



COMMON COUNCIL MEETING
CITY OF MIDDLETOWN
February 18, 2025 Minutes
City Hall
16 James Street
Middletown, New York 10940

J. Miguel Rodrigues, President

Ald. Jude Jean-Francois

Ald. Andrew Green

Ald. Paul Johnson

Ald. Gerald Kleiner

Ald. Sparrow Tobin

Ald. Kevin Witt

Ald. Kate Wray

Ald. Joseph Masi

ALSO PRESENT:

Richard McCormack, City Clerk

Joseph M. DeStefano, Mayor

ALL: -- of America, and to the
republic for which it stands, one nation under
God, indivisible with liberty and justice for
all.

PRESIDENT J. MIGUEL RODRIGUES: Roll.

CLERK RICHARD MCCORMACK: Alderman
Tobin?

ALDERMAN SPARROW TOBIN: Here.

CLERK RICHARD MCCORMACK: Alderman
Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Here.

CLERK RICHARD MCCORMACK: Alderman
Johnson?

ALDERMAN PAUL JOHNSON: Here.

CLERK RICHARD MCCORMACK: Alderwoman
Wray?

ALDERWOMAN KATE WRAY: Here.

CLERK RICHARD MCCORMACK: Alderman
Kleiner?

ALDERMAN GERALD KLEINER: Present.

CLERK RICHARD MCCORMACK: Alderman
Green?

ALDERMAN ANDREW GREEN: Here.

CLERK RICHARD MCCORMACK: Alderman
Witt?

ALDERMAN KEVIN WITT: Here.

CLERK RICHARD MCCORMACK: Oh. Alderman
Masi?

ALDERMAN JOSEPH MASI: Here.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Here.

CLERK RICHARD MCCORMACK: Quorum is
present.

PRESIDENT J. MIGUEL RODRIGUES:
Approval of minutes?

ALDERMAN JOSEPH MASI: So move.

ALDERMAN PAUL JOHNSON: Second.

PRESIDENT J. MIGUEL RODRIGUES: We have
a motion for February 4th and January 21st by Mr.
Masi. Seconded by Alderman Johnson. Any
discussion? All in favor?

ALL: Aye.

PRESIDENT J. MIGUEL RODRIGUES:
Correspondence?

CLERK RICHARD MCCORMACK: Yes. We have
a request for a subdivision lot line change for
20 1/2-30 Low Avenue and then 20 1/2-30 Low
Avenue in the rear. And a subdivision request
for a lot line change at 15 Mercer and 16 Warren.

PRESIDENT J. MIGUEL RODRIGUES: Forward to the committee.

CLERK RICHARD MCCORMACK: Thank you. That's it for this evening.

PRESIDENT J. MIGUEL RODRIGUES: For the good of the city? Do we have --

CLERK RICHARD MCCORMACK: We have one -- oh, I'm sorry.

PRESIDENT J. MIGUEL RODRIGUES: Go ahead.

CLERK RICHARD MCCORMACK: We have one speaker this evening, Susan Depew.

SUSAN DEPEW: Hi. Good evening. I haven't gotten up and spoken about anything in a long time, but I'm concerned about the traffic issue on Prospect Street where I live. And my suggestion would be to do something that's not permanent, to do it on a trial basis. And one of the thoughts that I had was if you're going to maybe propose having traffic go one direction at the lowest part of Prospect, that you do it in one direction for one month maybe and then the other direction in another month. That may be too confusing, but I would not do a permanent thing until you find out if it really works.

That's just my thoughts.

PRESIDENT J. MIGUEL RODRIGUES: Okay.

SUSAN DEPEW: Thanks.

PRESIDENT J. MIGUEL RODRIGUES: Thank
you.

CLERK RICHARD MCCORMACK: That's it for
public comment.

PRESIDENT J. MIGUEL RODRIGUES: Okay.
Remarks of department heads. Economic
Development?

DIRECTOR MARIA BRUNI: Good evening,
everyone. Just to update on our community
development agency housing rehab program
homeownership. We do have someone in contract
for 84 Linden. We're moving along with
Washington Street. That's coming along very
nicely and that hopefully we'll have a buyer soon
for that as well.

This Friday we have a ribbon cutting at
Resto Pa'm on Academy Avenue. It's 107 Academy
Avenue. It's a new Haitian restaurant, and it's
at 4:00 this Friday. Join us for the ribbon
cutting. Also, Saturday at the Paramount Theater
we have the SUNY Orange Community Orchestra at
7:30. Come in and enjoy that wonderful program

on Saturday. And that's all I have for this evening if anyone has any questions.

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

ALDERWOMAN GERALD KLEINER: Thank you. We have a resolution on the agenda appointing Dr. Johnson/Alderman Johnson to the Local Development Corporation.

DIRECTOR MARIA BRUNI: Yes.

ALDERWOMAN GERALD KLEINER: I don't know what that is. I know what the ADA is. I know what your office is. I know what the IDA is. I don't know the Local Development Corporation. Could you just --

DIRECTOR MARIA BRUNI: They -- the Local Development Corporation is a public authorities corporation just like the IDA and the CDA. So the LDC, Local Development Corporation, has been set up for the O&W station for the historic and new market tax credit programs. So we have to initiate an LDC for that.

ALDERWOMAN GERALD KLEINER: Okay. Have we done that yet, or --

DIRECTOR MARIA BRUNI: That's what we're doing now.

ALDERWOMAN GERALD KLEINER: Okay.

DIRECTOR MARIA BRUNI: So we have the bylaws and all that now. We're getting ready to form the board and start the meetings.

ALDERWOMAN GERALD KLEINER: Okay.

Thank you.

DIRECTOR MARIA BRUNI: That's it.

Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Thank you. DPW commissioner.

COMMISSIONER JACOB TAWIL: Good afternoon, all. We'll start off with the reservoirs. We're at 92 percent. Still we have unusual dry weather. Precipitation just for comparison, in January this year we only had .9 of an inch, less than one inch.

Our average in January over the years is 2.84 inches. So we're short about two inches in deficit for the month of January. Still our reservoirs are good and we are ready to pump from our supplemental water sources when we have to. We're in good shape.

Before you tonight, there's a resolution for spring cleanup. If you approve it, it will -- we will start on March 24th with

the First Ward, March 31st would be the Fourth Ward, April 7th would be Third Ward, and April 14th would be the second ward. And for electronics drop-off will be May 24th. And that's for computers, monitors, printers. So please do not put them out during the spring clean up week. Do not put them out during the spring clean up week. Wait until the May 24th. Then you can drop them off free of charge.

If you have any air conditioner or anything that has Freon gas in there, they will be a charge of \$25. Not for us, for the company that picks it up. Anything with Freon gas. That's the cost for disposal. Otherwise everything else is for free. You will have a brochure in there on our website telling you exactly like we do every year what is allowed, what's not allowed, how many items, and so on, and so forth.

We urge everyone -- should the council approve it again tonight, we urge everyone not to put out their junk outside their house until the weekend before the week that your ward is due for pickup. You can call us if you don't know where you are at DPW 343-3169 and we can tell you when

your ward is and when you can put it out for -- put out your junk for pickup by city DPW.

The other thing is city court construction is moving along very well, and we're very happy with the progress so far. There's minimal issues came up with the construction. Some minor plumbing issues and unforeseen gas lines within the walls that we did not know where they were before. But that is minor stuff.

Also, we opened the bids with the Board of Estimate for the garage, the parking garage across from the Paramount Theater. Basically, it's Washington at the lower end of Washington parking lot and that will extend the South and Washington Parking lot. We'll build a parking deck there so you'll be able to park either under it or on top of it.

And the bids came a little bit somewhat high, so we're doing -- not -- I wouldn't say that, but it's four and a half million dollars basically. And we're doing value engineering right now to see what we can do to cut the cost down. So we're going to be meeting with the engineers hopefully this Friday. And then if we have to, we'll have a conversation with the

contractor as well the first -- the lowest two bidders to see what we can do to trim down the cost.

But we did bid it with the cast-in-place concrete or pre-cast concrete so that we'll have all the options available for us. Today we met with Orange and Rockland regarding rerouting many of the power lines in that area in there, and we are working on that with Orange and Rockland.

And my last comment for this evening is obviously the Street Department did a tremendous job with the -- you know, working way over 24 hours non-stop to keep our streets safe from the snow and ice that took place over the weekend. And again, remind our residents to please keep your cars off the road and just work with us.

And you know, the police department cannot be everywhere to take the cars or tow them away. We cannot be everywhere. Well, our guys will have to drive, but they got their hands full driving a huge truck in there, size of this room, by the time he puts the wing plow and the front plow.

So the point I'm trying to make is if

you see some cars parked in there causing obstructions, you can call the police department at night. Whatever it is. You don't have to give your name. You just give the address, the location, and that's it. And that will help us. That will help the police department out.

I don't mean to speak for the chief. He's going to be able to speak for himself, but it's a problem for us, those cars, that remain on the street during the snow event. So please helps us out.

Now, another phenomenon that Alderman Green reminded me of today is because of the deep freeze that we're having right now and the full cycle, freeze and thaw cycle, many places where you have hill sides, sloped front yard to the street, you will have lots of icing taking place in the street. We're not telling you to do anything about it, just call us so that we can send our street department to deal with it and salt it, and we'll pay attention to it.

This is a natural phenomenon. It will happen because you have a steep sloping front yard in there. When the sun hits it, it's going to start melting a little bit. And then at night

it's going to freeze, and the next day it's going to build on it. So it's going to keep creeping towards the middle of the road. So let us know where it is. You know, we don't know. We've got 230 land miles of roads in the city of Middletown. Let us know where it is. Give us a call. 343-3169 and our street department will be more than happy to come out and address it.

The last comment I will make is Walter Welsh. Walter Welsh, he retired as our building inspector. Walter Welsh, he was really, honestly -- he was most professional and friendly and a gentleman that I've ever worked with. He's always very pleasant. He's always anxious to help his fellow workers, other code enforcement officers, the other staff and DPW, and the public.

Whenever you call them, they'll come out, try to lead you by the hand, whether you want to put a fence, whether you want to put a deck, he'll try to help you out as much as possible. Whenever I call them over the weekend, over holidays, at night, midnight, any emergencies he's always there. He never complained.

You know, he never tried to muscle for a couple of hours overtime here or there. He represented us on the planning board and ZBA for years. Walter will be really missed. He's a gentleman, again, and I appreciate all his service for the city of Middletown, and I wish him the very best, and he deserves a very enjoyable retirement, I hope. And I wish him the best, and I thank him very much.

PRESIDENT J. MIGUEL RODRIGUES: Thank you.

COMMISSIONER JACOB TAWIL: Any questions?

PRESIDENT J. MIGUEL RODRIGUES:
Alderman Johnson?

ALDERMAN PAUL JOHNSON: Commissioner, I know he wanted you to have something to do tomorrow, so I've had three communications with respect to ice. There's a resident on Wawayanda who is very aware when Classic Hosiery doesn't clean the sidewalk.

There's a resident on Allen and Pine who is concerned about the hill and wanted to know what is our policy on pre-salting the roads. And the ice flow that Andrew is speaking of is on

12 Lincoln. That's been an annual recurring conversation. The resident feels that some change in the drainage, obviously not at the moment, would rectify it. So I'll give you the details tomorrow, but I just wanted you to --

COMMISSIONER JACOB TAWIL: Yeah. No. Absolutely.

ALDERMAN PAUL JOHNSON: Yeah.

COMMISSIONER JACOB TAWIL: That for some reason, Wawayanda Avenue, that property, they clear half of their sidewalk, then they leave the other half.

ALDERMAN PAUL JOHNSON: This resident notices that almost immediately.

COMMISSIONER JACOB TAWIL: Yeah, I know. And we will deal with it. And --

PRESIDENT J. MIGUEL RODRIGUES:
Highland Avenue, Saint Theresa's.

ALDERWOMAN KATE WRAY: And The Record as well.

PRESIDENT J. MIGUEL RODRIGUES: Same owner.

ALDERWOMAN KATE WRAY: (Indiscernible).

PRESIDENT J. MIGUEL RODRIGUES: That's the same owner.

COMMISSIONER JACOB TAWIL: They did half of it, and the council president, he called me over the weekend as well. Not over the weekend. It was Sunday -- Monday.

PRESIDENT J. MIGUEL RODRIGUES: Monday.

ALDERMAN PAUL JOHNSON: (Indiscernible) about Wawayanda?

COMMISSIONER JACOB TAWIL: Sunday and Monday.

PRESIDENT J. MIGUEL RODRIGUES: It was all over. It was like East Main, Monhagen, West Main --

ALDERMAN PAUL JOHNSON: It's hard.

PRESIDENT J. MIGUEL RODRIGUES: -- Highland Avenue. I mean, it's a lot of businesses.

COMMISSIONER JACOB TAWIL: Yeah. And we aware all over. It's -- what happens is we have our own properties to take care of and then we utilize our people in the Street Department and Parks and Recs to go and shovel and use their machines, and we will pay -- we will charge -- we will bill all these people.

ALDERMAN PAUL JOHNSON: And not to defend anybody, but it was obviously very weird

weather.

COMMISSIONER JACOB TAWIL: Yes.

ALDERMAN PAUL JOHNSON: And now you're trying to shovel ice.

COMMISSIONER JACOB TAWIL: Yeah. If you're --

ALDERMAN PAUL JOHNSON: If you didn't --

COMMISSIONER JACOB TAWIL: Exactly. If you didn't get it right -- if you did not get to it right away, it's going to happen. By the way, that house on Lincoln Terrace, I remember visiting that site and looking at a catch basin --

ALDERMAN PAUL JOHNSON: It's annual.

COMMISSIONER JACOB TAWIL: Yeah. I'm looking at a -- it's -- they didn't call for a catch basin then. I'll be happy to go again and look at it. I remember --

ALDERMAN PAUL JOHNSON: All right. Maybe this year.

COMMISSIONER JACOB TAWIL: I remember going at it and going there and visiting it, evaluating it. But again, that's a regular occurrence when you have steep front yard, and

then the drainage has to go someplace, and then it's going to freeze after the thaw period. And then the next day it's going to build on it. And so if we don't treat it, if we don't know about it -- today I was talking to my guys. We'll have -- you know, we just want people to call us and we'll be happy to go there and address it.

ALDERMAN PAUL JOHNSON: Yeah, I have the same problem with my office. I've got the freeze-thaw. It looked good. Now two hours later it's not good, and then it looks good. You've got keep salting --

COMMISSIONER JACOB TAWIL: Right.

ALDERMAN PAUL JOHNSON: -- and it's frustrating.

COMMISSIONER JACOB TAWIL: Yeah. And then the street, you know, that's our job. We don't expect our residents to pay the penalty for that. We'll be happy to go and address because the street has to remain safe. So we'll be happy to go and address it. We just need to know where it is because we can't just be there --

ALDERMAN PAUL JOHNSON: 12 Lincoln.
thank you.

COMMISSIONER JACOB TAWIL: Yes, sir.

PRESIDENT J. MIGUEL RODRIGUES:

(Indiscernible) --

ALDERMAN PAUL JOHNSON: Your kind and courteous attention.

PRESIDENT J. MIGUEL RODRIGUES: Police chief.

CHIEF JOHN EWANCIW: Good evening. To continue with the comments that Jacob made in regards to parking, first and foremost, I'd like to recognize his staff. They allow all of us the comforts of staying warm and inside and driving safe. And they allow emergency services to get everywhere. And they're out in the wee hours of the night, the cold weather, and it doesn't just end after the storm. They're out every day cleaning up. So great job to your staff, Jacob, for doing a great job.

In regards to winter parking, once again, we don't want to issue tickets, but if there's -- there's a purpose for it. We want to make sure that the streets are able to get cleaned, that we're able to get services to where they need to be, and that we make it safe for people to commute. So we'll be out there issuing when the winter weather warnings go out.

As a reminder, the summons now, the tickets are \$100. We did that -- you did that so that we can get some additional compliance. So again, we don't want to do it, but it's just part of the process. And if everybody followed along, it would be better for all of us.

This past Thursday, Lieutenant Patrick Cunningham left our organization to enter the next chapter of his life. He retired after 20 years of service. For those that don't know, Lieutenant Patrick Cunningham, born and raised here in Middletown, grew up in Middletown, lived in Middletown. Lived and breathed Middletown.

So I wish him the best in the next chapters of his life, but he will definitely be missed and he was a great asset to the organization and to the community.

Last thing I have is we have a police officer exam that will be offered this year. The text will be on May 3rd. Again, police officer exam May 3rd. It's been four years since we gave the exam. Applications are out now so people can get through civil service, through our website, and then the applications must be returned to civil service by March 31st by 12:00 in the

afternoon. 12 noon they need to be in the hands of Mr. Masi's office.

So we welcome people to come out and take it. We encourage our residents and anybody else that would like to take it. We do have some openings, so it's a good time to take it, and I wish everybody luck with that. Other than that, I have nothing unless you have questions.

PRESIDENT J. MIGUEL RODRIGUES: Any questions for the police chief? Alderman Tobin?

ALDERMAN SPARROW TOBIN: Yeah. Authorizations and (indiscernible) codes (indiscernible)?

CHIEF JOHN EWANCIW: Is that the two and a half inches of snow? So that's myself and DPW. So that was a code that was in place, and when we implemented the winter weather warning we took it out, but we definitely see the need for it. Because the winter weather warning goes out for a certain period of time, but sometimes depending on the volume of snow or ice, we still need to be able to clean streets, and that was the mechanism that we used for that.

PRESIDENT J. MIGUEL RODRIGUES: Anyone else? Thank you, chief. Public hearings and

grievances. Oh, city clerk. I'm sorry.

CLERK RICHARD MCCORMACK: That's okay. Not to belabor the point about parking, but I'd be remiss if I didn't mention that the mayor and the chief and the DPW commissioner have authorized that parking lot requirements for permits and time waivers have been waived during the recent snow alerts. And I believe that's going to be the practice going forward to give our residents an additional place to park to get their cars off the street.

You can still sign up for our emergency alerts. We put out those snow alerts on a regular basis. There's a toll-free number 845-346-1414 if you don't want to receive the calls. That is updated when there is a snow alert with a timeframe, and that's it. Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Any questions for the city clerk? Thank you. Public hearings and grievances?

CLERK RICHARD MCCORMACK: Oh. Thank you. I'm sorry. I got confused. We have one public hearing this evening. Notice is hereby given that the city of Middletown will hold a public hearing on Tuesday, February 18th on or as

near to 7:30 p.m. as possible in the Common Council Chambers to hear any and all persons wishing to be heard on the proposing zoning amendment to Chapter 475-30, to provide the planning board further discretion regarding renewals of permits for temporary businesses of movable structures.

Any and all persons wishing to be heard will be given an opportunity to speak either against or for the proposal. The complete proposed zoning amendment is available in the office of the Common Council Clerk, 16 James Street, and on the city website.

PRESIDENT J. MIGUEL RODRIGUES: At this time the public hearing is now open. Maria, do you know what this is for? The temporary business movable structures? I remember --

DIRECTOR MARIA BRUNI: I think it has to do with like temporary like -- for instance like temporary flowers being sold or something on the -- I believe that's what it has to do with.

PRESIDENT J. MIGUEL RODRIGUES: Moved (indiscernible). Okay.

DIRECTOR MARIA BRUNI: It -- because it has to go to planning board. Rick, if --

CLERK RICHARD MCCORMACK: You want --

DIRECTOR MARIA BRUNI: -- correct me if I'm wrong.

CLERK RICHARD MCCORMACK: Yep. So the current code reads that a temporary movable structure can be granted by the planning board for a one year's time period. After that time period, if that person or individual or that entity wants to renew it, they have to start the entire process over again from scratch doing the public hearing, the mailings, and everything.

PRESIDENT J. MIGUEL RODRIGUES: Wow.

CLERK RICHARD MCCORMACK: And we weren't sure if that was really the intent of it. So this give the planning board the discretion to waive some of those other requirements, or, if need be, to call them back in and have the -- go through the process if there's a problem or if there's complaints regarding the structure.

DIRECTOR MARIA BRUNI: Yeah. So there are safeguards if like there's complaints or anything.

CLERK RICHARD MCCORMACK: Mm-hmm.

DIRECTOR MARIA BRUNI: Can go back.

PRESIDENT J. MIGUEL RODRIGUES: All

right. Thank you. Anyone from the council? All right. Motion to close?

ALDERMAN JOSEPH MASI: So move.

PRESIDENT J. MIGUEL RODRIGUES: Masi. Seconded by? Alderwoman Wray. All in favor?

ALL: Aye.

PRESIDENT J. MIGUEL RODRIGUES: All right. Remarks of aldermen. Alderman Masi?

ALDERMAN JOSEPH MASI: I just want to reiterate, Jacob, your guys, your whole department did a tremendous job, and we all thank you for that. Chief, same with your department. Thank you, guys. And the two retirements, Pat Cunningham I've known for quite a while, and Walt Welch and I were -- been close friends for 40 some years. I wish the both of them the best in their retirement, and thank you for your service to the city of Middletown.

PRESIDENT J. MIGUEL RODRIGUES:
Alderman Witt?

ALDERMAN KEVIN WITT: Thank you very much. Yeah, I just wanted to acknowledge the retirements also too, Lieutenant Cunningham and Walt Welch, two really good guys. And I remember Lieutenant Cunningham used to come to our Second

Ward aldermen meetings, and he'd sit in the back, and he was always interested. He has property on Wilkin Avenue. And inevitably, he would end up also answering questions for people too, so he was a good sport. So Walt Welch is a good guy to the bone, kind-hearted, and I wish them both well. Thank you very much.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Green?

ALDERMAN ANDREW GREEN: Thank you.

Yeah, I'll echo that. Both Pat and Walter are going to leave some big shoes to fill in the city. I'm sure we'll find people to try and take up the task, but both will be sorely missed by us, but well-deserved retirements. Thank you.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Kleiner?

ALDERWOMAN GERALD KLEINER: Thank you.

Also, and Walter Welch is a building inspector. He didn't just go out to criticize. He went out to help you, to help you get the job done, to help you do it right, and that's something that we always appreciated. So I was always glad to have the building inspector go out.

And the same thing with Lieutenant

Cunningham. And as Kevin said, when he was at our Second Ward constituent meetings, he was always willing to do anything that needed done. He -- tremendous asset. And as a K-9 officer he was terrific. So, he will definitely be missed. And I do wish both of them well.

The -- if you were making \$150,000 a year, that's not bad. Would take you three million years to make as much money as Elon Musk has. That's kind of a way of looking at it. I didn't know what to say. I'm just very disturbed by what's going on and the lawlessness in the country.

So I wrote something out, and it's very -- think it's short. And -- but always like to repeat the preamble to the constitution. "We the people of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitution for the United States of America," not to be thrown away by executive order.

So separation of powers, checks and

balances, we're flipping the world upside down. Now Germany becomes the hope of Europe, and we sent our Neville Chamberlains to Munich for appeasement, except we don't have a Winston Churchill to say it's not all right to go in and take another country's land.

We have a man, a deadbeat felon whose heroes are Hannibal Lecter and Al Capone, who could just have his opposition killed. And we have an oligarch who bought the presidency, and Musk and his marauders are wrecking our democratic government. The law be damned.

And it was Joseph Goebbels who said it's amazing how easy a democracy is to destroy from within. So who will enforce the court orders? That's the key. They've demolished oversight, our inspector generals, anyone who could hold them accountable in the public interest.

Hitler gave his brown shirts police power. They became the Gestapo, and he pardoned all his national socialists no matter what their crimes. Trump the destroyer pardons his January 6th seditionists and armed conspirators. Fear and corruption is the point.

Empathy, they have none. That's the essential character for caring for people. So where are our local republicans speaking out? They hate facts. They hate truths. And hooray for Danielle Sassoon. She was the MAGA prosecutor who resigned rather than carry -- rather than drop the charges against Mayor Adams and the Assistant U.S. Attorney Hagan Scotten who said I expect he will eventually find someone who is enough of a fool or enough of a coward to file your motion.

Well, they did. They had a motion to drop the charges. We'll see what comes of that, but it is -- in so many cities across the country, people have come out and demonstrated and made their opinions known, and we just hope it's not too late. Thank you.

PRESIDENT J. MIGUEL RODRIGUES:

Alderwoman Wray?

ALDERWOMAN KATE WRAY: Good evening. I definitely want to wish Walt Welch and Pat Cunningham an outstanding retirement. I remember working with Pat many years ago at this point with the Neighborhood Watch and things like that. Just an absolutely outstanding officer.

Middies through and through, the two of them. I think it's spectacular when the people who live and grow here come back and become so impactful in the community they are raised by.

Speaking of amazing Middies, I do want to shout out my daughter Kalyani who made states in her wrestling Section 9 championship yesterday, and I'm very proud of her. And Middletown as well should also be proud because the Middletown varsity girls wrestling team is sending three young ladies to states next week, and I'm very proud of all of them.

They have worked so hard, and I'm just very excited. Because if you look around at the kids in this city, they are making us proud every day and we should definitely talk about it. That's all.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Johnson?

ALDERMAN PAUL JOHNSON: Touche. March 4th our much-anticipated public hearing on good cause eviction legislation. We're expecting a pretty good turnout. I've been in communication with Robin over the last week or so to make sure we have as many details in place as possible.

Mr. Witt and I, in our respective roles, spent three hours with each other at the school board meeting last week, which was good. In my four minutes, I did highlight they were having this good cause legislation hearing. And also, as you remember at our last meeting, we talked a lot of ICE and immigration things.

This was addressed by the mayor at our meeting and by Mr. Perrino and Bishop Williams at their meeting. At the national level, national school boards has been on top of this issue for several months anticipating this. So at the school board level, the information was very clear. If ICE shows up, call your lawyer and the lawyer will then guide you and tell you what to do.

So Corina was there with a young lady. There's obviously a lot of concern and a lot of fear about can somebody come and take a child out of my building or not. So -- but we're on it, and we'll see how it goes. Thank you.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Yes. I would like to thank DPW, the street department,

for performing like rock stars keeping our street clean and safe for the community. I just want to thank everyone that's involved. Thank you.

ALDERMAN PAUL JOHNSON: Alderman Tobin?

ALDERMAN SPARROW TOBIN: Nothing this evening.

ALDERMAN PAUL JOHNSON: All right. New business.

CLERK RICHARD MCCORMACK: Good evening. We have a resolution sponsored by Alderman Tobin authorizing to lend portable lights to the Otisville Lions Club for the 35th Annual Otisville Country Fair.

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

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Witt authorizing
the closure of streets for the annual Middletown
Little League Parade.

PRESIDENT J. MIGUEL RODRIGUES:

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

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Witt authorizing
the acceptance of a donation for the Middletown
Recreation and Parks boxing program.

PRESIDENT J. MIGUEL RODRIGUES:

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

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Witt authorizing
an agreement with Alex Mills to paint three train
murals at the Maple Hill Splash Pad.

PRESIDENT J. MIGUEL RODRIGUES:

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

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Masi authorizing a transfer of \$7,500.79 to cover shortages for HVAC repairs.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Masi. Seconded

by Alderman Kleiner. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Masi authorizing the establishment of the 2025 part-time employee salary schedule.

PRESIDENT J. MIGUEL RODRIGUES:

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

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderwoman Wray

authorizing an agreement with the Sullivan County
SPCA.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderwoman Wray.

Seconded by Alderman Jean-Francois. Any
discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderman Green
authorizing a transfer of \$7,854.50 within the
2024 Economic Development Department budget for
façade improvements.

PRESIDENT J. MIGUEL RODRIGUES:

Resolution sponsored by Alderman Green. Seconded
by Alderwoman Wray. Any discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.
Resolution sponsored by Alderman Kleiner
authorizing the issuance of \$6 million bonds to
pay the cost of the renovation of the new city
courthouse.

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

ALDERWOMAN GERALD KLEINER: Just -- I
don't think it's an issue, but since this is a
bonding resolution, it takes approval of two-
thirds of the council. So six of us have to vote
for it. Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Anyone
else? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.
Resolution sponsored by Alderman Johnson
authorizing the holding of the annual spring
cleaning.

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

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

Resolution sponsored by Alderwoman Wray authorizing the appointment of Alderman Paul Johnson to the City of Middletown Local Development Corporation.

PRESIDENT J. MIGUEL RODRIGUES: Do I have a second?

ALDERWOMAN GERALD KLEINER: Yeah. Yep.

PRESIDENT J. MIGUEL RODRIGUES:

Alderman Kleiner. You've got to abstain.

ALDERMAN PAUL JOHNSON: I know

(indiscernible). Well aware.

PRESIDENT J. MIGUEL RODRIGUES: Any

discussion? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-

Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Abstain.

CLERK RICHARD MCCORMACK: Thank you.

Alderwoman Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.
Congratulations.

ALDERMAN PAUL JOHNSON: Thank you.

CLERK RICHARD MCCORMACK: Resolution
sponsored by --

PRESIDENT J. MIGUEL RODRIGUES:
(Indiscernible) --

CLERK RICHARD MCCORMACK: -- Alderman
Johnson authorizing an amendment to city code as
it pertains to on-street parking in the event of
two and a half inches or more of snow.

ALDERMAN PAUL JOHNSON: You said
Johnson?

CLERK RICHARD MCCORMACK: Yep. Thank
you.

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

ALDERWOMAN GERALD KLEINER: Yeah. Does
this have a number, or is it because it's a code
alter?

CLERK RICHARD MCCORMACK: It will be

tomorrow. It'll be 75-25.

ALDERWOMAN GERALD KLEINER: Okay.

Thank you.

PRESIDENT J. MIGUEL RODRIGUES: Anyone
else? Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-
Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President
Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

PRESIDENT J. MIGUEL RODRIGUES:

(Indiscernible).

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

PRESIDENT J. MIGUEL RODRIGUES: Local
law?

CLERK RICHARD MCCORMACK: We have
(indiscernible).

PRESIDENT J. MIGUEL RODRIGUES: You
know.

CLERK RICHARD MCCORMACK: Oh, we have
the introduction of Local Law Number 1 Written
Notice of Defect.

PRESIDENT J. MIGUEL RODRIGUES: All
right. Sponsored by Alderman Johnson. First
reading. Audit?

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

PRESIDENT J. MIGUEL RODRIGUES:
Resolution sponsored by Alderman Masi. Seconded
by --

ALDERMAN PAUL JOHNSON: Second.

PRESIDENT J. MIGUEL RODRIGUES: --

Alderman Johnson. Roll.

CLERK RICHARD MCCORMACK: Tobin?

ALDERMAN SPARROW TOBIN: Aye.

CLERK RICHARD MCCORMACK: Jean-Francois?

ALDERMAN JUDE JEAN-FRANCOIS: Aye.

CLERK RICHARD MCCORMACK: Johnson?

ALDERMAN PAUL JOHNSON: Aye.

CLERK RICHARD MCCORMACK: Wray?

ALDERWOMAN KATE WRAY: Aye.

CLERK RICHARD MCCORMACK: Kleiner?

ALDERMAN GERALD KLEINER: Aye.

CLERK RICHARD MCCORMACK: Green?

ALDERMAN ANDREW GREEN: Aye.

CLERK RICHARD MCCORMACK: Witt?

ALDERMAN KEVIN WITT: Aye.

CLERK RICHARD MCCORMACK: Masi?

ALDERMAN JOSEPH MASI: Aye.

CLERK RICHARD MCCORMACK: President Rodrigues?

PRESIDENT J. MIGUEL RODRIGUES: Aye.

CLERK RICHARD MCCORMACK: Carries.

PRESIDENT J. MIGUEL RODRIGUES: Move for adjournment.

ALDERMAN PAUL JOHNSON: So move.

(Adjourned)

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

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



Sonya M. Ledanski Hyde

Veritext Legal Solutions

330 Old Country Road

Suite 300

Mineola, NY 11501

Date: December 1, 2025



**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
FEBRUARY 18, 2025**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
 - 3.1. Accept the Minutes of February 4, 2025
 - 3.2. Accept the Minutes of January 21, 2025
4. CORRESPONDENCE, COMMUNICATION AND REPORTS
 - 4.1. Sub-Division Request (Lot Line Change): 20 1/2-30 Low Avenue & 20 1/2 -30 Low Avenue (Rear)
 - 4.2. Sub-Division Request (Lot Line Change): 15 Mercer/16 Warren
5. FOR THE GOOD OF THE CITY
6. REMARKS OF THE MAYOR
7. REMARKS OF THE DEPARTMENT HEADS
8. PUBLIC HEARINGS AND GRIEVANCES
 - 8.1. Public Hearing: Zoning Amendment- 475-30 To Provide the Planning Board further discretion regarding renewals of permits for temporary business movable structures.
9. PETITIONS AND COMPLAINTS
10. REMARKS OF THE ALDERMAN AND REPORTS OF THE COMMITTEES
11. UNFINISHED BUSINESS
12. NEW BUSINESS

- 64-25 Authorization to Lend Portable Lights to the Otisville Lions Club for the 35th Annual Otisville Country Fair
- 65-25 Authorization to Close Streets for the Annual Middletown Little League Parade
- 66-25 Authorization to Accept a Donation for the Middletown Recreation and Parks Boxing Program
- 67-25 Authorization to Enter into an Agreement with Alex Mills to Paint Three (3) Train Murals at the Maple Hill Splash Pad
- 68-25 Authorization to Transfer \$7500.79 to Cover Shortages for HVAC Repairs
- 69-25 Authorization to Establish the 2025 Part-Time Employee Salary Schedule
- 70-25 Authorization to Enter into an Agreement with the Sullivan County SPCA
- 71-25 Authorization to Transfer \$7854.50 within the 2024 Economic Development Department Budget for Façade Improvements
- 72-25 Authorizing the Issuance Of \$6,000,000 Bonds to Pay the Cost of The Renovation of The New City Courthouse
- 73-25 Authorization to Hold Annual Spring Cleaning
- 74-25 Appointment of Alderman Paul Johnson to the City of Middletown Local Development Corporation
- Authorization to Amend City Code as it Pertains to On-Street Parking in the Event of 2.5 Inches or More of Snow

13. LOCAL LAWS

13.1. Local Law 1 - 2025 - Written Notice of Defect

LOCAL LAW #1 OF 2025

A LOCAL LAW AMENDING THE PROVISIONS IN THE REQUIREMENTS FOR PRIOR WRITTEN NOTICE OF DEFECTS IN LIGHT OF THE DECISION OF THE NEW YORK COURT OF APPEALS IN CALABRESE V CITY OF ALBANY, 2024 WL 5126038 (Dec. 17, 2024)

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 amend the provisions in the City Charter regarding the requirements for prior written notice of defects in light of the Decision of the New York Court of Appeals in the recent case of Calabrese v City of Albany, 2024 WL 5126038 (Dec. 17, 2024)

Section 2. Section 30 of the Charter of the City of Middletown, Notification of defects; limitations on City liability, is hereby amended to replace Paragraph A, thereof, to read in its entirety as follows:

A. No civil action may be maintained against the City for damages or injury to person or property sustained in consequence of any street, highway, bridge, culvert, sidewalk, crosswalk, public building or public park being defective, out of repair, unsafe, dangerous, or obstructed unless, before the occurrence resulting in such damages or injury, (1) notice of the defective, unsafe, dangerous or obstructed condition was delivered to the City Clerk at 16 James Street, Middletown in the form of a written physical hard copy and (2) the City failed or neglected to repair or remove the defect, danger, or obstruction within a reasonable time after being given such notice. Notice of a defect submitted via email, the City's website, any service, website, or application the City uses to allow the public to submit reports or service requests to the City, comments on a social media page maintained by the City, or any other electronic means does not satisfy the process and procedure for submitting written notices of defect required by this Paragraph.

Section 3. Section 30 of the Charter of the City of Middletown, Notification of defects; limitations on City liability, is hereby amended to replace Paragraph B, thereof, to read in its entirety as follows:

B. No civil action may be maintained against the City for damages or injury to person or property sustained in consequence of the existence of snow or ice upon any sidewalk, crosswalk or street unless, before the occurrence resulting in such damages or injury, (1) notice thereof relating to the particular place was delivered to the City Clerk at 16 James Street, Middletown, New York in the form of a written physical hard copy and (2) the City failed or neglected to cause such snow or ice to be removed, or to otherwise reasonably make safe the place within a reasonable time after being given such notice. Notice of a defect submitted via email, the City's website, any service, website, or application the City uses to allow the public to submit reports or service requests to the City, comments on a social media page maintained by the City, or any other electronic means does not satisfy the process and procedure for submitting written notices of defect required by this Paragraph.

Section 4. Section 30 of the Charter of the City of Middletown, Notification of defects; limitations on City liability, is hereby amended to replace Paragraph C, thereof, to read in its entirety as follows:

C. All claims against the City for damages or injury to persons or property alleged to have been caused by the misfeasance or negligence of the City, or any of its officers or employees, shall be presented to the City Clerk at 16 James Street, Middletown in the form of a written physical hard copy within ninety (90) days after the happening of the accident or injury out of which the claim arose. Such writing shall describe the time when, the particular place where, and the circumstances under which damages or injuries were sustained, and the cause thereof. It shall also state so far as then practicable the nature and extent of the damages or injury. It shall also state the place of residence of the claimant by street

and number, and if there be no street and number, it shall contain such statement as will disclose the place of residence, and all such claims shall be verified by the oath of the claimant. A copy of each such claim shall be served by mail on the Corporation Counsel. The omission to present such claim within ninety (90) days of such alleged injuries and to commence an action thereon within one (1) year from the time of such alleged injuries shall be a bar to any claim or action therefor against the City, but no action shall be brought upon any such claim until three (3) months have elapsed after the presentation of the claim to the City Clerk. Notice of a claim submitted via email, the City's website, any service, website, or application the City uses to allow the public to submit reports or service requests to the City, comments on a social media page maintained by the City, or any other electronic means does not satisfy the process and procedure for submitting written notices of claim required by this Paragraph.

Section 7. 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 8. Effective Date. This Local Law shall be effective upon filing with the Secretary of State.

14. AUDIT OF CLAIMS AND ACCOUNTS

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

15. ADJOURNMENT



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

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderman Johnson
Date of Adoption: February 18, 2025
Index No:

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

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Accept the Minutes of February 4, 2025

Prepared by:

Attachments:

1.	02.04.25 CC Minutes
----	---------------------



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

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderman Johnson
Date of Adoption: February 18, 2025
Index No:

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

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

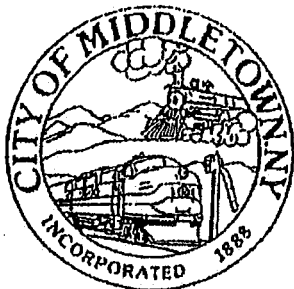
Accept the Minutes of January 21, 2025

Accept the Minutes of January 21, 2025

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	01.21.25 CC Minutes
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**City of Middletown
Middletown, New York
APPLICATION FOR Subdivision
APPLICATION FEE: \$250.00
ESCROW FEE: \$100.00**

Number of Lots of the Subdivision 2 Current Zone I1

Section 17 Block 3 Lots 13 & 14.22

Address of Subject Property 20 1/2-30 Low Ave & 20 1/2-30 Low Ave Rear

Owner of Property Shifting Gears Holdings, LLC

Owner Address 20 1/2-30 Low Ave

City Middletown State NY Zip 10940

Telephone: Home _____ Cell: 845-591-5440

Email loumntrest@frontiernet.net

Applicant Name City of Middletown

If different from Owner
Applicant Address 16 James Street

City Middletown State NY Zip 10940

Telephone: Home 845-341-4101 Cell: _____

Email mayor@middletown-ny.com

Minor (2-3 lots) <u>X</u>	\$250.00	Paid _____
Plus Escrow <u>X</u>	\$100.00	Paid _____
Major (over 3 lots) _____	\$500.00	Paid _____

Plus \$100 per lot for each lot over 10 lots, and \$1000.00 escrow to be replenished if required

NOTE: Over 4 lot subdivision will go to Planning Board for recommendation before going to Common Council.

RECEIVED
FEB 13 2025
CITY CLERK
CITY OF MIDDLETOWN

Proposed uses; List the number of proposed lots and uses, which are to be created by this subdivision if approved. Additional sheets may be attached if more space is required. The project consists of two existing lots, the applicant is proposing a lot line change. Lot 13 will continue to be used as an equipment supply distributor while lot 14.22 will be used as a parking lot to serve lot 13 and the adjoining O&W property tax lot parcel 14.1.

Zoning; In the space provided list all lots or areas which would require a re-zoning of any zoning district. List all factors dealing with the requested re-zoning. Additional sheets may be attached if more space is required.

N/A

Non Compliance of Zoning; In the space provided list all lots, which are not in compliance with the zoning regulations of the City of Middletown. Provide all information from the zoning ordinance in which the lot is non-compliant and the reasons therefore. Additional sheets may be attached if more space is required.

N/A

NOTE; if any of the new lots are non-compliant to the City of Middletown zoning code you may be required to apply to the ZBA for a variance.

A notarized letter from the property owner granting permission to seek the zone change or addition, if the applicant is not the owner, is required for all applications.

NOTE: As per SEQRA law a short form EAF will be required with all applications

Sign at the place indicated and print name

Signature of applicant

Print Name and title

Lou Frances / owner

Date

1/23/25

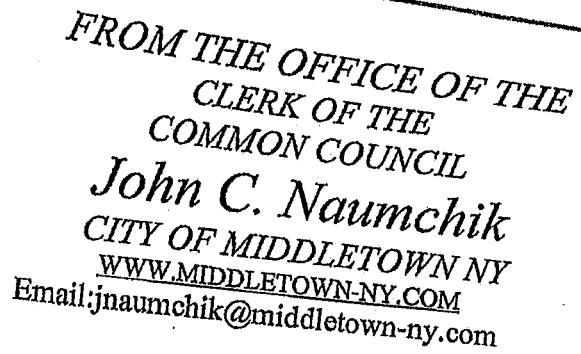
TO BE FILLED OUT BY THE CITY CLERK'S OFFICE

A fee of \$250.00 was collected on _____

Escrow Amount \$100.00 on _____

Signature of Clerk or Designee

Date



Phone 845-346-4168
Fax 845-344-5428



City of Middletown
Middletown, New York
APPLICATION FOR Subdivision
APPLICATION FEE: \$250.00
ESCROW FEE: \$100.00

RECEIVED

AUG 26 2024

CITY CLERK
CITY OF MIDDLETOWN

Number of Lots of the Subdivision 2 Current Zone _____

Property # 1) Section 28 Block 4 Lot 7 (Property # 2) Section 28 Block 4 Lot 12

Address of Subject Property _____

Owner of Property #1 Anthony Harden & Tajmah Riley

Owner Address 15 Mercer Street

City Middletown State NY Zip 10940

Telephone: Home _____ Cell: ~~646-302-5296~~

Email _____

Property # 2) Applicant Name Tyron Diaz

If different from Owner
Applicant Address 16 Warren Street

City Middletown State NY Zip 10940

Telephone: Home _____ Cell: 646-302-5296 ✓

Email _____

Minor (2-3 lots) ✓ \$250.00

Plus Escrow ✓ \$100.00

Major (over 3 lots) _____ \$500.00

Paid _____

Paid _____

Paid _____

Plus \$100 per lot for each lot over 10 lots, and \$1000.00 escrow to be replenished if required

NOTE: Over 4 lot subdivision will go to Planning Board for recommendation before going to Common Council.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: 2 lot subdivision			
Project Location (describe, and attach a location map): 16 Warren St Middletown NY 10940 and 15 Mercer Street Middletown NY 10940			
Brief Description of Proposed Action: The owners of 15 Mercer St will give a portion of their land to Tyrone DIAZ owner of property located on 16 Warren St. The portion is described on the attached survey. The boundary line will be changed approximately 3.7 feet north of 16 Warren Street (reference PVC fence).			
Name of Applicant or Sponsor: TYRONE DIAZ		Telephone: 646-302-5296 E-Mail: tyronejulian@gmail.com	
Address: 16 Warren St			
City/PO: Middletown		State: NY	Zip Code: 10940
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO ☒ YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO ☒ YES ☐
3. a. Total acreage of the site of the proposed action?		.21 acres	
b. Total acreage to be physically disturbed?		.603 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.213 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☐	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☒	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☒	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☒	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☒	☐	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☒ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	☒	☐
	☒	☐
	☒	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>TYRONE DIAZ</u> Date: _____ Signature: _____ Title: _____		

BOUNDARY LINE AGREEMENT

Agreement made this 6 day of August, 2024, between Anthony Harden & Tajmah Riley ^{TR}_{A.H.} ~~Joseph Duernberger~~ (the "Owner"), having an address at **15 Mercer Street, Middletown, NY 10940** and **Tyrone Diaz** (the "Adjoining Owner"), having an address at **16 Warren Street, Middletown, NY 10940**

WITNESSETH

WHEREAS, Owner is the owner in fee of the property commonly known as **15 Mercer Street** located in the City of **Middletown**, County of **Orange**, State of **NEW YORK**, Section 28 Block 4 and Lot 7, which property is more fully described in a deed dated **11/06/2020** and recorded **11/16/2020** in **Liber 14842 Page 1873** in the Office of the Orange County Clerk (the "Property"); and,

WHEREAS, the Adjoining Owner is the owner in fee of property adjacent to the Property on the Property's **northerly** side, which property is commonly known as **16 Warren Street** located in the City of **Middletown**, County of **Orange**, State of **NEW YORK**, Section 28 Block 4 and Lot **12.1**, which property is more fully described in a deed dated **07/16/2004** and recorded **08/30/2004** in **Liber 11598 Page 127** in the Office of the Orange County Clerk (the "Adjoining Property"); and,

WHEREAS, a description of the Property is attached hereto as Exhibit 'A' and made a part hereof; and,

WHEREAS, a description of the Adjoining Property is attached hereto as Exhibit 'B'; and,

WHEREAS, a survey of the Property prepared by **W.E. James Engineering and Surveying, PLLC**, dated **07/15/2024** depicts the common boundary line between the Property and the Adjoining Property on the Property's **northerly** side and on the Adjoining Property's **southerly** side (the "common boundary line"), and which survey also depicts the location of certain **PVC Fences** as being situated as much as **3.7 FEET**, more or less, **south** of the common boundary line. The survey is attached here to as Exhibit 'C' (the "Survey"); and,

WHEREAS, the parties now desire to acknowledge the erroneous placement of the **PVC Fences** and fix and definitively establish the common boundary line between the Property and the Adjoining Property owned by them respectively; and,

NOW, THEREFORE, in consideration of the sum of one dollar and other good and valuable consideration exchanged by each of the parties hereto, the receipt of which is acknowledged, the parties, for themselves, their successors and assigns, covenant and agree, as follows:

The true and correct common boundary line between the Property and the Adjoining Property is as shown on the Survey;

Owner and Adjoining Owner mutually acknowledge that the **PVC Fences** are situated as much as **3.7 FEET**, more or less, **south**, of the common boundary line;

Owner and Adjoining Owner mutually agree and covenant that they own only the land as described in their respective recorded deeds and make no claims against lands owned by the other.

The Adjoining Owner hereby remises, releases and quitclaims unto the Owner, its successors and assigns,

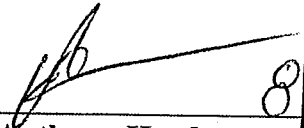
all of its right, title and interest in, and releases any claim of any nature whatsoever to, that specific portion of the Property, including the land on the Property located between the **PVC Fence in the rear of the premises**, which lies 3.3 feet south of the common boundary line at the easterly boundary line and 3.7 feet south of the common boundary line closer to the westerly boundary line, **and the common boundary line** ;

Owner and Adjoining Owner mutually agree and covenant that the **PVC Fences** may remain in their current location so long as same shall stand.

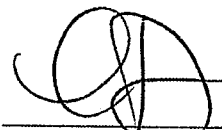
Owner and Adjoining Owner mutually agree and covenant that this Boundary Line Agreement shall run with the land and shall be binding on and inure to the benefit of the successors in interest of the parties and the parties agree to record this Boundary Line Agreement in the Office of the **ORANGE** County Clerk.

This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument.

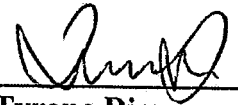
IN WITNESS WHEREOF, the parties have signed this agreement the 6 day of August, 2024.



Anthony Harden 8/6/24



Tajmah Riley 8/6/24

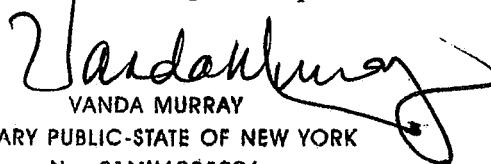


Tyrone Diaz 06 Aug 2024

UNIFORM FORM CERTIFICATE OF ACKNOWLEDGMENT
(Within New York State)

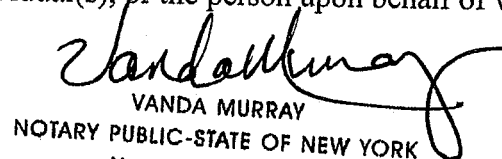
State of New York)
County of Orange) ss.:

On the 6 day of August in the year 2024 before me, the undersigned, personally appeared Anthony Harden and Tajmah Riky, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledgement to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, execute the instrument.


VANDA MURRAY
NOTARY PUBLIC-STATE OF NEW YORK
No. 01MU6225906
Qualified in Orange County
My Commission Expires July 26, 2026

State of New York)
County of Orange) ss.:

On the 6 day of August in the year 2024 before me, the undersigned, personally appeared Tyrone Diaz, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledgement to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, execute the instrument.


VANDA MURRAY
NOTARY PUBLIC-STATE OF NEW YORK
No. 01MU6225906
Qualified in Orange County
My Commission Expires July 26, 2026

DATE: 08/26/2024 TIME: 12:51:19
CITY OF MIDDLETOWN

Receipt # 20245510	
Trans # 563217	Batch: 77
SUBDIVISION-PLANNING	350.00
SUB TOTAL	350.00
TAX	.00
CHECK	350.00
AMT TENDERED	350.00
TOTAL	350.00
CHANGE	.00
CHECK #:	155

FYRON DIAZ
REF NO: SUBD

THANK YOU!



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

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderwoman Wray
Date of Adoption: February 18, 2025
Index No:

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

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Public Hearing: Zoning Amendment- 475-30 To Provide the Planning Board further discretion regarding renewals of permits for temporary business movable structures.

Close the Public Hearing.

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	Notice of Public Hearing 475 30 Temporary Moveable Structures
2.	Notice of Public Hearing 475 30 Temporary Moveable Structures

**CITY OF MIDDLETOWN
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, February 18, 2025, on or as near to 7:30 p.m. as possible, Common Council Chambers, 2nd floor, 16 James Street, to hear all persons wishing to be heard on the proposed zoning amendment to Chapter 475-30 to provide the Planning Board further discretion regarding renewals of permits for temporary business movable structures.

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

The complete proposed zoning amendment is available in the office of the Common Council Clerk, City Hall, 16 James Street, room 12, and on the City Website.

For any person unable to participate at the time of the public hearing, email comments may be submitted in advance to rmccormack@middletownny.gov

By the order of the Common Council.

Richard P. McCormack
Clerk of the Common Council

Publish: 2/14/25 & 2/15/25
City Website

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The complete proposed zoning amendment is available in the office of the Common Council Clerk, City Hall, 16 James Street, room 12, and on the City Website.

For any person unable to participate at the time of the public hearing, email comments may be submitted in advance to rmccormack@middletownny.gov

By the order of the Common Council.

Richard P. McCormack
Clerk of the Common Council

Publish: 2/14/25 & 2/15/25
City Website



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

THE FOLLOWING WAS PRESENTED

By: Alderman Tobin
Seconded by: Alderman Jean-Francois
Date of Adoption: February 18, 2025
Index No: 64-25

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

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

2/19/25

Authorization to Lend Portable Lights to the Otisville Lions Club for the 35th Annual Otisville Country Fair

BE IT RESOLVED that the Common Council of the City of Middletown authorizes the Otisville Lions Club & Cornell Cooperative Extension of Orange County to use up to three portable lights from July 23 through July 28, 2025, for the 35th Annual Otisville Country Fair.

BE IT FURTHER RESOLVED that the Otisville Lions Club/Country Fair will be responsible for any damage incurred during the use of the light and will make any necessary repairs at their expense.

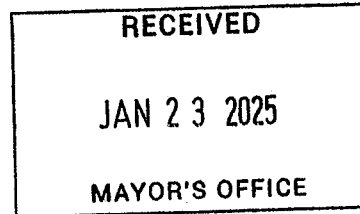
Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	Scan2025-02-10 114034
----	-----------------------



Fairgrounds Address:
Education Center & 4-H Park
300 Finchville Turnpike, Otisville, NY 10963
July 24, 25, 26, & 27, 2025



Otisville Lions Club
P.O. Box 24
Otisville, NY 10963
January 20, 2025

City of Middletown
Mayor Joseph DeStefano
16 James Street
Middletown, NY 10940

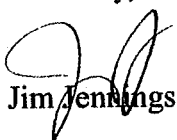
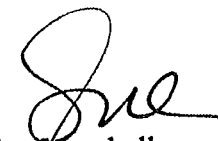
Dear Mayor DeStefano,

This is a request for the use of two or three of your portable light towers for the County Fair. We will need them from Wednesday, July 23th through Monday, July 28th. They can be dropped off anytime that is convenient for you on Wednesday and picked up at your convenience on Monday.

The Otisville Lions Club/Country Fair will be responsible for any damage incurred during the use of the two portable lights and will make any necessary repairs at our expense.

If you can help with this request, please contact Sue at smarshall2330@yahoo.com or 845-283-0635.
Thank you in advance for your consideration.

Sincerely,

 
Jim Jennings Sue Marshall



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

THE FOLLOWING WAS PRESENTED

By: Alderman Witt
Seconded by: Alderman Green
Date of Adoption: February 18, 2025
Index No: 65-25

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

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

2/19/25

Authorization to Close Streets for the Annual Middletown Little League Parade

RESOLVED; that the Common Council of the City of Middletown authorizes the closing of streets for the Middletown Little League Parade on Saturday, April 12, 2025, beginning at 10:30 AM along the following route: leaving Presidential Park Elementary School, walking up Sunset Street, make left onto Watkins and into Watts Park.

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	Little League Parade
----	----------------------

Richard McCormack

From: Tiffany Hasbrouck <Tiffany@middletownnyll.org>
Sent: Monday, February 10, 2025 5:38 PM
To: Joseph DeStefano
Cc: Richard McCormack; Mary Zahorchak; Carmela29.mll@gmail.com
Subject: Middletown Little League Opening Day Parade

Dear Mayor Destefano and Members of the Common Council

I trust this email finds you all well. My name is Tiffany Hasbrouck and I am the new President for Middletown Little League. I am reaching out to request your support for our upcoming **Opening Day Parade** on **April 12th, 2025**. As we kick off the new season, we are excited to celebrate the youth of our community and all the hard work that goes into making this league a success!

The parade will be a highlight of our opening day festivities, and we would love to have the participation of the Mayor, and members of the Common Council and Middletown PD. It will be an excellent opportunity to show support for the children in our league and for the community as a whole.

We will be extending the invitation to the Park and Recs Department, The Marching Middle Band from the High School and our local Fire departments, who have always been an integral part of our community, as well as the generous sponsors who have contributed to and supported our teams this season. Their involvement has made it possible for us to continue offering a positive and enriching experience for the children of our area.

The Route for the Parade will be as follows :

- Step off from Presidential Park Elementary School. Line up will begin at 10am with a step off of appx 10:30am (this may get moved to 11am, I will be sure to keep everyone informed)
- March up up Sunset and then make a left onto Watkins ave to the entrance of Watts Park

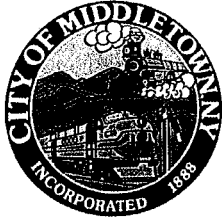
We hope to have your support for this event, and we are happy to provide any additional details or make arrangements that might be needed to ensure everything runs smoothly. Please let us know if you will be able to attend or if there is anything else we can do to facilitate this request.

Thank you for considering our request. We look forward to a wonderful celebration on April 12th and hope to see you there!

Sincerely,

Tiffany Hasbrouck
President, Middletown Little League
(845) 645-5867
tiffany@middletownnyll.org

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

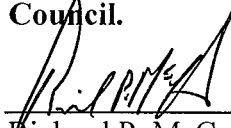


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

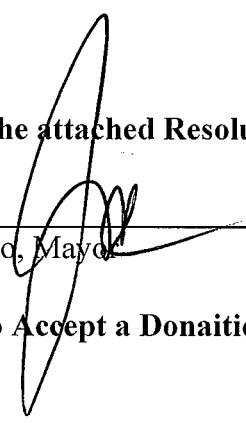
By: Alderman Witt
Seconded by: Alderman Masi
Date of Adoption: February 18, 2025
Index No: 66-25

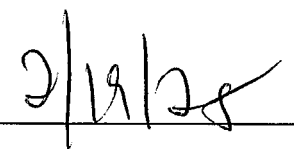
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Authorization to Accept a Donation for the Middletown Recreation and Parks Boxing Program

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and accepts boxing equipment donations from the following people:

*Celines Rodriguez - 1 heavy bag and 1 stand with speed bag attachment.

*Damola Akenyemi - 1 heavy bag and 1 adjustable sit-up bench.

*Mitchell Williams - 1 heavy bags, 1 free-standing pull-up stand, 1 sparring rib guard, 4 speed bags, 2 head gears, black table, 1 agility ladder, 1 speed bag platform, 5 jump ropes, 1 rotating push up pod, 30 mini cones, 6 boxing pairs of boxing gloves and punch mitts.

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

None



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

THE FOLLOWING WAS PRESENTED

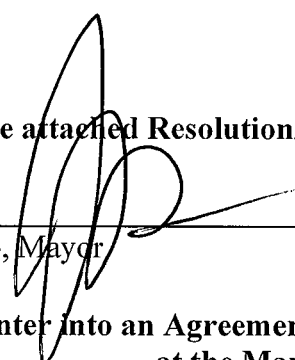
By: Alderman Witt
Seconded by: Alderman Jean-Francois
Date of Adoption: February 18, 2025
Index No: 67-25

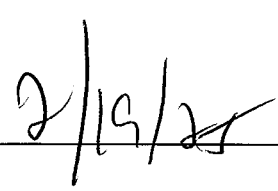
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

Authorization to Enter into an Agreement with Alex Mills to Paint Three (3) Train Murals at the Maple Hill Splash Pad

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes an agreement with ArtbyAlexMills, Alex Mills, 18 Stratton Avenue, Middletown, NY 10940, to paint three train murals on the inside walls at the future Maple Hill Splash Pad.

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

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

1.	1 WF6920-Middletown Mural Ageeement
2.	Train Mural

AGREEMENT made and entered into on the Effective Date, defined below, by and between the Parks and Recreation Department of the City of Middletown, a municipal corporation having an address for notices at 393 County Route 78, Middletown, New York 10940 (herein, the "City"), and Alex Mills, an individual doing business as Artbyalexmills, having an address for notices at 18 Stratton Avenue, Middletown, New York 10940 (herein, "Artist").

W I T N E S S E T H:

1. Commission. Subject to and in accordance with all of the terms and conditions set forth herein, the City hereby commissions Artist, and Artists hereby accept the commission, to design and install three (3) murals on outdoor property selected and owned or controlled by the City (collectively, herein, the "Murals" and each a "Mural").

2. Content. The City shall designate the location and size of each Mural, and may suggest content. Artist shall prepare sketches of proposed Murals for written approval by the City. In the event of non-approval, the City shall give reasonable guidance as to desired changes. Not more than three (3) iterations of each Mural shall be required. Artist may name each Mural, subject to the approval of the City. Each Mural may contain the signature of Artist as customary.

3. Location. The City warrants and represents that it owns or controls each such location, or has the written consent of the owner of each such location for installation of the Mural.

4. Materials and Labor. Artist shall obtain and purchase all necessary materials and equipment. Artist shall be responsible to personally execute and install the Murals. Artist may engage assistants as independent contractors of Artist and not of the City. Artist shall be solely responsible to pay such independent contractors.

5. Installation. Installation of the Murals is to be complete in August of 2025. Scheduling of work shall be subject to the mutual agreement of the parties. No party shall be responsible for delays caused by events not within such party's reasonable control.

6. Copyright. Copyright in and to each Mural shall be owned by the City. Artist shall upon request execute, acknowledge, and deliver such assignments or other documents as the City may reasonably require in order to perfect its ownership interest.

7. Attribution. No attribution is required on reproduction of a Mural unless the Mural is the primary subject of the reproduction, in which event attribution shall be afforded as follows: "Mural by Alex Mills 2025."

8. Compensation. As and for full compensation for all services to be rendered and rights to be granted by Artist to City hereunder, the City agrees to pay Artist, and Artist agrees to accept the following:

\$1,500.00 for materials
\$1,000.00 for Mural 1
\$1,000.00 for Mural 2
\$1,000.00 for Mural 3
\$500.00 for administrative services
\$5,000.00 total

\$1,500.00 shall be payable upon the full execution of this Agreement, and \$3,500.00 shall be payable upon completion of all Murals.

9. Maintenance. The City shall have no affirmative obligation to protect the Murals from damage or deterioration, or to maintain, repair, or restore the Murals. No intentional modification of the content of the Mural images is permitted without the prior written consent of Artist.

10. Licensing. Notwithstanding that the copyright in the Murals is to be owned by the City, the City has no right to reproduce, sell, or distribute the Mural for compensation without the prior written consent of Artist in each instance.

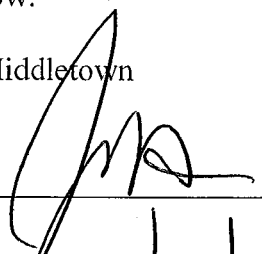
11. Artist's Rights. Artist may identify himself as the artist of the Murals and may reproduce the Murals in Artist's personal portfolio and marketing and promotional materials.

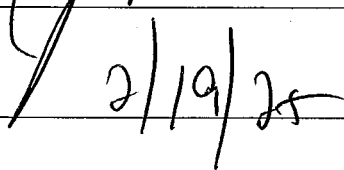
12. Waiver. Subject to Section 9 above, as author of the Murals, Artist hereby permanently waives any rights pursuant to 17 U.S.C. §106A(a)(3) to prevent any distortion, mutilation, modification or destruction of that work, for whatever reason and for whatever use of the work such distortion, mutilation, modification or destruction of the work is undertaken. This waiver does not extend to the rights of attribution conferred by 17.U.S.C. §106A(a)(1) or §106A(a)(2) or N.Y. Arts & Cult. Aff. Law §14.03.

13. Miscellaneous. This agreement sets forth the entire agreement and understanding of the parties with respect to the subject matter hereof, and supersedes all prior oral or written agreements, understandings or conversations. No amendment, modification, termination or waiver of any provision of this agreement shall be effective unless set forth in a writing signed by a duly authorized representative of each party, and shall be effective only to the extent specifically set forth therein. This agreement shall be binding upon and inure to the benefit of the parties hereto and their heirs, executors, administrators, successors and permitted assignees. This Agreement may be executed in any number of counterparts and by facsimile or by electronic mail in PDF format, each of which shall be deemed an original and all of which, when taken together, shall collectively constitute one and the same instrument, binding on each party.

IN WITNESS WHEREOF this Agreement has been executed as of the latest date set forth below.

City of Middletown

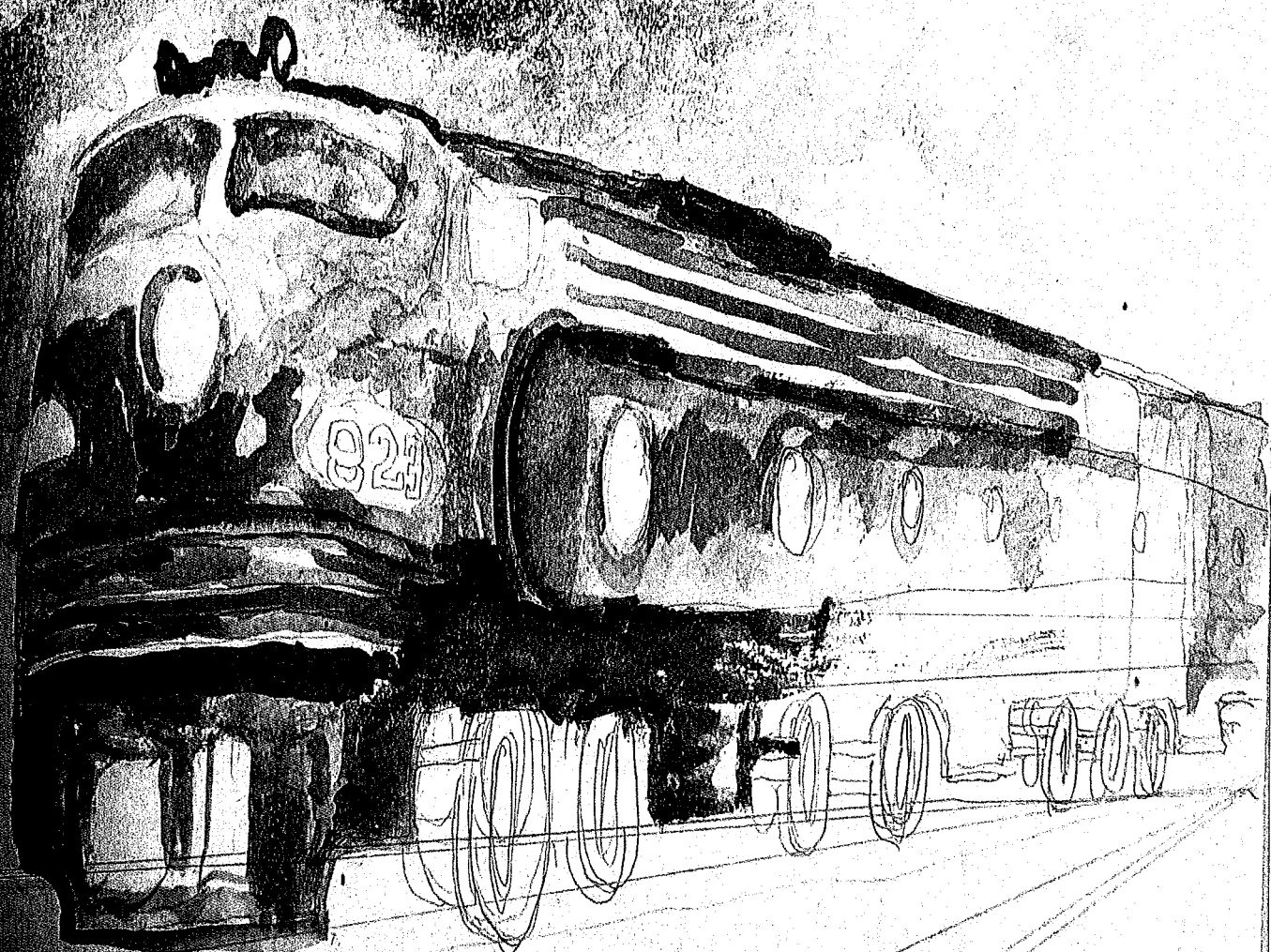
By:  _____

Date:  _____

Alex Mills

Date: _____

W21 #1





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

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderman Kleiner
Date of Adoption: February 18, 2025
Index No: 68-25

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

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

2/19/25

Authorization to Transfer \$7500.79 to Cover Shortages for HVAC Repairs

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$7,500.79, in the following manner, to cover shortages in HVAC Repairs.

FROM	TO	AMOUNT
a.1490.480	A.1620.470	\$7,500.79

Prepared by:
Jacob Tawil

Attachments:

1.	Transfer of Funds 2-6-25-repairs to build
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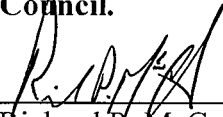


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

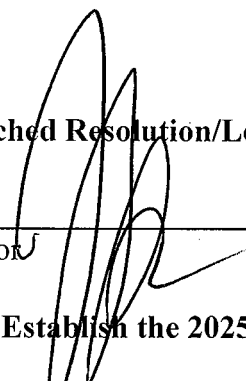
By: Alderman Masi
Seconded by: Alderman Kleiner
Date of Adoption: February 18, 2025
Index No: 69-25

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

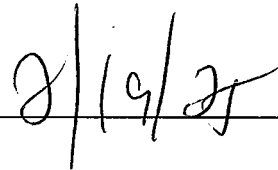

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date



Authorization to Establish the 2025 Part-Time Employee Salary Schedule

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and establishes the 2025 part-time employee salary schedule.

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

1.	2025 PT Salary Schedule
----	-------------------------

2025 Recreation Specialist Salary Schedule

YEARS OF SERVICE																
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
20.00	\$20.25	\$20.50	\$20.75	\$21.00	\$21.25	\$21.50	\$21.75	\$22.00	\$22.25	\$22.50	\$22.75	\$23.00	\$23.25	\$23.50	\$23.75	\$24.00

Employees will only receive one increase for education or related work experience.

High School Graduation/GED or 1 year related work experience an additional \$0.25/hr.

Associates Degree or 2 years related work experience an additional \$0.50/hr.

Bachelors Degree or 4 years related work experience an additional \$0.75/hr.

Masters Degree or 6 years related work experience an additional \$1.00/hr.

Director position receives an additional \$3.00/hr.

Assistant Director position receives an additional \$1.50/hr.

Coaching Certificate receives an additional \$1.00/hr.

CPR/First AID Certification receives an additional \$0.25/hr.

Lifeguard Certification receives an additional \$0.50/hr.

WSI Certification receives an additional \$3.00/hr.

EMT Certification receives an additional \$3.00/hr.

RTE Certification receives an additional \$3.00/hr.

PN Certification receives an additional \$5.00/hr.

RN Certification receives an additional \$7.00/hr.

Security Guard Certification receives an additional \$2.00/hr.

Certification increases must be related to the position.

RECREATION SPECIALIST

GENERAL STATEMENT OF DUTIES: Acts as a leader or instructor in some specialized field of recreation; does related work as required.

DISTINGUISHING FEATURES OF THE CLASS: This position involves the teaching or conduct of some specialty as scheduled with considerable freedom as to approach, method and subject material. The position may involve the actual conduct of the activity or the organization and initiation of activity groups and the instruction of recreation leaders in the manner in which the details of the activity are to be carried out.

EXAMPLES OF WORK: (Illustrative only)

Plans playground arts and crafts program;
Teaches arts and crafts to playground children;
Plans and conducts beginning, intermediate and advanced swimming classes in accordance with the requirements of a recognized lifesaving instruction agency;
Conducts junior and senior life saving courses;
Establishes swimming areas and boundaries;
Schedules and conducts special swimming events;
Assigns hours and posts to life guards;
Plans for and organizes choral groups;
Organizes and conducts rehearsals;
Presents concerts;
Acts as accompanist for choral group;
Plays at all rehearsals and presentations;
Organizes, supervises and teaches square and folk dancing;
Conducts classes in ballroom dancing;
Plans and stages square and/or round dances;
Plans and organizes classes in shopwork;
Teaches shopwork giving both individual and group instructions;
Plans for, organizes and conducts drama group;
Conducts rehearsals and presentations of plays, operettas, minstrels etc.;
Conducts league or tournament games in accordance with the official rules of the game;
Officiates at athletic events such as basketball, baseball, softball, football, volleyball, track, etc.;
Plans with and aids playground leaders in the organization of specialized activities;
Makes up and recommends publicity for special events;
Requisitions needed supplies and materials;
Assumes responsibility for and distributes supplies;
Maintains discipline;
Keeps records and make reports;
Gives instruction in specialty to leaders so that they can instruct the work with program participants.

REQUIRED KNOWLEDGES, SKILLS AND ABILITIES: A knowledge of the methods of group instruction used in the specialty activity; the ability to establish a teacher-pupil or a specialist relationship with the group as may be required by the particular activity; the ability to work with groups of all ages; the ability to stimulate interest in the special activity; the ability to talk before groups of people in an interesting and informative manner.

ACCEPTABLE TRAINING AND EXPERIENCE: Completion of a formal course of instruction in the specialty field and at least one year of experience in the conduct or practice of the special activity; (Experience obtained as a hobbyist may be substituted for a formal course of instruction using two years of hobby experience as being equivalent to one year of formal instruction.)

2025 Recreation Leader Salary Schedule

YEARS OF SERVICE																
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
15.50	\$15.75	\$16.00	\$16.25	\$16.50	\$16.75	\$17.00	\$17.25	\$17.50	\$17.75	\$18.00	\$18.25	\$18.50	\$18.75	\$19.00	\$19.25	\$19.50

Employees will only receive one increase for education or related work experience.

High School Graduation/GED or 1 year related work experience an additional \$0.25/hr.

Associates Degree or 2 years related work experience an additional \$0.50/hr.

Bachelors Degree or 4 years related work experience an additional \$0.75/hr.

Masters Degree or 6 years related work experience an additional \$1.00/hr.

Director position receives an additional \$3.00/hr.

Assistant Director position receives an additional \$1.50/hr.

Coaching Certificate receives an additional \$1.00/hr.

CPR/First AID Certification receives an additional \$0.25/hr.

Lifeguard Certification receives an additional \$0.50/hr.

WSI Certification receives an additional \$3.00/hr.

EMT Certification receives an additional \$3.00/hr.

RTE Certification receives an additional \$3.00/hr.

PN Certification receives an additional \$5.00/hr.

RN Certification receives an additional \$7.00/hr.

Security Guard Certification receives an additional \$2.00/hr.

Certification increases must be related to the position.

RECREATION LEADER

GENERAL STATEMENT OF DUTIES: Under supervision is responsible for the conduct of a particular phase of the recreation program as assigned; does related work as required.

DISTINGUISHING FEATURES OF THE POSITION: This position involves the conduct of a particular program under specific policies, the responsibility for a single playground under general supervision or assisting with the conduct of various minor or periodic activity. This position is generally associated with the leadership of a particular facility or the conduct of a single playground. Supervision may be exercised over subordinate level personnel.

EXAMPLES OF WORK: (Illustrative only)

- Carries out the program planned for a recreation facility;
- Organizes groups according to age, interest, and ability;
- Organizes and promotes and directs activities such as softball, badminton, paddle tennis, nature studies, hikes, camping, arts and crafts, storytelling, dancing, singing, dramatics, quiet games, etc;
- Supervises play activity;
- Assists with the organization and supervision of a gymnasium program;
- Assists in the organization of and conducts tournaments, basketball, bowling, badminton, volleyball and table game leagues;
- Assists in the organization and conduct of socials, dances, and other special events;
- Plans daily schedule of playground activities;
- Acts as an official and maintains order at games and contests;
- Collects entries and makes drawings;
- Keeps records and makes periodic reports;
- Inspects equipment for safety;
- Operates a Public Address System and Movie Projector;
- Attends staff meetings to discuss special problems, the interplayground program and the community recreation program;
- Distributes, keeps records of and maintains equipment;
- Gives first aid.

REQUIRED KNOWLEDGES, SKILLS, AND ABILITIES: Good knowledge of the organization and conduct of one or more types of recreational activities with an emphasis on the organization and conduct of games or athletic events; ability to stimulate and hold the interest of the participants; thorough knowledge of first aid.

ACCEPTABLE TRAINING AND EXPERIENCE: Completion of two years of study at a college or university of recognized standing; or completion of high school and two years of experience in the conduct of recreation activities.

2025 Lifeguard Salary Schedule

YEARS OF SERVICE																	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
16.50	\$16.75	\$17.00	\$17.25	\$17.50	\$17.75	\$18.00	\$18.25	\$18.50	\$18.75	\$19.00	\$19.25	\$19.50	\$19.75	\$20.00	\$20.25	\$20.25	\$20.50

Employees will only receive one increase for education or related work experience.

High School Graduation/GED or 1 year related work experience an additional \$0.25/hr.

Associates Degree or 2 years related work experience an additional \$0.50/hr.

Bachelors Degree or 4 years related work experience an additional \$0.75/hr.

Masters Degree or 6 years related work experience an additional \$1.00/hr.

Manager position receives an additional \$3.00/hr.

Assistant Manager position receives an additional \$2.00/hr.

WSI Certification receives an additional \$2.00/hr.

EMT Certification receives an additional \$2.00/hr.

Security Guard Certification receives an additional \$2.00/hr.

Certification increases must be related to the position.

Lifeguard

GENERAL STATEMENT OF DUTIES: Under direct supervision is responsible for the safety of individuals using one of our municipal pools; does related work as required.

DISTINGUISHING FEATURES OF THE POSITION: This position requires special skills related to water. All lifeguards must have a valid American Red Cross Advanced Lifesaving Certificate and must be in satisfactory medical condition with vision of at least 20/40 in one eye.

EXAMPLES OF WORK: (Illustrative only)

Report ready for duty, at least 10 minutes before assigned shift, and be in proper position when shift starts;

Check condition of pool and locker rooms before opening;

Enforce all pool rules;

Be strict but fair to all ... If orders are not executed in full, at once, report the incident to the Pool Manager;

Take care in handling equipment and gear that has been issued to you;

Keep swimmers and bathers from congregating on walk area in the immediate vicinity of the guard stand;

Clear all swimmers out of the water during an electrical storm;

Keep the facility fit for inspection at all times;

Keep litter picked up, and keep first aid equipment in readiness;

Give first aid;

Know your specific duties in the event of an emergency;

Report personal accidents and needs to the Pool Manager.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES: Lifeguards must be proficient in all skills required for American Red Cross Advanced Lifesaving certification. Lifeguards must be able to deal with the public in a professional, alert, courteous and tactful manner. Lifeguards must have knowledge of first aid.

2025 Custodian Salary Schedule

YEARS OF SERVICE																
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
15.50	\$15.75	\$16.00	\$16.25	\$16.50	\$16.75	\$17.00	\$17.25	\$17.50	\$17.75	\$18.00	\$18.25	\$18.50	\$18.75	\$19.00	\$19.25	\$19.50

Employees will only receive one increase for education or related work experience.

High School Graduation/GED or 1 year related work experience an additional \$0.25/hr.

Associates Degree or 2 years related work experience an additional \$0.50/hr.

Bachelors Degree or 4 years related work experience an additional \$0.75/hr.

Masters Degree or 6 years related work experience an additional \$1.00/hr.

CPR/First AID Certification receives an additional \$0.25/hr.

Certification increases must me related to the position.

CUSTODIAN

GENERAL STATEMENT OF DUTIES: Performs routine building cleaning and semi-skilled maintenance tasks; does related work as required.

DISTINGUISHING FEATURES OF THE CLASS: This is routine manual work involving responsibility for the efficient and economical performance of cleaning and maintenance operations for school buildings, grounds, and equipment. Work is performed under the general supervision of a head custodian or superintendent of buildings and grounds or school principal in accordance with established policies, but considerable leeway is permitted for the exercise of independent judgment. Supervision may be exercised over the work of subordinate cleaning or maintenance personnel.

EXAMPLES OF WORK: (Illustrative only)

Sweeps and mops floors and stairs;

Dusts desks, woodwork, furniture and other equipment;

Washes windows, walls, blackboards, sinks and other fixtures;

Polishes furniture and metal furnishings;

Empties waste baskets, collects and disposes of rubbish;

Clears snow and ice from walks and driveways;

Mows lawns, trims shrubs, rakes leaves, and performs a variety of other groundskeeping tasks;

Operates a coal or oil low pressure heating system including firing and removing ashes;

Delivers packages and messages;

Checks operation of clocks and bells;

Puts out and takes in traffic safety signs;

Arranges chairs and tables and other equipment for special use of school building;

Repairs window shades, replaces light bulbs, soap and towels;

Paints rooms and equipment, repairs furniture and makes minor plumbing, electrical, and carpentry repairs;

Prepares and maintains a variety of records and reports.

REQUIRED KNOWLEDGES, SKILLS AND ABILITIES: Good knowledge of building cleaning practices, supplies and equipment, and ability to use them efficiently and economically; working knowledge of the operation and maintenance of steam boiler equipment; ability to make minor plumbing, electrical, carpentry, and mechanical repairs and to perform a variety of routine maintenance tasks; ability to follow oral and written directions; willingness to do custodial and other manual tasks; thoroughness; dependability; good physical condition.

ACCEPTABLE EXPERIENCE AND TRAINING: One year of building cleaning or maintenance experience.

2025 Laborer Salary Schedule

YEARS OF SERVICE																
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
15.50	\$15.75	\$16.00	\$16.25	\$16.50	\$16.75	\$17.00	\$17.25	\$17.50	\$17.75	\$18.00	\$18.25	\$18.50	\$18.75	\$19.00	\$19.25	\$19.50

Employees will only receive one increase for education or related work experience.

High School Graduation/GED or 1 year related work experience an additional \$0.25/hr.

Associates Degree or 2 years related work experience an additional \$0.50/hr.

Bachelors Degree or 4 years related work experience an additional \$0.75/hr.

Masters Degree or 6 years related work experience an additional \$1.00/hr.

CPR/First Aid Certification receives an additional \$0.25/hr.

CDL License receives an additional \$1.00/hr.

Pesticides Spray License an additional \$1.00/hr.

Welding License an additional \$1.00/hr.

Building Trades Certifications/Licenses relevant to the job an additional \$1.00/hr.

Certification increases must me related to the position.

LABORER

GENERAL STATEMENT OF DUTIES: Performs routine manual work; does related work as required. Operate a motor vehicle on public roads.

DISTINGUISHING FEATURES OF THE CLASS: This is routine manual work requiring physical endurance and a willingness to perform all necessary tasks. Constant supervision is maintained over the work at all times.

EXAMPLES OF WORK: (Illustrative only)

Assists in patching, resurfacing, and grading of streets;

Assists in the maintenance and repair of sewers and catch basins;

Digs and refills trenches for sewers and drainage;

Removes snow from streets and sidewalks and sands icy pavements;

Cuts grass, rakes leaves, trims shrubs and trees, spades flower beds, and assists in other grounds maintenance activities;

Sets up and removes swings, bleachers, and other recreational equipment;

Maintains and conditions ice skating rink, baseball diamonds, and other recreational areas;

Loads and unloads trucks with rubbish, snow, and equipment and supplies;

Loads garbage from curb to truck;

Sweeps streets and sidewalks;

Performs a variety of building and grounds cleaning and semi-skilled maintenance tasks.

REQUIRED KNOWLEDGES, SKILLS AND ABILITIES: Ability to lift heavy weights; willingness to perform routine manual work; willingness to work under all weather conditions; physical endurance; good physical condition.

ACCEPTABLE EXPERIENCE AND TRAINING: Some experience in heavy manual labor is desirable. Possesses NYS Driver's license; Employer may require Commercial Driver's License (CDL)



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

THE FOLLOWING WAS PRESENTED

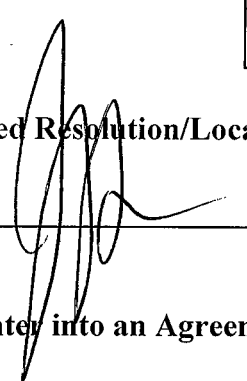
By: Alderwoman Wray
Seconded by: Alderman Jean-Francois
Date of Adoption: February 18, 2025
Index No: 70-25

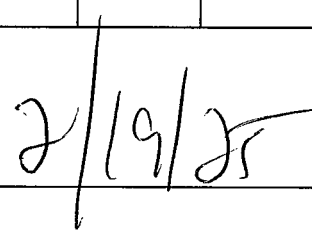
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor


Date

Authorization to Enter into an Agreement with the Sullivan County SPCA

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes an agreement with Sullivan County SPCA

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

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	Sullivan SPCA Contract 2025
----	-----------------------------

Sullivan County SPCA
104 Rock Hill Drive
Rock Hill, New York 12775
(845)796-3120
Fax (845) 794-2254

Agreement between Middletown and the Sullivan County SPCA for the period beginning September 1, 2024 and ending August 31, 2025.

The Sullivan County SPCA agrees to accept any adoptable dog brought to our shelter by your Animal Control Officer (ACO), or Dog Control Officer (DCO), from your municipality, space permitting.

The dogs in accordance with New York Agricultural law, must be held for the legal holding period, after which they may be put up for adoption if not claimed by the owner. If said dogs are not claimed or adopted, they may be humanely euthanized.

If the shelter must hold a dog beyond the legal holding time for your municipality because of a pending court case, bite case, etc., we will charge your municipality \$25.00 per diem, per dog. We can only hold up to three (3) animals for your municipality when the animals are seized by an ACO/DCO in the event of a cruelty case.

When leaving a dog that the ACO/DCO believes to be dangerous, the dog must be kept in the outside only part of the ACO/DC pen and follow the agreed upon protocol. Written information must be given to the shelter or the shelter manager that clearly communicates that the animal may be dangerous.

Since we do not have a veterinarian on premises, we are unable to accept any animal with suspected mange, rabies, distemper, parvovirus or an injury that requires immediate attention.

The municipality will pay a fee of \$300.00 per dog delivered to the SPCA

The SPCA will send out vouchers once a month. A record of the disposition of the dogs from the prior month will be sent out by the end of the month.

Sullivan County SPCA

By: 

Board President

Date


Municipality Supervisor

Date

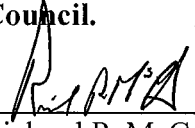


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

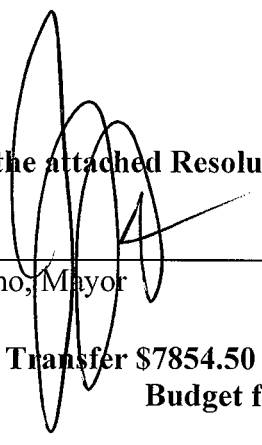
By: Alderman Green
Seconded by: Alderwoman Wray
Date of Adoption: February 18, 2025
Index No: 71-25

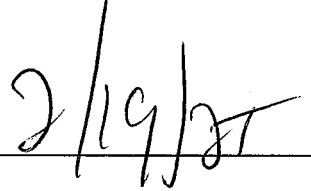
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

**Authorization to Transfer \$7854.50 within the 2024 Economic Development Department
Budget for Façade Improvements**

BE IT RESOLVED; that the Board of Estimate and Apportionment authorizes the Treasurer to transfer \$7854.50, in the following manner, for Façade improvements to contractual services and Warming Station extended hours reimbursements for 2024.

FROM	TO	AMOUNT
2024 Budget	\$7,854.50	2024 Budget
A.6200.100		A.6200.400
Personal Services		Contractual

Prepared by:
Maria Bruni, Director of Economic and Community Development

Attachments:

1.	OECD 2024 Budget Transfer -
2.	Memo for OECD 2024 Budget Transfer

CITY OF MIDDLETOWN
Office of Economic & Community Development

February 7, 2025

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

RE: Office of Economic & Community Development/Dept 6200

Dear Members:

I am requesting budget transfer within the 2024 Economic Development Department.

FROM	AMOUNT	TO
2024 Budget		2024 Budget
A.6200.100	\$7,854.50	A.6200.400
Personal Services		Contractual

This funding transfer is needed for Façade improvements contractual services and Warming Station extended hours reimbursements for 2024.

Thank you for your attention to this matter.

Maria Bruni, Director
Economic & Community Development

Memo

To: Maria Bruni
From: Gina Pratti
CC: File
Date: 02/07/2025
Re: Office of Economic & Community Development

This will need to be placed on the next BOE meeting.

FROM	AMOUNT	TO
A 6200.100 Personal Services	\$7,854.50	A 6200.400 Contractual Services 2024

This Transfer is needed to pay for:

Quality Environmental	\$2,813.00
Joseph Thompson Architect	\$2,490.00
Greater Middletown interfaith Council	\$2,328.50
A 6200.400 overage in 2024	<u>\$ 223.00</u>
Total	\$7,854.50

Thank you

Gina Pratti

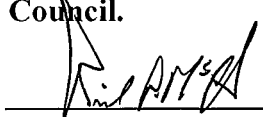


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

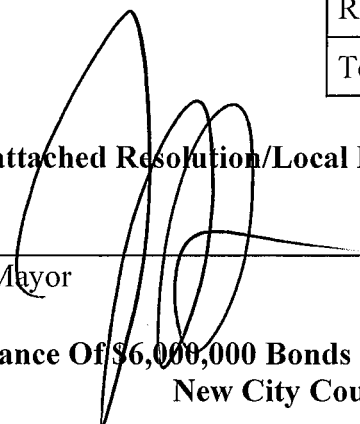
By: Alderman Kleiner
Seconded by: Alderman Green
Date of Adoption: February 18, 2025
Index No: 72-25

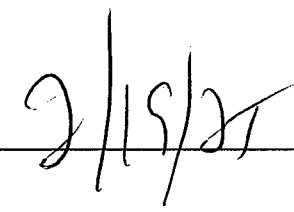
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

Authorizing the Issuance Of \$6,000,000 Bonds to Pay the Cost of The Renovation of The New City Courthouse

BOND RESOLUTION DATED FEBRUARY 13, 2025.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$6,000,000 BONDS OF THE CITY OF MIDDLETOWN, ORANGE COUNTY, NEW YORK, TO PAY THE COST OF THE Renovation of the Courthouse IN AND for SAID CITY.

WHEREAS, the project described herein has been determined to constitute a Type II Action as defined under regulations of the State of New York promulgated pursuant to the State Environmental Quality Review Act which, by such definition, will not have a significant adverse impact upon the environment; NOW, THEREFORE, BE IT
RESOLVED, by the Common Council of the City of Middletown, Orange County, New York, as follows:

Section 1. Renovation of the Courthouse, in and for the City of Middletown, Orange County, New York, including incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$6,000,000.

Section 2. The plan for the financing of such maximum estimated cost is by the issuance of \$6,000,000 bonds of said City hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

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

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

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

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

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

Treasurer shall determine.

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

- 1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

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

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

Prepared by:
Leonora Liz, Treasurer

Attachments:

1.	City of Middletown BOND RES (Courthouse Renovation) \$6M (2-509) 4154-0096-6744
1	



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

+1 212 506 5000
orrick.com

Douglas E. Goodfriend

E dgoodfriend@orrick.com
D +1 212 506 5211
F +1 212 506 5151

February 11, 2025

VIA E-MAIL (LLiz@middletown-ny.com)

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

Re: City of Middletown, Orange County, New York
Courthouse Renovation - \$6,000,000 Bonds
Orrick File: 42347-2-509

Dear Leonora:

In accordance with the information you provided to us, I have prepared and enclose herewith a draft form of bond resolution relating to the above matter, for adoption by the Common Council at its next meeting.

At that time this resolution is to be adopted by the affirmative vote of at least two-thirds of the entire voting strength of the Common Council. After adoption, the Legal Notice of estoppel of the resolution, a form of which I enclose herewith for your convenience, should be published once in the official newspaper of the City.

When available kindly return to me a certified copy of the enclosed resolution via email, together with an original printer's affidavit of publication of the Legal Notice of estoppel thereof. We no longer require originals to be mailed to our office.

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

With best wishes,

Very truly yours,

Douglas

Douglas E. Goodfriend
/es
Enclosures

cc: Jacob Tawil (jtawil@middletown-ny.com) (w/encl.)
Rosa Tumminia (rtumminia@middletown-ny.com) (w/encl.)

BOND RESOLUTION

At a regular meeting of the Common Council of the City of Middletown, Orange County, New York, held at the Common Council Chambers, City Hall, in Middletown, New York, in said City, on the February 13, 2025, at _____ o'clock _____.M., Prevailing Time.

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

PRESENT:

ABSENT:

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

BOND RESOLUTION DATED FEBRUARY 13, 2025.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$6,000,000 BONDS OF THE CITY OF MIDDLETOWN, ORANGE COUNTY, NEW YORK, TO PAY THE COST OF THE RENOVATION OF THE COURTHOUSE IN AND FOR SAID CITY.

WHEREAS, the project described herein has been determined to constitute a Type II Action as defined under regulations of the State of New York promulgated pursuant to the State Environmental Quality Review Act which, by such definition, will not have a significant adverse impact upon the environment; NOW, THEREFORE, BE IT

RESOLVED, by the Common Council of the City of Middletown, Orange County, New York, as follows:

Section 1. Renovation of the Courthouse, in and for the City of Middletown, Orange County, New York, including incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$6,000,000.

Section 2. The plan for the financing of such maximum estimated cost is by the issuance of \$6,000,000 bonds of said City hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

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

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

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Treasurer, the chief fiscal

officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Treasurer, consistent with the provisions of the Local Finance Law.

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

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

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

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

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

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

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

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

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

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

The resolution was thereupon declared duly adopted.

* * * * *

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

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

1. That a meeting of the Issuer was duly called, held and conducted on February 13, 2025.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (*the meeting at which the proceeding was adopted*) was caused to be given **PRIOR THERETO** in the following manner:

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

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

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

City Clerk

(CORPORATE SEAL)

LEGAL NOTICE OF ESTOPPEL

The bond resolution, a summary of which is published herewith, has been adopted on February 13, 2025, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of Middletown, Orange County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

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

Dated: Middletown, New York,
February 13, 2025.

/s/ Richard McCormack
City Clerk

BOND RESOLUTION DATED FEBRUARY 13, 2025.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$6,000,000 BONDS OF THE CITY OF MIDDLETOWN, ORANGE COUNTY, NEW YORK, TO PAY THE COST OF THE RENOVATION OF THE COURTHOUSE IN AND FOR SAID CITY.

Specific object or purpose:	Renovation of the Courthouse
Period of probable usefulness:	25 years
Maximum estimated cost:	\$6,000,000
Amount of obligations to be issued:	\$6,000,000 bonds
SEQRA Status:	Type II Action

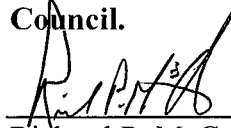


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

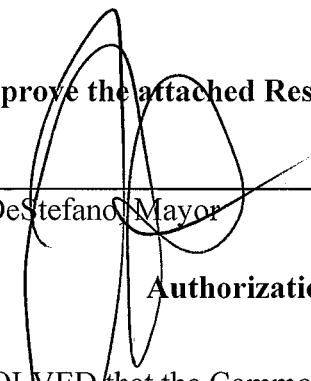
By: Alderman Johnson
Seconded by: Alderwoman Wray
Date of Adoption: February 18, 2025
Index No: 73-25

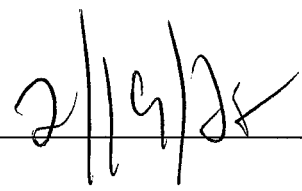
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano Mayor

Date 

Authorization to Hold Annual Spring Cleaning

BE IT RESOLVED that the Common Council of the City of Middletown, NY, authorizes the City's Annual Spring Spring Clean Up to begin on Monday, March 24, 2025, in the First Ward, March 31, 2025, in the Fourth Ward, April 7, 2025 in the Third Ward and will end the week of April 14, 2025 in the Second Ward. The pickup schedule is attached.

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown, NY, authorizes the City's Annual Electronics Drop Off Event for City residents will be scheduled for Saturday, May 24, 2025, from 8:00 am until 3:00 pm, under the same conditions as per previous years, as stated in the attached flyer, with drop off to be located at DPW facilities at 76 Monhagen Ave.

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown authorizes the Commissioner of Public Works to hire Advanced Recycling to pick up electronic recycling.

DPW employees will be present to assist in the operation.

Prepared by:

Attachments:

1.	2025 SPRING CLEAN UP AND ELECTRONIC DROP OFF MEMO
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DEPARTMENT OF PUBLIC WORKS

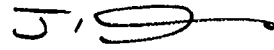
MEMORANDUM

Date: February 14, 2025

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

Cc: Richard McCormack, Clerk

From: Jacob Tawil, Commissioner of Public Works



Re : 2025 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 March 24, 2025 in the First Ward, March 31, 2025 in the Fourth Ward, April 7, 2025 in the Third Ward and will end the week of April 14, 2025 in the Second 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 24, 2025 from 8:00am until 3:00pm, under the same conditions as per previous years, as stated in the attached flyer, 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 for picking up the electronic recycling.

2025 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.middletownny.gov 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

First Ward – March 24, 2025

(Set out Sunday evening, March 23, 2025)

Fourth Ward – March 31, 2025

(Set out Sunday evening, March 30, 2025)

Third Ward – April 7, 2025

(Set out Sunday evening, April 6, 2025)

Second Ward – April 14, 2025

(Set out Sunday evening, April 13, 2025)

***Electronic Drop Off Day has been designated for City residents ONLY on Saturday May 24, 2025 from 8:00AM until 3:00PM located at the DPW recycling center (76 Monhagen Ave.). There is a limit of (5) items per household permitted. A \$25 fee for any air conditioner that holds freon will be collected.**

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

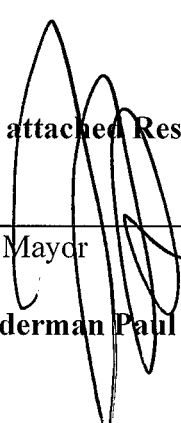
By: Alderwoman Wray
Seconded by: Alderman Kleiner
Date of Adoption: February 18, 2025
Index No: 74-25

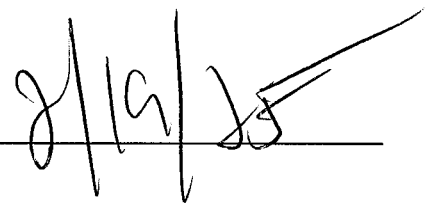
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson			X	
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

Appointment of Alderman Paul Johnson to the City of Middletown Local Development Corporation

Be it resolved that the Common Council of the City of Middletown confirms the Common Council President's appointment of Alderman Paul Johnson to the City of Middletown Local Development Corporation, for a term expiring on December 31, 2025.

Prepared by:
Rick McCormack, City Clerk

Attachments:

None



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

THE FOLLOWING WAS PRESENTED

By: Alderman Johnson
Seconded by: Alderman Tobin
Date of Adoption: February 18, 2025
Index No: 75-25

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

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Amend City Code as it Pertains to On-Street Parking in the Event of 2.5 Inches or More of Snow

Be it resolved that the Common Council of the City of Middletown hereby amends section 460-22 to include the following language into the existing code:

460-22 Parking restrictions to aid snow plowing and snow removal. It shall be unlawful to delay, hinder or obstruct any vehicles or equipment engaged in the operation of snow plowing or snow removal in the City streets. After a precipitation of snow of 2 1/2 inches or more, and thereafter until the streets are plowed and cleared of snow, it shall be unlawful for any person to park any vehicle upon any street while said street is being plowed or cleared unless such vehicle is attended by a person capable of operating it. The owner or a person in charge of or in control of any vehicle standing in any street shall move or cause the same to be moved so as not to be in the path of the equipment plowing or clearing the street of snow.

Prepared by:
Rick McCormack, City Clerk

Attachments:

None

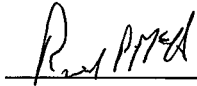


**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

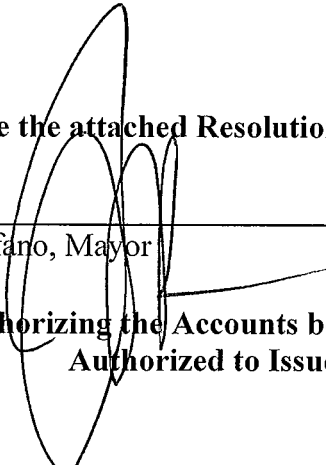
By: None
Seconded by: None
Date of Adoption: February 18, 2025
Index No:

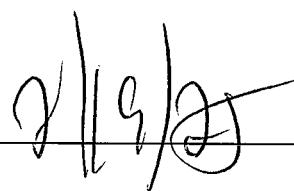
I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.


Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			

I hereby approve the attached Resolution/Local Law.


Joseph M. DeStefano, Mayor

Date 

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

Prepared by:

Attachments:

None



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

THE FOLLOWING WAS PRESENTED

By: Alderman Johnson
Seconded by: None
Date of Adoption: February 18, 2025
Index No:

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

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Local Law 1 - 2025 - Written Notice of Defect

A LOCAL LAW AMENDING THE PROVISIONS IN THE REQUIREMENTS FOR PRIOR WRITTEN NOTICE OF DEFECTS IN LIGHT OF THE DECISION OF THE NEW YORK COURT OF APPEALS IN CALABRESE V CITY OF ALBANY, 2024 WL 5126038 (Dec. 17, 2024)

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 amend the provisions in the City Charter regarding the requirements for prior written notice of defects in light of the Decision of the New York Court of Appeals in the recent case of Calabrese v City of Albany, 2024 WL 5126038 (Dec. 17, 2024)

Section 2. Section 30 of the Charter of the City of Middletown, Notification of defects; limitations on City liability, is hereby amended to replace Paragraph A, thereof, to read in its entirety as follows:

A. No civil action may be maintained against the City for damages or injury to person or property sustained in consequence of any street, highway, bridge, culvert, sidewalk, crosswalk, public building or public park being defective, out of repair, unsafe, dangerous, or obstructed unless, before the occurrence resulting in such damages or injury, (1) notice of the defective, unsafe, dangerous or obstructed condition was delivered to the City Clerk at 16 James Street, Middletown in the form of a written physical hard copy and (2) the City failed or neglected to repair or remove the defect, danger, or obstruction within a reasonable time after being given such notice. Notice of a defect submitted via email, the City's website, any service, website, or application the City uses to allow the public to submit reports or service requests to the City, comments on a social media page maintained by the City, or any other electronic means does not satisfy the process and procedure for submitting written notices of defect required by this Paragraph.

Section 3. Section 30 of the Charter of the City of Middletown, Notification of defects; limitations on City liability, is hereby amended to replace Paragraph B, thereof, to read in its entirety as follows:

B. No civil action may be maintained against the City for damages or injury to person or property sustained in consequence of the existence of snow or ice upon any sidewalk, crosswalk or street unless, before the occurrence resulting in such damages or injury, (1) notice thereof relating to the particular place was delivered to the City Clerk at 16 James Street, Middletown, New York in the form of a written physical hard copy and (2) the City failed or neglected to cause such snow or ice to be removed, or to otherwise reasonably make safe the place within a reasonable time after being given such notice. Notice of a defect submitted via email, the City's website, any service, website, or application the City uses to allow the public to submit reports or service requests to the City, comments on a social media page maintained by the City, or any other electronic means does not satisfy the process and procedure for submitting written notices of defect required by this Paragraph.

Section 4. Section 30 of the Charter of the City of Middletown, Notification of defects; limitations on City liability, is hereby amended to replace Paragraph C, thereof, to read in its entirety as follows:

C. All claims against the City for damages or injury to persons or property alleged to have been caused by the misfeasance or negligence of the City, or any of its officers or employees, shall be presented to the City Clerk at 16 James Street, Middletown in the form of a written physical hard copy within ninety (90) days after the happening of the accident or injury out of which the claim arose. Such writing shall describe the time when, the particular place where, and the circumstances under which damages or injuries were sustained, and the cause thereof. It shall also state so far as then practicable the nature and extent of the damages or injury. It shall also state the place of residence of the claimant by street and number, and if there be no street and number, it shall contain such statement as will disclose the place of residence, and all such claims shall be verified by the oath of the claimant. A copy of each such claim shall be served by mail on the Corporation Counsel. The omission to present such claim within ninety

(90) days of such alleged injuries and to commence an action thereon within one (1) year from the time of such alleged injuries shall be a bar to any claim or action therefor against the City, but no action shall be brought upon any such claim until three (3) months have elapsed after the presentation of the claim to the City Clerk. Notice of a claim submitted via email, the City's website, any service, website, or application the City uses to allow the public to submit reports or service requests to the City, comments on a social media page maintained by the City, or any other electronic means does not satisfy the process and procedure for submitting written notices of claim required by this Paragraph.

Section 7. 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 8. Effective Date. This Local Law shall be effective upon filing with the Secretary of State.

Prepared by:
Rick McCormack, City Clerk

Attachments:

None