

**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
AUGUST 1, 2022**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL (COUNCIL CLERK)
3. APPROVAL OF MINUTES June 21, 2022
July 5, 2022 (COUNCIL CLERK)
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 Local Law #5 of 2022
A Local Law Creating
The Position Of Deputy Treasurer
9. PETITIONS AND COMPLAINTS (NOTHING THIS EVENING)
10. REMARKS OF THE ALDERMAN AND REPORTS OF COMMITTEES
11. UNFINISHED BUSINESS (NOTHING THIS EVENING)
12. NEW BUSINESS (RESOLUTIONS)
 - Resolution authorizing a contract amendment with CDM Smith and a Budget Transfer
 - Resolution Authorizing a Budget Transfer for \$30,000 to Purchase Flow Meters and Gauges
 - Resolution authorizing a \$8.5 Million Bond for Raw Water Line Replacements at the Reservoir
 - Resolution authorizing a proposal from Clark Patterson Lee for Setting Concrete Monuments at Mountain Avenue
 - Resolution authorizing a proposal from Clark Patterson Lee for Surveyed Easement at High Barney Water Storage Tank
 - Resolution accepting a \$615 donation from the American Lung Association- POW'R Against Tobacco for Finding Nemo Movie Night
 - Resolution accepting \$1500 donation from Local Business to support our National Night out Against Crime
 - Resolution Amending Resolution 98-22 to Deposit Donated Funds into the Police Donation Revenue Line
 - Resolution authorizing an agreement with CPI-HR to assist with the Patient Protection and Affordable Care Act Implementation



**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
AUGUST 1, 2022**

- Resolution accepting a \$1000 donation from the Animal Health Center to Support Youth Programs and Events
- Resolution accepting a \$1250 donation from local businesses to support our National Night Out Against Crime Event
- Resolution Amending Resolution 97-22 to Deposit Donated Funds into Police Donation Revenue Line
- Resolution accepting A Funding Award of \$4806 from the County of Orange for the Stop-DWI Program
- Resolution authorizing a \$4000 budget transfers to cover COVID related Expenses
- Resolution To Close Sunset Street From Highland Avenue To Highland Place On Saturday, August 14, 2022 From 12:00PM To 8:00PM For A Block Party
- Resolution Authorizing the Demolition of Three City Owned Properties

13. LOCAL LAWS

Introduction of Local Law #6 Of 2022
A Local Law Updating The Commissioner
Of Assessment Charter Provisions

14. AUDIT OF CLAIMS AND ACCOUNTS

(FINANCE COMMITTEE CHAIR)

15. ADJOURNMENT





Common Council Meeting
City of Middletown
June 21, 2022
City Hall
16 James Street
Middletown, New York 10940

P R E S E N T

Ald. Joseph Masi, Acting President of Common Council
Ald. Gerald Kleiner
Ald. Paul Johnson
Ald. Kate Ramkissoo
Ald. Sparrow Tobin
Ald. Andrew Green
Ald. Kevin Witt
Ald. Joseph Masi

A B S E N T

Miguel Rodrigues, President of Common Council
Ald. Jude Jean-Francois

A L S O P R E S E N T

Karen Sisco, Acting Council Clerk

Digitally Recorded Proceeding, transcribed by:
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1. Pledge of Allegiance**2. Roll Call**

ACTING PRESIDENT MASI: Please remain standing for -- I'd like to have a moment of silence for our City Clerk Rick McCormack and his sister, Kelly Ocasio who worked for our Recreation Department. Their father passed away this last Friday.

(Moment of silence)

ACTING PRESIDENT MASI: Thank you.

And before we get started, I want to thank Karen Sisco. Thank you very much for coming back and helping us and helping me tonight. It's appreciated.

Roll.

Roll Call: Tobin, Johnson, Ramkissoo, Kleiner, Green, Witt, Masi.

3. Approval of Minutes.

KAREN SISCO, ACTING COUNCIL CLERK: We have the May 17th, 2022 minutes.

ALDERMAN: Mic on.

MALE SPEAKER: Karen's mic on.

KAREN SISCO, ACTING COUNCIL CLERK: We have the minutes of the May 17, 2022 minutes.

ACTING PRESIDENT MASI: Alderman Kleiner, second by Alderman Johnson. Any questions? All in favor?

COUNCIL MEMBERS: Aye.

4. Correspondence, Communications and Reports

ACTING PRESIDENT MASI: Correspondence.

KAREN SISCO, ACTING COUNCIL CLERK: We have one from the New York State Liquor Authority for 240 Wickham Avenue, La Rancherita.

ACTING PRESIDENT MASI: All right. This is has to be referred back to the Planning Board.

KAREN SISCO, ACTING COUNCIL CLERK: That's all for correspondence.

ACTING PRESIDENT MASI: Thank you.

5. For the Good of the City

ACTING PRESIDENT MASI: For the Good of the City. Eileen, is there anyone on line first? I don't hear a response, so.

ALDERMAN: She said no.

ACTING PRESIDENT MASI: Anyone want --

EILEEN: You turned off my mic, Karen. No one at this time would like to speak.

ACTING PRESIDENT MASI: Okay. Thank you very much.

Anyone in the audience like to speak for the Good of the City?

Okay. Hearing none, we'll move on.

6. REMARKS OF THE MAYOR

ACTING PRESIDENT MASI: All right. Tonight we're just going to change things around just a little bit. We have a 30-second time limit, so remarks of the Mayor.

JOSEPH DESTEFANO, MAYOR: And I certainly will adhere to your request, Mr. Masi, because I -- I always do that. And I just want to let you know that you need to let the recording that the meeting is in progress end before you start the Pledge of Allegiance if you're going to fill in in the future. And we appreciate that so. But thank you so much.

ACTING PRESIDENT MASI: Are you done?

JOSEPH DESTEFANO, MAYOR: No. So what do I do here? Oh, here we go.

ACTING PRESIDENT MASI: I got him flustered.

JOSEPH DESTEFANO, MAYOR: Well, let me -- first address a couple of issues that are not up on the screen. The -- I wanted to congratulate Major Moore from the Salvation Army. Jerry, I know is going to speak a little bit on it also. Major Moore is being transferred from Middletown. She's put in many years here and has been a valuable person in our community especially working with the not-for-profits and the Interfaith Council and different organizations. So she'll sorely be missed. So

congratulations. I hope it's a promotion and more pay. But I know they're not there for the pay so. So we'll -- we'll miss Major Moore here in -- in the City of Middletown.

Also, the -- well, let me -- let me address the O&W first. Well, this is divisioning. I'm sorry. On Friday I made a -- was a panelist at the Hudson Valley Vision -- Vision of Hudson Valley Conference down in Sugar Loaf. We were on a -- I was on a panel regarding DRIs. Well, my presentation was based on DRI experience. And I believe we might be going to Albany also because we are -- while we were in the first round of DRIs, it appears we will probably be the first community to complete, fully complete, the DRI package.

And as you know the sidewalk program as ongoing right now is the largest big -- the biggest chunk of money that's left. And also the former Nina's building is also the last of the façade program. So we're hoping to get some closure on those two projects. But, overall, the last week a representative, Susan, from -- from the Secretary of State's Office came down to Middletown. She toured the -- the DIR with myself and Maria Bruni. And very impressed with the work and also the green infrastructure that was done at the -- at the behest of Jacob. So we're hoping

this puts us in a position to be competitive for more money in the next round of CFA grants which we are in the process of preparing right now.

So we hopefully did a decent job at the Hudson Valley Vision and -- and we'll hopefully do something on Monday if we're invited up on at last minute.

O -- O&W update is, as you know, the shoring and remediation is underway. That will take about four to five months. And then we're in the process. Well, while that is ongoing, the final bid documents will be prepared and we hope to have the final bid documents ready for October/November to go out and construction to begin in early '23. So it appears we're on schedule. We have a weekly or every or bimonthly meetings -- biweekly meetings, I'm sorry. And so it appears everything is on schedule. The firm is -- the local rep is - is Mr. Fusco, but the -- the engineering firm is primarily handling the majority of the engineering site is a firm out of Syracuse. And they've been very responsive to -- to date.

Next is the street scape improvements. If you've driven through downtown, you know that this project is underway. And it's creating a few inconveniences, but for the most part I think they're doing a pretty good job on allowing traffic to flow and access to business. We've had

a few minor incidents where people, you know, have called right away and the contractor has been responsive. But the -- the sidewalks that have been put in look beautiful and you could just envision the changes as they go forward.

There are spaces for more trees. I know we did get one or two calls about the trees that were torn down. Most of them were dying or near death especially on the upper end of North. And everything will be replaced. They've hired a landscape architect to make suggestions on the types of trees that would be best suited for -- for the urban environment.

This past Sunday we had a celebration in downtown, Juneteenth celebration. I wanted to thank Anthony and Yaa Yaa Williams, primarily Yaa Yaa Whaley-Williams for the organizing and the event itself. It was well attended. We had a movie at the Paramount Theatre at 11:00 and then simultaneously there was an event started at the Pavilion. They had some vendors. But for most part, people in and out most of the day. But the picture that you see is when most of the people that were attending the event were gathered. But it was well attended and we are very happy with the turnout and the response. And, again, thanks the Williams family for -- and all the volunteers that helped organize the event.

This morning in response to many of the ongoing concerns about the bid district, excuse me just one minute. I think I'm allergic to Masi being in that chair. So hopefully it doesn't happen too often.

ACTING PRESIDENT MASI: Get used to it.

JOSEPH DESTEFANO, MAYOR: But the June 21st meeting of the bid district had a special section on downtown parking. Well attended. They had a full board of bid members and probably about 40 people from the public, primarily downtown Middletown businesses, residents, some building owners. And we had a good exchange. I stated clearly the position that we have taken as a Board and as a city. And, that, unfortunately, with some people you still can't get through to their heads that it's not in the best interest of overall downtown to be parked in front of your own business for, you know, 8 hours, 10 hours or have tenants park in front of those businesses and fill up the parking lots.

But we laid out -- I was joined by Chief Ewanciw who explained the enforcement side of it. And I think people came away with a better understanding of why we're doing things because each -- we try to convince everyone that if you come to us with your specific, you know, issue for you or one of your employees, we can always understand

it, there's just not much we can do about it because we can't allow one person to do it and then not allow the next.

And with regards to the tenants, it's -- it's hard to -- and I know they have a little trouble understanding this because their landlords have given them misinformation over the years. But these are not private parking lots. For example, some of the King Street tenants were told when they moved in that that's your parking lot, you can park there. Well, that's between the landlord and the tenant. They should go back and get a rent reduction if -- if that was told to them.

But the -- overall, I think people understood where we were coming from and the reasons for doing it. And we discussed, you know, that we -- the parking rules are fluid. We're -- we made some changes and we'll continue to make some changes as need be. And that they're welcome to give us their thoughts in writing if they would like and to consider any possible changes.

But, for the most part, it was well-received. The meeting was well-attended. Usually, there's nobody from the public and not even a full Board at every meeting. But this one did draw a lot of attention. So it is a concern, so we need to address it. And I believe the

biggest part was communication.

A few people mentioned lack of communication, but I -- we very clearly laid out -- this started back in 2016 with BFJ, the Planning Department, and then in 2020 we had public hearings back then. And then 2020 we started more public hearings regarding our specific local changes that were being made. And -- and the police department went door to door with flyers. The bid district went door to door. They -- we did emails to all the bid members. All the property owners were contacted and asked to -- to let their tenants know about the new parking rules. The maps have been shared on social media, on all of our -- so I think we dispelled that issue. That was the first one. And once we got beyond that, then we were able to focus on some of the concerns.

So, overall, I think a productive meeting. And if they would like to have another, we certainly would entertain doing one in the evening because that was one of the comments maybe somebody -- people can't make it so. But we would be more than willing to do it in the evening also.

We've had quite a few ribbon cuttings. And one on the left is the Piccolo Cucina e Vino which is the former something sweet. And they've, as you know, they've

changed their whole -- their whole menu and their whole concept. And Anna and Dave have been a valuable part of our downtown. And we welcome the change. And the new business is doing well.

And on the right is Dash Events on Dolson Avenue at the corner Bennett Street. Very happy and doing business. I don't recall the young lady's name, but we've been down a couple of times and -- and a very successful operation. Along with upcoming events will be the Rise Above Marshall Arts on Washington Street and the Al Aariz Indopak Grocery on Center Street.

And don't forget July 2nd will be our fireworks demonstration up at the -- not demonstration, the fireworks presentation up at Davidge. And we'll have entertainment during the day or evening, not the day, entertainment during the evening prior to the fireworks. And at dusk we'll have the -- the fireworks.

So was that short enough, Mr. Masi?

ACTING PRESIDENT MASI: You did an excellent job, Mr. Mayor.

JOSEPH DESTEFANO, MAYOR: It was more -- it was more than 30 seconds.

ACTING PRESIDENT MASI: I know that. Any questions for the Mayor?

JOSEPH DESTEFANO, MAYOR: Okay. Thank you.

ACTING PRESIDENT MASI: Sit down.

7. REMARKS OF DEPARTMENT HEADS

ACTING PRESIDENT MASI: Economic Development, Ms. Bruni.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Good evening, everyone. Just to update you on the community development front, we have a couple items coming up. A public hearing for our 2022 Action Plan is this Monday at 4 p.m. Also on June 30th at 9 a.m., we are going to have a fair-housing roundtable here at City Hall with all different agencies throughout -- regarding housing. That's because we have to provide an analysis of impediments to Fair Housing. We have to submit that plan that -- to HUD in the fall, so we're doing our roundtable on June 30th at 9 a.m.

Also, I just want to give you an update on the Farmers Market. Things have been moving fairly well. June is always, you know, somewhat of a tough month because the farmers don't have all their -- all their produce and vegetables. But we've been -- it's been great because we've been able to start to see how we're filling in the pavilion because that is now the permanent home of the B-I-D-, BID Farmers Market. We're going to have it full force about 15 vendors. The farmers include meats, eggs,

flowers, honey, fruit and vegetables, mushrooms, spices, and soaps, soap products, handmade soaps and so forth.

Also, the seniors have been asking us about coupons for the market. They could call the -- contact the Office of the Aging. We can get you that number and also at the market the BID table has the phone number that they could reach out, so they could get their coupons.

The Healthy Cities and Counties Challenge Grant that the BID received last year, the BID received \$12,000 in a grant. It's a reimbursable grant. Those are going to be handed out in the form of \$10 vouchers. And those vouchers are going to be handed out -- the County is working with Cornerstone Healthcare. So, basically, there's a health screening process when you come to the market. You go through the health screening process and then you get your -- your voucher. And that will -- they're telling us is starting this Saturday.

Also, the -- the BID has applied for the SNAP Program. So we're just finalizing and processing paperwork right now.

And summer concerts have started. The Mayor mentioned the fireworks. The Paramount starting June 24th, this Friday, we're getting another first run release and we're getting Elvis, so we're excited about that showing.

And that's all I have for right now.

ACTING PRESIDENT MASI: Any questions for Ms. Bruni? Alderman Kleiner.

ALD. KLEINER: Hi. Thank you. I just want to mention, so we don't forget it. We mentioned the fireworks for Stars and Stripes, but that Friday night, July 1st is Jimmy Sturr. Is that right?

MARIA BRUNI, ECONOMIC DEVELOPMENT: Correct. Downtown at John Degnan Square is Jimmy Sturr and his orchestra. And that's -- we officially kick off our Stars and Stripes celebration that night.

ALD. KLEINER: At night. Okay.

ACTING PRESIDENT MASI: Any other questions?

ALD. KLEINER: Thank you.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Thank you.

ACTING PRESIDENT MASI: Oh, I'm sorry, go on Alderman Green.

ALD. GREEN: I was wondering with the Pavilion, I'm not sure about how it's working for Downtown. I know Austria has a famous Christmas market outside like maybe like a short window for like, you know, a holiday market. Maybe try to (indiscernible) the whole downtown.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Right. We're -- as you know, we've ordered the ice skating rink.

ALD. GREEN: Right.

MARIA BRUNI, ECONOMIC DEVELOPMENT: So the -- under the Pavilion we're going to have ice skating starting.

ALD. GREEN: All right.

MARIA BRUNI, ECONOMIC DEVELOPMENT: But, you know, does not mean we can't do something in the -- in the field area or close the street for a night or something. So we definitely -- we want to keep working at programming, yes, for the holidays. So good idea. Thank you.

ALD. GREEN: Thank you.

ACTING PRESIDENT MASI: Any other questions?
Thank you, Ms. Bruni.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Thank you.

ACTING PRESIDENT MASI: Fire Chief, Chief Barber.

NICK BARBER, FIRE CHIEF: Good evening,
everybody. Hope everybody had a wonderful month.

But the fire department responded to over 100 calls the past month. Most of them were repeater calls going back to the same address for the same problem.

And we supported a couple of events this past month. One was Alex's Lemonade Stand where a 9-year-old boy by the name of Chase up on Lake Avenue set up a lemonade stand. The fire department went up there to

support him because all proceeds went to childhood cancer. He raised over \$1,100 in like eight hours. So next year we've talked to him. We're going to make it bigger and better, help him out even more.

The other one was Touch of Truck over there in Trall Park. And the Ruthie-Dino Run we set up a couple of booths for applications for volunteers. And we just took in four new members this past -- past month by setting up those booths, so we're going to continue doing that.

And you have a couple propositions on the table tonight that I'm looking for your support. Any questions?

ACTING PRESIDENT MASI: Any questions for the Chief? Chief, thank you very much.

NICK BARBER, FIRE CHIEF: Thanks.

ACTING PRESIDENT MASI: Police Chief, Chief Ewanciw.

JOHN EWANCIW, POLICE CHIEF: Good evening. Just a few things. This evening before you you have three resolutions hopefully you'll be able to support. The first one is to add two additional license plate readers. They're fixed position license plate readers. We've had this technology now for a little over a year and it's very instrumental. We use it on a regular basis as an investigative tool, one of the most useful pieces of

equipment that we have, so we'd like to expand that. And that's just transferring some money from a different program that we're using that we felt wasn't as rewarding that we were hoping.

Second resolution is to fund another Youth Leadership Academy. Several of you attended our graduation for our first Leadership Academy which was very successful. Sergeant Welch did an amazing job along with the other staff that helped with that. And based on that outcome and the feedback from the youth that did attend it, we'd like to host another one this fall.

And the third resolution is to add an additional police officer to help with the School Resource Officer Program. The school has requested an additional school resource officer for the high school. And they've offered to pay for that. They pay a majority of that person's salary and benefits. So the cost to the City is very minimal, so, hopefully, you'll be able to support me and all three of those.

Additionally, just want to follow up on fireworks. We do have a celebration July 2nd. I just want to remind the residents that personal use of fireworks is not authorized. No amount, no small amounts, no large amounts, nothing. Last year we collected several thousand

dollars in fines. And it's really not worth it to, you know, have that few moments of fun then to end up with some type of large fine. So please follow the rules and don't put us in a situation to give you a summons.

Lastly, I was contacted by Senator Skoufis' office this week that he will be sending us some funding to help offset the cost of our Night Out Against Crime which will be August 2nd, Tuesday, August 2nd. So I'd like to thank him and his staff for his support there. It's somewhere around the \$5,000 mark that he's going to be sending our way for that.

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

ACTING PRESIDENT MASI: Any questions for the Chief? There are none. Thank you, Chief.

8. PUBLIC HEARINGS AND GRIEVANCES:

ACTING PRESIDENT MASI: Public Hearings and Grievances. Come on up, Commissioner Tawil.

JACOB TAWIL, DPW COMMISSIONER: You sure?

ACTING PRESIDENT MASI: Yeah, come on up.

JACOB TAWIL, DPW COMMISSIONER: Good -- good evening, all, Mr. Mayor, Acting Council President Masi, Council Members, Audience. Believe or not, quite a few people listen to me on TV. They're waiting for me to give

a presentation.

ACTING PRESIDENT MASI: You believe that too.

JACOB TAWIL, DPW COMMISSIONER: They tell me that to my face. They tell me that to my face all the time.

ACTING PRESIDENT MASI: You do a great job.

JACOB TAWIL, DPW COMMISSIONER: Thank you, sir.
Thank you.

So to start with, Council -- Acting Council President, the reservoirs are at 99.5 percent full. And with that little bit of rain, we're probably going to achieve 100 percent, so we're in very good shape water -- waterwise.

And we are -- the Mayor and myself are working very, very closely with DEC in order to iron out some kinks in our water taking permit and misunderstanding between us and the DEC. The way we understand the safe field analysis that we've spent years and years since 2000 developing different kinds of models and safe field analysis. We found out in the last conference phone call virtual meeting with the DEC that we are completely different -- different understanding about the peak data flow, annual average, and so on and so forth. So, hopefully, by the end of this week we're going to have another conference phone call and we'll try to iron out our differences. And we are, hopefully, we

will be on the same page. But we drastically disagree with them about the analysis and the understanding of the safe field analysis and the studies that we have done. We respectfully do that and we'll pursue it as we may be, but with the support of the Mayor and under his leadership.

Another -- another item we distributed to all of you the list of roads to be milled and paved. And we're looking this year about milling and paving worth \$2 million. And that is state funded money that they give us every year the state. It's called the CHIPS Funding. And we're very happy for that. And it's quite a bit of money.

And that will pile on all the construction projects that we are having throughout the City. Like the Mayor said, downtown is all opened up in there with the new curbs and sidewalks. And that's only the half of it. The majority of it is the pedestrian crossing, all the signalized intersections in there, the main supports for the mast that will be carrying the traffic lights. And it's all very complicated because a very congested area. So every day we're having -- like the Mayor he was saying, it's moving, very, very smoothly as far as the public is concerned. And he's getting phone calls and we're trying to accommodate any concerns from the public immediately as we hear them.

But on the other hand, it's very congested, complicated site really that requires continuous revision and updates for the plans and we are working on that. And, also, the project is not only in downtown -- the work is not only at downtown, also at Ridge Street by East Main going up to Touro College you can go drive over there. You can see how poor the sidewalks and curbs were, you know, how they used to be about a month ago and now how they are right now. And properties, we're draining right now because we didn't -- we installed drains under the curbs and the sidewalks, so all that hillside runoff that will go and the groundwater that will go under the curb and sidewalk to cause it to heave and settle, hopefully that will all be taken care of by the underground drainage system that we installed under the granite curb.

So so far so good. And -- and the Mayor and I, we were able to secure an additional \$1.5 million in there. The vote is going to take place in another month. But additional funding and \$1.5 million from the state -- from the federal funding actually through the New York State DOT. So that's an additional \$1.5 million. We'll need it for this project because the price of the project is like \$30 million at this time.

The Mayor, he spoke to you, updated you about

O&W. Also, the -- the work and the meetings and everything is moving along. And what he said is for the bid opening, it's going to be a bid opening for the shoring and for the remediation, removing asbestos and lead from the building in order to affect having a properly -- proper construction site, safe construction site for the future. That bid opening, like he said, it's going to be on July 19th. But that will be advertised and the Mayor will speak about it in more details in the -- in the coming meetings.

And the waterline project, hopefully we are finalizing that. They're waiting for the bacteria test for the last section and then we'll start shifting over some -- some water services there. We installed the water main right into Seward Avenue into the psychiatric -- former psychiatric center ground. And that would be the last phase of the project. We're still having a problem so everybody is aware of it with the first section of the pipe. We have not accepted it yet because we had some problem with it. So we're still -- we're still going back and forth not with the contractor, but with the manufacturer of the pipe. We have an issue with the pipe itself. So whether we're right or wrong, we'll figure it out eventually and we'll have a very successful project.

Before you tonight there's another resolution

which is to approve Barton & Loguidice. They're a consulting engineering firm to design for us, to be on standby to start the design for \$4 million project that Congressman Maloney just advised the Mayor of that. And it is published on their website. So we were promised \$3.5 million for replacing 24-inch water line from the water treatment plant down to Monhagen Avenue. That -- that supplies 2/3 of the water of the City of Middletown. And the pipe is relatively old. It goes back to the 1940s. So we want to be ready for it because if something happens to that pipe, it's 2/3 of our water is shutoff and then we have to supplement it from the high pressure lines that are going through the City which is very expensive water. It has to be pumped and so on.

So, again, the Resolution before you just to put us on standby, so that when we get the official notification from the congressman or any of the federal agencies that the grant has been awarded to us, we have the conditions of the grant, then B&L will start immediately. They have your authorization and the Mayor will sign the contract with them to start the design immediately.

So with that being said, I will open it for any questions or any questions, anybody?

ACTING PRESIDENT MASI: Questions for the

Commissioner? Alderman Witt.

ALD. WITT: Yeah, thank you, Commissioner.

Could you speak a little bit about your recent attendance at the Waywayanda -- Waywayanda Planning Board meeting?

JACOB TAWIL, DPW COMMISSIONER: Yes, yes. Thank you. You are referring to the public hearing that was held because -- yes, because by the Planning Board of the Town of Waywayanda, Alderman Kleiner was there. And that's because of the -- because of the -- they call it the Dolson Town Road Corridor Development. It's like four or five different projects put together basically warehouses and a transfer station, solid waste transfer station and recycling station.

As you know, the Council and the Mayor hired CDM Smith to help us go through the -- the thousands, literally thousands of pages in there that we had to go in and review. And they had a bunch of sciences -- scientists and engineers working on it to try to find out if -- if the client or if the developers have followed the proper SEQR steps and they explored all negative environmental impact that could have happened because of the project. So, basically, we give them -- we give the Planning Board a short letter in there with bullet points and we told them

that was preliminary findings only. We intend to give them full -- more detailed letter of our -- of our findings regarding their SEQ. And we, at the request of the Mayor and with consulting -- consultation with him, we said that the City is opposing this project because of many factors, you know, many of which are possible in emission, you know, water, you know, municipal solid waste spread all over the place and -- and traffic concerns and highway capacity and so on and so forth.

One of the residents in there, he had a comment to the -- to the Planning Board telling you guys the developer hired the same traffic engineer that did the study for the carwash. He did the study for the carwash and now you're hiding. And he told you it's not going to be any issue. And now look at the carwash and the traffic. And now you hired the same engineer to do same analysis -- similar analysis to this huge development that you're proposing.

So we -- we still have many questions in there.

JOSEPH DESTEFANO, MAYOR: I just want to add one thing, Jacob. Kevin, I know you were at the meeting, the school board meeting in which there was a presentation by Sole Stainable New York, a young man, I didn't get his name. But he -- he mentioned that the City has -- Jacob

was there and opposed the project. He gave some misinformation though about it because it was a little sarcastic that Middletown opposed the project, but they're supplying water and sewer to the project.

This is -- it's accurate, but it's based on -- it's misleading as Gerry just said that 30 years ago there was an annexation between the City of Middletown and the Town of Waywayanda. During that annexation, we gave them 200,000 gallons of water and sewer on a daily basis of which now they're using maybe 50 to 60,000 gallons. That water and sewer is used at the discretion of Waywayanda on projects in Waywayanda. We get paid as a -- from our master meter that we provide. We don't bill the individual property owners and we don't get involved, legally, other than through the environment process in the usage of that water and sewer. Of course they have to comply with all federal and state laws regarding especially on the sewage side with discharge into our system. But we don't get to select who Waywayanda is going to us that -- that water and sewer with.

So, hopefully, in future presentations for the sake of accuracy, he will make a correction if he's watching tonight. If not, then I will try to find out who he was, but he did not state his name at that meeting. And

because it's a big correction that needs to be made. And -
- and I'm trying -- if anyone knows who it was please
contact me and I can send him the information directly.

ACTING PRESIDENT MASI: Any other questions for
Commissioner Tawil? Alderman Kleiner.

ALD. KLEINER: Thank you. I just want to add
that for anyone interested, the comment period was supposed
to end on June 20th, but because of delays in their process
they've extended it to July 13th.

JACOB TAWIL, DPW COMMISSIONER: Yes.

ALD. KLEINER: So anyone can go to the Waywayanda
website and they can find the draft generic environmental
impact statement and it details how many trucks and square
footage of impervious surface and all the -- all the things
that we're concerned about. And if they have comments they
can send them to the Waywayanda Planning Board by July
13th.

JACOB TAWIL, DPW COMMISSIONER: Absolutely. And
just -- just to complete, I was not aware of that
presentation of the School Board. But to finish what the
Mayor was saying is we have control over -- over the
wastewater being discharged if it was industrial. Of
course, you know, if it was regular wastewater then we have
no control over it, but if there's industrial waste, then

they have to apply for an IPP from us, Industrial Pretreatment Plan and permit from us from the City of Middletown to discharge their sewage and they will be under stringent regulations that we would be monitoring them under an agreement that the Mayor he just entered almost a year ago now or six months ago, under -- under the EPA consent order that the City would be enforcing and monitoring this IPP.

JOSEPH DESTEFANO, MAYOR: Both us and Waywayanda.

JACOB TAWIL, DPW COMMISSIONER: Right, exactly.

Exactly.

ACTING PRESIDENT MASI: Any other questions for Commissioner Tawil? Thank you.

JACOB TAWIL, DPW COMMISSIONER: Thank you.

ACTING PRESIDENT MASI: Public Hearings and Grievances.

KAREN SISCO, ACTING COUNCIL CLERK: Tonight we have a Local Law Number 4 of 2022, a Local Law increasing the term of Office of the City Treasurer. Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, June 21, 2022, on or as near to 7:30 p.m. as possible, Common Council Chambers, 2nd Floor, 16 James Street at 7:30 p.m. to hear any and all persons wishing to be heard on the recently passed Local Law 4 of

2022. A Local Law increasing the term office of the City Treasurer. A full text of Local Law Number 4 of 2022 is available in the office of the Common Council Clerk, City Hall, 16 James Street, Room 12 and on the City website. Richard McCormack, City Clerk, published 6/10 and 6/11 and also on the City website.

ACTING PRESIDENT MASI: All right. I'll open the public hearing. Eileen, is anyone on line? Hearing none. Anyone in the audience would like to speak on this? Any Council Members like to speak on this?

Okay. We will close the public hearing.

9. Petitions and Complaints

ACTING PRESIDENT MASI: Petitions and Complaints.

KAREN SISCO, ACTING COUNCIL CLERK: Nothing this evening.

10. Remarks of the Alderman.

ACTING PRESIDENT MASI: Remarks of the Alderman and Committee reports.

Alderman Witt.

ALD. WITT: Nothing this evening.

ACTING PRESIDENT MASI: Alderman Green.

ALD. GREEN: Yeah, just quickly, happy first day of summer officially, so we're in for it now.

And also just -- we are -- we do have a

Resolution authorizing transfer for the Fireman Joe Restoration Project. Just a reminder that the Run for Downtown this year, the proceeds from that event are going to go help offset and support the remainder of the cost for that. So it's, you know, it's going to be a beautiful fixture downtown for us. So come out and support the run, it's August 20th. And we hope to see you there. Thank you.

ACTING PRESIDENT MASI Alderman Kleiner.

ALD. KLEINER: Thank you, Acting President Masi.

First day of summer, so the days get sorter from here until December. That's when you're a gardener, that's the way you look at it.

I also want to thank Yaa Yaa and Anthony Williams. The Juneteenth celebration was very nice and it brings the community together. It's important that they do that. I hope we get a little more publicity for it next year. And I want to thank Maria because the City had a booth there and it was excellent. Thank you.

I didn't mention last time after our meeting after Memorial Day, but I wanted to send my condolences to the family of Edward Collins. He was a World War II Veteran and he and his wife Janice are regulars at the Mulberry House Senior Center. And Edward he will be

missed.

I forgot to ask on the fireworks, do we think the Frank Shorter Path will be the diversion around Frank Shorter --

JACOB TAWIL, DPW COMMISSIONER: It's open today.

ALD. KLEINER: It is open today?

JACOB TAWIL, DPW COMMISSIONER: I didn't -- I didn't report on that, sorry.

ALD. KLEINER: Okay. No, excellent. Thank you.

And I wish Major Moore and Lieutenant Vilizana (phonetic) success. I think they're going to Spring Valley. But she has been such a valuable asset to the City. And from the day she got here stepping up and saying what she could do to help. And, certainly, the Salvation Army opening the warm place, so that people had an alternative in the daytime for those brutal days, it was really -- it was a great thing she did.

That's pretty much it. But I just want to mention, you know, since I've lived in Texas for 15 years, I see what the Texas Republicans have done. Biden is an illegitimate President which it's not that there's no proof that the election was fraudulent, it's that there's a ton of proof, recount after recount after recount that the election was free and fair. And that's the way they we

should say it.

They also want the right to succeed from the United States. And when they're -- when they're chanting USA, USA and saying the Pledge of Allegiance, you know, one nation indivisible. Of course they want to get out of the UN because, you know, we rule the world. They want to privatize social security. They booed Senator Cornyn for even daring to discuss what could be done about gun violence in this country. So we the people, I don't know. Thank you.

ACTING PRESIDENT MASI: Alderwoman Ramkissooon.

ALD. RAMKISSOON: Good evening. First I'd just like to remind everyone that our pools, that's Sproat and Davidge this year will be open on Monday, June 27th which also happens to be my birthday. But, you know, that's okay, that's besides the point. Monday, Monday they open up. Two pools this year, so just remember that.

Congratulations to our 2020 graduates this year. I wish them all the best. And I'd like to thank the schools for how we've navigated our kind of real big year back this year. I think they did a great job. Our kids accomplished a lot. We've got scholar athletes. The Odyssey of the Mind girls who took second in Worlds. And there's just so much more to celebrate about our Mitties

and they just keep doing amazing things. They make us proud.

For business, the Third Ward meeting which is normally scheduled for the fourth Tuesday of the month, we are going to be forgoing since Alderman Johnson will be away and graduation times, so we'll be pushing it out to the July meeting. So I hope everyone has a safe and happy month.

ACTING PRESIDENT MASI: Alderman Johnson.

ALD. JOHNSON: Thank you, Mr. Chairman.

So I did happen to watch that presentation at the School Board meeting. His -- the young man name was Skyler and he was there with his girlfriend. And they represent this organization Sustain New York. So and I agree with the Mayor, there was a little bit of a -- little bit of zest as they say in some parts of the world about the water conversation. But they cited Cassie Lane. And so being who I am, the next night I drove down Cassie Lane which is a dead end road and I met the woman who lives there. And I said to her, "You probably don't have too many people come down your driveway." She said, "Well, actually, they do because they think they're cutting through to get to someplace, so have to turn around and go back out." And she said that that they've lived there for 30 years.

They're pretty much surrounded if that project goes through on -- on all three sides. So they're not that pleased with that idea.

We talked about the traffic that's been generated by the car wash. We talked about the number of trucks that might come in and out. And I did assure her that we in Middletown, although we don't have any standing per se, that we're standing in opposition to the project.

And I think Skyler's girlfriend is best friends with this lady's daughter, so I could probably link you up with them and maybe we could have a productive conversation about that. But I think we're on the right side of this issue and I think we're taking the lead position in opposition. And I appreciate that we're doing that. Thank you very much.

ACTING PRESIDENT MASI: Alderman Tobin.

ALD. TOBIN: Yes. Early voting has begun, correct, for the Governor's race? And they can do that at the Senior Center this week and next Saturday it's 9 to 5. There's primaries for the governor and lieutenant governor. You know, the crazy election this year, I think the 23rd of August is another primary. And so, you know, keep your eyes open for that. And that's going to be for the congressional race.

So as far as locally, the fishing derby was excellent. I attended. It was great to see everybody. I think people are excited to be back out doing things. It was kind of windy, so the kids weren't catching a ton of fish, but every little kid -- every little kid that caught a fish, no matter if was 2 inches big or 10 inches, they had a smile on their face. And so that was good time had for all, so thank the Parks Department Alliance for doing that. And that takes a lot of, you know, stocking the fish, making sure each year they're putting more fish in there, so people can catch them. And it's a great resource. We had first time fishers to kids that were casting two poles at once, so it was a good day.

And I'm glad to see the school resource officers in the district. As a teacher, I feel safer in the school with school resource officers in the building. It makes it like a harder target. And I also think that the, you know, the first time that, you know, students see a police officer should be in that friendly, you know, atmosphere as like an offering guidance and in the school. And, you know, shouldn't be on their worst day when they're getting a ticket. So I think that this is a new way of part of the community policing, I think this is part of, you know, starting in the schools with the kids and putting that into

the community. So I'm -- I'm all for that and I fully support that. Thank you.

ACTING PRESIDENT MASI: Mr. Mayor, was there something else you wanted to say. I got a text from you but --

JOSEPH DESTEFANO, MAYOR: Yeah.

ACTING PRESIDENT MASI: -- I don't know what the timing of it was. I'm sorry.

JOSEPH DESTEFANO, MAYOR: The paving list.

ACTING PRESIDENT MASI: Okay. Thank you.

JOSEPH DESTEFANO, MAYOR: I know that we're going to start, Jacob, this week, correct, or is --

JACOB TAWIL, DPW COMMISSIONER: Monday.

JOSEPH DESTEFANO, MAYOR: Monday, we'll be starting Monday. Each ward will be getting quite a few streets done. I think Jacob mentioned the total. But do we have the list posted online, Jacob?

JACOB TAWIL, DPW COMMISSIONER: Not yet, after tonight.

JOSEPH DESTEFANO, MAYOR: After tonight, so --

JACOB TAWIL, DPW COMMISSIONER: (Indiscernible) post it.

JOSEPH DESTEFANO, MAYOR: Okay. So tomorrow it will be posted online, so you'll know whether your street

is being done. And there's also a crack and seal list. So -- so we just want to make sure people know that they wake up in the morning and their street is closed for a little while and half of it. They're, again, that combined with the downtown project and the sidewalk project might cause a little anger on your way to work. So if your -- if your street is getting done, you know, need a few more minutes to get to work. But it will be available online tomorrow.

ACTING PRESIDENT MASI: Thank you. And the end result everyone will be proud of.

11. Unfinished Business.

ACTING PRESIDENT MASI: There's no unfinished business.

12. New Business.

ACTING PRESIDENT MASI: New Business.

KAREN SISCO, ACTING COUNCIL CLERK: Yeah. The Resolution sponsored by Alderman Johnson, seconded by Alderwoman Ramkissoon. Resolution authorizing a budget reallocation transfer for the purchase of two new FLOCK fixed LPR systems.

ACTING PRESIDENT MASI: Resolution sponsored by Alderman Johnson, seconded by Alderwoman Ramkissoon. Any comments, questions? Roll.

Roll Call: Ayes: Tobin, Johnson, Ramkissoon,

Kleiner, Green, Witt, Masi. Resolution passes.

KAREN SISCO, ACTING COUNCIL CLERK: We have a Resolution sponsored by Alderman Kleiner, seconded by Alderwoman Tobin. Resolution authorizing a budget transfer for the Summer Youth Leadership Academy.

ACTING PRESIDENT MASI: We have a Resolution sponsored by Alderman Kleiner, seconded by Alderman Tobin. Any comments, questions? Roll.

Roll Call: Ayes: Tobin, Johnson, Ramkissoo, Kleiner, Green, Witt, Masi. Resolution passes.

KAREN SISCO, ACTING COUNCIL CLERK: We have a Resolution sponsored by Alderwoman Ramkissoo, seconded by Alderman Green. Resolution authorizing the hiring of an additional police officer for the School Resource Officer Program.

ACTING PRESIDENT MASI: We have a Resolution sponsored by Alderwoman Ramkissoo, seconded by Alderman Green. Any comments, questions? Alderman Kleiner.

ALDERMAN KLEINER: Yeah. I -- I just want to point out agreeing with what Alderman Tobin said. But it's -- it's specifically in the contract that the School Resource Officers are not disciplinarians. They are there to help the kids and for establish relationships. And it's -- it's a great program. Thank you.

ACTING PRESIDENT MASI: Any other comments or questions? Roll.

Roll Call: Ayes: Tobin, Johnson, Ramkissoo, Kleiner, Green, Witt, Masi. Resolution passes.

KAREN SISCO, ACTING COUNCIL CLERK: We have a Resolution sponsored by Alderman Tobin, seconded by Alderman Johnson. Resolution authorizing agreement with Jay Cardinal Consultants for consultation services on the Fireman Joe Statute Restoration Project.

ACTING PRESIDENT MASI: Resolution sponsored by Alderman Tobin, seconded by Alderman Johnson. Any comments, questions? Roll.

Roll Call: Ayes: Tobin, Johnson, Ramkissoo, Kleiner, Green, Witt, Masi. Resolution passes.

KAREN SISCO, ACTING COUNCIL CLERK: We have a Resolution sponsored by Alderman Kleiner, seconded by Alderwoman Ramkissoo. Resolution authorizing a \$75,000 budget transfer for the Fireman Joe Restoration Project.

ACTING PRESIDENT MASI: Resolution sponsored by Alderman Kleiner, seconded by Alderwoman Ramkissoo. Any comments, questions? Alderman Kleiner.

ALD. KLEINER: Yes, very quickly. Fireman Joe has been there since 1907. And it's -- it's about time he got a good makeover. Thank you.

ACTING PRESIDENT MASI: Any other comments or questions? Roll.

Roll Call: Ayes: Tobin, Johnson, Ramkissoo, Kleiner, Green, Witt, Masi. Resolution passes.

KAREN SISCO, ACTING COUNCIL CLERK: We have a Resolution sponsored by Alderman Kleiner, seconded by Alderman Johnson. Resolution authorizing a budget transfer in the amount of \$275.31.

ACTING PRESIDENT MASI: We have a Resolution sponsored by Alderman Kleiner, seconded by Alderman Johnson. Any comments, questions? I'll make a comment only that I will be abstaining from this vote because it has something to do with my department. Roll.

Roll Call: Ayes: Tobin, Johnson, Ramkissoo, Kleiner, Green, Witt. Abstain: Masi. Resolution passes.

KAREN SISCO, ACTING COUNCIL CLERK: Resolution sponsored by Alderman Green, seconded by Alderwoman Ramkissoo. Resolution authorizing 2021 LOSAP Sponsor Approvals.

ACTING PRESIDENT MASI: Resolution sponsored by Alderman Green, seconded by Alderwoman Ramkissoo. Comments, questions? Roll.

Roll Call: Ayes: Tobin, Johnson, Ramkissoo, Kleiner, Green, Witt, Masi. Resolution passes.

KAREN SISCO, ACTING COUNCIL CLERK: Resolution sponsored by Alderman Johnson, seconded by Alderwoman Ramkissoon. Resolution authorizing rescinding Resolution Number 122-22 adopted on June 7th, 2022 amending the City Code to Implement a Business Permit Program.

ACTING PRESIDENT MASI: Resolution sponsored by Alderman Johnson, seconded by Alderwoman Ramkissoon. Any comments, questions? Alderman Johnson.

ALD. JOHNSON: So true confessions. So when we had our Committee meeting in my zeal to move forward, I was premature. We do have to have public hearings for these Resolutions. That's why they're being Rescinded. And we'll have a public hearing and put them back on the agenda.

ACTING PRESIDENT MASI: Okay.

ALD. JOHNSON: My apologies to the Council.

ACTING PRESIDENT MASI: That's okay. Any other comments, questions? Roll.

Roll Call: Ayes: Tobin, Johnson, Ramkissoon, Kleiner, Green, Witt, Masi. Resolution passes.

KAREN SISCO, ACTING COUNCIL CLERK: Resolution sponsored by Alderman Johnson, seconded by Alderwoman Ramkissoon. Resolution authorizing rescinding Resolution 121-22 adopted on June 7th, 2022 amending City Code to

require all retail stores to obtain Planning Board approval in applicable zoning districts without regard to square footage.

ACTING PRESIDENT MASI: Resolution sponsored by Alderman Johnson, seconded by Alderwoman Ramkissoo. Any comments, questions? Alderman Johnson.

ALD. JOHNSON: Same -- same explanation. Thank you. Roll.

Roll Call: Ayes: Tobin, Johnson, Ramkissoo, Kleiner, Green, Witt, Masi. Resolution passes.

KAREN SISCO, ACTING COUNCIL CLERK: Resolution sponsored by Alderwoman Ramkissoo, seconded by Alderman Johnson. Resolution authorizing a public hearing on all retail stores in the City be required to obtain Planning Board approval.

ACTING PRESIDENT MASI: Resolution sponsored by Alderwoman Ramkissoo, seconded by Alderman Johnson. Comments, questions? Roll.

Roll Call: Ayes: Tobin, Johnson, Ramkissoo, Kleiner, Green, Witt, Masi. Resolution passes.

KAREN SISCO, ACTING COUNCIL CLERK: A Resolution sponsored by Alderman Alderwoman Ramkissoo seconded by Alderman Johnson. Resolution authorizing a public hearing on the implementation of a business permit program.

ACTING PRESIDENT MASI: Resolution sponsored by Alderwoman Ramkissoo, seconded by Alderman Johnson. Any comments, questions? Roll.

Roll Call: Ayes: Tobin, Johnson, Ramkissoo, Kleiner, Green, Witt, Masi. Resolution passes.

KAREN SISCO, ACTING COUNCIL CLERK: Resolution sponsored by Alderman Tobin, seconded by Alderwoman Ramkissoo. Resolution authorizing a proposal from B&L for engineering and inspection services.

ACTING PRESIDENT MASI: Resolution sponsored by Alderman Tobin, seconded by Alderwoman Ramkissoo. Comments, questions? Roll.

Roll Call: Ayes: Tobin, Johnson, Ramkissoo, Kleiner, Green, Witt, Masi. Resolution passes.

ACTING PRESIDENT MASI: Alderman Kleiner.

ALD. KLEINER: Thank you. I'd like to make a motion from the floor, whereas, the City desires to purchase certain properties from Consolidated Rail Corporation in the City of Middletown for the purpose of allowing a continuous corridor for the Heritage Trail. Now, therefore, be it resolved by the Common Council of the City of Middletown that the Mayor is hereby authorized to sign the attached agreement of sale and any other necessary documents in order to effectuate this sale.

ACTING PRESIDENT MASI: Resolution sponsored by Alderman Kleiner, seconded by Alderman Witt. Any comments, questions? Roll.

Roll Call: Ayes: Tobin, Johnson, Ramkissoo, Kleiner, Green, Witt, Masi. Resolution passes.

13. Local Laws

ACTING PRESIDENT MASI: There are no local laws.

14. Audit of Claims and Accounts

ACTING PRESIDENT MASI: Audit. Alderman Johnson.

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

ACTING PRESIDENT MASI: Seconded by Alderman Witt. Any comments? Roll.

Roll Call: Ayes: Tobin, Johnson, Ramkissoo, Kleiner, Green, Witt, Masi. Resolution passes.

15. Adjournment

ACTING PRESIDENT MASI: Once again, before a motion to adjourn, I would like to thank Karen.

Could I have a motion to adjourn? Alderman Green, seconded by Alderman Kleiner. All in favor?

COUNCIL MEMBERS: Aye.

(PROCEEDING CONCLUDED)

CERTIFICATE

I, LISA KANE, certify the foregoing transcript of proceedings of the June 21, 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: July 18, 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. Johnson

Sec'd by Ald. Ramkissoon

Date of Adoption 06.21.22

Index No: 126-22

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	7			2

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

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

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

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

FROM

A.3120.100

Personal Services

AMOUNT

\$1,240

TO

A.3120.400

Contractual Service

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

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner

Sec'd by Ald. Tobin

Date of Adoption 06.21.22

Index No: 127-22

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	7			2

Resolution authorizing a Budget Transfer for the Summer Youth Leadership Academy

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

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

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoon

Sec'd by Ald. Green

Date of Adoption 06.21.22

Index No: 128-22

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	7			2

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

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

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Tobin

Sec'd by Ald. Johnson

Date of Adoption 06.21.22

Index No: 129-22

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	7			2

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

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner

Sec'd by Ald. Ramkissoon

Date of Adoption 06.21.22

Index No: 130-22

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	7			2

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

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

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

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

**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 06.21.22

Index No: 131-22

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	6		1	2

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

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

FROM
Fund Balance

AMOUNT
\$275.31

TO
A.1430.480

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

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Ramkissoon

Date of Adoption 06.21.22

Index No: 132-22

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	7			2

Resolution authorizing 2021 LOSAP Sponsor Approvals

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

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Ramkissoon

Date of Adoption 06.21.22

Index No: 133-22

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	7			2

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

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Ramkissoon

Date of Adoption 06.21.22

Index No: 134-22

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	7			2

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

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoon

Sec'd by Ald. Johnson

Date of Adoption 06.21.22

Index No: 135-22

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	7			2

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

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

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoon

Sec'd by Ald. Johnson

Date of Adoption 06.21.22

Index No: 136-22

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	7			2

**Resolution Authorizing a Public Hearing on the Implementation of a
Business Permit Program**

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

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Tobin

Sec'd by Ald. Ramkissoon

Date of Adoption 06.21.22

Index No: 137-22

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	7			2

**Resolution authorizing a proposal from B&L for
Engineering and Inspection Services**

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the attached proposal from B&L for the Engineering and inspection services associated with the replacement of 24' low pressure water main from the City Water Treatment Plant.

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

Congressman Maloney has arranged for the City to receive \$3.5 million for this project. The grant funding must obligated in a fiscal year per the conditions of the grant. Congressman Maloney had published on his website that the City will be getting \$4 million for the referenced project. While we haven't received any formal notification or conditions of the grant, we are aware of the time constraints being part of this grant. As such we want to be ready to proceed with the work the moment we receive the notification. The resolution and approval will have a condition not to proceed with the work without official notification of receiving the grant through Congressman Maloney and/or the appropriate grant/government agency.

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

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner

Sec'd by Ald. Witt

Date of Adoption 06.21.22

Index No: 138-22

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	7			2

Resolution authorizing an agreement of Sale with Consolidated Rail Corporation

WHEREAS, the City desires to purchase certain properties from Consolidated Rail Corporation in the City of Middletown for the purpose of allowing a continuous corridor for the Heritage Trail.

NOW HTHHEREFORE BE IT RESOLVED by the Common Council of the City of Middletown that the Mayor is hereby authorized to sign the attached Agreement of Sale and any other necessary documents in order to effectuate this sale.



COMMON COUNCIL Meeting
CITY OF MIDDLETOWN
July 5, 2022
City Hall
16 James Street
Middletown, New York 10940

PRESENT:

J. Miguel Rodrigues, President
Ald. Andrew Green
Ald. Gerald Kleiner
Ald. Joseph Masi
Ald. Kate Ramkissoo
Ald. Sparrow Tobin
Ald. Kevin Witt

ALSO PRESENT:

Richard McCormack, Clerk
Joseph M. DeStefano, Mayor

*Proceedings electronically recorded.
Transcript produced by Kimberly J. Zogby*

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1. Pledge of Allegiance

(Pledge of Allegiance.)

2. Roll Call

PRESIDENT RODRIGUES: Roll.

MR. MCCORMACK: Alderman Tobin.

ALD. TOBIN: Here.

MR. MCCORMACK: Alderman Jean-Francois.

Alderman Johnson.

Alderwoman Ramkissoo.

ALD. RAMKISSOON: Here.

MR. MCCORMACK: Alderman Kleiner.

ALD. KLEINER: Here.

MR. MCCORMACK: Alderman Green.

ALD. GREEN: Here.

MR. MCCORMACK: Alderman Witt.

ALD. WITT: Here.

MR. MCCORMACK: Alderman Masi.

ALD. MASI: Here.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Here.

MR. MCCORMACK: A quorum is present.

3. Approval of Minutes

PRESIDENT RODRIGUES: Approval of minutes.

MR. MCCORMACK: June 7, 2022.

ALD. MASI: I'll move.

PRESIDENT RODRIGUES: I have a motion by Mr. Masi, seconded by Alderman Witt.

All in favor?

(Chorus of aye.)

4. Correspondence, Communications, and Reports

PRESIDENT RODRIGUES: Correspondence.

MR. MCCORMACK: We have an application from 119 Wickham Avenue for a waiver of the commercial use of the first floor.

PRESIDENT RODRIGUES: We will forward that to legislation.

5. For the Good of the City

PRESIDENT RODRIGUES: All right and for the Good of the City. Anyone who would like to address the Council, please step forward.

MR. MADDEN: Good evening, Council and Mr. Mayor. My name is Dave Madden. I am the director of the Run 4 Downtown. You are going to be speaking about that later this evening.

I just wanted to send a little message out to everybody here in the community. The 16th annual Run 4 Downtown will be taking place August 20, 2022. We anticipate 700-800 people running/walking a four-mile course that circumnavigates our fair city, returning back downtown for the Equilibrium Brewery post-race party. It's a great morning. I hope I see you all out there.

We always need sponsors. We always need volunteers. But most of all,

we just want people to be out there participating.

Four miles, it's a distance that most people can handle, be it run, be it walk, be it crawl, be it whatever it is. And I'd love to see you all out there.

So, August 20th, 2022. Thank you.

PRESIDENT RODRIGUES: Thank you.

Anyone else?

Eileen, do we have anybody online?

EILEEN: Not at this time.

PRESIDENT RODRIGUES: All right, thank you.

6. Remarks of the Mayor

PRESIDENT RODRIGUES: Moving over to the Mayor's remarks.

MAYOR DESTEFANO: Good evening. I hope everyone enjoyed the fireworks at Davidge Park this past Saturday. I know Jerry supplied the Economic Development Office with a lot of pictures.

So, for those who say does Jerry really take pictures with those cameras, it's true. I know that's a Masi comment, Jerry. And he did supply them, and they are beautiful photos, and we thank you for providing them.

Also, we had a ribbon-cutting yesterday that I'm going to address at the next meeting for 33 Fulton Street. A software company is relocating here. And as soon as we get more details that I can provide to the public and some photos, we'd like to provide them to the Council at the next meeting.

But it was well-attended and I think the public will be very impressed with what will be going in that building.

But the issue of the night is going to be the CDM Smith response for Dolsontown Road. And we did file with the Planning Board our comments on the Dolsontown Corridor, the draft generic environmental impact statement. Within the next day or two, we will provide it online on our website. It is a detailed report, 8-page report, provided by CDM Smith.

Just to give you the categories that we addressed were stormwater, water and wastewater, traffic, the natural resources, threatened and endangered species, and solid waste.

So, this report -- the cover letter is supported with a commentary list of exhibits. All will be provided for the public to review. And I guess we will maintain CDM Smith as our engineers commenting on this project as it moves forward.

So, other than that, I hope everyone had a pleasant 4th.

And just to address the fireworks issue, I will leave that up to the chief to give you details on that but I believe it was a little bit better than previous years. But, still, we did have many people violating our City Ordinance in regards to the -- using not only fireworks but, also, some late at night, which were really inappropriate. But I'll let the chief give you the details on that.

Any questions?

PRESIDENT RODRIGUES: Any questions for the Mayor? Okay.

MAYOR DESTEFANO: All right.

PRESIDENT RODRIGUES: Thank you, Mayor.

7. Remarks of Department Heads

PRESIDENT RODRIGUES: Remarks of the Department Heads.

Economic Development.

MS. BRUNI: Good evening, everyone.

As Dave mentioned the Run 4 Downtown, it's Run, Rock and Roll Weekend. So, with that said, Jefferson Starship is playing August 19th at the Paramount Theatre and Run 4 Downtown is the next day. And right now, the first 100 participants who sign up by July 15th are entered to win tickets to the concert. So, it's a great collaboration and partnership with the run and we're looking forward to that weekend.

Tonight, on the agenda, there is some resolution. The annual action plan for our department to submit to HUD needs approval to submit and for the mayor to sign all the appropriate documents.

And also, our office is preparing two consolidated funding applications; one for the Paramount Theatre and one for the Middletown Community Camp is for strategic plan. So, we need your support on those, as well.

And that's all I have for tonight, if anybody has any questions.

PRESIDENT RODRIGUES: Any questions for Maria?

Thank you, Maria.

MS. BRUNI: Thank you.

PRESIDENT RODRIGUES: DPW Commissioner.

MR. TAWIL: Good evening, all.

So, as you can see, lots of our capital projects are moving along. To start with is the traffic operations here. You can see the progress in downtown. Almost every sidewalk and curb has been dug up, and is being replaced.

And getting ready to install new traffic lights and we're having a lot of

difficulties in there. It's not really an easy project. All the -- mostly all of the proposed locations for the traffic lights, pedestrian crossing, polls, and everything has got to go. It has to be shifted around, in order to make accommodation for the underground buried utilities, or basements, or existing foundation, or existing pipes that nobody knew about.

So, it is a difficult project because it is a tight old city but it's moving along and work is being done outside downtown as well, you know on Ridge Street and East Main. And that's almost completed -- not the traffic light itself. Not the intersection itself, but the curbs and sidewalks up Ridge Street. The work is nice. It's difficult but it's moving along.

We did not forget about the landscape and the tree-planting. And we are considering right now whether the City will do it inhouse or make it part of the project. So, that's still out there for us to decide.

WSP have done a full out design and they suggested certain type of trees and certain spacing, which we will be pursuing and we'll see what's the best way to do it so that we cut the expenses down of the project.

The milling and paving, it's moving along very well, too, at schedule rate and now we're doing -- we're working in Randall Heights. We're done with the 1st Ward. We're doing the 2nd Ward now. Then, we go to the 3rd and the 4th Wards for the milling and paving.

And again, like the Mayor said the last time, it's about \$2 million milling and paving operation and that is using the State funding. It's not city funding.

And before you, there is another -- there is a resolution tonight, approve establishing New York Touring Routes, they call it, where the State has given us \$1.3

million for last year and another \$1.3 million for this year. It will be a total of \$2.6 million for milling, and paving, and infrastructure work in the State -- in the city streets.

So, hopefully, tonight you will approve it and then we'll have the money allocated. We're going to be spending about \$1.5 million of that money for the milling and paving that is taking place now in the city.

And with that, before you there are several resolutions also for DPW for annual supplies for our chemicals, for the water treatment plants, for the waste water treatment plant, for the materials and supplies from pipes, to fittings, to valves, to all that; also, awarding city annual maintenance work for HVAC, for plumbing, for electrical to the contractors who were the responsible low bidders.

So, if you have any questions, once you come to those resolutions, I will be happy to address them.

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

PRESIDENT RODRIGUES: Any questions for Jacob?

Jacob, Monhagen Avenue, the Rodeo.

MR. TAWIL: Yes.

PRESIDENT RODRIGUES: When is that going to be redone?

MR. TAWIL: That Rodeo is going to be done as soon as the contractor is done. He is going to start tomorrow transferring water services from the water main, which was just activated, to the -- we just finished installing the water line from Sweezy Lane, which is in Fair Oaks, across -- we tapped into the line across Monhagen Avenue, through Monhagen Avenue into the Psychiatric Center.

The pressure was tested. The line was pressure-tested and disinfected. We just got the bacteria results.

The contractor is going to start now. The line has been activated. We did the connection -- when was it -- on Friday. So, the line is active now.

So, now, we can go back. There is one more line we have to activate, which is the feed, so we can have two 12-inch lines feeding into a 24-inch line.

To make a long story short, once that is done, which is that's expected to be done tomorrow, then they are going to start hooking up the water services from the old line to the new line, the 24-inch line. Once that is done and they are digging where the main is, which is on Monhagen Avenue, then, after that, they will come in and pave it.

So how many days? I don't know. I would say a couple of weeks.

PRESIDENT RODRIGUES: I mean it's very bumpy.

MR. TAWIL: Yes, I know.

PRESIDENT RODRIGUES: People are driving on the left. They are going over the double yellow and driving on the left side.

MR. TAWIL: I conveyed that to the contractor and he said I'm almost done.

To be honest with you, he did a foolish mistake. If you recall, we had this problem with him before, and he hired the contractor to come in and mill it and pave it for him. And that was a very nice surface. And then he said, well, it's not to the right depth. So, he came and prematurely dug it all up and paved it again inhouse. And that's where the screwup happened.

PRESIDENT RODRIGUES: So, another two weeks?

MR. TAWIL: I'm hoping. I'm hoping for another two weeks, yes. I'm hoping for another two weeks.

He's having a hard time lining up subcontractors in there because everybody is busy. The asphalt people, this is their prime time, their peak time. So, I told him, if he has any difficulties, to get in touch with us. We'll try to help him finding contractors.

So, my apologies. I understand it's very uncomfortable. It's silly the way it was done. We realized it after the fact. What did you do that for?

PRESIDENT RODRIGUES: Anyone else?

Thank you, Jacob.

MR. TAWIL: Thank you.

PRESIDENT RODRIGUES: Police Chief.

CHIEF EWANCIW: Good evening. I do have a couple things on the agenda this evening. I'll just address them real quick and see if you have any questions.

The first item is an item that I hope you support. It is to receive two mobile data terminals. They are MDTs. They are car computers. That's what we utilize in the car to issue summons, to get data for information on subjects and calls. That's a grant of -- a \$10,098 grant that would supply us with two new MDTs.

The second resolution is to accept \$10,475 in a Youth Bureau Grant. This was some leftover money that the Youth Bureau had that, based on our activity with the programs that we do, they offered it to us. So, we'd be happy to utilize that to do some additional services with the youth.

In regards to the fireworks, as the Mayor said, it was a little bit better this

year, not a tremendous amount. And it's not for a lack of effort at all. We did our enforcement and education leading up to it, going to the stores, making sure nobody was selling it, educating the housing complexes, so on and so forth. We put on additional staff throughout the whole entire weekend.

Last night I worked -- I left here at 11:30. I was out on the road the whole time doing the same thing as the officers, running behind houses, sneaking around trying to find who was doing this.

The total for the weekend, if we go from July 1st to today, basically midnight this morning, we dealt with 103 fireworks calls. Last year in that same timeframe, we had 121 fireworks calls. Just on the 4th, itself, we handled 59 fireworks calls, in comparison to 2021 with 65.

Our biggest difference this year versus last year is last year we made many more arrests than we did this year. We made a total of 32 arrests last year. This year, we made a total of 19.

Again, not for lack of trying, I felt like it was almost a game going on Crescent. We'd pull on Crescent, after getting called or hearing it, it would be silent. Walking around, we pull off the street, boom, boom, boom, boom, boom. We'd come back around. We had a police officer staged. We used an unmark car. We had people on foot. And it's just a challenge to find where they're actually coming from.

The other thing that we get some kick back from the community is people call us and say hey, I'm seeing fireworks, I'm hearing fireworks. So, there's that delay from the time they see them to the time they call us, to the time we respond. And then in-between all this, we are also handling the other calls that are coming in, you know

domestics, medical calls. They don't stop just because the fireworks are going on.

So, it is a challenging night. I feel that we had adequate staff to handle it.

It's just a matter of the community trying to cooperate with us.

Any questions?

PRESIDENT RODRIGUES: Questions for the police chief?

Alderman Tobin.

ALD. TOBIN: Not on the fireworks but the -- I don't know if you're ready to comment. Is there any like guidance with the Supreme Court decision with the carry open -- concealed carry law? Was there any guidance sent to police departments about that? Are there any changes?

CHIEF EWANCIW: We got some updates on the changes, basically the same thing that goes out in the media.

ALD. TOBIN: Oh, okay.

CHIEF EWANCIW: We didn't get anything other than that, as of this time.

Typically, when we do get the law updates through the governor's office, there's normally a training that comes with it from the District Attorney's Office. Just the last round, there were some changes with the ERPO Law, the extreme risk protection law, the red flag laws. So, we did have a training on that last Tuesday through the DA's Office. They normally dissect the law and then present it to us in a fashion that we can understand and how we're going to be able to utilize it.

So, being that that new law doesn't go into effect with the carry laws until September 1st, I would hope that we will have something from now until then.

ALD. TOBIN: Okay, thank you.

PRESIDENT RODRIGUES: Criminals are not going to take a 16-hour training course to get a gun, to purchase a gun, and then use the gun. They still buy guns illegal and everything. It only is geared toward civilians and people that can get a pistol permit. That's all.

Anything else?

CHIEF EWANCIW: I have nothing, unless you have questions for me.

PRESIDENT RODRIGUES: All right.

CHIEF EWANCIW: Oh, actually, the demonstration. We prepared for that. We came across that by accident, honestly. Someone forwarded that information to us.

So, we prepared. We made contact with the organizer, explained to her the process. She did not want to go through that process. She wanted to do it on her own. We explained to her the consequences if she did do it without going through the process.

We counseled with Alex Smith and the Mayor on the whole process, as we went through, and prepared as if she was going to come with a large contingent of people, as she so planned and it wasn't that large after all. But we made sure she was safe in her travels and with her purpose.

And we will continue to monitor those events, if they do pop up.

PRESIDENT RODRIGUES: Thank you, Chief.

All right. Superintendent of Recreation.

MS. BERTHOLF: Good evening.

Wolf's Lair Field update: The roof is on. The plumbing is roughed in and the concrete floor was poured today. The BOCES group started at the Van Duzer parking lot. They are going to help out our Maintenance Department with some of the extra clearing and landscaping that they wanted to do at that parking lot.

Still maintaining Little League fields for all of their All-Star games going on. They had the regular weed whacking and mowing.

The main busy, busy part: Pools are open, our parks, our playground programs. So, lots of cleaning and lots of garbage on a daily basis.

I just do want to say a huge thank you to John Bianchi and all the maintenance staff from the pool guys, the part-timers that are in, because those pool bathrooms on hot weekends are trashed. So, it's a hefty, hefty cleanup every single morning, especially Friday. We were ten people away from capacity at War Memorial Pool and brought in almost \$1,000 in revenue from that pool just for that day and those bathrooms were horrendous from the constant use all day. So, that's a tough job in the morning.

So, thank you to our Maintenance Department.

Our playground program is open. Amchir Park, Sproat Street, Bennett Hill Park, Thrall Park, Beattie Hill Park, Jerome Neil Park, Academy Avenue, Davidge Park, Maple Hill Park, and David Moore Heights is staffed from 10:30 to 2:30 and the school district is providing lunch for any child up to 18 who is in the park that day. And we also have staff there from 10:30 to 2:30 to play games, board games, sport games, cards with the kids during that time.

Our Little People Playtime, Spirit Camp, Sports Camp is underway.

Again, a huge thank you to the Middletown School District Food Services. Actually, our Sports Camp and Spirit Camp at Monhagen Avenue, they are providing a breakfast and a lunch and the lunch is actually a hot meal that the kids are getting on a daily basis. So, that is a very extra added bonus for them. And also, the Little People Playtime is also getting a breakfast and a lunch provided by the School District also.

Like I said, Sproat and War Memorial, that Friday was crowded as War Memorial has been since it's opened. So, the pools are a lot busier.

A huge thank you to our lifeguards, Nicole Psarakis, who manages the pools this year, she's doing an amazing job with her staff. Danielle McAvinue, who is running our in-service trainings, and also certified, and recertified our guards this year. She has been spot-checking and assisting Nicole with the trainings for the guards and everything is going great, so far.

Joe Masi can attest to all the 426s that came in for our part-timers. We are about 60 plus part-timers on this summer. And again, just a thank you to all of them. They are doing an amazing job. From the playgrounds to our camp counselors, everyone is doing an awesome job, so far.

A thank you to RECAP this year. They have donated, thus far, about \$6,000 in scholarships for kids to attend our camps. And nothing would be reimbursed. We're giving an invoice on how much it would cost for how many children they have and the amount of time that the kids want to attend camp. We're giving the invoice. RECAP is coming back and sending them with a check to pay for camp. So, RECAP, a huge thank you to them because a lot of kids are getting the opportunity to go to camp this summer.

And last thing, a big thank you to Kelly Ocasio, who is our keyboard specialist in the office. Her job definitely does go unnoticed a lot but I definitely want to say thank you. Every Monday before camp starts, she is on the weekends and getting at least five hours of work to prepare all of our sign-in lists, checkout lists, going through everything, submitting everything to the Health Department on a weekend basis.

So, again, her work goes unnoticed. You're not going to see her out there, except if she was flipping hotdogs at the fireworks.

But a thank you to Kelly and all of our staff because this summer is definitely a great start.

Any questions?

PRESIDENT RODRIGUES: Any questions for Raelynn?

Alderman Masi.

ALD. MASI: Yes, just one comment. On the 426s, they should be going to me before they go to that other guy.

MS. BERTHOLF: I will note that for sure.

PRESIDENT RODRIGUES: Alderman Witt?

ALD. WITT: Yes, thank you very much for everything that you and your staff are doing.

Do you have any participation numbers or anything that you can share, even relative to like last year -- I know it was a different world -- but any idea that you could share how many people and how many kids are actually involved in all the programs?

MS. BERTHOLF: Yes. Yup, our Sports Camp this week had a 103

participants, as opposed to last year -- we were about 75 outdoors. So, being indoors is definitely making a difference.

Like I said before, we are truly lucky to be inside at Monhagen Middle School having the air conditioning.

Spirit Camp has 21 kids, definitely higher than when we were outside.

And our Little People Playtime is the 4, 5, and 6, the most challenging age group, they have 33 kids. So, that is a lot of little kids in one area during the day.

And then our playgrounds are just drop-ins but, if you ride by during the day, you can see our staff engaging. Contessa is doing an amazing job with teaching the staff, approaching the families and parents. We are getting lawn signs made to go in from 10:30 to 2:30, just so the community knows that it's a staffed program, and something is going on, and there is opportunities for kids from 10:30 to 2:30 in all of our parks.

PRESIDENT RODRIGUES: All right. Anymore?

Thank you, Realynn.

Corporation Counsel.

MR. SMITH: I don't have anything prepared, unless anybody has any questions for me.

PRESIDENT RODRIGUES: Questions for Alex?

All right, that was easy.

City Clerk.

MR. MCCORMACK: Nothing this evening.

PRESIDENT RODRIGUES: Any questions for the Rick? All right.

8. Public Hearings and Grievances

PRESIDENT RODRIGUES: Public hearings and grievances.

MR. MCCORMACK: Our first public hearing notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, July 5, 2022 on or as near to 7:30 P.M. as possible, Common Council Chambers, second floor, 16 James Street, to hear any and all persons wishing to be heard on a change to the Zoning Code of the City Code, regarding the proposed implementation of a business permit program. The complete proposed change to the Zoning Code is available on the City website, Common Council Clerk's Office, City Hall, 16 James Street, Room 12, and on the City website.

PRESIDENT RODRIGUES: Okay, it is time the public hearing is now open.

Anyone from the public?

Anyone on line?

EILEEN: They have not indicated that they would like to speak.

PRESIDENT RODRIGUES: All right. Any council member?

May I have a motion to close?

ALD. MASI: So moved.

PRESIDENT RODRIGUES: Motion by Alderman Masi, seconded by Alderman Witt.

All in favor?

(Chorus of aye.)

PRESIDENT RODRIGUES: The hearing is closed.

The remarks of Aldermen.

MR. MCCORMACK: I have more public hearing.

PRESIDENT RODRIGUES: One more?

MR. MCCORMACK: I have two.

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, July 5, 2022 on or as near to 7:30 P.M. as possible, Common Council Chambers, second floor, 16 James Street, to hear any and all persons wishing to be heard on a change to the Zoning Code of the City Code to require all retail stores to obtain Planning Board approval in applicable zoning districts, without regard to square footage. The complete proposed change to the Zoning Code is available in the Office of the Common Council Clerk, City Hall, 16 James Street, Room 12, and on the City website.

PRESIDENT RODRIGUES: All right. The public hearing is now open.

Anyone from the public?

All right, any council members?

May I have a motion to close?

ALD. MASI: So moved.

PRESIDENT RODRIGUES: Alderman Masi, seconded by Alderman Green.

All in favor?

(Chorus of aye.)

PRESIDENT RODRIGUES: The public hearing is closed.

9. Remarks of the Aldermen and Reports of Committees

PRESIDENT RODRIGUES: Remarks of Aldermen.

Alderman Masi.

ALD. MASI: Nothing this evening.

PRESIDENT RODRIGUES: Alderman Witt.

ALD. WITT: Thank you.

We have our 1st Ward constituents meeting next Wednesday, July 13th at 6:00, here in the Council Chambers.

Congratulations, Realynn, again, with the work that everybody's doing. There are a lot of programs also available through the school district that will be starting up soon. So, hundreds and hundreds of kids are getting an opportunity that -- and it's being made very easy to do so, in terms of the finances, on both sides. So, congratulations.

As far as the fireworks go, I appreciate the efforts, Chief, with everything. I guess I was discouraged because, when you were kind enough, multiple times, to let everybody know the city's position on this, including a social media post, I was stunned at the level of disrespect that you had about that. And people were blatant, and they didn't care, and I don't know. I mean, certainly, from where I'm sitting, I'm hearing it all night but I'm right near the Town of Wallkill border also, too.

I don't know, it just seems like four days of this, it's too much. And I think people have to look sort of at being good people and good neighbors on top of just having their own fun because, if you look on social media, your neighbors don't necessarily want this either.

So, anyway, thank you to everybody for doing what they do. Thanks.

PRESIDENT RODRIGUES: Alderman Green.

ALD. GREEN: Thank you.

I'll start out by saying that we will have our 2nd Ward constituents meeting here in City Hall on the 11th, Monday. So, I hope to see everyone out here. That will be at 7:00 P.M.

Also, you know with regard to the fireworks, I told myself this year I wouldn't let it get to me and everyone in my family said that's not true. And they were right because I expected a little better out of everyone.

The city put on an amazing show up at Davidge Park. The weather didn't keep anyone away. I was up there early and then, I'm fortunate enough to be able to watch it inside with my family from where I live. So, it was a wonderful show and a wonderful crowd.

But you know the fireworks didn't end up at Davidge Park. And it is, it's blatant disrespect to your neighbors, to the laws of the city, to animals, to veterans. You know we do our show. It's planned. People know it's going to happen. But nobody expects it to go off in your backyard at 1:30 P.M. -- or 1:30 P.M. Excuse me. There were some at 1:30 P.M. -- or even you know past 2:00 in the morning, which is, frankly, ridiculous and obscene.

So, I do want to commend the Police Department. Last night, I was out. There was a fire call at Watts Park, where a piece of city property, regardless of how little, was destroyed by fireworks. So, you know I drove around after that for a few minutes and there were police everywhere. And Chief, I will say, even I heard fireworks go off and I was like oh, I know right where that is. You drive right to that area; you can't see it. So, people are doing it and they know you are around. And it's unfortunate

that it has to be that way.

So, do better, please, next year, and going forward to the rest of this summer. We don't want to see what happened, unfortunately, in Goshen, where a family lost their entire home in a matter of less than an hour, all due to fireworks.

So, think about it before you act. Come out and enjoy what the city provides for you. Enjoy it with your neighbors. I hope to see you again next July.

Thank you.

PRESIDENT RODRIGUES: Alderman Kleiner.

ALD. KLEINER: Thank you.

I want to thank Maria and her staff. It was a great weekend. I thank Jimmy Sturr for being willing to come to Middletown every year. And that was a great night but the fireworks were spectacular. They were nonstop in the park and it was a good time. And I don't know how you did that keeping the rain away but it just cooperated perfectly.

And also, I thank Realynn and the whole Parks and Rec staff, and John Bianchi. And you know we used to hear there's nothing for kids to do in Middletown and you just have to laugh because there is just always so much going on. So, I thank them for all the hard work. It doesn't just happen. It takes a lot of planning, and a lot of effort, and a lot of very dedicated people.

As the Mayor mentioned, the Town of Wawayanda, the draft generic environmental statement is on Wawayanda's website and you have until July 13th to submit comments to the Planning Board. I have mine almost ready to go and it deserves all the opposition we can give it and make sure that, if it is done, it's really done right.

And our 2nd Ward constituents meeting, Andrew has mentioned, next Monday, July 11th.

And I guess that's it. Thank you.

PRESIDENT RODRIGUES: All right.

Alderwoman Ramkissoo.

ALD. RAMKISSOON: Good evening.

I don't want to repeat what everyone else has already said but Maria and your staff, every year you guys always put together an amazing July 4th weekend. So, I know you guys put a lot of work into that. So, my thanks to you for that, Realyann and Rec. Summer, it's all about Rec and it's all about what the kids are doing and you guys do a fantastic job.

You know I drop Amiya at that pool to work and those kids run all over the park. And you guys just do a monumental task of keeping a very large population of children busy and out of trouble, and I love it.

For the business of the 3rd Ward, we will be holding our 3rd Ward meeting this month. It will be the 4th Tuesday of July. I don't know the exact date off the top of my head. I say that now because I will not be at the next meeting. I'm going to be at Newark Airport getting my kid. So, I wanted to make sure everyone knew about it, since Paul will be here to piggyback.

But I wish everyone a safe and happy summer. It looks like we're off to a great start.

PRESIDENT RODRIGUES: Alderman Tobin.

ALD. TOBIN: I'd like to start out by thanking everybody that was able to

vote in the primary. I know this is a crazy year. There are so many different primaries. The next round is August 23rd. We have a congressional primary I think, at least on the Democratic side, and then, the general election in November. So, there's many different dates to vote this year. So, please keep those in mind.

I'd like to thank Maria for Rocking and Rolling in Downtown and all the exciting activities that we've been doing. So, thank you.

And of course, Realyann and the Rec Department for keeping the kids busy. I live near Academy Ave. Park. I see the kids go up. They get their lunch. They get to read a book. They get to do some crafts. It's a great opportunity for them to get out in the sun, get out of their house, get exercising, and also get a healthy lunch if they need it. So, terrific job.

I was able to attend, because I'm a Lion, the fishing derby. It was great to see kids out on the pond fishing, sponsored by the City of Middletown. The weather didn't cooperate. There wasn't a ton of fish caught but kids and the families had a great time. We had a good turnout.

And then, also, as a Lion, I was able to go to the high school scholarship awards ceremony. There was about \$3 million handed out to the scholars. It was a bright bunch of kids and really kind of made me feel good about the future of Middletown, all these great kids coming out of our high school. And so that was great to see.

And we didn't have a constituent meeting this month because it's the first Saturday of the month, the holiday. It was a holiday weekend. Our next meeting is August 6th at 10:00 a.m., Saturday.

Thank you.

PRESIDENT RODRIGUES: Thank you.

10. New Business

PRESIDENT RODRIGUES: New Business.

MR. MCCORMACK: We have a resolution sponsored by Alderman Masi, accepting a grant for \$10,098 from the New York State Division of Homeland Security and Emergency Services.

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

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Ramkissoo.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodriguez.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Witt accepting a grant for \$10,475
from the Orange County Youth Bureau.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Witt and
seconded by Alderwoman Ramkissoon.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Johnson -- I'm sorry.

Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodriguez.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Green authorizing the submission of the 2022 CDGB Action Plan.

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

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodriguez.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Kleiner authorizing the submission of

a consolidated funding application for roof replacements at the Paramount Theatre.

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

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodriguez.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderwoman Ramkissoon authorizing the submission of a consolidated funding application for the creation of a Strategic Plan for the Middletown Community Campus.

PRESIDENT RODRIGUES: Resolution sponsored by Alderwoman Ramkissoo, seconded by Alderman Green.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Ramkissoo.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodriguez.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Tobin authorizing the use of \$750,000 in additional ARPA funds for the O&W Project.

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

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodriguez.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Masi authorizing a budget transfer in the amount of \$800,000 for the O&W Station Project.

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

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodriguez.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Witt accepting a \$2,000 donation to the Middle Town Little League for park improvements.

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

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodriguez.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Green accepting a \$110 donation from the CSEA Local 917 to fund summer camp scholarships.

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

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodriguez.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Kleiner establishing a budget account line for the State Touring Route funding.

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

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Ramkissoo.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodriguez.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderwoman Ramkissoo authorizing the 2022

Run 4 Downtown.

PRESIDENT RODRIGUES: Resolution sponsored by Alderwoman
Ramkissoo, seconded by Alderman Green.

Any discussion?

I just hope somebody doesn't cheat next time. If you're going to walk it,
you walk it. If you're going to run, you run. I'm just saying.

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Ramkissoo.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodriguez.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Tobin awarding annual chemical bids.

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

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodriguez.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Masi awarding the annual disposal of construction and demolition debris bids.

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

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodriguez.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Witt awarding the annual electric maintenance work bid.

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

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodriguez.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Green awarding the annual HVAC maintenance work for city buildings and facilities bid.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Green, sponsored by Alderman Ramkissoo.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Ramkissoo.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodriguez.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Kleiner awarding the annual plumbing maintenance work bid for city buildings and facilities.

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

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodriguez.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderwoman Ramkissoon awarding the annual disposal of aluminum, metal, appliances, and cast iron bid.

PRESIDENT RODRIGUES: Resolution sponsored by Alderwoman Ramkissoo, seconded by Alderman Green.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Ramkissoo.

ALD. RAMKISSOO: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodriguez.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Tobin awarding the annual water pipe and gray iron castings bid.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Tobin, seconded by Alderwoman Ramkissoo.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodriguez.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Masi designating the DPW Commissioner as the certifying officer for the CDBG funding for the O&W building and restoration project.

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

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Ramkissoo.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodriguez.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Witt authorizing a \$6,000 budget transfer for costs associated with the Heritage Trail property purchases.

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

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodriguez.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

11. Local Laws

PRESIDENT RODRIGUES: Local Laws.

MR. MCCORMACK: We have a local law sponsored by Alderman Masi.

It's Local Law #5 of 2022 creating the position of the Deputy Treasurer.

PRESIDENT RODRIGUES: First reading, correct?

MR. MCCORMACK: Correct.

PRESIDENT RODRIGUES: All right.

12. Audit of Claims and Accounts

PRESIDENT RODRIGUES: Audit.

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

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

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodriguez.

PRESIDENT RODRIGUES: Aye.

13. Adjournment

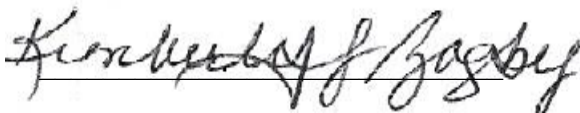
PRESIDENT RODRIGUES: Motion for adjournment?

UNIDENTIFIED SPEAKER: So moved.

(Proceeding concluded.)

CERTIFICATION

I, KIMBERLY J. ZOGBY, certify that the foregoing transcript of the July 5, 2022 Middletown City Council meeting was prepared using the required transcription equipment and is a true and accurate transcript of the recording.

A handwritten signature in cursive script, reading "Kimberly J. Zogby", written over a horizontal line.

AMERICAN LEGAL TRANSCRIPTION

11 Market Street, Suite 215

Poughkeepsie, New York 12601

Dated: July 15, 2022

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Witt

Date of Adoption 07.05.22

Index No: 138-22

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	7			2

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.

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

THE FOLLOWING WAS PRESENTED

By Ald. Witt

Sec'd by Ald. Ramkissoon

Date of Adoption 07.05.22

Index No: 139-22

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	7			2

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.

**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 07.05.22

Index No: 140-22

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	7			2

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, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner

Sec'd by Ald. Tobin

Date of Adoption 07.05.22

Index No: 141-22

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	7			2

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, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoon

Sec'd by Ald. Green

Date of Adoption 07.05.22

Index No: 142-22

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	7			2

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

THE FOLLOWING WAS PRESENTED

By Ald. Tobin

Sec'd by Ald. Masi

Date of Adoption 07.05.22

Index No: 143-22

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	7			2

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.

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Witt

Date of Adoption 07.05.22

Index No: 144-22

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	7			2

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. Witt

Sec'd by Ald. Tobin

Date of Adoption 07.05.22

Index No: 145-22

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	7			2

**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.

**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 07.05.22

Index No: 146-22

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	7			2

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner

Sec'd by Ald. Green

Date of Adoption 07.05.22

Index No: 147-22

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	7			2

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.

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

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoon

Sec'd by Ald. Green

Date of Adoption 07.05.22

Index No: 148-22

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	7			2

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.

ROUTE: Map attached to this Resolution.

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

THE FOLLOWING WAS PRESENTED

By Ald. Tobin

Sec'd by Ald. Masi

Date of Adoption 07.05.22

Index No: 149-22

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	7			2

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

**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 07.05.22

Index No: 150-22

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	7			2

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

**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 07.05.22

Index No: 151-22

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	7			2

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).

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

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Ramkissoon

Date of Adoption 07.05.22

Index No: 152-22

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	7			2

**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.

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

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner

Sec'd by Ald. Tobin

Date of Adoption 07.05.22

Index No: 153-22

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	7			2

**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.

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

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoon

Sec'd by Ald. Green

Date of Adoption 07.05.22

Index No: 154-22

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	7			2

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.

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

THE FOLLOWING WAS PRESENTED

By Ald. Tobin

Sec'd by Ald. Ramkissoon

Date of Adoption 07.05.22

Index No: 155-22

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	7			2

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 1/2⁰ bend imported @ \$472.00 ea.

-45⁰ bend imported @ \$472.00 ea.

Fittings for 12" pipe - 11 1/4⁰ bend imported @ \$597.00 ea.

- 22 1/2⁰ bend imported @ \$614.00 ea.

- 45⁰ bend imported @ \$652.00 ea.

-90⁰ 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)**

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Witt

Date of Adoption 07.05.22

Index No: 156-22

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	7			2

Resolution Designating the DPW Commissioner for 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. Witt

Sec'd by Ald. Kleiner

Date of Adoption 07.05.22

Index No: 157-22

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	7			2

**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. Masi

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.

**CITY OF MIDDLETOWN
NOTICE OF PUBLIC HEARING
Local Law Number 5 of 2022**

Notice is hereby given that the City of Middletown will hold a public hearing on Monday, August 1, 2022, on or as near to 7:30 p.m. as possible, Common Council Chambers, 2nd floor, 16 James Street at 7:30PM, to hear any and all persons wishing to be heard on the recently passed Local Law Number 5 of 2022 regarding:

A LOCAL LAW CREATING THE POSITION OF DEPUTY TREASURER

A full text of Local Law Number 5 of 2022 is available in the office of the Common Council Clerk, City Hall, 16 James Street, Room 12 and on the City Website.

Richard P. McCormack
City Clerk

Publish: 7/21/22 & 7/22/22
City Website

LOCAL LAW #5 OF 2022

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LOCALiQ

Observer-Dispatch
Times Telegram | New Jersey Herald
Times Herald-Record

PO Box 631202 Cincinnati, OH 45263-1202

PROOF OF PUBLICATION

Richard McCormack
NANCY T
Middletown, City
16 JAMES STREET
MIDDLETOWN NY 10940

STATE OF NEW YORK, COUNTY OF ORANGE

The Times Herald-Record, a daily newspaper distributed in the Orange, Ulster, Pike, PA and Sullivan Counties, published in the English language in the City of Middletown, County of Orange, State of New York printed and published and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issues dated on:

07/21/2022, 07/22/2022

and that the fees charged are legal.
Sworn to and subscribed before on 07/22/2022

Legal Clerk _____
Notary, State of WI, County of Brown _____
7/27/22

My commission expires

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CITY OF MIDDLETOWN NOTICE OF PUBLIC HEARING

Local Law Number 5 of 2022

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A full text of Local Law Number 5 of 2022 is available in the office of the Common Council Clerk, City Hall, 16 James Street, Room 12 and on the City Website.

Richard P. McCormack
City Clerk

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 08.01.22

Index No: 164-22

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 contract amendment with CDM Smith and a Budget Transfer

RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes an amended contract with CDM Smith for the review of the Town of Wawayanda Dolsontown Corridor Development DGEIS, increasing from \$25,000* to \$50,000.

RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the Mayor to sign the amended agreement.

RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$25,000 in the following manner to cover the additional cost inquired from the CDM Smit Contract for The Dolsontown Corridor Development DGEIS.

FROM	AMOUNT	TO
General Fund Balance	\$25,000	A.1490.400
		Contractual Services

*CDM spent \$35,000 to review and prepare comments to the DGEIS thus far.

Richard McCormack

From: J Tawil <jtawil14@yahoo.com>
Sent: Tuesday, July 19, 2022 10:29 AM
To: Joseph DeStefano; J Miguel Rodrigues; Joseph Masi Yahoo; Leonora Liz
Cc: Katie Gass; Erica Letos; Richard McCormack
Subject: Fw: Dolson Corridor DGEIS Review Amendment No. 1
Attachments: Middletown Dolson Corridor DGEIS Review Amenment No. 1 20220719.pdf

Greetings,

Please find the enclosed amendment request from CDM Smith for increasing their City authorized funding for the review of the Town of Wawayanda Dolsontown Corridor Development DGEIS from \$25,000 to \$50,000. Per CDM Smith, they have spent \$35,000 so far in reviewing and preparing comments for the submitted DGEIS.

I am requesting to place this item on the next BOE agenda and to transfer the \$25K from General Fund to the project established account (City Treasurer Leonora or Erica will provide the account number)

Respectfully,

Jacob S. Tawil, P.E. | Commissioner

Department of Public Works
City of Middletown | 16 James Street |
Middletown, New York 10940 |
T: 845-343-3169 | F: 845-343-4014

 Please consider the environment before printing this email.

----- Forwarded Message -----

From: Kelly, Keith <kellykf@cdmsmith.com>
To: jtawil@middletown-ny.com <jtawil@middletown-ny.com>; Katie Gass <kgass@middletown-ny.com>
Cc: Nylic, William <nylicwj@cdmsmith.com>
Sent: Tuesday, July 19, 2022 at 08:44:30 AM EDT
Subject: Dolson Corridor DGEIS Review Amendment No. 1

Jacob, as you requested, I have attached the Dolson Corridor DGEIS Amendment Request with Task Order for execution by the City. Please let me know if you have any comments.

Thanks for the opportunity to continue to work together on this.

Keith F. Kelly, PE, BCEE
Senior Vice President



60 Crossways Park
Woodbury, New York 11797
tel: 516 496-8400
fax: 516-921-1521

July 19, 2022

Mr. Jacob Tawil, P. E.
Commissioner of Public Works
City of Middletown
16 James Street
Middletown, NY 10940

Subject: Amendment No. 1 – Additional Professional Engineering Services to Assist the City in the Review of the Dolsontown Corridor Development DGEIS Response to Comments

Dear Mr. Tawil:

Camp Dresser McKee & Smith (CDM Smith) is respectfully requesting an amendment to our contract to provide professional engineering services related to the review of responses to comments on the DGEIS for the Dolson Corridor Development project. In February of 2022, the City had approved CDM Smith's proposal for \$25,000 to obtain all documents and review the DGEIS for the Dolson Corridor Project prior to the DGEIS being issued and the amount of review work unknown at that time. CDM Smith obtained all historical documents and the DGEIS and reviewed the 40,000 plus page documents and provided the City and the Town of Wawayanda Planning Board with comments. CDM Smith has incurred a cost of \$35,000 in performing this work.

The Town of Wawayanda Planning Board is required to respond to all comments and the responses will then be reviewed by the City and CDM Smith to determine if the responses are sufficient or additional comments need to be sent in. Therefore, CDM Smith is requesting an additional \$25,000 amendment to our contract to cover the overrun to date plus to provide monies to complete the review of the response to comments. This work will be completed under the existing Master Services Agreement COM Smith has with the City. The Amendment plus the initial Authorization shall increase the total upper limit of the project to \$50,000 and all work will be invoiced to the City on a time and material basis in accordance with the Master Services Agreement (3.0 time the direct salary). The Task Order for this work is attached to this proposal.





Mr. Jacob Tawil, P.E.

July 19, 2022

Page 2

We look forward to continuing our work with the City on this important assignment. Please feel free to contact me if you have any questions regarding this scope.

Very truly yours,

A handwritten signature in black ink, appearing to read "KF Kelly".

Keith F. Kelly, P. E.

Partner

Camp Dresser McKee & Smith

cc: B Nylic, CDM Smith

**TASK ORDER NO. 9 TO
MASTER SERVICES AGREEMENT
BETWEEN
OWNER AND ENGINEER**

This is Task Order No. 9 dated July , 2022 attached to and made part of the Master Services Agreement dated March 2020, between Camp Dresser McKee & Smith (CDM Smith) (ENGINEER) and City of Middletown (OWNER).

This Task Order describes the Scope of Services, Time Schedule, Charges, and Payment Conditions for the Task Order known as:

Dolontown Corridor Development GEIS Review Amendment No. 1 (the "Project").

1. Scope of Services

ENGINEER shall provide for OWNER the following specific Services:

See Attached Proposal

2. Time Schedule

The time periods for the performance of ENGINEER's Services are as follows:

See Attached Proposal

3. Compensation and Invoicing

Compensation for Services of ENGINEER described in this Task Order will be on the following basis:

See Attached Proposal

4. Terms and Conditions

The terms and conditions of the Agreement referred to above shall apply to this Task Order except to the extent expressly modified herein. In the event of any such modification, the modification shall be set forth below and the Article of the Agreement to be modified shall be specifically referenced. Modifications included in this Task Order are:

None

5. Terms or Provisions in Conflict

If the provisions set forth in the Agreement are in conflict with the provisions set forth in this Task Order, the provisions of this Task Order shall govern.

Acceptance of the terms of this Task Order is acknowledged by the following authorized signatures of the parties to the Agreement:

OWNER

By: Joseph M DeStefano

Title: Mayor

Date: July , 2022

ENGINEER

By: Keith F. Kelly

Title: Partner

Date: July 19, 2022

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 08.01.22

Index No: 165-22

NAMES AYES NOES ABSTAIN ABSENT

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

**Resolution Authorizing a Budget Transfer for \$30,000 to
Purchase Flow Meters and Gauges**

Whereas the City water taking permit issued by the DEC has several conditions that must be implemented per a defined timeline.

Whereas some of the permit conditions requires the City to install water meters and stream flow gauges at City reservoirs.

Whereas the attached report from CDM Smith evaluated different meters and gauges and they make a recommendation to select Trimble for equipment at Mill Pond and Indigot in the amount of \$30,000.

Whereas the equipment will be purchased under Source Well contract and will be installed by DPW and the remainder of flow meters and gauges at Kinch and Shawangunk reservoirs are being included in two Capital Projects for the upgrade of both Kinch and Shawangunk dams.

NOW THEREFORE BE IT RESOLVED RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$30,000 in the following manner to cover the purchase of said equipment.

FROM	AMOUNT	TO
Water Fund Balance	\$30,000.00	F.8310.400
		Water Contractual

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: July 28, 2022

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

Cc: Leonora Liz, Treasurer and Richard McCormack, City Clerk

From: Jacob Tawil, Commissioner of Public Works

Re: Flow Meters & Gauges: Mill Pond and Indigot

As you are aware, the City water taking permit issued by the DEC has several conditions that must be implemented per a defined timeline.

Some of the permit conditions requires the City to install water meters and stream flow gauges at City reservoirs.

The enclosed report from CDM Smith evaluated different meters and gauges and they make a recommendation to select Trimble for equipment at Mill Pond and Indigot in the amount of \$30,000. Equipment will be purchased under Source Well contract and will be installed by DPW. The remainder of flow meters and gauges at Kinch and Shawangunk reservoirs are being included in two Capital Projects for the upgrade of both Kinch and Shawangunk dams.

We are respectfully requesting a transfer of funds from the Water Fund Balance to Water Contractual, F.8310.400, to cover this cost.

FROM	AMOUNT	TO
Water Fund Balance	\$30,000.00	F.8310.400 Water Contractual

Thank you.

JT/kg



11 British American Boulevard, Suite 200

Latham, NY 12110

tel: 518 782-4500

fax: 518 786-3810

July 14, 2022

Mr. Jacob Tawil, P.E.
Commissioner of Public Works
City of Middletown
16 James Street
Middletown, NY 10940

Subject: City of Middletown – Water Withdrawal Condition
Raw Water Flow Meter and Stream Gauge Equipment Project
Recommendation of Equipment Award

Dear Commissioner Tawil:

In accordance with the Water Withdrawal Permit 3-3399-00085/00001, the City of Middletown is required to install the following flow metering and stream flow monitoring devices:

- Flow meter to monitor the flow from Kinch Pond to the Shawangunk Reservoir.
- Flow meter on Kinch Pond bypass culvert to monitor the release flows from Kinch Pond to the Shawangunk Kill.
- Flow meter to monitor the flow from Shawangunk Reservoir to the Monhagen Reservoir.
- Stream gauge monitoring of the flow from Mill Pond into the Shawangunk Kill whenever the City is transferring water from Mill Pond to the Shawangunk Reservoir
- Stream gauge monitoring Indigot Creek at the Indigot Creek Weir whenever the City is transferring water from Indigot Creek to the Shawangunk Reservoir

Project Background

In June 2020, CDM Smith submitted updated Stream Gauge design plans to NYSDEC for review to monitor flow into the Shawangunk Kill at Mill Pond and Indigot Creek when these temporary supply sources are in use. In August 2020, CDM Smith also submitted Raw Water Flow Meter design plans to NYSDEC for review to monitor the flow from Kinch Pond to the Shawangunk Reservoir and Shawangunk Reservoir to the Monhagen Reservoir.

Since those submittals and according to final Water Withdrawal Permit 3-3399-00085/00001, Permit Condition #8, a flow measurement device must also be installed on the Kinch Pond bypass culvert to monitor the release flows from Kinch Pond to the Shawangunk Kill. As part of the City's requested Raw Water Flow Meter design update, CDM Smith performed a review of currently available remote monitoring devices to be used at all the flow metering and stream gauge monitoring sites and obtained preliminary equipment price quotes for the City.





Mr. Jacob Tawil, P.E.

July 14, 2022

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Remote Flow Monitoring Equipment Evaluation Summary

See Attachment 1 for the remote flow monitoring equipment quotes from IEI (based on the Campbell Scientific system), Telog, and the Carl Lueders (based on the Ayyeka system). Based on the IEI quotes, the cost for the Mill Pond Steam Gauges Flow Meter System, the Indigot Creek Steam Gauges Flow Meter System and the two Kinch Pond Area-Velocity Flow Meters is approximately \$50,000 (without the Shawangunk Flow Meter). With the Shawangunk Flow Meter, the estimated cost for IEI/Campbell Scientific system is over \$60,000. Likewise, the estimated cost for the Telog system and the Ayyeka system were approximately \$30,000 and \$25,000, respectively.

In addition to cost comparison, the CDM Smith developed the following list of pros and cons.

Flow Meter System	Pros	Cons
IEI/Campbell Sci System	- Less maintenance since the system is solar powered so no need to replace batteries and their area velocity flow meter does not use desiccant so no need to replace desiccant drier - Cost includes the mounting system for the radar water level system at Mill Pond and Indigot Creek - No limit on area velocity flow meter cable length, so units can be installed in the gate houses	- Cost – More money than Telog and Ayyeka systems - Vendor is not local - Area velocity flow meter not suitable (pressure rating wise) for the Shawangunk Res, so different a flow meter will be needed
Telog System	- Cost – Less money than IEI/Campbell Sci - Local company and Aaron Associates can assist if needed with integrating the system with SCADA - Small system with no solar panels so easier to deploy at Mill Pond and Indigot Creek - City can integrate more Telog devices in the future	- City will need to provide mounting system for radar water level system at Mill Pond and Indigot Creek - Batteries and desiccants will need to be replaced very frequently - Area-velocity flow meter cable is limited to 30-ft so Telog units can't be installed within the gate houses
Lueders/Ayyeka System	- Cost – Lowest cost system - Small system with no solar panels so easier to deploy at Mill Pond and Indigot Creek - City can integrate more Ayyeka devices in the future	- Vendor is not local - City will need to provide mounting system for radar water level system at Mill Pond and Indigot Creek - Batteries and desiccants will need to be replaced very frequently - Area-velocity flow meter cable is limited and can't be installed within the gate houses



Mr. Jacob Tawil, P.E.

July 14, 2022

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Remote Flow Monitoring Equipment Reference Check

As requested by the City of Middletown, the project team spoke with Michael Coyle at CSL Services (mcoyle@cslservices.com) for reference for Telog system with FloWav sensor (5/16/2022) and ultrasonic water level sensor (5/31/2022). CSL Services is a flow metering company and have installed and maintained over 600 meters.

CSL Services uses the FloWav air/velocity meter with the Telog System for sewer flow monitoring. Michael stated that the old system that they have is "good" but the RU35 unit (which are planned for Middletown) appears to be more user friendly.

CSL Services also uses the ultrasonic water level sensor with the Telog System for sewer overflow monitoring. Michael stated that the ultrasonic water level sensor supplied by Telog is manufacturer by Massa and the units work well.

Remote Flow Monitoring Equipment Evaluation Conclusion and Recommendation to Award Work

Overall, based on the initial price quotes, the systems pros and cons, and the reference check, CDM Smith recommends the Telog System. This recommendation is based on Telog's proven technology record and local presence (a Rochester based company with a long-time local representative located 30-minutes from Middletown). It is our opinion that Telog will provide the City with the best overall system from an initial cost and long-term service and support.

As such, CDM Smith recommends that City proceed with the purchasing of the Telog equipment for the Mill Pond and Indigot Creek Stream Gauge as soon as possible for the City to complete the stream gauge equipment installation by October 28, 2022.

Please also note that CDM Smith has already incorporated the Telog based flow metering system into the plans submitted to NYSDEC by CT Male as part of the Kinch Pond Dam Rehabilitations Project and Shawangunk Reservoir Dam Rehabilitations Project.

CDM Smith looks forward to continuing to support the City in this project. If you have any questions regarding this letter or require any additional information, please call me at 518-782-4530.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Cabral", written over a circular stamp or seal.

Paul R. Cabral, P.E.,

Project Manager

Camp Dresser McKee & Smith

cc: K. Kelly, CDM Smith

**Attachment 1 –
Remote Flow Monitoring System Budgetary Quotes**



Intermountain Environmental, Inc.
601 W 1700 S, Ste 120
Logan, UT 84321-8247

PH: (435) 755-0774

Web: inmtn.com

Fed ID: 87-0502649

DUNS: 80-936-8012

QUOTATION

Date	Quote #
01/21/22	IEIQ13306-01

To: CDM Smith
Paul Cabral
11 British American Blvd
Latham, NY 12110

Phone: 5187824530

e-Mail: CabralPR@cdmsmith.com

Ship To: CDM Smith
Paul Cabral
11 British American Blvd
Latham, NY 12110

Phone : 5187824530

e-Mail : CabralPR@cdmsmith.com

Quoted By	Terms	Ship Via	FOB
Josh Hanks	Upon Approval	Best Way	Lgn,Ppd & Add

Model #	Description	Qty	Unit Price	Ext. Price
** BUDGETARY QUOTE **				
DATALOGGER, POWER, ENCLOSURE				
CR350-NA	CR350 Datalogger (-40 to +70C) -NA No Additional Coms	1	\$990.00	\$990.00
ENC14/16-SC-NM	Weather-Resistant 14 x 16 inch Enclosure -SC 1 Conduit for Cables -NM No Enclosure Mounting	1	\$392.00	\$392.00
CELL205-AT-250-Y1	CELL205 4G LTE Cat1 Cellular Module for AT&T (-40 to +80C) - AT AT&T North America - 250 250MB/MON Data Plan - Y1 1 Year	1	\$722.00	\$722.00
SS-6-12V	Battery Charging Regulator (12 Vdc, 6.5 Amp) 3ft cable with tinned wires and spade connectors	1	\$73.00	\$73.00
38485	4G/3G 9 dBi MIMO Cellular Antenna with 2 Type N Female Connectors	1	\$245.00	\$245.00
COAXSMA-L10	Antenna Cable LMR195 w/SMA & Type N Male Connector [no restocks] -L10 10 ft cable length	2	\$91.00	\$182.00
60 J	60 W Solar Panel, 17.9V, 3.35A, 15 ft. cable	2	\$220.00	\$440.00
SLB-0113	Pole Mount, Side of Pole, for 60J and 90J Panels	2	\$101.00	\$202.00
AVFM6.1 FLOW SYSTEM				
AVFM-6.1	[B-1-A-1-A1-1-B-1-A] Area-Velocity Flow Meter Version 6.1 (DC Power) (see specification sheet for more details) - QZ02L sensor: measures flow Velocity and Level simultaneously - Sensor cable: 50 ft / 7.6 m submersible	2	\$3,975.00	\$7,950.00
SPC-OTH	Pipe Mounting Band 24" Pipe	2	\$593.75	\$1,187.50
INSTALLATION & PROGRAMMING				
SV-INS	On-site installation and system programming	1	\$5,125.00	\$5,125.00

Model #

Description

Qty

Unit Price

Ext. Price

Cost Shown for the two flow meters at
Kinch Pond Site ~\$18,000
Total with Shawangunk ~ \$35,000

SubTotal	\$17,508.50
Sales Tax	\$0.00
Est. Shipping & Insur.	\$240.00
Total	\$17,748.50

We appreciate the opportunity to provide this quotation. Please feel free to contact us with any questions or comments.

Quoted PRICES are good for 30 days. DELIVERY times will vary, 25 - 30 business days is typical. * SHIPPING CHARGES are estimated, actual shipping charges will be F.O.B. Logan, UT, with freight and insurance prepaid and added to the invoice as a separate item unless noted otherwise. Items listed with a item code starting with SPC- are not returnable. All products are covered by the manufacturers WARRANTY which is typically 12 months unless otherwise noted. All returned products are subject to a minimum 15% RESTOCKING FEE for products returned within 60 days, with original packaging (\$50 minimum). PAYMENT TERMS: Net 30 for approved Purchase Orders. VISA, MasterCard, American Express are accepted however invoices over \$3000 will incur a 2.5% surcharge. We also accept payments by US Check, ACH, or Wire Transfer. Our banking information is available upon request. A finance fee of 1.5% (18% annual) per month will be charge on past due accounts.



Intermountain Environmental, Inc.
601 W 1700 S, Ste 120
Logan, UT 84321-8247

PH: (435) 755-0774

Web: inmntn.com

Fed ID: 87-0502649

DUNS: 80-936-8012

QUOTATION

Date	Quote #
03/03/22	IEIQ13327-01

To: CDM Smith
Paul Cabral
11 British American Blvd
Latham, NY 12110

Phone: 5187824530

e-Mail: CabralPR@cdmsmith.com

Ship To: CDM Smith
Paul Cabral

Phone : 5187824530

e-Mail : CabralPR@cdmsmith.com

Quoted By	Terms	Ship Via	FOB
Josh Hanks	Upon Approval	Best Way	Lgn, Ppd & Add

Model #	Description	Qty	Unit Price	Ext. Price
MILL POND & INDIGOT CREEK GAUGES				
CR350-NA	CR350 Datalogger (-40 to +70C) -NA No Additional Coms	2	\$990.00	\$1,980.00
ENC14/16-NC-MM	Weather-Resistant 14 x 16 inch Enclosure -NC No Conduit/Entry Seal -MM Tripod Mast Mounting	2	\$438.00	\$876.00
BP24	12V, 24Ahr, Sealed Rechargeable Battery, Mounting Bracket, Cable with plug and pigtail	2	\$237.00	\$474.00
20 J	20 W Solar Panel, 17.9V, 1.12A, 15 ft. cable	2	\$150.00	\$300.00
SLB-0112	Pole Mount, Side of Pole, for 20J and 40J Panels	2	\$46.00	\$92.00
CELL210-ND	CELL210 4G LTE Cat1 Cellular Module for Verizon (-40 to +80C) - ND No Data Provisioning	2	\$510.00	\$1,020.00
18663	Data Cable Null Modem DB9 Male to Male, 1ft	2	\$5.50	\$11.00
32256	4G/3G/2G Cellular Dipole 0dBd Whip Antenna, Hinged w/SMA Connector	4	\$25.25	\$101.00
CS475A-L15-PF	Radar Water Level Sensor, 114.8ft Max Distance (-40 to +50C) -L15 15ft cable length -PF w/Ferrules on Wires	2	\$2,517.70	\$5,035.40
QST6-NC	6 ft Quick-Setup Tripod for Temporary Installations -NC No Case/Tote	2	\$505.00	\$1,010.00
SENSOR MOUNTING				
CM340	J-Bolt Pedestal Kit for Mounting Pole	1	\$238.00	\$238.00
CM310-NP	56 inch Mounting Pole w/Cap -NP No Pedestal Base	1	\$118.00	\$118.00
CM210	Crossarm-To-Pole Mounting Kit	4	\$68.00	\$272.00
CM206	Sensor Crossarm w/one CM210 Mounting Kit, 6ft	2	\$157.00	\$314.00
CMB200-NF	Crossarm Brace Kit -NF No Special Finish	4	\$175.00	\$700.00
CM505	LIMITED AVAILABILITY 96 inch Galvanized Mounting Pole w/J-Bolts & Grounding Kit	1	\$533.00	\$533.00
LoggerNetAdm-DD	Admin Datalogger Support Software (Server and Clients) [no restocks] [90 day warranty] -DD Download, USB & CD	1	\$1,572.50	\$1,572.50

Model #	Description	Qty	Unit Price	Ext. Price
	** BUDGETARY INSTALLATION FEE			
SV-INS	Installation, Training and Manual (see scope of work) - Install enclosure on mast - Install Sensor on mount arms and wire to logger - Program for measurements and data collection - Train users on data collection and maintenance - Provide basic operations manual (PDF) (2-3 page)	1	\$10,000.00	\$10,000.00
SubTotal				\$24,646.90
Sales Tax				\$0.00
Est. Shipping & Insur.				\$250.00
Total				\$24,896.90

We appreciate the opportunity to provide this quotation. Please feel free to contact us with any questions or comments.

Quoted PRICES are good for 30 days. DELIVERY times will vary, 25 - 30 business days is typical. * SHIPPING CHARGES are estimated, actual shipping charges will be F.O.B. Logan, UT, with freight and insurance prepaid and added to the invoice as a separate item unless noted otherwise. Items listed with a item code starting with SPC- are not returnable. All products are covered by the manufacturers WARRANTY which is typically 12 months unless otherwise noted. All returned products are subject to a minimum 15% RESTOCKING FEE for products returned within 60 days, with original packaging (\$50 minimum). PAYMENT TERMS: Net 30 for approved Purchase Orders. VISA, MasterCard, American Express are accepted however invoices over \$3000 will incur a 2.5% surcharge. We also accept payments by US Check, ACH, or Wire Transfer. Our banking information is available upon request. A finance fee of 1.5% (18% annual) per month will be charge on past due accounts.



We appreciate your business, if you have any questions your Trimble Account Executive and Quotation number is outlined below:

Account Executive: Kerry Hoffman
 Quote Number: Q-27065-1
 Notes/Additional Terms:

Contact Information

Quote PDF Created 4/8/2022
 Date:

Purchaser: CDM Smith - MA

Expiration Date: 5/8/2022

Ship to Name: CDM Smith - MA
 Ship to: 50 Hampshire Street

Bill to Name: CDM Smith - MA
 Bill to: 50 Hampshire Street
 Cambridge, MA
 2139

Main Contact: Paul Cabral

Main Contact Email:

Main Contact Phone:

Quote Lines

Product Code	Product	MSRP	Sales Price	Quantity	Total Price
23-1077	Ru-35,2 analog,2 digital,2 comms inputs,LTE Cat/M1 Verizon, Ext Antenna Conn, Bluetooth, TRMB Act	USD 3,095.00	USD 3,095.00	4.00	USD 12,380.00
A-PMA-LTE	Pole Mount Antenna for LTE Modems	USD 150.00	USD 150.00	2.00	USD 300.00
UT-35U-150-030	Smart ultrasonic transmitter	USD 1,375.00	USD 1,375.00	2.00	USD 2,750.00
PSA-35-AV	FloWav Area Velocity and Level Sensor with 30' cable	USD 2,650.00	USD 2,650.00	3.00	USD 7,950.00
MH-SJ-24-30	24"-30" Adjustable Band w/Scissor Jack Spreader Assembly	USD 535.00	USD 535.00	1.00	USD 535.00
S-3PC	Telogers for Windows	USD 495.00	USD 495.00	1.00	USD 495.00
CU-CTS	Communication/Tamper Switch Cable, 8 feet in length	USD 225.00	USD 225.00	1.00	USD 225.00
C-BLE-D	Bluetooth USB	USD 30.00	USD 30.00	1.00	USD 30.00
MH-SJ-21-24	21"-24" Adjustable Band w/Scissor Jack Spreader Assembly	USD 515.00	USD 515.00	1.00	USD 515.00
TW-UNITY-RTU-SF	Trimble Unity RTU Activation Fee	USD 75.00	USD 75.00	2.00	USD 150.00
TW-UNITY-RMBC-SS	Trimble Unity Remote Monitoring Basic Subscription - Cellular (32/33/35 Series Plan)	USD 240.00	USD 240.00	2.00	USD 480.00

Product Code	Product	MSRP	Sales Price	Quantity	Total Price
MH-SJ-29-36	29"-36" Adjustable Band w/Scissor Jack Spreader Assembly	USD 560.00	USD 560.00	1.00	USD 560.00
TOTAL:					USD 26,370.00

Quotation & Shipping Terms

Payment Terms: Net 30

FOB Method:

SHIP DOCK - FOB Shipping Dock
(Customer Pays Freight)

Lead Time:

Shipping Method:

GROUND - Ground Service

Terms and Conditions of Sale

The Trimble Utilities general Terms and Conditions of Sale are located [here](#).

Applicable Terms and Conditions:

Additional Quotation Notes

1. Customer is responsible for shipping charges to destination and charges will be added at the time of shipment. If an estimate of the freight charge is required contact Trimble Utilities Inside sales at the email below.

2. Applicable taxes will be added to the order and invoice following booking of the order.

If you have any questions contact Trimble Utilities Inside sales at TrimbleWater_InsideSales@trimble.com.

Prepared By: Kerry Hoffman

To accept this quotation, please provide a Purchase Order, or return a signed copy of this quote clearly referencing the Quotation Number to proceed:

Please send the signed quote to TrimbleWater_InsideSales@trimble.com. We appreciate the opportunity to serve your organization.

Cabral, Paul

From: Mark Lueders <markalueders@cs.com>
Sent: Tuesday, April 12, 2022 11:49 AM
To: Cabral, Paul
Cc: yaakov.rabi@ayyeka.com; Mark Lueders
Subject: Budget Pricing for Middletown Project
Attachments: Wavelet 4R_20201025-2.pdf

Follow Up Flag: Follow up
Due By: Friday, May 27, 2022 8:00 AM
Flag Status: Flagged

Paul,

I finally was able to piece together what may be a solution for you using the Ayyeka Wavelets

(5) Wavelet 4R \$850 ea \$4250
(5) Antenna \$95 ea \$475
(2) Low Power Radar Level \$950 ea \$1900
(2) Low Power AVFM Sensor \$4300 ea \$8600
(5) Cables \$165 \$825
(3) Wall Plugs (\$60 ea) \$180
(4) LearnWave Training and Setup (\$250 ea) \$1000
(2) Set up McCrometer Sensor (\$200) \$400
(1) McCrometer SPI Mag \$6100
(5) ASC240 User Interface (\$240) \$1200

Total Cost \$24,930

Let me know if you have any questions on this.

Regards,

Mark Lueders
Carl Lueders & Company
258 Main Street, Unit #7
Medfield, MA 02052
508-359-7577
(c) 617-435-4622

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 08.01.22

Index No: 166-22

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 \$8.5 Million Bond for Raw Water Line Replacements at the Reservoir

RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes a bond resolution in the amount of \$8,500,000.00 for the construction of the raw water line replacement from Kinch Reservoir to Shawangunk Reservoir. This bond resolution is required in order for the City to apply for the WIIA Grant through NYS/SRF.

If successful, the grant will fund 60% of the project, up to a maximum amount of \$5,000,000.00.

This WIIA grant application submission deadline is September 9, 2022 and will require SEQRA completion and adoption of this bond resolution. Mr. Tom Myers, our bond counsel, must be involved in the formulation of the bond resolution as recommended by SRF.

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: July 28, 2022

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

Cc: Leonora Liz, Treasurer and Richard McCormack, City Clerk

From: Jacob Tawil, Commissioner of Public Works

Re: Bond Resolution for Raw Water Line Replacement- Kinch to Shawangunk

We are requesting authorization for a bond resolution in the amount of \$8,500,000.00 for the construction of the raw water line replacement from Kinch Reservoir to Shawangunk Reservoir. This bond resolution is required in order for the City to apply for the WIIA Grant through NYS/SRF.

If successful, the grant will fund 60% of the project, up to a maximum amount of \$5,000,000.00.

This WIIA grant application submission deadline is September 9, 2022 and will require SEQRA completion and adoption of this bond resolution. Mr. Tom Myers, our bond counsel, must be involved in the formulation of the bond resolution as recommended by SRF.

Thank you.

JT/kg

BOND RESOLUTION

At a regular meeting of the Town Board of the Town of [REDACTED] County, New York, held at the Town Hall, [REDACTED] New York, in said Town, on [REDACTED] 2016, at 7:30 o'clock P.M., Prevailing Time.

The meeting was called to order by [REDACTED] and upon roll being called, the following were

PRESENT:

[REDACTED], Town Supervisor
[REDACTED] Councilman
[REDACTED]e, Councilman
[REDACTED]ouncilman
[REDACTED] Councilman

ABSENT:

The following resolution was offered by Councilman [REDACTED] who moved its adoption, seconded by Councilman [REDACTED]-wit:

BOND RESOLUTION DATED MAY 17, 2016.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$[REDACTED] SERIAL BONDS OF THE TOWN OF [REDACTED] [REDACTED] COUNTY, NEW YORK, TO PAY THE COST OF THE ESTABLISHMENT OF [REDACTED] WATER DISTRICT IN AND FOR SAID TOWN.

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 12-A of the Town Law, the Town Board of the Town of [REDACTED] [REDACTED] County, New York, has established [REDACTED] Water District in the Town of [REDACTED] (the "Water District"); and

WHEREAS, the improvements for said Water District shall consist of the construction of a water distribution system, including purchase and installation of new 16-inch and 8-inch ductile iron water mains, including original furnishings, hydrants, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith; and

WHEREAS, the maximum amount proposed to be expended by the Water District for said improvements is [REDACTED] and

WHEREAS, said capital project has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, it has been determined will not result in a significant adverse environmental impact; and

WHEREAS, it is now desired to authorize said improvement and the financing thereof;
NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of [REDACTED] [REDACTED] County, New York,
as follows:

Section 1. The cost of the construction of a water distribution system for the [REDACTED] Water District in the Town of [REDACTED] County, New York, including purchase and installation of new 16-inch and 8-inch ductile iron water mains, including original furnishings, hydrants, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$[REDACTED], and there are hereby authorized to be issued [REDACTED] serial bonds of the Town of [REDACTED] County, New York pursuant to the provisions of the Local Finance Law to pay the cost thereof.

Section 2. It is hereby determined that the plan for the financing of said specific object or purpose shall consist of the issuance of the \$[REDACTED] serial bonds of said Town authorized to be issued pursuant to this bond resolution; **provided, however,** that to the extent that any grants-in-aid are received for such specific object or purpose, the amount of bonds to be issued pursuant to this resolution shall be reduced dollar for dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is 40 years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said ^{City} Town of [REDACTED] County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such bonds as the same respectively become due and payable. To the extent not provided from other sources, there shall be annually assessed upon the taxable real property in said Water District at the same time and in the same manner as other Town charges, an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all

the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due.

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

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the Town, including, but not limited to, the power to sell said serial bonds to the New York State Environmental Facilities Corporation, provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of

said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the Supervisor shall determine.

Section 8. The Supervisor is hereby further authorized, at his sole discretion, to execute a project financing and/or loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a serial bond, and, or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated

to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The intent of this resolution is to give the Supervisor sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds and, or notes without resorting to further action of this Town Board.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. The validity of such bonds and bond anticipation notes may be contested only if:

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

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

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

Section 13. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

████████████████████	VOTING	YES
████████████████████	VOTING	YES
████████████████████	VOTING	YES
████████████████████	VOTING	YES
████████████████████	VOTING	YES

The resolution was thereupon declared duly adopted.

* * * * *

STATE OF NEW YORK)
) ss.:
COUNTY OF [REDACTED])

1. That a meeting of the Issuer was duly called, held and conducted on the [REDACTED] day of May, 2016.
2. That such meeting was a **regular** meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (*the meeting at which the proceeding was adopted*) was caused to be given **PRIOR THERETO** in the following manner:

██████████t – January 15, ██████████

Signboard at the Town Clerk's Office

(CORPORATE SEAL)

Town Clerk

RESOLUTION #XX-XXXX

RESOLUTION AUTHORIZING THE MAYOR AND COMMISSIONER OF PUBLIC WORKS TO ACT ON BEHALF OF THE CITY OF MIDDLETOWN FOR THE PURPOSE OF PURSUING A NYS WATER INFRASTRUCTURE IMPROVEMENT ACT (WIIA) GRANT FROM THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION (NYSEFC)

On motion of XXXX, seconded by XXXX, the following resolution was adopted by the Common Council of the City of Middletown, New York:

WHEREAS, the City of Middletown, New York ("the City") has determined that it is in the public interest and will benefit the residents of the City and the environment to construct certain improvements to the City's water system, specifically the raw water transmission line from Kinch Pond to the Shawangunk Reservoir; and

WHEREAS, said improvements are identified and described in an Engineer's Report from CPL, dated August 2019 (the "Engineering Report"); and

WHEREAS, the City desires to seek funding assistance to help decrease the amount of Bond monies used for the water system improvements; and

WHEREAS, the Water Infrastructure Improvement Act (the "WIIA") through the New York State Environmental Facilities Corporation ("NYSEFC") provides a grant program for such improvements, which, if awarded, would cover up to the lesser of \$5,000,000 or 60% of net eligible project costs, thus reducing the City's Bond Obligations.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Commissioner of Public Works, with the assistance of the City Engineering consultants, may make application and submit a WIIA grant application.

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 08.01.22

Index No: 167-22

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 proposal from Clark Patterson Lee for Setting
Concrete Monuments at Mountain Avenue**

RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the attached proposal from CPL dated July 22, 2022 in order to place concrete monuments at the newly created lot for the Mountain Ave tank. Part of the new lot is being purchased from the Carmelites and is in the Town of Wallkill.

The requested fee of \$3,500 will be funded from the available project funding line.

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: July 28, 2022

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

Cc: Leonora Liz, Treasurer and Richard McCormack, City Clerk

From: Jacob Tawil, Commissioner of Public Works

Re: CPL Proposal for Setting Concrete Monuments at Mountain Ave.

Enclosed, please find a proposal from CPL dated July 22, 2022 in order to place concrete monuments at the newly created lot for the Mountain Ave tank. Part of the new lot is being purchased from the Carmelites and is in the Town of Wallkill.

The requested fee of \$3,500 will be funded from the available project funding line.

Thank you.

JT/kg



July 22, 2022

Jacob Tawil, PE
The City of Middletown
(845) 343-3169
jtawil@middletown-ny.com

RE: Proposal for Professional Surveying Services
Mountain Ave. Stakeout

Dear Mr. Tawil,

CPL is pleased to provide you with a proposal for Professional Land Surveying services as listed below.

This proposal is divided in four sections as follows:

- Section I – Scope of Services
- Section II – Professional Fees
- Section III – Schedule
- Section IV – Client Contract Authorization

Section I – Scope of Services

Task 1 – Preliminary and Final Stakeout of Concrete monuments to be set at the newly created lot at the Mountain Ave Site.

Section II – Professional Fees

The fee for the above tasks will be:

Task 1 - \$3500

Section III – Schedule

We expect to complete this project within 4 weeks of receiving a signed contract.



Section IV – Client Contract Authorization

- Persons signing below certify that they have read, understand, and accept this contract.
- Persons signing below certify that they have legal capacity as the individuals, representatives, and/or agents for the parties to this contract.
- In the event collection proceeding become necessary, New York law will apply, and Attorney's fees and cost of collection will be reimbursed to Surveyor.
- Either party may terminate this agreement with or without cause. Upon termination, Surveyor will be reimbursed for services performed.
- This agreement contains no warranties either expressed or implied.
- Invoices are due within 30 days.

Signature

Date

Printed Name

Title

If you find this proposal acceptable, **please sign where indicated above in Section III and return one signed copy along with the requested retainer, if applicable, to our office.** This proposal is valid for 60 days from the date on this document.

Thank you for the opportunity to submit this proposal and we look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert H. Capucilli', is written over a horizontal line.

Robert H. Capucilli, PLS
Professional Land Surveyor
CPL

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 08.01.22

Index No: 168-22

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 proposal from Clark Patterson Lee for
Surveyed Easement at High Barney Water Storage Tank**

RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the attached proposal from CPL dated July 22, 2022 for the High Barney water storage tank for a survey and easements for execution by the property owner to ensure continuous access to High Barney tank site from Karen Drive.

The requested amount is \$4,000. At this point, available project funding will be utilized to cover this expense once approved by the BOE and Common Council.

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: July 28, 2022

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

Cc: Leonora Liz, Treasurer and Richard McCormack, City Clerk

From: Jacob Tawil, Commissioner of Public Works

Re: CPL Proposal for a Surveyed Easement at the High Barney Water Tank

We are requesting approval of the attached proposal from CPL dated July 22, 2022 for the High Barney water storage tank for a survey and easements for execution by the property owner to ensure continuous access to High Barney tank site from Karen Drive. The requested amount is \$4,000.

At this point, available project funding will be utilized to cover this expense once approved by the BOE and Common Council.

Thank you.

JT/kg



July 22, 2022

Jacob Tawil, PE
The City of Middletown
(845) 343-3169
jtawil@middletown-ny.com

RE: Proposal for Professional Surveying Services
High Barney Easement

Dear Mr. Tawil,

CPL is pleased to provide you with a proposal for Professional Land Surveying services as listed below.

This proposal is divided in four sections as follows:

- Section I – Scope of Services
- Section II – Professional Fees
- Section III – Schedule
- Section IV – Client Contract Authorization

Section I – Scope of Services

Task 1 – Boundary Survey to facilitate easement creation at the High Barney Site, including mapping, lot easement creation, closure checks, and legal description.

Section II – Professional Fees

The fee for the above tasks will be:

Task 1 - \$4000

Section III – Schedule

We expect to complete this project within 4 to 6 weeks of receiving a signed contract.



Section IV – Client Contract Authorization

- Persons signing below certify that they have read, understand, and accept this contract.
- Persons signing below certify that they have legal capacity as the Individuals, representatives, and/or agents for the parties to this contract.
- In the event collection proceeding become necessary, New York law will apply, and Attorney's fees and cost of collection will be reimbursed to Surveyor.
- Either party may terminate this agreement with or without cause. Upon termination, Surveyor will be reimbursed for services performed.
- This agreement contains no warranties either expressed or implied.
- Invoices are due within 30 days.

Signature

Date

Printed Name

Title

If you find this proposal acceptable, **please sign where indicated above in Section III and return one signed copy along with the requested retainer, if applicable, to our office.** This proposal is valid for 60 days from the date on this document.

Thank you for the opportunity to submit this proposal and we look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert H. Capucilli', is written over a horizontal line.

Robert H. Capucilli, PLS
Professional Land Surveyor
CPL

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 08.01.22

Index No: 169-22

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 \$615 donation from the American Lung Association- POW'R
Against Tobacco for Finding Nemo Movie Night**

RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment accepts a \$615 donation from American Lung Association - Pow'r Against Tobacco for August 13, 2022 Finding Nemo movie night.

RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to deposit the donation into revenue budget line A.2705.00 Gifts & Donations and increase budget line A.7321.450 Special Programs Materials & Supplies.

Middletown Recreation and Parks Department

393 CR-78, Middletown, New York 10940 Tel: (845)346-4180 Fax: (845)344-2918



Tuesday, July 26, 2022

RE: Authorization to accept donation

Dear Board of Estimates & Council Members:

The Recreation & Parks Department was given a donation in the amount of \$615.00 from American Lung Association - Pow'r Against Tobacco for August 13, 2022 Finding Nemo movie night. Please accept this donation and authorize the Treasurer to deposit the donation into revenue budget line A.2705.00 Gifts & Donations and increase budget line A.7321.450 Special Programs Materials & Supplies.

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 08.01.22

Index No: 170-22

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				

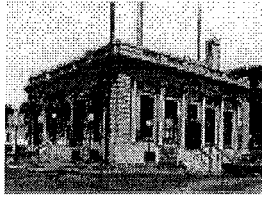
**Resolution accepting \$1500 donation from Local Business
to support Night out Against Crime**

RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and accepts the following donations:

Ambers Sub Shop	\$250
Middletown Firefighters Professional Association	\$250
Middletown Housing Authority, LP	<u>\$1,000</u>
Total	\$1,500

RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to deposit the funds into the Police Donation revenue line A.2705.06 and increase A.3120.501 community expense line by \$1,500.

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

July 7, 2022

RECEIVED

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

JUL 08 2022
City Clerk
City of Middletown

Dear Mayor DeStefano and Members of the Board of Estimate,

We are in receipt of the below listed donations from local businesses supporting our National Night Out Against Crime. We are requesting permission to accept these donations and deposit them into the police budget line used for this community events (A.3120.501).

Ambers Sub Shop \$250
Middletown Firefighters Professional Association \$250
Middletown Housing Authority, LP \$1000

Total \$1500

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 08.01.22

Index No: 171-22

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 Amending Resolution 98-22 to deposit donated
funds into the Police Donation revenue Line**

RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and amends Resolution 98-22 to authorize the Treasurer to deposit the donated funds into Police Donation revenue line A.2705.06 for \$1,250 and to increase the A.3120.501 community expense line by \$1,250.

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Ramkissoon

Date of Adoption 05.17.22

Index No: 98-22

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

Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

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

Heritage Financial Credit Union \$250

Kiwanis Club of Middletown \$250

Applebee-McPhillips Funeral \$250

Middletown Professional Car Wash (operated by JW Car Wash Inc.) \$300

NYCOMCO \$200

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to deposit the funds in the Community Budget line A.3120.501.

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 08.01.22

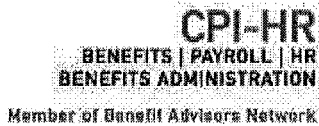
Index No: 172-22

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

**Resolution authorizing an agreement with CPI-HR to assist with the
Patient Protection and Affordable Care Act Implementation**

RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the attached agreement with CPI-HR to provide services to the City with respect to the Patient Protection and Affordable Care Act.

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



RECEIVED

JUL 18 2022

City Clerk
City of Middletown

This ACA Assistance agreement ("Agreement") is made August 1, 2022 (the "Effective Date") by and between City of Middletown, (the "Client") and Corporate Plans, Inc. d/b/a as CPI-HR (the "Company").

Whereas, Client wishes to obtain the services described in Exhibit I from the Company on the terms as set forth herein; and

Whereas, Company wishes to provide such services to Client on the terms as set forth herein.

Now, therefore, for good and valuable consideration, the receipt and sufficiency of which is hereby mutually acknowledged and agreed, the parties hereto hereby agree as follow:

1. Scope of Services to be provided by Company. Company will provide the services described on Exhibit I (the "Services") to the Client with respect to the Patient Protection and Affordable Care Act ("ACA").
2. Fees. Client will pay to the Company the fees set forth on Exhibit II, as and when described in Exhibit II. It is acknowledged and understood that Client is solely and exclusively responsible for all taxes, fees and other assessments incurred by it under the ACA.
3. Term. This Agreement shall remain in effect until the first anniversary of the Effective Date, unless earlier terminated as described below; the term of this Agreement will thereafter automatically be extended for an additional term of one (1) year on each anniversary of the Effective Date, unless either party notifies the other, in writing, of its intention to terminate the Agreement as of the next anniversary of the Effective Date, which notice shall be delivered at least thirty (30) days prior to each anniversary of the Effective Date. The term of this Agreement as extended (if applicable) is referred to herein as the "Term." Notwithstanding the foregoing, the Agreement shall terminate immediately upon (i) breach of the Agreement that is not cured (if susceptible to cure) within five (5) business days or (ii) if the Services include access to the Dashboard (as defined on Exhibit I), the date the Company's license to access the Dashboard is terminated. Otherwise, either party may terminate this Agreement by providing thirty (30) days' advance written notice to the other. Notice of termination must be in writing and delivered by certified mail, return receipt requested or overnight carrier to the party's address of record.
4. Personnel. The Company is performing its Services as an independent contractor, and neither the Company nor any of its personnel shall be considered employees of the Client for any purpose. Company will assign its personnel according to the needs of the Client as the Company determines. Company retains the right to substitute personnel.
5. Client's Responsibility. Client will make available such information as may be reasonably requested for Company to perform the services contemplated herein, in a format as reasonably

requested by Company. Such information will be provided promptly and will be correct and complete. Without in any way limiting any other provision of this Agreement, Client shall be solely and exclusively responsible for the accuracy of all data provided to Company and shall indemnify Company and hold the Company harmless from any claims arising out of or related to the use of inaccurate data, including without limitation data Company re-formats on behalf of Client that is provided in a format that is inconsistent with Company's systems.

6. Not Legal Services. Client acknowledges, understands and agrees that neither the Company nor any consultant providing Services are engaged in the practice of law. The Dashboard does not provide legal services. The Services are not and shall not be deemed to be the provision of legal, tax, financial or similar advice of any kind. Client hereby represents and confirms that for all legal issues arising out of or related to the Services Client will consult with its own legal counsel and is not relying on the Company nor any of its employees or agents to provide legal advice. Company is not responsible for any advice, guidance or support provided to Client by any other entity or third party.

7. Confidentiality. All Confidential Information (defined below) disclosed hereunder will remain the exclusive and confidential property of the disclosing party. The receiving party shall not disclose the Confidential Information of the disclosing party and will use at least the same degree of discretion and diligence in protecting such Confidential Information as it uses with respect to its own Confidential Information, but in no case less than reasonable care. For these purposes, Confidential Information will include but is not limited to, software, technical processes, trade secrets, functional and technical specifications, designs, drawings, translations, analysis, research, processes, computer programs, beta versions, algorithms, methods, ideas, "know how," and other technical information, materials, plans, projects, and other business information, and User Information); provided, however, that Confidential Information does not include any data or information which the recipient can demonstrate was (a) publicly known through no fault or breach of this Agreement by the recipient; (b) already known to the recipient prior to disclosure by the disclosing party; (c) lawfully disclosed by a third party; (d) independently developed without reference to the Confidential Information; or (e) disclosed pursuant to legal requirement or order. Each party will protect all Confidential Information of the other party with the same degree of care as it uses to avoid unauthorized use, disclosure, publication or dissemination of its own confidential information but in no event less than a reasonable degree of care. Neither party will disclose, release or otherwise make available to any third party Confidential Information of the other party except in order to perform its obligations pursuant to this Agreement. The confidentiality obligations of each party shall survive the termination of this Agreement.

8. DISCLAIMERS. THE COMPANY HAS TAKEN DUE CARE IN THE DEVELOPMENT OF THE SERVICES CONTEMPLATED HEREIN BASED UPON ITS UNDERSTANDING OF THE REQUIREMENTS OF THE ACA. THE COMPANY WILL ENDEAVOR TO REMAIN UPDATED ON NEW DEVELOPMENTS IN THE ACA. THE COMPANY IS NOT A LAW FIRM AND DOES NOT OFFER LEGAL SERVICES NOR HIRE LAWYERS TRAINED IN THE INTERPRETATION OF THE LAW. THE SERVICES PROVIDED ARE NOT INTENDED TO, NOR SHOULD IT, SUPERSEDE OR SUPPLANT THE ADVICE AND INTERPRETATIONS OF CLIENT'S LAWYERS, ACTUARIES AND ADVISORS. A CHANGE IN DATA OR ASSUMPTIONS IS LIKELY TO YIELD A DIFFERENT OUTCOME. CLIENT ACKNOWLEDGES, UNDERSTANDS AND AGREES THAT IT AND NOT THE COMPANY IS SOLELY AND EXCLUSIVELY RESPONSIBLE FOR ALL ASPECTS OF COMPLIANCE WITH THE ACA.

9. **WARRANTY.** The SERVICES ARE PROVIDED "AS IS." EXCEPT AS EXPRESSLY PROVIDED UNDER THIS AGREEMENT, THE COMPANY AND ITS AFFILIATES, OFFICERS, DIRECTORS, EMPLOYEES AND AGENTS: (A) DO NOT WARRANT THE ACCURACY, COMPLETENESS, COMPREHENSIVENESS OR CURRENCY OF THE SERVICES; AND (B) EXPRESSLY DISCLAIM ALL WARRANTIES AND CONDITIONS, EXPRESS, IMPLIED OR STATUTORY, INCLUDING, WITHOUT LIMITATION, THE IMPLIED WARRANTIES OR CONDITIONS OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND NON-INFRINGEMENT. THE COMPANY MAKES NO WARRANTY OR GUARANTEE THAT THE SERVICES PROVIDED WILL BE UNINTERRUPTED, AVAILABLE AT ANY TIME OR FROM A PARTICULAR LOCATION, SECURE OR ERROR-FREE OR THAT ANY SYSTEMS USED BY THE COMPANY IN DELIVERING THE CONTEMPLATED SERVICES IS FREE OF VIRUSES OR OTHER POTENTIALLY HARMFUL COMPONENTS.

10. **Limitation of Liability; Indemnification.** Neither the Company nor its affiliates, officers, directors, employees or agents shall be liable under any claim, demand or action arising out of or relating to Client's reliance upon the information provided as part of the services contemplated herein. In no event will the Company, its affiliates, officers, directors, employees or agents have any liability for direct, special, incidental, consequential or punitive damages, including, without limitation, damages due to lost profits or business interruption, or other damages, even if they have been advised of the possibility of such loss or damages and whether or not such loss or damages is/are foreseeable and notwithstanding the failure of essential purpose of any limited remedy. Without limiting any of the foregoing terms, the Company's liability in connection with this Agreement shall not exceed, as to any claim, the fee referenced in Section 2 and actually paid to the Company, and, in the aggregate, ten thousand dollars (\$10,000). Client agrees to indemnify and hold the Company, its affiliates, officers, directors, employees and agents harmless from any claims, lawsuits, proceedings, costs, attorneys' fees, damages or other losses arising out of or relating to Client's use of the Services.

11. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and all of which counterparts taken together shall constitute one and the same instrument. The parties hereto agree that this Agreement and any related documents may be executed by facsimile or digital signature, which will have the same effect as an original signature.

12. **Amendments and Waivers.** Any provision of this Agreement may be amended or waived if, and only if, such amendment or waiver is in writing and is signed, in the case of the amendment, by each party to this Agreement or, in the case of a waiver, by the party against whom the waiver is to be effective. No failure or delay in exercising any rights or privilege hereunder shall operate as a waiver thereof. No waiver of any right or privilege in respect to any occurrence or event on one occasion shall be deemed a waiver of such right or privilege in respect of such occurrence or event on any other occasion.

13. **Severability.** If any term or provision of this Agreement or the application thereof to any person or circumstances shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law. Further, if any provision of this Agreement becomes inconsistent with any present or future law or regulation of any entity having regulatory jurisdiction over it, that provision shall be superseded or amended to conform to such law and regulation, but the remainder of this Agreement shall remain in full force and effect.

14. Successors and Assigns. This Agreement is binding upon the successors and assigns of the parties hereto. The Company may assign this Agreement to an affiliate or a successor in interest upon written notice to the Client.

15. Notices. Whenever any notice may be or is required to be given hereunder, such notice shall be in writing and sent by United States first class mail, postage prepaid; or by overnight delivery service, where receipt is given, and addressed to such party at its last address appearing in the records of the party who is providing the notice; or by e-mailing such person at his, her or its last known e-mail address with a confirmation copy delivered in accordance with this provision.

16. Governing Law; Jurisdiction. This Agreement shall be governed by the laws of Ohio, without regard to principles of conflicts of law. Venue for any action under this Agreement shall be in the state or federal courts located in Cleveland, OH. User consents to such jurisdiction and will not challenge jurisdiction on any grounds including without limitation forum non conveniens.

17. Entire Agreement. This Agreement contains the entire Agreement between the Company and User related to the subject matter hereof and supersede all prior agreements, proposals or representations, whether written or oral, between the parties relating to the subject matter of this Agreement. All schedules and exhibits hereto are intended to be and hereby are specifically made a part of this Agreement.

18. Third-Party Beneficiaries. No provision of this Agreement shall confer upon any person, including but not limited to, Clients, other than the parties hereto any rights or remedies hereunder.

[City of Middletown]

Corporate Plans, Inc. d/b/a CPI-HR

By: _____

By: _____

Its: _____

Its: _____

Date: _____

Date: _____

Exhibit I

Services

If "ACA Consulting" or "ACA Consulting and Dashboard Access" is selected above, the Services will include ACA Consulting Services, in accordance with the following:

I. Education and ACA Guidance—the Company will:

- o Provide guidance and general education to those employees of the Client whom Client identifies on the general requirements of the ACA (including the regulatory and sub-regulatory guidance promulgated thereunder);
- o Recommend general ACA compliance strategies, including the development of an ACA compliance action plan;
- o Develop generally accepted practices and procedures for ACA compliance;
- o Provide, as applicable, guidance on updates to ACA legislation and regulatory and sub-regulatory guidance as the same may be received by the Company; and
- o Provide general guidance support with respect to questions under the ACA.

II. Employee tracking information and services—electronic ACA software platform designed to:

- o Provide guidance on variable hour employee measurements (standard measurement, administrative and stability periods);
- o Provide guidance on regulatory tracking and filing requirements under the ACA;
- o Assist Client with the development of a system to track group health insurance plan eligibility using tracking system and payroll information provided by Client;
- o Provide Client access to historical data and reports; and
- o Assist client with the timely filing of forms required by Code Sections 6055 and 6056 (1094 & 1095 reporting).

III. Union education meetings—assist with union relationships related to ACA compliance:

- o Meet with Union representatives on a quarterly basis to address ACA and plan education concerns;
- o Provide non-legal guidance on ACA compliance issues that arise in collective bargaining agreements;
- o Assist Client with strategy for Union Negotiations relative to ACA compliance

IV. Financial Impact Consulting—

- o Consult with Client concerning ACA questions and concerns;
- o Examine the cost of penalties versus providing coverage;
- o Estimate the potential cost for covering a higher number of participants on the plan;
- o Project financial impacts of those who become eligible; and
- o Discuss market alternatives for minimum value plan for variable hour employees.

If "Dashboard Access" or "ACA Consulting and Dashboard Access" is selected above, the Services will include Dashboard Access, in accordance with the following:

I. Dashboard Access:

- o Access to a proprietary web-based application which assists users in compliance with employee tracking and other provisions of the ACA (referred to herein as the "Dashboard");
- o Access shall be granted via a limited, non-exclusive, non-transferable, non-sublicensable license to use the Dashboard on the Dashboard website;
- o Access will include access to ACA-related content and updates;
- o Client will be able to generate reports ("Reports") that will assist them in analyzing the impact of the ACA on its business (in the case of a client that is an agency or broker ("Agency"), for its Clients;
- o The license to access the Dashboard may not be licensed or sub-licensed and Client will not permit any third-party to access the Dashboard;
- o Client is solely responsible for furnishing any and all equipment required to access the Dashboard; Services beyond Dashboard access (e.g., actuarial and consulting services in connection with reviewing Reports) shall be subject to an additional charge, which shall be agreed to in writing by Client and the Company.

II. Restrictions.

- o Unless otherwise agreed, Client may not (i) use, copy, reproduce, publish, upload, post, transmit, commercialize, distribute, modify or transfer the Dashboard or any content provided thereon; (ii) reverse engineer, disassemble, decompile, or translate the Dashboard, or otherwise attempt to derive the source code of the Dashboard, modify or create derivative works of the Dashboard or any updates thereof, or authorize any third party to do any of the foregoing; (iii) develop, sell or distribute applications that are capable of launching, being launched from, or are otherwise integrated with, the Dashboard; or (iv) rent, lease, loan, resell for profit, distribute, sublicense or use the Dashboard in a time-sharing arrangement;

- o Dashboard and Report usage is subject to the terms of use set out at the Company's website and the Company's privacy policy, as it may be amended and which is available at the Company's website;
- o Client will keep intact, and will not obscure, alter or remove any copyright and proprietary notices attached to the Dashboard and the Reports without the Company's prior written consent.

Exhibit II

ACA Consulting Services

Client will pay the Company \$14,500 for the ACA Consulting Services described in Exhibit I, which will be provided during the first year of the Term. This fee is payable in four (4) quarterly installment payments, due on 9/15/22, 12/15/22, 2/15/23 and 5/15/23.

General Payment Terms

Payment is due upon receipt of an invoice (for Dashboard access) and/or on the date(s) listed above for ACA Consulting Services. Accounts are delinquent if not paid within thirty (30) days. In the event any balance is delinquent, the Company may recover the amounts due, with interest at 1% per month and may terminate all Services (including Client's access to the Dashboard) without further notice.

Client shall be solely and exclusively responsible for all fees, assessments, taxes, penalties or other amounts due of whatever kind or nature attributable to any Report.

In the event this Agreement is terminated prior to the one year anniversary of the Effective Date of this Agreement and the Services include access to the Dashboard, Client shall repay to the Company all costs incurred by the Company in setting up Client's access to the Dashboard. Upon any termination of this Agreement, client will shall promptly pay promptly to the Company all amounts due under the Agreement and shall not be entitled to a refund of any amounts paid prior to the date of the termination.

Fees for any renewed Term shall be on the same terms as provided in this Exhibit II, unless both parties sign an amendment to this Exhibit II.

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 08.01.22

Index No: 173-22

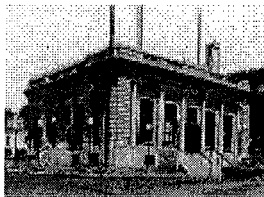
NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Ramkissoon				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

**Resolution accepting a \$1000 donation from the Animal Health Center
to Support Youth Programs and Events**

RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and accept a \$1,000 donation from the Animal Health Center for the purpose of supporting our youth programs and events.

RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to deposit these funds into the Police Donation revenue line A.2705.06 and increase the A.3120.501 community expense line by \$1,000.

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

July 12, 2022

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

Dear Mayor DeStefano and Members of the Board of Estimate,

We are in receipt of a \$1000 donation from the Animal Health Center for the purpose of supporting our youth programs and events.

I am requesting permission to accept this donation and have these funds added to our community events budget line (A.3120.501).

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 08.01.22

Index No: 174-22

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 \$1250 donation from local businesses to
support our National Night Out Against Crime Event**

RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and accepts \$1250 in donations from the following local businesses to support our National Night Out Against Crime.

Boyce Excavating	\$1,000
Middletown Lions Club	\$250
Total	\$1,250

RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the Treasurer to deposit these funds into the Police Donation budget line A.2705.06 and increase the A.3120.501 Community Expenses line by \$1250

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

July 26, 2022

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

Dear Mayor DeStefano and Members of the Board of Estimate,

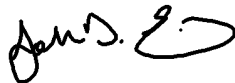
We are in receipt of the below listed donations from local businesses supporting our National Night Out Against Crime. We are requesting permission to accept these donations into the Police Donation budget line A.2705.06.

Furthermore, we request to increase the A.3120.501 community expense line by the same amount.

Boyce Excavating \$1000
Middletown Lions Club \$250

Total \$1250

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 08.01.22

Index No: 175-22

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 Amending Resolution 97-22 to Deposit Donated Funds into
Police Donation Revenue Line**

RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and amends Resolution 97-22 to authorize the Treasurer to deposit the donated funds into Police Donation revenue line A.2705.06 for \$2500 and to increase the A.3120.501 by \$2500

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

THE FOLLOWING WAS PRESENTED

By Ald. Tobin

Sec'd by Ald. Masi

Date of Adoption 05.17.22

Index No: 97-22

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

Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

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

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to deposit the funds in the Community Budget line A.3120.501.

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 08.01.22

Index No: 176-22

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 Funding Award of \$4806 from the
County of Orange for the Stop-DWI Program**

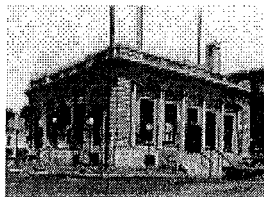
WHEREAS an Inter-Municipal Agreement with the County of Orange was approved by the Common Council in March 2022, for STOP DWI funding for the contract dates of March 12, 2022 through January 1, 2023 and

WHEREAS Chief Ewanciw was notified that the second enforcement period funding has been awarded in the amount of **\$4,806**; and

NOW THEREFORE BE IT RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and accepts the funding award in the amount of \$4,806

BE IT FURTHER RESOLVED that Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to deposit the funds into the STOP-DWI DWI budget line within the Police Department Budget.

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

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

RECEIVED
JUN 29 2022
City Clerk
City of Middletown

Dear Mayor DeStefano and Members,

The City entered into an Inter-Municipal Agreement with the County of Orange and approved by the Common Council in March 2022, for STOP DWI funding for the contract dates of March 12, 2022 through January 1, 2023.

We were notified that the second enforcement period funding has been awarded in the amount of \$4806, therefore I request that this funding be added the STOP-DWI budget line within the Police Department Budget.

Thank you.

Very truly yours,

John Ewanciw
Chief of Police

JE: ccd

ORANGE COUNTY, NEW YORK



Steven M. Neuhaus
County Executive

Coordinator
Brendan R. Casey
Commissioner
Emergency Services

Administrator
John Jones

STOP-DWI / Traffic Safety Programs
22 Wells Farm Road
Goshen, New York 10924
845-615-0575



To: CITY OF MIDDLETOWN Police Department

From: Brendan R. Casey, Commissioner/Emergency Services

Date: June 13, 2022

Reference is made to that certain Inter-Municipal Agreement, entered into March 12, 2022 by and between the County of Orange ("County") and the CITY OF MIDDLETOWN ("Municipality") pursuant to which the Municipality agreed to participate in a component of the County's STOP DWI Program that provides reimbursement for certain man hours expended in operating enforcement patrols in its jurisdiction ("Agreement").

In accordance with the Agreement, based on data submitted by the Municipality for the "first" enforcement period, Municipality is hereby awarded the following for the "second" enforcement period of July 2, 2022 thru September 7, 2022 which includes the Independence Day and Labor Day holiday weekend enforcement campaigns:

Not to Exceed
70 Hours / \$4806

In accordance with the terms of the Agreement, this Award Letter shall be appended to the Agreement and made a part thereof.

Attached to this Award Letter are the following to be completed at the end of the "second" enforcement period for the "second" enforcement period award:

- A Patrol Summary Sheet summarizing all data regarding your department's patrols for the enforcement campaign.
- A Final Reimbursement Claim spreadsheet that must be fully completed with the participating officers' names, hours, and salary/overtime costs per patrol shift.

NOTE: The maximum reimbursement will be time-and-one-half based on the participating officers' hourly rate, and no hourly rate higher than your department's highest-paid Sergeant will be approved.

Thank you for your commitment to deterring intoxicated driving on our County's roadways. If you have any questions, please do not hesitate to contact our office.

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.19.22

Index No: 177-22

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 \$4000 Budget Transfers To Cover COVID Related Expenses

RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the Treasurer to transfer \$4,000 of ARPA Funds in the following manner to cover the remaining cost of COVID Related Expenses:

To cover the cost of the remaining RBT consulting fees:

FROM	AMOUNT	TO
A.4785	\$ 2,500	A/F/G.8888.900

To cover the cost of Donald Paris financial reporting hours from February through July 2022:

FROM	AMOUNT	TO
A.4785	\$1,500	A.1325.100

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.19.22

Index No: 178-22

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 To Close Sunset Street From Highland Avenue To Highland Place On
Saturday, August 14, 2022 From 12:00PM To 8:00PM For A Block Party**

RESOLVED; that the Common Council of the City of Middletown approves and authorizes the closing of Sunset Street from Highland Avenue to Highland Place for a block party on Saturday, August 14, 2022 from 12:00PM to 8:00PM.



**CITY OF MIDDLETOWN, NEW YORK
APPLICATION FOR
BLOCK PARTY**

RECEIVED
JUL 15 2022
City Clerk
City of Middletown

I, the undersigned, do hereby make application for a Block Party in the City of Middletown, New York

Name of Applicant Evette Rutling

Address of Applicant 10 Sunset St, Middletown NY 10940

Phone Number of Applicant (718) 724-9603 13

Day and date the Block Party will be held Sat. Aug. 14, 2022

Hours Block Party will start and end Approx. 12pm - 8pm

Name of Streets to be blocked Sunset St between
Highland Ave + Highland Pl.

BLOCK PARTY APPLICATION REQUIREMENTS:

On a separate sheet of paper, please indicate the following information:

Name, addresses and signatures of no less 75% of homeowners on the closed street area for permission to have Block Party.

A description of any equipment to be used, including whether music is to be played and what devices are needed for the provision of such music, when applicable.

Description of any vendors within the closed street area.

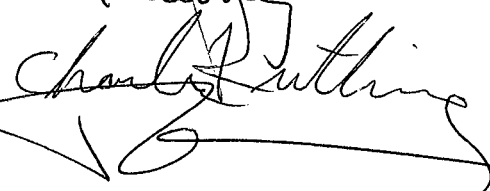
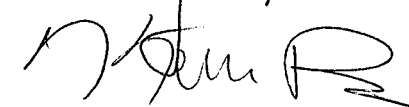
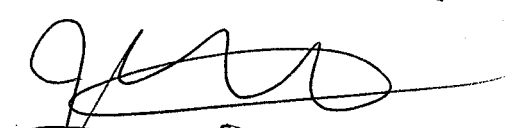
By signing this application, the applicant agrees to all the provisions of the Middletown City Code pertaining to Chapter 332 Noise and Chapter 319 Litter.

Signed: *Evette Rutling*

Date: 7/13/22

For Office Use Only:

Resolution Number and Date _____

<u>Name</u>	<u>Address</u>	<u>Signature</u>
Evette Rutling	10 Sunset St Middletown NY 10940	
Charles Rutling	"	
Janine Greer	69 1/2 Watkins Ave Middletown NY 10940	
Melany D McMillan	171 Highland Ave	
	69 Watkins Ave	
Kelly Patterson	69 Watkins Ave	
Jeff Patterson	155 Highland	
Pedro Petrie		

Richard McCormack

From: John Ewanciw
Sent: Wednesday, July 20, 2022 11:40 AM
To: Richard McCormack
Subject: RE: EDRS

Received, no issue on my end

John Ewanciw – Chief of Police

City of Middletown Police Department

2 James St.

Middletown, NY 10940

(845)346-4004 *office*

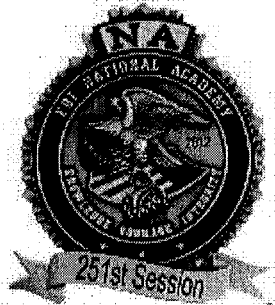
(845)346-4041 *fax*

jewanciw@middletownpolice.com

The City of Middletown Police Department

Serving The Public With Integrity Since 1888

Please Visit our Website @ www.middletownpolice.com



From: Richard McCormack <Rmccormack@middletown-ny.com>
Sent: Wednesday, July 20, 2022 9:47 AM
To: John Ewanciw <jewanciw@middletownpolice.com>
Subject: Fwd: EDRS

Morning Chief,

Attached is a block party permit application. The Public works committee will review it on 8/1 and the council should vote that same night.

In the meantime, Joe said you should review it as well- this group has had permits for the party before. Not sure if that helps you.

Thanks

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 07.19.22

Index No: 179-22

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 Demolition of Three City Owned Properties

RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the demolition of the following three properties owned by the City of Middletown:

- 99 East Ave
- 404 North St
- 26-28 Mill St –(rear) demo small house and garage

The funding is already established in the capital line.

Richard McCormack

From: Joseph DeStefano <mayordestefano@yahoo.com>
Sent: Friday, July 29, 2022 2:33 PM
To: Marianne Feely; Jacob Tawil; Maria Bruni; Richard McCormack; Leonora Liz
Cc: J Miguel Rodrigues; Joseph Masi Yahoo
Subject: City properties

To: All
From: Mayor DeStefano
Re: City owned property

Will need BOE agenda item for the three properties in red authorizing city to demolish. Capital budget line should exist.
Others please follow notes.
Joe

Review and recommendations for the following properties forwarded to me by Marianne.

1. 1 Richmond Place- Will be evaluated by Jacob for possible sale as buildable lot.
2. 40 Lake Ave. - Neighbors expressed desire for a community garden. Never worked out. One neighbor had interest in buying all / part for expanding their property and was open to use restrictions. Has value for sale or we can possibly run it through our CDA program to ensure home owner occupied if we decide to build. Modular option.
3. 14 Waverly Pl. Not buildable. Approach neighbors to gauge interest. Really no value.
4. 30 Benjamin- Not buildable. Approach neighbors
5. 11 Woodland- Buildable lot. One neighbor expressed interest or we can put up a modular.
6. 99 East Ave. - Demo
7. 404 North St. - Demo
8. 5 Sterling St. - On higher side of Sterling. Evaluate and move to CDA for rehab and sale
9. 27 1/2 Smith- Move to CDA for rehab or demo
10. 26-28 Mill St. rear- Demo small house / garage but city maintain property. Property abuts heritage trail.
11. 17 - 21 Cottage St.- City hold on for economic development purposes
12. 21-23 Academy - Title issues. City holds on for now
- 13.- 25 Academy - Title issues. City holds on for now.
14. - 244-246 West Main- Property should have been divided for each neighbor. Track down status. Doesn't appear to have been a vote to implment.
15. - 7 King St. - City hold on for economic development purposes.

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

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. XXXXXXXXXXXX

Date of Adoption 08.01.22

Index No: Introduction of LL#6 of 2022

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

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

LOCAL LAW #6 OF 2022

**A LOCAL LAW UPDATING THE COMMISSIONER OF ASSESSMENT CHARTER
PROVISIONS**

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

Section 1. Purpose of this Enactment.

The purpose of this enactment is to update the Charter provisions applicable to the office of the City Commissioner of Assessment and Taxation.

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, Commissioner of Assessment and Taxation, City Clerk, Registrar and Clerk of the Common Council, 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. Section 59 of the Charter of the City of Middletown is hereby amended to read as follows:

§ 59. The Commissioner of Assessment and Taxation shall be a full-time employee of the City of Middletown and shall serve a six (6) year term pursuant to the provisions of Section 310 of the New York Real Property Tax Law. The Commissioner shall be the head of the Department of Assessment and Taxation. He or she may appoint and for cause remove such employees as he/she deems necessary for the proper conduct of the business of his/her office, provided that the position has been authorized and the salary thereof fixed by the Board of Estimate and Apportionment. The Commissioner shall possess all the powers conferred upon, be subject to all the obligations imposed upon and perform all the duties pertaining to the office of assessor in the towns of this State, except as otherwise provided by law. He/She shall value all real estate in the City on one common and general principle of valuation which shall apply to all real estate assessed within the City, including improved and unimproved property. In the case of improved property the land shall be valued separately by the Commissioner and such separate valuation and the aggregate valuation of the whole property shall be entered and appear in separate columns upon the assessment roll. When there are two or more houses on one lot, the valuation of each shall be shown. The Commissioner shall keep a record of all transfers of real estate in the city. He/She shall assess the value of personal property in the name of the owner thereof. He/She shall continuously revise and correct the assessment map. He/She shall keep an accurate index of the assessment roll as the same appears from year to year and shall note thereon the changes in the assessments as the same are made with the dates thereof. He/She shall publish and issue prior to grievance day each year in pamphlet form for general distribution the assessment-roll as completed by him/her showing a tabulated comparison with the assessments of the two preceding years. But no error in such pamphlet shall invalidate any assessment or tax levied thereunder.

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.

LOCAL LAW #6 OF 2022

A LOCAL LAW UPDATING THE COMMISSIONER OF ASSESSMENT CHARTER PROVISIONS

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

Section 1. Purpose of this Enactment.

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property in the name of the owner thereof. He/She shall continuously revise and correct the assessment map. He/She shall keep an accurate index of the assessment roll as the same appears from year to year and shall note thereon the changes in the assessments as the same are made with the dates thereof. He/She shall publish and issue prior to grievance day each year in pamphlet form for general distribution the assessment-roll as completed by him/her showing a tabulated comparison with the assessments of the two preceding years. But no error in such pamphlet shall invalidate any assessment or tax levied thereunder.

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. Masi

Sec'd by Ald.

Date of Adoption 08.0122

Index No:

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				

**I MOVE THE ACCOUNTS BE AUDITED, THE CLAIMS ADJUSTED AND THE
TREASURER BE AUTHOIZIED TO ISSUE WARRENTS FOR THEIR PAYMENTS**