market events. And I just want to give a shoutout, kudos, to my staff, the team that, you know, was there for these events and put -- helping put it together.

And now we're looking forward to all the fall events and activities. And with -- also at the Paramount Theater, the lineup for the fall season, you each got one of these on your desk, but they are going to be going out to 14,000 residents as a mailer.

So this is going out, reaching out to everybody to announce the upcoming shows at the theater this fall and Christmas season. And with that, that's all I have for tonight if anybody has any questions.

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

DIRECTOR MARIA BRUNI: Yep.

PRESIDENT J. MIGUEL RODRIGUES: DPW Commissioner?

JACOB TAWIL: Good evening. We'll start off with our reservoirs for Alderman Masi. We are at 87 percent full. The rain has not been helping, but we're holding around 87 percent of our reservoirs.

Capital projects, the mayor updated you on the court, on the parking garage. Parking garage, absolutely there's progress. But Orange and Rockland, because I know they listen to this -- to us, they've been dragging the project and not getting the utility lines out of the way, as well as -- as fast as they need to. So we urge them to help us out and expedite moving the power lines out of the way so that the GC can get going.

The other projects we just signed with the approval of the mayor, Leonora signed the application for the eight and a half million dollars from ECF for the road water lines phase one. That will include about four and a half

million dollars grant from the New York State Environmental Facility Corporation. And the balance of it, about three-plus million dollars is going to be money funded through the -- borrowed through the state revolving fund. And the City, of course, will have to pay it back.

And there is about \$1 million from Congressman -- through Congressman Pat Ryan through the EPA. So that was signed last week. The deadline was Monday, and that paperwork went in. The design work has started, slowed down until we finalize the grants and the funding. And now it's being -- in the process of being finalized, and we're going to be moving full speed ahead with that project.

The water line, the 24-inch low-pressure water line, that is also funded through the effort of Congressman Pat Ryan as well. That design is progressing as well for replacing that water line from the water treatment plant down to about Oliver Avenue or as close as we can to get to Oliver Avenue with the three and a half million dollars that's available for us.

I put also the roof project for the roof replacement project for the water garage and

for the street department garage, they are being finalized for the mayor to sign and then hopefully we'll start construction right away. And with that, I will conclude my remarks if you have any questions.

PRESIDENT J. MIGUEL RODRIGUES:

Questions for Jacob? Thank you, Jacob.

JACOB TAWIL: Thank you.

PRESIDENT J. MIGUEL RODRIGUES:

Superintendent of Recreation?

RAELYN BERTHOLF: Good evening, everyone. Summer is done. Camps are done, pools are closed, playground programs are closed. I am happy about that.

ALDERWOMAN KATE WRAY: Congratulations.

RAELYN BERTHOLF: Onto the fall. Thank you. Onto the fall. I handed out everyone a packet of all our fall programming coming up. Celinas and Nicole have been working very hard at the end of the summer to get all the dates out.

We usually have been going session by session with dates, but they were able to work with our instructors to get multiple classes out and listed and registration open. So families know if they can't make the first two weeks in

September, then there's the option for October and November programming. So, big kudos to Nicole and Celines who worked very hard with our instructors on getting as many dates open and out for the fall for all of our programming.

Just a few things to mention. The youth boxing clinic. We have pickle ball for 18 and older. Youth open gym, that is one of our free programs that's funded by the Youth Bureau. Youth soccer. The fitness program for adults. Rising Stars Basketball Clinic, yoga, adult volleyball open play, youth open gym for a different age group, but that's a free program.

Art classes, soccer for the little kids, lacrosse clinics. Our boxing that is year-round, we also do boxing clinics. A lot of families have let us know that they can't make it during the week and they want to -- still want to train and do boxing. So we started doing weekend clinics, so those are very highly and well-attended for adult and youth also.

We have free music classes during the week for the little ones, free Storytime Come Alive during the week for the littles ones. So as you can see, we -- we're non-stop all year

round. This fitness court that you have in front of you for the grant, we are very excited for that. Coach Darilyn, who is one of our instructors, told her about it and she is ready to get out there and lead some courses and do our youth programming. Celines is ready to program some of our youth fitness classes there in the evenings once it's up. So we're very excited and looking forward to this fitness campaign and this fitness thing that we're going to get. Any questions?

PRESIDENT J. MIGUEL RODRIGUES:

Questions? Alderman Witt?

ALDERMAN KEVIN WITT: Thank you. First of all, thank you and congratulations on all of the great work of your department and your team. One of the things, I had a chance to speak with Nicole and Celinas last week, and they were mentioning that you folks are constantly taking a look at everything and seeing what's working, what's not working, seeing what we can do to try to grab more people, and it's been like that for years. So --

RAELYN BERTHOLF: Yes.

ALDERMAN KEVIN WITT: -- thank you very

much for that. My question is, and I was thinking about this, I'm not trying to put you on the spot, is -- but how many do you think in the summer program, college-age kids or younger are employed? Because I've got to think this was, for some of these, their first job.

RAELYN BERTHOLF: Yes. Yes. For -- I would -- my guestimate would be about 50 to 60 high-school- and college-age youth and young adults that we employ over the summer. A lot for our sports camp, it is a -- we get the kids who have been going to camp since the age of 6. And as soon as they're 16 and old enough to work sports camp, they're applying. It's a hard transition, especially for -- we love hiring athletes because it's a sports camp.

So the majority of the activities that we do are sports related. And if you were an athlete or ever once trying to transition into coaching, and -- it's a tough transition, but with our adults that we have there, they do an excellent job of helping the youth transition and our adults that we have in the office that are overseeing the programs do an excellent job of helping the youth who are working in our

playgrounds and -- because like you said, a lot of them, this is their first job.

So it's hard. And we're noticing a lot of the soft skills we are starting to take for granted that we all have and we all grew up learning that today's youth are -- they're not coming to us with those soft skills. So it's teaching them how to be counselors and what's appropriate, what's inappropriate, and how to do things the right way.

ALDERMAN KEVIN WITT: Thank you very much. I never would have thought it was that high, but that is an added benefit to all of these programs. So thank you very much.

RAELYN BERTHOLF: Absolutely.

PRESIDENT J. MIGUEL RODRIGUES: Anyone else? Thank you, Raelyn.

RAELYN BERTHOLF: Mm-hmm.

PRESIDENT J. MIGUEL RODRIGUES: Police chief?

CHIEF JOHN EWANCIW: Good evening. Just a quick reminder with school starting, asking our residents to be patient, give some grace to the other parents. Sometimes it's the first-time parents dropping their loved one off

at a school. Sometimes it's just old habit, but people seem to get impatient, and I know the first couple of days are very hectic. So we do ask for some grace and some patience from our parents bringing their children in.

Also, this year we have new SROs in almost all the schools, so I encourage all the families and students to engage in those -- with those SROs, learn who they are, and welcome them and build that rapport with them. Other than that, I have nothing unless you have questions for me.

PRESIDENT J. MIGUEL RODRIGUES:

Questions for the police chief? Thank you, Chief. Senior director?

JULISA SIERRA: Hello. Good evening to everybody. I think it's my first time in a while. I just wanted to say that we have a lot of things happening in the senior center. I know we're kind of like the hidden gem in the city of Middletown. But we are wrapping up our summer as well. We have an end-of-summer cookout on September 17th.

We then have our -- October 3rd is our health fair. All are welcome in the community.

It's from 10 a.m. to 3 p.m., and then of course October 4th is our Hispanic heritage celebration. They're very excited. This is our first time. We've had a lot of firsts this year, so we're excited about all the new programs that we're doing as well. And that's it. Anybody else have any questions for me?

PRESIDENT J. MIGUEL RODRIGUES: Any questions? Thank you.

JULISA SIERRA: Thank you.

PRESIDENT J. MIGUEL RODRIGUES: City clerk.

CLERK RICHARD MCCORMACK: Good evening, everybody. Just one last reminder. City-wide yard sale is just over a week away. We have opened up spots at Erie Way Park. For anybody who doesn't want to participate at their home, there is availability left at Erie Way Park. You can register through the website MiddletownNY.gov, and please remember that the event is rain or shine. So let's hope for some great weather. Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Any questions for the city clerk? All right. Remarks of the aldermen. Alderman Masi?

ALDERMAN JOSEPH MASI: Nothing.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Witt?

ALDERMAN KEVIN WITT: Thank you. Just a reminder to the residents of the First Ward that Labor Day affects the garbage and the recycling. So please put the garbage out Thursday night, not Wednesday, and then recycling Friday night, not Thursday.

And just so we're really quickly on the first day of school tomorrow, congratulations. It's -- to everyone going back and heading back, and to our families of our council members who have children attending. Miguel, I think you're finally done, right?

PRESIDENT J. MIGUEL RODRIGUES: No more.

ALDERMAN KEVIN WITT: You're good. Good for you. Just one thing I wanted to mention to kind of piggyback on what the mayor and the chief, what they were saying is that -- and this is kind of relevant for a few days in case people don't see this right away.

A lot of times these first days there's delays in the buses leaving in the afternoon. So

-- and a lot of times it's because some of these buses have to take three trips in an afternoon. So it starts at the high school and the middle schools. And then if something happens where there's a delay, that affects the next level of things. So we're going to be sharing on the district Facebook page and on the main page when buses are departing relative to their schedules.

So if the high school is five minutes late, that's what it'll say. So it's sort of -- it's so much of an issue with the older levels, but when you get to like Presidential Park and Maple Hill and Carter, it does impact families. So please patient and -- but you will see that information. We're working closely with Dan Higby, who we all know is a fine community member and helpful resource for this, as well as the principals. So thank you very much. That's where it'll be.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Green?

ALDERMAN ANDREW GREEN: Thank you. I have an excited first-grader ready to rock and roll tomorrow morning. Hopefully he's asleep by now. I just want to piggy-back on that.

Everyone please, again, just be careful when you're driving tomorrow and just throughout the whole school year. Watch for kids who might hide behind a car and run out, and just follow those bus safety rules. Don't run those stop signs that are out. I know it's sometimes easy to have them in your peripheral vision and just drive through, but please, exercise caution around the area. Thanks.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Kleiner?

ALDERMAN GERALD KLEINER: Thank you.

We do have a Second Ward constituents' meeting. That'll be next Monday. I think that's September 9th at 7 p.m. right here in the council chambers.

Sending the National Guard into Washington, D.C., I just want to tell a little personal anecdote because I lived in D.C. I went to school at George Washington. Got my two degrees there. But I lived on a motorcycle because in Washington there's no point in having a car because you can't park where you're going and you can't park when you get back.

So my motorcycle, it was actually three different ones. And for four years, the

motorcycle was just parked on the streets of Washington, D.C. and I was fine. And 1968, I went down to Austin, Texas, the University of Texas, and in three weeks my motorcycle was stolen, and my laundry was stolen. So I don't think of Washington, D.C. as needing National Guard. And I -- you know, we -- what the concern in D.C. was, would D.C. ever have statehood? And it's got a higher population than Wyoming or Vermont. It's got almost as many people as South Dakota and North Dakota.

And instead of statehood, well, it's been taken over. So that really gets to me. And I just want to mention the courthouse since the mayor mentioned it. We'll be moving the court over there, but that courthouse exists only because of Joe DeStefano. I mean, that was his project, and that was his baby, and that's why we have it.

So I wanted to at least get that in, and there's just so much. Every day you wake up and you get sick because of what's going on in Gaza. It's just horrendous. Starvation and just killing reporters, killing independent aid people, killing anyone who walks in, and then now

taking it over. So, have to mention it. Thank you.

PRESIDENT J. MIGUEL RODRIGUES:

Aldерwoman Wray?

ALDERWOMAN KATE WRAY: Good evening. I just want to wish everyone a very safe and happy first day back at school. I have missed my students terribly this last month, so I'm actually very excited to see everybody tomorrow. Parents, be patient. Be, you know, understanding. The schools have an epic task of getting thousands of kids exactly where they belong this week, and that is a great undertaking being boots-on-the-ground people and what they do every day. So give them grace, and I hope it's a wonderful week.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Johnson?

ALDERMAN PAUL JOHNSON: Quite the potpourri. With Texas, tell us how you really feel, but we'll let that one lie. So going down memory lane, when we sent our first child, who is now 47, but when we sent her on the first week of kindergarten, we didn't have such sophisticated communication.

And that school bus was 45 minutes late coming home, and you couldn't call into the school at that time. And it was very nerve-wracking as to where -- on that particular day, there was a behavior issue, and the bus driver brought the bus back to the school. But we had now way -- so now it's like an airport. I can dial in and say, okay, I have a five-minute delay at K17. I can have another cup of coffee. So I appreciate that.

I had one other question for the mayor if I might. If I have the permission of the chair. Mayor, I had one other question. When you talked about the liquor license and the 80/20 ratio, is that monitored, or -- that could change, right, over time? The 80 percent --

MAYOR JOSEPH DESTEFANO: Yeah, but you --

ALDERMAN PAUL JOHNSON: -- and 20 percent.

MAYOR JOSEPH DESTEFANO: It's basically a standard in the restaurant industry with insurance.

ALDERMAN PAUL JOHNSON: I see.

MAYOR JOSEPH DESTEFANO: So that's --

so there are annual reports that are filed with your insurance companies that show a ratio of --

ALDERMAN PAUL JOHNSON: Oh, I see.

MAYOR JOSEPH DESTEFANO: -- alcohol sales versus food and soft beverage sales. But we'll develop those guidelines and rules.

ALDERMAN PAUL JOHNSON: So obviously it is monitored whether they choose to or not.

MAYOR JOSEPH DESTEFANO: Well, it won't affect the license, but your -- one important factor here is the churches have to agree, and they're going into that with a clear understanding. Sometimes a church in a downtown urban setting recognize that they're impacting the properties in the vicinity for the potential of -- you know, utilizing as a -- for the person's -- whatever use they wanted to have it.

So in this case, the -- there were two or three churches that had to sign off. All did. Doesn't mean they have to sign off in the future, but if your question is if they go below that 80/20 ratio --

ALDERMAN PAUL JOHNSON: Yes.

MAYOR JOSEPH DESTEFANO: -- can we switch it back? No.

ALDERMAN PAUL JOHNSON: Okay.

MAYOR JOSEPH DESTEFANO: Right. Those are guidelines to get there, and that's why the practice of having a multi-year relationship with the business owner came into consideration.

ALDERMAN PAUL JOHNSON: And how many years is that for now? I missed that part of it. Is that like a five-year thing or a ten-year --

MAYOR JOSEPH DESTEFANO: Well, that's the guideline that we established unilaterally on this one. But -- on the three applications, but going forward, if the council wanted to adopt a policy, that would be a recommendation. But we're still unclear on the state side on what they need.

They don't need a formal resolution from the council in order to process the application. They just need a contact from myself --

ALDERMAN PAUL JOHNSON: Pass it approval.

MAYOR JOSEPH DESTEFANO: But absolutely written comment from the churches, and then the state legislator carries the bill. It's -- like I said, it's not any rule of the -- or a law.

It's a special legislation that they bring on behalf of that individual business owner.

ALDERMAN PAUL JOHNSON: Thank you. Appreciate it.

MAYOR JOSEPH DESTEFANO: Yep.

ALDERMAN PAUL JOHNSON: That's all I have.

PRESIDENT J. MIGUEL RODRIGUES:
Alderman Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Yes.
Good evening. On behalf of the Fourth Ward constituents and Sparrow and I want to thank DPW, especially the street department, for doing a great job with the high grass over the summer, especially with the city-owned property. You guys have been doing a great job keeping up with that. Thank you so much.

Maria, you, and your staff are doing a great job over the summer. Thank you for the summer program. Can't wait for the fall, Raelyn, and you always go above and beyond, you and your staff. So we appreciate everything that you do. All right? Thank you so much.

PRESIDENT J. MIGUEL RODRIGUES:
Alderman Tobin?

ALDERMAN SPARROW TOBIN: Yeah. I'd like to echo what great programs and crossing from little kids to seniors and to our adults that is available in our city. And you guys are working really hard on that. So we -- it's greatly appreciated. And also, our Fourth Ward constituent meeting is this Saturday, 10 a.m. at city hall if anybody's interested.

PRESIDENT J. MIGUEL RODRIGUES: Okay.
New business.

CLERK RICHARD MCCORMACK: Good evening. We have a resolution sponsored by Alderman Tobin authorizing the acceptance of additional stop -- DWI high visibility engagement enforcement funding for 2025.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Tobin. Seconded by Alderwoman Wray. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries. We
have a resolution sponsored by Alderman Masi
authorizing a transfer within the police
department's 2025 budget.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Masi. Seconded
by Alderman Johnson. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries. We
have a resolution sponsored by Alderman Jean-
Francois authorizing a transfer within the 2025
Water Fund Budget.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Jean-Francois.
Seconded by Alderman Green. Any discussion?
Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries. We have a resolution sponsored by Alderman Johnson authorizing the return of Federal Emergency Management funds.

PRESIDENT J. MIGUEL RODRIGUES: Resolution sponsored by Alderman Johnson. Seconded by Alderman Jean-Francois. Any

discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Witt authorizing a transfer within the senior center budget lines.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Witt. Seconded
by Alderman Johnson. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Green
authorizing a revised agreement with Fusco

Engineering for design, construction, management,
and incidental services for the O&W project.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Green. Seconded
by Alderwoman Wray. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries. We have a resolution sponsored by Alderwoman Wray authorizing a transfer within the Department of Works budget for a paint-stripping machine.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderwoman Wray.
Seconded by Alderman Jean-Francois. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.
Resolution sponsored by Alderman Kleiner
authorizing a transfer within the Department of
Public Works budget for additional signage and
painting.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Kleiner.
Seconded by Alderman Green. Any discussion?
Alderman Kleiner?

ALDERMAN GERALD KLEINER: Thank you.
This was necessitated by the tariffs, and if
there's anyone foolish enough to still think that
the country the tariff is against pays for the
tariff, let this wake you up a little bit. And
this was from Glenco Supply, and you'll find it
in the packet. It's in the material if you look
at the agenda packet.

It says, "To our valued customers,
President Trump announced the increase of U.S.
Section 232 Tariffs on aluminum from 25 percent
to 50 percent effective June 4th. This
significant tariff adjustment directly impacts

aluminum materials that are fundamental to our core aluminum sign and blanks products." So their aluminum materials are expected to increase by 15 to 25 percent depending on the specific aluminum project, and that's why the original budget was not sufficient to cover this. That's a direct effect. Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Anyone else? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.
Resolution sponsored by Alderman Witt authorizing
the acceptance of a National Fitness Campaign
Grant award.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Witt. Seconded
by Alderman Johnson. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.
Resolution sponsored by Alderman Tobin
authorizing partial street closure of Union
Street for Senator Skoufis' annual Community
Resource Fair and Barbecue.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Tobin. Seconded
by Alderman Jean-Francois. Any discussion?
Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Johnson
authorizing street closures at the community
campus for the 2025 Arts and Cultural Festival.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Johnson.

Seconded by Alderman Green. Any discussion?

Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Green
authorizing a waiver of the 30-day notification
requirement for a full liquor license application
for the Taco Factory.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Green. Seconded
by Alderman Kleiner. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

That's it for new business, sir.

PRESIDENT J. MIGUEL RODRIGUES: Audit?

ALDERMAN JOSEPH MASI: Mr. President, I
move the accounts be audited, the claims be
adjusted, and the city treasurer be authorized to
issue a warrant for their payment.

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Masi, seconded

by Alderman Johnson. Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

PRESIDENT J. MIGUEL RODRIGUES: Move for adjournment.

ALDERMAN PAUL JOHNSON: So move.

C E R T I F I C A T I O N

I, Sonya Ledanski Hyde, certify that the
foregoing transcript is a true and accurate
record of the proceedings.



Sonya M. Ledanski Hyde

Veritext Legal Solutions

330 Old Country Road

Suite 300

Mineola, NY 11501

Date: September 11, 2025



**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
SEPTEMBER 2, 2025**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
 - 3.1. Nothing this evening.
4. CORRESPONDENCE, COMMUNICATION AND REPORTS
 - 4.1. 30-Day Standardized Notice from SLA- Taco Factory (Full Liquor)
5. FOR THE GOOD OF THE CITY
6. REMARKS OF THE MAYOR
7. REMARKS OF THE DEPARTMENT HEADS
8. PUBLIC HEARINGS AND GRIEVANCES
9. PETITIONS AND COMPLAINTS
10. REMARKS OF THE ALDERMAN AND REPORTS OF THE COMMITTEES
11. UNFINISHED BUSINESS
12. NEW BUSINESS
 - 233- Resolution Authorizing the Acceptance of additional STOP-DWI High Visibility
25 Engagement enforcement funding for 2025
 - 234- Resolution Authorizing a Transfer within the Police Department 2025 Budget
25
 - 235- Resolution Authorizing a Transfer within the 2025 Water Fund Budget
25
 - 236- Resolution Authorizing the Return of Federal Emergency Management (FEMA)

25 Funds

237- Resolution Authorizing a Transfer within Senior Center Budget Lines
25

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

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

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

241- Resolution to Accept National Fitness Campaign Grant Award
25

242- Resolution Authorizing Partial Street Closure on Union Street for Senator Skoufis'
25 Annual Community Resource Fair and BBQ

243- Resolution Authorizing Street Closures at the Community Campus for the 2025
25 Arts & Cultural Festival

244- Resolution Authorizing a Waiver of 30-Day Notification Requirement – Full
25 Liquor License Application, The Taco Factory

13. LOCAL LAWS

14. AUDIT OF CLAIMS AND ACCOUNTS

14.1. Resolution Authorizing the Accounts be Audited, Claims Adjusted, and the
Treasurer be Authorized to Issue Warrants for their Payment

15. ADJOURNMENT



**State Liquor
Authority**

OFFICE USE ONLY		
☐ Original	☐ Amended	Date _____

**Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a
Local Municipality or Community Board**
(Page 1 of 2 of Form)

1. Date Notice Was Sent: August 27, 2025 1a. Delivered by: Personal Delivery with Proof of Receipt

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License

☒ New Application ☐ Renewal ☐ Alteration ☐ Corporate Change ☐ Removal ☒ Class Change

For **New** applicants, answer each question below using all information known to date.

For **Renewal** applicants, set forth your approved Method of Operation only.

For **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s).

For **Corporate Change** applicants, attach a list of the current and proposed corporate principals.

For **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation.

For **Class Change** applicants, attach a statement detailing your current license type and your proposed license type.

This 30-Day Advance Notice is Being Provided to the Clerk of the following Local Municipality or Community Board

3. Name of Municipality or Community Board: City of Middletown NY Planning Board

Applicant/Licensee Information

4. License Serial Number, if Applicable: 2206882 Expiration Date, if Applicable: _____

5. Applicant or Licensee Name: Tortilleria Parvinci Inc

6. Trade Name (if any): The Taco Factory

7. Street Address of Establishment: 40 1/2 North Street and 40 North street (Second Floor)

8. City, Town or Village: Middletown, **NY** Zip Code: 10940

9. Business Telephone Number of Applicant/Licensee: 845-343-7171

10. Business Fax Number of Applicant/Licensee: 845-360-2461

11. Business E-mail of Applicant/Licensee: parvinci2001@yahoo.com

12. Type(s) of Alcohol sold or to be sold: ☐ Beer & Cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider

13. Extent of Food Service: ☒ Full food menu; Full Kitchen run by a chef or cook ☐ Menu meets legal minimum food availability requirements; Food prep area at minimum

14. Type of Establishment: Restaurant (Full Kitchen & Full Menu required)

15. Method of Operation: (Check all that apply)

☐ Seasonal Establishment	☒ Juke Box	☒ Disc Jockey	☒ Recorded Music	☒ Karaoke
☒ Live Music (Give details: i.e. rock bands, acoustic, jazz, etc.): <u>Mariachi</u>				
☒ Patron Dancing	☐ Employee Dancing	☐ Exotic Dancing	☐ Topless Entertainment	
☐ Video/Arcade Games	☐ Third Party Promoters	☐ Security Personnel		
☐ Other (specify): _____				

16. Licensed Outdoor Area: (Check all that apply)

☐ None	☐ Patio or Deck	☐ Rooftop	☐ Garden/Grounds	☐ Freestanding Covered Structure
☒ Sidewalk Cafe ☐ Other (specify): _____				



**State Liquor
Authority**

OFFICE USE ONLY

☐ Original☐ Amended

Date _____

**Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a
Local Municipality or Community Board**

(Page 2 of 2 of Form)

17. List the floor(s) of the building that the establishment is located on: First Floor, Second Floor and Basement
18. List the room number(s) the establishment is located in within the building, if appropriate: Three (First, Second and Basement- Storage)
19. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☐ Yes ☒ No
20. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
21. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee.

22. Does the applicant or licensee own the building in which the establishment is located? ☐ Yes (If Yes SKIP 23-26) ☒ No

Owner of the Building in Which the Licensed Establishment is Located

23. Building Owner's Full Name: Tortilleria Parvinci, Inc.
24. Building Owner's Street Address: 40 North Street
25. City, Town or Village: Middletown State: NY Zip Code: 10940
26. Business Telephone Number of Building Owner: 8453813433

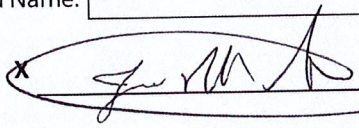
**Representative or Attorney representing the Applicant in Connection with the
application for a license to traffic in alcohol at the establishment identified in this notice**

27. Representative/Attorney's Full Name: Juan Manuel Avalos
28. Street Address: 36 Dewitt Street
29. City, Town or Village: Middletown State: NY Zip Code: 10940
30. Business Telephone Number of Representative/Attorney: 845-381-3433
31. Business Email Address: parvinci2001@yahoo.com

I am the applicant or hold the license or am a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

32. Printed Name: Juan Manuel Avalos Title: President & CEO

Signature:  8/27/25



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

THE FOLLOWING WAS PRESENTED

By: Alderman Tobin
Seconded by: Alderwoman Wray
Date of Adoption: September 2, 2025
Index No: 233-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

9/3/25

Resolution Authorizing the Acceptance of additional STOP-DWI High Visibility Engagement enforcement funding for 2025

WHEREAS, the County of Orange has amended the City of Middletown's 2023–2024 STOP-DWI High Visibility Engagement (formerly Crackdown Campaign) agreement for the enforcement period of November 1, 2024 through September 30, 2025, increasing the award from \$5,000 to \$10,000, and

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign the contract amendment with the County of Orange for the STOP-DWI High Visibility Engagement enforcement program, and be it further

RESOLVED, that the Treasurer is authorized to add the additional \$5,000 to the STOP-DWI

High Visibility grant line A.3126.103.

Prepared by:
John Ewanciw, Chief of Police

Attachments:

1.	2025 STOP DWI HIGH VISIBILITY (PREVIOUS CRACKDOWN)-AMENDED REQUEST TO INCLUDE NEW AMOUNT
----	---

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

August 26, 2025

Mayor Joseph DeStefano
Members of the Common Council
And Board of Estimate
City of Middletown
16 James Street
Middletown, New York 10940

Dear Mayor DeStefano and Members,

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

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

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

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

Thank you.

Very truly yours,

John Ewanciw
Chief of Police

Enclosure
JE: ccd

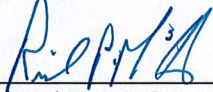


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

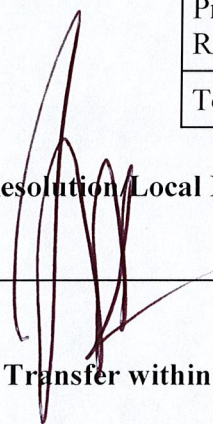
By: Alderman Masi
Seconded by: Alderman Johnson
Date of Adoption: September 2, 2025
Index No: 234-25

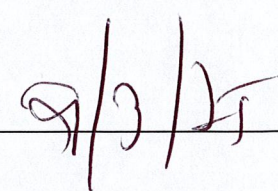
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Resolution Authorizing a Transfer within the Police Department 2025 Budget

BE IT RESOLVED that the Common Council of the City of Middletown, concurs with the Board of Estimate and Apportionment, authorizes the following transfers within the 2025 budget:

FROM	AMOUNT TO	PURPOSE
A.3120.100 – Personal Services	\$100,000 A.3120.103 – Overtime	Overtime coverage
A.3120.100 – Personal Services	\$35,000 A.3120.200 – Equipment	Purchase of new kennel for animal control
A.3120.100 – Personal Services	\$80,000 A.3120.201 – Vehicles	Replacement unmarked police vehicle including safety lighting and transfer costs

Prepared by:
John Ewanciw, Chief of Police

Attachments:

1.	08262025
----	----------

JOHN EWANCIW
CHIEF OF POLICE



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

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

August 26, 2025

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 requests within our 2025 budget lines to cover the following costs:

From	Amount	To
A.3120.100 Personal Services	\$100,000	A.3120.103 Overtime
A.3120.100 Personal Services For the purchase of a new kennel to be used by animal control	\$35,000	A.3120.200 Equipment
A.3120.100 Personal Services For the purchase of a replacement unmarked police vehicle to include the purchase and transfer cost of safety lighting and equipment.	\$80,000	A.3120.201 Vehicles

Very truly yours,

John Ewanciw
Chief of Police

JE:ccd

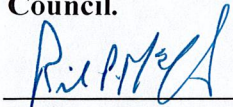


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

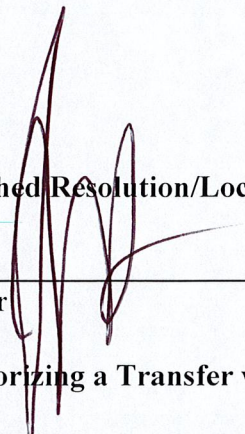
By: Alderman Jean-Francois
Seconded by: Alderman Green
Date of Adoption: September 2, 2025
Index No: 235-25

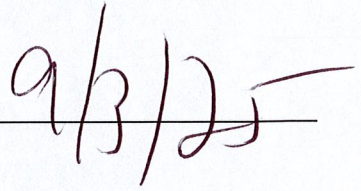
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

Resolution Authorizing a Transfer within the 2025 Water Fund Budget

WHEREAS, the Water Treatment Plant is currently short-staffed by two licensed operators, and one position's funding is being used to cover the cost of an H2O licensed operator, creating a need for additional overtime funds,

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer funds as follows to cover projected overtime at the Filter Plant for the remainder of the year:

FROM	TO	AMOUNT
F.8330.100 – Personal Services	F.8330.103 – Overtime	\$20,000.00

Prepared by:

Jacob Tawil

Attachments:

1.	BOE MEMO- WTP TRANSFER TO OT
----	------------------------------

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: August 28, 2025

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

Cc: Leonora Liz, Treasurer and Richard McCormack, City Clerk

From: Jacob S. Tawil, P.E.- Commissioner of Public Works 

Re: Transfer of Funds- WTP Overtime Account

We are respectfully requesting a transfer of funds from the personal services line, F.8330.100, into the WTP Overtime account, F.8330.103, to cover projected overtime at the Filter Plant for the remainder of this year. Currently the WTP is short staffed by two (2) licensed operators. One positions funding is being used to pay for the H2O licensed operator to cover.

FROM	AMOUNT	TO
F.8330.100 Personal Services	\$20,000.00	F.8330.103 Overtime – Purification WTP

Thank you.

JT/kg

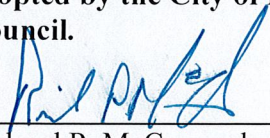


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

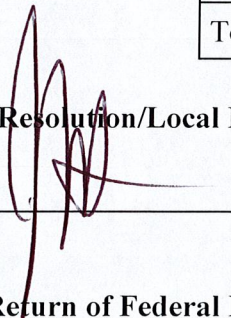
By: Alderman Johnson
Seconded by: Alderman Jean-Francois
Date of Adoption: September 2, 2025
Index No: 236-25

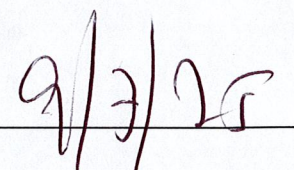
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

Resolution Authorizing the Return of Federal Emergency Management (FEMA) Funds

WHEREAS, the NYS Division of Homeland Security and Emergency Services has notified the City of Middletown of a de-obligation from FEMA in the amount of \$61,317.15, and

WHEREAS, the reason for the de-obligation is that the roads in question are Federal Highway Administration (FHWA) roads and therefore not eligible for FEMA Public Assistance funding, and

WHEREAS, although the de-obligation dates back to June 2012, the Division of Homeland Security reimbursed the City on September 4, 2012, and

NOW, THEREFORE, BE IT RESOLVED that the **Common Council of the City of Middletown, concurring with the Board of Estimate and Apportionment**, authorizes the return of \$61,317.15 to the NYS Division of Homeland Security and Emergency Services, and

directs that a check be issued upon approval of this request.

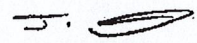
Prepared by:
Jacob Tawil

Attachments:

1.	BOE Memo FEMA 3920
2.	FEMA 3920 Addl Back up docs
3.	FEMA 3920 CHECKLIST
4.	FEMA 3920 DEOBLIGATION Backup docs
5.	FEMA 3920 DEOBLIGATION

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: August 20, 2025
To: Honorable Mayor DeStefano, Honorable Members of the Board of Estimate and Apportionment, Members of the Common Council
Cc: Leonora Liz, Treasurer, Richard McCormack, City Clerk, Katie Gass, Senior Clerk
From: Jacob Tawil, Commissioner of Public Works 
Re: Return of FEMA Funding DR 4020 PW 3920 South St. & Fulton St.

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

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

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

Thank you.

JT/sc

DEOBLIGATION

OWE \$

Disaster 4020 DR NY

Applicant:
PA #

CITY MIDDLETOWN
071-47042-00

Approved Amt	(\$61,317.15)
Deobligated Fed Share	(\$45,987.86)
Federal Balance Applied	\$0.00
RETURNED	(\$45,987.86)
Deobligated State Share 25%	(\$15,329.29)
State Balance Applied	\$0.00
RETURNED	(\$15,329.29)

Total (\$61,317.15)

PW#
3920v1

BDL#
407

MEMO#

Payment date	PAY NOW
Liability date	7/16/25
MIR date	7/16/25
Interest Eligible	Not Applicable

FEDERAL

STATE

Business Unit DHS01
Department 1160220
Program 30357
Fund 25324
Account 60301
Budget Reference 2016-17
PC Bus Unit DHS01
Project ID- 4020DRNYP00001Z
Activity GENERAL
Chartfield 1

Business Unit DHS01
Department 1160220
Program 81511
Fund 30000
Account 60301
Budget Reference 2016-17
PC Bus Unit DHS01
Project ID DHS000000000043
Activity GENERAL
Chartfield 1 - 16162

**Department of Homeland Security
Federal Emergency Management Agency**



General Info

Project #	874954	PW #	3920	Project Type	Actual Costs
Project Category	C - Roads and Bridges			Applicant	Middletown, City (071-47042-00)
Project Title	(PW# 3920) 4704230 - South Street and Fulton Street			Event	4020DR-NY (4020DR)
Project Size	Small			Declaration Date	8/31/2011
Activity	2/28/2013			Incident Start Date	8/26/2011
Completion Date				Incident End Date	9/5/2011
Process Step	Signed				

Damage Description and Dimensions

The Disaster # 4020DR, which occurred between *08/26/2011* and *09/05/2011*, caused:

Final Scope

Cost

Code	Quantity	Unit	Total Cost	Section
------	----------	------	------------	---------

CRC Gross Cost \$61,317.15

Total 406 HMP Cost \$0.00

Total Insurance Reductions \$0.00

CRC Net Cost \$61,317.15

Federal Share (75.00%) \$45,987.86

Non-Federal Share (25.00%) \$15,329.29

Subgrant Conditions

This Project does not have any Subgrant Conditions

Insurance

Additional Information

There is no additional insurance information on (PW# 3920) 4704230 - South Street and Fulton Street.

O&M Requirements

There are no Obtain and Maintain Requirements on (PW# 3920) 4704230 - South Street and Fulton Street.

406 Mitigation

There is no additional mitigation information on (PW# 3920) 4704230 - South Street and Fulton Street.

Environmental Historical Preservation

Is this project compliant with EHP laws, regulations, and executive orders?

(Unanswered)

EHP Conditions

EHP Additional Info

There is no additional environmental historical preservation on (PW# 3920) 4704230 - South Street and Fulton Street.

Final Reviews

Final Review

Reviewed By Not Reviewed

Reviewed On Not Reviewed

Review Comments

No comments available for the Final Review step

Recipient Review

Reviewed By Not Reviewed

Reviewed On Not Reviewed

Review Comments

No comments available for the Final Review step

Project Signatures

Reviewed By Unsigned

Reviewed On Unsigned

General Info

Project #	874954 P/W# 3920	Project Type	Actual Costs
Project Category	C - Roads and Bridges	Applicant	Middletown, City (071-47042-00)
Project Title	(PW# 3920) 4704230 - South Street and Fulton Street	Event	4020DR-NY (4020DR)
Project Size	Small	Declaration Date	8/31/2011
Activity	2/28/2013	Incident Start Date	8/26/2011
Completion Date		Incident End Date	9/5/2011
Process Step	Obligated		

Damage Description and Dimensions

The Disaster # 4020DR, which occurred between 08/26/2011 and 09/05/2011, caused:

Final Scope

1605513 South Street and Fulton Street

PA-02-NY-4020-PW-03920(0)

WORK COMPLETED:

Applicant used (120hrs) Force Account Labor totaling \$3,580.36 and (72hrs) Equipment totaling \$5,048.00, to repair and replace of the damaged intersections grates and risers, force account used from stock \$1081.00 materials to bring damaged sites risers to pre-disaster condition, capacity and function.

The Applicant's force account worked with additional contractors to assist them in the repair of:

i. North and South of South Street estimated (144ft L x 38ft W x .167ft D = 34 cy x 1.9 conv= 64 tons) asphalt, (140ft L x 38ft W x .208ft D = 41 x 1.9 conv= 78 tons) binder and with estimated additional item 4 material lost (148ft L x 38ft W x .833ft D = 173 cy x 1.3 conv = 225 tons) and;

Applicant used contract to:

2. Repair east and west of Fulton Street (138ft L x 32ft W x .167ft D = 27 cy x 1.9 conv = 52 tons) asphalt intersection, (132ft L x 32ft W x 208ft D 33 cy x 1.9 conv = 62 tons) binder with additional item 4 material lost (137ft L x 32ft W x .583ft D = 95 cy x 1.3 conv = 123 tons) road repair.

Total road repair from Contract equals a total of (\$24,965.87), including repairing the intersections traffic signals (\$675.00), and a separate contract to deliver Item #4 (\$5,540.92).

Total cost of Work Completed = \$40,891.15 (Force Account and Contract)

WORK TO BE COMPLETED:

3. The subgrantee will use contract and/or force account work to repair 35 LF of concrete curb and 2.8 CY of concrete sidewalk (15FT L x 5FT W x .35FT T), (14FT L x 6.5FT W x .35FT T), & (10FT L x 5FT W x .35FT T) at the northwesterly corner of the intersection, along with 20 LF of concrete curb and 1 CY of concrete sidewalk (15FT L x 5FT W x .35FT T), at the southwesterly corner, 15 LF of concrete curbing on the east side of south street, and 2 reinforced concrete pull boxes (2FT x 1FT).

In order to replace the curbs, the subgrantee will also need to sawcut the asphalt pavement 2 ft in front of the curbs at the full length

of the curbs (2 + 2 + 35 + 2 + 2 + 20 + 2 + 2 + 15 = 82 LF). The subgrantee will then need to repair 2.2 TN of binder course asphalt (70FT L x 2FT W x 2.5IN T) and 1 TN (70FT L x 2FT W x 1IN T) of top course asphalt

In order to properly install the new sidewalk and curbs, the subgrantee will place 14.7 CY of subbase material (15FT L x 5FT W x 1FT T), (14FT L x 6.5FT W x 1FT T), (10FT L x 5FT W x 1FT T), (15FT L x 5FT W x 1FT T), & (70FT L x 1.5FT W x 1FT T) and 17.3 CY of subgrade material (15FT L x 5FT W x 1FT T), (14FT L x 6.5FT W x 1FT T), (10FT L x 5FT W x 1FT T), (15FT L x 5FT W x 1FT T), & (70FT L x 2.5FT W x 1FT T).

In order to follow codes and standards, the subgrantee will need to install 4 SQF of embedded detectable warning units on the sidewalk.

Total cost of Work to be Completed = \$14,661.85 (See attached NYSDOT Estimate)

*Project Notes:

*Material exact quantities taken from actual invoice and dimensions are only estimated.

*Equipment Sheet and Labor Sheets were derived from the applicant. Project Specialist deemed it necessary to use the Applicants Labor Sheet with Fringe included, but used the FEMA Templates to eliminate math errors.

*Actual Costs: FEMA staff have reviewed the documentation and costs provided by the applicant in support of this project and based on that review, the costs appear to meet the minimum eligibility standards. Actual materials used are from invoices, only dimensions of damage are estimated as work was completed at time of site visit. Only one picture was taken of damage during construction. Google Earth overview can see the actual repair.

*Record Retention: Complete records and cost documents for all approved work must be maintained for at least three years from the date the last project was completed or from the date final payment was received, whichever is later.

*Direct Administrative Costs: The SubGrantee requested Direct Administrative Costs (DAC) that is directly chargeable to this specific project. Associated eligible work is related to administration of this PA project only and in accordance with 44 CFR §13.22. These costs are treated consistently and uniformly as direct costs in all Federal awards and other Subgrantee activities and are not included in any approved indirect cost rates. The breakdown of the labor and equipment hours along with the associated unit costs for the DAC amount listed on this PW will be sent to the JFO at a later date.

*Mitigation: No Mitigation opportunities identified because work already completed and no add-on mitigation is feasible.

DOCUMENTATION REVIEW: 20% or more sampling of the documentation was reviewed/validated and found to be complete and reasonable by the FEMA project specialist. If applicable, copies of applicant's pertinent pre-disaster policies, invoices, cancelled checks (or other proofs of payment) were reviewed and samples of payroll data are attached.

PROCUREMENT: If applicable to this project, The applicant is required to adhere to State Government Procurement rules and regulations and maintain adequate records to support the basis for all purchasing of goods and materials and contracting services for projects approved under the Public Assistance program, as stated in 44 CFR 13.36. The applicant has advised they have/will follow their normal procurement procedures.

PERMITS: The applicant must obtain all required federal, state, and local permits prior to the commencement of work

PA-02-NY-4020-PW-03920(1)

***** AMENDMENT*****

This amendment is written to

De-obligate funds for South street (Major Collector (16)) and Fulton Street (Minor Arterial (17)). These are FHWA roads and not eligible for FEMA funding through Public Assistance.

Cost

Code	Quantity	Unit	Total Cost	Section
0000	0	Lump Sum	\$0.00	Completed
0000	0	Lump Sum	\$0.00	Completed
0000	0	Lump Sum	\$0.00	Completed
9001	1	Lump Sum	\$31,181.79	Completed
9007	1	Lump Sum	\$3,580.36	Completed
9008	1	Lump Sum	\$5,048.00	Completed
9009	1	Lump Sum	\$1,081.00	Completed
9901	1	Lump Sum	\$4,097.76	Completed
9999	1	Lump Sum	\$1,666.59	Completed
9999	1	Lump Sum	(\$61,317.15)	Completed
9999	1	Lump Sum	\$14,661.65	Completed

CRC Gross Cost \$0.00

Total 406 HMP Cost \$0.00

Total Insurance Reductions \$0.00

CRC Net Cost \$0.00

Federal Share (75.00%) \$0.00

Non-Federal Share (25.00%) \$0.00

Subgrant Conditions

- notification: If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA. This condition was not monitored.
- permits: This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding. This condition was not monitored.
- scope: Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders. This condition was not monitored.

Insurance

Additional Information

There is no additional insurance information on (PW# 3920) 4704230 - South Street and Fulton Street.

O&M Requirements

There are no Obtain and Maintain Requirements on (PW# 3920) 4704230 - South Street and Fulton Street.

406 Mitigation

There is no additional mitigation information on (PW# 3920) 4704230 - South Street and Fulton Street.

Environmental Historical Preservation

Is this project compliant with EHP laws, regulations, and executive orders?

(Unanswered)

EHP Conditions

- If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.
- Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.
- This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

EHP Additional Info

There is no additional environmental historical preservation on (PW# 3920) 4704230 - South Street and Fulton Street.

Final Reviews

Final Review

Reviewed By Not Reviewed Reviewed On Not Reviewed

Review Comments

No comments available for the Final Review step

Recipient Review

Reviewed By Not Reviewed Reviewed On Not Reviewed

Review Comments

No comments available for the Final Review step

Project Signatures

Reviewed By Unsigned Reviewed On Unsigned

Award Information

Version Information

Version #	Eligibility Status	Current Location	Bundle Number	Project Amount	Cost Share	Federal Share Obligated	Date Obligated
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Drawdown History

EMMIE Drawdown Status As of Date	IFMIS Obligation #	Expenditure Number	Expended Date	Expended Amount
No Records				

Obligation History

Version #	Date Obligated	Obligated Cost	Cost Share	IFMIS Status	IFMIS Obligation #
0	5/30/2012	\$45,987.86	75%	Accepted	4020DRNYP00000001
1	7/17/2025	(\$45,987.86)	75%	Accepted	4020DRNYP00000001



Department of Homeland Security
Federal Emergency Management Agency

General Info

Project #	874954	PMW #	3920	Project Type	Actual Costs
Project Category	C - Roads and Bridges	Applicant	Middletown, City (071-47042-00)	Event	4020DR-NY (4020DR)
Project Title	(PMW# 3920) 4704230 - South Street and Fulton Street	Declaration Date	8/31/2011	Incident Start Date	8/26/2011
Project Size	Small	Incident End Date	9/5/2011	Completion Date	2/28/2013
Activity		Process Step	Obligated		

Damage Description and Dimensions

The Disaster # 4020DR, which occurred between 08/26/2011 and 09/05/2011, caused:

Damage # 1605513, 0, 1; C (South Street and Fulton Street)

PA-02-NY-4020-PW-03920(0) During the incident period of August 26, 2011 through September 5, 2011 severe rain storms from Hurricane Irene resulted in heavy overland flooding within Orange County. The force of the swiftly moving waters caused significant undermining and scouring damage to: 1. North and South of South Street estimated (144ft L x 38ft W x .167ft D) asphalt, (140ft L x 38ft W x .208ft D) binder and with estimated additional item 4 material lost (148ft L x 38ft W x .833ft D) and; 2. East and West of Fulton Street (138ft L x 32ft W x .167ft D) asphalt intersection, (132ft L x 32ft W x .208ft D) binder with additional item 4 material lost (137ft L x 32ft W x .583ft D). 3. Approximately 35 LF of concrete curb and 2.8 CY of concrete sidewalk (15ft L x 5ft W x .35ft T), (14ft L x 6.5ft W x .35ft T), & (10ft L x 5ft W x .35ft T) at the northwesterly corner of the intersection were damaged in this manner, along with 20 LF of concrete curb and 1 CY of concrete sidewalk (15ft L x 5ft W x .35ft T), at the southwesterly corner, and 15 LF of concrete curbing on the east side of south street. Included in the damaged sidewalk is 2 reinforced concrete pull boxes (2ft x 1ft). Location: City of Middletown PA-02-NY-4020-PW-03920(1)

Final Scope

1605513 South Street and Fulton Street

PA-02-NY-4020-PW-03920(0)

WORK COMPLETED:

Applicant used (120hrs) Force Account Labor totaling \$3,580.36 and (72hrs) Equipment totaling \$5,048.00, to repair and replace of the damaged intersections grates and risers, force account used from stock \$1081.00 materials to bring damaged sites risers to pre-disaster condition, capacity and function.
The Applicant's force account worked with additional contractors to assist them in the repair of:

1. North and South of South Street estimated (144ft L x 38ft W x .167ft D = 34 cy x 1.9 conv= 64 tons) asphalt, (140ft L x 38ft W x .208ft D = 41 x 1.9 conv= 78 tons) binder and with estimated additional item 4 material lost (148ft L x 38ft W x .833ft D = 173 cy x 1.3 conv = 225 tons) and;
Applicant used contract to:

Date Downloaded: 8/15/25 9:30am EDT

2. Repair east and west of Fulton Street (138ft L x 32ft W x .167ft D = 27 cy x 1.9 conv = 52 tons) asphalt intersection, (132ft L x 32ft W x 208ft D 33 cy x 1.9 conv = 62 tons) binder with additional item 4 material lost (137ft L x 32ft W x .583ft D = 95 cy x 1.3 conv = 123 tons) road repair.

Total road repair from Contract equals a total of (\$24,965.87), including repairing the intersections traffic signals (\$675.00), and a separate contract to deliver Item #4 (\$5,540.92).

Total cost of Work Completed = \$40,891.15 (Force Account and Contract)

WORK TO BE COMPLETED:

3. The subgrantee will use contract and/or force account work to repair 35 LF of concrete curb and 2.8 CY of concrete sidewalk (15FT L x 5FT W x .35FT T), (14FT L x 6.5FT W x .35FT T), & (10FT L x 5FT W x .35FT T) at the northwesterly corner of the intersection, along with 20 LF of concrete curb and 1 CY of concrete sidewalk (15FT L x 5FT W x .35FT T), at the southwest corner, 15 LF of concrete curbing on the east side of south street, and 2 reinforced concrete pull boxes (2FT x 1FT).

In order to replace the curbs, the subgrantee will also need to sawcut the asphalt pavement 2 ft in front of the curbs at the full length of the curbs (2 + 2 + 35 + 2 + 2 + 20 + 2 + 2 + 15 = 82 LF). The subgrantee will then need to repair 2.2 TN of binder course asphalt (70FT L x 2FT W x 2.5IN T) and 1 TN (70FT L x 2FT W x 1IN T) of top course asphalt

In order to properly install the new sidewalk and curbs, the subgrantee will place 14.7 CY of subbase material (15FT L x 5FT W x 1FT T), (14FT L x 6.5FT W x 1FT T), (10FT L x 5FT W x 1FT T), (15FT L x 5FT W x 1FT T), & (70FT L x 1.5FT W x 1FT T) and 17.3 CY of subgrade material (15FT L x 5FT W x 1FT T), (14FT L x 6.5FT W x 1FT T), (10FT L x 5FT W x 1FT T), (15FT L x 5FT W x 1FT T), & (70FT L x 2.5FT W x 1FT T).

In order to follow codes and standards, the subgrantee will need to install 4 SQF of embedded detectable warning units on the sidewalk.

Total cost of Work to be Completed = \$14,661.85 (See attached NYSDOT Estimate)

*Project Notes:

*Material exact quantities taken from actual invoice and dimensions are only estimated.

*Equipment Sheet and Labor Sheets were derived from the applicant. Project Specialist deemed it necessary to use the Applicants Labor Sheet with Fringe included, but used the FEMA Templates to eliminate math errors.

*Actual Costs: FEMA staff have reviewed the documentation and costs provided by the applicant in support of this project and based on that review, the costs appear to meet the minimum eligibility standards. Actual materials used are from invoices, only dimensions of damage are estimated as work was completed at time of site visit. Only one picture was taken of damage during construction. Google Earth overview can see the actual repair.

*Record Retention: Complete records and cost documents for all approved work must be maintained for at least three years from the date the last project was completed or from the date final payment was received, whichever is later.

*Direct Administrative Costs: The SubGrantee requested Direct Administrative Costs (DAC) that is directly chargeable to this specific project. Associated eligible work is related to administration of this PA project only and in accordance with 44 CFR §13.22. These costs are treated consistently and uniformly as direct costs in all Federal awards and other Subgrantee activities and are not included in any approved indirect cost rates. The breakdown of the labor and equipment hours along with the associated unit costs for the DAC amount listed on this PW will be sent to the JFO at a later date.

*Mitigation: No Mitigation opportunities identified because work already completed and no add-on mitigation is feasible.

DOCUMENTATION REVIEW: 20% or more sampling of the documentation was reviewed/validated and found to be complete and reasonable by the FEMA project specialist. If applicable, copies of applicant's pertinent pre-disaster policies, invoices, cancelled checks (or other proofs of payment) were reviewed and samples of payroll data are attached.

PROCUREMENT: If applicable to this project, The applicant is required to adhere to State Government Procurement rules and regulations and maintain adequate records to support the basis for all purchasing of goods and materials and contracting services for projects approved under the Public Assistance program, as stated in 44 CFR 13.36. The applicant has advised they have/will follow their normal procurement procedures.

PERMITS: The applicant must obtain all required federal, state, and local permits prior to the commencement of work

PA-02-NY-4020-PW-03920(1)

*****AMENDMENT*****

This amendment is written to

De-obligate funds for South street (Major Collector (16)) and Fulton Street (Minor Arterial (17)). These are FHWA roads and not eligible for FEMA funding through Public Assistance.

406 HMP Scope

Cost

Code	Quantity	Unit	Total Cost	Section
9999 (De-Obligate for FHWA Roads)	1.00	Lump Sum	(\$61,317.15)	Completed
0000 (*****AMENDMENT*****)	0.00	Lump Sum	\$0.00	Completed
0000 (*****AMENDMENT*****)	0.00	Lump Sum	\$0.00	Completed
0000 (*****AMENDMENT*****)	0.00	Lump Sum	\$0.00	Completed
9009 (Material)	1.00	Lump Sum	\$1,081.00	Completed
9999 (Construction Management)	1.00	Lump Sum	\$1,666.59	Completed
9007 (Labor)	1.00	Lump Sum	\$3,580.36	Completed
9901 (Direct Administrative Costs (Subgrantee))	1.00	Lump Sum	\$4,097.76	Completed
9008 (Equipment)	1.00	Lump Sum	\$5,048.00	Completed
9999 (NYSDOT Estimate)	1.00	Lump Sum	\$14,661.65	Completed
9001 (Contract)	1.00	Lump Sum	\$31,181.79	Completed

CRC Gross Cost	\$0.00
Total 406 HMP Cost	\$0.00
Total Insurance Reductions	\$0.00
CRC Net Cost	\$0.00
Federal Share (75.00%)	\$0.00
Non-Federal Share (25.00%)	\$0.00

Award Information

Version Information

Version #	Eligibility Status	Current Location	Bundle Number	Project Amount	Cost Share	Federal Share Obligated	Date Obligated
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Drawdown History

EMMIE Drawdown Status As of Date	IFMIS Obligation #	Expenditure Number	Expended Date	Expended Amount
No Records				

Obligation History

Version #	Date Obligated	Obligated Cost	Cost Share	IFMIS Status	IFMIS Obligation #
0	5/30/2012	\$45,987.86	75%	Accepted	4020DRNYP00000001
1	7/17/2025	(\$45,987.86)	75%	Accepted	4020DRNYP00000001

Subgrant Conditions

- notification: If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA. This condition was not monitored.
- permits: This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding. This condition was not monitored.
- scope: Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders. This condition was not monitored.

Insurance

Additional Information

There is no additional insurance information on (PW# 3920)
4704230 - South Street and Fulton Street.

O&M Requirements

There are no Obtain and Maintain Requirements on (PW# 3920)
4704230 - South Street and Fulton Street.

406 Mitigation

There is no additional mitigation information on (PW# 3920)
4704230 - South Street and Fulton Street.

Environmental Historical Preservation

Is this project compliant with EHP laws, regulations, and executive orders?

(Unanswered)

EHP Conditions

- If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.
- Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.
- This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

EHP Additional Info

There is no additional environmental historical preservation on (PW# 3920) 4704230 - South Street and Fulton Street.

Final Reviews

Final Review

Reviewed By Not Reviewed

Reviewed On Not Reviewed

Review Comments

No comments available for the Final Review step

Recipient Review

Reviewed By Not Reviewed

Reviewed On Not Reviewed

Review Comments

No comments available for the Recipient Review step

Project Signatures

Signed By Unsigned

Signed On Unsigned

PW#

3920

FEMA - DR-4020 - NY

CHECKLIST FOR SUBGRANT APPLICATIONS

APPLICANT

Middletown

FIPS #

071-47042-00

PAC

STEPHEN BROOKS

PROJECT REF. #

4704230

NO

PROJECT SPECIALIST ENTERED
(SCANNED AND ATTACHED)

NO

MITIGATION PROPOSAL ATTACHED

PW RECEIVED AT JFO LOGGED INTO DATA ENTRY TRACKER

PW ENTERED BY DATA ENTRY STAFF
(Scanned and Attached)DATA ENTRY REVIEW --
SUBMITTED OUT OF UPDATE APPLICATIONS

Category

C

Notes:

Amendment

SN
6/25

Amendment #

1

QA/QC ONLY

QA/QC

INITIAL REVIEW

SPECIAL QUEUE (MITIGATION) REVIEW

OSPE

Wes.
25/6

11

PROJECT WORKSHEET

(VI)
13920

DATE: 12/12/2019

PW# 03920

U.S. DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY

PROJECT WORKSHEET

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this form is estimated to average 90 minutes per response. Burden means the time, effort and financial resources expended by persons to generate, maintain, disclose, or to provide information to us. You may send comments regarding the burden estimate or any aspect of the collection, including suggestions for reducing the burden to: Information Collections Management, U.S. Department of Homeland Security, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472. Paperwork Reduction Project (OMB Control Number 1660-0017). You are not required to respond to this collection of information unless a valid OMB number appears in the upper right corner of this form. NOTE: Do not send your completed questionnaire to this address

DECLARATION NO.	PW REF NO.	DATE	FIPS NO.	CATEGORY	EMMIE NO.
FEMA 4020 DR 0	4704230	02/27/12	071-47042-00	C	
APPLICANT				WORK COMPLETED AS OF:	
Middletown				DATE	PERCENT
				03/01/12	100%
DAMAGED FACILITY				COUNTY	
South Street and Fulton Street				Orange	
LOCATION				LATITUDE	LONGITUDE
City of Middletown				41.44210	-74.42150

Was this site previously damaged? ☐ Yes ☒ No ☐ Unsure

DAMAGE DESCRIPTION AND DIMENSIONS:

During the incident period of August 26, 2011 through September 5, 2011 severe rain storms from Hurricane Irene resulted in heavy overland flooding within Orange County. The force of the swiftly moving waters caused significant undermining and scouring damage to:

1. North and South of South Street estimated (144ft L x 38ft W x .167ft D) asphalt, (140ft L x 38ft W x .208ft D) binder and with estimated additional item 4 material lost (148ft L x 38ft W x .833ft D) and;
2. East and West of Fulton Street (138ft L x 32ft W x .167ft D) asphalt intersection, (132ft L x 32ft W x .208ft D) binder with additional item 4 material lost (137ft L x 32ft W x .583ft D).
3. Approximately 35 LF of concrete curb and 2.8 CY of concrete sidewalk (15FT L x 5FT W x .35FT T), (14FT L x 6.5FT W x .35FT T), & (10FT L x 5FT W x .35FT T) at the northwesterly corner of the intersection were damaged in this manner, along with 20 LF of concrete curb and 1 CY of concrete sidewalk (15FT L x 5FT W x .35FT T), at the southwesterly corner, and 15 LF of concrete curbing on the east side of south street. Included in the damaged sidewalk is 2 reinforced concrete pullboxes (2FT x 1FT).

SCOPE OF WORK:

Fund at 75%

WORK COMPLETED:

Applicant used (120hrs) Force Account Labor totaling \$3,580.36 and (72hrs) Equipment totaling \$5,048.00, to repair and replace of the damaged intersections grates and risers, force account used from stock \$1091.00 materials to bring damaged sites risers to pre-disaster condition, capacity and function.

The Applicant's force account worked with additional contractors to assist them in the repair of:

1. North and South of South Street estimated (144ft L x 38ft W x .167ft D = 34 cy x 1.9 conv= 64 tons) asphalt, (140ft L x 38ft W x .208ft D = 41 x 1.9 conv= 78 tons) binder and with estimated additional item 4 material lost (148ft L x 38ft W x .833ft D = 173 cy x 1.3 conv = 225 tons) and;

See Continuation Page

PROJECT COST

ITEM	CODE	NARRATIVE	QUANTITY	UNIT	UNIT PRICE	COST
1	0000	WORK COMPLETED				\$ -
2	9001	Contract	1.00	LS	\$31,181.79	\$ 31,181.79
3	9007	Labor	1.00	LS	\$3,580.36	\$ 3,580.36
4	9008	Equipment	1.00	LS	\$5,048.00	\$ 5,048.00
5	9009	Materials	1.00	LS	\$1,081.00	\$ 1,081.00
6	0000	WORK TO BE COMPLETED				\$ -
7	9999	NYSDOT Estimate	1.00	LS	\$14,661.85	\$ 14,661.85
8	9901	Direct Administrative Costs	1.00	LS	\$4,097.76	\$ 4,097.76
9	9999	Construction Management	1.00	LS	\$1,666.59	\$ 1,666.59
SUBTOTAL FROM COST CONTINUATION PAGE(S)						\$ -
TOTAL PROJECT COST						\$ 61,317.35

PREPARED BY: Christopher Sarmiento

TITLE: Project Specialist

FEMA PAC CREW LEADER:

Stephen Brooks

STATE PAC CREW LEADER: Ken Carlson

APPLICANT: For Joseph Stephens

DATE: 5/18/12

PHONE: 845-398-4100

FEDERAL EMERGENCY MANAGEMENT AGENCY

DAMAGE DESCRIPTION & SCOPE OF WORK

DECLARATION NO.				PW REF NO.	DATE	FIPS NO.	CATEGORY	EMMIE NO.
FEMA	4020	DR		4704230	02/27/12	071-47042-00	C	
APPLICANT							COUNTY	
Middletown							Orange	

DAMAGE DESCRIPTION & SCOPE OF WORK (CONTINUED):**SCOPE OF WORK (CONT'D):**

Applicant used contract to:

2. Repair east and west of Fulton Street (138ft L x 32ft W x .167ft D = 27 cy x 1.9 conv = 52 tons) asphalt intersection, (132ft L x 32ft W x 208ft D 33 cy x 1.9 conv = 62 tons) binder with additional Item 4 material lost (137ft L x 32ft W x .583ft D = 95 cy x 1.3 conv = 123 tons) road repair.

Total road repair from Contract equals a total of (\$24,965.87), including repairing the Intersections traffic signals (\$675.00), and a separate contract to deliver Item #4 (\$5,540.92).

Total cost of Work Completed = \$40,891.15 (Force Account and Contract)

WORK TO BE COMPLETED:

3. The subgrantee will use contract and/or force account work to repair 35 LF of concrete curb and 2.8 CY of concrete sidewalk (15FT L x 5FT W x .35FT T), (14FT L x 6.5FT W x .35FT T), & (10FT L x 5FT W x .35FT T) at the northwesterly corner of the intersection, along with 20 LF of concrete curb and 1 CY of concrete sidewalk (15FT L x 5FT W x .35FT T), at the southwesterly corner, 15 LF of concrete curbing on the east side of south street, and 2 reinforced concrete pullboxes (2FT x 1FT).

In order to replace the curbs, the subgrantee will also need to sawcut the asphalt pavement 2 ft in front of the curbs at the full length of the curbs (2 + 2 + 35 + 2 + 2 + 20 + 2 + 2 + 15 = 82 LF). The subgrantee will then need to repair 2.2 TN of binder course asphalt (70FT L x 2FT W x 2.5IN T) and 1 TN (70FT L x 2FT W x 1IN T) of top course asphalt

In order to properly install the new sidewalk and curbs, the subgrantee will place 14.7 CY of subbase material (15FT L x 5FT W x 1FT T), (14FT L x 6.5FT W x 1FT T), (10FT L x 5FT W x 1FT T), (15FT L x 5FT W x 1FT T), & (70FT L x 1.5FT W x 1FT T) and 17.3 CY of subgrade material (15FT L x 5FT W x 1FT T), (14FT L x 6.5FT W x 1FT T), (10FT L x 5FT W x 1FT T), (15FT L x 5FT W x 1FT T), & (70FT L x 2.5FT W x 1FT T).

In order to follow codes and standards, the subgrantee will need to install 4 SQF of embedded detectable warning units on the sidewalk.

Total cost of Work to be Completed = \$14,661.85 (See attached NYSDOT Estimate)

***Project Notes:**

*Material exact quantities taken from actual invoice and dimensions are only estimated.

*Equipment Sheet and Labor Sheets were derived from the applicant. Project Specialist deemed it necessary to use the Applicants Labor Sheet with Fringe Included, but used the FEMA Templates to eliminate math errors.

*Actual Costs: FEMA staff have reviewed the documentation and costs provided by the applicant in support of this project and based on that review, the costs appear to meet the minimum eligibility standards. Actual materials used are from invoices, only dimensions of damage are estimated as work was completed at time of site visit. Only one picture was taken of damage during construction. Google Earth overview can see the actual repair.

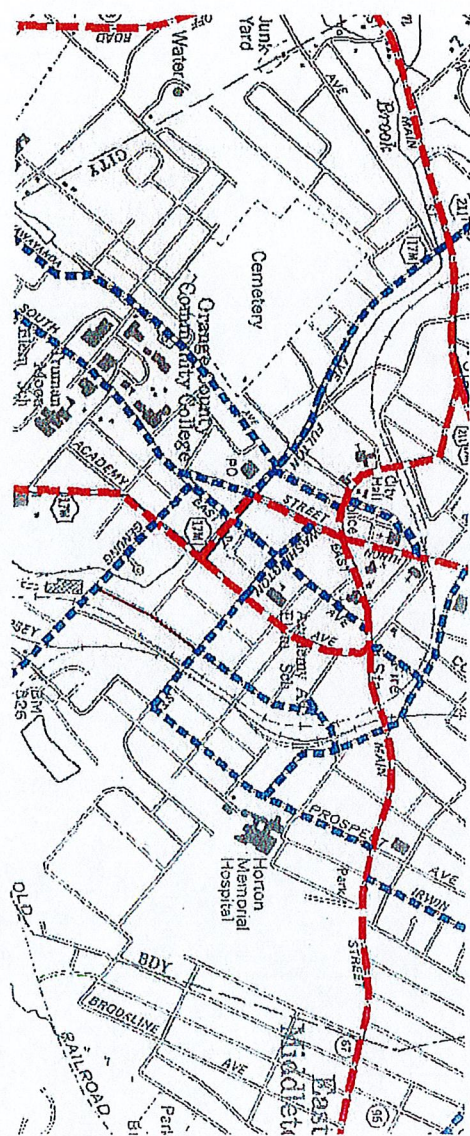
*Record Retention: Complete records and cost documents for all approved work must be maintained for at least three years from the date the last project was completed or from the date final payment was received, whichever is later.

*Direct Administrative Costs: The SubGrantee requested Direct Administrative Costs (DAC) that is directly chargeable to this specific project. Associated eligible work is related to administration of this PA project only and in accordance with 44 CFR §13.22. These costs are treated consistently and uniformly as direct costs in all Federal awards and other Subgrantee activities and are not included in any approved indirect cost rates. The breakdown of the labor and equipment hours along with the associated unit costs for the DAC amount listed on this PW will be sent to the JFO at a later date.

*Mitigation: No Mitigation opportunities identified because work already completed and no add-on mitigation is feasible.

PREPARED BY: Christopher Samliento

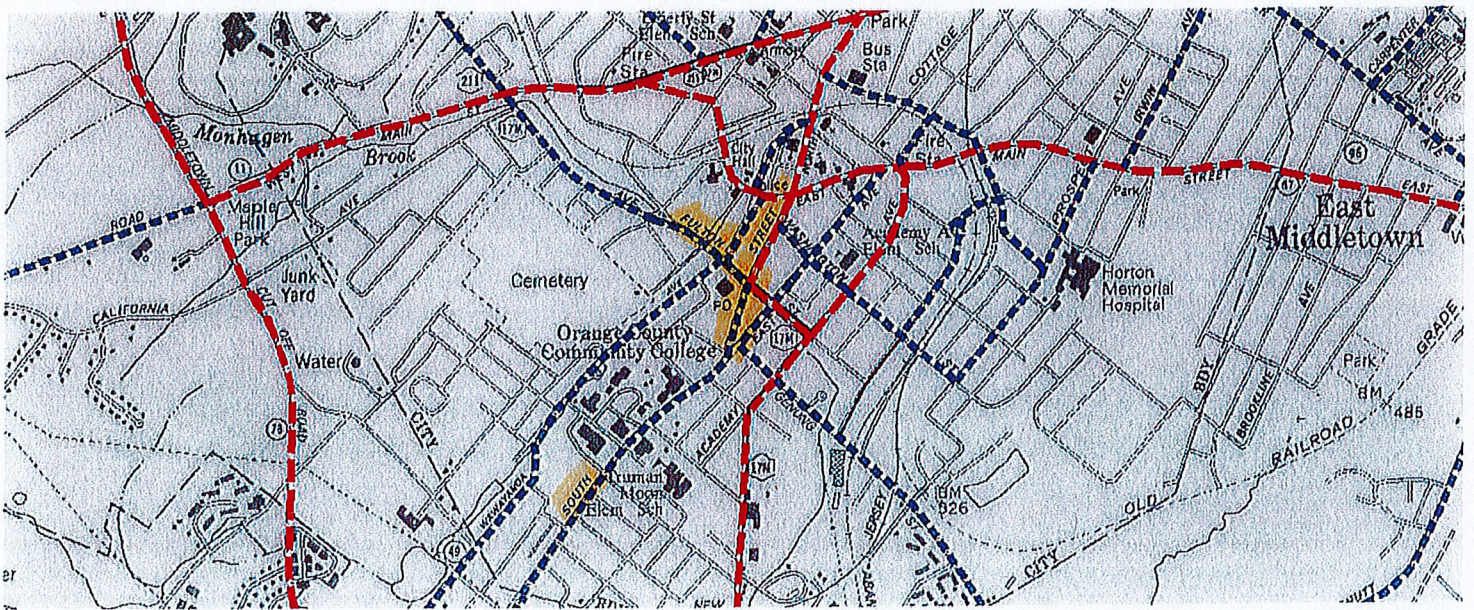
TITLE: Project Specialist



PW - 3920

MIDDLETOWN REF: 4704230

\$61,317.59



Department of Homeland Security Federal Emergency Management Agency

General Info

Project #	874954	P/W #	3920	Project Type	Actual Costs
Project Category	C - Roads and Bridges			Applicant	Middletown, City (071-47042-00)
Project Title	(PW# 3920) 4704230 - South Street and Fulton Street			Event	4020DR-NY (4020DR)
Project Size	Small			Declaration Date	8/31/2011
Activity Completion Date	2/28/2013			Incident Start Date	8/26/2011
Process Step	Obligated			Incident End Date	9/5/2011

Damage Description and Dimensions

The Disaster # 4020DR, which occurred between 08/26/2011 and 09/05/2011, caused:

Damage # 1605513, 0, 1); C (South Street and Fulton Street)

PA-02-NY-4020-PW-03920(0) During the incident period of August 26, 2011 through September 5, 2011 severe rain storms from Hurricane Irene resulted in heavy overland flooding within Orange County. The force of the swiftly moving waters caused significant undermining and scouring damage to: 1. North and South of South Street estimated (144ft L x 38ft W x .167ft D) asphalt, (140ft L x 38ft W x .208ft D) binder and with estimated additional item 4 material lost (148ft L x 38ft W x .833ft D) and; 2. East and West of Fulton Street (138ft L x 32ft W x .167ft D) asphalt intersection, (132ft L x 32ft W x .208ft D) binder with additional item 4 material lost (137ft L x 32ft W x .583ft D). 3. Approximately 35 LF of concrete curb and 2.8 CY of concrete sidewalk (15FT L x 5FT W x .35FT T), (14FT L x 6.5FT W x .35FT T), & (10FT L x 5FT W x .35FT T) at the northwesterly corner of the intersection were damaged in this manner, along with 20 LF of concrete curb and 1 CY of concrete sidewalk (15FT L x 5FT W x .35FT T), at the southwesterly corner, and 15 LF of concrete curbing on the east side of south street. Included in the damaged sidewalk is 2 reinforced concrete pull boxes (2FT x 1FT). Location: City of Middletown PA-02-NY-4020-PW-03920(1)

Final Scope

1605513 South Street and Fulton Street

PA-02-NY-4020-PW-03920(0)

WORK COMPLETED:

Applicant used (120hrs) Force Account Labor totaling \$3,580.36 and (72hrs) Equipment totaling \$5,048.00, to repair and replace of the damaged intersections grates and risers, force account used from stock \$1081.00 materials to bring damaged sites risers to pre-disaster condition, capacity and function.

The Applicant's force account worked with additional contractors to assist them in the repair of:

1. North and South of South Street estimated (144ft L x 38ft W x .167ft D = 34 cy x 1.9 conv= 64 tons) asphalt, (140ft L x 38ft W x .208ft D = 41 x 1.9 conv= 78 tons) binder and with estimated additional item 4 material lost (148ft L x 38ft W x .833ft D = 173 cy x 1.3 conv = 225 tons) and;

Applicant used contract to:

2. Repair east and west of Fulton Street (138ft L x 32ft W x .167ft D = 27 cy x 1.9 conv = 52 tons) asphalt intersection, (132ft L x 32ft W x 208ft D 33 cy x 1.9 conv = 62 tons) binder with additional item 4 material lost (137ft L x 32ft W x .583ft D = 95 cy x 1.3 conv = 123 tons) road repair.

Total road repair from Contract equals a total of (\$24,965.87), including repairing the intersections traffic signals (\$675.00), and a separate contract to deliver Item #4 (\$5,540.92).

Total cost of Work Completed = \$40,891.15 (Force Account and Contract)

WORK TO BE COMPLETED:

3. The subgrantee will use contract and/or force account work to repair 35 LF of concrete curb and 2.8 CY of concrete sidewalk (15FT L x 5FT W x .35FT T), (14FT L x 6.5FT W x .35FT T), & (10FT L x 5FT W x .35FT T) at the northwesterly corner of the intersection, along with 20 LF of concrete curb and 1 CY of concrete sidewalk (15FT L x 5FT W x .35FT T), at the southwesterly corner, 15 LF of concrete curbing on the east side of south street, and 2 reinforced concrete pull boxes (2FT x 1FT).

In order to replace the curbs, the subgrantee will also need to sawcut the asphalt pavement 2 ft in front of the curbs at the full length of the curbs (2 + 2 + 35 + 2 + 2 + 20 + 2 + 2 + 15 = 82 LF). The subgrantee will then need to repair 2.2 TN of binder course asphalt (70FT L x 2FT W x 2.5IN T) and 1 TN (70FT L x 2FT W x 1IN T) of top course asphalt

In order to properly install the new sidewalk and curbs, the subgrantee will place 14.7 CY of subbase material (15FT L x 5FT W x 1FT T), (14FT L x 6.5FT W x 1FT T), (10FT L x 5FT W x 1FT T), (15FT L x 5FT W x 1FT T), & (70FT L x 1.5FT W x 1FT T) and 17.3 CY of subgrade material (15FT L x 5FT W x 1FT T), (14FT L x 6.5FT W x 1FT T), (10FT L x 5FT W x 1FT T), (15FT L x 5FT W x 1FT T), & (70FT L x 2.5FT W x 1FT T).

In order to follow codes and standards, the subgrantee will need to install 4 SQF of embedded detectable warning units on the sidewalk.

Total cost of Work to be Completed = \$14,661.85 (See attached NYSDOT Estimate)

*Project Notes:

*Material exact quantities taken from actual invoice and dimensions are only estimated.

*Equipment Sheet and Labor Sheets were derived from the applicant. Project Specialist deemed it necessary to use the Applicants Labor Sheet with Fringe included, but used the FEMA Templates to eliminate math errors.

*Actual Costs: FEMA staff have reviewed the documentation and costs provided by the applicant in support of this project and based on that review, the costs appear to meet the minimum eligibility standards. Actual materials used are from invoices, only dimensions of damage are estimated as work was completed at time of site visit. Only one picture was taken of damage during construction. Google Earth overview can see the actual repair.

*Record Retention: Complete records and cost documents for all approved work must be maintained for at least three years from the date the last project was completed or from the date final payment was received, whichever is later.

*Direct Administrative Costs: The SubGrantee requested Direct Administrative Costs (DAC) that is directly chargeable to this specific project. Associated eligible work is related to administration of this PA project only and in accordance with 44 CFR §13.22. These costs are treated consistently and uniformly as direct costs in all Federal awards and other Subgrantee activities and are not included in any approved indirect cost rates. The breakdown of the labor and equipment hours along with the associated unit costs for the DAC amount listed on this PW will be sent to the JFO at a later date.

*Mitigation: No Mitigation opportunities identified because work already completed and no add-on mitigation is feasible.

DOCUMENTATION REVIEW: 20% or more sampling of the documentation was reviewed/validated and found to be complete and reasonable by the FEMA project specialist. If applicable, copies of applicant's pertinent pre-disaster policies, invoices, cancelled checks (or other proofs of payment) were reviewed and samples of payroll data are attached.

PROCUREMENT: If applicable to this project, The applicant is required to adhere to State Government Procurement rules and regulations and maintain adequate records to support the basis for all purchasing of goods and materials and contracting services for projects approved under the Public Assistance program, as stated in 44 CFR 13.36. The applicant has advised they have/will follow their normal procurement procedures.

PERMITS: The applicant must obtain all required federal, state, and local permits prior to the commencement of work

PA-02-NY-4020-PW-03920(1)

*****AMENDMENT*****

This amendment is written to

De-obligate funds for South street (Major Collector (16)) and Fulton Street (Minor Arterial (17)). These are FHWA roads and not eligible for FEMA funding through Public Assistance.

406 HMP Scope

Cost

Code	Quantity	Unit	Total Cost	Section
9999 (De-Obligate for FHWA Roads)	1.00	Lump Sum	(\$61,317.15)	Completed
0000 (*****AMENDMENT*****)	0.00	Lump Sum	\$0.00	Completed
0000 (*****AMENDMENT*****)	0.00	Lump Sum	\$0.00	Completed
0000 (*****AMENDMENT*****)	0.00	Lump Sum	\$0.00	Completed
9009 (Material)	1.00	Lump Sum	\$1,081.00	Completed
9999 (Construction Management)	1.00	Lump Sum	\$1,666.59	Completed
9007 (Labor)	1.00	Lump Sum	\$3,580.36	Completed
9901 (Direct Administrative Costs (Subgrantee))	1.00	Lump Sum	\$4,097.76	Completed
9008 (Equipment)	1.00	Lump Sum	\$5,048.00	Completed
9999 (NYSDOT Estimate)	1.00	Lump Sum	\$14,661.65	Completed
9001 (Contract)	1.00	Lump Sum	\$31,181.79	Completed

CRC Gross Cost	\$0.00
Total 406 HMP Cost	\$0.00
Total Insurance Reductions	\$0.00
CRC Net Cost	\$0.00
Federal Share (75.00%)	\$0.00
Non-Federal Share (25.00%)	\$0.00

Award Information

Version Information

Version #	Eligibility Status	Current Location	Bundle Number	Project Amount	Cost Share	Federal Share Obligated	Date Obligated
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Drawdown History

EMMIE Drawdown Status As of Date	IFMIS Obligation #	Expenditure Number	Expended Date	Expended Amount
No Records				

Obligation History

Version #	Date Obligated	Obligated Cost	Cost Share	IFMIS Status	IFMIS Obligation #
0	5/30/2012	\$45,987.86	75%	Accepted	4020DRNYP00000001
1	7/17/2025	(\$45,987.86)	75%	Accepted	4020DRNYP00000001

Subgrant Conditions

- notification: If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA. This condition was not monitored.
- permits: This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding. This condition was not monitored.
- scope: Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders. This condition was not monitored.

Insurance

Additional Information

There is no additional insurance information on (PW# 3920)
4704230 - South Street and Fulton Street.

O&M Requirements

There are no Obtain and Maintain Requirements on (PW# 3920)
4704230 - South Street and Fulton Street.

406 Mitigation

There is no additional mitigation information on (PW# 3920)
4704230 - South Street and Fulton Street.

Environmental Historical Preservation

Is this project compliant with EHP laws, regulations, and executive orders?

Unanswered

EHP Conditions

- If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.
- Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.
- This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

EHP Additional Info

There is no additional environmental historical preservation on (PW# 3920) 4704230 - South Street and Fulton Street.

Final Reviews

Final Review

Reviewed By Not Reviewed

Reviewed On Not Reviewed

Review Comments

No comments available for the Final Review step

Recipient Review

Reviewed By Not Reviewed

Reviewed On Not Reviewed

Review Comments

No comments available for the Recipient Review step

Project Signatures

Signed By Unsigned

Signed On Unsigned

FEMA Bluebook 1						
PW	Description	Approved Amount	Subgrant Application - FEMA Form 90-91	Reimbursement	Check Reference	Status
02577	Road Washout - Grant Street	44,361.62	Subgrant Appl 02577			
02579	Road Washout - Academy Avenue & Grant Street	24,560.40	Subgrant Appl 02579			
03920	South Street & Fulton Street - City of Middletown	61,317.15	Subgrant Appl 03920			Completed by City
03921	Road Washout - Little Avenue	26,895.37	Subgrant Appl 03921			
06826	Bridge Wing Wall - West Main Street	5,160.65	Subgrant Appl 06826			
06827	Road Washouts - Academy near Benton Street	31,198.38	Subgrant Appl 06827			
06885	Sidewalk Washouts - Cottage Street	12,322.30	Subgrant Appl 06885			
06889	Road, Curb and Sidewalk - Wawayanda Avenue	12,891.00	Subgrant Appl 06889			
06891	Sidewalk Washouts - Lake Avenue	12,730.04	Subgrant Appl 06891			
06895	Sidewalk Washouts - Wawayanda Avenue	6,565.88	Subgrant Appl 06895			
	Amount Eligible	238,002.79		238,002.79	Check 00529555	
	Federal Share	173,502.11				

Read 9-11-12

State of New York

A

REMITTANCE ADVICE for CHECK NO. 00529555

NOTICE: To access remittance information on any one of your NYS payments, visit <https://vendor.sfs.ny.gov>

Agency Code and Description	Tele Inquiry No	Voucher No	Payee Reference/Invoice No	Ref/Inv Date	Payment Amount
DHS01 Division of Homeland Secur	518/486-6011	4474/IR	4020 DRNY VARIOUS PW'S BDL	66 08/22/12	238,002.79

GOV'T ENTITIES, VENDORS, NOT-FOR-PROFITS

Go to <http://www.osc.state.ny.us/epay/index.htm> for Electronic Payments information

DETACH HERE BEFORE CASHING

Non-Negotiable

Check Total

\$238,002.79

PLEASE CASH WITHIN 180 DAYS

THE FACE OF THIS DOCUMENT HAS MULTIPLE SECURITY FEATURES

18896350

State of New York

Check No. 00529555

\$238,002.79

DEPARTMENT OF TAXATION AND FINANCE
DIVISION OF THE TREASURY

A

29-55
213

KNOW YOUR ENDORSER

SEPTEMBER 04, 2012

DHS01

MIDDLETOWN CITY OF

Pay to the
Order of:

\$238,002.79

Thomas P. DiNapoli
State Comptroller

KeyBank N.A.

Thomas H. Maffeo
Commissioner, Dept. of Taxation and Finance

00529555 1021300558 320993202789



NEW YORK STATE
DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES
STATE OFFICE OF EMERGENCY MANAGEMENT



Jerome M. Hauer, Commissioner

Steven Kuhr, Director

September 4, 2012

Fiscal Officer
City of Middletown
16 James Street
Middletown, NY 10940

*Copy
Susan*

FEMA: 4020 DR NY
City of Middletown Bdl# 66
PA # 071-47042-00

Dear Fiscal Officer:

The New York State Office of Emergency Management (NYSOEM) has processed a payment in the amount of \$238,002.79 for Hurricane Irene and its effects occurring in August, 2011 and declared on August 31st, 2011.

The total payment is broken down as follows:

Federal Share-	\$178,502.11
State Share-	\$59,500.68

If you have any questions please contact Kristin Howley at (518) 292-2334.

Sincerely,

Susan A. Picarillo
Alternate Governor's
Authorized Representative

RECEIVED
9/11/12

Rec'd 9/24/12

518.292.2200

1220 Washington Avenue
Building 22, Suite 101
Albany, NY 12226-2251

www.dhSES.ny.gov

Susan Cummings

From: Jacob Tawil <jtawil14@yahoo.com>
Sent: Friday, July 25, 2025 6:14 PM
To: Susan Cummings; mayordestefano@yahoo.com
Subject: Fwd: Return of Funding DR 4020 PW 3920 City of Middletown
Attachments: 4020 City of Middletown PW#3920-Signed.pdf

Hello Susan
Please see me regarding this letter on Monday.
Thank you

Sent from my iPhone
Please excuse any typographical errors.

Begin forwarded message:

From: "Clancy, Ashly (DHSES)" <Ashly.Clancy@dhses.ny.gov>
Date: July 25, 2025 at 5:25:54 PM EDT
To: mayordestefano <mayordestefano@yahoo.com>, jtawil14@yahoo.com
Cc: "dhses.grp.sm.disasterrecoveryfinance" <dhses.grp.sm.disasterrecoveryfinance@dhses.ny.gov>, "Fargione, Kristin (DHSES)" <Kristin.Fargione@dhses.ny.gov>, "Savignano, SteveeKaye (DHSES)" <SteveeKaye.Savignano@dhses.ny.gov>
Subject: Return of Funding DR 4020 PW 3920 City of Middletown

Good afternoon,

Attached please find a return of funds request letter from the New York State Division of Homeland Security and Emergency Services (DHSES). This return of funding is a result of a FEMA de-obligation for Disaster 4020 PW 3920 for the City of Middletown.

Please remit payment by close of business 8/25/2025 to the address below:
Division of Homeland Security and Emergency Services
Attn: Disaster Finance
11 British American Blvd.
Floor 2
Latham, NY 12110

If you have any questions, please contact Stevee Kaye Savignano at 518-402-0993.

Ashly Clancy
Administrative Assistant

NYS Division of Homeland Security & Emergency Services
11 British American Blvd. Latham, NY – 2nd Floor, Suite 1
Phone 518-486-7897
Ashly.Clancy@dhses.ny.gov
<https://www.dhses.ny.gov/disaster-recovery>

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



Homeland Security and Emergency Services

KATHY HOCHUL
Governor

JACKIE BRAY
Commissioner

July 25, 2025

Donald Paris
City of Middletown
16 James St.
Middletown, NY 10940

RE: FEMA-4020-DR-NY
City of Middletown
PA ID 071-47042-00
Project Worksheet 3920
Large Project Final Accounting

Dear Mr. Paris:

The New York State Division of Homeland Security and Emergency Services (DHSES) has received a de-obligation from the Federal Emergency Management Agency (FEMA) in the amount of (\$61,317.15), for the City of Middletown. Please find the de-obligation information below.

Disaster	Bdl#	PW#	Federal Share	State Share
4020 DR NY	407	3920	(\$45,987.86)	(\$15,329.29)

Please remit payment in the amount of (\$61,317.15) by COB 8/25/25 to the address below:

Division of Homeland Security and Emergency Services
Attn: Disaster Finance
11 British American Blvd.
Floor 2
Latham, NY 12110

Failure to pay could impede future funds owed from another project. If you have any questions, please contact Stevee Kaye Savignano at 518-402-0993.

Sincerely,

Celines Jorge-Gecewicz
Director of Finance for Disaster Recovery Programs

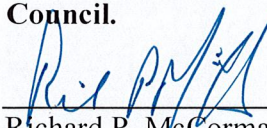


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

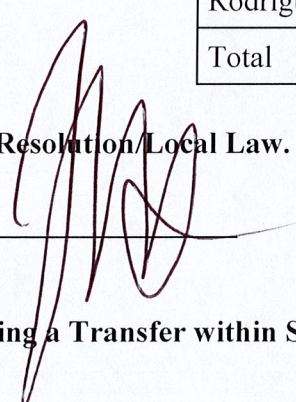
By: Alderman Witt
Seconded by: Alderman Johnson
Date of Adoption: September 2, 2025
Index No: 237-25

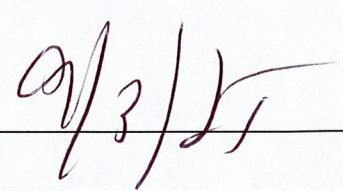
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Resolution Authorizing a Transfer within Senior Center Budget Lines

BE IT RESOLVED, that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer funds within the Senior Center budget as follows, to cover Senior Center activity and event expenses expected through the end of the fiscal year.

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

Prepared by:

Attachments:

1.	BOE agenda request August 12 2025
----	-----------------------------------

Senior Transportation: (845) 346-4070
Senior Activities: (845) 346-4071
Fax: (845) 346-4072



Center Information: (845) 346-4073
Senior Travel: (845) 346-4074
Director: (845) 346-4075

August 12, 2025

Board of Estimate
City of Middletown
16 James Street
Middletown, NY 10940

I respectfully request authorization from Board of Estimate and Common Council to authorize transfer within Senior Center budget lines to cover activity and event expenses expected to year-end, in the following manner,

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

Respectfully Submitted,

Julisa Sierra

Julisa Sierra



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

THE FOLLOWING WAS PRESENTED

By: Alderman Green
Seconded by: Alderwoman Wray
Date of Adoption: September 2, 2025
Index No: 238-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

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

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

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

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

WHEREAS, Fusco Engineering has submitted a revised proposal dated August 22, 2025, for

Design, Construction Management, and other incidental services, with a breakdown as follows:

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

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

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

Prepared by:
Jacob Tawil

Attachments:

1.	O&W August 2025 contract
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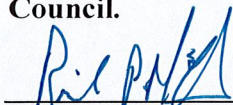


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

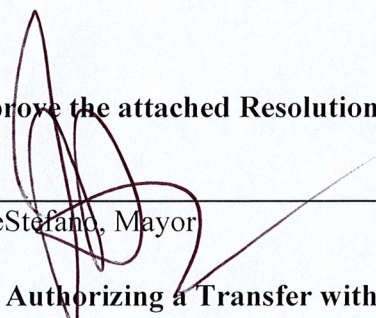
By: Alderwoman Wray
Seconded by: Alderman Jean-Francois
Date of Adoption: September 2, 2025
Index No: 239-25

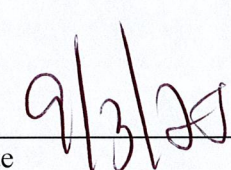
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

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

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

FROM **AMOUNT TO**
A.8160.100 – Sanitation Payroll \$8,435.00 A.5110.200 – Other Equipment

Prepared by:
Jacob Tawil

Attachments:

1. paint and signs

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: September 2, 2025
To: Honorable Members of the Board of Estimate
And Apportionment
Cc: Leonora Liz-Treasurer
Richard McCormack- City Clerk
From: Jacob Tawil-Commissioner of Public Works
Re: Transfer of Funds



We respectfully request a transfer within our 2025 budget lines to cover shortage in our Traffic Paint and Signs line due to installation of significantly more signs and using more paint as well. Cost increased for signs by 15% to 25%, see attached email from our vendor.

Enclosed also is the line expenditure report.

FROM	AMOUNT	TO
1. A.8160.100 Payroll	\$15,000.00	A.1620.477 Traffic paint & Signs

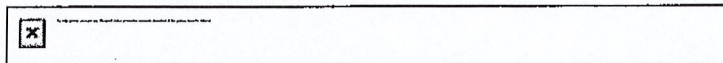
Thank you.

MC

Mary Connolly

From: Glenco Supply Inc. <glen-glencosupply.com@shared1.ccsend.com>
Sent: Tuesday, June 24, 2025 6:03 PM
To: Mary Connolly
Subject: Aluminum Tariffs

Follow Up Flag: Follow up
Flag Status: Flagged



June 24, 2025

To Our Valued Customers:

President Trump announced the increase of US Section 232 Tariffs on aluminum from 25% to 50% effective June 4th. This significant tariff adjustment directly impacts aluminum materials that are fundamental to our core aluminum sign and blanks products.

Current aluminum material costs are expected to increase by 15% - 25% depending on the specific aluminum product, with some items potentially seeing higher increases.

These price increase estimates only account for changes in the LME (London Metal Exchange) or MWP (Midwest Premium) and do not account for expected increases in converting, shipping, and labor costs.

Immediate Impacts:

- Aluminum Supply and Price: Aluminum import prices are driving domestically sourced aluminum prices higher due to higher domestic demand. There

is currently more demand than supply in the U.S. market.

- Inventory Transition: Our current inventory is largely committed to existing orders. As we replenish stock with higher-cost materials, you should expect price adjustments in the coming weeks.

Moving Forward:

- Existing orders will be honored at the pricing agreed upon at the time of order placement.

Material cost fluctuations create challenges for our business and it is our goal to minimize disruptions. Rest assured, we are well stocked and monitoring aluminum market conditions closely.

Sincerely,
Glen Abrams
President
Glenco Supply, Inc.

GLENCO SUPPLY INC | PO BOX 638 | OAKHURST, NJ 07755 US

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CITY OF MIDDLETOWN

Expense Ledger

Fiscal Year: 2025 Period From: 1 To: 12 Trans. Date From: To:

Account No. Date	Vendor Code	Description Vendor Name/Description	PO No./ Trans No.	Voucher No.	Check No.	YTD Appropriation	Req/Enc	Expenditure	YTD Unencumb
TRAFFIC PAINT & SIGNS									
A.1620.477						56,000.00			
01/09/25	000199.204	AIREAGO CORP.	20250146				1,000.00	0.00	
01/09/25	000600.121	FRANKLIN PAINT CO. INC.	20250147				14,000.00	0.00	
01/09/25	000799.011	GLENCO SUPPLY INC.	20250148				40,000.00	0.00	
01/09/25	001360.000	MIDDLETOWN PRESS	20250149				1,000.00	0.00	
02/06/25	000799.011	GLENCO SUPPLY INC.	20250148	20250763	428413		(825.00)	0.00	
02/06/25	000799.011	GLENCO SUPPLY INC.	20250148	20250763	428413		0.00	825.00	
03/17/25	000799.011	GLENCO SUPPLY INC.	20250148	20251600	428904		(1,087.50)	0.00	
03/17/25	000799.011	GLENCO SUPPLY INC.	20250148	20251600	428904		0.00	1,087.50	
03/21/25	000799.011	GLENCO SUPPLY INC.	20250148	20251752	428904		(2,387.50)	0.00	
03/21/25	000799.011	GLENCO SUPPLY INC.	20250148	20251752	428904		0.00	2,387.50	
03/24/25	000799.011	GLENCO SUPPLY INC.	20250148	20251769	429064		(1,323.50)	0.00	
03/24/25	000799.011	GLENCO SUPPLY INC.	20250148	20251769	429064		0.00	1,323.50	
03/28/25	000799.011	GLENCO SUPPLY INC.	20250148	20251894	429064		(2,217.00)	0.00	
03/28/25	000799.011	GLENCO SUPPLY INC.	20250148	20251894	429064		0.00	2,217.00	
04/08/25	000799.011	GLENCO SUPPLY INC.	20250148	20252063	429257		(643.00)	0.00	
04/08/25	000799.011	GLENCO SUPPLY INC.	20250148	20252063	429257		0.00	643.00	
04/11/25	000799.011	GLENCO SUPPLY INC.	20250148	20252177	429257		(1,712.00)	0.00	
04/11/25	000799.011	GLENCO SUPPLY INC.	20250148	20252177	429257		0.00	1,712.00	
04/23/25	000600.121	FRANKLIN PAINT CO. INC.	20250147	20252353	429251		(6,763.78)	0.00	
04/23/25	000600.121	FRANKLIN PAINT CO. INC.	20250147	20252353	429251		0.00	6,763.78	
05/05/25	000799.011	GLENCO SUPPLY INC.	20250148	20252568	429416		(809.00)	0.00	
05/05/25	000799.011	GLENCO SUPPLY INC.	20250148	20252568	429416		0.00	809.00	
05/05/25	000199.204	AIREAGO CORP.	20250146	20252570	429392		(675.00)	0.00	
05/05/25	000199.204	AIREAGO CORP.	20250146	20252570	429392		0.00	675.00	
05/06/25	000799.011	GLENCO SUPPLY INC.	20250148				(5,000.00)	0.00	
05/07/25	000799.011	GLENCO SUPPLY INC.	20250148	20252638	429416		(583.00)	0.00	
05/07/25	000799.011	GLENCO SUPPLY INC.	20250148	20252638	429416		0.00	583.00	
05/07/25	000199.204	AIREAGO CORP.	20250146	20252644	429392		(325.00)	0.00	
05/07/25	000199.204	AIREAGO CORP.	20250146	20252644	429392		0.00	325.00	
05/07/25	000199.204	AIREAGO CORP.	20250146	20252644	429392		0.00	403.00	
05/12/25	001360.000	MIDDLETOWN PRESS	20250149	20252721	429590		(500.00)	0.00	
05/12/25	001360.000	MIDDLETOWN PRESS	20250149	20252721	429590		0.00	500.00	
05/12/25	001360.000	MIDDLETOWN PRESS	20250149	20252721	429590		0.00	1,299.00	
05/14/25	000799.011	GLENCO SUPPLY INC.	20250148	20252775	429575		(393.00)	0.00	
05/14/25	000799.011	GLENCO SUPPLY INC.	20250148	20252775	429575		0.00	393.00	

Date Prepared: 09/02/2025 09:11 AM
Report Date: 09/02/2025
Account Table:
Alt. Sort Table:

CITY OF MIDDLETOWN

Expense Ledger

Fiscal Year: 2025 Period From: 1 To: 12 Trans. Date From: To:

GLR0125 1.0
Page 2 of 3
Prepared By: MCONNOLLY

Account No. Date	Vendor Code	Description Vendor Name/Description	PO No. / Trans No.	Voucher No.	Check No.	YTD Appropriation	Req/Enc	Expenditure	YTD Unencumb
A.1620.477		TRAFFIC PAINT & SIGNS				56,000.00			
05/27/25	000799.011	GLENCO SUPPLY INC.	20250148	20252966	429784		(1,322.50)	0.00	
05/27/25	000799.011	GLENCO SUPPLY INC.	20250148	20252966	429784		0.00	1,322.50	
06/03/25	000799.011	GLENCO SUPPLY INC. -	20250148	20253229	429784		(472.50)	0.00	
06/03/25	000799.011	GLENCO SUPPLY INC.	20250148	20253229	429784		0.00	472.50	
06/09/25	000799.011	GLENCO SUPPLY INC.	20250148	20253357	429973		(3,075.00)	0.00	
06/09/25	000799.011	GLENCO SUPPLY INC.	20250148	20253357	429973		0.00	3,075.00	
06/20/25	000799.011	GLENCO SUPPLY INC.	20250148	20253668	429973		(225.00)	0.00	
06/20/25	000799.011	GLENCO SUPPLY INC.	20250148	20253668	429973		0.00	225.00	
06/30/25	000799.011	GLENCO SUPPLY INC.	20250148	20253807	430136		(3,056.00)	0.00	
06/30/25	000799.011	GLENCO SUPPLY INC.	20250148	20253807	430136		0.00	3,056.00	
07/03/25	000799.011	GLENCO SUPPLY INC.	20250148	20253911	430355		(2,313.00)	0.00	
07/03/25	000799.011	GLENCO SUPPLY INC.	20250148	20253911	430355		0.00	2,313.00	
07/08/25	000799.011	GLENCO SUPPLY INC.	20250148	20253952	430355		(405.00)	0.00	
07/08/25	000799.011	GLENCO SUPPLY INC.	20250148	20253952	430355		0.00	405.00	
07/10/25	000799.011	GLENCO SUPPLY INC.	20250148	20254041	430355		(5,798.25)	0.00	
07/10/25	000799.011	GLENCO SUPPLY INC.	20250148	20254041	430355		0.00	5,798.25	
08/04/25	000799.011	GLENCO SUPPLY INC.	20250148	20254460	430504		(540.00)	0.00	
08/04/25	000799.011	GLENCO SUPPLY INC.	20250148	20254460	430504		0.00	540.00	
08/04/25	001360.000	MIDDLETOWN PRESS	20250149	20254464	430530		(437.00)	0.00	
08/04/25	001360.000	MIDDLETOWN PRESS	20250149	20254464	430530		0.00	437.00	
08/04/25	000600.121	FRANKLIN PAINT CO. INC.	20250147	20254465	430493		(5,181.38)	0.00	
08/04/25	000600.121	FRANKLIN PAINT CO. INC.	20250147	20254465	430493		0.00	5,181.38	
08/04/25	000600.121	FRANKLIN PAINT CO. INC.	20250147	20254485	430493		(67.47)	0.00	
08/04/25	000600.121	FRANKLIN PAINT CO. INC.	20250147	20254485	430493		0.00	67.47	
08/04/25	000799.011	GLENCO SUPPLY INC.	20250148	20254499	430504		(5,812.25)	0.00	
08/04/25	000799.011	GLENCO SUPPLY INC.	20250148	20254499	430504		0.00	5,812.25	
08/04/25	000799.011	GLENCO SUPPLY INC.	20250148	20254499	430504		0.00	1,501.25	
08/08/25	000600.121	FRANKLIN PAINT CO. INC.	20250147	20254645	430493		(1,987.37)	0.00	
08/08/25	000600.121	FRANKLIN PAINT CO. INC.	20250147	20254645	430493		0.00	1,987.37	
08/08/25	000600.121	FRANKLIN PAINT CO. INC.	20250147	20254645	430493		0.00	1,796.75	
08/08/25	001360.000	MIDDLETOWN PRESS	20250149	20254645	430493		(63.00)	0.00	
08/08/25	000600.121	FRANKLIN PAINT CO. INC.	20250147	20254645	430493		0.00	(1,796.75)	
08/08/25	000600.121	FRANKLIN PAINT CO. INC.	20250147	20254645	430493		0.00	1,859.75	
Grand Total							56,000.00	56,000.00	0.00
NOTE: Requisitions Not Included in Totals							0.00	0.00	0.00



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

THE FOLLOWING WAS PRESENTED

By: Alderman Kleiner
Seconded by: Alderman Green
Date of Adoption: September 2, 2025
Index No: 240-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

9/3/25

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

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

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Middletown concurs with the Boars of Estimate and Apportionment and authorizes the Treasurer to transfer funds in the following manner:

FROM

AMOUNT TO

A.8160.100 – Sanitation Payroll \$15,000.00 A.1620.477 – Traffic Paint & Signs

Prepared by:
Jacob Tawil

Attachments:

1.	paint and signs
----	-----------------

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: September 2, 2025
To: Honorable Members of the Board of Estimate
And Apportionment
Cc: Leonora Liz-Treasurer
Richard McCormack- City Clerk
From: Jacob Tawil-Commissioner of Public Works
Re: Transfer of Funds



We respectfully request a transfer within our 2025 budget lines to cover shortage in our Traffic Paint and Signs line due to installation of significantly more signs and using more paint as well. Cost increased for signs by 15% to 25%, see attached email from our vendor.

Enclosed also is the line expenditure report.

	FROM	AMOUNT	TO
1.	A.8160.100 Payroll	\$15,000.00	A.1620.477 Traffic paint & Signs

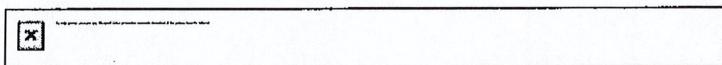
Thank you.

MC

Mary Connolly

From: Glenco Supply Inc. <glen-glencosupply.com@shared1.ccsend.com>
Sent: Tuesday, June 24, 2025 6:03 PM
To: Mary Connolly
Subject: Aluminum Tariffs

Follow Up Flag: Follow up
Flag Status: Flagged



June 24, 2025

To Our Valued Customers:

President Trump announced the increase of US Section 232 Tariffs on aluminum from 25% to 50% effective June 4th. This significant tariff adjustment directly impacts aluminum materials that are fundamental to our core aluminum sign and blanks products.

Current aluminum material costs are expected to increase by 15% - 25% depending on the specific aluminum product, with some items potentially seeing higher increases.

These price increase estimates only account for changes in the LME (London Metal Exchange) or MWP (Midwest Premium) and do not account for expected increases in converting, shipping, and labor costs.

Immediate Impacts:

- Aluminum Supply and Price: Aluminum import prices are driving domestically sourced aluminum prices higher due to higher domestic demand. There

is currently more demand than supply in the U.S. market.

- **Inventory Transition:** Our current inventory is largely committed to existing orders. As we replenish stock with higher-cost materials, you should expect price adjustments in the coming weeks.

Moving Forward:

- Existing orders will be honored at the pricing agreed upon at the time of order placement.

Material cost fluctuations create challenges for our business and it is our goal to minimize disruptions. Rest assured, we are well stocked and monitoring aluminum market conditions closely.

Sincerely,
Glen Abrams
President
Glenco Supply, Inc.

GLENCO SUPPLY INC | PO BOX 638 | OAKHURST, NJ 07755 US

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CITY OF MIDDLETOWN

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A.1620.477		TRAFFIC PAINT & SIGNS				56,000.00			
01/09/25	000199.204	AIREAGO CORP.	20250146				1,000.00	0.00	
01/09/25	000600.121	FRANKLIN PAINT CO. INC.	20250147				14,000.00	0.00	
01/09/25	000799.011	GLENCO SUPPLY INC.	20250148				40,000.00	0.00	
01/09/25	001360.000	MIDDLETOWN PRESS	20250149				1,000.00	0.00	
02/06/25	000799.011	GLENCO SUPPLY INC.	20250148	20250763	428413		(825.00)	0.00	
02/06/25	000799.011	GLENCO SUPPLY INC.	20250148	20250763	428413		0.00	825.00	
03/17/25	000799.011	GLENCO SUPPLY INC.	20250148	20251600	428904		(1,087.50)	0.00	
03/17/25	000799.011	GLENCO SUPPLY INC.	20250148	20251600	428904		0.00	1,087.50	
03/21/25	000799.011	GLENCO SUPPLY INC.	20250148	20251752	428904		(2,387.50)	0.00	
03/21/25	000799.011	GLENCO SUPPLY INC.	20250148	20251752	428904		0.00	2,387.50	
03/24/25	000799.011	GLENCO SUPPLY INC.	20250148	20251769	429064		(1,323.50)	0.00	
03/24/25	000799.011	GLENCO SUPPLY INC.	20250148	20251769	429064		0.00	1,323.50	
03/28/25	000799.011	GLENCO SUPPLY INC.	20250148	20251894	429064		(2,217.00)	0.00	
03/28/25	000799.011	GLENCO SUPPLY INC.	20250148	20251894	429064		0.00	2,217.00	
04/08/25	000799.011	GLENCO SUPPLY INC.	20250148	20252063	429257		(643.00)	0.00	
04/08/25	000799.011	GLENCO SUPPLY INC.	20250148	20252063	429257		0.00	643.00	
04/11/25	000799.011	GLENCO SUPPLY INC.	20250148	20252177	429257		(1,712.00)	0.00	
04/11/25	000799.011	GLENCO SUPPLY INC.	20250148	20252177	429257		0.00	1,712.00	
04/23/25	000600.121	FRANKLIN PAINT CO. INC.	20250147	20252353	429251		(6,763.78)	0.00	
04/23/25	000600.121	FRANKLIN PAINT CO. INC.	20250147	20252353	429251		0.00	6,763.78	
05/05/25	000799.011	GLENCO SUPPLY INC.	20250148	20252568	429416		(809.00)	0.00	
05/05/25	000799.011	GLENCO SUPPLY INC.	20250148	20252568	429416		0.00	809.00	
05/05/25	000199.204	AIREAGO CORP.	20250146	20252570	429392		(675.00)	0.00	
05/05/25	000199.204	AIREAGO CORP.	20250146	20252570	429392		0.00	675.00	
05/06/25	000799.011	GLENCO SUPPLY INC.	20250148				(5,000.00)	0.00	
05/07/25	000799.011	GLENCO SUPPLY INC.	20250148	20252638	429416		(583.00)	0.00	
05/07/25	000799.011	GLENCO SUPPLY INC.	20250148	20252638	429416		0.00	583.00	
05/07/25	000199.204	AIREAGO CORP.	20250146	20252644	429392		(325.00)	0.00	
05/07/25	000199.204	AIREAGO CORP.	20250146	20252644	429392		0.00	325.00	
05/07/25	000199.204	AIREAGO CORP.	20250146	20252644	429392		0.00	403.00	
05/12/25	001360.000	MIDDLETOWN PRESS	20250149	20252721	429590		(500.00)	0.00	
05/12/25	001360.000	MIDDLETOWN PRESS	20250149	20252721	429590		0.00	500.00	
05/12/25	001360.000	MIDDLETOWN PRESS	20250149	20252721	429590		0.00	1,299.00	
05/14/25	000799.011	GLENCO SUPPLY INC.	20250148	20252775	429575		(393.00)	0.00	
05/14/25	000799.011	GLENCO SUPPLY INC.	20250148	20252775	429575		0.00	393.00	

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A.1620.477		TRAFFIC PAINT & SIGNS				56,000.00			
05/27/25	000799.011	GLENCO SUPPLY INC.	20250148	20252966	429784		(1,322.50)	0.00	
05/27/25	000799.011	GLENCO SUPPLY INC.	20250148	20252966	429784		0.00	1,322.50	
06/03/25	000799.011	GLENCO SUPPLY INC. -	20250148	20253229	429784		(472.50)	0.00	
06/03/25	000799.011	GLENCO SUPPLY INC.	20250148	20253229	429784		0.00	472.50	
06/09/25	000799.011	GLENCO SUPPLY INC.	20250148	20253357	429973		(3,075.00)	0.00	
06/09/25	000799.011	GLENCO SUPPLY INC.	20250148	20253357	429973		0.00	3,075.00	
06/20/25	000799.011	GLENCO SUPPLY INC.	20250148	20253668	429973		(225.00)	0.00	
06/20/25	000799.011	GLENCO SUPPLY INC.	20250148	20253668	429973		0.00	225.00	
06/30/25	000799.011	GLENCO SUPPLY INC.	20250148	20253807	430136		(3,056.00)	0.00	
06/30/25	000799.011	GLENCO SUPPLY INC.	20250148	20253807	430136		0.00	3,056.00	
07/03/25	000799.011	GLENCO SUPPLY INC.	20250148	20253911	430355		(2,313.00)	0.00	
07/03/25	000799.011	GLENCO SUPPLY INC.	20250148	20253911	430355		0.00	2,313.00	
07/08/25	000799.011	GLENCO SUPPLY INC.	20250148	20253952	430355		(405.00)	0.00	
07/08/25	000799.011	GLENCO SUPPLY INC.	20250148	20253952	430355		0.00	405.00	
07/10/25	000799.011	GLENCO SUPPLY INC.	20250148	20254041	430355		(5,798.25)	0.00	
07/10/25	000799.011	GLENCO SUPPLY INC.	20250148	20254041	430355		0.00	5,798.25	
08/04/25	000799.011	GLENCO SUPPLY INC.	20250148	20254460	430504		(540.00)	0.00	
08/04/25	000799.011	GLENCO SUPPLY INC.	20250148	20254460	430504		0.00	540.00	
08/04/25	001360.000	MIDDLETOWN PRESS	20250149	20254464	430530		(437.00)	0.00	
08/04/25	001360.000	MIDDLETOWN PRESS	20250149	20254464	430530		0.00	437.00	
08/04/25	000600.121	FRANKLIN PAINT CO. INC.	20250147	20254465	430493		(5,181.38)	0.00	
08/04/25	000600.121	FRANKLIN PAINT CO. INC.	20250147	20254465	430493		0.00	5,181.38	
08/04/25	000600.121	FRANKLIN PAINT CO. INC.	20250147	20254485	430493		(67.47)	0.00	
08/04/25	000799.011	GLENCO SUPPLY INC.	20250147	20254485	430493		0.00	67.47	
08/04/25	000799.011	GLENCO SUPPLY INC.	20250148	20254499	430504		(5,812.25)	0.00	
08/04/25	000799.011	GLENCO SUPPLY INC.	20250148	20254499	430504		0.00	5,812.25	
08/04/25	000799.011	GLENCO SUPPLY INC.	20250148	20254499	430504		0.00	1,501.25	
08/08/25	000600.121	FRANKLIN PAINT CO. INC.	20250147	20254645	430493		(1,987.37)	0.00	
08/08/25	000600.121	FRANKLIN PAINT CO. INC.	20250147	20254645	430493		0.00	1,987.37	
08/08/25	000600.121	FRANKLIN PAINT CO. INC.	20250147	20254645	430493		0.00	1,796.75	
08/08/25	001360.000	MIDDLETOWN PRESS	20250149				(63.00)	0.00	
08/08/25	000600.121	FRANKLIN PAINT CO. INC.	20250147	20254645	430493		0.00	(1,796.75)	
08/08/25	000600.121	FRANKLIN PAINT CO. INC.	20250147	20254645	430493		0.00	1,859.75	
Grand Total						56,000.00	0.00	56,000.00	0.00

NOTE: Requisitions Not Included in Totals



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

THE FOLLOWING WAS PRESENTED

By: Alderman Witt
Seconded by: Alderman Johnson
Date of Adoption: September 2, 2025
Index No: 241-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor
Date

Resolution to Accept National Fitness Campaign Grant Award

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

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

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

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

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

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

None



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

THE FOLLOWING WAS PRESENTED

By: Alderman Tobin
Seconded by: Alderman Jean-Francois
Date of Adoption: September 2, 2025
Index No: 242-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

9/3/25

Resolution Authorizing Partial Street Closure on Union Street for Senator Skoufis' Annual Community Resource Fair and BBQ

WHEREAS, the City of Middletown, in partnership with Senator James Skoufis, will sponsor the Middletown BBQ & Community Resource Fair on Saturday, September 20, 2025, with a rain date of Sunday, September 21, 2025, and

WHEREAS, it is necessary to close a portion of Union Street to ensure the safety and success of this community event,

NOW, THEREFORE, BE IT RESOLVED that the **Common Council of the City of Middletown, concurring with the Board of Estimate and Apportionment**, hereby authorizes the closure of Union Street on Saturday, September 20, 2025, from 9:00 a.m. to 4:00 p.m., with a rain date of Sunday, September 21, 2025, for the Middletown BBQ & Community Resource

Fair.

Prepared by:
Maria Bruni, Director of Economic and Community Development

Attachments:

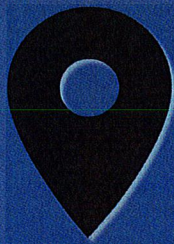
1.	Community Resource & BBQ Flyer - 2025
----	---------------------------------------

MIDDLETOWN BBQ

AND
COMMUNITY
RESOURCE FAIR

FOOD AND BEVERAGE SPONSORED BY
THE CITY OF MIDDLETOWN, IN
PARTNERSHIP WITH SENATOR SKOUFIS

SAT. SEPT. 20
11:00AM-2:00PM



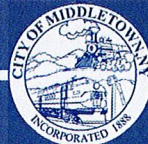
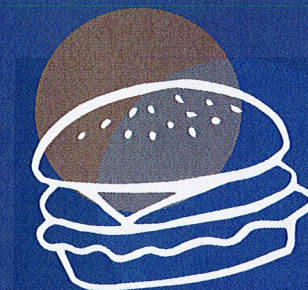
ERIE WAY PARK
1-31 UNION STREET
MIDDLETOWN NY 10940

DISTRICT OFFICE
45 QUAKER AVE. SUITE 202
CORNWALL, NEW YORK 12518

E. SKOUFIS@NYSENATE.GOV
P. 845-567-1270

RAIN DATE:
SUNDAY, SEPT 21

- **FREE BBQ!**
- **FUN GAMES**
- **FACE PAINTING**
- **MUSIC BY
VARGAS PRODUCTIONS**



JAMES SKOUFIS
State Senator

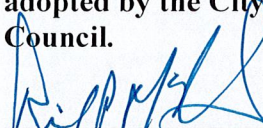


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

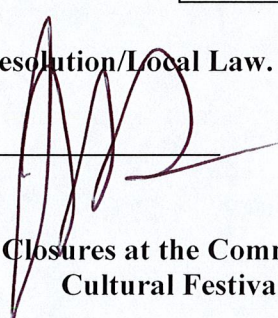
By: Alderman Johnson
Seconded by: Alderman Green
Date of Adoption: September 2, 2025
Index No: 243-25

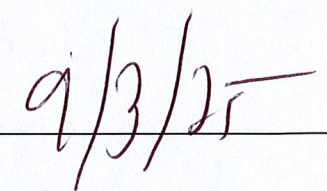
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Resolution Authorizing Street Closures at the Community Campus for the 2025 Arts & Cultural Festival

WHEREAS, the Asian American Community Alliance of Orange County, in partnership with Northern College and with the support of the City of Middletown, will present the 2025 Arts & Cultural Festival at the Middletown Community Campus on Saturday, September 27 and Sunday, September 28, 2025, and

WHEREAS, it is necessary to close certain streets to ensure the safety and success of this community event,

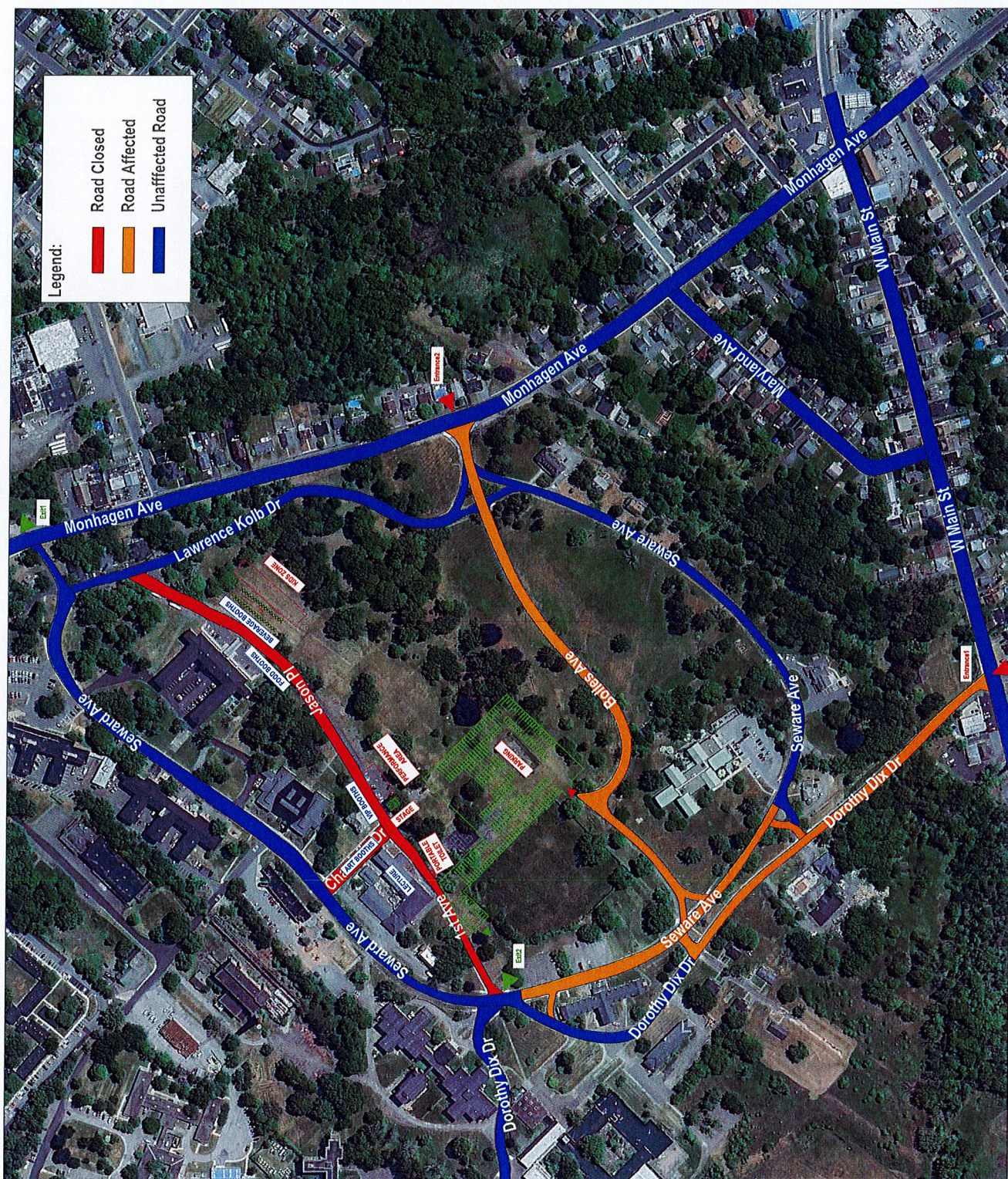
NOW, THEREFORE, BE IT RESOLVED that the **Common Council of the City of Middletown, concurring with the Board of Estimate and Apportionment**, hereby authorizes the closure of Jason Place, 1st Avenue, and Chancela Drive from **12:01 a.m. on Saturday, September 27, 2025, through 11:59 p.m. on Sunday, September 28, 2025, or at the**

discretion of the Chief of Police or his designee, for the 2025 Arts & Cultural Festival.

Prepared by:
Maria Bruni, Director of Economic and Community Development

Attachments:

1.	Venue_Final-Model MCC 2025 Arts Culture Festival
----	--





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

THE FOLLOWING WAS PRESENTED

By: Alderman Green
Seconded by: Alderman Kleiner
Date of Adoption: September 2, 2025
Index No: 244-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

9/3/25

Date

Resolution Authorizing a Waiver of 30-Day Notification Requirement – Full Liquor License Application, The Taco Factory

WHEREAS, The Taco Factory, located at 40 ½ North Street, Middletown, New York, currently holds a license to serve wine and beer, and

WHEREAS, The Taco Factory is seeking a full liquor license for on-premises consumption pursuant to the Alcoholic Beverage Control Law, as amended by Assembly Bill A7578 sponsored by Assemblywoman Paula Kay, and

WHEREAS, under the Alcoholic Beverage Control Law, applicants are generally required to provide a 30-day notification to the municipality prior to submitting a full liquor license application to the New York State Liquor Authority, and

WHEREAS, the Common Council has received and reviewed the request of The Taco Factory

and has no objection to the granting of a full liquor license,

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Middletown, hereby waives the 30-day notification requirement for The Taco Factory, located at 40 ½ North Street, Middletown, New York, to apply to the New York State Liquor Authority for a full liquor license for on-premises consumption.

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	Taco Factory Bill
2.	Taco Factory 30 Day Waiver Application

A 7578 Kay Same as **S 6417** SKOUFIS
 Alcoholic Beverage Control Law
 TITLE....Provides for a license to sell liquor at retail
 for consumption on certain premises
 04/01/25 referred to economic development
 05/13/25 reported referred to ways and means
 05/20/25 reported referred to rules
 05/21/25 reported
 05/21/25 rules report cal.236
 05/21/25 ordered to third reading rules cal.236
 05/21/25 passed assembly
 05/21/25 delivered to senate
 05/21/25 REFERRED TO COMMERCE,
 ECONOMIC DEVELOPMENT AND
 SMALL BUSINESS
 06/04/25 SUBSTITUTED FOR S6417
 06/04/25 3RD READING CAL.1274
 06/04/25 PASSED SENATE
 06/04/25 RETURNED TO ASSEMBLY
 08/15/25 delivered to governor
 08/22/25 signed chap.344

S6417 SKOUFIS Same as **A 7578** Kay
 ON FILE: 03/13/25 Alcoholic Beverage Control Law
 TITLE....Provides for a license to sell liquor at retail for
 consumption on certain premises
 03/13/25 REFERRED TO COMMERCE,
 ECONOMIC DEVELOPMENT AND
 SMALL BUSINESS
 05/21/25 1ST REPORT CAL.1274
 05/22/25 2ND REPORT CAL.
 05/27/25 ADVANCED TO THIRD READING
 06/04/25 SUBSTITUTED BY A7578
A07578 Kay
 04/01/25 referred to economic development
 05/13/25 reported referred to ways and means
 05/20/25 reported referred to rules
 05/21/25 reported
 05/21/25 rules report cal.236
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 SMALL BUSINESS
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 06/04/25 RETURNED TO ASSEMBLY
 08/15/25 delivered to governor
 08/22/25 signed chap.344

KAY
 Amd §64, ABC L
 Provides for a license to sell liquor at retail for consumption on certain premises.
 EFF. DATE 08/22/2025

STATE OF NEW YORK

7578

2025-2026 Regular Sessions

IN ASSEMBLY

April 1, 2025

Introduced by M. of A. KAY -- read once and referred to the Committee on
Economic Development

AN ACT to amend the alcoholic beverage control law, in relation to
providing for a license to sell liquor at retail for consumption on
certain premises

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Subdivision 7 of section 64 of the alcoholic beverage
2 control law is amended by adding a new paragraph (e-17) to read as
3 follows:

4 (e-17) Notwithstanding the provisions of paragraph (a) of this subdi-
5 vision, the authority may issue a retail license for on-premises
6 consumption for a premises which shall be located within two hundred
7 feet of a building occupied as a school, church, synagogue or other
8 place of worship, provided such premises constitute a premises for the
9 sale of food or beverages at retail for consumption on the premises
10 located wholly within the boundaries of the county of Orange in the city
11 of Middletown, bounded and described as follows:

12 ALL that certain plot, piece or parcel of land, with the buildings and
13 improvements thereon erected, situate, lying and being in the City of
14 Middletown, County of Orange and State of New York, being shown and
15 designated as Lot No. 10 on a certain map entitled, "Lands of Frank M.
16 Stratton," which map was filed on January 2, 1896 in the Orange County
17 Clerk's Office as Filed Map No. 222, bounded and described as follows:

18 BEGINNING at a point in the westerly line of North Street at the
19 southeasterly corner of lands of 42 North Street LLC (Liber 14773 Page
20 760) and also being the northeasterly most corner of the herein
21 described parcel;

22 THENCE from the said point or place of beginning and following along
23 the westerly line of North Street, South 21 degrees 15 minutes 00
24 seconds West, 23.00 feet to a point;

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD10683-01-5

A. 7578

2

- 1 THENCE along the line of lands of Rehoboth Christian Center, Inc.
- 2 (Liber 4572 Page 146) and along a common party wall, North 68 degrees 45
- 3 minutes 00 seconds West, 100.25 feet to a point;
- 4 THENCE along an Alley Way, North 20 degrees 45 minutes 06 seconds
- 5 East, 23.00 feet to point;
- 6 THENCE along the lands of said 42 North Street LLC and along a common
- 7 party wall, South 68 degrees 45 minutes 00 seconds East, 100.45 feet to
- 8 the point or place of BEGINNING.
- 9 § 2. This act shall take effect immediately.

**NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(f)**

BILL NUMBER: A7578

SPONSOR: Kay

TITLE OF BILL:

An act to amend the alcoholic beverage control law, in relation to providing for a license to sell liquor at retail for consumption on certain premises

PURPOSE:

Allows The Taco Factory, a restaurant in the City of Middletown, to obtain a retail license for on-premises consumption despite being within 200' of a building occupied as a school or place of worship.

SUMMARY OF PROVISIONS:

Section 1: Amends subdivision 7 of section 64 of the alcoholic beverage control law, adding a new paragraph e-17 to allow the issuance of a retail license for on-premises consumption for a premises that is located within 200' of a building occupied as a school, church, synagogue, or other place of worship.

Section 2: Sets effective date.

JUSTIFICATION:

This bill would allow the State Liquor Authority to issue a retail license for on-premises consumption to The Taco Factory, which is located within 200' of a place of worship that supports the issuance of a full license.

PRIOR LEGISLATIVE HISTORY:

New Bill.

FISCAL IMPLICATIONS FOR STATE AND LOCAL GOVERNMENT:

Increased tax revenue.

EFFECTIVE DATE:

This act shall take effect immediately.



**State Liquor
Authority**

OFFICE USE ONLY
☐ Original ☐ Amended Date _____

**Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a
Local Municipality or Community Board**

(Page 1 of 2 of Form)

1. Date Notice Was Sent: August 27, 2025 1a. Delivered by: Personal Delivery with Proof of Receipt

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License

☒ New Application ☐ Renewal ☐ Alteration ☐ Corporate Change ☐ Removal ☒ Class Change

For **New** applicants, answer each question below using all information known to date.

For **Renewal** applicants, set forth your approved Method of Operation only.

For **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s).

For **Corporate Change** applicants, attach a list of the current and proposed corporate principals.

For **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation.

For **Class Change** applicants, attach a statement detailing your current license type and your proposed license type.

This 30-Day Advance Notice is Being Provided to the Clerk of the following Local Municipality or Community Board

3. Name of Municipality or Community Board: City of Middletown NY Planning Board

Applicant/Licensee Information

4. License Serial Number, if Applicable: 2206882 Expiration Date, if Applicable: _____

5. Applicant or Licensee Name: Tortilleria Parvini Inc

6. Trade Name (if any): The Taco Factory

7. Street Address of Establishment: 40 1/2 North Street and 40 North street (Second Floor)

8. City, Town or Village: Middletown, NY Zip Code: 10940

9. Business Telephone Number of Applicant/Licensee: 845-343-7171

10. Business Fax Number of Applicant/Licensee: 845-360-2461

11. Business E-mail of Applicant/Licensee: parvinci2001@yahoo.com

12. Type(s) of Alcohol sold or to be sold: ☒ Beer & Cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider

13. Extent of Food Service: ☒ Full food menu; Full Kitchen run by a chef or cook ☐ Menu meets legal minimum food availability requirements; Food prep area at minimum

14. Type of Establishment: Restaurant (Full Kitchen & Full Menu required)

15. Method of Operation: (Check all that apply)
☐ Seasonal Establishment ☒ Juke Box ☒ Disc Jockey ☒ Recorded Music ☒ Karaoke
☒ Live Music (Give details: i.e. rock bands, acoustic, jazz, etc.): Mariachi
☒ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment
☐ Video/Arcade Games ☐ Third Party Promoters ☐ Security Personnel
☐ Other (specify): _____

16. Licensed Outdoor Area: (Check all that apply)
☐ None ☐ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure
☒ Sidewalk Cafe ☐ Other (specify): _____



**State Liquor
Authority**

OFFICE USE ONLY
☐ Original ☐ Amended Date _____

**Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a
Local Municipality or Community Board**

(Page 2 of 2 of Form)

17. List the floor(s) of the building that the establishment is located on: First Floor, Second Floor and Basement
18. List the room number(s) the establishment is located in within the building, if appropriate: Three (First, Second and Basement- Storage)
19. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☐ Yes ☒ No
20. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
21. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee.

22. Does the applicant or licensee own the building in which the establishment is located? ☐ Yes (If Yes SKIP 23-26) ☒ No

Owner of the Building in Which the Licensed Establishment is Located

23. Building Owner's Full Name: Tortilleria Parvinci, Inc.
24. Building Owner's Street Address: 40 North Street
25. City, Town or Village: Middletown State: NY Zip Code: 10940
26. Business Telephone Number of Building Owner: 8453813433

**Representative or Attorney representing the Applicant in Connection with the
application for a license to traffic in alcohol at the establishment identified in this notice**

27. Representative/Attorney's Full Name: Juan Manuel Avalos
28. Street Address: 36 Dewitt Street
29. City, Town or Village: Middletown State: NY Zip Code: 10940
30. Business Telephone Number of Representative/Attorney: 845-381-3433
31. Business Email Address: parvinci2001@yahoo.com

I am the applicant or hold the license or am a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

32. Printed Name: Juan Manuel Avalos Title: President & CEO

Signature: X

Juan Manuel Avalos

8/27/25

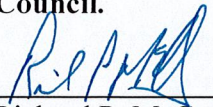


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

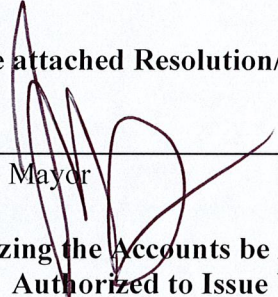
By: Alderman Masi
Seconded by: Alderman Johnson
Date of Adoption: September 2, 2025
Index No:

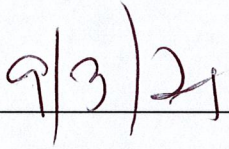
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

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			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Resolution Authorizing the Accounts be Audited, Claims Adjusted, and the Treasurer be Authorized to Issue Warrants for their Payment

Resolution Authorizing the Accounts be Audited, Claims Adjusted, and the Treasurer be Authorized to Issue Warrants for their Payment

Prepared by:

Attachments:

None

Standardized NOTICE FORM for Providing 30-Day Advance Notice to a Local Municipality or Community Board

e Notice Sent: 07.23.2025

1a. Delivered by:

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Select the type of Application that will be filed with the Authority for an On Premises Alcoholic Beverage License:
premises outside the City of New York:

New Application ☐ Removal ☐ Class Change

premises in the City of New York: (counties of Kings, New York, Bronx, Queens and Richmond):

New Application ☐ New Application and Temporary Retail Permit ☐ Temporary Retail Permit ☐ Removal

Class Change ☐ Method of Operation ☐ Corporate Change ☐ Renewal ☐ Alteration

New and Temporary Retail Permit applicants, answer each question below using all information known to date

Renewal applicants, answer all questions

Alteration applicants, attach a complete written description and diagrams depicting the proposed alteration(s)

Corporate Change applicants, attach a list of the current and proposed corporate principals

Removal applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation

Class Change applicants, attach a statement detailing your current license type and your proposed license type

Method of Operation Change applicants, although not required, if you choose to submit, attach an explanation detailing those changes

Please include all documents as noted above. Failure to do so may result in disapproval of the application.

This 30-Day Advance Notice Is Being Provided to the Clerk of the Following Local Municipality or Community Board:

Name of Municipality or Community Board: City of Middletown

Applicant/Licensee Information:

Licensee License ID (if applicable):

Expiration Date (if applicable):

Applicant or Licensee Name: DELUCA HOLDINGS LLC

Trade Name (if any): Kloud City Bar & Lounge

Street Address of Establishment: 23 West Main Street

City, Town or Village: Middletown

, NY Zip Code: 10940

Business Telephone Number of applicant/ Licensee: 845.591.8444

Business E-mail of Applicant/Licensee: madelineadeluca@gmail.com

Type(s) of alcohol sold or to be sold: ☐ Beer & cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider

Content of Food Service: ☐ Full Food menu; full kitchen run by a chef/cook ☒ Menu meets legal minimum food requirements; food prep area required

Type of Establishment: Bar/Tavern

☐ Seasonal Establishment ☐ Juke Box ☐ Disc Jockey ☒ Recorded Music ☐ Karaoke

Method of Operation:

Check all that apply: ☐ Live Music (give details i.e., rock bands, acoustic, jazz, etc.):

☐ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment

☐ Video/Arcade Games ☐ Third Party Promoters ☐ Security Personnel

☐ Other (specify):

Enclosed Outdoor Area: ☐ None ☒ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure
 (check all that apply) ☐ Sidewalk Cafe ☐ Other (specify):

RECEIVED

SEP 08 2025

CITY CLERK
CITY OF MIDDLETOWN

OFFICE USE ONLY		
☐ Original	☐ Amended	Date _____

List the floor(s) of the building that the establishment is located on: ground floor

List the room number(s) the establishment is located in within the building, if appropriate: _____

Is the premises located within 500 feet of three or more on-premises liquor establishments? ☒ Yes ☐ No

Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No

If this is a transfer application (an existing licensed business is being purchased) provide the name and ID number of the licensee:

_____	_____
Name	License ID Number

Does the applicant or licensee own the building in which the establishment is located? ☐ Yes (If YES, SKIP 23-26) ☒ No

Owner of the Building in Which the Licensed Establishment is Located

Building Owner's Full Name: KB Developers LLC

Building Owner's Street Address: 6 Forest Ave, Suite 205

City, Town or Village: Paramus State: NJ Zip Code: 07652

Business Telephone Number of Building Owner: 201.300.8088

Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice

Representative/Attorney's Full Name: Adam Clayton Powell

Representative/Attorney's Street Address: 57 West 57th Street, 4th Floor

City, Town or Village: New York State: NY Zip Code: 10019

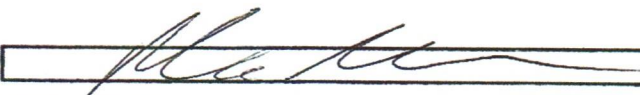
Business Telephone Number of Representative/Attorney: 646.330.1689

Business E-mail Address of Representative/Attorney: NewYorkLiquorLicenses@gmail.com

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under Penalty of Perjury - that the representations made in this form are true.

Printed Principal Name: Madeline DeLuca Title: President

Principal Signature: 

Date: July 23, 2025



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

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 16, 2025
Index No:

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

SLA Standardized 30-Day Notice: Fable Restaurant Group, LLC 45-53 North St, Unit 1

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	SLA Standardized 30-Day Notice Fable Restaurant Group, LLC 45-53 North St, Unit 1
----	---

Standardized NOTICE FORM for Providing 30-Day Advance Notice to a Local Municipality or Community Board

1. Date Notice Sent: 9-9-2025

1a. Delivered by: _____

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:

For premises outside the City of New York:☐ New Application ☐ Removal ☒ Class ChangeFor premises in the City of New York: (counties of Kings, New York, Bronx, Queens and Richmond):

☐ New Application ☐ New Application and Temporary Retail Permit ☐ Temporary Retail Permit ☐ Removal

☐ Class Change ☐ Method of Operation ☐ Corporate Change ☐ Renewal ☐ Alteration

For **New** and Temporary Retail Permit applicants, answer each question below using all information known to dateFor **Renewal** applicants, answer all questionsFor **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s)For **Corporate Change** applicants, attach a list of the current and proposed corporate principalsFor **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocationFor **Class Change** applicants, attach a statement detailing your current license type and your proposed license typeFor **Method of Operation Change** applicants, although not required, if you choose to submit, attach an explanation detailing those changes**Please include all documents as noted above. Failure to do so may result in disapproval of the application.****This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:**3. Name of Municipality or Community Board: City of Middletown**Applicant/Licensee Information:**4. Licensee License ID (if applicable): 0240-22-200241Expiration Date (if applicable): 1/31/20265. Applicant or Licensee Name: Fable Restaurant Group, LLC6. Trade Name (if any): Oak and Reed7. Street Address of Establishment: 45-53 North Street, Unit 18. City, Town or Village: Middletown, NY Zip Code: 109409. Business Telephone Number of applicant/ Licensee: 845-775-420010. Business E-mail of Applicant/Licensee: lmore@oakandreeddowntown.com11. Type(s) of alcohol sold or to be sold: ☐ Beer & cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider12. Extent of Food Service: ☒ Full Food menu; full kitchen run by a chef/cook ☐ Menu meets legal minimum food requirements; food prep area required

13. Type of Establishment: _____

☐ Seasonal Establishment ☐ Juke Box ☐ Disc Jockey ☐ Recorded Music ☐ Karaoke
14. Method of Operation:
(check all that apply)☒ Live Music (give details i.e., rock bands, acoustic, jazz, etc.): _____
☐ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment

☐ Video/Arcade Games ☐ Third Party Promoters ☐ Security Personnel
☐ Other (specify): _____15. Licensed Outdoor Area:
(check all that apply)
☐ one ☒ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure
☐ sidewalk Cafe ☐ Other (specify): _____

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 CITY OF MIDDLETOWN

OFFICE USE ONLY		
☐ Original	☐ Amended	Date _____

16. List the floor(s) of the building that the establishment is located on: 1st Floor + Basement
17. List the room number(s) the establishment is located in within the building, if appropriate: N/A
18. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☒ Yes ☐ No
19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
20. If this is a transfer application (an existing licensed business is being purchased) provide the name and ID number of the licensee:
- | Name | License ID Number |
|------|-------------------|
| | |
21. Does the applicant or licensee own the building in which the establishment is located? ☐ Yes (if YES, SKIP 23-26) ☒ No

Owner of the Building in Which the Licensed Establishment is Located

22. Building Owner's Full Name: City of Middletown
23. Building Owner's Street Address: 16 James Street
24. City, Town or Village: Middletown State: NY Zip Code: 10940
25. Business Telephone Number of Building Owner: 845-343-7439

Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice

26. Representative/Attorney's Full Name: Glen F. Kubista
27. Representative/Attorney's Street Address: 242 Broadway, Port Ewen,
28. City, Town or Village: Port Ewen State: NY Zip Code: 12464
29. Business Telephone Number of Representative/Attorney: 845-338-8062
30. Business E-mail Address of Representative/Attorney: kubista@adl.com

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

31. Printed Principal Name: Laura Scott Title: Owner

Principal Signature:Laura Scott**Date:**9/9/2025

STENGER, GLASS, HAGSTROM,
LINDARS & IUELE LLP

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SEP 12 2025

CITY CLERK
CITY OF MIDDLETOWN

September 11, 2025

VIA UPS OVERNIGHT DELIVERY

Kenneth M. Stenger
Jessica J. Glass
Karen E. Hagstrom
Ian C. Lindars
A.J. Iuele
Albert P. Roberts
partner emeritus

Richard McCormack, City Clerk
City of Middletown
16 James Street, Room 12
Middletown, NY 10940

Re: *Something Sweet Dessert Café LLC d/b/a Piccolo Cucina e Vino*
SGHLI File No.: 41786.0010

Mary Kate Ephraim
Jad B. Haddad
Daniel J. Ravo

Dear Mr. McCormack:

OF COUNSEL

Joan F. Garrett
Kyle A. Steller
Mary E. Tokarz
Mariel D. Gil

We are legal counsel to Something Sweet Dessert Café LLC d/b/a Piccolo Cucina e Vino. Please be advised that Something Sweet Dessert Café LLC is applying for a class change to its existing on-premises liquor license for premises located at 17 North Street, Middletown, NY 10940 to change its license from RW 341/Restaurant Wine to OP 252/Restaurant Liquor. Therefore, enclosed herewith please find an Application Notice Form for Providing 30-Day Advance Notice to a Local Municipality or Community Board, which has been signed by my client.

PARALEGALS

Jillian Medina
Sandra Oakley
Jennifer Arno
Carla Salvatore
Michelynn Montesione

Alcohol Beverage Control Law Section 110-b, Subdivision 1-a, requires that the clerk of the town, village or city wherein the premises is located, be notified by overnight courier, not less than thirty (30) days prior to the submission of the application for a on-premises license. If the City of Middletown would consider waiving this thirty (30) day requirement, please notify me in writing of same at your earliest convenience.

Thank you for your cooperation with regard to this matter. Should you have any questions or concerns, please feel free to contact me.

CLOSING
COORDINATORS

Maria L. Jones
Sandra A. De Groodt

Very truly yours,

STENGER, GLASS, HAGSTROM, LINDARS & IUELE, LLP

Jessica J. Glass/jm

LAW CLERK

Kaitlyn E. Trank

JESSICA J. GLASS
jglass@stengerglass.com

JJG/jm

Enc.

T: (845) 298-2000

F: (845) 298-2842

Email: info@stengerglass.com

Main Office: 1136 Route 9, Suite 2, Wappingers Falls, NY 12590

Poughkeepsie: 85 Civic Center Plaza, Suite 201A, Poughkeepsie, NY 12601

Kingston: 326 Washington Avenue, Suite 2, Kingston, NY 12401

stengerglass.com



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☐ Original	☐ Amended	Date _____

Standardized **NOTICE FORM** for Providing **30-Day Advance Notice** to a **Local Municipality or Community Board**

1. Date Notice Sent: 09/11/2025 1a. Delivered by: Overnight Mail, Tracking Number and Pro

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:
For premises outside the City of New York:

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CITY CLERK
CITY OF MIDDLETOWN

☐ New Application ☐ Removal ☒ Class Change

For premises in the City of New York: (counties of Kings, New York, Bronx, Queens and Richmond):

☐ New Application ☐ New Application and Temporary Retail Permit ☐ Temporary Retail Permit

☐ Class Change ☐ Method of Operation ☐ Corporate Change ☐ Renewal ☐ Alteration

For **New** and Temporary Retail Permit applicants, answer each question below using all information known to date
For **Renewal** applicants, answer all questions

For **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s)

For **Corporate Change** applicants, attach a list of the current and proposed corporate principals

For **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation

For **Class Change** applicants, attach a statement detailing your current license type and your proposed license type

For **Method of Operation Change** applicants, although not required, if you choose to submit, attach an explanation detailing those changes

Please include all documents as noted above. Failure to do so may result in disapproval of the application.

This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:

3. Name of Municipality or Community Board: City of Middletown

Applicant/Licensee Information:

4. Licensee License ID (if applicable): 0240-21-222531 Expiration Date (if applicable): 10/31/2025

5. Applicant or Licensee Name: Something Sweet Dessert Cafe

6. Trade Name (if any): Piccolo Cucina e Vino

7. Street Address of Establishment: 17 North Street

8. City, Town or Village: Middletown, NY Zip Code: 10940

9. Business Telephone Number of applicant/ Licensee: (845) 343-2233

10. Business E-mail of Applicant/Licensee: piccolocucinavino@gmail.com

11. Type(s) of alcohol sold or to be sold: ☐ Beer & cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider

12. Extent of Food Service: ☒ Full Food menu; full kitchen run by a chef/cook ☐ Menu meets legal minimum food requirements; food prep area required

13. Type of Establishment: Restaurant (full kitchen and full menu required)

☐ Seasonal Establishment ☐ Juke Box ☐ Disc Jockey ☒ Recorded Music ☐ Karaoke

14. Method of Operation: (check all that apply) ☐ Live Music (give details i.e., rock bands, acoustic, jazz, etc.): _____

☐ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment

☐ Video/Arcade Games ☐ Third Party Promoters ☐ Security Personnel

☐ Other (specify): _____

15. Licensed Outdoor Area: ☒ None ☐ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure
(check all that apply) ☐ Sidewalk Cafe ☐ Other (specify): _____

OFFICE USE ONLY		
☐ Original	☐ Amended	Date _____

16. List the floor(s) of the building that the establishment is located on:
17. List the room number(s) the establishment is located in within the building, if appropriate:
18. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☒ Yes ☐ No
19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
20. If this is a transfer application (an existing licensed business is being purchased) provide the name and ID number of the licensee:
- | | |
|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> |
| Name | License ID Number |
21. Does the applicant or licensee own the building in which the establishment is located? ☐ Yes (if YES, SKIP 23-26) ☒ No

Owner of the Building in Which the Licensed Establishment is Located

22. Building Owner's Full Name:
23. Building Owner's Street Address:
24. City, Town or Village: State: Zip Code:
25. Business Telephone Number of Building Owner:

Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice

26. Representative/Attorney's Full Name:
27. Representative/Attorney's Street Address:
28. City, Town or Village: State: Zip Code:
29. Business Telephone Number of Representative/Attorney:
30. Business E-mail Address of Representative/Attorney:

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

31. Printed Principal Name: Title:

Principal Signature:

Anna Madden
Anna Madden (Sep 11, 2025 15:28:53 EDT)

Date:



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

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 16, 2025
Index No: 245-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution Authorizing a Waiver of 30-Day Notification Requirement – Full Liquor License Application, Fable Restaurant Group DBA Oak & Reed

WHEREAS, The Fable Restaurant Group DBA Oak & Reed, located at 45-53 North Street, Unit 1, Middletown, New York, currently holds a license to serve wine and beer, and

WHEREAS, The Fable Restaurant Group DBA Oak & Reed is seeking a full liquor license for on-premises consumption pursuant to the Alcoholic Beverage Control Law, as amended by Assembly Bill A7580 sponsored by Assemblywoman Paula Kay and Senate Bill 6416 sponsored by Senator James Skoufis, and

WHEREAS, under the Alcoholic Beverage Control Law, applicants are generally required to provide a 30-day notification to the municipality prior to submitting a full liquor license application to the New York State Liquor Authority, and

WHEREAS, the Common Council has received and reviewed the request of Fable Restaurant Group DBA Oak & Reed, and has no objection to the granting of a full liquor license,

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Middletown hereby waives the 30-day notification requirement for Fable Restaurant Group DBA Oak & Reed, located at 45-53 North Street, Unit 1, Middletown, New York, to apply to the New York State Liquor Authority for a full liquor license for on-premises consumption.

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	SLA Standardized 30-Day Notice Fable Restaurant Group, LLC 45-53 North St, Unit 1
2.	Oak & Reed Bill

Standardized NOTICE FORM for Providing 30-Day Advance Notice to a Local Municipality or Community Board

1. Date Notice Sent: 9-9-2025

1a. Delivered by: _____

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:

For premises outside the City of New York:☐ New Application ☐ Removal ☒ Class ChangeFor premises in the City of New York: (counties of Kings, New York, Bronx, Queens and Richmond):

☐ New Application ☐ New Application and Temporary Retail Permit ☐ Temporary Retail Permit ☐ Removal

☐ Class Change ☐ Method of Operation ☐ Corporate Change ☐ Renewal ☐ Alteration

For **New** and Temporary Retail Permit applicants, answer each question below using all information known to dateFor **Renewal** applicants, answer all questionsFor **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s)For **Corporate Change** applicants, attach a list of the current and proposed corporate principalsFor **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocationFor **Class Change** applicants, attach a statement detailing your current license type and your proposed license typeFor **Method of Operation Change** applicants, although not required, if you choose to submit, attach an explanation detailing those changes**Please include all documents as noted above. Failure to do so may result in disapproval of the application.****This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:**3. Name of Municipality or Community Board: City of Middletown**Applicant/Licensee Information:**4. Licensee License ID (if applicable): 0240-22-200241Expiration Date (if applicable): 1/31/20265. Applicant or Licensee Name: Fable Restaurant Group, LLC6. Trade Name (if any): Oak and Reed7. Street Address of Establishment: 45-53 North Street, Unit 18. City, Town or Village: Middletown, NY Zip Code: 109409. Business Telephone Number of applicant/ Licensee: 845-775-420010. Business E-mail of Applicant/Licensee: lmore@oakandreeddowntown.com11. Type(s) of alcohol sold or to be sold: ☐ Beer & cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider12. Extent of Food Service: ☒ Full Food menu; full kitchen run by a chef/cook ☐ Menu meets legal minimum food requirements; food prep area required

13. Type of Establishment: _____

☐ Seasonal Establishment ☐ Juke Box ☐ Disc Jockey ☐ Recorded Music ☐ Karaoke
14. Method of Operation:
(check all that apply)
☒ Live Music (give details i.e., rock bands, acoustic, jazz, etc.): _____
☐ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment

☐ Video/Arcade Games ☐ Third Party Promoters ☐ Security Personnel
☐ Other (specify): _____15. Licensed Outdoor Area:
(check all that apply)
☐ one ☒ Patio or Deck ☐ Rooftop ☒ Garden/Grounds ☐ Freestanding Covered Structure
☐ sidewalk Cafe ☐ Other (specify): _____

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CITY CLERK
CITY OF MIDDLETOWN

OFFICE USE ONLY		
☐ Original	☐ Amended	Date _____

16. List the floor(s) of the building that the establishment is located on: 1st Floor + Basement
17. List the room number(s) the establishment is located in within the building, if appropriate: N/A
18. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☒ Yes ☐ No
19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
20. If this is a transfer application (an existing licensed business is being purchased) provide the name and ID number of the licensee:
- | Name | License ID Number |
|------|-------------------|
| | |
21. Does the applicant or licensee own the building in which the establishment is located? ☐ Yes (if YES, SKIP 23-26) ☒ No

Owner of the Building in Which the Licensed Establishment is Located

22. Building Owner's Full Name: City of Middletown
23. Building Owner's Street Address: 16 James Street
24. City, Town or Village: Middletown State: NY Zip Code: 10940
25. Business Telephone Number of Building Owner: 845-343-7439

Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice

26. Representative/Attorney's Full Name: Glen F. Kubista
27. Representative/Attorney's Street Address: 242 Broadway, Port Ewen,
28. City, Town or Village: Port Ewen State: NY Zip Code: 12464
29. Business Telephone Number of Representative/Attorney: 845-338-8062
30. Business E-mail Address of Representative/Attorney: kubista@adl.com

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

31. Printed Principal Name: Laura Scott Title: Owner

Principal Signature:Laura Scott**Date:**9/9/2025

A 7580 Kay Same as **S 6416** SKOUFIS
Alcoholic Beverage Control Law
TITLE....Provides for a license to sell liquor at retail
for consumption on certain premises
04/01/25 referred to economic development
05/13/25 reported referred to ways and means
05/27/25 reported referred to rules
05/29/25 reported
05/29/25 rules report cal.340
05/29/25 ordered to third reading rules cal.340
05/29/25 passed assembly
05/29/25 delivered to senate
05/29/25 REFERRED TO COMMERCE,
ECONOMIC DEVELOPMENT AND
SMALL BUSINESS
06/04/25 SUBSTITUTED FOR S6416
06/04/25 3RD READING CAL.1273
06/04/25 PASSED SENATE
06/04/25 RETURNED TO ASSEMBLY
08/15/25 delivered to governor
08/22/25 signed chap.346

S6416 SKOUFIS Same as **A 7580** Kay
ON FILE: 03/13/25 Alcoholic Beverage Control Law
TITLE....Provides for a license to sell liquor at retail for
consumption on certain premises
03/13/25 REFERRED TO COMMERCE,
ECONOMIC DEVELOPMENT AND
SMALL BUSINESS
05/21/25 1ST REPORT CAL.1273
05/22/25 2ND REPORT CAL.
05/27/25 ADVANCED TO THIRD READING
06/04/25 SUBSTITUTED BY A7580
A07580 **Kay**
04/01/25 referred to economic development
05/13/25 reported referred to ways and means
05/27/25 reported referred to rules
05/29/25 reported
05/29/25 rules report cal.340
05/29/25 ordered to third reading rules cal.340
05/29/25 passed assembly
05/29/25 delivered to senate
05/29/25 REFERRED TO COMMERCE,
ECONOMIC DEVELOPMENT AND
SMALL BUSINESS
06/04/25 SUBSTITUTED FOR S6416
06/04/25 3RD READING CAL.1273
06/04/25 PASSED SENATE
06/04/25 RETURNED TO ASSEMBLY
08/15/25 delivered to governor
08/22/25 signed chap.346

KAY

Amd §64, ABC L

Provides for a license to sell liquor at retail for consumption on certain premises.

EFF. DATE 08/22/2025

STATE OF NEW YORK

7580

2025-2026 Regular Sessions

IN ASSEMBLY

April 1, 2025

Introduced by M. of A. KAY -- read once and referred to the Committee on Economic Development

AN ACT to amend the alcoholic beverage control law, in relation to providing for a license to sell liquor at retail for consumption on certain premises

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 7 of section 64 of the alcoholic beverage control law is amended by adding a new paragraph (e-17) to read as follows:

(e-17) Notwithstanding the provisions of paragraph (a) of this subdivision, the authority may issue a retail license for on-premises consumption for a premises which shall be located within two hundred feet of a building occupied as a school, church, synagogue or other place of worship, provided such premises constitute a premises for the sale of food or beverages at retail for consumption on the premises located wholly within the boundaries of the county of Orange in the city of Middletown, bounded and described as follows:

Schedule C

All that certain plot, piece or parcel of land situate, lying and being in the City of Middletown, County of Orange and State of New York, bounded and described as follows:

BEGINNING at a point on the southeasterly side of North Street, said point being the southwesterly corner of lands now or formerly of DeGraw Equity (liber 5208 page 260);

THENCE South 59 degrees 45 minutes 09 seconds East, a distance of 104.24 feet passing through a party wall and along the lands now or formerly DeGraw Equity (liber 5208 page 260) to a building corner;

THENCE along the lands now or formerly Glendening (liber 4778 pages 277 & 281) the following three (3) courses and distances:

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD10682-01-5

A. 7580

2

1 1. South 59 degrees 42 minutes 20 seconds East, a distance of 30.00
2 feet;

3 2. South 30 degrees 47 minutes 00 seconds West, a distance of 23.89
4 feet;

5 3. South 34 degrees 37 minutes 40 seconds East, a distance of 26.38
6 feet to a building corner;

7 THENCE South 30 degrees 47 minutes 00 seconds West, a distance of
8 51.08 feet along the lands now or formerly Glendening (liber 4778 page
9 261) and Foley (liber 2334 page 295) to a point;

10 THENCE along the lands now or formerly Foley (liber 2334 page 295) the
11 following four (4) courses and distances:

12 1. North 61 degrees 09 minutes 30 seconds West, a distance of 60.00
13 feet;

14 2. North 82 degrees 02 minutes 01 seconds West, a distance of 20.03
15 feet;

16 3. South 30 degrees 46 minutes 54 seconds West, a distance of 0.94
17 feet;

18 4. North 59 degrees 50 minutes 59 seconds West, a distance of 84.24
19 feet passing through a party wall to a point;

20 THENCE North 30 degrees 47 minutes 04 seconds East, a distance of
21 89.54 feet along the southeasterly side of North Street to the point or
22 place of BEGINNING.

23 § 2. This act shall take effect immediately.

**NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
submitted in accordance with Assembly Rule III, Sec 1(f)**

BILL NUMBER: A7580

SPONSOR: Kay

TITLE OF BILL:

An act to amend the alcoholic beverage control law, in relation to providing for a license to sell liquor at retail for consumption on certain premises

PURPOSE:

Allows Oak & Reed, a restaurant in the City of Middletown, to obtain a retail license for on-premises consumption despite being within 200' of a building occupied as a school or place of worship.

SUMMARY OF PROVISIONS:

Section 1: Amends subdivision 7 of section 64 of the alcoholic beverage control law, adding a new paragraph e-17 to allow the issuance of a retail license for on-premises consumption for a premises that is located within 200' of a building occupied as a school, church, synagogue, or other place of worship.

Section 2: Sets effective date.

JUSTIFICATION:

This bill would allow the State Liquor Authority to issue a retail license for on-premises consumption to Oak & Reed, which is located within 200' of a place of worship that supports the issuance of a full license.

PRIOR LEGISLATIVE HISTORY:

New Bill.

FISCAL IMPLICATIONS FOR STATE AND LOCAL GOVERNMENTS:

Increased tax revenue.

EFFECTIVE DATE:

This act shall take effect immediately.



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

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 16, 2025
Index No: 246-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution Authorizing a Waiver of 30-Day Notification Requirement – Full Liquor License Application, Piccolo Cucina E Vino, 17 North Street

WHEREAS, Piccolo Cucina E Vino, 17 North Street, Middletown, New York, currently holds a license to serve wine and beer, and

WHEREAS, Piccolo Cucina E Vino, is seeking a full liquor license for on-premises consumption pursuant to the Alcoholic Beverage Control Law, as amended by Assembly Bill A7579 sponsored by Assemblywoman Paula Kay, and Senate Bill 6418 sponsored by Senator James Skoufis, and

WHEREAS, under the Alcoholic Beverage Control Law, applicants are generally required to provide a 30-day notification to the municipality prior to submitting a full liquor license application to the New York State Liquor Authority, and

WHEREAS, the Common Council has received and reviewed the request of Piccolo Cucina E Vino, and has no objection to the granting of a full liquor license,

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Middletown hereby waives the 30-day notification requirement for Piccolo Cucina E Vino, 17 North Street, Middletown, New York, to apply to the New York State Liquor Authority for a full liquor license for on-premises consumption.

Prepared by:
Rick McCormack, City Clerk

Attachments:
None

JOHN EWANCIW
CHIEF OF POLICE



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

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

Memo

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

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

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

Respectfully,

Sgt. Jason Beaudette #1255



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

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By: None
Seconded by: None
Date of Adoption: September 16, 2025
Index No: 248-25

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Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution Authorizing the Use of Insurance Proceeds and Transfer of Funds for Police Vehicle Replacement

WHEREAS, on August 9, 2025, City of Middletown Police Department vehicle #9 was involved in a motor vehicle accident and subsequently deemed a total loss; and

WHEREAS, the City received an insurance reimbursement check in the amount of \$33,364.75 related to the loss of said vehicle; and

WHEREAS, the Police Department seeks to utilize said insurance proceeds toward the purchase of a replacement vehicle; and

WHEREAS, an additional transfer of funds is necessary to fully cover the cost of the replacement vehicle;

BE IT RESOLVED that the **Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment** and authorizes the use of the insurance proceeds in the amount of \$33,364.75 for the purchase of a replacement vehicle for Police Department vehicle #9.

BE IT FURTHER RESOLVED that the **Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment** and authorizes the City Treasurer to transfer funds within the 2025 Police Department budget as follows to complete the purchase:

From	Amount	To
A.3120.100 – Personal Services	\$30,000.00	A.3120.201 – Vehicles

Prepared by:
John Ewanciw, Chief of Police

Attachments:

1.	Disposal of cars memo (002)
2.	MVA CAR 9

JOHN EWANCIW
CHIEF OF POLICE



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

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

Memo

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

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

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Respectfully,

Sgt. Jason Beaudette #1255



REPORT SUMMARY



CLAIM INFORMATION

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



INSURANCE INFORMATION

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



VALUATION SUMMARY

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

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

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

BASE VALUE

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

Inside the Report

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

VALUATION METHODOLOGY

How was the valuation determined?



CLAIM INSPECTION

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



DATABASE REVIEW

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



SEARCH FOR COMPARABLES

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



CALCULATE VALUATION

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

 LOSS UNIT INFORMATION

LOSS UNIT DETAILS

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

LOSS UNIT CONDITION

	Condition
Overall Rating	Average

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

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

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

LOSS UNIT EQUIPMENT

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

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

LOSS UNIT EQUIPMENT

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

ADDITIONAL EQUIPMENT

Push Bumper	✓
Trailer Package	✓
Full Size Light Bar	✓

COMPARABLE UNITS

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

Comp 1 Updated Date: 07/23/2025

2022 Ford EXPLORER POLICE AWD
VIN 1FM5K8AB9NGA29621

Dealership STATE SURPLUS AUTO S

Location Newark, NJ

Contact ,

Telephone (973) 358-8549

Source Dealer Ad

Stock # A29621

Comp 2 Updated Date: 06/18/2025

2021 Ford EXPLORER POLICE AWD

VIN 1FM5K8AB0MGA19168

Dealership YOSH MOTORS 22

Location Somerville, NJ

Contact ,

Telephone (908) 258-9437

Source Dealer Ad

Stock # A19168

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

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

COMPARABLE UNITS

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

Additional Equipment

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

Condition	Average	Average	Average
-----------	---------	---------	---------

Adjustments:

Make/Model/Trim	\$ 7,500	\$ 9,600
-----------------	----------	----------

Additional Equipment

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

Condition

 COMPARABLE UNITS

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

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

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

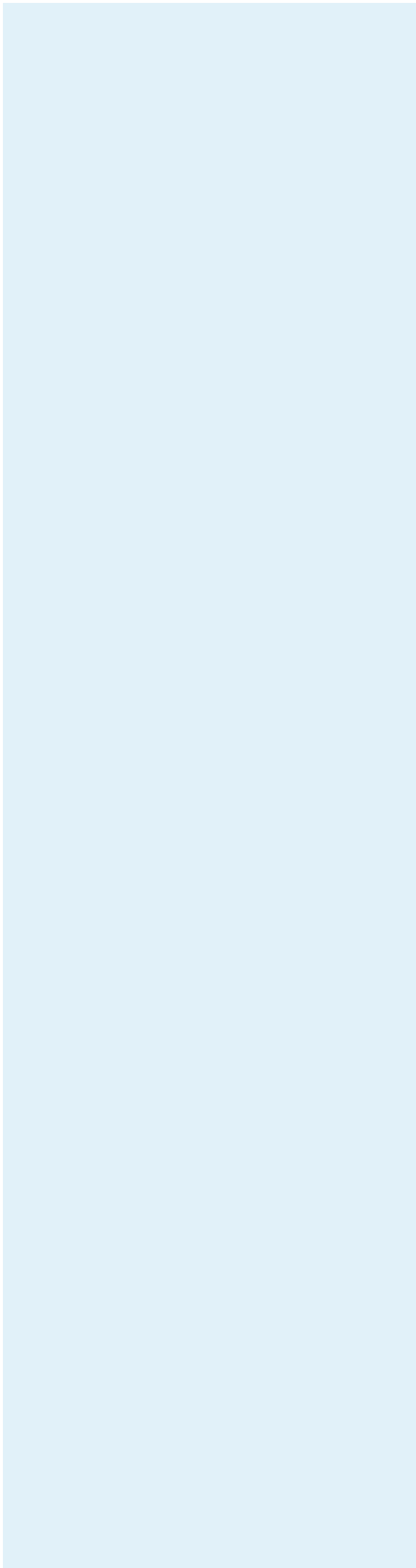
This Market Valuation Report has been prepared exclusively for use by TRAVELERS, and no other person or entity is entitled to or should rely upon this Market Valuation Report and/or any of its contents. CCC is one source of valuations, and there are other valuation sources available.

SUPPLEMENTAL INFORMATION

 LOSS UNIT HISTORY INFORMATION

VINGuard®

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



SUPPLEMENTAL INFORMATION



EXPERIAN® AUTOCHECK® VEHICLE HISTORY REPORT

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

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

LEGEND :

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

TITLE CHECK

THIS VEHICLE CHECKS OUT

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

EVENT CHECK

THIS VEHICLE CHECKS OUT

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

VEHICLE INFORMATION

THIS VEHICLE CHECKS OUT

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

ODOMETER CHECK

THIS VEHICLE CHECKS OUT

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

SUPPLEMENTAL INFORMATION



FULL HISTORY REPORT RUN DATE: 08/18/2025

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

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

AUTOCHECK TERMS AND CONDITIONS:

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

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

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

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

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

SIDEWALK ROAD	☐
DRY	☒
WET	☐
ICY	☐
SNOWY	☐

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

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

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

SIDEWALK ROAD	☐
ROAD	☒
DRY	☒
WET	☐
ICY	☐
SNOWY	☐

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

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

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

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

Local Codes
CM25015864
08092025-119828

☐ AMENDED REPORT

1	Accident Date Month <u>08</u> Day <u>09</u> Year <u>2025</u>	Day of Week <u>Saturday</u>	Military Time <u>02:26</u>	No. of Vehicles <u>2</u>	No. Injured <u>3</u>	No. Killed <u>0</u>	Not Investigated at Scene ☐ Accident Reconstructed ☐	Left Scene ☐	Police Photos ☒ Yes ☐ No	20 -							
2	VEHICLE 1 Vehicle 1 - Driver License ID Number <u>709952780</u> Driver Name - exactly as printed on license <u>BARCLAY, BRUCE</u> Address (Include number and street) <u>2 JAMES STREET</u> City or Town <u>MIDDLETOWN</u> State <u>NY</u> Zip Code <u>10940</u>				VEHICLE 2 Vehicle 2 - Driver License ID Number <u>633369857</u> Driver Name - exactly as printed on license <u>GILLIARD, JAMES A</u> Address (Include number and street) <u>7 WALNUT LANE</u> City or Town <u>MIDDLETOWN</u> State <u>NY</u> Zip Code <u>10940</u>						21 7						
3	Date of Birth Month <u>02</u> Day <u>27</u> Year <u>1989</u> Sex <u>M</u> Unlicensed ☐ No. of Occupants <u>1</u> Public Property Damaged ☐				Date of Birth Month <u>06</u> Day <u>29</u> Year <u>1967</u> Sex <u>M</u> Unlicensed ☐ No. of Occupants <u>2</u> Public Property Damaged ☐						22 -						
4	Name—exactly as printed on registration <u>CITY, MIDDLETOWN</u> Sex <u>M</u> Date of Birth Month <u>02</u> Day <u>27</u> Year <u>1989</u> Address (Include number and street) <u>16 James St</u> Apt. No. <u>-</u> Haz. Mat Code <u>-</u> Released ☐				Name—exactly as printed on registration <u>GILLIARD, VIVIAN B</u> Sex <u>F</u> Date of Birth Month <u>04</u> Day <u>27</u> Year <u>1946</u> Address (Include number and street) <u>PO Box 642</u> Apt. No. <u>-</u> Haz. Mat Code <u>-</u> Released ☐						23 1						
5	City or Town <u>Middletown</u> State <u>NY</u> Zip Code <u>10940</u>				City or Town <u>WOODRIDGE</u> State <u>NY</u> Zip Code <u>12789</u>						24 7						
6	Plate Number <u>POLICE</u> State of Reg. <u>NY</u> Vehicle Year & Make <u>2023 FORD</u> Vehicle Type <u>SUBN</u> Ins. Code <u>994</u>				Plate Number <u>HUW8458</u> State of Reg. <u>NY</u> Vehicle Year & Make <u>2020 SUBA</u> Vehicle Type <u>SUBN</u> Ins. Code <u>011</u>						25 2						
7	Ticket/Arrest Number(s) <u>1</u>				Ticket/Arrest Number(s) <u>1</u>						26 3						
8	Violation Section(s) <u>1</u>				Violation Section(s) <u>1</u>						27 1						
9	Check if involved vehicle is: ☐ more than 95 inches wide; ☐ more than 34 feet long; ☐ operated with an overweight permit ☐ operated with an overdimension permit; VEHICLE 1 DAMAGE CODES Box 1 - Point of Impact <u>1</u> Box 2 - Most Damage <u>01</u> Enter up to three more damage codes <u>02</u> Vehicle Towed: By <u>JOHNNYS TOWING</u> To <u>HOLLYWOOD</u>				Check if involved vehicle is: ☐ more than 95 inches wide; ☐ more than 34 feet long; ☐ operated with an overweight permit ☐ operated with an overdimension permit; VEHICLE 2 DAMAGE CODES Box 1 - Point of Impact <u>1</u> Box 2 - Most Damage <u>11</u> Enter up to three more damage codes <u>11</u> Vehicle Towed: By <u>DEVOS</u> To <u>DEVOS</u>				Circle the diagram below that describes the accident, or draw your own diagram in space #9. Number the vehicles. Rear End <u>1</u> Left Turn <u>3</u> Right Angle <u>4</u> Right Turn <u>5</u> Head On <u>7</u> Sideswipe (same direction) <u>2</u> Left Turn <u>0</u> Right Turn <u>6</u> Sideswipe (opposite direction) <u>8</u> ACCIDENT DIAGRAM 9. Cost of repairs to any one vehicle will be more than \$1000. ☒ Yes ☐ No				28 1				
10	VEHICLE DAMAGE CODING 1-13. SEE DIAGRAM ON RIGHT 14. UNDERCARRIAGE 17. DEMOLISHED 15. TRAILER 18. NO DAMAGE 16. OVERTURNED 19. OTHER				Place Where Accident Occurred: County <u>ORANGE</u> ☒ City ☐ Village ☐ Town of <u>MIDDLETOWN</u> Road on which accident occurred <u>RAILROAD AVE</u> (Route Number or Street Name) at 1) intersecting street <u>NORTH ST</u> (Route Number or Street Name) or 2) <u>N</u> <u>S</u> <u>E</u> <u>W</u> of <u>_____</u> (Milepost, Nearest intersecting Route Number or Street Name) Feet <u>_____</u> Miles <u>_____</u>				Reference Marker Coordinates (if available) Latitude/Northing: <u>41</u> Longitude/Easting: <u>-74</u>				29 -				
11	Accident Description/Officer's Notes Vehicle 1 (MPD CAR 9) Responding in an emergency capacity with lights and sirens activated to 13 Railroad avenue, traveling north on North Street and approaching Railroad avenue. V1 enters intersection and collides with V2 (Subaru Crosstrek) which was proceeding through a green light at the intersection, turning South onto North Street from Railroad Avenue. V1 Strikes V2 in the front driver side door. Both vehicles sustained heavy damage and airbag deployment. Operator of V1 City of Middletown Police Officer Bruce Barclay sustained injury to the left side of his head and was transported to Garnet Medical Center Via Empress EMS. Operator of V2, James Gilliard and Passenger Susan Henson had complaints of pain and were also transported to Garnet Medical Center via Empress EMS. Both vehicles were later towed from the scene. Witness 1: CALL, ERIK A. - 1360 ROUTE 209 CUDEBACKVILLE NY 12729 - C: (845) 313-8768 /										30 -						
12	8	9	10	11	12	13	14	15	16	17	BY	TO	18	Names of all involved		Date of Death Only	
ALL	1	1	9	1	36	M	1	10	6	284					BARCLAY, BRUCE		
B	2	1	A	1	58	M	1	12	6	271					GILLIARD, JAMES A		
C	2	3	4	1	57	F	X	12	6	271					HENSON, SUSAN J		
D																	
E																	
F																	
OFFICER'S RANK AND SIGNATURE	Sergeant NAPOLI, MICHAEL Electronically signed 08/12/2025 04:51 See 9 NYCRR 540.4										Badge/ID No.	NCIC No.	Precinct/Post Troop/Zone	Station/Beat/Sector	Reviewing Officer Sergeant #CM1734 NAPOLI, MICHAEL Date/Time Reviewed 08/12/2025 04:52		
											CM1734	03501					

REPORT OF MOTOR VEHICLE ACCIDENT POLICE LINE OF DUTY ACCIDENT

☐ **AMENDED REPORT**

Page 2 of 2 pages

Precinct
Local Accident Number CM25015864
08092025-119828

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

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

NAMES OF DRIVERS:
(Please Print or Type)

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

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

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

Date	Signature of Owner of Police Vehicle/Police Agency Representative X #CM1734 NAPOLI, MICHAEL Electronically signed 08/12/2025 04:52 See 9 NYCRR 540.4	NCIC # 03501
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CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 16, 2025
Index No: 249-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution Authorizing the Creation of a Capital Line for Temporary Borrowing from the General Fund for the National Fitness Campaign

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

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

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

Prepared by:

Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

None



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

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 16, 2025
Index No: 250-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution Authorizing the Acceptance of a Donation of Lacrosse Equipment from Abt Family

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

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

None



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 16, 2025
Index No: 251-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution Authorizing a \$2,660,000 Transfer of Funds for the O&W Project – City Portion

WHEREAS, the City of Middletown's original plan was to obligate ARPA funding to cover the renovation cost of the O&W Building; and

WHEREAS, due to ARPA regulations, this portion was swapped with General Fund Balance to fund the City's share of the O&W Project.

BE IT RESOLVED; that the **Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$2,660,000 in the following manner:**

From	To	Amount
------	----	--------

General Fund Balance H01.0005.900 – O&W Project – City Portion \$2,660,000

Prepared by:
Leonora Liz, Treasurer

Attachments:
None



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

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 16, 2025
Index No: 252-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution Authorizing Permanent Funding for The City's Portion of The South Street Parking Garage

WHEREAS, Resolution 169-23 authorized a temporary borrowing from General Fund Balance toward the South Street Parking Garage project; and

WHEREAS, the total cost of the South Street Parking Garage is \$5,000,000, of which \$2,500,000 will be funded by a NYS DASNY Grant awarded through Senator James Skoufis; and

WHEREAS, it is necessary and appropriate to modify the City's portion of this project funding from temporary borrowing to permanent funding.

BE IT RESOLVED; that the **Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the City's portion of the South**

Street Parking Garage funding to be modified from temporary borrowing to permanent funding from General Fund Balance.

Prepared by:
Leonora Liz, Treasurer

Attachments:

None

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

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

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

ATTORNEYS AT LAW

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

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

September 9, 2025

REFER TO: J56,037

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

mayordestafano@yahoo.com
Joseph DeStefano

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

Dear Alex and Joe:

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

The terms are as follows:

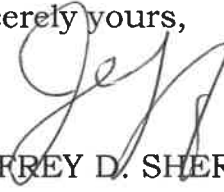
1. This matter is settled for the total sum of \$97,500 in full settlement of all claims and subject to the conveyance of good title of the parking lot which is the subject of this lawsuit.
2. The plaintiff will provide the City of Middletown with a general release in form satisfactory to counsel for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

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

Please advise if you have any questions or suggestions.

Thank you.

Sincerely yours,

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

JEFFREY D. SHERWIN

JDS/lg



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 16, 2025
Index No: 254-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution Accepting the Restore NY VII Grant and Empire State Development Grant for the O&W Project

WHEREAS, the City of Middletown has been awarded two grants through Empire State Development in support of the O&W Project, as follows:

- **Restore NY VII: \$1,826,226**
- **REDC Round 14 Empire State Development Grant Funds: \$2,000,000**

WHEREAS, both grants are structured as reimbursable funding sources, requiring the City to advance project costs and subsequently request reimbursement; and

WHEREAS, it is necessary to identify an authorized representative to execute all required documents and agreements related to these grants, and to authorize appropriate financial

planning measures to support the project.

BE IT RESOLVED; that the **Common Council of the City of Middletown** concurs with the **Board of Estimate and Apportionment** and identifies **Mayor Joseph M. DeStefano** as the **authorized representative and sole signatory** for all required contracts, documents, and submissions related to the above-referenced grants.

BE IT FURTHER RESOLVED; that the **Common Council of the City of Middletown** concurs with the **Board of Estimate and Apportionment** and authorizes the **City Treasurer** to recommend a **Bond Resolution** in order to advance the necessary funds to cover project costs until reimbursement is received.

Prepared by:

Maria Bruni, Director of Economic and Community Development

Attachments:

1.	OW Restore and ESD Grants 2025 (002)
----	--------------------------------------

CITY OF MIDDLETOWN
Office of Economic & Community Development

September 10, 2025

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

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

Dear Members,

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

- Restore NY VII: \$1,826,226
- REDC Round 14 Empire State Development Grant Funds: \$2,000,000

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

Thank you for your attention to this matter.

Maria Bruni, Director
Economic & Community Development



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 16, 2025
Index No: 255-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution Authorizing the Issuance of an Additional \$3,900,000 Bonds of the City of Middletown, Orange County, New York, to Pay Costs in Connection with the O&W Railroad Station Rehabilitation

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

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

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

- a) By the issuance of the \$6,000,000 bonds of said City heretofore authorized to be issued therefor pursuant to a bond resolution dated April 12, 2024;
- b) By the issuance of the \$10,000,000 bonds of said City heretofore authorized to be issued therefor pursuant to a bond resolution dated November 19, 2024; and

- c) By the issuance of the additional \$3,900,000 bonds of said City herein authorized;

provided, however, that the amount of obligations ultimately to be issued will be reduced by any State and/or Federal grants-in-aid to be received by said City for said purpose.

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

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

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

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

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

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

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

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

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

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

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

Prepared by:
Leonora Liz, Treasurer

Attachments:

1.	City of Middletown ADDITIONAL MONEY (OW RR Station) (2-508) 4144-6628-4884 1 (002)
----	---



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

+1 212 506 5000

orrick.com

September 10, 2025

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

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

Douglas E. Goodfriend

E dgoodfriend@orrick.com

D +1 212 506 5211

F +1 212 506 5151

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

Dear Leonora:

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

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

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

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

With best wishes,

Very truly yours,

Douglas

Douglas E. Goodfriend
DEG/es
Enclosures

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

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

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

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

PRESENT:

ABSENT:

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

BOND RESOLUTION DATED SEPTEMBER 16, 2025.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The resolution was thereupon declared duly adopted.

* * * * *

CERTIFICATION

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

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

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

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

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

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

City Clerk

(CORPORATE SEAL)

LEGAL NOTICE OF ESTOPPEL

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

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

Dated: Middletown, New York,

September 16, 2025.

/s/ Richard McCormack
City Clerk

BOND RESOLUTION DATED SEPTEMBER 16, 2025.

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

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



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

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 16, 2025
Index No: 256-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution Confirming the Mayor's Appointment of Juan Avalos to the Recreation Commission

BE IT RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's appointment of Juan Avalos to the Recreation Commission, replacing Dr. Lynette Williams, for a term of 5 years, expiring on December 31, 2029.

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	Credential Vitae JMA Copy
----	---------------------------

JUAN M AVALOS



JUANMVALOS2001@YAHOO.COM



845.381.3433

WWW.THETACOFATORY.CO

OBJECTIVE

Entrepreneurial Success

SKILLS

Fluency in English, Spanish, French,
German, Italian and Portuguese

EXPERIENCE

PRESIDENT & CEO TORTILLERIA PARVINCI INC

May 2006 to Present
President and Head Chef Entrepreneur

BANK TELLER ELLENVILLE NATIONAL BANK

June 2000 to June 2005
Bank teller and customer service representative

EDUCATION

MEDICAL DOCTORATE/MEDICO CIRUJANO

Universidad Autónoma de Guadalajara

Guadalajara Jalisco Mexico

2005 to 2010 Medical doctorate degree,
General Medicine and Minor Surgery

BACHELOR OF SCIENCE FINANCIAL ECONOMICS

Binghamton University

Binghamton New York

2001 to 2005 Micro and Macro Economics
with a specialized focus in Microeconomics
Concentration studies in Chemistry

VOLUNTEER EXPERIENCE OR LEADERSHIP

Middletown NY Business Improvement District Board Member

Objective: To make our city a better place to live and work,
entertainment. Cinco de Mayo Celebrations, Community Leadership

Universidad Autónoma de Guadalajara, volunteered at local
hospitals to provide aid to Attending Physicians in family practice and
local clinics with medical consultations and suturing injured locals

Binghamton University Volunteered at Harper's Ferry Campus as an
Ambulance EMT



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 16, 2025
Index No: 257-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution Authorizing Fall 2025 City Wide Leaf Pick Up

WHEREAS, the City of Middletown Department of Public Works conducts an annual city-wide leaf pick-up program to assist residents in the proper disposal of leaves; and

WHEREAS, it is necessary to establish an authorized period during which residents may place leaves in the street for collection by Department of Public Works crews.

NOW, THEREFORE, BE IT RESOLVED; **that the Common Council of the City of Middletown** hereby authorizes a general city-wide clean-up period for leaves in the street from **November 3, 2025 through December 5, 2025.**

BE IT FURTHER RESOLVED; during this period only, residents may deposit leaves in the street no further than four (4) feet from the curb. At all other times during the year, leaves must be placed in receptacles for collection. Department of Public Works crews will pick up leaves in

the street during this period only, with no exceptions.

BE IT FURTHER RESOLVED; that the initial leaf pick-up schedule shall proceed in the following order

1. Third Ward
2. Fourth Ward
3. First Ward
4. Second Ward

Prepared by:

Attachments:

1.	CITY WIDE LEAVES 2025
----	-----------------------

Department of Public Works

City of Middletown

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



16 James Street
Middletown, NY 10940
Phone: 845-343-3169
Fax: 845-343-4014

September 12, 2025

Honorable Mayor, Council President
and Members of the Common Council
City of Middletown, NY

RE: General City Wide Leaves pick up for 2025

Honorable Mayor, Council President and Council Members:

We are requesting the annual Council resolution permitting residents to deposit leaves on City streets. The request is that from November 3, 2025 to December 5, 2025 the City of Middletown will hold its general city wide clean up period for leaves in the street. (Set out no further than four (4) feet from the curb.) All other times during the year leaves must be placed in receptacles. Department of Public Works crews will pick up leaves in the street during this time period only, no exceptions.

The initial Leaves pick up schedules will be as follows:

1. Third Ward
2. Fourth Ward
3. First Ward
4. Second Ward

Thank you.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Tawil", is written over a horizontal line.

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

kg
Att.

ATTENTION

City of Middletown Residents

Leaf Pick Up

From November 3, 2025 to December 5, 2025 the City of Middletown will hold its general city wide clean up period for leaves in the street. (*Set out no further than four (4) feet from the curb.*) All other times during the year leaves must be placed in receptacles. Department of Public Works crews will pick up leaves in the street during that time period only, no exceptions.

The initial leaf pick up schedule will be as follows: Third Ward, Fourth Ward, First Ward and Second Ward.

Any questions, call DPW at 343-3169 or visit our website for postings and updates www.Middletownny.gov

Joseph M. DeStefano, Mayor

J. Miguel Rodrigues, Alderman-at-Large

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





CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 16, 2025
Index No: 258-25

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution to Accept the External Audit Report for Fiscal Year 2024

WHEREAS, the audit of the City of Middletown's financial statements for the fiscal year ending December 31, 2024, has been completed by the independent auditors; and

WHEREAS, said audit report has been presented to the Common Council for review;

NOW, THEREFORE, BE IT RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and hereby accepts the Audit Report for the fiscal year ending December 31, 2024, as presented.

Prepared by:
Leonora Liz, Treasurer

Attachments:

1.	60362 AU 2024 City of Middletown - Draft
----	--

FINANCIAL REPORT
Audited
CITY OF MIDDLETOWN, NEW YORK
For the Year Ended December 31, 2024

Audited for:

Common Council
City of Middletown, New York

DRAFT

Audited by:
RBT CPAs, LLP
11 Racquet Road
Newburgh, NY 12550
(845) 567-9000

CITY OF MIDDLETOWN, NEW YORK

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CITY OF MIDDLETOWN, NEW YORK

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DRAFT

INDEPENDENT AUDITOR'S REPORT

Common Council
City of Middletown, New York
16 James Street
Middletown, NY 10940

Report on the Financial Statements

Opinions

We have audited the financial statements of the governmental activities, the aggregate discretely presented component units, each major fund and the aggregate remaining fund information of the City of Middletown, New York (the "City"), as of and for the year ended December 31, 2024, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the Table of Contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the financial position of the governmental activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Middletown, New York as of December 31, 2024 and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America ("GAAS") and the standards applicable to financial audits contained in *Government Auditing Standards* ("Government Auditing Standards"), issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis, budgetary comparison information, and schedules of changes in the net OPEB liability and related ratios, OPEB contributions and assumptions, proportionate share of the net pension liability and related ratios and employer contributions on pages 4 through 9 and 45 through 52 be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City of Middletown, New York's basic financial statements. The schedule of expenditures of federal awards and state transportation assistance as required by *Title 2, U.S. Code of Federal Regulations, Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* ("Uniform Guidance"), and by *Title 17, Part 43 of NYCRR* and the schedule of indebtedness are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of federal awards and state transportation assistance and the schedule of indebtedness are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Report on Other Legal and Regulatory Requirements

In accordance with *Government Auditing Standards*, we have also issued our report dated September 12, 2025 on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

Newburgh, NY
September 12, 2025

**CITY OF MIDDLETOWN, NEW YORK
REQUIRED SUPPLEMENTARY INFORMATION
MANAGEMENT'S DISCUSSION AND ANALYSIS**

The accompanying management discussion and analysis of the City of Middletown, New York's (the "City") financial performance has been prepared to provide an overview of the City's financial activities for the year ended December 31, 2024. This discussion and analysis is only an introduction and should be read in conjunction with the City's financial statements.

Requests For Information

This report is designed to provide an overview of the City's finances for those with an interest in this area. Questions concerning any of the information found in this report or requests for additional information should be directed to Leonora Liz, Treasurer, City of Middletown, New York, 16 James Street, Middletown, NY 10940.

2024 Financial Highlights

- The City's net position (defined as assets plus deferred outflows less liabilities and deferred inflows) was a negative \$(7,577,631) at December 31, 2024.
- The governmental total net position increased by \$14,786,521 during the year ended December 31, 2024.
- At December 31, 2024, the City's proportionate share of the ERS net pension liability was included in total liabilities in the amount of \$3,608,196.
- At December 31, 2024, the City's proportionate share of the PFRS net pension liability was included in total liabilities in the amount of \$12,466,074.
- At December 31, 2024, the OPEB liability was included in total liabilities in the amount of \$126,785,343.
- As of the close of the year, the City's governmental funds reported an ending fund balance of \$17,135,862, a decrease of \$(4,557,246) in comparison with the prior year.
- At the end of the year, unassigned fund balance for the General Fund was \$15,255,513.

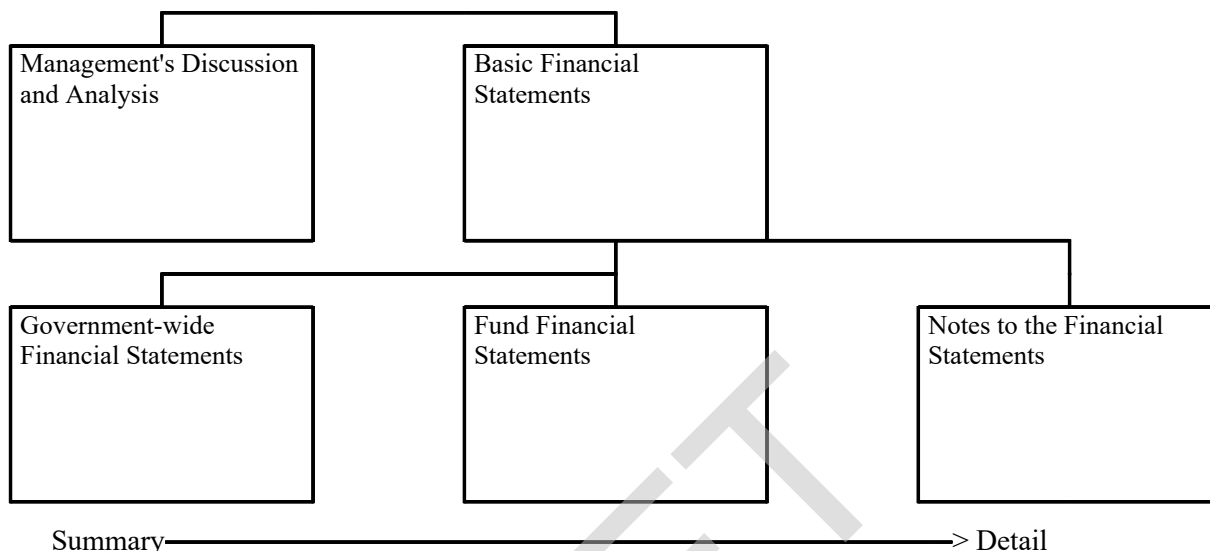
Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the City's basic financial statements. The City's basic financial statements consist of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. The basic financial statements present two different views of the City's financial position through the use of government-wide statements and fund financial statements. Each view will be explained in more detail following this narrative. In addition to the basic financial statements, this report contains other supplementary information that will enhance the reader's understanding of the financial condition of the City.

**CITY OF MIDDLETOWN, NEW YORK
REQUIRED SUPPLEMENTARY INFORMATION
MANAGEMENT'S DISCUSSION AND ANALYSIS**

Required Components of the City's Basic Financial Statements

Figure 1



Basic Financial Statements

The first two statements in the basic financial statements are the Government-wide Financial Statements. They provide both short and long-term information about the City's financial status.

The next statements are Fund Financial Statements. These statements focus on the activities of the individual parts of the City's government. These statements provide more detail than the government-wide statements. There are two parts to the Fund Financial Statements, they include: 1) the governmental, proprietary and fiduciary fund statements and 2) reconciliations to the government-wide financial statements.

The next section of the basic financial statements is the notes. The notes to the financial statements explain in detail some of the data contained in those statements.

Government-wide Financial Statements

The government-wide financial statements are designed to provide the reader with a broad overview of the City's finances, similar in format to a financial statement of a private-sector business. The government-wide statements provide short and long-term information about the City's financial status as a whole.

The two government-wide statements report the City's net position and how it has changed. Net position is the difference between the City's total assets and total liabilities. Measuring net position is one way to gauge the City's financial condition.

The governmental activities include most of the City's basic services such as public safety, road maintenance and administration. Property taxes, sales tax, charges for services and state aid finance most of these activities.

Fund Financial Statements

The fund financial statements provide a more detailed look at the City's most significant activities. A fund is a group of self-balancing accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City, like all other governmental entities in New York, uses fund accounting to ensure and reflect compliance with finance-related legal requirements, such as New York State general municipal law and local finance law or the City's budget ordinances.

**CITY OF MIDDLETOWN, NEW YORK
REQUIRED SUPPLEMENTARY INFORMATION
MANAGEMENT'S DISCUSSION AND ANALYSIS**

Governmental Funds – Governmental funds are used to account for those functions reported as governmental activities in the government-wide financial statements. All of the City's basic services are accounted for in governmental funds. These funds focus on how assets can readily be converted into cash flow and what monies are left at year-end that will be available for spending in the next year. Governmental funds are reported using an accounting method called modified accrual accounting, which provides a short-term spending focus. As a result, the governmental fund financial statements give the reader a detailed short-term view that helps him or her determine if there are more or less financial resources available to finance the City's programs. The relationship between governmental activities (reported in the Statement of Net Position and the Statement of Activities) and governmental funds is described in reconciliations that are a part of the fund financial statements.

Fiduciary Funds – The City acts in a fiduciary capacity for assets that are held for the benefit of others, such as taxes collected for other entities. These funds are excluded from the government-wide financial statements because the City cannot use these assets to finance operations.

The City adopts an annual budget for certain funds as required by municipal law. The budget is a legally adopted document that incorporates input from the citizens and management of the City, and the decisions of the Common Council about which services to provide and how to pay for them. It also authorizes management to obtain funds from identified sources to finance these current period activities. The budgetary comparison schedule demonstrates how well the City complied with the budget ordinance and whether or not the City succeeded in providing the services as planned when the budget was adopted. The budgetary comparison schedule uses the modified accrual basis of accounting and is presented using the same format, language and classifications as the legal budget document. The schedule shows four columns: 1) the original budget as adopted by the City's Common Council; 2) the final budget as amended by the City's Common Council; 3) the actual revenues, expenditures and ending balances; and 4) the variance between the final budget and actual revenues and expenditures. The schedule is presented as required supplementary information.

Notes to the Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements.

**CITY OF MIDDLETOWN, NEW YORK
REQUIRED SUPPLEMENTARY INFORMATION
MANAGEMENT'S DISCUSSION AND ANALYSIS**

**GOVERNMENT-WIDE FINANCIAL ANALYSIS
GOVERNMENTAL ACTIVITIES
NET POSITION**

	2024	Restated 2023	\$ Change	% Change
Current Assets	\$ 61,841,563	\$ 69,583,111	\$ (7,741,548)	(11)%
Capital Assets	185,732,026	166,744,771	18,987,255	11 %
Total Assets	247,573,589	236,327,882	11,245,707	5 %
Deferred Outflows of Resources	44,500,856	58,469,884	(13,969,028)	(24)%
Current Liabilities	33,558,279	30,713,631	2,844,648	9 %
Long-Term Liabilities	214,002,334	228,709,078	(14,706,744)	(6)%
Total Liabilities	247,560,613	259,422,709	(11,862,096)	(5)%
Deferred Inflows of Resources	52,091,463	57,739,209	(5,647,746)	(10)%
Net Position:				
Net Investment in Capital Assets	96,700,562	76,487,785	20,212,777	26 %
Restricted	382,686	90,948	291,738	321 %
Unrestricted	(104,660,879)	(98,942,885)	(5,717,994)	6 %
Total Net Position	\$ (7,577,631)	\$ (22,364,152)	\$ 14,786,521	(66)%

Management's Explanation of Changes

Total assets increased by approximately \$11.2 million, primarily resulting from increases in receivables and capital assets. Total Deferred Outflows and Inflows decreased by approximately \$13.9 million and \$5.6 million, respectively, primarily resulting from the City's valuation calculations for pension and OPEB. The City's liabilities decreased over \$11.8 million, related to increases in the City's long-term debt outstanding and the City's valuation calculations for pension and OPEB.

**CITY OF MIDDLETOWN, NEW YORK
REQUIRED SUPPLEMENTARY INFORMATION
MANAGEMENT'S DISCUSSION AND ANALYSIS**

**GOVERNMENT-WIDE FINANCIAL ANALYSIS
GOVERNMENTAL ACTIVITIES
CHANGE IN NET POSITION**

	2024	%	Restated 2023	%	\$ Change	% Change
Revenues:						
Program Revenues:						
Charges for Services	\$ 16,656,451	21 %	\$ 16,481,095	21 %	\$ 175,356	1 %
Operating and Capital Grants	20,816,139	26 %	19,657,811	25 %	1,158,328	49 %
General Revenues:						
Property Taxes	23,127,580	29 %	22,277,357	29 %	850,223	36 %
Other Tax Items	1,466,540	2 %	1,429,229	2 %	37,311	2 %
Use of Money and Property	1,497,907	2 %	1,358,712	2 %	139,195	6 %
Non-Property Taxes	15,635,388	20 %	15,517,727	20 %	117,661	5 %
Sale of Property and Compensation for Loss	271,860	- %	18,577	- %	253,283	11 %
Intergovernmental Charges	40,000	- %	-	- %	40,000	2 %
Miscellaneous	142,437	- %	526,719	1 %	(384,282)	(16)%
Total Revenues	<u>79,654,302</u>	<u>100 %</u>	<u>77,267,227</u>	<u>100 %</u>	<u>2,387,075</u>	<u>3 %</u>
Expenses:						
General Government Support	9,576,745	15 %	9,933,445	15 %	(356,700)	11 %
Public Safety	28,811,798	44 %	29,915,518	44 %	(1,103,720)	36 %
Health	687,861	1 %	-	- %	687,861	(22)%
Transportation	4,358,442	7 %	4,980,245	7 %	(621,803)	20 %
Economic Assistance	909,589	1 %	904,905	1 %	4,684	- %
Culture And Recreation	4,312,616	7 %	4,538,173	7 %	(225,557)	7 %
Home And Community Services	14,113,098	22 %	15,574,095	23 %	(1,460,997)	47 %
Interest on Long-Term Debt	2,097,632	3 %	2,127,301	3 %	(29,669)	1 %
Total Expenses	<u>64,867,781</u>	<u>100 %</u>	<u>67,973,682</u>	<u>100 %</u>	<u>(3,105,901)</u>	<u>(5)%</u>
Increase in Net Position	<u>\$ 14,786,521</u>		<u>\$ 9,293,545</u>		<u>\$ 5,492,976</u>	<u>59 %</u>

Management's Explanation of Changes

Total revenues in 2024 increased by 3% from 2023 primarily due to increases in operating and capital grants and property taxes. The change in operating and capital grants was primarily due to an increase in state and federal assistance for capital projects. Total expenses are down \$3,105,901, 5% from 2023, with the largest fluctuations being Public Safety and Home and Community. The changes in Public Safety and Home and Community Services were primarily due to a decrease in employee benefits as a result of decreases to pension and OPEB expense.

**CITY OF MIDDLETOWN, NEW YORK
REQUIRED SUPPLEMENTARY INFORMATION
MANAGEMENT'S DISCUSSION AND ANALYSIS**

Governmental Funds Financial Analysis

As noted earlier, the City uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental Funds: The focus of the City's governmental funds is to provide information on near-term inflows, outflows and balances of usable resources. Such information is useful in assessing the City's financing requirements. Specifically, unassigned fund balance can be a useful measure of a government's net resources available for spending at the end of the year.

The General Fund is the chief operating fund of the City. At the end of the current year, the unassigned fund balance of the General Fund was \$15,255,513. As a measure of the General Fund's liquidity, it may be useful to compare the unassigned fund balance to total fund expenditures. Unassigned fund balance represents 32.2 percent of total General Fund expenditures.

At December 31, 2024, the governmental funds of the City reported a combined fund balance of \$17,135,862, a (21.0) percent decrease over the restated prior year end. Included in this change in fund balance are increases in the General, Water, Sewer and Debt Service, and decreases in the Community Development, Capital Projects and Non-Major Funds.

General Fund Budgetary Highlights: During the year, the City revised the General Fund budget. Generally, budget amendments fall into one of three categories: 1) amendments made to adjust the estimates that are used to prepare the original budget ordinance once exact information is available; 2) amendments made to recognize new funding amounts from external sources, such as Federal and State grants; and 3) increases in appropriations that become necessary to maintain services.

Capital Asset and Debt Administration – Governmental Activities

Capital Assets: The City's capital assets for its governmental activities as of December 31, 2024 totaled \$185,732,026 (net of accumulated depreciation). These assets include land, buildings, improvements, infrastructure, machinery and equipment, infrastructure and construction in progress.

Debt: As of December 31, 2024, the City had total debt outstanding for its governmental activities of \$88,407,431. The debt is backed by the full faith and credit of the City. The City's governmental debt decreased by \$(1,203,520) during the 2024 fiscal year.

For more detailed information on capital assets and long-term debt, see the notes to the basic financial statements.

CITY OF MIDDLETOWN, NEW YORK
STATEMENT OF NET POSITION
DECEMBER 31, 2024

	Primary Government Governmental Activities	Component Units
ASSETS		
Cash and Cash Equivalents	\$ 36,626,582	\$ 296,179
Restricted Cash	90,948	-
LOSAP Assets	215,726	-
Receivables, Net	7,170,191	-
Mortgage Loans Receivable	796,748	-
Due from Other Governments	5,323,627	-
Due from Fiduciary Fund	10,903	-
Due from Related Party	126,670	3,000
State and Federal Receivable	7,369,967	-
Prepaid Expenses	2,519,075	-
Lease Receivable (Note 6)	1,191,293	-
Mortgage Receivable - Non-Current	399,833	-
	61,841,563	299,179
Capital Assets, Not Being Depreciated	63,025,202	673,367
Capital Assets Being Depreciated, Net	122,706,824	-
Total Capital Assets, Net (Note 5)	185,732,026	673,367
Total Assets	247,573,589	972,546
DEFERRED OUTFLOWS OF RESOURCES		
Deferred Outflows of Resources - Pension (Note 7)	14,949,747	-
Deferred Outflows of Resources - OPEB (Note 8)	29,551,109	-
TOTAL ASSETS AND DEFERRED OUTFLOWS OF RESOURCES	292,074,445	972,546

See accompanying notes to basic financial statements.

CITY OF MIDDLETOWN, NEW YORK
STATEMENT OF NET POSITION (CONTINUED)
DECEMBER 31, 2024

	Primary Governmental Activities	Component Units
LIABILITIES		
Accounts Payable	\$ 3,326,649	\$ 962
Accrued Expense	2,169,493	-
Due to Other Governments	248,603	-
Bond Anticipation Notes (Note 9)	27,597,808	-
Other Liabilities	-	524,767
Due to Related Party	-	3,000
Due and Payable Within One Year:		
Current Portion of Bonds Payable (Note 10)	2,819,846	-
Bond Premium (Note 10)	33,002	-
Judgments and Claims (Note 10)	72,000	-
Energy Performance Contract Payable (Note 10)	884,852	-
Loans Payable (Note 10)	11,000	-
LOSAP Liability (Note 11)	215,726	-
Due and Payable More Than One Year:		
Bonds Payable - Net of Current Portion (Note 10)	51,352,039	-
Bond Premium (Note 10)	627,031	-
Judgments and Claims (Note 10)	4,379,167	-
Energy Performance Contract Payable (Note 10)	5,716,886	-
Loans Payable (Note 10)	25,000	-
Compensated Absences (Note 10)	5,221,898	-
Net Pension Liability - ERS (Note 7)	3,608,196	-
Net Pension Liability - PFRS (Note 7)	12,466,074	-
Other Postemployment Benefits (Note 8)	126,785,343	-
Total Liabilities	247,560,613	528,729
DEFERRED INFLOWS OF RESOURCES		
Deferred Inflows of Resources - Pension (Note 7)	7,008,880	-
Deferred Inflows of Resources - OPEB (Note 8)	36,670,533	-
Deferred Inflows of Resources - Other	8,412,050	111,000
Total Deferred Inflows of Resources	52,091,463	111,000
TOTAL LIABILITIES AND DEFERRED INFLOWS OF RESOURCES	299,652,076	639,729
NET POSITION		
Net Investment in Capital Assets	96,700,562	-
Restricted	382,686	-
Unrestricted	(104,660,879)	332,817
TOTAL NET POSITION	\$ (7,577,631)	\$ 332,817

See accompanying notes to basic financial statements.

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CITY OF MIDDLETOWN, NEW YORK
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED DECEMBER 31, 2024

	Program Revenues				Net (Expense)/Revenue and Changes in Net Position	
	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Total	Component Units
<u>FUNCTIONS/PROGRAMS</u>						
Government Activities:						
General Government	\$ (9,576,745)	\$ 1,369,672	\$ 3,152,559	\$ -	\$ (5,054,514)	\$ -
Public Safety	(28,811,798)	500,602	525,786	2,625,490	(25,159,920)	-
Health	(687,861)	-	-	-	(687,861)	-
Transportation	(4,358,442)	3,260	44,989	1,894,821	(2,415,372)	-
Economic Assistance And Opportunity	(909,589)	141,800	-	1,691,771	923,982	-
Culture And Recreation	(4,312,616)	715,922	79,599	-	(3,517,095)	-
Home And Community Services	(14,113,098)	13,925,195	10,412	10,790,712	10,613,221	-
Debt Interest	(2,097,632)	-	-	-	(2,097,632)	-
Total Governmental Activities	(64,867,781)	16,656,451	3,813,345	17,002,794	(27,395,191)	-
Component Units:						
Industrial Development Agency	(11,126)	10,500	-	-	-	(626)
Community Development Agency	(379,915)	362,542	-	-	-	(17,373)
Component Units Activities	\$ (391,041)	\$ 373,042	\$ -	\$ -	-	(17,999)
General Revenues:						
Real Property Taxes					23,127,580	-
Real Property Tax Items					698,016	-
Non Property Tax Items					768,524	-
Tax Revenue Sharing					15,635,388	-
Intergovernmental Charges					40,000	-
Use of Money and Property					1,497,907	809
Sale of Property and Compensation for Loss					271,860	-
Miscellaneous					142,437	-
Total General Revenues					42,181,712	809
Change in Net Position					14,786,521	(17,190)
Net Position - Beginning					(20,274,932)	350,007
Cumulative Effect and Prior Period Adjustment (Note 14)					(2,089,220)	-
Net Position - Beginning, as restated					(22,364,152)	350,007
Net Position - Ending					\$ (7,577,631)	\$ 332,817

See accompanying notes to basic financial statements.

CITY OF MIDDLETOWN, NEW YORK
BALANCE SHEET
GOVERNMENTAL FUNDS
DECEMBER 31, 2024

As of December 31	General Fund	Community Development Fund	Water Fund	Sewer Fund	Capital Projects Funds	Debt Service Fund	Non Major Governmental Funds	Total Governmental Funds
ASSETS								
Cash & Cash Equivalents	\$ 10,207,014	\$ 150,586	\$ 1,671,581	\$ 1,162,194	\$ 16,134,453	\$ 7,243,840	\$ 56,914	\$ 36,626,582
Restricted Cash	-	-	90,948	-	-	-	-	90,948
LOSAP Assets (Note 11)	215,726	-	-	-	-	-	-	215,726
Taxes Receivable, Net of Allowance	1,265,376	-	-	-	-	-	-	1,265,376
Receivables - Charges for Services	-	-	1,804,517	1,273,947	-	-	-	3,078,464
Receivables - Other	752,498	-	-	-	-	-	20,260	772,758
Mortgage Loans Receivable	92,578	704,170	-	-	-	-	-	796,748
State and Federal Receivable	927,575	34,791	-	-	6,407,601	-	-	7,369,967
Due from Other Funds (Note 4)	7,663,849	-	5,031	392,644	3,672,284	180,841	24,081	11,938,730
Lease Receivable (Note 6)	1,191,293	-	-	-	-	-	-	1,191,293
Prepaid Expenditures	2,341,370	4,070	105,617	66,000	-	-	2,018	2,519,075
Due from Other Governments	3,930,341	-	-	-	1,393,286	-	-	5,323,627
Due from Related Party	126,670	-	-	-	-	-	-	126,670
Mortgage Loans Receivable - Non-Current	399,833	-	-	-	-	-	-	399,833
Total Assets	\$ 29,114,123	\$ 893,617	\$ 3,677,694	\$ 2,894,785	\$ 27,607,624	\$ 7,424,681	\$ 103,273	\$ 71,715,797
LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCES								
Liabilities:								
Accounts Payable	\$ 1,094,455	\$ 15,310	\$ 170,396	\$ 238,315	\$ 1,806,659	\$ -	\$ 1,514	\$ 3,326,649
Accrued Liabilities	337,698	21,400	22,832	22,364	799,136	-	723	1,204,153
Bond Anticipation Notes (Note 9)	-	-	-	-	27,597,808	-	-	27,597,808
Due to Other Funds (Note 4)	1,148,031	10,887	1,134,019	1,015,529	8,214,026	392,602	12,733	11,927,827
Due to Other Governments	248,603	-	-	-	-	-	-	248,603
Total Liabilities	2,828,787	47,597	1,327,247	1,276,208	38,417,629	392,602	14,970	44,305,040
Deferred Inflows of Resources:								
Deferred Inflows of Resources	7,904,695	704,171	-	-	1,476,748	189,281	-	10,274,895
Fund Balance:								
Nonspendable	2,341,370	4,070	105,617	66,000	-	-	2,018	2,519,075
Restricted	291,738	-	90,948	-	-	-	-	382,686
Assigned for Fund Purposes	-	137,779	1,939,389	1,413,226	-	6,842,798	86,285	10,419,477
Encumbrances	492,020	-	214,493	139,351	-	-	-	845,864
Unassigned	15,255,513	-	-	-	(12,286,753)	-	-	2,968,760
Total Fund Balance	18,380,641	141,849	2,350,447	1,618,577	(12,286,753)	6,842,798	88,303	17,135,862
Total Liabilities, Deferred Inflows of Resources, and Fund Balance	\$ 29,114,123	\$ 893,617	\$ 3,677,694	\$ 2,894,785	\$ 27,607,624	\$ 7,424,681	\$ 103,273	\$ 71,715,797

See accompanying notes to basic financial statements.

CITY OF MIDDLETOWN, NEW YORK
RECONCILIATION OF THE TOTAL GOVERNMENTAL FUNDS BALANCE SHEET
TO THE STATEMENT OF NET POSITION
DECEMBER 31, 2024

	Total Governmental Funds	Long-Term Assets and Liabilities	Reclassifications and Eliminations	Statement of Net Position Totals
ASSETS				
Cash & Cash Equivalents	\$ 36,626,582	\$ -	\$ -	\$ 36,626,582
Restricted Cash	90,948	-	-	90,948
LOSAP Assets	215,726	-	-	215,726
Taxes Receivable, Net of Allowance	1,265,376	-	-	1,265,376
Receivables - Charges For Services	3,078,464	2,053,593	-	5,132,057
Receivables - Other	772,758	-	-	772,758
Mortgage Loans Receivable	796,748	-	-	796,748
Mortgage Loans Receivable - Non-current	399,833	-	-	399,833
State And Federal Receivable	7,369,967	-	-	7,369,967
Due From Other Funds	11,938,730	-	(11,927,827)	10,903
Lease Receivable	1,191,293	-	-	1,191,293
Prepaid Expenditures	2,519,075	-	-	2,519,075
Due From Other Governments	5,323,627	-	-	5,323,627
Due From Related Party	126,670	-	-	126,670
Capital Assets	-	185,732,026	-	185,732,026
Deferred Outflows of Resources - OPEB	-	29,551,109	-	29,551,109
Deferred Outflows of Resources - Pension	-	14,949,747	-	14,949,747
Total Assets and Deferred Outflows	\$ 71,715,797	\$ 232,286,475	\$ (11,927,827)	\$ 292,074,445
LIABILITIES				
Accounts Payable	\$ 3,326,649	\$ -	\$ -	\$ 3,326,649
Accrued Liabilities	1,204,153	965,340	-	2,169,493
Bond Anticipation Notes	27,597,808	-	-	27,597,808
Due to Other Funds	11,927,827	-	(11,927,827)	-
Due to Other Governments	248,603	-	-	248,603
Loans Payable	-	36,000	-	36,000
Bonds Payable	-	54,171,885	-	54,171,885
Bond Premium	-	660,033	-	660,033
Energy Performance Contract Payable	-	6,601,738	-	6,601,738
Judgments And Claims	-	4,451,167	-	4,451,167
Service Award Liability	-	215,726	-	215,726
Compensated Absences	-	5,221,898	-	5,221,898
Net Pension Liability	-	16,074,270	-	16,074,270
Other Postemployment Benefits	-	126,785,343	-	126,785,343
Deferred Inflows of Resources - OPEB	-	36,670,533	-	36,670,533
Deferred Inflows of Resources - Pension	-	7,008,880	-	7,008,880
Deferred Inflows of Resources	10,274,895	(1,862,845)	-	8,412,050
Total Liabilities and Deferred Inflows of Resources	54,579,935	256,999,968	(11,927,827)	299,652,076
Total Fund Balance/Net Position	17,135,862	(24,713,493)	-	(7,577,631)
Total Liabilities, Deferred Inflows of Resources and Fund Balance	\$ 71,715,797	\$ 232,286,475	\$ (11,927,827)	\$ 292,074,445

See accompanying notes to basic financial statements.

CITY OF MIDDLETOWN, NEW YORK
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2024

	General Fund	Community Development Fund	Water Fund	Sewer Fund	Capital Projects Funds	Debt Service Fund	Non Major Governmental Funds	Total Governmental Funds
Revenues:								
Real Property Taxes	\$ 23,207,826	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 23,207,826
Real Property Tax Items	698,016	-	-	-	-	-	-	698,016
Non Property Tax Items	15,753,318	-	-	-	-	-	-	15,753,318
Departmental Income	1,464,942	164,749	7,477,340	5,845,777	-	-	-	14,952,808
Intergovernmental	770,285	-	-	-	-	-	-	770,285
Use Of Money And Property	416,041	8,893	86,838	69,038	-	916,341	756	1,497,907
Licenses And Permits	328,515	-	13,677	10,667	-	-	-	352,859
Fines And Forfeitures	462,380	-	-	-	-	-	536	462,916
Sale Of Property And Compensation								
For Loss	278,383	-	18,500	-	-	-	-	296,883
Miscellaneous	152,300	838	14,051	1,834	363	138,300	7,069	314,755
Interfund Revenues	-	-	-	-	40,000	-	-	40,000
State Aid	4,365,493	-	10,412	-	5,853,227	-	-	10,229,132
Federal Aid	3,336,958	442,464	-	-	7,400,691	-	44,989	11,225,102
Total Revenues	51,234,457	616,944	7,620,818	5,927,316	13,294,281	1,054,641	53,350	79,801,807
Expenditures:								
General Government Support	5,181,880	-	738,573	531,834	(115,252)	-	-	6,337,035
Public Safety	15,114,564	-	-	-	84,001	-	8,161	15,206,726
Health	687,861	-	-	-	-	-	-	687,861
Transportation	1,873,589	-	-	-	-	-	111,598	1,985,187
Economic	501,924	-	-	-	-	-	-	501,924
Culture And Recreation	2,613,397	-	-	-	3,488	-	-	2,616,885
Home And Community Service	2,362,409	539,552	3,238,902	3,087,812	(118,772)	-	-	9,109,903
Employee Benefits	15,993,608	89,432	1,052,671	599,857	-	-	43,281	17,778,849
Debt Service	2,821,758	-	1,298,162	51,617	-	3,831,865	-	8,003,402
Capital Outlay	219,223	-	23,022	107,153	24,028,757	-	-	24,378,155
Total Expenditures	47,370,213	628,984	6,351,330	4,378,273	23,882,222	3,831,865	163,040	86,605,927
Excess/(Deficiency) of Revenues Over Expenditures	3,864,244	(12,040)	1,269,488	1,549,043	(10,587,941)	(2,777,224)	(109,690)	(6,804,120)

See accompanying notes to basic financial statements.

CITY OF MIDDLETOWN, NEW YORK
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2024

	General Fund	Community Development Fund	Water Fund	Sewer Fund	Capital Projects Funds	Debt Service Fund	Non Major Governmental Funds	Total Governmental Funds
Other Financing Sources/(Uses):								
BANS Redeemed from								
Appropriations	-	-	-	-	2,246,874	-	-	2,246,874
Transfers In	1,922,124	-	504,939	392,602	100,000	3,831,865	96,324	6,847,854
Transfers Out	(1,151,185)	(21,501)	(1,491,953)	(1,371,550)	(2,419,063)	(392,602)	-	(6,847,854)
Total Other Financing Sources/(Uses)	770,939	(21,501)	(987,014)	(978,948)	(72,189)	3,439,263	96,324	2,246,874
Change in Fund Balances	4,635,183	(33,541)	282,474	570,095	(10,660,130)	662,039	(13,366)	(4,557,246)
Fund Balance - Beginning	13,764,135	175,390	2,067,973	1,048,482	(1,626,623)	6,180,759	101,669	21,711,785
Prior Period Adjustment (Note 14)	(18,677)	-	-	-	-	-	-	(18,677)
Fund Balance - Beginning of Year, as restated	13,745,458	175,390	2,067,973	1,048,482	(1,626,623)	6,180,759	101,669	21,693,108
Fund Balance - Ending	\$ 18,380,641	\$ 141,849	\$ 2,350,447	\$ 1,618,577	\$ (12,286,753)	\$ 6,842,798	\$ 88,303	\$ 17,135,862

See accompanying notes to basic financial statements.

CITY OF MIDDLETOWN, NEW YORK
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED DECEMBER 31, 2024

	Total Governmental Funds	Long-Term Revenue, Expenses	Capital Asset Transactions	Long-Term Debt Transactions	Reclassifications and Eliminations	Statement of Activities Totals
Revenues:						
Real Property Taxes	\$ 23,207,826	\$ (80,246)	\$ -	\$ -	\$ -	\$ 23,127,580
Real Property Tax Items	698,016	-	-	-	-	698,016
Non Property Tax Items	15,753,318	-	-	-	-	15,753,318
Departmental Income	14,952,808	(42,236)	-	-	-	14,910,572
Intergovernmental	770,285	-	-	-	-	770,285
Use Of Money And Property	1,497,907	-	-	-	-	1,497,907
Licenses And Permits	352,859	-	-	-	-	352,859
Fines And Forfeitures	462,916	-	-	-	-	462,916
Sale Of Property And Compensation For Loss	296,883	-	(25,023)	-	-	271,860
Miscellaneous	314,755	-	-	-	-	314,755
State Aid	10,229,132	-	-	-	-	10,229,132
Federal Aid	11,225,102	-	-	-	-	11,225,102
Interfund Revenues	40,000	-	-	-	-	40,000
Total Revenues	79,801,807	(122,482)	(25,023)	-	-	79,654,302
Expenditures:						
General Government Support	6,337,035	(15,976)	987,877	-	2,267,809	9,576,745
Public Safety	15,206,726	(83,033)	470,723	-	13,217,382	28,811,798
Health	687,861	-	-	-	-	687,861
Transportation	1,985,187	(7,182)	1,394,906	-	985,531	4,358,442
Economic	501,924	(2,778)	-	-	410,443	909,589
Culture And Recreation	2,616,885	(10,183)	267,724	-	1,438,190	4,312,616
Home And Community Service	9,109,903	(19,672)	2,244,647	-	2,778,220	14,113,098
Employee Benefits	17,778,849	3,318,726	-	-	(21,097,575)	-
Debt Service	8,003,402	(18,549)	-	(5,887,221)	-	2,097,632
Capital Outlay	24,378,155	-	(24,378,155)	-	-	-
Total Expenditures	86,605,927	3,161,353	(19,012,278)	(5,887,221)	-	64,867,781
Excess/(Deficiency) of Revenues Over Expenditures	(6,804,120)	(3,283,835)	18,987,255	5,887,221	-	14,786,521
Other Financing Sources/(Uses):						
BANS Redeemed from Appropriations	2,246,874	-	-	(2,246,874)	-	-
Transfers In	6,847,854	-	-	-	(6,847,854)	-
Transfers Out	(6,847,854)	-	-	-	6,847,854	-
Total Other Financing Sources/(Uses)	2,246,874	-	-	(2,246,874)	-	-
Change in Fund Balances	\$ (4,557,246)	\$ (3,283,835)	\$ 18,987,255	\$ 3,640,347	\$ -	\$ 14,786,521

See accompanying notes to basic financial statements.

CITY OF MIDDLETOWN, NEW YORK
STATEMENT OF FIDUCIARY NET POSITION
DECEMBER 31, 2024

	Custodial Funds
ASSETS	
Cash and Cash Equivalents	\$ 269,954
Total Assets	269,954
LIABILITIES	
Accrued Liabilities	36,046
Due to Governmental Funds (Note 4)	10,903
NET POSITION	
Held in Trust	223,005
Total Net Position	\$ 223,005

See accompanying notes to basic financial statements.

CITY OF MIDDLETOWN, NEW YORK
STATEMENT OF CHANGES IN FIDUCIARY NET POSITION
FOR THE YEAR ENDED DECEMBER 31, 2024

	Custodial Funds
Police Seizures	\$ 47,136
Expenditures	16,763
Change in Net Position	30,373
Net Position Held in Trust - Beginning	192,632
Net Position Held in Trust - Ending	\$ 223,005

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See accompanying notes to basic financial statements.

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES:

A. Reporting Entity

The City of Middletown, New York, (the “City”) was established in 1888, and operates in accordance with its Charter and the various other applicable laws of the State of New York. The City operates under a Mayor/Common Council form of government. The Common Council is the legislative body responsible for overall operations, the Mayor serves as chief executive officer and the City Treasurer serves as chief financial officer. The City provides the following services to its residents: public safety, transportation, economic opportunity and development, culture and recreation, home and community services, and general and administrative support.

The City, for financial purposes, includes all of the funds relevant to the operations of the City of Middletown, New York, New York. The financial statements include organizations, functions and activities that are controlled by or dependent upon the City. Control or dependency is determined on the basis of budget adoption, taxing authority, funding and appointment of the respective governing board. Under these criteria, the following component units are included in the City's reporting entity because of their operational or financial relationship with the City.

The Middletown Industrial Development Agency (the “IDA”), is a public benefit corporation created by State legislation to promote the economic welfare, recreation opportunities and prosperity of the City's inhabitants. Board members of the IDA are appointed by the Common Council. IDA board members have complete responsibility for management of the IDA and accountability for fiscal matters. The City is not liable for IDA bonds or notes. Since members of the governing board of the IDA serve at the pleasure of the Common Council, the City, as the primary government, is considered to be able to impose its will on the IDA. Therefore, the financial statements of the IDA have been included as a discretely presented component unit. Complete financial statements may be obtained from the Middletown Industrial Development Agency, Economic and Community Development Office, 16 James Street, Middletown, NY 10940.

The Middletown Community Development Agency (the “CDA”), is a public benefit corporation created by State legislation to plan and implement programs involving the rehabilitation and revitalization of both the residential and commercial sectors of the City of Middletown, eliminate blight, foster economic growth, and provide other benefits to the City of Middletown. The Mayor and City Council members are the board members of the Agency. CDA board members have complete responsibility for management of the CDA and accountability for fiscal matters. The City is not liable for CDA bonds or notes. Since members of the governing board of the CDA are the same as the Common Council, the City, as the primary government, is considered to be able to impose its will on the CDA. Therefore, the financial statements of the IDA have been included as a discretely presented component unit. Complete financial statements may be obtained from the Middletown Community Development Agency, Economic and Community Development Office, 16 James Street, Middletown, NY 10940.

The accounting policies of the City conform to accounting principles generally accepted in the United States of America for governmental units as established by the GASB. The notes to the financial statements are an integral part of the statements and are intended to be read with them.

B. Government-wide and Fund Financial Statements

The government-wide financial statements (i.e., the statements of net position and activities) report information on all of the non-fiduciary activities of the primary government. For the most part, the effect of interfund activity has been removed from these statements. Governmental activities are normally supported by taxes and intergovernmental revenue.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include: 1) charges to customers or applicants who purchase, use or directly benefit from goods, services or privileges provided by a given function or segment, and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported as general revenues.

Separate fund financial statements are provided for governmental funds and fiduciary funds. Major individual funds are reported as separate columns in the fund financial statements.

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

C. Measurement Focus, Basis of Accounting and Financial Statement Presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year in which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Amounts reported as program revenues include: 1) charges to customers or applicants for goods, services or privileges provided, 2) operating grants and contributions, and 3) capital grants and contributions, including special assessments. Internally dedicated resources are reported as general revenues rather than as program revenues. Likewise, general revenues include all taxes.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the government considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting.

Property taxes, franchise taxes, licenses and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current period. Only the portion of special assessments receivable due within the current period is considered to be susceptible to accrual as revenue of the current period. All other revenue items are considered to be measurable and available only when cash is received by the government.

The City reports the following major funds:

Governmental Funds - The focus of the governmental funds' measurement (in the fund statements) is upon determination of financial position and changes in financial position (sources, uses, and balances of financial resources) rather than upon net income. The following are the City's major governmental fund types:

- a) General Fund - The General Fund is the principal operating fund and includes all operations not accounted for and reported in another fund.
- b) Special Revenue Funds:
 - *Community Development Fund* - The Community Development Fund is used to account for the projects financed by entitlements from the United States Department of Housing and Urban Development. The major revenues of this fund are departmental income and Federal Aid.
 - *Water Fund* - The Water Fund is used to record the water utility operations of the City, which renders services on a user charge basis to the general public. The major revenue of this fund is departmental income.
 - *Sewer Fund* - The Sewer Fund is used to record the sewer utility operations of the City, which renders services on a user charge basis to the general public. The major revenue of this fund is departmental income.
- c) Debt Service Fund - The Debt Service Fund is used to account for and report financial resources that are restricted, committed, or assigned for expenditure for principal and interest on general obligation long term debt. Debt Service Funds are used when legally mandated financial resources are accumulated in a reserve for payment of future principal and interest on long-term indebtedness.
- d) Capital Projects Fund - The Capital Projects Fund is used to account for financial resources to be used for the acquisition or construction of major capital facilities. The principal source of financing is from the sale of bonds or bond anticipation notes.

The City also reports the following non-major governmental funds.

Special Revenue Funds:

- *Golden Area Fund* - The Golden Area Fund is used to account for the operations of the City's senior citizen transportation program, which is supported in-part by grants.
- *Police Block Grant and Drug Seizure Funds* - The Police Block Grant and Drug Seizure Funds are used to account for proceeds and use of police grants and drug seizures.

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

C. Measurement Focus, Basis of Accounting and Financial Statement Presentation - Continued

Fiduciary Funds are used to report assets which are held in a trust or custodial capacity for others and are, therefore, not available to support City programs.

D. Component Units

The component units are presented on the basis of accounting that most accurately reflects their activities. The component units are accounted for on the accrual basis of accounting. Under the accrual basis of accounting, revenues are recognized when earned and expenses are recorded at the time liabilities are incurred. The year-end for both component units is December 31.

E. Pervasiveness of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates. Estimates and assumptions are made in a variety of areas, including computation of other postemployment benefits, compensated absences, potential contingent liabilities and useful lives of long-lived assets.

F. Budgetary Data

The City's budget policies are as follows:

1. Pursuant to Article 6 of the Second Class Cities Law of the State of New York and its own charter, the City legally adopts calendar year budgets for the General, Community Development, Water, Sewer and certain non-major governmental funds. Certain amendments to the original budget made during the year require the approval of the Common Council. Budgetary comparison schedules are presented as required supplementary information for governmental major funds that adopt budgets. Budgetary controls are established or adopted for the Capital Projects Fund on a project basis. Unused appropriation of the annually budgeted funds lapse at the end of the year.
2. Encumbrance accounting, under which purchase orders, contracts and other commitments for the expenditure of monies are recorded for budgetary control purposes to reserve that portion of the applicable appropriations, is employed in all funds. Encumbrances are reported as assignments of fund balances since they do not constitute expenditures or liabilities. Expenditures for such commitments are recorded in the period in which the liability is incurred.

G. Property Taxes

The City's real property taxes are levied annually on January 15 and become a lien on that date. Taxes are collected during the period February 1 to February 15 at face value and from February 16 to December 1 with interest added. Unpaid taxes are converted to tax sale certificates for a period of two years and then sold at auction.

Delinquent City school district taxes are turned over to the City for collection. The City collects payments on these unpaid school taxes until the following year's City tax sale. Any unpaid City school district taxes are included with unpaid City and County taxes on the tax sale certificates issued.

H. Cash and Investments

The City's investment policies are governed by State statutes. In addition, the City has its own written investment policy. The City's monies must be deposited in FDIC-insured commercial banks or trust companies located within the State. The City is authorized to use demand accounts and certificates of deposit. Permissible investments include obligations of the U.S. Treasury and U.S. Agencies, repurchase agreements and obligations of New York State or its localities.

Collateral is required for demand deposits and certificates of deposit not covered by federal deposit insurance. Obligations that may be pledged as collateral are obligations of the United States and its agencies and obligations of the State and its municipalities and school districts.

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

I. Accounts Receivable

Accounts receivable are shown gross, with uncollectible amounts recognized under the direct write-off method. No allowance for uncollectible accounts has been provided since it is believed that such allowance would not be material. Most receivables recorded in the governmental fund balance sheet not expected to be collected within sixty days of year end are deferred.

J. Due To/From Other Funds

Amounts due to and due from within the same fund type have been eliminated in the Government-wide statements. See Note 4 for a schedule detailing the interfund balances.

K. Inventories and Prepaid Items

Purchases of inventorable items are recorded as expenditures in the Governmental Funds at the time of purchase. Inventory-type items are considered immaterial and, consequently, are not recorded as assets in the financial statements.

Prepaid items represent payments made by the City for which benefits extend beyond year end.

L. Leases

Lessor

The City is a lessor for various noncancelable leases of cell towers and ground leases. For short-term leases, the City recognizes rental income based on the provisions of the lease agreement in the Statement of Revenues, Expenses, and Changes in Net Position. For all other leases, the City recognizes a lease receivable and a deferred inflow of resources in the Statement of Net Position and the Balance Sheet – Governmental Funds.

At the commencement of a lease, the City initially measures the lease receivable at the present value of payments expected to be received during the lease term, reduced by any provision for uncollectible amounts, if applicable. Any initial direct costs required to be paid by the City are expensed in the period incurred. Subsequently, payments received are allocated first to any accrued interest receivable and then to the lease receivable.

The deferred inflow of leased revenue is initially measured as the initial amount of the lease receivable, adjusted for lease payments received at or before the lease commencement date that relate to future periods, less any lease incentives paid to, or on behalf of, the lessee at or before the commencement of the lease term, if applicable. Subsequently, the deferred inflow of resources is recognized on a straight-line basis as revenue over the life of the lease term.

The following key estimates and judgments are used by the City to determine the following:

- Discount rate: The City uses either the explicit rate stated in the lease agreement or its incremental borrowing rate to discount the expected lease receipts to present value. Since the City's bonds are not actively traded, the City determines its incremental borrowing rate by using other observable inputs.
- Lease term: The lease term includes the noncancelable lease period of the lease, plus 1) periods for which the City has a unilateral option to extend and is reasonably certain to exercise such option, or 2) periods after an optional termination date if the City is reasonably certain not to exercise the termination option.
- Lease receipts: Measurement of the lease receivable includes fixed payments, and as applicable, variable fixed in substance payments, residual value guarantee payments that are fixed in substance, and any lease incentives payable to the lessee.

The City monitors changes in circumstances that may require a remeasurement of a lease arrangement. When certain changes occur that are expected to significantly affect the amount of the lease receivable, the receivable is remeasured, and a corresponding adjustment is made to the deferred inflows of resources for leasing transactions.

The City has elected not to capitalize lease assets or liabilities for immaterial leases. The City accounts for immaterial lease arrangements under pre-GASB 87 standards.

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

L. Leases - Continued

Non-Capitalized Lease Arrangements:

The City leases three pieces of office equipment and a parking lot under operating leases expiring at various dates through December 2079. The total minimum rental commitment at December 31, 2024, under the leases mentioned above, is due during the following fiscal years:

For the years ended December 31,		
2025	\$	31,853
2026		31,391
2027		7,380
2028		4,800
2029		4,800
Thereafter		240,000
	\$	<u>320,224</u>

M. Capital Assets

Capital assets are reported at historical cost. The City depreciates capital assets using the straight line method over the estimated useful lives of the assets.

Capitalization thresholds and estimated lives of assets reported in the Government-wide statements for all assets are as follows:

	Governmental Activities	
	Capitalization Threshold	Estimated Useful Life
Buildings and Improvements	\$ 5,000	10-40 years
Improvements Other than Buildings	5,000	10-15 years
Infrastructure	5,000	50 years
Machinery and Equipment	5,000	8-15 years

N. Infrastructure

The City includes long-lived improvements to roads, property, sewer and water systems as capital assets in the Government-wide statements. Infrastructure is reported at historical cost and is depreciated using the straight-line method over the estimated useful lives.

O. Vested Employee Benefits

City employees are granted vacation and sick leave and earn compensatory absences in varying amounts. In the event of termination or upon retirement, an employee may be entitled to payment for accumulated vacation and sick leave and unused compensatory absences at various rates subject to certain maximum limitations. A liability for accrued vacation and sick time is reflected in the Government-wide statements under the heading "Compensated Absences." See Note 10.

The City employees participate in the New York State Employees' Retirement System and New York State Police and Fire Retirement System. See Note 7.

In addition to providing pension benefits, the City provides health insurance coverage for retired employees. Substantially all of the City's employees may become eligible for these benefits if they reach normal retirement age while working for the City and meet the minimum years of service. Health care benefits are provided through an insurance company whose premiums are based on the benefits paid during the year for the City. The City recognizes the cost of providing benefits by recording its share of insurance premiums as a governmental fund expenditure in the year paid. See Note 8.

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

P. Deferred Outflows of Resources and Deferred Inflows of Resources

Deferred outflows of resources represent a consumption of net assets that applies to a future period, and as such will not be recognized as an outflow of resources (expense) until that time. These items are reported as a category below assets on the Statement of Net Position.

Deferred inflows of resources represent an acquisition of net assets that applies to a future period, and as such will not be recognized as an inflow of resources (revenue) until that time. These items are reported as a category below liabilities on the Statement of Net Position.

The City reports the following items as deferred outflows of resources or deferred inflows of resources at the government-wide level: deferred inflows and outflows from pensions and OPEB as a result of contributions made after the measurement date, differences between expected and actual actuarial experience, differences between projected and actual investment earnings, other changes in actuarial assumptions and deferred inflows from leases.

The City reports the following items as deferred inflows of resources at the governmental fund level: revenues that were not collected within 60 days of year-end and, therefore, do not meet the availability criteria.

Q. Unemployment Insurance

City employees are covered by unemployment insurance. The City has chosen to discharge its liability to the New York State Unemployment Insurance Fund by means of the benefit reimbursement method. This is a dollar-for-dollar reimbursement to the Unemployment Insurance Fund for the benefits paid to former employees and charged to the City's account. The City is exempt from federal unemployment insurance tax.

R. Deferred Compensation

The City, through the New York State Deferred Compensation Board, offers its employees a Deferred Compensation Plan (the "Plan") created in accordance with Internal Revenue Code Section 457. The Plan, which is available to all eligible participants, permits participants to defer a portion of their salary (up to the IRS limits) until future years. Amounts deferred under the Plan are not available to the employee until termination, retirement, death or unforeseeable emergency. The City does not contribute to this plan.

S. Risk Retention

The City assumes the liability for most risk including, but not limited to, property damage and personal injury liability. The City purchases commercial insurance to mitigate these risks, subject to certain deductibles. Judgments and claims are recorded when it is probable that an asset has been impaired or a liability has been incurred and the amount of loss can be reasonably estimated.

T. Equity Classification

1. Government-wide Statements

Equity is defined as net position and displayed in three components:

- **Net Investment in Capital Assets:**

Consists of capital assets, including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes or other borrowings that are attributable to the acquisition, construction or improvement of those assets.

- **Restricted Net Position:**

Consists of net assets with constraints placed on the use either by: 1) external groups such as creditors, grantors, contributors or laws or regulations of other governments; or 2) law through constitutional provisions or enabling legislation.

- **Unrestricted Net Position:**

The remaining portion of net position that does not meet the definition of "restricted" or "net investment in capital assets".

**CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - CONTINUED

T. Equity Classification - Continued

2. Fund Financial Statements

Equity is defined as fund balance and displayed in five fund balance classifications, which are based primarily on the extent to which a government is bound to observe constraints imposed upon the use of resources reported in the governmental funds:

Nonspendable:

Amounts that cannot be spent in the current period either because of their form or because they must be maintained intact. Prepaid expenses are nonspendable assets because, by definition, the money has already been spent. Long-term loans receivable are also nonspendable assets because they are not available to be spent in the following year.

Restricted:

Amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, grantors, contributors or laws and regulations of other governments or through constitutional provisions or enabling legislation.

Various New York State statutes allow local governments to establish reserve funds for various purposes. Since the State regulates the establishment, funding and use of these reserves, the City has classified its reserve funds as restricted fund balance.

Committed:

Amounts that are subject to a purpose constraint imposed by a formal action of the government's highest level of decision-making authority (the Common Council) before the end of the year. The same level of formal action is required to remove the constraint.

Assigned:

Amounts that are subject to a purpose constraint that represents an intended use established by the government's highest level of decision-making authority or by its designated body or official. The purpose of the assignment must be narrower than the purpose of the General Fund. In funds other than the General Fund, assigned fund balance represents the residual amount of fund balance.

Unassigned:

Represents the residual amount of fund balance in the General Fund. In funds other than the General Fund, this classification is only used to report a deficit balance.

3. Restricted Resources

When an expense is incurred for purposes for which both restricted and unrestricted net position are available, it is the City's policy to apply restricted funds before unrestricted funds, unless otherwise prohibited by legal requirements. Similarly, when an expenditure is incurred for which multiple classifications of fund balance are available, the City's policy is to apply fund balance in the following order: restricted, committed, assigned, unassigned.

U. Interfund Transfers

The operations of the City give rise to certain transactions between funds, including transfers to provide services and construct assets. Interfund transfers within fund categories are eliminated for the Statement of Activities. A detailed description of the interfund transfers that occurred during the year is provided in Note 4.

V. Subsequent Events

Management has evaluated subsequent events from December 31, 2024, through September 12, 2025, the date on which the financial statements were available to be issued.

2. EXPLANATION OF CERTAIN DIFFERENCES BETWEEN GOVERNMENTAL FUND STATEMENTS AND GOVERNMENT-WIDE STATEMENTS:

Due to the differences in the measurement focus and basis of accounting used in the governmental fund statements and the government-wide statements, certain financial transactions are treated differently. The differences result primarily from the economic focus of the government-wide statements, compared with the current financial resources focus of the governmental funds.

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

2. EXPLANATION OF CERTAIN DIFFERENCES BETWEEN GOVERNMENTAL FUND STATEMENTS AND GOVERNMENT-WIDE STATEMENTS - CONTINUED

A. Total Fund Balances of Governmental Funds vs. Net Position of Governmental Activities

Total fund balances of the City's governmental funds differ from "net position" of governmental activities reported in the Statement of Net Position. This difference primarily results from the additional long-term economic focus of the Statement of Net Position versus the solely current financial resources focus of the Governmental Funds Balance Sheet.

The basic financial statements contain a detailed reconciliation of the items creating the differences between fund balance reported in the Governmental Funds Balance Sheet and Net Position reported on the Statement of Net Position. In the description below, positive numbers represent increases to the Balance Sheet line items and negative numbers represent decreases.

- 1) The costs of building and acquiring capital assets (land, infrastructure, buildings and equipment) financed from the governmental funds are reported as expenditures in the year they are incurred and the assets do not appear on the Balance Sheet. However, the Statement of Net Position includes those capital assets among the assets of the City as a whole, with their original costs capitalized and depreciation expensed annually over their useful lives.

Original Cost of Capital Assets	\$ 277,637,563
Accumulated Depreciation	(91,905,537)
Capital Assets, Net	<u>\$ 185,732,026</u>

- 2) Long-term accounts receivable are recognized in the government-wide statements under full accrual accounting. No accrual is recognized in the governmental fund statements for long-term receivables.

Accounts Receivable Adjustment at December 31, 2024	<u>\$ 2,053,593</u>
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- 3) Interest payable and other long-term liabilities are recognized in the government-wide statements under full accrual accounting. No accrual is recognized in the governmental fund statements for interest or other liabilities that were not paid from current financial resources.

Interest Payable at December 31, 2024	<u>\$ (965,340)</u>
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- 4) The governmental funds do not include long-term liabilities because they are not due and payable in the current period. However, these liabilities are reported in the Statement of Net Position because they represent economic liabilities. Balances at year end were:

Bonds Payable	\$ (54,171,885)
Bond Premium	(660,033)
Loans Payable	(36,000)
Compensated Absences	(5,221,898)
Energy Performance Contract Payable	(6,601,738)
Net Pension Liability	(16,074,270)
Judgments and Claims	(4,451,167)
Service Award Liability	(215,726)
Other Postemployment Benefits	(126,785,343)
	<u>\$ (214,218,060)</u>

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

2. EXPLANATION OF CERTAIN DIFFERENCES BETWEEN GOVERNMENTAL FUND STATEMENTS AND GOVERNMENT-WIDE STATEMENTS - CONTINUED

- 5) Deferred outflows and inflows related to Pension and Other Postemployment Benefits are reported in the Statement of Net Position, but not in the governmental funds, because they are not due and payable in the current period. Balances at year end were:

Deferred Outflows of Resources - Pension	\$ 14,949,747
Deferred Outflows of Resources - OPEB	\$ 29,551,109
Deferred Inflows of Resources - Pension	\$ (7,008,880)
Deferred Inflows of Resources - OPEB	\$ (36,670,533)

- 6) Deferred inflows of resources are recorded in the governmental funds for revenues that cannot be recognized in the current year under the modified accrual basis of accounting because they were not collected within 60 days of year-end. These revenues are recognized at the government-wide level under full accrual accounting and are therefore not included in deferred inflows of resources:

Deferred Inflows of Resources	\$ 1,862,845
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B. Explanation of Differences between Governmental Funds Operating Statement and the Statement of Activities

Differences between the Governmental Funds Statement of Revenues, Expenditures and Changes in Fund Balance and the Statement of Activities fall into one of three broad categories:

- Long-term revenue differences arise because governmental funds report revenues only when they are considered “available,” whereas the Statement of Activities reports revenues when earned. Differences in long-term expenses arise because governmental funds use a current financial resource measurement focus, whereas the Statement of Activities uses an economic resource measurement focus.
- Capital asset transaction differences include the difference between recording an expenditure for the purchase of capital assets in the governmental fund statements and depreciation expense on those items as recorded in the Statement of Activities.
- Long-term debt transaction differences occur because both interest and principal payments are recorded as expenditures in the governmental fund statements when paid, whereas interest payments are recorded in the Statement of Activities as incurred and principal payments are recorded as a reduction of liabilities in the Statement of Net Position.

The basic financial statements contain a detailed reconciliation of the items creating the differences between the change in fund balance reported in the governmental fund statements and the change in net position reported in the Statement of Activities.

Total Revenues and Other Funding Sources

Total Revenues reported in governmental funds	\$ 79,801,807
Recognition of Deferred Property Taxes and Utility Charges	(80,246)
Loss on Disposed Assets	(25,023)
Adjustment for Revenue Previously Deferred at the Fund Level	(42,236)
Total Revenues reported in the Statement of Activities	\$ 79,654,302

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

2. EXPLANATION OF CERTAIN DIFFERENCES BETWEEN GOVERNMENTAL FUND STATEMENTS AND GOVERNMENT-WIDE STATEMENTS - CONTINUED

Total Expenditures/Expenses

Total expenditures reported in governmental funds	\$	86,605,927
In the Statement of Activities, certain operating expenses (workers compensation claims) are measured by the amounts incurred during the year. In the governmental funds, however, expenditures for these items are measured by the amount of financial resources used (essentially, the amounts actually paid.) This is the amount by which the liability for judgment and claims decreased during the year.		(138,824)
In the Statement of Activities, certain operating expenses (compensated absences) are measured by the amounts earned during the year. In the governmental funds, however, expenditures for these items are measured by the amount of financial resources used (essentially, the amounts actually paid.) This is the amount by which the liability for compensated absences increased during the year.		163,101
The Length of Service Award Program ("LOSAP") liability is not reported in the governmental funds but is reported in the Statement of Net Position. The increase in this balance is reported as a increase to the expense in the Statement of Activities.		37,002
In the Statement of Activities, the expense for other postemployment benefits is measured based on the change in actuarially determined OPEB liability and related deferred inflows/outflows of resources. In the governmental funds, however, these expenditures are measured by the amount of financial resources used (essentially the amounts paid). This is the amount by which OPEB expense exceeded the amount of financial resources expended during the year.		1,968,239
In the Statement of Activities, pension expense related to ERS and PFRS defined benefit plans is measured as the change in the City's proportionate shares of the net pension assets and liabilities, and the related deferred outflows and inflows of resources, as of the measurement dates for each plan. In the governmental funds, however, these expenditures are recognized equal to the total of (1) amounts paid by the employer to the pension plan and (2) the change between beginning and ending balances of amounts normally expected to be liquidated with expendable available financial resources. This is the amount by which pension expense exceeded the amount of financial resources expended during the year.		1,150,384
Interest payable is recognized in the government-wide statements under full accrual accounting whereas it is recognized when paid in the governmental fund statements. This is the amount by which interest payable decreased for the current year.		(18,549)
Governmental funds report all capital outlays as expenditures. However, in the Statement of Activities, the cost of certain assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which capital expenditures of \$24,378,155 exceeded depreciation expense of \$5,365,877 in the current year.		(19,012,278)
Repayment of principal is an expenditure in the governmental funds but reduces the long-term liability in the Statement of Net Position and does not affect the Statement of Activities.		(5,887,221)
Total expenses reported in the Statement of Activities	\$	<u>64,867,781</u>

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

3. CASH AND CASH EQUIVALENTS:

At December 31, 2024, the carrying amount of the City's cash and cash equivalents (cash, certificates of deposit and interest-bearing savings accounts) was \$36,986,234 and the related depository balance was \$37,421,160. In addition, the City maintained \$1,250 in cash on hand. The City's bank deposits at December 31, 2024, and during the year then ended, were entirely covered by FDIC Insurance or by pledged collateral held by the City's agent bank in the City's name.

Deposits

Deposits are valued at cost or cost plus interest and are categorized as either (1) insured, or for which the securities are held by the City's agent in the City's name, (2) collateralized, and for which the securities are held by the pledging financial institution's trust department or agent in the City's name, or (3) uncollateralized. At December 31, 2024 all deposits were fully insured and collateralized by the City's agent in the City's name.

Investment and Deposit Policy

The City follows an investment and deposit policy, the overall objective of which is to adequately safeguard the principal amount of funds invested or deposited; conform with federal, state and other legal requirements; and provide sufficient liquidity of invested funds in order to meet obligations as they become due. Oversight of investment activity is the responsibility of the Treasurer of the City.

Interest Rate Risk

Interest rate risk is the risk that the fair value of investments will be affected by changing interest rates. The City's investment policy does not limit investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates.

Credit Risk

The City's policy is to minimize the risk of loss due to failure of an issuer or other counterparty to an investment to fulfill its obligations. The City's investment and deposit policy authorizes the reporting entity to purchase the following types of investments:

- Interest bearing demand accounts.
- Certificates of deposit.
- Obligations of the United States Treasury and United States agencies.
- Obligations of New York State and its localities.

Custodial Credit Risk

Custodial credit risk is the risk that, in the event of a failure of a depository financial institution, the reporting entity may not recover its deposits. In accordance with the City's investment and deposit policy, all deposits of the City, including interest bearing demand accounts and certificates of deposit, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act (FDIC) shall be secured by a pledge of securities with an aggregate value equal to 100% of the aggregate amount of deposits.

The City restricts the securities to the following eligible items:

- Obligations issued, fully insured or guaranteed as to the payment of principal and interest, by the United States Treasury and United States agencies.
- Obligations issued or fully insured or guaranteed by New York State and its localities.
- Obligations issued by other than New York State rated in one of the three highest rating categories by at least one nationally recognized statistical rating organizations.

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

4. INTERFUND ACTIVITY:

Interfund receivables and payables at December 31, 2024 were as follows:

Funds	Interfund Receivables	Interfund Payables
Governmental Funds:		
General Fund	\$ 7,663,849	\$ 1,148,031
Community Development Fund	-	10,887
Water Fund	5,031	1,134,019
Sewer Fund	392,644	1,015,529
Capital Projects Funds	3,672,284	8,214,026
Debt Service Fund	180,841	392,602
Non Major Governmental Funds	24,081	12,733
Subtotal Governmental Funds	11,938,730	11,927,827
Fiduciary Funds:		
Custodial Funds	-	10,903
Subtotal Fiduciary Funds	-	10,903
TOTALS	\$ 11,938,730	\$ 11,938,730

Interfund transfers for the year ended December 31, 2024 were as follows:

Funds	Transfers In	Transfers Out
Governmental Funds:		
General Fund	\$ 1,922,124	\$ 1,151,185
Community Development Fund	-	21,501
Water Fund	504,939	1,491,953
Sewer Fund	392,602	1,371,550
Capital Projects Funds	100,000	2,419,063
Debt Service Fund	3,831,865	392,602
Non Major Governmental Funds	96,324	-
TOTALS	\$ 6,847,854	\$ 6,847,854

Interfund transfers were made for the following purposes:

- Debt service requirements.
- Operating subsidies.
- Funding and closing capital projects.

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

5. CAPITAL ASSETS:

Capital asset balances and activity for the year ended December 31, 2024 were as follows:

	Restated Beginning Balance	Additions	Disposals	Reclassifications	Ending Balance
Governmental Activities:					
Capital Assets, not being depreciated:					
Land	\$ 10,785,911	\$ -	\$ -	\$ -	\$ 10,785,911
Construction in Progress	41,616,059	24,028,757	(25,023)	(13,380,502)	52,239,291
Total Capital Assets, not being depreciated	52,401,970	24,028,757	(25,023)	(13,380,502)	63,025,202
Capital Assets, being depreciated:					
Buildings and Improvements	75,315,304	-	-	11,580	75,326,884
Improvements Other than Buildings	10,166,900	-	-	10,226,688	20,393,588
Infrastructure	76,723,312	-	-	1,541,346	78,264,658
Machinery and Equipment	39,221,422	349,398	(544,477)	1,600,888	40,627,231
Total Capital Assets being depreciated	201,426,938	349,398	(544,477)	13,380,502	214,612,361
Accumulated Depreciation for:					
Buildings and Improvements	(34,503,249)	(1,816,427)	-	-	(36,319,676)
Improvements Other than Buildings	(4,579,550)	(371,618)	-	-	(4,951,168)
Infrastructure	(18,838,472)	(1,774,155)	-	-	(20,612,627)
Machinery and Equipment	(29,162,866)	(1,403,677)	544,477	-	(30,022,066)
Total Accumulated Depreciation	(87,084,137)	(5,365,877)	544,477	-	(91,905,537)
Total Capital Assets, being depreciated, net	114,342,801	(5,016,479)	-	13,380,502	122,706,824
Governmental Activities Capital Assets, net	\$ 166,744,771	\$ 19,012,278	\$ (25,023)	\$ -	\$ 185,732,026

Depreciation expense for governmental activities was charged to functions as follows:

General Government	\$ 987,877
Public Safety	470,723
Transportation	1,394,906
Culture and Recreation	267,724
Home and Community Services	2,244,647
Total governmental activities depreciation	<u>\$ 5,365,877</u>

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

6. LEASES

The City is a lessor for various noncancellable leases of cell towers and ground leases. Some of the leases have termination options that the lessee may unilaterally exercise by giving various periods of notice to the City.

Revenues recognized in the reporting period for variable payments not previously included in the measurement of the lease receivables were \$94,576 as of December 31, 2024. Principal and interest received from leases totaled \$100,497, in fiscal year 2024.

The total minimum lease commitment at December 31, 2024, under the leases mentioned above, is receivable during the following fiscal years:

2025	\$	119,532
2026		122,834
2027		123,905
2028		125,008
2029		128,639
2029 - 2033		640,391
2034 - 2038		132,612
Total		1,392,921
Less: Present Value Discount		(201,628)
Leases Receivable	\$	1,191,293

7. PENSION PLANS:

Plan Description

The City participates in the New York State and Local Employees' Retirement System ("ERS") and the New York State and Local Police and Fire Retirement System ("PFRS"). These are cost-sharing multiple-employer retirement systems ("Systems"). The Systems provide retirement benefits as well as death and disability benefits. Obligations of employers and employees to contribute and benefits to employees are governed by the New York State Retirement and Social Security Law ("NYSRSSL"). As set forth in the NYSRSSL, the Comptroller of the State of New York ("Comptroller") serves as sole trustee and administrative head of the Systems. The Comptroller shall adopt and may amend rules and regulations for the administration and transaction of the business of the Systems and for the custody and control of their funds. The Systems issue a publicly available financial report that includes financial statements and required supplementary information. That report may be obtained by writing to the New York State and Local Retirement Systems, Gov. Alfred E. Smith State Office Building, Albany, New York 12244.

Funding Policy

The Systems are noncontributory except for Tier 3, 4, 5 and 6 employees who joined the New York State and Local Employees' Retirement System after July 27, 1976, who contribute 3% to 6% of their salary. Under the authority of the NYSRSSL, the Comptroller shall certify annually the rates, expressed as proportions of member payroll and employer contributions, used in computing the contributions required to be made by employers to the pension accumulation fund. An Eligible Tier 3 or 4 member with ten or more years of membership, or ten years credited service, will not be required to contribute to the Retirement System. Tier 5 and 6 members must continue to contribute throughout their employment.

The City is required to contribute at an actuarially determined rate. The required contributions for the current year and two preceding years were:

Plan Year Ended					
March 31		ERS		PFRS	
2024	\$	1,099,416	\$	2,741,005	
2023	\$	997,219	\$	2,633,601	
2022	\$	1,367,791	\$	2,786,389	

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

7. PENSION PLANS - CONTINUED

Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

At December 31, 2024, the City reported liabilities of \$3,608,196 and \$12,466,074 for its proportionate share of the net pension liability for each of the Systems. The net pension liability was measured as of March 31, 2024 for ERS and PFRS. The total pension liability used to calculate the net pension liability was determined by an actuarial valuation. The City's proportion of the net pension liability was based on a projection of the City's long-term share of contributions to the Systems relative to the projected contributions of all participating members, as actuarially determined. This information was provided to the City by the ERS and PFRS Systems.

At March 31, 2024, the City's proportion of the ERS net pension liability was 0.0245055%. At March 31, 2023, the City's proportion of the ERS net pension liability was 0.0257262%.

At March 31, 2024, the City's proportion of the PFRS net pension liability was 0.2628407%. At March 31, 2023, the City's proportion of the PFRS net pension liability was 0.2841722%.

For the year ended December 31, 2024 the City recognized pension expense of \$1,666,549 for ERS and \$3,877,058 for PFRS. At December 31, 2024, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

Deferred Outflows of Resources				
	<u>ERS</u>		<u>PFRS</u>	<u>TOTAL</u>
Differences between expected and actual experience	\$ 1,162,197	\$	3,840,630	5,002,827
Changes of assumptions	1,364,178		4,702,214	6,066,392
Changes in proportion and difference between contributions and proportionate share of contributions	338,951		100,207	439,158
City's contributions subsequent to the measurement date	987,052		2,454,318	3,441,370
TOTAL	<u>\$ 3,852,378</u>	<u>\$</u>	<u>11,097,369</u>	<u>14,949,747</u>

Deferred Inflows of Resources				
	<u>ERS</u>		<u>PFRS</u>	<u>TOTAL</u>
Differences between expected and actual experience	\$ 98,386	\$	-	\$ 98,386
Net difference between projected and actual earnings on pension plan investments	1,762,584		3,383,937	5,146,521
Changes in proportion and difference between the City's contributions and proportionate share of contributions	178,281		1,585,692	1,763,973
TOTAL	<u>\$ 2,039,251</u>	<u>\$</u>	<u>4,969,629</u>	<u>\$ 7,008,880</u>

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

7. PENSION PLANS - CONTINUED

City contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended December 31, 2025. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

Year Ended:	ERS	PFRS
2025	\$ (626,751)	\$ (1,362,676)
2026	759,252	3,347,508
2027	1,077,850	1,805,307
2028	(384,276)	(542,302)
2029	-	425,585
	<u>\$ 826,075</u>	<u>\$ 3,673,422</u>

Actuarial Assumptions

The total pension liability as of the measurement date was determined by using an actuarial valuation as noted in the table below, with update procedures used to roll forward the total pension liability to the measurement date.

Significant actuarial assumptions used in the valuations were as follows:

	ERS	PFRS
Measurement Date	March 31, 2024	March 31, 2024
Valuation Date	April 1, 2023	April 1, 2023
Investment Rate of Return	5.9%	5.9%
	Compounded Annually Net Of Investment Expense	Compounded Annually Net Of Investment Expense
Projected Salary Increases	4.4%	6.2%
Decrement Tables	April 1, 2015 - April 1, 2020 System's Experience	April 1, 2015 - April 1, 2020 System's Experience
Inflation Rate	2.9%	2.9%
Mortality Improvement	Society of Actuaries Scale MP - 2021	Society Of Actuaries Scale Mp - 2021
Cost of Living Adjustment	1.5% Annually	1.5% Annually

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best estimate ranges of expected future real rates of return (expected returns net of investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by each of the target asset allocation percentages and by adding expected inflation.

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

7. PENSION PLANS - CONTINUED

Best estimates of arithmetic real rates of return for each major asset class included in the target asset allocation for both retirement systems are summarized below:

Measurement Date:	ERS and PFRS	
	March 31, 2024	
Asset Class:	Target Allocation	Long-term Expected Real Rate of Return
Domestic Equity	32 %	4.00 %
International Equity	15 %	6.65 %
Private Equity	10 %	7.25 %
Real Estate	9 %	4.60 %
Opportunistic/ARS portfolio	3 %	5.25 %
Credit	4 %	5.40 %
Real Assets	3 %	5.79 %
Fixed Income	23 %	1.50 %
Cash	1 %	0.25 %
Total	100 %	

Discount Rate

The discount rate used to calculate the total pension liability was 5.9% for ERS and 5.9% for PFRS. The projection of cash flows used to determine the discount rate assumes that contributions from plan members will be made at the current contribution rates and that contributions from employers will be made at statutorily required rates, actuarially. Based upon the assumptions, the System's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity of the Proportionate Share of the Net Pension Liability to the Discount Rate Assumption

The following presents the City's proportionate share of the ERS and PFRS net pension liabilities calculated using the discount rates referred to above, as well as what the City's proportionate share of each net pension (asset)/liability would be if it were calculated using a discount rate that is 1 percentage point lower or 1 percentage point higher than the current rate referred to above:

ERS	1% Decrease 4.9%	Current Assumption 5.9%	1% Increase 6.9%
Employer's Proportionate Share of the Net Pension (Asset)/Liability	\$ 11,344,536	\$ 3,608,196	\$ (2,853,253)
PFRS	1% Decrease 4.9%	Current Assumption 5.9%	1% Increase 6.9%
Employer's Proportionate Share of the Net Pension (Asset)/Liability	\$ 29,136,139	\$ 12,466,074	\$ (1,305,836)

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

7. PENSION PLANS - CONTINUED

Pension Plan Fiduciary Net Position

The components of the current-year net pension liability of the employers as of March 31, 2024, were as follows:

	(Dollars in Thousands)	
	ERS	PFRS
Measurement Date	March 31, 2024	March 31, 2024
Employers' total pension liability	\$ 240,696,851	\$ 46,137,717
Plan net position	225,972,801	41,394,895
Employers' net pension (asset)/liability	\$ 14,724,050	\$ 4,742,822
Ratio of plan net position to the employers' total pension (asset)/liability	93.88 %	89.72 %

Payables to the Pension Plan

For ERS, employer contributions for the plan year ended March 31, 2024 were paid to the System in December 2024. Prepaid retirement contributions as of December 31, 2024 amounted to \$329,017.

For PFRS, employer contributions for the plan year ended March 31, 2024 were paid to the System in December 2024. Prepaid retirement contributions as of December 31, 2024 amounted to \$818,106.

8. OTHER POSTEMPLOYMENT BENEFITS:

Plan Description

The City provides postemployment health insurance coverage to retired employees through a self-administered single employer plan in accordance with the provisions of various employment contracts and human resource policies. The benefit levels, employee contributions and employer contributions are governed by the City's contractual agreements. A trust that meets the criteria in paragraph 4 of GASB Statement 75 has not been established.

Benefits Provided

The City's Other Post-Employment Benefits ("OPEB") plan subsidizes the cost of healthcare to eligible retired employees and their spouses and dependent children. Eligibility is based on the respective rules of the New York State and Local Employees Retirement System ("ERS") as well as the provisions of the City's agreements with its employees. The following eligibility rules current apply to the City's employees:

Group	Age	Years of Service
Management/CSEA	55	10
Police and Fire	No Requirement	20

Medical and prescription drug benefits are offered to retirees on a City-subsidized basis. Upon attaining age 65 or upon disability retirement, Medicare (Parts A and B) becomes the primary provider for hospital insurance and supplementary medical insurance, with the City's plan providing an additional layer of coverage. The City reimburses Medicare Part B premiums for retirees and their spouses, but not those of surviving spouses after the first year.

The benefit terms are dependent on which contract covers the employee. Contribution rates for new retirees are as follows:

Group	Provider Options	Age	City Contributions (Fixed)		Reimburse Part B Premium		
			Individual	Family	Individual	Spouse	Surviving Spouse
Management/CSEA	NYSHIP	Under 65	\$ 1,480	\$ 3,368	Y	Y	Y*
Management/CSEA	NYSHIP	Over 65	\$ 552	\$ 1,512	Y	Y	Y*
Police and Fire	NYSHIP	Under 65	\$ 1,480	\$ 3,368	Y	Y	Y*
Police and Fire	NYSHIP	Over 65	\$ 552	\$ 1,512	Y	Y	Y*

*Part B premium reimbursed for first year only.

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

8. OTHER POSTEMPLOYMENT BENEFITS - CONTINUED

The City's contribution is equivalent to the portion of health insurance premiums paid that are allocated to retirees, estimated to be \$4,383,852 during the year ended December 31, 2024.

Employees Covered by Benefit Terms

At December 31, 2024, the following employees were covered by benefit terms:

Active employees	226
Retired employees	211
Total employees covered by benefit terms	<u>437</u>

Total OPEB Liability

The City obtained an actuarial valuation report for the fiscal year ended December 31, 2024. The liability for other postemployment benefits was measured as of December 31, 2024 and totaled \$126,785,343.

Actuarial Assumptions and Other Inputs

The total OPEB liability in the December 31, 2024 actuarial valuation was determined using the following actuarial assumptions and other inputs, applied to all periods included in the measurement, unless otherwise specified:

Inflation Rate	3.00%
Projected Salary Increases, Including Wage Inflation	3% per annum
Discount Rate	4.28%
Healthcare Cost Trend Rate	7% for pharmacy, medical, dental and vision for 2024, reduced incrementally to an ultimate rate of 4.5% after 10 years
Current Retiree's Share of Benefit Related Costs	Retirees pay based on specific cost sharing agreement
Future Retiree's Share of Benefit Related Costs	Retirees pay based on specific cost sharing agreement
- The discount rate was based on a review of the yield derived from the S&P Municipal Bond 20 Year High Grade Index Rate. - Mortality Rates are based on PUB-2010 mortality table experience with adjustments for mortality improvements based on the SOA Scale MP-2021.	

Changes in the Total OPEB Liability during the year ended December 31, 2024:

Balance - Beginning	\$	132,774,319
Changes for the Year:		
Service Cost		3,696,958
Interest		5,223,296
Changes in Assumptions		(10,050,197)
Differences Between Expected and Actual Experience		(475,181)
Benefit Payments		(3,683,852)
Implicit Subsidy Payments		(700,000)
Net Changes		<u>(5,988,976)</u>
Balance - Ending	\$	<u>126,785,343</u>

Sensitivity of the Total OPEB Liability to Changes in the Discount Rate

The following table presents the total OPEB liability of the City, as well as what the City's total OPEB liability would be if it were calculated using a discount rate that is 1 percentage point lower or higher than the current discount rate.

	1% Decrease 3.28%	Discount Rate 4.28%	1% Increase 5.28%
Total OPEB Liability	\$ 148,622,004	\$ 126,785,343	\$ 109,566,171

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

8. OTHER POSTEMPLOYMENT BENEFITS - CONTINUED

Sensitivity of the Total OPEB Liability to Changes in the Healthcare Cost Trend Rates

The following table presents the total OPEB liability of the City, as well as what the City's total OPEB liability would be if it were calculated using a healthcare cost trend rate that is 1 percentage point lower or higher than the healthcare cost trend rate.

	1% Decrease	Current Healthcare Cost Trend Rate	1% Increase
Total OPEB Liability	\$ 108,518,767	\$ 126,785,343	\$ 150,244,064

OPEB Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB

For the year ended December 31, 2024, the City recognized OPEB expense of \$1,968,239. At December 31, 2024, the City reported the following deferred outflows of resources related to OPEB.

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 16,091,208	\$ 4,170,306
Changes of assumptions or other inputs	13,459,901	32,500,227
Total	\$ 29,551,109	\$ 36,670,533

City contributions subsequent to the measurement date will be recognized as a reduction of the OPEB liability in the year ended December 31, 2025. Other amounts recognized in the deferred inflows of resources related to OPEB will be recognized in the OPEB expense as follows:

For Year Ending December 31,	Amount
2025	\$ (2,568,165)
2026	(1,867,753)
2027	824,952
2028	(1,754,230)
2029	(1,754,228)
Total	\$ (7,119,424)

9. BOND ANTICIPATION NOTES:

State law provides for the issuance of various types of short-term debt, including bond anticipation notes ("BANs"), capital notes, tax anticipation notes ("TANS") and revenue anticipation notes ("RANs"). Bond anticipation notes are generally issued for capital purposes, but can be issued for any purpose of which there is a period of probable usefulness. BANs must be converted to long-term obligations within five years after the original issue date. However, BANs issued for assessable improvement projects may be renewed for periods equivalent to the maximum life of the permanent financing, provided that stipulated annual reductions of the principal are made. Capital notes are issued for capital improvements but are subject to a five year renewal limit. Tax and revenue anticipation notes are issued in anticipation of the receipt of specific revenues, are limited to one year maturities, and have limited renewal periods.

TYPE/PURPOSE	Date of Final Maturity	Interest Rate	Balance 1/2/2024	New Issues	Payments	Balance 12/31/2024	Due Within One Year
Bond Anticipation Notes							
DTC BAN 2023-Piper Sandler & Co.	8/24/24	4.25 %	\$ 5,000,000	\$ -	\$ (5,000,000)	\$ -	\$ -
DTC BAN 2023-Jeffries LLC	8/24/24	4.50 %	20,193,983	-	(20,193,983)	-	-
DTC BAN 2024-Jeffries LLC	8/22/25	4.00 %	-	21,756,438	-	21,756,438	21,756,438
EFC	2/25/25	1.40 %	-	5,841,370	-	5,841,370	5,841,370
Total Bond Anticipation Notes			\$25,193,983	\$ 27,597,808	\$ (25,193,983)	\$ 27,597,808	\$ 27,597,808

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

10. LONG-TERM DEBT:

The City borrows money for various purposes, including acquiring land and equipment or constructing buildings and improvements. This borrowing enables the cost of these capital assets to be borne by the present and future taxpayers who benefit from the capital assets. The debt is backed by the full faith and credit of the City.

A. Energy Performance Contract Payable

The City, during 2016, entered into a \$2,700,000 contractual agreement to install energy saving equipment and/or to upgrade existing facilities to enhance performance. The agreement provides for semi-annual payments of \$509,657, including interest at 2.107% through July 2031. The contract further provides that the savings in energy costs resulting from this modernization will equal or exceed the payment terms. The principal and accrued interest balances were \$6,601,738 and \$60,594, respectively, at December 31, 2024.

B. Loans Payable

Loans Payable represent advances to the Community Development Fund under the Department of Housing and Urban Development's Section 108 Loan Guarantee Program. The loan proceeds were provided to local businesses within the City. The loans bear interest at rates ranging from 2.21% to 7.66%, depending upon maturity. Interest and principal are payable in semi-annual installments, maturing through 2030.

At December 31, 2024, the total long-term principal indebtedness outstanding for serial bonds, installment obligations, and other long-term financing obligations of the City, was \$60,809,623. See Schedule of Indebtedness.

Governmental Activities:

Interest Paid	\$	2,149,183
Less: Interest accrued - prior year net		(983,889)
Less: Bond premium amortization		(33,002)
Plus: Interest accrued - current year		965,340
Interest Expense	\$	<u>2,097,632</u>

Long-term liability balances and activity for the year are summarized below:

	Beginning Balance Restated	Issued / Earned	Redeemed / Paid	Ending Balance	Amounts Due Within One Year
Bonds Payable	\$ 56,901,731	\$ -	\$ (2,729,846)	\$ 54,171,885	\$ 2,819,846
Bond Premium	693,035	-	(33,002)	660,033	33,002
Energy Performance Contract Payable	7,468,237	-	(866,499)	6,601,738	884,852
Loans Payable	47,000	-	(11,000)	36,000	11,000
Long-term Indebtedness	<u>65,110,003</u>	-	<u>(3,640,347)</u>	<u>61,469,656</u>	<u>3,748,700</u>
Other Non-current Liabilities:					
Compensated Absences	5,058,797	163,101	-	5,221,898	-
Net Pension Liability	21,175,968	-	(5,101,698)	16,074,270	-
Judgements and Claims Payable	4,589,991	-	(138,824)	4,451,167	72,000
Other Postemployment Benefits	132,774,319	-	(5,988,976)	126,785,343	-
Total Other Non-current Liabilities	<u>163,599,075</u>	<u>163,101</u>	<u>11,229,498)</u>	<u>152,532,678</u>	<u>72,000</u>
Totals	<u>\$ 228,709,078</u>	<u>\$ 163,101</u>	<u>\$14,869,845)</u>	<u>\$ 214,002,334</u>	<u>\$ 3,820,700</u>

Activity for compensated absences is shown at net due to the impracticality of determining these amounts separately. Payments of compensated absences are dependent upon future factors and, therefore, the timing of such payments cannot be determined. Compensated absences are reflected as a long-term liability in the Statement of Net Position.

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

10. LONG-TERM DEBT - CONTINUED

Annual debt service requirements to maturity of long-term indebtedness are as follows:

Year Ending December 31	Principal	Interest	Total
2025	\$ 3,715,698	\$ 1,767,234	\$ 5,482,932
2026	3,794,320	1,629,523	5,423,843
2027	3,886,579	1,536,878	5,423,457
2028	3,498,516	1,374,903	4,873,419
2029	3,233,453	1,264,828	4,498,281
2030-2034	18,172,522	4,731,979	22,904,501
2035-2039	15,274,245	1,996,079	17,270,324
2040-2044	7,044,257	421,781	7,466,038
2045-2049	1,964,136	17,850	1,981,986
2050-2052	225,897	-	225,897
	<u>\$ 60,809,623</u>	<u>\$ 14,741,055</u>	<u>\$ 75,550,678</u>

Year Ending December 31	Bond Premium
2025	\$ 33,002
2026	33,002
2027	33,002
2028	33,002
2029	33,002
2030-2034	165,008
2035-2039	165,008
2040-2044	165,007
	<u>\$ 660,033</u>

11. LENGTH OF SERVICE AWARD PROGRAM

The information contained in this note is based on information for the City of Middletown, New York's Fire Department Service Award Program for the program year ended on December 31, 2024, which is the most recent program year for which complete information is available. Penflex Actuarial Services, LLC ("Penflex") provided a valuation packet for the calendar year ended December 31, 2024 for the purposes of completing the audit. Information from that report is contained within this footnote.

The City of Middletown, New York established a defined benefit Service Award Program (referred to as a "LOSAP" - length of service award program - under Section 457(e)(11) of the Internal Revenue Code) effective January 1, 1998 for the active volunteer firefighter members of the Middletown Fire Department. The program was established pursuant to Article 11-A of New York State General Municipal Law. The program provides municipally-funded deferred compensation to volunteer firefighters to facilitate the recruitment and retention of active volunteer firefighters. The City of Middletown, New York is the sponsor of the program and Penflex is the program administrator.

Under the program, participating volunteers begin to be paid a service award upon attainment of the program "entitlement age". The amount of the service award paid to a volunteer is based upon the number of years of service credit the volunteer earned under the Program for performing active volunteer firefighter activities.

Participation, Vesting and Service Credit

Active volunteer firefighters with one year of active service, upon attainment of age 18 and upon earning 50 or more points in a calendar year under the provisions of the program point system, are eligible to become participants in the Program. Points are granted for the performance of certain activities in accordance with a system established by the City on the basis of a statutory list of activities and point values. Participants are fully vested upon attainment of entitlement age, upon death, or upon general disablement or after earning five years of service credit.

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

11. LENGTH OF SERVICE AWARD PROGRAM - CONTINUED

Benefits

A participant, upon attainment of entitlement age (the later of age 60 or the participant's age after earning 50 program points), shall be able to receive their service award, payable in the form of a lump sum payment equal to the participant's account balance or in two annual installments. The benefits and refunds of the plan are recognized when due and payable in accordance with the terms of the Program. The Program also provides disability and death benefits.

Investment and Control

After the end of each calendar year, the fire department prepares and certifies a list of names of all persons who were active volunteer members of the fire department during the year and indicates which volunteers earned their year of service credit. The certified list is delivered to the Common Council for the Board's review and approval. The fire department must maintain the point system records to verify each volunteer's points on forms provided and/or approved by the Common Council.

The City has retained Penflex to assist in the administration of the program. The services provided by Penflex are described in the following paragraphs.

Based on the certified calendar year volunteer firefighter listings, Penflex determines and certifies in writing to the Common Council the amount of the service award to be paid to a participant or to a participant's designated beneficiary. As authorized by the City, Penflex then directs the paying agent to pay the service award. No service award benefit payment is made without the written certification from Penflex and the written directive from the authorized representative of the City.

Penflex bills the City of Middletown, New York for the services it provides. Penflex invoices are authorized for payment by the Common Council in the same manner as any other invoice presented to the City for payment. Penflex invoices are paid from the General Fund.

Article 11-A requires that program assets be held in trust for the exclusive purpose of providing benefits to participants and their beneficiaries or for the purpose of defraying the reasonable expenses of the operation and administration of the program. The City created a Service Award Program Trust Fund through the adoption of a trust document, a copy of which is available from Penflex.

Authority to invest the program assets is vested in the program trustee. Program assets are invested in accordance with a statutory prudent person rule and in accordance with the written investment policy statement adopted by the Common Council.

This program is a defined contribution plan established as a grantor/rabbi trust, and, as such, the assets are subject to the claims of the City's creditors. The Program is accounted for in the City's financial statements within the General Fund. The annual service award contribution is \$700 for each participant. The trustee of the Program, the Glens Falls National Bank and Trust Company, is authorized to invest the funds in authorized investment vehicles. Administrative costs are paid by the Fund. Separate financial statements are not issued by the Program. The Program investments include publicly traded money market and mutual funds and are valued using level one inputs. The investments of the Program are accounted for in the General Fund and fund balance is restricted for this balance

Receipts and Disbursements

Fund Balance Restricted for LOSAP Benefits - Beginning		\$	178,724
Changes During the Year			
Plan Contributions	20,300		
Investment Income	5,778		
Realized and Unrealized Gain	17,675		
Plan Administration Fees	(3,466)		
Plan Benefit Withdrawals	(3,285)		
Fund Balance Restricted for LOSAP Benefits - Ending		\$	<u>215,726</u>

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

12. COMMITMENTS AND CONTINGENCIES

Grant Funding

The City has received grants which are subject to audit by agencies of the State and Federal governments. Such audits may result in disallowances and a request for a return of funds to the Federal and State governments. Based on past audits, City administration believes disallowances, if any, will be immaterial.

Certiorari Proceedings

Open tax certiorari cases, which claim excessive assessed values, exist with several taxpayers. Claims allowed, if any, will result in a refund of property taxes previously collected by the City. Any such refunds resulting from adverse settlements will be provided for when determinable.

Authorized but Unissued Debt

The City had no authorized but unissued debt at December 31, 2024.

Judgments and Claims

There are various lawsuits and claims pending against the City. However management believes the resolution of these matters will not have a material effect on the City's financial position when ultimately resolved.

13. PROPERTY TAX ABATEMENTS

The City is a party to 12 real property tax abatement agreements under Article 18-A of the real property law. These agreements provide for abatement of real property taxes in exchange for a payment in lieu of taxes ("PILOT") in compliance with RPTL 412-A, Article V & XI of the Private Housing Finance Law and Title I of Article 18-A of NYS GML Exemption Policy.

The following provides information related to the PILOT agreements in effect for the year ended December 31, 2024:

Start Date	Agreement	Total Assessed Value	Tax Rate	Tax Value	PILOT Received	Taxes Abated
2007	Overlook Apartments	\$ 2,628,100	95.42000	\$ 2,507,793	\$ 99,334	\$ 2,408,459
2017	Bella Vista Apartments LP	626,500	95.42000	597,821	32,800	565,021
2004	Tall Oaks/Pilgram Woods	1,284,034	95.42000	1,225,255	127,249	1,098,006
2006	Middletown Housing	1,704,000	95.42000	1,625,996	53,566	1,572,430
2006	Park Hill Housing	702,000	95.42000	669,864	116,849	553,015
2011	Sml Group 16-IDA	1,131,900	95.42000	1,080,085	17,643	1,062,442
2013	Danza Lesser Grp-IDA	360,000	95.42000	343,520	56,659	286,861
2015	Equilibrium Brewery 16-IDA	79,200	95.42000	75,575	2,703	72,872
2014	Heritage Rest 16-IDA	206,600	95.42000	197,142	4,267	192,875
2013	Southeast Towers 16-IDA	915,944	95.42000	874,015	31,979	842,036
2017	Mill Street HDFC, INC.	465,800	95.42000	444,477	76,000	368,477
2019	Equilibrium Brewery II	127,800	95.42000	121,949	6,221	115,728
		<u>\$10,231,878</u>		<u>\$ 9,763,492</u>	<u>\$ 625,270</u>	<u>\$ 9,138,222</u>

14. CUMULATIVE EFFECT AND PRIOR PERIOD ADJUSTMENTS

The City recorded prior period adjustments as of January 1, 2024 for the following items:

Governmental Activities:

Net Position Beginning of Year	Primary Government
	\$ (20,274,932)
Compensated Absences Adjustment for GASB 101	(2,070,543)
Operating Grants Receivable Correction	(18,677)
Net Position Beginning of Year, as restated	<u>\$ (22,364,152)</u>

Governmental Funds:

Fund Balance Beginning of Year	\$ 21,711,785
Prior Period Adjustments:	
Operating Grants Receivable Correction	(18,677)
Fund Balance Beginning of Year, as restated	<u>\$ 21,693,108</u>

CITY OF MIDDLETOWN, NEW YORK
NOTES TO BASIC FINANCIAL STATEMENTS

15. NEW ACCOUNTING PRINCIPLES

In June 2022, GASB issued Statement No. 101, *Compensated Absences*. This statement amends the recognition, measurement, and disclosure requirements for compensated absences. The Town implemented this standard for the year ended December 31, 2024 as required.

In December 2023, GASB issued Statement No. 102, *Certain Risk Disclosures*. This statement requires a government to assess whether a concentration or constraint makes the government vulnerable to the risk of a substantial impact. Additionally, this Statement requires a government to assess whether an event or events associated with a concentration or constraint that could cause the substantial impact have occurred, have begun to occur, or are more likely than not to begin to occur within 12 months of the date the financial statements are issued. If these criteria are met, the government is required to disclose information regarding these risks. The requirements of this statement are effective for fiscal years beginning after June 15, 2024.

In April 2024, GASB issued Statement No. 103, *Financial Reporting Model Improvements*. This statement makes targeted improvements to the governmental financial reporting model in order to enhance its effectiveness in providing information that is essential for decision making and assessing a government's accountability. Areas impacted by the changes include the MD&A, budgetary comparison information, and major component unit information. The requirements of this statement are effective for fiscal years beginning after June 15, 2025.

In September 2024, GASB issued Statement No. 104, *Disclosure of Certain Capital Assets*. This statement requires leases, intangible right-to-use assets, and subscription based information technology arrangements to be disclosed separately in the capital assets note disclosures. Additionally, this statement mandates the separate disclosure of all other intangible assets by major class, excluding the aforementioned types. The requirements of this statement are effective for fiscal years beginning after June 15, 2025.

Management has not estimated the potential impact of GASB 102 through 104, if any, on the City's financial statements.

**REQUIRED
SUPPLEMENTARY
INFORMATION**

CITY OF MIDDLETOWN, NEW YORK
SCHEDULE OF CHANGES IN THE CITY'S TOTAL OPEB LIABILITY AND RELATED RATIOS

	12/31/2024	12/31/2023	12/31/2022	12/31/2021	12/31/2020	12/31/2019	12/31/2018
Total OPEB Liability							
Service Cost	\$ 3,696,958	\$ 3,048,944	\$ 4,015,889	\$ 4,030,388	\$ 3,107,332	\$ 2,927,144	\$ 3,061,151
Interest	5,223,296	4,841,163	3,098,371	2,635,719	3,597,583	3,921,462	3,976,764
Differences Between Expected and Actual Experience	(475,181)	7,258,398	24,444,935	4,569,124	(3,367,626)	(8,446,883)	(5,603,330)
Changes in Assumptions or Other Inputs	(10,050,197)	7,144,867	(53,156,132)	(6,679,421)	25,814,084	7,190,104	-
Benefit Payments	(4,383,852)	(3,686,024)	(3,882,908)	(2,949,524)	(2,932,276)	(3,005,735)	(2,902,008)
Net Change in Total OPEB Liability	(5,988,976)	18,607,348	(25,479,845)	1,606,286	26,219,097	2,586,092	(1,467,423)
Total OPEB Liability - Beginning	132,774,319	114,166,971	139,646,816	138,040,530	111,821,433	109,235,341	10,702,764
Total OPEB Liability - Ending (a)	\$ 126,785,343	\$ 132,774,319	\$ 114,166,971	\$ 139,646,816	\$ 138,040,530	\$ 111,821,433	\$ 09,235,341
Plan Fiduciary Net Position							
Contributions - Employer	\$ 4,383,852	\$ 3,686,024	\$ 3,882,908	\$ 2,949,524	\$ 2,932,276	\$ 3,005,735	\$ 2,902,008
Net Investment Income	-	-	-	-	-	-	-
Benefit Payments	(4,383,852)	(3,686,024)	(3,882,908)	(2,949,524)	(2,932,276)	(3,005,735)	(2,902,008)
Administrative Expense	-	-	-	-	-	-	-
Net Change in Plan Fiduciary Net Position	-	-	-	-	-	-	-
Plan Fiduciary Net Position - Beginning	-	-	-	-	-	-	-
Plan Fiduciary Net Position - Ending (b)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total OPEB Liability - Ending (a) -(b)	\$ 126,785,343	\$ 132,774,319	\$ 114,166,971	\$ 139,646,816	\$ 138,040,530	\$ 111,821,433	\$ 09,235,341
Plan Fiduciary Net Position as a Percentage of the Total OPEB Liability	0 %	0 %	0 %	0 %	0 %	0 %	0 %
Covered Payroll	\$ 22,578,323	\$ 21,804,463	\$ 21,190,774	\$ 22,222,282	\$ 20,573,527	\$ 21,621,251	\$ 20,060,669
Total OPEB Liability as a percentage of Covered Payroll	561.54 %	608.93 %	538.76 %	628.41 %	670.96 %	517.18 %	544.52 %

Notes to Schedule:

Changes of Benefit Terms: None

Implicit Rate Subsidy: Approximately \$700,000 is included in Benefit Payments/Contributions

Changes in Assumptions:

Changes in Assumptions and other inputs reflects the effects of changes in the discount rate each period.

No assets are accumulated in a Trust that meets the criteria in paragraph 4 of GASB Statement 75 to pay related benefits.

GASB 75 requires that the past 10 years of information be presented. Due to the fact that 2018 was the year of implementation, prior year information is not available for 10 years. The data will be accumulated over time and presented according to GASB 75.

CITY OF MIDDLETOWN, NEW YORK
SCHEDULE OF OPEB CONTRIBUTIONS AND ASSUMPTIONS

	12/31/2024	12/31/2023	12/31/2022	12/31/2021	12/31/2020	12/31/2019	12/31/2018
Actuarially determined contribution (SC + 20 year amort NOL)	\$13,466,752	\$11,681,731	\$12,763,653	\$12,415,551	\$10,805,325	\$10,710,732	\$10,949,300
Contributions in relating to the actuarially determined contribution	4,383,852	3,686,024	3,882,908	2,949,524	2,932,276	3,005,735	2,902,008
Contribution (Excess)/Deficiency	<u>\$ (9,082,900)</u>	<u>\$ (7,995,707)</u>	<u>\$ (8,880,745)</u>	<u>\$ (9,466,027)</u>	<u>\$ (7,873,049)</u>	<u>\$ (7,704,997)</u>	<u>\$ (8,047,292)</u>
Covered - employee Payroll	\$22,578,323	\$21,804,463	\$21,190,774	\$22,222,282	\$20,573,527	\$21,621,251	\$20,060,669
Contributions as a percentage of covered - employee payroll	19.42 %	16.90 %	18.32 %	13.27 %	14.25 %	13.90 %	14.47 %

Notes to Schedule

Valuation date:	1/1/2024	1/1/2023	1/1/2022	1/1/2021	1/1/2020	1/1/2019	1/1/2018
Census data:	12/31/2024	12/31/2022	12/31/2022	12/31/2020	12/31/2020	12/31/2018	12/31/2018

Methods and assumptions used to determine contribution rates:

Actuarial cost method	Entry Age Normal	Entry Age Normal	Entry Age Normal	Entry Age Normal	Entry Age Normal	Entry Age Normal	Entry Age Normal
Amortization Method	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Amortization period	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Asset Valuation Method	Market	Market	Market	Market	Market	Market	Market
Inflation	3%	3%	3%	3%	3%	3%	3%
Healthcare cost trend rates	7%	8%	8%	8%	8%	8%	8%
	decrease to 4.5%	decrease to 5%	decrease to 5%	decrease to 5%	decrease to 5%	decrease to 5%	decrease to 5%
Salary increases	3%	3%	3%	3%	3%	3%	3%
Investment rate of return	4.28	4.00	4.31	2.25	1.93	3.26	3.64
Retirement age	rates from age 55	rates from age 55	rates from age 55	rates from age 55	rates from age 55	rates from age 55	rates from age 55
Mortality	PUB 2010 w/ MP2021 proj	RP 2010 w/ MP2021 proj	RP 2006 w/ MP2020 proj	RP 2014 w/ MP2016 proj	RP 2014 w/ MP2016 proj	RP 2014 w/ MP2016 proj	RP 2014 w/ MP2016 proj
Participation at Retirement	100%	100%	100%	100%	100%	100%	100%

GASB 75 requires that the past 10 years of information be presented. Due to the fact that 2018 was the year of implementation, prior year information is not available for 10 years. The data will be accumulated over time and presented according to GASB 75.

CITY OF MIDDLETOWN, NEW YORK

SCHEDULE OF THE CITY'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY AND RELATED RATIOS

Plan Year Ended	Proportion of the Net Pension Asset (Liability)	Proportion of the Net Pension (Asset)/Liability	Covered Payroll	Net Pension (Asset)/Liability as a Percentage of Covered Payroll	Fiduciary Net Position as a Percentage of Total Pension Liability
Employees' Retirement System					
3/31/2024	0.02450550 %	\$ 3,608,196	\$ 8,672,712	41.60%	93.88%
3/31/2023	0.02572620 %	\$ 5,516,737	\$ 8,484,585	65.02%	90.78%
3/31/2022	0.02547060 %	\$ (2,082,115)	\$ 8,663,219	(24.03)%	103.65%
3/31/2021	0.02570980 %	\$ 25,600	\$ 8,498,523	0.30%	99.95%
3/31/2020	0.02905920 %	\$ 7,695,053	\$ 8,661,034	88.85%	86.39%
3/31/2019	0.02688600 %	\$ 1,904,952	\$ 9,488,505	20.08%	96.27%
3/31/2018	0.02797100 %	\$ 902,750	\$ 8,274,089	10.91%	98.24%
3/31/2017	0.02828130 %	\$ 2,657,370	\$ 8,367,999	31.76%	94.70%
3/31/2016	0.03083180 %	\$ 4,948,598	\$ 8,175,271	60.53%	90.70%
3/31/2015	0.03182050 %	\$ 1,074,975	N/A	N/A	97.90%
Plan Year Ended	Proportion of the Net Pension (Asset)/Liability	Proportion of the Net Pension (Asset)/Liability	Covered Payroll	Net Pension (Asset)/Liability as a Percentage of Covered Payroll	Fiduciary Net Position as a Percentage of Total Pension Liability
Police and Fire Retirement System					
3/31/2024	0.26284070 %	\$ 12,466,074	\$ 11,106,764	112.24 %	89.72%
3/31/2023	0.28417220 %	\$ 15,659,231	\$ 10,509,535	149.00 %	87.43%
3/31/2022	0.29305680 %	\$ 1,664,693	\$ 10,277,850	16.20 %	98.66%
3/31/2021	0.28390790 %	\$ 4,929,425	\$ 10,345,337	47.65 %	95.79%
3/31/2020	0.29315630 %	\$ 15,669,020	\$ 9,863,167	158.86 %	84.86%
3/31/2019	0.30395960 %	\$ 5,097,594	\$ 9,618,781	53.00 %	95.09%
3/31/2018	0.29151070 %	\$ 2,946,465	\$ 9,971,614	29.55 %	96.93%
3/31/2017	0.28029260 %	\$ 5,809,490	\$ 9,426,515	61.63 %	93.50%
3/31/2016	0.29387340 %	\$ 8,700,965	\$ 8,922,571	97.52%	90.20%
3/31/2015	0.30859950 %	\$ 849,450	N/A	N/A	99.00%

CITY OF MIDDLETOWN, NEW YORK
SCHEDULE OF EMPLOYER CONTRIBUTIONS

Fiscal Year Ended	Contractually Required Contribution	Actual Employer Contribution	Contribution deficiency (excess)	Covered Payroll	Required Contributions as a Percentage of Covered Payroll
Employees' Retirement System					
12/31/2024	\$ 1,099,416	\$ 1,099,416	\$ -	\$ 9,597,397	11.46%
12/31/2023	\$ 997,219	\$ 997,219	\$ -	\$ 8,561,960	11.65%
12/31/2022	\$ 1,367,791	\$ 1,367,791	\$ -	\$ 8,518,586	16.06%
12/31/2021	\$ 1,255,847	\$ 1,255,847	\$ -	\$ 9,051,377	13.87%
12/31/2020	\$ 1,348,365	\$ 1,348,365	\$ -	\$ 8,497,876	15.87%
12/31/2019	\$ 1,224,242	\$ 1,224,242	\$ -	\$ 9,785,210	12.51%
12/31/2018	\$ 1,257,584	\$ 1,257,584	\$ -	\$ 8,236,240	15.27%
12/31/2017	\$ 1,222,457	\$ 1,222,457	\$ -	\$ 8,274,089	14.77%
12/31/2016	\$ 1,478,677	\$ 1,478,677	\$ -	\$ 8,175,271	18.09%

Fiscal Year Ended	Contractually Required Contribution	Actual Employer Contribution	Contribution deficiency (excess)	Covered Payroll	Required Contributions as a Percentage of Covered Payroll
Police and Fire Retirement System					
12/31/2024	\$ 2,741,005	\$ 2,741,005	\$ -	\$ 12,097,029	22.66%
12/31/2023	\$ 2,633,601	\$ 2,633,601	\$ -	\$ 10,985,199	23.97%
12/31/2022	\$ 2,786,389	\$ 2,786,389	\$ -	\$ 10,398,486	26.80%
12/31/2021	\$ 2,291,602	\$ 2,291,602	\$ -	\$ 10,673,058	21.47%
12/31/2020	\$ 2,103,576	\$ 2,103,576	\$ -	\$ 10,313,078	20.40%
12/31/2019	\$ 2,231,792	\$ 2,231,792	\$ -	\$ 9,789,799	22.80%
12/31/2018	\$ 2,149,597	\$ 2,149,597	\$ -	\$ 9,498,040	22.63%
12/31/2017	\$ 2,000,226	\$ 2,000,226	\$ -	\$ 9,971,614	20.06%
12/31/2016	\$ 1,819,078	\$ 1,819,078	\$ -	\$ 8,922,571	20.39%

GASB 68 requires that the past 10 years of information be presented. Due to the fact that GASB 68 was recently implemented, prior year information is not available for 10 years. The data will be accumulated over time and presented according to GASB 68.

CITY OF MIDDLETOWN, NEW YORK

**SCHEDULE OF REVENUES AND EXPENDITURES COMPARED TO BUDGET - GENERAL FUND
FOR THE YEAR ENDED DECEMBER 31, 2024**

	Budgeted Amounts		Actual Amounts	Variance with
	Original	Final	GAAP Basis	Final Budget
Revenues:				
Real Property Taxes	\$ 23,140,116	\$ 23,140,116	\$ 23,207,826	\$ 67,710
Real Property Tax Items	917,704	917,704	698,016	(219,688)
Non Property Tax Items	15,030,000	15,030,000	15,753,318	723,318
Departmental Income	1,291,450	1,301,360	1,464,942	163,582
Intergovernmental	917,600	961,623	770,285	(191,338)
Use of Money and Property	380,100	380,100	416,041	35,941
Licenses And Permits	373,800	373,800	328,515	(45,285)
Fines And Forfeitures	329,500	329,500	462,380	132,880
Sale Of Property And Compensation For Loss	921,000	(390,045)	278,383	668,428
Miscellaneous	275,000	290,195	152,300	(137,895)
State Aid	3,366,028	4,132,586	4,365,493	232,907
Federal Aid	-	1,358,018	3,336,958	1,978,940
Total Revenues	46,942,298	47,824,957	51,234,457	3,409,500
Expenditures:				
General Government Support	5,326,479	6,318,027	5,181,880	1,136,147
Public Safety	14,615,845	15,597,904	15,114,564	483,340
Health	-	687,861	687,861	-
Transportation	2,205,905	2,192,343	1,873,589	318,754
Economic	543,081	909,392	501,924	407,468
Culture and Recreation	2,797,691	3,021,644	2,613,397	408,247
Home and Community Service	2,631,285	2,538,432	2,362,409	176,023
Employee Benefits	16,018,367	16,128,478	15,993,608	134,870
Debt Service	3,046,941	5,135,866	2,821,758	2,314,108
Capital Outlay	222,800	558,973	219,223	339,750
Total Expenditures	47,408,394	53,088,920	47,370,213	5,718,707
Excess/(Deficiency) of Revenues Over Expenditures	(466,096)	(5,263,963)	3,864,244	9,128,207
Other Financing Sources/(Uses):				
Transfers In	612,096	2,709,021	1,922,124	(786,897)
Transfers Out	(46,000)	(146,000)	(1,151,185)	(1,005,185)
Total Other Financing Sources/(Uses)	566,096	2,563,021	770,939	(1,792,082)
Net Change in Fund Balance	100,000	(2,700,942)	4,635,183	7,336,125
Appropriated Fund Balance	(100,000)	2,700,942	-	(2,700,942)
Total Change in Fund Balance	\$ -	\$ -	\$ 4,635,183	\$ 4,635,183

CITY OF MIDDLETOWN, NEW YORK
SCHEDULE OF REVENUES AND EXPENDITURES COMPARED TO BUDGET - COMMUNITY DEVELOPMENT
FUND
FOR THE YEAR ENDED DECEMBER 31, 2024

	Budgeted Amounts		Actual Amounts	Variance with
	Original	Final	GAAP Basis	Final Budget
Revenues:				
Departmental Income	\$ 84,562	\$ 84,562	\$ 164,749	\$ 80,187
Use Of Money And Property	8,270	8,270	8,893	623
Miscellaneous	15,984	15,984	838	(15,146)
Federal Aid	424,711	424,711	442,464	17,753
Total Revenues	533,527	533,527	616,944	83,417
Expenditures:				
Home and Community Service	508,180	552,272	539,552	12,720
Employee Benefits	89,420	90,328	89,432	896
Debt Service	13,501	13,501	-	13,501
Total Expenditures	611,101	656,101	628,984	27,117
Excess/(Deficiency) of Revenues				
Over Expenditures	(77,574)	(122,574)	(12,040)	110,534
Other Financing Sources/(Uses):				
Transfers Out	-	-	(21,501)	(21,501)
Net Change in Fund Balance	(77,574)	(122,574)	(33,541)	89,033
Appropriated Fund Balance	77,574	122,574	33,541	(89,033)
Total Change in Fund Balance	\$ -	\$ -	\$ -	\$ -

CITY OF MIDDLETOWN, NEW YORK
SCHEDULE OF REVENUES AND EXPENDITURES COMPARED TO BUDGET - WATER FUND
FOR THE YEAR ENDED DECEMBER 31, 2024

	Budgeted Amounts		Actual Amounts	Variance with
	Original	Final	GAAP Basis	Final Budget
Revenues:				
Departmental Income	\$ 7,401,883	\$ 7,401,883	\$ 7,477,340	\$ 75,457
Use Of Money And Property	50,000	50,000	86,838	36,838
Licenses And Permits	17,000	17,000	13,677	(3,323)
Sale Of Property And Compensation For Loss	-	-	18,500	18,500
Miscellaneous	19,000	19,000	14,051	(4,949)
State Aid	-	-	10,412	10,412
Total Revenues	7,487,883	7,487,883	7,620,818	132,935
Expenditures:				
General Government Support	682,204	702,976	738,573	(35,597)
Public Safety	14,750	14,750	-	14,750
Home and Community Service	3,348,806	3,642,577	3,238,902	403,675
Employee Benefits	1,088,652	1,088,652	1,052,671	35,981
Debt Service	2,134,343	2,793,543	1,298,162	1,495,381
Capital Outlay	155,000	155,000	23,022	131,978
Total Expenditures	7,423,755	8,397,498	6,351,330	2,046,168
Excess/(Deficiency) of Revenues Over Expenditures	64,128	(909,615)	1,269,488	2,179,103
Other Financing Sources/(Uses):				
Transfers In	188,487	(319,877)	504,939	824,816
Transfers Out	(252,615)	(95,854)	(1,491,953)	(1,396,099)
Net Change in Fund Balance	-	(1,325,346)	282,474	1,607,820
Appropriated Fund Balance	-	1,325,346	-	(1,325,346)
Total Change in Fund Balance	\$ -	\$ -	\$ 282,474	\$ 282,474

CITY OF MIDDLETOWN, NEW YORK
SCHEDULE OF REVENUES AND EXPENDITURES COMPARED TO BUDGET - SEWER FUND
FOR THE YEAR ENDED DECEMBER 31, 2024

	Budgeted Amounts		Actual Amounts	Variance with
	Original	Final	GAAP Basis	Final Budget
Revenues:				
Departmental Income	\$ 5,782,208	\$ 5,782,208	\$ 5,845,777	\$ 63,569
Use Of Money And Property	50,000	50,000	69,038	19,038
Licenses And Permits	2,000	2,000	10,667	8,667
Miscellaneous	2,000	2,000	1,834	(166)
Total Revenues	5,836,208	5,836,208	5,927,316	91,108
Expenditures:				
General Government Support	502,204	495,213	531,834	(36,621)
Public Safety	8,200	8,200	-	8,200
Home and Community Service	3,242,354	3,420,519	3,087,812	332,707
Employee Benefits	787,967	791,973	599,857	192,116
Debt Service	1,439,105	1,439,105	51,617	1,387,488
Capital Outlay	128,500	131,032	107,153	23,879
Total Expenditures	6,108,330	6,286,042	4,378,273	1,907,769
Excess/(Deficiency) of Revenues Over Expenditures	(272,122)	(449,834)	1,549,043	1,998,877
Other Financing Sources/(Uses):				
Transfers In	431,603	431,603	392,602	(39,001)
Transfers Out	(159,481)	(159,481)	(1,371,550)	(1,212,069)
Net Change in Fund Balance	-	(177,712)	570,095	747,807
Appropriated Fund Balance	-	177,712	-	(177,712)
Total Change in Fund Balance	\$ -	\$ -	\$ 570,095	\$ 570,095

**SUPPLEMENTARY
INFORMATION**

CITY OF MIDDLETOWN, NEW YORK
SCHEDULE OF INDEBTEDNESS
DECEMBER 31, 2024

	Date of Issue	Date of Final Maturity	Interest Rate	Outstanding Beginning of Fiscal Year	Issued During Fiscal Year	Paid During Fiscal Year	Refinanced During Fiscal Year	Outstanding End of Fiscal Year	Interest Paid During Fiscal Year	Interest Accrued at 12/31/2024	Due Within the Next Year
<u>BOND ANTICIPATION NOTES</u>											
DTC BAN 2023 - Piper Sandler & Co.	2023	2024	4.250%	\$ 5,000,000	\$ -	\$ -	\$ (5,000,000)	\$ -	\$ 212,500	\$ -	\$ -
DTC BAN 2023 - Jefferies LLC	2023	2024	4.500%	20,193,983	-	(3,437,545)	(16,756,438)	-	685,983	-	-
DTC BAN 2024 - Jefferies LLC	2024	2025	4.000%	-	21,756,438	-	-	21,756,438	-	312,339	21,756,438
EFC BAN	2022	2023	1.40-3.20%	-	5,841,370	-	-	5,841,370	6,868	105,096	5,841,370
TOTAL BOND ANTICIPATION NOTES				25,193,983	27,597,808	(3,437,545)	(21,756,438)	27,597,808	905,351	417,435	27,597,808
<u>PERFORMANCE CONTRACT PAYABLE</u>											
Energy Performance Contract	2016	2031	2.107%	7,468,237	-	(866,499)	-	6,601,738	152,815	60,594	884,852
TOTAL PERFORMANCE CONTRACT PAYABLE				7,468,237	-	(866,499)	-	6,601,738	152,815	60,594	884,852
<u>LOAN PAYABLE - SECTION 108</u>											
Housing and Urban Development	Various	2030	2.21-7.66%	47,000	-	(11,000)	-	36,000	2,501	962	11,000
TOTAL LOAN PAYABLE - SECTION 108				47,000	-	(11,000)	-	36,000	2,501	962	11,000
<u>SERIAL BONDS</u>											
Refunding of 2007 Bond	2016	2028	2.000%	1,645,000	-	(315,000)	-	1,330,000	32,900	13,300	325,000
EFC-Water infrastructure	2011	2038	4.270%	11,875,000	-	(640,000)	-	11,235,000	138,681	122,598	655,000
DTC-Public Improvement	2017	2037	2.000%	4,195,000	-	(235,000)	-	3,960,000	187,835	44,887	245,000
DTC-Public Improvement	2014	2039	3.750%	4,645,000	-	(210,000)	-	4,435,000	109,376	64,064	225,000
EFC-SEWER	2015	2036	4.540%	1,935,000	-	(125,000)	-	1,810,000	32,931	21,522	130,000
EFC-Black Dirt Sewer	2019	2049	0.000%	2,881,320	-	(110,820)	-	2,770,500	-	-	110,820
DTC-Public Improvement 2021	2021	2045	5.000%	14,570,000	-	(445,000)	-	14,125,000	409,981	145,400	470,000
EFC SRF Sewer Collection Improvements (Sterling Street)	2021	2049	0.000%	1,006,846	-	(38,728)	-	968,118	-	-	38,728
EFC Screw Pumps	2022	2052	0.000%	2,183,565	-	(75,298)	-	2,108,267	-	-	75,298
EFC Sewer	2023	2042	Variable	11,965,000	-	(535,000)	-	11,430,000	176,812	74,578	545,000
TOTAL SERIAL BONDS				56,901,731	-	(2,729,846)	-	54,171,885	1,088,516	486,349	2,819,846
TOTAL INDEBTEDNESS				\$ 89,610,951	\$ 27,597,808	\$ (7,044,890)	\$ (21,756,438)	\$ 88,407,431	\$ 2,149,183	\$ 965,340	\$ 31,313,506

REGULATORY REPORTING

CITY OF MIDDLETOWN, NEW YORK
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS AND STATE TRANSPORTATION ASSISTANCE
FOR THE YEAR ENDED DECEMBER 31, 2024

Federal Grantor Pass-Through Grantor Program Title	Federal Assistance Listing Number	Pass-Through Entity Identifying Number	Passed Through to Subrecipients	Federal Expenditures
<u>U.S. Department of Housing and Urban Development</u>				
<i>Direct Program</i>				
<i>CDBG - Entitlement Grants Cluster</i>				
Community Development Block Grants	14.218	N/A	\$ -	\$ 448,146
<u>U.S. Department of Treasury</u>				
<i>Direct Program</i>				
Coronavirus State and Local Fiscal Recovery Fund	21.027	N/A	-	2,947,557
<u>U.S. Department of Health and Human Services</u>				
<i>Passed Through Orange County</i>				
Special Programs for the Aging	93.044	N/A	-	44,989
<u>U.S. Environmental Protection Agency</u>				
<i>Direct Program</i>				
Congressionally Mandated Projects	66.202	N/A	-	59
<u>U.S. Department of Transportation</u>				
<i>Highway Safety Cluster</i>				
<i>Passed Through New York State Department of Motor Vehicle</i>				
State and Community Highway Safety	20.600	N/A	-	14,816
<i>Passed Through New York State</i>				
Children Passenger Safety Program	20.616	N/A	-	1,391
Total Highway Safety Cluster			-	16,207
<i>Passed Through New York State</i>				
Highway Planning and Construction	20.205	N/A	-	7,400,632
Total U.S. Department of Transportation			-	7,416,839
<u>U.S. Department of Justice</u>				
<i>Direct Programs</i>				
Bulletproof Vest Partnership Program	16.607	N/A	-	5,192
Public Safety Partnership and Community Policing Grants	16.710	N/A	-	231,006
Total U.S. Department of Justice			-	236,198
TOTAL FEDERAL AWARDS EXPENDED			\$ -	\$ 11,093,788
NEW YORK STATE DEPARTMENT OF TRANSPORTATION EXPENDITURES				
State Transportation Assistance				
CHIPS	N/A	N/A	\$	1,618,986
Traffic Operations	N/A	N/A		1,763,971
TOTAL STATE TRANSPORTATION ASSISTANCE EXPENDED			\$	3,382,957

N/A - Not applicable or not available

See notes to the schedule of expenditures of federal awards and state transportation assistance

CITY OF MIDDLETOWN, NEW YORK
NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS AND STATE TRANSPORTATION ASSISTANCE
FOR THE YEAR ENDED DECEMBER 31, 2024

NOTE 1 – Basis of Presentation

The accompanying schedule of expenditures of federal awards and state transportation assistance (the “Schedule”) includes the Federal award activity and state financial assistance program activity of the City of Middletown, New York under programs of the federal government and the New York State Department of Transportation for the year ended December 31, 2024. Federal awards received directly from the Federal agencies as well as Federal awards passed through other government agencies are included in the Schedule. The federal information in this schedule is presented in accordance with the requirements of Title 2, *U.S. Code of Federal Regulations, Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (“Uniform Guidance”). The state information is presented in accordance with preliminary Title 17, Part 43 of the *New York State Codification of Rules and Regulations* (“NYCRR”). Because the Schedule presents only a selected portion of the operations of the City, it is not intended to and does not present the financial position and changes in net position of the City.

NOTE 2 – Summary of Significant Accounting Policies

Expenditures reported on the Schedule are reported on the modified accrual basis of accounting. Such expenditures are recognized following the cost principles contained in the Uniform Guidance, wherein certain types of expenditures are not allowable or are limited as to reimbursement.

NOTE 3 - Indirect Cost Rate

The City of Middletown, New York has not elected to use the 10 percent de minimis indirect cost rate as allowed under the Uniform Guidance.

NOTE 4 – Loans Outstanding

The City had the following gross loan receivable balances outstanding at December 31, 2024, which were originally funded with federal awards. Loans made during the year are included in the federal expenditures presented in the schedule:

<u>Program Title</u>	<u>Assistance Listing Number</u>	<u>Expenditures for the Year Ended December 31, 2024</u>	<u>Amount Outstanding December 31, 2024</u>
Community Development Block Grant Program	14.218	\$ 448,146	\$ 1,821,881

NOTE 5 - Reconciliation to Financial Statements

The federal and state expenditures presented in the Schedule of Expenditures of Federal Awards and State Transportation Assistance (the “SEFA”) reconcile to the Federal and state revenue reported in the Statement of Revenues, Expenditures and Changes in Fund Balance as follows:

	<u>Federal</u>	<u>State</u>
Expenditures as reported in the SEFA	\$ 11,093,788	\$ 3,382,957
Reconciling Items:		
SEFA is reported on the basis of expenditures not revenues	131,314	-
Non-DOT State Aid	-	6,846,175
Federal and state revenue as reported in the Statement of Revenues, Expenditures and Changes in Fund Balances	<u>\$ 11,225,102</u>	<u>\$ 10,229,132</u>

**INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN
AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH
GOVERNMENT AUDITING STANDARDS**

Common Council
City of Middletown, New York
16 James Street
Middletown, NY 10940

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Middletown, New York ("the City"), as of and for the year ended December 31, 2024, and the related notes to the financial statements, which collectively comprise the City of Middletown, New York's basic financial statements, and have issued our report thereon dated September 12, 2025.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City of Middletown, New York's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the preceding paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City of Middletown, New York's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests did not disclose any instances of noncompliance or other matters required to be reported under *Government Auditing Standards*.

City of Middletown, New York's Response to the Findings

The City of Middletown, New York's response to the findings identified in our audit is described in the accompanying management responses to findings and corrective action plan. The City's response was not subjected to the auditing procedures applied in the audit of the financial statement and, accordingly, we express no opinion on the response.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Newburgh, NY
September 12, 2025

**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR EACH MAJOR FEDERAL
PROGRAM AND REPORT ON INTERNAL CONTROL OVER COMPLIANCE
REQUIRED BY UNIFORM GUIDANCE**

Common Council
City of Middletown, New York
16 James Street
Middletown, NY 10940

Report on Compliance for Each Major Federal Program

Opinion on Each Major Federal Program

We have audited the City of Middletown, New York's (the "City") compliance with the types of compliance requirements identified as subject to audit in the *OMB Compliance Supplement* that could have a direct and material effect on each of the City's major federal programs for the year ended December 31, 2024. The City's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

In our opinion, the City of Middletown, New York complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended December 31, 2024.

Basis for Opinion on Each Major Federal Program

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America (GAAS); the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States (*Government Auditing Standards*); and the audit requirements of Title 2 *U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Our responsibilities under those standards and the Uniform Guidance are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for each major federal program. Our audit does not provide a legal determination of the City's compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules and provisions of contracts or grant agreements applicable to the City's federal programs.

Auditor's Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the City's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, *Government Auditing Standards*, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material, if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the City's compliance with the requirements of each major federal program as a whole.

In performing an audit in accordance with GAAS, *Government Auditing Standards*, and the Uniform Guidance, we

- exercise professional judgment and maintain professional skepticism throughout the audit.
- identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the City's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- obtain an understanding of the City's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Report on Internal Control Over Compliance

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the Auditor's Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

Newburgh, NY
September 12, 2025

**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR EACH STATE
TRANSPORTATION ASSISTANCE PROGRAM TESTED
AND ON INTERNAL CONTROL OVER COMPLIANCE**

Common Council
City of Middletown, New York
16 James Street
Middletown, NY 10940

Report on Compliance for State Transportation Assistance Programs

We have audited the City of Middletown, New York's (the "City") compliance with the types of compliance requirements described in the preliminary Title 17, Part 43 of the *New York State Codification of Rules and Regulations* ("NYCRR") that could have a direct and material effect on each of the City's state transportation assistance programs that were tested for the year ended December 31, 2024. The programs tested are identified in the summary of auditor's results section of the accompanying Schedule of Findings and Questioned Costs.

Management's Responsibility

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its state transportation assistance programs.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for the City's state transportation assistance programs tested based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Title 17, Part 43 of NYCRR. Those standards and Title 17, Part 43 of NYCRR require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a tested state transportation assistance program occurred. An audit includes examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each state transportation assistance program that was tested. However, our audit does not provide a legal determination on the City's compliance.

Opinion

In our opinion, the City of Middletown, New York, complied, in all material respects, with the requirements referred to above that could have a direct and material effect on each of its state transportation assistance programs tested for the year ended December 31, 2024.

Report on Internal Control Over Compliance

The management of the City of Middletown, New York is responsible for establishing and maintaining effective internal control over compliance with the compliance requirements of laws, regulations, contracts, and grants applicable to the state transportation assistance programs tested. In planning and performing our audit of compliance, we considered the City's internal control over compliance with the types of requirements that could have a direct and material effect on the state transportation assistance programs that were tested in order to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on internal control over compliance in accordance with Title 17, Part 43 of NYCRR, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over compliance.

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a state transportation assistance program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a state transportation assistance program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency or combination of deficiencies, in internal control over compliance with a type of compliance requirement of a program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of Title 17, Part 43 of NYCRR. Accordingly, this report is not suitable for any other purpose.

Newburgh, NY
September 12, 2025

**CITY OF MIDDLETOWN, NEW YORK
SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS
DECEMBER 31, 2024**

A. Financial Statement Findings

2023-001 Annual Sexual Harassment Prevention Training
This finding was addressed.

B. Findings and Questioned Costs for Federal Awards

2023-002 Single Audit Report Submission - Compliance
This finding was addressed.

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**CITY OF MIDDLETOWN, NEW YORK
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FOR THE YEAR ENDED DECEMBER 31, 2024**

Section 1. Summary of Auditors' Results

Financial Statements

Type of report the auditor issued on whether the financial statements audited were prepared in accordance with U.S. GAAP:

Unmodified

Internal control over financial reporting:

Material weakness(es) identified?	<u> </u> Yes	<u> X </u> No
Significant deficiency(s) identified?	<u> </u> Yes	<u> X </u> None reported

Noncompliance material to the financial statements noted	<u> </u> Yes	<u> X </u> No
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Federal Awards

Internal control over financial reporting:

Material weakness(es) identified?	<u> </u> Yes	<u> X </u> No
Significant deficiency(s) identified?	<u> </u> Yes	<u> X </u> None reported

Type of auditors' report issued on compliance for major programs:

Unmodified

Any audit findings disclosed that are required to be reported in accordance with section 2 CFR 200.516(a)?	<u> </u> Yes	<u> X </u> No
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Identification of major programs:

<u>Assistance Listing Number(s)</u>	<u>Name of Federal Program or Cluster</u>
20.205	Highway Planning And Construction
21.027	Coronavirus State And Local Fiscal Recovery Fund

Dollar threshold to distinguish between type A and type B programs	\$ 750,000
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Auditee qualified as low-risk auditee	<u> </u> Yes	<u> X </u> No
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Type of auditors' report issued on compliance for major programs:

Unmodified

State Awards

Internal control over financial reporting:

Material weakness(es) identified?	<u> </u> Yes	<u> X </u> No
Significant deficiency(s) identified?	<u> </u> Yes	<u> X </u> None reported

Type of auditors' report issued on compliance for major programs:

Unmodified

Any audit findings disclosed that are required to be reported in accordance with Title 17, part 43.2 of NYCRR	<u> </u> Yes	<u> X </u> No
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**CITY OF MIDDLETOWN, NEW YORK
SUMMARY OF FINDING AND QUESTIONED COSTS
FOR THE YEAR ENDED DECEMBER 31, 2024**

Section 2. Financial Statement Findings

None noted.

Section 3. Findings and Questions Costs for Federal Awards

None noted.

DRAFT