

**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
NOVEMBER 01, 2021**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL (COUNCIL CLERK)
3. APPROVAL OF MINUTES Council Meeting October 05, 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
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 amend the City Code Chapter 460 Vehicles & Traffic to add stop signs.
 - Resolution to award the bids for the Traffic Operations (Share 1), Streetscape (Share 2) and ARP funded (Share 3).
 - Resolution to authorize the Treasurer to transfer a total of \$10,000.00 within the 2021 budget for expenses related to consulting contract with RBT to review the City's ARPA.
 - Resolution to authorize the Treasurer to transfer a total of \$15,596.54 within the Middletown Recreation & Parks Department for unexpected expenses.
 - Resolution to authorize the Treasurer to transfer \$60,000.00 within the Fire Department 2021 budget to cover overtime thru December 2021.
 - Resolution to authorize the Treasurer to transfer \$236,675.00 within the 2021 budget to cover existing overdrafts.
 - Resolution to authorize the Treasurer to transfer \$100.00 within the 2021 budget to cover existing overdrafts.
 - Resolution to authorize the Treasurer to transfer \$60,000.00 within the 2021 Middletown Police budget to cover the shortages within the overtime budget line for the remainder of the year.
 - Resolution to declare two Middletown Police vehicles surplus.



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- Resolution to authorize the Mayor to execute, upon Corporation Counsel review, all rental and related agreements for the Paramount Theatre for the 2022-2023 season which will be January 1, 2022 through December 31, 2023.
- Resolution to authorize the Mayor to sign a new 63-month lease with Toshiba copiers for the City that will decrease from \$2,177.20 to \$2,011.30.
- Resolution to amend the City Code updating the City of Middletown parking ordinances.
- Resolution to authorize the Treasurer to transfer \$95,000.00 within the DPW 2021 budget to fund repairs to City buildings and new equipment.
- Resolution to authorize an increase of hourly rate from \$17.00 per hour to \$21.00 per hour for the part-police dispatchers effective per the date of this resolution.
- Resolution to authorize an increase of salary in the amount of \$1,995.00 for the Assistant Director position in the office of Economic & Community Development for a correction of the 426.
- Resolution to confirm the Mayor's appointment of Richard McCormack as City Clerk, Registrar and Clerk of the Common Council.
- Resolution to authorize the Treasurer to temporary borrow \$469,948.60 from the General Fund Balance to the DRI Capital project due to cost exceeding the Grant award for the Pavilion and Erie way park project.

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
October 5, 2021
City Hall
16 James Street
Middletown, New York 10940

P R E S E N T

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

A B S E N T

Digitally Recorded Proceeding, transcribed by:
Lisa Kane

AMERICAN LEGAL TRANSCRIPTION
11 Market Street, Suite 215
Poughkeepsie, NY 12601
Tel: (845) 452-3090 - FAX (845) 452-6099
amlegaltrans@aol.com

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1 1. Pledge of Allegiance

2 **PRESIDENT RODRIGUES:** Please stand and I'll ask
3 tonight for a moment of silence. The first one is Ronald
4 Lybolt. Ronald is a past Commissioner of Recreation and
5 also worked as a supervisor for the Parks and Recreation.

6 The second one is Peter Baggatta, former police
7 officer in the City of Middletown. May they rest in
8 peace.

9 (Moment of silence observed.)

10 Thank you.

11 **PRESIDENT RODRIGUES:** Roll.

12 2. Roll Call

13 Roll Call: Ramkissoo, Tobin, Kleiner,
14 Johnson, Jean-Francois, Burr, Green, Masi, President
15 Rodrigues.

16 3. Approval of Minutes.

17 **PRESIDENT RODRIGUES:** Approval of minutes.

18 **COUNCIL CLERK:** Tonight we have the minutes
19 from the September 7th, 2021 meeting.

20 **ALD. MASI:** So moved.

21 **PRESIDENT RODRIGUES:** Motion by Alderman Masi,
22 seconded by Alderman Johnson. All in favor?

23 **COUNCIL MEMBERS:** Aye.

24 4. Correspondence, Communications and Reports

25 **PRESIDENT RODRIGUES:** Correspondence.

1 **COUNCIL CLERK:** We have one municipal shelter
2 inspection report for Port Jervis.

3 **PRESIDENT RODRIGUES:** Received and filed.

4 **COUNCIL CLERK:** That is all for correspondence.

5 5. For the Good of the City

6 **PRESIDENT RODRIGUES:** For the Good of the City,
7 anyone who would like to address the Council, please step
8 forward.

9 Eileen, anybody on line?

10 **EILEEN:** Not at this time.

11 6. Remarks of the Mayor.

12 **PRESIDENT RODRIGUES:** Okay. Remarks of the
13 Mayor.

14 **JOSEPH DESTEFANO, MAYOR:** Thank you. Good
15 evening.

16 Look at the smiley face on the screen. Now,
17 how many times do you see Chris smile when she came to a
18 Common Council meeting? Not often. Now that she's
19 retired, we have this big smiling face.

20 But, Chris, you put in a long time here in the
21 City of Middletown. And we -- I know the City employees
22 recognize you at your -- at the cocktail party. And we
23 also wanted to say thank you at the last meeting. Many
24 of the Board Members acknowledged your retirement and
25 your years of service here. So we wanted to join in with

1 them and knowing that you were going to be here to
2 tonight to support your successor.

3 But I also wanted to say that you did a great
4 job. And you oversaw the transition from Academy Avenue
5 to, actually, two transitions. Into Academy Avenue you
6 were the assistant. And coming out of -- or you were
7 involved in a team over there -- and coming out of
8 Academy Avenue up to County Route 78 -- you've expanded
9 programming and you've done a tremendous job. So thank
10 you again for all your years of service.

11 So now we go onto the new team. Tonight you
12 have a resolution that's going to appoint Realyynn
13 Bertholf, a long-time employee of the City. Started part
14 time, I believe, in 1999 and became full time in 2008.
15 And Nicole Psarakis who started I believe in 2000 -- I
16 don't remember when she started now. I don't have my
17 notes. But she's been here for a while as part time and
18 full time employee.

19 And so we'll have a resolution and immediately
20 after the resolution we'll swear both candidates in. The
21 Board of Investment will be establishing the salary for
22 that. It doesn't take effect until Chris is officially
23 out, I think, in about five more weeks. So that's when
24 the effective date will be. But in the meantime, the two
25 of them are running the Parks Department and they're

1 doing a good job. So I wanted to welcome both of them on
2 board. And as soon as the resolution with your
3 permission, Mr. Council President, we will swear them in
4 immediately after the vote, so I appreciate it.

5 2022 budget, Kelly Ann is here today with
6 Lenora Liz. Both are new in their positions and both are
7 doing a great job with the budget along with Denise in
8 the Finance Office. We've gone through round one.
9 Initially we had 2.9 million to trim in order to address
10 the deficit from the proposed budget. And, remember,
11 proposed budget is wish list. Several things were in the
12 budget and adjustments had to be made. But the draft
13 original budget had a big gap. For the media's sake
14 that's watching, we're -- we're not doing that great
15 thing where we're making \$3 million in cuts, that's not
16 true. We're just adjusting priorities and adjusting
17 revenues. So we're working on it.

18 But we hope to be and I believe we will be
19 within the tax cap for the, maybe 10th year in a row, at
20 or below the tax cap set by New York State. That's our
21 goal and I believe we'll -- we'll reach it.

22 Our first round is through the Finance
23 Committee, I mean, through the Board of Estimate. We'll
24 make the necessary adjustments. And then the Board of
25 Estimate will do the required public hearings. Kelly Ann

1 will be the person shepherding that through and meeting
2 all the necessary deadlines that we have to make, you
3 know, before December to pass the budget.

4 But if you would like, our next round of budget
5 hearings, if you would like to attend, you're more than
6 welcome to attend as council members and the public is
7 also welcome to attend once we make it a public document.
8 So we'll look forward to any input you folks may have.

9 But just some of the highlights are we will be
10 fully funding the police department, the 71 officers that
11 are sworn now, we will be funding them, all positions.
12 Fire department staffing will stay the same. City Hall
13 staffing will stay the same. Department of Public Works,
14 we will be reducing through attrition. We are not laying
15 off anyone. So over the next couple of years, we'll be
16 reducing the sanitation department as promised with the
17 introduction of the automated arm. And some of those
18 cuts have already taken place on vacant positions.

19 So I think you'll be happy with the budget when
20 presented. There is some revenue adjustments.

21 Things to look forward to next year and over
22 the next 10 years are our census. We did a lot of work
23 with the census. I mentioned it a couple of meetings
24 ago. Maria Bruni's office and, specifically, Kaitlyn
25 McNamara, Kaitlyn led the local Consensus Committee. And

1 we went from the second most populated city in the
2 county, about two points behind Newburg to the most
3 populated city in the county, about two points ahead of
4 Newburg.

5 So that shift if you're all familiar with the
6 -- we kept hammering it throughout the -- throughout the
7 year. That shift of three to four points is going to
8 make a significant difference in the allocation of sales
9 tax revenue when the existing contract, assuming it's
10 going to be renewed by the county in its current form
11 when that apportionment takes -- kicks in in 2022, it's
12 going to make a significant difference for us.

13 So we're -- we're happy with the numbers at
14 this point. We're happy with the budget presentations of
15 the -- of the Department heads. And we'll also be able
16 to add some services in certain areas.

17 One crisis areas that you may not be aware of
18 and I know I did make the Third Ward Alderman aware of is
19 that the Maple Hall -- Maple Hill Pool is now -- we had
20 troubles at the beginning of the year. We didn't open it
21 for lifeguard shortages, but the pool is severely
22 damaged. It's 50 years old plus. And the pool will
23 require well over a million dollars in repairs. So
24 that's one of the long-range concerns that we have.

25 We are looking at alternatives. I've asked the

1 Third Ward for some feedback on that from their neighbors
2 up there in California Avenue, Maple Avenue, around the
3 Maple Hill Park. So we'll start preparing for the other
4 options. And one of the other options we're looking at
5 through the Parks Department and Realyann will be leading
6 the charge here along with John Bianci, the Parks
7 Foreman, is to look at expanding the Davidge area
8 possibly with a large wading pool which are the more
9 popular.

10 And, you know, the deep pools, public pools
11 were a thing of yesterday. Even hotels you notice hotels
12 only go 3 or 4 feet with their pools. So the deep-end
13 pools are no longer something that you see for quite a
14 few reasons. But liability for a community is primarily
15 the big pushing -- the big push with getting away from
16 those deep-end pools for communities. So that's
17 something that will be on our table for down the -- for
18 down the line.

19 But recreation programs will be expanding.
20 Also, our field has been hydroseeded. The track will be
21 poured in about a week to 10 days. All programs that
22 you've invested our tax payer's money in over the last
23 couple of years will be coming to fruition now with --
24 now that post-COVID hold ups are -- COVID is not over,
25 but some of the supply hold ups are over and we're able

1 to move these projects a lot quicker including the
2 Monhagen Avenue waterline.

3 So, we're happy with the budget. If you have
4 any questions give me a call.

5 Marijuana legislation, I believe we had 16
6 people that spoke at the public hearing. Thirteen people
7 spoke very loudly against it. They also beat their chest
8 that we're going to overturn -- we're going to go to the
9 public. We're going to -- the public is with us. We're
10 going to get the necessary signatures that are going to
11 require this to go to a ballot. And I welcome that
12 because I knew they weren't going to get the necessary
13 signatures. I would have hoped they would have because I
14 would have loved the public to vote on this.

15 We have not shut the door. And medical
16 marijuana, obviously, is something we supported. I said
17 I sent a letter to Albany in support of the medical
18 marijuana legislation a year or two ago or a few years
19 ago. I'm absolutely opposed to the public consumption.
20 I think it's dangerous.

21 But if you've read the paper in the last few
22 weeks regarding the appointment of former-Senator Jen
23 Metzger to the Cannabis Control Board, you would have
24 also had the same stories that this is almost two months
25 after we passed our legislation. The State still does

1 not have their act together on the Cannabis Control Board
2 and the rules and regulations.

3 That was our concern. It's been proven right.
4 It's -- the -- they don't know what they're going to do
5 with these rules and regulations. They're getting push
6 back from all over the state. Communities all over the
7 state are opting out. So there's a big concern up there.
8 And we're going to continue to push and request that
9 Senator Martucci and Assemblywoman Gunther give some
10 pushback also regarding public consumption on our
11 streets.

12 And what someone does in their home is their
13 business. But what someone does standing next to a park
14 is all of our business. And we're going to continue to
15 push and work on that and make sure that we can protect
16 our citizens the way our community. We set the goals and
17 the guidelines for the community. And our community
18 tells us how they want us -- how we should react.

19 And I think they sent a loud message by not
20 submitting one signature. Thirteen out of the 16 people
21 and I believe one of them is here tonight, 13 out of 16
22 people stood at this microphone beating their chest about
23 going to the public and this is what the public wants.
24 And not one signature came in. So that tells you
25 something about our community. They spoke loudly and we

1 heard them. And now we're going to speak even more
2 loudly when we come -- when it comes to pushing
3 legislation in Albany in the direction that we would like
4 to see it.

5 We would like, at least I would like at least
6 the public option -- at least the option to opt out of
7 public consumption on our streets.

8 If community A wants to let people smoke pot on
9 their streets, smoke pot at the bus stop, that's up to
10 the community A. I don't think it's something we should
11 be doing here. And right now, people, your kid could be
12 standing at the bus in the morning waiting for their bus
13 and someone could be standing right next to them smoking
14 marijuana legally if -- once this whole law kicks in
15 place. It's wrong. It's -- and it's something we've got
16 to keep pushing for and keep fighting against.

17 The COVID crisis is not over. We are down to
18 number three in the county. Warwick is number two and I
19 think Palm Tree is number one. We have Orange County has
20 had 903 deaths so far. And anyone who believes the COVID
21 crisis is over is fooling themselves. I knew three
22 people that have passed away in the past two weeks,
23 people who I've known personally of COVID. And we have
24 to keep fighting it.

25 So we're -- we're sort of governed by the state
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1 regulations in this area. But we're asking people to
2 take all necessary precautions. If you come into any of
3 the public buildings in the city, you must wear a mask.
4 If you don't have a mask on, we will ask you to put a
5 mask on. We will give it to you if necessary. But if
6 you do not put a mask on when you're in City Hall or any
7 of our public buildings, you will not be serviced.

8 So if you need a birth certificate in the
9 Clerk's Office and you won't put a mask on, you're not
10 getting a birth certificate from the Clerk's Office.
11 It's easy and simple as that.

12 Most people are complying, but we have had a
13 few cases where people have refused. But we're not going
14 to -- we're not going to service you. And they did not
15 get serviced either.

16 Tomorrow, the big opening, the reopening of the
17 skate park. And the park, as you know the history, as we
18 had a severe vandalism to the park. And it had, both,
19 racial and sexist comments were graffitied all over the
20 park in large letters. The park was damaged. The
21 surface was damaged to the point where we had to repair
22 it after removing the graffiti. And it required about an
23 \$18,000 investment. I think 13 or 14 was associated with
24 the vandalism. So with that resulted in a felony.

25 We did one -- we did arrest one person. We're

1 looking for two others. That person has been charged
2 with a felony due to the size of the damage at the park.
3 We also took the opportunity to do other repairs. The
4 park has been open a couple of years now, so we -- we did
5 other repairs. That was the balance of the 18,000 less
6 the 13,000 or around those numbers, so.

7 We also completed the sod placement in the back
8 around the park, so when it reopens tomorrow there will
9 be police tape and some fencing up around the grass
10 areas. We ask the participants or the users of the park
11 to respect the walkways that are being placed to get to
12 the skate park to get onto -- onto the surface. And,
13 again, if they don't, then I will put a fence up around
14 the park until the grass takes hold. And it's just as
15 simple as that. We're not going to make public
16 investment and have a few people destroy it.

17 So they need to respect the barriers that will
18 be put up. We made a pretty significant investment into
19 that whole area. And we're going to protect it to the
20 best that we can.

21 So tomorrow morning I believe at 7:30 it
22 reopens. And I hope those who -- and do that type of
23 activity, skating, will enjoy the park and really
24 maintain it and keep an eye on it themselves. If they
25 see something wrong, call the police. The police are

1 only right around the corner.

2 West Main Street culvert is going to give Kate
3 and Paul a lot of agita over the next 10 weeks. The
4 project is expected to take 10 weeks. It's the main drag
5 coming into the city on the -- was it the southwest side
6 of the community? Mount Hope Road, you're detoured up to
7 California or down to Pilgrim Corners. Pilgrim Corners
8 also has -- Monhagen Avenue also has some drainage work
9 being done on it.

10 So a lot of activity in the community. But it
11 does create an inconvenience. So if you could find
12 alternate routes, I would encourage you. California was
13 very busy over the last couple of days. We do have extra
14 police patrols there. So if you do go down California
15 Avenue, make sure you pay attention to the stop signs, to
16 the bus stops, to the buses with their flashing lots.

17 **UNKNOWN MALE SPEAKER:** Speed limit -- and the
18 speed limit.

19 **JOSEPH DESTEFANO, MAYOR:** And the speed limit.
20 And don't call me if you get nailed for a ticket because
21 we -- you're forewarned is forearmed, I guess, that's the
22 term. So there will be plenty of police on California
23 Avenue over the next 10 weeks protecting the kids,
24 protecting that area. And don't forget it's right by
25 Maple Hill Park also. So we want to make sure that you

1 listen to the warnings and that you abide by the speed
2 limit and pay attention.

3 O and W Train Station project, you have a
4 resolution tonight authorizing the -- I think it's
5 authorizing the RFQ, Maria, is that --

6 **MS. BRUNI:** No, the grant.

7 **JOSEPH DESTEFANO, MAYOR:** No, the grant. This
8 is for the Dazni (phonetic) grant. As you know, we have
9 \$3 million that we're going to request that you
10 appropriate from that federal ARP money. We have a \$2
11 million grant through Aileen Gunther's office. We have 8
12 -- \$800,000 grant through the County Executive's Office
13 and the Community Development Office of the county, the
14 Home Program. We have a \$750,000 priority project grant
15 pending. We were identified as a priority project under
16 consolidated funding applications.

17 And we also have at the -- at the encouragement
18 of the -- of the state community development people,
19 we've increased the grant request from a million and a
20 half to 4.1 million. And that is to also include the
21 build out for Head Start for the ABCD Program.

22 We're hopeful that we're going to get some, if
23 not all of that money. We will be able to do this
24 project right now. So the Board of Estimate, I mean, I
25 think it was the Board of Estimate. Did we authorize the

1 RFQ or it's not necessary? But we will be putting --
2 placing the RFQ in the paper for the engineer services.
3 It's a request for qualifications. It's a 14-page
4 document.

5 As for people who have some history in historic
6 preservation and, basically, it's, as you know, we had an
7 engineer that was done that had assisted us in putting
8 together some of the work for the preliminary
9 application. But now we -- in order to qualify for the
10 money, we have to do this request for qualifications.
11 Once that's in place, this project will start rolling.
12 We're already doing the -- the NEPA, the -- which is like
13 a federal SEQR. We did the -- they're doing the SEQR
14 application. The asbestos analysis, we're all doing all
15 of those things now.

16 This project will move very quickly for this
17 type of rehab. We have to spend the federal money within
18 three years. And the community development money from
19 New York State might be a shorter period of time. So
20 this is going to off very quickly. This is in Alderman
21 Masi and Alderman Burr's ward. I want to thank you too
22 for your support on the project. All of the support of
23 the Common Council has made a big difference in our grant
24 applications because the state when they look and see
25 that a community is ready participate and partner with

1 them, they're ready to give us -- they know we're going
2 to spend the money and we're going to spend it wisely.
3 So this will be -- it's an iconic structure in our
4 community and it will make a big difference.

5 On Saturday, we all marched. Most of the Council
6 marched, the fire department parade. Decent turnout,
7 pretty good turnout by the public. Good turnout by the
8 Middletown Fire Department and other departments. I want
9 to thank all the departments that participated. I want
10 to thank Chief Barber and congratulate former Chief Don
11 Lewis on being the grand marshal of the parade. A good
12 time was had by all. And the parade this year had a
13 special guest. And the special guest was the Erie Bell.
14 And Friday night, Middletown defeated Port Jervis 34-33.

15 I apologized to some of the members of the fire
16 department that we had -- the inspection night is usually
17 on Friday night. And we had the Port Jervis game was
18 starting at 7 o'clock and the fire inspection was
19 starting at 6 o'clock in Middletown. So we had a very
20 brief inspection with elected officials. But the judges
21 and Jacob was available for the additional inspection
22 nights. But it all became worth it the next day when we
23 welcomed back into town, you might have heard the sirens
24 Saturday night or Friday night. We welcomed back the
25 Erie Bell into the city. And these are just some

1 pictures of the -- in front of Any Old Thing, Tracy
2 Racine's establishment on West Main Street celebrating
3 the return. We had it for like six years in a row, lost
4 it last year, and now we have it back.

5 As I mentioned before, COVID is still a threat.
6 Health and safety, remember to wear your mask as much as
7 possible and get vaccinated if you can.

8 Any questions?

9 **PRESIDENT RODRIGUES:** Any questions for the
10 Mayor?

11 **JOSEPH DESTEFANO, MAYOR:** Yankees 8:08. It's
12 now 8:22.

13 **UNKNOWN MALE SPEAKER:** They're on right now. I
14 could see them.

15 **JOSEPH DESTEFANO, MAYOR:** They're on. All
16 right. Go Yankees.

17 **UNKNOWN MALE SPEAKER:** Keep the meeting going.

18 **UNKNOWN MALE SPEAKER:** Of course you can talk
19 as long as you want.

20 7. Remarks of Department Heads

21 **PRESIDENT RODRIGUES:** Okay. Remarks of the
22 Department Heads. Economic Development.

23 **MARI BRUNI, ECONOMIC DEVELOPMENT:** Good
24 evening, everyone. Tonight we had our Community
25 Development Agency meeting and Finance Committee meeting

1 regarding advancing the 2022 budget to the State.

2 Update on our DRI façade program. We have two
3 more buildings that are about ready to go out. And these
4 are the two buildings that are left for the program. So
5 you're going to start seeing some activity. That's the
6 former Bull's Opera House, former Nina's Restaurant
7 building that one and then a building on Franklin Street.

8 Tonight you have some resolutions. We're doing
9 an amendment to our COVID CDBG funds. We're redirecting
10 some funds to go towards public -- public facility and
11 public services. We're redirecting funds that we were
12 unable to move swiftly. And so we're adding some more
13 funds to finalize the warming station which is going to
14 be opening in November. Stay tuned. We're going to have
15 a press event for that as well.

16 And then, also, we're going to be purchasing
17 some sanitizing litter-type vacuums for the Parks
18 Department and the downtown.

19 And also, the Mayor mentioned the O & W grant
20 is on the agenda. That's for the Gunther 2 million to
21 authorize the Mayor to sign and submit.

22 And a transfer for the Paramount. As you saw
23 over the weekend, we announced nine shows coming in 20 --
24 end of 2021 and 2022 for the Paramount, live shows. So
25 ticket sales are happening. And people are impressed

1 with our COVID guidelines that we put in place for the
2 theatre. It's vaccinated show or you must show proof of
3 a negative test. So those guidelines are in place for
4 the theater.

5 And the bid district and John started the --
6 the tree search for the tree for downtown for Christmas.
7 So stay tuned for that. We'll be posting our search in
8 the next couple of days.

9 And that's all I have for tonight.

10 **PRESIDENT RODRIGUES:** Any questions for Maria?

11 Thank you, Maria.

12 **MARI BRUNI, ECONOMIC DEVELOPMENT:** Yeah, you
13 must also at the shows, you're going to be required to
14 wear a mask during -- even if you're vaccinated as well.
15 Sorry. And that's it.

16 **PRESIDENT RODRIGUES:** Any questions for Maria?

17 Thank you, Maria.

18 **MARI BRUNI, ECONOMIC DEVELOPMENT:** Thank you.

19 **PRESIDENT RODRIGUES:** DWP Commissioner.

20 **JACOB TAWIL, DPW COMMISSIONER:** Good evening,
21 all. I'm going to start off with Alderman Masi. The
22 reservoirs are 100 percent capacity. And we are very
23 happy, obviously, with that.

24 I just want -- I just want to get everybody's
25 attention to what the Mayor said. For 10 years, the

1 Mayor and the Common Council, they've been below the tax
2 cap. In spite of all the tremendous projects, I mean,
3 tens of millions of dollars we've been doing in here in
4 construction and capital projects including this year
5 about \$3 million in milling and repaving our roads, miles
6 and miles of roads.

7 Our wastewater treatment plant is being
8 upgraded with equipment that's been running since 1989.
9 Until now it's being -- the screw pumps are being
10 upgraded. Water lines that are 100 years are being
11 replaced on 211 outside the City of Middletown. You
12 know, bridges have been replaced, culverts have been
13 replaced. Literally, tens and tens of millions of
14 dollars in there have been -- are being spent by grants
15 and by assistance from the -- from the state. And that's
16 under the leadership of this Mayor and under the
17 leadership of this Council and the Council President.

18 I just want people -- I don't want it to be
19 just unnoticed. I'm not bragging here about their
20 accomplishing or our accomplishment. I just don't want
21 it to be unnoticed by everybody. It's just tremendous.

22 So talking about grants, the Mayor, he spoke
23 briefly about New York Rising Grant. That's \$3.5 million
24 from the state. We got -- at the beginning we got \$3
25 million and then we applied for an additional half-a-

1 million dollar and we got it. That's New York Rising.

2 We've been working diligently on the design on
3 finding the bad spots, the bottlenecks, the deteriorated
4 sections in Middletown drainage system. And the one West
5 Main Street Bridge or culvert in there by -- by the West
6 End Bar, former West End Bar, it was really in very --
7 very poor shape. So, luckily, we got the money, we got
8 the grant. The work just started. It's going to be,
9 like the Mayor said, it's going to be, you know, a little
10 bit painful in there with the detour and the traffic and
11 all that stuff. But for the first couple of days, we've
12 been watching it, it's been, honestly, an unissued.

13 We are troubleshooting the location of the
14 signs, the detour signs, the road closure signs and
15 adjusting and fine tuning them. And I think today we
16 made the last adjustment.

17 It's been closed for two days. The contractor
18 has been going full speed to try to minimize the time it
19 will take him to complete the project.

20 The biggest problem is material supplies and
21 the (inaudible) structures that they had to be ordered.

22 So that's where we are. So that project is
23 moving. Please be -- be patient. You know, that -- this
24 is progress. It's for the benefit of the city for
25 probably another good 60, 80, hopefully 100 years this

1 bridge will last. And it's very complicated. We're
2 going to be employ -- we're going to be deploying piles
3 in there to support it unlike the old structures. They
4 used to be like spread footing or -- or something similar
5 to that. So it's rather complicated. So just bear with
6 us. The end will be -- will be good just like when we do
7 the milling and paving. It's painful when we're doing
8 it. Once it's done it's a beautiful thing to look at and
9 to have.

10 Grand Street, that's another -- that's a second
11 section of the grant, of the New York Rising, \$3.5
12 million grant. And that is Grand Street culvert
13 replacement which is the Draper Brook. Part of it is
14 replacement with brand new box culvert. The other part
15 will be treating it from the inside, building it from the
16 inside with shotcrete method. And that project has
17 started. You're going to have interruption of traffic
18 and some detour every now and then. So, please, you
19 know, again bear with us.

20 Water -- the water line, as you can see the new
21 -- the new water line construction on 211 has started.
22 That is (inaudible) rather. We had to order semi-larger
23 pipe in there or some thicker wall pipe in there because
24 of some issues. And that has been delivered and an
25 accelerated schedule because everything has been pushed

1 back. But make a long story short, you're going to have
2 one way -- one lane traffic on 211 which is a state road,
3 that's still outside the City of Middletown. And, just
4 again, be patient, please. Give the people a break. The
5 workers are, you know, just give them a break in there.
6 Don't put their life in danger. Slow down, please, and
7 be safe. So you can go home and the workers can go home
8 too safely.. We appreciate that very much.

9 I mentioned the screw pumps. We have
10 successfully installed and commissioned two screw pumps.
11 They've been operational for three weeks. We replaced
12 another pump. And next Thursday we're going to replace
13 the fourth pump. And then we'll commission the new two
14 pumps the following week.

15 The high lift pump station that -- which is
16 basically just to remind you it's a pump station at the
17 water treatment plant that replaced an old pump station
18 that was constructed, again, in the 18, end of 19, I'm
19 sorry, 1995. So it's been running non-stop. And -- and
20 this pump station, hopefully it will be commissioned next
21 month.

22 Before you there is a resolution tonight. I'm
23 requesting your support for the -- putting the leaves on
24 the street, so DPW can go and pick them up. Right now
25 you're not permitted to put the leaves on the street.

1 Everything has to be bagged and everything has to be
2 wrapped with the string and so on and so forth per our
3 code. Once the Council approves it, then we'll be able
4 to put it on the curb on the -- on the side of the street
5 about 4 feet away from the curb. And -- and so hopefully
6 we'll get that resolution approved by the counsel.

7 And this will conclude my remarks. If you have
8 any questions.

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

11 Fire Chief.

12 **NICK BARBER, FIRE CHIEF:** Like the Mayor said,
13 we celebrated our 159th annual parade. It was a descent
14 turnout. I thank everybody that showed up. Mark the
15 calendars, October 7th, 2023, that's going to be our next
16 parade. Inspection night will be the night before at
17 6:00 p.m. Okay. Hopefully, they're won't be a bell game
18 that night.

19 But we're up to 160 -- 679 calls for the year
20 so far. Right now we're a little bit below average and,
21 you know, that's fine. Other than I have nothing.

22 **PRESIDENT RODRIGUES:** Any question for the Fire
23 Chief? Thank you Fire Chief.

24 City Treasurer.

25 **KELLY ANN KELLY, CITY TREASURER:** Good evening
AMERICAN LEGAL TRANSCRIPTION (845) 452-3090

1 again. I just want to formally announce Lenora Liz is
2 the new Deputy Treasurer for the City of Middletown.
3 She's replacing Janet Gallo who she knows has been here
4 for 30 years. So she has a lot big shoes to fill. Janet
5 and Don have, both, been wonderful to both of us. And I
6 want to thank you guys for allowing them to transition
7 because it's really made it very easy for both of us.
8 And that's all I have tonight.

9 **PRESIDENT RODRIGUES:** Any question for the City
10 Treasurer? Thank you.

11 Superintendent of Recreation.

12 **UNKNOWN MALE SPEAKER:** Which one?

13 **PRESIDENT RODRIGUES:** Well, whoever gets up.

14 **CHRISTINE BRINCKERHOFF, SUPERINTENDENT OF**

15 **RECREATION:** Well, since she's not getting paid
16 yet, that means I can still do it, right? Plus just one
17 more time to get Mr. Masi. One more time.

18 **ALD. MASI:** You're welcome any time.

19 **CHRISTINE BRINCKERHOFF, SUPERINTENDENT OF**

20 **RECREATION:** I just want to take the quick time
21 to give attention to the administrative staff coming in.
22 It makes it really easy to retire when you know the
23 Department is going to be left in really good hands. And
24 it's a Department I've been with my entire life. So that
25 is -- that is awesome and comforting to know.

1 Nicki has brought some many new ideas that
2 Raelynn and I didn't have and skills she has that we
3 didn't have to the Department. She's ready to take on
4 bigger responsibility. She's even getting pretty good
5 working on the street. She does all right. She's
6 getting her street on, so that works.

7 Raelynn, I mean, Raelynn is just dear to my
8 heart. Raelynn was a kid in our program. She was a high
9 school kid counselor in our program. I think I even
10 caught her a couple times jumping the fence in Davidge
11 Park in her younger days. So she knows all the tricks of
12 the Department. And she's worked her way from Program
13 Coordinator to Assistant Superintendent and now
14 Superintendent. And I couldn't be prouder. I couldn't be
15 prouder. She has been an incredible wingman and she's
16 going to do a great job.

17 And then, lastly, I would just like to thank
18 the entire staff for giving me a very nice send off, a
19 very respectful nice send off. It was very nice. And I
20 am fully confident that this Department is only going to
21 get bigger and better under their leadership and with
22 your support.

23 So last time I am speaking and thank you. I
24 hope it wasn't too painful. And I'm going to let Raelynn
25 give you the business end.

1 **RAELYNN BERTHOLF, SUPERINTENDENT OF**

2 **RECREATION:** Just a big thank you to Brinck and
3 congratulations. We had great leadership through the
4 years. I and Nicole, I'm sure she would agree that we
5 learned a lot under her leadership. And we're definitely
6 going to continue all the great programs that she
7 created. So congratulations, Brinck.

8 Also, on behalf of myself and the Recreation
9 Department, condolences to the Lybolt family.

10 And, also, thank you to the Mayor and all the
11 Commission members. We are looking forward to doing many
12 great things and keeping up all the good work.

13 And we do have a resolution tonight for -- from
14 Mid City Transit. So we'd like to thank them for
15 offering a donation of another minivan, a minivan that
16 will definitely be in great use for our maintenance
17 department. So it put (inaudible) equipment in it and
18 transport, so we're not using trailers constantly. And
19 that's all.

20 **PRESIDENT RODRIGUES:** Any questions for
21 Raelynn? Thank you, Raelynn.

22 City Clerk.

23 **JOHN NAUMCHIK, CITY CLERK:** Tonight we have two
24 resolutions. One is to adopt a juvenile curfew for
25 Halloween. That will be going in the newspaper. And

1 also I send it to the schools to let them know about
2 that.

3 And, also, we're going to be rescheduling the
4 Common Council meeting not to coincide with election day.

5 And, also, I'd like to say my congratulations
6 again to Chris. Great job, thank you. And
7 congratulations to Raelynn and Nicole. Looking forward
8 to working with you.

9 **PRESIDENT RODRIGUES:** Thanks, John.

10 **JOHN NAUMCHIK, CITY CLERK:** That's all I have.

11 **PRESIDENT RODRIGUES:** Any questions for John?

12 All right.

13 8. Public Hearings and Grievances.

14 **PRESIDENT RODRIGUES:** Public Hearings and
15 Grievances.

16 **JOHN NAUMCHIK, CITY CLERK:** Okay. Tonight we
17 have a public hearing revising Chapter 475 zoning to
18 allow limited residential usage of the first floor of a
19 commercial-mixed use building in the DMU downtown mixed
20 use zoning district.

21 We did a public hearing notice. Notice is
22 hereby given that the City of Middletown will hold a
23 public hearing on Tuesday, October 5th on or near 8:00
24 p.m. as possible. Common Council Chambers, second floor,
25 16 James Street, to hear any and all persons wishing to

1 be heard on the proposed revising to Chapter 475 zoning
2 to allow limited residential usage of the first floor of
3 a commercial mixed-use building in the DMU downtown mixed
4 use zoning district.

5 Any and all persons wishing to be heard will be
6 given the opportunity to speak either for or against the
7 proposed revising of the zoning code. The complete
8 proposed revising of the zoning code was available in my
9 office in City Hall, 16 James Street, Room 12 and also on
10 the City website.

11 The public hearing will also be conducted via
12 video teleconference, live on Channel 20. And we -- you
13 could register to be -- to speak if you had anything to
14 say.

15 Also, if there's -- somebody did not do that,
16 you can also send me an advance. I did not receive any
17 emails on comments. This is by order of the Common
18 Council. This was published in the *Timshel Record* on
19 September 20th and September 21st and also on the City
20 website.

21 **PRESIDENT RODRIGUES:** At this time the public
22 hearing is now open.

23 **JOSEPH DESTEFANO, MAYOR:** Yes. I just want to
24 let the Council know what this is. A few -- a short
25 while ago we created in the DMU zone allowing for certain

1 buildings within the DMU to have a partial first floor
2 occupancy. The building had to have a 30,000 square foot
3 footprint. If there was a second building in the
4 property like Middletown Village Apartments, the building
5 that did not have street frontage would be allowed to
6 have first floor occupancy. But -- and the Planning
7 Board would be the -- would be the approving body of the
8 first floor occupancy.

9 There was some ambiguity in the law. And after
10 speaking with corporation counsel, he felt that we should
11 clear it up and make it much more clearer than it is in
12 the existing law. So that's all this is. This is just
13 some cleanup of something we did a while back. And --
14 but it doesn't change the intent of the law.

15 The legislative intent was clear at the time,
16 so we're just matching all of the, I guess, crossing the
17 Ts and dotting the Is, nothing new here.

18 **PRESIDENT RODRIGUES:** Anyone from the public
19 would like to speak? Any Council Members who would like
20 to say something?

21 Okay. A motion to close?

22 **ALD. MASI:** So moved.

23 **ALD. JOHNSON:** Second.

24 **PRESIDENT RODRIGUES:** Masi, second by Alderman
25 Johnson. All in favor?

1 **COUNCIL MEMBERS:** Aye.

2 **PRESIDENT RODRIGUES:** The public hearing is
3 closed.

4 9. Petitions and Complaints

5 (Nothing this evening.)

6 10. Remarks of the Alderman.

7 **PRESIDENT RODRIGUES:** Okay. Remarks of
8 Alderman. Alderman Burr.

9 **ALD. BURR:** My condolences to the Lybolt
10 family. I served on the Park Commission with Rollin for
11 over 16 years. He was a great asset to the Commission.

12 Brinck, once again, I'd like to thank you for
13 the many years of service. And Raelynn and Nicole,
14 congratulations on your new positions. Thank you.

15 **PRESIDENT RODRIGUES:** Alderman Jean-Francois.

16 **ALD. JEAN-FRANCOIS:** Yes. Good evening.
17 Congratulations to the Middies. For some reason, I think
18 the bell looked a lot better in Middletown than Port
19 Jervis. So hopefully we'll keep it here for a while.

20 Chris, I've got to say, the thing that
21 impressed me the most about you and your staff during the
22 pandemic. And -- and most of the school was closed.
23 There was nothing going on. And you was being very
24 creative to try to keep our kids engaged into activities.
25 And that was very powerful for you and your staff. So

1 thank you. Nicole and Raelynn, welcome. Thank you.

2 **PRESIDENT RODRIGUES:** Alderman Kleiner.

3 **ALD. KLEINER:** Thank you. I also want to send
4 my condolences to the Lybolt family. Rollin has been
5 just an institution in Parks and Rec. So he will be
6 missed.

7 Brinck, again, congratulations on retiring.
8 But you -- I know you'll be around, but you will be
9 missed. But, I agree, you have a great team coming in.
10 So thank you for everything you've done.

11 Congratulations to the Middies, to our MVP
12 running back who scored, I believe, three touchdowns and
13 to the defense who stopped that two-point conversion.
14 That was the difference in the game. So we have the Erie
15 Bell is back where it belongs. That was great. It was
16 great to see it in the fire parade. Thank you, Chief
17 Barber.

18 I also want to thank Art Libsey (phonetic) who
19 was our sort of master of ceremonies at the reviewing
20 stand. And he always does a great job.

21 We will have a Second Ward constituents meeting
22 next Monday. We know it's Columbus Day. It always is.
23 But we have our meeting anyway in case anyone wants to
24 come and join in.

25 If you're watching this at home live, why?

1 This is Channel 20, the Yankee game is on Channel 21 just
2 -- just in case you missed it.

3 And, finally, I just want to add the warming
4 station, I thank the Mayor and Maria. They've done a
5 great job on reconfiguring the old Mulberry House to be
6 the warming station. But I'm bringing it up at this
7 meeting because there are three training sessions
8 scheduled for volunteers. And the first one will be
9 Wednesday, October 13th. And that's at the 8 to 10
10 Mulberry Street. The next one is Tuesday, the 21st --
11 Thursday the 21st. And then there's a third one, Tuesday
12 the 26th. There will be a couple more in November, but I
13 will bring those up at the time.

14 And November 19th there will be -- at 11 a.m.
15 there will be a dedication of the new warming station,
16 GMIC warming station, Mulberry House. So and it opens on
17 November 21st for overnight guests.

18 And that's it. Thank you.

19 **PRESIDENT RODRIGUES:** Alderman Ramkissooon.

20 **ALD. RAMKISSOON:** Good evening. Brinck,
21 congratulations once again. We don't appreciate that
22 Jacob sent with an informative session for you to take
23 with you into retirement. And for our dynamic -- what,
24 I'm just saying -- for the dynamic duo coming in after
25 you, Raelynn and Nicole, I know you guys are going to do

1 an outstanding job. You've been doing it with Brinck all
2 these years, so I'm sure we are going to have a seamless
3 transition.

4 Chief Barber, I'm sorry for not going to
5 inspection night, but I was stuck in traffic on the way
6 to the bell game. But I'm glad I was there right to the
7 finish. That was the longest two-point conversion I've
8 ever seen because I didn't think that play was ever going
9 to touch the ground. But we won, the bell came back
10 home. It was a wonderful parade. We had beautiful
11 weather and an outstanding turnout. And it's just a
12 really good week to be a Middie. That's all I have
13 tonight.

14 **PRESIDENT RODRIGUES:** Alderman Johnson.

15 **ALD. JOHNSON:** Thank you. My condolences as
16 well to the Lybolts. I've gotten to know them more
17 recently in my day job. But I only come to realize
18 lately that Mr. Lybolt made such a significant
19 contribution to our community. So I expressed my
20 condolences to the family as well.

21 A lot of community glue took place in the last
22 week or two. The bell back. You know, sports rivalries
23 are always good for the spirit especially if you've on
24 the winning side of the sport.

25 Fireman's parade 59 years, that's also some of

1 the glue for our community to go out and support each
2 other and kind of go out to a simpler time. I think we
3 can all use a simpler time at this point in our lives.

4 Thanks again to Brinck. I've known Realyynn
5 longer than she probably care to admit, so we'll just
6 leave it at that. But thank you so much. Like Brinck,
7 I've seen you come, come a long long way. And
8 congratulations to Nicole as well. I thank you very
9 much.

10 **PRESIDENT RODRIGUES:** Alderman Green.

11 **ALD. GREEN:** Thank you very much. Yeah, my
12 condolences to the Lybolt and Baggatta families as well.

13 And congratulations to the Middies on the bell.
14 What a nail biter of a game there at the end. You know,
15 in all my years at Middletown High School, I think that
16 was the craziest finish I've watched in a while. So
17 congratulations. Glad we have the bell back. I think
18 it's well deserved.

19 Brinck, congratulations. Thank you. I
20 remember many years of sports camps and things going way
21 back now through -- through this and just what a
22 wonderful career and the wonderful things you've done for
23 the City. Thank you so much.

24 And to Raelynn and Nicole, congratulations. We
25 look forward to -- to just really growing and seeing the

1 great things to come in that -- in that department.

2 I don't think we could have purchased better
3 weather for our fire parade. I mean, it really was just
4 a wonderful day. Thank you for all the departments that
5 came out, all the firefighters that came out, the fire
6 police, all the great bands and organizations who were
7 there. It was a really wonderful day to be in the City
8 of Middletown.

9 On top of that, we just -- just to reiterate,
10 we do have our constituents meeting here Monday at 7 p.m.
11 That will be the 11th, so we hope to see you Monday.
12 Thank you.

13 **PRESIDENT RODRIGUES:** Alderman Tobin.

14 **ALD. TOBIN:** Yes. I forget to ask a question
15 about the last resolution, the one we're going through
16 about the trucks. I want to jump on that.

17 My condolences to the Carol and the Lybolt
18 family. And I know I speak for the rest of the Lions
19 Club and he'll be surely missed. His advice all the
20 service that's he's given to the community over the
21 years.

22 I'd also like to thank the fire department, all
23 the volunteers that help our community. It was great to
24 show appreciation. And a little bit of sense of normalcy
25 to get people back out and celebrating all the good work

1 they do for us and recognize that their contributions to
2 our community, we can't thank them enough.

3 I'd also like to thank Brinck for, you know,
4 all she does -- did for the -- you probably will still
5 do, I bet, help them out, but for the Rec Department.
6 You know, we're so lucky to live in a community and a
7 school district that offers so much for our children, so
8 many opportunities. And I count myself lucky to -- to
9 live here. And it's because of the hard work that the
10 folks in the Rec Department do. I wish the new team the
11 best of luck. And I know, you know, I'm so proud of all
12 the stuff we offer our kids. And, you know, and that's
13 important to give your kids something, you know, to
14 choose good opportunities and opportunities and so many
15 things. I can go on and on.

16 And that's it. Thank you.

17 **PRESIDENT RODRIGUES:** Alderman Masi.

18 **ALD. MASI:** My condolences to the Lybolt family
19 also. I've known -- knew Rollin for more than 50 years.

20 Chief Barber and former Chief Lewis, thank you
21 for a great parade and all the people that participated.
22 And I was glad to see that Chief Lewis got to be the
23 grand marshal.

24 Brinck, would could I say? Thank you for
25 allowing me to kid around with you for all these years.

1 Thank you for all the work that you did. The Department
2 certainly grew under your leadership. And the two
3 incoming, Raelynn and Nicole, congratulations. Good
4 luck. And it will be fun working with you. Thank you.

5

6

7

CERTIFICATE

8 I, LISA KANE, certify the foregoing transcript of proceedings
9 prior to New Business of the October 5, 2021 Middletown City
10 Council meeting was prepared using the required electronic
11 equipment and is a true and accurate record of the
12 proceedings.

13

14 Signature: *LISA Kane*

15 Date: October 21, 2021

16 Agency: American Legal Transcription

17 11 Market Street, Suite 215

18 Poughkeepsie, New York 12601

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12. New Business.

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

THE FOLLOWING WAS PRESENTED

By Ald. Burr

Sec'd by Ald. Masi

Date of Adoption 10-05-21

Index No: 196-21

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon	X			
Ald. Tobin	X			
Ald. Kleiner	X			
Ald. Johnson	X			
Ald. Jean-Francois	X			
Ald. Burr	X			
Ald. Green	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

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

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

NOW THEREFORE BE IT RESOLVED AND ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN, that during the period of October 29, 2021 through November 1, 2021 between the hours of 9:00 pm through 6:00 am on each day, commencing on October 29, 2021, it shall be unlawful for any person under the age of eighteen (18) years (hereafter referred to as "minor") to be in any public place (including but not limited to, any street, alley, highway or other public thoroughfare, sidewalk, park, playground, store, shop, restaurant, tavern, café, theater, shopping center and any other place devoted to amusement or open to the general public) or on private property other than such minor's home or usual place of abode, within the City of Middletown, New York, either on foot or in a vehicle, except:

1. When accompanied by a parent or guardian; or
2. When the minor is on an emergency errand; or
3. When the minor is on a specific business or activity directed by his or her parent or guardian, in writing, identifying the minor, the specific business or activity, the location or locations of such business or activity and the time when such business or activity shall end, and signed by such parent or guardian; or

4. When the presence of such minor is required in connection with some legitimate employment, trade, profession or occupation.

AND BE IT FURTHER RESOLVED AND ORDAINED, that it shall be unlawful for any person, operating or having charge of any public place to knowingly permit or suffer the presence of minors between the hours set for above,

AND BE IT FURTHER RESOLVED AND ORDAINED, that the following procedures shall be followed in the event of any violations of the above curfew:

1. Any Police or Peace Officer, upon finding a minor in violation of the prohibitions set forth above shall ascertain the name and the address of the minor and warn the minor that he or she is in violation of curfew and shall direct the minor to proceed at once to his or her home or usual place of abode. The police or peace officer shall report such action to the parents or guardian of the minor.
2. If such minor refuses to heed the warning or direction given by any police or peace officer or refuses to give the police or peace officer his or her correct name and address, or if the minor has been warned on a previous occasion that he or she was in violation of curfew, such minor shall be taken to the City of Middletown Police Station and the parent or guardian of the minor shall be notified to come and take charge of such minor and return such minor to the minor's home or usual place of abode. Such minor, in the discretion of the Chief of Police, may also be issued an appearance ticket to appear in the Middletown City Court to answer charges of violation of the curfew, and any operator of any public place who has suffered the presence of such minor or minors may also be issued an appearance ticket to appear in the Middletown City Court to answer charges of violation of the curfew.

AND BE IT FURTHER RESOLVED AND ORDAINED, that any person violating the provisions of this Ordinance and found guilty of the same shall be fined not more than Two Hundred fifty dollars (\$250.00) and/or sentenced to not more than fifteen (15) days in jail for each offense.

COMMON COUNCIL
CITY OF MIDDLETOWN
CERTIFICATION OF RESOLUTION

I, John C. Naumchik, City Clerk and Common Council Clerk of the City of Middletown, do hereby certify that I have compared the foregoing copy of this resolution with the original on file in my office, and that the same is a true and correct transcript of said original resolution and of the whole thereof, as duly adopted by said Common Council at a meeting duly called and held at City Hall on _____ by the required and necessary vote of the members to approve the resolution.

WITNESS My Hand and the Official Seal of the City of Middletown, New York, this _____ day of _____, 2021.

John C. Naumchik
City Clerk
Clerk of the Common Council
City of Middletown, NY

Seal

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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Green

Date of Adoption 10-05-21

Index No: 197-21

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon	X			
Ald. Tobin	X			
Ald. Kleiner	X			
Ald. Johnson	X			
Ald. Jean-Francois	X			
Ald. Burr	X			
Ald. Green	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

RESOLVED; that the Common Council of the City of Middletown re-schedules the Common Council Meeting from Tuesday, November 2, 2021 to Monday, November 1, 2021 not to coincide with Election Day.

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

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner

Sec'd by Ald. Ramkissoon

Date of Adoption 10-05-21

Index No: 198-21

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon	X			
Ald. Tobin	X			
Ald. Kleiner	X			
Ald. Johnson	X			
Ald. Jean-Francois	X			
Ald. Burr	X			
Ald. Green	X			
Ald. Masi	X			
Pres. Rodrigues	X			
	9			
TOTAL				

RESOLVED; that the Common Council of the City of Middletown concurs with the Mayor's appointment of Raelynn Bertholf to Superintendent of Recreation and Nicole Psarakis to the Assistant Superintendent of Recreation.

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

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoo

Sec'd by Ald. Jean-Francois

Date of Adoption 10-05-21

Index No: 199-21

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoo	X			
Ald. Tobin	X			
Ald. Kleiner	X			
Ald. Johnson	X			
Ald. Jean-Francois	X			
Ald. Burr	X			
Ald. Green	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$15,000.00 within the Corporation Counsel 2021 budget to pay unpaid litigation invoices in the following manner:

From
A.1420.488
Corporation Counsel Grievance

Amount
\$15,000.00

To
A.1420.489
Litigation

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Green

Date of Adoption 10-05-21

Index No: 200-21

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon	X			
Ald. Tobin	X			
Ald. Kleiner	X			
Ald. Johnson	X			
Ald. Jean-Francois	X			
Ald. Burr	X			
Ald. Green	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

Ald. Ramkissoon	X			
Ald. Tobin	X			
Ald. Kleiner	X			
Ald. Johnson	X			
Ald. Jean-Francois	X			
Ald. Burr	X			
Ald. Green	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$2,500.00 within the 2021 Paramount Budget to replace the AED at the Paramount and purchase a tablet to be used for social media purposes in the following manner:

From	Amount	To
A.7010.440	\$2,500.00	A.7010.200
Repairs to Equipment		Equipment

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

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Johnson

Date of Adoption 10-05-21

Index No: 201-21

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon	X			
Ald. Tobin	X			
Ald. Kleiner	X			
Ald. Johnson	X			
Ald. Jean-Francois	X			
Ald. Burr	X			
Ald. Green	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to accept a donation from Mid-City Transit of a 2009 Gas powered Chevy van to be used by the Parks Department to carry equipment and personal to maintain parks.

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

THE FOLLOWING WAS PRESENTED

By Ald. Tobin

Sec'd by Ald. Kleiner

Date of Adoption 10-05-21

Index No: 202-21

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon	X			
Ald. Tobin	X			
Ald. Kleiner	X			
Ald. Johnson	X			
Ald. Jean-Francois	X			
Ald. Burr	X			
Ald. Green	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon	X			
Ald. Tobin	X			
Ald. Kleiner	X			
Ald. Johnson	X			
Ald. Jean-Francois	X			
Ald. Burr	X			
Ald. Green	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to approve the submission of the Amendment to the Community Development Block Grant (CDBG) 2019 Action Plan budget/Project. The amendment is to withdraw and reallocate funds from the project line SBL-CV, administration/planning and CDBG program income. This amendment will allow and increase in funding to CV projects known as Public Services and Public Facility.

LET IT BE FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Mayor to sign all necessary documents and certifications regarding the amendment.

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Kleiner

Date of Adoption 10-05-21

Index No: 203-21

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon	X			
Ald. Tobin	X			
Ald. Kleiner	X			
Ald. Johnson	X			
Ald. Jean-Francois	X			
Ald. Burr	X			
Ald. Green	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Mayor to sign, as the sole signatory, any and all necessary documents required pertaining to DASNY grant #24495 for the O&W Project which the City has been awarded \$2 million by Assemblywoman Gunther for this project through the New York State Capital Assistance Program (NYSCAP.)

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Ramkissoon

Date of Adoption 10-05-21

Index No: 204-21

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon	X			
Ald. Tobin	X			
Ald. Kleiner	X			
Ald. Johnson	X			
Ald. Jean-Francois	X			
Ald. Burr	X			
Ald. Green	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon	X			
Ald. Tobin	X			
Ald. Kleiner	X			
Ald. Johnson	X			
Ald. Jean-Francois	X			
Ald. Burr	X			
Ald. Green	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$6,000.00 within the DPW 2021 budget to cover Lab Costs for the remainder of the year due to unexpected testing required at the Water Treatment Plant in the following manner:

FROM	AMOUNT	TO
F.8330.458	\$6,000.00	F.8330.404
Chemicals		Lab Services

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

THE FOLLOWING WAS PRESENTED

By Ald. Tobin

Sec'd by Ald. Green

Date of Adoption 10-05-21

Index No: 205-21

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon	X			
Ald. Tobin	X			
Ald. Kleiner	X			
Ald. Johnson	X			
Ald. Jean-Francois	X			
Ald. Burr	X			
Ald. Green	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

Resolved, that the Common Council of the City of Middletown approves the participation by the City of Middletown Fire Department in the Orange County Fire Mutual Aid Plan as now in effect and as amended from time to time ("Plan"); and, be it further

Resolved, that City of Middletown acknowledges and accepts its financial responsibility) for such participation pursuant to General Municipal Law Section 209(2) – (4); and, be it further

Resolved, that City of Middletown Fire Department agrees to comply with all the provisions of this Plan and will respond to all calls for assistance from another fire company or fire department through the County Division of Emergency Communications; and, be it further

Resolved, that City of Middletown, to the best of its knowledge, knows of no resolution or agreement against "outside service" by the City of Middletown fire company or fire department that would affect the power of such company or department to participate in the Plan and, be it further

Resolved, that Mayor of the City of Middletown is hereby authorized to sign the Plan; and, be it further

Resolved, that City of Middletown will deliver to the County of Orange Fire Coordinator, an executed copy of the Plan and a certified copy of this Resolution upon adoption.

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

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Jean-Francois

Date of Adoption 10-05-21

Index No: 206-21

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon	X			
Ald. Tobin	X			
Ald. Kleiner	X			
Ald. Johnson	X			
Ald. Jean-Francois	X			
Ald. Burr	X			
Ald. Green	X			
Ald. Masi	X			
Pres. Rodrigues	X			
	9			
TOTAL				

RESOLVED; that from November 02, 2021 to December 03, 2021 the City of Middletown will hold its general city wide clean up period for leaves in the street. (Set out no further than four (4) feet from the curb.) All other times during the year leaves must be placed in receptacles. Department of Public Works crews will pick up leaves in the street during this time period only, no exceptions.

The **initial** Leaves Pick up schedule will be as follows:

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Ramkissoon

Date of Adoption 10-05-21

Index No: 207-21

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon	X			
Ald. Tobin	X			
Ald. Kleiner	X			
Ald. Johnson	X			
Ald. Jean-Francois	X			
Ald. Burr	X			
Ald. Green	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to retain Freeman & Howard, attorneys at law to render legal services with the ongoing fresh water public works project.

LET IT BE FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize a \$5,000.00 legal retainer for Freeman & Howard, to fund the services within the DPW 2021 budget and authorize the Mayor to sign all documents pertaining to legal services.

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

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoo

Sec'd by Ald. Johnson

Date of Adoption 10-05-21

Index No: 208-21

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoo	X			
Ald. Tobin	X			
Ald. Kleiner	X			
Ald. Johnson	X			
Ald. Jean-Francois	X			
Ald. Burr	X			
Ald. Green	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

WHEREAS, the increased overnight parking of large vehicles in residential zones has generated a number of complaints from residents of the City of Middletown.

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

Section 1. There is to be added to Chapter 460, Vehicles and Traffic, Article I, Traffic Regulations, of the Code of the City of Middletown a new Section 460-23.2, entitled "Overnight Parking Restrictions for Large Trucks" to read in its entirety as follows:

Section 460-23.2 Overnight Parking Restrictions for Large Trucks

It shall be unlawful to park any motorized vehicle equipped with over six (6) wheels on any street in any residential zoning district or on any street abutting a residential zoning during the hours from dusk to dawn. Persons who violate this Section are subject to a fine of \$150.00 for each violation. In addition, any vehicle violating this Section may be towed or removed or caused to be removed under the direction of the Police Department or the Commissioner of Public Works, without notice to the owner. The charge for such removal shall consist of the amount of all the expenses actually and necessarily incurred in effecting such removal. Such charges shall not exceed those charges described in Chapter 440, Towing, in addition to any

charges for storage. Such storage charges shall be in conformity with Chapter 440, and such amount shall be charged to the owner or person in charge of the subject vehicle. No vehicle shall be released until the owner or person in charge pays all towing and storage fees associated with the removal.

Section 2. Effective Date.

This Resolution and Ordinance shall take effect immediately.

13. Local Laws

Council Clerk-Nothing this evening.

14. Audit

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. Ramkissoo, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, President Rodrigues

15. Adjournment

There being no further business meeting adjourned at 9:01 PM

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11-01-21

Index No: 215-21

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				

RESOLVED; that the Common Council of the City of Middletown hereby amends the City Code Chapter 460 Vehicles & Traffic, Section 460-11, Through Streets; stop streets; yield intersections to add in subsection B stop streets the following:

- Jay Street will be a stop street at the intersection of Highland Avenue
- Chappell Parkway will be a stop street at the intersection of Highland Avenue
- Royce Avenue will be a stop street at the intersection of Wisner Avenue
- Church Street will be a stop street at the intersection of Highland Avenue
- Crawford Place will be a stop street at the intersection of Sproat Street
-

COMMON COUNCIL WORKSHEET
October 19, 2021

COMMITTEE	ITEM	DATE ADDED	STATUS
FINANCE - Masi			
LEGISLATIVE - Johnson	1 CHAPTER 317. LIMITED USE MOTORCYCLES	10/05/21	
PUBLIC WORKS/TRAFFIC/CODE ENFORCEMENT -- Jean- Francois			
	1 Sidewalk Improvements Project - \$50,000.00	04/18/17	Mayor Request
	2 Amend code for sidewalk cleaning	02/09/21	President Rodrigues
	3 Camera's at recycling center	05/04/21	Mayor
	4 Update of parking ordinance - streets	08/03/21	
	5 Multiple driveways -- City Code	10/05/2021	Mayor
	6 Stop sign Jay St at intersection w/ Highland Ave	10/12/21	Police Chief
	7 Stop sign Chappell Parkway at intersection w/ Highland Ave.	10/12/21	Police Chief
	8 Stop sign Royce Ave at the intersection of Wisner Ave.	10/12/21	Police Chief
	9 Stop sign Church St., at the intersection of Highland Ave	10/12/21	Police Chief
	10 Stop sign Crawford St at the intersection of Sproat St. <i>place</i>	10/12/21	Police Chief
	11 <i>Tube - 2 em</i>		

Updated
10/18/2021

John C. Naumchik
Clerk of the Common Council

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11-01-21

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, bids were opened by the Board of Estimate and Apportionment on Tuesday, August 31, 2021, for the Traffic Operations (Share 1), Streetscape (Share 2) and ARP funded (Share 3), and

WHEREAS, the Board of Estimate and Apportionment referred the bids to the Commissioner of Public Works for his review and recommendation to the Common Council of the City of Middletown, and,

WHEREAS, the Commissioner of Public Works recommends to the Common Council that the bids be awarded to Boyce Excavating Co., Inc. in the amount of \$26,162,140.70, conditioned on the DOT review and approval of attached package.

NOW THEREFORE BE IT RESOLVED; that the Common Council of the City of Middletown concurs with the Commissioner of Public Works and awards the bid for the Traffic Operations (Share 1), Streetscape (Share 2) and ARP funded (Share 3) in the total amount of \$26,162,140.70 to the following:

Boyce Excavating Co., Inc



The New York State Contract Reporter

*NYS' official source of contracting opportunities
Bringing business and government together*

This document printed
Tuesday, 09/14/2021

Contracting Opportunity

Title: LD035608: PIN 8757.07 & 8760.98 - Middletown Traffic Operations Stage I & II
C1001106: Downtown Revitalization Initiative: Streetscapes Improvements
Supplemental Streetscapes Improvements

Agency: Middletown, City of

Division: Department of Public Works

Contract Number: TBD

Contract Term: 3 year

Date of Issue: 07/13/2021

Due Date/Time: 08/31/2021 4:30 PM

Sealed bids must be submitted prior to 4:30pm on August 31, 2021

County(ies): All NYS counties

Classification(s): Construction Horizontal: Highways & Roadways; Maintenance, Repair & New
Construction - **Construction**

Opportunity Type: General

Description: The projects are located within the City of Middletown, NY. The corridors for PIN 8757.07 & 8760.98 are Dolson Avenue, Fulton Street, West Main Street, East Main Street, Wickham Avenue, Wisner Avenue as well as intersections along Monhagen Avenue, Lake Avenue and North Street.

Stage I (PIN 8757.07) will include the upgrade of 18 intersections on County Route 67 (West and East Main Street) and Route 17M (Dolson Ave, Fulton Ave & Monhagen Ave) as well as two non-signalized intersections within the City of Middletown.

Stage II (PIN8760.98) will include the upgrade of 9 intersections on Route 17M & Route 211 (West Main St, Wickham Ave, North St).

The City of Middletown has initiated a Streetscape Improvement project in the downtown area as part of the city's Downtown Revitalization Initiative (DRI). The Project will promote pedestrian activity in the downtown area on North, South, East Main, West Main, Fulton and Canal Streets. The replacement and/or new construction of curb and sidewalks as well as pavement resurfacing will be incorporated where needed, mainly to fill in the gaps in between intersections as a part of this Project. Any areas containing pedestrian equipment or crosswalks will be upgraded to meet the requirements in the American with Disabilities Act (ADA).

The total project budget will be announced before opening of submitted bids.

The work includes providing all labor, materials, machinery, tools, equipment and

other means of construction

necessary and incidental to the completion of the work shown on the plans and described in these specifications

including, but not necessarily limited to the following:

- Middletown Traffic Operations Stage I & II
- Downtown Revitalization Initiative: Streetscapes Improvements
- Supplemental Streetscapes Improvements

Service-Disabled Veteran-Owned Set Aside: No

Contact Information

Primary contact: Middletown, City of
Department of Public Works
Kate Gass
Senior Clerk
16 James St.
Middletown, NY 10940
United States
Ph: 845-343-3169
Fax: 845-343-4014
kgass@middletown-ny.com

Submit to contact: Middletown, City of
Department of Public Works
Kate Gass
keyboard specialist
16 James St.
Middletown, NY 10940
United States
Ph: 845-343-3169
Fax: 845-343-4014
kzahorchak@middletown-ny.com

BIDDERS LIST

Project Name: City of Middletown – Middletown Traffic Operations Stage 1 & 2						Project Number:					
Owner: CITY OF MIDDLETOWN						Bid Due Date:					
Contract/Discipline:						Deposit:		\$50			
Type of Bid: ☐ Open ☐ Private (Invited) Pre-bid Meeting 7/15/21 @ 10am						Handling Fee/Mailing Fee:		\$25			
Set No.	Name and Address	Phone & Fax	Deposit /Date	Bidder/ Non-Bidder	Set Returned (Date)	Refund of Check (Date)	Addendum(s)				
							1	2	3	4	
1	Boyce Excavating 2817 Route 6 PO BOX 367 Slate Hill, NY 10973	P: 845-343-5400	P/U 7/14/21	B			✓	✓	✓	✓	
		email: office@boyceexcavating.net									
2	Consorti Bros. 208 South Plank Rd. Newburgh, NY 12550	P: 845-566-8010	P/U 7/14/21	B			✓	✓	✓	✓	
		email: kim@consortibros.com									
3	Pantel Electric 71-73 Wisner Ave. Middletown, NY 10940	P: 845-343-7250	P/U 7/14/21	B			✓	✓	✓	✓	
		email: ray@rayspantel.com									
4	A. Servidone Inc. 1364 Route 9 Casleton, NY 12033	P: 518-207-6134	P/U 7/13/21	B			✓	✓	✓	✓	
		email: tom@asibacc.com bamerick@asibacc.com									
5	Verde Electric Corp. 89 Edison Ave. Mount Vernon, NY 10550	P: 914-664-7000 ext. 106	P/U 7/15/21	B			✓	✓	✓	✓	
		email: ttillo@verdeelectric.com									

*** Addendum 5 sent via email 08/18/21

BIDDERS LIST

Project Name: City of Middletown – Middletown Traffic Operations Stage 1 & 2			Project Number:		
Owner: CITY OF MIDDLETOWN			Bid Due Date:		
Contract/Discipline:			Deposit:		\$50
Type of Bid: ☐ Open ☐ Private (Invited) Pre-bid Meeting 7/15/21 @ 10am			Handling Fee/Mailing Fee:		\$25

Set No.	Name and Address	Phone & Fax	Deposit /Date	Bidder/ Non-Bidder	Set Returned (Date)	Refund of Check (Date)	Addendum(s)			
							1	2	3	4
1	A-Tech Concrete 11 Taylor Rd. Edison, NJ 08817	P: 732-248-1777 email: mamorim@atechconcrete.net	P/U 7/15/21	B			✓	✓	✓	✓
2	Morano Brothers Corp 2045 Albany Post Rd. Croton On Hudson, NY 10520	P: 914-788-8460 email: patrick@moranobros.com	Emailed 7/16/21	B			✓	✓	✓	✓
3	Argenio Brothers, Inc. 2 Argenio Drive PO Box 2068 Newburgh, NY 12550	P: 845-561-5102 email: lizann@premiercshy.com	P/U 7/19/21	B			✓	✓	✓	✓
4	ELQ Industries, Inc. 567 Fifth Ave. New Rochelle, NY 10801	P: 914-654-1040 ext. 105 email: smarkov@elqindustries.com	Emailed 07/22/21	B			✓	✓	✓	✓
5	Butler Const. Group, Inc. 275 Union Street Montgomery, NY 12549	P: 845-769-7413 email: office@butlerconstructiongroup.com	P/U 7/26/21	B			✓	✓	✓	✓

***Addendum 5 sent via email 08/18/21

BIDDERS LIST

Project Name: City of Middletown – Middletown Traffic Operations Stage 1 & 2			Project Number:	
Owner: CITY OF MIDDLETOWN			Bid Due Date:	
Contract/Discipline:			Deposit:	\$50
Type of Bid: ☐ Open ☐ Private (Invited) Pre-bid Meeting 7/15/21 @ 10am			Handling Fee/Mailing Fee:	\$25

Set No.	Name and Address	Phone & Fax	Deposit /Date	Bidder/ Non-Bidder	Set Returned (Date)	Refund of Check (Date)	Addendum(s)			
							1	2	3	4
1	JRCruz Corp 33 West Main Street Holmdel, NJ 07733	P: 732-290-0700	Emailed 8/6/21	B			☒	☒	☒	☒
		email: jrbenson@jrcruz.com								
2	Kubricky Const. Corp. 269 Ballard Rd. Wilton, NY 12831	P: 518-792-5864	Emailed 8/6/21	B			☒	☒	☒	☒
		email: jhankin@dacollins.com								
3		P:					☐	☐	☐	☐
4		P:					☐	☐	☐	☐
5		P:					☐	☐	☐	☐

***Addendum 5 sent via email 08/18/21

Acknowledgment of Receipt of Addenda

The undersigned acknowledges receipt of the following addenda to the bidding document (if none, state "NONE"):

**THE COMPLETED ACKNOWLEDGEMENT OF ADDENDA FORM
SHOULD BE RETURNED WITH BID RESPONSE PACKAGE: NOT
SENT TO THE CITY OF MIDDLETOWN SEPARATELY**

NOTE: Failure to acknowledge receipt of all addenda may cause the bid to be considered non-responsive to the solicitation. Acknowledged receipt of each addendum must be clearly established and included with the bid.

Addendum No. 1 Dated 7/14/21

Addendum No. 2 & 3 Dated 8/4 & 8/12

Addendum No. 4 & 5 Dated 8/17 & 8/19

Boyce Excavating Co, Inc
Name of Bidder

2817 US Rt 6 P.O. Box 367
Street Address

Slate Hill, NY 10973
City, State, Zip

[Signature]
Signature of Authorized Official

8/31/21
Date

Computation:

Verified by: Erica Gambino of WSP

Date: 09/14/2021

Contract No.: PINs 8757.07 & 8760.98

Bid Opening Date: 8/31/2021

Contract Description: Middletown Traffic Operations Stage I & II
Downtown Revitalization Initiative Grant – Streetscapes Improvements
Supplemental Streetscapes Improvements

The Sponsor Received 5 bids

Bidders in rank order:

<u>Rank</u>	<u>Bidder Name</u>	<u>Bid Amount</u>	<u>Contract Goal %</u>
	Engineer's Estimate:	\$25,926,071.95	<u>DBE Utilization %</u>
1	Boyce Excavating Co, Inc.	\$26,162,140.70	10%
2	Kubricky Construction Corp.	\$29,870,528.49	10%
3	Argenio Brothers, Inc.	\$32,315,157.65	10%
4	JRCruz Corp.	\$42,521,838.96	10%
5	A. Servidone, Inc.	\$47,115,457.75	10%

Irregularities found: One (1) minor error was found in Bidder 3's submission. The unit price in words and unit price in numbers as submitted for Share 1 item 615.02060124 was contradictory. The numerical unit price submitted was \$775.00, while the written unit price was \$705.00. As noted on the bid sheets, prices shown in words shall govern over those written numerically. The total bid price as submitted was \$32,315,717.65 for Bidder 3 (a difference of \$560), which did not affect the order of the bids.

A summary of the bid analysis is attached for NYSDOT's review.

Also find attached are the bid tabulations of the project, showing bid item details for **at least** the low three acceptable bids.

The Lowest Responsible Bidder: Boyce Excavating Co, Inc. Low Bid: \$26,162,140.70
Total Bid

	SHARE 1	SHARE 2	SHARE 3
FEDERAL SHARE*	\$15,426,000.00	-	-
LOCAL SHARE*	\$3,856,000.00 **	-	-
DRI GRANT	-	\$1,978,100.00	-
FUNDS NEEDED TO MEET LOW BID	\$1,839,041.10	\$748,858.90	\$2,314,140.70

* Obligated on the OCTC TIP

** Local Share as shown on the OCTC TIP is comprised of 20% of the obligated funding in which 15% qualifies for the State Marchiselli program (as available) and a 5% City of Middletown share

(X) I recommend the award of the above contract to the lowest responsible bidder

() I recommend rejection of all bids

Dated _____

Signature _____

(Title)

(Sponsor)



Your ref.: LD035608; C1001107

Our ref.: 191722A

September 21, 2021

Mr. Jacob S. Tawil, P.E. – City Commissioner
City of Middletown Department of Public Works
Middletown City Hall
16 James Street
Middletown, NY 10940

Mr. Tawil:

We have reviewed the bids for Share 1: Middletown Traffic Operations Stage I & II, Share 2: Downtown Revitalization Initiative (DRI) Grant Middletown Streetscapes, and Share 3: Supplemental Streetscapes Improvement. The bids were received and opened on Tuesday, August 31st, 2021. The apparent low bidder, Boyce Excavating Co. Inc., submitted a bid, inclusive of Share 1+Alt 2, Share 2 and Share 3, for \$26,162,140.70.

The bids results were as follows, in ascending order:

1. Boyce Excavating Co, Inc.	\$26,162,140.70
2. Kubricky Construction Corp.	\$29,870,528.49
3. Argenio Brothers, Inc.	\$32,315,157.65
4. JRCruz Corp.	\$42,521,838.96
5. A. Servidone, Inc./B. Anthony Construction Corp. JV	\$47,115,457.75

The Engineer's Estimate (EE) was \$25,926,071.95. The average bid was \$35,597,025.71.

Bid Reconciliation

For each bidder, WSP checked the multiplication and addition and found no major mathematical errors. One (1) minor error was found in Bidder 3's submission. The unit price in words and unit price in numbers as submitted for Share 1 item 615.02060124 was contradictory. The numerical unit price submitted was \$775.00, while the written unit price was \$705.00. As noted on the bid sheets, prices shown in words shall govern over those written numerically. The total bid price as submitted was \$32,315,717.65 for Bidder 3 (a difference of \$560), which did not affect the order of the bids.

Bid Compliance

For each bidder, WSP checked the bid packages for completeness and found that all bidders submitted all items from the bidders checklist.

Bid Analysis

The bids were analyzed by share. For Share 1+Alt 2, the low bid is 1% lower than the Engineer's Estimate, indicating that the Contractor had the same general understanding of the Scope of Work. The bidders for this Share are fairly spread out with a standard deviation of \$6,949,735.12, which is 23.44% of the average bid for Share 1. For Share 2, the low bidder's bid is 18% higher than the Engineer's Estimate indicating that the Contractor had the same general understanding of the Scope of Work. The bidders for this Share are fairly spread out with a standard deviation of \$518,781.11, which is 16.53% of the

WSP USA
500 Summit Lake Drive
4th Floor, Suite 450
Valhalla, NY 10595

Tel.: +1 914 747-1120
Fax: +1 914 747-1956
wsp.com



average bid for Share 2. For Share 3, the low bidder's bid is 1% lower than the Engineer's Estimate indicating that the Contractor had the same general understanding of the Scope of Work. The bidders for this Share are fairly spread out with a standard deviation of \$615,251.98, which is 21.91% of the average bid for Share 3.

The project attracted suitable interest with twelve (12) sets of bid documents requested by general contractors and five (5) bidders.

The unit prices bid by the lowest bidder were compared with the Engineer's Estimate for the purpose of identifying potential problems with the bid and/or Engineer's Estimate. For each item, the percent difference between the low bid and the Engineer's Estimate was calculated. Of the 253 items bid, the following was found:

- 57 unit bid prices were within 10% of those in the Engineer's Estimate
- 52 unit bid prices were within 11% to 25% of those in the Engineer's Estimate
- 112 unit bid prices were at least 25% over those in the Engineer's Estimate
- 32 unit bid prices were at least 25% below those in the Engineer's Estimate

In general, the low bidder's unit prices were split with 35% being at or below and 65% being above the prices in the Engineer's Estimate.

Further review was done for those items in which the low bidder price varied by more than 25% from the Engineer's Estimate price and/or constitute a major item of work (greater than 2% total bid). Quantities were verified and no major discrepancies in quantity were revealed. A detailed review of items having large dollar amount differences or comprised a significant percentage of the overall contract cost is covered in the following section.

The concerns with bid unbalances are 1) the Contractor may bid high for items in which he believes the engineer underestimated the quantity. A verification of the item quantities is necessary to ensure that a potential windfall does not exist in the event of quantity changes and 2) the Contractor may price items paid for at the beginning of the contract high to allow him funds up front. This practice of front-loading items is typical and is less of a concern when the Contractor completes all the contract work, as the total cost to the City is unchanged from the cost if the bid were not unbalanced.

Detailed Analysis for Items with Bid Prices Differing more than 25% and/or 2% of the total bid from the Engineer's Estimate:

Our assessment of specific items is summarized below.

1. Item 206.03 – Conduit Excavation and Backfill Including Surface Restoration (LF) [Share 1]

Low Bid: \$531,408.00

Engineer's Estimate: \$243,562.00

Average Bid: \$486,570.45

The low bid for this item is 118% higher than the Engineer's Estimate (EE) price and 9% higher than the average bid. The EE is likely understated for this item. The average bid being nearly double the EE may also be representative of the bidder's uncertainty in the scope of work included in this item. Since the unit cost among bidders were relatively closely grouped, we consider the price for this item acceptable.

2a. Item 402.126204 – 12.5 F2 Top Course HMA, 60 Series Compaction (TON) [Share 1]

Low Bid: \$1,379,565.00

Engineer's Estimate: \$1,890,515.00

Average Bid: \$1,254,893.20

The low bid for this item is 27% lower than the EE price, and 10% higher than the average bid. The EE seems to be representative of the scope of work and is within the range of unit prices historically bid for this item. The lower unit cost provided by the low bid contractor may indicate increased availability of this material to this contractor. Since the unit cost among bidders were relatively closely grouped, we consider the price for this item acceptable.



2b. Item 402.126204 – 12.5 F2 Top Course HMA, 60 Series Compaction (TON) [Share 2]

Low Bid: \$195,480.00

Engineer's Estimate: \$267,880.00

Average Bid: \$145,379.20

The low bid for this item is 27% lower than the EE price, and 49% higher than the average bid. The EE seems to be representative of the scope of work and is within the range of unit prices historically bid for this item. The lower unit cost provided by the low bid contractor may indicate increased availability of this material to this contractor. Since the unit cost among bidders were relatively closely grouped, we consider the price for this item acceptable.

2c. Item 402.126204 – 12.5 F2 Top Course HMA, 60 Series Compaction (TON) [Share 3]

Low Bid: \$308,745.00

Engineer's Estimate: \$423,095.00

Average Bid: \$281,987.10

The low bid for this item is 27% lower than the EE price, and 9% higher than the average bid. The EE seems to be representative of the scope of work and is within the range of unit prices historically bid for this item. The lower unit cost provided by the low bid contractor may indicate increased availability of this material to this contractor. Since the unit cost among bidders were relatively closely grouped, we consider the price for this item acceptable.

3. Item 555.105 – Concrete for Structures, Class A (CY) [Share 1]

Low Bid: \$1,138,800.00

Engineer's Estimate: \$1,921,400.00

Average Bid: \$1,430,260.00

The low bid for this item is 41% lower than the EE price, and 20% lower than the average bid. The EE seems to be representative of the scope of work and is within the range of unit prices historically bid for this item. The lower unit cost provided by the low bid contractor may indicate increased availability of this material to this contractor. Since the average bid was relatively close to the low bid, we consider the price for this item acceptable.

4. Item 605.0901 – Underdrain Filter Type 1 (CY) [Share 3]

Low Bid: \$57,600.00

Engineer's Estimate: \$41,600.00

Average Bid: \$56,384.00

The low bid for this item is 38% higher than the EE price, and 2% higher than the average bid. The EE is likely slightly understated for this item. However, as the low bid is in line with the average bid price received for this item, we consider the price for this item acceptable.

5a. Item 608.01050009 – Curb Ramp as Shown in Project Details (EA) [Share 1]

Low Bid: \$607,500

Engineer's Estimate: \$1,738,801.08

Average Bid: \$1,236,870.00

The low bid for this item is 65% lower than the EE price and 51% lower than the average bid. The EE seems to be representative of the scope of work and is within the range of unit prices historically bid for this item. The EE is also



comparable to the average bid price for this item. The lower bid price received from the low bid contractor could indicate increased knowledge of the scope of work required for this item. Based on this, we consider the price for this item acceptable.

5b. Item 608.01050009 – Curb Ramp as Shown in Project Details (EA) [Share 2]

Low Bid: \$72,500

Engineer's Estimate: \$207,511.24

Average Bid: \$98,495.60

The low bid for this item is 65% lower than the EE price and 26% lower than the average bid. The EE seems to be representative of the scope of work and is within the range of unit prices historically bid for this item. However, the low bid is comparable to the average bid price for this item. The lower bid price received from the low bid contractor could indicate increased knowledge of the scope of work required for this item. Based on this, we consider the price for this item acceptable.

5c. Item 608.01050009 – Curb Ramp as Shown in Project Details (EA) [Share 3]

Low Bid: \$60,000

Engineer's Estimate: \$171,733.44

Average Bid: \$122,496.00

The low bid for this item is 65% lower than the EE price and 51% lower than the average bid. The EE seems to be representative of the scope of work and is within the range of unit prices historically bid for this item. The EE is also comparable to the average bid price for this item. The lower bid price received from the low bid contractor could indicate increased knowledge of the scope of work required for this item. Based on this, we consider the price for this item acceptable.

6. Item 608.11040008 – Bluestone Pavers (SF) [Share 2]

Low Bid: \$196,790.00

Engineer's Estimate: \$62,614.65

Average Bid: \$1,379,937.44

The low bid for this item is 214% higher than the EE price and 86% lower than the average bid. The EE is understated for this item. The unit cost varied greatly across all bids for this item, possibly due to the availability of these materials at the time of bidding. Based on this reasoning, we consider the price for this item acceptable.

7a. Item 625.01 – Survey Operations (LS) [Share 1]

Low Bid: \$554,316.00

Engineer's Estimate: \$50,000.00

Average Bid: \$641,263.20

The low bid for this item is 1009% higher than the Engineer's Estimate (EE) price and 14% lower than the average bid. The EE seems to be representative of the scope of work included in this item. The higher unit cost of the low bid contractor may be a representative of the inherent uncertainty of inclement weather and/or unpredictable field conditions. This item is one of the first items of work in the contract and is commonly front loaded to provide startup funding to complete the rest of the work. This type of work is also commonly subcontracted to specialty or M/WBE firms. As this is a lump sum item and there is no potential for quantity or cost over or underruns, we consider the price for this item acceptable.



7b. Item 625.01 – Survey Operations (LS) [Share 2]

Low Bid: \$67,400.00

Engineer's Estimate: \$50,000.00

Average Bid: \$97,200.60

The low bid for this item is 35% higher than the Engineer's Estimate (EE) price and 31% lower than the average bid. The EE seems to be representative of the scope of work included in this item. The higher unit cost of the low bid contractor may be a representative of the inherent uncertainty of inclement weather and/or unpredictable field conditions. This item is one of the first items of work in the contract and is commonly front loaded to provide startup funding to complete the rest of the work. This type of work is also commonly subcontracted to specialty or M/WBE firms. As this is a lump sum item and there is no potential for quantity or cost over or underruns, we consider the price for this item acceptable.

7b. Item 625.01 – Survey Operations (LS) [Share 3]

Low Bid: \$127,400

Engineer's Estimate: \$50,000

Average Bid: \$107,080.00

The low bid for this item is 155% higher than the Engineer's Estimate (EE) price and 19% higher than the average bid. The EE seems to be representative of the scope of work included in this item. The higher unit cost of the low bid contractor may be a representative of the inherent uncertainty of inclement weather and/or unpredictable field conditions. This item is one of the first items of work in the contract and is commonly front loaded to provide startup funding to complete the rest of the work. This type of work is also commonly subcontracted to specialty or M/WBE firms. As this is a lump sum item and there is no potential for quantity or cost over or underruns, we consider the price for this item acceptable.

8. Item 647.31 – Relocate Sign Panel, Sign Panel Assembly Size I (Under 30 SF) (EA) [Share 2]

Low Bid: \$58,400

Engineer's Estimate: \$13,578.00

Average Bid: \$33,382.90

The low bid for this item is 330% higher than the Engineer's Estimate (EE) price and 75% higher than the average bid. The EE is likely slightly understated for this item based on the range of prices historically bid for this item. The unit cost varied greatly across all bids for this item, possibly due to the availability of the materials required to complete the work at the time of bidding. Based on this reasoning, we consider the price for this item acceptable.

9. Item 680.5001 – Pole Excavation and Concrete Foundation (CY) [Share 1]

Low Bid: \$700,000.00

Engineer's Estimate: \$463,400.00

Average Bid: \$534,240.00

The low bid for this item is 51% higher than the Engineer's Estimate (EE) price and 31% higher than the average bid. The EE seems to be representative of the scope of work and is within the range of unit prices historically bid for this item. The EE is also comparable to the average bid for this item. The higher unit cost provided by the low bid contractor may represent the bidder's uncertainty in the scope of work included in this item. Based on this reasoning, we consider the price for this item acceptable.



10. Item 699.040001 – Mobilization (LS) [Share 1]

Low Bid: \$450,000.00

Engineer's Estimate: \$241,000.00

Average Bid: \$1,078,233.35

The low bid for this item is 87% higher than the Engineer's Estimate (EE) price and 58% lower than the average bid. It is likely that the EE is understated for this item. The cost of mobilization is typically no greater than 4% of the contract value. Since the low bid falls below the 4% price cap, we consider the price for this item acceptable.

11. Item 680.05010007 – 360 Degree Camera Video Detection System (EA) [Share 1]

Low Bid: \$708,760.00

Engineer's Estimate: \$120,930.00

Average Bid: \$692,0270.00

The low bid for this item is 486% higher than the Engineer's Estimate (EE) price and 2% higher than the average bid. Due to this item being newly approved by NYSDOT on the Approved Product List as of July 1st, 2021, there was no bid history to base the EE on. The cost shown in the EE was based on information provided by the Grid Smart Traffic vendor. Due to the lack of bid history and since the low bid is in line with the average bid price, we consider the price for this item acceptable.

12. Downtown Decorative Lighting (EA) [Share 2]

Low Bid: \$780,000.00

Engineer's Estimate: \$450,000.00

Average Bid: \$830,850.00

The low bid for this item is 73% higher than the Engineer's Estimate (EE) price and 6% lower than the average bid. The cost shown in the EE was based on information provided by the lighting vendor. The decorative nature of the item is also likely to influence the contractor's bid price. Based on this reasoning, and since the low bid is in line with the average bid price, we consider the price for this item acceptable.

13. Decorative Lighting Amenities (EA) [Share 2]

Low Bid: \$84,800

Engineer's Estimate: \$12,500

Average Bid: \$55,510.00

The low bid for this item is 578% higher than the Engineer's Estimate (EE) price and 53% higher than the average bid. The cost shown in the EE was based on information provided by the lighting vendor. The decorative nature of the item is also likely to influence the contractor's bid price. Based on this reasoning, we consider the price for this item acceptable.



Recommendations

As a result of our analysis of the low bidder's bid, we find that there is no evidence of unfair bidding practices. Nor have we determined that any priced bid item would provide a significant potential windfall or disadvantage to the bidder in the event of quantity changes. Therefore, we recommend the award of contract to the low bidder, Boyce Excavating Co, Inc.

Boyce Excavating Co, Inc. is a general contracting firm diversified in all aspects of landscape & hardscape construction services that has completed many complex projects at grade requiring comprehensive installations and logistics. Boyce Excavating Co, Inc. has been in operation since 1939 completing several elaborate & specialized site landscape/hardscape projects throughout New York. The City of Middletown has also previously worked effectively with Boyce Excavating Co, Inc.

Kind regards,

A handwritten signature in black ink that reads "Katherine T. Craig". The signature is written in a cursive, flowing style.

Katherine Craig, P.E., PTOE
Project Manager

CERTIFICATION
for Construction Contract Bidding and Award

PINs 8757.07 & 8760.98
Middletown Traffic Operations Stage I & II
Downtown Revitalization Initiative (DRI) Grant – Streetscapes Improvements
Supplemental Streetscapes Improvements
City of Middletown, Orange County, NY

I, **Joseph M. DeStefano, City of Middletown Mayor**, being the ***City of Middletown's*** Responsible Local Official for the above-referenced locally administered federal aid project, hereby certify that the ***City of Middletown*** has advertised, accepted bids, and completed the award process for the construction contract for the above-referenced projects in accordance with Chapter 14 of the manual entitled "Procedures for Locally Administered Federal Aid Projects", including:

- advertising, at least 15 working days before the bid opening, in the NYS Contract Reporter and in a newspaper published in the county in which the project is located;
- indicating Disadvantaged Business Enterprise (DBE) goals in the ad;
- opening bids and reading them aloud in a public forum;
- mathematically verifying bids and determining if bids are responsive;
- determining low bidder in accordance with approved alternate bidding procedures, if used;
- evaluating responsibility of the low bidder in accordance with Section 14.3.1 of the manual;
- analyzing bids in accordance with Section 14.3.2 of the manual;
- evaluating and ensuring appropriate DBE participation by DBE firms listed on NYSDOT registry prior to award;
- completing all outstanding items, if any, which were incomplete at the time of contract document review (ROW, permits, etc);
- and, submitting the Contract Award Documentation Package, described in Section 14.4 of the manual, to the Local Projects Unit
 - for information immediately after award of the contract (for projects off the National Highway or State Highway systems) including formal award documentation (eg resolution, notice of award, etc.).

SIGNATURE

PRINT NAME OF RESPONSIBLE OFFICIAL

DATE

John Naumchik

From: J Tawil <jtawil14@yahoo.com>
Sent: Monday, October 18, 2021 9:41 AM
To: J Miguel Rodrigues; Joseph Masi Yahoo; Thomas Burr; Andrew Green; Jerry Kleiner; Kathleen Ramkissoon; Paul Johnson; Jude A. Jean-Francois; Sparrow Tobin
Cc: Joseph DeStefano; Kelly Ann Kelly; John Naumchik; Alex Smith; Katie Gass; Erica Letos
Subject: Fw: Request for Council Resolution to award bids - MIDDLETOWN Final Project Award Package_10-18-21.pdf
Attachments: MIDDLETOWN Final Project Award Package_10-18-21.pdf

Greetings,

With permission of Council President Rodrigues, we are requesting for tomorrow night's Common Council meeting to be on the agenda to Award the Bids Received for the Traffic Operations (Share 1), Streetscape (Share 2) and ARP funded (Share 3) to Boyce Excavating Co., Inc. in the amount of \$26,162,140.70.

Please refer to attachment for greater details and analysis of bids received.

The award should be conditioned on the DOT review and approval of attached package.

Please note that this is a multi-year project that will be programed and phased for construction per available federal Funding as outlined in the TIP.

Separate resolution authorizing the Mayor to sign DOT funding agreement will be email shortly.

I along with the Mayor can be available to discuss over our mobile phones should you have any questions now or during the Council meeting.

Respectfully

Jacob S. Tawil, P.E. | Commissioner

Department of Public Works
City of Middletown | 16 James Street |
Middletown, New York 10940 |
T: 845-343-3169 | F: 845-343-4014

 Please consider the environment before printing this email.

----- Forwarded Message -----

From: Craig, Katherine T. <katherine.craig@wsp.com>
To: jtawil@middletown-ny.com <jtawil@middletown-ny.com>; J Tawil <jtawil14@yahoo.com>
Sent: Monday, October 18, 2021, 08:25:49 AM EDT
Subject: MIDDLETOWN Final Project Award Package_10-18-21.pdf

Jacob

Page 16 has been revised. I am working on the memo and should be done shortly.

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11-01-21

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 a total of \$10,000.00 within the 2021 budget for expenses related to consulting contract with RBT to review the City's ARPA plan in the following manner:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
A.4785	\$3,333.34	A.8888.900
ARPA Funds		General Fund. Auditing Exp
A.4785	\$3,333.33	F.8888.900
ARPA Funds		Water Fund. Auditing Exp
A.4785	\$3,333.33	G.8888.900
ARPA Funds		Sewer Fund. Auditing Exp

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11-01-21

Index No: _____

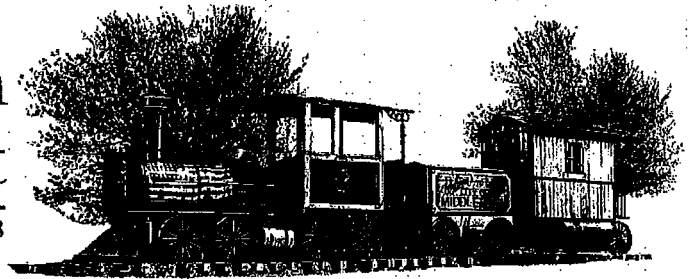
NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon				
Ald. Tobin				
Ald. Kleiner				
Ald. Johnson				
Ald. Jean-Francois				
Ald. Burr				
Ald. Green				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer a total of \$15,596.54 within the Middletown Recreation & Parks Department to cover shortage of overtime funds due to COVID steaming of the playground equipment and pressure washing and steaming downtown sidewalks. Transporting and setting up mobile stage for Fireman's parade, Veterans Day Event and Award Ceremony for Fireman. Several unexpected power surges over the summer at War memorial Pool in the following manner:

<u>FROM</u> A.7180.100 Pools/Personal Services	<u>AMOUNT</u> \$11,501.05	<u>TO</u> A.7110.103 Parks/Overtime
A.7180.103 Pools/Overtime	\$4,095.49	A.7110.103 Parks/Overtime

Middletown Recreation and Parks Department

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



Monday, October 25, 2021

RE: 2021 Operating Budget Transfers

Dear President Rodrigues & Council Members:

RECEIVED

OCT 25 2021

City Clerk
City of Middletown

Please authorize the Treasurer to make the following transfers within the 2021 operating budget of the Middletown Recreation & Parks Department:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
A.7180.100 Pools/Personal Services	\$11,501.05	A.7110.103 Parks/Overtime
A.7180.103 Pools/Overtime	\$4,095.49	A.7110.103 Parks/Overtime

To cover shortage of overtime funds due to COVID steaming of the playground equipment and pressure washing and steaming downtown sidewalks. Transporting and setting up mobile stage for Fireman's parade, Veterans Day Event and Award Ceremony for Fireman. Several unexpected power surges over the summer at War memorial Pool.

Sincerely,

Raelynn Bertholf, Superintendent of Recreation
Middletown Recreation Department

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11-01-21

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 \$60,000.00 within the Fire Department 2021 budget to cover overtime thru December 2021 in the following manner:

From:
A.3410.100
Personal Services

AMOUNT
\$60,000.00

To:
A.3410.103
Overtime

**Middletown Fire
Department**

81 East Main St.
Middletown, NY 10940

www.middletownfiredept.com

845-344-5003
845-344-5031 Fax

October 22, 2021

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

RECEIVED

OCT 26 2021
City Clerk
City of Middletown

The Fire Department respectfully requests the Board of Estimate recommend and the Common Council approve a resolution to transfer the following monies **WITHIN** the 2021 Fire Department Operating Budget:

From:

To:

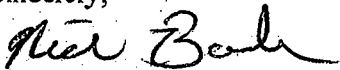
A.3410.100
Personal Services

\$ 60,000.

A.3410.103
Overtime

To cover overtime thru December 2021.

Sincerely,



Nick Barber
Fire Chief

Nick Barber, Fire Chief

Robert Brady, 1st Asst. Chief, Randy MacLean, 2nd Asst. Chief, Nick Elia, 3rd Asst. Chief
Sean Gerow Secretary, William R. Kelder Treasurer

Monhagen's Eagles Excelsior's McQuoid's Phoenix Ontario's Waalkill's Fire Police Local 1027

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11-01-21

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 the following within the 2021 budget to cover existing overdrafts in the following manner:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
A.1930.930 Judgement & Claims	\$17,775.00	A.1900.950 Taxes on City Property
A.9000.861 Health Ins – Retirees	\$200,000.00	A.9000.870 Unused Sick Time
F.9000.860 State Health Insurance	\$18,900.00	F.1900.950 Taxes on City Property



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

WWW.MIDDLETOWN-NY.COM
Email: lliz@middletown-ny.com

MEMO TO: Board of Estimates & Apportionment
FROM: Leonora Liz, Deputy City Treasurer
DATE: October 28th, 2021
SUBJECT: Budget Transfer

RECEIVED
OCT 26 2021
City Clerk
City of Middletown

I respectfully request the following budget transfers:

<u>FROM:</u>	<u>AMOUNT</u>	<u>TO:</u>
A.1430.401 Civil Service Travel Exp	\$100.00	A.1430.480 Civil Service Office Exp
A.1930.930 Judgement & Claims	\$17,775.00	A.1900.950 Taxes on City Property
A.9000.860 State Health Insurance	\$200,000.00	A.900.870 Unused Sick Time
F.9000.860 State Health Insurance	\$18,900.00	F.1900.950 Taxes on City Property

These transfers are to cover existing overdrafts.

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11-01-21

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 the following within the 2021 budget to cover existing overdrafts in the following manner:

FROM

A.1430.401
Civil Service Travel Exp

AMOUNT

\$100.00

TO

A.1430.480
Civil Service Office Exp

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11-01-21

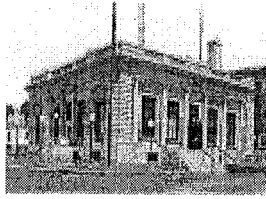
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NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon				
Ald. Tobin				
Ald. Kleiner				
Ald. Johnson				
Ald. Jean-Francois				
Ald. Burr				
Ald. Green				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer the following within the 2021 Middletown Police budget to cover the shortages within the overtime budget line for the remainder of the year in the following manner:

From	Amount	To
A.3120.417	\$10,000.00	A.3120.103
Gas & Oil		Overtime
A.3120.110	\$30,000.00	A.3120.103
Part-time Officers		Overtime
A.3120.400		
Contractual services	\$20,000.00	A.3120.103
		Overtime

JOHN EWANCIW
CHIEF OF POLICE



TELEPHONE
845-343-3151
FAX NUMBER
845-343-2660

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

RECEIVED

OCT 26 2021

City Clerk
City of Middletown

October 25, 2021

Honorable Joseph DeStefano
Mayor-City of Middletown and
Board of Estimate and Apportionment
16 James Street
Middletown, NY 10940

Dear Mayor DeStefano and Members of the Board of Estimate,

I am requesting that the City of Middletown Common Council approve the following transfers within our 2021 budget lines:

From	Amount	To
A.3120.417 Gas & Oil	\$10,000.00	A.3120.103 Overtime
A.3120.110 Part-time Officers	\$30,000.00	A.3120.103 Overtime
A.3120.400 Contractual services	\$20,000.00	A.3120.103 Overtime

This transfer is to cover the shortages within the overtime budget line for the remainder of the year.

Very truly yours,

John Ewanciw
Chief of Police

JE:ccd

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11-01-21

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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 declare the following two Middletown Police vehicles surplus and no use to the City and authorize the Police Chief or his designee to dispose the vehicles through the auction process.

Vehicle 33(Juvenile Aid Officer) – 2006 Chevrolet Tahoe: VIN# 1GNEK13Z66R155650

Vehicle 38(SRO- Truman Moon) – 2006 Chevrolet Tahoe. VIN# 1GNEK13Z36R157484

JOHN EWANCIW
CHIEF OF POLICE



TELEPHONE
845-343-3151
FAX NUMBER
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CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

RECEIVED

OCT 26 2021

**City Clerk
City of Middletown**

Memo

To: Chief Ewanciw
From: Sgt. Jacqueline Welch
Date: October 20, 2021
Re: Department to be disposed of 33 (Juvenile Aid Officer) & 38 (SRO – Truman Moon)

The Juvenile Aid Officer vehicle 33 currently requires a substantial amount of work. The vehicle is a 2006 Chevrolet Tahoe (vin 1GNEK13Z66R155650). In the past year, a substantial amount of work has been completed on the vehicle. The frame of the vehicle and the drive train are in need of major repairs that would not be fiscally responsible due to the age and current condition of the vehicle.

SRO vehicle car 38 currently requires a substantial amount of work. The vehicle is a 2006 Chevrolet Tahoe (vin 1GNEK13Z36R157484). In the past year, a substantial amount of work has been completed on the vehicle. The frame of the vehicle and the drive train are in need of major repairs that would not be fiscally responsible due to the age and current condition of the vehicle.

Respectfully,

Sgt. Jacqueline R. Welch #1177

**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
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Ald. Burr				
Ald. Green				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

Whereas, authorization to approve rental and other agreements for use of the Paramount Theatre has been transferred to the City of Middletown as per Resolution #308-17 on November 06, 2017, and

Whereas, the yearly number of such agreements varies from 30 to 75 agreements, and

Whereas, the Corporation Counsel reviews all such agreements prior to execution, and

Whereas, the negotiation and execution of these documents, by necessity, occurs within a short timeframe,

Now, therefore, be it resolved by the Common Council of the City of Middletown that the Mayor is hereby authorized to execute, upon Corporation Counsel review, all rental and related agreements for the Paramount Theatre for the 2022-2023 which will be January 1, 2022 through December 31, 2023.

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

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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 a new 63-month lease with Toshiba copiers for the City which Toshiba will be providing new copier equipment and continue to provide service on all copiers and printers. The monthly base cost for the lease will decrease from \$2,177.20 to \$2,011.30.

INVESTMENT SCHEDULE



PREPARED FOR

CITY OF MIDDLETOWN

October 26, 2021

PREPARED BY

Jared McVey

(914) 456-9969

jared.mcvey@tbs.toshiba.com

TOSHIBA



City of Middletown

Current Situation

	Monthly Cost	
Equipment Lease Payment for Fleet	\$1,350.62	Equipment Lease Only
Service and Supplies for fleet	\$434.00	Color - 7,000 @ .062 = \$434.00
	<u>\$414.20</u>	B/W - 38,000 @ .0109 = \$414.20
	\$848.20	
Current Monthly Base Spend	\$2,198.82	(includes all equipment, service and supplies for lease term)
Overage	Billed at same as base	Average Volumes Calculated from August 2020 - August 2021
	\$102.49	Color - 1,653 @ .062 = \$102.49
	<u>\$0.00</u>	B/W - 0 @ .0109 = \$0
Overage Total	\$102.49	
Total Monthly Spend (Base + Overage)	\$2,301.31	(Includes Device Upgrade Early)

City of Middletown

Recommended Upgrade

	Monthly Cost	
Equipment Lease Payment for Fleet	\$1,343.20	Equipment Lease Only
Service and Supplies for fleet	\$496.00	Color - 8,000 @ .062 = \$496
	<u>\$316.10</u>	B/W - 29,000 @ .0109 = \$316.10
	\$812.10	
Current Monthly Base Spend	\$2,155.30	(includes all equipment, service and supplies for lease term)
Overage	Billed at same as base	Average Volumes Calculated from August 2020 - August 2021
	\$40.49	Color - 653 @ .062 = \$40.49
	<u>\$4.28</u>	B/W - 393 @ .0109 = \$4.28
Overage Total	\$44.77	
Total Monthly Spend (Base + Overage)	\$2,200.07	(Includes Device Upgraded Early)

*If all stays the same with current print volumes



CITY OF MIDDLETOWN FLEET AVERAGE MONTHLY VOLUMES (8/20 - 8/21)

<u>Device</u>	<u>Serial Number</u>	<u>Location</u>	<u>B/W AMV</u>	<u>COLOR AMV</u>
e-Studio3505AC	SCFIF57583	CORPORATE COUNCIL'S OFFICE	1,417	452
e-Studio3505AC	SCFIF57612	FINANCE	8,851	454
e-Studio2505AC	SCFIF59418	PARKS AND RECREATION	1,803	1,457
e-Studio3005AC	SCFJF60100	MAYOR'S OFFICE	624	511
e-Studio3505AC	SCFHF54124	CITY COUNCIL OFFICE	3,949	29
e-Studio2505AC	SCFIF59412	FD CHIEF'S OFFICE	695	181
e-Studio2505AC	SCFIF59405	SENIOR CENTER	349	1,172
e-Studio3505AC	SCFIF54951	ECONOMIC & COMMUNITY DEVELOPMENT	2,871	1,530
e-Studio3505AC	SCFIF57709	DPW	7,886	1,619
e-Studio2000AC	SCFKF26762	FIRE INSPECTOR'S OFFICE	216	347
e-Studio3505AC*	SCFIF57729	ASSESSOR'S OFFICE	<u>732</u>	<u>685</u>
e-Studio3515AC	SCNKK69042	INSTALLED ON 4/26/21 (Vol. 5/21 - 8/21)	29,393	8,436

* - Early upgrade

Lexmark C4140	S5028632010G3K	DPW CODE ENFORCEMENT	35	217
Under MPS Contract - buyout this asset to keep				

TOSHIBA

INVESTMENT SCHEDULE

CITY OF MIDDLETOWN

New Toshiba Digital Solution

Model Details

- (1) Toshiba e-STUDIO3515AC
 - Included Features: 100-sheet RADF, 550-sheet Paper Feed Pedestal, 550-sheet Drawer, Inner Finisher, Analog Fax Unit / 2nd Line Fax Unit
- (1) Toshiba e-STUDIO3515AC
 - Included Features: 100-sheet RADF, 2000-sheet Large Capacity Feeder, Inner Finisher, Hole Punch, Analog Fax Unit / 2nd Line Fax Unit
- (1) Toshiba e-STUDIO2515AC
 - Included Features: 100-sheet RADF, 2000-sheet Large Capacity Feeder, Envelope Drawer Module, Inner Finisher, Hole Punch, Analog Fax Unit / 2nd Line Fax Unit
- (1) Toshiba e-STUDIO3015AC
 - Included Features: 100-sheet RADF, 2000-sheet Large Capacity Feeder, Inner Finisher, Analog Fax Unit / 2nd Line Fax Unit
- (1) Toshiba e-STUDIO3515AC
 - Included Features: 300-sheet DSDF, 2000-sheet Large Capacity Feeder, Bridge Kit, Console Finisher w/ Stapling, Analog Fax Unit / 2nd Line Fax Unit
- (1) Toshiba e-STUDIO2515AC
 - Included Features: 100-sheet RADF, 550-sheet Paper Feed Pedestal, 550-sheet Drawer, Inner Finisher, Analog Fax Unit / 2nd Line Fax Unit
- (1) Toshiba e-STUDIO2515AC
 - Included Features: 100-sheet RADF, Copier Stand, Analog Fax Unit / 2nd Line Fax Unit
- (1) Toshiba e-STUDIO3515AC
 - Included Features: 100-sheet RADF, Copier Stand, Inner Finisher, Analog Fax Unit / 2nd Line Fax Unit
- (1) Toshiba e-STUDIO3515AC
 - Included Features: 100-sheet RADF, 2000-sheet Large Capacity Feeder, Bridge Kit, Console Finisher w/ Stapling, Hole Punch, Analog Fax Unit / 2nd Line Fax Unit

- (1) Toshiba e-STUDIO2010AC
 - Included Features: 100-sheet RADF, Copier Stand, 550-sheet Paper Feed Unit, Analog Fax Unit / 2nd Line Fax Unit

Service Details

Pool Name	Monthly Pages Included	Monthly Overage Per Page
Mono Pool	29,000	\$0.01090
Color Pool	8,009	\$0.06193

Total Monthly Investment

- 63 Month Lease \$2,011.30

Monthly investment includes parts, labor, travel, and supplies; everything except for paper, staples, and applicable taxes. The total monthly payment once you add the Assessor's copier which was upgraded early (\$144/month) is \$2,155.30.

TOSHIBA

TOSHIBA TECHNOLOGY NEVER LOOKED BETTER

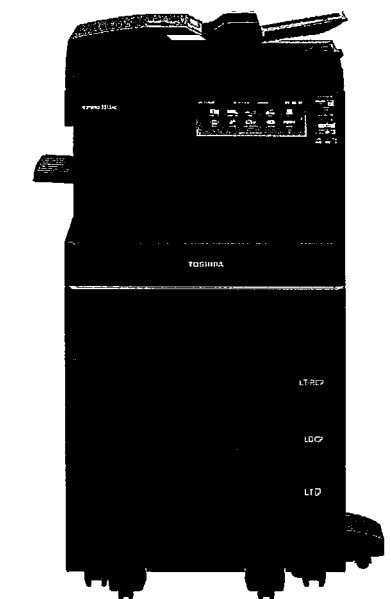
The Toshiba e-STUDIO3515AC can increase the efficiency of your workgroups, improve the professionalism of your presentations, and streamline the workflow of your organization. And, that's just for starters.

A 300-sheet high-speed, high-capacity Dual-Scan Document Feeder (DSDF) produces up to 120 IPM simplex and 240 IPM duplex. A conventional RADF is available for less scan-intensive businesses.

Toshiba has developed a customizable MFP to make your job easier. A new 10.1" tablet-style touch screen works intuitively, helping you find instructions, functions, and commands with the swipe of the finger. Toshiba's internally developed Multi-Station Print Enabler allows users to send print jobs from their desktop and retrieve them at any convenient MFP by simply swiping their badge and authenticating at that device.

FEATURES AT A GLANCE

- **Copy/Print Speed:** 35 PPM
- **Print Resolution:** 1,200 x 1,200 dpi
- **First Copy Out:** 5.9s B&W, 7.8s Color
- **Paper Capacity:** Standard 1,200 Sheets / Max 3,200 Sheets
- **Scan Speed:** DSDF Scan—240 IPM Duplex, 120 IPM Simplex; RADF Scan—73 IPM
- **Memory:** 4GB
- **Reproduction Ratio:** 25% to 400%
- **Max Duty Cycle:** 210K B&W / 105KClr Mo.
- **10.1" Color WVGA Touch Screen Tilting Display**



e-STUDIO™ 3515AC

POPULAR OPTIONS

100-Sheet RADF or 300-Sheet DSDF
550-Sheet Paper Feed Pedestal
550-Paper Drawer
2,000-Sheet LCF
Console Finisher
Saddle-Stitch Finisher
Job Separator
Hole Punch Unit

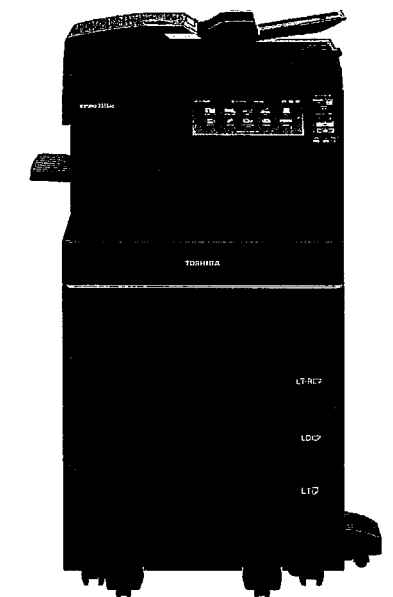
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e-STUDIO™ 3515AC

FEATURES AT A GLANCE

- **Copy/Print Speed:** 35 PPM
- **Print Resolution:** 1,200 x 1,200 dpi
- **First Copy Out:** 5.9s B&W, 7.8s Color
- **Paper Capacity:** Standard 1,200 Sheets / Max 3,200 Sheets
- **Scan Speed:** DSDF Scan—240 IPM Duplex, 120 IPM Simplex; RADF Scan—73 IPM
- **Memory:** 4GB
- **Reproduction Ratio:** 25% to 400%
- **Max Duty Cycle:** 210K B&W / 105KClr Mo.
- **10.1" Color WVGA Touch Screen Tilting Display**

POPULAR OPTIONS

100-Sheet RADF or 300-Sheet DSDF
550-Sheet Paper Feed Pedestal
550-Paper Drawer
2,000-Sheet LCF
Console Finisher
Saddle-Stitch Finisher
Job Separator
Hole Punch Unit

TOSHIBA

TOSHIBA TECHNOLOGY NEVER LOOKED BETTER

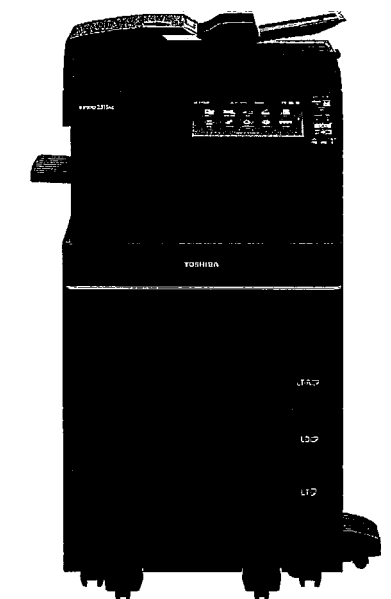
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FEATURES AT A GLANCE

- **Copy/Print Speed:** 25 PPM
- **Print Resolution:** 1,200 x 1,200 dpi
- **First Copy Out:** 5.9s B&W, 7.8s Color
- **Paper Capacity:** Standard 1,200 Sheets / Max 3,200 Sheets
- **Scan Speed:** DSDF Scan—240 IPM Duplex, 120 IPM Simplex; RADF Scan—73 IPM
- **Memory:** 4GB
- **Reproduction Ratio:** 25% to 400%
- **Max Duty Cycle:** 150K B&W / 75K Color Mo.
- **10.1" Color WVGA Touch Screen Tilting Display**



e-STUDIO™ 2515AC

POPULAR OPTIONS

100-Sheet RADF or 300-Sheet DSDF
550-Sheet Paper Feed Pedestal
550-Paper Drawer
2,000-Sheet LCF
Console Finisher
Saddle-Stitch Finisher
Job Separator
Hole Punch Unit

TOSHIBA

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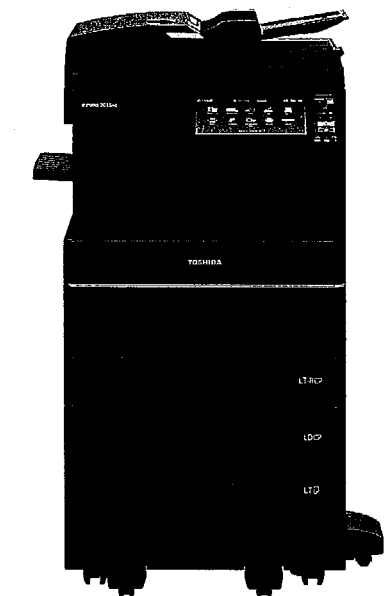
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FEATURES AT A GLANCE

- **Copy/Print Speed:** 30 PPM
- **Print Resolution:** 1,200 x 1,200 dpi
- **First Copy Out:** 5.9s B&W, 7.8s Color
- **Paper Capacity:** Standard 1,200 Sheets / Max 3,200 Sheets
- **Scan Speed:** DSDF Scan—240 IPM Duplex, 120 IPM Simplex; RADF Scan—73 IPM
- **Memory:** 4GB
- **Reproduction Ratio:** 25% to 400%
- **Max Duty Cycle:** 180K B&W / 90K Color Mo
- **10.1" Color WVGA Touch Screen Tilting Display**



e-STUDIO™ 3015AC

POPULAR OPTIONS

100-Sheet RADF or 300-Sheet DSDF
550-Sheet Paper Feed Pedestal
550-Paper Drawer
2,000-Sheet LCF
Console Finisher
Saddle-Stitch Finisher
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Hole Punch Unit

TOSHIBA

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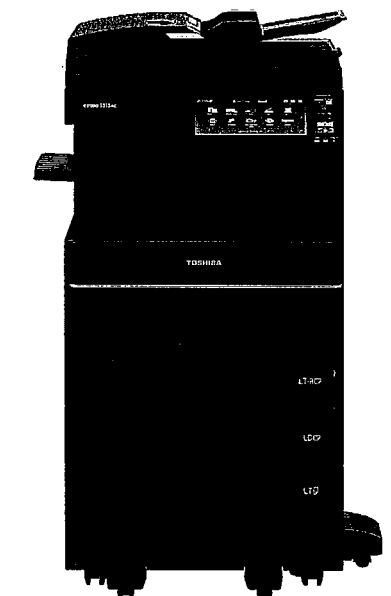
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FEATURES AT A GLANCE

- **Copy/Print Speed:** 35 PPM
- **Print Resolution:** 1,200 x 1,200 dpi
- **First Copy Out:** 5.9s B&W, 7.8s Color
- **Paper Capacity:** Standard 1,200 Sheets / Max 3,200 Sheets
- **Scan Speed:** DSDF Scan—240 IPM Duplex, 120 IPM Simplex; RADF Scan—73 IPM
- **Memory:** 4GB
- **Reproduction Ratio:** 25% to 400%
- **Max Duty Cycle:** 210K B&W / 105KClr Mo.
- **10.1" Color WVGA Touch Screen Tilting Display**



e-STUDIO™ 3515AC

POPULAR OPTIONS

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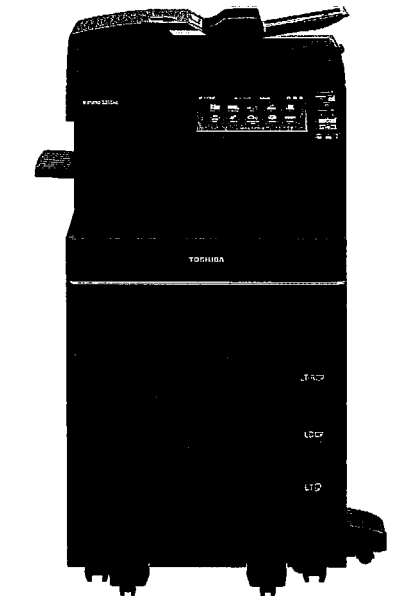
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FEATURES AT A GLANCE

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- **First Copy Out:** 5.9s B&W, 7.8s Color
- **Paper Capacity:** Standard 1,200 Sheets / Max 3,200 Sheets
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e-STUDIO™ 2515AC

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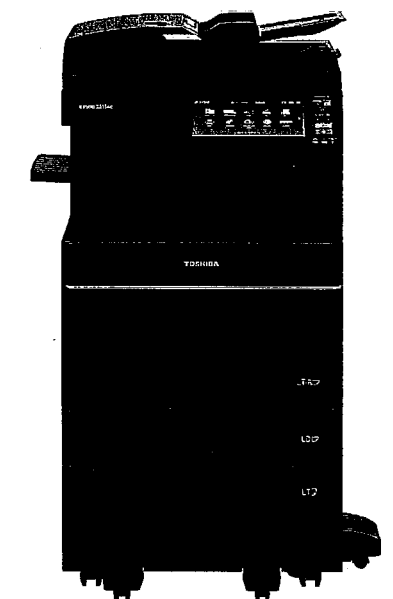
TOSHIBA

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e-STUDIO™ 2515AC

FEATURES AT A GLANCE

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TOSHIBA TECHNOLOGY NEVER LOOKED BETTER

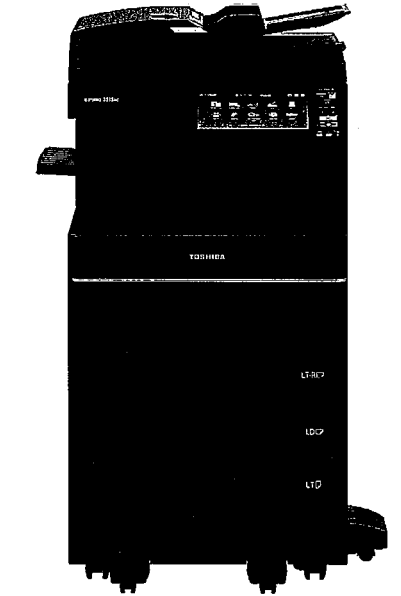
The Toshiba e-STUDIO3515AC can increase the efficiency of your workgroups, improve the professionalism of your presentations, and streamline the workflow of your organization. And, that's just for starters.

A 300-sheet high-speed, high-capacity Dual-Scan Document Feeder (DSDF) produces up to 120 IPM simplex and 240 IPM duplex. A conventional RADF is available for less scan-intensive businesses.

Toshiba has developed a customizable MFP to make your job easier. A new 10.1" tablet-style touch screen works intuitively, helping you find instructions, functions, and commands with the swipe of the finger. Toshiba's internally developed Multi-Station Print Enabler allows users to send print jobs from their desktop and retrieve them at any convenient MFP by simply swiping their badge and authenticating at that device.

FEATURES AT A GLANCE

- **Copy/Print Speed:** 35 PPM
- **Print Resolution:** 1,200 x 1,200 dpi
- **First Copy Out:** 5.9s B&W, 7.8s Color
- **Paper Capacity:** Standard 1,200 Sheets / Max 3,200 Sheets
- **Scan Speed:** DSDF Scan—240 IPM Duplex, 120 IPM Simplex; RADF Scan—73 IPM
- **Memory:** 4GB
- **Reproduction Ratio:** 25% to 400%
- **Max Duty Cycle:** 210K B&W / 105KClr Mo.
- **10.1" Color WVGA Touch Screen Tilting Display**



e-STUDIO™ 3515AC

POPULAR OPTIONS

100-Sheet RADF or 300-Sheet DSDF
550-Sheet Paper Feed Pedestal
550-Paper Drawer
2,000-Sheet LCF
Console Finisher
Saddle-Stitch Finisher
Job Separator
Hole Punch Unit

TOSHIBA

TOSHIBA TECHNOLOGY NEVER LOOKED BETTER

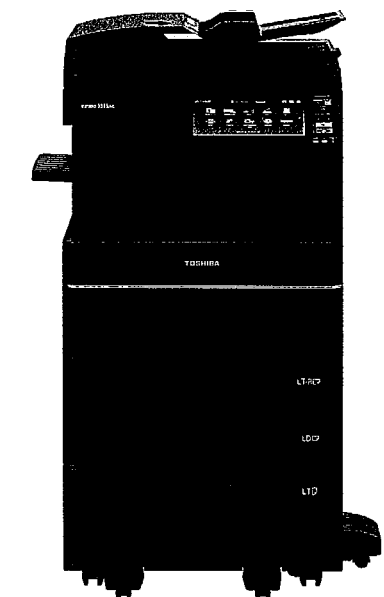
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TOSHIBA

COMPACT SIZE, ALL-NEW LOOK, AND A POWERFUL PUNCH

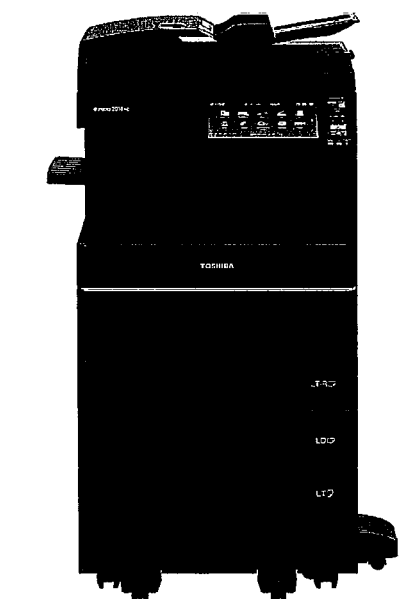
For small and medium businesses and workgroups that demand color along with a small footprint, Toshiba has answered the call. The e-STUDIO2010AC is packed with industry-leading technology designed to help workgroups connect, integrate, and simplify.

A new 10.1" tablet-style touch screen with an embedded web browser is easy to use and customizable to meet your needs. It works intuitively, helping you find instructions, functions and commands with the swipe of the finger.

Toshiba's internally developed Multi-Station Print Enabler allows users to send print jobs from their desktop and retrieve them at any convenient MFP by simply swiping their badge and authenticating at that device.

FEATURES AT A GLANCE

- **Copy/Print Speed:** 20 PPM
- **Print Resolution:** Up to 600 x 1,200 dpi
- **First Copy Out:** 7.1s B&W / 9.5s Color
- **Paper Capacity:** Standard 350 Sheets / Max 2,900 Sheets
- **Scan Speed:** 73 SPM B&W / 73 SPM Color
- **Memory:** 4GB
- **Reproduction Ratio:** 25% to 400%
- **10.1" Color WVGA Touch Screen Tilting Display**



e-STUDIO™ 2010AC

POPULAR OPTIONS

100-Sheet Reversing Automatic Document Feeder
550-Sheet Paper Feed Pedestal
2,000-Sheet Large Capacity Feeder
50-Sheet Inner Finisher
Saddle-Stitch Finisher



Features:

- Copying, Printing and Scanning (scan to PDF, JPG & TIFF): Standard
- Scan to File, Email and Network: Standard
- Network and walk-up faxing. Fax from any PC connected to network. Reroute incoming faxes to a network folder or email: Optional
- Advanced Scanning: Scan to word, excel and other text searchable/editable file formats: Optional

Additional Inclusions:

- Set up, delivery & training: Included
- Network installation, integration & assistance: Included
- Onsite service: Included
- All labor, parts and toner: Included
- Free replacement guarantee: Included
- Toshiba EcoSmart Toner Recycling Program: Optional
- Assigned Account Executive: Jared McVey
- \$75 required lease document processing fee: Required
- Monthly toner freight shipping fee (approx. \$3 - \$5): Standard
- Industry standard ~~15%~~ 0% annual escalation on service portion of device agreement: Standard

EMPOWERING THE ART OF BUSINESS®



At Toshiba, we are focused on helping businesses better control their productivity and profitability by delivering innovative imaging products and content solutions.

TOSHIBA AMERICA BUSINESS SOLUTIONS, INC. (TABS)

is an independent operating company of Toshiba Corporation, one of the largest integrated electronics and electrical equipment companies in the world with more than 140,000 employees globally and annual sales surpassing \$37 billion. TABS is a leading managed print and content solutions provider with experts that help organizations print smarter, improve workflow and communicate better.

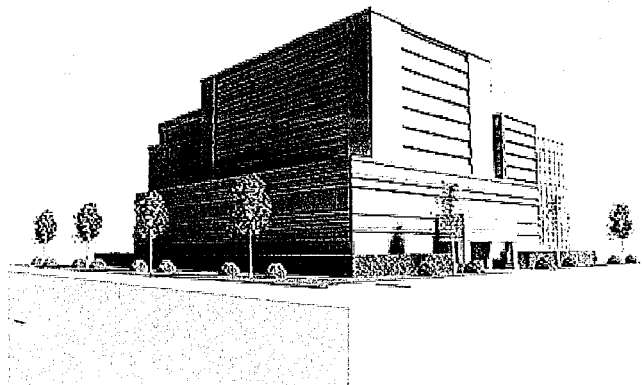
Our current and future commitment is to continue to improve and enhance the functionality and capabilities of our digital imaging products and content solutions. Toshiba invests more than 6% of its annual revenue to Research & Development, and deploys a network of R&D centers around the world. In an average year, Toshiba Corporation is awarded more than 5,000 patents, many of which find their way either directly or indirectly into our multifunction office solutions products.

OUR MISSION

As a technology company, we go way beyond printing. We are a creative and nimble organization that empowers our people to do whatever it takes to help our clients succeed.

OUR VISION

Empowering new and better ways to deliver ideas and information.



TOSHIBA

OUR QUALITY COMMITMENT

The Toshiba Quality Commitment is our guarantee that you're getting the utmost in advanced technology, dependability, service and support. Toshiba stands squarely behind our promise with the assurance of complete satisfaction. Everything we do contributes to that goal—from setting the industry standard for research and development, to providing instant access to Toshiba support personnel. Look around. Nothing compares to Toshiba...quality guaranteed.

**NO FINE PRINT. NO STRINGS ATTACHED.
HERE'S HOW THE GUARANTEE WORKS.**

FREE REPLACEMENT

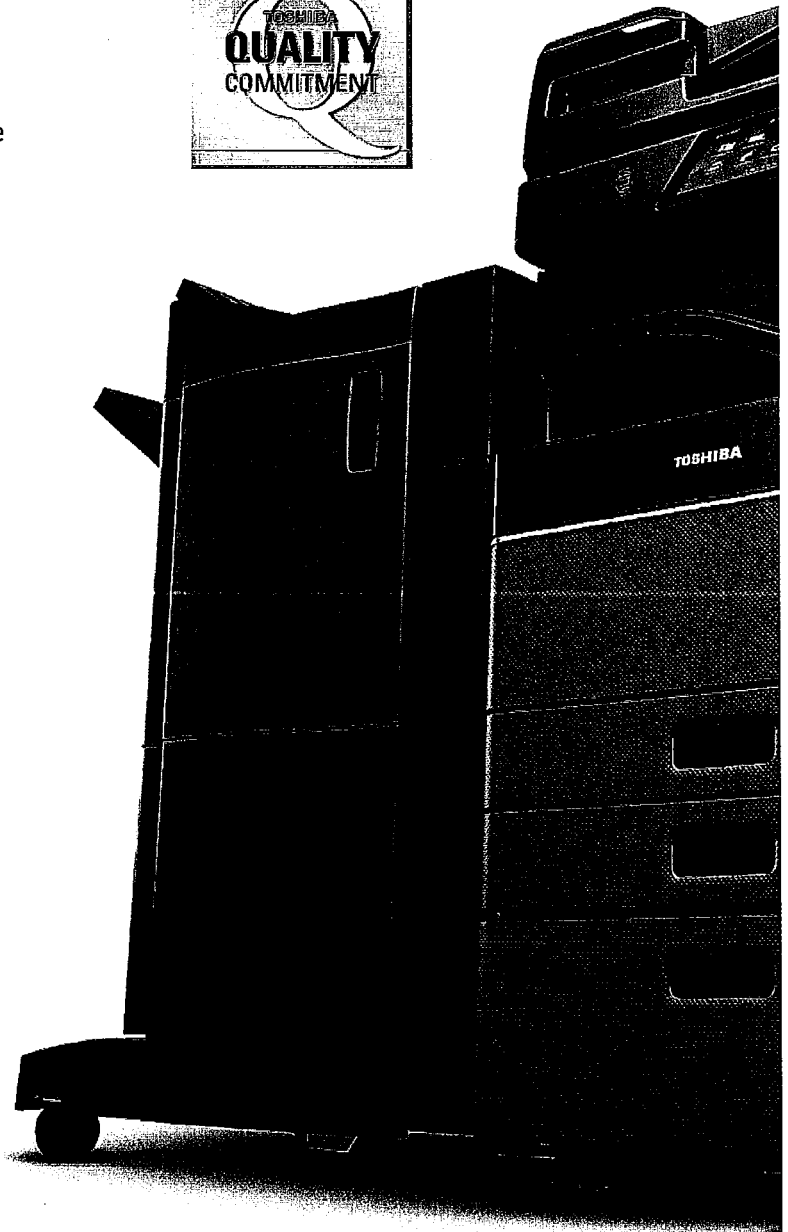
If your Toshiba manufactured copier, facsimile, printer, thermal barcode printer or its accessories do not operate within Toshiba's product specifications during the term of this program, and if the equipment cannot be repaired to perform within product specifications, Toshiba will replace the copier, facsimile, printer, thermal barcode printer or accessory at no charge with a model of equal or better features and specifications.

FREE LOANER

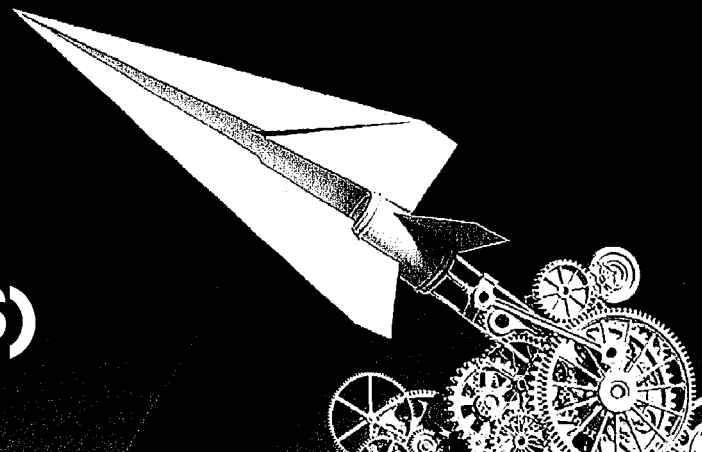
If your Toshiba manufactured copier, facsimile, printer or thermal barcode printer is out-of-service more than two (2) consecutive business days after notifying your Authorized Toshiba Servicing Dealer or requires off-site service, a loaner copier, facsimile, printer or thermal barcode printer will be provided by the Authorized Toshiba Servicing Dealer at no additional charge.

TERM OF PROGRAM

The term of this program is: a) for purchased equipment, three years from equipment installation date or maximum number of copies as stated in the product specifications, whichever occurs first; or b) for leased or rental equipment, three years or the length of the original lease starting from the equipment installation date, whichever is longer.



TOSHIBA MANAGED PRINT SERVICES (MPS)



In today's business climate, reducing and controlling costs is more important than ever. Many organizations overlook the cost of managing documents as an opportunity for savings.

Toshiba's Managed Print Services is a true client-focused practice that incorporates everything from device management and maintenance of numerous brands to the supply of consumables. It addresses a commitment to decrease paper consumption and power use, while also eliminating waste.

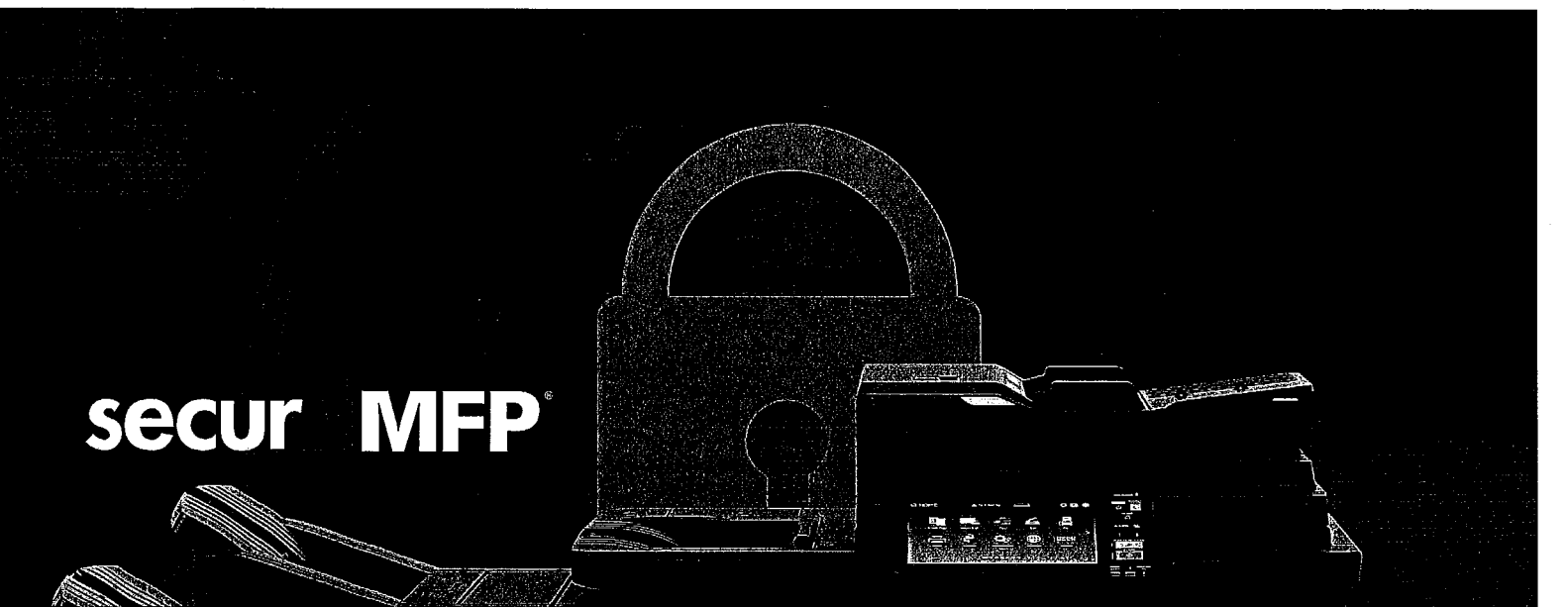
Toshiba's Managed Print Services provides outstanding service and keeps your operation running smoothly by including the following components:

- Automated toner replenishment
- High-quality toner and parts for your laser printers, regardless of brand
- National on-site service
- Convenient online portal for service requests and reporting
- Proactive service monitoring

We have saved companies up to 40% and streamlined their operations by:

- Immediately reducing printing costs – you pay one fixed cost-per-page price that includes toner, consumables, parts and service; you only pay for what you use
- Enhancing your investment in the equipment you already own
- Simplifying procurement, budgeting, delivery, and service for your output fleet
- Increasing control by providing a single point of accountability for service, supplies and billing

Adopting Toshiba's Managed Print Services offers many benefits. It has yielded clients millions of dollars in annual savings while boosting performance and productivity by managing document costs and document security.



secur MFP®

A HOLISTIC APPROACH TO SECURITY

To best tackle your security vulnerabilities, Toshiba takes a unique, comprehensive approach to safeguarding your print and document environments. We look at security in your environment across three areas: product, process and people. The most important component is indeed product security because that is the hub of all your data and human interactions. Once the device is secured, we focus on understanding the processes and people who interact with the device. This allows us to advise you on not just the equipment, but also on the best security methodologies to put in place in your organization. This powerful combination ensures an end-to-end security strategy for your print environment.

PRODUCT SECURITY

Starting at the product level, we deliver an in-depth defense across four areas:

1. INSTALL TO END-OF-LIFE DEVICE SECURITY

- Self-encrypting hard drive
- Firmware & BIOS whitelisting
- End-of-Life automatic data erase

2. PHYSICAL AND DIGITAL ACCESS PROTECTION

- Restrict who, what, where
- Manage centrally and by role
- Monitor and audit in real-time

3. DOCUMENT LIFECYCLE DEFENSE

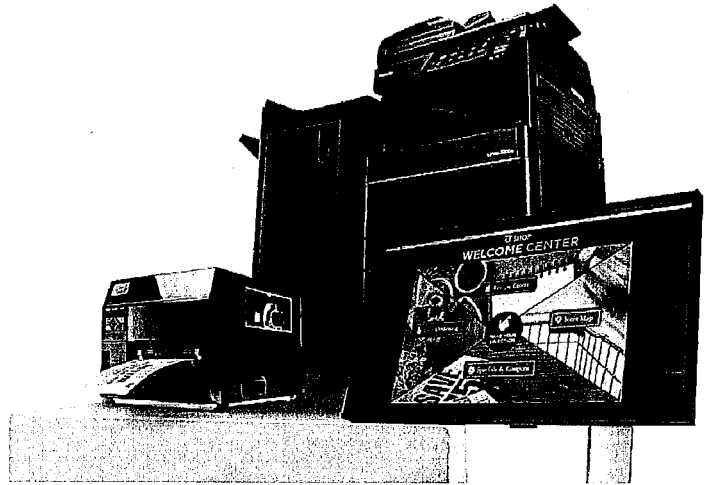
- Secure document capture
- Encrypt information storage
- Secure document tracking & delivery

4. FLEET-WIDE SECURITY ADMINISTRATION

- Remote monitoring & management
- Proactive alerts & automatic remediation
- Policy-based security management

TOSHIBA

TOSHIBA SERVICE



Toshiba is recognized as a service leader, as evidenced by numerous industry awards and an outstanding performance record.

When a Toshiba system needs service clients can rest assured our number one priority is to minimize any inconvenience and downtime. Respond, Respect, Resolve is our team mantra from our client service centers located across the country to our factory-trained certified technicians. We have proven the effectiveness of our service model on thousands of contracts where we provide equipment services and fleet optimization. Toshiba has various levels of service to meet client needs, and with Toshiba's eBridge Cloud Connect tool we can often detect and remotely fix an issue before clients even notice, reducing their burden and increasing uptime.

Toshiba service includes:

- **Client Service Call centers with Toshiba Business Solutions marketplaces to receive calls directly from clients and then dispatch service technician if site visits are required.**
- **Local service teams within each TBS market.**
 - Technicians assigned to territories closest to their homes
 - Professionally trained teams with average tenure of 15 years
- **Call-ahead notification from responding technician so you'll know when to expect us.**
- **Local parts warehouses.**
 - Individual technician car stock on most popular replacement parts to ensure maximum uptime
 - Direct ship of needed parts to a technician's home
- **Preventative Maintenance to ensure systems are always running at optimum levels. This includes identifying potential problems and correcting them before they occur.**
- **Escalation management process that is clearly defined to resolve poor performance issues quickly, efficiently, and to your complete satisfaction.**

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11-01-21

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 Mayor, Police Chief and Commissioner of Public Works are proposing an updating of City parking ordinances.

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 460-9, Regulation and control of municipal parking lots, to read as follows:

§ 460-9. Regulation and control of municipal parking lots. No motorcycle, motor vehicle or vehicle shall stand, be left standing or park at any time in any parking lot described in this Section outside the time periods listed. With respect to timed parking spaces, moving from one parking space to another in the same parking lot does not extend the time limitations of such restriction. For the purpose of this Section, a “commercial vehicle” shall be any vehicle that has more than six (6) wheels. The Department of Public Works shall install appropriate signage to implement the provisions and restrictions contained in this Section.

A. James Street parking lot: Lot # 1.

(1). Except as provided by Paragraph (4) below, this entire Lot shall be limited to 4-hour parking between the hours of 7:00 a.m. and 12:00 a.m., Sunday through Saturday.

(2). On the south side of this Lot, there shall be no parking from 4:00 a.m. to 7:00 a.m., Sunday through Saturday.

(3). No commercial vehicles are authorized to park in this Lot.

(4). Overnight parking on the north side of this Lot shall be allowed only by permit. Overnight permits are valid between the hours of 8:00 p.m. and 7:00 a.m. During the hours from 7:00 a.m. to 8:00 p.m., vehicles with overnight permits are subject to the 4-hour limit imposed by Paragraph (1), above.

(5). Electric charging spaces are for use by electric vehicles only, while charging, up to a maximum of 4 hours.

B. East Main Street parking lot (7-27 East Main Street): Lot # 2.

(1). Except as provided by Paragraph (4) below, this Lot shall be limited to 4-hour parking between the hours of 7:00 a.m. and 12:00 a.m., Sunday through Saturday.

(2). No commercial vehicles are authorized to park in this Lot.

(3). Parking of motorcycles is allowed in designated spaces only.

(4). Overnight parking in this Lot shall be allowed only by permit. Overnight permits are valid between the hours of 8:00 p.m. and 7:00 a.m. During the hours from 7:00 a.m. to 8:00 p.m., vehicles with overnight permits are subject to the 4-hour limit imposed by Paragraph (1), above.

C. West Main Street parking lot (adjacent to 28 West Main Street): Lot #3.

(1). Except as provided by Paragraph (3) below, this Lot shall be limited to 4-hour parking between the hours of 7:00 a.m. and 12:00 a.m., Sunday through Saturday.

(2). No commercial vehicles are authorized to park in this Lot.

(3). Overnight parking in this Lot shall be allowed only by permit. Overnight permits are valid between the hours of 8:00 p.m. and 7:00 a.m. During the hours from 7:00 a.m. to 8:00 p.m., vehicles with overnight permits are subject to the 4-hour limit imposed by Paragraph (1), above.

D. West Main Street parking lot (between 12 West Main Street and 20 West Main Street, extending to South Street): Lot # 4.

(1). Except as provided by Paragraph (4) below, this Lot shall be limited to 4-hour parking between the hours of 7:00 a.m. and 12:00 a.m., Sunday through Saturday.

(2). No commercial vehicles are authorized to park in this Lot.

(3). Ingress to this Lot shall be from West Main Street only. Egress from this Lot shall be to South Street only.

(4). Overnight parking in this Lot shall be allowed only by permit. Overnight permits are valid between the hours of 8:00 p.m. and 7:00 a.m. During the hours from 7:00 a.m. to 8:00 p.m., vehicles with overnight permits are subject to the 4-hour limit imposed by Paragraph (1), above.

E. South Street parking lot (adjacent to 2-8 South Street and extending behind 2-8 South Street and along Washington Street, on two levels, designated as Upper and Lower Levels): Lot # 5.

(1). Except as provided by Paragraph (3) below, the Upper Level in this Lot shall be limited to 4-hour parking between the hours of 7:00 a.m. and 12:00 a.m., Sunday through Saturday.

(2). No commercial vehicles are authorized to park in the Upper or Lower Levels of this Lot.

(3). Overnight parking in the Upper Level of this Lot shall be allowed only by permit. Overnight permits are valid between the hours of 8:00 p.m. and 7:00 a.m. During the hours from 7:00 a.m. to 8:00 p.m., vehicles with overnight permits are subject to the 4-hour limit imposed by Paragraph (1), above.

(4). Parking in the Lower Level of this Lot shall be allowed for a maximum of 72 hours.

(5). Electric charging spaces are for use by electric vehicles only, while charging, up to a maximum of 4 hours.

F. Paramount Theatre parking lot (adjacent to 17-19 South Street): Lot # 6.

(1). Parking in this Lot is permitted only for persons attending the Paramount Theatre on the same day of the parking. Parking is permitted for such Theatre patrons from 8:00 a.m. to 12:00 a.m., Sunday through Saturday.

(2). No parking is allowed in this Lot from 4:00 a.m. to 7:00 a.m. Sunday through Saturday.

(3). No commercial vehicles are authorized to park in this Lot.

G. South Street Lot (adjacent to 26 South Street and across from 25 South Street [the court building]): Lot # 7.

(1). Parking in this Lot shall be allowed for a maximum of 72 hours.

(2). No commercial vehicles are authorized to park in this Lot.

H. Canal Street parking lot: Lot # 8.

(1). Parking in this Lot shall be allowed for a maximum of 72 hours.

(2). No commercial vehicles are authorized to park in this Lot.

I. Erie Station/adjacent to 90 North Street: Lot # 9.

(1). Except as provided by Paragraph (3) below, this Lot shall be limited to 4-hour parking between the hours of 7:00 a.m. and 12:00 a.m., Sunday through Saturday.

(2). No commercial vehicles are authorized to park in this Lot.

(3). Overnight parking in this Lot shall be allowed only by permit.

Overnight permits are valid between the hours of 8:00 p.m. and 7:00 a.m. During the hours from 7:00 a.m. to 8:00 p.m., vehicles with overnight permits are subject to the 4-hour limit imposed by Paragraph (1), above.

J. The Second Baptist Church parking lot (on North Street, between 123 North Street and 135 North Street and extending to Grove Street): Lot # 10.

(1). Parking in this Lot shall be allowed for a maximum of 72 hours.

(2). No commercial vehicles are authorized to park in this Lot.

K. Courtland Street parking lot: Lot # 11.

(1). Parking in this Lot shall be allowed for a maximum of 72 hours.

(2). No commercial vehicles are authorized to park in this Lot.

L. The Railroad Avenue/North Street corner lot: Lot # 12.

(1). Except as provided by Paragraph (3) below, this Lot shall be limited to 4-hour parking between the hours of 7:00 a.m. and 12:00 a.m., Sunday through Saturday.

(2). No commercial vehicles are authorized to park in this Lot.

(3). Overnight parking in this Lot shall be allowed only by permit.

Overnight permits are valid between the hours of 8:00 p.m. and 7:00 a.m. During the hours from 7:00 a.m. to 8:00 p.m., vehicles with overnight permits are subject to the 4-hour limit imposed by Paragraph (1), above.

M. The North Street parking lot adjacent to 101 North Street: Lot # 13.

(1). This Lot shall be limited to 4-hour parking between the hours of 7:00 a.m. and 12:00 a.m., Sunday through Saturday.

(2). No parking is allowed in this Lot from 4:00 a.m. to 7:00 a.m., Sunday through Saturday.

(3). No commercial vehicles are authorized to park in this Lot.

N. Henry Street Lot: Lot # 14.

(1). Parking in this Lot shall be allowed for a maximum of 72 hours.

(2). No commercial vehicles are authorized to park in this Lot.

O. The Salvation Army building parking lot (between Mill Street and Hanford Street): Lot # 15.

(1). No parking is allowed in this Lot from 4:00 a.m. to 7:00 a.m., Sunday through Saturday.

(2). No commercial vehicles are authorized to park in this Lot.

P. Erie Way, between North Street and Cottage Street: Lot # 16.

(1). Parking in this Lot shall be allowed for a maximum of 72 hours.

(2). No commercial vehicles are authorized to park in this Lot.

Q. Coach USA Lot: Lot # 17.

(1). Parking in this Lot shall be allowed for a maximum of 72 hours.

R. The City parking lot, between Cottage Street and Montgomery Street: Lot #18.

(1). Parking in this Lot shall be allowed for a maximum of 72 hours.

(2). Electric charging spaces are for use by electric vehicles only, while charging, up to a maximum of 4 hours.

(3). No commercial vehicles are authorized to park in this Lot.

S. The Watts Park parking areas along Wisner Avenue and Watkins Avenue.

(1). No parking shall be allowed along Wisner Avenue from 2:00 a.m. to 8:00 a.m. on Wednesday.

(2). No parking shall be allowed along Watkins Avenue from 2:00 a.m. to 8:00 a.m. on Thursday.

(3). No commercial vehicles are authorized to park in this Lot.

T. Orchard Street parking lot. Lot # 19.

(1). Except as provided by Paragraph (3) below, this Lot shall be limited to 8-hour parking between the hours of 7:00 a.m. and 12:00 a.m., Sunday through Saturday.

(2). No commercial vehicles are authorized to park in this Lot.

(3). Overnight parking in this Lot shall be allowed only by permit. Overnight permits are valid between the hours of 8:00 p.m. and 7:00 a.m. During the hours from 7:00 a.m. to 12:00 p.m., vehicles with overnight permits are subject to the 8-hour limit imposed by Paragraph (1), above.

U. Union Street Lot: Lot # 20.

(1). This Lot shall be limited to 4-hour parking between the hours of 7:00 a.m. and 12:00 a.m., Sunday through Saturday.

(2). No commercial vehicles are authorized to park in this Lot.

(3). No parking is allowed in this Lot between the hours of 12:00 a.m. and 7:00 a.m.

V. Rail Trail Commons Lot: Lot # 21.

(1). This Lot shall be limited to 4-hour parking between the hours of 7:00 a.m. and 12:00 a.m., Sunday through Saturday.

(2). No commercial vehicles are authorized to park in this Lot.

(3). No parking is allowed in this Lot between the hours of 12:00 a.m. and 7:00 a.m.

W. The North Street parking lot adjacent to 118-118.5 North Street. Lot # 22.

(1). This Lot shall be limited to 4-hour parking between the hours of 7:00 a.m. and 12:00 a.m., Sunday through Saturday.

(2). No parking is allowed in this Lot between the hours of 12:00 a.m. and 7:00 a.m.

(3). No commercial vehicles are authorized to park in this Lot.

Section 2 – The Code of the City of Middletown, N.Y., Chapter 460, Vehicles and Traffic, is hereby amended by adding a new Section 460-9.2, Overnight parking lot permits, to read as follows:

§ 460-9.2. Overnight parking lot permits.

A. The City will issue a limited number of overnight parking space permits for each City lot which allows overnight parking. Such permits must be obtained by application to the City Clerk's Office.

B. Overnight parking permits are valid for one calendar year, and may be obtained for a fee of \$120.00. In the discretion of the City Clerk, a short-term permit may be issued when there is less than 2 months before the end of a calendar year at a fee of \$10.00 per month; such short-term permit may not exceed 2 months. Permits must be paid for in full prior to issuance. No refunds shall be issued for any permits.

C. Overnight permits shall be issued for a specific vehicle only. Permits are not transferable to other vehicles.

D. All overnight permits will be issued in sticker form, and the stickers must be attached to the rear driver side window in such a manner so as to be visible from the outside.

E. All overnight permits will be color-coded by lot. Permits are lot-specific, and are not interchangeable with other City lots.

Section 3 – The Code of the City of Middletown, N.Y., Chapter 460, Vehicles and Traffic, is hereby amended by adding a new Section 460-9.3, Long-term parking lot permits, to read as follows:

§ 460-9.3. Long-term parking lot permit.

A. The City Clerk, in his/her discretion and upon application, may issue temporary long-term parking permits to City residents who require parking in excess of 72 hours, for specific events, such as, but not limited to, vacations or business trips. Such permits are valid for a period of one week only. No more than 2 such permits may be issued at the same time.

B. Long-term permits are valid only in parking lots which allow overnight parking.

C. Long-term permits require a fee of \$5.00, which must be paid in full prior to issuance.

D. Long-term permits shall be issued for a specific vehicle only. Permits are not transferable to other vehicles.

E. All long-term permits must be hung from the rear view mirror in such a manner so as to be visible from the outside.

F. All long-term permits will be color-coded by lot. Permits are lot-specific, and are not interchangeable with other City lots.

Section 4 – The Code of the City of Middletown, N.Y., Chapter 460, Vehicles and Traffic, is hereby amended by repealing Section 460-16.1, Fifteen-minute parking.

Section 5 – The Code of the City of Middletown, N.Y., Chapter 460, Vehicles and Traffic, is hereby amended by replacing Section 460-20, Two-hour parking, to read as follows:

§460.20. Two-hour parking. Except for such loading zones, no-parking zones and twenty-four-minute zones, which are or shall be established by other sections of this article, the following zones shall be two-hour parking zones; except that on Sundays and holidays, no vehicle shall stand or be left standing at any one time for more than two hours between the hours of 9:00 a.m. to 5:00 p.m. in these zones:

Beattie Avenue, on the easterly side, from the intersection with Prince Street southerly to the first driveway.

Benton Avenue:

A. Along the southerly curblineline of Benton Avenue extending to the westerly boundary line of No. 20 Benton Avenue from the intersection of the southerly curblineline of Benton Avenue with the westerly curblineline of Sprague Avenue.

B. North side of Benton Avenue to a point 60 feet westerly from Park Place.

Cottage Street:

A. Between Robert Street and the tracks of the Erie Railroad.

B. On the easterly side from a point at the intersection of School Street and Cottage Street southerly to Railroad Avenue.

C. Beginning at a point 10 feet northeasterly from the northeast corner of Cottage Street and School Street to a point 60 feet from the northeast corner of Cottage Street and School Street.

East Main Street:

A. Two spaces directly in front of 120 East Main Street.

B. Five spaces directly in front of 263 East Main Street.

Forest Avenue, on the odd-numbered side, from where the Orange Regional Medical Center Horton Campus parking lot ends and the first residence begins, down the hill to 17 Forest Avenue.

Harding Street, on the southerly side between Mill Street and Mulberry Street.

Highland Avenue:

A. On the easterly side from Hanford Street to West Main Street.

B. On the westerly side, beginning at a point 20 feet southerly of Courtland Place for a distance of 98 feet southerly thereof.

Hill Street, on the south and north sides, between Prospect Avenue and Lafayette Avenue, from 9:00 a.m. to 5:00 p.m.

Jackson Avenue:

A. On the north side, from Hill Street to Houston Avenue, from 9:00 a.m. to 5:00 p.m.

B. On the southeasterly side, for a distance of 115 feet from the intersection with Hill Street.

C. On the west side, from Houston Avenue northerly to the no-parking area 90 feet from Hill Street.

Mulberry Street, on the westerly side from West Main Street to Harding Street.

Myrtle Avenue:

A. On the northerly side between Prospect Avenue and Grand Avenue.

B. On the southerly side beginning with No. 14 easterly to Prospect Avenue.

Prince Street, on the southerly side, from its intersection with Beattie Avenue easterly to the first driveway.

Prospect Avenue:

A. Between Myrtle Avenue and Charles Street on the westerly side.

B. Two hundred fifty feet in a southerly direction starting at the intersection of Hill Street, on both sides of the street, between the hours of 9:00 a.m. through 5:00 p.m., Monday through Friday.

Ridge Street, on the easterly side from the intersection of Stivers Place northerly to a point 70 feet southerly from the intersection of East Main Street from 9:00 a.m. to 5:00 p.m.

School Street:

A. Beginning at a point 25 feet from the northeast corner of School Street and Cottage Street southeasterly to a point 110 feet from the northeast corner of School Street and Cottage Street.

B. Beginning at a point 30 feet from the southeast corner of School Street and Cottage Street southeasterly to a point 150 feet from the northeast corner of School Street and Cottage Street.

Sprague Avenue:

A. On the westerly side from Grant Street to Benton Avenue.

B. On the easterly side, from a point 436 feet northerly of the curblineline of Houston Avenue for a distance of 45 feet northerly.

West Main Street:

A. On the northerly side from a point 115 feet west of the intersection of the westerly side of Monhagen Avenue for a distance of 40 feet.

B. The bus stop on the southerly side, Saturdays and Sundays only.

C. Directly in front of St. Paul's United Methodist Church.

Wisner Avenue, on the southerly side from the corner of Irwin Avenue in an easterly direction for a distance of 100 feet.

Section 6 – The Code of the City of Middletown, N.Y., Chapter 460, Vehicles and Traffic, is hereby amended by adding Section 460-20.1, Three-hour parking in Business Improvement District, to read as follows:

§ 460.20.1. Except as otherwise provided in this Article, all streets in the Business Improvement District, as defined in Chapter 203 of this Code, shall be three-hour parking zones. No vehicle shall stand or be parked or be left standing or parked for more than 3 hours between the hours of 8:00 a.m. to 11:00 p.m., Sunday through Saturday.

Section 7 – The Code of the City of Middletown, N.Y., Chapter 460, Vehicles and Traffic, is hereby amended by replacing Section 460-21, Four-hour parking, to read as follows:

§460.21. Four-hour parking. Except for such loading zones, no-parking zones, twenty-four, thirty, one-hour and two-hour zones which are established by other sections of this article, the following zones shall be four-hour parking zones, except that on Sundays and holidays no vehicle shall stand or be left standing at any one time for more than four hours between the hours of 9:00 a.m. and 5:00 p.m.:

Highland Avenue from Cantrell Avenue to Prospect Street on the easterly side in front of the YMCA.

Hill Street on the southerly side between Lafayette Avenue and Prospect Avenue.

Section 8 – The Code of the City of Middletown, N.Y., Chapter 460, Vehicles and Traffic, is hereby amended by replacing Section 460-24, Truck loading zones, to read as follows:

§460-24. Truck loading zones. Truck loading zones are hereby established in the following locations:

Cottage Street:

A. On the easterly side in front of the main entrance of 34 Cottage Street between Orange and Rockland Pole Nos. 34 and 38.

B. Directly in front of 17-21 Cottage Street as it fronts on Erie Way.

Depot Street:

A. On the northerly side, beginning at a distance of 107 feet easterly from the intersection of James Street extending for a distance of 70 feet in an easterly direction.

B. On the southerly side, beginning at a distance 63 feet easterly of Center Street for a distance of 20 feet; however, such restriction shall not be operative on Sundays and holidays.

East Avenue, on the westerly side beginning at a point 54 feet southerly of the south side of East Main Street to a point 30 feet southerly creating a zone 30 feet in length.

East Main Street:

A. On the southerly side, two parking spaces in front of property known as No. 26-28 East Main Street.

B. On the southerly side from 2 East Main Street through 4 East Main Street, between the hours of 7:00 a.m. to 11:00 a.m. Monday through Saturday. Outside of the specified hours, said loading zone can be utilized as a parking space as set forth in Section 460.20.1

Grant Street, on the northerly side and extending a distance of 60 feet easterly from Academy Avenue.

James Street, on the easterly side, adjacent to the James Street parking lot, across from 16 James Street between the hours of 7:00 a.m. to 5:00 p.m., Sunday through Saturday.

Montgomery Street:

A. On the easterly side:

(1). Beginning at a point of the Erie Railroad Company right-of-way and running in a southerly direction for approximately 40 feet therefrom.

(2). In front of No. 14 Montgomery Street.

B. On the westerly side:

(1). Beginning at the intersection with Railroad Avenue in a northerly direction for 90 feet.

(2). Beginning at a point 387 feet north of the north side of Robert Street for a distance of 90 feet northerly.

North Street, on the westerly side:

A. In front of the premises known as No. 278 North Street.

B. Beginning at a point 120 feet south, at the intersection of Wickham Avenue and North Street.

C. From 20 North Street through 26 North Street to include the intersection of King Street, between the hours of 7:00 a.m. to 11:00 a.m. Monday through Saturday.

Outside of the specified hours, said loading zone can be utilized as a parking space as set forth in Section 460-20.1.

D. From 54 North Street through 58 North Street, between the hours of 7:00 a.m. to 11:00 a.m. Monday through Saturday. Outside of the specified hours, said loading zone can be utilized as a parking space as set forth in Section 460-20.1.

Orchard Street, on the northerly side beginning at the westerly line of the premises known as No. 15-19 Orchard Street and continuing easterly to a point 20 feet therefrom.

Prospect Avenue, on the easterly side for 50 feet in a southerly direction from the intersection of Prospect Avenue and East Main Street.

School Street, on the southerly side from a point beginning 44 feet westerly from the westerly line of Montgomery Street and extending a distance of 20 feet westerly therefrom.

Smith Street, on the westerly side in front of the premises known as No. 27 Smith Street.

Sprague Avenue, on the easterly side: one sixty-foot space in front of No. 81 Sprague Avenue from 8:00 a.m. to 5:00 p.m.

Spring Street, on the easterly side starting from a point 120 feet south from Little Avenue for a distance of 40 feet.

Sutton Hill, two twenty-minute loading zones, signs to be established by the Commissioner of Public Works.

Wawayanda Avenue, on the westerly side from the Rockland Light and Power Company Pole No. J278 and running in a southerly direction of 50 feet therefrom.

West Main Street, on the northerly side:

A. From 3 West Main Street through 7 West Main Street, between the hours of 7:00 a.m. to 11:00 a.m., Monday through Saturday. Outside of the specified hours, said loading zone can be utilized as a parking space as set forth in Section 460-20.1.

B. In front of 39 West Main Street, between the hours of 7:00 a.m. to 11:00 a.m., Monday through Saturday. Outside of the specified hours, said loading zone can be utilized as a parking space as set forth in Section 460-20.1.

Section 9 – The Code of the City of Middletown, N.Y., Chapter 460, Vehicles and Traffic, is hereby amended by adding Section 460-24.1, Truck loading zones; signage and times, to read as follows:

§460-24.1. Truck loading zones; signage and times.

A. The truck loading zones designated in Section 460-24 shall be appropriately marked and indicated by signs and shall be used only by trucks, trailers and semitrailers while actually engaged in the loading and unloading of goods and merchandise.

B. The truck loading zones designated in Section 460-24 shall be set apart as such for the loading or unloading of trucks, trailers or semitrailers between the hours of 7:00 a.m. and 6:00 p.m, unless otherwise stated in Section 460-24.

Section 10 – The Code of the City of Middletown, N.Y., Chapter 460, Vehicles and Traffic, is hereby amended by replacing Section 460-28, No-parking zone; handicapped permits only, to read as follows:

§460-28. No parking zone; handicapped permits only. The following spaces are reserved for persons with handicapped permits only:

1. Albert Street, one space in front of 22 Albert Street.
2. Beacon Street:
 - a. One space in front of 21 Beacon Street.
 - b. One space in front of 48 1/2 Beacon Street.
 - c. One parking area in front of 48 Beacon Street.
3. Beattie Avenue:
 - a. One space in front of 96 Beattie Avenue.
 - b. One space in front of 40 Beattie Avenue.
4. Bedford Avenue, one spot directly in front of 47 Bedford Avenue.
5. Bonnell Place:
 - a. In front of 20 Bonnell Place.
 - b. One spot directly in from of 11 Bonnell Place.
6. Broad Street, directly in front of 28 Broad Street.
7. Canal Street Parking Lot, two spaces to be designated by the Chief of Police.
8. Cottage Street, directly in front of 204 Cottage Street.

9. Courtland Street Parking Lot, six spaces to be designated by the Chief of Police.

10. David Moore Heights, certain spaces to be designated by the property owner and approved by the Chief of Police.

11. Deer Run condominium complex, certain spaces to be designated by the property owner and approved by the Chief of Police.

12. Depot Street: one parking space in front of 12 Depot Street.

13. East Main Street:

a. Beginning at a point on the southerly side 140 feet easterly from the intersection of Williams Street, for a distance of 20 feet easterly, one handicapped-parking space.

b. On the northerly side, one space [20 feet] in front of 27 East Main Street.

c. On the northerly side, one space [20 feet] in front of 1 East Main Street.

d. On the northerly side beginning at a point 72 feet easterly from Orchard Street, one parking space.

e. One spot in front of 114 East Main Street.

f. One spot directly in from of 230 East Main Street.

14. Erie Station Parking Lot, four spaces to be designated by the Chief of Police.

15. Erie Way, two spaces to be designated by the Police Chief.

16. Forest Avenue, on the westerly side, from a point 332 feet northerly of the intersection of Forest Avenue and Stevens Place to a point 354 feet northerly thereof (in front of 25 Forest Avenue).

17. Gardner Avenue, one parking spot in front of 61 Gardner Avenue.

18. Genung Street, on the northerly side, two spaces totaling 45 feet in front of 1 through 3 Genung Street.

19. Grant Street, one spot directly in front of 13 1/2 Grant Street.

20. Harrison Street, one spot directly in front of 37 Harrison Street, to expire on December 3, 2021.date.

21. Hill Street, one spot directly in front of 9 Hill Street.
22. Houston Avenue:
 - a. Directly in front of 11 Houston Avenue.
 - b. Directly in front of 14 Houston Avenue.
23. Irwin Avenue, two spaces in front of 19 Irwin Avenue.
24. James Street Municipal Parking Lot, seven spaces to be designated by the Chief of Police.
25. Knapp Avenue:
 - a. In front of 46 Knapp Avenue.
 - b. One spot directly in front of 12 Knapp Avenue.
26. Linden Avenue:
 - a. One space beginning at a point 25 feet northerly of the northerly corner of Hasbrouck Street.
 - b. One space in front of 74 Linden Avenue.
 - c. One parking place, directly in front of 138 Linden Avenue.
 - d. In front of the premises of 116 1/2 Linden Avenue.
27. Linden Place, one space on the westerly side, near Linden Avenue, to be designated by the Chief of Police.
28. Middletown Savings Bank Parking Lot, two spaces to be designated by the Chief of Police.
29. Middletown Twin Towers Middle School : four spaces at the entrance to be designated by the Chief of Police.
30. Midland Avenue, one handicapped space on the westerly side beginning at a point 200 feet southerly of the intersection of Wisner Avenue to a point 220 feet southerly of Wisner Avenue.
31. Mills Avenue, directly in front of 23 Mills Avenue.
32. Montgomery Street:

a. On the northwesterly side, beginning at a point 10 feet northerly of the intersection with Prince Street, thence northerly for a distance of 20 feet.

b. 44 Montgomery Street, one parking space in the front.

c. 66 Montgomery Street, one parking space in the front.

d. One space at 88 Montgomery Street.

e. One spot in front of 79 Montgomery Street.

f. One spot in front of 77 Montgomery Street.

33. Mulberry Street:

a. On the westerly side, between a point 195 feet south from the south curblane of West Main Street to a point 260 feet southerly from the south curblane of West Main Street, three parking spaces.

b. Beginning at a point 36 feet southerly from West Main Street to a point 56 feet southerly, one space.

34. North Street, one space 314 feet south of the North Street and Wickham Avenue intersection to a point 338 feet south of the above intersection (in front of 132 North Street).

35. Ogden Street:

a. One parking spot in front of 11 Ogden Street.

b. Directly in front of 54 Ogden Street.

36. Orchard Street, first two parking spaces in front of United Presbyterian Church: three-hour limit.

37. Paramount Municipal Parking Lot, four spaces to be designated by the Chief of Police.

38. Prince Street, one space directly in front of 30 Prince Street.

39. Prospect Avenue, directly in front of Dr. Anderson's office, 81 Prospect Avenue.

40. School Street, one spot directly in front of 5 School Street.

41. Sproat Street, one spot directly in front of 26 Sproat Street.
42. Stivers Place, north side, beginning at the existing no parking signs nearest Ridge Street easterly for 136 feet to a point 70 feet from Forest Avenue.
43. Summitfield, certain spaces to be designated by the property owner and approved by the Chief of Police.
44. Tompkins Municipal Lot, two spaces to be designated by the Chief of Police.
45. West Main Street, the first parking area, at the top of the parking lot, immediately outside and directly adjacent to the Middletown Arts Council (the former Mt. Carmel Church).

Section 11 – The Code of the City of Middletown, N.Y., Chapter 460, Vehicles and Traffic, is hereby amended by repealing Section 460-28(B) and replacing it by adding Section 460-28.1, Handicap parking permits, to read as follows:

460-28.1. Handicap parking permits. All handicap parking permits issued prior to October 1, 2021 shall be valid for the two-year period of time indicated on the permit, after which they shall be renewable upon appropriate application. All handicap parking permits issued on or after October 1, 2021 shall be valid for a two-year period of time, after which they shall be renewable upon appropriate application.

Section 12 – The Code of the City of Middletown, N.Y., Chapter 460, Vehicles and Traffic, is hereby amended by adding Subparagraphs (u) and (v) to Paragraph (1) of Subsection B of Section 460-41, Penalties for offenses, to read as follows:

- (u) Parked in a three-hour zone: \$25.
- (v) Non-electric vehicle parked in an electric vehicle charging space: \$50.

Section 13 - This resolution and ordinance shall take effect immediately.

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11-01-21

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 the following within the DPW 2021 budget for:

- \$30,000 transfer to cover unexpected repairs to the Central Fire House Control Room (\$3,950.00), the Senior Center Ceiling (\$9,500.00), Paramount A/C compressor (\$8,280.06) and any additional unexpected repairs for the remainder of the year (\$8,270.00). Balance of account is at zero for remainder of the year.
- \$5,000.00 transfer to cover the cost of additional dumpsters needed for the BID District. Balance of account is \$200 for remainder of the year.
- \$60,000 transfer for a Tandem Roller for Street Department for asphalt paving and patching of city streets. Current roller is a 1988 and in need of major repairs.

In the following manner:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
A.8160.100 Personal Services	\$30,000.00	A.1620.470 Repairs to Building
A.8160.100 Personal Services	\$5,000.00	A.8160.200 Other Equipment
A.5110.100 Personal Services	\$60,000.00	A.5110.200 Other Equipment

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11-01-21

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				

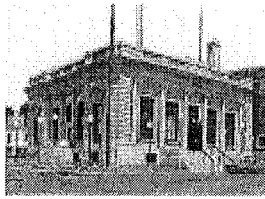
WHEREAS; the Chief of Police recently conducted an analysis of the Part-Time Police Dispatcher positions, and he believes that adjustments should be made to ensure that compensation for this position remains fair and competitive, and

WHEREAS; in researching part-time dispatcher rates of pay for neighboring jurisdictions, it appears that the City of Middletown pays well below other agencies at \$17 per hour. Orange County 911, which divides the communication responsibilities among several different personnel, pays starting dispatchers approximately \$23 per hour. The Town of Wallkill, which only employs part-time dispatchers, pays \$20.50. Our call volume and responsibilities exceed both of these locations, and

WHEREAS; the Chief of Police would like to propose the hourly rate for part-police dispatchers be increased from \$17 per hour to \$21 per hour. This would provide a more reasonable level of compensation that accurately reflects the value and responsibility associated with the role of a police dispatcher. The limited number of part-time dispatchers and their intermittent scheduling would have a very minor impact to the overall budget of the police department, and it would be my hope that by increasing the pay rate of part-time dispatchers, we may be able to reduce overtime spending as part-time dispatchers could be utilized more often to meet the demands of our agency.

SO LET IT BE RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize an increase of hourly rate from \$17.00 per hour to \$21.00 per hour for the part-police dispatchers as per the date of this resolution.

JOHN EWANCIW
CHIEF OF POLICE



TELEPHONE
845-343-3151
FAX NUMBER
845-343-2660

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

October 25, 2021

Honorable Joseph DeStefano
Mayor – City of Middletown and
Board of Estimate and Appointment
16 James Street
Middletown, NY 10940

RECEIVED
OCT 25 2021
City Clerk
City of Middletown

Mayor DeStefano and Members of the Board of Estimate,

I recently conducted an analysis of the Part-Time Police Dispatcher positions, and I believe that adjustments should be made to ensure that compensation for this position remains fair and competitive.

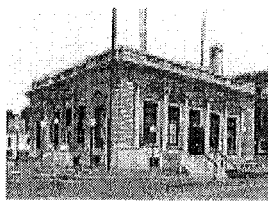
As you know Police Dispatchers, are essential for overall public safety as these individuals are the first line of communication for residents, business owners, and our own police officers. These individuals have substantial responsibilities for managing walk-in requests for information, telephone calls, and police activity out in the field.

Part-Time dispatchers are not members of the CSEA, and do not enjoy any of the benefits of the collective bargaining agreement. Part-time dispatchers do not receive a paid meal period, are not eligible for night differentials, pension contributions, or health insurance. Their overall cost to the organization is minimal, but their value is very high as they augment our full time staffing during periods where call volume and police activity is highest. They also cover shift vacancies that result from contractual time off afforded to full-time dispatchers.

In researching part-time dispatcher rates of pay for neighboring jurisdictions, it appears that the City of Middletown pays well below other agencies at \$17 per hour. Orange County 911, which divides the communication responsibilities among several different personnel, pays starting dispatchers approximately \$23 per hour. The Town of Wallkill, which only employs part-time dispatchers, pays \$20.50. Our call volume and responsibilities exceed both of these locations.

I would like to propose the hourly rate for part-police dispatchers be increased from \$17 per hour to \$21 per hour. This would provide a more reasonable level of compensation that accurately reflects the value and responsibility associated with the role of a police dispatcher. The limited number of part-time dispatchers and their intermittent scheduling would have a very minor impact to the overall budget of the

JOHN EWANCIW
CHIEF OF POLICE



TELEPHONE
845-343-3151
FAX NUMBER
845-343-2660

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

police department, and it would be my hope that by increasing the pay rate of part-time dispatchers, we may be able to reduce overtime spending as part-time dispatchers could be utilized more often to meet the demands of our agency.

I respectfully request that you review my proposal and consider increasing the part-time dispatcher pay rate. As always, if you have any questions or concerns, please do not hesitate to contact me.

Respectfully submitted,

Chief John Ewanciw

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11-01-21

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 an increase of salary in the amount of \$1,995.00 for the Assistant Director position in the office of Economic & Community Development to correct to the 426 form and will be retroactive as of July 1, 2021.

CITY OF MIDDLETOWN
Office of Economic & Community Development

October 25, 2021

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

RECEIVED
OCT 28 2021
City Clerk
City of Middletown

RE: Personnel

Dear Members:

I am requesting a correction to the 426 regarding the Assistant Directors position in the office of Economic & Community Development. The position should have reflected the amount to be above the Loan & Rehab Specialist.

The position should be funded in the amount of \$50,995.00 not \$49,000.00. This reflects a shortage of \$1,995.00 that needs to be added to the annual salary and retroactive as of July 1, 2021.

Thank you for your attention to this matter.

Maria Bruni, Director
Economic & Community Development

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11-01-21

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 confirm the Mayor's appointment of Richard McCormack as City Clerk, Registrar and Clerk of the Common Council to fill the term of the current City Clerk effective December 6, 2021 term to expire on May 31, 2022

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 11-01-21

Index No: 231-21

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				

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to temporary borrow \$469,948.60 from the General Fund Balance to the DRI Capital project due to cost exceeding the Grant award for the Pavilion and Erie way park project until other funding options are pursued in the following manner:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
General Fund Balance	\$15,945.70	H.0944.900 Park & Green Space
General Fund Balance	\$454,002.90	H.0942.900 Erie Park

RECEIVED

NOV 01 2021
City Clerk
City of Middletown

**Board of Estimate and Apportionment Meeting
Agenda**

Date: November 1, 2021

Time 3:00 PM

Mayor's Office

Virtual Attendance

1. Jacob Tawil is requesting the temporary borrowing of \$469,948.60 from the General Fund to the DRI Capital project due to cost exceeding the Grant award for the Pavilion and Erie way park project until other funding options are pursued.

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
General Fund Balance	\$15,945.70	H.0944.900 Park & Green Space
General Fund Balance	\$454,002.90	H.0942.900 Erie Park

**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: 11-01-21

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoo				
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**