

**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
JANUARY 19, 2021**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL (COUNCIL CLERK)
3. APPROVAL OF MINUTES
Council Meeting December 01, 2020
Council Meeting November 17, 2020
Council Meeting January 4, 2021
4. CORRESPONDENCE, COMMUNICATIONS AND REPORTS (COUNCIL CLERK)
5. FOR THE GOOD OF THE CITY (PUBLIC PARTICIPATION)
6. REMARKS OF THE MAYOR
7. REMARKS OF DEPARTMENT HEADS
8. PUBLIC HEARINGS AND GRIEVANCES (NOTHING THIS EVENING)
9. PETITIONS AND COMPLAINTS (NOTHING THIS EVENING)
10. REMARKS OF THE ALDERMAN AND REPORTS OF COMMITTEES
11. UNFINISHED BUSINESS (NOTHING THIS EVENING)
12. NEW BUSINESS (RESOLUTIONS)
 - Resolution to authorize the Treasurer to transfer \$1,240.00 within the 2020 Recreation & Parks department for repairs of equipment.
 - Resolution to authorize the Mayor to sign the Tri-State Geese Police contract to control the Geese Population in Watts Memorial Park, Maple Hill Park and Fancher Davidge Park, including park expansions.
 - Resolution to authorize the Mayor to sign an agreement with Fusco Engineering for SWPPP inspections of new athletic fields which funding for this agreement has been approved in a capital project line.
 - Resolution to authorize the Mayor to sign an amended PERMA agreement.
 - Resolution to accept a total of \$3,430.00 that has been collected for the Parks and Recreation letters to Santa program.
 - Resolution to accept a total of \$18,611.38 donations for the food and supply fund raiser during the COVID-19 pandemic.



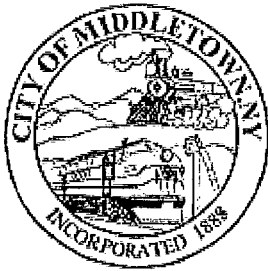
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- Resolution to authorize the Treasurer to transfer \$10,700.00 within the 2021 budget to cover the expense associated with the Black Dirt Sewer Project.
- Resolution to approve the transfer of 54 Washington Street & 33 Lafayette Avenue to the Community Development Agency.
- Resolution to authorize the Treasurer to transfer \$50,000.00 from the General Fund Balance to make additional repairs and maintenance to 8-10 Mulberry Street for the Warming Station.

13. LOCAL LAWS (NOTHING THIS EVENING)
14. AUDIT OF CLAIMS AND ACCOUNTS (FINANCE COMMITTEE CHAIR)
15. ADJOURNMENT

The agenda is tentative and established on all accessible information at this time.
Items may be eliminated at any time. Resolutions are added on an emergency basis.





**Common Council
Meeting
City of Middletown
December 1, 2020**

1 Pledge of Allegiance-Pres. Rodrigues asked all to rise for the Pledge.

2. Roll Call: Present: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

3. Approval of Minutes

John Naumchik-Nothing this evening

4. Correspondence

John Naumchik-Nothing this evening.

5 For the Good of the City

No one

6. Remarks of the Mayor

Mayor DeStefano- I hope everyone had a nice Thanksgiving. Hopefully we are going to be able to address this Yellow status that we are still in with Covid 19. Focus tonight will be Covid and the first line -Orange County we are #3 16,460 positive cases in Orange County through the 27th. That doesn't include Thanksgiving forward. We are still #3 and we are still in Yellow status which you all know means we have certain restrictions including no gatherings of 10 or less and restaurants 4 people at a table maximum. Some state wide regulations are bars and restaurants have to close by 10 pm. All customers must be out. But the difference between last meeting and this meeting was the mask mandate that we put into effect via a special meeting of the Common Council. Little controversial

on social media I understand and the reasons for it are obvious and stated at the meeting. We have more work to do. I can tell you that from 11/23 through 11/30 the police have done 211 premise checks meaning commercial establishments. Restaurants, bars, food service operations and during that period of time we had 3 complaints regarding people calling in with saying certain businesses were not adhering to the mask mandate. So the police are out there every night doing their job. One thing I thought I made it clear some people still don't understand is the mandate is not that when you go outside your door you have to have a mask on. If you are within 6ft. of someone else who is not a member of your household you need to wear a mask. The police have been doing warnings and we had a group at one of the establishments at a convenience store the other day and they gave the warning, they are offering a mask for people who don't have one or access to one. If you don't have access some people said what if I go out my door and I forgot my mask? Well you just have to stay away from other people until you get a mask or go back to your own property.

When you are out walking, exercising there are a lot of exceptions there. The basic is not for us to be a hammer andbasic idea is to prevent us from going to orange which will shut down almost all businesses. It will have devastating impacts on the business community and we don't want to even want to stay at yellow we want to get out of yellow and backwards where the rest of the county is, parts of the county are.

That is why I gave the stats on the masks. That it is being enforced in perspective of bars and restaurants are being checked at 10 pm and for anyone who is watching and has an establishment that means your customers must be out of the bar or restaurants by 10pm. Also you have to serve food at the bar to a customer, you can't just people going in the bar having drinks and you can't have people standing and drinking. I know as I said my family is in that business, I know it has tremendous negative effect on the ability to do business. I think the governor has made the right call and here in Middletown I think it is the right call at this time with the micro cluster of being yellow.

Ald. Masi- Mayor define the part not only the customers must be out of the establishment can you go over who is allowed to remain in and who is not.

Mayor DeStefano-Employees are allowed to stay in the business and the liquor authority sent out a notice to all licensees' advising them of the guidelines. Also you have some food establishments that don't have liquor license also. You can still serve to go, you can do curbside, takeout to go. But you cannot have people inside the establishment after 10 pm that are not an employee. If we go into a bar and there are 3 or 4 people there and they are not employees then I think we are past the stage of warnings for liquor... You have somebody in there you better change your business to reflect that the closing time will be earlier. If you seat somebody in the restaurant and seat them at 9:30 obviously they are not going to be out by 10pm unless it is a major rush job. The customer has to be out by 10pm and the state is asking and stated in every one of the governor's press conferences he is putting the burden on local pd and local officials; that is you, that is me to enforce these mandates. As the numbers go up there is more push for more and more enforcement. We are going to give him what they told

us to do and not only because they are telling us to do it but I also agree that it is the right thing for us to do; in order to avoid going from yellow to orange.

The other day we had a turkey distribution at the Middletown Parks & Rec. campus. This was sponsored by the governor's office; they sent down I think 80-100 turkeys. Many thankful families, we had city officials and other city employees and we had many families pick up at the Community Campus. We did do social distancing, the former County Exec. of Ulster County Mike Hein's representing the governors' office along with Assemblywoman Aileen Gunther and members of the National Guard. This is an annual event the Governor sponsors and it was well received.

Also had the virtual tree lighting last Friday. The night that we usually have our downtown tree lighting. We didn't have that for 2 reasons; the site is not prepared for it the job is taking a little longer than we anticipated. But more importantly the Covid, we were not going to do it, tree lighting ceremony with Covid. So the Economic Development Office lead by Maria and her staff came up with an idea to do a virtual tree lighting. Ended up being very well received over 15,000 views on Facebook; people were very happy I believe there were 6 or 8 locations throughout the downtown. We are looking at making this possibly an annual event for the Wednesday night before Thanksgiving. We had a lot of positive feedback from the community, a lot of kids I think Maria got a call from New Jersey from her niece who said her little girl was happy that her aunt was driving Santa Claus around. They are watching all over and she also got a call from Italy from family members watching over there. Well received.

Joseph Ferrera did a great job. He was primarily the organizer who put things together, Joe works for the BID-Business Improvement District, Eileen, Caitlin and Stef Caputo at the Paramount theatre. Thank you.

They have come up with a downtown selfie spot list. (Showing different locations) not the 40 ft. that we are used to but they are very nice. The mailboxes are spotted around downtown for the letters to Santa. If anybody that would like to drop a letter off to Santa, they all get answered and in some cases I think Santa sends a gift with it. Trying to encourage people to participate in that program.

The DMU zoning change tonight. We have had a lot of discussion on it. Hopefully you will be supportive of it, we are going from C-2 to DMU. Basically the guideline is we are changing the entrance from downtown from Orchard St. maybe the Firehouse on East Main and Railroad. We have met with all the property owners there on a couple of occasions, they are all very supportive of it. There's not many differences between the 2 zones other than I believe the DMU will allow you to a little more architectural control and also some height. C-2 allows for a 2 story building whereas DMU will allow up to 6 stories with first floor commercial.

We had a lot of interest from property owners in doing this development and I think it is a good idea. We need to define our downtown we are doing it on the other end with Mill St. we just extending Mill and Fulton the DMU and we are looking at other parts that we can define downtown area.

The Heritage Trail is at Palmer Ave. now and hopefully by next summer we will have the trail to East Main St. Hopefully early spring. The final design from going from downtown is not completed yet will continue to work with OC Parks Dept. I wanted to thank the County Executive he has done a major push to make this happen along with Jim Brooks.

Ald. Johnson-Does a face shield qualify as a mask under our mandate?

Mayor DeStefano- I don't know. Have to read the law. Input from the Chief.

7. Reports of Dept. Heads

Maria Bruni/Community Development-Hope everyone had a good Thanksgiving.

I want to commend my team for Friday night. They took hold of this project and ran with it. Joseph, Stefanie, Eileen, Caitlin, Aidan all of them did a tremendous job. Had a lot of fun.

I like to thank the PD, FD they were a part of the lightings. Like the Mayor said we are looking to make this an annual, holiday season.

Also tonight on the agenda a resolution for the Community Development amendment of our Action Plan to receive Covid funds Round 3. It went through our public hearing. As you know the \$250,534 we are receiving we are going to allocate towards the project public facility. The activity is going to be the Greater Middletown Warming Station at 8-10 Mulberry St. The funds will be used to retrofit that facility to accommodate the Warming Station.

At our public hearing we had Pastor Rustico who came by and spoke very favorably and outlined what the Greater Middletown Warming Station is all about and the Interfaith Council and how involved they are. We had a lot of positive feedback and with your approval tonight to submit this and have the Mayor sign all documents. We would like to get this out to HUD tomorrow and hopefully we can have a quick turnaround to start drawing out our funds.

Don Luis/Fire Chief- We had a massive fire in Middletown on the 19th. The dept. spent 4+ days there. 4 days pretty much none stop and I would say this past Saturday we got called out for smoke which was like 6 days after the last day we were there. Thank the Lord for the rain yesterday so I don't think we will be back.

Thanks to all the mutual aid that was there. Jacob, DPW, Mayor stopped by and all the OC dignitaries that was there, coordinators and everyone. It was a huge event and had a lot of assistance. Best part about it there was not even a scratch on any members.

That fire caused a brush fires that were up behind the Vincent area and I think there were 6 depts. up there fighting that brush fire.

Circleville actually had a brush fire caused by this fire by a piece of cardboard that went all the way out to Circleville.

Chief selections are this month, Dec. 8th will be holding that from 12-7. It will only be the tellers and the person voting in the room. Keep with the Covid regulations.

Also the FD banners are hung around downtown, they start at Festival Square, go to Franklin Square down to the Paramount and down to North St. to Fireman Joe. Thank you Maria and DPW for doing this.

Engine#4 and the Fire Police at the end of the year do a Santa Run through town, obviously this year it is going to be a little different. Going to be based on the tree lighting it is going to be a drive by, held on Dec. 11th at 12. Covering 2 wards each day. The community will have the opportunity to see Santa and his friends drive by the neighborhood with decorated fire trucks and floats. Unfortunately due to Covid guidelines volunteer firefighters will not be able to stop this year for pictures. As a community you are more than welcome to take pictures from a distance and thank you for your understanding.

Tree lighting Maria that was a great idea.

Don Paris/Treasurer- As you know we bought 3 parcels of land for \$3million, 50 thousand for the watershed protection program. We went out to borrow the money even though it is going to be 75% come back in a grant we had to borrow it first to pay the bill. We had 4 very aggressive votes from financial institutions. The winner is .5286% and the next guy behind was .5293. It was very aggressive and our consultants told us Middletown is very well accepted in the market place at this point in time.

Also the tax sale-we have 2 tax sales a year we have the bulk tax sale which we already had which was pretty successful. It raised about \$million. Then we had properties that didn't go into bulk sale which I think was about 60. That was scheduled for Dec. 18th over at the Mulberry House but we had to cancel.

Chief Ewanciw/Police Chief- Piggyback off what the Mayor had started to discuss about the enforcement of Covid regulations. I can mention this is something that is coming down from our governor and the enforcement aspect is being pushed upon the local municipalities. So there has always been a little bit of uncertainty of how to enforce some things and asking why that was the resolution was passed 2 weeks ago in regards to the Local Law.

Our goal in the Police Dept. is not ...to sneak around and find people violating this. It is more so to address obvious concerns, address complaints and hopefully educate people to ensure that they know the precautions that are required and providing masks when required or needed.

I don't want anybody to think we are out there hunting down trying to give out violations for this code. My goal would be to hopefully get compliance across the board. As the Mayor says we do compliance checks on a daily basis in regards to the restaurants and bars and take out service only. We have ...3 calls for mask violations so far. They both have been resolved with simple conversation, people were very receptive of that conversation and we moved on from that point forward.

In driving around and walking around the community I don't see a lot of violations myself. So I would like to thank all the people out there doing the right thing wearing their mask, being socially distance and following the guidelines. I really appreciate that.

In regards to Ald. Johnson's question this was drafted in the law. Face masks and face coverings. Masks and face coverings include but are not limited to cloth, homemade sewn bandana, surgical mask, KN95, K95 respirators and face shields any of which must cover the nose and mouth of the wearer.

Yes face shields would be accepted.

Couple resolutions coming before you this evening. One is for the digital speed signs. Request from Ald. Masi ... on Grand Ave. in the area of the school. A touchy area for many, many years especially during school time when there is a lot of pedestrian traffic. A great opportunity, great location to put one.

Cheaper to buy 2 at a time, so we do have a second as part of this platform. However we have not designated a location for that one as of now.

Next will be a transfer of money to cover random drug testing. According to PBA there has been an increase types of testing that had to be done we had a little of an increase this year. Just to cover that difference.

As a member of the Police Association-this is in regards allowing the Chief Association to occupy space at the new Start Center. They have done a lot of work in the buildings, we are hosting classes in there right now even though the entire building is not fully complete. There is a class going on right now, socially distance. Great asset not just to the Police Chief Assoc., Police Dept. countywide but to our community as well. It brings a lot of people back into the community from all over the county.

Ald. Jean-Francois- Asked how Officer Barone doing?

Chief Ewanciw-He is doing well. I spoke with him today, he came into my office today and sat down. He is progressing, he still has a long way to go in his recovery, he is very positive in his recovery which is great to see. He is a very energetic young man. I wish him the best, I really hope that he has a speedy recovery and is able to come back. He does stop in on a regular basis and communicates with us. I think that is very positive.

John Naumchik/City Clerk- As most of you know starting today it is supposed to be the first day of the Winter Time parking permit. We received about 6-10 applications so far. But because of the issues in DPW which are closed and haven't been able to go out to check to make sure that the permit can be issued and also the Chief has to sign off on it too. We are hoping by the end of the week, beginning of next week that will start to happen and we will call everybody in to get their permit.

2nd issue would be the Re-organizational meeting for January which by the City Charter says it has to be the first business day of the year, which this year will be Jan, 4th 2021 at 6pm. That will be on the website and also the agenda on the website.

Mayor DeStefano-John just reminded me of one more items that is-we currently have 3 positive cases of Covid in City Hall. That is one of the reasons why we had closed the building to the public, no public at the meeting tonight all done by

virtual town hall. Also we have closed some offices within City Hall, we anticipate possibly closing more as this develops. We are getting some calls and people are a little frustrated about not getting a permit or meeting a timeline that they are on. Whatever offices are impacted we are going to extend the deadline. If you had a rental permit due today we are going to give you more time. So you don't have to worry about the timeline, we also canceled all non-emergency in-house inspections. The inspectors will not be going into rental properties, when they are back to work doing those types of inspections. This is bouncing back... City Hall but right now we have one office that is closed, DPW has been closed since Monday and some people will be coming back in bits and pieces. The office functioning at full speed is not anticipated until next week. There is always the possibility that others may close. Just asking for patience.

8. Public Hearings

John Naumchik-Nothing this evening.

9. Petitions & Complaints

John Naumchik-Nothing this evening.

10. Remarks of Aldermen

Ald. Masi-First I hope everyone had a safe and a Happy Thanksgiving. Last Wednesday afternoon there was a turkey distribution to local families. I want to thank Governor Cuomo and his staff especially Dylan and Tom. The Air Force National Guard that was there helping pass them out. Yes my car was the first in line but please let me clarify it was to pick up turkeys to distribute to needy families, which I did.

Friday we had the retirement walk off ceremony for Professional Firefighter Joe Andre. I want to thank him for his years of service to our community.

Also Friday night thanks to Maria Bruni and her employees especially Caitlin, Eileen, Stefanie, John Degnan driven by John Naumchik and to Joe Ferrera who did an excellent job in setting up and decorating the 11 Christmas trees so that Santa could visit that night.

I appreciate all that was done last week to show residents how much we care. Thank you to everyone.

Ald. Tobin-Thanked Maria, the city looks great.

Ald. Green-I will echo that, it was a great ceremony.

We will not be having a 2nd Ward meeting for December, January as well that is the constituents meeting. Just to be safe we can't do it in the building here and it is getting cold outside. We will be available, if you need to contact Ald. Kleiner or myself phone numbers and e-mails on the city website.

Ald. Johnson-Nothing this evening.

Ald. Ramkissoon-I just wanted to thank everyone for getting the city holiday spirit.

Ald. Kleiner- I want to thank the Fire Dept. that was one hell of a fire. For anyone who doesn't know those are the O&W yards and there was a time when they were probably the biggest employer in the Middletown. Ontario & Western Railway a lot of people on that end of town lived there because they worked at the O&W.

It was a major loss of warehouses and stuff but in terms of history.

Today is the first day of Advent for people who weren't aware of that.

Dec. 10th coming is actually Human Rights Day.

Dec. 15th is Bill of Rights Day. You have to convince people there is a reason to when you have 270,000 people dead. There is a reason why you wear a mask, it is not a political statement.

The stuff we see going on in the country by this overgrown adolescent is unbelievable.

Yes there is an election problem and the problem is people suppressing the vote to try in every which way to stop people from voting. Not in the election itself. I just think that is important.

I encourage anyone to look up Shelby vs. Alabama.

Ald. Jean-Francois-Nothing this evening.

Ald. Burr-Nothing this evening.

11. Unfinished Business

John Naumchik-Nothing this evening.

12. New Business.

229.20 Resolution to authorize the Treasurer to transfer \$5,799.00 within the Police Department 2020 budget cover the cost of (2) 14" Solar Evolis Radar Speed Signs.

On motion of Ald. Masi seconded by Ald. Burr

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$5,799.00 within the Police Department 2020 budget cover the cost of (2) 14" Solar Evolis Radar Speed Signs to be placed at relevant traffic locations in the following manner:

From	Amount	To
A.3120.100	\$5,799.00	A.3120.200
Personnel Services		Equipment

Roll Call: Ayes Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

230.20 Resolution to authorize the Treasurer to transfer \$1,000.00 within the Police Department 2020 budget to cover the cost of shortages for Random Drug screenings.

On motion of Ald. Tobin seconded by Ald. Masi

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$1,000.00 within the Police Department 2020 budget to cover the cost of shortages for Random Drug screenings in the following manner:

From	Amount	To
A.3120.430	\$1,000.00	A.3120.431
OSHA Requirements		Chemical Analysis

Roll Call: Ayes Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

231.20 Resolution to authorize the Treasurer to transfer \$10,000.00 within the DPW 2020 budget to cover repairs to Sanitation Department vehicles.

On motion of Ald. Green seconded by Ald. Tobin

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$10,000.00 within the DPW 2020 budget to cover repairs to Sanitation Department vehicles in the following manner:

FROM	AMOUNT	TO
A.5142.440	\$10,000.00	A.8160.440
Repairs to Equipment		Repairs to Equipment

Roll Call: Ayes Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

232.20 Resolution to authorize the Treasurer to transfer \$250.00 within the DPW 2020 budget to cover the additional amount needed, due to employee change in step.

On motion of Ald. Johnson seconded by Ald. Jean-Francois

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$250.00 within the DPW 2020 budget to cover the additional amount needed, due to employee change in step that was not originally budgeted for in the following manner:

FROM	AMOUNT	TO
A.8160.100	\$250.00	A.8160.104
Personal Services		CSEA Longevity Pay

Roll Call: Ayes Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

233.20 Resolution to authorize the Treasurer to transfer \$447,449.00 to the project account H-908, Traffic Operations along with future payments to cover WSP and other charges that are accruing.

On motion of Ald. Ramkissoon seconded by Ald. Kleiner

WHEREAS; resolution #22-19 approving capital project Traffic Operations, # H-908 did not provide for grant payments received be credited to the project as a funding mechanism, and

WHEREAS; the City Treasurer is requesting for the \$447,449.00 the City has received in grant payments residing in the capital fund be transferred to the project account H-908 along with future payments to cover WSP and other charges that are accruing.

SO LET IT BE RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$447,449.00 to the project account H-908, Traffic Operations along with future payments to cover WSP and other charges that are accruing.

Roll Call: Ayes Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

234.20 Resolution to approve a contract with the Middletown Humane Society for 2021 and authorize the Mayor to sign the one year contract with terms as the same as last year.

On motion of Ald. Kleiner seconded by Ald. Masi

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to approve the attached contract with the Middletown Humane Society for 2021 and authorize the Mayor to sign the attached one year contract with terms as the same as last year.

Ald. Johnson-Annual disclosure. I have been at the shelter since '83, I do pro-bono rounds, rabies vaccines, physicals.

Roll Call: Ayes Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

235.20 Resolution to approve a contract with the Police Chiefs Association of Orange County (PACOC) to host the Police Academy at the Start Center from November 1, 2020 through December 31, 2030.

On motion of Ald. Jude-Francois seconded by Ald. Kleiner

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to approve the attached contract with the Police Chiefs Association of Orange County (PACOC) to host the Police Academy at the Start Center from November 1, 2020 through December 31, 2030 and authorize the Mayor to sign the attached agreement.

Roll Call: Ayes Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

236.20 Resolution to approve an Amendment to the Community Development Block Grant (CDBG) 2019 Action Plan to receive CDBG Coronavirus Aid (CDBG-CV3) and authorize the Mayor to sign all necessary documents.

On motion of Ald. Burr seconded by Ald. Tobin

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to approve the attached Amendment to the Community Development Block Grant (CDBG) 2019 Action Plan to receive CDBG Coronavirus Aid (CDBG-CV3) and authorize the Mayor to sign all necessary documents and certifications regarding the Amendment and receipt of CDBG-CV3 funds. The allocation for the CDBG-CV3 is \$250,534.00, the budget is outlined in the Amendment

Roll Call: Ayes Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

237.20 Resolution to approve SEQRA to change zones on 19 properties to the DMU zone.

On motion of Ald. Masi seconded by Ald. Johnson

WHEREAS, the City of Middletown Common Council has determined, upon recommendations by the Mayor and Community Development, that 19 parcels of land off East Main Street and Railroad Avenue should be rezoned from the Limited Business and Light Industrial Districts to the DMU Downtown Mixed-Use District in order to increase the number of permissible commercial and residential uses in this non-industrial area, and

WHEREAS, the identity of these parcels is provided in the accompanying Resolution, and

WHEREAS, the proposed action is described as follows: Changing the zoning designation of these parcels to allow for a greater variety of commercial and residential uses than are provided by the existing zoning, and

WHEREAS, the proposed rezoning constitutes an Unlisted Action pursuant to the State Environmental Quality Review Act (“SEQRA”) regulations; and

WHEREAS, a public hearing on the proposed rezoning was held on November 2, 2020, and

WHEREAS, the City of Middletown Common Council has thoroughly reviewed and considered the request for rezoning and the accompanying Short Environmental Assessment Form (“EAF”), and

WHEREAS, the City of Middletown Common Council has identified the relevant areas of environmental concern and thoroughly considered the criteria for determining significance set forth at 6NYCRR Part 617.7 (c);

WHEREAS, the Common Council is the only involved agency under SEQRA for this rezoning request.

NOW, THEREFORE, BE IT RESOLVED that the City of Middletown Common Council declares itself Lead Agency with respect to this rezoning action, and be it

FURTHER RESOLVED that the City of Middletown Common Council hereby declares that the proposed action will not result in a significant adverse impact on the environment, and an environmental impact statement will not be prepared, and be it

FURTHER RESOLVED that this Negative Declaration is made pursuant to Article 8 of the Environmental Conservation Law (SEQRA), and be it:

RESOLVED that the reasons and findings supporting this determination are as follows:

1. There will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; nor a substantial increase in potential for erosion, flooding, leaching or drainage problems.

2. There will not be the removal or destruction of large quantities of vegetation or fauna; nor substantial interference with the movement of any migratory fish or wildlife species; nor impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant; nor the habitat of such species; nor other significant adverse impacts to natural resources.

3. There will not be an impairment of the environmental characteristics of a critical environmental area (CEA) as designated pursuant to 6 NYCRR 617.14(G) because the property is not located within a CEA. Nor is there any CEA nearby.

4. There will not be the creation of a material conflict with the community's current plans or goals as officially approved or adopted because the new zoning classification is consistent with the City of Middletown Master Plan in that it furthers commercial and residential development in a non-industrial area.

5. There will not result an impairment of the character or quality of important historical, archaeological, architectural or aesthetic resources or of existing community or neighborhood character.

6. There will not result a major change in the use of either the quantity or type of energy.

7. There will not be the creation of a hazard to human health.

8. Nothing characteristic of the proposed action would result in a demand for other actions that exhibit the impacts defined in 6 NYCRR Part 617.7(c).

9. All potential changes to the environment have been identified in the Short EAF and analyzed cumulatively by the Council. The totality of potential impacts for the actions currently contemplated, are not significant.

10. No other related development or similar action is proposed for this area in the City of Middletown.

11. The rezoning action is not part of any long-range plan for development that has not already been identified, and there are no other actions that will be taken as a result the actions identified herein. Nor are there any unidentified future actions that are dependent on the actions to be undertaken by the Council, other than the special use permit and site plan approval process provided for in the Middletown Zoning Code.

Pres. Rodrigues- For the record I will be abstaining. Past and present..

Roll Call: Ayes Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green,
Masi-8 Abstain: Pres. Rodrigues-1

239.20 Resolution to approve change of zones on 19 properties to the DMU zone.

On motion of Ald. Tobin seconded by Ald. Green

WHEREAS, the City of Middletown Common Council has been presented with a proposal to rezone 19 lots on East Main Street and Railroad Avenue from Limited Business and Light Industrial zoning districts to the DMU Downtown Mixed-Use zoning district, and

WHEREAS, a public hearing was held on this proposed rezoning action on November 2, 2020, and

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

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

Section 1 - The Code of the City of Middletown, N.Y., Chapter 475, Zoning, and in particular Section 475-6, Zoning Map, be and is hereby amended by rezoning the following parcels on East Main Street and Railroad Avenue from C-2 Limited Business District and I-1 Light Industrial District to DMU Downtown Mixed-Use District, to be governed henceforth by the provisions of Section 475.21.1:

<u>Street Address</u>		<u>Tax Map</u>	<u>Zone</u>
95	East Main Street	31-3-9	C-2

97	East Main Street	31-3-8	C-2
99-101	East Main Street	31-3-7	C-2
103-105	East Main Street	31-3-6	C-2
104-108	East Main Street	36-1-2	C-2
107-109	East Main Street	31-3-5	I-1
110-112	East Main Street	36-1-4	C-2
111-113	East Main Street	31-3-4	C-2
114-116	East Main Street	36-1-5	C-2
115-117	East Main Street	31-3-3	C-2
118-120	East Main Street	36-1-6	C-2
119-123	East Main Street	31-3-2	C-2
122-124	East Main Street	36-1-7	C-2
126-128	East Main Street	36-1-8	C-2
127-129	East Main Street	31-2-20.12	C-2
200-206	East Main Street	36-3-1	C-2
71-79	Railroad Avenue	26-10-21.22	C-2
131	East Main Street	31-2-20.13	C-2
62-68	Railroad Avenue	31-2-20.14	C-2

Section 2 - This ordinance shall take effect immediately.

Ald. Kleiner-I just want to mention the Mayor did mention one of the main changes from C-2 zone and I am thinking of the property across from Tony's. It allows you to go from a 2 story to a 6 story. I hope the Planning Board looks at that and considers whether it is really appropriate. Particularly since it is the Heritage Trail.

Roll Call: Ayes Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi-8
Abstain: Pres. Rodrigues-1

13. LOCAL LAWS (NOTHING THIS EVENING)

14. AUDIT OF CLAIMS AND ACCOUNTS

On motion of Ald. Masi seconded by Ald. Green

I move that the accounts be audited the claims be adjusted and the Treasurer be authorized to issue warrants for their payment.

Roll Call: Ayes Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

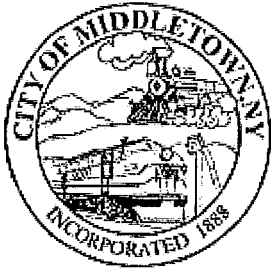
15. ADJOURNMENT

There being no further business meeting adjourned at 8:40 PM

Respectfully submitted,

Karen Sisco

A handwritten signature in black ink, appearing to read "Karen Sisco", written over a horizontal line.



**Common Council
Meeting
City of Middletown
November 17, 2020**

1 Pledge of Allegiance-Pres. Rodrigues asked all to rise for the Pledge.

2. Roll Call: Present: Ald. Ramkissoon, Kleiner, Johnson, Jean-Francois, Burr, Green, Pres. Rodrigues-7 Absent: Ald. Tobin, Masi-2

3. Approval of Minutes

On motion of Ald. Johnson seconded by Ald. Green to accept the minutes of October 20, 2020

All in favor

4. Correspondence

John Naumchik-Nothing this evening.

5 For the Good of the City

No one

6. Remarks of the Mayor

Mayor DeStefano-I want to open with the Covid issue once again it is back into the major focus of the city, state and nation.

We were on a call today with the County Executive Steve Neuhaus, all the elected officials and Emergency responders in Orange County. (showing slide) Middletown is #3. Once again we were down may be 4 or 5 for a little while, but the fact is the whole region and the whole state numbers are increasing. We were advised today by the County Executive that with the phone call to the

Governor's Office that Middletown area and Newburgh area may soon be designated as a cluster area. What that means is not good news for us in regards to our abilities to operate businesses and open public buildings.

As you can see (on the screen) over the last week the Middletown area, Orange County has additional cases just in the last few days. Starting (showing slide made this afternoon before the call) there already has been a change since talked about closing buildings possibly on Monday because of the way things are progressing. But we posted on Facebook and our City social media today that all public buildings will be closed once again, tomorrow starting at 8 am and basically in effect with this meeting. We are letting people in, only a couple of people here from the public. All public buildings will be closed except for emergency access. People can call if they need a death certificate or birth certificate they can call, things that can be done on line. We are just not letting people into the building to conduct business. What we did the last time in March and April if you had a bill you want to pay, we had met you outside or lobby area and took care of your business there. The offices will not physically be closed but the buildings are very much restricted. Saying closed is the term we are using but restricted. That goes for all buildings.

I sent out an e-mail to all dept. heads earlier in the evening regarding training, access into the recreation centers, any public buildings, police station, city hall, senior center has been closed but whatever business city hall is doing people are doing in city buildings must cease or be very much restricted down to a minimal.

The other part is the ability for city workers to follow guidelines. One thing we are getting on all the Governor's messages is that it is up to local police to enforce guidelines. It is a little unclear of what people can be charged with, we are not going to be looking in the windows on Thanksgiving to see if you have 11 people or 12 people in your house. Strongly recommended from Dr. Fauci on down that you have not large gatherings in your homes. But what we are encouraging people to do in their homes is use common sense; the police are not looking in your doors unless you are having a large group. A very large group of people. That is different than public buildings, facilities.

As for public restaurants the Governor said effective last Friday that everyone had to be out of the restaurants and bars by 10pm. We did patrol quite a few areas and spot check on different businesses and that will increase. The threat all along has been from the Governor and from the State Health officials is I'm not shutting down NYS anymore but what I will do and what I have done is shut down regions of state that are not either following the guidelines or in a position where their numbers are increasing were we have to take some kind of action.

So that brings us back to the cluster. If we get categorized tomorrow possibly we can expect as a yellow cluster. The houses of worship will be at 50%, mass gatherings up to 25 people maximum indoors and outdoors right now you can have a gathering up to 50 people except at your house, encouraging you not to do it. Businesses will remain open and indoor and outdoor dining 4 person maximum per table and schools will then be required to do mandatory weekly testing of students, teachers and staff for in person learning.

Yellow is just a little bit more stringent than we are operating under now. But if we continue to increase we go to orange that reduces houses of worship down to a maximum of 25 people. 10 people maximum indoor and outdoor mass gatherings which I believe we are at now in some cases. They will close high risk non-essential businesses like gyms, personal care facilities, dining will be limited to outdoor dining only in this kind of weather, in schools will be closed, remote only. It is a concern. We are asking people for cooperation, if you do go to a store we are getting a lot of complaints about convenience stores and the people are not wearing masks call the police, the police will respond. We are going to work something out about chronic offenders where we then can get the Task Force involved and hopefully the DA will prosecute. We need to react to this otherwise we will be in a big jam over the next few weeks.

On a positive side construction in downtown is continuing, James St. lots both are open today. They will possibly shut down the Motor Vehicle side tomorrow to finish landscaping. We will be going back and forth. Maria and I are working on a parking management plan and we will keep you informed. Update once before on the parking management-2 hr. 3 hr. and overnight parking seems to be working. But again we are not at full capacity with business. We are planning as if we are going to be re-opening in the next couple of month's full staff for business. If you see empty spots you wonder why we don't have people parking in the lot there is a reason for it.

Henry St. lot behind City Hall. I know many City employees are waiting for this lot to be re-opened. Unfortunately for them we are not going to reopen for City of Middletown employees, parking at St. Paul's and Canal St. and Mulberry House this will be public parking for businesses and tenants for the downtown area and the Heritage Trail.

Tonight you have a resolution on Winter Parking. Normally we start on the 15th with no overnight parking. This is in downtown for a couple of years in many different forms with alternate side of the street something I was supportive of. There are issues that were raised by Council members and by Jacob Tawil the city has many narrow streets we felt it might not be the best route to go at least at this time. So we've come up with a compromise position where by permit people who would qualify will be able to leave their car out in street for days that its not raining or snowing. Freezing rain or snowing. A lot of the burden is going to fall on the property owner to sign up for Nixel or to ...social media when there is a snow alert. That they are then responsible for getting their car off the street or they are subject to a ticket. Several abuses or quite a few abuses I'm not sure what the number is we can revoke the permit.

This is to address people who do not have a driveway or a 2 family home that only has a driveway for 1 family. That is the eligibility there are no exceptions that your house has 3 cars and driveway only holds 2 you will have to make those arrangements to go to a public parking area and shuttle back and forth. It is also going to come with enforcements regarding parking on lawns which we see quite a bit of in the winter time and it is becoming a year round thing. Now it is not even just wintertime people are parking on their lawns on a year round basis so we are going to do more enforcement in that area. This is a Pilot Project for

2020-2021 I want to thank Ald. Green for bringing it forward and it is somewhat a compromise and we will see how this works and see what trouble we have if any with people abusing the system or just being forgetful or whatever problems can be. Rest assure if it snows if there is any precipitation you are the responsible party for getting that vehicle off the street, requirements that they sign up for Nixel which is the city's communication system and there are other requirement. Overall fair compromise to at least to take the heavy burden off of some of the people who are paying I think \$150 a month for private parking. These are people who have no driveways whatsoever. All available on our website.

2021 budget- Don Paris did an excellent job in the Treasurer's office, I want to thank the Council Pres. President and Ald. Masi, Board of Estimate adopt the budget and we have some highlights that have been discussed with the Common Council earlier as you can see the different categories, (showing on slide) Operations, Special Items, Personal Services, Employee Benefits, Ban/Debt Svc.

Debt Service down a little bit

Employee Benefits up

Personal Service is down a little

Special Items up a little

Operations up a little bit

The big increase in the budget were Pension which is 8.86% increase, dual rate this year, we are under the tax cap although I don't believe there are any benefits to, I don't know if the homeowners are getting a refund check this year. But the total increase is about 3.1 round to 3.2, the problem is of that about .86 is one time pension charge for police and fire retirees. Significant amount of money of which \$200,000 was eligible be applied to the tax cap. Overall increase in pension went from 3.2 to 3.7 and 8.86% increase.

Workers comp. 3.3

Another big area largest area of increase is Health Insurance cost went up 17%

Payroll taxes 4%

As I was saying the tax cap-2% is never 2%. Most of years its been a little a bit lower because of the adjustments. Don worked out the formula for us. The one time pension adjustment is the reason why we separated the way we did because it is a one-time adjustment and it will factored in next year. We are going to have 3.2 increase, the change I believe is \$81 on the average home. The Water/Sewer rates are not increasing at all. The combined rate is \$17.00 in 2020 and the combined Water/Sewer rate for 2021 is also \$17.00 per 1,000.

The tax levy numbers are there for 21, no general fund balance transfer into this budget. We are not using any of our savings, we have made some assumptions, one assumption is reduce the sales tax slightly as Don mentioned at committee by about a half million dollars. We sale of real property which are one shot revenues. We are confident we will meet those one shot revenues.

This summary on the last page is all the different funds the city manages. We have 5 different funds the General Fund is \$42million plus the water fund is about \$7 ½ million, sewer fund about \$6million and Community Development is about \$700,000+, Golden Area is about \$130,000. Golden Area is a subsidy to the bus operation, slight subsidy from County Transportation the overwhelming majority of senior bus operations is subsidized by Middletown taxpayers. The combined is around \$56 or 57 million.

Happy Thanksgiving. Happy and Safe Thanksgiving. Hopefully people will follow the guidance issued by Governor's Office.

Ald. Johnson-Under the BAN line \$3million how does that fit into this document?

Mayor DeStefano-All the debt services –the debt you see on here is current debt there is no Bond Anticipation notes are factored in the long term debt. Nothing new here. Our debt actually went down. It went down to 2.381 to 2.234. We are ok.

Ald. Johnson-With the parking. You and I discussed a resident in the 3rd Ward a landlord 2 family home she wanted to know if she was eligible for a permit. She owns 2 vehicles. No eligibility.

Mayor DeStefano-We are doing this, keep in mind without 100% support of the men who do the plowing. They are concerned about it as we approach this we want to walk. We want to see how it goes this year and we want to get people signed onto Nixel, I encourage people to really sign up for all city emergencies but this one is required with the permit. If it works this year then maybe we can expand upon it next year, eventually we get to alternate side of the street parking.

7. Remarks of Dept. Heads

Maria Bruni/Economic Development-Update you on the public hearing this Friday to amend our 2019 Action Plan to allow us to allocate Covid Round 3 fund and the funds to be used to rehab 8-10 Mulberry St. to relocate the GMIF Warming Station. The public hearing is this Friday, 2pm. Comment period from 11/20 to 11/30 and then we will provide/present amendment to Covid 12/1 to approve the submission to HUD. That is the timeline on Covid money.

We started, next week would have been the annual tree lighting downtown not taking place with Covid and construction. Festival Square is really coming out nicely. We put our heads together with the BID and we are going to be rolling out the holiday season in a safe manner.

We are going to do some downtown virtual tree lighting and more to be announced. Santa has agreed to come back and do the virtual lighting for us. We are going to be working hard next week to get this all planned out and strategically placed in the downtown so we can do the virtual tree lighting.

It will be on our Facebook and website. Holiday spirit.

Also we will be rolling out a marketing program for business ..ideas on decorating downtown, decorating city wide businesses. Also small business Saturday. Small business Saturday promotions are going to be available,

Statistic from Small Business Administration- there are 31.7 million small businesses in the United States. They represent 99.9% ...in the US. Responsible for 65.1% net jobs created between 2000-2019. Small businesses employ 47.1% of employees in the private sector in the US. 97% of consumers who shop on Small Business Saturday believe small businesses are essential to their community.

The Mayor would like to present Small Business Saturday proclamation.

Mayor DeStefano-This is a national, Small Business Association.

Mayor read proclamation.

Keep in mind a lot of small businesses are hurting. I am happy to sign the proclamation.

We are going to change the dates (snow) we are going to reduce the amount of off street parking basically a month. Begin on Dec.1, back on the road March 15th. Keep in mind if next week it snows there is a city ordinance if we get 2 inches or 2 ½ of snow you have to remove your car from the street regardless of the time. We are moving the dates, shorten by a month but we need cooperation of everyone.

Maria Bruni-Shout out to Jacob and his dept. they managed to get the wreaths up throughout the downtown. They will be lit next week.

Jacob Tawil/Commissioner DPW- Mayor and Maria spoke about the green infrastructure parking lots which are being opened. What is important is the green infrastructure that they implemented. Take all the storm water when you have heavy rain event and by underground seepage basically to recharge the ground water, before it goes into our storm system as well. Implementing and planting green infrastructure meaning trees and shrubs, the idea is to minimize the storm runoff and flooding that we have in the city. This is really great addition to this project. Very proud of it. Wait until you see the green planting comes out and it is going to help the environment.

Touch on something on the mature trees around the city, people are taking them down, beautiful trees. Trees are tremendous asset to your property.

Ald. Masi is not here are reservoirs are 88% capacity. We still need more rain. Very good shape.

Leaf pickup- DPW has been going around, we finished the 2nd Ward, 3rd Ward, halfway done with the 4th Ward and then 1st Ward. Start again 2, 3, 4, 1.

Davidge Park the Mayor spoke about it. The Mayor signed the Davidge Park Expansion with the General Contractor. The EC has been signed a while ago. Issue with attorney, Mayor signed it today. Looking to set up preconstruction as soon as possible with GC and EC to get this project started. Good news is 12

inch water main replacement through the park has been done through the park already. God forbid if something happens the old water main that runs about 15 ft. below the surface of the ground, through the proposed park expansion. We can shut it off but we still have to commission the new one.

ADA curbs and sidewalks, you can see beautiful work throughout the downtown area. Again that is a grant with a small city subsidy for the grant. Today we did the tour with DOT, they came to audit all the records for the projects. Minor items in there that needed to be addressed by the engineer and the contractor. All in all they were happy with the bookkeeping and so on. Now we are preparing for the shutdown for the winter. In the spring they are going to start on Dolson Ave. that is where the 4th Ward comes in, installing brand new sidewalks from Republic Plaza all the way to city line.

Heritage Trail- seeing some work being done by the bridges. Bridge crossing Genung St. and for Sprague Ave. these are the last few items that need to be done on the Heritage Trail Phase II. It will be open up from the Wallkill River- Hartley Rd. in Goshen to the Switch Inn, downtown Middletown.

Before you tonight there is a \$3million borrowing for the dam. It is only temporary to fund our water shed protection for our reservoirs. Basically as you know we were successful in obtaining \$6million grant for purchasing watershed around our main Shawangunk Kill that supplies our reservoirs with water. Right now we are closing, getting ready to close on major purchases. One of them is eliminating the horse farm and basically training facility. We are very close to purchasing that property. We have done all the paperwork and that is about \$2 ½ million. Great improvement for the City of Middletown and to preserve its watershed and make sure we continue to have clean water going to our reservoirs for generations to come.

The Mayor and I we were able to secure \$13.4 million in additional funding for the traffic operations. We talked about it before, now it is done. We were successful in obtaining an additional \$13.4million last week conference phone call. Contribute tremendous in our downtown, throughout the City of Middletown, it is going to be ADA compatible. Going to have pedestrian crossing, have synchronized traffic signal intersection. Going to be timed to minimize your stop and go.

Ald. Johnson-The Mt. Hope training track is agricultural waste is that what you are saying

Commissioner Tawil-Yes absolutely. It forced into our waste supply. Our lifeline is the Shawangunk Kill, Kinch Reservoir.

Ald. Johnson-There are a lot of horses on that property.

Don Paris/Treasurer-Nothing this evening.

Chief Ewanciw/Police Chief-Nothing this evening.

John Naumchik/City Clerk-Nothing this evening.

8. Public Hearings and Grievances

John Naumchik-Nothing this evening.

9. Petitions and Complaints

John Naumchik-Nothing this evening.

10. Remarks of Aldermen

Ald. Green- Maria and everyone involved the downtown really is coming along quite well. Amazing.

Thank the Mayor, Police Chief, DPW Commissioner and City Clerk and everyone here involved with the Winter Parking project. I heard some great things from people who see what we have been doing and I hope everyone follows along with it and we can have a good year for it.,

Happy Thanksgiving. Stay smart, stay safe.

Ald. Johnson- I asked Public Works what the timing was I was told start this year finish next year. Glad to see we are sticking to that timeline.

Ald. Ramkissoon- The meeting for November will be canceled. Wish everyone safe and Happy Thanksgiving.

Ald. Kleiner- Thank you Don and everyone in the department for the work on the budget it was a tough year to do a budget. Congratulations.

As the Mayor said we don't have any hope for state and local funding yet from a national level. With the new administration and there will be a new administration we hope that will be restored at least to a degree.

Governments' main job is to protecting public health and safety. I was confused because I thought Operation Warp Speed was about spreading the vaccine. But apparently Operation Warp Seed was about spreading the virus and we have been very successful at doing that. The Country right now we heard from the Mayor how it is going to affect the city, all over the country it is unbelievable we have a war against the virus but we are not asking anyone to make any sacrifice. My God wearing a mask is just too much for people. Don't understand it, I don't understand when a party becomes a death cult...250,000 people that is ok they would have died anyway. I just can't not comment on this it is beyond, it is almost beyond comment.

People have asked me are we going to have a tree this year and I said no. We will look forward to next year our annual tree lighting and pre-holiday celebration.

Wish everyone a very safe and healthy and a Happy Thanksgiving.

Ald. Jean-Francois- Every year I look forward to our budget to see what it is going to look like. Don has always come through. Thank you for that every year. We look forward to see a good budget.

I am delighted for the ADA curbside walk. We have been looking forward for that project to start on Dolson Ave. It is amazing when you drive on Dolson Ave. you

see people walking without sidewalks. You just cringe. Also a gentleman riding a scooter and it looks so terrifying. Looking forward for that project to start.

Ald. Burr-Happy Thanksgiving.

11. Unfinished Business

John Naumchik-Nothing this evening.

12. New Business

218.20 Resolution to accept the 3rd period award with the County for our STOP-DWI enforcement period of November 6, 2020 through January 1, 2021.

On motion of Ald. Green seconded by Ald. Burr

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to authorize the Treasurer to accept the 3rd period award with the County for our STOP-DWI enforcement period of November 6, 2020 through January 1, 2021. The total amount of the 3rd period award is for 80 hours of service or a dollar amount not to exceed \$5,242.00. These funds are to be paid to the City of Middletown and not to be reimbursed to the Police Department budget and add to our STOP DWI Budget line A.3141.103.

Roll Call: Ayes: Ald. Ramkisson, Kleiner, Johnson, Jean-Francois, Burr, Green, Pres. Rodrigues-7

219.20 Resolution to approve a wintertime parking permit system

On motion of Ald. Green seconded by Ald. Jean-Francois

WHEREAS, the Common Council wishes to create a wintertime parking permit system to alleviate the hardships of residents who do not have adequate off-street parking, and to clarify parking regulations during snow alerts.

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 460, Vehicles and Traffic, is hereby amended by replacing Section 460-80, Notice of snow alert, to read as follows:

§ 460-80. Notice of snow alert.

The declaration of a snow alert as aforesaid may be conveyed to the public by Nixle alert, official City social media accounts, the City website, radio or newspaper

announcement by one local radio station or one daily newspaper published in the City of Middletown.

Section 2 – The Code of the City of Middletown, N.Y., Chapter 460, Vehicles and Traffic, is hereby amended by replacing Section 460-81, Limited use of streets during snow alert, to read as follows:

§ 460-81. Limited use of streets during snow alert.

The parking of vehicles is hereby prohibited on all highways and streets within the City during any period declared as a snow alert pursuant to Section 460-79. Vehicles parked in violation of this Section shall be subject to removal pursuant to the provisions of Sections 460-77 and 460-78.

Section 3 – The Code of the City of Middletown, N.Y., Chapter 460, Vehicles and Traffic, is hereby amended by replacing Section 460-82, Duration and termination of snow alert, to read as follows:

§ 460-82. Duration and termination of snow alert.

The snow alert so declared shall be deemed to continue until terminated by the Mayor by radio or newspaper announcement, by Nixle alert, official City social media accounts, the City website, one daily newspaper published in the City of Middletown or by one local radio station. Partial termination of the snow alert may be declared before the complete snow alert is terminated as aforesaid.

Section 4 – The Code of the City of Middletown, N.Y., Chapter 460, Vehicles and Traffic, is hereby amended by replacing Section 460-14, Night parking, to read as follows:

§ 460-14. Night parking.

A. The parking of vehicles is hereby prohibited on all highways and streets within the City between the hours of 2:00 a.m. and 6:00 a.m. from the 1st day of December until and including the 15th day of March of each year, except for any vehicle permitted through the Office of the City Clerk, or on the following street(s): the westerly side of Rivervale Road. The owners or operators of vehicles parked in violation of this Subsection are subject to the penalties, including removal, provided in Section 460-41 of this Chapter.

B. City residents who do not have a driveway or access to off-street parking may apply to the Office of the City Clerk for a Winter Season Street Parking Permit, which would entitle such residents to park their vehicle in a legal parking space

on the street, within one hundred (100) feet of the boundary of their property, during the time periods referenced in Subsection A, above. However, it shall be the obligation of the vehicle owner or operator to remove such permitted vehicle from the street during any periods of snow alert, precipitation or other emergency in accordance with the provisions of Sections 460-22, 460-75 and 460-81. The owners or operators of vehicles parked in violation of this Subsection are subject to revocation of their Winter Season Street Parking Permit in the discretion of the Mayor, as well as to the penalties, including removal, provided in Section 460-41 of this Chapter.

Section 5 - This resolution and ordinance shall take effect immediately.

Roll Call: Ayes: Ald. Ramkissoon, Kleiner, Johnson, Jean-Francois, Burr, Green, Pres. Rodrigues-7

220.20 Resolution to authorize Corporation Counsel and the City Treasurer to hold a tax lien sale on Saturday, December 19, 2020, at 10 a.m. at the Senior Center.

On motion of Ald. Johnson seconded by Ald. Green

RESOLVED, that the Common Council of the City of Middletown authorizes the Corporation Counsel and the City Treasurer to hold a tax lien sale on Saturday, December 19, 2020, at 10 a.m. at the Senior Center, first floor, 62-70 West Main Street, to offer for sale all properties which have delinquent taxes, assessments, and/or water and sewer rents as of prior October 1, 2019.

Roll Call: Ayes: Ald. Ramkissoon, Kleiner, Johnson, Jean-Francois, Burr, Green, Pres. Rodrigues-7

221.20 Resolution to approve and adopt the aforesaid annual budget for 2021.

On motion of Ald. Johnson seconded by Ald. Ramkissoon

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, 2021 through December 31, 2021, 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:

<u>Description:</u>	<u>General Fund:</u>	<u>Water Fund:</u>	<u>Sewer Fund:</u>
Revenue	\$21,751,527	\$7,546,333	\$5,993,496
Expense	\$42,483,093	\$7,546,333	\$5,993,496
Appropriation:			
Estimated Revenue:	\$21,451,517		
Tax Levy – General			
City Purposes	\$21,031,566		

Roll Call: Ayes: Ald. Ramkissoon, Kleiner, Johnson, Jean-Francois, Burr, Green, Pres. Rodrigues-7

222.20 Resolution to accept an award of \$5,100.00 to participate in the statewide “Child Passenger Safety” program.

On motion of Ald. Ramkissoon seconded by Ald. Burr

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to authorize the Treasurer to accept an award of \$5,100.00 to participate in the statewide “Child Passenger Safety” program effective October 1, 2020 through September 30, 2021 to increase the proper use and the installation of child safety seats in New York State, and to cover the cost of recertification fees for our certified car seat Technicians/Officers and add to the Child Passenger Safety budget line A.3189.450.

Roll Call: Ayes: Ald. Ramkissoon, Kleiner, Johnson, Jean-Francois, Burr, Green, Pres. Rodrigues-7

223.20 Resolution to accept an award from the County of Orange in the amount of \$5,280.00 for the STOP-DWI Enforcement Crackdown for 2020/2021.

On motion of Ald. Kleiner seconded by Ald. Burr

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to authorize the Treasurer to accept an award from the County of Orange in the amount of \$5,280.00 for the STOP-DWI Enforcement Crackdown for 2020/2021 and authorize the Mayor to sign the attached agreement in blue ink and add to the Police budget line number A.3126.103.

Roll Call: Ayes: Ald. Ramkissoon, Kleiner, Johnson, Jean-Francois, Burr, Green, Pres. Rodrigues-7

224.20 Resolution to authorize the Mayor to sign an annual renewal agreement with PERMA for their 3rd party administration services.

On motion of Ald. Jean-Francois seconded by Ald. Green

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to authorize the Mayor to sign the attached annual renewal agreement with PERMA for their 3rd party administration services with terms and conditions are the same as prior years.

Roll Call: Ayes: Ald. Ramkissoon, Kleiner, Johnson, Jean-Francois, Burr, Green, Pres. Rodrigues-7

225.20 Resolution to authorize the Treasurer to transfer \$47,357.24 within the Parks and Recreation Department to fund an Excavator for park improvement projects.

On motion of Ald. Burr seconded by Ald. Ramkissoon

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$47,357.24 within the Parks and Recreation Department to fund a Kubota U series Excavator to be used to do work at Davidge Park Expansion, Reservoir and other park improvement projects.

Roll Call: Ayes: Ald. Ramkissoon, Kleiner, Johnson, Jean-Francois, Burr, Green, Pres. Rodrigues-7

226.20 Resolution to authorize the acceptance and adoption of the Multi-Jurisdictional Hazard Mitigation Plan update for Orange County.

On motion of Ald. Green seconded by Ald. Jean-Francois

WHEREAS, the Orange County Department of Emergency Services, with the assistance from Barton & Loguidice, D.P.C., has gathered information and prepared the Multi-Jurisdictional Hazard Mitigation Plan Update for Orange County, New York; and

WHEREAS, the Multi-Jurisdictional Hazard Mitigation Plan Update for Orange County, New York has been prepared in accordance with the Disaster Mitigation Act of 2000 and Title 44 Code of Federal Regulations (CFR), Part 201; and

WHEREAS, Title 44 CFR, Chapter 1, Part 201.6(c)(5) requires each local government participating in the preparation of a Multi-Jurisdictional Mitigation Plan or Plan Update to accept and adopt such plan; and

WHEREAS, the City of Middletown, has reviewed the 2018 Multi-Jurisdictional Hazard Mitigation Plan Update for Orange County, has found the document to be acceptable, and as a local unit of government, has afforded its citizens an opportunity to comment and provide input regarding the Plan Update and the actions included in the Plan;

WHEREAS, the City of Middletown, will consider the Multi-Jurisdictional Hazard Mitigation Plan Update for Orange County during the implementation and updating of local planning mechanisms, and will incorporate the hazard assessment data, hazard vulnerabilities, and mitigation actions in these mechanisms, where applicable;

NOW THEREFORE, BE IT RESOLVED, that the City of Middletown, as a participating jurisdiction, adopts the Multi-Jurisdictional Hazard Mitigation Plan Update for Orange County, New York, dated April 2018.

Roll Call: Ayes: Ald. Ramkissoo, Kleiner, Johnson, Jean-Francois, Burr, Green, Pres. Rodrigues-7

227.20 Resolution authorizing the issuance of \$3,050,000.00 serial bonds to pay the cost of land acquisition in the Town of Mount Hope for water source protection for the City.

On motion of Ald. Johnson seconded by Ald. Kleiner

BE IT RESOLVED, by the Common Council of the City of Middletown, Orange County, New York, as follows:

Section 1. Land acquisition in the town of Mount Hope for water source protection for the City of Middletown, Orange County, New York, consisting of approximately 150 acres on Guymard Turnpike, including incidental costs and expenses, is hereby authorized at a maximum estimated cost of \$3,050,000.

Section 2. The plan for the financing of such maximum estimated cost is by the issuance of \$3,050,000 bonds of said City hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; provided, however, the amount of bonds to be issued shall be reduced to the extent of grants received in connection therewith.

Section 3. It is hereby further determined that the period of probable usefulness of the aforesaid class of objects or purposes is thirty years, pursuant to subdivision 21 of paragraph (a) of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Middletown, Orange County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

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

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Middletown, Orange County, New York, by the manual or facsimile signature of the City Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Treasurer. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Treasurer shall determine.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

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

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

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

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said City, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Roll Call: Ayes: Ald. Ramkissoo, Kleiner, Johnson, Jean-Francois, Burr, Green, Pres. Rodrigues-7

13 Local Laws
John Naumchik-Nothing this evening.

14. Audit

On motion of Ald. Johnson seconded by Ald. Green

I move that the accounts be audited the claims be adjusted and the Treasurer be authorized to issue warrants for their payment.

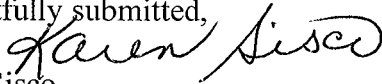
Roll Call: Ayes: Ald. Ramkissoo, Kleiner, Johnson, Jean-Francois, Burr, Green, Pres. Rodrigues-7

15. Adjournment

There being no further business meeting adjourned at 8:46pm.

Respectfully submitted,

Karen Sisco





**Common Council
City of Middletown
Re-Organization Meeting
January 1, 2021**

- 1 Pledge of Allegiance-Pres. Rodrigues asked all to rise for the Pledge.
2. Roll Call: Present: Ald. Ramkissoo, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

3. Remarks of the Mayor

Mayor DeStefano-I want to wish everyone a Happy New Year. Also to ask for a brief moment of silence for Mr. & Mrs. Scali. Nick was a long time member of Middletown IDA and also a prominent banker and member of the Middletown community for many, many years.

Moment of silence

4. Remarks of Aldermen

Ald. Burr- Happy New Year and look forward with working with everyone this year.

Thank you.

Ald. Jean-Francois- Happy New Year and looking forward to a new year.

Ald. Kleiner- Happy New Year to everyone. Here we are again for another year.

Nick Scali was our longest serving member on the Board of Directors as a Historical Society. 73 yr. member of the Fire Dept. It is a major loss and we will miss him.

We know tomorrow is election, we will see. One thing to keep in mind with tomorrow's election in Georgia if 2 democrats it does make it to the Senate we have a chance of getting aid for state and local governments. It is a big decision.

Wednesday we will hope that call for violence ...

Happy New Year.

Ald. Ramkissoo- Happy New Year and a healthy

Ald. Johnson-I agree with all my predecessors' thank you.

Ald. Green- Happy New Year. We are not quite out of the woods yet but we are getting there. Stay strong, work together, stay tough and we will get through this one.

Have a good year.

Ald. Tobin- Glad to put 2021 in ...hopefully we will see a little light at the end of the tunnel. There is a vaccine coming out.

My condolences to the Scali family. Nick Scali was a 57 yr. member of the Lions Club. We will miss him.

Ald. Masi- Happy and Healthy New Year. I am really saddened by the news of Nick. Nick was a good friend, I liked him very much. Sorry to hear that.

5. New Business

1.21 Resolution establishing Standing Committees and membership

On motion of Ald. Masi seconded by Ald. Johnson

Resolved, that the Common Council of the City of Middletown hereby establishes the following committees and their membership as Standing Committees of the City of Middletown Common Council:

Finance
Planning & Economic Development
Public Safety
Recreation & Parks
Community Communication &
Historical Society

Legislative
Public Works, Traffic
Revenue
Recycling
Quality of Life/Code Enforcement City Wide

And be it further resolved, that the Common Council declares that the Treasurer, Donald Paris, and the Chairman of the Finance Committee, Joseph Masi, are hereby authorized and directed to sign all checks, drafts, acceptances, undertakings or other orders on bank accounts of the City of Middletown by personal or by facsimile signature.

**CITY OF MIDDLETOWN COMMON COUNCIL
COMMITTEE ASSIGNMENTS
2021**

FINANCE COMMITTEE Masi, Chairperson Johnson, Vice-Chair Burr Jean-Francois Green	LEGISLATIVE COMMITTEE Johnson, Chairperson Masi, Vice-Chair Burr Tobin Ramkissoon
PLANNING AND ECONOMIC DEVELOPMENT Green, Chairperson Johnson Vice-Chair Jean-Francois Ramkissoon Burr	PUBLIC WORKS/TRAFFIC Jean-Francois, Chairperson Burr, Vice-Chair Green Ramkissoon Kleiner
RECREATION & PARKS Burr, Chairperson Tobin, Vice-Chair Ramkissoon Kleiner Masi	PUBLIC SAFETY Tobin, Chairperson Masi, Vice-Chair Ramkissoon Jean-Francois Burr
REVENUE Ramkissoon, Chairperson Masi, Vice-Chair Jean-Francois Burr Green	RECYLING Jean-Francois, Chairperson Green, Vice-Chair Kleiner Tobin Johnson
COMMUNITY COMMUNICATION AND HISTIOICAL SOCIETY Kleiner, Chairperson Tobin, Vice-Chair Burr Green Jean-Francois	QUALITY OF LIFE/CODE ENFORCEMENT CITY WIDE Entire Council on Committee

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

2. Resolution adopting Procurement policies and procedures

On motion of Ald. Tobin seconded by Ald. Jean-Francois

Whereas, New York State General Municipal Law, Section 104-b, states that a municipality should annually adopt a Procurement Policy, and

Whereas, the Corporation Counsel of the City of Middletown has advised the Council that it must look at, revise, if necessary, and adopt the Procurement Policy on an annual basis in accordance with New York State statute,

Now, therefore, be it resolved, that the Common Council of the City of Middletown does hereby adopt the attached written policies and procedures for procurement of goods and services for the City of Middletown.

Procurement Policy

§ 104-1. Adoption of procedures.

The following procedures are adopted for procurement of goods and services.

§ 104-2. Purchases.

For purchases, the following procedures are to be followed:

A.

For purchases of items costing over \$20,000, competitive bidding in accordance with applicable laws and regulations is required.

B.

For purchases of items costing between \$5,000 and \$19,999.99, three or more written price quotes from suppliers are required.

C.

For purchases of items costing between \$2,000 and \$4,999.99, three or more verbal quotes from suppliers are required.

D.

For purchases of items costing between \$0 and \$1,999.99, appropriate verbal quotes from suppliers, in the discretion of the department head undertaking the purchasing, are required.

§ 104-3. Public works contracts.

For public works contracts, the following procedures are to be followed:

A.

For contracts over \$35,000, competitive bidding in accordance with applicable laws and regulations is required.

B.

For contracts between \$5,000 and \$34,999.99, three or more written quotes from qualified contractors are required.

C.

For contracts between \$2,000 and \$4,999.99, three or more verbal quotes from qualified contractors are required.

D.

For contracts between \$0 and \$1,999.99, appropriate verbal quotes from qualified contractors, in the discretion of the department head who wishes to enter into the contracts, are required.

§ 104-4. Other services.

[Amended 2-5-2013]

A.

In the event it can be anticipated that a particular service (e.g., painting services) may be required by the City for various projects which, in total, are expected to exceed \$35,000 for the year, then the procurement of those services will be subject to competitive bidding.

B.

There are, however, certain types of services provided to the City that may be considered routine and delivered in the ordinary course of business that are not capable of precise cumulative monetary calculation but are necessary to be incurred promptly and/or locally to protect the health, welfare or safety of the residents of the City, employees of the City or structures and equipment owned by the City. Such services include, but are not limited to, repairs to City vehicles such as sanitation trucks or trucks used in snowplowing or street repairs; repairs to City buildings and processes, such as electrical or plumbing work in or on the City's sewage treatment plant or water treatment plant; or assistance from outside companies for snow or garbage removal. In such cases, the cumulative payment to those companies may total more than \$35,000 per year, but it is impossible to know from year to year whether such costs will exceed \$35,000. In such cases, and in accordance with § 104-b, Subdivision 2g, of the New York General Municipal Law, it is the determination of the Common Council of the City of Middletown that the best interests of the City will not be served by competitive bidding in such cases but that the department head charged with such purchases may obtain such routine services as needed by the City in the ordinary course of business from time to time.

C.

Notwithstanding the foregoing, if the department head charged with such purchase determines that the anticipated service covered by that one purchase likely will exceed the cost of \$35,000 and such service is not the subject of any exception under this procurement policy (such as an emergency purchase or the purchase from a sole source supplier), then the procurement of such service will be subject to competitive bidding as set forth elsewhere in this chapter.

§ 104-5. Verbal quotes.

Whenever this policy allows for verbal quotes, the department head must maintain a written log which lists appropriate information from each supplier or contractor supplying such verbal quotes.

§ 104-6. Exceptions.

Exceptions to the above procurement processes are to be allowed in purchases or public work contracts which involve emergencies, true leases, and sole source purchases. In such events, the responsible department head must document the circumstances allowing the exception to the above procurement processes and should, whenever possible, attempt to make purchases and secure public works contracts at the lowest possible cost and should obtain at least three verbal quotes, to the extent possible under the circumstances.

§ 104-7. Requests for proposals.

Whenever possible, professional services are to be obtained through requests for proposals (RFPs) issued by the Board of Estimate and Apportionment. All responses to RFPs are to be reviewed by the Board of Estimate, which must make a recommendation to the Common Council for final approval.

§ 104-8. Award to other than lowest bidder.

Whenever any contract is awarded to other than the lowest bidder or proposer, the reasons are to be set forth in writing and filed with the appropriate department or board.

§ 104-9. Effect on other procedures.

Nothing in these procurement processes changes any administrative procedures required by the Charter of the City of Middletown, such as the approval of the Board of Estimate and Apportionment for purchases and contracts.

§ 104-10. Contracts awarded based on best-value analysis.

[Added 6-3-2014 by L.L. No. 2-2014]

Notwithstanding anything else contained in this chapter to the contrary, the Common Council, after approval of the Board of Estimate and Apportionment, may award purchase contracts and service contracts that have been procured pursuant to competitive bidding or otherwise under New York General Municipal Law § 103(1) or this chapter by either the lowest responsible bidder standard or the best-value standard.

A.

"Best value" is defined in State Finance Law § 163 to mean "the basis for awarding contracts for services to the offerer which optimizes quality, cost and efficiency, among responsive and responsible offerers. Such basis shall reflect, wherever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for offerers that are small businesses or certified minority- or women-owned business enterprises as defined in subdivisions one, seven, fifteen and twenty of section three hundred ten of the [New York] Executive Law to be used in evaluation of offers for awarding of contracts for services." For purposes of this section, the Common Council adopts the above definition of "best value," as the same may be modified from time to time by the State Legislature.

B.

Pursuant to New York General Municipal Law § 103(1), the best-value standard may be used for purchase contracts, including contracts for service work, but it excludes and may not be used for any purchase contracts necessary for the completion of public works contracts pursuant to New York Labor Law Article 8.

C.

If the monetary thresholds of New York General Municipal Law § 103 are increased or decreased in the future by the State Legislature, the monetary thresholds set forth herein will be deemed simultaneously amended to match the new General Municipal Law thresholds.

D.

Whenever any contract is awarded by the Common Council (after approval of the Board of Estimate and Apportionment) on the basis of best value instead of the lowest responsible bidder, the basis for determining best value will be thoroughly and accurately documented. Such documentation may

include, but is not necessarily limited to, the cost of maintenance; durability; availability of replacement parts or maintenance contractors; longer product life; product performance criteria; quality of craftsmanship; or compatibility with existing City buildings or property.

§ 104-11. Standards for federal CDBG-DR procurement actions.

[Added 11-15-2016]

Notwithstanding anything else contained in this chapter to the contrary, eligible Community Development Block Grant – Disaster Recovery (CDBG-DR) expenditures and procurement actions undertaken on or after January 1, 2017, shall comply with the procurement standards as set forth in 2 CFR Parts 200.317 through 200.326, as the same may be amended from time to time. In the event of a conflict between state or local laws and regulations and the procurement requirements of 2 CFR Part 200, the more stringent requirements will apply.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

3. Resolution adopting Investment Policy

On motion of Ald. Green seconded by Ald. Ramkissoon

RESOLVED; that the Common Council of the City of Middletown does hereby adopt the attached Investment Policy for the City of Middletown.

Investment Policy

§ 65-1Scope.

This investment policy applies to all monies and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

§ 65-2Objectives.

The primary objectives of the City of Middletown's investment activities are, in priority order:

A.

Legal: to conform to all applicable federal, state and other local requirements;

B.

Safety: to adequately safeguard principal;

C.

Liquidity: to provide sufficient liquidity to meet all operating requirements; and

D.

Yield: to obtain reasonable rate of return.

§ 65-3Delegation of authority.

The governing board's responsibility for administration of the investment program is delegated to the Treasurer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on database or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

§ 65-4Prudence.

A.

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the City of Middletown to govern effectively.

B.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

C.

All participants involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

§ 65-5Diversification.

It is the policy of the City of Middletown to diversify its deposits and investments by financial institutions, by investment, and by maturity scheduling.

§ 65-6Internal controls.

A.

It is the policy of the City of Middletown for all monies collected by any officer or employee of the government to transfer those funds to the Treasurer within one day of deposit, or within the time specified in law, whichever is shorter.

B.

The Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization

and recorded properly, and are managed in compliance with applicable laws and regulations.

§ 65-7 Designation of depositories.

The bank and trust companies authorized for the deposit of monies up to the maximum amounts are:

Depository Name	Maximum Amount
TD Banknorth	\$18,000,000
Sterling Bank	\$18,000,000
Orange Bank & Trust Company	\$18,000,000

§ 65-8 Collateralizing of deposits.

In accordance with the provisions of General Municipal Law § 10, all deposits of the City of Middletown, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

A.

By a pledge of eligible securities with an aggregate market value as provided by GML § 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.¹¹

[1]

Editor's Note: Appendix A is included as an attachment to this policy.

B.

By an eligible irrevocable letter of credit issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of the deposits and the agreed-upon interest, if any, or 100% in the case of an irrevocable letter of credit issued in favor of the local government by certain federal home loan banks. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.

C.

By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of the deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

§ 65-9 Safekeeping and collateralization.

A.

Eligible securities used for collateralizing deposits shall be held by a third party or trust company subject to security and custodial agreements.

B.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed-upon interest, if any, and any costs or expenses rising out of collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with the City of Middletown, or its custodial bank.

C.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution or release of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

§ 65-10 Permitted investments.

A.

As authorized by General Municipal Law § 11, the City of Middletown authorizes the Treasurer to invest monies not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

(1)

Special time deposit accounts authorized to do business in New York State;

(2)

Certificates of deposit;

(3)

Obligations of the United States of America;

(4)

Obligations guaranteed by the agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;

(5)

Obligations of the State of New York;

(6)

Obligations issued pursuant to LFL § 24.00 or 25.00 (with the approval of the State Comptroller) by any municipality, school district or district corporation other than the City of Middletown;

(7)

Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general state statutes governing such entities or whose specific enabling legislation authorizes such investments.

(8)

Certificates of participation (COPs) issued pursuant to GML § 109-b.

(9)

Obligations of this local government, but only with any monies in a reserve fund established pursuant to GML § 6-c, 6-d, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

B.

All investment obligations shall be payable or redeemable at the option of the City of Middletown within such times as the proceeds will be needed to meet expenditures for purposes for which the monies were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the City of Middletown within two years of the date of purchase. The designated depository will confirm all purchases and transactions in writing to the City of Middletown.

§ 65-11 Authorized financial institutions and dealers.

The City of Middletown shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credited worthy. Banks shall provide their most recent consolidated report of condition (call report) at the request of the City of Middletown. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank as primary dealers. The Treasurer is responsible for evaluating the

financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

§ 65-12Purchase of investments.

A.

The Treasurer is authorized to contract for the purchase of investments:

(1)

Directly, including through a repurchase agreement, from an authorized trading partner.

(2)

By participation in a cooperative program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.

(3)

By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

B.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the City of Middletown by the bank or trust company. Any obligations held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law § 10.

C.

The custodial agreement shall provide the securities held by the bank or trust company, as agent and of custodian for, the City of Middletown, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the City of Middletown a perfected interest in the securities.

§ 65-13Repurchase agreements.

Repurchase agreements are authorized subject to the following restrictions:

A.

All repurchase agreements must be entered into subject to a master repurchase agreement.

B.

Trading partners are limited to banks or trust companies authorized to do business in New York and primary reporting dealers.

C.

Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.

D.

No substitution of security will be allowed.

E.

The custodian shall be a party other than the trading partner.

§ 65-14 Operations, audit and reporting.

A.

The Treasurer, having custody of money, shall authorize the purchase and sale of all securities and execute contracts on behalf of the City of Middletown. Oral directions concerning the purchase, transaction, or sale of securities shall be confirmed in writing. The City of Middletown shall pay for purchased securities upon delivery.

B.

The City of Middletown will encourage the purchase and sale of securities through a competitive or negotiated process involving solicitations of at least three bids for each transaction.

C.

At the time independent auditors conduct the annual financial audit of the accounts and affairs of the City of Middletown, the auditors shall audit compliance with the investment guidelines.

D.

The legislative body of the City of Middletown shall review and approve the annual investment report at its annual reorganization meeting.

E.

The provisions of these investment guidelines, and any amendments hereto, shall take effect prospectively, and shall not invalidate the prior selection of any custodial bank or prior investment.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

4.21 Resolution adopting the Fee Schedule

On motion of Ald. Johnson seconded by Ald. Green

RESOLVED; that the Common Council of the City of Middletown does hereby adopt the attached Fee Schedule for services for the City of Middletown.

Ald. Kleiner- I just everyone to be aware that if starting an astrology or phrenology business in Middletown you need a \$50 fee.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

5. 21 Resolution to extend the renewal to the 2021 assessment roll of certain exemptions on the 2020 assessment roll without the necessity of an application by the eligible recipient.

On motion of Ald. Ramkissoon seconded by Ald. Burr

WHEREAS, on or about December 28, 2020, Governor Andrew Cuomo signed into law an enactment by the New York State Legislature, COVID-19 Emergency Eviction and Foreclosure Prevention Act (A11181/S9114), and

WHEREAS, this legislation extends the renewal to the 2021 assessment roll of certain exemptions on the 2020 assessment roll without the necessity of an application by the eligible recipient, and

WHEREAS, this legislation permits a local law or resolution requiring a renewal application in certain circumstances.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Middletown that the Middletown Assessor may in her/his discretion require a renewal application if she/he believes that a property owner that qualified for the 2020 subject exemption has since changed their primary residence, added another owner to the deed, transferred the property to a new owner, or died, and it is further

RESOLVED that the owner(s) connected to such renewal application shall not be required to appear in person to file such application.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

6. AUDIT OF CLAIMS AND ACCOUNTS

On motion of Ald. Masi seconded by Ald. Johnson

I move that the accounts be audited the claims be adjusted and the claims be adjusted and the Treasurer be authorized to issue warrants for their payment.

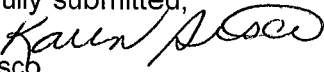
Roll Call: Ayes: Ald. Ramkissoo, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

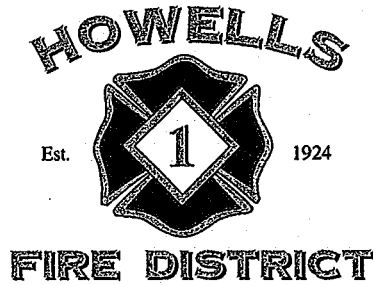
7. ADJOURNMENT

There being no further business meeting adjourned at 6:07 PM

Respectfully submitted,

Karen Sisco





RECEIVED
DEC 14 2020
City Clerk
City of Middletown

RECEIVED/FILED

October 28, 2020

Dear City of Middletown;

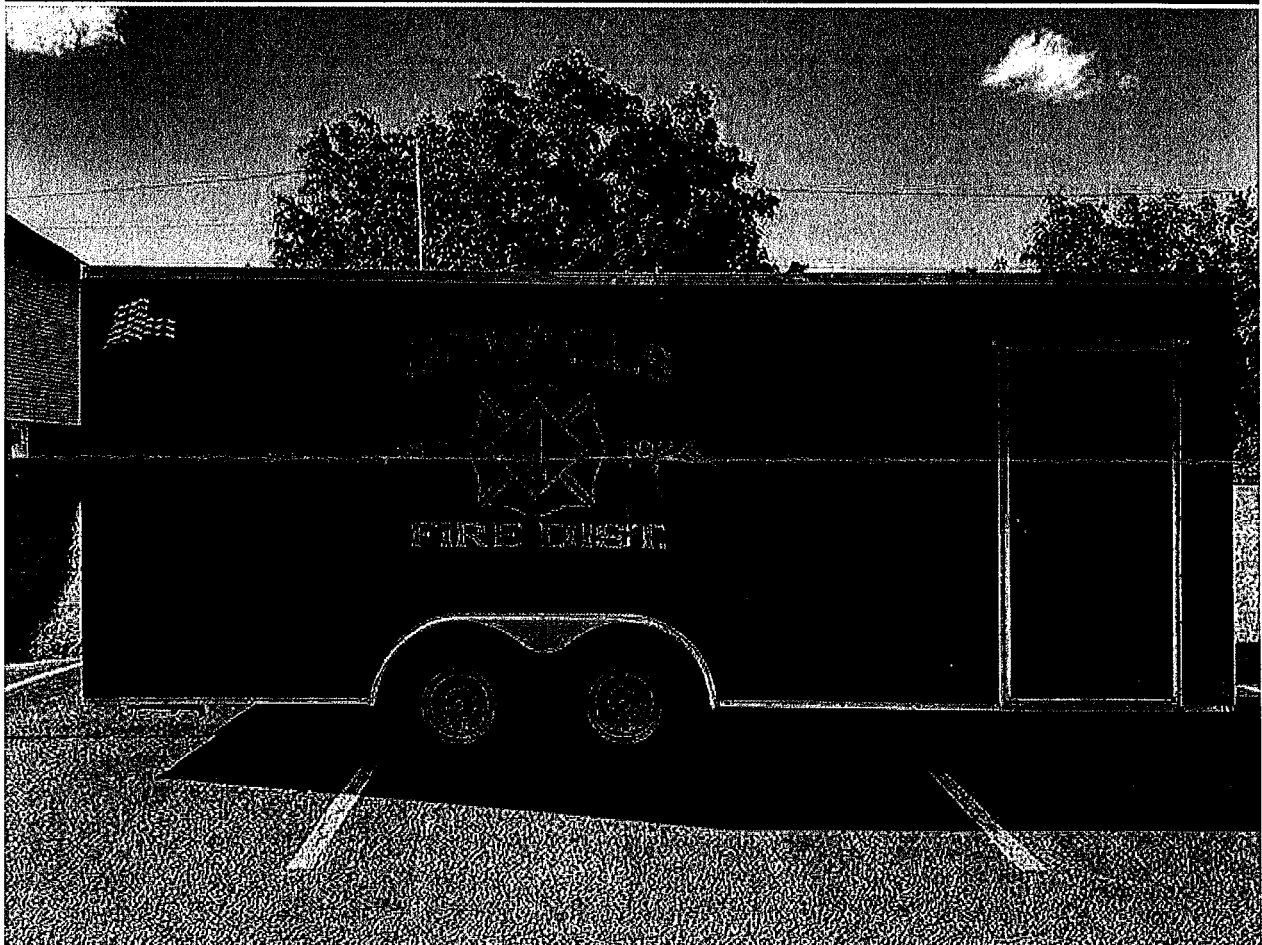
The Howells Fire District Board of Commissioners would like to express their gratitude for the donation made towards the utility terrain vehicle and trailer that was purchased to protect the public using the reservoir trails. This apparatus has and will continue to prove a useful and necessary tool to keep our community safe.

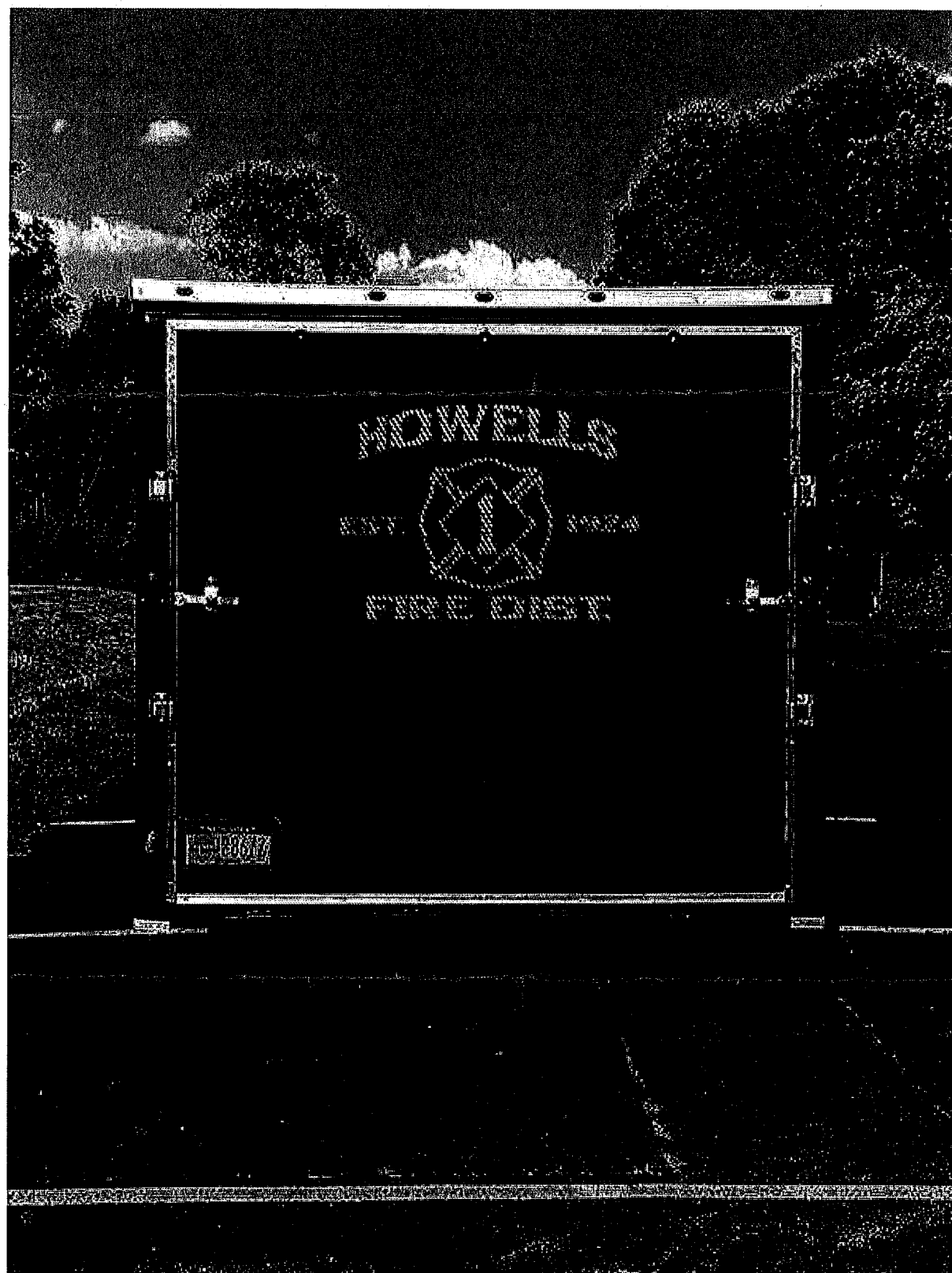
Sincerely,

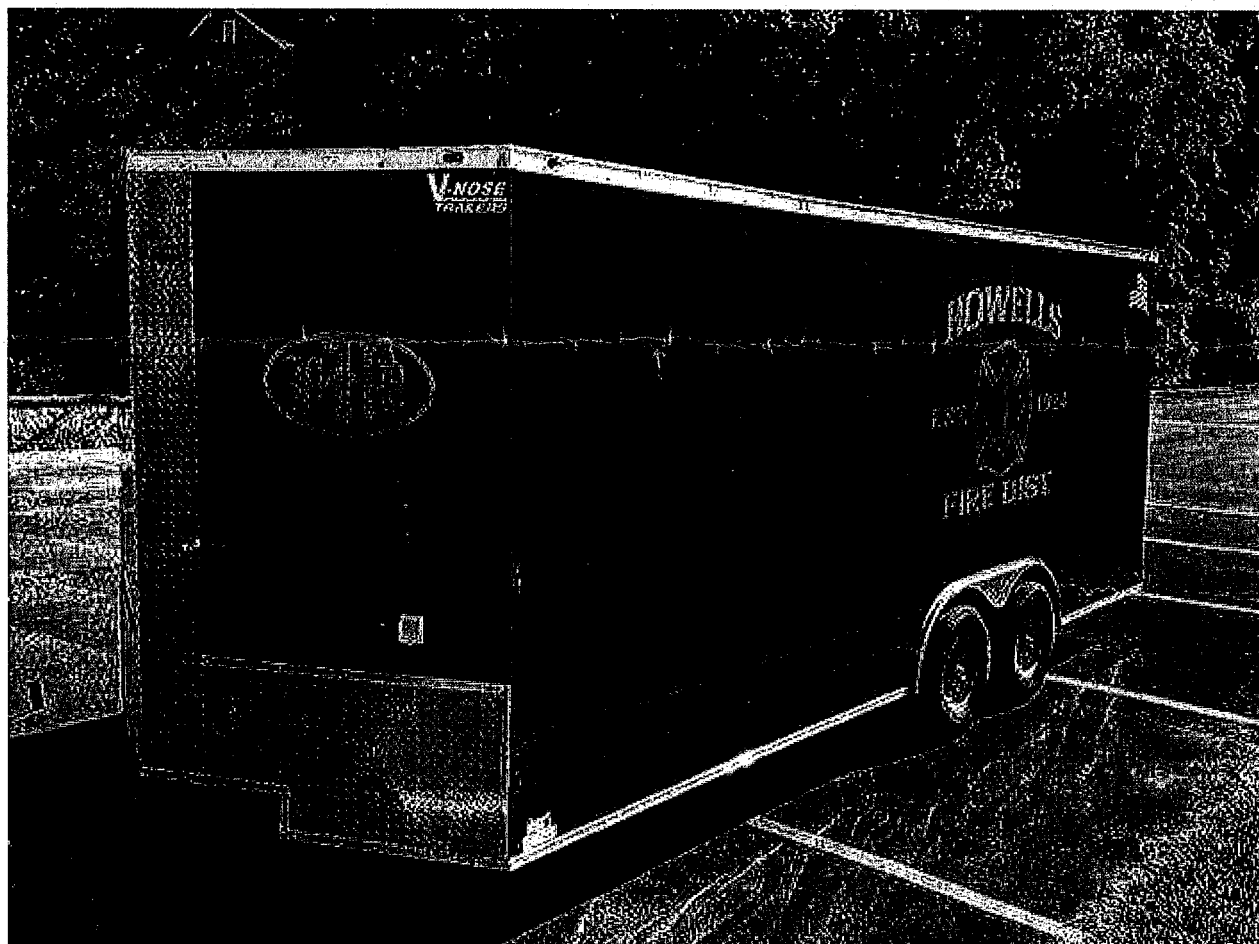
James D. Finn

Chairman – Howells Fire District

C.C. Commissioner Ingrassia
Commissioner Gersbeck
Commissioner Jashembowski
Commissioner Fratto







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

THE FOLLOWING WAS PRESENTED

By Ald. _____
 Sec'd by Ald. _____
 Date of Adoption 01-19-21

 Index No: _____

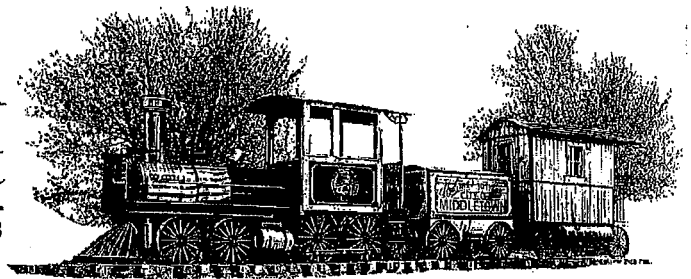
NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon				
Ald. Tobin				
Ald. Kleiner				
Ald. Johnson				
Ald. Jean-Francois				
Ald. Burr				
Ald. Green				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$1,240.00 within the 2020 Recreation & Parks department budget for repairs to equipment in the following manner:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
A.7321.495	\$1,240.00	A.7110.440
Special Programs: Misc.		Parks: Repairs to Equipment

Middletown Recreation and Parks Department

893 CR-78, Middletown, New York 10940 Tel: (845)846-4180 Fax: (845)844-2918



Thursday, December 24, 2020

RE: 2020 Operating Budget Transfer

Dear President Rodrigues & Council Members:

Please authorize the Treasurer to make the following transfers within the **2020** operating budget of the Middletown Recreation & Parks Department:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
A.7321.495	\$1,240.00	A.7110.440
Special Programs: Misc		Parks: Repairs to Equipment

Transfer of funds is to cover insufficient funds to account #A.7110.440 due to a purchase order being closed out by mistake before payment was made.

Sincerely,

A handwritten signature in cursive script that reads "Christine Brinckerhoff".

Christine Brinckerhoff, Superintendent
Middletown Recreation Department

RECEIVED

DEC 24 2020

City Clerk
City of Middletown

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 01-19-21

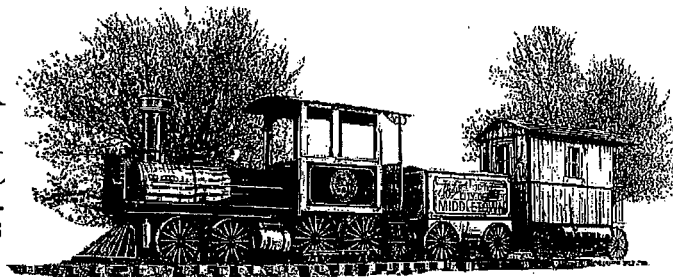
Index No: _____

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

RESOLVED, that the Common Council of the City of Middletown, NY, does hereby authorize the Mayor to sign the attached Tri-State Geese Police contract to control the Geese Population in Watts Memorial Park, Maple Hill Park and Fancher Davidge Park, including park expansion.

Middletown Recreation and Parks Department

893 CR-78, Middletown, New York 10940 Tel: (845)846-4180 Fax: (845)844-2918



Wednesday, December 23, 2020

RECEIVED

DEC 23 2020

Dear President Rodrigues & Council Members:

City Clerk
City of Middletown

Our department's suggestion for Canadian Geese Control for 2021 is to continue with the Tri-State Geese Police. Tri-State Geese Police quote for 2021 is \$350.00/week, which is the same as last year and will cover the Davidge Park Expansion at no extra cost. Their work last year met expectations in reducing the goose population in our parks.

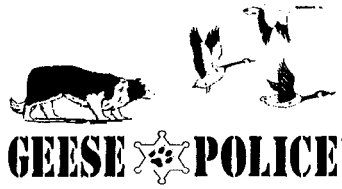
RESOLVED, that the Common Council of the City of Middletown, NY, does hereby authorize the Mayor to sign the Tri-State Geese Police Contract to control the Geese Population in Watts Memorial Park, Maple Hill Park and Fancher Davidge Park, including park expansion.

Sincerely,

A handwritten signature in cursive script, appearing to read "Christine Brinckerhoff". The signature is written in dark ink and is positioned above the printed name of the signatory.

Christine Brinckerhoff, Superintendent
Middletown Recreation & Parks Dept.

Tri-state



Call Us To...*Get The FLOCK OUT!*

P.O. Box 283, Dingmans Ferry, PA 18328

Phone: 877-geese 86 (433-7386) • FAX: 570-686-1503

December 22, 2020

Dear Christine,

I have attached a proposal for our Canada Goose Control Program for 2021. The proposal is for a weekly as needed program. We provide Goose control 1-2 times per day or more if necessary seven days a week. To best serve you for the year of Goose control, we feel this would be the best fit to provide the most value to the Parks.

We suggest service from **February 22, 2021- June 20, 2021 (17 Weeks)**. This would cover the most important time of the year, (Nesting Season). The weeks could possibly be adjusted for the weather. If it's cold and everything is frozen or snow covered we could start at a later date. We can decide as we go and work together to see when the geese are starting to become abundant, but please **start no later than March 15, 2021** to ensure a successful nesting season. The geese molt, (lose ability to fly), around June 15 every year. However when dealing with nature nothing is 100%. So we can always adjust the end of spring as well and the beginning of fall, more or less as needed.

We can get started on **August 16, 2021 – November 28, 2021 (15 Weeks)** for the fall season. This is when the geese begin to fly again, forage for food and pond hop. This can also be adjusted to best fit your needs.

(There will be no additional fee for the Davidge Park Fields Extension when completed.)

17 weeks Spring, 15 weeks in Fall= 32 Weeks Total @ \$350.00/ per week

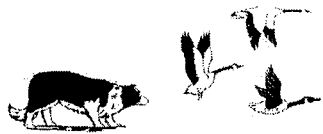
\$75.00/ per nest addling fee. (Budget for 5 Nests in 2021)

Thank you for the opportunity to serve you!

Sincerely,

Craig Neveas, Owner Tri-State Geese Police

TRI-STATE



GEESE POLICE

Call Us To...*Get The FLOCK OUT!*

P.O. BOX 283, DINGMANS FERRY, PA 18328

PHONE: 877-GEESE 86 (433-7386) • FAX: 570-686-1503

December 22, 2020

Middletown Recreation and Parks Department
Attn: Christine Brinckerhoff, Superintendent of Recreation
Address: 393 County Route 78, Middletown, NY 10940
Office: 845-346-4180
Fax: 845-344-2918

Re: Agreement for Weekly Services at **Middletown Recreation and Parks Department**
Middletown, New York

Dear Christine:

Thank you for your interest in the services of Geese Police. Please sign the proposals and fax or mail one copy to us. Upon receipt of signed proposal, we will be able to begin services at your request.

Geese Police will provide environmentally safe Canada goose control with use of working border collies. Geese Police will visit your site several times a day during the initial two weeks of service. Geese Police will subsequently visit your site at least once a day or more as deemed necessary by Geese Police during any additional week of service. Geese Police visits to the site will occur at different periods of the day for seven (7) days a week.

FEES FOR SERVICE: Geese Police charges the following fees for the service:

****Fancher Davidge Park**
****Davidge Park Extension**
****Watts Park**
****Maple Hill Dog Park**

Weekly Price: **\$ 350.00 /Per Week****
Billed directly to facility.

****Price if sites are serviced simultaneously****

****Suggested Service Dates: February 22, 2021 – June 20, 2021 and August 16, 2021 – November 28, 2021 (32 Weeks Total)****

Addling Fee: **\$75.00/ Per Nest Found and Treated**
(We Addled 5 Nests in 2020. Budget for the same amount in 2021 \$375.00.)

The additional weekly service will be billed as listed above provided that there is not a five (5) week lapse of service. Geese Police has determined that the conditioning of the Canada Geese will be lost if not subjected to the Border Collies for a period of five (5) weeks. If there is a lapse of five (5) weeks of service, Geese Police will conduct the initial two (2) week service and the client will be charged for that service. It will be the responsibility of the client to notify Geese Police when the services will begin and end for this as needed service contract. Geese Police will provide the service as required and it will be the responsibility of the client to notify Geese Police to end the service. Geese Police will assist the client in making these decisions to achieve the best Canada Goose control program.

ADDLING CHARGES: Geese Police recommends that all its clients register for the ***Resident Canada Goose Nest Egg Registration*** to obtain federal authorization for treating Canada goose nests and eggs on your property. This new regulation, that replaces the federal permit requirement, is necessary for addling of the Canada goose eggs on your property, which authorizes the control of local population of Canada Geese by freezing, shaking, puncturing or oiling of the eggs and immediately replacing the eggs to the nest. This procedure requires a “no-feeding” policy to be in effect at all times. The client will be responsible for registering with the US Fish & Wildlife Service. Geese Police will assist the client in this process. Geese Police will also supply the information required for the annual report due at the end of the season. Geese Police will give the client permission to name Geese Police as the ***agent/employee***. Geese Police will be named as ***agent/employee*** under the condition that Geese Police will be the only entity to handle the eggs and nests. If another company or your employees handles the eggs or nests, Geese Police will assess a penalty of \$1,000.00 per occurrence. In addition to our weekly service charge, there will be an addling charge of **\$75.00 per nest**.

Land owners and public land managers must be registered for the current breeding season to lawfully conduct these activities as is required since under 16 U.S.C. §707, any individual who takes, kills, attempts to take or pursues any migratory bird, nest or egg shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than \$15,000.00 or be imprisoned not more than six (6) months or both.

SAFETY SUGGESTIONS: Geese Police strongly recommends not to use fishing string, wire or rope to grid lake surfaces. It creates a hazard for our dogs, as well as the geese, other birds and wildlife. It also increases your liability and creates maintenance hazards. Geese Police uses various techniques to persuade geese out of ponds and surrounding areas. It is not necessary to grid lake surfaces with the service provided by Geese Police. The Geese Police techniques are environmentally safe and approved by the State and the Federal Fish & Wildlife Services.

“NO FEEDING” SIGNS: Geese Police strongly suggests that “No Feeding the Water Fowl” signs be placed at your site. Please check with your local municipality to determine if there is an ordinance pertaining to the feeding of Canada Geese. If your municipality has such an ordinance, inquire about having the signs indicate the ordinance number. Geese Police is also available to make suggestions for newsletters and bulletin board notices.

NOTIFICATIONS: It is the client’s responsibility to notify Geese Police at least twenty-four (24) hours prior to the application of any chemicals including but not limited to fertilizers, pesticides, herbicides, insecticides, fungicides and water treatments at the site. The chemicals can have an adverse effect on the Border Collies and handlers. Geese Police will not be at the site for a period of twenty-four (24) hours after the application. If the client fails to notify Geese Police of a chemical application at the site and a Border Collie or handler are adversely effected then the client will be responsible for all ensuing damages.

INDEMINITY: Geese Police is fully insured to conduct its service. Geese Police will indemnify and hold harmless the client for any damages that may result from the operation. Geese Police will furnish a copy of its insurance binder upon request.

PAYMENT: The client will pay the service fee for the initial two (2) week period prior to the start of the service at the site. The client will pay the additional weekly services upon receipt of the invoice. The client will be assessed an interest rate of one and half (1½ %) percent monthly or eighteen (18%) percent annual on any invoice that is thirty (30) days late. If Geese Police is required to initiate legal proceedings to collect unpaid amounts, the client will be responsible for all fees and costs incurred by Geese Police to collect said amounts.

If this Agreement is acceptable, please sign below and return this letter to our office.

Thank you for choosing Geese Police for your Canada Goose control.

Very truly yours,

Craig Neveras

Craig Neveras, Owner & President
Geese Police of the Tri-State Area

Middletown Recreation and Parks Department hereby agrees and accepts the aforementioned terms and conditions on this ____ day of _____, 2021.

Middletown Recreation and Parks Department

Signature of Authorized Agent

Print Name/Title

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 01-19-21

Index No: _____

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Mayor to sign the attached agreement with Fusco Engineering for SWPPP inspections of the new athletic fields which funding for this agreement is included in an approved capital project line.



Alfred A. Fusco, Jr., P.E., Principal

Alfred A. Fusco, III, General Manager

- 233 East Main Street
Middletown, NY 10940
Phone: (845) 344-5863
Fax: (845) 956-5865
- 19 Waywayup Lane
Port Jervis, NY 12771
Phone: (845) 956-5866

Short Form Agreement

Fusco Engineering & Land Surveying, P.C. and its agents agree to provide professional services to the following:

Date: December 11, 2020
Clients Name: City of Middletown
Clients Address: 16 James Street
Middletown, NY 10940

Clients Phone Number: (845) 343-3169
Clients Email: jtawill4@yahoo.com

Project Name: SWPPP 252-292 Route 211 W
Project Number: 18-233 E

Address of Project: Section 49, Block 1, Lot 14.21
252-292 Route 211 W
Town of Wallkill
Orange County, New York

RECEIVED
DEC 15 2020
City Clerk
City of Middletown

Description of Services Rendered: We will perform Stormwater Pollution Prevention Plan inspections (SWPPP) for the new athletic fields proposed on the above mentioned site based on the SWPPP Report prepared by our office dated August 29, 2019. The inspections will be performed once per week and during rain events.

- Exclusions:
- Any Municipal Fees, Backhoes for Soils Testing.
- Printing, mailing and handling costs involved with any public notice requirements.
- Any required archeological studies or detailed environmental studies.
- Review Changes.
- Construction period services.
- Any verbal or written authorized changes to this contract.
- Prints (except when noted in the contract)
- Topography
- Locating underground utilities not specified above
- Underground Utility Markout is the responsibility of the client
- Staking Property Corners

**It is our intention to do everything within our considerable expertise to perform these services, but this agreement in no way guarantees any results out of our control. (For example: a specific number of lots in a subdivision, municipal approvals, governmental agency approvals, etc.)*

Proposal:

Lump sum for these services described above:

Stormwater Pollution Prevention Inspections \$150.00 / Inspection

PAYMENT OPTIONS: Check — Cash — Credit Card (by phone)

Retainer Amount: Waived

(Retainer due with the return of this agreement, signed and dated, no work will commence until this agreement is signed and the retainer received.) (Credit cards will be charged for balance of contract at time work is completed unless other arrangements for payment are made prior to completion.) The survey shall not be released unless paid in full.

The retainer will be applied to the **final invoice** of an account when the project is completed.

Field work can only be performed when it is not raining or snowing our survey instrument is not able to with stand moist conditions. If we lose days due to inclement this may delay the release of the survey.

Compensation for these services shall be paid on receipt of invoice. If payment is not received within thirty (30) days of invoice date, the appropriate action will be taken in accordance with New York State Law. Payment of fees rendered and disbursements incurred is due within 30 days from receipt of the bill for these fees and disbursements. If payment is not made within this time period, Fusco Engineering & Land Surveying, P.C., reserves the right to impose a finance charge of 1.5% per month on such all unpaid fees and disbursements. Also any attorneys fees and/or collection expenses occurred by this office in conjunction with an overdue account will be the sole responsibility of the Client. Engineer liability limited to same amount as paid on this contract.

Please acknowledge this agreement by signing and dating below. This document is binding and has important legal consequences; if you have any questions about your agreement do not hesitate to contact us for further explanation. The reason for this agreement is to clarify our relationship with our clients and preclude any misunderstandings.

We look forward to working with you in the future. Thank you.

Fusco Engineering & Land Surveying, P.C.

Date

Client, Accepted By

Date

Hourly Rate Schedule for additional services:

Principal Engineer.....	\$160.00 Hr.
Project Manager.....	\$120.00 Hr.
Staff Engineer, P.E.....	\$140.00 Hr.
Staff Engineer.....	\$110.00 Hr.
Surveyor PLS.....	\$110.00 Hr.
Sr. Drafter/Designer.....	\$105.00 Hr.
Survey Chief.....	\$ 65.00 Hr.
Survey Technician.....	\$ 50.00 Hr.
CADD Draftspersons.....	\$ 82.00 Hr.
Technician.....	\$ 65.00 Hr.
Inspector.....	\$ 75.00 Hr.
Clerical.....	\$ 66.00 Hr.

Reimbursable Expenses:

Mileage.....	\$0.55/mile, plus toll payments
Mailings; public hearing notices, overnight, etc.....	Cost plus 1.5 multiplier.
Filing of Approved Maps at the County.....	\$450.00
Expenses not listed above, and incurred on behalf of the client, shall be invoiced at 1.5 times the expenses.	

Prints

White prints/Blueprints:

(18 X 24).....	\$ 1.80 per sheet
(24 X 36).....	\$ 3.00 per sheet
(30 X 42).....	\$ 4.50 per sheet
(36 X 48).....	\$ 6.00 per sheet

Mylar sepia:

(24 X 36).....	\$42.00 per sheet
(36 X 48).....	\$84.00 per sheet

B/W Wide Format Scanning:

(18 X 24).....	\$ 6.00 per sheet
(24 X 36).....	\$ 12.00 per sheet
(30 X 42).....	\$ 18.00 per sheet
(36 X 48).....	\$ 24.00 per sheet

Photocopies (8.5 X 11) Color.....	\$ 1.00/each
Photocopies (8.5 X 11) Black and White.....	\$ 0.32/each
Photocopies (11 X 17).....	\$ 0.60/each
Photographs.....	\$ 1.50/each
Binding of specification books.....	\$15.00/each

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 01-19-21

Index No: _____

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

WHEREAS; the City upon initial review of the PERMA agreement found operating differences between the current and previous agreement, and

WHEREAS; the City's insurance agent has reviewed and assured the City that the current operating procedures are in compliance with the new amended PERMA agreement.

SO LET IT BE RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Mayor to sign the amended attached PERMA agreement.

PUBLIC EMPLOYER RISK MANAGEMENT ASSOCIATION

9 Cornell Road
Latham, New York 12110

**WORKERS' COMPENSATION & EMPLOYERS LIABILITY
PROGRAM AGREEMENT**

THIS AGREEMENT is entered into by and between the Public Employer Risk Management Association, Inc., hereinafter referred to as "PERMA" and the

City of Middletown

16 James Street
Middletown, NY 10940

referred to in this agreement as the "member", for the purpose of providing a risk management workers' compensation service program and statutory workers' compensation benefits for its employees.

The member desires to satisfy its statutory obligation to provide workers' compensation benefits through participation in PERMA, a workers' compensation group self-insurance program and risk management workers' compensation service program for local governments and other public employers and instrumentalities of the State of New York. PERMA is managed by Northeast Association Management, Inc. (NEAMI), a separate entity, which provides administrative, marketing and management services for PERMA, and manages all of its claims, pursuant to a contract with PERMA and subject to the direction of PERMA's Board of Directors. A copy of the contract between PERMA and NEAMI, including any attachments and revisions, will be provided to the member upon request.

The member and PERMA agree to the following terms and conditions of membership:

1. **Term and Renewal.** The initial term of this Agreement will commence upon execution and will end on the expiration date of current coverage. The agreement will renew automatically for successive one year terms each year thereafter on the anniversary date of its commencement (the "Renewal Date"), unless (i) PERMA receives written notice from the member, at least 30 days prior to the Renewal Date, that it will not renew the Agreement, or (ii) PERMA receives written notice from the member, at least 30 days prior to the Renewal Date, that it reserves its right not to renew and PERMA receives written notice from the member, prior to the Renewal Date, that it will not renew the Agreement, or (iii) PERMA gives the member written notice at least 60 days prior to the Renewal Date that it will not renew the Agreement. An untimely notice that the member will not renew will be deemed, to the extent otherwise valid, to be a notice of termination under paragraph 12.

2. **Coverage During the term of this Agreement.** PERMA agrees to provide the

member with workers' compensation coverage as described in PERMA's certificate of coverage and coverage document as long as the member complies with the terms of this Agreement and the coverage document.

3. **Statement of Policy.** As a condition of membership, the member subscribes to the following statement of policy:

(a) Purpose. The policy of the member with respect to its exposure to workers' compensation loss shall be to minimize the financial impact upon it resulting from employee accidents covered by the New York Workers' Compensation Law. This will be accomplished by means of: (i) loss prevention and safety programs to minimize or eliminate risk of employee injury; (ii) PERMA's purchase of specific stop loss insurance; and (iii) PERMA's use of investment income from reserves and operating funds for the benefit of PERMA members.

(b) Loss Prevention. The policy of the member will be to emphasize the reduction, modification, or elimination of conditions and practices which may cause loss. Safety to personnel and the public shall have the highest priority. The member shall be responsible to see that its operations conform to applicable safety standards. Safety activities shall be the responsibility of each supervisor and all loss prevention activities, including safety, shall be coordinated by a safety coordinator who shall be designated by and responsible to the Chief Executive Officer of the member.

(c) Reporting of Injuries. All injuries will be reported through appropriate channels to PERMA by a representative of the member so designated to PERMA.

4. **Payroll Classification.** (a) PERMA has the right to audit payroll records. PERMA will estimate the figures based upon a review of the expiring contract payrolls and/or the last payroll audit. It is understood that this is an estimate that will be adjustable at the end of each contract year to reflect the actual payroll of the member, in accordance with the terms of the coverage document. The member agrees to pay any additional contributions that are required as a result of this annual adjustment within 30 days of notice or invoice. Where appropriate, the member's contribution will be adjusted by refund to the member within 30 days of notice or invoice. This condition will not affect the contribution of any member participating in an alternative contribution plan or where otherwise agreed to by the member and PERMA.

(b) **Volunteer Exposures.** PERMA will use population served to calculate coverage cost for Volunteer Firefighter exposure, number of ambulances to calculate coverage cost for Volunteer Ambulance Coverage, and number of and duties of other volunteers to calculate coverage cost for voluntary coverage. PERMA reserves the right to audit these exposures at its discretion. PERMA may apply credits if there is a dual exposure for paid firefighters and volunteer firefighters protecting the same areas.

5. **Contributions.** The member agrees to pay a contribution which is computed by the PERMA Underwriting Department utilizing rules which are similar, but not identical, to

those outlined in the New York Compensation Insurance Rating Board Rating Manual and guidelines approved by the PERMA Board of Directors. The member will pay the contribution within 15 days of the date of commencement, unless a payment plan is approved by PERMA. The member understands that its contribution may be adjusted as a result of increased benefit levels mandated by amendments to the New York Workers' Compensation Law or by mandated increases in Workers' Compensation Board assessments. The member agrees to execute necessary authorization forms permitting PERMA and its designee to obtain information and data required in determining the experience rating modification of the member. For qualified members who elect an alternative contribution program, the required contribution will be modified to meet the terms and conditions of the specific program as enumerated in a separate contract with the member.

6. PERMA Advance Discount. The discount for each member is determined individually by the PERMA underwriting department within the contribution parameters approved by the PERMA Board of Directors.

7. Excess Insurance. PERMA will place and maintain excess insurance coverage with a qualified underwriter for specific loss limits stop loss insurance.

8. Limit of Liability. The member is not liable to PERMA, to other members of PERMA, to any claimant against PERMA, or to any claimant against another member of PERMA, except for payment of (i) the contributions required by this Agreement; and (ii) any fees or other amounts due as may be provided in a separate contract between the member and PERMA. PERMA, not the member, is liable to pay workers' compensation claims that are covered under the coverage agreement. The member agrees that the only assets from which a judgment against PERMA may be satisfied are the assets and property of PERMA. No member, officer or director of PERMA will be personally liable for any claim against PERMA.

If, in the determination of the Chair of the Workers' Compensation Board, or his or her designee, and based upon the available evidence, PERMA becomes insolvent, the member will be responsible for any outstanding compensation and medical benefits due, and penalties or assessments imposed, with respect to any of its employees' or beneficiaries' workers' compensation claims until those claims are closed and the obligations are satisfied, but the member will not be responsible for any additional contribution in order to pay the claims of any other member of PERMA, past, present or future. For purposes of this provision, "insolvent" means that the sum of PERMA's cash, deposits in a bank or trust company insured under the provisions of the Federal Deposit Insurance Act and investments permitted pursuant to section 12 NYCRR § 317.8(c) is less than the total cost of all of its anticipated workers' compensation liabilities, as defined by section 12 NYCRR § 317.2(o), that will accrue within the succeeding six months.

9. Safety Program. PERMA or its designee will provide safety services to the member, designed to assist it in following a plan of loss control intended to reduce losses. The member agrees that it will cooperate in instituting any and all reasonable safety

regulations that may be recommended by PERMA or its designee for the purposes of eliminating or minimizing hazards that would contribute to injuries.

The member must identify a named safety coordinator who will be required to complete training PERMA provides, including safety coordinator training, advanced safety coordinator training and accident investigation training. If the member does not already have a safety coordinator, the member will appoint a safety coordinator within six months of the date of commencement and the safety coordinator must complete the required training within 18 months of the date of commencement. If the member fails to satisfy these requirements, the PERMA Board of Directors may terminate its membership.

The member must comply with OSHA/PESH standards and regulations. The member must notify PERMA within 10 days of its receipt of a PESH violation. If the member is not in compliance with OSHA/PESH standards it is subject to a mandatory underwriting review.

The member must have an active safety committee of which the member's safety coordinator is a member. The safety committee must meet at least quarterly and must provide PERMA with an annual schedule of meetings, a list of participants and, upon request, minutes from the meetings which define the committee's safety improvements goals and efforts. The member's failure to comply with these requirements will result in a risk management audit.

The member is required to complete a PERMA accident review with respect to every incident which may give rise to a claim and submit that review to PERMA's Risk Management Department within three days of the incident. The member's failure to complete and submit the incident review will give rise to a safety audit and may result in an underwriting review.

The member agrees that it will cooperate in instituting any and all reasonable safety regulations that PERMA or its designee recommends to eliminate or minimize hazards that can contribute to injuries. The member will allow PERMA or its designee access to the member's facilities, employees and safety committee to perform a risk assessment/safety audit. PERMA may terminate this agreement if the member fails to allow such access. The member's failure to institute suggested safety recommendations may result in an underwriting review.

10. Claims. PERMA, through its designated third-party administrator, will administer, service, settle, and pay any and all workers' compensation claims, as are defined in a certificate of coverage issued to the member, after the member provides notice of the injury in sufficient detail to prepare all required forms. PERMA will provide a defense if required, will contact injured employees as appropriate and will appear at necessary compensation hearings. PERMA will retain and supervise legal counsel at its expense, as may be necessary for the defense of any claim. The member will cooperate fully by supplying any information needed or helpful to defend such action. PERMA agrees to provide the member with a statement of claim, claims status and activities report within 10 days of the member's request for such information.

11. By-laws, Rules and Regulations of PERMA. The member agrees to abide by and is bound by the rules, regulations and bylaws which are adopted by the Board of Directors or members of PERMA. The member further agrees to abide by the terms and conditions of the coverage document which will be provided to the member annually upon renewal.

12. Termination of Coverage and Membership. This Agreement, including the member's workers' compensation coverage and membership in the program, may be terminated (a) by PERMA either (i) on 10 days' written notice for the member's failure or refusal to make any required payment, unless the member makes the required payment within 10 days of notice; or (ii) on 60 days' written notice for other cause, including but not limited to the member's failure to comply with the terms of this Agreement (other than the terms requiring the member to make payments), or the terms of the member's workers' compensation and/or employer's liability coverage agreement with PERMA, or the rules, regulations or by-laws of PERMA; or (b) by the member, 30 days after PERMA's receipt of written notice of cancellation. If the Agreement is terminated by PERMA for non-payment or is cancelled by the member, the member will be required to pay a short rate penalty upon termination. The short rate penalty will be computed using the New York Compensation Insurance Rating Board Short Rate Cancellation Table, including the procedure accompanying that table, unless amended by an alternative contribution contract. The final contribution will not be less than the minimum contribution set forth in the member's Workers' Compensation/Employer's Liability Agreement. Upon any termination of this Agreement other than a termination on the Renewal date, the terminating member will be required to pay the contributions earned, on a pro rata basis, through the date on which the termination is effective. The member's final contribution will not be less than the pro rata share of the minimum contribution under this Agreement.

13. Notice to the Parties. Notice by either party, as the case may be, shall be given to PERMA at its address, 9 Cornell Road, Latham, New York 12212, and to the member at its address as set forth above.

14. Reporting and Retention Obligations. Notwithstanding any other provision of this Agreement, the member does not by this Agreement transfer to PERMA and PERMA does not assume any reporting or records retention obligations imposed upon the member by the New York State Workers' Compensation Law.

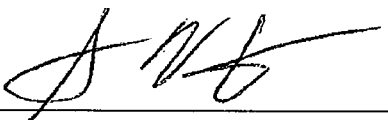
City of Middletown

By: _____

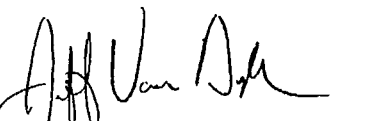
Title: _____

ATTEST:

PUBLIC EMPLOYER RISK MANAGEMENT ASSOCIATION

By: 

Stephen Altieri
Chairman, PERMA Board of Directors

By: 

Jeff Van Dyk
Executive Director, PERMA

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 01-19-21

Index No: _____

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

WHEREAS; During the COVID-19 pandemic the City started two fundraisers for the good of the City, and

WHEREAS; A Christmas Children's Fund was established to provide needy Middletown families Christmas gifts based on the City's letter to Santa program, and

WHEREAS; as of December 31, 2020 \$3,430.00 has been collected and been deposited in the Parks and Rec donation account T-43 per the account summary attached.

SO LET IT BE RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to approve and accept these donations and the expenses that will follow.

Deposited Items

Use this page to view the details contained in a deposit.

T43 Parks+Rec

Items per page 10

Account Number	Bank Identifier	Amount	Date	Serial Number	Bank Reference	Image
12580314200037	011103093	\$50.00	12/21/2020	Jude Jean-Francois	735416761 #202	View Image
478706731	011103093	\$100.00	12/21/2020	Douglas + Elaine Heinsman	735416771 #2447	View Image
8180524	011103093	\$100.00	12/21/2020	Joe Hasi	735416776 #1566	View Image
12998	011103093	\$100.00	12/21/2020	Joey + Mary Ann Valeria	735416781 #8181	View Image
7234057	011103093	\$100.00	12/21/2020	Yacoub Tawill	735416786 #6907	View Image
8256937	011103093	\$150.00	12/21/2020	Maria Bruni	735416766 #363	View Image
308063900	011103093	\$500.00	12/21/2020	Animal Health Center	735416796 #14600	View Image
7084139	011103093	\$500.00	12/21/2020	Woodmen of the World	735416801 #135	View Image
2666007	011103093	\$740.00	12/21/2020	o Cash	735416756	View Image
733757699	011103093	\$1,000.00	12/21/2020	Hon. William Deprisco	735416791 #2065	View Image

Items per page 10

Close

#3430- Toy Drive Donations.

Contact Us

Terms of Use

Privacy & Security

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Inter-Office Memo

City of Middletown

RECEIVED

JAN 08 2021

**City Clerk
City of Middletown**

January 6, 2021

To: Board of Estimate

From: Don Paris

During the COVID-19 pandemic the City started two fundraisers for the good of the City.

1. Food and supply fund raiser to accept money and supplies as donations from the public to be re-distributed to Middletown needy in the form of food and supplies.

Since April 20, 2020 thru Dec 31, 2020 \$18,611.38 has been collected and \$12,005.91 has been spent on products and distributed. The details are outlined on the T-38 account summary attached.

I am requesting these donations and expenditures be approved by the Board of Estimate closing calendar year 2020.

2. A Christmas Children's Fund was established to provide needy Middletown families Christmas gifts based on the City's letter to Santa program. As of 12/31/20 \$3,430.00 has been collected and been deposited in the Parks and Rec donation account T-43 per the account summary attached.

I am requesting the BOE to approve these donations and the expenses that will follow.

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 01-19-21

Index No: _____

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

WHEREAS; during the COVID-19 pandemic the City started two fundraisers for the good of the City, and

WHEREAS; a food and supply fund raiser was held to accept money and supplies as donations from the public to be re-distributed to Middletown needy in the form of food and supplies, and

WHEREAS; since April 20, 2020 thru Dec 31, 2020 \$18,611.38 has been collected and \$12,005.91 has been spent on products and distributed. The details are outlined on the T-38 account summary attached.

SO LET IT BE RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to approve and accept these donations and the expenses that will follow.

T-83

City of Middletown Essential Food Supply Donations

Money

Supplies

	Date	Name	Donation \$	Payment		
	2020					
	4/2	Aileen Gunther	1,000.00	Ck 181		
JE-20088	4/9/2020	CORRECTION TO CHARGES	(79.83)			
	4/22/2020	Scarzafava/Pupo	150.00	Ck 6423		
	4/22/2020	Bottle Return City Hall	25.00	Cash		
	4/27/2020	Aguirre Family	30.00	Cash	Steve Dodd	500 Shoprite Card
	4/27/2020	McLoughlin's	150.00	Ck 3055	Anonomous	500 Shoprite Card
	4/27/2020	Art & Victoria Casey	100.00	Ck 1080	Hays Trapani	200 Shoprite Card
	4/27/2020	D M Simonson	100.00	Ck 6331	ASTAR	Reusable Shopping Bags
	4/27/2020	Anonomous	20.00	Cash	Ally Vets Resource	Toiletries/ Cookies
	4/28/2020	M & T Valenta	300.00	Ck 811		
	4/29/2020	Chris & Josh Dugan	30.00	Ck 1271		
	4/30/2020	Berman Family	165.00	Ck 4267	Home Depot	Craft Kits Kids
	4/30/2020	Tom Renee Buckheit	100.00	Ck 9166	Dionne Hamilton	Non Perishables
	4/30/2020	Lynn Mitchel Ellis	100.00	Ck 2320	Connolly Family	Non Perishables
	4/30/2020	Howard Avery	200.00	Cash		
	5/1/2020	Bottle Return City Hall	20.00	Cash		
	5/4/2020	R & K Howert	150.00	Ck 8460		
	5/4/2020	MDT Housing	2,500.00	Ck 5640		
	5/5/2020	M & E Mateer	40.00	Ck 1226		
	5/6/2020	J. Masi	50.00	Ck 317		
	5/7/2020	M. J. Zazzerro	25.00	Ck 2737		
	5/7/2020	P. Johnson	100.00	Cash		
	5/7/2020	Debora Mills	50.00	Ck 221		
	5/7/2020	J. Binnie	35.00	Ck 506		
	5/7/2020	H Bloom	45.00	Ck 506		
	5/7/2020	E. Zanetti	200.00	Ck 2998		
	5/8/2020	G. Parks	30.00	Ck 5649		
	5/8/2020	Warden Family			Warden Family	Non Perisables/Baby Items
	5/11/2020	Bottle Return City Hall	30.00	Cash		
JE-20089	5/6/2020	CORRECTION TO CHARGES	325.03			
voucher 2020	5/6/2020	TD Card Svc charges	(1,000.00)			
	5/12/2020	Garcia Market	(221.00)			
	5/12/2020	Garcia Market	(158.72)			
	5/12/2020	Susan Cummings	150.00			
	5/14/2020	Better For You Brands				
	5/14/2020	Bottle returns	20.00			PopCorners 110 Boxes
	5/18/2020	Anonymous	10.00			
	5/19/2020	Declan Baldwin	500.00			
	5/19/2020	Bruce Cohen	50.00			
	5/19/2020	NFT				
	5/19/2020	ASTAR				47 cases of Napkins reusable bags
	5/26/2020	Dave & Jane Green	50.00			
	5/29/2020	Perna Family	1,000.00			
	5/31/2020	To Date	6,390.48			
JE-20090	6/3/2020	Linda Chudo	50.00	Ck 2055		
AP-75551	6/9/2020	Care pkgs	(2,965.14)			
AP-76075	7/9/2020	TD Card Food purchases	(639.59)			
AP-77018	8/6/2020	TD Card Food purchases	(1,108.78)			
AP-77555	9/15/2020	TD Card Food purchases	(1,618.06)			
	10/8/2020	TD Card Food purchases	(518.83)			
	11/2/2020	FOOD PANTRY GRANT	1,090.45			
AP-78234	11/12/2020	TD Card Food purchases	(828.60)			
	11/20/2020	CD Food Pantry Grant	802.00			
	11/20/2020	Robert/Darlene Kinner	200.00	Ck 1025		
	11/20/2020	Phil O' Sullivan	30.00	Cash		
	11/20/2020	Bottle Returns	11.00	Cash		
	12/3/2020	Sanitation Grant -electrostatic sprayer	2,619.86			
AP-78789	12/7/2020	TD Card Covid Care Pkgs	(247.50)			
AP-78895	12/9/2020	Electro Sprayer-Covid	(2,619.86)			
	12/14/2020	Pantry Grant from CD-Covid Care Pkg	958.04			
	12/23/2020	Andrew Justin	5,000.00	Ck 1619		
	12/31/2020		6,605.47			

1,379.72

6,850.40

79.83
1,379.72
6,850.40
828.60
2,867.36
12,045.91 PAID OUT
(18,611.38) REC'D
(6,605.47)

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 01-19-21

Index No: _____

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$10,700.00 within the 2021 budget to cover the expense associated with Trans Tech Geotechnical Services that was paid in 2013 and is not covered under the existing finance agreement with EFC in the following manner:

FROM:

G.909

Sewer Fund Balance

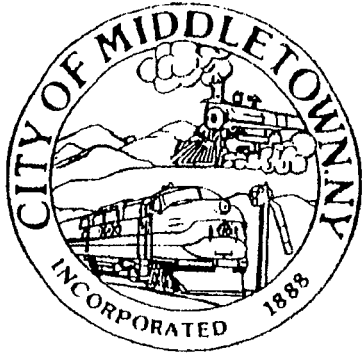
AMOUNT:

\$10,700.00

TO:

H.904.900

Black Dirt Sewer Project



*FROM THE OFFICE OF THE
CITY TREASURER
CITY OF MIDDLETOWN NY*

WWW.MIDDLETOWN-NY.COM

Email: jgallo@middletown-ny.com

MEMO TO: Board of Estimate & Apportionment
FROM: Janet E. Gallo, Deputy City Treasurer
DATE: January 12, 2021
SUBJECT: Fund Balance Transfer

RECEIVED

JAN 12 2021

**City Clerk
City of Middletown**

I respectfully request the following Fund Balance transfer:

<u>FROM:</u>	<u>AMOUNT:</u>	<u>TO:</u>
G.909 Sewer Fund Balance	\$10,700.00	H.904.900 Black Dirt Sewer Project

The above transfer is to cover the expense associated with Trans Tech Geotechnical Services that was paid in 2013. It is not covered under the existing finance agreement with EFC.

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 01-19-21

Index No: _____

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to approve the transfer of 54 Washington Street & 33 Lafayette Avenue to the Community Development Agency for the purpose of implementing the properties into the homeownership program, authorize corporation counsel to prepare the necessary documents and for the Mayor to execute all the documents of this transfer.

CITY OF MIDDLETOWN
Office of Economic & Community Development

RECEIVED
JAN 14 2021
City Clerk
City of Middletown

January 14, 2021

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

RE: 54 Washington Street and 33 Lafayette Avenue

Dear Members:

I am requesting the following authorization regarding two City owned properties:

To approve the transfer of 54 Washington Street & 33 Lafayette Avenue to the Community Development Agency for the purpose of implementing the properties into the homeownership program.

&

To also authorize corporation counsel to prepare the necessary documents and for the Mayor to execute the documents.

Thank you for your attention to this matter.

Maria Bruni, Director
Economic & Community Development

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 01-19-21

Index No: _____

NAMES AYES NOES ABSTAIN ABSENT

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

WHEREAS; the Common Council on December 15, 2020 approved the use of 8-10 Mulberry Street as a Warming Station, and

WHEREAS; the Council approved a lease between the City of Middletown and the Greater Middletown Interfaith Council regarding the use of 8-10 Mulberry Street for the Warming Station, and

WHEREAS; the City was awarded from HUD a \$200,000.00 COVID grant to make repairs improvements to 8-10 Mulberry Street for the Warming Station, and

WHEREAS; the estimated cost is \$250,000.00 which more funds will be needed to make additional repairs and maintenance to 8-10 Mulberry Street in the amount of \$50,000.00.

SO LET IT BE RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$50,000.00 from the General Fund Balance to make additional repairs and maintenance to 8-10 Mulberry Street for the Warming Station in the following manner:

FROM	AMOUNT	TO
General Fund Balance	\$50,000.00	A.1620.470 Maintenance of Buildings

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

THE AUDIT OF THE COMMON COUNCIL

By Alderman Masi

Sec'd by Alderman

Date of Adoption: 01-19-21

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

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