

**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
JULY 5, 2022**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL (COUNCIL CLERK)
3. APPROVAL OF MINUTES June 7, 2022
4. CORRESPONDENCE, COMMUNICATION 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
 1. Business Permits
 2. Retail Square Footage
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 Accepting a Grant for \$10,098 from the New York State Division of Homeland Security and Emergency Services**
 - **Resolution Accepting a Grant for \$10,475 from the Orange County Youth Bureau**
 - **Resolution authorizing the Submission of the 2022 CDGB Action Plan**
 - **Resolution authorizing the submission of a Consolidated Funding Application for Roof Replacements at the Paramount Theatre**
 - **Resolution authorizing the submission of a Consolidated Funding Application for the Creation of a Strategic Plan for the Middletown Community Camps**
 - **Resolution authorizing the use of \$750,000 in additional ARPA funds for the O&W Project**
 - **Resolution authorizing a Budget Transfer in the Amount of \$800,000 for the O&W Station Project**
 - **Resolution accepting a \$2000 donation from Middletown Little League for Park Improvements**



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- **Resolution accepting a \$110 donation from the CSEA Local 917 to fund Summer Camp Scholarships**
- **Resolution establishing a budget account line for the State Touring Route Funding**
- **Resolution authorizing the 2022 Run 4 Downtown**
- **Resolution awarding Annual Chemical Bids**
- **Resolution Awarding Annual Disposal of Construction and Demolition Debris Bids**
- **Resolution Awarding Annual Electric Maintenance Work Bid**
- **Resolution Awarding Annual HVAC Maintenance Work for City Buildings and Facilities Bid**
- **Resolution Awarding Annual Plumbing Maintenance Work for City Buildings/Facilities Bid**
- **Resolution Awarding Annual Disposal of Aluminum/Metal/Appliances/Cast-Iron Bid**
- **Resolution Awarding Annual Water Pipe and Gray Iron Castings Bid**
- **Resolution Designating the DPW Commissioner for Certifying Officer for the CDBG funding for the O&W Building Restoration Project**
- **Resolution authorizing a \$6,000 Budget Transfer for Costs Associated with Heritage Trail Property Purchases**

13. LOCAL LAWS

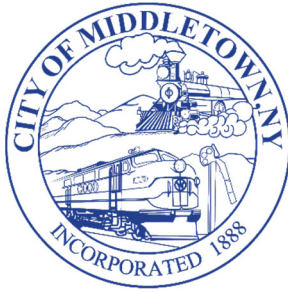
Introduction of Local Law #5 of 2022
A Local Law Creating
The Position Of Deputy Treasurer

14. AUDIT OF CLAIMS AND ACCOUNTS

(FINANCE COMMITTEE CHAIR)

15. ADJOURNMENT





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

P R E S E N T

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

A B S E N T

Ald. Sparrow Tobin

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1. Pledge of Allegiance

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

(Moment of Silence.)

PRESIDENT RODRIGUES: Thank you.

2. Roll Call

PRESIDENT RODRIGUES: Roll.

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

3. Approval of Minutes.

PRESIDENT RODRIGUES: Approval of minutes.

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

ALD. MASI: So moved.

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

COUNCIL MEMBERS: Aye.

4. Correspondence, Communications and Reports

PRESIDENT RODRIGUES: Correspondence.

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

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

PRESIDENT RODRIGUES: Received and filed.

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

PRESIDENT RODRIGUES: Received and filed.

RICHARD MCCORMACK, COUNCIL CLERK: And that concludes communications.

5. For the Good of the City

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

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

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

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

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

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

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

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

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

PRESIDENT RODRIGUES: Thank you.

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

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

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

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

MAYOR DESTEFANO: Well, we appreciate it.

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

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

FEMALE SPEAKER: And one last thing, there is our

-- our lease --

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

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

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

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

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

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

6. Remarks of the Mayor.

PRESIDENT RODRIGUES: Remarks of the Mayor.

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

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

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

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

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

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

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

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

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

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

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

PRESIDENT RODRIGUES: Yes.

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

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

ALDERMAN JOHNSON: 22.

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

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

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

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

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

MAYOR DESTEFANO: Welcome.

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

7. Remarks of Department Heads

PRESIDENT RODRIGUES: Okay. Department Heads, Economic Development.

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

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

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

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

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

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

And I think that's it for tonight.

PRESIDENT RODRIGUES: Any questions for Maria?

Alderman Kleiner.

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

MARIA BRUNI, ECONOMIC DEVELOPMENT: Hi.

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

MARIA BRUNI, ECONOMIC DEVELOPMENT: Correct.

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

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

ALD. KLEINER: Okay. Thank you.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Yep.

PRESIDENT RODRIGUES: Anyone else? Thank you, Maria.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Thank you.

PRESIDENT RODRIGUES: Any questions for Maria?

Alderman Kleiner.

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

PRESIDENT RODRIGUES: DPW Commissioner

JACOB TAWIL, DPW COMMISSIONER: Good evening.

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

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

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

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

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

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

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

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

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

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

ALD. KLEINER: Tony DeFazio.

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

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

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

PRESIDENT RODRIGUES: Any questions for Jacob?

Alderman Kleiner.

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

JACOB TAWIL, DPW COMMISSIONER: Yes, yes.

ALD. KLEINER: -- went I by so.

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

ALD. KLEINER: Wow.

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

ALD. KLEINER: Pick up the extra.

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

ALD. KLEINER: Very good.

JACOB TAWIL, DPW COMMISSIONER: Yeah, which is

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

PRESIDENT RODRIGUES: Anyone else? Thank you, Jacob.

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

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

PRESIDENT RODRIGUES: Any questions? Thank you.

Superintendent of Recreation.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Any questions?

PRESIDENT RODRIGUES: Any questions? Alderman Jean-Francois?

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

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

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

ALD. JEAN-FRANCOIS: Thank you.

PRESIDENT RODRIGUES: Anyone else? Okay. Thank you.

City Clerk.

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

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

ALD. KLEINER: Thank you.

PRESIDENT RODRIGUES: Any questions for Rick?

All right.

8. Public Hearings and Grievances.

(None this evening.)

9. Petitions and Complaints

(None this evening.)

10. Remarks of the Alderman.

PRESIDENT RODRIGUES: Remarks of the Alderman.

Alderman Masi.

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

least go back to what I just stated.

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

PRESIDENT RODRIGUES: Alderman Witt.

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

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

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

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

PRESIDENT RODRIGUES: Alderman Green.

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

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

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

PRESIDENT RODRIGUES: Alderman Kleiner.

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

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

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

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

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

PRESIDENT RODRIGUES: Alderman Ramkissoo.

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

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

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

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

PRESIDENT RODRIGUES: Alderman Johnson.

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

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

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

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

PRESIDENT RODRIGUES: Alderman Jean-Francois.

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

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

11. Unfinished Business.

(None this evening.)

12. New Business.

PRESIDENT RODRIGUES: New Business.

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

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

Roll Call: Ayes: Jean-Francois, Johnson,

Ramkissoon, Kleiner, Green, Witt, Masi, President

Rodrigues. Carried.

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

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

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

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

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

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

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

three in a proposal from CDM Smith.

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

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

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

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

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

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

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

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

Rodrigues. Carries.

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

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

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

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

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

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

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

PRESIDENT RODRIGUES: Resolution sponsored by

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

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

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

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

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

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

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

Roll Call: Ayes: Jean-Francois, Johnson,

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

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

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

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

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

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

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

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

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

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

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

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

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

13. Local Laws

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

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

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

Rodrigues. Carries.

14. Audit of Claims and Accounts

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

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

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

15. Adjournment

PRESIDENT RODRIGUES: Move for adjournment.

ALDERMAN: So moved.

(PROCEEDING CONCLUDED)

CERTIFICATE

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

Signature: *Lisa Kane*

Date: June 26, 2022

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Kleiner

Date of Adoption 06.07.22

Index No: 111-22

NAMES AYES NOES ABSTAIN ABSENT

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

A Resolution Renewing an Agreement with RJ Smith

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

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Witt

Sec'd by Ald. Green

Date of Adoption 06.07.22

Index No: 112-22

NAMES AYES NOES ABSTAIN ABSENT

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

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

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

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

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Johnson

Date of Adoption 06.07.22

Index No: 113-22

NAMES AYES NOES ABSTAIN ABSENT

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

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

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

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner

Sec'd by Ald. Johnson

Date of Adoption 06.07.22

Index No: 114-22

NAMES AYES NOES ABSTAIN ABSENT

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

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

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

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

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

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

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoon

Sec'd by Ald. Kleiner

Date of Adoption 06.07.22

Index No: 115-22

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

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

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

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

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

FROM
Water Fund

AMOUNT
\$41,700.00

TO
F.8310.400
Contractual Services

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

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Masi

Date of Adoption 06.07.22

Index No: 116-22

NAMES AYES NOES ABSTAIN ABSENT

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

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

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

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

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Witt

Date of Adoption 06.07.22

Index No: 117-22

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

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

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

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Kleiner

Date of Adoption 06.07.22

Index No: 118-22

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

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

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

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Kleiner

Date of Adoption 06.07.22

Index No: 119-22

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

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

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

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

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Kleiner

Date of Adoption 06.07.22

Index No:120-22

NAMES AYES NOES ABSTAIN ABSENT

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

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

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

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Witt

Date of Adoption 06.07.22

Index No:121-22

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 12 - This ordinance shall take effect immediately.

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Jean-Francois

Date of Adoption 06.07.22

Index No:122-22

NAMES AYES NOES ABSTAIN ABSENT

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

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

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

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

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

Section 475-47-1. Business Permits.

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

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

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

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

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

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

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

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

Section 2. This Ordinance shall take effect immediately.

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Kleiner

Date of Adoption 06.07.22

Index No:123-22

NAMES AYES NOES ABSTAIN ABSENT

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

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

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

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

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

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

Section 2. This Ordinance shall take effect immediately.

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Johnson

Date of Adoption 06.07.22

Index No: 124-22

NAMES AYES NOES ABSTAIN ABSENT

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

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

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

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Ramkissoon

Date of Adoption 06.07.22

Index No: 125-22

NAMES AYES NOES ABSTAIN ABSENT

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

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

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Ramkissoon

Date of Adoption 06.07.22

Index No: Local Law #4 of 2022

NAMES AYES NOES ABSTAIN ABSENT

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

LOCAL LAW #4 OF 2022

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

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

Section 1. Purpose of this Enactment.

The purpose of this enactment is to increase the term of office of the City Treasurer.

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

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

Section 3. Severability.

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

Section 4. Effective Date.

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

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.05.22

Index No: 138-22

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

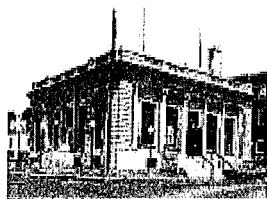
**Resolution Accepting a Grant for \$10,098 from the New York State Division of Homeland
Security and Emergency Services**

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment accepts a grant The New York State Division of Homeland Security and Emergency Services in the amount of \$10,098 for the purchase of 2 MDT's with full MDT set ups.

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes that funding be added to the Middletown Police Department's equipment line, A. 3120.201, upon approval for the requisition and purchase of the MDT's.

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 all necessary documents for submission pertaining to this grant.

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

June 21, 2022

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

Dear Mayor DeStefano and members of the BOE,

The New York State Division of Homeland Security and Emergency Services has awarded the City of Middletown a \$10,098 grant for the purchase of 2 MDT's with full MDT set ups.

I am requesting permission for the Mayor (as the sole authorized signatory) to sign all necessary documents for submission pertaining to this grant.

I additionally request that funding be added to our equipment line A. 3120.201 upon approval for the requisition and purchase of the MDT's.

If you have any questions, please contact me.

Very truly yours,

John Ewanciw
Chief of Police

JE:ccd

Reviewed and approved

Revised June 2015

DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES
Grant Assurances and Certifications for Federally-Funded Grants

The certifications herein shall be treated as a material representation of fact upon which reliance will be placed when the State of New York and/or the Federal Emergency Management Agency (FEMA) determines to award the covered transaction, grant, or cooperative agreement.

As the duly authorized representative of the applicant, I certify that the applicant agrees to comply with the following:

FOR U.S. DEPARTMENT OF HOMELAND SECURITY GRANTS AND U.S. DEPARTMENT OF TRANSPORTATION GRANTS:

1. The administrative, cost principles, and audit requirements that apply to these funds originate from 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, as adopted by DHS at 2 CFR Part 3002.
2. Lobbying. As required by 31 USC §1352, and implemented at 44 CFR Part 18, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 44 CFR Part 18, the applicant certifies that:
 - a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
 - b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, 'Disclosure of Lobbying Activities,' in accordance with its instructions;
 - c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, Title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
3. Debarment, Suspension and other Responsibility Matters (Direct Recipient). Applicant agrees that it will not make any award or permit any award (subgrant or contract) to any party which is debarred or

DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES
Grant Assurances and Certifications for Federally-Funded Grants

The certifications herein shall be treated as a material representation of fact upon which reliance will be placed when the State of New York and/or the Federal Emergency Management Agency (FEMA) determines to award the covered transaction, grant, or cooperative agreement.

As the duly authorized representative of the applicant, I certify that the applicant agrees to comply with the following:

FOR U.S. DEPARTMENT OF HOMELAND SECURITY GRANTS AND U.S. DEPARTMENT OF TRANSPORTATION GRANTS:

1. The administrative, cost principles, and audit requirements that apply to these funds originate from 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, as adopted by DHS at 2 CFR Part 3002.
2. Lobbying. As required by 31 USC §1352, and implemented at 44 CFR Part 18, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 44 CFR Part 18, the applicant certifies that:
 - a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
 - b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, 'Disclosure of Lobbying Activities,' in accordance with its instructions;
 - c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, Title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
3. Debarment, Suspension and other Responsibility Matters (Direct Recipient). Applicant agrees that it will not make any award or permit any award (subgrant or contract) to any party which is debarred or

suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549 and 12689, "Debarment and Suspension". As required by Executive Order 12549, Debarment and Suspension, and implemented at 44 CFR Part 17, for prospective participants in primary covered transactions, the applicant certifies that it and its principals:

- a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
- b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and
- d) Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

4. Drug-Free Workplace (Grantees other than Individuals). Recipients are required to comply with the Drug-Free Workplace Act of 1988 (41 USC §701 et seq.), adopted at 2 CFR Part 3001, which requires that all organizations receiving grants from any Federal agency agree to maintain a drug-free workplace. DHS has adopted the Act's implementing regulations at 2 CFR Part 3001.

5. Applicant agrees that it will comply with all applicable Federal statutes, regulations, policies, guidelines, and requirements, including Office of Management and Budget (OMB) Circular A-102, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (also known as the "A-102 Common Rule"), found under FEMA regulations at Title 44, Code of Federal Regulations (CFR) Part 13, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments," - OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations, relocated to 2 CFR Part 215. The requirements for allowable costs/cost principles are contained in the A-102 Common Rule, OMB Circular A-110 (2 CFR § 215.27), DHS program legislation, Federal awarding agency regulations, and the terms and conditions of the award. The four costs principles circulars are as follows: - OMB Circular A-21, Cost Principles for Educational Institutions, relocated to 2 CFR Part 220. - OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, relocated to 2 CFR Part 225. - OMB Circular A-122, Cost Principles for Non-Profit Organizations, relocated to 2 CFR Part 230. - OMB Circular A-133, Audits of States, Local Governments and Non-Profit Organizations.

6. Applicant agrees that it has the legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
7. Applicant agrees that it will comply with the provisions of the Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
8. Applicant agrees that it will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Section 276a to 276a-7), the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Sections 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333), regarding labor standards for Federally-assisted construction sub-agreements.
9. Applicant agrees that it will give the awarding agency, the Comptroller General of the United States and the State, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
10. Applicant agrees that it will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain for themselves or others, particularly those with whom they have family, business or other ties.
11. Applicant agrees that it will initiate and complete the work within the applicable time frame after receipt of approval from the awarding agency.
12. Applicant agrees that it will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Section 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in OPM's Standards for a Merit System of Personnel Administration) 5 CFR Part 900, Subpart F.
13. All recipients must comply with Title VI of the *Civil Rights Act of 1964* (42 U.S.C. § 2000d *et seq.*), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.
14. All recipients must comply with the *Title VI of the Civil Rights Act of 1964* (Title VI) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. Providing meaningful access for persons with LEP may entail providing language assistance services, including oral interpretation and written translation. In order to facilitate compliance with Title VI, recipients are encouraged to consider the need for language services for LEP persons served or encountered in developing program budgets. Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (August 11,

2000), requires federal agencies to issue guidance to recipients, assisting such organizations and entities in understanding their language access obligations. DHS published the required recipient guidance in April 2011, *DHS Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, 76 Fed. Reg. 21755-21768, (April 18, 2011). The Guidance provides helpful information such as how a recipient can determine the extent of its obligation to provide language services; selecting language services; and elements of an effective plan on language assistance for LEP persons. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

15. Applicant agrees that planned expenditures utilizing grant funds are consistent with needs as identified in the State Homeland Security Strategy and will be deployed in conformance with that Strategy.

16. All recipients who receive awards made under programs that prohibit supplanting by law must ensure that Federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-Federal sources. Where federal statutes for a particular program prohibits supplanting, applicants or recipients may be required to demonstrate and document that a reduction in non-Federal resources occurred for reasons other than the receipt of expected receipt of Federal funds.

17. All recipients who collect Personally Identifiable Information (PII) are required to have a publicly-available privacy policy that describes what PII they collect, how they use PII, whether they share PII with third parties, and how individuals may have their PII corrected where appropriate. Award recipients may also find as useful resources the DHS Privacy Impact Assessments: visit www.dhs.gov/policy.

18. Unless otherwise provided by law, recipients are subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. § 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards are in 37 C.F.R. Part 401 and the standard patent rights clause in 37 C.F.R. § 401.14.

19. Any cost allowable to a particular Federal award provided for in 2 CFR Part 200, Subpart E may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by federal statutes, regulations or terms and conditions of the Federal awards or for other reasons. However, this prohibition would not preclude the non-Federal entity from shifting costs that are allowable under two or more Federal awards in accordance with existing Federal statutes, regulations or the terms and conditions of the Federal awards.

20. All recipients must comply with the requirements of 42 USC §6201 which contain policies relating to energy efficient that are defined in the state energy conservation plan issues in compliance with this Act.

21. All recipients must report each action that obligations \$25,000 or more in Federal funds that does not include Recovery Funds (as defined in §1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L 111-5) for a subaward to an entity, unless provided in paragraph D as required by 2 CFR

part 170, "Reporting Subaward and Executive Compensation Information" and the Federal Funding Accountability and Transparency Act 2006 (FFATA). Recipients must register at www.sam.gov and report information about each obligating action in accordance with the submission instructions posted at www.fsrcs.gov.

22. All recipients must maintain the currency of the information in the SAM until submission of the final financial report required under the award or receive final payment, whichever is later, as required by 2 C.F.R. Part 25.

23. All recipients must comply with the requirements of 31 USC §3729 which set forth that no recipient of federal payments shall submit a false claim for payment. See also 38 USC §3801-3812 which details the administrative remedy for false claims and statements made.

24. All recipients are required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowance and benefit overpayments. See OMB Circular A-129 and form SF-424B, item number 17 for additional information and guidance.

25. All recipients must comply with Preference for U.S. Flag Air Carriers: (air carriers holding certificates under 49 USC §41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 USC §40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981 amendment to the Comptroller General Decision B-138942.

26. In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 USC §2225a, all recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with Federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, as amended, 15 USC §2225.

27. All recipients must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired by the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

28. Applicant agrees that it will comply with all provisions of 48 CFR §31.2, Federal Acquisition Regulations (FAR), Contracts with Commercial Organizations.

29. All recipients who have contracts exceeding the acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by Civilian Agency Acquisition Council and the Defense Acquisition Regulation Council as authorized by 41 U.S.C. §1908, must address administrative, contractual, or legal remedies in instance where contractors violate or breach contract terms and provide for such sanctions and penalties as appropriate.

30. All recipients that have contracts exceeding \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

31. Applicant agrees that it will comply with all lawful requirements imposed by the awarding agency, specifically including any applicable regulations, such as 28 C.F.R. pts. 18, 22, 23, 30, 35, 38, 42, 61, and 63.

32. Applicant agrees that it will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.

33. All recipients who receive awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

34. All recipients must comply with U.S. Executive Order 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of recipients to ensure compliance with the E.O. and laws.

35. Applicant agrees that it will comply with requirements that publications or other exercise of copyright for any work first produced under Federal financial assistance awards hereto related unless the work includes any information that is otherwise controlled by the Government (e.g., classified information or other information subject to national security or export control laws or regulations). For any scientific, technical, or other copyright work based on or containing data first produced under this award, including those works published in academic, technical or professional journals, symposia proceedings, or similar works, the recipient grants the Government a royalty-free, nonexclusive and irrevocable license to reproduce, display, distribute copies, perform, disseminate, or prepare derivative works, and to authorize others to do so, for Government purposes in all such copyrighted works. The recipient shall affix the applicable copyright notices of 17 U.S.C. §§401 or 402 and an acknowledgement of Government sponsorship (including award number) to any work first produced under an award.

36. Applicant agrees that it will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.

37. Applicant agrees that it will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms to the approved plans and specifications and will furnish progress reports and such other information as may be required by such other information as may be required by the assistance awarding agency or state.

38. Applicant agrees that it will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. Section 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.

39. Applicant agrees that it will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. Section 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. Section 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

40. Applicant agrees that it will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. Section 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

41. Applicant agrees that it will assist the awarding agency (if necessary) in assuring compliance with section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. § 470), Ex. Order 11593 (identification and protection of historic properties), the Archeological and Historical Preservation Act of 1974 (16 U.S.C. § 469 a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321).

42. Applicant agrees that it will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin (implementing regulations are found at 6 CFR Part 21 and 44 CFR Part 7); (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. Sections 1681-1683, and 1685-1686; Implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19), which prohibits discrimination on the basis of sex from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. Section 794, as amended), which provides that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance (these requirements pertain to the provision of benefits or services as well as to employment); (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 et seq.), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290-dd-3 and 290-ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Acts of 1968 (42 U.S.C. § 3601 et seq.), as amended, which prohibits discrimination in the sale, rental or

financing of housing on the basis of race, color, national origin, religion, disability, familial status and sex (implementing regulations are found at 24 CFR Part 100). The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units – i.e., the public and common use areas and individual apartment units (all units in building with elevators and ground-floor units in buildings without elevators) – be designed and constructed with certain accessible features (see 24 CFR §100.201); (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

43. All recipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the *Trafficking Victims Protection Act (TVPA) of 2000*, as amended (22 U.S.C. § 7104). This is implemented in accordance with OMB Interim Final Guidance, *Federal Register*, Volume 72, No. 218, November 13, 2007. Full text of the award term is located at 2 CFR § 175.15.

44. All recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 USC §§12101-12213).

45. Applicant agrees that it will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.

46. Applicant agrees that it will comply with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. § 4601 et seq. [P.L. 91-646]) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs. These requirements apply to all interested in real property acquired for project purposes regardless of Federal participation in purchases.

47. Applicant agrees that will comply with Title 44 CFR, Part 25, Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-assisted programs.

48. Applicant agrees that, to the extent contractors or subcontractors are utilized, will use small, minority-owned, women-owned, or disadvantaged business concerns and contractors or subcontractors to the extent practicable.

49. Applicant agrees that it will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996, and OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

50. Applicant agrees that it will obtain approval by the appropriate Federal agency of the final working drawings and specifications before the project is advertised or placed on the market for bidding; that it will construct the project, or cause it to be constructed, to final completion in accordance with the application and approved plans and specifications; that it will submit to the appropriate Federal agency for prior approval, changes that alter the cost of the project, use of space, or functional layout, that it will

not enter into a construction contract(s) for the project or undertake other activities until the conditions of the construction grant program(s) have been met.

51. Applicant agrees that it will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State, and local agencies for the maintenance and operation of such facilities.

52. Applicant agrees that it will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

53. Applicant agrees that it will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

54. Applicant agrees that it will comply with the requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175-175c. Among other things, it prescribes criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose.

55. All recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C §2409, 41 U.S.C. 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.

56. Applicant agrees that it will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," Number A117. - 1961, as modified (41 CFR 101-17.703). The applicant will be responsible for conducting inspections to ensure compliance with these specifications by the contractor.

57. Applicant agrees that if any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the applicant, this assurance shall obligate the applicant, or in the case of any transfer of such property, any transfer, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.

58. Any cost allocable to a particular Federal award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other Federal awards to overcome fund deficiencies, to avoid restrictions imposed by Federal statutes, regulations, or terms and conditions of the Federal awards, or for other reasons. However, this prohibition would not preclude the non-Federal entity from shifting costs that are allowable under two or more Federal awards in accordance with existing Federal statutes, regulations, or the terms and conditions of the Federal awards.

59. Applicant agrees that it will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

60. All recipients must acknowledge their use of federal funding when issuing statements, press releases, and requests for proposals, bid invitations and other documents describing projects or programs funded in whole or in part with Federal funds.

61. All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits or approvals are obtained.

62. Applicant agrees that in making subgrants with nonprofit institutions under this Comprehensive Cooperative Agreement, it agrees that such grants will be subject to OMB Circular A-122, "Cost Principles for Non-profit Organizations" included in Vol. 49, Federal Register, pages 18260 through 18277 (April 27, 1984).

FOR U.S. DEPARTMENT OF HOMELAND SECURITY GRANTS:

63. All recipients must acknowledge and agree—and require any sub-recipients, contractors, successors, transferees, and assignees acknowledge and agree—to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff:

- Recipients must cooperate with any compliance review or complaint investigation conducted by DHS.
- Recipients must give DHS access to and the right to examine and copy records, accounts, and other documents and sources of information related to the grant and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations *and* other applicable laws or program guidance.
- Recipients must obtain DHS's approval prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.
- Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
- Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
- If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties. In the event any court or administrative agency makes a finding of discrimination on grounds of race, color,

national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office.

- The United States has the right to seek judicial enforcement of these obligations.

**FOR U.S. DEPARTMENT OF TRANSPORTATION HAZARDOUS MATERIALS
EMERGENCY PREPAREDNESS GRANTS:**

- Title VI of the Civil Rights Act of 1964 (42 USC §2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 CFR Part 21 (entitled Non-discrimination In Federally-Assisted Programs of the Department of Transportation – Effectuation of the Civil Rights Act of 1964);
- 28 CFR §50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- Section 504 of the Rehabilitation Act of 1973, (29 USC §794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 USC §6101 *et seq.*), (prohibits discrimination on the basis of age);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and §504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the program or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation and certain testing entities (42 USC §12131 – 12189) as implemented by Department of Transportation regulations at 49 CFR Parts 37 and 38;
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discrimination because of sex in education programs or activities (20 USC §1681 *et seq.*)

The preceding statutory and regulatory cites hereinafter are referred to as the “Acts” and “Regulations,” respectively.

General U.S. DOT Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

“No person in the United States shall, on the grounds of race, color, national origin, gender, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity,” for which the Recipient receives Federal financial assistance from DOT, including the Pipeline and Hazardous Materials Safety Administration.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age of Discrimination Act of 1975, and §405 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific U.S. DOT Assurances

More specifically, and without limiting the above General Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Hazardous Materials Emergency Preparedness Grant Program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 CFR §21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with all Hazardous Materials Emergency Preparedness Grant Program and, in adapted from, in all proposals for negotiated agreements regardless of funding source:

"The [Entity Name], in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 USC §§2000d to 2000d-4) and the Regulations, hereby notified all bidders that it will affirmatively ensure that with respect to any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color or national origin in consideration for an award."
3. The Recipient will insert the clauses of Appendix A and B of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United State effecting or recording a transfer of real property, structures, use or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.

7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permit or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures to improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipient, subrecipients, subgrantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all required imposed or pursuant to the Acts, the Regulations and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under these Acts, the Regulations, and this Assurance.

By signing this Assurance, the Grantee also agrees to comply (and require any subrecipients, subgrantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the Pipeline and Hazardous Materials Safety Administration access to records, accounts, documents, information, facilities and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the Pipeline and Hazardous Materials Safety Administration. You must keep records, reports, and submit the material for review upon request to the Pipeline and Hazardous Materials Safety Administration, or its designee in a timely, complete and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The Grantee give this Assurance in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Hazardous Materials Emergency Preparedness Grant Program. This Assurance is binding on Grantee, other recipients, subrecipients, subgrantees, contractor, subcontractors and their subcontractors, transferees, successors in interest, and any other participants in the Hazardous Materials Emergency Preparedness Grant Program.

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, as they may be amended from time to time, which are herein incorporated by reference and make a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations including employment practices when the contract covers any activity, project, or program set forth in Append B of 49 CFR Part 21 (Including Modal Operating Administration specific program requirements).
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and Regulations relative to non-discrimination on the grounds of race, color or national origin. (Including Modal Operating Administration specific program requirements).
4. **Information and Reports:** The Contractor will provide all information and reports required by the Acts, the Regulations and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Pipeline and Hazardous Materials Safety Administration, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Nondiscrimination provisions of this Contract, the Recipient will impose such contract sanctions as it or the Pipeline and Hazardous Materials Safety Administration may determine to be appropriate, including but not limited to:
 - a. Withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. Cancelling, terminating or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the Pipeline

Hazardous Materials Safety Administration may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

Appendix B
Clauses for Deeds Transferring United States Property

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the (Title of Recipient) will accept title to the lands and maintain the project constructed thereon in accordance with (Name of Appropriate Legislative Authority), the Regulations of the Administration (Name of Appropriate Program), and the policies and procedures prescribed by the Pipeline and Hazardous Materials Safety Administration of the U.S. Department of Transportation in accordance and compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 USC sections 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the (Title of Recipient) all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto (Title of Recipient) and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on (Title of Recipient), its successors and assigns.

The (Title of Recipient), in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds or race, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the (Title of Recipient) will use the lands and interest in lands and interest in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to such and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interested existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

Appendix C
Clauses for the Transfer of Real Property Acquired or Improved Under the Activity, Facility or Program

The following clauses will be added in deeds, leases, permits, or similar instruments entered into by the (Title of Recipient) pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, Permittee, etc. as appropriate) for himself/herself, his/her heirs, person representatives, successors in interest, and assigns, as part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, Permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds or race, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc. in the event of breach of any of the above Non-discrimination covenants, (Title of Recipient) will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued. *
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the (Title of Recipient) will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the (Title of Recipient) and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

Appendix D

Clauses for the Construction of Real Property Acquired or Improved Under the Activity, Facility or Program

The following clauses will be added in deeds, leases, permits, or similar instruments entered into by the (Title of Recipient) pursuant to the provisions of Assurance 7(b):

- A. The (grantee, lessee, Permittee, etc. as appropriate) for himself/herself, his/her heirs, person representatives, successors in interest, and assigns, as part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land" that (1) no person on the grounds or race, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the grounds or race, color, or national origin, be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, Permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and the Regulations, as amended, set forth in this Assurance.
- B. With respect to licenses, leases, permits, etc. in the event of breach of any of the above Non-discrimination covenants, (Title of Recipient) will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued. *
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the (Title of Recipient) will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the (Title of Recipient) and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

Appendix E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following Non-discrimination statutes and authorities, including but not limited to:

- Title VI of the Civil Rights Act of 1964 (42 USC §2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. § 4601 *et seq.* [P.L. 91-646]) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs;
- Federal-Aid Highway Act of 1973 (23 USC section 324 *et seq.*), which prohibits discrimination on the basis of sex;
- Section 504 of the Rehabilitation Act of 1973, (29 USC §794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 USC §6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement act of 1982 (49 USC section 471, section 47123), as amended which prohibits discrimination based on race, creed, color, national origin, or sex;
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and §504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the program or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation and certain testing entities (42 USC §12131 – 12189) as implemented by Department of Transportation regulations at 49 CFR Parts 37 and 38;
- Federal Aviation's Non-discrimination statute (49 USC section 47123) which prohibits discrimination on the basis of race, color, national origin and sex;
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (August 11, 2000), requires federal agencies to issue guidance to recipients, assisting such organizations and entities in understanding their language access obligations for persons with limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discrimination because of sex in education programs or activities (20 USC §1681 *et seq.*)

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.05.22

Index No: 139-22

NAMES AYES NOES ABSTAIN ABSENT

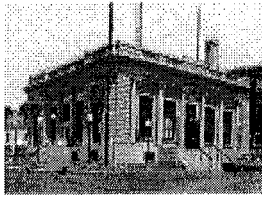
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Ramkissoon				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

Resolution Accepting a Grant for \$10,475 from the Orange County Youth Bureau

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment accepts a grant of \$10,475 from the Orange County Youth Bureau Grant for the Middletown Police Department.

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 grant in the Orange County Youth Bureau Program budget line A.3120.525. The continued purpose of this grant is to serve the youth of our community ages 14-20.

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

June 28, 2022

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

Dear Mayor DeStefano and members of the BOE,

The City of Middletown Police Department has been approved for an additional \$10,475 in funding for the Orange County Youth Bureau Grant. This additional funding covers the same period of September 1, 2021 through March 31, 2022. The original grant amount was previously approved under resolution #32-22.

I am requesting that the City of Middletown authorize acceptance of this extra funding and request to add \$10,000 to our established Orange County Youth Bureau Program budget line A.3120.525. The continued purpose of this grant is to serve the youth of our community ages 14-20.

If you have any questions, please contact me.

Very truly yours,

John Ewanciw
Chief of Police

JE:ccd

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

June 28, 2022

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

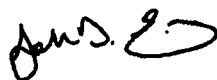
Dear Mayor DeStefano and members of the BOE,

The City of Middletown Police Department has been approved for an additional \$10,475 in funding for the Orange County Youth Bureau Grant. This additional funding covers the same period of September 1, 2021 through March 31, 2022. The original grant amount was previously approved under resolution #32-22.

I am requesting that the City of Middletown authorize acceptance of this extra funding and request to add \$10,000 to our established Orange County Youth Bureau Program budget line A.3120.525. The continued purpose of this grant is to serve the youth of our community ages 14-20.

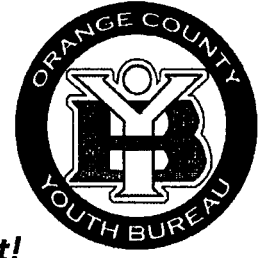
If you have any questions, please contact me.

Very truly yours,



John Ewanciw
Chief of Police

JE:ccd



ORANGE COUNTY YOUTH BUREAU
Over 40 Years Promoting Positive Youth Development!

June 23, 2022

Mayor Joseph DeStefano
City of Middletown Recreation & Parks Department
393 County Route 78
Middletown, NY 10940

Dear Mayor DeStefano,

This letter is to confirm that the New York State Office of Children and Family Services agreed to provide the following funding to the City of Middletown through the Orange County Youth Bureau for **2022**. This funding was designated to by the State through its Elected Officials Plan to be used for programming by the City of Middeltown Police Department, in collaboration with Because It Matters 24/7, for programming from January 1, 2022 through June 30, 2022.

<u>Program Name(s)</u>	<u>Funding Amount & Type(s):</u>
Middletown Police Youth Leadership Program	\$ 55,475 Gun Violence Prevention Funding - Elected Officials Plan

As always, please do not hesitate to contact the Youth Bureau for any assistance.

Sincerely,

Rachel R. Wilson
Executive Director

Promoting Positive Youth Development since 1978!

40 Matthews Street, Suite 301C, Goshen, NY 10924 Phone: 845.615.3620 Fax: 845.360.9232

Email: YouthBur@OrangeCountyGov.com

Facebook: www.facebook.com/OrangeCountyYB

Website: www.OrangeCountyGov.com/YouthBureau

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Green

Date of Adoption 02.01.22

Index No: 32-22

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

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

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

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

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

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

A.3120.526 \$25,000

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

RECEIVED

JAN 18 2022

**City Clerk
City of Middletown**

January 18, 2022

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

Dear Mayor DeStefano and members of the BOE,

The City of Middletown Police Department has been approved for a grant in the amount of \$45,000 for the period of September 1, 2021 through March 31, 2022.

I am requesting that the City of Middletown authorize acceptance of this grant and request to add \$20,000 to our established Orange County Youth Bureau Program budget line A.3120.525, and add the remaining \$25,000 to a second Orange County Youth Bureau line in order to provide the county with appropriate reporting for reimbursement purposes.

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

If you have any questions, please contact me.

Very truly yours,

John Ewanciw
Chief of Police

JE:ccd

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.05.22

Index No: 140-22

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 Submission of the 2022 CDGB Action Plan

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the Mayor to sign all necessary documents and certifications regarding the 2022 CDGB Action Plan.

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the submission of the 2022 Action Plan to the Office of Housing and Urban Development.

CITY OF MIDDLETOWN
Office of Economic & Community Development

June 27, 2022

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

RECEIVED
JUN 28 2022
City Clerk
City of Middletown

RE: Community Development Action Plan 2022

Dear Members:

I am requesting authorization for the Mayor to sign all necessary documents and certifications regarding the 2022 CDGB Action Plan. Also, authorization for the submission of the 2022 Action Plan to the Office of Housing and Urban Development.

Thank you for your attention to this matter.

Maria Bruni, Director
Economic & Community Development

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.05.22

Index No: 141-22

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 submission of a Consolidated Funding Application for Roof Replacements at the Paramount Theatre

Whereas The City of Middletown desires to apply for financial assistance through the 2022 Consolidated Funding Application (CFA) under the Environmental Protection Fund: Parks, Preservation and Heritage Grants; and the Homes and Community Renewal Main Street Program and

Whereas The City will be requesting funding to replace two roofs at the Paramount Theatre: The large roof over the auditorium/stage, and the smaller, metal roof over the backstage area.

Whereas the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality that is applying for funding.

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the Mayor to sign as the sole signatory, any and all necessary documents required pertaining to the Consolidated Funding Application and for approval of the submission for grant.

CITY OF MIDDLETOWN
Office of Economic & Community Development

June 27, 2022

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

RECEIVED
JUN 28 2022
City Clerk
City of Middletown

RE: PARAMOUNT THEATRE – CFA APPLICATION

The City of Middletown desires to apply for financial assistance through the 2022 Consolidated Funding Application (CFA) under the Environmental Protection Fund: Parks, Preservation and Heritage Grants; and the Homes and Community Renewal Main Street Program.

The City will be requesting funding to replace two roofs at the Paramount Theatre: The large roof over the auditorium/stage, and the smaller, metal roof over the backstage area.

The grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality that is applying for funding.

We are seeking authorization for the Mayor to sign as the sole signatory, any and all necessary documents required pertaining to the Consolidated Funding Application and for approval of the submission for grant.

Thank you for your attention to this matter.

Maria Bruni, Director
Economic & Community Development

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.05.22

Index No: 142-22

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 submission of a Consolidated Funding Application for the
Creation of a Strategic Plan for the Middletown Community Camps**

Whereas The City of Middletown desires to apply for financial assistance through the 2022 Consolidated Funding Application (CFA) under Empire State Development Grant Funds.

Whereas The City will be seeking funding for through the ESD – Strategic Planning and Feasibility Studies and the Smart Growth Comprehensive Planning Grant Program in order to create a Strategic Plan for the Middletown Community Campus.

Whereas the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality that is applying for funding.

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes Mayor to sign as the sole signatory, any and all necessary documents required pertaining to the Consolidated Funding Application and for approval of the submission for grant.

CITY OF MIDDLETOWN
Office of Economic & Community Development

June 27, 2022

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

RECEIVED
JUN 28 2022
City Clerk
City of Middletown

RE: MIDDLETOWN COMMUNITY CAMPUS - CFA APPLICATION

The City of Middletown desires to apply for financial assistance through the 2022 Consolidated Funding Application (CFA) under Empire State Development Grant Funds.

The City will be seeking funding for through the ESD – Strategic Planning and Feasibility Studies and the Smart Growth Comprehensive Planning Grant Program in order to create a Strategic Plan for the Middletown Community Campus.

The grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality that is applying for funding.

We are seeking authorization for the Mayor to sign as the sole signatory, any and all necessary documents required pertaining to the Consolidated Funding Application and for approval of the submission for grant.

Thank you for your attention to this matter.

Maria Bruni, Director
Economic & Community Development

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.05.22

Index No: 143-22

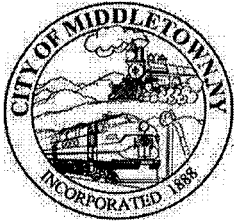
NAMES	AYES	NOES	ABSTAIN	ABSENT
-------	------	------	---------	--------

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

Resolution authorizing the use of \$750,000 in additional ARPA funds for the O&W Project

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the Treasurer to utilize an additional \$750,000.00 in ARPA funds for the O&W Project.

The original amount was \$3,000,000. Previously, the City had applied for 2021 CFA funding in this amount, and was unsuccessful. The City requests that general funds be allotted to the project to cover this gap in funding.



DEPARTMENT OF FINANCE City Of Middletown

Leonora Liz
Treasurer

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

RECEIVED
JUN 28 2022
City Clerk
City of Middletown

Date: June 28, 2022

To: The Board of Estimate

From: Leonora Liz, Treasurer

1. I am requesting additional ARPA funds in the amount of \$750,000.00 to apply to the O&W Project. The original amount was \$3,000,000. Previously, the City had applied for 2021 CFA funding in this amount, and was unsuccessful. The City requests that general funds be allotted to the project to cover this gap in funding.
2. The City of Middletown has been awarded \$800,000 in HOME funds through Orange County Community Development for the creation of eight rental units at the O&W Station.

I am requesting a temporary borrowing from the General Fund in the amount of \$800,000 to cover the expenses associated with this grant until a contract with the County is finalized and the reimbursement process can begin. The general fund balance will be reimbursed with the grant.

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
General Fund Balance	\$800,000	H01.0004.900

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.05.22

Index No: 144-22

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 in the Amount of \$800,000 for the O&W Station Project

Whereas The City of Middletown has been awarded \$800,000 in HOME funds through Orange County Community Development for the creation of eight rental units at the O&W Station.

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to make a budget transfer in the amount of \$800,000 in the following manner to cover the expenses associated with this grant until a contract with the County is finalized and the reimbursement process can begin.

FROM	AMOUNT	TO
*General Fund Balance	\$800,000	H01.0004.900

* The general fund balance will be reimbursed with the grant.

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.05.22

Index No: 145-22

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				

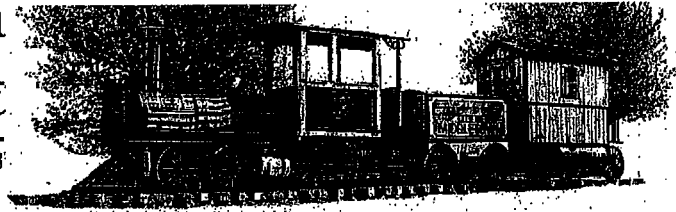
**Resolution accepting a \$2000 donation from Middletown Little League for Park
Improvements**

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to accept a donation in the amount of \$2,000.00 from Middletown Little League to go towards the costs of renovating the Watts Park Concession stand.

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.7110.478 Park Improvements.

Middletown Recreation and Parks Department

898 CR-78, Middletown, New York 10940 Tel: (845)846-4180 Fax: (845)844-2918



Tuesday, June 28, 2022

RE: Authorization to Accept Donations

Dear Board of Estimates & Council Members:

1. The Recreation & Parks Department was given a donation in the amount of \$2,000.00 from Middletown Little League to go towards the costs of renovating the Watts Park Concession stand. Please accept this donation and authorize the Treasurer to deposit the donation into account A.7110.478 Park Improvements.
2. The Recreation & Parks Department was given a donation in the amount of \$110.00 from the CSEA Retiree Local 917 of Orange, Ulster and Sullivan to go towards a Camp Scholarship. Please accept this donation and authorize the Treasurer to deposit the donation into account A.2705.07 Summer Camp Scholarships.

Sincerely,

Raelynn Bertholf, Superintendent of Recreation
Middletown Recreation & Parks Department

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.05.22

Index No: 146-22

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 accepting a \$110 donation from the CSEA Local 917 to fund Summer Camp Scholarships

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to accept a donation in the amount of \$110.00 from the CSEA Retiree Local 917 of Orange, Ulster and Sullivan to go towards a Camp Scholarship. Please accept this donation and authorize the Treasurer to deposit the donation into

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.2705.07 Summer Camp Scholarships

Middletown Recreation and Parks Department

893 CR-78, Middletown, New York 10940 Tel: (845)846-4180 Fax: (845)844-2918



Tuesday, June 28, 2022

RE: Authorization to Accept Donations

Dear Board of Estimates & Council Members:

1. The Recreation & Parks Department was given a donation in the amount of \$2,000.00 from Middletown Little League to go towards the costs of renovating the Watts Park Concession stand. Please accept this donation and authorize the Treasurer to deposit the donation into account A.7110.478 Park Improvements.
2. The Recreation & Parks Department was given a donation in the amount of \$110.00 from the CSEA Retiree Local 917 of Orange, Ulster and Sullivan to go towards a Camp Scholarship. Please accept this donation and authorize the Treasurer to deposit the donation into account A.2705.07 Summer Camp Scholarships.

Sincerely,

Raelynn Bertholf, Superintendent of Recreation
Middletown Recreation & Parks Department

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.05.22

Index No: 147-22

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 establishing a budget account line for the State Touring Route Funding

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the Treasurer to establish an account line for the State Touring Route funding.

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes \$1,500,000.00 to be available in this account to partially pay for this year's milling & paving program.

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the Treasurer to Increase Capital Revenue Line H.351 by \$1,500,000 and Increase Capital Expense Line H.0429.03 State Route Touring by \$1,500,000.

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

RECEIVED
JUN 28 2022
City Clerk
City of Middletown

Date: June 24, 2022
To: Honorable Members of the Board of Estimate
and Apportionment
Cc: Leonora Liz -Treasurer
Rick McCormack, City Clerk
From: Jacob Tawil-Commissioner of Public Works
Re: State Touring Route – D.O.T.

I am requesting that an account be established for the State Touring Route funding that the City will receive reimbursement for from the Department of Transportation. \$1,309,484.99 was awarded in 2021 and an additional \$1,309,484.99 in 2022. A total of \$2,618,969.98 can be put into this account and can be used towards the milling and paving of city streets. Reimbursement for repairs can be submitted quarterly and any unused funds will roll over to the next quarter.

We are requesting funding in the amount of \$1,500,000.00 to be available in this account to partially pay for this year's milling & paving program.

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 07.05.22
Index No: 148-22

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 2022 Run 4 Downtown

RESOLVED, that the Common Council of the City of Middletown hereby authorizes the Commissioner of Public Works, and/or his designee, and the Chief of Police, and/or his designee, to close any and all streets and intersections necessary and at their discretion, for the Run 4 Downtown, Saturday, August 20, 2022 beginning at 8:00 a.m. and lasting until such time as it is no longer needed.

LET IT BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown hereby grants the Annual Run 4 Downtown application to sell beer and wine, conditioned upon the execution of the attached agreement by the applicant and the fulfillment of all requirements set forth in the agreement by the applicant and to supply the City with the proper insurance documents and authorize the Mayor to sign the application from the SLA for the selling of beer and wine and temporarily lift the requirements of the City's open container ordinance for this application.

LET IT BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown hereby grants the Annual Run 4 Downtown permission to have the race with all requirements of the Department of Health and the CDC.

ROUTE: Map attached to this Resolution.

CERTIFICATE OF INSURANCE

PRINT DATE: 1/12/2022

CERTIFICATE NUMBER: 20220112876413

AGENCY:

Edgewood Partners Insurance Center
5909 Peachtree Dunwoody Road, Suite 800
Atlanta, GA 30328
678-324-3300 (Phone), 678-324-3303 (Fax)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

NAMED INSURED:

USA Track & Field, Inc. Run 4 Downtown
130 East Washington Street, Suite 800
Indianapolis IN 46204

INSURERS AFFORDING COVERAGE:

INSURER A: Accredited Surety and Casualty Company, Inc. NAIC# 26379
INSURER B: Allied World National Assurance Company NAIC# 19489

EVENT INFORMATION:

Run 4 Downtown (8/20/2022 - 8/20/2022)

POLICY/COVERAGE INFORMATION:

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INS	TYPE OF INSURANCE:	POLICY NUMBER(S)	EFFECTIVE:	EXPIRES:	LIMITS:
A	GENERAL LIABILITY				
	☒ Occurrence	1-TPM-IN-17-01268997	11/1/2021 12:01 AM	11/1/2022 12:01 AM	GENERAL AGGREGATE (Applies Per Event) \$4,000,000
	☒ Participant Legal Liability				EACH OCCURRENCE \$2,000,000
					DAMAGE TO RENTED PREMISES (Each Occ.) \$2,000,000
					MEDICAL EXPENSE (Any one person) EXCLUDED
					PERSONAL & ADV INJURY \$2,000,000
					PRODUCTS-COMP/OP AGG \$2,000,000
A	UMBRELLA/EXCESS LIABILITY				
	☒ Occurrence	1-TPM-IN-17-01268998	11/1/2021 12:01 AM	11/1/2022 12:01 AM	EACH OCCURRENCE \$3,000,000
					AGGREGATE \$3,000,000
B	OTHER				
	☒ EXCESS LIABILITY	0313-1301	11/1/2021 12:01 AM	11/1/2022 12:01 AM	EACH OCCURRENCE \$7,000,000
					AGGREGATE \$7,000,000

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS:

Coverage applies to USA Track & Field sanctioned events and registered practices, including any directly related activities, such as event set-up and tear-down, participant check-in and award ceremonies.

The certificate holder is an additional insured per the following endorsement: Blanket Additional Insured (RSCG 03 03)

The General Liability policy is primary and non-contributory with respect to the negligence of the Named Insureds (Form CG 00 01)

The General Liability policy contains a blanket Waiver of Subrogation as required by contract per Waiver of Transfer of Rights of Recovery Against Others (Form CG 24 04).

Excess policy follows form of underlying General Liability.

CERTIFICATE HOLDER:

City of Middletown
Franklin Square
Middletown NY 10940

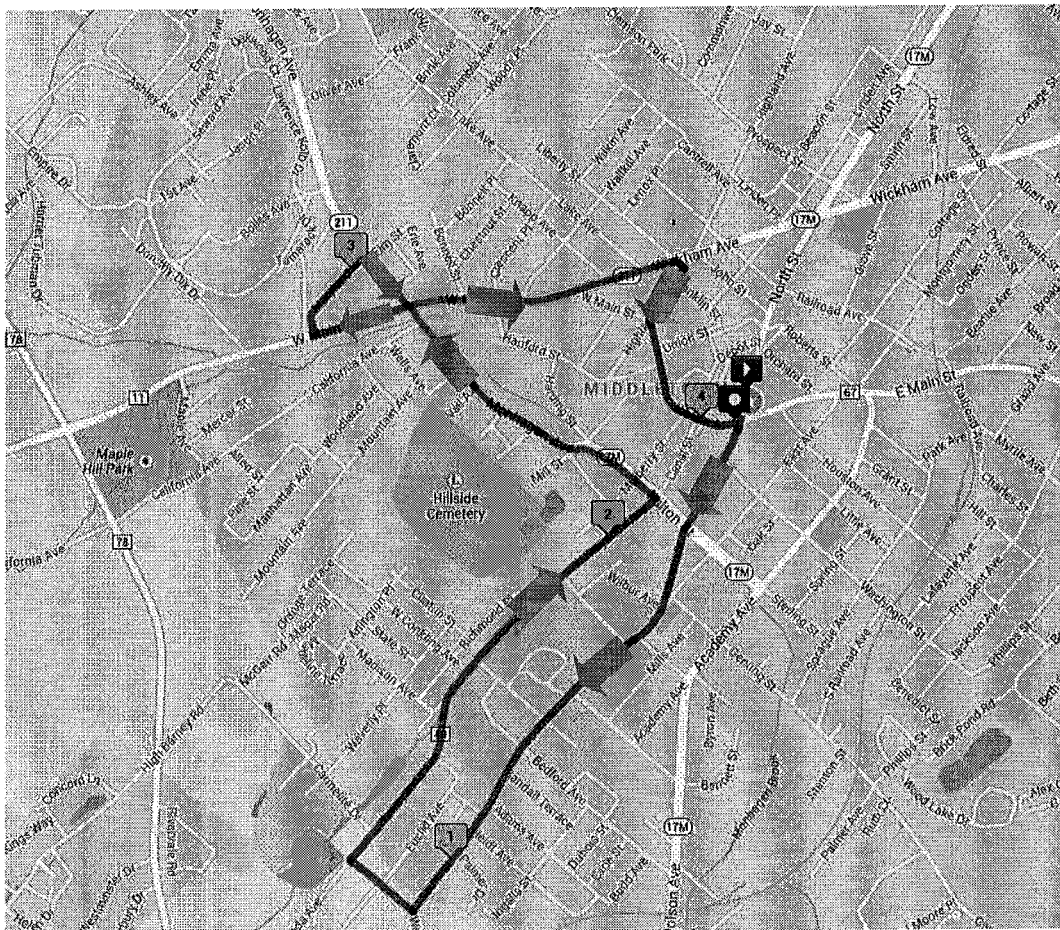
NOTICE OF CANCELLATION:

Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.

AUTHORIZED REPRESENTATIVE:



Approximate Course Map with Mile Markers



R4DT Course

Start: North St. at Jerry's Park, heading South onto South Street

Rt on Webb Rd

Rt on Waywayanda Ave

Left on Fulton

Straight on Monhagen Ave

Left on West Main St

Rt on Maryland Ave

Rt on Monhagen Ave

Left on West Main St.

Left on Wickham Ave

Rt on Liberty St

Rt on Highland Ave

Left on West Main St.

Finish at Franklin Square

Special Event Permit Application
New York State Liquor Authority
Landlord Authorization Form

Date(s) of event: August 20, 2022

Name of Applicant: Ron 4 Downtown

Venue Name: Ron 4 Downtown Park

Venue Street Address: 9-15 North St.

Venue City and zip code: Middletown 10940

By my signature, I acknowledge that I am the landlord/owner of the applied for premises, or that I am a duly authorized representative of the landlord/owner, to sign this landlord authorization form. I hereby grant permission for the sales or services of alcoholic beverages by the applicant for consumption on said property.

Print Name of Landlord/Owner

Print Your Name and Title

Signature & Date

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.05.22

Index No: 149-22

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

Resolution awarding Annual Chemical Bids

WHEREAS, bids were opened by the Board of Estimate and Apportionment on Thursday, June 16, 2022, for the Bid for Chemicals, and

WHEREAS, the Board of Estimate and Apportionment referred the bids to the Commissioner of Public Works for his review and recommendation to the Common Council of the City of Middletown, and,

NOW THEREFORE BE IT RESOLVED; that the Common Council of the City of Middletown concurs with the Commissioner of Public Works and awards the bid for Chemicals to the following:

Thatcher Company of New York, P.O. Box 27407, Salt Lake City, UT 84127-0407:

Copper sulfate in 50 lb. bags, in minimum loads of five tons @ \$4,040.00/ton *lead time: 5-7 days ARO.

Slack Chemical Co., Inc., 465 So. Clinton St., Carthage, NY 13619:

Sodium Hypochlorite 12.5% (liquid chlorine) in 55 gal. drums del. @ \$2.89/gal.; \$158.95/drum

Chemtrade, 90 East Halsey Rd., Parsippany NJ 07054:

Aluminium Sulfate 4000 gals. del. @ \$524.00/dry ton

George Coyne Chemical Co. Inc., 3015 State Rd, Croydon, PA 19021:

Sodium Chlorite 25% 1000 gals. del. @ \$9.69/gal.

PVS Minibulk, Inc., 10900 Harper Ave., Detroit, MI 48213:

Sodium Hypochlorite in minimum 2,000 gal. delivery @ \$2.07/gal.

Hydrochloric Acid 15% in minimum 1,000 gal. del. @ \$2.90/gal.

Shannon Chemical, 602 Jeffers Circle 116, Exton, PA 19341:

Floussilicic Acid 1000 gal. del. @ \$7.74/gal. *price firm 90 days

Polydyne Inc., One Chemical Plant Rd., Riceboro, GA 31323:

Cationic Dry Polymer per lbs. (min. del. 36 bags) @ \$2.30/lb.

Cationic Liquid Polymer per drum (min. del. 4 drums) @ \$1.65/lb.

Univar Solutions USA INC., 200 Dean Stivers Pl., Morrisville, PA 19067:

Caustic Soda 25% 4000 gals. per del. @ \$1,172.00/DST

Department of Public Works

City of Middletown

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



16 James Street
Middletown, N.Y. 10940-1587
Tel: (845) 343-3169
Fax: (845) 343-4014

June 30, 2022

Board of Estimate & Apportionment
Honorable Mayor and Members
Of the Common Council
City of Middletown, NY

RE: Bids of June 16, 2022 for Chemicals

Gentlemen:

Public Bids were opened at the Board of Estimate & Apportionment meeting held on June 16, 2022 and recorded on the Bid Tabulation Sheet attached.

I have reviewed these bids and respectfully request awarding them to the lowest qualifying bidders as follows:

Thatcher Company of New York, P.O. Box 27407, Salt Lake City, UT 84127-0407:

Copper sulfate in 50 lb. bags, in minimum loads of five tons @ \$4,040.00/ton *lead time: 5-7 days ARO.

Slack Chemical Co., Inc., 465 So. Clinton St., Carthage, NY 13619:

Sodium Hypochlorite 12.5% (liquid chlorine) in 55 gal. drums del. @ \$2.89/gal.; \$158.95/drum

Chemtrade, 90 East Halsey Rd., Parsippany NJ 07054:

Aluminium Sulfate 4000 gals. del. @ \$524.00/dry ton

George Coyne Chemical Co. Inc., 3015 State Rd, Croydon, PA 19021:

Sodium Chlorite 25% 1000 gals. del. @ \$9.69/gal.

PVS Minibulk, Inc., 10900 Harper Ave., Detroit, MI 48213:

Sodium Hypochlorite in minimum 2,000 gal. delivery @ \$2.07/gal.

Hydrochloric Acid 15% in minimum 1,000 gal. del. @ \$2.90/gal.

Shannon Chemical, 602 Jeffers Circle 116, Exton, PA 19341:

Floussilic Acid 1000 gal. del. @ \$7.74/gal. *price firm 90 days

Polydyne Inc., One Chemical Plant Rd., Riceboro, GA 31323:

Cationic Dry Polymer per lbs. (min. del. 36 bags) @ \$2.30/lb.

Cationic Liquid Polymer per drum (min. del. 4 drums) @ \$1.65/lb.

Univar Solutions USA INC., 200 Dean Stivers Pl., Morrisville, PA 19067:

Caustic Soda 25% 4000 gals. per del. @ \$1,172.00/DST

Respectfully submitted,



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

kg
Att.

June 16, 2022 Name & Address of Bidder	Hilland Co. Inc. 159 Hilland Ave. Adams, MA 01220	PVC Mithubak, Inc. 15000 Woodward Ave. Detroit, MI 48213	Kochine Chemical Co. 86 N. Hackensack Ave. Kearny, NJ 07032 973-589-0700	Chemtrade 90 East Halsey Rd. Parsippany, NJ 07054	Shannon Chemical, 116 E. Jefferson Ave. Lancaster, PA 17301	JCI Jones Chemicals, Inc. 1765 Ringling Blvd. Sarasota, FL 34236	George S. Coyne Chemical Co. Inc. 3015 State Rd. Croyden, PA 19021 P:(215)785-3000 F:(215)785-1585	Slack Chemical Co. Inc. 465 So. Clinton St. Carthage, NY 13619	Surpass Chemical Co. 1254 Broadway Albany, NY 12204-2623	Univer Solutions USA Inc. 200 Dean Stivers Pl. Mortsville, PA 19067	Thatcher Company of New York 1905 Fortune Rd. Salt Lake City, UT 84104	USALCO 2601 Camino Ave. Baltimore, MD 21126	Polydyme Inc. One Chemical Plant Rd. Riceboro, GA 31323
Bid Item													
Aluminum Sulfate (4000 gallons)	\$591.26/dry ton	No Bid	No Bid	\$524.00/dry ton	No Bid	No Bid	No Bid	\$9,648.00/load \$910.00/dry ton *Minimum 4.5 Alum 48% 3rd Party	No Bid	No Bid	\$547.00/dry ton *Min. order 4,000 gals. Lead Time: 3-5 days	\$571.63/dry ton	No Bid
Copper Sulfate (50 lb. bag)	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$4,040.00/ton *Min. Order 5 tons *Lead Time: 5-7 days ARO	No Bid	No Bid
Caustic Soda 25% (4000 gal. per Del.)	No Bid	\$1,750.00/dry ton	\$3,000.00/dry ton	No Bid	No Bid	\$1.58/dry ton *Prices are subject to change quarterly after 9/30/22 upon 30 days written notice. Please also see attached JCI Bid Addendum p9	No Bid	\$13,756.00/load \$2,596.11/dry ton	No Bid	\$1,172.00/DST	No Bid	No Bid	No Bid
Sodium Hypochlorite (2000 gallon delivery)	No Bid	\$2.07/gal	\$3.00/gal	No Bid	No Bid	\$2.25/gal *Prices are subject to change quarterly after 9/30/22 upon 30 days written notice. Please also see attached JCI Bid Addendum p9	No Bid	\$5,278.00/load \$2,639/gal	No Bid	No Bid	No Bid	No Bid	No Bid
Fluosiilic Acid (1000 gallon delivery)	No Bid	No Bid	No Bid	No Bid	\$7.74/gal *Price firm 90 days	No Bid	No Bid	\$9,490.00/load \$9,49/gal	No Bid	\$7.00/gal	No Bid	No Bid	No Bid
Sodium Chlorite 25% (1000 gallon delivery)	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$9.69/gal	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
Hydrochloric Acid 15% (1000 gallon delivery)	No Bid	\$2.90/gal	No Bid	No Bid	No Bid	No Bid	No Bid	\$5,990.00/load \$5.99/gal	No Bid	No Bid	No Bid	No Bid	No Bid
Sodium Hypochlorite 12.5% (in 55 gal. drums)	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$1,58.95/drum \$2.89/gal	No Bid	No Bid	No Bid	No Bid	No Bid
Cationic Dry Polymer per lb. (min. del. 36 bags)	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$4.98/lbs.	No Bid	No Bid	No Bid	\$2.30/lbs.
Cationic Liquid Polymer per drum- (min.del. 4 drums)	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	\$2.53/drum	No Bid	No Bid	No Bid	\$1.65/drum

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.05.22

Index No: 150-22

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

Resolution Awarding Annual Disposal of Construction and Demolition Debris Bids

WHEREAS, bids were opened by the Board of Estimate and Apportionment on Thursday, June 16, 2022, for the Bid Disposal of C&D, and tires from Clean Up Program, and

WHEREAS, the Board of Estimate and Apportionment referred the bids to the Commissioner of Public Works for his review and recommendation to the Common Council of the City of Middletown, and,

NOW THEREFORE BE IT RESOLVED; that the Common Council of the City of Middletown concurs with the Commissioner of Public Works and awards the bid for Disposal of C&D, and tires from Clean Up Program to the following:

Taylor-Montgomery, LLC. 350 Neelytown Rd. Montgomery NY 12548:

Disposal of C&D \$135.00/ton at bidder's transfer station;

Tires: \$575 per 30 cy dumpster plus the material content weight charges for the tires at \$595/ton includes the first (30 day) monthly rental period.

Additional monthly rental fee of \$250 per month applies after initial (30 days) monthly rental period expires.

This monthly rental fee is in addition to container charges upon delivery and the materials (tires) to be disposed content weight tipping fees. \$395.00 per container + \$400.00/ton

Department of Public Works

City of Middletown

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



16 James Street
Middletown, N.Y. 10940-1587
Tel: (845) 343-3169
Fax: (845) 343-4014

June 29, 2022

Board of Estimate & Apportionment
Honorable Mayor and Members
of the Common Council
City of Middletown, NY

RE: Bid of Disposal of C&D, and tires from Clean Up Program

Gentlemen:

Advertisement for Public Bids for the disposal of trash and construction and demolition debris and tires appeared in the Times Herald-Record on June 3, 2022. Only one bid was received and opened during the Board of Estimate & Apportionment meeting on June 16, 2022. Tabulation is enclosed.

I have reviewed the bid and respectfully request awarding the bid to the lowest qualifying bidder:

Taylor-Montgomery, LLC. 350 Neelytown Rd. Montgomery NY 12548:

Disposal of C&D \$135.00/ton at bidder's transfer station;

Tires: \$575 per 30 cy dumpster plus the material content weight charges for the tires at \$595/ton includes the first (30 day) monthly rental period.

Additional monthly rental fee of \$250 per month applies after initial (30 days) monthly rental period expires.

This monthly rental fee is in addition to container charges upon delivery and the materials (tires) to be disposed content weight tipping fees. \$395.00 per container + \$400.00/ton

Respectfully submitted,

Jacob S. Tawil, P.E.
COMMISSIONER OF PUBLIC WORKS

kg
Encl.

Bid of: June 16, 2022

BID FOR THE DISPOSAL OF CONSTRUCTION AND DEMOLITION DEBRIS, AND TIRES.

NAME OF BIDDERS	DISPOSAL OF C&D	TIRES
Taylor-Montgomery, LLC 350 Neelytown Rd. Montgomery NY 12549	\$135.00/Ton/ at bidder's transfer station	*see Note #1 below regarding Tire Bid

*Note #1: The charges of \$575 per 30 cy dumpster plus the material content weight charges for the tires at \$595/ton includes the first (30 day) monthly rental period.

Additional monthly rental fee of \$250 per month applies after initial (30 days) monthly rental period expires.

This monthly rental fee is in addition to container charges upon delivery and the materials (tires) to be disposed content weight tipping fees.

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.05.22

Index No: 151-22

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 Awarding Annual Electric Maintenance Work Bid

WHEREAS, bids were opened by the Board of Estimate and Apportionment on Thursday, June 16, 2022, for Electric Maintenance Work, and

WHEREAS, the Board of Estimate and Apportionment referred the bids to the Commissioner of Public Works for his review and recommendation to the Common Council of the City of Middletown, and,

NOW THEREFORE BE IT RESOLVED; that the Common Council of the City of Middletown concurs with the Commissioner of Public Works and awards the bid for Electric Maintenance Work to the following:

Harry F. Rotolo & Son, Inc., 390 East Main Street, Middletown, NY 10940:

@\$89/hr. rate; \$127/hr. OT rate; \$155/hr. holiday rate.; \$50/hr. Bucket truck rate (max. \$200/day).

Department of Public Works

City of Middletown

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



16 James Street
Middletown, N.Y. 10940-1587
Tel: (845) 343-3169
Fax: (845) 343-4014

June 29, 2022

Board of Estimate & Apportionment
Honorable Mayor and Members
of the Common Council
City of Middletown, NY

RE: Annual Electric Maintenance Work Bids of June 16, 2022

Gentlemen:

Advertisement for Public Bids for the referenced matter appeared in the Times Herald-Record on June 3, 2022. Bids were received and opened during the Board of Estimate & Apportionment meeting of June 16, 2022. The bid tabulation sheet is enclosed. I have reviewed the bids and respectfully request awarding the bid for electrical maintenance work for City buildings/facilities to:

Harry F. Rotolo & Son, Inc., 390 East Main Street, Middletown, NY 10940:
@\$89/hr. rate; \$127/hr. OT rate; \$155/hr. holiday rate.; \$50/hr. Bucket truck rate
(max. \$200/day).

Respectfully submitted,

Jacob S. Tawil, P.E.
COMMISSIONER OF PUBLIC WORKS

kg
Encl.

Bids for Electrical work for the City of Middletown due June 16, 2022

Name of Bidders

Amount

Harry F. Rotolo & Son, Inc.
390 East Main Street
Middletown, NY 10940

Hourly Rate: \$89.00/hr
Hourly O.T.: \$127.00/hr
Hourly Holiday: \$155/hr
Bucket truck \$/hr., max/day: \$50/hr; \$200/day

Ray S. Pantel, Inc.
71-73 Wisner Ave.
Middletown, NY 10940

Hourly Rate: \$95.00/hr
Hourly O.T.: \$140.00/hr
Hourly Holiday: \$150.00/hr
Bucket truck \$/hr., max/day: \$45.00/hr.
*no max per day given

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.05.22

Index No: 152-22

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 Awarding Annual HVAC Maintenance Work for
City Buildings and Facilities Bid**

WHEREAS, bids were opened by the Board of Estimate and Apportionment on Thursday, June 16, 2022, for HVAC Maintenance Work, City Buildings/Facilities, and

WHEREAS, the Board of Estimate and Apportionment referred the bids to the Commissioner of Public Works for his review and recommendation to the Common Council of the City of Middletown, and,

NOW THEREFORE BE IT RESOLVED; that the Common Council of the City of Middletown concurs with the Commissioner of Public Works and awards the bid for HVAC Maintenance Work, City Buildings/Facilities to the following:

Val Bruni Plumbing & Heating, PO Box 864, Middletown NY 10940:

At an hourly rate of: \$120; an Overtime rate of: \$180/hr and a Holiday rate of: \$240/hr.

Department of Public Works

City of Middletown

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



16 James Street
Middletown, N.Y. 10940-1587
Tel: (845) 343-3169
Fax: (845) 343-4014

June 29, 2022

Board of Estimate & Apportionment
Honorable Mayor and Members
Of the Common Council
City of Middletown, NY

RE: Annual HVAC Maintenance Work, City Buildings/Facilities – Bid of June 16, 2022

Gentlemen:

Advertisement for Public Bids for the referenced matter appeared in the Times Herald-Record on June 3, 2022. Only one bid was received and opened during the Board of Estimate & Apportionment meeting of June 16, 2022. The bid tabulation sheet is enclosed. I have reviewed this bid and respectfully request awarding the HVAC bid as follows:

Val Bruni Plumbing & Heating, PO Box 864, Middletown NY 10940:

At an hourly rate of: \$120; an Overtime rate of: \$180/hr and a Holiday rate of: \$240/hr.

Respectfully submitted,

Jacob S. Tawil, P.E.
COMMISSIONER OF PUBLIC WORKS

kg
Encl.

HVAC Bids**Bid of June 16, 2022**

NAME	AMOUNT
Val Bruni P&H	\$120.00/hr.
P.O. Box 864	\$180.00/hr. OT
Middletown, NY 10940	\$240.00/hr. Sundays & Hol. /
	\$/hr.
	\$/hr. OT
	\$/hr. Sundays & Hol.
	\$/hr.
	\$/hr. OT
	\$/hr. Sundays & Hol.

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.05.22

Index No: 153-22

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 Awarding Annual Plumbing Maintenance Work for
City Buildings/Facilities Bid**

WHEREAS, bids were opened by the Board of Estimate and Apportionment on Thursday, June 16, 2022, for Plumbing Maintenance Work, City Buildings/Facilities, and

WHEREAS, the Board of Estimate and Apportionment referred the bids to the Commissioner of Public Works for his review and recommendation to the Common Council of the City of Middletown, and,

NOW THEREFORE BE IT RESOLVED; that the Common Council of the City of Middletown concurs with the Commissioner of Public Works and awards the bid for Plumbing Maintenance Work, City Buildings/Facilities to the following:

G. Richard Truex P&H, Inc., P. O. Box 2152, Middletown, NY 10940:

\$95 for the hourly rate, \$152.50/hr. for OT, and \$200/hr. Sundays and holidays.

Department of Public Works

City of Middletown

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



16 James Street
Middletown, N.Y. 10940-1587
Tel: (845) 343-3169
Fax: (845) 343-4014

June 29, 2022

Board of Estimate & Apportionment
Honorable Mayor and Members
Of the Common Council
City of Middletown, NY

RE: Annual Plumbing Maintenance Work, City Buildings/Facilities
Bid of June 16, 2022

Gentlemen:

Advertisement for Public Bids for the referenced matter appeared in the Times Herald-Record on June 3, 2022. Bids were received and opened during the Board of Estimate & Apportionment meeting of June 16, 2022. The bid tabulation sheet is enclosed. I have reviewed these bids and respectfully request awarding the bid for plumbing maintenance to:

G. Richard Truex P&H, Inc., P. O. Box 2152, Middletown, NY 10940:
\$95 for the hourly rate, \$152.50/hr. for OT, and \$200/hr. Sundays and holidays.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jacob S. Tawil", is written over a horizontal line.

Jacob S. Tawil, P.E.
COMMISSIONER OF PUBLIC WORKS

kg
Encl.

Bids for Plumbing work for the City of Middletown due June 16, 2022

Name of Bidders	Amount
Val Bruni P&H P.O. Box 864 Middletown, NY 10940	\$115.00/hr. \$172.50/hr. OT \$230.00/hr. Sundays & Hol.
G. Richard Truex P.O. Box 2152 Middletown, NY 10940	\$95.00/hr. \$152.50/hr. OT \$200.00/hr. Sundays & Hol.
Steve Dodd Plumbing & Heating 53 Ingrassia Rd. Middletown, NY 10940	\$155.00/hr. \$232.50/hr. OT \$310.00/hr. Sundays & Hol.

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.05.22

Index No: 154-22

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

Resolution Awarding Annual Disposal of Aluminum/Metal/Appliances/Cast-Iron Bid

WHEREAS, bids were opened by the Board of Estimate and Apportionment on Thursday, June 16, 2022, for disposal of aluminum/metal/appliances/cast-iron, and

WHEREAS, the Board of Estimate and Apportionment referred the bids to the Commissioner of Public Works for his review and recommendation to the Common Council of the City of Middletown, and,

NOW THEREFORE BE IT RESOLVED; that the Common Council of the City of Middletown concurs with the Commissioner of Public Works and awards the bid for disposal of aluminum/metal/appliances/cast-iron to the following:

Teplitz Metal Processing, 75 Church St., Middletown, NY 10940:

in the amount paid to the City of \$150/ton delivered by City trucks-in City unloading.

Department of Public Works

City of Middletown

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



16 James Street
Middletown, N.Y. 10940-1587
Tel: (845) 343-3169
Fax: (845) 343-4014

June 29, 2022

Board of Estimate & Apportionment
Honorable Mayor and Members
Of the Common Council
City of Middletown, NY

RE: Bids of June 16, 2022 for the disposal of aluminum/metal/appliances/cast-iron

Gentlemen:

Only one bid for the disposal of aluminum/metal/appliances/cast-iron was received and opened at the Board of Estimate & Apportionment meeting held on June 16, 2022 and recorded on the Bid Tabulation Sheet attached.

I have reviewed the bid and respectfully request awarding the bid as follows:

Teplitz Metal Processing, 75 Church St., Middletown, NY 10940:
in the amount paid to the City of \$150/ton delivered by City trucks-in City unloading.

Respectfully submitted,

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

kg
Att.

BID OF June 16, 2022

Disposal of Aluminum/Metal/Appliances/Cast Iron by City trucks

NAME OF BIDDERS

AMOUNT/TON-DELIVERED

Teplitz Metal Processing
75 Church St.
Middletown, NY 10940

\$150/per ton

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.05.22

Index No: 155-22

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 Awarding Annual Water Pipe and Gray Iron Castings Bid

WHEREAS, bids were opened by the Board of Estimate and Apportionment on Thursday, June 16, 2022, for Water Pipe and Gray Iron Castings, and

WHEREAS, the Board of Estimate and Apportionment referred the bids to the Commissioner of Public Works for his review and recommendation to the Common Council of the City of Middletown, and,

NOW THEREFORE BE IT RESOLVED; that the Common Council of the City of Middletown concurs with the Commissioner of Public Works and awards the bid for Water Pipe and Gray Iron Castings to the following:

Schmidt's Wholesale, P. O. Box 5100, Monticello, NY 12701:

Fittings for 10" pipe - 22 1/2° bend imported @ \$472.00 ea.

-45° bend imported @ \$472.00 ea.

Fittings for 12" pipe - 11 1/4° bend imported @ \$597.00 ea.

- 22 1/2° bend imported @ \$614.00 ea.

- 45° bend imported @ \$652.00 ea.

-90° bend imported @ \$715.00 ea.

Hydrants: Mueller A423 Super Centurion 250 6' bury @ \$3,589.00

Kennedy #K81AW Spin in 4" reg. @ \$3,988.00
Kennedy #K81AW Spin in 6" bronze lined @ \$3,988.00
Kennedy #K81 5' bury @ \$3,512.00

Hymax Couplings- 14" pipe @ \$1,256.00 ea.
Hymax Couplings -16" pipe @ \$1,295.00 ea.
Hymax Couplings -18" pipe @ \$1,525.00 ea.
Hymax Couplings -20" pipe @ \$1,645.00 ea.

Schmidt's Wholesale, P. O. Box 5100, Monticello, NY 12701 (cont.):

Hymax Couplings -24" pipe @ \$1,751.00 ea.
Repair clamps - 14" pipe (ductile, cast iron) @ \$905.00 ea.
Repair clamps - 16" pipe (ductile, cast iron) @ \$1,275.00 ea.
Repair clamps - 18" pipe (ductile, cast iron) @ \$1,477.00 ea.
Repair clamps - 20" pipe (ductile, cast iron) @ \$1,934.00 ea.
Repair clamps - 24" pipe (ductile, cast iron) @ \$2,336.00 ea.

Ferguson Waterworks, 200 Atlantic Ave., New Hyde Park, NY 11040:

6" cement lined, Class 52 ductile iron Tyton joint water pipe @ \$30.79/lin. ft.
8" cement lined, Class 52 ductile iron Tyton joint water pipe @ \$43.44/lin. ft.
10" cement lined, Class 52 ductile iron Tyton joint water pipe @ \$56.94/lin. ft.
12" cement lined, Class 52 ductile iron Tyton joint water pipe @ \$71.70/lin. ft.
14" cement lined, Class 52 ductile iron Tyton joint water pipe @ \$88.59/lin. ft.
16" cement lined, Class 52 ductile iron Tyton joint water pipe @ \$103.77/lin. ft.
20" cement lined, Class 52 ductile iron Tyton joint water pipe @ \$119.37/lin. ft.
24" cement lined, Class 52 ductile iron Tyton joint water pipe @ \$136.20/lin. ft.
Fittings for 6" pipe - 11 1/4° bend domestic @ \$248.93 ea.; imported @ \$216.88 ea.
- 22 1/2° bend domestic @ \$245.44; imported @ \$213.04 ea.
- 45° bend domestic @ \$256.32 ea.; imported @ \$211.17 ea.
- 90° bend domestic @ \$284.95 ea.; imported @ \$243.90 ea.
Fittings for 8" pipe - 11 1/4° bend domestic @ \$337.06 ea.; imported @ \$295.27 ea.
- 22 1/2° bend domestic @ \$352.06 ea.; imported @ \$307.61 ea.
- 45° bend domestic @ \$356.24 ea.; imported @ \$310.83 ea.
- 90° bend domestic @ \$402.45 ea.; imported @ \$344.41 ea.
Fittings for 10" pipe - 11 1/4° bend domestic @ \$545.95 ea.; imported @ \$275.00 ea.
- 22 1/2° bend domestic @ \$534.61 ea.
- 45° bend domestic @ \$543.00 ea.
- 90° bend domestic @ \$678.00 ea.; imported @ \$545.00 ea.
Fittings for 12" pipe - 11 1/4° bend domestic @ \$731.00 ea.
- 22 1/2° bend domestic @ \$751.00 ea.
- 45° bend domestic @ \$820.00 ea.
- 90° bend domestic @ \$835.00 ea.
Fittings for 14" pipe - 11 1/4° bend domestic @ \$1,232.00 ea.; imported @ \$928.00 ea.
- 22 1/2° bend domestic @ 1,211.00 ea.; imported @ \$863.00 ea.
- 45° bend domestic @ \$1,199.00 ea.; imported @ \$857.00 ea.

- 90° bend domestic @ \$1,429.88 ea.; imported @ \$989.00 ea.
- Fittings for 16" pipe - 11 1/4° bend domestic @ \$1,383.00 ea.; imported @ \$1,004.00 ea.
- 22 1/2° bend domestic @ \$1,383.00 ea.; imported @ \$972.00 ea.
- 45° bend domestic @ \$1,424.23 ea.; imported @ \$996.00 ea.
- 90° bend domestic @ \$1,726.00 ea.; imported @ \$1,226.00 ea.
- Fittings for 18" pipe - 11 1/4° bend domestic @ \$2,067.00 ea.; imported @ \$1,506.00 ea.
- 22 1/2° bend domestic @ \$1,937.00 ea.; imported @ \$1,322.00 ea.

Ferguson Waterworks, 200 Atlantic Ave., New Hyde Park, NY 11040 (cont.):

- 45° bend domestic @ \$1,948.00 ea.; imported @ \$1,475.00 ea.
- 90° bend domestic @ \$2,409.00 ea.; imported @ \$1,624.00 ea.
- Fittings for 20" pipe - 11 1/4° bend domestic @ \$2,397.00 ea.; imported @ \$1,656.00 ea.
- 22 1/2° bend domestic @ \$2,422.00 ea.; imported @ \$1,711.00 ea.
- 45° bend domestic @ \$2,326.00 ea.; imported @ \$1,671.00 ea.
- 90° bend domestic @ \$3,154.00 ea.; imported @ \$2,158.00 ea.
- Fittings for 24" pipe - 11 1/4° bend domestic @ \$3,156.00 ea.; imported @ \$2,337.00 ea.
- 22 1/2° bend domestic @ \$3,330.00 ea.; imported @ \$2,419.00 ea.
- 45° bend domestic @ \$3,410.00 ea.; imported @ \$2,525.00 ea.
- 90° bend domestic @ \$5,464.00 ea.; imported @ \$3,227.00 ea.
- Hydrants: Mueller Spin In 5' bury @ \$4,088.00
- Mueller Spin In 6' bury @ \$4,291.00
- Hydrant Option: Stortz Connection pumper nozzle @ \$225.00

Newburgh Winwater Co., 653 State Rte. 52, PO Box 353, Walden, NY 12586:

Hydrants: Mueller A423 Super Centurion 250 5' bury @ \$3,439.60

Valves - Resilient Seat 6" dia. @ \$939.31 ea.

- Resilient Seat 8" dia. @ \$1,496.01 ea.
- Resilient Seat 10" dia. @ \$2,332.58 ea.
- Resilient Seat 12" dia. @ \$2,951.56 ea.
- Resilient Seat 14" dia. @ \$9,120.56 ea.
- Resilient Seat 16" dia. @ \$9,893.51 ea.
- Resilient Seat 18" dia. @ \$16,194.05 ea.
- Resilient Seat 20" dia. @ \$19,448.86 ea.
- Resilient Seat 24" dia. @ \$27,653.91 ea.

Valves -Butterfly 6" dia. @ \$1,116.71 ea.

Valves -Butterfly 8" dia. @ \$1,310.97 ea.

Valves -Butterfly 10" dia. @ \$1,807.74 ea.

Valves -Butterfly 12" dia. @ \$2,165.81 ea.

Valves -Butterfly 14" dia. @ \$3,545.81 ea.

Valves -Butterfly 16" dia. @ \$4,219.35 ea.

Valves -Butterfly 18" dia. @ \$4,738.71 ea.

Valves -Butterfly 20" dia. @ \$6,374.84 ea.

Valves -Butterfly 24" dia. @ \$8,607.75 ea.

*Manhole Cover 24"- domestic @ \$400.00 ea.; import @ \$327.50 ea.

*Manhole Frame 24"- 4" high domestic @ \$337.50 ea.; import @ \$287.50 ea.

24"- 6" high domestic @ \$490.00 ea.; import @ \$450.00 ea.

- 24"- 8" high domestic @ \$625.00 ea.; import @ \$545.00 ea.
 *Manhole Cover 26"- domestic @ \$580.00 ea.; import @ \$484.50 ea.
 *Manhole Frame 26"- 4" high domestic @ \$482.50 ea.; import @ \$357.50 ea.
 26"- 6" high domestic @ \$525.00 ea.; import @ \$470.00 ea.
 26"- 8" high domestic @ \$600.00 ea.; import @ \$595.00 ea.

Newburgh Winwater Co., 653 State Rte. 52, PO Box 353, Walden, NY 12586 (Cont.):

- *1" Manhole ext. ring for 24" domestic @ \$437.50 ea.; import @ \$272.50 ea.
 *1 1/2" Manhole ext. ring for 24" domestic @ \$450.00 ea.; import @ \$157.50 ea.
 *2" Manhole ext. ring for 24" domestic @ \$475.00 ea.; import @ \$172.50 ea.
 *1" Manhole ext. ring for 26" domestic @ \$475.00 ea.; import @ \$327.50 ea.
 *1 1/2" Manhole ext. ring for 26" domestic @ \$487.50 ea.; import @ \$210.00 ea.
 *2" Manhole ext. ring for 26" domestic @ \$500.00 ea.; import @ \$225.00 ea.
 *Valve Box lid marked water import @ \$42.50 ea.
 Valve box riser (6" high) import @ \$108.25 ea.
 Valve box riser (3" high) import @ \$73.75 ea.
 Valve box riser (2" high) import @ \$49.50 ea.
 Valve box riser (1.5" high) import @ \$39.50 ea.
 *Valve box riser (1" high) import @ \$29.50 ea.
 *#2540 Highway catch basin head domestic @ \$437.50 ea.; imported @ \$350.00 ea.
 *#2540 Highway catch basin grate domestic @ \$747.50 ea.; imported @ \$660.00 ea.
 *#2540 Highway catch basin frame domestic @ \$625.00 ea. Imported @ \$527.50 ea.
 *#3432 Heavy duty highway frame domestic @ \$787.50 ea.; imported @ \$647.50 ea.
 *#3432 "Bicycle Proof" Steam Flow Grates domestic @ \$875.00 ea.; imported @ \$837.50 ea.
 *#2576 Manhole step imported @ \$20.00 ea.
 *3" manhole ext. rings for cover #1254 domestic @ \$625.00 ea.
 *2" catch basin ext. for grate #2540 domestic @ \$550.00 ea.
 *2 1/2" catch basin ext. for grate #2540 domestic @ \$600.00 ea.
 *#3430B Highway frame domestic @ \$740.00 ea.
 *#3430B Highway grate domestic @ \$747.50 ea.; imported @ \$660.00 ea.
 *#3433 Heavy duty frame domestic @ \$1,165.00 ea.; imported @ \$692.50 ea.
 *#3433 Heavy duty grate domestic @ \$1,037.50 ea.; imported @ \$1,277.50 ea.
 *#3440 Heavy duty complete domestic @ \$3,025.00; imported @ \$2,825.00 ea.
***(6 Month Price Guarantee; qualified bid accepted as only bidder, after 6 months DPW will shop for better product prices)**

Department of Public Works

City of Middletown

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



16 James Street
Middletown, N.Y. 10940-1587
Tel: (845) 343-3169
Fax: (845) 343-4014

June 30, 2022

Board of Estimate & Apportionment
Honorable Mayor and Members
of the Common Council
City of Middletown, NY

RE: Water Pipe and Gray Iron Castings Bid of June 16, 2022

Gentlemen:

Public advertisement for referenced bidding was published on June 3, 2022. Bids were received and opened on June 16, 2022 during the Board of Estimate & Apportionment meeting. Bid tabulation sheets attached.

I have reviewed the above captioned bids and respectfully request awarding the lowest qualifying bidders the following:

Schmidt's Wholesale, P. O. Box 5100, Monticello, NY 12701:

Fittings for 10" pipe - 22 1/2° bend imported @ \$472.00 ea.

-45° bend imported @ \$472.00 ea.

Fittings for 12" pipe - 11 1/4° bend imported @ \$597.00 ea.

- 22 1/2° bend imported @ \$614.00 ea.

- 45° bend imported @ \$652.00 ea.

-90° bend imported @ \$715.00 ea.

Hydrants: Mueller A423 Super Centurion 250 6' bury @ \$3,589.00

Kennedy #K81AW Spin in 4" reg. @ \$3,988.00

Kennedy #K81AW Spin in 6" bronze lined @ \$3,988.00

Kennedy #K81 5' bury @ \$3,512.00

Hymax Couplings- 14" pipe @ \$1,256.00 ea.

Hymax Couplings -16" pipe @ \$1,295.00 ea.

Hymax Couplings -18" pipe @ \$1,525.00 ea.

Hymax Couplings -20" pipe @ \$1,645.00 ea.

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14" cement lined, Class 52 ductile iron Tyton joint water pipe @ \$88.59/lin. ft.
16" cement lined, Class 52 ductile iron Tyton joint water pipe @ \$103.77/lin. ft.
20" cement lined, Class 52 ductile iron Tyton joint water pipe @ \$119.37/lin. ft.
24" cement lined, Class 52 ductile iron Tyton joint water pipe @ \$136.20/lin. ft.
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Fittings for 12" pipe - 11 1/4° bend domestic @ \$731.00 ea.
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- 22 1/2° bend domestic @ \$1,383.00 ea.; imported @ \$972.00 ea.
- 45° bend domestic @ \$1,424.23 ea.; imported @ \$996.00 ea.
- 90° bend domestic @ \$1,726.00 ea.; imported @ \$1,226.00 ea.
Fittings for 18" pipe - 11 1/4° bend domestic @ \$2,067.00 ea.; imported @ \$1,506.00 ea.
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- 90° bend domestic @ \$2,409.00 ea.; imported @ \$1,624.00 ea.
- Fittings for 20" pipe - 11 1/4° bend domestic @ \$2,397.00 ea.; imported @ \$1,656.00 ea.
- 22 1/2° bend domestic @ \$2,422.00 ea.; imported @ \$1,711.00 ea.
- 45° bend domestic @ \$2,326.00 ea.; imported @ \$1,671.00 ea.
- 90° bend domestic @ \$3,154.00 ea.; imported @ \$2,158.00 ea.
- Fittings for 24" pipe - 11 1/4° bend domestic @ \$3,156.00 ea.; imported @ \$2,337.00 ea.
- 22 1/2° bend domestic @ \$3,330.00 ea.; imported @ \$2,419.00 ea.
- 45° bend domestic @ \$3,410.00 ea.; imported @ \$2,525.00 ea.
- 90° bend domestic @ \$5,464.00 ea.; imported @ \$3,227.00 ea.
- Hydrants: Mueller Spin In 5' bury @ \$4,088.00
- Mueller Spin In 6' bury @ \$4,291.00
- Hydrant Option: Stortz Connection pumper nozzle @ \$225.00

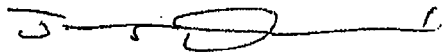
Newburgh Winwater Co., 653 State Rte. 52, PO Box 353, Walden, NY 12586:

- Hydrants: Mueller A423 Super Centurion 250 5' bury @ \$3,439.60
- Valves - Resilient Seat 6" dia. @ \$939.31 ea.
- Resilient Seat 8" dia. @ \$1,496.01 ea.
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- Valves -Butterfly 6" dia. @ \$1,116.71 ea.
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- Valves -Butterfly 24" dia. @ \$8,607.75 ea.
- *Manhole Cover 24"- domestic @ \$400.00 ea.; import @ \$327.50 ea.
- *Manhole Frame 24"- 4" high domestic @ \$337.50 ea.; import @ \$287.50 ea.
- 24"- 6" high domestic @ \$490.00 ea.; import @ \$450.00 ea.
 - 24"- 8" high domestic @ \$625.00 ea.; import @ \$545.00 ea.
- *Manhole Cover 26"- domestic @ \$580.00 ea.; import @ \$484.50 ea.
- *Manhole Frame 26"- 4" high domestic @ \$482.50 ea.; import @ \$357.50 ea.
- 26"- 6" high domestic @ \$525.00 ea.; import @ \$470.00 ea.
 - 26"- 8" high domestic @ \$600.00 ea.; import @ \$595.00 ea.

Newburgh Winwater Co., 653 State Rte. 52, PO Box 353, Walden, NY 12586
(Cont.):

- *1" Manhole ext. ring for 24" domestic @ \$437.50 ea.; import @ \$272.50 ea.
- *1 1/2" Manhole ext. ring for 24" domestic @ \$450.00 ea.; import @ \$157.50 ea.
- *2" Manhole ext. ring for 24" domestic @ \$475.00 ea.; import @ \$172.50 ea.
- *1" Manhole ext. ring for 26" domestic @ \$475.00 ea.; import @ \$327.50 ea.
- *1 1/2" Manhole ext. ring for 26" domestic @ \$487.50 ea.; import @ \$210.00 ea.
- *2" Manhole ext. ring for 26" domestic @ \$500.00 ea.; import @ \$225.00 ea.
- *Valve Box lid marked water import @ \$42.50 ea.
- Valve box riser (6" high) import @ \$108.25 ea.
- Valve box riser (3" high) import @ \$73.75 ea.
- Valve box riser (2" high) import @ \$49.50 ea.
- Valve box riser (1.5" high) import @ \$39.50 ea.
- *Valve box riser (1" high) import @ \$29.50 ea.
- *#2540 Highway catch basin head domestic @ \$437.50 ea.; imported @ \$350.00 ea.
- *#2540 Highway catch basin grate domestic @ \$747.50 ea.; imported @ \$660.00 ea.
- *#2540 Highway catch basin frame domestic @ \$625.00 ea. Imported @ \$527.50 ea.
- *#3432 Heavy duty highway frame domestic @ \$787.50 ea.; Imported @ \$647.50 ea.
- *#3432 "Bicycle Proof" Steam Flow Grates domestic @ \$875.00 ea.; imported @ \$837.50 ea.
- *#2576 Manhole step Imported @ \$20.00 ea.
- *3" manhole ext. rings for cover #1254 domestic @ \$625.00 ea.
- *2" catch basin ext. for grate #2540 domestic @ \$550.00 ea.
- *2 1/2" catch basin ext. for grate #2540 domestic @ \$600.00 ea.
- *#3430B Highway frame domestic @ \$740.00 ea.
- *#3430B Highway grate domestic @ \$747.50 ea.; imported @ \$660.00 ea.
- *#3433 Heavy duty frame domestic @ \$1,165.00 ea.; Imported @ \$692.50 ea.
- *#3433 Heavy duty grate domestic @ \$1,037.50 ea.; Imported @ \$1,277.50 ea.
- *#3440 Heavy duty complete domestic @ \$3,025.00; Imported @ \$2,825.00 ea.
- *(6 Month Price Guarantee; qualified bid accepted as only bidder, after 6 months DPW will shop for better product prices)**

Respectfully submitted,



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

2022 Water Pipe Bid

BIDDER June 16, 2022	Manhole cover 24"	Manhole frame 24" 4" high	Manhole frame 24" 6" high	Manhole frame 24" 8" high	Manhole cover 26"	Manhole frame 26" 4" high	Manhole frame 26" 6" high	Manhole frame 26" 8" high	1" manhole ext. ring for 24"	1 1/2" manhole ext. ring for 24"	2" manhole ext. ring for 24"	1" man-hole ext. ring for 26"	1 1/2" manhole ext. ring for 26"	2" man-hole ext. ring for 26"	Valve box lid marked water
*Schmidt's Wholesale, Inc. P. O. Box 5100 Monticello, NY 12701	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
Core and Main 650 Sheale Rd. Poughkeepsie, NY 12601	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
Ferguson Waterworks 200 Atlantic Ave. New Hyde Park, NY 11040	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
*Newburgh Winwater Co. 653 State Route 52 PO Box 353 Walden, NY 12586	D: \$400.00 I: \$327.50 (6 month price guarantee)	D: \$337.50 I: \$287.50 (6 month price guarantee)	D: \$490.00 I: \$450.00 (6 month price guarantee)	D: \$525.00 I: \$545.00 (6 month price guarantee)	D: \$580.00 I: \$482.50 (6 month price guarantee)	D: \$482.50 I: \$357.50 (6 month price guarantee)	D: \$525.00 I: \$470.00 (6 month price guarantee)	D: \$600.00 I: \$595.00 (6 month price guarantee)	D: \$437.50 I: \$277.50 (6 month price guarantee)	D: \$450.00 I: \$157.50 (6 month price guarantee)	D: \$475.00 I: \$172.50 (6 month price guarantee)	D: \$475.00 I: \$327.50 (6 month price guarantee)	D: \$487.50 I: \$210.00 (6 month price guarantee)	D: \$500.00 I: \$225.00 (6 month price guarantee)	D: NO BID I: \$42.50 (6 month price guarantee)

*Bidder has written an additional note in their submission regarding their proposal

2022 Water Pipe Bid

BIDDER June 16, 2022	Valve box riser high	6"	Valve box riser 3" high	Valve box riser 2" high	Valve box riser 1.5" high	Valve box riser 1" high	#2540 Hwy catch basin head or equal	#2540 Hwy catch basin grate or equal	#2540 Hwy catch basin frame or equal	#3432 HD hwy frame or equal	#3432 Stream Flow Grates or equal	#2576 Manhole step or equal	3" mh exterior or equal-cover #1254	2" catch basin ext. for grate #2540	2 1/2" catch basin ext. for grate #2540	#3430B Hwy frame or equal
*Schmidt's Wholesale, Inc. P. O. Box 5100 Monticello, NY 12701	NO BID		NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
Core and Main 650 Sheafre Rd. Poughkeepsie, NY 12601	NO BID		NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
Ferguson Waterworks 200 Atlantic Ave. New Hyde Park, NY 11040	NO BID		NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
*Newburgh Winwater Co. 653 State Route 52 PO Box 353 Walden, NY 12586	D: NO BID I: \$108.25 (6 month price guarantee)		D: NO BID I: \$73.75 (6 month price guarantee)	D: NO BID I: \$49.50 (6 month price guarantee)	D: NO BID I: \$39.50 (6 month price guarantee)	D: NO BID I: \$29.50 (6 month price guarantee)	D: \$437.50 I: \$350.00 (6 month price guarantee)	D: \$747.50 I: \$660.00 (6 month price guarantee)	D: \$625.00 I: \$527.50 (6 month price guarantee)	D: \$787.50 I: \$697.50 (6 month price guarantee)	D: \$875.00 I: \$857.50 *BICYCLE PROOF (6 month price guarantee)	D: NO BID I: \$20.00 (6 month price guarantee)	D: \$625.00 I: NO BID (6 month price guarantee)	D: \$550.00 I: NO BID (6 month price guarantee)	D: \$600.00 I: NO BID (6 month price guarantee)	D: \$740.00 I: NO BID (6 month price guarantee)

*Bidder has written an additional note in their submission regarding their proposal

2022 Water Pipe Bid

BIDDER June 16, 2022	#3430B Hwy grate or equal	#3433 HD frame or equal	#3433 HD grate or equal	#3440 HD complete										
*Schmidt's Wholesale, Inc. P. O. Box 5100 Monticello, NY 12701	NO BID	NO BID	NO BID	NO BID										
Core and Main 650 Sheafe Rd. Poughkeepsie, NY 12601	NO BID	NO BID	NO BID	NO BID										
Ferguson Waterworks 200 Atlantic Ave. New Hyde Park, NY 11040	NO BID	NO BID	NO BID	NO BID										
*Newburgh Winwater Co. 653 State Route 52 PO Box 353 Walden, NY 12586	D: \$747.50 I: \$660.00 (6 month price guarantee)	D: \$1,165.00 I: \$692.50 (6 month price guarantee)	D: \$1,037.50 I: \$1,277.50 (6 month price guarantee)	D: \$3,025.00 I: \$2,825.00 (6 month price guarantee)										

*Bidder has written an additional note in their submission regarding their proposal

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.05.22

Index No: 156-22

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 Designating the DPW Commissioner Certifying Officer for the
CDBG funding for the O&W Building Restoration Project**

WHEREAS, the City has received approval for CDBG funding for the O&W Building Restoration Project.

NOW THEREFORE BE IT RESOLVED that the Mayor is hereby authorized to designate DPW Commissioner Jacob Tawil as the Certifying Officer responsible for all activities associated with the environmental review process to be completed in conjunction with NYS CDBG project number 3218CVPF35-21 awarded to the City of Middletown, and it is further

Resolved that the Mayor is also authorized to sign any other documents necessary to accomplish the purposes of the aforementioned grant.

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.05.22

Index No: 157-22

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 \$6,000 Budget Transfer for Costs Associated with Heritage Trail
Property Purchases**

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the Treasurer to transfer \$6,000 in the following manner to cover the cost and closing costs for the purchase of certain properties from Consolidated Rail Corporation for the Heritage Trail

FROM	AMOUNT	TO
General Fund Balance	\$6,000	General Land Acquisition Acct Line

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. XXXXXXXXXXXXXXXX

Date of Adoption 07.05.22

Index No: Introduction

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 #5 OF 2022

A LOCAL LAW CREATING THE POSITION OF DEPUTY 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 create the position of Deputy Treasurer

Section 2. Section 11 of the Charter of the City of Middletown is hereby amended to read as follows:

§ 11. All officers elected or appointed under this Charter, except Mayor, Aldermen, City Judge, Chief of Police, Corporation Counsel, Commissioner of Public Works, Deputy Commissioners of Public Works, City Clerk, Registrar and Clerk of the Common Council, Treasurer, Deputy Treasurer, Members of the Board of Health and Civil Service employees, shall hold offices for one (1) year, and until their successors shall qualify.

Section 3. The first sentence of Section 20 of the Charter of the City of Middletown is hereby amended to read as follows:

§ 20. The Mayor shall appoint the Corporation Counsel, up to two Assistant Corporation Counsels, one Commissioner of Public Works, three Deputy Commissioners of Public Works, one Commissioner of Assessment and Taxation, one City Clerk, Registrar and Clerk of the Common Council, one Treasurer, one Deputy Treasurer, and all other officers whose appointment is not otherwise provided for.

Section 4. Title IV of the Charter of the City of Middletown is hereby amended by adding a new Section 63-A to read in its entirety as follows:

§63-A. The Deputy Treasurer shall be a full-time employee of the City of Middletown and shall serve a five (5) year term, commencing from the time of appointment.

Section 5. This Local Law shall be effective upon filing with the office of the Secretary of State.