



COMMON COUNCIL Meeting
CITY OF MIDDLETOWN
June 7, 2022
City Hall
16 James Street
Middletown, New York 10940

P R E S E N T

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

A B S E N T

Ald. Sparrow Tobin

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1. Pledge of Allegiance

PRESIDENT RODRIGUES: Please stand and I ask for a moment of silence for the victims of Uvalde, Texas.

(Moment of Silence.)

PRESIDENT RODRIGUES: Thank you.

2. Roll Call

PRESIDENT RODRIGUES: Roll.

Roll Call: Jean-Francois, Johnson, Ramkissoo, Kleiner, Green, Witt, Masi, President Rodriguez.

3. Approval of Minutes.

PRESIDENT RODRIGUES: Approval of minutes.

RICHARD MCCORMACK, COUNCIL CLERK: We have the minutes of May 3rd.

ALD. MASI: So moved.

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

COUNCIL MEMBERS: Aye.

4. Correspondence, Communications and Reports

PRESIDENT RODRIGUES: Correspondence.

RICHARD MCCORMACK, COUNCIL CLERK: We have two this evening. We have a letter from Northern Academy of the Arts. "Dear Mayor DeStefano and the Common Council, the Northern Academy would like to formally and sincerely express our gratitude for the diligence of your Department

of Public Works. Recently Brian Smith was driving through our campus and noticed some of our street lamps had gone out over the past winter. The next day he came back to the campus with Mr. Tawil to take a closer look at the situation. All the lights that were out were fixed in a very short period of time and making our campus a much safer environment. With all the various multifaceted projects going on in our City, it meant the world to us that this project was completed in such a quick and efficient matter. Once again we thank them from their hard work. Sincerely, Dr. Marilyn Torley."

PRESIDENT RODRIGUES: Received and filed.

RICHARD MCCORMACK, COUNCIL CLERK: We also have a side letter agreement between the City and the CSCA in reference to the Animal Control Officer position.

PRESIDENT RODRIGUES: Received and filed.

RICHARD MCCORMACK, COUNCIL CLERK: And that concludes communications.

5. For the Good of the City

PRESIDENT RODRIGUES: For the Good of the City. Anyone would like to address the Council, please step forward.

MARILYN PIERCE, GMIC WARMING STATION COMMITTEE:
Hello. The three of us are here -- please excuse my

laryngitis -- from the Warming Station Coordinating Committee from the Greater Middletown Interfaith Council, Michelle Duggan, co-chair. I'm co-chair and Matt is our building manager. We just have a presentation that we would like to give to the City.

To the City of Middletown, words are not enough to express our thanks to all of you for all of you have done for homeless guests at the Middletown Warming Station. Since the pandemic hit, everything changed. We can no longer have our guests at St. Paul's because we did not have room to socially distance. Temple Sinai graciously gave us the use of their basement for a season.

We looked everywhere we thought feasible for a space. But thanks to Mayor Joe, Maria, Mike, and the City Council and staff, 8 to 10 Mulberry Street was renovated and the GMIC Warming Station now has a permanent home.

We spent our first season there this year from November 21st, 2021 through April 7th, 2022. And it truly became a home to those who needed a safe, warm place to stay. And they didn't have to walk down into a basement to go to bed.

Well over 2,700 beds were used this season. And the folks who slept on them also had a hot meal and opportunities to search with help for permanent housing

with about 15 of our guests doing that successfully this season.

Because you as a City made this space available to us, we were able to help others in this undertaking. We thank you all for your continued support and assistance with this mission. Many blessings to you and yours, Marilyn Pierce, Michelle Duggan and Matt Airall on behalf of the GMIC Warming Station coordinating committee. Thank you.

PRESIDENT RODRIGUES: Thank you.

MARILYN PIERCE, GMIC WARMING STATION COMMITTEE::
I'll give this to you.

MATT AIRALL, GMIC WARMING STATION COMMITTEE:
This is a small of --

MAYOR DESTEFANO: Jerry, come on over here because you're the man here. You should be accepting this.

MATT AIRALL, GMIC WARMING STATION COMMITTEE:
Something acknowledging your support.

MAYOR DESTEFANO: Well, we appreciate it.

MR. AIRALL, GMIC WARMING STATION COMMITTEE: We greatly appreciate it.

MAYOR DESTEFANO: All right. Thank you so much. Thank you. He's always got his camera.

FEMALE SPEAKER: And one last thing, there is our

-- our lease --

MAYOR DESTEFANO: (Inaudible) your lease for five years.

FEMALE SPEAKER: Yes. This is from Ria Gracia (phonetic). She covered our lease for the next five years.

MAYOR DESTEFANO: I can't put it in my pocket.

PRESIDENT RODRIGUES: You got to make sure you get a receipt.

MAYOR DESTEFANO: When Leanora comes up, you can take the \$5. I'll be very happy.

PRESIDENT RODRIGUES: Anyone else would like to address the Council? All right.

6. Remarks of the Mayor.

PRESIDENT RODRIGUES: Remarks of the Mayor.

JOSEPH DESTEFANO, MAYOR: Well, I want to thank the three for that surprise. You know, we -- we did move pretty quickly as a community. And, you know, we've acknowledged Gerry and Andrew's role because they bore a lot of that during the transition period. So and Maria and Mike Dvorchak did a great job with that and which, as you recall, resulted in a presentation nationwide to -- to HUD on a nationwide webinar and then that report was then submitted to Congress in which that project was one of the top five projects in the nation that was selected for the

best use of COVID funds. So we -- I guess we did a good thing.

So, moving on. I wanted to report your Memorial Day was successful. This year as in past, a couple, it's been a little confusing for people because traditionally Middletown and Wallkill have connected together and we've had the Memorial Day where we march from Watts -- not Watts from the Thrall Park over to the Memorial by Maddy's Diner, the Vietnam Memorial. And, you know, the past couple of years it hasn't happened. And this year people were expecting it to happen again. But the two legions decided and they coordinate this, not the City of Middletown or the Town of Wallkill. The two Legions decide how they're going to move this along. And this year we had a lot of disappointed people that the ceremonies were not held at Thrall Park where the monuments are. So we appreciate all their efforts. And it was well attended at the American Legion Post 151. I was -- I attended along with Alderman Kleiner and Alderman Masi. And -- and we've asked -- I've asked Alderman Masi to try to work with the two Legions to see if we can reinstate that traditional march or -- and I know some of the reasons are that a lot of the gentlemen are -- are -- and ladies are elderly and unable to march, so we can make some kind of special accommodation.

But Alderman Masi, our only veteran on the -- on the Council has been assigned with that task. I think he's done some outreach already and hopefully for even Veterans Day or by Memorial Day next year we'll have a different type of ceremony.

O&W update, I know many of you are looking for it. We did receive the schedule. And that includes the abatement of the -- the asbestos and the preliminary design, schematic. Right now the -- the 100 percent big package will be ready to go out in mid-October. So there are some structural issues, the temporary structural support that needs to be done. But the bid package will be ready by mid-October to go out. And I will be forwarding to the Council the -- the schedule that was presented to us at our last meeting with the -- with the engineers.

Another issues, the -- you may see the County Health Department. They have contracted with Alley Mor which is the Pestmaster Services to provide an application to municipalities, the own catch basins for the larvicide for the mosquitos and -- and other types of things that can grow in that to create a problem for certain types of diseases. So if you see that around the City, they'll be do it in conjunction with the City with the Department of Public Works, but it will be a private company. So we're -

- we're aware of it. And but if you have any questions just contact the police department if you think somebody is doing something they shouldn't be doing and -- and they'll look into it. But this company is the larviciding municipality -- municipality owned catch basins will begin sometime very soon.

Summer concert series, I'll let Maria brief you on that. We had our first one this past week. It was well attended for especially for the first, you know, for the first concert of the year. And we do have a schedule, both, for Run for Downtown Park and the John F. Degnan Square throughout -- through August.

The sidewalk progress as you've seen is happening. A few glitches here and there. But for the most part, the contractor is working with the businesses to make sure that they maintain access into the individual businesses. The sidewalks that have been installed look beautiful. And we're -- Jacob can give you an update on that schedule if necessary. I know they're probably a little bit behind from the original schedule that was presented. But I -- I believe we'll -- as the weather has improved, that they'll be moving very quickly from here.

One other issue was Wolslayer Field and if you've driving by it, you have seen the concession stand. The

bathrooms are now being built. The bleachers are in stock now in possession of the City. I know there's some discussions about relocating the scoreboard I think, Council President, correct --

PRESIDENT RODRIGUES: Yes.

MAYOR DESTEFANO: -- from Watts over to -- the scoreboard is owned by youth football. So we will be relocating from Watts Park over to -- over to Wolslayer Field.

I've asked the Parks Department to start looking into some pricing for lighting to see, you know, maybe not this year's project, but a project as we move forward. Hopefully it can be done this year maybe. So as soon as those numbers come in I'll give you -- I'll make you aware of it. But the -- hopefully, I know the goal was to have the field ready by July, July what?

ALDERMAN JOHNSON: 22.

MAYOR DESTEFANO: Oh, July 22 according to Mr. Johnson. So we'll -- they are moving pretty quickly. You know, there was a supply issue for a while, but it's -- it's been addressed.

And, lastly, tonight I forwarded to you a resume today of Rose Tumminia, Rose or Rosa, I'm sorry. That's my mother-in-law's name, so I should know that. Rose is here?

Come on up, Rosa. Leonora can come with you too. And I'll let Leonora introduce you because -- Rosa is -- there's a resolution up for her appointment tonight. You'll be getting actually as we move further down the line, it's a little confusing our charter. It mentions Deputy Treasurer in some spots, but it doesn't mention anything in another spot, so we'll be clarifying that. But we're going to have her up tonight for a vote and for the approval. You have her resume, but just let Rosa say a few words or Leonora, if you want to introduce her.

LEANORA LIZ, CITY TREASURER: Hi. Good evening. I would like to introduce Rosa Tumminia. She has an extensive background in the county. So one of my biggest things was management, being able to work with the team, being able to work with you all. And I am highly confident that she can do that. So I would greatly appreciate it if she is appointed tonight. It would be of great help to me as I am hitting the ground running and I'm pretty sure she will do the same.

ROSA TUMMINIA: Thank you. Thank you all for having me. And I am so thankful for the opportunity to be here. And I look forward to working with all of you. I -- I can promise you that I can work really hard and I will give you the best of me. Thank you very much.

MAYOR DESTEFANO: Welcome.

PRESIDENT RODRIGUES: Thank you. Any questions for the Mayor. All right.

7. Remarks of Department Heads

PRESIDENT RODRIGUES: Okay. Department Heads, Economic Development.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Good evening, everyone. It's so great to see the Warming Station Project was successful this year and the great work that they do I got to see it firsthand this year, you know, from having vaccination shots the County came in and delivery of COVID testing. It was just very, very fulfilling to see that project come about. And, you know, I want to thank you guys for what you do as well. So we look forward to many years of helping the community.

As the Mayor said, the summer concert series started and very successful first concert series along with our Farmers Market last weekend. So we also hit the ground running as Leanora said getting these events up and going again. You know, we had two years with everything slowed down or not -- not happening. So it's great to see people are coming back and supporting us.

And the ribbon cuttings keep coming. We had one last -- last week and this week we have two. On Thursday

at 5:30 join us at the Piccolo Cucina e Vino. That's the formally Something Sweet. So they are going to have their grand opening and ribbon cutting at 5:30. And on Friday at 4:00, Dash Events on the corner of Academy and -- and Bennett Street. It's Dolson and Bennett. Thank you. So 4:00 on Friday.

Then also Top Gun did very well for us at the Paramount. We got a lot of new customers from that and good numbers. And now we are being released Downtown Abbey and then Eiffel, so those are another two great movies that are coming to our theater. And we -- we were just filled with graduations and ceremonies that we're still doing from Suny Orange had ceremonies, nursing pinning ceremony, convocation, Fatien (phonetic) and Northern Academy of the Arts, New Beginnings, Toro. We have Garnet Health this week with a residency ceremony and graduation. So as you can see everything is moving forward.

We had our CDA meeting tonight, updated you on the house -- the houses that we're working on. And one's on its way to be sold and a couple more that we were -- we're going to get creative with CDBG funds hopefully to stabilize and -- and start moving those.

And I think that's it for tonight.

PRESIDENT RODRIGUES: Any questions for Maria?

Alderman Kleiner.

ALD. KLEINER: Yes, thank you. Hi, Maria.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Hi.

ALD. KLEINER: The -- this year's fireworks display --

MARIA BRUNI, ECONOMIC DEVELOPMENT: Correct.

ALD. KLEINER: -- I -- I believe that's on July 2nd. But I look on the website and I don't see it there anywhere. I don't see it mentioned anywhere. And I think we ought to make people aware of it ahead of time. And I'm hoping they get that side path -- but that's not your department -- finished by then, but --

MARIA BRUNI, ECONOMIC DEVELOPMENT: Yes. Well, I know like I mentioned another time where everything has been on Facebook, social media, but we will make sure the websites will be updated with all the events.

ALD. KLEINER: Okay. Thank you.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Yep.

PRESIDENT RODRIGUES: Anyone else? Thank you, Maria.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Thank you.

PRESIDENT RODRIGUES: Any questions for Maria?

Alderman Kleiner.

ALD. KLEINER: Yes, thank you. Hi, Maria.

PRESIDENT RODRIGUES: DPW Commissioner

JACOB TAWIL, DPW COMMISSIONER: Good evening.

Before you tonight we have several Resolutions for DPW, so either I can address them now or I can wait when the vote comes if you have any questions. Maybe I should wait, so I don't make my presentation too long. I'll wait for any questions when the Resolutions come out.

The reservoirs, Alderman Masi, are full -- full capacity. We even had too much water and we had to shut down some of the reservoirs because we had to treat for algae. And when we treat for algae, the reservations are not allowed to overflow or spill into adjacent areas. So that was an issue, but we had -- we managed to deal with it and thank God we have too much water rather than not enough water like California or many other places.

A reminder for the people to -- all our residents to conserve water as much as you can because it's a very limited resource.

The Mayor he spoke about the side curbs and sidewalks project which is a traffic operation. Again, remind people this is like a \$30 million project. It's a major facelift for our City. It restores our -- our -- the glorious past and they're having granite curbs in there, very respectable looking curbs, not just concrete curbs.

And sidewalks are becoming very nice -- are coming out very nice. There's going to be a landscape component to this work with trees that's going to be planted. So things are moving very well. And the contractor is not only working on downtown area, but he's also working at Ridge Street. There's a significant amount of curbs and sidewalks that have fallen and they had tremendous drainage issues in there, so that's all being resolved. So the contractor is working over there as well -- as well as throughout downtown. And work is doing very well -- moving very well like the Mayor stated.

Zombie or double polls, they've taken down 70, so far 7, 0. They've been eliminated. All the work associated with the traffic operations for the next three years, all the poles have been gone, out of the way. So now we're just catching up with the rest of the City. And we're very happy and thankful for Frontier, basically, for that work because it's mostly Frontier double -- double polls.

The new water treatment plant pump station, we've been working on this for a long time. And tomorrow is going to be the commissioning or the start up. Hopefully everything will go along very smoothly. It's just under \$2 million this project to replace. And all 19 -- 1989 pump

station for the finish water, it's a essential component of our water treatment plant and our water system. And that will be commissioned tomorrow hopefully and we can leave it on line assuming that everything goes well.

The milling and paving, our annual milling and paving project, all this is being generated. We'll be going over that with the Mayor. And hopefully we'll be starting really soon with the milling and we'll keep you -- we'll keep you posted, so that you can look for our website for the names of the streets and so on and so forth. Again, once we clear it with the Mayor and the elected officials.

Frank Shorter Way and they are just an example when constituents talk to us we do listen. It's not all the time people talk. They said, oh, nobody does anything about it. We do listen. Many times we do have very constructive ideas from constituents such as Frank Shorter Way. In there -- Alderman Kleiner will remind me the name of the resident who -- who brought it to our attention?

ALD. KLEINER: Tony DeFazio.

JACOB TAWIL, DPW COMMISSIONER: Tony DeFazio, all the time he's, you know, he's a nice resident of the City of Middletown. We don't agree on too many things but -- usually. But and this one we -- he brought this to our

attention and we agreed with him immediately and we started working on it. And for that we -- we thank him very much for his -- his ideas and his perseverance.

And with that I will conclude my remarks. If you have any questions, anybody.

PRESIDENT RODRIGUES: Any questions for Jacob?

Alderman Kleiner.

ALD. KLEINER: Not really a question. I just wanted to say thank you to the -- for electronics drop off date. Those guys were -- it was pouring most of that whole day and I saw lots of TVs and things --

JACOB TAWIL, DPW COMMISSIONER: Yes, yes.

ALD. KLEINER: -- went I by so.

JACOB TAWIL, DPW COMMISSIONER: Yeah, about 14 pallets were collected.

ALD. KLEINER: Wow.

JACOB TAWIL, DPW COMMISSIONER: Fourteen, yeah, 14 of them, the truck had to come back on Tuesday to pick up the rest.

ALD. KLEINER: Pick up the extra.

JACOB TAWIL, DPW COMMISSIONER: Yeah, because we had too much.

ALD. KLEINER: Very good.

JACOB TAWIL, DPW COMMISSIONER: Yeah, which is

very good for the environment. Yes. Thank you, Alderman.

PRESIDENT RODRIGUES: Anyone else? Thank you, Jacob.

City Treasurer. It's okay, we don't bite.

LEONORA LIZ, CITY TREASURER: Good evening, all. I just introduced Rosa, so I just wanted again to thank you all if you're going to appoint here tonight, help me tremendous, help my team tremendously. Again, she has a strong background in accounting and in management. And I think she will work well with -- with the City. Thank you.

PRESIDENT RODRIGUES: Any questions? Thank you.

Superintendent of Recreation.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION:

Good evening, everyone. Just first I want to say thank you for your constant support. Our teen center, transportation, we just put an end to that for the summer. Every year when the weather starts getting nice, the kids are outside playing basketball instead of coming to our gym which is not an issue. It's great that they're still playing, so we did put a hold on the teen center transportation for now. And we are definitely going to resume that again come September. We are averaging between 10 to 12 kids a night getting bused and shuttled to and from our facility on Wednesday night. So it definitely was

a help and it definitely gave those 10 to 12 kids every Wednesday an opportunity to get there where otherwise there were either taxis or trying to sneak out and walk at night. So, again, thank you for your support.

July 2nd, the Party in the Park with the fireworks, the rec department is going to have a slew of events and things, activities for the kids to do, a few showcases of our break dancing and some of our programming that we do have. Our break dancers have been working very hard through the year and they are going to be putting on a brief show at the Party in the Park.

Just a reminder, the pool is open on June 27th. We're still getting the constant phone calls. And we just want to remind everybody, June 27th. We will be getting ready to start taking the cover -- covers off of the pools to get the inside and the water ready. So just a reminder again June 27th even when the covers come off.

Summer program registration is open. All of our spring is pretty much done for now. And we are preparing for summer and all of our registration is out and up. And it is -- spots are slowly starting to fill and we are -- we are finished hiring for the summer.

Maintenance update, if you've noticed the train on County Route 78 and West Main was painted red. It was

bought to our attention that the -- one of the original trains, the color was supposed to be red, so it was painted and updated, so the train is red if you haven't noticed.

Our maintenance department is also doing a few more updating of rocks and everything in that area. And once those rocks are in, solar lighting will be put there to shine onto the train. And then if you pass near Tall Oaks, you'll also see that Welcome to Middletown sign also has the solar lighting, so it's visible at night as well.

Happy to announce the reservoir bathroom project is complete. The bathrooms will be opening. We just called the porta potty company and we discontinued one of the porta potties. The handicap one is going to be moved to Abrahamson Road and Highland Lakes parking lot. We're getting a lot of requests to have a bathroom in that area as well. So our handicap porta potty will be moved over there.

There's still -- maintenance is still going to be adding mulch to the Van Duzer parking lot and finish cleaning it up, but the bathrooms will be open. And we're looking forward to hopefully having BOCES summer project that comes every summer and does work somewhere with us and with our maintenance department to hopefully being at Van Duzer parking lot. And John Bianci, our working foreman,

has a lot of ideas of expanding that picnic area. And that would be a great project for the BOCES group to work on this summer.

Kate, let you know that the Davidge Ball Field lights are pretty much all fixed except for there is one burnt out fixture that cannot be replaced. It's no longer made. I believe it's on the first base side. And Rotolo and John Bianchi are working together to try to get that last light replaced and fixed there.

The French Order Walkway hopefully in two weeks will be open. DPW will be coming in soon to install the new guardrails -- guardrails with the openings. And our guys are in the process of just cleaning up the final brush and all the extra debris off.

There's also talking about the future of expanding that walkway to continue going through that whole bend near the small shelter and the basketball court. So anyone and, actually, all of the walking that gets done there, so they don't have to go into that road anymore of discontinuing a walking trail that will be inside of the fence area just to avoid the public walking in the road on that busy windy stretch right there.

Wolslayer Field project, the pole barn has been started. Once the framing is complete, the plumbing will

be installed for the bathrooms and the kitchen sink. Fusco Engineering is in the process of designing the septic system for there. Our guys are also finishing the backfield area. There's lot of, like, rocks and pebbles, so they're in the process of clearing out the rest of that and then adding top soil and hydro seeding. As the Mayor said, the bleachers are in our possession. We're just waiting for once everything gets finished. We're in the process of also ordering new goal posts for there with the trying to secure the royal blue padding for the posts as well. So it's coming along. We're looking good, not promising that July date, but it's -- it's looking good so far so good.

Any questions?

PRESIDENT RODRIGUES: Any questions? Alderman Jean-Francois?

ALD. JEAN-FRANCOIS: Yes. As far as the basketball court, do we have any plans of changing the -- the backboards to a fiberglass to give it more of that futuristic look?

RAELYNN BERTHOLF I did once summer gets going work on just getting quotes to -- a lot of our basketball courts do need to be resurfaced. And a lot of the poles are outdated and do need to do updating, so would getting

the resurfacing also getting quotes to see what ballpark area we would be in for hopefully submitting for some park improvements for 2023.

ALD. JEAN-FRANCOIS: Thank you.

PRESIDENT RODRIGUES: Anyone else? Okay. Thank you.

City Clerk.

RICHARD MCCORMACK, CITY CLERK: Good evening, everybody. With Memorial Day behind us, it's important to remember that we're in prime yard sale season. You would need permits in the City of Middletown to have a yard sale. They're available in the City Clerk's Office. It's \$10 with a \$50 refundable deposit provided that you follow all the rules and regulations. Most importantly, when you do have your yard sales, please do not post signs on any city property, any public property, telephone poles, street signs. That's the surest way to ensure that you don't get your deposit back. But we're more than happy to help you get permits set up and get your yard sale on the way this summer.

Also, I spoke with Eileen just a few seconds ago. The fireworks has been -- was on the website earlier today, so it's out there, Mr. Kleiner.

ALD. KLEINER: Thank you.

PRESIDENT RODRIGUES: Any questions for Rick?

All right.

8. Public Hearings and Grievances.

(None this evening.)

9. Petitions and Complaints

(None this evening.)

10. Remarks of the Alderman.

PRESIDENT RODRIGUES: Remarks of the Alderman.

Alderman Masi.

ALD. MASI: Thank you. I'd like to thank the American Legion Post 151 for their Memorial Day ceremony. The following several days speaking with Mayor DeStefano and President Rodriguez, we realize that we received many requests to hold that Memorial Day ceremony at Thrall Park as we have in the past. As a member of American Legion Post 151, I will make a formal request that they consider the possibility of next year changing to laying a wreath at the armory and then marching down Wickham Avenue to Thrall Park where the City will have the portable stage assembled and have the Memorial Day laying of the wreaths and the ceremony there. I will also check in as the Mayor had said if we can get the two groups together and maybe go back to starting at Maddy's Diner down to Thrall Park and reversing it if that's possible. But if that's not possible, at

least go back to what I just stated.

Second, I will also be asking Post 151 to assist in the veteran's downtown banner program that's resurrected again. Thank you. That's it.

PRESIDENT RODRIGUES: Alderman Witt.

ALD. WITT: Thank you very much. A couple of things here. Our First Ward constituents' meeting is tomorrow night at 6:00, 6 until 7 right here. We'd love to see you.

The second thing is just because they were here, the Odyssey of the Mind Kids, for anyone who may not have heard, they actually went on to Iowa State and ended up finishing second in the world, so out of 37 teams. So I know they came here and the, you know, I mentioned it a couple times about the time commitment that goes into this. But it was an incredible group, so they finished second in the world which is pretty amazing. So Rick's niece is on that team and I'm sure she had a real time doing that.

And thank you finally to our friends from St. Paul's for coming here tonight and all that you've done for so many years. You know, Matt, Michelle, and Marilyn, you know, how much you've all done. And I know, Doug, you didn't come up, but I'm sure you've had conversations at your dining room table for years on this stuff. So it's

incredible the impact it had on this community and thank you very much.

PRESIDENT RODRIGUES: Alderman Green.

ALD. GREEN: Thank you very much. Alderman Masi, I would look forward to that in the coming years to see the -- some sort of parade or things back for Memorial Day. That would be great to -- to see.

Maria, I just want to thank you for some brownie points for my mother-in-law because she asked me the other day what can you do to bring Downton Abbey to the Paramount and I said, you know, that sounds like a great movie for there. And it's magically the next day I drove by and it was on the marquee outside, so that was really cool to see.

I do want to thank the police department for putting together a great kids day event and everyone who was there on Saturday. My son thoroughly enjoyed it and so did all the kids. I know it started at 11, but by 10:30 the park was packed. So it's always good to see everyone out there for that. And, again, also thank you to the Warming Station and the Interfaith Council for all you've done. Certainly, you know, the City couldn't have done it without your help and cooperate as well. So it's always good to work with our -- with our neighbors that way. Thank you.

PRESIDENT RODRIGUES: Alderman Kleiner.

ALD. KLEINER: Thank you. And, of course, thank you, Marilyn and Michelle and Matt. You -- you can't believe how much work they do. It's just amazing. So I'm glad everything is working out and it's really been a blessing for the City.

We'll have our Second Ward constituents meeting next Monday the 13th at 7 p.m. here in City Hall. Anyone is welcome. I hope you come out for that.

The Waywayanda is having their draft generic environmental impact statement public hearing from their Planning Board. That's at 80 Ridgebury Hill Road. That is Wednesday at 7:30 exactly the time of our Parks and Rec Commission meeting, so if I'm not there you know where I am. That's about the project for the Dolsontown Road, Dolsontown Road corridor. And you just need to go on the website and read that and read what's planned for that in that wetland area and oh my God. So hopefully CDM will be there representing the City. But you want to stay aware of what -- of what is going on in that area, you know, so close to that busy, busy intersection and with all those wetlands.

This -- this Sunday is June 12th will be the Ruthie Dino Run. So let's hope that goes well and goes

smoothly. And I want to thank also Alderman Masi and the Mayor and American Legion Post with 151. I thought the speaker was excellent this year. They did a wonderful job with the ceremony, but I agree the people want to be at Thrall Park, they want to lay the wreaths at the monuments. They want to remember Decoration Day that way, so I certainly hope that they can work that out. Thank you.

PRESIDENT RODRIGUES: Alderman Ramkissoo.

ALD. RAMKISSOON: Good evening. I just wanted to say to Rosa welcome to City Hall. I'm sure we're all going to be in approval of this appointment. And, you know, City Hall is -- it's a big family here and now you're a part of it, so I'm sure you're going to do fantastic.

For Parks and Rec, I just wanted to kind of shout you at. I basically live at softball and baseball fields these few months. And, you know, we have been challenged by weather. The rain has been almost incessant for us, so it's hard. But the ability for the Parks' guys to go out and make them playable over and over again. They've been beautiful and -- and just thanks to them and all your leadership there. And, of course, the lights and fixing the bleachers.

But to the Interfaith Council, your work is unbelievable. You've been doing this for years. And what

you do for the community and for the people in need and offering them a place to be safe and warm and -- and a dignified way to -- to get through the cold months and I appreciate your work there. And I'm going to leave it at that.

PRESIDENT RODRIGUES: Alderman Johnson.

ALD. JOHNSON: Red train duly noted. Thank you very much. There are three resolutions on this evening's agenda with respect to new legislation. These three items were reviewed and approved by the legislative committee earlier this evening. Wolslayer Field carry on, good work. I see that at least twice a day going back and forth.

Zombie poles, Commissioner, thank you very much. He's busy right now. Thanks.

Warming Station can't have too many thanks. It's been a long and winding road for sure. I think I agree with my predecessors, your contribution to the community is really incalculable. And thank you for representing us so well. We all do appreciate that as much as your -- your patrons do I'm sure.

And, Mr. Kleiner, thanks for keeping us on track with Waywaywanda. So near, yet so far. And I'm sure you'll keep us apprised of progress or, perhaps, lack thereof. Thank you very much.

PRESIDENT RODRIGUES: Alderman Jean-Francois.

ALD. JEAN-FRANCOIS: Yes. Good evening. Kudo to the Warming Station. And I work in Newburg sometime, DSS. And I was in there a couple of weeks ago. And there are a few folks that come in. They have the option to go to other places that's looking for shelter. And for the most part, they all -- they always want to pick Middletown for some reason. And -- and I feel proud of that and -- and being part of the City of Middletown. And you guys are doing a great job. Thank you for all you do.

And also I'd like to thank everyone that was involved with the electronic drop off the past weekend, a great effort. Thank you very much.

11. Unfinished Business.

(None this evening.)

12. New Business.

PRESIDENT RODRIGUES: New Business.

RICHARD MCCORMACK, COUNCIL CLERK: We have a Resolution sponsored by Alderman Masi renewing an agreement with RJ Smith Realty.

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

Roll Call: Ayes: Jean-Francois, Johnson,

Ramkissoon, Kleiner, Green, Witt, Masi, President
Rodrigues. Carried.

RICHARD MCCORMACK, COUNCIL CLERK: Resolution sponsored by Alderman Witt authorizing a budget transfer for emergency repairs for the air conditioners at the police station.

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

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

RICHARD MCCORMACK, COUNCIL CLERK: Resolution sponsored by Alderman Jean-Francois authorizing an architectural engineering consultant contract for the Traffic Operations Project.

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

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

RICHARD MCCORMACK, COUNCIL CLERK: Resolution sponsored by Alderman Kleiner authorizing amendment number

three in a proposal from CDM Smith.

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

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

RICHARD MCCORMACK, COUNCIL CLERK: Resolution sponsored by Alderman Ramkissoo authorizing amendment number one in a proposal from CDM Smith.

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

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

RICHARD MCCORMACK, COUNCIL CLERK: Resolution sponsored by Alderman Green authorizing a proposal from Clark Patterson Lee for work related to a parking garage.

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

Roll Call: Ayes: Jean-Francois, Johnson, Ramkissoo, Kleiner, Green, Witt, Masi, President

Rodrigues. Carries.

RICHARD MCCORMACK, COUNCIL CLERK: Resolution sponsored by Alderman Johnson accepting a \$550 donation from the Middletown Little League.

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

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

RICHARD MCCORMACK, COUNCIL CLERK: Resolution sponsored by Alderman Jean-Francois accepting a \$900 donation from the Middletown Lyons Club.

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

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

RICHARD MCCORMACK, COUNCIL CLERK: Resolution sponsored by Alderman Jean-Francois authorizing an agreement with St. Paul's United Methodist Church for the City to use their parking lot.

PRESIDENT RODRIGUES: Resolution sponsored by

Alderman Jean-Francois, seconded by Alderman Kleiner. Any discussion? Roll.

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

RICHARD MCCORMACK, COUNCIL CLERK: Resolution sponsored by Alderman Green authorizing an amendment to the City Code to place a handicap parking spot at 156 1/2 Linden Avenue.

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

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

RICHARD MCCORMACK, COUNCIL CLERK: Resolution sponsored by Alderman Green authorizing an amendment to City Code to require all retail stores to obtain Planning Board approval in applicable zoning districts without regard to square footage.

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

Roll Call: Ayes: Jean-Francois, Johnson,

Ramkissoon, Kleiner, Green, Witt, Masi, President
Rodrigues. Carries.

RICHARD MCCORMACK, COUNCIL CLERK: Resolution sponsored by Alderman Johnson amending the City Code to implement a business permit program.

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

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

RICHARD MCCORMACK, COUNCIL CLERK: Resolution sponsored by Alderman Masi amending the City Code to prohibit smoking on the King Street Walkway.

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

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

RICHARD MCCORMACK, COUNCIL CLERK: Resolution sponsored by Alderman Masi authorizing an updated proposal of timeline for the purchase of a development of 11-15 King Street by the Middletown Hotel Incorporated.

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

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

RICHARD MCCORMACK, COUNCIL CLERK: Resolution sponsored by Alderman Masi confirming the Mayor's appointment of Rosa Tumminia as Deputy Treasurer

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

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

13. Local Laws

RICHARD MCCORMACK, COUNCIL CLERK: We have a local law sponsored by Alderman Johnson to increase the term of office of the City Treasurer.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Johnson, seconded by Alderman Ramkissoo. Any discussion on the local law? Roll.

Roll Call: Ayes: Jean-Francois, Johnson, Ramkissoo, Kleiner, Green, Witt, Masi, President

Rodrigues. Carries.

14. Audit of Claims and Accounts

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

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

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

15. Adjournment

PRESIDENT RODRIGUES: Move for adjournment.

ALDERMAN: So moved.

(PROCEEDING CONCLUDED)

CERTIFICATE

I, LISA KANE, certify the foregoing transcript of proceedings of the June 7, 2022 Middletown City Council meeting was prepared using the required electronic equipment and is a true and accurate record of the proceedings.

Signature: *Lisa Kane*

Date: June 26, 2022

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Kleiner

Date of Adoption 06.07.22

Index No: 111-22

NAMES AYES NOES ABSTAIN ABSENT

Ald. Tobin				X
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	8			1

A Resolution Renewing an Agreement with RJ Smith

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes a renewal agreement with RJ Smith to represent and assist the City in acquiring parcels for the protection of the Watersheds. Original contract was approved in Resolution 62-19 and has since expired.

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Witt

Sec'd by Ald. Green

Date of Adoption 06.07.22

Index No: 112-22

NAMES AYES NOES ABSTAIN ABSENT

Ald. Tobin				X
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	8			1

**A Resolution authorizing a Budget Transfer for Emergency Repairs for the Air
Conditioners at the Police Station**

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$45,000 in the following manner for emergency repairs to the Police Station Air Conditioning units.

FROM	AMOUNT	TO
General Fund Balance	\$45,000	A.1620.470 Repairs to Building

Please see attached Quote for Repairs to be completed by the city awarded HVAC Maintenance Company, Val Bruni Plumbing & Heating Inc.

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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Johnson

Date of Adoption 06.07.22

Index No: 113-22

NAMES AYES NOES ABSTAIN ABSENT

Ald. Tobin				X
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	8			1

**A Resolution Authorizing an architectural/engineering consultant contract for the
Traffic Operations Project**

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Mayor to execute the attached architectural/engineering consultant contract for the Traffic Operations Project CI and CS in the amount of \$2.6 million.

This will be funded from the projects overall budget proportional to funding from Landscape-DRI and ARPA or as funding is made available.

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

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner

Sec'd by Ald. Johnson

Date of Adoption 06.07.22

Index No: 114-22

NAMES AYES NOES ABSTAIN ABSENT

Ald. Tobin				X
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	8			1

A Resolution authorizing Amendment #3 in a Proposal from CDM Smith

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes amendment #3 in the attached proposal by CDM Smith in the amount of \$33,900.

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

The additional services, as further explained in the referenced proposal, Updated Amendment No. 3, includes additional electric work for betterment of the project, additional construction oversight and removal of emergency submersible pumps installation from the EFC grant and finance funding.

\$6,600 of this Amendment No. 3 will be eligible for NYS EFC funding.

No fund transfer is needed for this increase in consultant fee.

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

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoon

Sec'd by Ald. Kleiner

Date of Adoption 06.07.22

Index No: 115-22

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin				X
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	8			1

A Resolution Authorizing Amendment #1 in a Proposal from CDM Smith

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment approves the reference proposal/Amendment No. 1 from CDM Smith dated 5/2/2022 in the amount of \$41,700 to assist the City in the installation of flow meters at select City reservoirs as required by the newly DEC issued Water Taking Permit.

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

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer funds in the following manner to fund the above referenced proposal.

FROM
Water Fund

AMOUNT
\$41,700.00

TO
F.8310.400
Contractual Services

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

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Masi

Date of Adoption 06.07.22

Index No: 116-22

NAMES AYES NOES ABSTAIN ABSENT

Ald. Tobin				X
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	8			1

**A Resolution Authorizing a Proposal from Clark Patterson Lee for
Work Related to a Parking Garage**

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the attached proposal from Clark Patterson Lee (C.P.L.) dated 4/28/2022 for the design and preparation of contracts, plans and specs of a selected layout for a parking garage at the intersection of South St. and Washington St.

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

The approval of this proposal and authorization to proceed will be subject to obtaining the proper funding for this project.

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Witt

Date of Adoption 06.07.22

Index No: 117-22

NAMES AYES NOES ABSTAIN ABSENT

Ald. Tobin				X
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	8			1

A Resolution Accepting a \$550 Donation from Middletown Little League

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and accepts a \$550 donation from Middletown Little League to pay for a pallet of Turface Quick Dry.

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the Treasurer to deposit the donation into account A.7110.450 Parks Materials & Supplies.

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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Kleiner

Date of Adoption 06.07.22

Index No: 118-22

NAMES AYES NOES ABSTAIN ABSENT

Ald. Tobin				X
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	8			1

A Resolution Accepting a \$900 Donation from the Middletown Lion's Club

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and accepts a \$900 donations from the Middletown Lions Club to go towards Scholarships.

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the Treasurer deposit the donation into account A.2705.07 Summer Camp Scholarships.

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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Kleiner

Date of Adoption 06.07.22

Index No: 119-22

NAMES AYES NOES ABSTAIN ABSENT

Ald. Tobin				X
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	8			1

**A Resolution Authorizing an Agreement with Saint Paul's United Methodist Church
For the City to Use their Parking Lot**

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the attached lease agreement with St. Paul's United Methodist Church for the use of their parking lot located at 58 West Main Street.

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

The lease is for \$500 a month. Funding is available and charged to A.1620.470.

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

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Kleiner

Date of Adoption 06.07.22

Index No:120-22

NAMES AYES NOES ABSTAIN ABSENT

Ald. Tobin				X
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	8			1

**A Resolution Authorizing an amendment to the City Code to place a
Handicapped Parking Spot at 156 ½ Linden Avenue**

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

(E) One spot directly in front of 156 ½ Linden Avenue, to expire 2 years from this date.

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

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Witt

Date of Adoption 06.07.22

Index No:121-22

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin				X
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	8			1

A Resolution Authorizing a Amendment to City Code to require all retail stores to obtain Planning Board approval in applicable zoning districts without regard to square footage.

WHEREAS, the Mayor and Corporation Counsel have requested that all retail stores in the City be required to obtain Planning Board approval in applicable zoning districts without regard to square footage.

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

Section 1 - The Code of the City of Middletown, N.Y., Chapter 475, Zoning, be and is hereby amended by replacing Paragraph (3) of Subsection B (Uses requiring issuance of both a special use permit and site plan approval by the Planning Board), of Section 475.18 (C-1 Neighborhood Business Districts) to read as follows:

- (3). Retail stores, provided that:
- (a). All goods prepared on the premises are sold at retail; and
 - (b). No goods sold may be consumed on the premises.

Section 2 - The Code of the City of Middletown, N.Y., Chapter 475, Zoning, be and is hereby amended by replacing Paragraph (6) of Subsection B (Uses requiring issuance of both a special use permit and site plan approval by the Planning Board), of Section 475.19 (C-1A Limited Neighborhood Business Districts) to read as follows:

- (6). Retail stores, provided that:
 - (a). All goods prepared on the premises are sold at retail; and
 - (b). No goods sold may be consumed on the premises; and
 - (c). The floor area of the store does not exceed 3,000 square feet.

Section 3 - The Code of the City of Middletown, N.Y., Chapter 475, Zoning, be and is hereby amended by replacing Paragraph (3) of Subsection B (Uses requiring issuance of both a special use permit and site plan approval by the Planning Board), of Section 475.20 (C-2 Limited Business Districts) to read as follows:

- (3). Retail stores, provided that:
 - (a). All goods prepared on the premises are sold at retail; and
 - (b). No goods sold may be consumed on the premises.

Section 4 - The Code of the City of Middletown, N.Y., Chapter 475, Zoning, be and is hereby amended by repealing Paragraph (1) of Subsection A (Permitted uses), of Section 475.21 (C-3 General Business Districts).

Section 5 - The Code of the City of Middletown, N.Y., Chapter 475, Zoning, be and is hereby amended by replacing Paragraph (23) of Subsection B (Uses requiring issuance of both a special use permit and site plan approval by the Planning Board), of Section 475.21 (C-3 General Business Districts) to read as follows:

- (23). Retail stores, provided that:
 - (a). All goods prepared on the premises are sold at retail; and
 - (b). No goods sold may be consumed on the premises.

Section 6 - The Code of the City of Middletown, N.Y., Chapter 475, Zoning, be and is hereby amended by repealing Paragraph (1) of Subsection D (Permitted uses), of Section 475.21-1 (DMU Downtown Mixed-Use District).

Section 7 - The Code of the City of Middletown, N.Y., Chapter 475, Zoning, be and is hereby amended by replacing Paragraph (19) of Subsection F (Uses requiring issuance of both a special use permit and site plan approval by the Planning Board), of Section 475.21-1 (DMU Downtown Mixed-Use District) to read as follows:

- (19). Retail stores, provided that:
 - (a). All goods prepared on the premises are sold at retail; and
 - (b). No goods sold may be consumed on the premises.

Section 8 - The Code of the City of Middletown, N.Y., Chapter 475, Zoning, be and is hereby amended by repealing Paragraph (1) of Subsection A (Permitted uses), of Section 475.22 (C-3A Limited General Business Districts).

Section 9 - The Code of the City of Middletown, N.Y., Chapter 475, Zoning, be and is hereby amended by adding a new Paragraph (13) to Subsection B (Uses requiring issuance of both a special use permit and site plan approval by the Planning Board), of Section 475.22 (C-3A Limited General Business Districts) to read as follows:

- (13). Retail stores, provided that:
 - (a). All goods prepared on the premises are sold at retail; and
 - (b). No goods sold may be consumed on the premises; and
 - (c). The floor area of the store does not exceed 3,000 square feet.

Section 10 - The Code of the City of Middletown, N.Y., Chapter 475, Zoning, be and is hereby amended by replacing Paragraph (27) of Subsection B (Uses requiring issuance of both a special use permit and site plan approval by the Planning Board), of Section 475.23 (I-1 Light Industrial Districts) to read as follows:

- (27). Retail stores, provided that:
 - (a). All goods prepared on the premises are sold at retail; and
 - (b). No goods sold may be consumed on the premises.

Section 11 - The Code of the City of Middletown, N.Y., Chapter 475, Zoning, be and is hereby amended by replacing Paragraph (1) of Subsection B (Uses requiring issuance of both a special use permit and site plan approval by the Planning Board), of Section 475.24 (I-1A Light Industrial/General Business Districts) to read as follows:

- (1). Retail stores and convenience stores without gasoline filling stations, provided that:
 - (a). All goods prepared on the premises are sold at retail; and
 - (b). No goods sold may be consumed on the premises.

Section 12 - This ordinance shall take effect immediately.

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Jean-Francois

Date of Adoption 06.07.22

Index No:122-22

NAMES AYES NOES ABSTAIN ABSENT

Ald. Tobin				X
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	8			1

A Resolution to Amend the City Code to Implement a Business Permit Program

WHEREAS, the Mayor, Commissioner of Public Works, Fire Chief and Corporation Counsel are recommending the implementation of a business permit program to increase the accountability of new businesses and those undergoing a change of ownership or management to code enforcement in the City.

NOW, THEREFORE, BE IT RESOLVED and ORDAINED by the Common Council of the City of Middletown:

Section 1. Chapter 475 of the Code of the City of Middletown, Zoning, is hereby amended by adding a new Section 475.47-1, Business Permits, to read in its entirety as follows:

Section 475-47-1. Business Permits.

A. It is the purpose of this Section to establish a permit system to register with the City new businesses, as well as businesses undergoing a change in ownership, management or use.

B. This Section shall apply to all commercial and industrial usages ("businesses") in all zoning districts in the City of Middletown, except for home occupations. This Section shall

apply to (1) newly opening businesses, (2) established businesses which are undergoing a change of ownership, management or use, and (3) all other established businesses.

C. All newly opening businesses and businesses undergoing a change in ownership, management or use will be required to register and apply for a business permit prior to receiving a certificate of occupancy. All established businesses must register and apply for a permit within sixty (60) days of the effective date of this ordinance.

D. The Department of Public Works shall issue an application form for a business permit; the form may be digital or written, or both. This form shall include, but not be limited to, a description of the type of business conducted at the subject premises, hours of operation, and contact information for the owner and/or property manager.

E. The owner or property manager of all businesses which are being discontinued or which are undergoing a change of ownership, management or use must provide notice of same to the Department of Public Works.

G. Failure of the owner or property manager to comply with the provisions of this Section shall subject such person or entity to the penalties provided in Section 475-50.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then such holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 2. This Ordinance shall take effect immediately.

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Kleiner

Date of Adoption 06.07.22

Index No:123-22

NAMES AYES NOES ABSTAIN ABSENT

Ald. Tobin				X
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	8			1

**A Resolution Amending the City Code to Prohibit Smoking on the
King Street Walkway**

Whereas, at the request of the Mayor and Police Chief, the Common Council wishes to add the King Street Walk Way to the list of places in the City where smoking is prohibited.

Now, therefore, be it Resolved and Ordained by the Common Council of the City of Middletown:

Section 1. Subsection A of Section 348-17 of the City Code, Smoking prohibitions in City Parks, playgrounds, properties, parking lots and facilities, is hereby amended by adding a new Paragraph (58), to read as follows:

(58) King Street Walk Way, between North Street and Center Street.

Section 2. This Ordinance shall take effect immediately.

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Johnson

Date of Adoption 06.07.22

Index No: 124-22

NAMES AYES NOES ABSTAIN ABSENT

Ald. Tobin				X
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	8			1

A Resolution authorizing an updated proposal /timeline for the purchase of and development of 11-15 King Street by Middletown Hotel Incorporated

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the attached updated proposal /timeline for the purchase of and development of 11-15 King Street by Middletown Hotel Incorporated, the principal, Mr. Jonathan Lee will remain the same. This is an updated to the May 3, 2022 Council approval.

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Mayor execute any documents necessary for the implementation of the timeline and purchase and development.

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Ramkissoon

Date of Adoption 06.07.22

Index No: 125-22

NAMES AYES NOES ABSTAIN ABSENT

Ald. Tobin				X
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	8			1

**A Resolution Confirming the Mayor's Appointment of
Rosa Tumminia as Deputy Treasurer**

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's appointment of Rosa Tumminia as Deputy Treasurer.

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Ramkissoon

Date of Adoption 06.07.22

Index No: Local Law #4 of 2022

NAMES AYES NOES ABSTAIN ABSENT

Ald. Tobin				X
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	8			1

LOCAL LAW #4 OF 2022

A LOCAL LAW INCREASING THE TERM OF OFFICE OF THE CITY TREASURER

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 increase the term of office of the City Treasurer.

Section 2. Section 62 of the Charter of the City of Middletown is hereby amended by replacing the second sentence thereof, to read in its entirety as follows:

The Treasurer shall be a full-time employee of said City and shall serve a five (5) year term.

Section 3. Severability.

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

Section 4. Effective Date.

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