Common Council Meeting
City Of Middletown
March 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. Sparrow Tobin
Ald. Jude Jean-Francois
Ald. Andrew Green
Ald. Kevin Witt
Ald. Joseph Masi

Digitally Recorded Proceeding, transcribed by:
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1. Pledge of Allegiance

PRESIDENT RODRIGUES: Roll.

2. Roll Call

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

3. Approval of Minutes.

PRESIDENT RODRIGUES: Approval of minutes.

RICHARD MCCORMACK, COUNCIL CLERK: We have the minutes from February 1st, 2022.

ALD. MASI: So moved.

PRESIDENT RODRIGUES: Alderman Masi, seconded by Alderman Witt. All in favor?

COUNCIL MEMBERS: Aye.

4. Correspondence, Communications and Reports

PRESIDENT RODRIGUES: Correspondence.

RICHARD MCCORMACK, COUNCIL CLERK: None this evening.

5. For the Good of the City

PRESIDENT RODRIGUES: For the Good of the City. Anyone would like to address the Council, please step forward. Is there anybody on line?

FEMALE SPEAKER: Not at this time.

6. Remarks of the Mayor.

JOSEPH DESTEFANO, MAYOR: Nothing this evening.

7. Remarks of Department Heads

PRESIDENT RODRIGUES: Okay. Department Heads, Economic Development.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Good evening, everyone. This evening we had a Community Development Agency meeting to approve our audit and reports to submit to the state. And also we're moving on our next project at 149A Wisner Avenue, approval of the bid for the rehab.

Also, on the agenda you will find a resolution authorizing the agreement with Youngs Explosives for our fireworks celebration I believe is July 2nd. I look forward to your support on that.

And this Sunday at the Paramount Theatre live the Red Hot Chili Pipers, not Peppers, Pipers. It's the sensational world renowned bagpipe rock band. So it's going to be a cool show and we're looking forward to jumpstarting our concert season.

And that's all I have for this evening.

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

PRESIDENT RODRIGUES: DPW Commissioner

JACOB TAWIL, DPW COMMISSIONER: Good evening,

all. Alderman Masi, the reservoirs are at 99.5 percent full. I neglected to report that last time.

ALD. MASI: Could you get that other 5?

JACOB TAWIL, DPW COMMISSIONER: What's that?

ALD. MASI: Could we get that other half percent?

JACOB TAWIL, DPW COMMISSIONER: We'll get it.

ALD. MASI: Thank you.

JACOB TAWIL, DPW COMMISSIONER: We'll get it very soon. We'll get it very soon. And so we're in very good shape, obviously, our reservoirs.

Reminder please for the public and, and everyone, if you see any potholes, we keep sending out Nixle messages and put messages on the social media, report them to DPW. Don't assume that we know about them and eventually we'll come over there. This is the season for potholes. You see -- you see them all over the place because of the freeze and full cycle that we go through. Water will get trapped under the asphalt, goes through the cracks. It's going to expand when it freezes. It pops the asphalt and -- and we'll end up with a big or small pothole. So please report it to us.

And at this time, so everybody knows, we're going down to New Jersey to truck in hot asphalt because our plants in here are closed because of the weather/

Obviously, they close over the winter, so we go as close as possible to our area down to New Jersey to pick up asphalt. So the day after tomorrow we're going to be bringing asphalt again. And we brought asphalt last week just before the storm, the ice storm. So that's what we do because the cold patch is not going to last. It's just an emergency repair. So we go and invest the time to go down to New Jersey to bring the hot asphalt in here. And this way the repair will last longer. So please call us at 343-3169.

Tonight before the Common Council is a request for resolution to authorize spring cleanup. And I did go over the dates last meeting. So, you know, hopefully we'll get their support. I'm sure that we will get their support because they're always asking for it.

And also there's an electronic drop off date as well as been established hopefully as part of the resolution. If not, I can mention what that date is. Rick, if you know if it's part of the resolution the electronic drop?

RICK: Yeah.

JACOB TAWIL, DPW COMMISSIONER: It is. Thank you very much. So that's part of the resolution. So once the Mayor signs them tomorrow it will be on the website and it

will be the official date for spring cleanup and electronics drop off at DPW garage.

Reminder, again, when we had this ice storm we finished about Friday, late Friday afternoon. And people had the weekend to shovel their sidewalks. And, so, please make sure that you do shovel your sidewalks. And so please make sure that you do shovel your sidewalks and clean it because the City, again, they have their own responsibility to shovel their own, their own sidewalks, the city-owned sidewalks and parking lots and so on and so forth.

So last storm it was our guys they started about 10:30 at night. They continued to work and then the following day -- until the following day about 3, 3:00. So give us a break, please. You know, help us out by cleaning your own sidewalks.

Most importantly is the curb cuts, the corner properties in there where people have to cross across the street. So make sure that there's no dam in there of ice or snow, so they can continue walking on the sidewalk safely rather than going into the street. We appreciate that very much.

So far we made the note of -- our code enforcement made the note of about 400, approximately 400 properties that they have not complied with shoveling their

curbs and sidewalks between yesterday and today. So we'll be getting there. You'll be charged. The repeat offenders, you will be taken to court for additional fines. And -- and that's what -- that's what's going to happen, so please help us out.

And today we had or preconstruction meeting with DOT, the local projects and our consultant WSP and the contractor, Boyce, for the $26.5 million construction project for upgrading our signalized intersections. Every signalized intersection except for one in the City of the Middletown would be upgraded with pedestrian crossing. We've been talking about this for years. It's been through the pipe. I'm not going to bore you with the details. We'll be -- we'll be seeing it more and more. Once we have the phasing of -- of the intersections, we will post them on the website, so everybody is aware of them and you can plan accordingly. We don't expect to kill the traffic completely from any one location. So there's going to be some detours. There's going to be one-way traffic, but you'll be able to move around in the City of Middletown. We will be posting that phasing plan on our website once it's ready. We're going back and forth with the contractor right now.

With that, I will conclude my remarks. Mr.

Council President, if you have any questions for me.

PRESIDENT RODRIGUES: Any questions for Jacob? Alderman Masi.

ALD. MASI: Jacob, I want to commend you and your department. I know I contacted you about several downtown properties and residential properties that weren't shoveled. And it's a shame. People, you do have a responsibility. And you have a responsibility, your neighbors too, so that you've got to shovel your sidewalks to let people pass. And I want to thank you for your guys taking care of it. And I'm hoping when you bring them to court that the judge gives them the severest penalty they can especially the repeat offenders. And I know there are several repeat offenders, I turn them in every storm. So thank you, guys.

JACOB TAWIL, DPW COMMISSIONER: Yeah, well, thank you for -- that brings another. Like, Alderman Masi, you know, I appreciate that very much. You know, some people think it's -- we get annoyed when we get these referrals about this sidewalk is not shoveled. It's not really. It's very important for us especially at the major intersections around the schools, around these areas. I know we have our code enforcement officers are going scanning the city. But it will help when you notice,

especially the Alderman or the public, if you notice some critical location in there, around the schools, at busy intersections like the Armory. We just -- we just cleaned it today, the Armory. We gave them to Monday to clean it, they did not clean the Armory, so we went there and they're going to get nice bill from us and they might be taken to court as well. And we do that at different, you know, different places in there. Again, the whole idea is not to put the people's life in danger by pushing them into the street, allow them continuous walking by open up -- opening up the -- the curb at the corner lots, so they can continue walking across -- across the street. Thank you, again.

PRESIDENT RODRIGUES: Jacob, you said bill and probably take them to court?

JACOB TAWIL, DPW COMMISSIONER: The repeat offenders, yes, sir. Yes, that's what we are planning on. We're going to bill, I mean, shovel. Again, the trouble is the limited personnel in there, that's the trouble, the limited personnel. Everybody is busy. So we go do what we can. We have to shovel our own sidewalks before we start issuing violations. But the critical locations, we jump on them before -- before we even take care of our own sidewalks like the sidewalk on Lake Avenue that we own or sidewalk on Sterling Street. That will be, you know, Lake

Avenue it should be a priority. Sterling may not be as much priority because another sidewalk is available across the street. But we will focus on, like, attacking the armory, all these places in there that have failed to do it.

PRESIDENT RODRIGUES: So if we're doing it, aren't they in violation?

JACOB TAWIL, DPW COMMISSIONER: What's that?

PRESIDENT RODRIGUES: The snowstorm happened on Friday. We went Saturday it's 24 hours, then Sunday and on Monday --

JACOB TAWIL, DPW COMMISSIONER: Monday.

PRESIDENT RODRIGUES: -- and today Tuesday --

JACOB TAWIL, DPW COMMISSIONER: Yep.

PRESIDENT RODRIGUES: -- we do it.

JACOB TAWIL, DPW COMMISSIONER: No, no, we've been doing it Monday. We started Monday. We even shoveled --

PRESIDENT RODRIGUES: Okay. So that's past the 24 hours --

JACOB TAWIL, DPW COMMISSIONER: Right.

PRESIDENT RODRIGUES: -- and they're in violation.

JACOB TAWIL, DPW COMMISSIONER: Well, they are in

violation, yeah, but --

PRESIDENT RODRIGUES: Why don't we do it, bill them and also take them to court for --

JACOB TAWIL, DPW COMMISSIONER: Yes, once we -- yes, once we're able to get to it, yes. But what you are suggesting, I guess, is you have all these people in there. You know, why don't you take them to court immediately and that's something we can do, yes, you're absolutely right.

PRESIDENT RODRIGUES: I sat here for 18 years and I hear this over and over and over, every year, CVS, everybody heard it, right? They would rather pay us $250 the fine and we do their sidewalk.

JACOB TAWIL, DPW COMMISSIONER: Not anymore.

PRESIDENT RODRIGUES: I know.

JACOB TAWIL, DPW COMMISSIONER: Not -- not after we upped it.

PRESIDENT RODRIGUES: After we had to change the rules to get them to comply.

JACOB TAWIL, DPW COMMISSIONER: Exactly. And that's what it is.

PRESIDENT RODRIGUES: Every year we still see people --

JACOB TAWIL, DPW COMMISSIONER: Yep.

PRESIDENT RODRIGUES: -- week after the snowstorm

3 feet of snow on their sidewalk and we have kids walking on the street.

JACOB TAWIL, DPW COMMISSIONER: Yes. And when you notice something like you report it to me, we make it a priority in there. When you say, hey, guys, this is a critical location, we make a priority to go after. Alderman Masi does the same. Several of you guys do the same. The Mayor he does the same all the time when he's driving. He calls, Jacob, this place, this place. And we go take them. We set our properties, we set them on backburner temporally. We go address these critical locations, then we go back. Point is we need the public cooperation. Can't do it. Public cooperation, you know, otherwise that's -- that's a very good suggestion in there which is maybe, you know, if you guys want, you know, we can talk about it off -- offline and maybe we can just all these violators we'll take them to court. We've got 400, we got 400 names.

PRESIDENT RODRIGUES: And we all know they'll get a $50, $60 fine from our judges, that's what they give or $75 the most and we're -- they're back to the same spot.

JACOB TAWIL, DPW COMMISSIONER: To be honest with you, Alderman -- Council President, if -- it's -- it's bad enough when you drag somebody tell them, hey, you've got to

come to court. That means you're not going to work, you're going to miss that day. Your -- your whole day --

PRESIDENT RODRIGUES: Let's do it. Let's do it. All right. It's not fair for the kids walking down the street on Wisner Avenue and Wickham because they can't get down. I do it. Now, I got a business downtown. I know I have to get there on Friday night and shovel and then here comes the street and then do it again and I have to go back out and shovel. Saturday morning, guess what I was doing, breaking up ice. I did it. Shoveled again. You have to take care of it. They're not responsible.

JACOB TAWIL, DPW COMMISSIONER: Absolutely. Absolutely, I agree.

PRESIDENT RODRIGUES: Bring them to court.

Anything else? Thank you, Jacob.

JACOB TAWIL, DPW COMMISSIONER: Thank you, sir.

PRESIDENT RODRIGUES: City Treasurer.

KELLY ANN KELLY, CITY TREASURER: Good evening. There is a resolution tonight asking for a change on the City's investment policy. We needed to remove some banks that we no longer use and we needed to up the limits on the two of the banks that we currently are banking with. And that's all I have.

PRESIDENT RODRIGUES: Any question for Kelly?

Thank you, Kelly.

PRESIDENT RODRIGUES: Police Chief.

JOHN EWANCIW, POLICE CHIEF: Good evening, Council. Just a few things this evening. Just a reminder, the police exam is coming up. It is April 9th. Kind of keep repeating this. We're trying to put it out to the community the best we can. This comes around about every four years is typically the time that it, that it reoccurs.

Applications are due by March 7th. Tomorrow evening right here in the Council chambers from 5 to 7, that would be March 2nd, we're doing a question and answer session for anybody that may want to take the exam or want knowledge about the exam or the process and be able to help people possibly fill out applications or guide them.

And then we partnered with a company to conduct a cram course which would be March 27th via Zoom and that's all done through a private entity.

Just a couple other things. Overnight parking is still in effect through March 15th. I just want to remind the members of the public. Please do your due diligence and remove your vehicles from the street.

And, lastly, I just want to go back and revisit a topic that I know the Mayor spoke about during the State of the City. But on February 20th we had an act of violence

that took a young member of our community's life, a senseless act of violence. And it's becoming more and more common, not so much here, but in and around our community. And the more we look into things, we find that there's stuff that leads up to them that's pretty obvious to family members, friends, and colleagues and nobody reaches out for help.

So I know a few months ago I kind of said the same sediment that we, as a community, we have to look out after our neighbors, our friends, our family. We have to speak up. We have to be the leaders in this community. I ask the members of the public, please, when you see something, when you hear something, when you hear of something that could turn out bad or in violence, please reach out and get some help. Maybe you're not comfortable with the police department. We're working hard to change that perception and give people a sense of trust. But there's somebody that someone trust that they can go out and look for help. But stuff like this ripples through a community, changes people's lives forever. And we would like to do everything that we can to partner with community members, partner with whomever and be there to help people to prevent these incidents from happening again in the future.

So I again ask the members of the community to do your due diligence. And it takes a village, it takes a village to, you know, look after each other, so let's do our part please.

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

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

JOHN EWANCIW, POLICE CHIEF: Thank you.

PRESIDENT RODRIGUES: Recreation.

NICOLE DESTEFANO, RECREATION PROGRAM COORDINATOR: Good evening, everyone. Tonight we are requesting a resolution to be passed by the Council for the Recreation Department to donate the Middletown (inaudible) bus to Middletown PD. And I have nothing else to report on.

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

City Clerk.

RICHARD MCCORMACK, CITY CLERK: Nothing this evening.

PRESIDENT RODRIGUES: Any questions? All right.

8. Public Hearings and Grievances.

(None this evening.)

9. Petitions and Complaints

(None this evening.)

10. Remarks of the Alderman.

PRESIDENT RODRIGUES: Remarks of the Committees [sic]. Alderman Tobin.

ALD. TOBIN: Nothing this evening.

PRESIDENT RODRIGUES: Alderman Jean-Francois.

ALD. JEAN-FRANCOIS: Yes. It's pretty disturbing we have to tell folks to clean their own sidewalk. And just think about, just because you don't want to do it for yourself, think about the elderly people, it could be your mom, your -- your grandfather, your grandmother, and even a handicapped person that's walking around this area, you know. And just, you know, to me I find it very disturbing and it's something that should be done about that for sure. Thank you.

PRESIDENT RODRIGUES: Alderman Johnson.

ALD. JOHNSON: Thank you. Chief's remarks well stated. Thank you very much. Nothing else this evening.

PRESIDENT RODRIGUES: Alderman Ramkissoon:

ALD. RAMKISSOON: I just wanted to briefly thank the Mayor for the State of the City last week. It was really a good speech and it's always nice to hear how we're doing. And I just wanted to thank our leadership, Mayor, Council President, for your vision for the City and how you

always guide us in the right direction. And it's the hard work and dedication of everyone who works for the City that is the reason why that speech is chock full of all our improvements and accomplishments. And the great things that we're doing here. And that's all I have.

PRESIDENT RODRIGUES: Alderman Kleiner.

ALD. KLEINER: Thank you. In two weeks, March 14th, we will -- Alderman Green and I will have our 2nd Ward constituents meeting right here in council chambers. That's at 7 p.m. We skipped the two coldest months when the numbers were high.

And I also want to thank the Mayor for the State of the City. And it's amazing to listen to everything that's going on. I have my list of questions about a lot of things. I'm still going to wait until the next meeting when the Mayor gives his remarks to bring them up.

And the State of the Union is tonight at, I believe, 9 p.m. And the state of the world, golly, it's tough. And I know the invasion of Ukraine is not a local issue, but it is a local issue. It's everyone's issue and when that war is going on and lives are being lost. So anything -- anything we can do to support Ukraine, I'm -- I'm for it. Thank you.

PRESIDENT RODRIGUES: Alderman Green.

ALD. GREEN: Thank you. I think I want to echo everything that Alderman Kleiner just said. The State of -- State of the City was great. It's always a wonderful thing to see, you know, everything that's coming, everything that's happened all laid out in one address. So it's really nice to see that. Well done, Mayor. Thank you very much for sharing that.

We look forward to the State of the Union tonight.

I hope to see everyone at our 2nd Ward meeting on the 14th here in the council chambers.

And, as well, I just, you know, want to put out my thoughts and -- and prayers and concern over the Ukraine situation and, you know, just really hope for a little bit of healing in this world. I think a lot of people would right now give -- give anything to have their biggest problem be shoveling their sidewalk. So I think you need to be a little thankful for the things that are our problems that -- that some people have a lot worse going on in the world so. Thank you very much.

PRESIDENT RODRIGUES: Alderman Witt.

ALD. WITT: Thank you very much. Well, we would like to -- Alderman Masi and I would like to share that next Wednesday, March 9th we're going to have a 1st Ward

constituents meeting here in the council chambers from 6 until 7. We hope to see folks from the 1st Ward to come out. And during that time, we're also going to be giving away COVID tests if anybody needs them. We have that through the City. The Mayor got that going for us and we're going to take advantage of that for anyone who still feels the need. Certainly, if you -- if you need one now, you can reach out to myself or Alderman Masi and we'll be happy to help you with that.

I -- I want to echo everyone's sentiments on the State of the City. It, you know, everybody -- if you're watching this, you probably pay attention to what's going on pretty much. A lot of people don't and I would certainly recommend people taking the time and watching the video of that. Because, really, you know, rather than speculate, rather than guess, rather than go by what you think is going to happen or not, I mean, the Mayor sat there and talked to us for a little more than an hour. And it was great and it was a great report.

So that's all I got. Thank you very much.

PRESIDENT RODRIGUES: Alderman Masi.

ALD. MASI: First I'd like to thank Alderman Witt for taking the bull by the horn and getting things going with constituent meetings and the handout of the COVID

test.

Second, I'm hoping that everyone will condemn Russia, their government, and boycott any products if you come in contact with them. And, obviously, our prayers go out to the Ukraine people.

And on a lighter note, I guess it's an advertisement. But Saturday March 12th, Middletown Kiwanis is having another pancake breakfast. And anyone that needs tickets I have them or just come up to the high school from 7 to noon. And it's our 67th annual Kiwanis pancake breakfast. Thank you.

PRESIDENT RODRIGUES: Thank you.

11. Unfinished Business.

(None this evening.)

12. New Business.

PRESIDENT RODRIGUES: New Business.

RICHARD MCCORMACK, COUNCIL CLERK: We have a Resolution sponsored by Alderman Witt authorizing a vehicle transfer from the Department of Parks and Recreation to the police department.

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

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

Ramkissoon, Kleiner, Green, Witt, Masi, President Rodrigues. Resolution carries.

RICHARD MCCORMACK, COUNCIL CLERK: We have a Resolution sponsored by Alderman Masi authorizing a change to the City's investment policy.

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

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

RICHARD MCCORMACK, COUNCIL CLERK: Resolution by Alderman Tobin declaring a police department vehicle as surplus.

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

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

RICHARD MCCORMACK, COUNCIL CLERK: Resolution sponsored by Alderman Green authorizing a contract renewal with the CherryRoad Technologies, Inc.

PRESIDENT RODRIGUES: A Resolution sponsored by Alderman Green, seconded by Alderman Jean-Francois. Any

discussion? Roll.

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

RICHARD MCCORMACK, COUNCIL CLERK: Resolution sponsored by Alderman Kleiner adopting the spring 2022 spring cleanup week schedule.

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

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

RICHARD MCCORMACK, COUNCIL CLERK: Resolution sponsored by Alderman Johnson authorizing an agreement with Young Explosive Fireworks Exhibition.

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

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

RICHARD MCCORMACK, COUNCIL CLERK: Resolution sponsored by Alderman Witt authorizing a transfer of

$100,000 from the AARPA Fund to the Department of Parks and Recreation.

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

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

RICHARD MCCORMACK, COUNCIL CLERK: We have a -- 13. Local Law

PRESIDENT RODRIGUES: Local law.

RICHARD MCCORMACK, COUNCIL CLERK: Local law sponsored by Alderman Masi updating the notice provisions in their enforcement of delinquent property taxes.

PRESIDENT RODRIGUES: That's first reading?

RICHARD MCCORMACK, COUNCIL CLERK: That's correct.

PRESIDENT RODRIGUES: Okay.

14. Audit of Claims and Accounts

ALD. MASI: Mr. President, I move the accounts be audited, the claims be adjusted and the City Treasure be authorized to issue warrants for their payment.

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

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

15. Adjournment

PRESIDENT RODRIGUES: Move for adjournment.

ALDERMAN: So moved.

PRESIDENT RODRIGUES: So moved.

(PROCEEDING CONCLUDED)

CERTIFICATE

I, LISA KANE, certify the foregoing transcript of proceedings prior to New Business of the March 1, 2022 Middletown City Council meeting was prepared using the required electronic equipment and is a true and accurate record of the proceedings.

Signature: *LISA KANE*

Date: March 17, 2022

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

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Witt

Sec'd by Ald. Green

Date of Adoption 03.01.22

Index No: 47-22

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 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.

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Johnson

Date of Adoption 03.01.22

Index No: 48-22

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 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.Tobin

Sec'd by Ald. Ramkissoon

Date of Adoption 03.01.22

Index No: 49-22

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 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.

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Jean Francois

Date of Adoption 03.01.22

Index No: 50-22

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 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.

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner

Sec'd by Ald. Tobin

Date of Adoption 03.01.22

Index No: 51-22

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 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.)

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 03.01.22

Index No: 52-22

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 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.

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 03.01.22

Index No: 53-22

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 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	**AMOUNT**	**TO**
A.4785 ARPA	$100,000	A.7020.200 Recr. Other Equip

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. XXXXXXXXXXX

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.