

**CITY OF MIDDLETOWN  
COMMON COUNCIL MEETING AGENDA  
OCTOBER 3, 2022**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL (COUNCIL CLERK)
3. APPROVAL OF MINUTES (NOTHING THIS EVENING)
4. CORRESPONDENCE, COMMUNICATION AND REPORTS (COUNCIL CLERK)
5. FOR THE GOOD OF THE CITY (PUBLIC PARTICIPATION)
6. PINNING CEREMONY (CHIEF OF POLICE)
7. REMARKS OF THE MAYOR
8. REMARKS OF DEPARTMENT HEADS
9. PUBLIC HEARINGS AND GRIEVANCES (NOTHING THIS EVENING)
10. PETITIONS AND COMPLAINTS (NOTHING THIS EVENING)
11. REMARKS OF THE ALDERMAN AND REPORTS OF COMMITTEES
12. UNFINISHED BUSINESS (NOTHING THIS EVENING)
13. NEW BUSINESS (RESOLUTIONS)
  - Resolution authorizing a \$15,000 Budget transfer from within the Fire Department's Budget
  - Resolution authorizing a Budget transfer for \$500.00 from within the Recreation and Parks Department Budget
  - Resolution authorizing a Budget transfer for \$5,200 from within the Goldenarea Budget
  - Resolution authorizing a \$75,296.71 Budget transfer from within the Recreation and Parks Department Budget
  - Resolution authorizing a \$1,250 Budget transfer from within the General Budget
  - Resolution authorizing a \$71,962.03 Budget transfer from within the General Budget
  - Resolution to approve an extension of time of six (6) months for two resolutions dated May 04, 2021, #98-21 and #99-21 for the Presidential Heights Realty Subdivision
  - Resolution Amending City Code to Create a New Section, 216-6 Halloween Curfew
  - Resolution Authorizing the General City Wide Clean Up Period for Leaves In The Street
  - Resolution Authorizing a Grant Application on behalf of Fei Tian College
14. LOCAL LAWS (NOTHING THIS EVENING)
15. AUDIT OF CLAIMS AND ACCOUNTS (FINANCE COMMITTEE CHAIR)
16. ADJOURNMENT



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

THE FOLLOWING WAS PRESENTED

By Ald. \_\_\_\_\_

Sec'd by Ald. \_\_\_\_\_

Date of Adoption 10.03.22  
\_\_\_\_\_

Index No: 221-22  
\_\_\_\_\_

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 \$15,000 Budget transfer from within the  
Fire Department's Budget**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$15,000, in the following manner, to cover gasoline & diesel fuel thru December 2022 for the Middletown Fire Department.

| <b><u>From:</u></b>                         | <b><u>Amount</u></b> | <b><u>To:</u></b>       |
|---------------------------------------------|----------------------|-------------------------|
| A.3410.202<br>Coats & Boots                 | \$ 5,000.            | A.3410.417<br>Gas & Oil |
| A.3410.207<br>Hose                          | \$ 5,000.            | A.3410.417<br>Gas & Oil |
| A.3410.496<br>Personnel Training-Volunteers | \$ 5,000.            | A.3410.417<br>Gas & Oil |

**Middletown Fire  
Department**

81 East Main St.  
Middletown, NY 10940

www.middletownfiredept.com

845-344-5003  
845-344-5031 Fax

September 27, 2022

Board of Estimate  
City of Middletown  
16 James Street  
Middletown, NY 10940

The Fire Department respectfully requests the Board of Estimate recommend and the Common Council approve a resolution to transfer the following monies into the 2022 Fire Department Operating Budget:

| <u>From:</u>                                |           | <u>To:</u>              |
|---------------------------------------------|-----------|-------------------------|
| A.3410.202<br>Coats & Boots                 | \$ 5,000. | A.3410.417<br>Gas & Oil |
| A.3410.207<br>Hose                          | \$ 5,000. | A.3410.417<br>Gas & Oil |
| A.3410.496<br>Personnel Training-Volunteers | \$ 5,000. | A.3410.417<br>Gas & Oil |

To cover gasoline & diesel fuel thru December 2022

Sincerely,

Nick Barber  
Fire Chief

Nick Barber, Fire Chief  
Robert Brady, 1<sup>st</sup> Asst. Chief, Randy MacLean, 2<sup>nd</sup> Asst. Chief, Nick Elia, 3<sup>rd</sup> Asst. Chief  
Sean Gerow Secretary, William R. Kelder Treasurer  
Monhagen's Eagles Excelsior's McQuoid's Phoenix Ontario's Waalkill's Fire Police Local 1027

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

THE FOLLOWING WAS PRESENTED

By Ald. \_\_\_\_\_

Sec'd by Ald. \_\_\_\_\_

Date of Adoption 10.03.22  
\_\_\_\_\_

Index No: 222-22  
\_\_\_\_\_

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              |  |  |  |  |

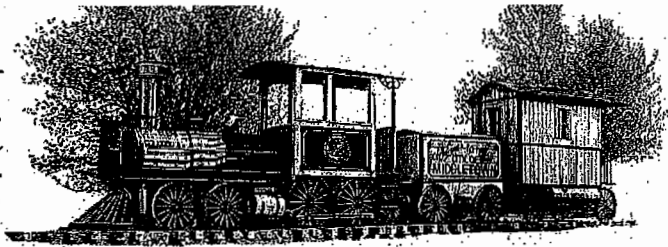
**Resolution authorizing a Budget transfer for \$500.00 from within the Recreation and Parks  
Department**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$500.00 from account A.2705.00 Gifts and Donations to account A.7020.00 . This money was a donation from the Orange Runners Club and it will be used to purchase candy for our Halloween Events.

|                             |        |                             |
|-----------------------------|--------|-----------------------------|
| FROM                        | AMOUNT | TO                          |
| A.0899.00                   | \$500  | A.7020.00                   |
| General Recreation Donation |        | Use of Recreation Donations |

# Middletown Recreation and Parks Department

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



Thursday, September 22, 2022

RE: Transfer within 2022 Operating Budget

Dear Board of Estimates & Council Members:

The Recreation & Parks Department is requesting authorization for the Treasurer to transfer \$500.00 from account A.2705.00 Gifts and Donations to account A.7321.450 Special Programs Material & Supplies. This money was a donation from the Orange Runners Club and it will be used to purchase candy for our Halloween Events.

Sincerely,

A handwritten signature in cursive script, appearing to read "Raelynn Berthoff".

Raelynn Berthoff, 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 10.03.22  
\_\_\_\_\_

Index No: 223-22  
\_\_\_\_\_

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 \$5,200 from within the Goldenarea Budget**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer funds within the Goldenarea Budget, in the following manner, and authorizes the use of Donations in the General Fund to cover the cost of fuel for the shuttle bus due to an increase in cost for the remainder of 2022.

|                          |               |                         |
|--------------------------|---------------|-------------------------|
| <b>FROM</b>              | <b>AMOUNT</b> | <b>TO</b>               |
| GA.5680.495              | \$500         | GA.5680.417             |
| Miscellaneous            |               | Gas and Oil             |
| <br>GA.5680.481          | <br>\$700     | <br>GA.5680.417         |
| Telephone Request        |               | Gas and Oil             |
| <br>A.0899.05            | <br>\$4,000   | <br>A.6772.05           |
| Senior Citizen Donations |               | Senior Citizen Programs |

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

THE FOLLOWING WAS PRESENTED

By Ald. \_\_\_\_\_

Sec'd by Ald. \_\_\_\_\_

Date of Adoption 10.03.22  
\_\_\_\_\_

Index No: 224-22  
\_\_\_\_\_

NAMES                      AYES        NOES        ABSTAIN        ABSENT

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

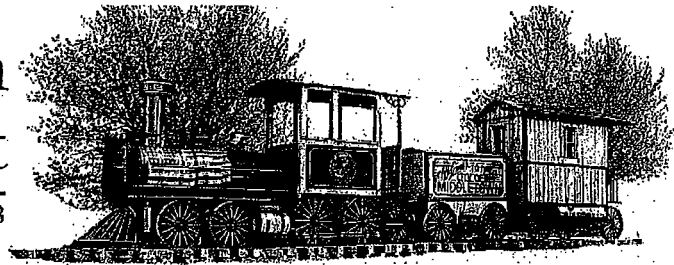
**Resolution authorizing a \$75,296.71 Budget transfer from within the  
Recreation and Parks Department.**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to add \$75,296.71 received from the Community Development CDBG Grant to the general revenue line A.2029 Special Programs and increase budget line A.7321.450 Special Programs – Material & Supplies. This donation will go towards the cost of ice-skate rentals, ice-skate storage rack, storage shed and other materials and supplies to operate the ice-skating rink.

|                                                           |             |
|-----------------------------------------------------------|-------------|
| Increase A.7029 – Special Program Revenue                 | \$75,296.71 |
| Increase A.7321.450 Special Program Material and Supplies | \$75,296.71 |

# Middletown Recreation and Parks Department

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



Thursday, September 29, 2022

RE: Transfer from Community Development

Dear Board of Estimates & Council Members:

The Recreation & Parks Department is requesting authorization for the Treasurer to transfer \$22,511.00 from Community Development into A.2029 Special Programs – Revenue and increase budget line A.7321.450 Special Programs – Material & Supplies. This donation will go towards the cost of ice-skate rentals, ice-skate storage rack, storage shed and other materials and supplies to operate the ice-skating rink.

Sincerely,

A handwritten signature in cursive script, appearing to read "Raelynn Bertholf".

Raelynn Bertholf, Superintendent of Recreation  
Middletown Recreation & Parks Department

## Richard McCormack

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**From:** Leonora Liz  
**Sent:** Friday, September 30, 2022 11:25 AM  
**To:** Richard McCormack  
**Subject:** FW: BOE 9-29-22

Kind Regards,

*Leonora Liz*  
(She/Her/Hers)

City Treasurer  
City Of Middletown

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(W) [www.middletown-ny.com](http://www.middletown-ny.com) | (A) 16 James Street, Middletown, NY 10940 | (P) 845-346-4153 | (F) 845-343-1101

*"To handle yourself, use your head; to handle others, use your heart. " – Eleanor Roosevelt*

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**From:** Leonora Liz  
**Sent:** Thursday, September 29, 2022 11:09 AM  
**To:** Raelynn Bertholf <raelynn@middletown-ny.com>  
**Cc:** Richard McCormack <Rmccormack@middletown-ny.com>  
**Subject:** RE: BOE 9-29-22

Ok, modified resolution as follows:

3. The Recreation & Parks Department is requesting authorization for the Treasurer to add \$75,296.71 received from the Community Development CDBG Grant to the general revenue line A.2029 Special Programs and increase budget line A.7321.450 Special Programs – Material & Supplies. This donation will go towards the cost of ice-skate rentals, ice-skate storage rack, storage shed and other materials and supplies to operate the ice-skating rink.

|                        |             |
|------------------------|-------------|
| Increase <u>A.7029</u> | \$75,296.71 |
| Increase A.7321.450    | \$75,296.71 |

Kind Regards,

*Leonora Liz*  
(She/Her/Hers)

City Treasurer  
City Of Middletown

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

THE FOLLOWING WAS PRESENTED

By Ald. \_\_\_\_\_

Sec'd by Ald. \_\_\_\_\_

Date of Adoption 10.03.22  
\_\_\_\_\_

Index No: 225-22  
\_\_\_\_\_

| 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 \$1,250 Budget transfer from within the General Budget**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer funds, in the following manner, to cover the cost of unforeseen exam expenses to be administered for the school district and the City of Middletown.

|                       |         |                      |
|-----------------------|---------|----------------------|
| FROM                  | AMOUNT  | TO                   |
| A.1900.991            | \$1,250 | A.1430.400           |
| Appraisal of Property |         | Contractual Services |

## Richard McCormack

---

**From:** Leonora Liz  
**Sent:** Friday, September 30, 2022 11:25 AM  
**To:** Richard McCormack  
**Subject:** FW: Transfer

Kind Regards,

*Leonora Liz*  
(She/Her/Hers)

City Treasurer  
City Of Middletown

---

(W) [www.middletown-ny.com](http://www.middletown-ny.com) | (A) 16 James Street, Middletown, NY 10940 | (P) 845-346-4153 | (F) 845-343-1101

*"To handle yourself, use your head; to handle others, use your heart. " – Eleanor Roosevelt*

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**From:** Leonora Liz  
**Sent:** Tuesday, September 27, 2022 9:06 AM  
**To:** Pamela Welch <[pwelch@middletown-ny.com](mailto:pwelch@middletown-ny.com)>  
**Cc:** Richard McCormack <[Rmccormack@middletown-ny.com](mailto:Rmccormack@middletown-ny.com)>; Joseph Masi <[barney10940@yahoo.com](mailto:barney10940@yahoo.com)>  
**Subject:** RE: Transfer

Hi Pam,

I have the money to cover this cost. I have modified this request to read as follows. Let me know if this is OK.

3. Leonora Liz is requesting the authorization to transfer funds to the Civil Service line to cover the cost of unforeseen exam expenses to be administered for the school district.

| FROM                  | AMOUNT  | TO                   |
|-----------------------|---------|----------------------|
| A.1900.991            | \$1,250 | A.1430.400           |
| Appraisal of Property |         | Contractual Services |

Thanks,

Kind Regards,

*Leonora Liz*  
(She/Her/Hers)

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

THE FOLLOWING WAS PRESENTED

By Ald. \_\_\_\_\_

Sec'd by Ald. \_\_\_\_\_

Date of Adoption 10.03.22  
\_\_\_\_\_

Index No: 226-22  
\_\_\_\_\_

| 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 \$71,962.03 Budget transfer from within the General Budget**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer funds, in the following manner, to cover overdrafts.

| FROM                                    | AMOUNT   | TO                                 |
|-----------------------------------------|----------|------------------------------------|
| GA.9000.830<br>Social Security Payments | \$1,359  | GA.9000.810<br>Retirement Fund     |
| GA.9000.850<br>Unemployment Insurance   | \$177.41 | GA.9000.889<br>Dental Insurance    |
| A.1325.433<br>Personnel Training        | \$425.62 | A.1325.401<br>Travel Expense       |
| A.9000.861<br>Retiree Health Insurance  | \$70,000 | A.1900.964<br>Refund& Cancellation |



## DEPARTMENT OF FINANCE City Of Middletown

Leonora Liz  
Treasurer

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

September 2022

To: The Board of Estimate

From: Leonora Liz, Treasurer

I am requesting the following budget transfers to cover over drafts:

| FROM                                     | AMOUNT   | TO                                       |
|------------------------------------------|----------|------------------------------------------|
| GA.9000.830<br>Social Security Payments  | \$1,359  | GA.9000.810<br>Retirement Fund           |
| GA.9000.850<br>Unemployment Insurance    | \$177.41 | GA.9000.889<br>Dental Insurance          |
| A.1325.433<br>Personnel Training         | \$425.62 | A.1325.401<br>Travel Expense             |
| A.9000.861<br>Retiree Health Insurance   | \$70,000 | A.1900.964<br>Refund& Cancellation       |
| A.0899.00<br>General Recreation Donation | \$2,000  | A.7020.00<br>Use of Recreation Donations |

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

THE FOLLOWING WAS PRESENTED

By Ald. \_\_\_\_\_

Sec'd by Ald. \_\_\_\_\_

Date of Adoption 10.03.22  
\_\_\_\_\_

Index No: 227-22  
\_\_\_\_\_

| 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 approve an extension of time of six (6) months for two resolutions dated May 04, 2021, #98-21 and #99-21 for the Presidential Heights Realty Subdivision.**

RESOLVED; that the Common Council of the City of Middletown approves an extension of time in the amount of six (6) months, as per the date on this resolution, for two resolutions dated May 04, 2021, #98-21 and #99-21 for the Presidential Heights Realty Subdivision due to the need that the project has to obtain outside agency approvals for the NYSDEC and OCDOH for water main and sewer main extensions before the map can be filed.

**RONALD S. KOSSAR**

ATTORNEY AT LAW

402 EAST MAIN STREET  
POST OFFICE BOX 548  
MIDDLETOWN, NEW YORK 10940

TELEPHONE (845) 343-5111  
TELECOPIER (845) 343-5222  
E-MAIL [rsklaw@frontiernet.net](mailto:rsklaw@frontiernet.net)

September 22, 2022

Alex Smith, Esq.  
Corporation Counsel  
6 North Street  
Middletown, NY 10940

Re: J & G Builders LLC with City of  
Middletown Common Council  
Application for Subdivision Approval  
Extension for the Presidential Heights  
Subdivision located at 32 Davidge Road  
and 67 Highland View Place, City of  
Middletown, Orange County, New York  
Section 55, Block 1, Lots 88 and 89.2

Dear Alex:

Please be advised that this office represents J&G Builders LLC in reference to the above-captioned matter.

My client's Project Engineer is John Queenan, P.E. of Lanc & Tully Engineering & Land Surveying, P.C. in connection therewith.

The City of Middletown Common Council has previously approved an extension of time through and including November 4, 2022 in accordance with my client's request set forth in my previous letter address to your office dated April 12, 2022.

I have been informed by my client and Project Engineer, John Queenan, P.E., that my client will need an additional of extension of time of six (6) months.

The reason for the aforesaid additional extension of time is because (i) the Project is still awaiting realty subdivision approval from the Orange County Health Department ("OCHD"); and (ii) the Project is being redesigned to accommodate comments from the City of Middletown Department of Public Works on the proposed road design.

Alex Smith, Esq.  
Corporation Counsel

September 22, 2022  
Page 2

Accordingly, based upon the foregoing, my client, J & G Builders LLC and my office hereby respectfully request that the City of Middletown Common Council grant the aforesaid additional six (6) month extension of time.

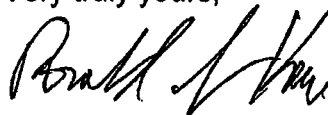
If the City of Middletown Common Council or your office requires an appearance by my client before the City of Middletown Common Council please advise my office accordingly.

If not, kindly confirm whether or not the City of Middletown Common Council has granted my client's request for an additional extension of time for the reason set forth above.

Thank you for your kind assistance and courtesies extended in this matter.

If you have any questions or wish to further discuss this matter, please do not hesitate to contact my office.

Very truly yours,



RONALD S. KOSSAR

RSK/sb

cc: J&G Builders LLC  
(sent via e-mail)  
John Queenan, P.E.  
Lanc & Tully Engineering  
& Land Surveying, PC  
(sent via e-mail)

SENT VIA E-MAIL

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

THE FOLLOWING WAS PRESENTED

By Ald. \_\_\_\_\_

Sec'd by Ald. \_\_\_\_\_

Date of Adoption 10.03.22  
\_\_\_\_\_

Index No: 228-22  
\_\_\_\_\_

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 City Code to Create a New Section 216-6 Halloween Curfew**

WHEREAS, the Common Council of the City of Middletown has annually imposed a Halloween juvenile curfew, and now wishes to formally add this curfew to the City Code, and

WHEREAS, the Common Council desires to assure the safety of the public both on the streets and in their homes during the celebration of Halloween, and,

WHEREAS, the Common Council has determined that it is in the best interest of the City of Middletown to adopt a permanent juvenile curfew during the Halloween period and to encourage parents and guardians to supervise, control and know the whereabouts of their children during such period,

Now therefore be it Resolved and Ordained by the Common Council of the City of Middletown, that Chapter 216, Curfew, of the City Code be and his hereby amended by adding a new Section 216-6 to read as follows:

**216-6. Halloween Curfew.**

A. Notwithstanding any of the provisions contained in Sections 216-1 through 216-5 of this Chapter, each year during the period of October 29 through November 1 between the hours of 9:00 pm through 6:00 am on each day, it shall be unlawful for any person under the age of eighteen (18) years (hereafter referred to as "minor") to be in any public place (including but not limited to, any street, alley, highway or other public thoroughfare, sidewalk, park, playground, store, shop, restaurant, tavern, café, theater, shopping center and any other place devoted to amusement or open to the general public) or on private property other than such minor's home or usual place of abode, within the City of Middletown, New York, either on foot or in a vehicle, except:

1. When accompanied by a parent or guardian; or
2. When the minor is on an emergency errand; or
3. When the minor is on a specific business or activity directed by his or her parent or guardian, in writing, identifying the minor, the specific business or activity, the location or locations of such business or activity and the time when such business or activity shall end, and signed by such parent or guardian; or
4. When the presence of such minor is required in connection with some legitimate employment, trade, profession or occupation.

B. It shall be unlawful for any person, operating or having charge of any public place to knowingly permit or suffer the presence of minors between the hours set forth above in Subsection A.

C. The following procedures shall be followed in the event of any violations of this Halloween curfew:

1. Any police or peace Officer, upon finding a minor in violation of the prohibitions set forth above in Subsection A shall ascertain the name and the address of the minor and warn the minor that he or she is in violation of curfew and shall direct the minor to proceed at once to his or her home or usual place of abode. The police or peace officer shall report such action to the parents or guardian of the minor.

2. If such minor refuses to heed the warning or direction given by any police or peace officer or refuses to give the police or peace officer his or her correct name and address, or if the minor has been warned on a previous occasion that he or she was in violation of this curfew, such minor shall be taken to the City of Middletown Police Station and the parent or guardian of the minor shall be notified to come and take charge of such minor and return such minor to the minor's home or usual place of abode. Such minor, in the discretion of the Chief of Police, may also be issued an appearance ticket to appear in the Middletown City Court to answer charges of violation of this curfew, and any operator of any

public place who has suffered the presence of such minor or minors may also be issued an appearance ticket to appear in the Middletown City Court to answer charges of violation of this curfew.

D. A violation of this Section by a child aged 16 or 17 years shall constitute an offense within the meaning of the Penal Law of the State of New York and shall be punishable by a fine of not more than \$250 or by 15 days' imprisonment, or by both such fine and imprisonment.

E. A second or subsequent violation of this Section by a child under 16 years of age shall be reported by the police to the juvenile authorities.

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

THE FOLLOWING WAS PRESENTED

By Ald. \_\_\_\_\_

Sec'd by Ald. \_\_\_\_\_

Date of Adoption 10.03.22  
\_\_\_\_\_

Index No: 229-22  
\_\_\_\_\_

| 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 General City Wide Clean Up Period For Leaves In The Street**

RESOLVED that from November 7, 2022, to December 2, 2022, the City of Middletown will hold its general city wide clean up period for leaves in the street. (Set out no further than four (4) feet from the curb.) All other times during the year leaves must be placed in receptacles. Department of Public Works crews will pick up leaves in the street during this time only, no exceptions.

The initial Leaves pick up schedules will be as follows:

1. Second Ward
2. Third Ward
3. Fourth Ward
4. First Ward

# Department of Public Works

## City of Middletown

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



16 James Street  
Middletown, NY 10940  
Phone: 845-343-3169  
Fax: 845-343-4014

September 30, 2022

Honorable Mayor, Council President  
and Members of the Common Council  
City of Middletown, NY

RE: General City Wide Leaves pick up for 2022

Honorable Mayor, Council President and Council Members:

It is once again time for the annual leaves in the street. We request that from November 7, 2022 to December 2, 2022 the City of Middletown will hold its general city wide clean up period for leaves in the street. (Set out no further than four (4) feet from the curb.) All other times during the year leaves must be placed in receptacles. Department of Public Works crews will pick up leaves in the street during this time period only, no exceptions.

The initial Leaves pick up schedules will be as follows:

1. Second Ward
2. Third Ward
3. Fourth Ward
4. First Ward

Thank you.

Respectfully submitted,



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

kg  
Att.

# **ATTENTION**

## **City of Middletown Residents**

### **Leaf Pick Up**

From November 7, 2022 to December 2, 2022 the City of Middletown will hold its general city wide clean up period for leaves in the street. (*Set out no further than four (4) feet from the curb.*) All other times during the year leaves must be placed in receptacles. Department of Public Works crews will pick up leaves in the street during that time period only, no exceptions.

The initial leaf pick up schedule will be as follows: Second Ward, Third Ward, Fourth Ward and First Ward.

Any questions, call DPW at 343-3169 or visit our website for postings and updates [www.Middletown-ny.com](http://www.Middletown-ny.com)

**Joseph M. DeStefano, Mayor**  
J. Miguel Rodrigues, Alderman-at-Large  
Jacob S. Tawil, P.E., Commissioner of Public Works



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

THE FOLLOWING WAS PRESENTED

By Ald. \_\_\_\_\_

Sec'd by Ald. \_\_\_\_\_

Date of Adoption 10.03.22  
\_\_\_\_\_

Index No: 230-22  
\_\_\_\_\_

| 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 Grant Application on behalf of Fei Tian College**

Whereas The City of Middletown is applying for Round 6 Restore NY funds on behalf of Fei Tian College for their Student Center Project, in the amount of \$2 million; and

Whereas the proposed project will rehabilitate 92 Seward Ave into a student center with dormitories and other amenities/services and

Whereas The City of Middletown finds that the proposed project is consistent with the municipality's local revitalization or urban development plan; and

Whereas that the proposed financing is appropriate for the specific project; and  
Whereas that the project facilitates effective and efficient use of existing and future public resources to promote both economic development and preservation of community resources; and

Whereas the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities where applicable.

Now, therefore, be it resolved that the Common Council of the City of Middletown hereby authorizes the City to submit a grant application on behalf of Fei Tian College and further authorizes the Mayor to sign any document related to the grant application.