



COMMON COUNCIL MEETING
CITY OF MIDDLETOWN
November 15, 2022 - Transcript
City Hall
16 James Street
Middletown, New York 10940

P R E S E N T

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

Digitally Recorded Proceeding, transcribed by:
Lisa Kane

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1. Pledge of Allegiance

(Pledge of Allegiance)

2. Roll Call

PRESIDENT RODRIGUES: Roll.

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

3. Approval of Minutes.

PRESIDENT RODRIGUES: Approval of minutes.

RICHARD MCCORMACK, CITY CLERK: October 3rd, '22.

ALD. MASI: So moved.

ALD. WITT: Second.

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

ALDERMANS: Aye.

4. Correspondence, Communications and Reports

PRESIDENT RODRIGUES: Correspondence.

RICHARD MCCORMACK, CITY CLERK: We have a report from the Agricultural and Markets Department for their municipal shelter port from September 30th, 2022.

PRESIDENT RODRIGUES: Received and filed.

RICHARD MCCORMACK, CITY CLERK: We have a letter from Ecobat Resources notifying us of a facility mailing list for the Revere Smelting and Refining site. There was

a change to a site plan for them.

PRESIDENT RODRIGUES: Received and filed.

RICHARD MCCORMACK, CITY CLERK: Town of Wallkill Planning Board application of 360 Route 211, LLC for a Site Plan Special Use Permit for a public hearing.

PRESIDENT RODRIGUES: Forward to a committee, Planning Committee.

RICHARD MCCORMACK, CITY CLERK: And a notice from the Town of Wallkill Planning Board for a public hearing for the Frito-Lay Site Plan Special Use Permit.

PRESIDENT RODRIGUES: That's received and filed.

RICHARD MCCORMACK, CITY CLERK: That's it.

PRESIDENT RODRIGUES: That's it?

5. For the Good of the City

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

6. REMARKS OF THE MAYOR

PRESIDENT RODRIGUES: Remarks of the Mayor.

ALD. MASI: Anyone on line, Miguel?

JOSEPH DESTEFANO, MAYOR: Good evening. To begin with, I want to thank Mount Carmel Church and school for the donation of the beautiful Christmas tree that is brought into the city last Saturday. And thank all the

vendors, Aspen Tree, Light Bright Sign, and others who participated in the -- volunteered their time and their company's time to bring the tree in along with the Middletown departments that -- that assisted.

It's a beautiful tree. We're very happy with it. This weekend it will be decorated by the IBEW Union. And we'll -- the following Friday we will have the Christmas tree lighting and parade. So we want to invite everyone out to -- from the public to attend. And Maria Bruni will probably give you more details when she gives you the report.

The only other matter I have to report tonight is a proclamation for small business Saturday. And I'll read the proclamation. The print's kind of small. Maria, you have to use a different font next time.

Whereas, the City of Middletown, New York celebrates our local small businesses and the contributions they make to our local economy and community and, whereas, according to the United States Small Business Administration, there are 32.5 small businesses in the United States. Small businesses represent 99.7 percent of the firms with paid employees. Small businesses are responsible for 62 percent of the net new jobs created since 1995. And small businesses employ 46.8 percent of

the employees in the private sector in the United States. And, whereas, 79 percent of consumers understand the importance of supporting the small businesses and their community on Small Business Saturday. And 70 percent report the day to -- that that -- that that day, sorry, makes them want to encourage others to shop small and independently on business retailers. And 66 percent report that the day makes them want to shop small all year long. And, whereas, as 58 percent of shoppers reported they shopped on line with a small business. And 54 percent reported they dined or ordered takeout from a small business restaurant or bar or café on Small Business Saturday in 2021.

And, whereas, the City of Middletown, New York supports our local businesses that creates jobs, boost our local economy and preserve our communities, and, whereas, advocacy groups as well as the public and private organizations across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday. And, therefore, I, Joseph M. DeStefano, Mayor of the City of Middletown do hereby proclaim Saturday, November 26th or November 26th, 2022 as Small Business Saturday and urge the residents of our community and communities across the county to support our small businesses and merchants as

Small Business Saturday and throughout the year.

So we'll be signing that and sending it onto the appropriate authorities who organize this just to make sure that the City of Middletown does participate in it.

I think that's all I have for tonight. If you have any questions, I'd be more than happy to address them.

PRESIDENT RODRIGUES: Any questions for the Mayor? Alderman Kleiner.

ALD. KLEINER: Do we have any update on the courthouse and what's going on?

PRESIDENT RODRIGUES: The courthouse, I believe, is about 90 percent, Jacob?

JACOB TAWIL, DPW COMMISSIONER: Yes, should be going out to bid shortly.

PRESIDENT RODRIGUES: Yeah, yeah. Yeah, the drawings were basically completed, the construction documents, and will be going out to bid shortly.

ALD. KLEINER: Very good. Thank you.

PRESIDENT RODRIGUES: Anyone else? Thank you, Mayor.

JOSEPH DESTEFANO, MAYOR: Thank you.

7. REMARKS OF DEPARTMENT HEADS

PRESIDENT RODRIGUES: Remarks of Department Head, Economic Development.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Good evening, everyone. As you can see, the holidays are in full swing with the arrival of the tree as the Mayor mentioned, Our Lady of Mount Carmel School and Parish, their donation and also Aspen Tree, Light Bright Signs, Regional Trucking. And I want to thank Jacob for DPW helping that way, Ross Mastri (phonetic) and the whole crew were there from step one getting that tree to the square. Also, Raelynn, the Parks Department and Chief Ewanciw for having the Middletown Police Department escort and do traffic control.

And like the Mayor mentioned, tree lighting next Friday 6:00, parade. We've got floats, we have bands.

We're also going to be showing a *Christmas Carol* at the Paramount as a matinee free to the public that afternoon. And I believe we're going to have ice skating that night. So -- so and it will culminate with Small Business Saturday and shop local throughout the rest of the holiday season, throughout the -- the year.

And, also, our offices been working our IDA, Polycraft Industries. You know, they received Planning Board approval and they're in front of the IDA. They -- there's a public hearing this Thursday at 4:00 here in the Council Chambers. And that's a great manufacturing job -- manufacturing project. And we look forward to moving

forward with the IDA on -- on that as well.

And that's all I have for tonight.

PRESIDENT RODRIGUES: Any questions for Maria?

Thank you, Maria.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Thank you.

PRESIDENT RODRIGUES: DPW Commissioner.

JACOB TAWIL, DPW COMMISSIONER: Good evening,
all.

I'll be very brief tonight. The leaf pickup 2nd Ward is -- was done last week. We have a couple more days left. Today we had to stop everything, obviously, because of the snow and possible ice for tonight. So we had to disassemble and reassemble our trucks, so they are suitable for the plowing, not just leave disposal and transporting throughout the City. That is going so far so good for tonight. The men are doing a good job for us, the first snow event.

So, again, a reminder for the people to try to stay off the road, please as much as you can. Don't park on the road to help our trucks maneuver. It's very tight already with the piles of leaves all over the place. So just help us out by just staying off the road if you can, so our guys can continue. And then we'll resume picking up leaves tomorrow morning.

Traffic operations, we have -- we had a big meeting today with engineers and the contractors, Boyce, and to push them to try to seal up all the remaining work that they have opened up the intersections, Franklin Square, by the central firehouse, Ridge Street, Prospect Avenue intersection with -- with the East Main, Grand Avenue and all that stuff. So the contractor will be pushing through to finish up everything by the end of next week hopefully or just shortly after Thanksgiving.

A reminder for the public and the contractors. We have three major -- two major projects out for bid for upgrading the Shawangunk Dams. There are three of them in there. And there's one dam, a separate project at Kemchs (phonetic) Reservoir and installing flow meters. So any contractors who are interested, please pick up the plans and call DPW and we'll tell you how to get the plans. And the bid opening is going to be pushed back by two weeks for the Shawangunk Reservoir. So hopefully we'll have the Shawangunk and Kemchs bidding open at the same time in December.

With that I will conclude my comments.

PRESIDENT RODRIGUES: Any questions for Jacob?
Alderman Jean-Francois.

ALD. JEAN-FRANCOIS: Good evening, Commissioner.

How we doing on snow salt for this year? Are we good to go?

JACOB TAWIL, DPW COMMISSIONER: Yeah, we're -- we're good. You know, at this time of the year we have full -- full storage facility. And then, you know, hopefully we're not gonna get hit too much with the -- with the snow and ice, so we should be okay hopefully. But we don't know until the end of the year.

ALD. JEAN-FRANCOIS: Thank you.

JACOB TAWIL, DPW COMMISSIONER: Thank you.

PRESIDENT RODRIGUES: Jacob likes to use salt.

JACOB TAWIL, DPW COMMISSIONER: To make roads safe, right?

PRESIDENT RODRIGUES: Yes.

JACOB TAWIL, DPW COMMISSIONER: To make our roads safe for the public.

PRESIDENT RODRIGUES: Even though it's gonna be 46 degrees tomorrow.

Alderman Kleiner.

ALD. KLEINER: Again, from our constituents meeting, is this any better way for us to pick up leaves? Are we looking into anything besides the front loaders, you know. The feeling was that it's -- it's almost like, well, there has to be a better way to do it, but I don't -- I

don't know.

JACOB TAWIL, DPW COMMISSIONER: Yeah, we looked into ways -- other ways of doing it in the past. And now we have demo coming to us whenever it's assembled. They don't have demo trucks which is basically like a big vac truck.

ALD. KLEINER: Okay.

JACOB TAWIL, DPW COMMISSIONER: And there's another, an attachment blower. We're trying to get a demo in here to make sure that they're working. We did visit other places and surrounding us a few years ago and we were not impressed with operations. So there are vac trucks right now and there are blowers in there that will shred the leaves and blow them in the trucks. And you have to have boxes for them. So we are exploring that. We continue to explore better method of doing it.

One other method which some people to talk about is asking everybody to bag their leaves in disposable bags and then this way we don't have to have all this mess in our streets for two months out of the year. We just go pick up the bags and go. But it's -- it's, you know, that's one efficient way of doing it.

ALD. KLEINER: A lot of leaves.

JACOB TAWIL, DPW COMMISSIONER: I don't know how

popular -- how popular it's going to be.

ALD. KLEINER: A lot of bags.

PRESIDENT RODRIGUES: Thank you, Jacob.

JACOB TAWIL, DPW COMMISSIONER: Yes, sir.

PRESIDENT RODRIGUES: Fire chief. Can you burn the leaves?

NICK BARBER, FIRE CHIEF: What's that?

PRESIDENT RODRIGUES: Can you burn the leaves?

NICK BARBER, FIRE CHIEF: People are, why not?

Hope everybody's doing well. For the past couple of months we've been averaging 90 calls plus a month. Most of them are nuisance alarms. Pretty much all of them are.

But, anyway, we've done a few community events these past -- this past month. And Fireman Joe is still in the works, moving slowly, but it's getting there. Hopefully by the end of the year it will be taken off its pedestal, brought to a warehouse and work started to get work on.

I just wanted to let you know, the fire department did put a float together this year for the Christmas parade. Santa's in trouble. But hopefully we can save him.

That's all I have. Any questions?

PRESIDENT RODRIGUES: Questions for the fire

chief?

NICK BARBER, FIRE CHIEF: He's in trouble.

PRESIDENT RODRIGUES: Thank you, Chief.

City Treasurer.

LEONORA LIZ, CITY TREASURER: Hi, good evening, everyone. I don't really have anything for tonight. I have some Resolutions if you have any questions about that, I can address it.

PRESIDENT RODRIGUES: Any questions? All right. Thank you.

LEONORA LIZ, CITY TREASURER: Thank you.

PRESIDENT RODRIGUES: Police Chief.

JOHN EWANCIW, POLICE CHIEF: Good evening.

Just a couple quick reminders before our next meeting. The overnight parking goes into effect. That's going to be no parking on the city streets effective December 1st. That goes all the way through March 15th and that's from 2 a.m. to 6 a.m. As we lead into that, we'll do some warnings, but then we'll be doing enforcement.

There's a lot of reasons with that. One is being, as Jacob mentioned, the snow removal on the streets. So we need to keep -- keep those streets clear during the winter to allow his staff to do that.

Additionally, on the parking, there are ability

for people that don't have driveways to apply for parking permits to park on the street. There's a process online or through the Clerk -- Clerk's Office, so that is available. And then there's the overnight parking permits for the -- I'm sorry, I don't know what's going on -- the municipal lots. And there are -- there's a cost associated with that. But that all could be done through the Clerk's Office.

Other than that, I just want to reiterate what Jacob said about driving safe and staying off the streets if you don't have to be out there.

And I'd like to wish the members of the Council and the Community a safe and happy Thanksgiving.

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

Superintendent of Recreation.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION:

Good evening, everyone. I just want to report tomorrow we have myself, the Assistant Superintendent Nicole Psarakis, and the Program Coordinator, Contessa Beckford, we're all attending the Annual Youth Summit through the Orange County Youth Bureau. We're bringing two youth with us that's going to represent us and speak on our programs and influence that the programs have made in their

lives and how they're benefitting from the programs that we offer.

Tomorrow, our rink is being installed, so we're going to have our guys down there watching it. We're still waiting on a few more things to come in, the ice skate holder, the sharpener. And we do have half the skates, but the other half is on back order.

The November 25th, the night of the tree lighting is going to be the first night that the ice skating rink is open. We are going to limit the session times giving most people an opportunity to get out there on the ice, so it's not going to be an hour, hour-and-a-half skating session. We're going to probably rotate it every 15 minutes just to allow everyone to try -- a chance to get on the ice -- on the ice that night.

This Saturday it's going to be cold, but the skateboarders are going to be out there at the skateboarding contest this Saturday.

Mailboxes are out if you haven't noticed. We are gladly taking any volunteers who'd like to come see us, take some letters from the kids that we receive from the mailboxes and write some letters back to the kids. We do have a script you can follow just for a guide. But we do have thousands of letters that come in, so help is needed a

lot. It's a great family event if you take some and sit home with the adult members of your household and write some letters it would be greatly appreciated.

November 26th at the dog park we're doing our Santa Paws Event. We are very happy to do it up there this year. It's definitely improving and doing more stuff at the dog park.

December 7th is going to be the Cops and Cookies Event.

December 11th is the *Polar Express* at the Paramount Theatre.

Our holiday light and decoration display contest is starting to go out now. So any houses if you live within the City of Middletown, please enter the contest. We have our bus booked and we're going to go around and start looking at the houses mid-December.

And, lastly, we have our Winter Break Program. Registration is open for the winter break from December 6th to December 31st. And registration is open for that.

Any questions?

ALD. JOHNSON: I just had one. Will there be a fee for the ice skating rink and, if so, how much?

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION:

The night of the tree lighting is going to be free. We are

also in the process of hoping to secure funding from the Orange County Youth Bureau to offer free skating on Tuesdays and Thursday evenings for the youth. But the fee we're going with what our pool prices are, so \$1.00 for children and \$3.00 for adults. And we're also -- there's going to be a \$1.00 rental fee associated if you need the rental skates.

We're also doing a session on Fridays. We're going to call it Family Fridays from 5:30 to 7:00 and it's going to be \$10. That includes your admission for up to five people and the skate rental as well.

PRESIDENT RODRIGUES: I'd like to see the Mayor skate.

JOSEPH DESTEFANO, MAYOR: I actually was a very good skater in my youth. And I think I would challenge you if you would like to take (indiscernible).

PRESIDENT RODRIGUES: I'm willing to crosscheck somebody.

ALD. MASI: How thick is that ice?

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION:
Do we got cameras down there?

Any other questions?

PRESIDENT RODRIGUES: Thank you, Raelynn.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION:

You're welcome.

PRESIDENT RODRIGUES: City Clerk.

RICHARD MCCORMACK, CITY CLERK: Nothing this evening.

PRESIDENT RODRIGUES: Any questions for Rick?
All right.

8. Public Hearing and Grievances:

PRESIDENT RODRIGUES: No public hearings.

9. Petitions and Complaints

(None this evening)

10. Remarks of the Alderman

PRESIDENT RODRIGUES: Remarks of Alderman.

Alderman Masi.

ALD. MASI: Oh, okay. I've got a couple things.
One, Veterans Day just passed and I want to thank everyone that reached out to me, I appreciate that.

Elections are over. I want to thank everyone that went out to vote no matter who you voted for, it's a right and I believe it's an obligation. And I'm hoping that next year it even picks up more and more people will go out and vote.

It's poinsettia time again for the Kiwanis.
Anyone that's interested in a poinsettia just let me know.

And then finally, this is probably something

Gerry would do, but I'm not sure you saw the news, Gerry, so I'm just going to say it. I happen to be watching the news and we reached 8 billion people in the world today. And they reached the 7 billion mark 11 years ago. So in 11 years, we've increased the population by a billion people.

That's all. And, by the way, happy Thanksgiving to everyone.

PRESIDENT RODRIGUES: Alderman Witt.

ALD. WITT: Thank you very much.

I have a couple of things too. I'll try to move quickly through them. We had our 1st Ward meeting on November 9th. Thank you to everyone who attended.

We're going to pass on December. Alderman Masi and I both have commitments and we're close to the holidays and a lot going on, so we're going to see everybody again in January. But please do not wait for just these opportunities to reach out to either one of us. If you have questions, we will be happy to try to help you with everything you need.

I -- I want to give a belated thank you to Maria and her team at the Paramount. We saw the ABBA and Queen shows, my wife and I, and they were tremendous. It was -- it was a great night in the city. It was good to see -- the place was pretty close to packed both nights, it

appeared to be. And just a good night all around. The City looked great. We had dinner in town and had a drink in town. And it was just -- people really should -- I know probably have been doing it for years, but really take a look at the calendar and see what's going on there because it was a really great theatre and to see these bands perform that close is pretty amazing.

I was -- it was really nice attending the Veteran's Day celebration at the -- at the Post 151 in Middletown. The Mayor spoke and Alderman Masi and Alderman Kleiner were also there. And it was -- it was nice because the speakers, the majority of the speakers, the Mayor, Judge Brockett, and Councilman Coyne from the Town of Wallkill did not serve, but still spoke. And it was nice to see that perspective that the appreciation that was shown from people and different walks of life and -- and how it affected them and what it meant to the -- to have the people who served for us, so we have the freedoms that we had.

One -- one person who I was kind of taken by listening to her who did serve and her name is Tonya Nelson-Waller. And she is the veteran's advocate. And I actually spoke with her this afternoon and she was fine with me telling people that here what she does is she

educates veteran's as to the benefits that they are entitled to and also assist them in going through the process because it can be very overwhelming.

And she was telling me a lot of different things that she -- she did for them. And I pretty much told her that if I tried to repeat it, I would screw it up. So she offers her number. And she offered it that day as well. And her number is 845-313-3944. So she is a veteran's advocate. And if a veteran is not listening here, maybe a family is. She seemed really nice and she was really eager to help everybody, so thank you very much.

PRESIDENT RODRIGUES: Thank you.

Alderman Green.

ALD. GREEN: Yes, Thank you. As well, thank you again to all of our veterans. You know, Veterans Day -- is -- is often mistaken with Memorial Day and -- and things like that. But, again, it's all about those who served our country and, you know, thank you to Alderman Masi being our sole veteran on the Council. That's always important to show our appreciation.

Beautiful tree that will be lit next week. I really can't wait to see it. The parade is always great and it sounds like we have an amazing, you know, weekend set with Small Business Saturday, ice skating and movies at

the Paramount as usual. So it's going to be a great week for Middletown next week. And I want to wish everyone a very happy and healthy Thanksgiving. Thank you.

PRESIDENT RODRIGUES: Thank you. Alderman Kleiner.

ALD. KLEINER: Thank you. I also want to thank American Legion Post 151 for their Veteran's Day event. It was very nice. We had a suggestion at our constituents meeting about cleaning up the monuments in Thrall Park and speaking of veterans and Memorial Day. And I have lots of D2 which is what you use to clean those available for people if any of the service clubs or anyone wants to take that on. You would -- it's -- it's not -- the City does not own the monuments, so we would coordinate that. But it's available. It's something to think of for not going into winter, but for next spring it would be a nice idea, so I'll pass that along.

I also want to thank all the people involved in making Election Day go smoothly in Middletown. The early voting, I thank the volunteers, all the staff members, they are paid, but it is a long day. And we're not really happy with Boyce blocking off the entrance to the -- during early voting a couple of times, but I think that finally got straightened out.

I want to congratulate Pat Ryan our new congressman elect and James Skoufis. Once the lawsuits are all settled will be our new State Senator Elect. And Aileen Gunther is going to return to the assembly for another term. So congratulations to them.

Also had from our constituents meeting asking people when they speak and when they try and listen to meetings, I think it's not so much with Council meetings because we're all at this point pretty good at using the microphones. But other meetings a lot of times with the Planning Board, sometimes with the Police Commission, sometimes with the Zoning Board you can't tell who's speaking and they don't turn their microphones on and it is a public meeting. And it is your responsibility to use the microphone and be heard. So I put that out there, in fact, particularly, for people in charge of those meetings to please remind the people to use the microphones.

I want to thank Alderman Masi also for -- I had mentioned to him about the issue of dealing with the feral cat populations in Middletown. And he was able to put some money in the budget, so we'll be able to address that issue.

And I'm going to -- I'm going to skip anything else and just wish everyone a happy Thanksgiving. And we

will see you in December. Thank you.

PRESIDENT RODRIGUES: Thank you. Alderwoman Ramkissoo.

ALDERWOMAN RAMKISSOON: Good evening. Sorry. So I just wanted to make sure that the 3rd Ward constituents know that our board meeting which would normally fall on the Tuesday right before Thanksgiving will be cancelled. The holidays sit right there and it's just not humanly possible with the amount of cooking that I need to do. But that one and then, again, obviously it will lead us to that week between Christmas and New York. So we, again, will reconvene in January. But no one ever hesitates to reach out to us, so I'm not worried.

I hope everyone has a wonderful and happy Thanksgiving week. And that is all I have. I'm excited. I just hope it's not as cold at the tree lighting as it was last year because that was brutal.

PRESIDENT RODRIGUES: Alderman Johnson.

ALD. JOHNSON: Yeah, you know, electing -- voting has become a much more appreciated activity in the last year or two then it used to be. So early voting is a beautiful thing. They manned it for several days. It took me exactly four minutes to vote and I appreciate that opportunity.

And for Thanksgiving, we're maybe moving past COVID where people can all be together in the same place at the same time. So happy Thanksgiving and I'm sure we'll all find something to be thankful for. Thank you.

PRESIDENT RODRIGUES: Alderman Jean-Francois.

ALD. JEAN-FRANCOIS: Yes. Thank you, good evening. Just want to wish everyone a happy Thanksgiving.

Maria, I know your team always do a wonderful job with the tree lighting, so I'm looking forward to it. Thank you.

PRESIDENT RODRIGUES: Tobin.

ALD. TOBIN: Yes. Thank you everybody for everything you're doing. Veterans, thank you and the words you said, Kevin, thank you and Maria for all the work.

Also, to piggyback for what Alderman Kleiner says about hearing. I know like you guys I go to a ton of meetings and it's a peeve of mine when someone says -- especially teachers were the worst, I've got teacher voice, I don't need the microphone. And if you are hard of hearing, you got to use the microphone. People that have like hearing aids and are hard of hearing, they can't hear you. So, you know, please use the mic, don't use the teacher voice or whatever if you can.

I went to -- I was invited by County Executive

Steve Neuhaus to go to where my (indiscernible) has a teacher, county active shooter drill. And they got all the schools in the -- in the county together. Chief Ewanciw was there which I'm proud. He was, you know, sitting right by the superintendent in Middletown taking an active part. Not all the police departments were there. And so I'm glad to see Middletown really be engaged in keeping our schools safe.

I'd like to thank the County Executive for putting together -- it's one of those things that you, you know, you hope you never have to do, but you want to be ready for. And it looks like Middletown is prepared. And I'd like to, you know, thank all of the officers that do protect our schools for making us feel safe. So that was definitely commendable and hope the County Executive makes it a regular thing. And, you know, you can -- you can never be too prepared, so thank you Chief Ewanciw.

11. Unfinished Business.

(None this evening)

12. New Business.

PRESIDENT RODRIGUES: Thank you. New business.

RICHARD MCCORMACK, CITY CLERK: Good evening. We have a Resolution sponsored by Alderman Masi authorizing a \$3,132.76 dollar budget transfer for maintenance and winter

supplies at the Parks Department.

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

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

Good evening. We have a Resolution sponsored by Alderman Masi authorizing a \$3,132.76 dollar budget transfer for maintenance and winter supplies at the Parks Department.

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

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

RICHARD MCCORMACK, CITY CLERK: A Resolution sponsored by Alderman Tobin accepting a funding award of \$4,806 from the County of Orange for the Stop DWI Program.

PRESIDENT RODRIGUES: 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.

RICHARD MCCORMACK, CITY CLERK: A Resolution
sponsored by Alderman Green to accept a Dormitory Authority
of the State of New York Grant for \$1,000,000.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman
Green, seconded by Alderman Tobin. 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 \$3,000 budget
transfer for a new dimmer pack for lighting at the
Paramount Theatre.

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: A Resolution
sponsored by Alderman Kleiner authorizing an agreement with
Young Explosive Fireworks Exhibits for the 2023 fireworks
display.

PRESIDENT RODRIGUES: Resolution sponsored by

Alderman Kleiner, seconded by Alderman Green. Any discussion? Roll.

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

RICHARD MCCORMACK, CITY CLERK: A Resolution sponsored by Alderman Ramkissoo awarding bids for surplus vehicles.

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

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

RICHARD MCCORMACK, CITY CLERK: A Resolution sponsored by Alderman Jean-Francois authorizing a \$50,000 budget transfer for the Department of Public Works.

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

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

RICHARD MCCORMACK, CITY CLERK: A Resolution

sponsored by Alderman Tobin authorizing a \$12,687 budget transfer for a burn simulator training building.

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

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

RICHARD MCCORMACK, CITY CLERK: A Resolution sponsored by Alderman Masi authorizing an agreement with Marshall & Sterling for workers' compensation services for the 2023 year.

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

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

RICHARD MCCORMACK, CITY CLERK: A Resolution sponsored by Alderman Masi adopting the 2023 General City Government Water Department and Sewer Department budgets.

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

Roll Call: Ayes: Tobin, Jean-Francois, Johnson,

Ramkissoon, Kleiner, Green, Witt, Masi, President
Rodrigues. Motion carries.

RICHARD MCCORMACK, CITY CLERK: A Resolution
sponsored by Alderman Johnson authorizing a tax lien sale.

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

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

RICHARD MCCORMACK, CITY CLERK: A Resolution
sponsored by Alderman Johnson authorizing the Treasurer to
relevy delinquent water and sewer bills.

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

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

RICHARD MCCORMACK, CITY CLERK: A Resolution
sponsored by Alderman Masi authorizing a budget transfer to
cover overdrafts.

PRESIDENT RODRIGUES: 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. Motion carries.

RICHARD MCCORMACK, CITY CLERK: A Resolution sponsored by Alderman Johnson authorizing a public hearing on an addition of the type of use allowed in the C-2 zoning district.

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

ALDERMAN: Is this just for the -- is the Sprague Street that special -- okay. So it's not all of the C-2, right, just -- okay. All right.

PRESIDENT RODRIGUES: (Indiscernible).

ALDERMAN: Okay.

PRESIDENT RODRIGUES: And I just want to say I'm going to abstain. I represent the seller. Anyone else? Roll.

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

RICHARD MCCORMACK, CITY CLERK: A Resolution sponsored by Alderman Johnson an amendment to City Code.

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

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

12. Local Laws

(None this evening)

13. Audit

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

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

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

PRESIDENT RODRIGUES: Alderman Kleiner.

ALD. KLEINER: Before we adjourn, I just I promised I would mention this. The warming station opens this Sunday, November 20th. And I need to announce that and to let people know starting on Sunday especially if it's snowing and cold tonight that it will be open from -- from Sunday going on through close to April.

And if you are able to, thanks to the Touro College students we have a lot of volunteers for the overnights, but there still are some spots for people to prepare meals. And you can go to the Middletownwarmingstation.com. And under that you will find the take-them-a-meal section. And you just put in client is warming station and the password is meal and you can volunteer to bring in a meal any one of those nights. And there are a lot of open spots. Thank you.

PRESIDENT RODRIGUES: No, thank you.

15. Adjournment

PRESIDENT RODRIGUES: All right. Move for adjournment.

ALD. JOHNSON: So moved.

ALD.: Second

(PROCEEDING CONCLUDED)

CERTIFICATE

I, LISA KANE, certify the foregoing transcript of proceedings of the November 15, 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: December 12, 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. Witt

Date of Adoption 11.15.22

Index No: 260-22

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 \$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	

**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 11.15.22

Index No: 261-22

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 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.

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

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Tobin

Date of Adoption 11.15.22

Index No: 262-22

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 accept a Dormitory Authority of the State of New York Grant for \$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 FURTHER 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, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. Witt

Sec'd by Ald. Masi

Date of Adoption 11.15.22

Index No: 263-22

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 \$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. Kleiner

Sec'd by Ald. Green

Date of Adoption 11.15.22

Index No: 264-22

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 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, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoon

Sec'd by Ald. Johnson

Date of Adoption 11.15.22

Index No: 265-22

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 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

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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Tobin

Date of Adoption 11.15.22

Index No: 266-22

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 \$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

COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Tobin

Sec'd by Ald. Green

Date of Adoption 11.15.22

Index No: 267-22

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 \$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

**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 11.15.22

Index No: 268-22

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 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.

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Kleiner

Date of Adoption 11.15.22

Index No: 269-22

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 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, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Tobin

Date of Adoption 11.15.22

Index No: 270-22

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 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.

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Green

Date of Adoption 11.15.22

Index No: 271-22

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 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

**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 11.15.22

Index No: 272-22

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 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 Footwear Allowance
A.9000.830 Social Security Payments	\$7,479.21	A.9000.870 Unused Sick leave

A.3120.100	\$78,202.16	A.3120.108
Personal Services		207C-Police
A.9000.810	\$1,823.84	A.1490.479
Retirement System		Public Works - Equipment Rental
A.9000.810	\$492.30	A.1420.479
Retirement System		Corp Counsel -Equipment Rental
G.9000.830	\$2,831.87	G.9000.840
Social Security Payments		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. Johnson

Sec'd by Ald. Ramkissoon

Date of Adoption 11.15.22

Index No: 273-22

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 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, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Green

Date of Adoption 11.15.22

Index No: 274-22

NAMES	AYES	NOES	ABSTAIN	ABSENT
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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 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. Green

Date of Adoption 11.15.22

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 AUTHORIZED TO ISSUE WARRANTS FOR THEIR PAYMENTS**