

**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
MARCH 1, 2022**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL (COUNCIL CLERK)
3. APPROVAL OF MINUTES Meeting of February 1, 2022
4. CORRESPONDENCE, COMMUNICATIONS AND REPORTS (NOTHING THIS EVENING)
5. FOR THE GOOD OF THE CITY (PUBLIC PARTICIPATION)
6. REMARKS OF THE MAYOR
7. REMARKS OF DEPARTMENT HEADS
8. PUBLIC HEARINGS AND GRIEVANCES (NOTHING THIS EVENING)
9. PETITIONS AND COMPLAINTS (NOTHING THIS EVENING)
10. REMARKS OF THE ALDERMAN AND REPORTS OF COMMITTEES
11. UNFINISHED BUSINESS (NOTHING THIS EVENING)
12. NEW BUSINESS (RESOLUTIONS)
 - Resolution authorizing a vehicle transfer from the Department of Parks and Recreation to the Police Department
 - Resolution authorizing a change to the City's Investment Policy
 - Resolution declaring Police Department vehicles as surplus
 - Resolution authorizing a contract renewal with CherryRoad Technologies Inc.
 - Resolution adopting the Spring 2022 Spring Cleanup week schedule
 - Resolution authorizing an agreement with Young Explosives Fireworks Exhibition
 - Resolution transferring \$100,000 from ARPA Fund to the Department of Parks and Recreation
13. LOCAL LAWS Local Law # 3 of 2022- Delinquent Taxes
14. AUDIT OF CLAIMS AND ACCOUNTS (FINANCE COMMITTEE CHAIR)
15. ADJOURNMENT

**The agenda is tentative and established on all accessible information at this time.
Items may be eliminated at any time. Resolutions are added on an emergency basis.**





Common Council Meeting
February 1, 2022
City Hall
16 James Street
Middletown, New York 10940

P R E S E N T

Miguel Rodrigues, President of Common Council

Ald. Gerald Kleiner

Ald. Paul Johnson

Ald. Kate Ramkissoon

Ald. Kevin Witt

Ald. Jude Jean-Francois

Ald. Andrew Green

Ald. Joseph Masi

Ald. Sparrow Tobin

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Ald. Tobin	34

1 1. Pledge of Allegiance

2 **PRESIDENT RODRIGUES:** Roll.

3 2. Roll Call

4 Roll Call: Jean-Francois, Johnson, Ramkissoo,
5 Kleiner, Green, Witt, Masi, President Rodrigues.

6 **ALD. TOBIN:** I'm here too.

7 **COUNCIL CLERK:** Alderman Tobin, Sparrow.

8 3. Approval of Minutes.

9 (None this evening.)

10 4. Correspondence, Communications and Reports

11 **PRESIDENT RODRIGUES:** Correspondence.

12 **COUNCIL CLERK:** None this evening.

13 5. For the Good of the City

14 If anyone would like to address the Council,
15 please step forward.

16 **MR. BROWER:** Good evening, ladies and gentlemen
17 of the Council, Mr. Mayor. My name is Paul Brower and I
18 represent the Shawangunk Fish and Game Club. And I'm a
19 lifelong resident of Middletown, New York. We have a
20 memorandum of understanding with the City that was
21 brought by Mr. Green here. And it flew with -- without
22 any opposition. It was a very simple memorandum of
23 understanding. We were -- we were going to make use of
24 the training facility specifically for Middletown Police
25 Department which we have established and -- and built to

1 their specifications. And we'll continue to modify that
2 as per the directives of the Department.

3 There was one little piece of language on this
4 Memorandum of Understanding that has hurt our facility.
5 And, historically for years, Middletown has come through
6 with the plow and made the circle to the roll off
7 dumpster and picked up the -- picked up the waste for us.
8 And when we put the gate in which the City heroically
9 established that -- put the gate up, so we couldn't have
10 trespassers and people come in there when we're -- when
11 we're training or utilizing a facility, now we have a
12 gate and it -- that encumbers them from doing that.

13 But we did -- the language for bringing the
14 plow through was omitted. And -- and it cost our agency
15 a lot of money this year. And I was wondering if -- if
16 you would you consider putting that language back in and
17 bringing the plow back, so when you pick up the garbage
18 or on plow days. And Jim Cole and I live right in the
19 neighborhood and we'd more than happy to open up the
20 gate, so that the driver doesn't have to get out.

21 And also I would like to remind you and the
22 police department that if you're in that side of that
23 neighborhood, now, they all have keys now, that the
24 clubhouse is open to them if they need to get warm or use
25 the facilities that it's available to them. And I'd like

1 to welcome you to come over and visit us.

2 So that's all I have to say and let me know.

3 **PRESIDENT RODRIGUES:** Thank you. Anyone else
4 that would like to address the Council? This sharp young
5 man over here.

6 **JOEL SIERRA, COUNTY LEGISLATOR:** Thank you for
7 having me back. Joel Sierra, County Legislator, District
8 20, City of Middletown.

9 Let me formally congratulate all of you on your
10 elections and your reelections. I know you all worked
11 hard. So I wanted to congratulate you all, I see you all
12 in person.

13 As you all know, I saw most of you at the
14 distribution for the test kits. The City gave out over
15 5,000 test kits with the help of the county. Most of you
16 were out there on that frigid day, you know, handing out
17 test kids, so thank you for that.

18 The Heritage Trail is coming along nicely.
19 They were up there today putting in the rest of the
20 fencing and the rails for the bridges. So there should
21 be a ribbon cutting come down the pipeline soon. You'll
22 all be notified.

23 And the big news is the sales tax revenue. The
24 projections came in way higher than they were initially
25 projected. So it looks like the tourism and the economic

1 development throughout the county is -- is working. And
2 your share should be substantially larger than last
3 year's share, so that's great news. We don't have
4 accurate numbers just yet. Finance is working on the --
5 on the figures, but the City of Middletown will get those
6 figures coming down very shortly.

7 And that being said, I wish you all a Happy New
8 Year. Thank you for having me.

9 **PRESIDENT RODRIGUES:** Thank you.

10 **JOEL SIERRA, COUNTY LEGISLATOR:** Any questions?
11 Thank you.

12 **PRESIDENT RODRIGUES:** Thank you. Anyone else
13 who would like to address the Council?

14 Eileen, do we have anybody on line?

15 **EILEEN:** We do not.

16 **PRESIDENT RODRIGUES:** Thank you.

17 6. Remarks of the Mayor.

18 **MAYOR DESTEFANO:** Good evening. I want to
19 thank Legislator Sierra for his presentation. And also
20 if he could take back to the County that the Sales Tax
21 Agreement, I think, is expiring soon. And we would like
22 to and I'm sure the other two cities would also look
23 forward to the renewal of the contract for distribution
24 throughout the three -- throughout the County. As you
25 know, the Towns and Villages do share in that

1 distribution also. And we would like the new contract to
2 reflect the change in population, the new census data.
3 As you know, Middletown has now become the most popular
4 city in the County, so the distribution formula should
5 change in our favor. Historically, for the past 20, 30
6 years it's been in favor of Newburg. But our census
7 folks did a great job through economic development.
8 Kaitlyn McNamara headed that effort working with
9 different not-for-profit groups. And we were able to
10 count, get a more accurate count than we have had in the
11 past. And so we -- that number should change
12 substantially in the next -- over the next five years
13 with the new contract.

14 Also, Mr. Sierra mentioned the COVID test
15 giveaways at the -- we did at Fei Tian College. And we
16 want to thank them for their hospitality. And we did do
17 about 2,500 tests handed out that day. The lines were
18 all the way down to Monhagen, the salt garage. And I
19 want to thank Chief Ewanciw and his staff for doing a
20 great job controlling the traffic and also along with all
21 of you folks who came and assisted. It was like one of
22 the cold days of the years. And we were out there for
23 probably about an hour-and-a-half, two hours. But it was
24 well worth it with the thanks that we received from so
25 many of the people in that neighborhood, not in the

1 neighborhood, throughout the County who came. It wasn't
2 only for Middletown residents. The Legislator Sierra is
3 correct that those were the kits that were donated, not
4 donated, but given to us by the County from the state
5 stock.

6 Coming up, we will be doing additional test kit
7 giveaways or handouts. This past week we did, along with
8 Alderman Tobin and myself, Chief Ewanciw, and Maria
9 Bruni, we were down at Southeast Towers and that was well
10 received. And whoever we missed that night we did -- had
11 the police did a delivery the next to each unit. The
12 following day we did Middlecrest Crossing. They
13 requested that they do the distribution. Apparently,
14 they prefer not to have a lot of people into their
15 buildings. And there was twice as many units. So we did
16 -- I think Alderman Tobin did, either showed up or was on
17 his way there when I notified him and Alderman Jean-
18 Francois so.

19 So we had two successful test kit giveaways
20 then. This Thursday we're planning on doing Summit Field
21 Apartments. And we will be following up with the other
22 housing authority project which is David Moore probably
23 early next week. And these are not for the public, these
24 are just giveaways for the -- for the residents of the
25 Middletown Housing Authority.

1 We anticipate having additional kits after
2 that. And we will look to do a more local distribution.
3 We did some at the warming center. So we're trying to
4 identify certain areas where people who don't have the
5 means can get a test kit.

6 We also have the COVID test site that was set
7 up at the former Mount Carmel Church, the upper floor or
8 the senior center. That's been going well. That will
9 continue as long as the demand continues. I spoke with
10 the people who were in charge of it two days ago and they
11 told me it was going quite well. More and more of these
12 operations are opening up throughout the County, so we do
13 expect the demand to dwindle at some point. And
14 especially with Omicron, you know, the virus itself not
15 being -- with the numbers dropping, usually the testing
16 request drops. So we don't have a definitive date on
17 when that will go to, but our agreement is basically a
18 week-to-week agreement. But as far as I'm concerned, if
19 -- if the person running the -- the -- the urgent testing
20 operation, as long as they want to stay, as long as it's
21 being effective, it's really only taking up some space
22 for us and should remain in operation.

23 We want to talk to people about sidewalks.
24 Alderman Masi and Council President Rodrigues and I met
25 before the meeting with the Commissioner. And he has

1 informed us that city crews are out doing sidewalks.
2 Remember to the public, this is just a notice again to
3 the public. We are not sending out warning letters
4 anymore. We will try our best to maybe give you a phone
5 call. But if it snowed two days ago, three days ago and
6 your sidewalk is not done, the City may show up and just
7 do your sidewalk. We are looking at strategic areas
8 first, intersections areas around schools, downtown, you
9 know, where there's heavy foot traffic. So the idea is
10 you have 24 hours by code to get your sidewalk shoveled.
11 If not, then we will have to do it for you. And the cost
12 is substantial. It could be up to -- for a large
13 commercial property, it could be in the area of 4 to \$500
14 and for a smaller property, \$100 to \$200. So it makes
15 sense to pay the neighborhood kid or have a company come
16 and do your -- do your sidewalk after the storm. Don't
17 do it before because or during because you will get
18 snowed back in. The plows do come by again. And that's
19 one of the main complaints we get is I paid someone to
20 shovel my driveway and then the plows came by and plowed
21 it in. So please be patient. But also you have to, at
22 the same time, get it done within 24 hours after the end
23 of the snowstorm especially if you're in a high-traffic
24 area.

25 One new bit of information is you have a

1 resolution tonight regarding the shifting of \$25,000 or
2 authorizing the expenditure of \$25,000 for the -- to
3 monitor the operation or the proposal for the EIS, the
4 environmental study on the Dolson Town corridor between
5 Dolson Avenue and, I believe, it goes all the way up to
6 the traffic circle --

7 **JACOB TAWIL, DPW SUPERINTENDENT:** Genung.

8 **MAYOR DESTEFANO:** Genung, Jacob?

9 **JACOB TAWIL, DPW SUPERINTENDENT:** Yes.

10 **MAYOR DESTEFANO:** All the way, all right, all
11 the way up to Genung. There are several pending
12 applications at the Wawayanda Planning Board. They
13 include warehouses and a transverse station. These, if
14 you haven't seen it, there is a petition online signed by
15 well over 1,000 people. That raises some issues.
16 Whether they're all accurate or not, I don't know. But
17 shortly and near the end of last week or the middle of
18 last week, we did receive the Environmental Impact
19 Statement from the Town of Wawayanda regarding the
20 Environmental Impact Statement that is being done on that
21 -- on that stretch of road.

22 It contains, as I said, not only warehousing,
23 but a proposed garbage transfer station. And we're, you
24 know, what is our interest? Obviously our interest is
25 that the Town of Wawayanda Planning Board follow their

1 environmental procedures correctly. And our consultants
2 are an environment group out of engineering firm that
3 we've used in the past, CDM. And we're asking them to
4 review all the work of the Wawayanda Planning Board. We
5 have not only air concerns, but traffic concerns, impact
6 on intersections such as 17M and Dolson Town Road. As
7 you know that's a pretty bad intersection now. Crossing
8 over the Monhagen Brook is a two-land road. How do we --
9 how do we best protect Middletown's interest and raise
10 the issues and concerns that should be raised through the
11 environmental process.

12 So we're authorizing or requesting that money
13 tonight, so that we can begin the process. This -- now
14 that we've been served with the preliminary documents and
15 -- and we'll keep you abreast of the thoughts of our
16 engineers as we move forward. You know, we, you know,
17 we've been this route before with neighboring communities
18 and they've been this way with us also, so it's a
19 basically a standard operating procedure of what we
20 should do to protect and raise questions about what's in
21 our interest as Middletown residents and Middletown
22 businesses at the end of town.

23 The last part is we are now ready to bid the
24 ice skating rink for the pavilion area in the back here.
25 After many meetings with John Bianchi and Maria, as you

1 know Maria has been working on this for probably well
2 over a year, year and a half. Mrs. McNemeny, I believe,
3 has come and basically supported the concept from the
4 public. But we make sure that we -- our original
5 thoughts were going to be in Festival Square and do like
6 a downsized type of facility. But we've expanded it now
7 to a larger facility with real ice rather than artificial
8 ice. It is fundable under the American Recovery Funds,
9 the ARPA Funds. It is an eligible expenditure. We
10 anticipate the price that we have here is about 80 to
11 \$100,000. That should be completely installed once we
12 bid the project.

13 It is the type of facility that could be put up in
14 October, November and stay with us through March
15 probably. It will keep the ice frozen at 50 degrees.
16 We're looking at possibly purchasing a little bit larger
17 refrigeration system in case we want to expand it into
18 another area. It is portable, but has to be on level
19 ground. So we'll have different options as we move
20 forward if we purchase the larger unit. So the larger
21 unit might be a little bit more than -- will be a little
22 bit more than that 80 to 100, but we'll have -- we'll
23 give you all that discussions. We'll probably put both
24 out to bid and then we'll make a decision when that
25 comes.

1 Year one, the DPW, I mean, the Parks and Rec
2 crew will put it up with the assistance of the company.
3 It doesn't look like it's too complicated. At least to
4 me it doesn't look like it's too complicated. And if
5 it's not too complicated to me, it's not too complicated
6 to the Parks Department.

7 So that's all I have at this point. I'll be
8 changing the State of the City from the 15th of February
9 probably to the 22nd. And that's due to we were going to
10 have some technology difficulties on the 15th because
11 Eileen will be on vacation. So rather than have Eileen
12 change her vacation and present half of the State of the
13 City, we do a lot of visual stuff in it. Eileen is the
14 one who is trained in that area and we don't want to
15 screw it up. So it will be required you guys coming in
16 from one other night around the 22nd, 23rd. The date is
17 flexible, so if there's a date better for all of us, I
18 don't want to get back into that 7, 7:30 meeting night
19 argument where Mr. Masi gets angry about setting a time
20 and -- and then having one person have a problem with the
21 date and then causing a big, big stink about it. So you
22 got that, Paul.

23 So that's all I have. Any questions?

24 **PRESIDENT RODRIGUES:** Any questions for the
25 Mayor. Can't let it go, can you?

1 Gerry.

2 **ALD. KLEINER:** Do we have any update on the
3 O&W?

4 **MAYOR DESTEFANO:** Yes. The O&W we received the
5 -- the funding letter from the Home Committee, the Orange
6 County Home Committee. We have the proposed contract
7 from the engineer, Fusco and I think it's called C&S,
8 Jacob?

9 **JACOB TAWIL, DPW SUPERVISOR:** Yes.

10 **MAYOR DESTEFANO:** C&S Engineering, they're out
11 of Syracuse. They've been in the building already.
12 They've started their -- they went in with drones are
13 doing the evaluation of the building, so we don't get
14 behind. And Jacob can give you an update on when we will
15 formally sign the contract with the engineers. But all
16 of the money is in place. We did not get the one
17 \$750,000 grant from the Consolidated Funding Application,
18 but we will, once again, pursue that as we move forward
19 and possibly have other options for funding on that.

20 But we're in the area. As you know, we have the \$3
21 million from ARPA. We could also ship more ARPA funds
22 into that if we'd like. We have 4.1 million from New
23 York State CDBG, \$800,000 from Home, and 2 million
24 through Assemblywoman Gunther that was put into last
25 year's state budget. And I think, Maria, is that all the

1 funding sources at this point that are confirmed.

2 Correct?

3 **MARIA BRUNI, ECONOMIC DEVELOPMENT:** Yes.

4 **MAYOR DESTEFANO:** Yeah. And so we're -- and,
5 of course, the City has a commitment of a million
6 possibly in kind depending on how the bids come in.

7 So we should be and everyone knows the
8 importance of meeting the timeline of that. As soon as
9 Jacob signs the contract or we sign the contract with the
10 engineer, I'm sure it will start moving very quickly.
11 But it is under operation now.

12 **ALD. KLEINER:** Thank you.

13 **PRESIDENT RODRIGUES:** Anyone else? Thank you,
14 Mayor.

15 **MAYOR DESTEFANO:** Thank you.

16 7. Remarks of Department Heads

17 **PRESIDENT RODRIGUES:** Remarks of Department
18 Heads, Economic Development.

19 **MARI BRUNI, ECONOMIC DEVELOPMENT:** Good
20 evening, everyone. I just want to update you on -- we're
21 starting to work on our summer programs. And also we
22 finalized and are moving forward with a lineup for the
23 Paramount. There's 12 shows that the City is promoting
24 and producing this year, so they're all out for sale and
25 -- and ready to so. So we're looking forward to a great

1 season. And, like I said, we're preparing for summer
2 concerts, fireworks, and all that stuff. So stay tuned,
3 I'll update you as we get closer to that.

4 And, of course with -- so with safety
5 guidelines still in place with COVID and we're, you know,
6 keeping that in mind and -- and everything has been
7 working pretty well especially over at the Paramount when
8 movies and some of the shows we did, we were able to
9 produce all that safely and moving forward doing the
10 same.

11 That's all I have.

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

14 **MARI BRUNI, ECONOMIC DEVELOPMENT:** Thank you.

15 **PRESIDENT RODRIGUES:** Police Chief.

16 **JOHN EWANCIW, POLICE CHIEF:** Good evening. A
17 few things for you this evening. First I'd like to
18 recognize Officer Deborah Rivera or Officer Deb Sommer as
19 some knew her. She just retired from the Department this
20 past Friday after 20 years of dedicated service, so I
21 just want to publically recognize her and acknowledge her
22 20 years of service.

23 Additionally, I'd like to bring some
24 recognition to some recent promotions that the Department
25 made through the Police Commission. Promoted to

1 Lieutenant were Eric Harget, Patrick Cunningham, and
2 George Valentin and promoted to Sergeant is Kristen
3 Beebe, Scott Gallagher, and just a few months prior to
4 that was Charles Petrone and Jordan McInerney. And the
5 Commission also just recently hired three additional
6 police officers that will start their career with us on
7 February 14th. So not only like to recognize them, but
8 thank the Commission for the support in that.

9 Also I'd like to bring to the attention and put
10 it out to the public, we will be giving a police exam
11 this year. Mr. Masi, through Civil Service, has
12 organized it and put together a date. It will be April
13 9th of 2022, so it's just around the corner. We're
14 excited to have that done earlier than we expected.
15 We've already put some feelers out for some outreach.
16 Reached out to some of our partners in the schools, some
17 of our community partners. We would like to do as much
18 outreach as we can in this period of time to do the best
19 possible -- to give the best possible opportunities for
20 members of our community to take the test. That is one
21 of our biggest goals is to get people from our community
22 to take the exam and join our force.

23 Just some quick -- quick requirements for the
24 exam is you have to have 30 college credits to take the
25 exam. You have to be 19 years of age. At the time of

1 appointment, you have to have at least 60 college credits
2 or a combination of college and military or college and
3 prior police experience. And you'd have to be hired
4 before your 35th birthday. These requirements in
5 addition to some other requirements will come out when
6 the application should be out within like a week or so
7 and we'll be out in the community. I'll put together a
8 recruiting team and hitting some of our local
9 establishments and some of our neighboring colleges to
10 try to recruit as many people as we can.

11 Additionally, overnight parking. You're still
12 out there, still seeing a lot of violators. This is
13 especially important with the snow. The last thing we
14 want to do is tow cars, but it seems like every snowstorm
15 we are towing cars, so, please, members of the community,
16 do your due diligence, move your cars off the streets
17 during the snowstorms and especially overnight.

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

20 **PRESIDENT RODRIGUES:** Any questions for the
21 Police Chief? Thank you, chief.

22 **JOHN EWANCIW, POLICE CHIEF:** Thank you.
23 DPW Commissioner.

24 **JACOB TAWIL, DPW COMMISSIONER:** Good evening,
25 all. We'll start off with our reservoirs. Alderman

1 Masi, we're at 96 percent full. Last year, 2021, we had
2 60 inches of rain over throughout the year which is a
3 huge amount of water, much higher than our average annual
4 precipitation. And, you know, if we had more reservoirs
5 or if we had more volume in our reservoirs, I would say
6 they would increase significantly especially with this
7 amount of rain. But we're doing very well. I just
8 wanted to bring that to everybody's attention that the
9 amount of rain we had like 60 inches is much higher. It
10 was really wet here, not much snow.

11 But now that we have the snow and to follow
12 with the Chief was saying, please keep your cars off the
13 road to allow us to safely plow the streets and keep them
14 clean and safe for the public, for you, for the emergency
15 services, fire department, police department, ambulances.

16 And, also, please remember try to keep the fire
17 hydrants shoveled and cleared around -- in your
18 neighborhood. You know, just if you see something piled
19 up in there, please go clean it so that -- if the fire --
20 should the fire department is needed and come out,
21 they'll see that the fire hydrant is really available for
22 them. They don't have to go break up the ice or -- or do
23 anything. They're just staff it and -- and try to
24 protect the neighborhood or the house that is involved in
25 the event.

1 Shoveling your curb, your sidewalks, extremely
2 important. Again, when it snows, it snows throughout the
3 City. And we have, I keep repeating this number, 230
4 linear miles of road, lane miles of road. So that means
5 that's equivalent, wherever we have sidewalks through
6 sidewalks. So even if we had an army of people who
7 shovel is really available, we can't cover all the City.
8 And so we have to take care of our city-owned properties.
9 After that we're going to go to the private properties
10 who did not -- who did not comply with the ordinance and
11 clear their sidewalks within 24 hours.

12 If you don't clear your sidewalk, obviously,
13 you are forcing the residents or whoever, the pedestrians
14 to walk in the street. And it is dangerous, it's
15 slippery, it's snowy, it's icy. So please work with us.
16 And like the Mayor was saying, you're going -- it's
17 expensive for us to come out and do it and we've been
18 doing it. And we have been using the part-timers. We've
19 been using whatever have, men available from the street
20 department. We've been using Parks and Recreation when
21 they're available to shovel private sidewalks. We are
22 focusing, like the Mayor stated, on intersections by the
23 schools, by the heavily walked areas in there in order to
24 make it safe. So help us, please, and check your
25 sidewalk. You're required to clear it within 24 hours

1 after the last snowfall, after the last snowfall is on
2 the ground. So please work with us and make sure you do
3 that. Again, parking off -- off the road.

4 With regard to O&W, the Mayor is absolutely
5 correct. The -- the engineering work as started. It's
6 moving along. The only thing we did not do is we did not
7 sign the engineering contract with Fusco and C&S because
8 we've been going back and forth to try to establish some
9 benchmarks and there are standards in the industry that
10 we use for the charges. So we shook hands in the Mayor's
11 Office that we agreed that we were going to live with the
12 number, whatever the standard industry is for engineering
13 design. So they submitted to us a package relying on
14 giving us some numbers to review which we are reviewing.
15 I'll be reviewing that hopefully this week. And once we
16 agree on the numbers, then it's up to you guys to accept
17 the contract and the Mayor to sign it.

18 So that's where we are. You have an update on
19 -- that's all. I'm just going to stay with the -- with
20 the snow and ice, please, and help us out. It's going to
21 be -- probably going to be dangerous this Thursday night
22 and Friday, so please try to minimize the travel as much
23 as you can. We understand people have to travel and they
24 have to go places. We understand that. We appreciate
25 that. We're going to make -- try to make the roads as

1 safe as possible.

2 Do you have any questions, Alderman?

3 **PRESIDENT RODRIGUES:** Alderman Green.

4 **ALD. GREEN:** Yeah. While you're speaking about
5 the snow and ice, I noticed a lot of people this last
6 time were snow blowing into the street or pulling their
7 cars out and cleaning them off in the street and just
8 leaving it there. They shouldn't be doing that.
9 Correct?

10 **JACOB TAWIL, DPW COMMISSIONER:** Yeah,
11 absolutely. And people pile it in the street and all
12 that stuff. The police, if the police will see them they
13 will ticket them. And if we see them, we have to see
14 them ourselves, so that we can report them. We can be a
15 witness, so we can sign the complaint.

16 But I'm going to take this opportunity too to
17 thank our guys in there. I mean, they've done -- they've
18 done hours after hours after hours. They've done a
19 tremendous job, DPW guys. And -- and with help from the
20 Water Department, Sewer Department, and Parks and
21 Recreation as well in order to be able to cover the City.
22 So I'm very grateful for them for the long hours. And
23 they stay with it and they -- they -- they don't go home
24 until the job and it's taxing on them, but they're doing
25 it. And we're very much -- I very much appreciate that.

1 **PRESIDENT RODRIGUES:** Alderman Kleiner.

2 **ALD. KLEINER:** Yeah, quickly, Jacob. Quite a
3 few water main breaks, the Water Department has had their
4 hands full. Is it an unusual number, a lot this year or
5 is it --

6 **JACOB TAWIL, DPW COMMISSIONER:** Yeah. You mean
7 this year?

8 **ALD. KLEINER:** This year, yeah.

9 **JACOB TAWIL, DPW COMMISSIONER:** No. No, we're
10 good. You'll see in the -- in the Mayor's report when
11 he's -- when he does the State of the City, last year was
12 higher than the previous years, but we go from 30 to 15
13 back to 30 back to 15 and -- and so on.

14 **ALD. KLEINER:** Okay. Well, thank you to the
15 Water Department. It's been a lot. Maybe it's just when
16 you get the Nixle reports on them constantly.

17 **JACOB TAWIL, DPW COMMISSIONER:** Absolutely.
18 And our guys they never complain. You know, when -- when
19 it is 20 below zero or whatever the condition is, they go
20 out. Some of them they were plowing because we need to
21 use them for plowing as well. They stop the plowing and
22 they jump in and they repair the water -- the water main
23 break or whatever it takes. So I'm very grateful for the
24 Water Department, Sewer Department, all of them.

25 **ALD. KLEINER:** Thank you.

1 **PRESIDENT RODRIGUES:** Anyone else? Thank you,
2 Jacob.

3 **JACOB TAWIL, DPW COMMISSIONER:** Thank you.

4 **PRESIDENT RODRIGUES:** City Clerk.

5 **RICHARD MCCORMACK, CITY CLERK:** Nothing this
6 evening.

7 **PRESIDENT RODRIGUES:** Any questions for Rick?
8 All right.

9 8. Public Hearings and Grievances.

10 (Nothing this evening.)

11 9. Petitions and Complaints

12 (Nothing this evening.)

13 10. Remarks of the Alderman.

14 **PRESIDENT RODRIGUES:** Remarks of Alderman.
15 Alderman Masi.

16 **ALD. MASI:** The Chief brought up the fact that
17 we'll be giving the police officer exam. We'll also,
18 Chief, be giving the bilingual police officer. And we
19 want as many people as possible to get involved in it.
20 As he said, the test will be given on April 9th and it
21 will be at Maple Hill Elementary School. But you'll get
22 that if you apply for it, you'll get it in a letter about
23 a week, week and a half ahead of time and they'll tell
24 you to be there around 8:00. The deadline to file that
25 application is March 7th at noon. We won't accept

1 anything after that.

2 Now, the State hasn't put out the scopes yet.
3 You can start filling out the application and then when
4 we put out the announcement, there will be scopes on it
5 and it will tell you what the minimum qualifications. So
6 be sure you meet the minimum qualifications before you
7 actually send in that \$40 and the application. I'm
8 hoping by the end of this week the State will get back to
9 us with the scopes and we'll put the announcement out as
10 soon as possible. But you really don't have to wait to
11 get it. You know that when the test is going to be, you
12 know what the deadline is. And we'll be repeating this
13 and it will be on our webpage.

14 Now, there is one difference with this exam
15 this year than we've ever had before. And it will be on
16 the application or, excuse me, on the announcement. But
17 I want people to be clear with this. If you took the
18 police officer or bilingual police officer exam this past
19 September anywhere in New York State, we did not give it,
20 so, obviously, you didn't take a Middletown one. But if
21 you took that exam anywhere in New York State, you can
22 apply for our test, submit the application, submit your
23 \$40. You will not be coming in to actually take the
24 test. You will be given the score that you obtained in
25 wherever, whatever municipality you took it in September.

1 So it, like I said, it will be on the announcement, but
2 that's something that's -- that hasn't been done before
3 and I want people to be aware. Just because -- if you
4 took it in September and you want to go down our list,
5 all you have to do is apply, send in the \$40 and we'll
6 integrate that score into the final scores.

7 Like I say, I'm hoping by the end of this week
8 the announcements will be on and you can actually
9 complete the application and send it in. But you know
10 the dates now. Good luck. And please tell everyone,
11 your friends, family that we are giving the exam. We
12 would like as many people to take it as possible. And
13 good luck.

14 **PRESIDENT RODRIGUES:** Alderman Witt.

15 **ALD. WITT:** Thank you very much. I just -- I
16 want to share something that the Recreation and Parks
17 Department is doing. Obviously, I was not on the Council
18 last summer, but it was my understanding that we had
19 serious staffing issues regarding lifeguards which
20 affected our ability to have our pools open. Please
21 correct me if I'm wrong on that. But there is a save the
22 date, the City of Middletown Recreation and Parks
23 Department will be offering a -- I just lost it, I'm
24 sorry -- full certification Red Cross Lifeguard class for
25 free to anyone who will contract to work the summer of

1 2022 for the Recreation and Parks Department. It will be
2 Saturday, March 12th and Saturday, March 19th at
3 Middletown High School. So for more registration -- more
4 information will follow or you can call 346-4180. So
5 that's certainly something to consider for people looking
6 for summer employment.

7 The second thing is prior to me taking office,
8 but after the election, I spoke with Alderman Masi about
9 the idea of having Ward meetings, constituent meetings
10 for the 1st Ward. And he had mentioned to me he was very
11 supportive of the idea. Had mentioned that he actually
12 had started them many years ago and they had attendance
13 had dwindled to the point where it wasn't worth really
14 having them anymore. So we're going to give it another
15 shot, a few years later. And I've already spoken with
16 Mr. McCormick. And I think -- and Mr. Masi also
17 recommended starting in March. So we're sort of waiting
18 to see what the world looks like, but we'll -- we'll get
19 back to you with more details. So, folks in the 1st
20 Ward, please consider joining us. I'd like to have them
21 here. It's -- it's a good thing and it gives you a
22 chance to -- get a chance to know your neighbors a
23 little bit, know us. And I did it for four years with
24 Gerry. And it was -- it was good. It wasn't just people
25 showing up complaining. I mean, it was a lot of good

1 discussion. And -- and people are entitled to complain,
2 don't get me wrong. But it was -- it was a very good
3 atmosphere and it was very positive. And I'm looking
4 forward to bringing that to the 1st Ward. So thank you
5 very much.

6 **ALD. GREEN:** Thank you very much. Yes,
7 speaking of board meetings, Alderman Kleiner and I will
8 be starting again in March. We decided with the -- with
9 the cold, the weather changes here and there and as well
10 as the current COVID numbers we'll skip February again.
11 But if you do, anyone in our Ward who has any concerns,
12 please feel free to reach out to us, we're always
13 available for you.

14 There is a forecast for some snow and ice. So,
15 again, please just be cautious when driving in that and
16 clear your sidewalks. Don't throw anything in the
17 street. We -- we went through all that with DPW
18 Commissioner, but it's important to reiterate because it
19 is a safety concern for everyone.

20 And, also, lastly, it is the lunar New Year.
21 And I know we have a few people who celebrate the Chinese
22 New Year in the City now. And just a happy Lunar New
23 Year to everything . Thank you.

24 **PRESIDENT RODRIGUES:** Alderman Kleiner.

25 **ALD. KLEINER:** Yeah, that was on the top of my

1 list was Happy Lunar New Year. It's the year 4720 on the
2 Lunar New Year calendar so. We do have a substantial
3 Asian community and that we wish them a happy, happy
4 celebration and a happy year.

5 And tomorrow is Groundhog Day again. I wish
6 you a happy Ground Hog Day.

7 **MALE SPEAKER:** (Inaudible) see his shadow.

8 **ALD. KLEINER:** I do believe there will be
9 shadows. And I don't need the groundhog to tell me we've
10 got a lot more winter left so.

11 COVID numbers, I think we were up to 886,000
12 deaths this year so far. I mean, you know, total in the
13 country, not this year, but since the beginning of the
14 pandemic. So it's -- I'm hearing some competition. So
15 it's something we still take very seriously. You know,
16 when you're stilling have 2,000 deaths a day, it's --
17 it's serious. And, hopefully, we're getting smarter
18 about it, most of us.

19 So I do have a lot of updates to ask about, you
20 know, the -- well, just I did ask about the O&W. We'll
21 have updates, I'm sure, on the courthouse and the psych
22 center and the farmers market. Heritage Trail we
23 mentioned. Amy's Kitchen and what's going on with -- I
24 know the Emporium is closing.

25 And then we have proposal Wednesday, be

1 tomorrow at the Planning Board for two new hotels on --
2 right off of James Kelly Way, so talking about that
3 intersection where down Wawayanda is looking to put in
4 for warehouses and a transfer station and God knows what
5 else. We'll be finding out, but I'm glad we're going to
6 have help in understanding just what they are doing so.
7 I'll also be asking about, again, Davidge Park and some
8 safe walking areas along Frank Shorter Way.

9 And we'll be looking forward to the Mayor's State of
10 the City. And, please tune in for that. Thank you.

11 **PRESIDENT RODRIGUES:** Alderman Ramkissoo.

12 **ALD. RAMKISSOON:** Good evening. Good evening.
13 Ward meetings, we -- our 3rd Ward had our meeting last
14 week. And it's -- Jacob made a good point about -- and
15 the Chief about overnight parking and parking during snow
16 because it was one of our main issues of the evening from
17 residents was their frustration with how that affects the
18 quality of their street with the plows. There was some
19 issues there. A car was parked, the plows had to go
20 around. Now, that person in front of their home it's a
21 disaster and they -- they have to clean it up themselves.
22 So it's just -- please be respectful of the men and women
23 who work to keep our streets clean and safe and do the
24 right thing and move those cars. If you want your
25 reminder, sign up for Nixle and you'll get your text

1 message to remind you to get your car off the street
2 because we're having snow. So here's your reminder for
3 this weekend, be prepared to not be on the street.

4 That being said, DPW, you do an amazing job of
5 keeping our streets clear, because the minute you leave
6 the City of Middletown, it's quite obvious that you have
7 left the City of Middletown. So, just a big shout out to
8 all those guys and the hard work that they do. And
9 that's all I have tonight. Thanks.

10 **PRESIDENT RODRIGUES:** Alderman Johnson.

11 **ALD. JOHNSON:** Thank you so much.

12 Mayor, I'm not sure how many cubic centimeters
13 constitute a big stink, but as soon as I find out I'll
14 get back to you. Thank you.

15 DPW, I think Middletown residents, as my
16 colleague has said, we are routinely treated to -- to
17 pavement when we wake up every morning, so thank you all
18 for doing that.

19 Ice rink moving along. Congratulations, we
20 appreciate it. If it comes to the Zamboni I volunteer to
21 drive it. Thank you.

22 O&W moving forward. Congratulations to all.

23 Heritage Trail, ribbon cutting, from your mouth
24 to God's ears, Legislator. It will be an exciting day
25 when it comes.

1 Dolson Town, Mr. Mayor, thanks for being ahead
2 of the curve on that.

3 And, lastly, most of you, if not all, have been
4 contacted by a resident of 3rd Ward who is asking us to
5 consider acknowledgment of a former director of senior
6 center/Mulberry House. I spoke with her yesterday. I
7 have been led to believe this will fall under the
8 auspices of my committee and I will schedule that
9 conversation in a timely manner. Thank you.

10 **PRESIDENT RODRIGUES:** Alderman Jean-Francois.

11 **ALD. JEAN-FRANCOIS:** Yes. Thank you. Good
12 evening. I have to say the City invests a lot of money
13 in all the capital project that we have going on. And I
14 had the opportunity with -- to visit all the capital
15 project with the Commissioner of DPW. And I really have
16 to say I got -- I've been very impressed with the
17 progress that's taken place. And it's a job well done.
18 You know, kudos to all the Department of DPW and you,
19 Commissioner. And -- and we see where our money is going
20 because we, you know, we spend a lot of money and you
21 guys are doing a great job.

22 And also, secondly, Chairman Joe Sierra, it's
23 good to see you because every time you come here you
24 always have good news for us. Thank you for the report
25 on the sales tax and also the Heritage Trails coming to

1 fruition. And -- and, again, thank you for all you do,
2 appreciate that.

3 DPW, job well done. You know, Street
4 Department, Sanitation Department, I mean, it's one thing
5 with the City of Middletown, when you get up in the
6 morning after a snowstorm, you're guarantee the street is
7 going to be clean. And that's what we've been doing for
8 many, many years. Thank you.

9 **PRESIDENT RODRIGUES:** Alderman Tobin.

10 **ALD. TOBIN:** Don't have much left after
11 everybody, but just kidding. I'd also like to thank
12 Legislator Sierra for the good news. I can't wait to get
13 on the rail trail. It seems like construction used to
14 halt in the winter, but now we're actually working
15 through it, so that's -- that's good news.

16 You know, I'd also thank the Mayor. The
17 testing is a very important part of combatting COVID.
18 And I'm glad that they've become more affordable and more
19 accessible.

20 And, Alderman Kleiner, I thought you'd mention
21 first day of Black History Month is today actually. And
22 I think Monhagen had a trivia night.

23 And that's it. I just look forward to the
24 State of the City and hearing about what's going on in --
25 for the future of the City. Can't wait. Thanks.

1 **PRESIDENT RODRIGUES:** New business.

2 12. New Business.

3 **COUNCIL CLERK:** Good evening. We have a
4 resolution sponsored by Alderman Tobin authorizing non-
5 contributory health plans for non-union City of
6 Middletown officers and employees.

7 **PRESIDENT RODRIGUES:** Resolution sponsored by
8 Alderman Tobin, seconded by Alderman Masi. Any
9 discussion? Roll.

10 Roll Call: Ayes: Tobin, Jean-Francois,
11 Johnson, Ramkissoo, Kleiner, Green, Witt, Masi,
12 President Rodrigues. Motion carried.

13 **COUNCIL CLERK:** We have a resolution sponsored
14 by Alderman Masi accepting a \$45,000 grant for the
15 Middletown Police Department.

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

19 Roll Call: Ayes: Tobin, Jean-Francois,
20 Johnson, Ramkissoo, Kleiner, Green, Witt, Masi,
21 President Rodrigues. Motion carries.

22 **COUNCIL CLERK:** We have a resolution sponsored
23 by Alderman Jean-Francois authorizing the Treasurer to
24 transfer \$128,563.78 from ARPA Funds into the Special
25 Items COVID costs.

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

4 Roll Call: Ayes: Tobin, Jean-Francois,
5 Johnson, Ramkissoo, Kleiner, Green, Witt, Masi,
6 President Rodrigues. Resolution carries.

7 **COUNCIL CLERK:** We have a resolution sponsored
8 by Alderman Witt authorizing a workers' compensation
9 settlement.

10 **PRESIDENT RODRIGUES:** Resolution sponsored by
11 Alderman Witt, seconded by Alderman Masi. Any
12 discussion? Roll.

13 Roll Call: Ayes: Tobin, Jean-Francois,
14 Johnson, Ramkissoo, Kleiner, Green, Witt, Masi,
15 President Rodrigues. Resolution carries.

16 **COUNCIL CLERK:** We have a resolution sponsored
17 by Alderman Kleiner to authorize the City Clerk's Office
18 to issue hunting and fishing licenses.

19 **PRESIDENT RODRIGUES:** Resolution sponsored by
20 Alderman Kleiner, seconded by Alderman Green. Any
21 discussion? Roll.

22 Roll Call: Ayes: Tobin, Jean-Francois,
23 Johnson, Ramkissoo, Kleiner, Green, Witt, Masi,
24 President Rodrigues. Resolution carries.

25 **COUNCIL CLERK:** We have a resolution sponsored

1 by Ramkissoon authorizing the Treasurer to transfer
2 \$1,331.12 in the Capital Improvement Budget for the East
3 Main to Orchard Pathway Project.

4 **PRESIDENT RODRIGUES:** Resolution sponsored by
5 Alderman Ramkissoon, seconded by Alderman Johnson. Any
6 discussion? Roll.

7 Roll Call: Ayes: Tobin, Jean-Francois,
8 Johnson, Ramkissoon, Kleiner, Green, Witt, Masi,
9 President Rodrigues. Carries.

10 **COUNCIL CLERK:** Resolution sponsored by
11 Alderman Green authorizing the Treasurer -- the Treasurer
12 to transfer \$4,300 in Capital Improvement Budget for the
13 Green Infrastructure Project.

14 **PRESIDENT RODRIGUES:** Resolution sponsored by
15 Alderman Green, seconded by Alderman Ramkissoon. Any
16 discussion? Roll.

17 Roll Call: Ayes: Tobin, Jean-Francois,
18 Johnson, Ramkissoon, Kleiner, Green, Witt, Masi,
19 President Rodrigues. Carries.

20 **COUNCIL CLERK:** Resolution sponsored by
21 Alderman Jean-Francois declaring two DPW vehicles as
22 surplus.

23 **PRESIDENT RODRIGUES:** Resolution sponsored by
24 Alderman Jean-Francois, seconded by Alderman Masi. Any
25 discussion?

1 Jacob, this is the -- the garbage truck?

2 **JACOB TAWIL, DPW SUPERVISOR:** Yes, that's the
3 garbage truck and the excavator, the wheel excavator both
4 of which have been replaced with the new vehicles.

5 **PRESIDENT RODRIGUES:** Thank you. Roll

6 Roll Call: Ayes: Tobin, Jean-Francois,
7 Johnson, Ramkissoo, Kleiner, Green, Witt, Masi,
8 President Rodrigues. Resolution carries.

9 **COUNCIL CLERK:** Resolution sponsored by
10 Alderman Masi authorizing the Treasurer to transfer
11 \$5,000 from ARPA funds into DPW contractual services.

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

15 Roll Call: Ayes: Tobin, Jean-Francois,
16 Johnson, Ramkissoo, Kleiner, Green, Witt, Masi,
17 President Rodrigues. Resolution carries.

18 **COUNCIL CLERK:** We have a resolution sponsored
19 by Alderman Tobin authorizing the Treasurer to transfer
20 \$25,000 from the General Fund for engineering work by CDM
21 Smith.

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

25 Roll Call: Ayes: Tobin, Jean-Francois,

1 Johnson, Ramkissoon, Kleiner, Green, Witt, Masi,
2 President Rodrigues. Resolution carries.

3 **COUNCIL CLERK:** Resolution sponsored by
4 Alderman Johnson creating a paralegal position to be
5 shared between the Office of Corporation Counsel, the
6 Police Department, and the Department of Public Works.

7 **PRESIDENT RODRIGUES:** Resolution sponsored by
8 Alderman Johnson, seconded by Alderman Ramkissoon. Any
9 discussion? Roll.

10 Roll Call: Ayes: Tobin, Jean-Francois,
11 Johnson, Ramkissoon, Kleiner, Green, Witt, Masi,
12 President Rodrigues. Resolution carries.

13 **COUNCIL CLERK:** Resolution sponsored by
14 Alderman Johnson establishing standard workdays for
15 elected and appointed officials.

16 **PRESIDENT RODRIGUES:** Resolution sponsored by
17 Alderman Johnson, seconded by Alderman Masi. Any
18 discussion? Roll.

19 Roll Call: Ayes: Tobin, Jean-Francois,
20 Johnson, Ramkissoon, Kleiner, Green, Witt, Masi,
21 President Rodrigues. Resolution carries.

22 13. Local Laws

23 **COUNCIL CLERK:** Local Law Number 1 of 2022, a local
24 law changing the notification requirements for special
25 meetings of the Common Council sponsored by Alderman

1 Johnson.

2 **PRESIDENT RODRIGUES:** Do I have a second?

3 **ALD. MASI:** You do.

4 **PRESIDENT RODRIGUES:** Alderman Masi. Any
5 discussion? Roll.

6 Roll Call: Ayes: Tobin, Jean-Francois,
7 Johnson, Ramkissoo, Kleiner, Green, Witt, Masi,
8 President Rodrigues. Local Law Number 1 passes

9 Local Law Number 2 of 2022 sponsored by
10 Alderman Johnson allowing delinquent water and sewer
11 charges to be relieved into real property tax bills.

12 **PRESIDENT RODRIGUES:** Resolution sponsored by
13 Alderman Johnson, seconded by Alderman Green. Any
14 discussion? Roll.

15 Roll Call: Ayes: Tobin, Jean-Francois,
16 Johnson, Ramkissoo, Kleiner, Green, Witt, Masi,
17 President Rodrigues. Carries.

18 14. Audit of Claims and Accounts

19 **PRESIDENT RODRIGUES:** Audit.

20 **ALD. MASI:** Mr. President, I move the accounts
21 be audited, the claims be adjusted, and the City
22 Treasurer be authorized to issue warrants for their
23 payment.

24 **PRESIDENT RODRIGUES:** Resolution sponsored by
25 Alderman Masi, seconded by Alderman Ramkissoo. Roll.

1 Roll Call: Ayes: Tobin, Jean-Francois,
2 Johnson, Ramkissoon, Kleiner, Green, Witt, Masi,
3 President Rodrigues; Carries.

4 15. Adjournment.

5 **PRESIDENT RODRIGUES:** Move for adjournment.

6 **ALDERMAN:** I'll move.

7 (PROCEEDING CONCLUDED)

8

9

10 CERTIFICATE

11 I, LISA KANE, certify the foregoing transcript of proceedings
12 of the February 1, 2022 Middletown City Council meeting was
13 prepared using the required electronic equipment and is a true
14 and accurate record of the proceedings.

15

16 Signature: *Lisa Kane*

17 Date: February 17, 2022

18 Agency: American Legal Transcription

19 11 Market Street, Suite 215

20 Poughkeepsie, New York 12601

21

22

23

24

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

THE FOLLOWING WAS PRESENTED

By Ald. Tobin

Sec'd by Ald. Masi

Date of Adoption 02.01.22

Index No: 31-22

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

WHEREAS, the Mayor is recommending that all full-time nonunion City of Middletown officers and employees be afforded noncontributory health plans.

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

Section 1. Chapter 90, Officers and Employees, of the Code of the City of Middletown is hereby amended by replacing Section 90-31, to read as follows:

Section 90-31. Health Plan.

A. The City agrees to provide the noncontributory-type statewide health program and agrees to pay the full cost for the employee and his/her dependents under the basic plan to all non-union City officers and employees. Those officers and employees selecting optional coverage available (GHI or HIP) shall pay the additional premium for such option. Those officers and employees who elect not to receive health insurance coverage shall be provided a cash payment in an amount determined in accordance with the provisions of the CSEA collective bargaining agreement, but in no event shall such payment exceed the City's cost of providing health insurance coverage.

B. Dental plan. The City agrees to contribute \$150 annually for each non-union officer and employee for a dental plan. Those employees selecting optional coverage that may be available shall pay the additional premium.

Section 2. Effective Date.

This Resolution and Ordinance shall take effect on January 1, 2022.

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Green

Date of Adoption 02.01.22

Index No: 32-22

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and accepts a grant in the amount of \$45,000 for the period of September 1, 2021 through March 31, 2022.

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to disburse the funds in the following manner:

Add \$20,000 to our established Orange County Youth Bureau Program budget line A.3120.525

Add the remaining \$25,000 to a second Orange County Youth Bureau line in order to provide the county with appropriate reporting for reimbursement purposes.

The purpose of this grant is to serve the youth of our community ages 14-20.

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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Johnson

Date of Adoption 02.01.22

Index No: 33-22

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the treasurer to transfer \$128,563.78 from ARPA Funds in the following manner:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
A.4785	\$125,326.89	A.1900.907
ARPA		Special Items. COVID Costs

For COVID related expenses from 2020 through present not reimbursable by FEMA

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
A.4785	\$3,236.89	A.1900.907
ARPA		Special Items. COVID Costs

For Donald Paris hours spent on ARPA related financial reporting from September of 2021 to January of 2022.

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

THE FOLLOWING WAS PRESENTED

By Ald. Witt

Sec'd by Ald. Masi

Date of Adoption 02.01.22

Index No: 34-22

NAMES AYES NOES ABSTAIN ABSENT

Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and accepts and authorizes the Mayor sign all related paperwork for a Worker's Compensation settlement for Michael Garetto in the amount of \$45,000 which represents a savings of \$74,000 over the life of the claim.

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

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner

Sec'd by Ald. Green

Date of Adoption 02.01.22

Index No: 35-22

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Office of the City Clerk to execute the New York State Department of Environmental Conservation's License Issuing Agent Agreement.

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment appointing Richard P. McCormack, City Clerk as the Licensing Issue Agent/Assistant Licensing Agent for the City of Middletown.

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

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoon

Sec'd by Ald. Johnson

Date of Adoption 02.01.22

Index No: 36-22

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$1,331.12 in the following manner to cover remaining costs for the East Main to Orchard Pathway Project.

FROM

H.0766.900

Industrial Park Infrastructure

AMOUNT

\$ 1,331.12

TO

H.0977.900

E. Main to Orchard Pathway

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

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Ramkissoon

Date of Adoption 02.01.22

Index No: 37-22

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$4300 in the following manner to cover remaining costs for the Green Infrastructure Project.

FROM

H.0766.900

Industrial Park Infrastructure

AMOUNT

\$ 4,300

TO

H.0944.900

Parking & Greenspace Imp.

Project costs are as follows:

Karen Arent for project Landscape Architect Inspections #3 – 5- \$3,950

Engineering & Surveying Properties for the Inspection of the backflow preventer- \$350

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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Masi

Date of Adoption 02.01.22

Index No: 38-22

NAMES AYES NOES ABSTAIN ABSENT

Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment declaring the following vehicles as surplus and authorizes the Commissioner of Public Works to dispose of them in the most advantageous way to the City.

1. 2005 Mack Garbage Truck (VIN# 1M2B225C65M005104) which has 107,287 miles
2. 2006 Hyundai Excavator (VIN# N60410541) which has already been replaced with a new excavator

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Green

Date of Adoption 02.01.22

Index No: 39-22

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$5000 from the General Fund into the Department of Public Works Contractual Services line, A.1490.400 to cover the cost of hiring Fellenzer Engineering for engineering services to perform a study of the HVAC system at the Mulberry House- Senior Center. The funds should be transferred in the following manner:

FROM
A.4785
ARPA

AMOUNT
\$5,000.00

TO
A.1490.400
DPW Contractual Services

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 an agreement with Fellenzer Engineering to perform a study of the HVAC system at the Mulberry House- Senior Center.

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

THE FOLLOWING WAS PRESENTED

By Ald. Tobin

Sec'd by Ald. Johnson

Date of Adoption 02.01.22

Index No: 40-22

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$25,000 from the General Fund for engineering work to assist the City in the review of the proposed Dolsontown Corridor Development, GEIS, as studies are prepared for the Town of Wawayanda Planning Board. The Generic Environmental Impact Statement is how the Town of Wawayanda Planning Board elected to evaluate the impacts of multiple proposed projects that include Waste Transfer Station and several warehouses/distribution facilities.

FROM	AMOUNT	TO
General Fund	\$25,000	A.1490.400
		Contractual Services

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 a proposal from CDM Smith for the above mentioned work.

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Ramkissoon

Date of Adoption 02.01.22

Index No: 42-22

NAMES AYES NOES ABSTAIN ABSENT

Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the creation of a paralegal position to work with the office of Corporation Counsel, Middletown Police Department and the Department of Public Works.

BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$41,000 from ARPA funds to the General Counsel Personal Services budget line to fund said position.

FROM	AMOUNT	TO
A.4785	\$41,000	A.1420.100
ARPA		Corporation Counsel. Personal Service

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Masi

Date of Adoption 02.01.22

Index No: 41-22

NAMES AYES NOES ABSTAIN ABSENT

Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

BE IT RESOLVED, that the City of Middletown, location code 20030 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Social Security Number (Last 4 Digits)	Registration Number	Standard Work Day (hrs/day)	Term Begins/Ends	Participates In Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)	Tier 1 (Check only if member is in Tier 1)	Not Submitted (Check box if No record of Activities Completed or Time keeping System)
Elected Officials									
Mayor	Joseph M. DeStefano	3289	36101137	8	1/1/22-12/31/25	N	26.36		
Alderman at Large	Joao Rodrigues	1736	39022629	6	1/1/22-12/31/25	N	8.98		
Alderman	Kate Ramkissoon	9140	50377282	6	1/1/22-12/31/23	N	9.15		
Alderman	Joseph Masi	9012	11676392	6	1/1/22-12/31/23	Y		X	
Alderman	Andrew Green	2910		6	1/1/22-12/31/23	N	4.35		

Alderman	Jude Jean-Francois	6171	60745379	6	1/1/22-12/31/23	N	5.06		
Appointed Officials									
Asst. Corp. Counsel	Richard Croughan	7768	43611342	6	1/01/2212/31/22	N	2.40		

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Masi

Date of Adoption 02.01.22

Index No: Local Law #1 of 2022

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

**A LOCAL LAW CHANGING THE NOTIFICATION REQUIREMENTS FOR
SPECIAL MEETINGS OF THE COMMON COUNCIL**

**BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF
MIDDLETOWN AS FOLLOWS:**

Section 1. Purpose of this Enactment.

The purpose of this enactment is to change the notification requirements for special meetings of the Middletown Common Council

Section 2. Section 23 of the Charter of the City of Middletown is hereby amended by replacing the first sentence of the second paragraph, to read in its entirety as follows:

The council shall appoint the time and place of its meetings, which shall be held regularly at least once in each month, and the mayor, president of the common council, or any three aldermen, may call special meetings, by notice in writing, via

email, text message and Nixle; the clerk of the council shall also notify each member by telephone.

Section 3. Effective Date.

This Local Law shall be effective upon filing with the Secretary of State.

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Green

Date of Adoption 02.01.22

Index No: Local Law #2 of 2022

NAMES AYES NOES ABSTAIN ABSENT

Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

**A LOCAL LAW ALLOWING DELINQUENT WATER AND SEWER CHARGES TO
BE RELEVIED INTO REAL PROPERTY TAX BILLS**

**BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF
MIDDLETOWN AS FOLLOWS:**

Section 1. Purpose of this Enactment.

The purpose of this enactment is to allow delinquent water and sewer charges to be re-levied into real property tax bills.

Section 2. Section 79 of the Charter of the City of Middletown is hereby amended to add a new Paragraph 3, to read in its entirety as follows:

Notwithstanding the provisions of Paragraph 1, above, in this Section, and notwithstanding any other provision in this Charter, any water or sewer charge not received by the Treasurer by its due date shall be considered delinquent, and shall

be levied, together with late-payment fees, into the general city property tax at the time of the next levy. Such amounts shall be indicated in a separate column on the tax roll issued against the subject real property. Such re-levied water and sewer liens shall be subject to the same penalties imposed for the nonpayment of City taxes, and shall be collected in the same manner as provided in this Charter for the collection and enforcement of delinquent property taxes.

Section 3. Severability.

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Local Law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law.

Section 4. Effective Date.

This Local Law shall be effective upon filing with the Secretary of State.

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 03.01.22

Index No: 47-22

NAMES	AYES	NOES	ABSTAIN	ABSENT
-------	------	------	---------	--------

Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Ramkissoon				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

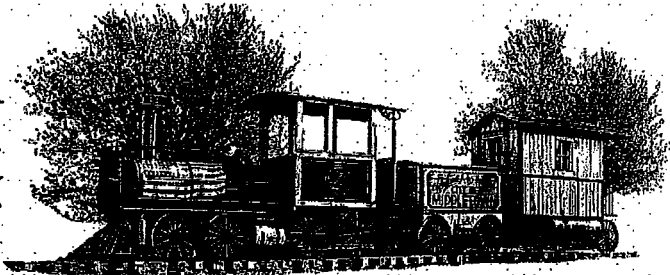
RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes Recreation & Parks Department to donate the following vehicle to the Middletown Police Department.

2005 Ford E-350 Van (Middletown Cares Bus) Vin # 1FDSE35P95HB26718

BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Middletown Police Department to acquire the above mentioned vehicle from the Recreation department to utilize for the Youth Leadership Academy, Juvenile Police Academy and other community events.

Middletown Recreation and Parks Department

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

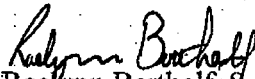


Wednesday, February 23, 2022

Dear Board of Estimates & Council Members:

The Recreation & Parks Department is requesting the authorization to donate their 2005 Ford E-350 Van (Middletown Cares Bus) Vin 1FDSE35P95HB26718 to the Middletown Police Department. We no longer utilize the van to transport youth. It was only utilized for equipment and supplies for special events. We have a great relationship with the Police Department and they will assist us with transporting equipment and supplies for events that we attend together.

Sincerely,

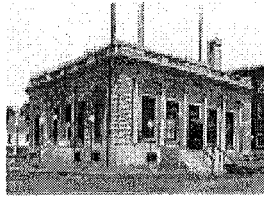

Raelynn Bertholf, Superintendent of Recreation
Middletown Recreation & Parks Department

RECEIVED

FEB 23 2022

City Clerk
City of Middletown

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

February 15, 2022 **RECEIVED**

Honorable Joseph M. DeStefano &
City of Middletown Common Council
Board of Estimate
16 James Street
Middletown, NY 10940

FEB 15 2022
City Clerk
City of Middletown

Dear Mayor DeStefano and Members of the Common Council:

Please accept this letter as a request to acquire the following vehicle from the Recreation department to utilize for the Youth Leadership Academy, Juvenile Police Academy and other community events. This vehicle no longer serve the needs of their department and the police department could greatly benefit from the use of this vehicle.

2005 F350 Van 1FDSR35P95hb26718

If you have any questions please do not hesitate to contact me.

Very truly yours,

John Ewanciw
Chief of Police

JE:ccd

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 03.01.22

Index No: 48-22

NAMES	AYES	NOES	ABSTAIN	ABSENT
-------	------	------	---------	--------

Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Ramkissoon				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the following change to the City of Middletown's investment policy section 65.7 Designation of Depositories:

- Remove JP Morgan Chase
- Remove Key Bank
- Update Maximum Deposit - TD Bank from \$18,000,000 to \$35,000,000
- Update Maximum Deposit – Orange Bank & Trust from \$12,500,000 to \$35,000,000



DEPARTMENT OF FINANCE City Of Middletown

Kelly A. Kelly
Treasurer

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

RECEIVED

Date: February 16, 2022

FEB 15 2022

To: The Board of Estimates

City Clerk
City of Middletown

From: Kelly Ann Kelly, Treasurer

I am requesting approval for the following change to the City of Middletown's investment policy section 65.7 Designation of Depositories:

- Remove JP Morgan Chase
- Remove Key Bank
- Update Maximum Deposit - TD Bank from \$18,000,000 to \$35,000,000
- Update Maximum Deposit – Orange Bank & Trust from \$12,500,000 to \$35,000,000

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 03.01.22

Index No: 49-22

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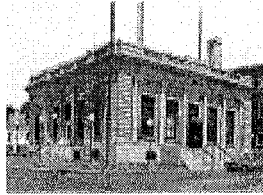
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Ramkissoon				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the following Middletown Police Department vehicles be declared as surplus property:

2014 Ford 1FAHP2MKXEG101153
2011 Ford 2FABP78BV5bx101163
2011 Ford 2FABP7BV7BX109247
2008 Ford 2FAHP71V88X159143
1986 GREEN HUMMER AM 000443

These vehicles are in disrepair needing work that would cost more than the value of the vehicles. They would be disposed of by utilizing a vehicle auction.

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

February 14, 2022

RECEIVED

FEB 15 2022

**City Clerk
City of Middletown**

Honorable Joseph M. DeStefano &
City of Middletown Common Council
16 James Street
Middletown, NY 10940

Dear Mayor DeStefano and Members of the Common Council:

Please accept this letter as my request to declare the following vehicles as surplus property:

2014 Ford 1FAHP2MKXEG101153
2011 Ford 2FABP78BV5bx101163
2011 Ford 2FABP7BV7BX109247
2008 Ford 2FAHP71V88X159143
1986 GREEN HUMMER AM 000443

These vehicles are in disrepair needing work that would cost more than the value of the vehicles. They would be disposed of by utilizing a vehicle auction.

If you have any questions please do not hesitate to contact me.

Very truly yours,

John Ewanciw
Chief of Police

JE:ccd

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 03.01.22

Index No: 50-22

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

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to renew the attached contract with CherryRoad Technologies Inc. for information technology support services for the City of Middletown for 2022 and authorize the Mayor to sign the attached contract.

AMENDMENT 6
To THE AGREEMENT BETWEEN
CITY OF MIDDLETOWN, NY AND
CHERRYROAD TECHNOLOGIES INC.

This Amendment ("Amendment") with an effective date of January 13, 2022, will amend the Agreement between CherryRoad Technologies Inc. ("CherryRoad") and the City of Middletown, NY ("City"), dated April 6, 2016 ("Agreement").

Whereas, the parties agree that it is necessary to modify the Agreement;

Now, therefore, in exchange for valuable consideration, the parties do hereby agree to amend the Agreement as follows:

1. The Agreement is hereby amended to include an updated Statement of Work, Exhibit D. Exhibit D shall be governed by the terms of the Agreement.
2. Except as specifically revised herein, all terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by their authorized representatives.

City of Middletown, NY

CherryRoad Technologies Inc.

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Title: _____

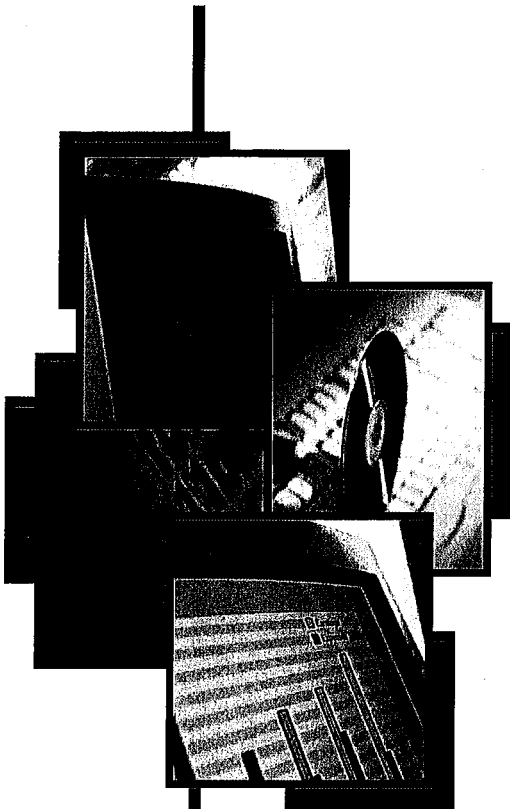
Date: _____

Date: _____

EXHIBIT D



CherryRoadSM
technologies



Statement of Work

Information Technology Support Services

City of Middletown

January 13, 2022

Executive Summary/Approach

The City of Middletown ("City") has requested that CherryRoad Technologies Inc. ("CherryRoad") provide support for their Information Technology ("IT") department to continue to support the implementation of the 2017 Strategic recommendations.

To accomplish these initiatives CherryRoad will staff a resource onsite at the City Monday through Friday, for all of 2022 along with providing additional support resources upon execution of this Statement of Work ("SOW"). In addition, CherryRoad will assign a Service Delivery Manager who will provide oversight to ensure the initiatives are progressing for the City.

This SOW is based upon CherryRoad's understanding of the City's requirements and approval of the Strategic recommendations included in the Section- Scope of Services of this SOW.

Scope of Services

The table below represents a subset of the IT initiatives from the City's IT Strategic Plan for 2022.

Item #	Initiative	Initiative Description	Cost	Monthly Cost
1	VmWare	Maintain Vmware at correct patch level	\$ 12,300.00	\$ 1,025.00
2	Disaster Recovery	Implement Disaster Recovery as a Service	\$ 13,500.00	\$ 1,125.00
3	Monitoring	Server and Network Monitoring from CRT Datacenter	\$ 12,000.00	\$ 1,000.00
4	IT Support	Continued onsite support	\$151,200.00	\$ 12,600.00
5	IT Support	Help Desk	\$ 18,000.00	\$ 1,500.00
		Totals	\$207,000.00	\$ 17,250.00
		Contingency 20%	\$ 41,400.00	
		Budgeted Total	\$248,400.00	

Line item 4, Continued onsite support, and any other active initiatives will continue to be billed on a monthly basis beginning January 2022, and is subject to renewal annually. Billing for any pending initiatives will start once the implementation of the initiative begins. Contingency monies can only be utilized upon approval from the City.

As part of the above services, CherryRoad will manage the efforts for the following initiatives:

Initiative	Description
Desktops	Replace Desktops on a rotating 5-year plan
Server Upgrades	Perform server migrations with vendors.

Project Roles and Responsibilities

CherryRoad

Service Delivery Manager

The Service Delivery Manager ("SDM") is an experienced manager who has worked and managed IT departments. The SDM's role is to provide advice, counsel, and direction to our IT Specialist. It is this individual's responsibility to:

- Assist in identifying current policies, procedures, and workflows to implement.

- Work with the City to develop the 2022 IT Plan.
- Monitor support activities and monthly status reports.

IT Specialist

The IT Specialist will provide general IT support to all departments and employees at the City. Their responsibilities include but are not limited to:

- Support and Manage VMware servers that support approximately 20 VM's.
- Support Windows 2016 and 2019 servers.
- Support Linux VM.
- Support multiple installations of MS SQL Server.
- Support Oracle DB.
- Set up and support ISPs and Ubiquity wireless networks.
- Manage Sonic Wall firewall units.
- Manage SSL VPN for remote access.
- Manage network switches.
- Set up and manage backup systems/ vendors.
- Support Active Directory and DNS operations.
- Support Office365 hosted email.
- Provide desktop support.

Assumptions

Project Dependencies

- The monthly charge is based on information provided by the City via interviews with key City resources. Should any new requirements or clarification/change of requirements occur during the engagement, CherryRoad and the City will work towards a solution. This may include the use of City resources and/or additional costs.
- The City will provide management and oversight of CherryRoad's Service Delivery Manager and IT Specialist.
- CherryRoad will ensure that any resources having access to police related systems will meet the necessary Criminal Justice Information Services related criteria.

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 03.01.22

Index No: 51-22

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

RESOLVED; that the Common Council of the City of Middletown approves the following 2022 Spring Cleanup Week schedule:

CLEAN UP SCHEDULE

Second Ward – April 25, 2022

(Set out Sunday evening, April 24, 2022)

First Ward – May 2, 2022

(Set out Sunday evening, May 1, 2022)

Fourth Ward – May 9, 2022

(Set out Sunday evening, May 8, 2022)

Third Ward – May 16, 2022

(Set out Sunday evening, May 15, 2022)

*Electronic Drop Off Day has been designated for City residents only on Saturday May 28, 2022 from 8:00AM until 3:00PM located at the DPW recycling center (76 Monhagen Ave.)

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: February 10, 2022
To: Honorable Mayor DeStefano, Honorable Members of the Board
of Estimate and Apportionment, Members of the Common Council,
Kelly A. Kelly, Treasurer, Richard McCormack, Clerk
From: Jacob Tawil, Commissioner of Public Works
Re : 2022 Spring Annual Clean Up Week and Electronics Drop Off Event

We are respectfully requesting a resolution approving the attached dates for the City's annual spring clean-up and electronic drop off event.

Spring Clean Up will begin on Monday April 25, 2022 in the Second Ward and will end the week of May 16, 2022 in the Third Ward. The pickup schedule is attached.

Following the Spring Clean Up, an Electronics Drop Off Event for City residents will be scheduled for Saturday May 28, 2022 from 8:00am until 3:00pm, under the same conditions as per previous years with drop off to be located at DPW facilities at 76 Monhagen Ave. DPW employees will be present to assist in the operation. We are requesting authorization that the Commissioner of Public Works be able to hire Advanced Recycling of Port Jervis at a price of \$1,800 per day for picking up the electronic recycling.

RECEIVED

FEB 23 2022

**City Clerk
City of Middletown**

2022 CITY OF MIDDLETOWN SPRING ANNUAL CLEAN UP WEEK

Bulk Trash Pick-up for all single and two family homes

We will pick up no more than 12 items.

Once trash is picked up on your street, trucks **WILL NOT** return.

ONLY 12 ITEMS will be picked up.

The City will remove additional items and a bill will be issued for the work required.

Only 4 tires off-rims per house will be picked up.

NO ADDITIONAL NOTIFICATION WILL BE GIVEN PRIOR TO PICKUP.

An item is a single large item, couch, chair, etc., or box of smaller items. The material must be placed on the curb and separate from the household garbage since different crews pick up garbage.

We **will not pick up** stone, dirt, car parts, construction debris, or hazardous waste including **TVs, computer monitors, computer towers, and batteries**. New York State law prohibits any resident from placing any electronic device on the curb or sidewalk for pickup.

Please visit www.middletown-ny.com for locations where you can dispose of your electronics. Appliances must have the doors removed to protect the City's children. Refrigerators shall be freon free prior to placement on the curb for pickup.

VIOLATORS OF THESE DIRECTIVES MAY BE PROSECUTED IN CITY COURT.

CLEAN UP SCHEDULE

Second Ward – April 25, 2022

(Set out Sunday evening, April 24, 2022)

First Ward – May 2, 2022

(Set out Sunday evening, May 1, 2022)

Fourth Ward – May 9, 2022

(Set out Sunday evening, May 8, 2022)

Third Ward – May 16, 2022

(Set out Sunday evening, May 15, 2022)

***Electronic Drop Off Day has been designated for City residents only on
Saturday May 28, 2022 from 8:00AM until 3:00PM located at the DPW
recycling center
(76 Monhagen Ave.)**

If you are unsure as to which Ward you reside you can check the map on our website or call DPW at 343-3169 for determination.

Joseph M. DeStefano
Mayor

J. Miguel Rodrigues
Alderman-at-Large

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

Ross Mastria
Deputy Commissioner

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 03.01.22

Index No: 52-22

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

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment and approves an agreement with Young Explosives Fireworks Exhibition and authorizes the Mayor to sign the 2022 agreement.

The 2022 fireworks display will be held on Saturday, July 2, 2022 at Fancher Davidge Park.
This item is a budgeted item.

Upon consultation with our corporation counsel Mr. Smith this service is deemed as a professional service.

RECEIVED

FEB 23 2022

CITY OF MIDDLETOWN
Office of Economic & Community Development

City Clerk
City of Middletown

February 24, 2022

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

RE: 2022 Fireworks Display

Dear Members:

I am requesting the approval of Young Explosives Fireworks Exhibition agreement and to authorize the Mayor to sign the 2022 agreement.

The 2022 fireworks display will be held on Saturday, July 2, 2022 at Fancher Davidge Park. This item is a budgeted item.

Upon consultation with our corporation counsel Mr. Smith this service is deemed as a professional service.

Thank you for your attention to this matter.

Maria Bruni, Director
Economic & Community Development

YOUNG EXPLOSIVES CORPORATION
Fireworks Exhibition Agreement

This agreement made this _____ day of March, 20 22 by and between Young Explosives Corporation of Rochester, NY, hereafter designated **Young**, and

City of Middletown, New York

16 James Street

Middletown, NY 10940

hereafter designated the **customer**, providing for the sale of and an exhibition of fireworks to be located at

Fancher-Davidge Park 158-170 Lake Ave. Middletown, NY

on the date of Saturday July 2, 20 22 in a location to be designated by the customer and approved by Young.

The parties hereto mutually agree, one with the other, as follows:

1. Guaranteed Exhibition of Fireworks

Young agrees to furnish an exhibition of fireworks substantially in accordance with the program submitted and that it shall be of first quality and properly made. Young shall supply a sufficient number of technicians to execute the display in a safe and artistic manner. Young guarantees that the display will be performed to any specifications outlined in this contract or in any approved addendums.

2. Spectator Control

The customer agrees to furnish sufficient protection, by either barricades, rope lines, or other dividers, at all points from the discharge area to prevent and keep spectators from entering the area and agrees to furnish ample police protection to Young's property and for the assembly, firing and dismantling of the exhibition without interference from the public. The customer shall defend, indemnify and hold Young harmless for any liability because of the customer's negligent breach of this Section 2.

3. Permits

The customer agrees to procure and pay for all necessary permits and licenses which may be required by the municipal authorities. Young will apply for and obtain necessary permits and licenses on behalf of the customer if noted on page 2 of the contract or if notified by written notice from the customer. In that event, customer will pay in advance to Young the amount needed to pay for the permits and licenses. Permit and licensing fees are non-refundable unless refunded by the licensing authority. Customer assumes the responsibility for seeking a refund when applicable.

4. Insurance

- a) Young agrees to procure liability insurance for \$ 2,000,000.00 coverage and zero deductibility on behalf of the customer. The insurance cost is included in the payable sum shown on this agreement.
- b) Young will provide Workers' Compensation and Disability for the fireworks technicians.

5. Postponement or Cancellation

- a) Young agrees that in the event of rain or inclement weather, a reasonable postponement may be made with **no extra charge**.
- b) If the customer cancels the exhibition, Young reserves the right to bill the customer for travel expenses incurred, labor performed, and for the cost of the insurance.
- c) If the customer cancels the exhibition before Young's technicians have been dispatched to the site, there will be **no charge**. However, customer is responsible for the actual expenses incurred by Young for special work and for nonrefundable fees outlined in this contract. Young may retain from any deposit or invoice the customer the amount necessary to reimburse it for expenses incurred on behalf of the customer when applicable.

6. Terms of Payment

- a) Check box that applies: ☐ Young requires no down payment. ☒ Young requires a down payment of \$ 13,200.00, due by DAY OF SHOW 20 22. If the exhibition is canceled the deposit will be refunded, less the expenses for which Young is entitled to reimbursement under Paragraph 5 above.
- b) The customer agrees to pay Young, or his agent, the total sum of 13,200.00 Dollars for an exhibition of fireworks, which will include fireworks, insurance and technicians and expenses incurred by Young, forthwith at the end of said exhibition.
- c) In the event of customer's failure to pay when due all sums due Young under this contract, Young shall be entitled to collect from customer its reasonable cost of collection, including interest and reasonable attorney's fees.

7. Counterpart Execution; Electronic Signatures

This Agreement may be executed in any number of counterparts with the same effect as if all the Parties had signed the same document. All counterparts shall be construed together and shall constitute one agreement. Facsimile and electronic signatures shall be deemed original signatures for all purposes of this Agreement.

Total sum 13,200.00 Dollars

Young Explosives Corp.
Display Fireworks

(800) 747-1781
(585) 394-1783
(585) 396-2663 Fax
P.O. Box 18653
Rochester, NY 14618

YoungExplosives.com

E-Mail: fireworks@youngexplosives.com

The parties sign below:

Young Explosives Corp.

Robert A. Kesel

(Print Name)

Customer Signature

(Print Customer Name)

Executive Sales Director

Title

Title

8. Headings

Section and other headings contained in this Agreement are for reference purposes only and are not intended to describe, interpret, define or limit the scope, extent or intent of this Agreement or any provision hereof.

9. Entire Agreement

This Agreement for the fireworks Display constitutes the entire agreement between the Parties with respect to the subject matter here, of and there are no other understandings, whether oral or written, regarding the subject matter hereof.

Customer Contact Name(s)

Maria Bruni

Send Invoice to:

☒ Address on front OR ☐ Name/Address below

Additional Contact Name/Information

Theron Adkins Fire Inspector

Telephone (with Area Code)

Work: 845-346-4170

Fax: 845-343-2009

Home:

Cell: 845-344-7515

Email: mbruni@middletown-ny.com

Work: 845-346-4111

Fax: 845-343-4014

Home:

Cell: 845-741-6116

Email: tadkins@middletown-ny.com

Insurance Information: Please list all parties to be listed as additional insured. Young will extend coverage to the entities listed below as additional insured. **Customer is responsible for providing all information needed for full insurance coverage.**

Town of Middletown, NY

City of Middletown, NY

Customer Requests

Time of show: DARK ☐ AM ☒ PM

List special requests, such as ground pieces, shells, finale, quantity or time requirements. List any other special requests such as salutes at certain times (i.e., if the show is a surprise for someone), etc.

Send all permit info to Theron Adkins <tadkins@middletown-ny.com>

Permits

☒ Customer to apply for the Permit(s) and provide Young with a copy 14 days prior to event

☐ Young to apply for the Permit(s) on your behalf:

Customer to pay the amount of \$ _____. Includes permit cost and fees. (Permit costs subject to change by the municipality)

☐ ADD the above permit costs to the show price on the front of the contract.

☒ INCLUDE the above permit costs in the show price on the front of the contract.

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 03.01.22

Index No: 53-22

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

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment and approved the Mayor's request for \$100,000 to be allocated from the ARPA funds to the Recreation Department for the purchase of Recreation Equipment.

FROM
A.4785
ARPA

AMOUNT
\$100,000

TO
A.7020.200
Recr. Other Equip

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. XXXXXXXXXXXX

Date of Adoption 03.01.22

Index No: Local Law # 3 of 2022

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

LOCAL LAW #3 OF 2022

**A LOCAL LAW UPDATING THE NOTICE PROVISIONS IN THE ENFORCEMENT
OF DELINQUENT PROPERTY TAXES**

**BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF
MIDDLETOWN AS FOLLOWS:**

Section 1. Purpose of this Enactment.

The purpose of this enactment is to update the notice provisions in the City Charter provisions for enforcement of delinquent property taxes.

Section 2. Section 81 of the Charter of the City of Middletown, Sale of unpaid tax liens, is hereby amended to replace Paragraph 2 thereof, to read in its entirety as follows:

2. **Notice of sale.** A printed notice of the time and place of the sale containing a description of the property encumbered by the lien to be sold shall be posted in Middletown City Hall at least thirty (30) days before the date fixed for the sale. A copy of the notice shall be served at least thirty (30) days before the date fixed for the sale by

personal delivery or by registered or certified mail, return receipt requested, and by regular mail upon the property owner and any mortgagee, lessee, lienholder or assignee of either whose mortgage, lease, lien or assignment shall have been previously recorded in the Office of the Clerk of the County of Orange. A copy of the notice shall be published once per week for three (3) successive weeks in the official newspaper of the City, the last such notice being published at least seven (7) days prior to the date fixed for the sale. An omission to give any notice required herein, or the defacing or removal of a posted notice, does not affect the title of a purchaser without notice of the omission or offense.

Section 3. Section 81-a of the Charter of the City of Middletown, Bulk sales for unpaid tax liens, is hereby amended to replace Paragraph 8 thereof, to read in its entirety as follows:

8. Notice of bulk sale. A printed notice of the time and place of the sale containing a description of the property to be sold shall be posted in Middletown City Hall at least thirty (30) days before the date fixed for the sale. A copy of the notice shall be served at least thirty (30) days before the date fixed for the sale by personal delivery or by registered or certified mail, return receipt requested, and by regular mail upon the property owner and any mortgagee, lessee, lienholder or assignee of either whose mortgage, lease, lien or assignment shall have been previously recorded in the Office of the Clerk of the County of Orange. A copy of the notice shall be published once per week for three (3) successive weeks in the official newspaper of the City, the last such notice being published at least seven (7) days prior to the date fixed for the sale. An omission to give any notice required herein, or the defacing or removal of a posted notice, does not affect the title of a purchaser without notice of the omission or offense.

Section 4. Section 83 of the Charter of the City of Middletown, Redemption, is hereby amended to replace Paragraph 2 thereof, to read in its entirety as follows:

2. Real property subject to a delinquent tax lien may be redeemed by payment to the Treasurer, on or before the expiration of the redemption period, of the amount paid by the purchaser of the lien or liens, and all other sums which the purchaser may have paid for taxes or assessments on said real estate; together with the interest thereon from the time such payments were made, at the rate of fifteen per centum a year, and the actual and necessary expenses the purchaser or City may have incurred in the service of the notices provided for in this title; and on such payments being made the title acquired by such sale shall cease. Any person having any right, title or interest in, or lien upon, any such property may redeem such property in the manner provided herein. In case such payment is made by the owner of said real estate, then, and in that event, all mortgages, judgments, decrees or claims which were a lien on said real estate at the time the tax or assessment for which the sale has been made, became a lien thereon, shall be and remain liens upon said real estate, anything hereinbefore contained to the contrary

notwithstanding. Upon such payment being made by any such person so entitled to redeem any real estate, the sale of the lien so redeemed, and the certificates of such sale shall be null and void, and the person so redeeming shall be entitled to have such certificate canceled of record.

Section 5. Section 93 of the Charter of the City of Middletown, Conveyance of title, is hereby amended to read in its entirety as follows:

§ 93. Conveyance of title.

1. No owner whose deed, or in case he or she holds such property by descent or device, the deed of his or her ancestor or devisor, shall have been duly recorded in the office of the clerk of the County of Orange, before the sale of any lien for any tax or assessment, and no mortgagee, lessee, lienholder or assignee of either, whose mortgage, lease, lien or assignment shall have been so recorded, shall be divested of all rights in such property, by reason of an unpaid lien or tax sale conducted pursuant to this title, unless ninety (90) days notice in writing of such conveyance, shall have been given by the City or the purchaser of the lien or those claiming under him or her, to such owner, mortgagee, lessee or assignee, by depositing such notice in the post office of said City, by certified mail return receipt requested and by regular mail, directed to the owner, mortgagee, or lessee or assignee at his or her place of residence as stated in the deed, lease, mortgage or assignment of such mortgage or lease, and, in the case of an owner, directed to any address of such owner on file in the Office of the Assessor.

2. In addition to the written notice provided for herein, any property to be conveyed pursuant to this title must be posted with notice of such conveyance no later than thirty (30) days prior to such conveyance.

3. In the event that notice as required herein is not sent to any of the persons herein mentioned entitled to such notice, in such event the time within which any such person or those claiming under him or her may redeem such property is extended to within three (3) years from the lien date. In case of failure to redeem within said three years from the lien date, the sale and conveyance thereof shall become absolute and all persons barred forever.

4. Upon expiration of the redemption period and completion of the procedures required herein, and upon execution by the City of a deed to a tax-delinquent parcel to the City or to a qualifying purchaser of an unpaid tax lien, the City or qualified purchaser shall be seized of an estate in fee simple absolute in such parcel and all persons, including the State, infants, incompetents, absentees and non-residents, except as specifically exempted by law, who may otherwise have had any right, title, interest, claim, lien, or equity of redemption in or upon such parcel shall be barred and forever foreclosed of any such right, title, interest, claim, lien or equity of redemption, and the City or qualified

purchaser may hold such parcel for itself or sell or release such parcel as provided by law.

5. Sale to previous owner. After conveyance of title as provided herein, the City or qualified purchaser may convey the subject parcel to the previous owner. Such a conveyance shall restore all parties, including owners, mortgagees and any and all lienors, receivers and administrators and encumbrancers, to the status they held at the time the City or qualified purchaser acquired title to the subject parcel, as if the title had never been conveyed, and shall render the subject parcel liable for all taxes, deficiencies, management fees and liens, penalties, interest, and other charges which had accrued prior to the conveyance of title and which continued to accrue after the conveyance of title.

6. Conveyance prohibited to certain City officials, officers and employees. No City of Middletown elected official, nor any officer or employee in the Offices of the Assessor, Corporation Counsel, or Treasurer may bid for or acquire or purchase any parcel of real property which is offered for sale by the City in any manner as a result of the tax delinquency of such parcel. This prohibition shall include a prohibition against such City officials, officers or employees bidding upon or acquiring or purchasing such properties directly or through an agent, representative, attorney or other third party, including but not limited to a spouse or child. It shall be presumptive proof of a violation of this Section if such City official, officer or employee shall have acquired any interest whatsoever, including but not limited to the holding of a mortgage, lien or other financial interest, in any such property, howsoever acquired, either directly or through any third parties, within two (2) years of the date upon which such property was sold or conveyed by the City of Middletown. This provision may be enforced by disciplinary action or by an appropriate action at law or in equity in the Supreme Court of the State of New York.

Section 6. Severability.

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Local Law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law.

Section 7. Effective Date.

This Local Law shall be effective upon filing with the Secretary of State.