



Common Council Meeting

November 1, 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. Andrew Green

Ald. Joseph Masi

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

INDEX

	<u>PAGE</u>
Kathleen McMenemy	4
Joel Sierra, County Legislator	5
Mayor DeStefano	6
Mari Bruni, Economic Development	10, 21
Jacob Tawil, DPW Commissioner	22
Kelly Ann Kelly	26
John Ewanciw, Police Chief	26
Raelynn Bertholf, Sup. of Recreation	27
John Naumchik, City Clerk	28
Ald. Burr	29
Ald. Jean-Francois	29
Ald. Kleiner	30
Ald. Ramkissoon	32
Ald. Johnson	33
Ald. Green	35
Ald. Tobin	37
Ald. Masi	37

1 1. Pledge of Allegiance

2 **PRESIDENT RODRIGUES:** Roll.

3 2. Roll Call

4 Roll Call: Ramkisson, Tobin, Kleiner,
5 Johnson, Jean-Francois, Burr, Green, Masi, President
6 Rodrigues.

7 3. Approval of Minutes.

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

9 **COUNCIL CLERK:** Tonight we have the minutes
10 from Council from October 5th, 2021.

11 **ALD. MASI:** So moved.

12 **PRESIDENT RODRIGUES:** Motion by Alderman Masi,
13 seconded by Alderman Green. All in favor?

14 **COUNCIL MEMBERS:** Aye.

15 4. Correspondence, Communications and Reports

16 **PRESIDENT RODRIGUES:** Correspondence.

17 **COUNCIL CLERK:** Nothing this evening.

18 5. For the Good of the City

19 **PRESIDENT RODRIGUES:** For the Good of the City.
20 Anyone who would like to address the council, please step
21 forward.

22 **MS. MCMENEMY:** Do I leave this on?

23 **PRESIDENT RODRIGUES:** No, you can take it off.

24 **MS. MCMENEMY:** Okay. Good evening. My name is
25 Katherine McMenemy and I still live at 19 Willow Place in

1 the City of Middletown. It's been a while. I hope all
2 is well.

3 A couple of things. One I'd like to thank the
4 Department of Parks and Recreation for redoing the Amchir
5 Park out my way. It -- it's beautiful. It is -- they
6 really did a super job.

7 The next thing I'd like to ask is that behind
8 my house we have a swamp, a canal, whatever you want to
9 call it. Periodically, it needs to be cleaned out and
10 encouraged to drain. I think it's time for that to be
11 done. I know that Jacob tries to do it on a -- on a
12 rotating basis every three to five years whatever it is.
13 I think it's probably time.

14 The other thing I'm here for is several years
15 back, two maybe, there was an article in the *Times Herald*
16 *Record* regarding a portable ice rink that the Village of
17 Slate Hill purchased two at the cost of \$5,000 each.
18 They could be used and then put away and used again
19 another year. The cost I thought was fair. And it
20 allowed people and kids and families to be able to
21 participate in ice skating which is a family affair.

22 We have to take now our grandchildren to
23 Newburgh to ice rink to skate. So I think with a
24 population of 26,000 people that, perhaps, something like
25 that would be doable for the City of Middletown.

1 And after families and kids skate, the next
2 thing they like to do is eat. So it could be a good
3 situation for recreation for kids and families and for
4 the businesses in the -- in the City of Middletown.

5 So I'm hoping that, perhaps, it's time for
6 budgeting, I guess. And, perhaps, this is the time for
7 you to figure it in. When I went and spoke to Ms.
8 Christine -- Ms. Christine, pardon me?

9 **ALD. KLEINER:** Brinckerhoff. Previous Park and
10 Rec Superintendent.

11 **MS. MCMENEMY:** Yes, the previous one. Right,
12 right. I brought her that information and she looked at
13 it and read it and she kept it on file. So I'm just
14 hoping that my timing is right and that you might
15 consider doing something like that. Thank you very much.

16 **ADL. JOHNSON:** Thank you. Great idea.

17 **PRESIDENT RODRIGUES:** Okay. Anyone else who
18 would like to address the council?

19 **MR. SIERRA:** Good evening, again. Joel Sierra,
20 County Legislator for the City of Middletown District 20.

21 Just to give you an update, Heritage Trail is
22 coming along nicely. The bridges were put in this week.
23 If you don't know, there were salvaged pieces of the old
24 Tappan Zee Bridge. So they were recleaned, reused, and
25 they were installed. And construction is coming along.

1 It should be done hopefully before the snow falls, but
2 we're getting there. We're getting there.

3 **ALD. KLEINER:** What's snow?

4 **MR. SIERRA:** It will completed -- hopefully,
5 hopefully. It should be completed up to the east -- East
6 Main Street corridor. Other than that, Election Day is
7 tomorrow. I'd like to make sure I remind all the
8 residents of the City of Middletown to get out and
9 express your -- your right to vote. And wish all of you
10 good luck tomorrow. Thank you.

11 **PRESIDENT RODRIGUES:** Thank you.

12 Anyone else? Eileen, do we have anybody on
13 line?

14 **EILEEN:** We -- we do, but not that they have
15 expressed interest in speaking.

16 **PRESIDENT RODRIGUES:** Okay. Thank you.

17 6. Remarks of the Mayor.

18 **PRESIDENT RODRIGUES:** Okay, Remarks of the
19 Mayor.

20 **MAYOR DESTEFANO:** Good evening. The Halloween
21 parade was held last week and was a great success. I
22 know there was a lot of banter on Facebook and on social
23 media that we didn't hit every street in the city. And,
24 obviously, you know, it's physically impossible to do.
25 And we -- we did have a route posted. And, you know,

1 hopefully we'll make some improvements next year on
2 communication. But, you know, some examples that were
3 angering people was that we said Highland Avenue then the
4 next street was Jay Street. Some of us thought it was
5 obvious that we were going down to Highland Avenue until
6 we got to Jay Street. But some people thought that we
7 were going to go all the way down Highland Avenue and
8 then come back to Jay Street. So I guess you can look at
9 it as the route may have been a little confusing.

10 But that's not the important part. The
11 important part is that when you watch the video put up by
12 Parks and Rec and you watch the expression on the kids'
13 faces and on the parents' faces, you'll see that it was
14 just an outstanding event full of volunteers and donated
15 goods from the -- from the community.

16 And I wanted to thank all the agencies
17 involved, Parks and Rec, Middletown Police Department,
18 DPW, fire department for, you know, a job well done and
19 all those within City Hall who made contributions. It
20 was a tremendous night. And next year we hope to see
21 many more happy faces.

22 Build a Home for Sky is -- you're all familiar
23 with it and some of the public may not be. But the --
24 the City has donated a piece of property to -- to this
25 project on Broad Street. And I just wanted to read into

1 -- into the record once again because the project is now
2 moving ahead with -- a law firm has been hired. A
3 supplemental trust has been set up.

4 So, on Saturday, November 17, 2018, Sky
5 Mendoza's life changed forever when she was involved in a
6 car accident that claimed the life of her pregnant
7 stepmother and left her paralyzed from the neck down.

8 Sky who was 17 years old and a stage 4
9 paraplegic spent 18 months in a rehab facility and now
10 shares a small apartment with her father and brother in
11 Middletown. And they were residents of the city prior.

12 After seeing Sky's desperate need for help, the
13 City recently donated a .015 acre site to a trust set up
14 for Sky. The Mendoza family is now looking to raise the
15 \$130,000 to build a wheelchair accessible home for the
16 family of three.

17 And the -- this foundation has been set up
18 accepting donations. I know the Wallkill Fire Company, I
19 believe, this past year used as a fundraiser, so they're
20 raising money. But the quicker we can raise money for
21 the family, the better -- the quicker than Sky could be
22 into the home that she so needs and deserves.

23 Her -- her stepmom was very active in
24 Middletown Little League and other programs throughout
25 the city, a lot of youth programs. And the family has

1 been a long-time Middletown resident. So if you're in a
2 position to help, whether it's \$5, \$10 or whatever,
3 please consider doing so.

4 You know, today, let me go into this warming
5 center project first. The -- as you know, November 21st,
6 I believe, the warming center will be opening on Mulberry
7 Street. It is the site of the former senior center. And
8 we know the history that being in the St. Paul's basement
9 and then relocating to the temple, we made a commitment
10 to the people in the neighborhood of the temple that it
11 would not be there the following year. We were hoping to
12 have it out sooner, but due to problems getting, you
13 know, the appropriate materials that it was delayed until
14 this year.

15 Well, we toured it the other day. And it's --
16 it's done. It's ready to occupy. The volunteers from
17 JMIC have been there working on it. And it actually
18 looks very nice.

19 But as we put this project together and the HUD
20 Washington, the Housing of Urban Development who fund the
21 CDBG program in the city and as a national program,
22 obviously, they decided that the CDBG best practices
23 webinar series that they hold is for public facilities
24 and improvements. That -- this would be a project that
25 they would like to highlight in their webinar.

1 So I'm going to ask Maria to come up briefly
2 and just to go through maybe a couple of slides with you
3 because Maria and her team in the -- in the Community
4 Development Office put together not only the funding, but
5 managed the program from day one. We came in with a
6 concept. They made the concept work working with the
7 Greater Middletown Interfaith Council. Gerry was very
8 much involved in the -- in it, so I want to thank him for
9 all his hard work on it also.

10 But the -- we -- we know the project is going
11 to be a success at Mulberry Street. But I think it
12 deserves some recognition that Middletown, the City of
13 Middletown, is one of five communities in this webinar
14 series nationwide through HUD. So, Maria, come on up and
15 just say a few words for it at this point.

16 **MARIA BRUNI, ECONOMIC DEVELOPMENT:** Thank
17 you, Mayor.

18 As the Mayor mentioned, we were five out of the
19 nation. They had State of Minnesota; Providence, Rhode
20 Island, East Providence, I'm sorry; West Des Moines,
21 Iowa; State of Pennsylvania; and us presented to the --
22 to the nation our best practices.

23 We were chosen, our field office HUD New York
24 submitted our project to HUD Washington and we were
25 chosen as one of the five.

1 Basically, it was for best practices, the best
2 use of our funds and how we applied our funds and how
3 we're managing our funds. As you know, we received in
4 COVID funds from HUD, CDBG CV funds \$542,740 and a large
5 portion of that went towards the warming station project.

6 Actually, we're -- we've already to date spent
7 over 44 percent of that money which is good when it comes
8 to timeliness with the Federal Government, so we're on
9 track to meeting our goals there as well.

10 But they wanted to know what our challenges
11 were. And the challenge was that the existing warming
12 station was not COVID safe. The temporary was only
13 available short term. And then we had some supply chain
14 shortages in delaying building materials in the time
15 line. And then we did have some difficulty getting
16 reasonable contractor bids.

17 So they wanted to know how we faced those
18 challenges. And then basically show our best practices
19 was we communicated with between the City, the Mayor and
20 the City Council with all the various organizations,
21 GMIC, the temple, St. Paul's. We utilized connections
22 throughout -- with social media throughout the City.

23 We had a program structure already in our
24 department because as you know we run the rehab program
25 through our existing CDBG allocation. So that was

1 already in place. And then what we decided to do because
2 of the supply chain and the bands and that and also the
3 bidding process, we decided to phase the construction.
4 So we did this project in phases which helped us with our
5 timeline and also pricing.

6 So if you remember, I believe our first bid
7 came in at over \$800,000 back in January. So, with
8 phasing this project in, I believe in COVID funds, it's
9 like half we spent on this project. So you can see by
10 doing this, we were able to save the federal government
11 and the City half the funds.

12 We, again, coordinated with construction
13 workers and the different trades. And, you know, shout
14 out to my department to Mike and Patty for managing this
15 program and oversight. And it -- it was just an honor to
16 be chosen by HUD and for showing how the City can -- can
17 utilize grand funds in a proper way and manage them
18 properly. And it was -- it was just pretty -- pretty
19 awesome to present. I believe they -- they told me there
20 was over 700 on the webinar, 1,200 signed up for it.

21 So, the final piece of this is it's going to be
22 packaged up and sent to Congress. They're going to do --
23 be doing a report on the webinar and they're putting a
24 report on all the best practices on all five of us. And
25 it's going to be submitted to Congress within a month or

1 so. So stay tuned.

2 **ALD. KLEINER:** Congratulations.

3 **MARIA BRUNI, ECONOMIC DEVELOPMENT:** Thank you.

4 **MAYOR DESTEFANO:** So that was all good news.

5 And as you know, we were supportive of the project. The
6 City put a few bucks into this project too to move it
7 along even quicker. And Maria's department and -- and
8 Mike Zahorchak and Patty Racine did an excellent job.

9 So now we come to the sweet time of things.
10 And that is the marijuana legislation. I understand I
11 was at the New York Conference of Mayors last meeting, so
12 I was unable to be here. So I watched the meeting online
13 and I was surprised that Mr. Ayalo took a couple cheap
14 shots. But it is election time, so, you know,
15 nonsensical statements usually just rub off my -- roll
16 down my back and I -- I try to ignore them.

17 But before I get into the comments that he
18 made, I just -- I forwarded a letter to you folks from a
19 woman. I'm not going to say where she lives, but she
20 lives in Middletown. And this is the problem we're going
21 to face with the marijuana legislation.

22 The -- she talks about where she lives and how
23 she's talked to her landlord. She lives in a multi-
24 family building. In the past few months, there's been
25 smoking of marijuana in the ground floor of the building.

1 The landlord does not want smoking in the hallways. I
2 live on the top floor and because smoke rises, it lingers
3 on the floor where I reside. My children and myself must
4 walk through a cloud of smoke when we enter or leave my
5 apartment. I have a 14-year old son and a 10-year
6 daughter. In addition to myself, it affects any person
7 that visits. My father is 72 years old. He must inhale
8 that when he -- that smoke when he visits. He has
9 emphysema.

10 The smoke enters my apartment due to the
11 frequency and the amount of people that are smoking. And
12 it goes on and it goes on and on and on. You've all --
13 you all saw it and I'm sure you were all moved by it.

14 That's one of the problems of the marijuana
15 legislation. And I know us opting out is not changing
16 that. But we are working on legislation that may be
17 helpful to city residents in that area because a landlord
18 can designate his building or their building -- his or
19 her building as smoke free. By doing so, that would mean
20 tobacco and marijuana. But by doing so, the question
21 becomes who is the enforcing agency and how does it --
22 how -- how do you respond to someone doing so and -- and
23 what rights do the -- is it the police? Is it code
24 enforcement? How -- how do we go about it?

25 So legal counsel is working on all that. So

1 we're going to come up with some interesting ways to
2 apply local laws if we can.

3 So that leads into Mr. Ayalo's inaccurate
4 statements. And because when you allow inaccurate
5 statements by a candidate for office to just lay out
6 there and they linger and then all of a sudden they
7 become fact in some people's minds. And, you know, it's
8 -- it's not coincidence that he's running for office that
9 he made these statements. It's not a coincidence he did
10 it on the night I wasn't here because no one could refute
11 his allegations. But I think that speaks more to the
12 character of the person making the charges.

13 But he stated that night that because of the
14 passage of the opt-out law and the City's delay in voting
15 that they only had 10 days to gather signatures. That's
16 not true. The opt-out law gave everyone 45 days from the
17 date of passage. As a matter of fact, I think it was the
18 date of filing the local law -- the date of signing of
19 the local law. So you had 45 days to sign it. So it
20 still stands that not one signature was collected by Mr.
21 Ayalo or any of his characters that came with him to that
22 meeting in support of the marijuana legislation.

23 And he was emphatic about that. He -- he was
24 -- stood here at the mic and looked at the people and
25 spoke to the public at home and said, basically, the City

1 screwed me. They screwed us, the advocates of this
2 program, we got screwed.

3 And we can disagree on whether it's a good or a
4 bad program, but you can't sit up here and lie. So he
5 has to be corrected that he had 45 days. And he
6 collected as many signatures in 45 days as he did in 10
7 days and that was zero.

8 He also stated that they were busy working on
9 election, so we'll do it next year. We'll go out and get
10 signatures next year in order to place this on the
11 ballot.

12 He obviously hasn't read the law or has no --
13 he's not familiar with how local laws work. And you
14 don't expect a lay person to be familiar with that
15 process. It can be confusing at times. But local laws
16 are not subject to annual referendum in New York State.
17 We don't have initiative and referendum like California
18 where you can force things to the ballot. So you had one
19 shot and that was the whole point of opting out. You
20 have one shot to opt out, but you've got multiple shots
21 to -- to opt in, at least two shots to opt in. You can
22 opt in now or you can opt in at any point in the future.

23 So, again, whether it's a lie or just not doing
24 his homework, it's absolutely irresponsible to make that
25 kind of statement.

1 He stated the libertarians who came -- who came
2 here are from Middletown or some form representative of
3 Middletown. And then the next line is, well, Peter is
4 from Newburgh. Well, Newburgh is not Middletown. If
5 Newburgh wants to do what they want to do, go to the
6 Newburgh City Council and talk there. Give your opinion
7 here. Someone else from the Ninth Judicial District
8 representing the libertarians, I don't care what the
9 libertarians have to say. I'll listen to them. I'll do
10 this. I'll do whatever it takes in a cordial manner.
11 But the bottom line is, I'm more concerned about what
12 people who live in the City of Middletown have to say
13 like the lady whose letter I just read. That's what I'm
14 concerned about.

15 And my -- I think the math on the meeting that
16 night was 16 speakers and three were from Middletown.
17 And I'll take those odds that the voices of Middletown
18 were heard and were heard. And understand that we opted
19 out with the possibility of opting back in if we so
20 choose at some point.

21 I have my own opinion and everybody here has
22 their own opinion on how we move forward. But it
23 certainly is not the correct what Mr. Ayalo said that
24 night. And I didn't know that working on a -- on a
25 campaign would preempt you from going out and getting the

1 accurate information to go to a public meeting and tell
2 the people who you're asking for support from that -- a
3 lie. And that's what he did. He looked people in the
4 eye and he lied.

5 He also stated that I should debate himself or
6 Coleen Hughes. Well, he's been coming to meetings here
7 quite a while. He didn't ask for a debate prior to that.
8 I would have been more than happy to debate him on the
9 marijuana legislation. But that legislation is done.

10 But I did meet with Coleen Hughes. And let me
11 tell you about my three, four hour meeting with Coleen
12 Hughes. Mr. Masi was there. And we had a good meeting.
13 But what he doesn't say when he mentions Coleen Hughes'
14 name is Coleen Hughes is a representative of the
15 marijuana industry. She's not a person who is an
16 informed citizen with an opinion. She's a person who
17 makes her living in the marijuana industry. So she
18 certainly is not an objective person. She's a person who
19 you can get feedback from and input from. But to show
20 you -- so we did.

21 We -- we -- we had, as I said, probably three
22 hours. And it was a good meeting. A lot of exchange of
23 ideas. And we -- we told her our opinions on different
24 things. But the one thing that I did ask Coleen Hughes
25 to do that day and it seems to be a pattern here with

1 people who don't like my position at least is I did ask
2 Coleen Hughes when you go to the public hearing and you
3 speak that you should at least upfront tell the public
4 that you are not there as the average citizen, you're
5 there as a representative of medical -- not medical
6 marijuana, you're a representative of recreational
7 marijuana. And she didn't -- she promised me she would.
8 And she did not. I had to come up after her and point it
9 out.

10 So when people deal that way, it certainly goes
11 to their credibility. When people come here and lie, we
12 can disagree, but just don't come up here and lie about
13 it.

14 So that, hopefully, will put it bed. I think
15 tomorrow is an election, so the, you know, people have
16 the choice in these matters, but I -- I could not let
17 that go without responding to it.

18 Tomorrow, as I said, is Election Day. Please
19 exercise your right to vote. We -- if you need a ride to
20 the polls, there are polls available -- rides available.
21 Just search on the internet if you need -- I'm not sure
22 if the senior bus is running tomorrow. We are running
23 the senior bus or call the senior center. That is
24 apolitical. There's no -- no partisanship involved, 346-
25 4170 or not, what is it 4070? Maria, you're -- you're

1 4170; right? I think it's 4070. 4070, I should have
2 known that first, right? But, well, if it's the wrong
3 number just call information. But it's on the website.
4 Yes. But we will give you a door-to-door service
5 bringing you to your election district if you so choose.

6 We also have -- you have a resolution tonight
7 appointing Richard P. McCormick, Middletown resident to
8 an important position. As I mentioned at one of the
9 previous meetings, our -- our Clerk of the Common
10 Council, John Naumchik, is retiring after 11 years plus
11 maybe, around 11 years of service to the City. So we
12 wanted to thank John as he enters his retired -- as a
13 retired person. I wish him the best. And we also bring
14 on Rich McCormick as the new clerk.

15 Rick comes from -- lives in the City currently
16 working in Mount Vernon. And we'll be an excellent
17 addition to the staff. So, hopefully, you'll vote
18 tonight and approve Rick's appointment.

19 And the last matter is COVID. It's getting
20 better, but it's still not great. It's almost 5 million
21 worldwide and about was about 750,000 deaths in the
22 United States. So please do what you can and wear masks
23 if possible when you're in large groups. And have a nice
24 Election Day. Thank you. Any questions?

25 **PRESIDENT RODRIGUES:** Any questions for the
 AMERICAN LEGAL TRANSCRIPTION (845) 452-3090

1 Mayor?

2 **MAYOR DESTEFANO:** Thank you.

3 **PRESIDENT RODRIGUES:** Thank you.

4 7. Remarks of Department Heads

5 **PRESIDENT RODRIGUES:** Remarks of Department
6 Heads, Economic Development.

7 **MARI BRUNI, ECONOMIC DEVELOPMENT:** Good
8 evening. The Mayor mentioned that the warming station
9 will be opening November 21st. We're going to have a
10 ceremony on November 19th at 11 a.m. at the location. So
11 we'll be sending out invites to everyone. And we're
12 looking forward to cutting the ribbon there.

13 The Paramount a week ago had a soft reopening
14 with their movies and we're doing great and getting back
15 into the swing of things. And we're looking forward to
16 the rest of the year in 2022.

17 We're starting to work on the -- well, we've
18 been working on the tree lighting and parade with -- for
19 the Santa parade and -- and such on November 26th.
20 Working with Jacob and his department on -- we should
21 have some word on a tree by the end of the week, but
22 we're still, you know, looking at trees. And we've been
23 advertising. We're looking for like a 35 foot or more
24 spruce tree. So, to donate, go to our website and you
25 can learn more about that as well.

1 But it's great to see that we're going to be
2 able to pull off the lighting this year and -- and the
3 parade. And we're just finalizing the guidelines for
4 that, the COVID guidelines, so we can have a safe night
5 as well.

6 And that's all I have for tonight.

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

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

9 **PRESIDENT RODRIGUES:** Thank you, Maria.

10 DPW Commissioner.

11 **JACOB TAWIL, DPW COMMISSIONER:** Good evening,
12 all. So, I'm just going to update you very quickly on --
13 on the projects that are taking place in the City of
14 Middletown.

15 To start off, the DEC finally -- the Mayor and
16 I have been meeting with them, literally, for years and
17 working on safe field analysis and a lot of studies and
18 revalidating the models for our safe yields and our
19 reservoirs and so on and so forth. And, finally, we got
20 the water withdrawal permit from DEC at the safe yield
21 that we were looking for which is 4.2 million gallons per
22 day which is a huge accomplishment for us.

23 There are strings attached to this permit which
24 we have to install floor meters all over our reservoirs.
25 And that is something we have one year to accomplish that

1 and we will be doing that.

2 We have also to firm up our -- we have to firm
3 up our Mill Pond water taking permit as well to change it
4 from supplemental to a permanent water taking permit.
5 And that will be -- we would be pursuing that on a fast
6 pace, so we can comply with the DEC schedule. But we are
7 very excited again about the 4.2. It's a great
8 accomplishment for us. 4.2 million gallons to be our
9 safe yield.

10 Just to give you an idea, our -- our
11 consumption right now is around 2.7 million gallons per
12 day. And we have up to 4.2. We have most of the water
13 committed for for future development. But we -- we still
14 have a cushion and we will be looking at different water
15 -- water resources as well.

16 The capital projects, obviously, Alderman Masi,
17 the reservoirs are full. And with the huge amount of rain
18 that we've had lately, about 8 1/2 inches in the last
19 week almost of October, that's a huge amount of water.
20 And that caused our New York Rising Projects which is
21 West Main Street, bridge replacement and Grant Street
22 culvert replacement to be shut down because of the huge
23 amount of water that was flowing through. But they're
24 starting both of them again. And, hopefully, tomorrow
25 we'll have more progress on the West Main. But every --

1 everything is in very good shape with these two projects
2 except for the rain.

3 The high pressure water main, the 24-inch high
4 pressure water main on 211, Monhagen Avenue just outside
5 the city, tomorrow should be the last day where we are
6 using one lane. We're putting our water main in one lane
7 of the state highway on 211. Once we're done, we're
8 going to be shifting over to the sidewalk, so you're
9 going to have two-way traffic reestablished hopefully the
10 day after tomorrow.

11 We appreciate the public perseverance and
12 working with us and being very patient and respecting the
13 safety of the workers there and the flagman and so on.
14 We appreciate it very much. But that's something that
15 has to be done for improving our infrastructure for --
16 for another hundred years.

17 The leaves, we started the leaves pickup. The
18 schedule is online. Please be very careful not to put
19 the leaves -- the piles of leaves as they come more --
20 down more and more near intersections. Keep them within
21 4 foot of the curb. If your street is not (inaudible),
22 keep it within 3 foot or 2 feet off the curb. Please,
23 because we got students in there, we got children. We
24 got school buses. You've got cars. Some cars still
25 drive crazy unfortunately, so they will not see the

1 little kids jumping, you know, between the piles of
2 leaves. We're going to go as fast as we can. But,
3 please, bear that in mind especially if there are young
4 children in the -- in the neighborhood or in that block.
5 Be very careful of that.

6 So, also, the Department of Public --
7 Department of Health, they have conducted their annual
8 inspection of our water system which includes -- includes
9 the water treatment plant and the entire reservoir system
10 and the water distribution system tanks and so on and so
11 forth. They've done that last week. Everything went
12 very smoothly and we are very happy with that.

13 Part of our regulations also to upgrade our
14 emergency response plan for our -- for our water system
15 which is the water treatment plant under reservoirs. We
16 have to do that once every five years. So we did that on
17 time and we submitted that for DOH, the local department
18 and then it goes to New York State for review and
19 approval. So that was only an update for it.

20 And before you tonight there is an important
21 resolution for the traffic operations. It's awarding the
22 bid for voice excavation in the amount of over \$26
23 million. It's a huge project in there, but it's traffic
24 operation is one large component of it for about 19 --
25 for about \$21 million. The rest of the money is -- the

1 Mayor allocated some money from the American Recovery
2 Plan. And the other money is from -- from the DRI. So
3 all together about over \$26 million.

4 And we are short some funds in there which we
5 are trying to get from Orange County Transportation
6 Council hopefully in the coming weeks. The Mayor will be
7 updating you on that.

8 And with that I will conclude my remarks. If
9 you have any questions for me.

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

11 Thank you, Jacob.

12 **JACOB TAWIL, DPW COMMISSIONER:** Thank you.

13 Good luck for everybody for tomorrow.

14 **PRESIDENT RODRIGUES:** City Treasurer.

15 **KELLY ANN KELLY, CITY TREASURER:** Good evening.

16 The Mayor, Chairman Masi, and I have met with all the
17 department heads to go over our 2022 budget. Preliminary
18 budget is on the website. If anybody has any questions,
19 I can send them copies, emails. Please reach out to me.
20 And we will be talking about it at the next Board
21 Investments meeting. And that's it.

22 **PRESIDENT RODRIGUES:** Any questions for Kelly?

23 Thank you, Kelly.

24 Police Chief.

25 **JOHN EWANCIW, POLICE CHIEF:** Good evening. I

1 actually have nothing unless you have questions for me.

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

4 **PRESIDENT RODRIGUES:** Superintendent of
5 Recreation.

6 **RAELYNN BERTHOLF, SUPERINTENDENT OF RECREATION:**
7 Good evening, everyone. We'd like to congratulate and
8 thank Eagle Scout Liam Doughty from Troop 157 who
9 recently completed his Eagle Scout project with the
10 Recreation Department. If you haven't noticed, he
11 created three free libraries. They're self-standing
12 libraries that are in three of our parks; Maple Hill,
13 Davidge Park, and Amchir. We filled them with books.
14 We've already had to refill them three times. They're
15 self-opening for the public for the kids to go. They're
16 placed next to benches. The kids have been reading
17 books, taking them. People in the community have also
18 been donating books as it gets low, so they take a book
19 and end up putting new books back in. So thank you and
20 congratulations to Liam Doughty.

21 And we'd also like to congratulate the New
22 Mayor's Youth Council officials for 2021 and 2022.
23 President is Kara Abadum (phonetic) and vice president is
24 Anaya Gonzalez (phonetic).

25 A huge thank you to the Middletown Police

1 Department, fire department, and DPW and with all with
2 the rec. We had a very successful Halloween Parade. And
3 thank you to all the communities and all the departments
4 who donated candy for us.

5 And if you haven't checked out our YouTube
6 page, the video is up. And like the Mayor was saying,
7 the smile on the kids' faces and if you listen closely,
8 Joe Adapetro (phonetic) who made the video, you can hear
9 the kids' voices in the video also and the excitement
10 from the kids and the parents in the video.

11 Right now we are pretty much wrapping up all of
12 our fall programming and we are starting to schedule our
13 winter programs. And if on the City website is a direct
14 link to our website that does all our programming for
15 winter and everything we have going on right now. And
16 that is all.

17 **PRESIDENT RODRIGUES:** Any questions for
18 Raelynn? Thank you, Raelynn.

19 City Clerk.

20 **JOHN NAUMCHIK, CITY CLERK:** Just a reminder
21 that tomorrow is voting. And if anyone has any questions
22 on their location of where they want to vote, they can
23 call my office at 346-4166 and we will tell by ward and
24 address where they need to vote if they're not sure.

25 That's all I have.

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

2 Okay. Thank you, John.

3 8. Public Hearings and Grievances.

4 (Nothing this evening.)

5 9. Petitions and Complaints

6 (Nothing this evening.)

7 10. Remarks of the Alderman.

8 **PRESIDENT RODRIGUES:** Okay. Remarks of

9 Alderman. Alderman Burr.

10 **ALD. BURR:** Just go out and vote tomorrow.

11 Thank you.

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

13 **ALD. JEAN-FRANCOIS:** Yes. Encouraging everyone

14 to go out and vote. And this year it was very

15 interesting because Sparrow and I, we've been campaign

16 and knocking on doors for -- for months. And it's

17 interesting, everyone that we talk to, I'll say 99.9

18 percent was very positive of what's going on the City.

19 And that make us very proud. We have so many projects

20 going on. I mean, we have so many positive things going

21 on in the City. And we heard from our constituents. And

22 it's a heartfelt feeling to -- to feel that we doing what

23 we're supposed to do and we doing a great job at it. And

24 thanks to everyone.

25 Please go out tomorrow and show us the love.

1 Thank you.

2 **PRESIDENT RODRIGUES:** Alderman Kleiner.

3 **ALD. KLEINER:** Thank you. I just want to add
4 to the voting that don't forget there are six
5 propositions on the back of your ballot. And Middletown,
6 New York State has five of them.

7 One is about apportionment and redistricting,
8 trying to make it fairer and absolutely non-partisan.
9 There's one about a right to clean air and water.
10 There's one about longer voter registration period right
11 up to and maybe including Election Day. The one about no
12 excuse absentee voting -- voting, so, like, they're in a
13 pandemic, if you want to vote absentee, you can, you
14 don't have to say I'll be away or any excuse. The fifth
15 one is the New York City Civil Court being able to hear
16 things from \$50,000 rather than \$25,000 limit which would
17 free up a lot of time on the Supreme Court.

18 But number six in Middletown which is very
19 important is the increase to the low SAP for the
20 volunteer firefighters. It's the sort of fund that --
21 that they can get on completing however many years it is
22 and how many fires they have to show up to. But there
23 are a requirements. And it's really the least we can do
24 for our volunteers. So I urge everyone you don't do any
25 of the others, make sure you vote for proposition six.

1 The warming station and so people know, it's 8
2 to 10 Mulberry Street. It's the old Mulberry House.
3 It's where the Land Trust was for a while. It was the
4 Mills House for many years. There are additional
5 training sessions. And they do need overnight
6 volunteers. That's the biggest need right now. There
7 will be training sessions at 7 p.m. at Mulberry at 8 to
8 10 Mulberry on Wednesday, November 3rd; Wednesday,
9 November 10th; on Monday, November 15th. And then after
10 it opens on Tuesday, November 30th. So if -- if you want
11 to sign up -- if you've been to one and want to sign up,
12 you can always go to the middletownwarmingstation.com and
13 you'll find all the information there. And thank you to
14 Andrew who maintains the site.

15 We have a lot of resolutions tonight. A lot of
16 them are transferring money within the departments from
17 -- from one line to another line. You know, the 26
18 million sounds like a lot of money for the intersections
19 project until you see that the high bid was, I think, 47
20 million. So thank you, Boise (phonetic) we really didn't
21 do so badly.

22 But all that information and all the details on
23 the transfers if you're really interested because there
24 are a lot of things that will just say transferring and
25 we'll probably -- we'll probably pass all of them. But

1 if you really want to see what they are about, you can go
2 on the website. You can look at the agenda and it has
3 all the letters explaining them and requesting them. So
4 it's -- it's there for as much as you want to find out
5 about it.

6 Andrew and I will be having our constituents
7 meeting next Monday, November 8th a 7 p.m. right here in
8 council chambers.

9 And, lastly, remember a week from Thursday and
10 before our next meeting, a week from Thursday is Veterans
11 Day. And there are two Veterans Day
12 ceremonies/celebrations being conduct in the city. One
13 is at Post 151 at the Middletown American Legion on
14 Wawayanda Avenue. And the other one will be at the Elks
15 Club. And they will both be at 11 a.m. So take your
16 pick, but please go out and support our veterans. Thank
17 you.

18 **PRESIDENT RODRIGUES:** Alderman Ramkissoo.

19 **ALD. RAMKISSOON:** Good evening. I did have the
20 opportunity to do early voting which was great. It looks
21 like we had a pretty solid turnout. And, you know, a
22 good number have already spoken their voice in the
23 selection and that's always a good sign for democracy.
24 And Paul and I have been a really good team here in the
25 Third Ward over the years and working together has been a

1 lot of fun, you know, getting out and being with our
2 community and trying to solve problems as we get them.
3 And, you know, walking around and knocking on doors and
4 talking to people is just a reminder that the people in
5 this city are a huge reason why I love Middletown so much
6 because we come from every walk of life, every kind of
7 background. And, you know, if someone were to tell me
8 that they felt that there was division or that we were in
9 any way divided, then I would argue that they are not
10 very connected to this city because we are a community
11 that rallies around when someone is in need. A perfect
12 example is raising money for Sky. We come together in
13 wonderful ways. If you go to a Friday night concert down
14 at John Degnan Square, if you come to our parades, go to
15 Nights Out Against Crime, our tree lighting which I'm
16 excited is back or any of our Middies' sporting events.
17 And you would see that Middletown is vibrant, beautifully
18 diverse, and it's a city on the rise. And that is a
19 credit to our Mayor and our Council President and their
20 leadership and to all the city workers that take pride in
21 what they do here. And I just -- I hope to see us all
22 come back and keep up the good work that we're doing
23 here. And go Middie pride.

24 **PRESIDENT RODRIGUES:** Alderman Johnson.

25 **ALD. JOHNSON:** Thank you. I want to also

1 congratulate the administration and Maria for the HUD
2 recognition. Five in the country out of hundreds, that's
3 pretty impressive.

4 I'll share the comments of Alderwoman
5 Ramkissoo and Alderman Jean-Francois. We have -- rang a
6 lot of doorbells in the last five months in the Third
7 Ward. Pretty much positive. I mean, we've done a lot of
8 good things in the last, two, four, six, eight, ten
9 years. So I haven't heard anybody thinking we weren't
10 holding our own with accomplishments and quality of life.

11 I'm very excited about the thought of the ice
12 skating rink. I did my college days up in the Finger
13 Lakes up at Cornell. It's a small city. We had an
14 outdoor rink. I agree with everything that was said
15 about more glue, quality of life, go skating, hot cocoa,
16 get a burger. I assume those were outdoor. And I think
17 if we could pull off an outdoor ice skating rink in the
18 City of Middletown, it's way better than indoor. No
19 offense to Newburgh Ice Time.

20 I also wanted to let you know that I ran into
21 athletic director coach last week. You may or not
22 remember a year or two ago when the states were here, we
23 collaborated with the -- with the school district and we
24 distributed I think it was 1,000 dining (inaudible). Mr.
25 Coach reported to the school board that those weekends

1 with the states are extremely beneficial economically and
2 to the region. And if we can showcase some of our
3 restaurants to people that are staying in a hotel or
4 motel for a night or two for their kids, it was a very
5 positive experience two years ago and we appreciate the
6 opportunity to collaborate with them once again this
7 year.

8 And, lastly, there's a guy named McCormack on
9 the agenda. Rick and I have shared a previous life in
10 different circumstances. But I -- I want to say I'm very
11 excited about him joining the team. I have every level
12 of confidence that he will present -- present a very
13 smooth transition. And welcome aboard. Thank you, Mr.
14 McCormack.

15 **PRESIDENT RODRIGUES:** Alderman Green.

16 **ALD. GREEN:** Thank you very much. Yeah, I do
17 look forward to seeing everyone here next Monday for our
18 constituent meeting. Please join us 7 p.m. here on the
19 8th.

20 Congratulations to the Mayor and Maria on that
21 warming station, CDBG Program. That's, I mean, after a
22 long year, a lot of ups and downs, what a wonderful way
23 to really show your efforts and be rewarded for them.
24 And I know everybody with the warming station committee
25 is -- is really excited and very happy with the new home.

1 And I think it's going to be great overall for everyone.

2 I did stop at the Paramount and view No Time To
3 Die. And I will say definitely if anything I took away
4 from it was that it was one of the movie-going
5 experiences I've had. And the sound system in there is
6 phenomenal. So if you get a chance to watch a movie,
7 wow, it's -- it's really amazing there, so -- so take the
8 opportunity to go in.

9 And, like everyone else said, Election Day is
10 tomorrow, please go out and vote. You know, and
11 definitely to -- to echo Alderman Kleiner, you know,
12 please turn over that ballot and do your best to support
13 the -- the propositions on the back.

14 That's all for this evening. Thank you.

15 **PRESIDENT RODRIGUES:** Alderman Tobin.

16 **ALD. TOBIN:** Hope everyone enjoyed Halloween.
17 I sure did. It was great to see all the little kids
18 running around in their costumes. My kids are getting
19 older, so they don't want to hang out with me. But it
20 was fun passing out candy and seeing the youngsters.

21 I'd like to congratulate Liam Doughty for
22 achieving the rank of Eagle Scout. He was in my son's
23 troop, 157. That's great what he did.

24 And then, I mean, I'm just going to preach a
25 little bit. But as just advice to local candidates, I

1 try to stay positive and run in a positive note. When
2 you go negative and especially in a local race, it's, you
3 know, I think it backfires on you. You know, in the end
4 of the day we're all neighbors. We go to the same
5 supermarket. Our kids go to the same schools. You know,
6 we -- we're basically living together. And that, you
7 know, you don't gain anything by tearing people down, it
8 doesn't build you up. So I think run on my advice to
9 anybody running for office, run on what you stand for and
10 keep it positive. Thank you.

11 **PRESIDENT RODRIGUES:** Alderman Masi.

12 **ALD. MASI:** Gerry, I want to thank you for
13 bringing up next Thursday the 11th is Veterans Day a week
14 from this. It actually leads me into something I wrote
15 and I want to read. And I hope you'll bear with me for I
16 think it takes me about a minute and a half.

17 I would like to take a moment to thank Vinny
18 Napolitano for submitting a letter to the editor
19 acknowledging that I am and have been for many years the
20 only military veteran Middletown elected official.

21 I want to inform you something about Vinny that
22 few people actually know. He is one of the highest
23 decorated Vietnam veterans in our area. He was awarded
24 the Purple Heart Medal. The Purple Heart Medal is
25 presented to service members who have been wounded or

1 killed as a result of enemy action while serving in the
2 US Military. A Purple Heart is a solemn distinction and
3 means a service member has greatly sacrificed themselves
4 or paid the ultimate price while in the line of duty.

5 And Vinny was also awarded the Bronze Star with
6 valor. The Bronze Star with valor is awarded for valor
7 or bravery during combat actions against an enemy force.
8 It is the fourth highest award for military combat
9 bravery. Only 1 in 40 Bronze Stars awarded are with a
10 valor device.

11 Tomorrow's election day and no matter who you
12 vote for I believe it is not only your privilege and
13 honor to cast your vote, but also your duty because of
14 the sacrifices that brave men and women like Vinny have
15 made for us. Thank you.

16 **PRESIDENT RODRIGUES:** Thank you. New business.
17 .

18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE

I, LISA KANE, certify the foregoing transcript of proceedings prior to New Business of the November 1, 2021 Middletown City Council meeting was prepared using the required electronic equipment and is a true and accurate record of the proceedings.

Signature: *Lisa Kane*
Date: November 23, 2021
Agency: American Legal Transcription
11 Market Street, Suite 215
Poughkeepsie, New York 12601

12. New Business

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

THE FOLLOWING WAS PRESENTED

	ABSENT	NAMES	AYES	NOES	ABSTAIN
By Ald. Jean-Francois		Ald. Ramkissooon	X		
Sec'd by Ald. Kleiner		Ald. Tobin	X		
Date of Adoption 11-01-21		Ald. Kleiner	X		
		Ald. Johnson	X		
		Ald. Jean-Francois	X		
Index No: 215-21		Ald. Burr	X		
		Ald. Green	X		
		Ald. Masi	X		
		Pres. Rodrigues	X		
		TOTAL	9		

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

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

THE FOLLOWING WAS PRESENTED

	ABSENT	NAMES	AYES	NOES	ABSTAIN
By Ald. Jean-Francois		Ald. Ramkissoo	X		
Sec'd by Ald. Burr		Ald. Tobin	X		
Date of Adoption 11-01-21		Ald. Kleiner	X		
		Ald. Johnson	X		
		Ald. Jean-Francois	X		
Index No: 216-21		Ald. Burr	X		
		Ald. Green	X		
		Ald. Masi	X		
		Pres. Rodrigues	X		
		TOTAL	9		

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.

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

THE FOLLOWING WAS PRESENTED

	ABSENT	NAMES	AYES	NOES	ABSTAIN
By Ald. Masi		Ald. Ramkissoo	X		
Sec'd by Ald. Green		Ald. Tobin	X		
Date of Adoption 11-01-21		Ald. Kleiner	X		
		Ald. Johnson	X		
		Ald. Jean-Francois	X		
Index No: 217-21		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 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

	ABSENT	NAMES	AYES	NOES	ABSTAIN
By Ald. Burr		Ald. Ramkissoo	X		
Sec'd by Ald. Kleiner		Ald. Tobin	X		
Date of Adoption 11-01-21		Ald. Kleiner	X		
		Ald. Johnson	X		
		Ald. Jean-Francois	X		
Index No: 218-21		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 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

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

THE FOLLOWING WAS PRESENTED

ABSENT

NAMES

AYES

NOES

ABSTAIN

By Ald. Tobin

Sec'd by Ald. Green

Date of Adoption 11-01-21

Index No: 219-21

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 \$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

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

THE FOLLOWING WAS PRESENTED

ABSENT

NAMES

AYES

NOES

ABSTAIN

By Ald. Masi

Sec'd by Ald. Ramkissoo

Date of Adoption 11-01-21

Index No: 220-21

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

FROM

A.1930.930

Judgement & Claims
Property**AMOUNT**

\$17,775.00

TO

A.1900.950

Taxes on City

A.9000.861

Health Ins – Retirees

\$200,000.00

A.9000.870

Unused Sick Time

F.9000.860

State Health Insurance
Property

\$18,900.00

F.1900.950

Taxes on City

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

THE FOLLOWING WAS PRESENTED

ABSENT

By Ald. Green

Sec'd by Ald. Tobin

Date of Adoption 11-01-21

Index No: 221-21

NAMES

AYES

NOES

ABSTAIN

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	8		1	

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
Office Exp

AMOUNT

\$100.00

TO

A.1430.480
Civil Service

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

THE FOLLOWING WAS PRESENTED

	ABSENT	NAMES	AYES	NOES	ABSTAIN
By Ald. Johnson		Ald. Ramkissoon	X		
Sec'd by Ald. Green		Ald. Tobin	X		
Date of Adoption 11-01-21		Ald. Kleiner	X		
		Ald. Johnson	X		
		Ald. Jean-Francois	X		
Index No: 222-21		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 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	\$20,000.00	A.3120.103
Contractual services		Overtime

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

THE FOLLOWING WAS PRESENTED

ABSENT

NAMES AYES NOES ABSTAIN

By Ald. Ramkissoo

Sec'd by Ald. Jean-Francois

Date of Adoption 11-01-21

Index No: 223-
21

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 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

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

THE FOLLOWING WAS PRESENTED

ABSENT

NAMES

AYES

NOES

ABSTAIN

By Ald. Kleiner

Sec'd by Ald. Green

Date of Adoption 11-01-21

Index No: 224-
21

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, 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**

THE FOLLOWING WAS PRESENTED

ABSENT

NAMES

AYES

NOES

ABSTAIN

By Ald. Burr

Sec'd by Ald. Jean-Francois

Date of Adoption 11-01-21

Index No: 225-
21

Ald. Ramkissooon	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 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.

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

THE FOLLOWING WAS PRESENTED

ABSENT

NAMES

AYES

NOES

ABSTAIN

By Ald. Jean-Francois

Sec'd by Ald. Kleiner

Date of Adoption 11-01-21

Index No: 226-
21

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 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:

AMERICAN LEGAL TRANSCRIPTION (845) 452-3090

§ 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 curbline 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 front 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 front 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

	ABSENT	NAMES	AYES	NOES	ABSTAIN
By Ald. Masi		Ald. Ramkissoo	X		
Sec'd by Ald. Johnson		Ald. Tobin	X		
Date of Adoption 11-01-21		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 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 Building	\$30,000.00	A.1620.470 Repairs to
A.8160.100	\$5,000.00	A.8160.200

Personal Services
Equipment

Other

A.5110.100

\$60,000.00

A.5110.200

Personal Services
Equipment

Other

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

THE FOLLOWING WAS PRESENTED

	ABSENT	NAMES	AYES	NOES	ABSTAIN
By Ald. Tobin		Ald. Ramkissoon	X		
Sec'd by Ald. Ramkissoon		Ald. Tobin	X		
Date of Adoption 11-01-21		Ald. Kleiner	X		
		Ald. Johnson	X		
Index No: 228-21		Ald. Jean-Francois	X		
		Ald. Burr	X		
		Ald. Green	X		
		Ald. Masi	X		
		Pres. Rodrigues	X		
		TOTAL	9		

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-time 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.

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

THE FOLLOWING WAS PRESENTED

ABSENT

NAMES

AYES

NOES

ABSTAIN

By Ald. Green

Sec'd by Ald. Tobin

Date of Adoption 11-01-21

Index No: 229-
21

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 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, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

ABSENT

NAMES

AYES

NOES

ABSTAIN

By Ald. Johnson

Sec'd by Ald. Masi

Date of Adoption 11-01-21

Index No: 230-21

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 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

	ABSENT	NAMES	AYES	NOES	ABSTAIN
By Ald. Ramkissoon		Ald. Ramkissoon	X		
Sec'd by Ald. Johnson		Ald. Tobin	X		
Date of Adoption 11-01-21		Ald. Kleiner	X		
		Ald. Johnson	X		
Index No: 231-21		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 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
Space		Park & Green
General Fund Balance	\$454,002.90	H.0942.900
		Erie Park

13. Local Laws

Council Clerk-Nothing this evening.

14. Audit

On motion of Ald. Masi seconded by Ald. Johnson

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

15. Adjournment

There being no further business meeting adjourned at 9:00 PM