CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
NOVEMBER 15, 2022

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL (COUNCIL CLERK)
3. APPROVAL OF MINUTES October 3, 2022
4. CORRESPONDENCE, COMMUNICATION AND REPORTS (COUNCIL CLERK)
5. FOR THE GOOD OF THE CITY (PUBLIC PARTICIPATION)
6. REMARKS OF THE MAYOR
7. REMARKS OF DEPARTMENT HEADS
8. PUBLIC HEARINGS AND GRIEVANCES (NOTHING THIS EVENING)
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 $3132.76 Budget transfer for Maintenance Winter Supplies
- Resolution accepting A Funding Award of $4806 from the County of Orange for the Stop-DWI Program
- Resolution to accept a Dormitory Authority of the State of New York Grant foe $1,000,000
- Resolution authorizing a $3000 Budget Transfer for a new dimmer pack for lighting at the Paramount Theatre
- Resolution authorizing an agreement with Young Explosives Fireworks Exhibitions for the 2023 Fireworks Display
- Resolution awarding bids for surplus vehicles
- Resolution authorizing a $50,000 Budget transfer for the Department of Public Works
- Resolution authorizing a $12,687.25 Budget transfer for a Burn Simulator training building
- Resolution authorizing an agreement with Marshall & Sterling for Workers Compensation Services for 2023
- Resolution adopting the 2023 General City Government, the Water Department and the Sewer Department Budgets
- Resolution authorizing a Tax Lien Sale
- Resolution authorizing the Treasurer to Re-Levy Delinquent Water and Sewer Bills

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- Resolution authorizing Budget Transfers to Cover Overdrafts
- Resolution authorizing a public hearing on an addition of the type of use allowed in the C-2 zoning district
- Resolution authorizing an Amendment to City Code

13. LOCAL LAWS (NOTHING THIS EVENING)

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

15. ADJOURNMENT

COMMON COUNCIL MEETING
CITY OF MIDDLETOWN
October 3, 2022
City Hall
16 James Street
Middletown, New York 10940

P R E S E N T

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

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1. Pledge of Allegiance

(Pledge of Allegiance)

2. Roll Call

PRESIDENT RODRIGUES: Roll.

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

3. Approval of Minutes.

(Nothing this evening)

4. Correspondence, Communications and Reports

PRESIDENT RODRIGUES: Correspondence.

RICHARD MCCORMACK, CITY CLERK: We have a standard notice form from Fresh Time Binbin Food for an alcohol license.

PRESIDENT RODRIGUES: Referred to Planning.

RICHARD MCCORMACK, CITY CLERK: We have a notice of a public hearing from the Town of Wallkill for a project at 290 -- 249-40, I'm sorry, 238 Watkins Avenue.

PRESIDENT RODRIGUES: Received and filed.

RICHARD MCCORMACK, CITY CLERK: We have a Planning Board notice from the City of Middletown that they'll be a regular meeting on October 5th in the Common Council Chambers on or near at 7 p.m. as possible to hear any and all persons wishing to be heard on an application

of Lewis Guman (phonetic) seeking Special Use Permit and Site Plan Approval for a mini market located at 202-204 Wickham Avenue.

PRESIDENT RODRIGUES: Okay. Received and filed.

RICHARD MCCORMACK, CITY CLERK: That's it.

5. For the Good of the City

PRESIDENT RODRIGUES: Okay. For the Good of the City. I'd like to call the Chief up.

JOHN EWANCIW, POLICE: Before I begin tonight's recognition, I'd like to thank Mayor DeStefano, the Common Council and the Police Commission for providing me with this opportunity to publically recognize nine members of Middletown Police Department on their recent promotions.

I'd also like to thank the family members, friends, city residents, and the members of Middletown Police Department who have joined us here this evening to honor and celebrate the accomplishments of these amazing individuals.

Over the past year, in additional to the numerous challenges policing faced related to COVID, Bail Reform, and Criminal Justice Reform, our department just like many other police departments faced staffing challenges associated with the retirements. In this short period of time, the City of Middletown Police Department had nine

senior members of the police department retire. Those nine members collectively had more than 190 years of police service and they held leadership roles within our department.

There's no doubt these retirements had an impact on our organization. But as these honored members continued on their life's journey, they paved the way and created opportunity for others which brings us -- brings us here this evening to honor and recognize the nine members of the Middletown Police Department that have been promoted into the leadership roles over the last several months.

I would now like to invite Lieutenants Eric Harget, Patrick Cunningham, George Valentin along with Sergeants Charles Petrone, Jordan McInerney, Scott Gallagher, Kristen Beebe, Robert McCann, and Jason Beaudette to come forward.

We're still working on that discipline. In a few moments, I would -- I will officially pin each of the -- them, I'm sorry. I would first like to provide a brief overview of each of their -- their careers thus far. And just before we begin also, just a quick breakdown of what their new roles are.

The members that have been promoted to lieutenant, that is the highest ranking position in the

police department. They're responsible for ensuring department -- that the department is moving in the right direction and it is one of the top rank -- they are now one of the top ranking members in the department.

The sergeants are the first-line supervisors. They have the most important role. They're responsible for motivating, molding, and training officers to meet the goals of the department and to mentor our future leaders.

I'll begin with Lieutenant Eric Harget. Lieutenant Eric Harget is a 14-year veteran of Middletown Police Department. He started his career with MPD on July 14, 2008. During the course of his tenure, Lieutenant Harget held many positions to include narcotics officer which also included the extremely difficult assignment of being an undercover police officer. He was also a police instructor, drug recognition expert, patrol sergeant, accreditation manager and tax sergeant. He's also the recipient of numerous awards and commendations to include being honored as one of the top performers in DWI arrests within Orange County.

On January 20th, 2022, Eric was promoted to the rank of lieutenant and was immediately appointed to the very important role of Bureau Commander of Services where he will serve as the administrative lieutenant overseeing

the detective unit, narcotics unit, Juvenile Aid Bureau and the training and accreditation programs. It is a true honor to have Lieutenant Harget serving in this role. He is not only extremely inspirational, he is also -- he has also displayed time and again his dedication and commitment to the City of Middletown Police Department. And I am without doubt that he will work diligently to guide the Middletown Police Department forward.

Lieutenant Patrick Cunningham. Lieutenant Cunningham is a 16-year veteran of the Middletown Police Department. He started his career with Middletown Police on June 8th, 2005. He's no stranger to Middletown as he was born and raised here. During the course of his tenure, Lieutenant Cunningham held many positions to include canine handler, neighborhood enhancement officer, tactical response team member, police instructor, canine trainer, and patrol sergeant.

As you can see by the many awards displayed on his uniform, Lieutenant Cunningham has been honored with numerous commendations for his excellence in police work which include being awarded the Police Officer of the Year Award in 2005, 2012, and 2017. He has also received numerous lifesaving awards for his selfless acts of heroism and is also a Medal of Velor recipient for the lifesaving

actions he demonstrated during a 2007 domestic incident call in which the suspect of said call intentionally shot responding members of City of Middletown Police Department striking one of the officers twice.

Lieutenant Cunningham has demonstrated time and again his sacrifice, commitment, and dedication to the City of Middletown Police Department. And I'm honored to have him serving in his new role as a patrol lieutenant as he is now one of the top-ranking members of the Middletown Police Department where he will be instrumental in guiding our department into the future.

Lieutenant George Valentin. Lieutenant Valentin is a 20 year -- 24-year veteran of the Middletown Police Department. He started his career with MPD on January 26th, 1998. Lieutenant Valentin is currently the most senior member of the police department and I'm grateful that he continues to have the focus and motivation to ensure that all members give 100 percent on a daily basis.

During his tenure, Lieutenant Valentin held many positions to include field training officer, school resource officer, detective, and patrol sergeant. He's also the recipient of numerous awards and commendations and I'm honored to have him serve in his new role as a patrol lieutenant, one of the top-ranking positions on the

Middletown Police Department where I'm confident he will continue to mold and mentor his subordinates in an effort to best achieve the department's goals.

Sergeant Charles Patrone. Sergeant Patrone is a nine-year veteran of Middletown Police Department. He started his career with Middletown Police on September 10th, 2012. Sergeant Patrone is a role model to his fellow employees. And during his tenure, Sergeant Patrone held many positions to include field training officer, police instruction, master taser instructor, crisis intervention instructor. And he is also the recipient of numerous awards and commendations. And I'm honored to have him serve in his new role as a patrol sergeant where I know he will strive to do his very best while expecting the same for his subordinates.

Sergeant Jordan McInerney. Sergeant McInerney is a nine-year veteran of the Middletown Police Department. He started his career with Middletown Police on September 10th, 2012. Prior to joining Middletown Police Departments, Sergeant McInerney served in the United States Marine Corps. And I'd like to thank him for his service.

During his tenure, Sergeant McInerney held many positions to include canine handler, neighborhood enhancement officer, field training officer, police

instructor, fire arms instruction, and drill instructor.

He's also the recipient of numerous awards to include the Medal of Velor for his role in an officer-involved shooting in 2016 in which he and his fellow officers were confronted by an armed subject.

I'm honored to have Sergeant McInerney serving in his new role as Patrol Sergeant where I'm confident he will hold his subordinates to the highest standards.

Sergeant Kristen Beebe. Sergeant Beebe is a 13-year veteran of the Middletown Police Department. Sergeant Beebe started her career with Middletown Police on March 2nd, 2009. During her tenure, Sergeant Beebe has held many positions to include child passenger safety seat technician, and DARE instructor where she was able to connect with numerous youth throughout this community instilling vital, educational lessons to assist these youth make proper choices and steer clear of negative pressures as they navigate through their life's journey.

Sergeant Beebe has also been instrumental in many of our youth engagement opportunities. And in doing so, she has worked hand and hand with the Middletown Recreation Department and the Middletown School District coming up with creative and exciting ways and opportunities to better connect with the youth of this community.

She is also the recipient of several awards and commendations and I am confident that she will work hard in her new role as a patrol sergeant as she guides her subordinates in a manner to best achieve the department's goals.

Sergeant Scott Gallagher. Sergeant Gallagher is a 14-year veteran of the Middletown Police Department. Sergeant Gallagher started his career with the Middletown Police on March 3rd, 2008. During his tenure, Sergeant Gallagher held many positions to include field training officer, evidence technician, downtown officer, bicycle officer, and neighborhood enhancement officer. He is also the current PBA president and he takes this role very seriously, always keeping a balance between the department and its members.

Sergeant Gallagher is also the recipient of numerous awards and commendations. And I'm honored to have him serve in his new role as a patrol sergeant where I'm confident that he will utilize his strong work ethic and drive to ensure his subordinates provide the best police services to the members of this great city.

Sergeant Robert McCann. Sergeant McCann is a six-year veteran of the Middletown Police Department. Sergeant McCann started his career with the Middletown

Police on April 4th, 2016. During his tenure, Sergeant McCann held many positions to include field training officer, bicycle officer, narcotics unit officer which also included the extremely difficult assignment of being an undercover police officer.

Sergeant McCann is a very motivated member of this department, always leading by example and striving to be -- striving to be the best he can in every assignment.

He's also the recipient of numerous awards and commendations. And I am confident that he will work hard in his new role as a patrol sergeant as he guides his subordinates in a manner to best achieve department goals.

Sergeant Jason Beaudette. Sergeant Beaudette is a 13-year member of the Middletown Police Department. During his -- Sergeant Beaudette started his career with Middletown Police on March 2nd, 2009. And as a patrol officer, Sergeant Beaudette was extremely active, constantly being one of the department's top performers in regards to arrest and traffic summons.

During his tenure, Sergeant Beaudette held many positions to include Narcotics Unit, field training officer, police instruction, firearms instructor, and taser instructor.

Sergeant Beaudette is a very motivated member of

this department, always leading by example and striving to be the best that he can in every assignment.

He's also the recipient of several awards and commendations. And I am confident he will work hard in his new role as a supervisor of the Narcotics Unit where he and his team in conjunction with our local, state, and federal law enforcement partners will work diligently to rid the city of the poisonous drugs.

The nine men and women -- woman that stand before you this evening have put in countless hours preparing themselves for this opportunity. Not just the long hours they committed to studying for their promotional exams, but the hours, days, and years that they have put forth throughout their careers working towards achieving the departmental goals all while making the City of Middletown a safer community.

Each one of these members demonstrated early in their careers their dedication to the City of Middletown Police Department as well as their desire to move up through the ranks of the police department. Each of them now hold a very vital and important leadership positions where they will be able to utilize their strong worth ethics and experience to provide dedication, direction, and important knowledge throughout the department.

I am very confident in all of their leadership abilities and I'm confident they will excel in their new positions.

I'd now like to ask Mayor DeStefano as the head of the Police Commission and Police Commissioner and Common Counsel President Miguel Rodrigues along with Lieutenant Thoelen to join me as I complete the pinning ceremony of the lieutenants and sergeants.

(Pinning ceremony takes place)

JOHN EWANCIW, POLICE: This is really a monumental moment for the Middletown Police Department considering that we had 16 supervisory roles within the organization, 9 of those roles were replaced with these members within the last -- over the last year. So there's been a lot of movement and it's all for positive. And I look forward to, you know, what comes from all of this. And I hope to see many of these here on more occasions.

So just in closing, before we do close up, Lieutenants Harget, Cunningham, and Valentin, and Sergeants Petrone, McInerney, Beebe, Gallagher, McCann, and Beaudette, your dedication and commitment to the Middletown Police Department is inspiring and so greatly appreciated. I know that each of you have put in countless hours preparing for these promotions. I commend you for your

efforts, your dedication and your outstanding achievements.

In your new supervisory roles, there's no doubt each of you will be facing new challenges especially in today's environment in which policing has undergone significant change and reform. But you have my promise that I will support and assist you every step of the way and as will all the other dedicated men and women of this organization.

I encourage you to stay true to yourselves and true to the strong morals and ethics that have led you to -- led you on this journey in which I have helped you to achieve your new supervisory roles. I ask that you always remember your oath that you took in which you swore to protect and serve the people of this community. I also ask that you not always -- that you always remember why you became a police officer, but also why you chose to take on the additional responsibility of becoming a supervisor.

As you enter into these new roles, I implore you to strive for excellence in everything that you do and excellence from the people you lead. And, please continue to work diligently towards achieving the goals and objectives of the organization while ensuring the safety and security of this great city.

Once again, I'd like to congratulate each and one

of you for your accomplishments. Congratulations.

This concludes our pinning ceremony. The PBA along with the honorees would like to invite all of the guest and family members back to the police department for a light -- some light refreshments. And I believe --

JOSEPH DESTEFANO, MAYOR: Yes, on behalf of the City of Middletown, I, too, want to congratulate you on your promotions and the new responsibilities that you're undertaking.

Each of you appeared before the Police Commission, went through interviews, some of you a couple of times and just showed your -- your dedication to your goal and meeting the objectives of the department in of the community.

You know, the institution of the police department is strong here in the City of Middletown. The Chief referenced Bail Reform and some of the other issues that are affecting police nationally, but I think locally, from the leadership of Chief Ewanciw to your leadership and as the lieutenants, formerly sergeants and patrol officers moving into sergeant positions, you've demonstrated a commitment to our community and a commitment that comes through to our residents.

And so I wanted to personally thank you and

offer, of course, the assistance of our Common Council and myself to give you the promise that the resources that are necessary for you to do your jobs and to protect our community and to protect yourselves which is most important also.

So I want to thank you once again. Congratulations. And enjoy those light refreshments because we have a meeting to conduct, so feel free to leave. So thank you so much.

PRESIDENT RODRIGUES: All right. We have another special presentation.

JOSEPH DESTEFANO, MAYOR: Well, it's a good night to -- to be here and nice to see a lot of people here and celebrating different -- different events in our city. You know, one thing about -- about Middletown, we have a -- we have a lot -- a long history and that history includes several businesses that help make this community what we are today.

A few -- a few weeks back we celebrated 71 years of Tony Boffa's Restaurant. A little before that we had some celebration for some downtown businesses. You know, and people move on. People move on in life. And when you have someone who has accomplished something for our community such as the Boffa did and -- and Maria, we -- I

think it's important that we as a community recognize them.

So just give me a little -- Maria's Beauty Fashions is located at 122 Prospect Avenue. And Maria Olivieri Bruni -- Bruno -- I've got Bruni in the back, Bruno in the front. She started her cosmetology career in 1965. She attended the Middletown Beauty School on West Main Street. And she opened her hair salon, Maria's Beauty Fashions at 122 Prospect in April of '72. I was, by the way, in ninth grade or eighth grade maybe I think.

ALDERMAN: I wasn't born yet.

JOSEPH DESTEFANO, MAYOR: Maria is also friends with my mother-in-law, so -- and she's a very kind person. Her career spanned over 57 years.

Maria was known for her expertise in many areas in permanent waves, hair color theory, and she's proficient in that business that she was in and she had a career out of.

She also provided professional services to many TV and radio personalities, something that many people didn't know in the community.

Most importantly she would -- and this is probably the most important part about Maria, that she would financially help clients that were in need of her services. Always willing to lend a hand. She donated her

time to the community, to the people, services and monies to local charities and organizations. And that's the type of person she is.

Marie's Beauty Fashions served thousands of clients and employed approximately 50 hairdressers over the years. Maria lived and worked out of the same location raising her daughter Lisa at 122 Prospect Avenue. And Lisa also has a career as a hairdresser at the same location.

Now that she is retired, Maria looks forward to shopping, going out to lunch, enjoying life, spending time with Larry and whatever she wants to do, Maria is going to do.

But we as a city, I think, it's important that we recognize people like Maria who have given so much to our community. And now it's time for them to enjoy.

So, Maria if you would come up, please. On behalf of myself and the Common Council, we wanted to present you with this little plaque and the Key to the City and recognizing your 50 years of business here in the City of Middletown. And we hope you enjoy your retirement, so thank you so much.

MARIA OLIVIERI BRUNO: Thank you so much.

Thank you everybody. And I'm proud to be part of this community. We've served the area for over 50 years and

we're very proud. Thank you.

JOSEPH DESTEFANO, MAYOR: Thank you.

MARIA OLIVIERI BRUNO: Good bless you all.

JOSEPH DESTEFANO, MAYOR: Congratulations.

PRESIDENT RODRIGUES: I don't think there's anybody else for the city.

6. REMARKS OF THE MAYOR

PRESIDENT RODRIGUES: Remarks of the Mayor. Any remarks?

JOSEPH DESTEFANO, MAYOR: Well, besides spending a couple of days in a hurricane --

MALE SPEAKER: You're like one of those politicians, all the delay, right?

JOSEPH DESTEFANO, MAYOR: I spend money to go to Florida to sit in hotel room and enjoy a hurricane, but that's beside the point.

I -- so I've been out of town for a week. I want to thank Alderman Masi for, from what I understand, he was sitting at my desk quite a bit having like a -- a moment thinking that somehow I wasn't coming back, but I did. So we threw him out of there immediately this afternoon. And I really don't have much more to report other than I -- I did spend later in the afternoon getting caught up on things and, of course, in touch with people throughout my

vacation. But other than that I'm just here to answer any questions if you have them.

Once again, congratulations to Maria and -- and also congratulations to all the officers who received their promotions. And I think the Chief touched on the most important part is this is a significant turnover in administrative personnel for the City at one time in the police department. Nine out of 16 I think it is, it's pretty significant. And they all -- they're all doing an excellent job, very committed to their positions. And I see -- if you see what's going on in other cities in the -- in the mid-Hudson Valley, I think we can appreciate the job that we're doing here, not that the police in the other departments aren't doing their job, but I think we're really given the resources to the police department too and we need to stay on top of that. And that's why we do what we do at budget time. We make the appropriate allocations and budget and appropriate programs. And I think it's once again as we're going through our budget, we'll see maybe a few more requests from the Middletown Police Department that we should be strongly considering as we go forward.

I do have an Executive Session request for a personnel matter at some point. I think if -- if you want to take a break after this and allow Maria and her family

to go because the rest of the meeting is very boring, so.

PRESIDENT RODRIGUES: Yep. We'll take a brief -- no questions for the Mayor? We'll just take a quick break and then we'll come back.

(Recess for Executive Session)

JOSEPH DESTEFANO, MAYOR: All right.

PRESIDENT RODRIGUES: All right. We're back live.

7. REMARKS OF DEPARTMENT HEADS

PRESIDENT RODRIGUES: So remarks of Department Economic Development.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Good evening, everyone.

This evening we had a public hearing regarding an application to restore New York for 92 Seward Avenue for a student center for Fei Tian College. I look for your support on the Resolution tonight to advance this -- the application to the state.

Also this week, Hudson Valley Main Street, Pattern for Progress is having a conference at the Paramount Theatre October 6th, 9 a.m. You could still register online. Visit patternforprogress.org or you can go to our website, the City website.

We are searching again for the perfect tree for

John F. Degnan Square, so we begun our search. Let's -- let's see if we can close to what we had last year.

And coming to the Paramount we have the Floyd Experience, we have Abba Mania, Absolute Queen, and we have Sonny Bivins and the Manhattans with Peaches & Herb. So all that is -- and the farm market is still going a couple more weeks.

So that's all I have for tonight.

PRESIDENT RODRIGUES: Any questions for Maria?

Thank you, Maria.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Thank you.

PRESIDENT RODRIGUES: Police Chief.

JOHN EWANCIW, POLICE CHIEF: Good evening.

I'd like to thank the Council and the Mayor for allowing me to perform the ceremony earlier. It's important to the membership. They work hard and they deserve to be recognized.

What we do have coming up this month, October 18th, we're going to kick it off is our leadership academy. We did run a leadership academy in the spring and then a few months ago the -- the Council approved additional monies to start a second one. So October 18th will be our go date. It's a 12-week program. We are looking for 25 teen individuals from the community to participate. So

we'll be doing some outreach trying to get some -- some participants. And we look forward to that opportunity.

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

PRESIDENT RODRIGUES: Any questions for the police chief? Thank you, chief.

JOHN EWANCIW, POLICE CHIEF: Thank you.

PRESIDENT RODRIGUES: DPW Commissioner.

JACOB TAWIL, DPW COMMISSIONER: Good evening, Council President, Council Members, Mayor.

We'll start with reporting on the reservoirs for Alderman Masi. And we're still in the drought condition here in this region. Unfortunately, over the weekend, all that rain missed us and we did not get any of it for October. But we're at 81 percent full now, our reservoirs. So hopefully we'll get rain again soon and with a significant quantity.

Tomorrow the contractor mobilized the date for milling and paving Route 211 and Monhagen Avenue. That section that is really not -- not acceptable at all, so hopefully tomorrow the milling will start. And, weather permitting, I see some rain for tomorrow which is good for the reservoir, but not good for paving and milling. But -- and after that, Wednesday we will have the paving and

Thursday as well. So hopefully that episode will be over and the Council President will not call it rodeo anymore.

The traffic operations, as you can see, progress is really moving and Boyce now is doing a major push before the snow and before the freezing weather to come in. So they're trying to get as much as possible done with the curbs and sidewalks' project.

New water treatment plant, the -- the new pump station has been commissioned and we had some issues with figuring out the flows and -- and so on and so forth. But it's all -- I believe it's all calibrated now and we know where the flows are going. And I spent a couple of days there with the guys to figure it all out and it's all under control, I believe, and can be reported reliably to the Department of Health how much water we're taking.

Talking about the water treatment plant, we had a water main break last night. It was like midnight. The guys came over, they fixed the water main break. In the process of isolating the water main break, a valve broke and it started leaking. So they continued working 9:00 this morning. They took down the valve that broke and replaced it and now the whole area in there it's in good shape. So for that, I want to appreciate those men that worked, basically, from midnight until the end of the shift

today repairing water main breaks and the valve that broke because they were trying to isolate the water main break.

And before you there's going to be a Resolution for the leaves allowing City residents, should you approve it, to deposit their leaves within four foot from the curb. And then DPW will come in and pick it up. It's going to be between November 7th until December 2nd.

And, so, again, we, you know, we ask people to be conscientious about the safety and not to make huge piles in there, so that kids can be hidden within the piles. God forbid something runs over them. Keep them away from intersections and so on. Just use your judgment, please. And if you see something that is restricting any traffic, call DPW. And do not put anything out there until after November 7th, please.

I will conclude we are getting ready as well to put out for bid Shawangunk Reservoir dams to upgrade them to meet the DEC new regulations.

With that, I will conclude my comments.

PRESIDENT RODRIGUES: Any questions for Jacob? Thank you, Jacob.

JACOB TAWIL, DPW COMMISSIONER: Thank you.

PRESIDENT RODRIGUES: City Treasurer.

LEONORA LIZ, CITY TREASURER: Hi. Good evening.

I have nothing to report on today. Do you have any questions?

PRESIDENT RODRIGUES: Questions for the treasurer? Thank you.

PRESIDENT RODRIGUES: Superintendent of Recreation.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION:

Good evening, everyone. Just a maintenance update. Currently our aerator at Davidge is down. There's a leak in the dam. And thank you to Jacob and DPW they are working to fix that to restore those water levels at -- in the pond. And the aerator will be coming out at the end of this month and next month. And then we're going to be able to assess better the repairs that are going to be needed to the aerator that the motor blew because the water levels got so low.

The water issue at the dog park has been fixed. The fountain was installed. And all is happy again in the dog park.

We are in communication with the dog park frequent flyers that are there all the time and letting them know we need their help with shutting that water off after everyone is there because that does call -- cause a lot of the puddling and pooling in the mud there. People

go and use the water, leave it running, it makes huge mud puddles. But hopefully together we can work together and alleviate those issues.

They're working on the numerous trees that are down with the recent wind that we've had the past few weekends on the reservoir trails. They're working with Orange and Rockland to once the power is off to get those trees down, cut up and removed.

Wolslayer Field, the storage room is complete. The lights to the bleachers and parking lot are up and complete. Our department did assist Rotolo with the digging of the trenches to complete that project.

The bathrooms are open, but we still do need dividers. John Bianchi is hoping to find old ones from somewhere to refurbish them because new ones are very costly.

The practice field is being top soiled and leveled out and it will be seeded in a week or two. They're just doing their normal basic upkeep.

I'd like to say congratulations to Matt Libolt who was promoted to working supervisor of our maintenance department. He's been doing it as John Bianchi's number two for many years. And I do have full confidence in him that he can continue the great work that John has started

with the Parks Department. And I have full confidence that he can continue it.

As far as our Recreation Department, Program Coordinator Contessa Beckford has started her Leadership Orange class. It's a nine-month program where they meet monthly all throughout Orange County. It's -- she had to apply for the program and she was accepted. She's had two sessions thus far. She's bringing back knowledge of the county and all the doings and happenings and all the new things going on within the county. She's bringing it back to us as well as sharing what we, with the City of Middletown and Recreation Department, are doing here in Middletown.

Last week I went to -- attended the Hudson County Leadership Association meeting. I was in Dutchess County. It's a pretty far drive. That Taconic State Parkway is very dangerous. However, over the winter -- they're very excited -- they did ask us to host -- Middletown to host one of their winter meetings. They're very interested in seeing our spray pad, the set up and the whole filter room and also seeing the ice skating rink. So they are very interested. Pretty much every member that's in the Hudson Valley, none of them really have the refrigerated ice skating rink or the spray pad, so it's something that

they're all very interested and all the rec leaders would like to come and visit and see that as well.

All our fall programming is up and running and we're starting to plan for the winter. And just want to remind everybody on October 15th, we have our Halloween festivities going on in partnership with the City of Middletown and the YMCA. We're going to have the parade, a story and craft, and a Trunk or Treat that weekend.

And that is all. Any questions?

PRESIDENT RODRIGUES: Any questions for Raelynn? Nice job. Thank you.

City Clerk.

RICHARD MCCORMACK, CITY CLERK: Good evening, everybody. The City Clerk's Office was excited to begin accepting online applications for vital records today. It's the first part in my effort to go paperless in the City Clerk's Office. Vital records are available online -- application available online. You can pay online through the City website.

I want to thank Solinas and Lori for embracing this transition to paperless online applications. And in the coming weeks, we'll be phasing out applications in the office from paper to digital applications as well. So thank you for your support and thank you guys.

PRESIDENT RODRIGUES: Questions for Rick? Thank you, Rick.

8. Public Hearing and Grievances:

(None this evening)

9. Petitions and Complaints

(None this evening)

10. Remarks of the Alderman.

PRESIDENT RODRIGUES: Remarks of Alderman.

Alderman Masi.

ALD. MASI: I'd like to thank and congratulate the police department and all the members that were promoted in the pinning ceremony. Chief, I think that's very good. It's a nice thing for their families for them and for their friends and for the Council to see that.

And, second, Maria, you know, Maria and I go back. We were next door neighbors, her family and mine. We go back well over 50 years. Very good person, very good family. And we're thankful that she started her business here, is still in business. It's a good thing for her and a good thing for Middletown. And I'm glad that the Mayor recognized her tonight.

Thank you. That's all I have.

PRESIDENT RODRIGUES: Alderman Witt.

ALD. WITT: Thank you very much.

I, too, would also like to congratulate the police on their promotions. That's a tremendous job and I'm glad we had an opportunity to adhere, so people can see it.

My congratulations also to Maria's Beauty Fashions on 50 years. That -- that's incredible. That's a great run. And like the Mayor mentioned, that's part of what makes our city what it is.

And, finally, our 1st Ward meeting, constituents meeting will be -- it is October 12th, but we're going to back the time up to 5:30 to 6:30. So that will be here in the Common Council chambers, October 12th, Wednesday from 5:30 to 6:30. Thank you.

PRESIDENT RODRIGUES: Thank you.

Alderman Green.

ALD. GREEN: Thank you.

Yeah, I'll echo the congratulations to the police department. Nine is an amazing number of promotions and -- and they're all phenomenal and outstanding men and women there.

Congratulations to Maria on 50 years in business. That's no small number and no small task. I think anyone who -- who looks back at all the businesses you patronize, not many can say they've been around for 50 years. So many

congratulations to her.

The Fire Chief Barber asked me to remind the Council that on October 21st which is a Friday night will be inspection night at 6 p.m. And I'm assuming we'll meet here as usual in the City Hall parking lot.

And then just for anyone who will be observing Yom Kippur, just wishing you a good and easy fast. Thank you.

PRESIDENT RODRIGUES: Alderman Kleiner.

ALD. KLEINER: Thank you.

I assume people are watching this on the replay because Yankees and Mets are both playing tonight. Time's running out.

We will have our constituents meeting on next Monday, Columbus Day on October 10th. And Commissioner Tawil has kindly promised to be there for the meeting, so to answer some questions. And we hope to have a good meeting. We've always met on Columbus Day.

Our police department in Middletown, it just seems to be second to none. We -- we keep getting and promoting really good officers. And they are so dedicated to the community and I thank the Chief and I thank them. It -- it just makes this job so much better.

And I also wish all our Jewish friends a very

good Yom Kippur tomorrow and Wednesday.

The Farmers Market, I'm not sure what the last day is. I'll get a clarification on that. I heard it was the 22nd. The bid website says the 29th. Maria says the 14th. So maybe next -- next meeting we'll get it clear on that?

PRESIDENT RODRIGUES: Maria, it's the 22nd? Okay.

ALD. KLEINER: Okay. The -- the 22nd, so it's three more weeks. Very good.

Next meeting, I will wait because this was a busy time, so we'll get updates on some of the things that I get asked about a lot and things going on.

In case you don't know, the building in the psych center that Fein Tian College is -- that we had the public hearing about tonight, that's the old nurse's home. And it's the tutor building. And it will be great to see that being used again.

And, finally, this is the first Monday in October, so, you know, Halloween coming up is scary, but it's not as scary as the Supreme Court first Monday in October. Thank you.

PRESIDENT RODRIGUES: Alderman Ramkissoon.

ALD. RAMKISSOON: Good evening.

Good evening. I just wanted to congratulate our officer promotions this evening.

I'd like to wish Maria a happy retirement and thank her for her service for the community.

On behalf of all the people in the 3rd Ward, especially those who live by Pilgrim Estates and (indiscernible), et cetera and anyone who has to drive that stretch of Monhagen, we are all very excited to see that repaved.

And that's really all I have this evening. Have a good night.

PRESIDENT RODRIGUES: Alderman Johnson.

ALD. JOHNSON: Thank you.

Yes, kudos to Maria. You know, here profession is a changing landscape. Businesses come and go. And it's a two-way street. She's provided good service that allowed her to work for 50 years and the community has supported her. So it's a -- it's a win-win all the way around.

And as far as the officers this evening, my congratulations to them as well. Also congrats to the Chief for navigating a smooth leadership transition. Thank you..

PRESIDENT RODRIGUES: Alderman Jean-Francois.

ALD. JEAN-FRANCOIS: Yes. Also congratulations

to the nine officers and their promotion tonight. I mean, being a police officer is a hard job as it is. And may God bless them to do the services for the City of Middletown.

And congratulations to Maria. Fifty years is a long time. God bless her. Thank you.

PRESIDENT RODRIGUES: Alderman Tobin.

ALD. TOBIN: I'd like also to congratulate the officers for the promotions. And on behalf of the community I'd like to thank them. We're so proud of our police force. Like Gerry mentioned, you are truly are exemplary. And I'd like to see how we're growing our own talent.

Maria's Beauty Fashion, also congratulations 50 years. I mean, in the community, serving the community, she could probably could easily have went to, like, the mall or, you know, out to a strip mall in Town of Wallkill, but she stayed in Middletown serving us. And so that must be commended, so thank you very much.

And to Jacob's folks working, you know, a full shift through the night making sure the water still runs, we all depend on. You know, thank you. Because you know that's a sacrifice. You know, probably weren't home for dinner. They didn't see their kids in the morning. So helping the community out, we really appreciate it. Thank

you.

PRESIDENT RODRIGUES: Okay. Motion to go into executive session to discussion employment.

ALD. JOHNSON: Second.

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

ALDERMAN: Aye.

(Off-the-record Executive Session takes place)

PRESIDENT RODRIGUES: We're now out of Executive Session.

RICHARD MCCORMACK, CITY CLERK: Am I adding that Resolution?

PRESIDENT RODRIGUES: Yes, you can add that Resolution.

11. Unfinished Business.

(Nothing this evening)

12. New Business.

PRESIDENT RODRIGUES: Okay. New Business.

RICHARD MCCORMACK, CITY CLERK: We have a Resolution sponsored by Alderman Masi authorizing a $15,000 budget transfer from within the Fire Department's budget.

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

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

RICHARD MCCORMACK, CITY CLERK: A Resolution sponsored by Alderman Witt authorizing a budget transfer for $500 from within the Parks and Rec budget.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Green authorizing a budget transfer for $5,200 from within the Golden Area budget.

PRESIDENT RODRIGUES: Resolution by Alderman Green, seconded by Alderman Johnson. Any discussion?

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Witt authorizing a $75,296.71 budget transfer from within the Recreation Parks Department.

PRESIDENT RODRIGUES: Resolution sponsored by

Alderman Witt, seconded by Alderman Masi. Any discussion? Roll.

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Kleiner authorizing $1,250 budget transfer from within the general budget.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderwoman Ramkissoon authorizing a $71,963.03 budget transfer from within the general budget.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution

sponsored by Alderman Johnson to approve an extension of time of six months for two Resolutions dated May 4th, 2021, Number 98-21 and 99-21 for the Presidential Heights Realty Subdivision.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Jean-Francois amending the City Code to create a new section 216-6 Halloween curfew.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Jean-Francois authorizing the general citywide cleanup of period for leaves in the street.

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

discussion?

I just would like to say I know Halloween we have a lot of leaf piles. Kids walk. Maybe next year we can look at picking up a little bit earlier than November 7th. But Halloween you'll see it. They'll be a lot of leaf piles out there. Anyone else?

Roll.

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Tobin authorizing a grant application on behalf of Fei Tian College.

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

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

PRESIDENT RODRIGUES: That's sponsored?

RICHARD MCCORMACK, CITY CLERK: That's sponsored.

RICHARD MCCORMACK, CITY CLERK: We have a Resolution on sponsoring confirming the Mayor's appointment of John Bianchi as a Deputy Commissioner of Public Works.

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

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

13. Local Laws

(None this evening)

14. 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 Alderman Tobin. Roll.

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

15. Adjournment

PRESIDENT RODRIGUES: Move for adjournment.

ALD. MASI: So moved.

(PROCEEDING CONCLUDED)

CERTIFICATE

I, LISA KANE, certify the foregoing transcript of proceedings of the October 3, 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: November 8, 2022

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

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Johnson

Date of Adoption 10.03.22

Index No: 221-22

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			

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.

From:	Amount	To:
A.3410.202 Coats & Boots	$ 5,000.	A.3410.417 Gas & Oil
A.3410.207 Hose	$ 5,000.	A.3410.417 Gas & Oil
A.3410.496 Personnel Training-Volunteers	$ 5,000.	A.3410.417 Gas & Oil

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 10.03.22

Index No: 222-22

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			

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

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Johnson

Date of Adoption 10.03.22

Index No: 223-22

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			

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.

FROM	**AMOUNT**	**TO**
GA.5680.495 Miscellaneous	$500	GA.5680.417 Gas and Oil
GA.5680.481 Telephone Request	$700	GA.5680.417 Gas and Oil
A.0899.05 Senior Citizen Donations	$4,000	A.6772.05 Senior Citizen Programs

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Witt

Sec'd by Ald. Masi

Date of Adoption 10.03.22

Index No: 224-22

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			

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

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 10.03.22

Index No: 225-22

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

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 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

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoon

Sec'd by Ald. Jean-Francois

Date of Adoption 10.03.22

Index No: 226-22

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			

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 Social Security Payments	$1,359	GA.9000.810 Retirement Fund
GA.9000.850 Unemployment Insurance	$177.41	GA.9000.889 Dental Insurance
A.1325.433 Personnel Training	$425.62	A.1325.401 Travel Expense
A.9000.861 Retiree Health Insurance	$70,000	A.1900.964 Refund& Cancellation

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Kleiner

Date of Adoption 10.03.22

Index No: 227-22

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			

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.

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Johnson

Date of Adoption 10.03.22

Index No: 228-22

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			

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. Jean-Francois

Sec'd by Ald. Green

Date of Adoption 10.03.22

Index No: 229-22

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			

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

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 10.03.22

Index No: 230-22

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			

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.

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Green

Date of Adoption 10.03.22

Index No: 231-22

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			

Resolution Confirming the Mayor's Appointment of John Bianchi as a Deputy Commissioner of Public Works

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's appointment of John Bianchi as a Deputy Commissioner of Public Works (Part time), beginning August 29, 2022 through December 31, 2024 at a salary of $36,000/year.

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Tobin

Date of Adoption 10.03.22

Index No:

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			

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

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11.15.22

Index No: 260-22

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				

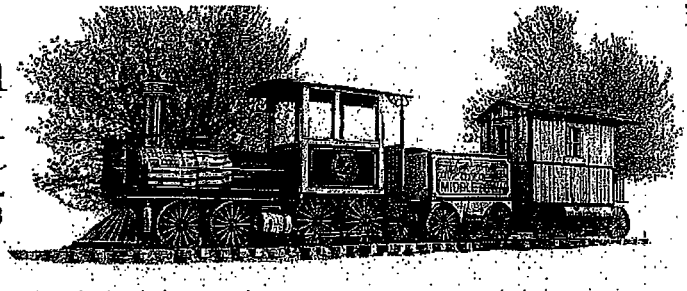
Resolution authorizing a $3132.76 Budget transfer for Maintenance Winter Supplies

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer $3132.76, in the following manner, to cover maintenance winter supplies.

FROM	**AMOUNT**	**TO**
A.7180.100 – Personnel Services	$2,265.76	A.7020.450 Gen. Rec. Materials & Sup.
A.7180.440 – Repair to Equipment	$571.25	
A.7180.441 -Pools	$295.75	

Middletown Recreation and Parks Department

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



Monday, November 7, 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 from the following accounts (total $3,132.76) to account A.7020.450 General Recreation – Material & Supplies.

- $2,265.76 from account A.7180.100 Pools – Personnel
- $571.25 from account A.7180.440 Pools – Repairs to Equipment
- $295.75 from account A.7180.441 Pools – Repairs to Pools

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 11.15.22

Index No: 261-22

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

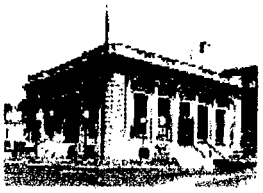
WHEREAS an Inter-Municipal Agreement with the County of Orange was approved by the Common Council in March 2022, for STOP DWI funding for the contract dates of March 12, 2022 through January 1, 2023 and

WHEREAS Chief Ewanciw was notified that the third 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

November 7, 2022

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

Dear Mayor DeStefano and Members,

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 November 11, 2022 through January 1, 2023.

We were notified that the third 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

(8)

ORANGE COUNTY, NEW YORK

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

Steven M. Neuhaus
County Executive

Coordinator
Brendan R. Casey
Commissioner
Emergency Services

Administrator
John Jones

TO: CITY OF MIDDLETOWN Police Department

FROM: Brendan R. Casey, Commissioner/Emergency Services

DATE: October 12, 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 "second" enforcement period, Municipality is hereby awarded the following for the "third" enforcement period of November 11, 2022 thru January 1, 2023 which includes the Thanksgiving, Christmas, and the New Year's 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 "third" enforcement period for the "third" 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 11.15.22

Index No: 262-22

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 accept a Dormitory Authority of the State of New York Grant foe $1,000,000

BE IT RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and accepts DASNY Grant #25220/Acquisition of Various Properties in Downtown Middletown in the amount of $1,000,000.00. This grant will be applied to the Downtown Infill Project for the acquisition of properties related to this project.

BE IT FUTHER RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment, and authorizes the Mayor, as the sole signatory, to sign any and all documents pertaining to this grant.

CITY OF MIDDLETOWN
Office of Economic & Community Development

November 8, 2022

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

RE: Downtown Infill Project / Grant Application

Dear Members:

I am requesting authorization to accept DASNY Grant #25220/Acquisition of Various Properties in Downtown Middletown in the amount of $1,000,000.00, and to authorize the Mayor, as the sole signatory, to sign any and all documents pertaining to this grant. This grant will be applied to the Downtown Infill Project for the acquisition of properties related to this project.

This grant was secured by Senator Skoufis.

Thank you for your attention to this matter.

Maria Bruni, Director
Economic & Community Development

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11.15.22

Index No: 263-22

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 $3000 Budget Transfer for a New dimmer pack for lighting at the Paramount Theatre

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer $3000, in the following manner, new dimmer pack for lighting of the main theatre.

From	Amount	To
A.7010.470	$3,000.00	A.7010.200
Repairs to Building		Equipment

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption 11.15.22

Index No: 264-22

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 Young Explosives Fireworks Exhibitions for the 2023 Fireworks Display

BE IT RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes an agreement with Young Explosives Fireworks Exhibition agreement for the 2023 fireworks display.

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

CITY OF MIDDLETOWN
Office of Economic & Community Development

November 10, 2022

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

RE: 2023 Fireworks Display

Dear Members:

I am requesting the approval of Young Explosives Fireworks Exhibition agreement and to authorize the Mayor to sign the 2023 agreement.

The 2023 fireworks display will be held on Saturday, July 1, 2023 at Fancher Davidge Park. This item is a budgeted item.

Upon consultation with our corporation counsel Mr. Smith this service is deemed as a professional service.

Thank you for your attention to this matter.

Maria Bruni, Director
Economic & Community Development

YOUNG EXPLOSIVES CORPORATION

Fireworks Exhibition Agreement

This agreement made this 15th day of November, 20 22 by and between Young Explosives Corporation of Rochester, NY, hereafter designated **Young,** and

City of Middletown - NY
16 James Street
Middletown, NY 10940

hereafter designated the **customer,** providing for the sale of and an exhibition of fireworks to be located at

Fancher-Davidge Park 158-170 Lake Ave. Middletown, NY

on the date of Saturday July 1, 20 23 in a location to be designated by the customer and approved by Young.

The parties hereto mutually agree, one with the other, as follows:

1. **Guaranteed Exhibition of Fireworks**
   Young agrees to furnish an exhibition of fireworks substantially in accordance with the program submitted and that it shall be of first quality and properly made. Young shall supply a sufficient number of technicians to execute the display in a safe and artistic manner. Young guarantees that the display will be performed to any specifications outlined in this contract or in any approved addendums.
2. **Spectator Control**
   The customer agrees to furnish sufficient protection, by either barricades, rope lines, or other dividers, at all points from the discharge area to prevent and keep spectators from entering the area and agrees to furnish ample police protection to Young's property and for the assembly, firing and dismantling of the exhibition without interference from the public. The customer shall defend, indemnify and hold Young harmless for any liability because of the customer's negligent breach of this Section 2.
3. **Permits**
   The customer agrees to procure and pay for all necessary permits and licenses which may be required by the municipal authorities. Young will apply for and obtain necessary permits and licenses on behalf of the customer if noted on page 2 of the contract or if notified by written notice from the customer. In that event, customer will pay in advance to Young the amount needed to pay for the permits and licenses. Permit and licensing fees are non-refundable unless refunded by the licensing authority. Customer assumes the responsibility for seeking a refund when applicable.
4. **Insurance**
   a) Young agrees to procure liability insurance for $ 2,000,000.00 coverage and zero deductibility on behalf of the customer. The insurance cost is included in the payable sum shown on this agreement.
   b) Young will provide Workers' Compensation and Disability for the fireworks technicians.
5. **Postponement or Cancellation**
   a) Young agrees that in the event of rain or inclement weather, a reasonable postponement may be made with ***no extra charge.***
   b) If the customer cancels the exhibition, Young reserves the right to bill the customer for travel expenses incurred, labor performed, and for the cost of the insurance.
   c) If the customer cancels the exhibition before Young's technicians have been dispatched to the site, there will be ***no charge.*** However, customer is responsible for the actual expenses incurred by Young for special work and for nonrefundable fees outlined in this contract. Young may retain from any deposit or invoice the customer the amount necessary to reimburse it for expenses incurred on behalf of the customer when applicable.
6. **Terms of Payment**
   a) Check box that applies: ☐ Young requires no down payment. ☒ Young requires a down payment of $ 13,800.00, due by DAY OF SHOW 20 23. If the exhibition is canceled the deposit will be refunded, less the expenses for which Young is entitled to reimbursement under Paragraph 5 above.
   b) The customer agrees to pay Young, or his agent, the total sum of 13,800.00 Dollars for an exhibition of fireworks, which will include fireworks, insurance and technicians and expenses incurred by Young, forthwith at the end of said exhibition.
   c) In the event of customer's failure to pay when due all sums due Young under this contract, Young shall be entitled to collect from customer its reasonable cost of collection, including interest and reasonable attorney's fees.
7. **Counterpart Execution; Electronic Signatures**
   This Agreement may be executed in any number of counterparts with the same effect as if all the Parties had signed the same document. All counterparts shall be construed together and shall constitute one agreement. Facsimile and electronic signatures shall be deemed original signatures for all purposes of this Agreement.

Total sum 13,800.00 Dollars

Young Explosives Corp.
Display Fireworks
(800) 747-1781
(585) 394-1783
(585) 396-2663 Fax
P.O. Box 18653
Rochester, NY 14618
YoungExplosives.com
E-Mail: fireworks@youngexplosives.com

The parties sign below:

Young Explosives Corp.	Executive Sales Director — Title
Robert A. Kesel — (Print Name)	
Customer Signature	Title
(Print Customer Name)	

8. **Headings**
Section and other headings contained in this Agreement are for reference purposes only and are not intended to describe, interpret, define or limit the scope, extent or intent of this Agreement or any provision hereof.

9. **Entire Agreement**
This Agreement for the fireworks Display constitutes the entire agreement between the Parties with respect to the subject matter here, of and there are no other understandings, whether oral or written, regarding the subject matter hereof.

Customer Contact Name(s)

Maria Bruni

Send Invoice to:
☒ **Address on front OR** ☐ **Name/Address below**

Additional Contact Name/Information
Theron Adkins Fire Inspector

Telephone (with Area Code)

Work:	845-346-4170
Fax:	845-343-2009
Home:	
Cell:	845-344-7515
Email:	mbruni@middletown-ny.com

Work:	845-346-4111
Fax:	845-343-4014
Home:	
Cell:	845-741-6116
Email:	tadkins@middletown-ny.com

Insurance Information: Please list all parties to be listed as additional insured. Young will extend coverage to the entities listed below as additional insured. **Customer is responsible for providing all information needed for full insurance coverage.**

Town of Middletown, NY

City of Middletown, NY

Customer Requests

Time of show: DARK ☐AM ☒PM

List special requests, such as ground pieces, shells, finale, quantity or time requirements. List any other special requests such as salutes at certain times (i.e., if the show is a surprise for someone), etc.

Send all permit info to Theron Adkins <tadkins@middletown-ny.com>

Permits

☒ Customer to apply for the Permit(s) and provide Young with a copy 14 days prior to event

☐ Young to apply for the Permit(s) on your behalf:

Customer to pay the amount of $ _____. Includes permit cost and fees. (Permit costs subject to change by the municipality)

☐ ADD the above permit costs to the show price on the front of the contract.

☒ INCLUDE the above permit costs in the show price on the front of the contract.

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald.

Sec'd by Ald.

Date of Adoption 11.15.22

Index No: 265-22

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

Resolution awarding bids for surplus vehicles

BE IT RESOLVED Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and awards the following bids for surplus vehicles auctioned off through Auctions International:

2008 Ford Crown Vic (VIN#2FAHP71V88X1J9143) - $1,150.00
2011 Ford Crown Vic (VIN#2FABP7BV7BX109247) - $1,425.00

2006 Chevy Tahoe/Police Vehicle (VIN#1GNEK13Z66R155650) - $2,425.00

2007 Ford Crown Vic (VIN#2FAHP71W27X148677) - $1,175.00

2006 Chevy Tahoe/Police Vehicle (VIN#1GNEK13236R157484) - $1,475.00
Total $7,650.00

Department of Public Works

Memorandum

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

CC: Richard McCormack-City Clerk and Leonora Liz- Treasurer

From: Jacob Tawil, P.E. Commissioner of Public Works J.T. | KG

Date: November 8, 2022

Re: Resolution needed to award bids for surplus vehicles auctioned off through Auctions International

---

I respectfully request a resolution to award the following bids for surplus vehicles auctioned off through Auctions International:

2008 Ford Crown Vic (VIN#2FAHP71V88X1J9143) - $1,150.00

2011 Ford Crown Vic (VIN#2FABP7BV7BX109247) - $1,425.00

2006 Chevy Tahoe/Police Vehicle (VIN#1GNEK13Z66R155650) - $2,425.00

2007 Ford Crown Vic (VIN#2FAHP71W27X148677) - $1,175.00

2006 Chevy Tahoe/Police Vehicle (VIN#1GNEK13236R157484) - $1,475.00

Total $7,650.00

AUCTIONS INTERNATIONAL
PROFESSIONAL AUCTIONEERS

ONLINE ONLY- REAL ESTATE AUCTIONS
Washington County, NY
75+ Tax Foreclosed Properties
CLOSING Tues. 11/15, at 10am
www.WashCoAuction.com
Town of Granville, NY
Former Town Hall Building
CLOSING: Tues. 11/15, at 3:30pm
www.GranvilleTownAuction.com

City of Middletown PD-NY #30458
ONLINE-ONLY AUCTION with 5 lots

Auction Bid Gallery

Bidding Starts: Monday, October 24, 2022 at 12:09:00 pm ET

Bidding Ends: Monday, November 7, 2022 between 08:25:00 pm and 08:39:14 pm ET

Approval Meeting To Be Held On: Tuesday, November 15, 2022

See individual items for exact closing times.

Location: 88 Pilgrims Corner, Middletown, Orange County, NY 10940

Questions & Inspection: Please Sign In For Details

Payment Terms: Payment will be due immediately upon notification of seller approval by email invoice, after the Seller approves the bids. After you receive the invoice, you will have five (5) business days to get your payment mailed to our office, or your account will be suspended, and the item will be awarded to the backup-bidder, or re-listed. Please mail payment in certified funds or money order to: Auctions International, 11167 Big Tree Road, East Aurora, NY 14052. Payment questions? Please Call: 1-800-536-1401 x201. GENERAL QUESTIONS: email service@auctionsinternational.com

Payment Methods: We accept cash, cashier's check, wire/bank transfer and credit cards.

Out-of-State Buyers: Buyers outside of New York State need to send us a completed NY State DTF Form before we can remove sales tax from their invoices.

Successful High Bidders: Please note when you are provided an invoice to pay, there are two different payment amounts.
1) A non-discounted rate for payments made with credit/debit cards, and,
2) A discounted rate for payments made with certified funds; cash, bank transfer, guaranteed funds or money order.

Please make sure your payment amount reflects your choice of payment method.

Individuals who pay the non-discounted rate with cash or guaranteed funds will have a one-time, courtesy refund issued for the overpayment. Subsequent overpayments will have a $35 administrative fee deducted from the remittance amount (or charged against) the invoiced buyer. Please make sure you are paying the correct amount, per your means of payment.

Buyer's Premium: There is a 10% discounted Buyer's Premium in effect for this auction for payments made with cash or certified funds. A 14% non-discounted buyer's premium will be charged for payments made with credit/debit cards.

Removal Terms
This item cannot be shipped. Buyer solely responsible for removal of items from seller's premises within (10) Business Days after bid approval. Buyer must contact the seller to schedule a removal appointment, before access will be granted to the merchandise. All sales are final. No refunds will be issued. Items left on seller's premises after the designated pickup deadline are subject to re-possession by the seller. If you are going to have trouble picking your purchased items up by the deadline, call our office immediately!

Terms of Sale
Item(s) sold SUBJECT to seller's approval after bids close. For payments made with cash, money order, ACH check, guaranteed funds (cashiers check, bank check, certified check) or cash directly deposited into a Citizens Banks a discounted buyer's premium of 10% will be added to the high bid price. For payments made by wire transfer, a transaction fee of $15.00 will be added on top of the discounted 10% buyers premium to cover the bank service charge. Please make all payments payable to: Auctions International Inc. A 14% non-discounted buyer's premium will be added to the high bid price for payments made with credit cards and debit cards. Applicable sales tax(es) will be charged on all items. Note: we no longer accept personal and/or company checks. Payments are to be made online or to the East Aurora office only. Payments must be received within (5) business days from invoice date. All sales are final. No refunds will be issued. Items are sold as-is, where-is, with no warranty written or implied. Buyer is responsible for inspecting the item(s) before placing bids and prompt item removal within ten (10) business days after receipt of invoice. Seller is NOT responsible for providing tools or heavy equipment to aid in removal. Items left on seller's

City of Middletown PD-NY #30458

All items closed

Page 1 of 1 Sort by Lot Number: low

Lot #0001

(#1-36) 2008 Ford Crown Victoria 4

#1	mschaeffer
Current	$1,150.00
Min. Bid	$1,175.00

closed

More Info...

Lot #0002

(#2-35) 2011 Ford Crown Victoria 4

#1	lathamfarmer
Current	$1,425.00
Min. Bid	$1,450.00

closed
(bidding was extended)

More Info...

Lot #0003

(#3-33) 2006 Chevy Tahoe/Police Vehicle

#1	wholynight
Current	$2,425.00
Min. Bid	$2,450.00

closed

More Info...

Lot #0004

(#4-32) 2007 Ford Crown Victoria 4

#1	Highwayman-AT
Current	$1,175.00
Min. Bid	$1,200.00

closed
(bidding was extended)

More Info...

Lot #0005

(#5-38) 2006 Chevy Tahoe/Police Vehicle

#1	badhabits
Current	$1,475.00
Min. Bid	$1,500.00

closed

More Info...

Page 1 of 1 Sort by Lot Number: low

Hi! How can we help you?

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11.15.22

Index No: 266-22

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 $50,000 Budget transfer for the Department of Public Works

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer $35,000, in the following manner, to cover Chemicals needed for the Waste Water Treatment Plant.

FROM	**AMOUNT**	**TO**
F.8330.440	$35,000.00	F.8330.458
Repairs to Equipment		Chemicals

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer $15,000, in the following manner, for the Street Department for the remainder of the year due to rises in costs.

FROM	**AMOUNT**	**TO**
A.8160.440	$15,000.00	A.5110.450
Repairs to Equipment		Materials & Supplies

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: November 9, 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

Requested Transfers

We are requesting the following transfers below:

1. $35,000.00 transfer is needed to cover Chemicals needed for the Waste Water Treatment Plant. Balance of account is at $2,000.00 for remainder of the year.
2. $15,000.00 transfer is needed to cover Materials & Supplies needed for the Street Department for the remainder of the year due to rises in costs. Balance of account is at $3,000.00 for the remainder of the year.

	FROM	AMOUNT	TO
1.	F.8330.440 Repairs to Equipment	$35,000.00	F.8330.458 Chemicals
2.	A.8160.440 Repairs to Equipment	$15,000.00	A.5110.450 Materials & Supplies

Thank you.

EL

COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11.15.22

Index No: 267-22

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 $12,687.25 Budget transfer for a Burn Simulator training building

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer $12,687.25, in the following manner, To provide the City's portion of the burn simulator training building project covered by the $75,000 grant secured by Senator Skoufis.

From:	**Amount**	**To:**
A.3410.493	$12,687.25	H.797.900
Training Field Improvements		Fire Operations & Safety Equipment

Middletown Fire Department

81 East Main St.
Middletown, NY 10940

www.middletownfiredept.com

845-344-5003
845-344-5031 Fax

November 9, 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 from the 2022 Fire Department Operating Budget:

From:		To:
A.3410.493 Training Field Improvements	$12,687.25	H.797.900 Fire Operations & Safety Equipment

To provide the City's portion of the burn simulator training building project covered by the $75,000 grant secured by Senator Skoufis.

Sincerely,

Nick Barber
Fire Chief

DRAFT

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11.15.22

Index No: 268-22

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 Marshall & Sterling for Workers Compensation Services for 2023

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to approves the attached contract with Marshall & Sterling, Inc for consultant work related to Workers Compensation for a cost of $42,000.00. The terms are the same as last year.

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

Richard P. McCormack
City Clerk, Registrar

CITY OF MIDDLETOWN
Office of the City Clerk, Registrar & Common Council Clerk
16 James Street, Middletown, NY 10940
Tel: (845) 346-4166 Fax: (845) 344-5428 www.middletown-ny.com

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

From: Rick McCormack, City Clerk

CC: Leonora Liz, City Treasurer

RE: Marshall and Sterling Contract for 2023

Attached please find an agreement with **Marshall and Sterling** to provide Workers Compensation services for 2023.

There are no changes from the previous year.

I am requesting the Board of Estimate authorize the Contract and they Mayor to sign the agreement.

PROPOSAL FOR

WORKERS' COMPENSATION ONLY

CITY OF MIDDLETOWN

BY

Marshall & Sterling, Inc.
January 1, 2023

PROPOSAL OVERVIEW

Marshall & Sterling Inc. (MS) is proposing to provide to the City of Middletown (CITY) 'Workers' Compensation (WC) Services" for a one year duration from 01/01/2022-12/31/2023.

COMPANY BACKGROUND

Founded in 1864, MS is one the nation's oldest insurance organizations. In 155 years it has grown to be the 56th largest agency in the United States (31st largest among privately held brokers). The 17 locations throughout New York and the three locations in the U.S. Virgin Islands write approximately $300 million in premiums that produce almost $30 million in annual revenue. The company's principal ownership rests with the 350 employees through an Employee Stock Ownership Trust. We provide access to all lines of insurance coverages and products through contractual agreements with essentially all of the major insurance carriers and markets.

SCOPE OF SERVICES

Under the broad categories listed below we propose to offer the following services:

I. IDENTIFICATION

- We will review all aspects of the WC insurance program presently in place. We will obtain and review all policies, evaluating the appropriateness, completeness and compliance of coverage.

- We will assist in monitoring the CITY's new WC claims database, including claims needing special attention.

- We will meet with appropriate CITY staff, insurance company staff, safety personnel, legal advisors and other individuals as deemed necessary in order to gain valuable perspective on the present overall program and to prioritize important issues.

II. RISK ANALYSIS

- We will review the operation of the current program from both a cost benefit standpoint, as well as from an operating and administrative basis. We will be looking for efficiency improvements and costs savings.

- We will present, when requested, a determination of the total cost of WC risk for the CITY in a formal report to establish a basis for planning purposes.
  We will, with the assistance of an actuary paid by the CITY, examine WC retention and deductible levels and present our recommendations.

- We will, after understanding the CITY's tolerance for WC risk, review alternative methods of financing WC risk and present appropriate options.

III. RISK ADMINISTRATION

A. General Administration Services

- We will assist with the development of a formal WC Risk Management Policy Statement that will be presented for CITY review and acceptance. This document will establish and state the Risk Management goals of the CITY, set general standards for operating procedures, define responsibilities and outline the requirements for the maintenance of reports and records

- We will undertake to develop procedures to coordinate the flow of information between the CITY and MS.

B. Assistance in Brokerage and Insurance Company Relationships

- Appropriate personnel will be made available within a reasonable time period to meet with the CITY as requested. A senor staff person will be available by phone at any time during regular work hours.

IV. CLAIM SERVICES - NEW WC CLAIMS ONLY

A. MS will monitor data on all new WC claims, including:

- We will review initial new WC claim report from CITY for completeness.

- We will confirm new WC claim report was properly sent to the carrier.
- We will confirm the carrier received the new WC claim report and established a claim.

- We will confirm the carrier's Nurse Advocate made contact with the injured employee.

- We will confirm the Transitional Duty Program form was sent to the injured employee's Medical Provider, as appropriate.

- We will confirm the Medical Provider form has been returned to the CITY to be forwarded to the carrier, as appropriate.
  We will confirm additional indemnity for injured employees subject to S. 207a or S. 207c is being correctly handled.

  We will suggest the carrier initiate surveillance or increase surveillance, as appropriate.
- We will review loss history on a quarterly basis to identify frequency and severity patterns regarding new WC claims only.

- We will research and advise the CITY, when requested, on coverage or coverage . issues related to specific new WC claims.

B. On-Line Capabilities

- We will coordinate the use of an on-line Risk Management Information System with your WC carrier. Among the system's capabilities are claims management, litigation management and first report of injury reporting. These are remote access capabilities and we would plan to allow direct access to the proper CITY personnel.

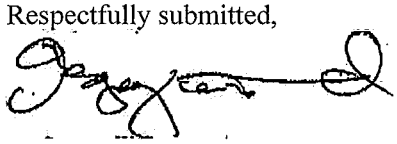
- This system will be utilized to allow us to continually monitor claims for the CITY's Risk Management Program.

FEE PROPOSAL

Marshall & Sterling services for the City of Middletown for one (1) year for the sum of: $42,000.00, billed in equal quarterly installments.

This contract is effective January 1, 2023 between Marshall & Sterling, Inc. and the City of Middletown.

Respectfully submitted,



Gregory W/Townsend, CPIA
Consultant, Marshall & Sterling, Inc.

Accepted by Honorable Mayer Joseph M. DeStefano
December __, 20 _

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11.15.22

Index No: 269-22

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 adopting the 2023 General City Government, the Water Department and the Sewer Department Budgets

Whereas, the Board of Estimate and Apportionment has approved and submitted an itemized statement in writing of the estimated revenues and expenditures of the General City Government, the Water Department and the Sewer Department other than amounts to be raised by taxation for County purposes, for the fiscal year January 1, 2023 through December 31, 2023, and,

Whereas, the estimates are entered in full in the minutes as attached to this resolution, and

Now, therefore, be it resolved and ordained that the Common Council of Middletown, NY does hereby approve and adopt the aforesaid annual budget presented as follows:

Description:	**General Fund**	**Water Fund**	**Sewer Funds**
Revenue	$23,206,767	7,263,594	$5,768,935
Expense	$45,517,734	7,263,594	$5,768,935

Appropriation:
Estimated Revenue: $23,206,767
Tax Levy – General City Purpose: $22,310,967

CITY OF MIDDLETOWN
NOTICE OF PUBLIC HEARING
ON THE PROPOSED
2023 CITY GENERAL, WATER AND
SEWER BUDGETS

NOTICE IS HEREBY GIVEN, that the Board of Estimate and Apportionment of the City of Middletown will hold a Public Hearing on the proposed 2023 City General, Water and Sewer Budgets on Wednesday, November 9, 2022, at 4:30 p.m. in the Common Council Chambers, 2nd floor, City Hall, 16 James Street, Middletown, NY. Said budget is available for inspection at the Office of the City Clerk/Clerk of the Common Council.

By the order of:
Board of Estimate and Apportionment

Richard P. McCormack
City Clerk

Publish: 11/02/22 & 11/03/22
Posted on the City Website

LOCALiQ

Observer-Dispatch | Daily Messenger
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:

11/02/2022, 11/03/2022

and that the fees charged are legal.
Sworn to and subscribed before on 11/03/2022

Legal Clerk

Notary, State of WI, County of Brown 8-25-26

My commision expires

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MARIAH VERHAGEN
Notary Public
State of Wisconsin

CITY OF MIDDLETOWN NOTICE OF PUBLIC HEARING ON THE PROPOSED 2023 CITY GENERAL, WATER AND SEWER BUDGETS

NOTICE IS HEREBY GIVEN, that the Board of Estimate and Apportionment of the City of Middletown will hold a Public Hearing on the proposed 2023 City General, Water and Sewer Budgets on Wednesday, November 9, 2022, at 4:30 p.m. in the Common Council Chambers, 2nd floor, City Hall, 16 James Street, Middletown, NY. Said budget is available for inspection at the Office of the City Clerk/Clerk of the Common Council.

By the order of:
Board of Estimate and Apportionment

Richard P. McCormack
City Clerk

CITY OF MIDDLETOWN, NEW YORK
PUBLIC HEARING
November 9, 2022

Attendance
Mayor Joseph DeStefano, Council President J. Miguel Rodrigues, Finance Committee Chairman Joe Masi, Treasurer Leonora Liz, City Clerk Richard P. McCormack, Ald. Gerald Kleiner

Mayor Joseph DeStefano opened the public hearing.

Mr. McCormack read the following notice:

CITY OF MIDDLETOWN
NOTICE OF PUBLIC HEARING
ON THE PROPOSED
2023 CITY GENERAL, WATER AND SEWER BUDGETS

NOTICE IS HEREBY GIVEN, that the Board of Estimate and Apportionment of the City of Middletown will hold a Public Hearing on the proposed 2023 City General, Water and Sewer Budgets on Wednesday, November 9, 2022, at 4:30 p.m. in the Common Council Chambers, 2nd floor, City Hall, 16 James Street, Middletown, NY. Said budget is available for inspection at the Office of the City Clerk/Clerk of the Common Council.

By the order of:
Board of Estimate and Apportionment

Richard P. McCormack
City Clerk

Publish: 11/02/22 & 11/03/22
Posted on the City Website

Ms. Liz presented a summary of the proposed 2023 Budget.

The Mayor opened the floor for comments from the public.

No one spoke at the public hearing for the proposed 2023 City General, Water, and Sewer Budgets

Mayor DeStefano closed the public hearing.

Respectfully submitted,

Leonora Liz
Treasurer

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11.15.22

Index No: 270-22

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 Tax Lien Sale

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes Corporation Council and the City Treasurer to hold a tax lien sale on Saturday, December 17, 2022 at 10am in the Common Council Chambers, Second Floor, City Hall, 16 James Street, to offer for sale all properties which have delinquent taxes and assessment prior to October 1, 2021.

DEPARTMENT OF FINANCE
City Of Middletown

Leonora Liz
Treasurer

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

November 2022

To: The Board of Estimate

From: Leonora Liz, Treasurer

1. I am requesting from the Board of Estimate to approve and submit an itemized statement in writing of the estimated revenue and expenditures of the General City Government, the Water Department and the Sewer Department other than amounts to be raised by taxation for County purposes, for fiscal year January 1, 2023 through December 31, 2023. Therefore, seeking from the common council to approve and adopt the 2023 Annual Budget as following:

Description:	**General Fund**	**Water Fund**	**Sewer Funds**
Revenue	$23,206,767	7,263,594	$5,768,935
Expense	$45,517,734	7,263,594	$5,768,935

Appropriation:
Estimated Revenue: $23,206,767
Tax Levy – General City Purpose: $22,310,967

2. I am requesting from the Board of Estimate to authorize Corporation Council and the City Treasurer to hold a tax lien sale on Saturday, December 17, 2022 at 10am in the Common Council Chambers, Second Floor, City Hall, 16 James Street, to offer for sale all properties which have delinquent taxes and assessment prior to October 1, 2021

3. I am requesting from the Board of Estimate to authorize the City Treasurer to re - levy 2021 water and sewer delinquent bills into the 2023 real property tax bills in the following amounts:

Unpaid Sewer: 403 Parcels = $341,484.47
Unpaid Water: 403 Parcels = $504,614.82

4. I am requesting from the Board od Estimate to authorize the following transfer of funds within the the City Budget to cover overdrafts:

FROM	TO	AMOUNT
A.1325.422 Personnel Training	$71.93	A.1325.401 Travel Expense
A.1930.930 Judgement & Claims	$5,103.88	A.1620.474 Rental -Parking Lots
A.9000.830 Social Security Payments	$140	A.3010.408 Footware Allowance
A.9000.830 Social Security Payments	$7,479.21	A.9000.870 Unused Sick leave
A.3120.100 Personal Services	$78,202.16	A.3120.108 207C-Police
A.5110.479 Street Maint.- Equipment Rental	$1,823.84	A.1490.479 Public Works - Equipment Rental
A.5142.479 Snow and Ice -Equipment Rental	$492.30	A.1420.479 Corp Counsel -Equipment Rental
G.9000.830 Social Security Payments	$2,831.87	G.9000.840 Workmen's Compensation
CD Fund Balance	$126,000	CD.8668.457 Program Elements – Single/Multi Family

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11.15.22

Index No: 271-22

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 Treasurer to Re-Levy Delinquent Water and Sewer Bills

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to re - levy 2021 water and sewer delinquent bills into the 2023 real property tax bills in the following amounts:

Unpaid Sewer: 403 Parcels = $341,484.44
Unpaid Water: 404 Parcels = $504,614.82

DEPARTMENT OF FINANCE
City Of Middletown

Leonora Liz
Treasurer

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

November 2022

To: The Board of Estimate

From: Leonora Liz, Treasurer

1. I am requesting from the Board of Estimate to approve and submit an itemized statement in writing of the estimated revenue and expenditures of the General City Government, the Water Department and the Sewer Department other than amounts to be raised by taxation for County purposes, for fiscal year January 1, 2023 through December 31, 2023. Therefore, seeking from the common council to approve and adopt the 2023 Annual Budget as following:

Description:	**General Fund**	**Water Fund**	**Sewer Funds**
Revenue	$23,206,767	7,263,594	$5,768,935
Expense	$45,517,734	7,263,594	$5,768,935

Appropriation:
Estimated Revenue: $23,206,767
Tax Levy – General City Purpose: $22,310,967

2. I am requesting from the Board of Estimate to authorize Corporation Council and the City Treasurer to hold a tax lien sale on Saturday, December 17, 2022 at 10am in the Common Council Chambers, Second Floor, City Hall, 16 James Street, to offer for sale all properties which have delinquent taxes and assessment prior to October 1, 2021

3. I am requesting from the Board of Estimate to authorize the City Treasurer to re - levy 2021 water and sewer delinquent bills into the 2023 real property tax bills in the following amounts:

Unpaid Sewer: 403 Parcels = $341,484.47
Unpaid Water: 403 Parcels = $504,614.82

4. I am requesting from the Board od Estimate to authorize the following transfer of funds within the the City Budget to cover overdrafts:

FROM	TO	AMOUNT
A.1325.422 Personnel Training	$71.93	A.1325.401 Travel Expense
A.1930.930 Judgement & Claims	$5,103.88	A.1620.474 Rental -Parking Lots
A.9000.830 Social Security Payments	$140	A.3010.408 Footware Allowance
A.9000.830 Social Security Payments	$7,479.21	A.9000.870 Unused Sick leave
A.3120.100 Personal Services	$78,202.16	A.3120.108 207C-Police
A.5110.479 Street Maint.- Equipment Rental	$1,823.84	A.1490.479 Public Works - Equipment Rental
A.5142.479 Snow and Ice -Equipment Rental	$492.30	A.1420.479 Corp Counsel -Equipment Rental
G.9000.830 Social Security Payments	$2,831.87	G.9000.840 Workmen's Compensation
CD Fund Balance	$126,000	CD.8668.457 Program Elements – Single/Multi Family

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11.15.22

Index No: 272-22

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 Budget Transfers to Cover Overdrafts

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	TO	AMOUNT
A.1325.422 Personnel Training	$71.93	A.1325.401 Travel Expense
A.1930.930 Judgement & Claims	$5,103.88	A.1620.474 Rental -Parking Lots
A.9000.830 Social Security Payments	$140	A.3010.408 Footware Allowance
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A.3120.100 Personal Services	$78,202.16	A.3120.108 207C-Police
A.9000.810 Retirement System	$1,823.84	A.1490.479 Public Works - Equipment Rental
A.9000.810 Retirement System	$492.30	A.1420.479 Corp Counsel -Equipment Rental
G.9000.830 Social Security Payments	$2,831.87	G.9000.840 Workmen's Compensation
CD Fund Balance	$126,000	CD.8668.457 Program Elements – Single/Multi Family

DEPARTMENT OF FINANCE
City Of Middletown

Leonora Liz
Treasurer

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

November 2022

To: The Board of Estimate

From: Leonora Liz, Treasurer

1. I am requesting from the Board of Estimate to approve and submit an itemized statement in writing of the estimated revenue and expenditures of the General City Government, the Water Department and the Sewer Department other than amounts to be raised by taxation for County purposes, for fiscal year January 1, 2023 through December 31, 2023. Therefore, seeking from the common council to approve and adopt the 2023 Annual Budget as following:

Description:	**General Fund**	**Water Fund**	**Sewer Funds**
Revenue	$23,206,767	7,263,594	$5,768,935
Expense	$45,517,734	7,263,594	$5,768,935

Appropriation:
Estimated Revenue: $23,206,767
Tax Levy – General City Purpose: $22,310,967

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G.9000.830 Social Security Payments	$2,831.87	G.9000.840 Workmen's Compensation
CD Fund Balance	$126,000	CD.8668.457 Program Elements – Single/Multi Family

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11.15.22

Index No: 273-22

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

Resolution authorizing a public hearing on an addition of the type of use allowed in the C-2 zoning district

WHEREAS, the City of Middletown has been presented with a proposal for an office for a commercial cleaning business at the corner of Sprague Avenue and Sterling Street, and

WHEREAS, the Mayor is recommending an addition of this type of use in the C-2 zoning district in the subject area

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Middletown will hold a public hearing on the proposed change on Tuesday, December 6, 2022 at or as near to 7:30 PM as possible in the Common Council Chambers, 16 James Street, 2nd Floor, Middletown, NY.

CITY OF MIDDLETOWN COMMON COUNCIL
Proposed RESOLUTION

WHEREAS, the City of Middletown has been presented with a proposal for an office for a commercial cleaning business at the corner of Sprague Avenue and Sterling Street, and

WHEREAS, the Mayor is recommending an addition of this type of use in the C-2 zoning district in the subject area, and

WHEREAS, the Common Council has issued a Negative Declaration for this proposed action pursuant to the State Environmental Quality Review Act ("SEQRA") regulations.

NOW, THEREFORE, BE IT RESOLVED, AND BE IT ORDAINED, by the Common Council of the City of Middletown, as follows:

Section 1. The Code of the City of Middletown, N.Y., Chapter 123, Zoning, as adopted March 27, 1967 and amended, and in particular Section 475-20, C-2 Limited Business District, Subsection B, Uses requiring issuance of both a special use permit and site plan approval by the Planning Board, Paragraph (11), Offices for the following, be and is hereby further amended by adding a new Subparagraph (l) to Paragraph 11, to read as follows:

(l) Offsite commercial cleaning services, but only in that C-2 zoning district bounded by Sprague Avenue, Sterling Street, Academy Avenue, and Genung Street, and further provided that:

(i) All services must be provided offsite; and

(ii) All large equipment must be stored inside a structure as per the direction of the Planning Board.

Section 2. This Ordinance shall take effect immediately.

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11.15.22

Index No: 274-22

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 Amendment to City Code

WHEREAS, the Corporation Counsel has recommended an updating of the penalty and other provisions of Article I of Chapter 416.

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

Section 1 - The Code of the City of Middletown, N.Y., Chapter 416, Streets and Sidewalks, be and is hereby amended by replacing Article I (General Regulations) to read as follows:

Article I. General Regulations.

§ 416-1. Vehicles on sidewalks.

No person shall drive, back or in any manner place any motorized vehicle and/or trailer and dumpster upon any of the sidewalks of said City, except to cross the same to enter a yard or lot.

§ 416-2. Obstructing and encumbering streets.

No person or persons shall encumber or obstruct any street, road or highway in said City with any motor vehicles, sleigh, sled, wagon, cart, carriage, timber, boards, plank, lumber, bones, barrels, hogsheads, firewood, staves, manure, rubbish, lime, brick or any other material or things, except as provided in **Sections 416-3** and **416-4**.

§ 416-2.1. Repair, maintenance or cleaning of motor vehicles in City streets prohibited.

The repair, maintenance or cleaning of motor vehicles in City streets is prohibited, unless specifically authorized by the Commissioner of Public Works.

§ 416-3. Building materials in streets.

The Commissioner of the Department of Public Works may, in his or her sole discretion, grant to any person permission to place any building materials in any of the streets of the City; such permission, however, shall not be for a longer period than six months nor authorize the obstruction of any of the sidewalks or crosswalks or gutters nor more than 1/3 of the carriageway of the street opposite the lot or place where such building is proposed to be erected. Any such permission may be revoked by the Commissioner at any time.

§ 416-4. Removal of building materials from streets.

Every person to whom permission may be granted, pursuant to Section 416.3, shall cause all the timber, building materials or rubbish arising therefrom to be removed from the street by the expiration of the time limited in such permission, or the revocation thereof.

§ 416-5. Cellarways to be guarded.

The owner of every building having a stairway or cellarway projecting into any street in the City shall guard the same at all times with good and sufficient railing.

§ 416-6. Fences, buildings, permanent structures not to encroach.

No person may erect or cause to be erected any fence, building or other permanent structure on his/her premises in the City which shall in any manner encroach upon the boundaries of any street thereof.

§ 416-7. Structures prohibited on sidewalks.

No awning, shed or structure of any kind, nor any awning frame or post, shall be erected over any of the sidewalks of the City.

§ 416-8 Barbeques.

It shall be unlawful to barbeque foods or emplace barbeque equipment on any sidewalk in the City of Middletown.

§ 416-9 Penalties.

Any person who violates any of the provision of this Article or any person who owns or controls property upon which such violation occurs shall, upon conviction, be guilty of an offense punishable by a fine of not less than $150 nor more than $1,000 or by imprisonment for a period not exceeding 15 days, or by both such fine and imprisonment. Each day that a violation is permitted to exist shall constitute a separate offense. The term "person," as used in this Article, shall include the owner, property manager as defined in Chapter 296 of the City Code, occupant, mortgagee, vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent, or any other person, firm or corporation directly or indirectly in control of a premises or part thereof.

Section 2 - This resolution and ordinance shall take effect immediately

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald.

Date of Adoption 11.15.22

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 AUTHORIZED TO ISSUE WARRANTS FOR THEIR PAYMENTS