CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
JUNE 21, 2022

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL (COUNCIL CLERK)

3. APPROVAL OF MINUTES May 17, 2022

4. CORRESPONDENCE, COMMUNICATIONS AND REPORTS (COUNCIL CLERK)

5. FOR THE GOOD OF THE CITY (PUBLIC PARTICIPATION)

6. REMARKS OF THE MAYOR

7. REMARKS OF DEPARTMENT HEADS

8. PUBLIC HEARINGS AND GRIEVANCES LOCAL LAW #4 OF 2022 A Local Law Increasing the Term of Office of the City Treasurer

9. PETITIONS AND COMPLAINTS (NOTHING THIS EVENING)

10. REMARKS OF THE ALDERMAN AND REPORTS OF COMMITTEES

11. UNFINISHED BUSINESS (NOTHING THIS EVENING)

12. NEW BUSINESS (RESOLUTIONS)

- Resolution authorizing a Budget Reallocation and Transfer for the Purchase of 2 new FLOCK fixed LPR Systems
- Resolution authorizing a $12,000 Budget Transfer for the Summer Youth Leadership Academy
- Resolution authorizing the hiring of an additional Police Officer for the School Resource Officer Program
- Resolution authorizing an agreement with Jay Cardinal Consultants for consultation services on the Fireman Joe Statue Restoration Project
- Resolution authorizing a $75,000 Budget Transfer for the Fireman Joe Restoration Project
- Resolution authorizing a budget transfer in the amount of $275.31
- Resolution authorizing 2021 LOSAP Sponsor Approvals

- Resolution authorizing rescinding Resolution #122-22 adopted on June 7, 2022 amending the City Code to Implement a Business Permit Program
- Resolution authorizing rescinding resolution #121-22 adopted on June 7, 2022 amending City Code to require all retail stores to obtain Planning Board approval in applicable zoning districts without regard to square footage.
- Resolution authorizing a Public Hearing requiring all retail stores in the City be required to obtain Planning Board approval
- Resolution Authorizing a Public Hearing on the Implementation of a Business Permit Program

13. LOCAL LAWS (NOTHING THIS EVENING)

14. AUDIT OF CLAIMS AND ACCOUNTS (FINANCE COMMITTEE CHAIR)

15. ADJOURNMENT

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

COMMON COUNCIL Meeting
CITY OF MIDDLETOWN
May 17, 2022
City Hall
16 James Street
Middletown, New York 10940

PRESENT:

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

ALSO PRESENT:

Richard McCormack, Clerk
Joseph M. DeStefano, Mayor

Proceedings electronically recorded.
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(None)

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1. Pledge of Allegiance

(Pledge of Allegiance.)

PRESIDENT RODRIGUES: Please remain standing.

Tonight, I ask for a moment of silence for the victims in Buffalo; may they rest in peace.

Thank you.

2. Roll Call

PRESIDENT RODRIGUES: Roll.

MR. MCCORMACK: Alderman Tobin.

ALD. TOBIN: Here.

MR. MCCORMACK: Alderman Jean-Francois.

ALD. JEAN-FRANCOIS: Here.

MR. MCCORMACK: Alderman Johnson.

ALD. JOHNSON: Here.

MR. MCCORMACK: Alderwoman Ramkissoon.

ALD. RAMKISSOON: Here.

MR. MCCORMACK: Alderman Kleiner.

ALD. KLEINER: Here.

MR. MCCORMACK: Alderman Green.

ALD. GREEN: Here.

MR. MCCORMACK: Aderman Witt.

ALD. WITT: Here.

MR. MCCORMACK: Alderman Masi.

ALD. MASI: Here.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Here.

MR. MCCORMACK: A quorum is present.

3. Approval of Minutes

PRESIDENT RODRIGUES: Approval of minutes.

MR. MCCORMACK: We have the minutes of April 5th and April 19th.

PRESIDENT RODRIGUES: Motion to approve both.

ALD. MASI: So moved.

PRESIDENT RODRIGUES: Alderman Masi, seconded by Alderman Johnson.

All in favor?

(Chorus of aye.)

4. Correspondence, Communications, and Reports

PRESIDENT RODRIGUES: Correspondence.

MR. MCCORMACK: We have two items this evening. We have a notice from the Town of Wallkill Planning Board about a public hearing from Afrim Radi and D&A Construction for a site plan approval.

PRESIDENT RODRIGUES: Received and filed.

MR. MCCORMACK: We also have a letter this evening. It reads:

Dear Mayor DeStefano,

Thank you for your support and cooperation, and

enthusiastic report about this year's Middletown City Wide Pride Clean Up on April 23rd. Our success, to a large degree, depends upon the city's involvement with our annual clean-up event. Your continued support and presence at the Clean Up Day says volumes to our neighbors who attended, walked the streets, and removed litter.

I'm proud to be a long-term Middletown resident and appreciate the kind remarks and recognition of the efforts from the workers at the actual event. What started out over a decade ago as a complaint, has turned out to be an annual event, where the Middletown High Schools teams, friends, and neighbors meet on a Saturday in late April to continue the positivity that your departments foster.

Once more, I'm proud to live in Middletown.

And with gratitude and pride, Susan N. DePew.

PRESIDENT RODRIGUES: Received and filed.

MR. MCCORMACK: That's it.

5. For the Good of the City

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

6. Remarks of the Mayor

PRESIDENT RODRIGUES: Okay, remarks of the Mayor.

MAYOR DESTEFANO: Good evening. If you're home

and you haven't voted yet, please go out and vote on the school board. The polls, I believe, are open until 9:00. Correct, Kevin?

ALD. WITT: Nine o'clock.

MAYOR DESTEFANO: Nine o'clock. And, as you know, there's a $5 million tax levy decrease on the budget and there are nine candidates running for the school board for three seats. So, hopefully, we'll get a good turnout.

I just wanted to address a couple of the resolutions that are on tonight. The last resolution that is authorizing the hiring of Kevin Luccketti as the per diem data collector, we're asking that it be passed. The assessor needs some part-time short-term help over the next few weeks.

We do have a question on residency. Kevin just retired and moved to South Carolina. And under our code, we're not allowed to hire someone from -- that does not live in New York State, or Orange County, or whatever. But we're looking at the possibility of a 1099. We want to make sure that we do it correctly. So, it may not happen but we just want to -- rather than wait two more weeks because Marianne will need the help, we want to get it on the agenda -- passed so we have it in our pocket.

Mr. Masi advised me that they did give a test for

that position and we are awaiting the results. So, we'll be making a hire off of that list but we can't do even a provisional hire under Civil Service Law.

So, it would be helpful to Marianne if we can do it for a couple weeks, while he's here visiting, but, if not, then, we'll survive.

The other issue is there's a couple votes coming up. One is the ice-skating rink, which we are accepting the bids. It's being paid for through community development money. We've been explaining the program will be under the pavilion. We're excited about it.

The target group is young kids but the rink will be 30 by 80. It will be operating, hopefully, have it up and operating right around when we do the tree-cutting -- the tree lighting this year. And in the future, we'll adjust to weather because it is adaptable to 55 degrees or under. And I think it will be a good addition to our winter sports programs that -- we had about two weeks of ice skating this year on our ponds and it's really not enough. I think it would be a good addition, like I said, for our winter sports programs.

You also will be asked to confirm Leonora Liz. Leonora is here this evening. As I mentioned, Kelly Ann Kelly is resigning for personal reasons. And Kelly did a

great job while she was here and we appreciate her -- the time she committed here to the city and Leonora will be taking that position.

One condition, and I think there's a Local Law that is being introduced tonight, is that the original appointment this evening will be for the remainder of the term of Kelly Ann. What we also introduce tonight is a Local Law that would change the term for the Office of the Treasurer from a three-year term to a five-year term, to match the other high-profile position in City Hall, Mr. Tawil.

I know Mr. Tawil doesn't think there's any equals within the building, but -- in the sense of the terms. Right, Mr. Masi? He will have an equal on 5-year terms.

We are also looking at introducing -- Maria Bruni has been here for 27 years, 12 of them as Economic Development Director, and they have been 1-year terms. So, we're hoping to expand that at a future Local Law from one year to at least three years. Not on Jacob's level but we'll have to --

UNIDENTIFIED SPEAKER: Are we reducing Jacob's?

MAYOR DESTEFANO: You want to reduce Jacob's? Okay.

UNIDENTIFIED SPEAKER: You picked me up. I'm

sorry.

MAYOR DESTEFANO: Yes, we did.

So, another resolution tonight is the BFJ Planning. If you recall the name of BFJ, they were the company, the planning outfit that did our DRI plan for us.

We are looking to expand on that plan and develop additional infill projects, specifically in the area of Railroad Avenue and with that development there. One thing we will need is a plan, a written plan. You know we're talking to the county. We're talking to different groups and the state about funding options and, of course, they don't want just our verbal proposals. They like what they're hearing from us. We've had quite a few meetings with Mr. Drapkin and others. Now, they want to see it on plan.

So, we went back to BFJ. They submitted the proposal that's attached to the resolution. And we're hoping to use ARPA funds of $29,000. If we like the work that they did, then they will finalize that into a document for an additional $6,000, which I'll come back to you for, at that point.

So, we're asking for the retaining of BFJ.

Keep in mind that the State is pretty flush right now. So, there's going to be a lot of grant money coming

out of the State and we need to be prepared with not only what Jacob's doing with shovel-ready sites for infrastructure, but also other not only planning grants but economic development grants that are going to be available.

We're also looking at the Psych Center. We're hoping to put together a submission for a planning grant from the State, making a request so we can start looking at how that whole campus is going to look, now that we are going to be getting those additional 12 buildings. And again, starting putting our thoughts down on paper, rather than just having conversations and our little notes.

So, that's the biggest thing of the -- I think that we're facing tonight is that one transfer of $29,000.

There is also a transfer of $600,000 from the Sewer Fund balance and that was just money that was borrowed and then paid back. It seemed to be an accounting error. We shouldn't have paid it back. We need to borrow it back.

So, that's all I have.

PRESIDENT RODRIGUES: Any questions for the Mayor?

MAYOR DESTEFANO: Okay, thank you.

PRESIDENT RODRIGUES: Thank you, Mayor.

7. Remarks of Department Heads

PRESIDENT RODRIGUES: Remarks of the Department Heads.

Economic Development.

MS. BRUNI: Good evening, everyone.

I just want to remind everyone our summer concert series and farmer's market begin June 2nd, 3rd, and 4th. We have our Thursday night concerts returning, our Friday night concerts, and the farmer's market in the new Erie Way Pavilion. So, we're ready to move with that and have a good season.

Also, like the Mayor mentioned, about the skating rink, your support tonight on that resolution. And I want to thank Graylin (phonetic) and John Bianchi for all of their input and help on the BID proposal and getting all the specs together.

Also -- I thought there was one more thing but -- oh, yeah. Taylor Dayne, the other night, rocked the house at the Paramount. It was such a great show. We had people from not only the Orange County area but from Pennsylvania, Connecticut, all over the tristate area that came to that concert and she really put on an amazing show. And you know we're looking to do more types of Taylor Dayne shows, as we keep progressing with the venue.

And I think that's it for tonight.

PRESIDENT RODRIGUES: Any questions for Maria?

Alderman Kleiner.

ALD. KLEINER: Thank you.

Maria, is the summer music schedule posted? Do we have it on the website? I mean I looked and I couldn't find it.

MS. BRUNI: Yes.

ALD. KLEINER: So, I mean I may be looking in the wrong place.

MS. BRUNI: Yes, it was published on the Facebook -- city Facebook. We are going to put it on our website. It's going to be on the sign. We're kicking off promotions this week. So, and we have flyers and everything that are coming out.

So, yeah, we're going to be pushing it hard, starting this week and next week. But it will be on our website and check out our Facebook and TikTok. Right, Eileen, TikTok? She's doing TikTok, and Instagram, and all that. She's got all that working right now.

ALD. KLEINER: I'm just looking on the website and I didn't see it.

MS. BRUNI: Got you.

ALD. KLEINER: Thank you.

MS. BRUNI: Yup.

PRESIDENT RODRIGUES: Anyone else?

Alderman Jean-Francois.

ALD. JEAN-FRANCOIS: Was it a sold-out concert?

MS. BRUNI: No, we had close to half the house. I mean people -- you know the numbers are going back up but, also, people are still a little wary about COVID. So, it is indoors and all but we're starting to see a lot of people come back to the shows.

PRESIDENT RODRIGUES: Thank you, Maria.

MS. BRUNI: Yup, thanks.

PRESIDENT RODRIGUES: DPW Commissioner.

MR. TAWIL: Good evening, all. Welcome, Alderman Masi. The reservoirs are 100 percent full.

ALD. MASI: Thanks for announcing that. I was in California.

MR. TAWIL: Well, absolutely. You deserve a break every once in a while.

ALD. MASI: I would appreciate it if you wouldn't say that again, though.

MR. TAWIL: All right, I wouldn't say it again. All right? Next two weeks, I will not say that you are going to be gone.

So, just to remind our residents, please be aware of the high grass. There are several properties in there

that they have high grass. And I want to thank the Aldermen and the Council President who has been really active in reporting those high grass areas to our Code Enforcement. Again, you're going to receive letter in five days -- giving you warning cut your grass in five days; otherwise, we're going to cut it. And we're going to cut it and bill you for it. And there are rates for single family, a two-family, commercial properties, multiple dwelling, regardless of the size of the grass. So, don't be upset if we cut it and bill you for it. And repeat offenders, we can also impose fines and take them to court -- through court, obviously.

So, please work with us. We don't want to do that.

The bulk pickup is going to conclude this week and we are grateful for all the city residents that cleaned up their property and they put all the extra, whatever they don't need, out for us to pick it up. It was quite heavy and I want to thank our DPW Street Department especially for all their work. They worked very hard.

This usually takes one week out of DPW, the Street Department activity -- one month. I'm sorry. One month, we don't do anything but pick up this spring cleanup. So, I appreciate what they've done, all the hard

work they put in it and I'm grateful.

Another thing is you can see all the traffic operation project, which is the $30 million project. It's kicked into full gear right now. We have several intersections that are opened up in the city in preparation for the subcontractor to come in and put the granite curb throughout all these open areas. They come in from a distance away. And they come, and do it, and they go back, and so on, and so forth.

So, it's all moving along. It's a very complicated project. There are a lot of measurements in there and we want to make sure it's done right. So, there's ongoing meetings at the site, and negotiations, and you know hurdling unforeseen conditions. It's an old city. So, we working on it. So, bear with us, please. Be very careful when you drive by those traffic areas in there by the construction areas. Give the workers a break. They have families to go back to. Don't be mad at them. It's not their fault. They are doing this to improve our city.

If there's any complications in there, you feel somebody is not doing their job, don't talk to them. Just call us at DPW, 343-3169, and we will attend to your complaint. We will look into it. But just try to give them a break, please.

And the water line project from the water treatment plant down to Monhagen Avenue has restarted and, hopefully, it will conclude within a couple of weeks and we will repave the roads and everything will be done. The waterline is going to be concluded.

Surface restoration, we need to have one more meeting with the State DOT because 211 is a State road and we have to make sure that they're happy with the limits of the paving that will be done. So, that's where we are.

We have several other things going on at the waste water and the water treatment plant.

So, with that, I will conclude. If you have any questions for me, anybody?

PRESIDENT RODRIGUES: Alderman Kleiner.

ALD. KLEINER: I'll do this on your time. The electronics drop off day, since we don't have another meeting before then, just to remind people.

MR. TAWIL: Yes. I believe it's May 26th. Right?

ALD. KLEINER: May 28th.

MR. TAWIL: 28th, I'm sorry. May 28th. Yes, May 28th, absolutely.

ALD. KLEINER: 8:00 a.m. to 3:00 p.m.

MR. TAWIL: Yes.

ALD. KLEINER: So, all those TVs you're not allowed to put out on the curb during bulk pickup or monitors you can bring to the recycling center.

MR. TAWIL: Thank you very much. Yeah, absolutely. Thank you very much for reminding me.

All the electronics you put out there, please don't leave them out there in the front yard or the sidewalk. Pick them up. Put them inside your property and, like Alderman Kleiner said, on the 28th of this month, just take it to the DPW garage on Monhagen Avenue. Our guys will unload it from you and we will take it and dispose of it properly because that is hazardous material. It cannot be mixed with the garbage.

ALD. KLEINER: Okay and one other question. I saw in my Google newsfeed for Middletown, WRRV, massive snake sighting in Middletown has residents guessing. And there's a picture of a water snake. And they're all these people guessing what it is. But it says it was taken by somebody on the water and talking about the risks if you're swimming. And you can't be on the water in our reservoirs and you can't be swimming. And it's just a water snake. It's not massive. They said they're not dangerous. Well, don't try and grab them. They've got very sharp recurve teeth and they bite but they are not venomous. And leave

them alone. That's the easier --

MR. TAWIL: And stay out of the water, right, so they don't catch you.

ALD. KLEINER: Yeah. You shouldn't be in the water or on the water in a reservoir. But, if you see them, just leave them alone. It's part of the whole balance of nature. That's all.

MR. TAWIL: Absolutely. Thank you for that.

ALD. KLEINER: Okay, thanks.

MR. TAWIL: Thank you.

PRESIDENT RODRIGUES: Anyone else?

Thank you, Jacob.

MR. TAWIL: Yup.

PRESIDENT RODRIGUES: Fire Chief.

CHIEF BARBER: I'm only going to be a fraction of his time.

PRESIDENT RODRIGUES: You're only three-year appointment, right?

CHIEF BARBER: Oh, I get another three? No, no, I'm down to one year, six months, 13 days. Okay?

The Department, we have responded to 382 calls since January first.

Over Mother's Day weekend, we had a great Mother's Day flower sale. Everything went well between the

Excelsiors and the Ontarios. I want to thank everybody for your support.

And Jacob and myself, we're still continuing the working on Fireman Joe. We've been in contact with a consultant for the restoration of him. And Jacob should be getting the specs this week, maybe the beginning of next week, from him for the BID, once those are approved.

And me and Alderman Tobin, we're still working on nuisance alarm calls for fining businesses that don't take care of their alarm systems and we keep responding back and forth there, two to three times a day.

So, once Alex Smith, and Alderman Tobin, and myself come to an agreement, we'll present that to you.

Other than that --

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

City Treasurer.

MS. KELLY: I just definitely want to thank you all -- I'm going to get choked up -- especially, Mayor DeStefano for allowing me to serve the city for the last nine months. I have been offered my position back at the village and I am going to take it for personal family reasons. It was very difficult and you guys gave me such an opportunity here. I learned so much in the past nine

months, it was incredible.

I can't thank you guys enough, the department heads, even all the employees. You walk into the city and everyone welcomes you. You just always feel at home and part of a family.

But I do want to congratulate Leonora because I think you all know, last time I was here, I was announcing that she was leaving. So, this has been like kind of a mom moment for me because now, I'm getting to give her a huge promotion in her life.

So, I sometimes think things happen for a reason. So, I think we need to congratulate her. She is going to do amazing. And she knows my phone number and she told me she will call, if she needs anything.

So, I'm going to let her get up.

MS. LIZ: Hi, yes. Thank you so much for this opportunity. It means so much, not just to me, my family, my friends, my coworkers. Ever since I started here, I, just like Kelly, I have received nothing but support, a warm welcome.

My team right now, the city, the department heads, they are just wonderful to work with and I'm up for the challenge.

So, thank you, again.

PRESIDENT RODRIGUES: No problem. Thank you.

Police Chief.

CHIEF EWANCIW: Good evening. Just a few things this evening.

One of the resolutions I have on the agenda this evening is the agreement, the contract at the school, for the SRO program. This will be the fourth contract that we've entered into, if it is passed this evening. The only difference, this time around compared to the last four years, is that there would be an additional SRO, to make it five SROs, to put two in the high school. And there's an update on the cost, the hourly cost, just to accommodate the current rates of pay.

This past Friday the 13th, the Department did a bait detail. We did some undercover work into the different bodegas, and convenience stores, and smoke shops throughout the city. We actually checked 15 of them and found that three actually to our underage undercover agents. So, they have been violated and I will follow up on them and we'll do some more in the near future.

Also, on Friday the 13th, was the conclusion of Officer Barone's trial, the trial of Desean Owens, who was the person that shot Officer Barone on August 29, 2020.

After two weeks of trial, and long days of

testimony, the jury came back with a verdict in favor of -- or in favor of Officer Barone and found the defendant guilty of all charges, including attempted murder in the first degree.

So, I think this sends a very, very strong message to people that want to commit senseless acts of violence, intentional senseless acts of violence against police, that there are consequences for such.

Moving into some more positive stuff. DARE graduations, we have three scheduled for the coming week; Carter, Maple Hill, and Our Lady of Mount Caramel.

And just recently, if you haven't noticed, you will notice that there's new signage around the downtown in the BID district. We're going to start enforcing the three-hour parking in the BID district on-street parking. That's something that the Council adopted several months ago and we are, actually, implementing that now.

So, other than that, I have nothing, unless you have questions for me.

PRESIDENT RODRIGUES: Any questions for the Police Chief?

Thank you, Chief.

Superintendent of Recreation.

MS. BERTHOLF: Good evening, everyone.

I'd just like to say thank you to the Middletown School District. We were approved to have our summer sports camp in Monhagen Middle School, which is very exciting. We will have air conditioning, and a shelter when we have bad weather, and also some place to go when we have the extreme heat in the afternoons, where they don't have to do table games because it's so hot.

So, thank you very much to the Middletown School District for approving that.

Our department is in full summer mode right now, getting ready and preparing for all of our camps, getting permits in to operate the pools. And please know our pools do not open until June 27th. We've had a few nice days and have gotten a lot of phone calls. A lot of people saying but last year you opened Memorial Day weekend. We haven't. So, June 27th, our pools are open and don't go to the reservoir because there are snakes in there. So, don't swim in there, either.

We are -- the ice-skating rink resolution, we are working with the Rec Commission, and our staff, and office to prepare programming and budgeting to have programming, if the ice-skating rink resolution is passed. So, we are working very hard on that, also.

And before it, we have another resolution for the

transfer from within our operating budget for this year.

Our preschool room, it is currently a preschool right now but, over the summer, it will house our Little People Playtime Camp. Our heating and A/C system works at-will. We've had a moderately warm weather the past few days and it's pumping out hot air right now. Over the winter, it was pumping out cold air. And it does it at-will. So, that's definitely a fix that we need to make as soon as possible.

Any questions?

PRESIDENT RODRIGUES: Wolslayer Park, the track?

MS. BERTHOLF: The orange fence is up.

I'm not sure, Jacob, if you know the date.

PRESIDENT RODRIGUES: It's over 50 degrees now.

MR. TAWIL: Yes, we're coming to do it. We're going to finish -- John Bianchi is finishing up the surface restoration to make sure the vegetation, everything, all the grass, all the bare area is seeded, and mulched. And then, the contractor will come in and do the track and that's it.

PRESIDENT RODRIGUES: Do we have a timeframe?

MR. TAWIL: Yeah. Honestly, I don't have an exact date but, in a week or two. He's going to finish -- John is going to finish up tomorrow. That's his schedule.

He'll be done with it, if not even done today, tomorrow at the latest. And then, the contractor should be coming shortly after. Just we don't want dust to kick on and all that stuff so, when they come and apply the track.

PRESIDENT RODRIGUES: What about the concession stand? The construction was supposed to start last month.

MR. TAWIL: That I don't know about. That's -- John is handling that with -- I don't know about concession stand.

We put the water --

MS. BERTHOLF: It's going --

MR. TAWIL: -- in there and we put the connections and they're ready to go.

MS. BERTHOLF: Yeah, Goodrich is putting that up. All the funding was approved for that and he'll be starting next week. He's just waiting -- supplies are ordered, the money was approved. So, he was waiting for that final to get all the materials to start with that next week.

PRESIDENT RODRIGUES: All right. Anyone else have any questions?

Thank you, Raelynn.

City Clerk?

MR. MCCORMACK: Nothing this evening.

Any questions for the City Clerk?

10. Remarks of the Aldermen and Reports of Committees

All right. Remarks of Aldermen.

Alderman Tobin.

ALD. TOBIN: I would just remind everybody there's still time to vote.

And I was on the rail trail today with Alderman Jean-Francois. It looks really nice. It's definitely a nice addition to the city. We saw kids. We saw adults jogging, exercising, biking, scooters. So, definitely well done and we're excited to have it in the city.

PRESIDENT RODRIGUES: Alderman Jean-Francois.

ALD. JEAN-FRANCOIS: Yes, good evening.

Kudos to the Street Department. These guys are doing an excellent job with the 4th Ward with the bulk pickup, every year, as usual. You know I want to thank everybody that's involved in 4th Ward. We appreciate the hard work that you guys done this year.

And also, the school board is -- remind everyone to go out and vote. And we also have some great candidate that's running for seat in Ward. Please go out and support them.

Thank you.

PRESIDENT RODRIGUES: Alderman Johnson.

ALD. JOHNSON: Thank you.

Well, congrats to all the administration. I think you're checking all the collective boxes and we appreciate that on all levels.

I rarely try to address anything that doesn't fall in our purview, which is most of the things in this country but you opened the meeting with a moment of silence with respect to Buffalo.

I don't really have a strong opinion about gun control. I've never really wanted to get into a conversation about it. But the events of this last weekend are grim. They speak for themselves. An 18-year-old premeditatively buys and assault weapon, trains himself on the internet, practices mentally, and then goes to a place and kills people that don't look like him.

Banning assault weapons -- I'm confused. What exactly are we waiting for?

Thanks.

PRESIDENT RODRIGUES: Alderman Ramkissoon.

ALD. RAMKISSOON: Good evening.

For the school board vote, I will say, I was number 50 this morning at 11:00 a.m. And I really hope that means that everyone voted after me.

We serve -- our school district serves 7,000-some kids or more, I believe. And I certainly hope we can have

more voters than that in this election. Our children's education matters and the people who oversee that education, it's important that we make those choices and that we be a part of that conversation.

So, there's still time. You have until 9:00. Please make sure you vote.

Kelly, I'm sorry to see you go but, we wish you the best.

Leonora, listen, you and Kelly put us through a lot of emotions over the last couple of weeks. Like we thought it was something Joe Masi said.

Leonora, you'll do a wonderful job. So, thank you for sticking with us.

PRESIDENT RODRIGUES: Alderman Kleiner.

ALD. KLEINER: That's hard to follow.

I want to remind everyone that Memorial Day is coming up before our next meeting. So, that's May 30th at Post 151 on Wawayanda Avenue, the American Legion Post, there will be a Memorial Day service at 11:00 a.m. on Memorial Day. So, I hope to see a lot of people there.

We had sort of a kickoff for the Run 4 Downtown even at the pavilion. The pavilion worked very nicely for that and it was a great event. I'd like to thank Dave Madden and the people who put it together.

I thank, as usual, Marshall and Sterling for their strong financial support. And there's a lot of support and a lot of enthusiasm.

We also had a ribbon cutting for the Heritage Trail. You mentioned Heritage Trail but we had a ribbon cutting last Friday. It was mostly the county saying yes, they're here. So, it was by The Switch Inn. It's over on East Main Street. And we can get from Harriman to East Main Street and, hopefully, sometime, we'll be able to get across town, and then up to Ingrassia Road. So, that's the next plan.

But I think the trail advocates and all the people in the county, and the mayor, and everyone who has worked so hard getting that going and I give our County Exec, Steve Neuhaus, he's been a strong supporter of that since long before he was County Exec. So, I thank him, too.

One other thing to report. It's sad to hear but Major Mary Moore from the Salvation Army will be leaving Middletown. She's been reassigned to Spring Valley. So, she's got another little longer than a month here. But she's been just -- the first time -- the first time -- the first day she was here, she really stepped up and said what can we do to help. And she's been such a -- they've been

such a strong part of the community since she's been here.

So, I really wish her well and look forward to meeting her replacement.

Thank you.

PRESIDENT RODRIGUES: Alderman Green.

ALD. GREEN: Thank you.

There was a meeting of the Planning, Zoning, and Economic Development Committee this meeting just regarding a lot line change on Stub Street. So, I just want to thank everyone who was present for that.

And I do just want to thank Kelly for your service. It has been great to have you here and we wish you the best going forward.

And Leonora, welcome back -- or I guess you didn't really leave. I don't know how it is but you're here and we're happy you're here. So, thank you for that.

PRESIDENT RODRIGUES: Alderman Witt.

ALD. WITT: Thank you very much.

We had our first ward constituent meeting on the 11th of May. No one attended but we're going to try again in June, June 8th, Wednesday, at 6:00. So, it will be here. If you are interested, we'd love to speak with you, and talk with you, and get to know you. That's the first thing.

And the second thing is here's a story that you may have heard. A Middletown guy, Lydell Henderson, he is a custodian at Presidential Park Elementary School, a Middletown High School graduate, 34 years in the Middletown School District, he recently was honored as the Cintas Custodian of the Year and received $10,000 as the first prize. It was -- the celebration was during an assembly on the 12th of May and it was awesome. There is video of it online. And it was -- his resume got him into the finals and then there was a national vote for the last -- for the ten people. And this was a case where you could vote early and often, and everybody did.

So, he received about 27,000 of the 90,000 votes cast. And it was really -- he's a good guy, and it was a very positive day, and he was really excited about it.

And the way they got him to come back -- he actually was supposed to start his vacation and they told him that they needed him to help come set up a celebration for the Oddyssey of the Mind kids who were here. And then, when he got there, the party was for him. So, it was really a great moment.

And it actually was captured on the Nasdaq sign in Manhattan. Cintas has a relationship, apparently, with NASDAQ and it says on this big sign: Congratulations

Lydell Henderson, National Custodian of the Year. That photo is on the School District website -- or I'm sorry -- Facebook page, if you'd like to see it.

So, congratulations, Lydell. He's a good guy.

Thank you.

PRESIDENT RODRIGUES: Alderman Masi.

ALD. MASI: Thank you.

Kelly, sorry to see you go. It was nice working with you.

Leonora, you're doing an outstanding job; you have, up to this point, and you will continue to do so.

At your last meeting, I understand my name was brought up and I received a number of texts. Alderman Kleiner, I believe you're the one who brought it up. And I just want to clarify two things. There were two issues.

First, you stated that, because I wasn't here, you could talk longer and you were wondering why I rushed through just so I can go home. I don't actually go home. Paul Johnson, Miguel, and I always go to the diner.

ALD. JOHNSON: Keep us out of it.

ALD. MASI: Sometimes, the Mayor and Jacob come with us.

So, tonight, I'm inviting you, if you'd like to come along with us after the meeting. And then, what we

do, is we rotate who pays. And you're in luck because I actually have to pay tonight.

The second issue, you complained about the length of time you get to talk. In all honesty, I don't care if you talk for five minutes, two minutes, you could talk for a half hour. My only concern is I'm hoping that, at some time, you will actually have something to say.

However, I'm going to alter that because I do appreciate the fact that you came and approached me tonight beforehand about Memorial Day and you wanted to speak on it. And I appreciate that and thank you for that.

12. New Business

PRESIDENT RODRIGUES: New Business.

MR. MCCORMACK: Good evening.

We have a resolution sponsored by Alderman Witt, authorizing the Treasurer to transfer $15,000 within the Parks and Recreation Department.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Witt. Seconded by Alderman Johnson.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Tobin accepting a $200 donation from the Middletown Lions Club for the Department of Parks and Recreation for the 2022 Fishing Derby.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Tobin, seconded by Alderman Jean-Francois.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Witt authorizing the Treasurer to transfer $370 from within the Parks and Recreation budget to cover program scholarships.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Witt, seconded by Alderman Tobin.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Tobin accepting a $2,500 donation from Walmart to the Middletown Police Department for Kids Day and Night Out Against Crime events.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Tobin, seconded by Alderman Masi.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Masi accepting

donations from local businesses for the National Night Out Against Crime event.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Masi, seconded by Alderman Ramkissoon.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Green authorizing an agreement with the County of Orange for the use of the Safety Trailer by the Middletown Police Department.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Green, seconded by Alderman Kleiner.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

A resolution sponsored by Alderman Johnson authorizing agreement with the County of Orange for the 2022 Summer Youth Employment Program.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Johnson, seconded by Alderman Green.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Jean-Francois authorizing the Treasurer to transfer $600,000 from the Sewer Fund balance to cover the cost of the Waste Water Treatment Plan Screw Pumps Projects.

PRESIDENT RODRIGUES: A resolution sponsored by Alderman Jean-Francois, seconded by Alderman Johnson.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution by Alderman Jean-Francois awarding the Street Materials Bid.

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

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

A resolution sponsored by Alderman Masi authorizing the Treasurer to make year-end budget adjustments for fiscal year 2021.

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

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Witt awarding the Portable Refrigerated Ice-Skating Rink Bid.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Witt, seconded by Alderman Ramkissoon.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Masi confirming the Mayor's appointment of Leonora Liz as City Treasurer.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Masi, seconded by Alderman Kleiner.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Johnson confirming the Mayor's reappointment of Richard McCormack as City Clerk, Registrar, and Clerk of the Common Council.

PRESIDENT RODRIGUES: Do I have a second?

MR. MCCORMACK: Fingers crossed.

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

Any discussion?

We like you.

MR. MCCORMACK: Thank you.

PRESIDENT RODRIGUES: Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: The resolution carries. And thank you.

Resolution sponsored by Alderman Kleiner confirming the Mayor's reappointment of Dave Raymond to the Civil Service Commission.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Kleiner, seconded by Alderman Green.

Any discussion? Alderman Masi.

ALD. MASI: I don't know if you need a term put in here but I can give you what the term is.

PRESIDENT RODRIGUES: It's six years, right?

ALD. MASI: It is. It's June 1, 2022 until May 31, 2028.

ALD. KLEINER: It's in the resolution.

PRESIDENT RODRIGUES: Yeah, it's in the resolution. This is the agenda.

ALD. MASI: Oh, okay. I didn't see the entire resolution.

PRESIDENT RODRIGUES: Anyone else?

ALD. MASI: I got the agenda.

ALD. JOHNSON: Understood.

ALD. MASI: Thank you.

PRESIDENT RODRIGUES: Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye. That's a six-year. That's longer than Jacob.

MR. MCCORMACK: A resolution sponsored by Alderman Green authorizing an agreement with BFJ Planning to prepare a conceptual redevelopment plan for the Middletown.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Green, seconded by Alderman Kleiner.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: The motion carries.

Resolution by Alderman Ramkissoon authorizing an agreement with the Enlarged City School District of Middletown for the Second Resource Officer's Program for the 2022-2023 school year.

PRESIDENT RODRIGUES: Resolution by Alderman Ramkissoon, seconded by Alderman Johnson.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Masi authorizing Kevin Luccketti as a per diem data collector in the Assessor's Office.

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

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

PRESIDENT RODRIGUES: Alderman Johnson.

MR. MCCORMACK: What?

PRESIDENT RODRIGUES: For the Local Law.

13. Local Laws

MR. MCCORMACK: For the Local Law.

Sponsored by Alderman Johnson, we have a Local Law number 4, a local law increasing the term of office of the City Treasurer.

PRESIDENT RODRIGUES: Just a first reading.

14. Audit of Claims and Accounts.

PRESIDENT RODRIGUES: Audit.

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

PRESIDENT RODRIGUES: A motion sponsored by Alderman Masi. Do I have a second? Alderman Green.

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

15. Adjournment.

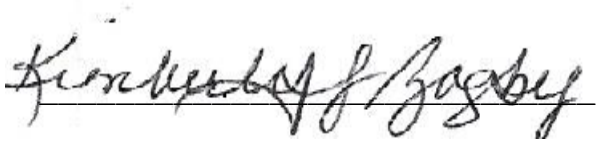
PRESIDENT RODRIGUES: Motion to adjourn?

UNIDENTIFIED SPEAKER: So moved.

(Proceeding concluded.)

CERTIFICATION

I, KIMBERLY J. ZOGBY, certify that the foregoing transcript of the May 17, 2022 Middletown City Council meeting was prepared using the required transcription equipment and is a true and accurate transcript of the recording.



AMERICAN LEGAL TRANSCRIPTION

11 Market Street, Suite 215

Poughkeepsie, New York 12601

Dated: June 4, 2022

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Witt

Sec'd by Ald. Johnson

Date of Adoption 05.17.22

Index No: 94-22

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

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer $15,000 in the following manner to repair the existing heat and AC systems in the preschool area, which are currently inoperable.

FROM	**AMOUNT**	**TO**
A.7321.100	$15,000	A.8060.470
Special Programs. Pers Serv		Parks & Rec. Repairs to Building

The quote from Val Bruni is attached $12,370. The additional funds will be used for the electrical work needed with the project.

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Tobin

Sec'd by Ald. Jean-Francois

Date of Adoption 05.17.22

Index No: 95-22

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

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and accepts a donation from the Middletown Lion's Club of $200 to go towards trophies and awards for the 2022 Fishing Derby.

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 deposit the donation into account A.2029 Special Programs.

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Witt

Sec'd by Ald. Tobin

Date of Adoption 05.17.22

Index No: 96-22

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

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer $370.00 in the following manner to cover scholarships for one (1) child to attend the Breakdancing Clinic ($40.00) and 3 scholarships ($110.00 each) for children to attend the Spring Break Program.

FROM	**AMOUNT**	**TO**
A.2705.0 Gifts & Donations for Scholarships	$370	A.2029 Special Programs

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Tobin

Sec'd by Ald. Masi

Date of Adoption 05.17.22

Index No: 97-22

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

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and accepts a donation from Walmart for $2,500 to assist in the planning and scheduling of vendors at our annual Kids Day and Night Out Against Crime events.

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 deposit the funds in the Community Budget line A.3120.501.

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 05.17.22

Index No: 98-22

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

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and accepts donations from the following local businesses in support of the National Night Out Against Crime:

Heritage Financial Credit Union $250
Kiwanis Club of Middletown $250
Applebee-McPhillips Funeral $250
Middletown Professional Car Wash (operated by JW Car Wash Inc.) $300
NYCOMCO $200

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 deposit the funds in the Community Budget line A.3120.501.

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 05.17.22

Index No: 99-22

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

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes agreements with the County of Orange for the Safety Trailer.

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 execute said agreements.

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Green

Date of Adoption 05.17.22

Index No: 100-22

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

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes an agreement with the County of Orange for the 2022 Summer Youth Employment Program at the Mulberry House Senior Center.

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 execute said agreement.

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 05.17.22

Index No: 101-22

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

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer $600,000 in the following manner for the Waste Water Treatment Plan Screw Pumps Project.

FROM	**AMOUNT**	**TO**
	$600,000	H.0965.900
Sewer Fund Balance		WWTP Screw Pumps

The project included expenses that are not covered by the EFC funding of $2,993,147. The city had $600,000 city funding for this project that was reversed by the Finance Department. We are requesting that the said $600,000 be properly transferred back temporarily into the project account from the available Sewer Fund balance. Funds will be replenished with Capital Borrowings in August. The City may choose to bond this funding at a later date.

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Green

Date of Adoption 05.17.22

Index No: 102-22

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

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and awards the following lowest qualified bidders for Street Materials:

Dick's Concrete Co., Inc., 1053 County Route 37, New Hampton, NY 10958:
Screened Gravel: Stockpile @ $18.20/ton; Plant @ $16.20/ton
Crushed Stone: #3 Stockpile @ $19.15/ton
Run of Bank Gravel delivered to various locations @ $16.70/cu. yd.

Callanan Industries 93 Sullivan Rd, Monticello NY 12701:
Screened & Washed Sand: Stockpile @ $22.50/ton

E. Tetz & Sons, Inc. /Tetz Asphalt 63 Cemetery Rd., Middletown, NY 10941:
Screened & Washed Sand: Plant @ $19.50/ton
NYS Item 403.16 T.C. Type 6: F.O.B. @ $72.00/ton
NYS Item 403.18 T.C. Type 7: F.O.B. @ $73.00/ton
NYS Item 403.14 A.C.B.C. Type 4: F.O.B @ $71.00/ton
NYS Item 403.13 A.C.B.C. Type 3: F.O.B @ $71.00/ton
NYS Item 403.11 B.C. Type 1: F.O.B @ $70.00/ton
NYS Item 403.12 B.C. Type 2: F.O.B @ $70.00/ton

Asphalt pre-mix for cold patching: F.O.B @ $125.00/ton

Agri Sales PO Box 217, Montgomery, NY 12549:
NYS Item 304-2.02: Stockpile @ $17.00/ton; Plant @ $10.75/ton
Crushed Stone: #2 Stockpile @ $20.00/ton; Plant @$13.75/ton
Crushed Stone: #3 Plant @$14.75/ton
Rip Rap: Stockpile @ $22.00/ton; Plant @ $15.75/ton
Run of Bank Gravel loaded into City Trucks @ $13.75/ton

Package Pavement 675 Leetown Rd., PO Box 408, Stormville, NY 12582:
Asphalt Pre-Mix for Cold Patching: Delivery @ $143.00/ton *minimum for delivery is 25 tons.

*Please note, that a recommendation of award is not based on the unit bid price alone, but also on the close proximity of the source to the City.

Please be advised that the bid that was submitted by Woodbourne Lawn & Garden has been rejected due to no response after several attempts made to contact them for clarity on their submission.

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 05.17.22

Index No: 103-22

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

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the Treasurer to make the attached preliminary Year End 2021 Budget Adjustments needed to balance the accounts in the various funds.

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Witt

Sec'd by Ald. Ramkissoon

Date of Adoption 05.17.22

Index No: 104-22

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

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and recommends the awarding of the Portable Refrigerated Ice-Skating Rink to the following lowest qualified bidder, Iron Sleek, Inc. (Copy of tabulation sheet is attached).

Iron Sleek Inc., bid price - $101,320.52

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 execute any documents/contract necessary to the project.

CDBG funds will be applied for the payment of this project.

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 05.17.22

Index No: 105-22

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

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's appointment of Leonora Liz as City Treasurer to fill the term of the current Treasurer effective June 1, 2022- December 31, 2024.

COMMON COUNCIL
CITY OF MIDDLETOWN
CERTIFICATION OF RESOLUTION

I, Richard P. McCormack, Common Council Clerk of the City of Middletown, hereby certify that I have compared the attached resolution with the original on file in my office and adopted by the Common Council on May 17, 2022 and that the same is a true copy thereof and the whole of such original resolution.

_____

Richard P. McCormack
Clerk of the Common Council
City of Middletown, NY

_____
Date

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Masi

Date of Adoption 05.17.22

Index No: 106-22

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

RESOLVED, that the Common Council of the City of Middletown confirm the Mayor's reappointment of Richard P. McCormack as City Clerk, Registrar and Clerk of the Common Council to a 3-year term beginning June 1, 2022 through May 31, 2025.

COMMON COUNCIL
CITY OF MIDDLETOWN
CERTIFICATION OF RESOLUTION

I, Richard P. McCormack, Common Council Clerk of the City of Middletown, hereby certify that I have compared the attached resolution with the original on file in my office and adopted by the Common Council on May 17, 2022 and that the same is a true copy thereof and the whole of such original resolution.

_____

Richard P. McCormack
Clerk of the Common Council
City of Middletown, NY

_____
Date

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner

Sec'd by Ald. Green

Date of Adoption 05.17.22

Index No: 107-22

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

RESOLVED, that the Common Council of the City of Middletown confirm the Mayor's reappointment of Dave Raymond to the Civil Service Commission to a 6 year term, expiring on 5/31/2028.

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 05.17.22

Index No: 108-22

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

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes an agreement with BFJ Planning in an amount of $29,000, to prepare a conceptual Redevelopment plan for the Middletown Transportation Center site and vicinity.

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.

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to make the following budget transfer:

FROM	**AMOUNT**	**TO**
	$29,000	A.6200.400
ARPA		Economic Dev. – Contractual

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoon

Sec'd by Ald. Johnson

Date of Adoption 05.17.22

Index No: 109-22

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

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes an agreement between the City of Middletown And the Enlarged City School District of Middletown for the purpose of carrying out the School Resource Officer Program for the 2022-2023 school year.

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

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Green

Date of Adoption 05.17.22

Index No: 110-22

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

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes Kevin Luccketti to begin work as a per diem Data Collector beginning May 23, 2022 in the Assessor's Office.

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald.XXXXXXXXXXXXXXXXX

Date of Adoption 05.17.22

Index No: Local Law #4 of 2022

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

LOCAL LAW #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.

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 06.21.22

Index No: 126-22

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

Resolution authorizing a Budget Reallocation and Transfer for the Purchase of 2 new FLOCK fixed LPR Systems

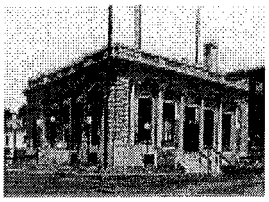
RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Police Department to reallocate $4,260 from the 2022 budget which was requested for the renewal of CUEHIT. They no longer wish to continue the annual services with this company.

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Police Department use the relocated resources to purchase 2 new FLOCK fixed LPR systems.

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes Treasurer to transfer $1,240 in the following manner to cover the remaining balance for said purchase.

FROM	**AMOUNT**	**TO**
A.3120.100 Personal Services	$1,240	A.3120.400 Contractual Service

JOHN EWANCIW
CHIEF OF POLICE



TELEPHONE
845-343-3151
FAX NUMBER
845-343-2660

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

May 17, 2022

Honorable Joseph DeStefano
Mayor-City of Middletown and
Board of Estimate and Apportionment
16 James Street
Middletown, NY 10940

Dear Mayor DeStefano and Members of the Board of Estimate,

I am requesting that the City of Middletown Common Council allow the Police Department to reallocate funding from our 2022 budget which was requested for the renewal of CUEHIT. We no longer wish to continue our annual services with their company. I would like to utilize this funding for the purchase of 2 new FLOCK fixed LPR systems totaling $5500. This reallocation will cover the budgeted amount of $4260 towards the purchase of the LPR's and the balance would be covered with the following transfer from our 2022 budget:

From	Amount	To
A.3120.100	$1240	A.3120.400
Personal Services		Contractual Services

Thank you kindly for your consideration in this request.

Very truly yours,

John Ewanciw
Chief of Police

JE:ccd

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption 06.21.22

Index No: 127-22

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

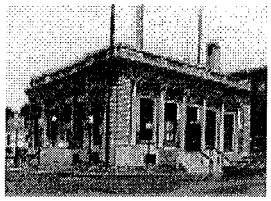
Resolution authorizing a Budget Transfer for the Summer Youth Leadership Academy

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer $12,000 in the following manner for the Police Department to host the second Youth Leadership Academy this summer.

From	**Amount**	**To**
A.3120.100 Personal Services	$12,000	A.3120.501 Community/Police Commission

The first academy was a great success and rewarding for both the participants and our officers. We look forward to again being able to serve the youth of our community with this great program.

JOHN EWANCIW
CHIEF OF POLICE



TELEPHONE
845-343-3151
FAX NUMBER
845-343-2660

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

May 17, 2022

Honorable Joseph DeStefano
Mayor-City of Middletown and
Board of Estimate and Apportionment
16 James Street
Middletown, NY 10940

Dear Mayor DeStefano and Members of the Board of Estimate,

I am requesting the following transfer within our 2022 budget lines:

From	Amount	To
A.3120.100	$12,000	A.3120.501
Personal Services		Community/Police Commission

The purpose of this request is to host our second Youth Leadership Academy this summer. The first academy was a great success and rewarding for both the participants and our officers. We look forward to again being able to serve the youth of our community with this great program.

Thank you kindly for your consideration in this request.

Very truly yours,

John Ewanciw
Chief of Police

JE:ccd

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption 06.21.22

Index No: 128-22

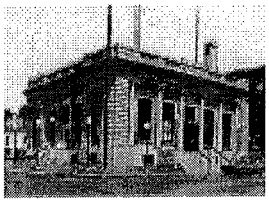
NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Ramkissoon				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

Resolution authorizing the hiring of an additional Police Officer for the School Resource Officer Program

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the hiring one additional Police Officer. This additional officer would give the department the ability to assign a second SRO to the Middletown High School.

This created position would increase our budgeted officers from 71 to 72 sworn personnel. Approximately 95% of the annual cost for that additional officer would be paid by the Enlarged City School District of Middletown which includes the officer's annual salary and benefits.

JOHN EWANCIW
CHIEF OF POLICE



TELEPHONE
845-343-3151
FAX NUMBER
845-343-2660

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

May 13, 2022

Mayor Joseph DeStefano
Members of the Common Council
And Board of Estimate
City of Middletown
16 James Street
Middletown, New York 10940

Dear Mayor DeStefano and Members,

Please find the attached agreement between the City of Middletown and the Enlarged City School District of Middletown for the purpose of carrying out the School Resource Officer program for the 2022-2023 school year.

Please be kind enough to prepare a resolution authorizing the Mayor to sign the agreement.

Once the contract is signed, please return the original to us for forwarding to the Middletown School District.

Thank you.

Very truly yours,

John Ewanciw
Chief of Police

Enclosure
JE:ccd

AGREEMENT

This agreement (the "Agreement"), made and dated the _____ day of _____, 2022, is between the City of Middletown, a municipal corporation in Orange County, with offices at 16 James Street, Middletown, New York 10940, hereinafter referred to as the CITY, and the Enlarged City School District of Middletown, a municipal corporation in Orange County, with offices at 223 Wisner Avenue, Middletown, New York 10940, hereinafter referred to as the DISTRICT.

WHEREAS, the CITY and the DISTRICT have agreed to cooperate for the purpose of the facilitation and the carrying out of the School Resource Officer program; and

WHEREAS, this Agreement is made pursuant to General Municipal Law, Article 5-G; and

WHEREAS, it is in the best interest of the DISTRICT to obtain the services of uniformed police officers of the CITY to serve as "School Resource Officers" (SROs), in the DISTRICT's Middletown High School, Twin Towers, Presidential Park and Truman Moon schools during the school year period, including summer school (hereinafter "Services");

NOW, THEREFORE, in consideration of the mutual covenants, promises, representations and conditions contained herein, the Parties hereto agree as follows:

1. The CITY hereby agrees to provide five (5) SROs to the DISTRICT for its use from July 1, 2022 to June 30, 2023. The SROs shall be assigned to the Middletown High School(2-SROs), Twin Towers Middle School, Presidential Park School and Truman Moon School and shall perform such duties, on a daily basis during the 2022-2023 school year, as requested, trained for and mutually agreed upon between the parties. The CITY further agrees to provide a marked police car at each school during the time an SRO is assigned to that school.

2. The DISTRICT and the CITY share the following goals and objectives regarding assignment of SROs to the DISTRICT's schools:

    - The SROs will provide a police presence in the DISTRICT in order to promote an atmosphere of enhanced school safety for faculty, staff, students and parents in the District;

    - The SROs also will serve as a resource to students, teachers, school administrators and parents, so as to:

        - Increase student awareness about crime prevention, internet safety, conflict resolution, violence prevention, restorative justice and peer mediation;

- Increase school faculty and staff awareness about policies and procedures for preventing/responding to incidents of violence and other threats to school safety;

- Build rapport with the student body and school community and thereby increase community confidence in the CITY Police Department;

- The SROs will be available to work cooperatively with teachers to provide education in criminal justice and other related topics, as requested and appropriate, to increase students' knowledge of and respect for the law and the function of law enforcement agencies;

- The SROs will conduct criminal investigations with the goals of promoting safety for the school community, establishing a deterrent to delinquent student behavior, and promoting and ensuring the safety of the students, faculty and administration of the DISTRICT;

- The SROs will proactively address problems and pressures as they relate to students before such problems manifest into socially and legally unacceptable behavior. These problems may involve the use of alcohol, drugs, and tobacco. They may also involve peer pressure, gang activity, and sexual activity.

- The SRO will refrain from acting as a school disciplinarian. SROs will not be responsible for the enforcement of disciplinary infractions of the Code of Conduct that are determined not to constitute violations of the law.

3. The DISTRICT shall:

   - Remit payment to the CITY for the Services of the five (5) SROs assigned to the schools described in Paragraph "1" at the rate of $80.00 per hour per each SRO, with the understanding that each SRO shall be paid for an 8-hour day during the school year, and on an as-needed hourly basis during summer school. The CITY shall submit an invoice to the DISTRICT on a monthly basis. Such invoice shall include the actual days or parts of days worked, and any other information necessary to effect payment. The DISTRICT shall forward payment of any undisputed amount within thirty (30) days of the receipt of the invoice. In the event any SRO is unable to perform the required duties at the subject schools, the amount remitted to the CITY shall be pro-rated for the actual days worked.

   - Ensure that school personnel, school board members, students, and parents are informed of the duties and presence of the SROs on campus

- Administratively address student violations of the Code of Conduct that are not believed to be crimes and to refrain from engaging the SROs to investigate or resolve noncriminal offenses.

4. Any SRO assigned to the DISTRICT shall remain, at all times, an employee of the CITY's Police Department, under the care, control and supervision of the CITY's Chief of Police.

5. The DISTRICT warrants and represents that this Agreement is exclusively by and between the DISTRICT and the CITY. The officers, employees, or agents of the CITY shall not be employees of the DISTRICT for any purpose, including but not limited to, the application of the Fair Labor Standards Act, provisions related to minimum wage and overtime payments, the Federal Insurance Contribution Act, the Social Security Act, the Federal Unemployment Tax Act, the provisions of the Internal Revenue code, the New York State Unemployment Insurance Law. The DISTRICT shall not be liable for obligations, if any, incurred by the CITY for unpaid wages or overtime premiums.

6. The DISTRICT acknowledges that the CITY's Chief of Police shall retain the right to utilize and direct the Services of the SROs to perform other police duties for the CITY, at any time deemed necessary and for whatever purpose, in the sole discretion of the CITY's Chief of Police. Any such utilization of an SRO shall occur immediately upon notice, either verbal or in writing, to the DISTRICT, from the Office of the CITY's Chief of Police, and the DISTRICT shall not be responsible for the payment of the SRO's hourly wage for any such time when, at the direction of the CITY's Chief of Police, the SRO is performing duties other than that of an SRO. An SRO's duties include any training associated with the position.

7. In the event an SRO is absent from work, the SRO shall notify his or her supervisor at the CITY and the principal of the school to which the SRO is assigned on that particular day. To the extent possible, the CITY shall provide an interim replacement

8. The CITY warrants and represents that its SROs shall submit fingerprints, unless already on file with and available for use by the New York State Division of Criminal Justice Services (DCJS), and be criminally cleared by the New York State Education Department (NYSED) to have direct, in-person, face-to-face communication and interaction with the DISTRICT's students, in accordance with applicable law (namely NY Education Law §2503(18), §3035, and 8 NYCRR §87.2(k)(1)[ii]). Fingerprinting costs (if any) and criminal clearance costs shall be paid or reimbursed to the CITY by the DISTRICT.

9. The CITY shall indemnify and hold harmless the DISTRICT against any liability, loss or expense which may result from any act or omission of the CITY or any of the City's officers, employees or agents for which the DISTRICT might otherwise be liable or sustain loss or expense, in connection with the CITY's performance or

non-performance under this Agreement, unless due to the actions or omissions of the DISTRICT or any of the DISTRICT's officers, employees or agents. The DISTRICT indemnifies and hold harmless the CITY against any liability, loss or expense which may result from any act or omission of the DISTRICT or any of the DISTRICT's officers, employees or agents in connection with the DISTRICT's performance or non-performance under this Agreement, unless due to actions or omissions of the CITY or any of the CITY's officers, employees or agents.

10. The CITY shall: (a) purchase and maintain comprehensive general liability, professional liability, and other such insurance in an amount not less than $1,000,000 per occurrence and $2,000,000 aggregate, as is appropriate, for the Services being performed and furnished hereunder; (b) maintain errors and omissions insurance with minimum policy limits of $1, 000,000 per occurrence and $2,000,000 aggregate during the term of this Agreement; and (c) provide protection from and against claims for damages due to bodily injury, sickness, death, and property damage, including the loss of use resulting therefrom, which arise from the Services being performed and furnished hereunder. The CITY shall, prior to performing Services hereunder, deliver to the DISTRICT, a certificate of insurance that evidences that such insurance naming the DISTRICT as the insured party is in full force and effect, and shall maintain such insurance throughout the term of this Agreement.

11. The CITY shall not discriminate against any DISTRICT students, or agents, officers, or employees on the basis of age, gender, color, creed, disability, national origin, sexual orientation, or any other class protected by law.

12. The CITY shall maintain strict confidentiality of all student records and information received by or from the DISTRICT, if any, in accordance with all applicable state and federal laws, including but not limited to the federal Family Educational Rights and Privacy Act (FERPA – 20 USC §1232g; 34 CFR Part 99) and Section 2-d of the New York Education Law; provided however, that if such records are necessary to perform the duties required of a police officer, the District shall cooperate fully with any subpoena, court order or other lawful process required to authorize disclosure of the records. To the extent an addendum to this Agreement is necessary to comply with future regulations governing Section 2-d of the New York Education Law, the Parties agree to execute such addendum.

13. Either party may cancel this Agreement, without cause, upon not less than thirty (30) days prior written notice delivered to the other party via certified mail, return receipt requested and at the addresses set forth in the first paragraph of the Agreement. The DISTRICT will pay the CITY within ninety (90) days of the date of termination for undisputed Services performed up to the time of termination. In the event of termination, the Agreement will continue to govern the parties' rights and obligations with respect to Services performed prior to termination.

14. This Agreement is the entire understanding and agreement between the parties with respect to the subject matter covered, and all prior agreements, understandings, covenants, promises, warranties and representations, oral or written, expressed or implied, not incorporated into this Agreement are superseded. This Agreement may not be amended or supplemented in any way, except in writing, dated, and signed by authorized representatives of both parties.

15. The CITY shall not assign, transfer, convey, or otherwise dispose of this Agreement or any of its contents, or its right title, or interest therein, or of its power to execute such contract to any other person, corporation, agency, or other entity.

16. Notices required under this Agreement shall be sufficient if contained in writing and delivered by hand or sent by express or overnight mail or by registered or certified mail, return receipt requested mail, postage prepaid addressed to the parties as follows:

    City of Middletown
    16 James Street
    Middletown, New York 10940

    District Clerk
    Enlarged City School District of Middletown
    223 Wisner Avenue
    Middletown, NY 10940

    All notices of communication should be deemed given when received by the intended recipient.

17. If, for any reason, any provision of this Agreement is held unenforceable by a court of competent jurisdiction, all other provisions of this Agreement will remain in full force and effect, and the unenforceable provision shall be replaced by a mutually acceptable and enforceable provision in accordance with the parties' original intent.

18. Claims, disputes, or other matters in question between the parties to this Agreement, arising out of or relating to the Agreement or breach thereof, shall be subject to and decided in accordance with the laws of the State of New York, and any such claims or causes arising out of or in connection with the Agreement shall be commenced in Supreme Court of the State of New York in Orange County.

19. This Agreement is subject to the approval of the DISTRICT's Board of Education and the Middletown Common Council.

20. This Agreement shall be in force in effect for the period of July 1, 2022 through June 30, 2023, unless terminated sooner in accordance with paragraph 13 of the Agreement or renewed upon written consent of both parties.

WHEREFORE, the CITY and the DISTRICT hereby execute the Agreement as follows:

CITY OF MIDDLETOWN

By:_____
Title: Mayor
Date:_____

ENLARGED CITY SCHOOL DISTRICT OF MIDDLETOWN

By:_____
Title: President, Board of Education
Date:_____

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption 06.21.22

Index No: 129-22

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

Resolution authorizing an agreement with Jay Cardinal Consultants for consultation services on the Fireman Joe Statue Restoration Project

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes an agreement with Jay Cardinal Consultants for consultation services to restore the Statue of Fireman Joe. Total fees for services are estimated at $12,500.00.

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: June 13, 2022
To: Honorable Members of the Board of Estimate and Apportionment
Cc: Leonora Liz, Treasurer
Rick McCormack, City Clerk
Nick Barber, Fire Chief
From: Jacob Tawil-Commissioner of Public Works
Re: Transfer of Funds

Proposal

I am requesting authorization for the Mayor to sign the attached proposal prepared by Jay Cardinal Consultants for consultation services to restore the Statue of Fireman Joe. Total fees for services are estimated at $12,500.00.

Our understanding from the Fire Chief is that the city will be providing $75,000 for this project from ARPA. A new line will be created on the Capitol Project Line to transfer the funds from the ARPA Grant line in the amount of $75,000.00. The subject consulting fee will be funded from this line.

1.	A.0475 ARPA	$75,000.00	TBD

Thank you.

EL

JAY CARDINAL
CONSULTANTS
HISTORIC PRESERVATION

DRAFT PROPOSAL | FIREMAN'S MEMORAL CONSULTATION SERVICES

Date: June 10, 2022

Client: Jacob S. Tawil, P.E. | Commissioner
Department of Public Works
City of Middletown | 16 James Street
Middletown, New York 10940
Jtawil14@yahoo.com

This proposal is based on the report and recommendations prepared by Jay Cardinal Consultants (JCC) dated April 2, 2021. The Fireman's Memorial is also known as the Statue of Fireman Joe.

This proposal is for preparation of plans and specifications and sketches, site monitoring, shop visits, meetings with the Client, and estimated Consultant's time to provide oversite and monitoring of the Contractor's scope of work at key points of the project.

The Consultant's scope of work will include the assessment of the zinc statue and the cast iron fountain base during dismantling and in the shop to determine which specified treatments the Contractor will use for repairs, or if additional armatures or anchorage are required for reassembly of the monument.

The specifications will include Add/Alt pricing of repair alternates.

The original statuary finish color, texture or sheen has not been determined, and alternates for refinishing of the zinc will be specified as bid alternates. The cast iron finish will be specified without alternates.

Site and shop visits by the Consultant are included in the proposed work, and will be made as required to review dismantling and re-erection of the statue and basin, excavation and installation of the new footings/foundation, and for periodic review of work in the shop during paint removal, painting and finish mockups, mold making, and/or replication processes, and repairs and modifications of components.

JCC will provide description of anchors and bearing surfaces, and (with the Contractor) the weight of the zinc and cast iron components as required by the Commissioner of the Middletown Department of Public Works who will provide calculations and design new footings. The new granite base requested by Chief Barber should be included in the Commissioner's calculations and design for the footings. If the new granite base is to be located between the cast iron and the footing, then there is an additional fee for this alternate.

Exclusions: relamping and rewiring of lantern, rigging and scaffolding, abatement of lead or asbestos, subsurface conditions, signage or filing of permits.

The Owner is responsible for all contractual obligations for the work and for distribution of the contract documents.

Fees (already completed)

- Lump Sum Report (dated April 2, 2021): **$2,250.00**

Fee—Phase 1—Prepare Bid Documents: $3,950.00

- Finish Specification
- Detail sketches
- Zinc and cast iron restoration Specifications
- Disassembly/reassembly procedures; Replication procedures; Repair procedures
- Bid list
- Tentative project milestones

Fee—Phase 2—Construction Monitoring: $3,700.00

- Paint Analysis
- On-Site Supervision—Dismantle, Reassemble; Paint removal testing
- Detail sketches as required
- Site & Shop Visits—as required to monitor progress of work.
- Coordination with professional engineer.

TOTAL FEES $9,900.00

ADD/ALT Fees:

- Design interior armature for statue **$750.00**
- Design interior armature for cast iron **$750.00**
- Specify electrification & lamping for lantern **$750.00**
- Specify granite base **$750.00**

Estimated Reimbursable Expenses (cost plus 10%) **$2,600.00**

TERMS & CONDITIONS

FEES: Fees of this agreement will be billed in three installments. Fees are payable within 30 days of date of invoice. Work will proceed immediately upon receipt of $3,015.00 retainer *(includes Consultation's report & recommendations already completed April 2, 2021, and 10% of fees)* and signed Proposal. Phase 1 fees will be paid upon receipt of the bid documents. Phase 2 –Construction Monitoring will be billed monthly commencing with the start of work by the Contractor and concluding upon completion. The Consultant will bill accrued reimbursable expenses upon completion of Phase 1, and monthly thereafter.

ADDITIONAL AND OUT OF SCOPE WORK: All fees in this document apply strictly to the listed scope of work on previous pages and existing conditions as of the signing of this contract. If additional work is required due to unforeseen conditions, change orders or other items outside of JCC control an estimate or agreement will be provided to client for signature before work will proceed.

REIMBURSABLE EXPENSES AND SALES TAX: The Client will reimburse JCC for all expenses incurred while providing professional services. These include printing and reprographic, postage, messenger services, and out-of-town travel expenses. All reimbursable expenses shall be billed at cost plus 10%. Records of Consultant's expenses

pertaining to the project shall be kept in a generally recognizable format and shall be made available to the Client or its representatives at times convenient to all parties. JCC agrees to advise client if reimbursable expenses are estimated to go above and beyond costs estimated in the bid. If a single reimbursable expense is over $500.00, JCC will have this pre-approved in writing by Client and receive an advance of applicable amount. All purchases on the project to include all applicable sales taxes and shall be reimbursed at full receipt/invoice amount. If client believes they are tax exempt, client to provide JCC with all required documentation and paperwork needed for purchasing items or services. JCC will provide expense reports including original receipts and details of use to Client. Submitted expense reports must be paid within 30 days of submittal.

ADDITIONAL TESTING AND ANALYSIS: Probes and/or laboratory testing beyond those included in the scope of work are not anticipated. If site conditions dictate additional testing or analysis JCC will provide a written estimate to Client for approval prior to commencement.

REASSIGNMENT OF DUTIES: Where applicable JCC may reassign or subcontract work to qualified professionals within the field under supervision of JCC.

HAZARDOUS MATERIALS: JCC assumes no responsibility for the handling, use, testing, evaluation, treatment, or abatement of asbestos, lead, or any other hazardous materials, as mandated by agencies having jurisdiction, encountered in the course of the work.

SITE CONDITIONS AND ACCESS: Client in conjunction with Owner will provide access to the site and provide electrical, water, and workspace as required. Access to the statue and cast will be required by JCC. The Client will be responsible for coordinating access to scaffolding, man-lifts and or boom-platforms, as required for inspection.

DOCUMENT FORMAT(S): Field reports and photo documentation will be provided to the Client in digital formats. Preparation, publication and distribution in printed and archived formats if not done by the Client, JCC will bill costs as additional expenses. JCC will provide required detail sketches in hand drawn format. JCC will provide digital photographic document with digital markup as required or feasible. Unless a prior, written agreement is executed all sketches, schematic and photographic documents from JCC will be hand-drawn (in-scale as possible and required).

LIMITATION OF LIABILLITY: Notwithstanding any provision to the contrary, the total liability of JCC, and its employees and consultants, for all losses, damages, costs, and expenses, including attorney's fees, shall not exceed $1,000,000.00 General Liability and $1,000,000.00 Umbrella. The client and its partners will be listed as additionally insured on all applicable Certificates of Insurance as required.

CLIENT'S RESPONSIBILLITY: In order to accomplish the work, it is understood that complete cooperation and coordination between JCC, the Client, and any other Consultants/Contractors in the employ of the Client, will be provided. The Client shall designate a representative authorized to act on its behalf with respect to the work; assist JCC staff in gaining access to the site and workshop, including but not limited to, tenant/owner-occupied spaces, if applicable; and act as a coordinating agent between JCC and the occupants of the various spaces, so as to ensure that the onsite documentation, if any, is performed in as efficient manner as possible.

CONCEALED CONDITIONS: As the project scope includes a partial renovation of an existing facility, there are likely subsurface and/or concealed conditions that cannot be discerned by visual inspection. JCC will make every effort to review all available existing, as-built and/or design drawings; and to document the project site to reflect, as best possible, all existing conditions on the contract documents. Where existing infrastructure and systems are

concealed, Jay Cardinal Consultants will approximate the information. Should subsurface conflicts be discovered during construction JCC will determine modifications necessary to adjust the contract documents and address the apparent issues. It is understood that such design modifications will be deemed out-of-scope and an additional service.

BILLING AND RETAINER: Invoices will be submitted upon completion of consultation. Payments are due within 30 days of invoices. By accepting this proposal, Client acknowledges that any payment overdue by 15 calendar days or more is subject to a 1% monthly overcharge of due amounts, which is to be billed above and beyond the original contract amount.

ACCEPTANCE

If the terms of this proposal are acceptable please sign below and return a copy to Jay Cardinal Consultants along with a retainer of $3,015.00 (includes $2,250.00 for report completed April 2, 2021, and 10% of new fees $765). Upon receipt of the signed proposal and retainer, work will commence.

Jay Cardinal June 10, 2022

Signed (Jay Cardinal, President) Date

Signed (Print Name and Title) Date

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 06.21.22

Index No: 130-22

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

Resolution authorizing a $75,000 Budget Transfer for the Fireman Joe Restoration Project

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfers $75,000 in the following manner to fund the restoration of the Fireman Joe Statue.

FROM	**AMOUNT**	**TO**
ARPA Funds	$75,000	Capital Project Line

The Fire Chief's understanding is that the city will be providing $75,000 for this project from ARPA. A new line will be created on the Capital Project Line to transfer the funds from the ARPA Grant line in the amount of $75,000.00. The subject consulting fee will be funded from this line.

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: June 13, 2022
To: Honorable Members of the Board of Estimate and Apportionment
Cc: Leonora Liz, Treasurer
Rick McCormack, City Clerk
Nick Barber, Fire Chief
From: Jacob Tawil-Commissioner of Public Works
Re: Transfer of Funds

Proposal

I am requesting authorization for the Mayor to sign the attached proposal prepared by Jay Cardinal Consultants for consultation services to restore the Statue of Fireman Joe. Total fees for services are estimated at $12,500.00.

Our understanding from the Fire Chief is that the city will be providing $75,000 for this project from ARPA. A new line will be created on the Capitol Project Line to transfer the funds from the ARPA Grant line in the amount of $75,000.00. The subject consulting fee will be funded from this line.

1.	A.0475 ARPA	$75,000.00	TBD

Thank you.

EL

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption 06.21.22

Index No: 131-22

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

A Resolution authorizing a budget transfer in the amount of $275.31

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer $275.31 in the following manner to cover unforeseen office expenses within the Civil Service Department.

FROM	AMOUNT	TO
Fund Balance	$275.31	A.1430.480

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption 06.21.22

Index No: 132-22

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

Resolution authorizing 2021 LOSAP Sponsor Approvals

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the attached 2021 LOSAP Sponsor Approvals.

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

CITY OF MIDDLETOWN

SERVICE AWARD PROGRAM

MUNICIPAL OFFICIALS

Please print the name of each City official currently holding a position. Additional lines have been provided to list other officials who may be relevant in the administration of the Service Award Program. If any prepopulated information has changed, please cross it out and provide the updated information; make any changes or notations as necessary.

Council Members:

Joseph Masi	Jude Jean-Francois
~~Thomas Burr~~ Kevin Witt	Sparrow Tobin
Paul Johnson	Jerry Kleiner
Kate Ramkissoon	Andrew Green

Other Officials (Title and Name):

City Clerk: ~~John C. Naumchik~~ Richard P. McCormack	Fire Chief: ~~Don Luis~~ Nick Barber
Mayor: Joseph M. DeStefano	
Treasurer: ~~Don Paris~~ Leonora Liz	
Common Council President: J. Miguel Rodrigues	

Please provide the current information for the City's attorney and external auditor. If the prepopulated information has changed, please cross it out and provide the updated information. If the City has not formally appointed an attorney, please indicate that. If the City does not prepare audited financial statements, please indicate that.

Attorney: Alex Smith

Attorney's Firm: Corporation Counsel

Auditor:

Auditor's E-mail:

Auditing Firm:

Please indicate when the Council Members typically meets.
For example: "The third Thursday of each month at 7pm."

Normal meeting date(s): 1st & 3rd Tuesday at ~~8pm~~ 7:30

Workshop meeting date(s): Committee Meetings before council meeting.

2021 Service Award Program Firefighter Records

Middletown Fire Department Service Award Program

	Last Name	First Name	MI	Date of Birth	Gender	Accrued Service Credit	2021 Points Earned	Mailing Address	City, State & Zip Code	Status
1	Abrue	Simon		12/31/1962	M	0	____	20 Robertson Drive	Middletown, NY 10940	Active
2	Al-Amin	Abdul	J.	11/9/1968	M	1	____	58 Brewster	Middletown, NY 10940	Active
3	Andujar	Joseph	A.	7/23/1987	M	2	____	164 Excelsior Ave.	Middletown, NY 10940	~~Active~~ not active
4	Anzurez	Telesforo		1/5/1977	M	4	____	74 Sheffield Drive	Middletown, NY 10940	Active
5	Barber	Nicholas	M.	1/3/1968	M	7	83	56 Phillip Street	Middletown, NY 10940	Active
6	Bariletti	Alexandra	M.	6/21/1992	F	3	____	42 Benjamin Avenue	Middletown, NY 10940	~~Active~~ not active
7	Barone	Eric		10/8/1996	M	4	82	41 Harrison Street	Middletown, NY 10940	Active
8	Barone	Evan		6/17/1994	M	0	____	_____	_____	Active
9	Barone	Samuel	J.	6/21/1960	M	7	____	41 Harrison Street	Middletown, NY 10940	Entitled 7/2020
10	Battisti	Arthur		7/21/1955	M	3	____	14 Ogden Street	Middletown, NY 10940	Entitled 10/2015
11	Bennet	Robert		3/10/1980	M	7	72	PO Box 82	Middletown, NY 10940	Active
12	Blakeslee	Archie	A.	11/17/1926	M	5	____	35 Belmont Avenue	Middletown, NY 10940	Active
13	Boyea	Amber	R.	5/16/1994	F	2	____	100 Stratford Lane	Middletown, NY 10940	Active
14	Brady	Robert	M.	7/8/1971	M	7	87	50 Gardner Avenue	Middletown, NY 10940	Active
15	Bromley	George		9/25/1963	M	0	____	_____	_____	Active
16	Browne	Alexander	A.	11/24/1995	M	1	____	14 Knapp Avenue	Middletown, NY 10940	Active
17	Browne	Roberto		4/13/1955	M	0	____	_____	_____	Active
18	Caba	Juan		10/4/1972	M	4	59	31 Ogden Street	Middletown, NY 10940	Active
19	Catillos	Elliot		7/27/1975	M	0	____	6 Houston Avenue	Middletown, NY 10940	Active
20	Cauchard	Richard	M.	12/20/1956	M	7	90	16 State Street	Otisville, NY 10963	Entitled 10/2019

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2021 Service Award Program Firefighter Records

Middletown Fire Department Service Award Program

	Last Name	First Name	MI	Date of Birth	Gender	Accrued Service Credit	2021 Points Earned	Mailing Address	City, State & Zip Code	Status
21	Concepcion	Clinton	D.	10/30/1985	M	6	52	PO Box 891	Middletown, NY 10940	Active
22	DeGroat Jr.	Stewart		5/29/1967	M	3		33 Horton Avenue	Middletown, NY 10940	Active
23	DeGroat Sr.	Stewart		1/9/1942	M	0				~~Active~~ not active
24	Delgado	Rodolfo		4/23/1990	M	0		64 Montgomery Street	Middletown, NY 10940	Active
25	Delillo	Christopher	J.	6/5/1957	M	1		77 Academy Avenue	Middletown, NY 10940	Active
26	Dineen Jr.	Patrick		2/22/1994	M	0				Active
27	Dineen Sr.	Patrick		8/27/1968	M	1		45 Broad Street	Middletown, NY 10940	Active
28	Duggan	Kevin		10/19/1960	M	0				Active
29	Flores	Carlos	F.	10/13/1961	M	6	60	230 Highland Avenue	Middletown, NY 10940	Active
30	Flores	Gilbert	J.	3/11/1969	M	5		11 Bonnell Street	Middletown, NY 10940	Active
31	Fox	Jay		4/6/1966	M	0				Active
32	Freundlich	Gary		11/21/1984	M	6		328 Concord Lane	Middletown, NY 10940	Active
33	Fucci	Bryan	M.	2/26/1991	M	2		38 Roosevelt Avenue	Middletown, NY 10940	Active
34	Galarte	Ian		2/4/1973	M	0				Active
35	Garlinghouse	Randie		11/8/1969	M	0				Active
36	Genoval	Eddie		6/6/1982	M	3		133 Lake Avenue	Middletown, NY 10940	Active
37	Gerow	Sean	M.	3/25/1971	M	7	50	16 Heather Lane	Middletown, NY 10940	Active
38	Gomez	Jonathan		1/25/1996	M	0				Active
39	Gonzalez	Jose		6/30/1967	M	0				Active
40	Gordon	Kristopher		5/10/1994	M	0				Active

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2021 Service Award Program Firefighter Records

Middletown Fire Department Service Award Program

	Last Name	First Name	MI	Date of Birth	Gender	Accrued Service Credit	2021 Points Earned	Mailing Address	City, State & Zip Code	Status
41	Green	Coty	B.	4/15/1996	M	6	93	8 Winthrop Avenue	Middletown, NY 10940	Active
42	Hagan	Bernard	J.	4/26/1982	M	4	96	54 Sproat Street	Middletown, NY 10940	Active
43	Healy	Joseph		5/4/1991	M	2	56	323 Highland Ave.	Middletown, NY 10940	Active
44	Hussini	Michael		5/3/1975	M	0		161 Wisner Avenue	Middletown, NY 10940	Active
45	Imholz Jr.	William		3/19/1992	M	1	103			Active
46	Irizarry Jr.	Leonides		11/14/1967	M	0		158 W. Main Street Apt. 2	Middletown, NY 10940	Active
47	Kelder	William			M	0				Active
48	Kent	Gerard		2/14/1970	M	1	60			Active
49	Lewis	Athony		11/19/1998	M	1		20 Irwin Avenue	Middletown, NY 10940	Active
50	Lewis	Kyle		10/16/1995	M	2				Active
51	Lewis	Maurice		2/16/1984	M	1				Active
52	Lewis Jr.	Gerard	E.	2/11/1989	M	6		8 Hickory Terrace	Middletown, NY 10940	Active
53	Littner	Tyler		12/9/1988	M	4		21 Clemson Park	Middletown, NY 10940	~~Active~~ moved to NJ
54	Luis Jr.	Don	B.	8/17/1961	M	7	84	42 Benjamin Avenue	Middletown, NY 10940	Entitled 10/2021
55	Lybolt	Mark		12/24/1967	M	0	59			Active
56	MacLean	Randy	A.	10/23/1965	M	7	88	48 Lake Avenue	Middletown, NY 10940	Active
57	Manis	Drew	S.	12/26/1996	M	5	58	11 Thomas Jefferson Place	Middletown, NY 10940	Active
58	Menard	Christopher	M.	3/1/1971	M	6		163 Wickham Avenue	Middletown, NY 10940	Active
59	Mojica	Jose	F.	2/16/1945	M	7	69	6 Westminster Drive	Middletown, NY 10940	Entitled 1/2021
60	Murphy	Joseph		12/22/1983	M	0				Active

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2021 Service Award Program Firefighter Records

Middletown Fire Department Service Award Program

	Last Name	First Name	MI	Date of Birth	Gender	Accrued Service Credit	2021 Points Earned	Mailing Address	City, State & Zip Code	Status
61	Ortiz	Cesar		8/29/1995	M	1	____	2 Schindler Court Apt. 3	Middletown, NY 10940	Active
62	Perna	Paul		7/22/1961	M	0	____	_____	_____	Active
63	Perna Jr.	George	W.	6/11/1956	M	7	75	17 Keystone Park	Middletown, NY 10940	Active
64	Predmore Jr.	Kevin		12/29/1998	M	3	____	98 Grand Avenue	Middletown, NY 10940	~~Active~~ Joined other dept
65	Predmore Sr.	Kevin	M.	4/1/1970	M	4	____	98 Grand Ave.	Middletown, NY 10940	Active
66	Prokopchak	Peter		_____	M	0	____			Active
67	Reyes	Dominic		6/2/1960	M	1	____	4 Arden Court	Middletown, NY 10940	Deceased 6/2020
68	Rodrigues	Julio		7/27/1987	M	2	81	_____	_____	Active
69	Rowley	Patrick	J.	4/17/1962	M	7	63	79 Beattie Avenue	Middletown, NY 10940	Active
70	Russo	Edmund	J.	8/18/1965	M	2	____	5 Livingston Street	Middletown, NY 10940	Active
71	Ryder	Daniel	K	4/24/1968	M	1	____	279 East Main Street	Middletown, NY 10940	Active
72	Ryder	Dustyn		4/5/1995	M	2	____	279 E Main Street	Middletown, NY 10940	Active
73	Saldena	Jacen		12/30/1995	M	0	____	_____	_____	Active
74	Scauzillo	Gabriel	V.	7/9/1979	M	1	____	50 Cantrell Avenue Apt 3C	Middletown, NY 10940	~~Active~~ not active
75	Shah	Anish		11/29/1978	M	0	____	_____	_____	Active
76	Silvernail	Heidi	M.	2/7/1980	F	1	____	16 Horton Ave	Middletown, NY 10940	Active
77	Simpson	Dorothy		7/11/1980	F	0	____	_____	_____	Active
78	Sinclair	Easie		7/11/1980	M	0	____	_____	_____	Active
79	Slingerland	Ashleigh		3/12/1993	F	1	____	126 Fairfax Ave.	Middletown, NY 10940	Active
80	Soriano	Robert		6/22/1996	M	0	____	_____	_____	Active

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2021 Service Award Program Firefighter Records

Middletown Fire Department Service Award Program

	Last Name	First Name	MI	Date of Birth	Gender	Accrued Service Credit	2021 Points Earned	Mailing Address	City, State & Zip Code	Status
81	Stell	Donna		_____	F	0	____	_____	_____	Active
82	Stephens Jr.	Regan	R.	6/17/1976	M	2	____	80 Tall Oaks Drive	Middletown, NY 10940	Active
83	Stephens Sr.	Regan		10/28/1950	M	4	59	80 Tall Oaks Drive	Middletown, NY 10940	Entitled 10/2015
84	Tiffany	Wayne	D.	8/9/1946	M	7	80	304 Congers Avenue	Northvale, NJ 07647	Active
85	Vazquez	Josh		7/13/1996	M	0	____	_____	_____	Active
86	Veillard	Edwin		4/18/1981	M	0	____	_____	_____	Active
87	Waizenegger	Edward	J.	8/18/1956	M	7	61	28 Pilgrim Corners Road	Middletown, NY 10940	Entitled 10/2016
88	Waizenegger	Mark		10/27/1983	M	0	____	_____	_____	Active
89	Walker	Chris		_____	M	0	____	_____	_____	Active
90	Williams	Leighton		6/13/1977	M	2	95	19 Hoover Drive	Middletown, NY 10940	Active

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2021 Service Award Program Firefighter Records

Middletown Fire Department Service Award Program

Last Name	First Name	MI	Date of Birth	Gender	Date of Hire	2021 Points Earned	Mailing Address	City, State & Zip Code
Adams	Keith		12/18/1991	M	8/1/2020	77	272 North St Ap 2F	Middletown NY 10940
Baudendistel	Brandon	R	8/30/1991	M	1/1/2021	61	2 Schoonmaker Rd	Middletown NY 10940
Elia	Dominick	R	9/26/70	M	1/1/2021	105	83 Watkins Ave	Middletown NY 10940
Jones	Lillian		5/21/1981	F	11/1/2021	80	75 Hudson st	Port Jervis NY 12770
Matos	Wilberto		11/3/1995	M	1/1/2020	69	27 W. Main St	Middletown NY 10940
~~Torres~~	~~Steven~~		~~8/1/2015~~	~~M~~				
Torres	Steven		5/17/1995	M	8/1/2015	50		

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 06.21.22

Index No: 133-22

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

Resolution authorizing rescinding Resolution # 122-22 adopted on June 7, 2022 amending the City Code to Implement a Business Permit Program

RESOLVED; that the Common Council of the City of Middletown hereby rescinds Resolution #122-22 adopted on June 7, 2022 amending the City Code to Implement a Business Permit Program.

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption 06.21.22

Index No: 134-22

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

Resolution authorizing rescinding resolution #121-22 adopted on June 7, 2022 amending City Code to require all retail stores to obtain Planning Board approval in applicable zoning districts without regard to square footage.

RESOLVED; that the Common Council of the City of Middletown hereby rescinds Resolution #121-22 adopted on June 7, 2022 amending City Code to require all retail stores to obtain Planning Board approval in applicable zoning districts without regard to square footage.

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption 06.21.22

Index No: 135-22

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

Resolution authorizing a Public Hearing on requiring all retail stores in the City be required to obtain Planning Board approval

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.

BE IT FURTHER RESOLVED; in accordance with the provisions of Section 475-51(B)–(D) of the Zoning Code the Common Council of the City of Middletown herby calls for a public Hearing on Tuesday, July 5th, 2022 as near to 7:30PM as possible regarding a change to the Zoning of the City Code regarding the proposed amendment requiring all retail stores in the City to obtain Planning Board approval.

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption 06.21.22

Index No: 136-22

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

Resolution Authorizing a Public Hearing on the Implementation of 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.

BE IT FURTHER RESOLVED; in accordance with the provisions of Section 475-51(B)–(D) of the Zoning Code the Common Council of the City of Middletown herby calls for a public Hearing on Tuesday, July 5th, 2022 as near to 7:30PM as possible regarding a change to the Zoning of the City Code regarding the proposed the implementation of a business permit program.