



COMMON COUNCIL MEETING
CITY OF MIDDLETOWN
December 20, 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:
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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.

RICHARD MCCORMACK, CITY CLERK: Forum is present.

3. Approval of Minutes.

PRESIDENT RODRIGUES: Approval of minutes.

RICHARD MCCORMACK, CITY CLERK: We have November 15th, 2022, please.

ALD. MASI: So moved.

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

ALDERMANS: Aye.

4. Correspondence, Communications and Reports

PRESIDENT RODRIGUES: Correspondence.

RICHARD MCCORMACK, CITY CLERK: We have a 30-day notice for an on-premises beverage license for El Punto Night -- Nightclub.

PRESIDENT RODRIGUES: Received and filed. Forwarded to the police department.

RICHARD MCCORMACK, CITY CLERK: We have a letter from the Orange County Department of Health for the completed works approval

for the finished water Highliv (phonetic) Pump Station for the City of Middletown.

PRESIDENT RODRIGUES: 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, anyone would like to address the Council please step forward.

(None this evening)

6. REMARKS OF THE MAYOR

PRESIDENT RODRIGUES: Remarks of the Mayor.

JOSEPH DESTEFANO, MAYOR: Good evening. I don't have much this evening other than the PBA contract. As you know, we've reached a agreement with the -- with the PBA before with the memorandums of agreement. We have a Resolution tonight that I'm asking your support on. Counsel had a draft copy of it and we had an executive session discussing it. And hopefully all the information is there to -- to move forward with that.

We also have reached a tentative agreement with the CSCA which we will be presenting at the next meeting in early January.

The -- Monday night we had a -- the menorah lighting at the Run for Downtown Park. It was well attended. I want to thank Rabbi Corbert for the -- and Temple Sinai for their participation once again. It was a well-attended event. And also it was attended by several school board members including the

superintendent, members of the council, Alderman Tobin, Alderman Jean-Francois, Alderman Kleiner, Alderman Masi were there. I think Alderman Green was there also. And so I want to thank everyone for coming along with some department heads; Jacob Tawil, Maria Bruni, and Chief Ewanciw.

And I think that's all I have for tonight. I want to wish everyone a Merry Christmas, a Happy New Year. We won't be meeting again until the reorganization meeting. So 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: Thank you. Mayor, could you just give us a quick update on the O&W project --

JOSEPH DESTEFANO, MAYOR: Sure.

ALD. KLEINER: -- and the psych center.

JOSEPH DESTEFANO, MAYOR: Sure. The O&W is, you know, as you know, the -- the cost of the O&W have gone up a little bit, but so have the revenue source opportunities for us. We have retained a firm out of Westchester County to handle the reorganizing of the ownership structure which will be owned -- will be creating a local development corporation. By doing that that makes us eligible for state historic tax credits, federal historic tax credits, and new market tax credits. So the increased costs should be absorbed by these tax credit filings that we're making.

The state and federal historic tax credits are by right. So if we meet the criteria in the -- with the historic preservation folks, then we're -- we'll be in good shape.

The -- we also had a little stumbling block with the State Historic Preservation where the tower or the north -- I believe it's the north side tower that had fire damage. We -- it looks like we will not have to rebuild that in its entirety which was -- so there appears -- we're waiting for everything in writing, of course, that we will only have to rebuild the first floor of that. So that should have some significant savings in money.

So we're -- it's still on track. We're ready to, as I said, after the new year, Maria had a response from the attorney today that the LDC bylaws and all the paperwork should be ready after the new year. And hopefully in early January we'll get that formed by the Common Council will have to vote on that also. And the project will start moving very quickly. So we're -- we're still on board to move that project ahead.

PRESIDENT RODRIGUES: Alderman Witt.

ALD. WITT: Thank you. Mayor, do you anticipate, weather permitting, that people will be allowed to park on the street overnight during the holidays?

JOSEPH DESTEFANO, MAYOR: Yeah. That will be an option that the chief and Jacob could -- it's a good question. Once again, there's no snow, basically, no snow out there now, very

little. I know Jacob and the -- and the Chief can get together. And -- and the Chief has a right to do it by -- by his own -- under his own authority. So it won't be any action necessary by the Council or by myself, but we would encourage him to once again do it if possible.

But people should sign up for Nixle. That would be the best way to become aware of it. And also the best way to become aware of a pending storm where you would have to remove your car. Even if we declare it, we always have the caveat that if we get bad weather, you still have to remove it. So -- so I would encourage people to sign up for Nixle and also keep an eye on our website. But I -- I would hope that Chief and Jacob -- I'm sure they will, do that once again.

PRESIDENT RODRIGUES: Anyone else? All right. Thank you, Mayor.

JOSEPH DESTEFANO, MAYOR: Thank you.

7. REMARKS OF DEPARTMENT HEADS

PRESIDENT RODRIGUES: All right. Department Heads; Economic Development.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Good evening, everyone. Just looking for your support on a couple of Resolutions tonight. One is amendment to the architectural review design guidelines. The -- the Board has been working towards applying some new amendments. We worked with Alex Smith. You have the

Resolution before you regarding what's appropriate and what's inappropriate for the standards. Looking for your support on that.

And, also, an extension to the renovation of 84 Dorthea Dix by Fei Tian College.

And also to end our year at the Paramount, we are going to be getting the first run movie coming out Thursday night, the Whitney Houston *I Want To Dance With Somebody*. So we're looking forward to that movie at our -- at the Paramount Theatre.

Wishing everybody a Merry Christmas, happy holidays, and Happy New Year.

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. We'll start with the last meeting I reported to you about the taste in our water and the finish water. And thank God we were able to handle it and we switched over to a different reservoir. And by now everybody should have noticed that the taste has gone from our water. Maybe some areas like in Vincent Drive, Sproat, they might have some residual in there because it's still in the tank and -- but it's being turned over. So we're -- we're very happy to report to you that that problem is over for now. And we can never relax in our water industry because we can be hit with something tomorrow

for all we know. But we're trying our best to make sure that you continue to have the best water available in New York State delivered to your water tap.

Alderman Masi, the reservoir level is at 85 percent cumulative all between the three reservoirs.

Unfortunately, Monhagen Avenue's topped off right now and overflowing and we cannot use it because of the taste issue. We're using Highland Reservoir. And we're setting up very large pump that you approved for us to buy a few years ago in order to transfer water from the Shawangunk Reservoir to Highland Reservoir where it's needed now.

So we planned ahead. The pump is coming in handy right now. I believe we paid for it, like, \$125,000 and it's been very, very helpful for us. And now we're going to be using to transfer water from one reservoir to another to continue to supply water that is suitable for our customers without any taste.

The traffic operations, as -- as I reported to you a couple of weeks ago, it's winding down. The contractor is finishing some work on North Street by placing the blue stone in there between the curb and the sidewalk. He's using winter weather conditions which is heating the water, heating the surface, heating the steel, heating everything that he's using. It's time consuming and expensive. So hopefully he'll be done very soon by securing the blue stone, so it's not tripping hazard anymore and then we'll

resume in the spring.

Before you tonight, there's a very good news. Resolution requesting that you authorize the Mayor to sign the agreement with DOT basically cementing our share of the 15 percent that the state will subsidize the traffic operations. So the resolution says there's, like, 21 plus million dollars, \$17 million of which is going to be funded by the federal government. Twenty percent would have been City's responsibility, but there is Monacelli (phonetic) Fund which means that the State will carry 15 percent of the City's responsibility, so we're -- we're only responsible for 5 percent which means we're responsible for only \$1 million out of 1 million plus fraction out of the \$21 million for this cost which is very good news, excellent news. This is what we've been waiting -- the Mayor and I have been waiting for that. And we weren't sure we were going to get it now. Now, we're sure we're going to get it. Once the Mayor signs it, you approve it, the Mayor signs it and then DOT will sign it and we'll be home free.

Any questions for me?

PRESIDENT RODRIGUES: Questions for Jacob? Alderman Tobin.

ALD. TOBIN: I have a question. The Playtogs development there, I don't have the plans. I know we had them a while back. I just -- I was just wondering -- I don't know if you have it in front like you can remember where the -- the trucks going to be

coming in and out of the Playtogs Plaza? Is it going to be at the stop light there at ShopRite? Because to me it seems pretty steep to get into --

JACOB TAWIL, DPW COMMISSIONER: I remember it was addressed, but I don't remember the details. I'd have to look at -- I'd have to look at the plans.

ALD. TOBIN: Because I see they're changing their parking lot around, I was just curious.

UNIDENTIFIED SPEAKER: I -- I think it's by the traffic light, they have to come in by Dunkin Donuts.

JOSEPH DESTEFANO, MAYOR: There -- there were a couple of entrances. One, there was a proposed road going alongside the building where the pool store was. That's my recollection. But I think that project is changing again --

ALD. TOBIN: Oh, okay.

JOSEPH DESTEFANO, MAYOR: -- because the developer called yesterday and said that he had a -- a potential tenant which was unacceptable to me.

ALD. TOBIN: Oh, okay.

JOSEPH DESTEFANO, MAYOR: And I'm not allowed under zoning, so I did advise him of that. I said, well, what happened to the project you were approved for with the Planning Board and he said, well, I'm looking at other options.

So I don't know if that project as -- as approved at the

Planning Board is still in -- in place. So if they do change the plan, then they do have to go back to the Planning Board.

So -- but the -- the, you know, it's a light industrial zoning there which would prohibit residential. And that's why we left it light industrial. We didn't want to see any high density housing in that -- that location. But at the same time, you may get a request, I don't know. But I -- I told him the only way he could do that is to go to the Common Council and get a zoning request. And I don't think it would be well received.

So -- so he's looking for other opportunities there. So we'll -- we'll continue to keep an eye on it.

ALD. TOBIN: It looks like housing and warehouses are what people are interested in making money on.

JOSEPH DESTEFANO, MAYOR: Yeah, but on that commercial strip, there is -- we're trying to keep that commercial in -- in that section there. And if you guys wanted to change it to allow for, you know, housing, that would be one thing. But I wouldn't -- I wouldn't recommend it.

ALD. TOBIN: Thank you.

JOSEPH DESTEFANO, MAYOR: You're welcome.

JACOB TAWIL, DPW COMMISSIONER: About the traffic if I may. I think now the Mayor is talking about it, you're talking about it Alderman. I think when we met with them, we insisted that all, any traffic, any trailers that are turning into the campus,

into that old Playtogs would have to use the traffic lights. They'd have to go through the signal traffic light by Dunkin Donuts across from ShopRite to get inside otherwise it will be like crazy in there. Imagine there's a traffic light by ShopRite and then you move ahead and then you have tractor trailers, they want to make a left-hand turn in front of KeyBank. And you have another traffic light by just a few hundred feet up the road by Republic Plaza. So that's -- that's only thing I remember it about it.

So we were against them making left-hand turn from Dolson Avenue into the -- into that complex without using the traffic lights.

PRESIDENT RODRIGUES: Okay. Police Chief.

JOHN EWANCIW, POLICE CHIEF: Good evening.

You know, just some follow up in regards to the -- the parking. In the past we have suspended parking for the holiday weekends and we'd like to do that as well this year. We do have to watch the weather and we'll put something out on social media and through Nixle when we make that decision and just watch it.

We encourage people to utilize the off-street parking as much as possible. We also understand that during the holidays friends, family visiting. But we will assess that. Jacob and I will speak about it and then we'll put something out in the coming days.

This past week we had our second youth leadership

graduation right here in this -- this chambers, Fifteen graduates. My -- my staff does an amazing job with it under the guidance of Sergeant Welch and the SROs. They identify youth in our -- our community that may benefit from the program. It's a 12-week program where there's, you know, many different layers of education and introduction to other members of the community and businesses and just opportunities. It's a great program and I could -- I appreciate the support that you have provided us to continue this. And I know some of you have attended them. And I appreciate that support as well.

Outstanding job and the kids always seem to be really in tune with it and really enjoy it, so thank you for that support.

Just a little -- little shout out and I can't really use their names or anything too specific, but our department for the last several years we adopt a family or two for the holiday and we get donations. And this year a group of students from Twin Towers who runs a little coffee group and they took their proceeds from their coffee group and donated them to the police department to provide for these families as well. So I thought it was outstanding, just what a great gesture from, you know, the youth of our community looking to help as well and found a great resource to give their -- their proceeds to. So I'd like to thank them.

I'd also like to thank all the members of the Council for their support throughout the year. I appreciate everything.

You're always supporting the department and you're out there for us.

And with that, I just want to wish everyone a happy holiday, Merry Christmas, Happy Hanukkah, happy and healthy New Year. And unless you have any other questions for me.

PRESIDENT RODRIGUES: Any questions for the police chief? Alderman Kleiner.

ALD. KLEINER: Thank you. Thank you, Chief. I wanted to congratulate you too on the Youth Leadership Academy. Seeing those young people and their families there with the officers, it's just really a great program and it's part of what keeps our community a community. And thank Sergeant Welch too.

But I also wanted to have you remind people about -- because I see the big local ads for the firework sales in Milford and across the border. And if you would remind people that fireworks of any kind are illegal in Middletown. So as we approach the new year, no, you can't be setting them off.

JOHN EWANCIW, POLICE CHIEF: I think you just said it perfect. None -- nothing is authorized here in Middletown.

ALD. KLEINER: Yes. Thank you.

PRESIDENT RODRIGUES: Anyone else?

Thank you, Chief.

JOHN EWANCIW, POLICE CHIEF: Thank you.

PRESIDENT RODRIGUES: Superintendent of Recreation.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION:

Good evening, everyone. Nothing to report tonight. Just a few Resolutions. If anyone has any questions on those.

PRESIDENT RODRIGUES: Any questions?

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION: Any questions at all?

PRESIDENT RODRIGUES: Alderman Kleiner.

ALD. KLEINER: I just wanted to report because we did have the question asked at our constituents meeting about whether there would still be ice skating at Davidge Park. And you said the answer was definitely yes.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION: Yeah, they're still going to check it and monitor it like usual when it's frozen with the sign and plowing it if it snows and if it's still safe, yes.

ALD. KLEINER: Okay. And also I had a call from a constituent questioning or asking about possibilities for pickle ball in the coming year. So it's just something to think about and perhaps we can have it in our committee, but, you know.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION: Yeah, definitely something to think about. I know a handball court has been thrown around a lot also.

ALD. KLEINER: Yeah.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION: Just other

things that are definitely on our radar. Being that there are already -- like the tennis courts does have currently the lines for it and there's not a huge overflow of tennis players, so there is a spot for them to go. But it's something that we could definitely look into.

ALD. KLEINER: Okay. Thank you.

PRESIDENT RODRIGUES: Any other questions? Thank you, Raelynn.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION: No? Thank you.

PRESIDENT RODRIGUES: City Clerk.

RICHARD MCCORMACK, CITY CLERK: Nothing this evening, but Merry Christmas.

PRESIDENT RODRIGUES: Any questions for the City Clerk? All right.

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: Thank you. Just wanted to report that I had the pleasure last Saturday with the Mayor and Maria Bruni to be

with Senator Scoufis over at the library where, I guess, annually -
- this is the first one in Middletown, but he's been doing it four
or five years in other communities, hands out stuffed animals to
the kids. If you had been there to see it, it was just
unbelievable. It was really -- they just light up. They come up
and they get a choice of five different stuffed animals. But the
looks on their faces and the gratitude of the parents. I just
wanted to thank the Senator for doing that.

And I wish everyone a Merry Christmas, a Happy Hanukkah,
Happy Kwanza, and a happy and healthy New Year for everyone.

PRESIDENT RODRIGUES: Alderman Witt.

ALD. WITT: Thank you. I just would like to wish
everybody a happy holiday season. And with this being the last
meeting of the year, thank you to all of our volunteer Board and
Committee Members who do this for nothing and play a big role in
how our City operates. And a lot of people have done it for a long
time and we're grateful. So thank you very much.

PRESIDENT RODRIGUES: Alderman Green.

ALD. GREEN: I'll keep it short and sweet to risk not
sounding like a broken record. But Merry Christmas, Happy
Hanukkah, Happy Holidays, happy and healthy New Year. It's been a
wonderful 2022 in the City. I can't wait to see what we've got
going on for 2023. I know there's some exciting things on tap, so
we'll see you next year. Thank you.

PRESIDENT RODRIGUES: Thank you. Alderman Kleiner.

ALD. KLEINER: Thank you. I want to thank the people who did come out for our Second Ward constituents meeting, our holiday one. And we will not be having a meeting in January or February. We'll remind people of that in the new year unless something drastic happens.

As cold as it's going to be, I'll remind people you can go to the Middletownwarmingstation.com. They do need volunteers. And it's -- it's been some really brutal weather to be anyplace else, but in a shelter. So any -- anything you can do to help.

You know, thank you for the menorah lighting. It was a nice -- a nice presentation. And it's always a good event.

Rick, this is the end of your first year for City Clerk. And I want to thank you specifically for doing -- we didn't know how anyone could fill John Naumchik's shoes, but you had done an admirable job. And I like the very creative things that you're putting in, eliminating -- eliminating paperwork and taking us into the digital age. So thank you very much for that.

Tomorrow is the shortest day of the year. After that, as my wife always like to point out, it's going to get lighter a little later every day. So we're looking for that. So happy Winter Solstice, Happy Hanukkah, Merry Christmas, Happy New Year and we'll see you next year. Thank you.

PRESIDENT RODRIGUES: Alderwoman Ramkissoo.

ALD. RAMKISSOON: Good evening. I just wanted to wish everyone a safe and very joyous and happy holiday and New Year. We put another year on the books here in Middletown and I just want to say to all of our city employees and everyone who's a part of what makes Middletown a really fantastic place to live and raise a family. And thank you, thank you for what you do because everything we put together here is fantastic. When we do our tree lightings and our events and our police functions, I'm just -- I'm really proud of the city that we work for here. That's all I have. Have a good night.

PRESIDENT RODRIGUES: Alderman Johnson.

ALD. JOHNSON: Thank you. I agree with my colleagues. Everything we tally up 2022, the Mayor and all the department heads and your various venues, you've done remarkable jobs to move this forward for quality of life issues. And it does not happen by itself, so thank you all for that. And good holiday.

PRESIDENT RODRIGUES: Alderman Jean-Francois.

ALD. JEAN-FRANCOIS: Yes. Happy Kwanza, Merry Christmas, Happy Hanukkah and looking forward for a safe New Year to everyone. Thank you.

PRESIDENT RODRIGUES: Thank you. Alderman Tobin.

ALD. TOBIN: Ditto to what everybody else said and happy holidays.

11. Unfinished Business.

(None this evening)

12. New Business.

PRESIDENT RODRIGUES: All right. New business.

RICHARD MCCORMACK, CITY CLERK: We have a Resolution sponsored by Alderman Tobin authorizing agreement with Aquatic Analysts for an AquaMaster aeration fountain.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Tobin, 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: Resolution sponsored by Alderman Jean-Francois authorizing agreement with the Tri-State Geese Police.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Johnson authorizing a \$10,000 budget transfer within the Recreation Parks Department budget.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman

Johnson, 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: Resolution sponsored by Alderman Ramkissoo authorizing agreement with Nearmap.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Kleiner authorizing a \$5,000 budget transfer within the Goldenarea Budget to cover the cost and repairs for the shuttle bus.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Green to accept an award of \$50,000 from the Department of Homeland Security State Homeland Security Grant Program.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Green, 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: Resolution sponsored by Alderman Witt authorizing agreement with Next Request for a FOIL Management System.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Masi authorizing an extension of Fei Tian College's economic development goals for the renovation and completion of 84 Dorthea Dix Drive.

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: Resolution sponsored by Alderman Tobin authorizing budget and adjustments.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Jean-Francois authorizing a salary adjustment.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Johnson approving the Assessment Collectors Warrant for 2023.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Ramkissoo authorizing a public hearing on allowing two family dwellings OR-2 zoning districts to permanently be non-owner

occupied.

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

ALD. KLEINER: I just wanted to mention that this to allow grandfathering properties that were already non-owner occupied. Thank you.

PRESIDENT RODRIGUES: Anyone else? Roll.

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored -- Resolution sponsored by Alderman Kleiner authorizing amendments to Architect Review Boards Design Review Guidelines.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Kleiner, 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: Resolution sponsored by Alderman Jean-Francois authorizing the implementation and funding in the first instance 100 percent of the federal aid and state program aid eligible costs of the transportation federal aid project and appropriating funds therefor.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman

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

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

ALD. MASI: Sorry.

RICHARD MCCORMACK, CITY CLERK: And a Resolution
sponsored by Alderman Tobin approving a memorandum of agreement
between the Middletown Police Benevolent Association and the City
of Middletown.

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

PRESIDENT RODRIGUES: Okay. 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 Alderman Johnson. Any discussion? Roll.

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

PRESIDENT RODRIGUES: No, thank you.

15. Adjournment

PRESIDENT RODRIGUES: All right. Move for adjournment.

ALD. MASI: So moved.

(PROCEEDING CONCLUDED)

CERTIFICATE

I, LISA KANE, certify the foregoing transcript of proceedings of the
December 20, 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: January 8, 2023

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. Tobin

Sec'd by Ald. Johnson

Date of Adoption 12.20.22

Index No: 287-22

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 Aquatic Analysts, Inc for
AquaMaster aeration fountain**

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes an agreement with Aquatic Analysts, Inc for the sale, delivery and installation of an AquaMaster aeration fountain at Fancher Davidge Park.

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

The Recreation Department recommends using Aquatic Analysts, Inc. for the purchase and installation of a new AquaMaster aeration fountain for Fancher Davidge Park Summit Pond. The proposal of \$16,666.00 includes the sale, delivery, installation and 5-year warranty. Aquatic Analysts is our preferred vendor for the previous fountain at Fancher Davidge Park and the current fountain at Maple Hill Park.

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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Kleiner

Date of Adoption 12.20.22

Index No: 288-22

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 Tri-State Geese Police

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes an agreement Tri-State Geese Police Contract to control the Geese Population in Watts Memorial Park, Maple Hill Park, and Fancher Davidge Park and Davidge Park Expansion.

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

The Recreation Department's recommendation for Canadian Geese Control for 2023 is to continue with the Tri-State Geese Police. Tri-State Geese Police quote for 2023 is \$365.00/week, which is \$15.00 increase from last year. Their work last year met expectations in reducing the goose population in our parks.

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Witt

Date of Adoption 12.20.22

Index No: 289-22

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 \$10,000 Budget Transfer within the Recreation & Parks Department 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 \$10,000, in the following manner, to cover the overdrawn account and 2 additional maintenance part-timers for the remainder of 2022.

FROM	AMOUNT	TO
A.7321.100	\$10,000	A.7140.100
Special Programs– Personal Services		Playground – Personal Services.

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

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoon

Sec'd by Ald. Kleiner

Date of Adoption 12.20.22

Index No: 290-22

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 Nearmap

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes an agreement with Nearmap for use in the Assessor's Office.

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

**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 12.20.22

Index No: 291-22

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 \$5,000 Budget Transfer within the Goldenarea Budget to cover the cost of repairs for shuttle bus

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$5,000, in the following manner, Budget to cover the cost of repairs for shuttle bus needed for daily operations in remainder of 2022.

FROM	AMOUNT	TO
GA.5680.100	\$5,000	GA.5680.440
Personal Services		Repairs to Equipment

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

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Witt

Date of Adoption 12.20.22

Index No: 292-22

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 an award of \$50,000 Department of Homeland Security's State Homeland Security Grant Program

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and accepts an award in the amount of \$50,000 from the Department of Homeland Security's State Homeland Security Grant Program (SHSP) for the sustainment, maintenance, and enhancement of our explosive detection canine team assets, through equipment, training, exercise, and planning projects that support terrorism prevention activities in our jurisdiction.

The performance period for this grant is October 1, 2022, through August 31, 2023.

The funds for this account will be expended on line A.3135.200

**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 12.20.22

Index No: 293-22

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 Next Request for a FOIL Management System

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes an agreement with Next Request for a FOIL Management System.

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

**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 12.20.22

Index No: 294-22

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 Extension of Fei Tian College's economic development goals for the renovation and completion of 84 Dorthea Dix Drive

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes an Extension of Fei Tian College's economic development goals for the renovation and completion of 84 Dorthea Dix Drive as per attached letter dated 10/14/2022

Extension to be follows:

Phase 1: Completion by December 31,2023

Phase 2: Completion by December 31,2024

Phase 3: Completion by December 31,2025

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

THE FOLLOWING WAS PRESENTED

By Ald. Tobin

Sec'd by Ald. Jean-Francois

Date of Adoption 12.20.22

Index No: 295-22

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 and adjustments

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to make the following budget transfers and adjustments:

From	Amount	To
CD Fund Balance	\$898.58	CD.8686.457
		Program Elements

To cover overdrafts in the expense line for Community Development.

Increase A.2029 Special Program Revenue \$3,816.55
Increase A.7321.450 Materials & Supplies \$3,816.55

CDBG portion to cover the electric work for the Ice-Skating Rink.

FROM	AMOUNT	TO
ARPA A.4785	\$2,200,000	H.908.02
		Traffic Operations

To allocate the portion of the second tranche of the ARPA funds to the Traffic Operations project as per Resolution 146-21

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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Kleiner

Date of Adoption 12.20.22

Index No: 296-22

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 Salary Adjustment

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes a salary adjustment for the Confidential Secretary to the Chief of Police in the Police Department in the amount of \$5,000 effective January 1st, 2023.

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Masi

Date of Adoption 12.20.22

Index No: 297-22

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 approving the Assessment Collectors Warrant for 2023

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and approves Assessment Collectors Warrant for 2023.

ASSESSMENT
COLLECTOR'S WARRANT
FOR 2023

STATE OF NEW YORK)
COUNTY OF ORANGE) SS.:
CITY OF MIDDLETOWN)

THE PEOPLE OF THE STATE OF NEW YORK TO Leonora Liz, COLLECTOR OF THE CITY OF MIDDLETOWN, IN SAID COUNTY, GREETING:

YOU ARE HEREBY REQUIRED AND COMMANDED TO COLLECT from the several persons named in the assessment roll, to which this warrant is annexed, the several sums mentioned in the total \$22,310,967 column thereof opposite their respective name, together with your fees thereon as herein provided.

On all sums of taxes or assessments received or collected within thirty days after giving the notice required by law you are to collect no fees. After the expiration of thirty days, you are hereby authorized to add and collect two per centum on every dollar for collecting the same as your fees thereon.

YOU ARE FURTHER REQUIRED AND COMMANDED to pay over all monies so collected by you, (exclusive of your fees for collection), to the proper officer daily and return this warrant to me within ninety days from date.

If any person shall neglect or refuse to pay any tax imposed upon him, or the fees herein allowed, after giving the notice required by law and waiting the time specified in the statute, you are hereby authorized to levy the same by distress and sale upon any personal property in said County belonging to, or in possession of, such person and cause the same to be sold, at public auction or otherwise in accordance with the City Charter, for the payment of such tax and the fees and expenses of collection, and no claim of property to be made by any other person thereto shall be available to prevent such sale and for so doing this shall be your sufficient warrant.

IN WITNESS THEREOF, the Common Council of said City, at a regular session, held on 12/20/22 has authorized this warrant to be signed by the Mayor of said City, and the Seal of the City to be affixed thereto, by a resolution duly passed by a majority vote of said Council, and I, in pursuance of such authorization, have this 21st day of December in the year of our Lord Two Thousand Twenty two hereunto set my hand and caused the Corporate Seal of the City of Middletown to be affixed.

MAYOR

**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 12.20.22

Index No: 298-22

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 public hearing on allowing two-family dwellings in
OR-2 zoning districts to permanently be non-owner-occupied**

WHEREAS, the Common Council wishes to allow two-family dwellings in OR-2 (Two-Family Owner-Occupied Residential Districts) zoning districts to permanently be non-owner-occupied if the dwelling was occupied as a two-family dwelling at the time this zoning district was created.

WHEREAS, the Mayor is recommending this change to the Zoning Code

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, January 17, 2023, 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. Kleiner

Sec'd by Ald. Tobin

Date of Adoption 12.20.22

Index No: 299-22

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 Amendments to the Architect Review Boards Design Review Guidelines

WHEREAS, the City of Middletown Architectural Review Board has approved certain amendments to the Design Review Guidelines.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Middletown that the Design Review Guidelines of the Architectural Review Board of the City of Middletown are hereby modified as follows:

III. STANDARDS FOR FAÇADE APPLICATIONS

FAÇADE TREATMENTS

Appropriate wall finishings include the following:

This Paragraph is amended by removing the fifth bullet, which states "Stucco".

AND IT IS FURTHER RESOLVED by the Common Council that the Design Review Guidelines of the Architectural Review Board of the City of Middletown are hereby further modified as follows:

III. STANDARDS FOR FAÇADE APPLICATIONS

FAÇADE TREATMENTS

Inappropriate wall finishings include the following:

This Paragraph is amended by adding a fifth bullet to read as follows: “Painting on any brick or stone façade unless approved in advance by the Architectural Review Board.”

This paragraph is further amended by adding a sixth bullet to read as follow: “Stucco”.

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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Kleiner

Date of Adoption 12.20.22

Index No: 300-22

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 implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore.

WHEREAS, a Project for the Middletown Traffic Operations, Stage 1 in the City of Middletown, Orange County, PIN 8757.07 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, Resolution No. 208-20 adopted by the City of Middletown on November 2, 2020 approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering work.

WHEREAS, Resolution No. 214-21 adopted by the City of Middletown on October 19, 2021 approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of construction and construction inspection work, and increased the federal and non-federal share of costs for the additional preliminary engineering work for the project.

WHEREAS, it was subsequently found necessary to undertake additional preliminary engineering, construction, and construction inspection work not contemplated in the original agreement authorized by the previous Resolution; and

WHEREAS, it has been found necessary to increase the federal and non-federal share of costs for the additional preliminary engineering, construction, and construction inspection work for the project; and

NOW, THEREFORE, the Middletown City Council, duly convened does hereby

RESOLVE, that the Middletown City Council hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Middletown City Council hereby authorizes the City of Middletown to pay in the first instance 100% of the federal and non-federal share of the cost of the additional preliminary engineering, construction and construction inspection work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$9,212,000 (\$21,808,203 minus the previous \$12,596,203) is hereby appropriated from the Capital Fund, H.908.900 and made available to cover the cost of participation in the above phases of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Middletown City Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Mayor thereof, and it is further

RESOLVED, that the Mayor of the City of Middletown be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the City of Middletown with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that in addition to the Mayor, the following municipal titles: Commissioner of Public Works, City Engineer, and City Treasurer, are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

STATE OF NEW YORK COUNTY OF ORANGE

) SS:

I, Richard P. McCormack, Clerk of the City of Middletown, New York, do hereby certify that I have compared the foregoing copy of this Resolution with the original on file in my office and that the same is a true and correct transcript of said original Resolution and of the whole thereof, as duly adopted by said Common Council of the City of Middletown at a meeting duly called and held in the Common Council Chambers, City Hall, 16 James Street, Middletown, NY on Tuesday, December 20, 2022, by the required and necessary vote of the members to approve the Resolution.

WITNESS My Hand and the Official Seal of the City of Middletown, New York, this 20th Day of December 2022.

Clerk, City of Middletown

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

THE FOLLOWING WAS PRESENTED

By Ald. Tobin

Sec'd by Ald. Masi

Date of Adoption 12.20.22

Index No: 301-22

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 approving the Memorandum of Agreement between the Middletown Police Benevolent Association and the City of Middletown

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and approves the Memorandum of Agreement (MOA) between the Police Benevolent Association (PBA) and the City of Middletown, effective January 1st, 2023 through December 31, 2027

RESOLVED that the 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. Johnson

Date of Adoption 12.20.22

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 WARRENTS FOR THEIR PAYMENTS**