

**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
APRIL 06, 2021**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL (COUNCIL CLERK)
3. APPROVAL OF MINUTES Meeting of December 15, 2020
4. CORRESPONDENCE, COMMUNICATIONS AND REPORTS (COUNCIL CLERK)
5. FOR THE GOOD OF THE CITY (PUBLIC PARTICIPATION)
6. REMARKS OF THE MAYOR
7. REMARKS OF DEPARTMENT HEADS
8. PUBLIC HEARINGS AND GRIEVANCES
 - Public Hearing for a proposed rezoning a strip of five (5) parcels on North Street.
9. PETITIONS AND COMPLAINTS (NOTHING THIS EVENING)
10. REMARKS OF THE ALDERMAN AND REPORTS OF COMMITTEES
11. UNFINISHED BUSINESS (NOTHING THIS EVENING)
12. NEW BUSINESS (RESOLUTIONS)
 - Resolution to renew an Inter-Municipal Agreement between the City of Middletown and the City of Port Jervis for a shared use of the City of Port Jervis Range Training Facility.
 - Resolution to authorize the Treasurer to record budget transfers within the 2020 budget to clear up overages payroll related expenses.
 - Resolution to approve a replacement of the City's Municipality Code Enforcement software with Edmunds Govtech-BAS.
 - Resolution to authorize the Mayor to sign an agreement with Edmunds Govtech-BAS for a new digital FOIL system.
 - Resolution to approve a Fire Department Policy and Procedure for the Fire Department Video Surveillance System.
 - Resolution to hereby reaffirm the Negative Declaration determination of significance for SEQRA for the replacement of a water tank at Mountain Avenue and the addition of a second water tank at Pilgrims Corner.



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- Resolution to approve a reverse transfer of \$240,000.00 for the resent Guymard purchase to replenish the Sewer Fund Balance because the money is available in the capital accounts.
- Resolution to approve a transfer of \$25,125.00 for the asphalt only of the upper parking lot between the Washington St, South St and the Equilibrium Brewery.
- Resolution authorizing the closing of streets for the Middletown Little League Parade on Saturday, April 17, 2021 subject to the approval of the NYS required COVID Safety Plan.
- Resolution to condemn discrimination in all its forms and specifically condemn recent attacks of aggression and hate crimes perpetrated against Asian Americans.
- Resolution to authorize the Mayor to sign all necessary documents and certifications regarding the 2021 CDGB Action Plan and authorize the submission of the 2021 Action Plan.
- Resolution to approve an easement for 7 King Street.
- Resolution for the Mayor to sign an Inter-municipal Agreement with the County of Orange for maintenance and operation of signage at the intersection of Monhagen Avenue and Seward Avenue.
- Resolution to rezone a strip of five (5) parcels on North Street from C-1 Neighborhood Business District to the contiguous C-2 Limited Business District.
- Resolution to approve a purchase of a new dump truck for the department of public works and approve a transfer to fund the purchase.
- Resolution to approve the 2021 Electronics Drop Off on September 18, 2021.

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

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





Common Council
City of Middletown
December 15, 2020

1. Pledge-Pres. Rodrigues asked all to stand for the pledge.

Pres. Rodrigues asked all to remain standing for a moment of silence for retired Police Det. Jack Vuolo
Marv Cohen 70 yr. member from the Monhagen Hose Co. May they rest in peace.

2. Roll Call: Ald. Ramkissoo, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Masi,
Pres. Rodrigues-8 Absent: Ald. Green-1

- ### 3. Approval of Minutes

On motion of Ald. Masi seconded by Ald. Jean-Francois to accept the minutes Sept. 15, 2020, Nov. 19, 2020.

All in favor

- #### 4. Correspondence

18 Wickham Ave. resident thanked the MPD for the great job –Received & Received
MFD tri annual elections held Dec. 8, 2020-Received & Filed

5. For the Good of the City
No one on line

6. Remarks of the Mayor

Mayor DeStefano- In addition of Mr. Vuolo a long time member of the Middletown Police Dept. but Mr. Cohen was also a very active in other city events, history historian and wrote a few books on Middletown. His knowledge will certainly be missed and we thank both the Vuolo family and Cohen family for the years for sharing their folks with us.

Covid news- is getting better for us but worse as a country. We are still in the yellow zone.

We did implement a mask mandate over a month ago and our case load has gone down to 129 our active case load. We are now #6 on active cases. I expressed my concern to the state that the fact that we are 6th on the list and there are communities ahead of us with more active cases that are not in the yellow zone, not that I want them to be in yellow but I want us to get out of yellow. To date I haven't had a response on that; but we are pushing for it because Middletown people are complying. The Police Dept. is doing numerous checks daily, I get reports first thing every day. There have been a couple of violations, Task Force Violation over the weekend with a business. I think Middletown Police issued one violation today mask mandate for a business that had been previously warned. But overall people here are doing what we asked them to do. There is a tremendous burden on some of our businesses they have asked me to convey that to Albany and I have and I do so on a daily basis. I just want to say thank you to those in our community that help drive that number down from 4-5 days ago; it was 179 cases in Middletown and today it is 129 active cases. Let's just keep doing the job.

With the mask mandate we have to maintain our status in a state of emergency so Alex Smith has drawn up the extension, state of emergency we can only do 30 days at a time. John and I have been told by Mr. Smith we will probably do it again in January for now the state of emergency is extended to January 18th. The mask mandate remains in place that if you are walking down the street by yourself or come across people you have to stay within 6 ft. or stay at least 6 ft. apart if you don't have a mask on, social distancing, wearing a mask inside businesses. We have given some warnings but if you are given a 2nd warning as the business was today you will be given a violation to appear in city court.

We've spent the last couple of days preparing for tomorrow night and Thursday and we cannot emphasize enough that the projected storm, the storm is projected to drop at least 18 inches of snow. O&R has brought in extra crews, we do anticipate a loss of power in the area; I don't know where of course. Our crews are lighter than usual because we do have cases of covid in the city, some with our employees. We are going to ask for patience, we are going to ask for cooperation, we are going to ask people to make sure their cars are off the street not wait till midnight. The snow is suppose to start tomorrow evening, the sooner you get the cars off the street and keep them off the street the better will be able to address the huge snowfall.

Downtown the 2 lots, James St. lot will be totally closed for overnight parking and the 2 new lots because of the ability for us we are going to have to remove snow. The plantings have not taken root yet so we are not going to be able to dump the snow into the areas designed to receive some of the snow. I know the landscaper met

today with Mark Pengel our Assistant Commissioner, I know Jacob was consulted also and we are asking for people's cooperation. I know we did issue a few permits for James St. lot, they will have to relocate to another lot in the downtown area that will allow for overnight parking.

Also asking if possible do not shovel your sidewalk with snow back into the street, I know we ask it every year and people put it in the street and don't do it too early. Your driveway will get plowed in I know it is going to be a deep snow so you might want to get ahead of it. May be that doesn't work for everybody the plows will have to push the snow back further in order to keep the roads open and widen because of the projected heavy snowfall. We are going to be coming closed to the curb, some of it will go up on your sidewalk and then when all this is done you have 24 hrs. to clear your sidewalks and make them passable.

What we are trying to avoid with the parking lots and on the street is this (showing on slide) this helps no one, doesn't help your neighborhood. Ask for all the cooperation of the people.

City crews will be out on a steady flow quite a while, like I said we are short on staff because of covid and it is important for everyone to do our best to help the Commissioner of Public Works and the DPW Dept., Mark Pengel to keep city streets clean.

You read about this past Sunday in the Record where Middletown people are moving forward on some of the programs that we are doing in our Recreation program. They have been all along but we are getting inquiries about people that would like to donate and you can do so by contacting my office and we will connect you with the Rec. Dept. or call Rec. directly. We have had some significant gifts, just on the Santa program alone we are into the thousands and we are trying to address every need for every child, we are also going to increase the Soup Kitchen allotment again to federal covid funds, CBG funds. \$10,000 to the Soup Kitchen, the demand has increased so much we are probably going to do at least another \$10,000 I believe, (asked Maria-correct) and then the Rec. Program is doing about 300 families and seniors a month on a regular basis they have been doing so since the beginning of covid. People are getting food baskets, getting necessities on a monthly basis. Chris Brinkerhoff is here and she is head of the Recreation Dept. and in conjunction with the senior program, senior program is making phone calls to see about seniors in need. I know Nicole is doing coordination of the program within Parks & Rec. thank you to all of them. Thank you to all who have contributed to helping Santa come to visit a lot of the kids here who are writing letters. Again the number of requests is quite significant and we are hoping, I'm hoping we will be to address everyone's need this year on some level.

Last Thursday we had the 3rd annual Festival of Lights, Menorah lighting it was virtual. The last I checked a few days ago we had over 8,000 views on You Tube or Face Book. Small group of people attended I know Ald. Ramkissoon, Ald. Green did attend along with Chief Ewanciw, Maria Bruni and her dept. Joe Ferrera; we wanted to keep it small because of covid. It was very well received, Rabbi Rubenstein had some music for the holiday and had very good response. Next year we will be out of covid and we will be able to make it a much larger celebration as it has been in the

past. You also know we canceled the Christmas tree lighting but we had the virtual lighting of about a half a dozen trees in the downtown area. We are trying to continue and keep people active something to look forward to. The Fire Dept. did a drive through thru through the city with the fire trucks with Santa on the back that was very well received. We are trying to keep the kids excited, give them something to do.

We also have an update on the Warming Station. The good news is yesterday HUD approved the amendment that the Common Council passed last meeting, they did accept the amendment for use of covid funds at the Mulberry House. The plans and specs. are ready and will be able for review on Monday and hope to send up bid early next week. We are going to be able to stage the work that we are looking to do. The biggest job right now which was somewhat unexpected was HVA system in the new part of the building is not in good shape. We anticipate that has to be replaced and will update it with filtration systems; the bathrooms have to be updated also. For the most part it might be towards the middle of January I'm hoping to get the bids out next week, allow 2 weeks for the bid not big jobs. Floor, HVA systems depends on when they ...equipment in. We are going to do our best to get it out ASAP.

On the finance front. We did pass our budget, we did meet I think 9 yrs. in a row now with the tax cap but we just got the bad news from NYS due to the federal government inability to come to a solution about state and local aid which they are still debating. The state of NY has followed through with their 20% cut in aid funding which is aid to municipalities. We receive about \$2.7 million a year in unrestricted state aid that line has been reduced to pay it that comes in December. \$200,000 first quarter and the balance comes in December. We got a letter first saying you are not get the full amount and sure enough they are not going to send the full amount. Our 2020 budget will be short about \$500,000 in projected aid. Compound that with 2021 in which we did budget the full aid funding anticipating (a) that the federal government would come through with state and local aid, (b) even if they don't 2020 that 2021 hopefully with a new president who supports state and local government aid will be supportive of that and Congress will be able to get off their butts and do something about maintaining some type of formula that will protect police, firemen, nurses, doctors, rural hospitals. Without state and local aid you are going to see a lot more people getting laid off nationally from the stats that I was given today 1.3 million municipal workers have been laid off across the US as of now. That is primarily because the federal government has not stepped up with state and local aid.

Some people have been discussing on social media, some people jumped back at you and say "pay for your own", you heard the president say that. Blue states, you're mismanaging your budgets and that is why we are not getting that money out to you. A) it is not only blue states, its all states. B) the reason why states and local governments cannot just do what the federal government does, we can't print money. We can't run deficits. The federal government is the only governmental agency in the country that can run a deficit therefore they are allowed to as you know can print trillions of dollars of money and hand it out. That is a big micro/macroeconomics argument on a national level; I don't know where it goes but I do know there is a trillion dollar ...that was given about 2-3 yrs. ago and the state

and local aid portion of this bill that is coming up. It is only \$160 billion nationally. I don't know if it solves the problem for a state and local government but it does go a long way to addressing some of the issues that we all have. We are asking the people here in Middletown and whoever is watching you can assist us, although all 3 people on the screen Sen. Schumer, Gillibrand and Congressman Maloney all support, very strongly supply state and local aid. It doesn't hurt to drop an e-mail or make a phone call. I can assure that 2021 that I have no plans to do any layoffs, we do have some vacancies that we are delaying till June. Is there a possibility some of those vacancies may not be filled, yes. Depends upon the status of the budget of NYS. But we have a pretty strong fund balance as you know due to our hard work over the past 10 yrs. We will be able to weather the storm, communities like Poughkeepsie will not be able to weather the storm. Newburgh also is in tough conditions also. Will it change our long term outlook on how we staff and will it make a big dent into our fund balance? Yes. There may be some long term changes by not filling vacancies but absent of state and local aid I do see that. I do see us not filling vacancies, I don't want to scare our staff and our employees that we are going to do some massive layoffs if state and local aid doesn't come. Some communities will, I don't believe we are there I don't believe we will be there in 2021 either; but we still need to get this thing passed. There has been some progress this evening from what we understand there is a talk about separating in businesses and ...financial aid that is going out for hospitals for testing and covid. They are talking about passing that portion of the bill which would be about \$700 billion and separating state and local aid which the democrats want. Also separate the liability insurance on getting businesses some liability protection against covid lawsuits which the republicans want in Congress. It appears they may do that and delay the state and local aid argument I hope it is because on January 20th we are going to have a new president and it will make it much easier to get that passed and so we might be on little, on that part I do agree with doing it to be honest with you that I think it is important that we get money out to people who need it, extend unemployment benefits and extend the other benefits in the package for people that need it. Soup Kitchens, Food Pantry's. You've seen Texas miles and miles of cars lined up just to get food. I see it happening and I know that on the international level some of the republican politicians are speaking up now and they are supporting some type of federal aid.

Don Luis-Fire Chief he has gone through all the ranks with all of us here. Past 3 yrs. he has served as Chief. He's done an outstanding job, not only was he accessible, but he has made good decisions, manages his budget well. Pretty good run with Don I want to say thank you to Don and Peggy for all the nights out answering calls. I wanted to say thank you and give you a round of applause.

Happy Holidays, Merry Christmas, Happy Hanukah, Happy Kwanzaa.

Residents of the city get ready for the snow.

Ald. Kleiner-This may seem irrelevant with 18 inches of snow coming but would you explain the skate park; it is closed because of the construction and because of the contractors insisting on it.

Mayor DeStefano- Not only the contractors but our insurance company is kind of concerned about- as you can see there is still construction going on in the vicinity of the skate park.

We were hoping this project would be done months ago; unfortunately we ran into some problems with drainage in the James St. lot. Project got delayed, so the project is not done. The skate park is the responsibility of the city not part of the contract so we are responsible, the liability of the skate park is on us. If someone goes flying off into that construction site and we allowed it, we would have some liability there. We are also doing some sidewalk work the ADA access on the corner it is close to the skate park so we decided to keep it closed. Many people are violating it, the police have been enforcing it but you are right after tomorrow it won't be an issue for quite a while because there will quite a bit of snow on it. One of the questions and I think it might have been you Jerry, is why isn't the rest of the project fenced in for protection? Well they aren't skating on the dirt, the responsibility lies on the contractor on how to secure the site. Our site is the skate park, their site is the construction site, we kept it closed for precaution. I know it is closed longer than I thought it would be but it is what it is.

7. Remarks of Dept. Heads

Maria Bruni/Economic Development- Wish everyone Happy Holiday, Merry Christmas.

Jacob Tawil/DPW Commissioner- Reservoir levels 96% full. Very good news for us. This coming snow event obviously will top it off and we are very happy about that.

The Mayor explained exactly what we are doing with the snow. Please bear with us stay off the road. Remember 2 ½ inches or more you have to be off the road, you cannot park on city streets it doesn't matter what time it is.

Also to add what the Mayor said try to shovel around the fire hydrants in your neighborhood.

Please help our guys out don't curse them out, we are going to come back and keep plowing and plowing until the streets are safe for everyone. We unfortunately have to cover your driveway again so be patient with us, try to push back shoveling the snow out as much as you can.

Regarding the covid- also the Mayor addressed it very well. I need to give some compliments to all of DPW staff and administrative staff in our offices there. We had cases of covid, we have implemented very strict under the Mayor's direction very strict policy of wearing mask all the time in the office, keeping fresh air in the offices and keeping physical separation. We had 3 cases of covid, 2 inspectors and 1 of the administrative staff; in spite of us living and working together close to each other sometimes, communicating with each other none of that covid virus has spread to the remaining staff. That goes to show how responsible our people are, administrative staff very critical to keep everybody safe.

The same goes to our Sanitation Dept. we had some issues there. Sanitation Dept. they were following guidelines and policies.

Wash, sanitize, wear mask, keep our social distance from each other we will be safe.

Capital projects- Water lines at the WTP the construction is progressing very well. All the way up to almost to Rt. 211 from the WTP we are working our way. Done with the park with the 12 inch water main, new line in there yet it is done; they haven't done the final connection, it will be done at a later date.

The contractor is going to slow down until the beginning of January weather permitting.

Brian Smith our Deputy Commissioner he came to us, he has been with us a few months now. He is very active, very ambitious and going and really upgrading our infrastructure in terms of looking out for broken valves, sewer lines that need some attention, he and Scott Mills and rest of our Water/Sewer Dept. doing a great job. With Brian he is making some real changes and upgrading our system and for that I am thankful.

Beers Dr. I heard from the aldermen of the 4th Ward, the Mayor and Council President about some odor/sewer smell in Beers Dr. area. We have been for the past 2 weeks digging up the entire area before we heard about the smell or sewer odor. Replace and troubleshoot and fix any blockages in the line and flush them completely. Everything is flushed, everything is complete, and everything is cleaned within the sewer lines. We do not understand where the odor is coming from, but we are going to continue to investigate. Ald. Tobin he sent me a picture of a manhole that has been dislocated a little bit. We saw it today, unfortunately we had a water main break that we had to attend to; tomorrow we are going to address that manhole. We spoke to the people in the neighborhood, I called them back too and assured them there really no issue that we are aware of and will continue to troubleshoot and look for the source of odor.

ADA curbs and sidewalks have been done in the downtown area. The contractor is shutting down for the winter and then start again early spring I hope with Dolson Ave.

Waste Water Plant screw pumps- they were delivered, contractor was installing them today. He is going to continue to install them tomorrow; we expect to have startup of those pumps they are major pieces of equipment. Hopefully next week or the following week we will have them started up and then we have 3 more pumps coming in to replace old ones that have been running for over 30 yrs.

Water Treatment Plant pump station- construction is progressing. However it is a little bit slow we are waiting for the pumps, special order to arrive.

Water storage tanks design- we are meeting virtually with the engineers/designers to try to resolve some of issues with their site. Mountain Ave. tank replacement, High Barney tank and repainting of Highland Ave. tank. We are working with that, we are pushing to start to issue the final plans and specifications for contracts, hopefully in January.

NY Rising we are finalizing, the design has been finalized. We are waiting for approval to go out for bid from the state which we are expecting to get this week or next week. So that is the project for replacing the bridge on West Main at the entrance of the city by Maple Hill Park and replacing the culvert under Grant St.

Traffic operations the Mayor and I met with engineers-\$21million project. We wanted to make sure all the gaps are being filled between the Traffic Operations project which is \$21million, ADA sidewalks which is about \$4-4.5 million, Street Scape which is about \$2.2 million. We want to make sure that there are no voids or gaps between all these 3 major projects. That is what the Mayor and I met with the engineers and we tried to plug all these holes in there and they are at the final stage and expect to go out for bid in January for this \$21million.

Dept. of Health did their annual inspection last month and annual inspection of our dams this month. I think we are going to be fine.

The Chief of the Fire Dept. Don Luis I worked very closely with him for 3 yrs. I think it was very constructive relationship that we have together.

Ald. Masi- With the impending massive snow that we are going to get. Thursday is normally is garbage pickup for the 1st Ward is there anything you want us to do or not to do that is different.

Commissioner Tawil-I would ask that you would delay putting out the garbage. We are going to pick it up Thursday morning. Delay putting it out on the curb.

Don Luis/Fire Chief-We had our Santa run another event thought we thought would probably be canceled due to covid along with everything else that we tried to do this year. The drive by went well. A lot of people wanted to know why it didn't go by their street. We just can't hit every street. Those that were able to see it, I hope you enjoyed it.

As Pres. of the Council said Marv Cohen, 70 yr. plus member of the Monhagen's passed away. Prayers and thoughts to his family and his knowledge will be greatly missed in the City of Middletown.

We haven't completely made a decision- as most storms we do, do a storm detail. The members don't have to worry about driving to the scenes they will already be at the firehouses in small quantity along with their own fire truck and their own meeting rooms. Practicing all the social distancing and the covid guidelines along with the masks.

Couple thank yous. As my years of Chief at the Middletown Fire Dept. are nearing the end I have a lot to be grateful for and to be able to do the job I enjoy.

I wanted to thank God for guiding me through all that was thrown my way. This year as everyone has many ups and downs.

I want to thank my family, my girlfriend now my fiancée. We got engaged on Tuesday.

Thanked the Mayor for his guidance, many meetings that we had. When I got into office you need to change, my attitude, my demeanor. We had a lot of pep talks and I must say change was good.

Thanked all the Council members for your support for making funds available so that the firemen could protect the Middletown citizens and community with the most up to date equipment.

Also want to thank Jacob, DPW office, Police Chief, Police Dept., Parks & Rec., Maria and I am sure there is a bunch of other people that I may have missed.

To the chief's that are in line with me, the volunteers, career staff and the MFD a big thank you for your support. Believing in me as a leader for this department. I did my best, what I believed in and felt to protect the citizens of this community.

For those that took offense against me in the beginning of my career I am glad I can say I believed I've proven you wrong.

As John Naumchik mentioned earlier we had our dept. elections- Nicky Barber-Chief, Robert Brady-1st Assistant, Randy MacLean-2nd Assistant, Nick Elia-3rd Assistant, Sean Gerow-Secretary, Bill Kelder-Treasurer and I wish them success.

Chief Ewanciw/Police Chief-The overnight parking obviously is very important. I want to remind the residents that it did go into full effect on December 1st we did do warnings about a week, week and half. We are now issuing summons. I just want to remind everyone to please obey the overnight parking.

In regards to the winter parking permits- there only has been a handful issued thus far. I just want to remind people that do have them that they are suspended during winter weather events. So that doesn't give you the right to park on street during winter weather.

Earlier we did send out a Nixel notice reminding people of the parking regulations and upcoming weather. Just a reminder Nixel is a great tool for our community. Please text Middletown 888777 for Nixel.

The Mayor touched upon the mask mandate we are out doing our enforcement. Just ask people to continue to do their part and help us stay safe and move us through this pandemic.

We spoke several months ago in regards to body cameras. The department has them, they have been implemented in stages, we will be fully implemented by January 4th. A great program, great vendor to work with, my staff has done a great job in getting us and ready for this. They will start having the body cameras on them. We appreciate your support.

During the month of Oct. and into Nov. we partnered with NYS Police on enforcing details, we ended up cutting it a little short due to change in our covid here in Middletown.

I just want to touch upon that, I do have some stats. During that short time period we did over 330 arrests. We will be doing a full press release here in the coming weeks to discuss the details of it. Specific areas, hot spots that we focused on based on previous crimes and criminal activity that was occurring leading up to our decision to bring them aboard.

I want to thank them and all my staff that worked with them as well.

Also would like to congratulate Chief Don Luis for his successful career as Fire Chief. It was a pleasure working with you.

Wish everyone a Merry Christmas, Happy Hanukah, safe a healthy New Year.

Chris Brinkerhoff/Supt. Recreation- Thanked our public, thank our police, thank our businesses, thank our teachers, thank our employees the care packages, donations, gift cards, cash that has come in to help us do the care packages we have been doing since March and also extra for Christmas. It has been absolutely amazing. I don't know if it is more overwhelming to see the need and what is coming in and what we are hearing from the schools and local non-for profits. Or if it is more amazing to see the response from our community, we live in incredible, incredible place.

Shout out to all the elves that have been working over at the Recreation Dept. You know we had Santa's letters to the North Pole there's 5 mailboxes out there. This Friday is the last chance for kids to drop letters off to Santa. Kudos to the elves who helped Santa answer hundreds of letters and some of those letters I know will be getting special attention from Santa Claus.

We are not running our traditional program because of covid. We are so busy right now in the Rec. Dept. it is amazing. We do have our Employee Academic Assistant Program running. As you know kids aren't doing hybrid anymore all remote, so we have a full house and we are able to keep safely and apart. The kids have been great, the staff has been great; I know it has been as asset to the city employees.

The Rec. Dept. and the Police Dept. will also be doing a little parade to lift spirits. The Fire Dept. did an incredible one. We are hopefully look at next week. Hopefully we will do the streets the Fire Dept. couldn't and just bring more smiles to people's faces.

The Rec. Dept. Holiday Light display contest, I noticed just coming down Highland Ave. today the amazing lights. Families have to sign up to participate and 35 homes did, Saturday we had some judges go around. There are winners in 5 categories, there is an overall winner that is all going to be announced on Dec. 23rd. It will be done virtually with a video to add.

Talk about videos just another quick thing we are doing we have a Story Time holiday series that Sharon Delillo does. We did a Story Time Holiday series; every Tuesday and Thursday there is someone different from the city reading a story. In fact tonight at 7pm we have the Police Chief's premiere he did a great job and I believe this Thursday the Mayor is on. Christmas Eve is the big finale 'Twas the Night Before Christmas. If you can get on the You Tube pages you can see those that have already read.

Care packages the Mayor touched on, we continue to do those. We have 11 groups serving 20 families at a time. We have 40 packages going out every week. Tomorrow is going to be all 40 at once, we usually break it up but we are anticipating the storm. We have people hustling around and are very busy.

The only thing I want to mention about the snow coming up. The Reservoir is very much still being used by walkers, it doesn't matter what the weather is. Sometimes we have even have to chase them out because the wind is too much and keep them safe.

Friday if you head up there right away most likely those lots might not be plowed yet that you use for walking the Reservoir. The DPW guys and Parks & Rec. guys have

to get city lots, sidewalks, parks cleared first and then those parking lots. We know people want to go up and cross country ski and also snow shoe. We are advising those people once we get the lot done and we will get it done as soon as we can park in the VanBurenville lot for cross country skiing and snow shoeing those trails won't be plowed. You can make your own trails through. Walkers we advise you park in the Highland Lake parking lot because that Black trail will be plowed for walkers. If anyone has any questions please call the Rec. Dept. we will answer those questions.

I have to give a shout out, we have a part time seasonal worker up there Luke Yaeger the job he has done up there is incredible. Making trails wider, safer, reporting any dangerous trees, he just completed the Orange Trail which will bring you into the VanDuzer parking lot actually make a loop for snowshoers and cross country skiers. Call with any questions.

I want to thank you for all your support as always. New equipment in Amchir, new equipment in Academy so the financial support and just the support of struggling times we have had. We always feel your support we appreciate it.

Happy Holiday.

John Naumchik/City Clerk- Wish everyone Happy Holiday.

8. Public Hearings & Grievances

John Naumchik- Nothing this evening.

9. Petitions & Complaints

John Naumchik- Nothing this evening.

10. Remarks of Aldermen

Ald. Masi- Chief Luis, thank you for your years of service and good luck in your retirement. We hope you will stay involved.

To all the city employees I want to thank you for obviously a very difficult year but you got through it and thank you very much.

Thank you to the Dept. Heads and my fellow council people thank you it was a pleasure working with you again.

I want to wish everyone a Merry Christmas, Happy Hanukkah, Happy Kwanza and hopefully next year it will be a much better year than this one.

With the impending snowstorm it is going to be a pain in the neck for 2-3 days but we will get over this if we work together.

Happy Holidays.

Ald. Tobin-Would like to schedule a meeting for Public Safety Committee, Tuesday the 22nd, 5pm.

John Naumchik-I will need an agenda and do you want it virtual?

Ald. Tobin-Yes.

I like to thank the Mayor, Finance Committee and Board of Estimate for avoiding layoffs. Tough time of the year and a lot other municipal employees are being laid off or furloughed right before the holidays.

I really enjoyed driving around the city this time of year seeing all the decorations.

I like to thank Chief Luis for his years of service in the FD with the Santa run.

Ald. Johnson- 2020 I will say goodbye and good riddance.

Going to follow the Fire Chief's lead, I think we do have something to be thankful for the year for Middletown I think has been a paradox as far as a municipality we've made a lot of progress. We've moved forward in a lot of events and a lot of projects that has enhanced the quality of life of the residents. But as a community we have a lot of residents who had nature and some cases catastrophic setbacks. But we do have some feedback. I want to thank the Mayor and administration, all the dept. heads and all the people who do all the work. We have made strides and I think we have seen exemplary leadership and service and I want to thank you all for that.

I think the Mayor continues to have the ability to have...pulse of our city figure out where we have to go, figure out how we get there. Thank you for that.

Hunger has been in the forefront in the last week. It was in the news the other day that one in six adults and one in four children will experience hunger in the days and weeks that are coming upon us. So that is a tough one for the US of America; but here locally I think there are a lot of agencies who have risen to the challenge and filled the void for need. Including but not limited to Parks & Rec. thank you for that. Salvation Army, Soup Kitchen and the agency that is I am with Cornell Cooperative Extension.

As far as my Council members I want to thank you for the privilege and pleasure serving with you, particularly the President and his leadership. As always I enjoy working with my fellow aldermen, Ald. Ramkissoon.

Let's hope for a better 2021.

Ald. Ramkissoon- Ald. Johnson the feeling is more than mutual. It has been a pleasure the last 8 yrs. it has been wonderful.

I just wanted to say it was really nice to attend the lighting of the Menorah last week. It is not easy for me to get to certain things these days.

My thanks in advance to DPW we know what is coming tomorrow and they always do such an outstanding job. My thanks to them I know they are a little short on sleep and rest.

Chief Luis, you have done a great job by the City all these years, it is not just the work the time away from your family and everything else that you have given up. We thank you for the sacrifices you made.

I want to wish everyone a Merry Christmas, Happy New Year.

Ald. Kleiner- Chief Luis thank you very much. Congratulations. You always answered our questions, been there. Not an easy job we appreciate your service.

Thank you.

Happy Bill of Rights Day to everyone.

Marvin Cohen more than Mr. Monhagen, Marvin Cohen was unbelievable Middletown Historian. Whenever at the Historical Society we get stuck even our City Historian Peter and I and everyone else whenever we couldn't come up with an answer it was always ask Marvin. As it said in the obituary he was the consummate volunteer, he was there for everything. He started more different publications, society's, he is irreplaceable. My condolences to his family and they are going to plan a celebration of his life next summer; will be looking forward to that.

We passed 300,000 deaths from Covid. Every day we have had a Pearl Harbor. Every day we have had a 9/11, every day we had a D Day every single day and there has been such depraved indifference to the loss of life by some people. Who said let it go and we give up, we haven't given up we are doing the best we can and we all should do everything we can to stay safe to minimize those numbers and to hope the vaccine starts to work and is effective and does get distributed.

Remind people that sedition is crime. If you want to stop theput down your signs and go home because you're the ones trying to steal an election. I thank all election workers and all the people who work it, it's not an easy job the poll workers and all the people who did their best to make sure that this was a fair election. We live so much and that is the essence of this democracy and I always say I am a democrat ...democrat first because we are a democracy. We are trying to stay that way and the essence of the democracy is to accept the transfer of power.

I also want to thank Jen Metzger. She was just a wonderful State Senator, probably the hardest working representative I've ever seen. She was very helpful to us in Middletown, helpful to so many people. Some big shoes to fill.

I wish her well, thank her from the bottom of my heart she went above and beyond and her staff is terrific.

State and local aid from the federal government which we desperately need, it was passed in May by the Democrats, the HERO's act, passed again in August by the Democrats; but suddenly the money and even the Federal Reserve says you need to do this. As the Mayor said the Federal Government is the only one that can print money, but they don't seem to care they are only going to do it if liability to be ... indifference of the corporations that send people to work and bet on how many will get Covid and bet on how many would die. ... responsibility and if you don't do that and give them the liability from any legal responsibility meanwhile there's 50-60 lawsuits trying to stop all ...elections. Give them complete immunity where we are not going give state and local governments any money. That is what is going on right now, that is what the Grim Reaper is insisting on and that is his description of himself not mine Mr. McConnell. That is where we are. We hope as the Mayor said with the change of administration if we do get state and local aid it is not blue states not red states it is people. It is the United States. I don't see how they say, we said a pledge today the flag the pledge of allegiance to the flag and to the Republic for which it stands, United States of America. Indivisible and we hear talks of ...again.

I don't understand, I don't even understand how even some of those people have the nerve to touch the flag much less carry it.

Merry Christmas, Happy New Year, Happy Hanukkah, thank you to all the volunteers and all the people making this a good season, the best we can. For the kids and for the people who really count and all the need and all the hunger and all the want that is out there Mr. Scrooge has another month in the White House.

Wish everyone the Happiest of Holiday.

Ald. Jean-Francois- Without Covid this year the city never missed a beat. Without Covid I think everything is spot on like we have done in the past.

I like to thank Chief Luis, thank you for your service to a great city. You surely will be missed.

DPW Commissioner as Chairman of DPW I work close with you, you and your dept. never missed a beat. I also want to thank you for what you did for Sparrow and I taking care of the issue on Beers Dr. because we received a lot of phone calls. The smell was just getting horrible and when I get these calls and I called you I know everything would be fine. Thank you for your help over the years.

Chris, Parks & Recs. each meeting you come here and update on what is going on, what your dept. is doing with the kids; it is a wonderful thing that you do and your dept.

Thank you.

City Clerk, John and your staff without you and your staff you go above and beyond.

Appreciate all you do.

Thank you.

The Mayor without your leadership none of this could happen. Thank you for all you do and Common Council Pres. thank you.

With all my colleagues, Sparrow you have been a great partner. We always go back and forth, I let you know what is going on and vice versa. Thank you all of you.

Happy Holidays.

Ald. Burr-Thank the Chief for many years of service. We appreciate everything you do.

All Dept. Heads it was nice working with you in 2020. Mr. Masi working together for 12 yrs. now and I like to thank all my aldermen, Mayor, Council Pres. and all Dept. Heads for a fine job in 2020.

Happy Holidays.

11. Unfinished Business

John Naumchik-Nothing this evening.

12. New Business

239.20 Resolution to authorize the Mayor to sign an agreement with the County of Orange to extend the current Sales Tax Agreement for two more years with no changes.

On motion of Ald. Masi seconded by Ald. Tobin

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to authorize the Mayor to sign the attached agreement with the County of Orange to extend the current Sales Tax Agreement for two more years with no changes.

COMMON COUNCIL
CITY OF MIDDLETOWN
CERTIFICATION OF RESOLUTION

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

WITNESS My Hand and the Official Seal of the City of Middletown, New York, this _____ day of _____, 2020.

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

Seal

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

240.20 Resolution to authorize the Treasurer to transfer \$152,000.00 from the CD fund balance to correct the underfunded line.

On motion of Ald. Tobin seconded by Ald. Masi

WHEREAS; Community Development received a loan payoff at the end of 2018 from a client which repayment of those funds to HUD was not made until 2020, and

WHEREAS; the line was underfunded in 2020 in the amount of \$152,000.00 and Community Development is requesting to transfer \$152,000.00 from the Fund Balance to correct the CD fund balance.

SO LET IT BE RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$152,000.00 from the CD fund balance to correct the underfunded line in the following manner:

From	Amount	To
CD. 8686	\$152,000	CD. 8686.702
Fund Balance		Debt Principal

Roll Call: Ayes: Ald. Ramkissoo, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Masi, Pres. Rodrigues-8

241.20 Resolution to approve DPW to purchase three new vehicles at state bid price.

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

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer the following within the 2020 DPW budget to purchase 3 new vehicles as follows which all items are based on state bid:

From	Amount	To
(1/3) G.8130.446 Landfill Sludge	\$46,000.00	G.8130.201 Vehicles
(1/3) F.8320.100 Personal Services		F.8320.201 Vehicles
(1/3) A.1620.470 Repairs to Building		A.1620.201 Vehicles
(1/2) F.8320.100 Personal Services	\$36,000.00	F.8320.201 Vehicles
(1/2) G.8130.446 Landfill Sludge		G.8130.201 Vehicles
G.8120.100 Personal Services	\$36,000.00	G.8120.201 Vehicles

Roll Call: Ayes: Ald. Ramkissoo, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Masi, Pres. Rodrigues-8

242.20 Resolution to approve the proposal by Mill Restoration Co., Inc. for 9 Houston Ave and restoring the grand wall at the Community Campus

On motion of Ald. Ramkissoon seconded by Ald. Kleiner

WHEREAS; the Common Council on November 2, 2020 authorized the sale of 25 Mill Street to Mill Restoration Co., Inc. This action was needed in order to start the process with the Warming Station at 8-10 Mulberry Street. The resolution requires Board of Estimate approval. Acquisition price is \$50,000.00, and

WHEREAS; a proposal has been made by Mill Restoration Co., Inc., to also purchase 9 Houston Avenue at \$25,000.00, and

WHEREAS; Mill Street Restoration Co., Inc., has proposed to restore the grand entrance wall at the former Psychiatric Center (Middletown Community Campus) which would amount to \$68,000.00. This would factor into the sale price of both properties with Mill Street Restoration Co., Inc., paying the City the amount of \$7,000.00 for the balance.

SO LET IT BE RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to authorize the Mayor to any and all necessary documents prepared with the proposal from Mill Restoration Co. subject to review by Corporation Counsel.

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

243.20 Resolution to transfer a total of \$17,000.00 within the 2020 DPW budget to cover emergency boiler installation services.

On motion of Ald. Kleiner seconded by Ald. Burr

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer a total of \$17,000.00 within the 2020 DPW budget to cover emergency boiler installation services at the STP and to cover emergency repair services at the STP for the remainder of the year in the following manner:

From	Amount	To
G.8130.200	\$12,000.00	G.8130.400
Other Equipment		Contractual Services
G.8130.200	\$5,000.00	G.8130.440
Other Equipment		Repairs to Equipment

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

244.20 Resolution to authorize the Treasurer to transfer \$12,000.00 from the Sewer Fund for payment to C.D.M for the WWTP Digesters.

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

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$12,000.00 from the Sewer Fund for payment to C.D.M for the WWTP Digesters in the following manner:

From	Amount	To
Sewer Fund	\$12,000.00	G.8130.400
		Contractual Services

Roll Call: Ayes: Ald. Ramkissoo, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Masi, Pres. Rodrigues-8

245.20 Resolution to approve the Assessment Collectors Warrant for 2021.

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

ASSESSMENT
COLLECTOR'S WARRANT
FOR 2021

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

THE PEOPLE OF THE STATE OF NEW YORK TO **DONALD J. PARIS**,
COLLECTOR OF THE CITY OF MIDDLETOWN, IN SAID COUNTY, GREETING:

YOU ARE HEREBY REQUIRED AND COMMANDED TO COLLECT from the several persons named in the assessment roll, to which this warrant is annexed, the several sums mentioned in the total \$21,031,566 column thereof opposite their respective name, together with your fees thereon as herein provided.

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

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

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

IN WITNESS THEREOF, the Common Council of said City, at a regular session, held on 12/15/20 has authorized this warrant to be signed by the Mayor of said City, and the Seal of the City to be affixed thereto, by a resolution duly passed by a majority vote of said Council, and I, in pursuance of such authorization, have this 16th day of December in the year of our Lord Two Thousand Twenty hereunto set my hand and caused the Corporate Seal of the City of Middletown to be affixed.

MAYOR

Roll Call: Ayes: Ald. Ramkissoo, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Masi, Pres. Rodrigues-8

246.20 Resolution to approve a lease between the City of Middletown and the Greater Middletown Interfaith Council regarding the use of 8-10 Mulberry Street for the Warming Station

On motion of Ald. Masi seconded by Ald. Kleiner

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to approve the attached lease between the City of Middletown and the Greater Middletown Interfaith Council regarding the use of 8-10 Mulberry Street for the Warming Station and authorize the Mayor to sign the agreement which was approved by Corporation Counsel.

COMMON COUNCIL
CITY OF MIDDLETOWN
CERTIFICATION OF RESOLUTION

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

WITNESS My Hand and the Official Seal of the City of Middletown, New York, this _____ day of _____, 2020.

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

Seal

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

247.20 Resolution to authorize the Treasurer to transfer \$300.93 within
the Civil Service 2020 budget to cover a payment to Toshiba.

On motion of Ald. Tobin seconded by Ald. Burr

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$300.93 within the Civil Service 2020 budget to cover a payment to Toshiba in the following manner:

FROM	AMOUNT	TO
1430.400	\$300.93	1430.479
Contractual Services		Equipment Rental

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

248.20 Resolution to authorize the Treasurer to transfer \$125.97 within the Corporation Counsel 2020 budget to replenish a line that is overdrawn.

On motion of Ald. Johnson seconded by Ald. Tobin

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$125.97 within the Corporation Counsel 2020 budget to replenish a line that is overdrawn in the following manner:

FROM	AMOUNT	TO
A.1420.401	\$125.97	A.1420.479
Travel Expenses		Equipment Rental

Roll Call: Ayes: Ald. Ramkissoo, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Masi, Pres. Rodrigues-8

249.20 Resolution to authorize the Treasurer to transfer within certain accounts in the 2020 budget to cover existing overdrafts

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

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer the following within the 2020 budget to cover existing overdrafts in the following manner:

<u>FROM:</u>	<u>AMOUNT:</u>	<u>TO:</u>
A.1900.910 Liability Insurance	\$32,100.00	A.1900.915 Liability Insurance-Claims
A.7321.401 Special Programs-Travel	5,373.14	A.1900.481 Special Items-Phone Exp.
A.1325.460 Finance-Collection Agrmt	150.90	A.1362.900 Tax Sale Expense
A.1325.460 Finance-Collection Agrmt	1,666.67	A.8888.900 Accounting
A.1325.460 Finance-Collection Agrmt	833.34	A.9710.900 Serial Bonds-General Exp.
F.1900.950 Water-Taxes on City Prop.	2,250.01	F.1900.481 Water-Telephone Exp.

F.1900.950 1,666.67
Water-Taxes on City Prop.

F.8888.900
Water-Auditing &
Accounting

F.1900.950 833.33
Water-Taxes on City Prop.

F.9710.900
Serial Bonds-General Exp.

G.1900.910 2,134.16
Sewer-Liab Ins. Premium

G.1900.481
Sewer-Telephone Exp.

G.1900.910 1,666.66
Sewer Liab Inc. Premium

G.8888.900
Sewer-Auditing & Accounting

G.1900.910 833.33
Sewer Liab Ins. Premium

G.9710.900
Serial Bonds-General Exp.

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

250.20 Resolution to authorize the Treasurer to transfer \$20,000.00 within
the DPW 2020 budget to cover overdraft of the overtime account for the
Sanitation Department

On motion of Ald. Ramkissoon seconded by Ald. Kleiner

RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of
Estimate and Apportionment to authorize the Treasurer to transfer \$20,000.00 within the DPW 2020
budget to cover overdraft of the overtime account for the Sanitation Department in the amount of
\$11,900.00 and additional funds estimated at \$8,000.00 for any future overtime needed until the end
of the year in the following manner:

FROM	AMOUNT	TO
A.5142.103	\$20,000.00	A.8160.103
Other Equipment		Contractual Services

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

251.20 Resolution to approve a Vacation Buy Back Programs for non-
union employees.

On motion of Ald. Kleiner seconded by Ald. Johnson

WHEREAS; the City of Middletown is requesting a Vacation Buy Back Program for full time
non-union employees excluding contract employees with sell back clauses in their contract, and

WHEREAS; upon written request to the payroll department employees can request the City buy back up to two weeks accrued vacation only if the non-union employee has at least 240 or more hours on the books, and

WHEREAS; the two weeks will be at a rate equal to their current salary which the monies will be taxable as ordinary income and will be included in the employees W-2 at the end of the year, and

WHEREAS; this program will only be for the years of 2020 and 2021 which the non-union employee must respond to the Treasurer for 2020 by December 22, 2020 and 2021 by November 1, 2021.

SO LET IT BE RESOLVED; that the Common Council of the City of Middletown hereby concurs with the Board of Estimate and Apportionment to approve a Vacation Buy Back Program for 2020 and 2021 as per the above conditions.

I will be abstaining as this directly affects me.

Roll Call: Ayes: Ald. Ramkissoo, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Pres. Rodrigues-7 Abstain: Ald. Masi-1

13. Local Laws

John Naumchik-Nothing this evening.

14. Audit

On motion of Ald. Masi seconded by Ald. Tobin

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

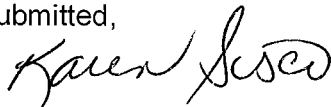
Roll Call: Ayes: Ald. Ramkissoo, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Masi, Pres. Rodrigues-8

15. Adjournment

There being no further business meeting adjourned at 9:15 PM

Respectfully submitted,

Karen Sisco



**CITY OF MIDDLETOWN
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, April 6, 2021, 2021 on or as near to 8:00 .m. as possible, Common Council Chambers, 2nd floor, 16 James Street, to hear any and all persons wishing to be heard on the proposed rezoning a strip of five (5) parcels on North Street, including the subject parcel, from C-1 Neighborhood Business District to the contiguous C-2 Limited Business District, and

302 North Street	SBL 17-2-16
304 North Street	SBL 17-2-15
306 North Street	SBL 17-2-14
306½ North Street	SBL 17-2-13.1
308-310 North Street	SBL 17-2-12.1

Any and all persons wishing to be heard will be given an opportunity to speak either for or against the proposed change of Zoning.

The complete proposed rezoning change is available in the office of the Common Council Clerk, City Hall, 16 James Street, room 12 and on the City Website.

The Public Hearing shall be conducted in person and via video/tele-conference and live on Channel 20 for viewing.

<https://middletown-ny.digitaltownhall.com/>

For any person unable to participate at the time of the public hearing, email comments may be submitted in advance to jnaumchik@middletown-ny.com

By the order of the Common Council.

John C. Naumchik
Clerk of the Common Council

Publish: 03/25/21 & 3/26/21
City Website

**CITY OF MIDDLETOWN COMMON COUNCIL
RESOLUTION**

WHEREAS, the City of Middletown has been presented with a proposal for a light manufacturing use at 308-310 North Street, and

WHEREAS, the Mayor and Economic Development are recommending to rezone a strip of five (5) parcels on North Street, including the subject parcel, from C-1 Neighborhood Business District to the contiguous C-2 Limited Business District, and

WHEREAS, the lots are described as follows on the City of Middletown tax map:

302 North Street	SBL 17-2-16
304 North Street	SBL 17-2-15
306 North Street	SBL 17-2-14
306½ North Street	SBL 17-2-13.1
308-310 North Street	SBL 17-2-12.1

RECEIVED
FEB 23 2021
City Clerk
City of Middletown

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

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

Section 1. The Code of the City of Middletown, N.Y., Chapter 123, Zoning, as adopted March 27, 1967 and amended, and in particular Section 475-6, Zoning Map, be and is hereby further amended by rezoning the following parcels from C-1 Neighborhood Business District to C-2 Limited Business District, to be governed henceforth by the provisions of Section 475-20:

Tax Map

302 North Street	SBL 17-2-16
304 North Street	SBL 17-2-15
306 North Street	SBL 17-2-14
306½ North Street	SBL 17-2-13.1
308-310 North Street	SBL 17-2-12.1

Section 2. This Ordinance shall take effect immediately.

TIMES HERALD-RECORD

P.O. Box 2046, 40 Mulberry Street, Middletown, NY 10940-6357

State of New York:

County of Orange: ss:

Tricia Crowe

Being duly sworn deposes and says that the Local Media Group, Inc. is organized under the last of the State of New York and is, at all the times hereinafter mentioned, was the printer and publisher of the Times Herald-Record, a daily newspaper distributed in the Orange, Ulster, Rockland, Dutchess, Pike, PA, Delaware and Sullivan, Counties, published in the English language in the City of Middletown, County of Orange, State of New York, that deponent is the

Legal Advertising Rep.

of said The Times Herald-Record acquainted with the facts hereinafter stated, and duly authorized by said Corporation to make this affidavit; that the

Public Notice

a true printed copy of which is attached, has been duly and regularly published in the manner require by law in said The Times Herald-Record in each of its issues published upon each of the following dates, to with: In its issues of:

03/25/2021

03/26/2021

Signature of Representative:

Tricia Crowe

Sworn to before me this 30 Day of Mar 2021

Notary Public, Orange County

CITY OF MIDDLETOWN NOTICE OF PUBLIC HEARING

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<https://middletown-ny.digitaltownhall.com/>

For any person unable to participate at the time of the public hearing, email comments may be submitted in advance to jnaumchik@middletown-ny.com

By the order of the Common Council.

John C. Naumchik

Clerk of the Common Council

RECEIVED

APR 01 2021

City Clerk
City of Middletown

ELIZABETH MARTHA RAPALO
Notary Public - State of New York
No. 01RA6344907
Qualified in Orange County
My Commission Expires 07/11/2024

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

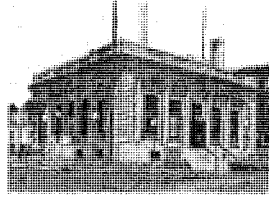
Date of Adoption 04-06-21

Index No: _____

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to renew an Inter-Municipal Agreement between the City of Middletown and the City of Port Jervis to set forth the terms between the two parties for a shared use of the City of Port Jervis Range Training Facility and authorize the Mayor to sign the attached agreement.

JOHN EWANCIW
CHIEF OF POLICE



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

CITY OF MIDDLETOWN POLICE DEPARTMENT

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
ESTABLISHED 1888

March 17, 2021

Mayor Joseph DeStefano
Members of the Common Council
And Board of Estimate
City of Middletown
16 James Street
Middletown, New York 10940

RECEIVED

MAR 22 2021

**City Clerk
City of Middletown**

Dear Mayor DeStefano and Members,

Please find the attached Inter-Municipal Agreement between the City of Middletown and the City of Port Jervis to set forth the terms between the two parties for a shared use of the City of Port Jervis Rane Training Facility.

Please be kind enough to prepare a resolution authorizing the Mayor to sign the agreement. The agreement is dated March 16, 2021 and will expire on March 16, 2023.

Once the contract is signed, please return the original to us for forwarding to the City of Port Jervis.

Thank you.

Very truly yours,

John Ewanciw
Chief of Police

Enclosure
JE:ccd

**INTER-MUNICIPAL AGREEMENT
FIREARMS TRAINING RANGE FACILITY**

THIS INTER-MUNICIPAL AGREEMENT (this "Agreement") is made and entered into as of the 16 day of March, 2021, by and between the CITY OF PORT JERVIS, a municipal corporation of the State of New York, having an office located at 20 Hammond Street Port Jervis, NY 12771; and the City of Middletown, having a mailing address at 2 James Street, Middletown, NY 10940. The City and the Licensee set forth above are each a "Party" hereto and collectively constitute the "Parties" hereunder.

W I T N E S S E T H:

WHEREAS, the Licensee maintains and operates a municipal police department or New York State certified firearms training program; and

WHEREAS, in order to provide the most efficient service to their constituents, the Parties have determined that the best interests of the public would be served by entering into this Agreement to share the use of the City of Port Jervis Range Training Facility, located at Tow Path Road, Port Jervis, NY 12771 (the "Facilities"); and

WHEREAS, in the spirit of cooperation between the Parties and in an effort to reduce expenses, the Parties hereto wish to put their agreement to share the Facilities in writing.

NOW THEREFORE, in consideration of the mutual covenants and agreements herein as well as other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereto covenant and agree as follows:

1. **Facility Use Agreement.** The Parties acknowledge that this Agreement is a license granted by the City allowing the Licensee to utilize the Facilities, for specific assigned dates and purposes, and shall not constitute a lease or rental agreement.
2. **Facility Access to be Provided.** The City shall provide the Licensee access to use the Facilities (as set forth in more fully in Section 4 herein) in order to utilize the firearms training range, training facility and classroom for law enforcement training exercises, instruction and activities (the "Services") during the Term of this Agreement.
3. **Term.** The term of this Agreement shall be for Two (2) years, commencing on _____ (the "Effective Date") until midnight on _____ (the "Term").
 - (a) **Automatic Renewal.** The Term of this Agreement shall automatically renew for additional one (1) year periods from the initial expiration date unless the Licensee informs the City in writing at least thirty (30) days from to the original or any extended expiration date that it intends to not renew this Agreement.
 - (b) **Termination.**

- (i) Termination by the City. The City may, in its sole discretion, choose to terminate this Agreement. If the City wishes to terminate the Agreement, it shall provide written notice to the Licensee at least thirty (30) days in advance of the proposed termination date. Such written notice shall be served by certified mail at the address first noted above. **Notwithstanding the foregoing, the City shall not be required to provide advanced notice to the Licensee subject to this paragraph in the event that any person utilizing the Facilities under the auspices of said Licensee compromises the health, safety and/or welfare of any person at the Facilities or damages property at the Facilities.**
- (ii) Termination by the Licensee. The Licensee hereto may withdraw from this Agreement at any time upon written notice to the City.
4. **Use of Facilities.** Licensee shall have the revocable right to use the Facilities on the dates and at the times set forth in the "Schedule of Facility Use" annexed hereto and incorporated herein as **Exhibit A**. The Schedule of Facility Use shall be assigned at the sole discretion of the City: (i) within fifteen (15) days of the Effective Date of this Agreement in the case of the current year; and (ii) prior to the first day of _____, for each ensuing year of this Agreement. If, after the schedule is established for the first full year, the Licensee wishes to continue the Schedule of Facility Use as set forth for the first year of the Agreement for subsequent years, no action will be necessary. Once the schedule is established by the City, it may only be revised upon written notice to the Licensee by the City.
5. **Insurance.** Licensee shall ensure that its current insurance policy covers liability risks associated with the use of the Facilities and shall secure at its own expense and keep in effect during the term of this Agreement policies and limits equivalent to the following:
- (a) Commercial General Liability Insurance for bodily injury and property damage, including contractual liability, with a minimum limit of \$1,000,000 per occurrence, \$2,000,000 products/completed operations aggregate, \$2,000,000 annual aggregate, \$50,000 Fire Damage and \$10,000 Medical Payments;
 - (b) Workers' Compensation Insurance for all individuals utilizing the Facilities under the auspices of Licensee with minimum limits of \$500,000 for each accident.
 - (c) The "City of Port Jervis and the City of Port Jervis Police Department, and each of their respective officers, employees and agents" shall be named as an Additional Insured on Licensee's Commercial General Liability policy. Reference to the Additional Insured endorsement to the policy shall be specified in the Certificate of Insurance and a copy attached to the Certificate of Insurance. Evidence of such insurance coverage shall be delivered to the City prior to Licensee's use of the Facilities.
6. **Indemnification.** Licensee agrees to defend and hold the City, including its agents, employees and elected officials, harmless from and indemnified against any and all liabilities, injuries or damages sustained, in whole or in part, as the result of any negligent acts or omissions of Licensee, its agents, servants or employees, committed at any time during which the Licensee is acting in connection with

the use of the Facilities pursuant to the Agreement.

7. **No Assignment/No Use by Third-Parties.** Licensee shall not assign this Agreement nor any of its obligations to perform hereunder. Any such assignment shall be automatically deemed null and void. At no time shall the Facilities be accessed or used by any person or entity that is not a signatory hereunder without the express prior written consent of the City.
8. **Approval of Agreement.** Licensee represents that the signatory below has the requisite authority to execute this Agreement on behalf of said Licensee pursuant to a duly adopted Board/Council resolution or other official authorizing act.
9. **Terms and Conditions.** Licensee shall abide by the following terms and conditions for the usage of the Facilities and all City policies and procedures. The City reserves the right to deny usage of its Facilities to any external organization, subject to all applicable state and federal laws governing the use of public property.
 - (a) Licensee shall use the Facilities in a safe and careful manner and shall comply with all applicable local, state and federal laws and rules and regulations pertaining to the Facilities as may be promulgated and amended from time to time by any governmental agency, including the City, and such other rules and regulations prescribed by fire and police departments and other government authorities, as may be in force and affect during the use of said premises by the Licensee. All portions of doors, stairways, sidewalks, entrances, passages, etc., and access to public utilities shall be kept unobstructed by the Licensee and shall not be used for any purpose. Smoking is not permitted inside the Facilities. Possession, consumption, storage or sale of any alcoholic beverages or controlled substances is strictly prohibited at the Facilities.
 - (b) Licensee shall not remove, alter, or displace furniture, apparatus, and/or equipment at the Facilities without the prior written consent from the City. Licensee shall safeguard and care for the Facilities and assume responsibility for payment of any damages resulting from its use of the Facilities. After each use of the Facilities, Licensee must return the Facilities to the same condition as before the respective use.
 - (c) The City may cancel or relocate the use of the Facilities at any time in its sole discretion to accommodate a City activity. The City shall notify the Licensee immediately if cancellation or relocation is required.

GENERAL PROVISIONS

10. This Agreement may not be changed orally. All changes shall be made in writing and approved by the respective municipal boards or governing boards of the Licensee hereto.
11. Any notice, demand, request or other communication required to be given under this Agreement shall be given by personal delivery or by certified or registered mail, postage prepaid and addressed to the respective Licensee at its office or its mailing address first set forth above.
12. The Parties agree to use their best efforts, in good faith, to resolve any dispute arising out of this Agreement, and either Party shall have the right to require the other Party to attend a meeting to resolve said disputes upon thirty (30) days' written notice. Notwithstanding the foregoing, the City shall have

the final decision-making authority with the interpretation and implementation of this Agreement.

13. If any provision of the Agreement or the application of any provision hereof to any person or circumstance is adjudicated to be invalid, the remainder of the Agreement and the application of such provision to other persons and circumstances shall not be affected unless the invalid provision substantially impairs the benefits of the remaining portion of this Agreement.
14. This Agreement shall be governed by and construed in accordance with the laws of the State of New York. Any claims, legal proceeding or litigation arising in connection with this Agreement shall be brought exclusively in the courts of Orange County, New York, and the Parties hereto consent to the jurisdiction of such courts. The prevailing Party to any litigation with respect to this Agreement shall be entitled to recover court costs and reasonable attorney's fees from the non-prevailing Party.
15. This Agreement may be executed in counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. The exchange of copies of this Agreement and of signature pages by electronic mail in "portable document format" (".pdf") form shall constitute effective execution and delivery of this Agreement as to the Parties and may be used in lieu of the original Agreement for all purposes. PDFs and electronic signatures shall have the same force and effect as originals thereof.

IN WITNESS WHEREOF, the Parties hereto have hereunto set their hands and seals the day and year first above written.

CITY OF PORT JERVIS

By: _____

Name: William Worden

Title: Chief of Police

By: _____

Name:

Title:

Exhibit A

Schedule of Facility Use

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 04-06-21

Index No: _____

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to record the attached budget transfers within the 2020 budget to clear up overages payroll related expenses that must be paid with or without budget balances.

RECEIVED

MAR 31 2021

City Clerk

City of Middleburg

GENERAL FUND

FROM:

ACCOUNT NO.ACCOUNT DESCRIPTION

TO:

ACCOUNT NO.ACCOUNT DESCRIPTIONAMOUNT

A.1010.480
A.1325.103
A.1325.460
A.1420.480
A.1440.400
A.1440.400
A.1620.103
A.1900.991
A.1900.910
A.1900.910
A.3010.463
A.3120.103
A.3120.103
A.3410.493
A.8160.100
A.9000.810
A.9000.861

Common Council-Office Expense
Finance-Overtime
Finance-Collection Agreement
Corp Counsel-Office Expense
Engineer Contractual Expense
Engineer Contractual Expense
Maintenance-Overtime
Special Items-Appraisal of Property
Special Items-Liability Ins. Premium
Special Items-Liability Ins. Premium
Public Safety-Safety & Health
Police-Overtime
Police-Overtime
Fire-Training Field Improve
Sanitation-Personal Services
Employee Benefit-Employee Retire
Employee Benefit-Health Insurance-Retirees

A.1010.100
A.1325.100
A.1325.100
A.1420.479
A.1430.100
A.1430.480
A.1620.100
A.1900.481
A.1900.481
A.1900.915
A.3010.462
A.3140.103
A.3410.103
A.3420.415
A.8160.103
A.9000.815
A.9000.860

Common Council-Personal Services 2,640.92
Finance Personal Services 1,500.00
Finance Personal Services 11,485.29
Corp Counsel - Equipment Rental 32.50
Civil Service Personal Services 6,450.31
Civil Service-Office Expense 38.56
Maintenance-Personal Services 494.32
Special Item- Telephone Expense 3,000.00
Special Item- Telephone Expense 913.56
Special Item-Liability Ins. Claims 3,644.95
Public Safety-Footware Allowance 216.75
Fed Reimb-Overtime 4,689.40
Stop DWI-Overtime 4,989.58
Fire Stations-Light & Heat 5,216.36
Sanitation-Overtime 836.51
Employee Benefit-P&F Retire 14,359.50
Employee Benefit - Health Insurance 23,329.13

Community Development

TOTAL

83,837.64 ✓

CD.8686.400
CD.8686.400
CD.8686.479

Contractual Services
Contractual Services
Equipment Rental

CD.8686.200
CD.8686.835
CD.8686.456

Other Equipment
MTA Mobility Tax
Program Elements

96.41
15.73
341.72
453.86 ✓

TOTAL

WATER FUND

F.1900.910
F.8310.100
F.8320.100
F.8320.103
F.8320.103
F.8340.103
F.9000.840
F.9000.840
F.9000.840

Special Items-Liability Ins. Premium
Water Admin-Personal Services
Pumping Station/Supply-Personal Services
Pumping Station/Supply-Overtime
Pumping Station/Supply-Overtime
Distribution System-Overtime
Employee Benefit-Worker's Comp
Employee Benefit-Worker's Comp
Employee Benefit-Worker's Comp

F.1900.481
F.8330.100
F.8330.100
F.8330.100
F.8330.103
F.8340.100
F.9000.810
F.9000.835
F.9730.900

Telephone Expense 1,512.85
Purification Personal Services 15,244.78
Purification Personal Services 23,597.16
Purification Personal Services 6,811.56
Purification Overtime 5,388.91
Distribution System-Personal Services 379.62
State Retirement System 6,649.89
Employee Benefits-Mobility Tax 103.23
Bond Antic Notes-General Expense 5,775.00
65,463.00 ✓

TOTAL

SEWER FUND

<u>FROM:</u> <u>ACCOUNT NO.</u>	<u>ACCOUNT DESCRIPTION</u>	<u>TO:</u> <u>ACCOUNT NO.</u>	<u>ACCOUNT DESCRIPTION</u>	<u>AMOUNT</u>
G.1900.910	Special Items-Liability Ins. Premium	G.1900.481	Special Items-Telephone Expense	1,512.86
G.8130.415	Sewage T&D-Light & Heat	G.8130.100	Sewer Admin-Personal Services	57,160.73
G.8130.415	Sewage T&D-Light & Heat	G.8130.458	Sewer Admin-Telephone Expense	2,425.92
G.8130.415	Sewage T&D-Light & Heat	G.8130.440	Sewage T&D-Repairs to Equipment	322.57
G.9730.900	Bond Anticipation Notes-General Expense	G.9730.701	Bond Anticipation Notes-Interest	0.90
G.8130.415	Sewage T&D-Light & Heat	G.8130.480	Sewage T&D-Office Expense	349.64
			TOTAL	61,772.62 ✓
<u>GOLDENAREA</u>				
GA.5680.100	Personal Services	GA.9000.810	Retirement	8,841.09
GA.5680.100	Personal Services	GA.9000.860	Health Insurance	5,767.42
GA.5680.103	Overtime	GA.9000.860	Health Insurance	2,298.04
GA.5680.415	Light & Heat	GA.9000.860	Health Insurance	2,606.73
GA.9000.830	Social Security	GA.9000.860	Health Insurance	471.49
			TOTAL	19,984.77 ✓
			Grand Total	231,511.89

Prepared 3/23/20

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 04-06-21

Index No: _____

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to approve a replacement of the City's Municipality Code Enforcement software with Edmunds Govtech-BAS and authorize the Treasurer to transfer \$38,302.00 from the general fund balance to fund the new software program in the following manner:

From
Gen. Fund Bal.

Amount
\$38,302.00

To
A.1400.400
Contractual Services

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

RECEIVED

MAR 24 2021

City Clerk
City of Middletown

Date: March 17, 2021
To: Honorable Mayor DeStefano, Honorable Members of the Board of
Estimate and Apportionment, Members of the Common Council,
Don Paris, Treasurer, John Naumchik, City Clerk
From: Jacob Tawil, Commissioner of Public Works 

Re : Replacement to Muncity Code Enforcement-Building Department
Software with, Edmunds Govtech-BAS

Greetings,

As you are aware of, back in 2006, City DPW wanted to computerize our Code Enforcement, Building Department, permitting.... After some research, we purchased Muncity Software Management System. The software has served well since then. Muncity has recently contacted us with proposal to migrate to a Cloud based software at a significant increase in price. This prompted us to start looking for alternatives. I checked with our CEOs where they had exposure to a different more user-friendly software, with more capabilities and technical support.

I tasked Fire Inspector Theron Adkins of doing the research, and contacting different specialty software providers, arrange for demos and call references.

Below is FI Adkins report. As a conclusion, we recommend the purchase of a new Code Enforcement software at less cost than the Muncity required upgrade and annual support fee.

Update: We received an email from General Code stating that it will stop supporting Muncity Software in 2022.

FI Adkins findings:

The City of Middletown has used Muncity for our inspection and permitting – Code Enforcement software for the last several years. There are functionality issues with the current Muncity program that directly impact the efficiency of our inspection program. They are moving to a new platform that is based on a cloud system and wanting customers to upgrade to their new software. Customer service and updates have been very slow and cumbersome.

We sourced a few different companies to meet our needs as we grow and move to more online based inspections and permitting.

The one company that stood out to us is Edmunds Govtech. They supplied us with a demonstration of their product. The integration from our current system to BAS will be handled by their software team. There are multiple benefits to using this company. Such benefits are the inspection software being less cumbersome and more user friendly, the ability to integrate both the Planning and Zoning Boards, completely customizable forms and inspection templates and the ability to have online permitting and other transactions. There is also a tremendous cost savings as compared to upgrading the current Muncity software. They will also train all users on the new system.

Inquiries were made to multiple jurisdictions on the reliability and overall satisfaction of the software. All responses were very positive with customer service being the number one compliment. As opposed to the customer service for Muncity which is unavailable. It should be noted that the jurisdictions that were contacted were previous Muncity customers.

As such, I am requesting that the Board of Estimate and Apportionment approve the enclosed proposal for software service, professional services (implementation), and annual maintenance from Edmunds Govtech for the amount of \$38,302.00 for the first year and then \$5152.00 annually. The cost for Muncity was quoted at \$57,485.00 for the implementation and \$37,900.00 annually.

Respectfully
Jacob

FROM	AMOUNT	TO
1. General Fund	\$38,302.00	A.1400.400 Contractual Services



Sales Proposal prepared for Middletown City, NY

Prepared by: John Wray, Regional Sales Director

Proposal Date: 12/15/2020

Expiration Date: 03/31/2021

Software Services	One-Time Fees
IPS - Complaints Module	\$3,000.00
RPS/Assessment Sync	\$1,000.00
IPS - Periodic Inspections	\$3,000.00
IPS - Web Portal	\$1,500.00
IPS - Workflow Automation	\$3,000.00
IPS - Mobile App	\$900.00
IPS - Planning & Zoning/Projects	\$3,000.00
IPS I	\$3,500.00
One-Time Fees:	\$18,900.00

Professional Services - Implementation	One-Time Fees
IPS Implementation I	\$7,750.00
Project Management I	\$6,500.00
One-Time Fees:	\$14,250.00

Support Services	Annual Fees
------------------	-------------



Support Services	Annual Fees
IPS - Complaints Module Maintenance	\$720.00
RPS/Assessment Sync Maintenance	\$250.00
IPS - Periodic Inspections Maintenance	\$720.00
IPS - Web Portal Maintenance	\$600.00
IPS - Workflow Automation Maintenance	\$720.00
IPS - Mobile App Maintenance	\$360.00
IPS - Planning & Zoning/Projects Maintenance	\$720.00
IPS I Maintenance	\$1,062.00
Annual Fees:	\$5,152.00

Total Year 1 Investment:	\$38,302.00
---------------------------------	--------------------

Proposal Notes:

Project management line to cover the not to exceed cost for data conversion scope of work (sow) from current system. Actual sow tbd based on further discovery and discussion between egt staff & Middletown City staff. If actual sow appears to be outside the allocated hours then a revised estimate will be drafted.

Egt will enhance the mobile functionality to match the idr documents reviewed and confirmed by egt and Middletown staff.



Payment Terms

Any one-time License Fees: 100% will be due upon execution of the contract (Effective Date) The customer has the rights to use the software as long as it maintains an active customer support agreement in good standing.

Any one-time Implementation Fees: 50% will be due upon execution of the contract, 25% will be invoiced 60 days after the Effective Date and the remaining 25% will be invoiced upon the earlier of project acceptance or first production use.

Any one-time Data Conversion Fees: 50% will be due upon execution of the contract, 25% will be invoiced 60 days after the Effective Date and the remaining 25% will be invoiced upon the earlier of project acceptance or first production use.

Any annual Support Fees: 100% will be invoiced upon execution of the contract for the first annual term. Thereafter, 100% of each subsequent annual fee will be invoiced annually, 60 days prior to the anniversary of the term date.

The term of the support agreement is 36 months commencing upon 90 days after the Effective Date

All invoices are payable with Net 30 terms.

**Please return executed Sales Orders
via DocuSign or Email to:**

Edmunds GovTech
SalesOrders@EdmundsGovTech.com
P: 888.336.6999 | F: 609.645.3111
www.EdmundsGovTech.com



INVESTMENT DETAIL & OPTIONS

Prices noted for setup, configuration, training, and other services are valid for 6 months from the date of this proposal.

Line Item Description	First Year	Annual Recurring
Municipity 5 / Web-hosted Subscription		
Annual Core Municipity5 Site Subscription	\$25,200	\$25,200
Annual Core Municipity5 Mobile Subscription – 5 Users	\$1,500	\$1,500
Annual Core Connect Subscription	\$7,500	\$7,500
Annual Core Assets and Work Orders Subscription	\$3,000	\$3,000
Data Conversion- Municipity Enterprise (up to 40 hrs)	\$6,000	
Implementation and Training of (up to 4 consecutive days)	\$44,785	
• Code Enforcement • Applications to Certificates • Periodic Inspections • Vacancy's • Assets and Work Orders • Connect (remote training)		
Integrations: eCode360 and Laserfiche	\$3,700	\$700
Municipity Enterprise Upgrade Credit	(\$34,200)	
Total Annual Subscription Price	\$57,485	\$37,900

***Note – does not include additional integrations with 3rd party applications or Data Migrations.**

The base Municipity subscription license charges support the following:

- Annual Software subscription – this is the actual cost of the software license itself and is an annual recurring expense.
- Hosting – This covers the cost of providing the software in the Cloud and is an annual recurring expense.
- System access – The Municipity subscription pricing includes unlimited user access. There may be normal added expenses for adding users or departments to the system for set up and training but

there is no additional charge for adding users (Does not include Mobile access which is user license based).

- General Code/Helpdesk – General Code provides Helpdesk support to users and admin managers on a daily basis. This covers the extensive ongoing support that the customer receives while on subscription.

1. Adjustments to Performance Schedule; Delays.

Adjustments to Schedule. Upon the mutual consent of the Municipality and General Code, the "Performance Schedule" may be changed or extended as provided under "Delays" below.

Delays. Client must notify General Code, in writing, immediately upon learning or otherwise becoming aware, of any difficulties that may delay the delivery of services or deliverables. Such notification must identify the reason for the delay, as well as the anticipated period of delay. General Code may require a payment of 50% of the balance due under specific Milestone(s) impacted for any delay on Client's part with a duration of more than one calendar week. This clause shall not apply in case of force majeure."

AUTHORIZATION & AGREEMENT

The City of Middletown, New York hereby agrees to the procedures outlined above, to General Code's Terms and Conditions which are available at <http://cms.generalcode.com/terms-conditions>, and authorizes General Code to proceed with the project.

Year 2 forward: \$37,900

PAYMENT SCHEDULE

SUBSCRIPTION

- 100% of the First-Year subscription price shall be invoiced upon site license activation – payable within 30 days of authorization
- 100% of the Subsequent years' subscription price shall be invoiced at the 1-year anniversary of license activation

SERVICES – SETUP, IMPLEMENTATION, TRAINING & TRAVEL

- 5% of the total services price shall be invoiced after Phase 1 - Discovery
- 20% of the total services price shall be invoiced after Phase 2 - Initial Configuration
- 25% of the total services price shall be invoiced after Phase 3 - Process and Data Review
- 20% of the total services price shall be invoiced after Phase 4 - Process Testing and Rework
- 15% of the total services price shall be invoiced after Phase 5 - Training and Go-live
- 5% of the total services price shall be invoiced 20 days after training
- 10% of the total services price shall be invoiced upon deployment of Connect

CITY OF MIDDLETOWN, ORANGE COUNTY, NEW YORK

By: _____ In the Presence of: _____
Title: _____ Title: _____
Date: _____ Date: _____

GENERAL CODE, CMS, LLC

By: _____ In the Presence of: _____
Title: _____ Title: _____
Date: _____ Date: _____

1. *Sign the Proposal*
2. *Fax or email the Authorization & Agreement Section only to: ICCCDS@generalcode.com • fax (585) 328-8189*
3. *Mail the signed Proposal to General Code at: 781 Elmgrove Road • Rochester, NY 14624*

Upon request General Code can sign and mail a copy of this agreement back to the Municipality for its records.

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 04-06-21

Index No: _____

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Mayor to sign the attached agreement with Edmunds Govtech-BAS for a new digital FOIL system for a one-time fee of \$3,400.00 and annual support of \$900.00.

LET IT BE FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to fund the new software from the 2021 City Clerk budget.



*FROM THE OFFICE OF THE
CITY CLERK*

*John C. Naumchik
CITY OF MIDDLETOWN NY*

WWW.MIDDLETOWN-NY.COM

Email: jnaumchik@middletown-ny.com

MEMO TO: Board of Estimate and Apportionment

DATE: April 1, 2021

SUBJECT: **Purchase FOIL Software from Edmunds (BAS)**

Request to purchase from our current vendor software to digitize the FOIL process and approval for the Mayor to sign the attached contract.

Total software purchase – One Time	\$2,500.00
Professional Services – Implementation – One Time	\$ 900.00
Support Services - Annual	<u>\$ 900.00</u>
Total	\$4,300.00

Pricing includes:

- Software purchase
- BAS training
- Install software on computers in:
 - City Clerk office
 - DPW office
 - Police records office

The total amount is in the 2021 budget to cover the above amounts in the contractual services account.



Customer:	Middletown City	Sales Order	
Customer Address:	16 James Street Middletown, NY 10940	Order #:	00001601
Customer County:	Orange	Effective Date:	Date of customer signature below
Customer Admin Contact:	John Naumchik	New/Add-On:	Add-on Simple
Customer Admin Phone:	845-346-4100	Sales Rep:	Shane Ireland
Customer Admin Email:	jnaumchik@middletown-ny.com		

Investment Summary

Software Services	\$2,500.00
Professional Services - Implementation	\$900.00
Support Services	\$900.00
Year 1 Investment:	\$4,300.00

Summary Notes

- Software Services Fees: 100% will be due upon the Effective Date.
- Professional Services – Implementation Fees: 50% will be due on the Effective Date, 25% will be invoiced 60 days after the Effective Date and the remaining 25% will be invoiced upon the earlier of project acceptance or first production use.
- Support Services Fees: 100% will be invoiced on the Effective Date for the first annual term. Thereafter, 100% of each subsequent annual fee will be invoiced annually, 60 days prior to each anniversary of the Effective Date.
- All invoices shall be paid within 30 days of the invoice date. Fees for Services may increase annually during the initial Term or any renewal Term subject to a maximum annual increase equal to the greater of (i) the Consumer Price Index for All Urban Consumers: U.S. City average and (ii) four percent (4%).



Software Services**One-Time Fees**

Open Records Request Tracker (FOIL) I

\$2,500.00

One-Time Fees:**\$2,500.00****Software Services Notes**

- Customer has the rights to use the Software as long as it maintains Support Services in good standing.

Support Services**Annual Fees**

Open Records Request Tracker (FOIL) I Maintenance

\$900.00

Annual Fees:**\$900.00****Support Services Notes**

- The initial Support Services Term shall be months commencing 90 days after the Effective Date. The Support Services Terms shall renew automatically for 12-month renewal terms at then-current applicable Fees unless written notice is provided by Customer at least 90 days prior to the expiration of the initial or then-current renewal Term. Fees for Support Services may increase annually during the initial Term subject to a maximum annual increase equal to the greater of (i) the Consumer Price Index for All Urban Consumers: U.S. City average and (ii) four percent (4%).

Professional Services – Implementation**One-Time Fees**

Configuration

\$600.00

Implementation Services

\$300.00

One-Time Fees:**\$900.00****Sales Order Notes**

Please return executed Sales Orders via
DocuSign or Email to:
Edmunds GovTech, Inc.
Email: SalesOrders@EdmundsGovTech.com
P: 888.336.6999 | F: 609.645.3111
www.EdmundsGovTech.com

BY THE SIGNATURE BELOW, THE UNDERSIGNED CERTIFIES THAT S/HE IS AUTHORIZED TO OBLIGATE CUSTOMER AND EDMUNDS GOVTECH, AS APPLICABLE, AND ACKNOWLEDGES THAT THE SERVICES DESCRIBED IN THIS SALES ORDER ARE GOVERNED BY THE EXISTING LICENSE AGREEMENT BETWEEN CUSTOMER AND EDMUNDS GOVTECH, AS AMENDED HEREBY, WHICH ARE INCORPORATED BY THIS REFERENCE. IN WITNESS WHEREOF, INTENDING TO BE LEGALLY BOUND, THE PARTIES AGREE TO THE TERMS AND CONDITIONS OF THIS SALES ORDER AS OF THE DATE WRITTEN ABOVE.

EDMUNDS GOVTECH, INC.

Middletown City

By: _____ Date: _____
Eric Snyder
Chief Revenue Officer

By: _____ Date: _____
John Naumchik
Clerk



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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 04-06-21

Index No: _____

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

RESOLVED; that the Common Council of the City of Middletown hereby approves the attached Fire Department Policy and Procedure for the Fire Department Video Surveillance System.

**City of Middletown Fire Department
Policy and Procedure Manual**

Originating Dept:

Title: Fire Department Video Surveillance System

Date Issued: //2021

Date Reviewed:

Date Revised:

Attachment: Electronic Data Request Form

Policy No:

Cross Reference:

Page: 1 of 2

Purpose

It is the goal of the City of Middletown ("City") to provide a secure environment to protect staff, visitors, the public and property. This is assisted by the City's installation of video surveillance system's technology at the City of Middletown's fire stations. Such technologies are used to meet the City's critical goals for safety, security and to retain data for a specified amount of time as specified by this policy and the capabilities of the video surveillance equipment.

- a. Video surveillance monitoring and recording at the City of Middletown Fire stations is in place to deter crime, assist in protecting property, loss prevention and for the protection of staff, visitors and the public.
- b. Video surveillance is an invaluable tool providing an overview of persons coming and going, as well as a record of who is in a fire station. Video surveillance helps to secure the City's and fire department property, watch for suspicious behavior and the prevention of unauthorized access.
- c. Security cameras serve as a visual deterrent to crime such as theft, break-ins, and persons committing trespass, damage to City and fire department property and any other illegal activity.
- d. The monitoring of fire station parking areas and the City's external properties are to ensure the safety of staff, visitor's and the public.
- e. Archived surveillance video system recordings can be used to identify individuals who have committed crimes or breached fire department policies.
- f. Video surveillance may also be helpful for use in police investigations.

Policy

The City allows the use and recordings of its approved video surveillance system through a process, subject to policies and procedures governing the use of the resulting recorded material.

Definitions:

Video surveillance system ("system"): All equipment, software, and cameras used in the digital surveillance of the exterior and interior of the fire stations, including the storage and dissemination of information obtained from the system.

Video Surveillance Use and Confidentiality

- a. Video Surveillance Equipment will not be installed in restrooms, shower or changing areas.
- b. Personnel are prohibited from using, copying or disseminating information acquired from the video surveillance system including, but not limited to cameras, monitors except as directed by the City of Middletown Fire Chief, Mayor, Corporation Council or Law enforcement. All information and observations viewed or recorded through the use of video surveillance equipment is classified as controlled data and can ONLY be used for pre-approved and authorized purposes or as otherwise required by law.
- c. This policy strictly prohibits the unauthorized disclosure and posting of any data from the video surveillance system on any social media sites i.e. Facebook, Instagram, Snapchat, etc., or shared electronically through any media such as cell phones, email, or other electronic means.
- d. As authorized through this policy and as pre-approved by the Chief of the Fire Department or the Mayor of the City of Middletown requests may be granted for access to archived video surveillance information.
- e. Sharing of user credentials and passwords for access to the video surveillance system is strictly prohibited.

- f. The video surveillance system may not be used to unlawfully harass, intimidate or discriminate against any individual or group.
- g. Personnel are prohibited from any "remote monitoring" of the video surveillance system of any kind. All video surveillance system data shall be secured and viewed only at approved viewing sites in the City of Middletown.
- h. Video surveillance system information may not be used in the course of personnel policy infractions unless approved by the Mayor of the City of Middletown and/or the Corporation Council or his/her designee.
- i. The use of Video surveillance system information for any purpose not detailed within this policy is subject to review by the Mayor of the City of Middletown.
- j. Any individual who accesses the video surveillance system without pre-authorization, by any means or who improperly disseminates information obtained through or from the video surveillance system regardless of the reason may be subject to discipline, including termination and/or criminal and/or civil liability.

Operation of Video Surveillance System:

Operators of the City's video surveillance system will be trained in the use of the system, including this policy and the technical, legal and ethical parameters of such use. All individuals that have access/control of the City's video surveillance system shall receive a copy of this policy and provide written acknowledgment that they have read, understand and shall comply with the policy.

Retaining Video Recorded Material:

The storage of video surveillance system data is by digital means. Recorded video surveillance system data is retained for approximately 30-45 days or longer depending on the capability of the equipment. However, video surveillance system data may be stored for longer periods of time in accordance with the New York State Records Retention Schedule.

Use of Recordings in Disciplinary or 207-a Proceedings:

If any information obtained from the video surveillance system is expected to be used in any disciplinary process by the fire department administration or City officials involving any member of the Middletown Professional Firefighters', Inc., ("Association") it acknowledges the following obligations/guidelines:

- a. The member, and upon request, Association representative(s), including the Association attorney, shall be permitted to review and respond to the recording prior to the Chief or Mayor making a final determination regarding discipline.
- b. Based on the capabilities of the video surveillance system and the existence of the information, a copy of the pertinent video surveillance system data shall be made and provided to the member and upon request, the Association, at no cost to the member or Association. However, the City shall not be responsible to ensure that the provided information is compatible to the member's or Union's hardware or software to access such information.
- c. The City shall preserve and retain any video surveillance system information once it has been identified as relevant to a disciplinary or 207-a proceeding until such time as the matter is fully resolved or until the hearing and any opportunity to appeal the determination of a hearing have expired.
- d. The Chief, affected member and Association recognize that any recording may contain confidential or protected information and shall not cause the recording to be distributed or shared beyond parties except as may be necessary to any disciplinary or 207-a proceeding (e.g. review by an expert, attachment to any appeal, etc.) or as otherwise is legally required.

Obtaining Release of Video Surveillance System Recordings:

- a. Requests for video surveillance system recorded information must be approved by the Mayor of the City of Middletown.
- b. Freedom of Information Law (FOIL) requests for copies of video surveillance system recorded information will be submitted in accordance with the City's FOIL policy shall be to the submitted to the City of Middletown Clerk's Office for processing.

- c. Requests for obtaining recorded material shall be processed pursuant to FOIL.
- d. Demands for copies of recorded video surveillance information pursuant to a criminal investigation, subpoena or arrest shall be reviewed and approved by the City Mayor and Corporation Counsel before the release of any information.

Date Policy to Be Reviewed:

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 04-06-21

Index No: _____

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

WHEREAS, the City of Middletown ("the City") proposed the replacement of a water tank at Mountain Avenue (1 MG tank) and the addition of a second water tank at Pilgrims Corner (2 MG tank), in 2015 ("original Proposed Action");

WHEREAS, the City had updated and revised the original Proposed Action to the following: upsizing the new Mountain Avenue tank from 1 MG to 2 MG, whereby a new tank will be constructed next to the existing tank and the old tank demolished; replacing the High Barney tank (0.75 MG) in kind; and removing the new Pilgrims Corner tank (2 MG) from the project ("revision one Proposed Action"); and

WHEREAS, the City had updated and revised the revision one Proposed Action to the following: downsizing the new Mountain Avenue tank from 2 MG to 1 MG, whereby a new tank will be constructed next to the existing tank and the old tank demolished; replacing the High Barney tank (0.75 MG) in kind; and adding the painting and rehabilitation of the existing Highland Avenue Tank (0.5 MG) from the project ("Proposed Action"); and

WHEREAS, the City has engaged the services of CPL as the City's consulting engineers to prepare a revised Full Environmental Assessment Form ("EAF") pursuant to the New York State Environmental Quality Review Act ("SEQRA") and the Regulations of the Commissioner of the Department of Environmental Conservation at 6 NYCRR Part 617, and an attachment to the EAF describes the Action in detail and addresses the potential environmental impacts, if any, of the Proposed Action; and

WHEREAS, the Common Council of the City by resolution adopted on 07/07/20 declared itself as Lead Agency for the original Proposed Action, classified as an Unlisted Action

and following a Coordinated Review process pursuant to SERQA, and maintains that role for the revised project and Proposed Action as outlined above.

NOW, THEREFORE, BE IT RESOLVED that the Common Council, after a review of the revised EAF for the Proposed Action, hereby reaffirms the Negative Declaration determination of significance made on 04/06/21 based on the following findings with respect to the Proposed Action:

1. The construction of the 1 MG water storage tank near Mountain Avenue will be at the same site as the existing 1 MG water storage tank, which will be demolished; the 0.75 MG High Barney water storage tank will be a replacement in kind, at the same location; and the 0.50 MG Highland Avenue water storage tank will be rehabilitated in place.
2. The revised EAF regarding the Proposed Action has been filed with the Common Council.
3. The Action is an Unlisted Action pursuant to SEQRA.
4. The Common Council maintains their status as Lead Agency for the Proposed Action and the Coordinated Review that was utilized for the process remains valid for the Proposed Action; no other Involved Agencies objected to the Common Council assuming Lead Agency.
5. Approval of the Proposed Action will enhance the City's water distribution system and allow the City to ensure that appropriate water supplies are delivered to all City residents and others who use the City's water system.
6. The Proposed Action will continue to not have a significant negative impact on air or water quality, traffic or noise levels or erosion or drainage conditions, and if there is any impact, it will be limited and temporary in connection with construction activities.
7. There will be no traffic impacts from the Proposed Action.
8. There will be no effect on surface or subsurface water.
9. There is no evidence that the Proposed Action will pose a threat to any threatened or endangered species of plants or animals or the habitats of such species or have any adverse effect on migratory fish or wildlife species.
10. The Proposed Action does not appear to impair the character of any historical area or aesthetic resource or negatively impact the character of the neighborhood.
11. No change in energy use will occur other than normal increases associated with any proposed construction and renovation work as a result of the Proposed Action.
12. The Proposed Action will not create any hazard to human health but will improve the delivery of treated water to City residents and others who use the City's water system.
13. The use of the land will not be substantially changed by the Proposed Action.
14. The Proposed Action will not result in demand for other actions that exhibits the impacts addressed by the Regulations.

15. There will be no changes to multiple elements of the environment that cumulatively would result in substantial adverse impacts.
16. There are no projects which have been approved by the Common Council or which are seeking approval from the Common Council which, when taken together with the Proposed Action, would cause a significant effect on the environment. In fact, approval of the Action would increase the overall efficiency of the City's water distribution system.
17. All of the criteria contained in 6 NYCRR Part 617 have been addressed to the satisfaction of the Common Council.

The Common Council, as the Lead Agency, further directs the Commissioner of Public Works to notify the Involved Agencies of the Proposed Action, the revised EAF, and the reaffirmation of the Negative Declaration to and circulate a Notice of Determination as may be required by the Regulations.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Middletown Water Tanks		
Project Location (describe, and attach a general location map): New Water Tank at end of Stone Rose Court; New Water Tank at end of Mountain Avenue; Water Tank Repaint & Rehab on Highland Avenue Extension		
Brief Description of Proposed Action (include purpose or need): Proposed 1.0 million gallon (MG) water tank (103' diameter) to be located adjacent to the existing 1.0 MG water tank at Mountain Avenue, which was erected in 1964 and is showing visible signs of corrosion and which is nearing the end of its useful life. The existing 1.0 MG tank will then be demolished and the site remediated. The water storage tank in this location is critical for satisfying the system demand and maintaining water distribution pressures through the southerly and easterly sections of the City of Middletown and for fire protection. Proposed 0.75 million gallon (MG) water tank (50' diameter) to be located in the same footprint as the existing 0.75 MG water tank at High Barney (Stone Rose Court), which was erected in 1973 and is showing visible signs of corrosion, and which is nearing the end of its useful life. The existing 0.75 MG tank will be demolished prior to constructing the new tank. Repainting and other improvements to existing 0.5 million gallon (MG) water tank (27' diameter x 125' high) at Highland Avenue Extension. The work will include removal of existing interior and exterior coatings, repainting of the tank interior and exterior, addition of a roof vent, and repairs to the concrete foundation.		
Name of Applicant/Sponsor: City of Middletown	Telephone: 845-346-4100	
	E-Mail: mayordestefano@yahoo.com	
Address: 16 James Street		
City/PO: Middletown	State: NY	Zip Code: 10940
Project Contact (if not same as sponsor; give name and title/role): Jacob Tawil, P.E., Commissioner, Department of Public Works	Telephone: 845-346-4120	
	E-Mail: jtawil14@yahoo.com	
Address: Middletown		
City/PO:	State: NY	Zip Code: 10940
Property Owner (if not same as sponsor):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, ☒ Yes ☐ No or Village Board of Trustees	City Council (Resolution)	TBD
b. City, Town or Village ☐ Yes ☒ No Planning Board or Commission		
c. City, Town or ☐ Yes ☒ No Village Zoning Board of Appeals		
d. Other local agencies ☐ Yes ☒ No		
e. County agencies ☒ Yes ☐ No	Orange County DOH (Approval)	TBD
f. Regional agencies ☐ Yes ☒ No		
g. State agencies ☒ Yes ☐ No	NYS DOH (Approval), NYS EFC (Approval)	TBD
h. Federal agencies ☐ Yes ☒ No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		☐ Yes ☒ No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		☐ Yes ☒ No
iii. Is the project site within a Coastal Erosion Hazard Area?		☐ Yes ☒ No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☒ No	
- If Yes, complete sections C, F and G. - If No, proceed to question C.2 and complete all remaining sections and questions in Part 1	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☒ No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☒ No	
If Yes, identify the plan(s):	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No	
If Yes, identify the plan(s):	

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? Mountain Avenue: Town of Walkill, Medium Density Residential; High Barney: City of Middletown, Suburban Residential Bonus Density; Highland Avenue: City of Middletown, Suburban Residential Bonus Density	☒ Yes ☐ No
b. Is the use permitted or allowed by a special or conditional use permit?	☒ Yes ☐ No
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site?	☐ Yes ☒ No
C.4. Existing community services.	
a. In what school district is the project site located? <u>Middletown Enlarged School District</u>	
b. What police or other public protection forces serve the project site? <u>Town of Walkill Police, City of Middletown Police, Orange County Sheriff, NY State Police</u>	
c. Which fire protection and emergency medical services serve the project site? <u>Mountain Ave: Pocatello FD; High Barney and Highland Ave: City of Middletown Fire</u>	
d. What parks serve the project site? <u>N/A</u>	

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? <u>Public Utility</u>	
b. a. Total acreage of the site of the proposed action?	<u>+/- 5</u> acres
b. Total acreage to be physically disturbed?	<u>< 3</u> acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	<u>+/- 5</u> acres
c. Is the proposed action an expansion of an existing project or use?	☐ Yes ☒ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision?	☐ Yes ☒ No
If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____	
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will the proposed action be constructed in multiple phases?	☒ Yes ☐ No
i. If No, anticipated period of construction: _____ months	
ii. If Yes:	
• Total number of phases anticipated	<u>3</u>
• Anticipated commencement date of phase 1 (including demolition)	<u>June</u> month <u>2021</u> year
• Anticipated completion date of final phase	<u>Nov</u> month <u>2022</u> year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: <u>Each tank will be bid and constructed as a separate construction project. It is anticipated that High Barney and Highland will be completed during the 2021 construction season. The Mountain Avenue tank may take place in 2021 or 2022.</u>	

f. Does the project include new residential uses? ☐ Yes ☒ No				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☒ Yes ☐ No	
If Yes,	
i. Total number of structures <u>2</u>	
ii. Dimensions (in feet) of largest proposed structure: <u>16</u> height; <u>103</u> width; and <u>103</u> length	
iii. Approximate extent of building space to be heated or cooled: <u>0</u> square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☒ No	
If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐ Yes ☒ No	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____ • Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? ☐ Yes ☐ No	
ix. Summarize site reclamation goals and plan: _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☒ No	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☒ No
If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☒ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

• Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____	☐ Yes ☐ No ☐ Yes ☐ No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____	
☒ Yes ☐ No	
If Yes:	
i. How much impervious surface will the project create in relation to total size of project parcel?	
_____ Square feet or <u>0.2</u> acres (impervious surface)	
_____ Square feet or <u>4.5</u> acres (parcel size)	
ii. Describe types of new point sources. <u>None.</u>	
iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?	
On site surface runoff	
• If to surface waters, identify receiving water bodies or wetlands: _____	
• Will stormwater runoff flow to adjacent properties? _____	
☒ Yes ☐ No	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
☐ Yes ☒ No	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____	
☒ Yes ☐ No	
If Yes, identify:	
i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)	
Construction Equipment	
ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)	
None	
iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)	
None	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____	
☐ Yes ☒ No	
If Yes:	
i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____	
☐ Yes ☐ No	
ii. In addition to emissions as calculated in the application, the project will generate:	
• _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No If Yes: i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____			
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____			
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No If Yes: i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend ☐ Randomly between hours of _____ to _____. ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____ iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____ iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____ vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No			
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☒ No If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____ iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No			
l. Hours of operation. Answer all items which apply. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: _____ 7 a.m. - 5 p.m. • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: _____ 24 hours (unoccupied) • Saturday: _____ 24 hours (unoccupied) • Sunday: _____ 24 hours (unoccupied) • Holidays: _____ 24 hours (unoccupied) </td> </tr> </table>		i. During Construction: • Monday - Friday: _____ 7 a.m. - 5 p.m. • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ 24 hours (unoccupied) • Saturday: _____ 24 hours (unoccupied) • Sunday: _____ 24 hours (unoccupied) • Holidays: _____ 24 hours (unoccupied)
i. During Construction: • Monday - Friday: _____ 7 a.m. - 5 p.m. • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ 24 hours (unoccupied) • Saturday: _____ 24 hours (unoccupied) • Sunday: _____ 24 hours (unoccupied) • Holidays: _____ 24 hours (unoccupied)		

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☒ Yes ☐ No If yes: i. Provide details including sources, time of day and duration: Construction equipment during working hours _____	
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☒ No Describe: _____	
n. Will the proposed action have outdoor lighting? ☐ Yes ☒ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No Describe: _____	
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☒ Yes ☐ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____ Exhaust from construction vehicles and dust from operations during construction only. _____	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☒ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☒ No If Yes: i. Describe proposed treatment(s): _____ _____ _____	
ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No	
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☒ No If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: _____ • Operation: _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: _____ • Operation: _____	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☒ Urban ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)

☒ Forest ☐ Agriculture ☐ Aquatic ☒ Other (specify): Municipal owned facilities

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.31	0.52	+0.21
• Forested	3.76	2.84	-0.92
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	.93	1.64	+0.71
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☒ No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☒ No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? ☐ Yes ☒ No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☒ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☒ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No
☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☐ No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No													
• If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No • Explain: _____													
E.2. Natural Resources On or Near Project Site													
a. What is the average depth to bedrock on the project site? _____ (varies) +/- 0-10 feet													
b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %													
c. Predominant soil type(s) present on project site: <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Nassau</td> <td style="width: 40%; text-align: right;">60 %</td> </tr> <tr> <td>Mardin</td> <td style="text-align: right;">40 %</td> </tr> <tr> <td></td> <td style="text-align: right;">%</td> </tr> </table>		Nassau	60 %	Mardin	40 %		%						
Nassau	60 %												
Mardin	40 %												
	%												
d. What is the average depth to the water table on the project site? Average: _____ > 10 feet													
e. Drainage status of project site soils: <table style="width: 100%; border: none;"> <tr> <td>☐ Well Drained:</td> <td style="text-align: right;">_____ % of site</td> </tr> <tr> <td>☒ Moderately Well Drained:</td> <td style="text-align: right;">100 % of site</td> </tr> <tr> <td>☐ Poorly Drained</td> <td style="text-align: right;">_____ % of site</td> </tr> </table>		☐ Well Drained:	_____ % of site	☒ Moderately Well Drained:	100 % of site	☐ Poorly Drained	_____ % of site						
☐ Well Drained:	_____ % of site												
☒ Moderately Well Drained:	100 % of site												
☐ Poorly Drained	_____ % of site												
f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border: none;"> <tr> <td>☒ 0-10%:</td> <td style="text-align: right;">50 % of site</td> </tr> <tr> <td>☒ 10-15%:</td> <td style="text-align: right;">50 % of site</td> </tr> <tr> <td>☐ 15% or greater:</td> <td style="text-align: right;">_____ % of site</td> </tr> </table>		☒ 0-10%:	50 % of site	☒ 10-15%:	50 % of site	☐ 15% or greater:	_____ % of site						
☒ 0-10%:	50 % of site												
☒ 10-15%:	50 % of site												
☐ 15% or greater:	_____ % of site												
g. Are there any unique geologic features on the project site? ☐ Yes ☒ No If Yes, describe: _____													
h. Surface water features.													
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☒ No													
ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☒ No													
If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i.													
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No													
iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border: none;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 50%;">Name _____</td> <td style="width: 40%;">Classification _____</td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Wetlands:</td> <td>Name _____</td> <td>Approximate Size _____</td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2">_____</td> </tr> </table>		• Streams:	Name _____	Classification _____	• Lakes or Ponds:	Name _____	Classification _____	• Wetlands:	Name _____	Approximate Size _____	• Wetland No. (if regulated by DEC)	_____	
• Streams:	Name _____	Classification _____											
• Lakes or Ponds:	Name _____	Classification _____											
• Wetlands:	Name _____	Approximate Size _____											
• Wetland No. (if regulated by DEC)	_____												
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☐ No If yes, name of impaired water body/bodies and basis for listing as impaired: _____													
i. Is the project site in a designated Floodway? ☐ Yes ☒ No													
j. Is the project site in the 100-year Floodplain? ☐ Yes ☒ No													
k. Is the project site in the 500-year Floodplain? ☐ Yes ☒ No													
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☒ No If Yes:													
i. Name of aquifer: _____													



m. Identify the predominant wildlife species that occupy or use the project site: <table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border-bottom: 1px solid black;">Songbirds</td> <td style="width: 33%; border-bottom: 1px solid black;">White tailed deer</td> <td style="width: 33%; border-bottom: 1px solid black;">Racoons and other small mammals</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> </tr> </table>		Songbirds	White tailed deer	Racoons and other small mammals			
Songbirds	White tailed deer	Racoons and other small mammals					
n. Does the project site contain a designated significant natural community? ☐ Yes ☒ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres							
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☒ No If Yes: i. Species and listing (endangered or threatened): _____ _____ _____							
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☒ No If Yes: i. Species and listing: _____ _____							
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☒ No If yes, give a brief description of how the proposed action may affect that use: _____ _____							
E.3. Designated Public Resources On or Near Project Site							
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☒ No If Yes, provide county plus district name/number: _____							
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☒ No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____							
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☒ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____							
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☒ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____							

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☒ No	
If Yes: i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____ _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☒ No	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☒ No If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☒ Yes ☐ No If Yes: i. Identify resource: <u>Fancher-Davidge Park</u> ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ +/- 1 miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☒ No If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Dom Emilio, LEED AP (CPL, City Consultant) Date February 22, 2021

Signature Domenico Emilio Title Associate/Civil Engineer

PRINT FORM

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]
Project : Middletown Water Tanks
Date : February 22, 2021

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☒	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☒	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☒	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☒	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☒	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☒	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☒	☐
h. Other impacts: _____		☐	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☒ NO☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____ _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☒ NO☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

l. Other impacts: _____ _____		☐	☐
----------------------------------	--	--------------------------	--------------------------

4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____ _____		☐	☐
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6. Impacts on Air The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____		☐	☐

8. Impact on Agricultural Resources The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____ _____		☐	☐

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	☐	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☐	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☐	☐

d. Other impacts: _____ _____		☐	☐
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3: e. i. The proposed action may result in the destruction or alteration of all or part of the site or property. ii. The proposed action may result in the alteration of the property's setting or integrity. iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3g, E3f E3e, E3f, E3g, E1a, E1b E3e, E3f, E3g, E3h, C2, C3	☐ ☐ ☐	☐ ☐ ☐

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. ☒ NO ☐ YES (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____ _____		☐	☐

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) ☒ NO ☐ YES <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____ _____		☐	☐

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.

☒ NO☐ YES

(See Part 1. D.2.j)

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____		☐	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.

☒ NO☐ YES

(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.

☐ NO☐ YES

(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____ _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☒ NO

☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____ _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
(See Part 1. C.1, C.2. and C.3.)

☒ NO

☐ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
(See Part 1. C.2, C.3, D.2, E.3)

☒ NO

☐ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

Project :

Date :

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Impact to Land -

Mountain Avenue:

The proposed action will involve ground disturbance related to the construction of a new 1 MG water storage tank at the Mountain Avenue site adjacent to the existing 1 MG tank. Site grading, limited vegetation clearing, and excavation/filling will be required to provide a level foundation for the new tank. The land upon which the new tank is proposed is already utilized for water storage and has been previously disturbed to some extent. In addition, the former tank will be demolished and the area reclaimed, thereby reallocating the open space from the western portion of the site to the eastern portion. For these reasons, the impact to land will not have significant adverse environmental impacts as it will continue to be utilized for the same purpose/use.

High Barney:

The proposed action will involve ground disturbance related to the construction of a new 0.75 MG water storage tank at the High Barney site in the same location of the existing 0.75 MG tank. Site grading, limited vegetation clearing, and excavation/filling will be required to provide a level foundation for the new tank. The new tank will be constructed in the same footprint as, and after demolition of, the existing water tank. For these reasons, the impact to land will not have significant adverse environmental impacts as it will continue to be utilized for the same purpose/use.

Highland Avenue:

The proposed action will involve minimal ground disturbance related to the repairs and upgrades of the existing 0.53 MG water storage tank at the Highland Avenue site. For that reason, the impact to land will not have significant adverse environmental impacts as it will continue to be utilized for the same purpose/use.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status:

☐

Type 1

☒

Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1

☒

Part 2

☒

Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
Engineering Report from CPL (City Engineering Consultants) - Proposed Water Storage Tanks at Mountain Avenue and at Water Treatment Facility, City of Middletown, NY, Orange County, New York (December 2015) AND Engineering Report Amendment from CPL (City Engineering Consultants) - City of Middletown New Water Storage Tanks DWSRF Project No. 18203 (February 2021).

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
City of Middletown Common Council _____ as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Middletown Water Tanks

Name of Lead Agency: City of Middletown Common Council

Name of Responsible Officer in Lead Agency: J. Miguel Rodrigues

Title of Responsible Officer: Common Council President

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Domenic Emilio, LEED AP, Associate (CPL)

Address: 59 Court Street, Binghamton, NY 13901

Telephone Number: 607-304-9969

E-mail: demilio@cplteam.com

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

John Naumchik

From: Katie Gass
Sent: Wednesday, March 24, 2021 2:57 PM
To: Alex Smith; John Naumchik
Cc: Jacob Tawil
Subject: RE: Middletown Tanks - SEQR

The date for the new resolution that needs to be filled in is 7/7/2020 (resolution #139-20).

John- if you want me to fill in this information into the sample resolution and send it to you let me know and I will do that.

Katie Gass

Senior Clerk
Department of Public Works
16 James Street
Middletown, NY 10940
Telephone #845-343-3169
Fax #845-343-4014
www.middletown-ny.com

From: asmith22@hvc.rr.com <asmith22@hvc.rr.com>
Sent: Wednesday, March 24, 2021 8:15 AM
To: Katie Gass <kgass@middletown-ny.com>; John Naumchik <jnaumchik@middletown-ny.com>
Cc: Jacob Tawil <jtawil@middletown-ny.com>
Subject: RE: Middletown Tanks - SEQR

Resolution is okay. We just need the blank date filled in.

Alex

From: Katie Gass <kgass@middletown-ny.com>
Sent: Tuesday, March 23, 2021 3:45 PM
To: Alex Smith <asmith22@hvc.rr.com>; John Naumchik <jnaumchik@middletown-ny.com>
Cc: Jacob Tawil <jtawil@middletown-ny.com>
Subject: FW: Middletown Tanks - SEQR

Hi Alex.

Attached is the proposed resolution for the negative declaration for the Water Tanks Project. Please review and advise.

John-
We will need this added to the next Common Council agenda please.

Thank you.

Katie Gass

WHEREAS, the City of Middletown ("the City") proposed the replacement of a water tank at Mountain Avenue (1 MG tank) and the addition of a second water tank at Pilgrims Corner (2 MG tank), in 2015 ("original Proposed Action");

WHEREAS, the City had updated and revised the original Proposed Action to the following: upsizing the new Mountain Avenue tank from 1 MG to 2 MG, whereby a new tank will be constructed next to the existing tank and the old tank demolished; replacing the High Barney tank (0.75 MG) in kind; and removing the new Pilgrims Corner tank (2 MG) from the project ("revision one Proposed Action"); and

WHEREAS, the City had updated and revised the revision one Proposed Action to the following: downsizing the new Mountain Avenue tank from 2 MG to 1 MG, whereby a new tank will be constructed next to the existing tank and the old tank demolished; replacing the High Barney tank (0.75 MG) in kind; and adding the painting and rehabilitation of the existing Highland Avenue Tank (0.5 MG) from the project ("Proposed Action"); and

WHEREAS, the City has engaged the services of CPL as the City's consulting engineers to prepare a revised Full Environmental Assessment Form ("EAF") pursuant to the New York State Environmental Quality Review Act ("SEQRA") and the Regulations of the Commissioner of the Department of Environmental Conservation at 6 NYCRR Part 617, and an attachment to the EAF describes the Action in detail and addresses the potential environmental impacts, if any, of the Proposed Action; and

WHEREAS, the Common Council of the City by resolution adopted on ~~XXXX~~ ^{7/7/20} declared itself as Lead Agency for the original Proposed Action, classified as an Unlisted Action and following a Coordinated Review process pursuant to SEQRA, and maintains that role for the revised project and Proposed Action as outlined above.

NOW, THEREFORE, BE IT RESOLVED that the Common Council, after a review of the revised EAF for the Proposed Action, hereby reaffirms the Negative Declaration determination of significance made on ~~XXXX~~ ^{7/7/20} based on the following findings with respect to the Proposed Action:

1. The construction of the 1 MG water storage tank near Mountain Avenue will be at the same site as the existing 1 MG water storage tank, which will be demolished; the 0.75 MG High Barney water storage tank will be a replacement in kind, at the same location; and the 0.50 MG Highland Avenue water storage tank will be rehabilitated in place.
2. The revised EAF regarding the Proposed Action has been filed with the Common Council.
3. The Action is an Unlisted Action pursuant to SEQRA.
4. The Common Council maintains their status as Lead Agency for the Proposed Action and the Coordinated Review that was utilized for the process remains valid for the Proposed Action; no other Involved Agencies objected to the Common Council assuming Lead Agency.

5. Approval of the Proposed Action will enhance the City's water distribution system and allow the City to ensure that appropriate water supplies are delivered to all City residents and others who use the City's water system.
6. The Proposed Action will continue to not have a significant negative impact on air or water quality, traffic or noise levels or erosion or drainage conditions, and if there is any impact, it will be limited and temporary in connection with construction activities.
7. There will be no traffic impacts from the Proposed Action.
8. There will be no effect on surface or subsurface water.
9. There is no evidence that the Proposed Action will pose a threat to any threatened or endangered species of plants or animals or the habitats of such species or have any adverse effect on migratory fish or wildlife species.
10. The Proposed Action does not appear to impair the character of any historical area or aesthetic resource or negatively impact the character of the neighborhood.
11. No change in energy use will occur other than normal increases associated with any proposed construction and renovation work as a result of the Proposed Action.
12. The Proposed Action will not create any hazard to human health but will improve the delivery of treated water to City residents and others who use the City's water system.
13. The use of the land will not be substantially changed by the Proposed Action.
14. The Proposed Action will not result in demand for other actions that exhibits the impacts addressed by the Regulations.
15. There will be no changes to multiple elements of the environment that cumulatively would result in substantial adverse impacts.
16. There are no projects which have been approved by the Common Council or which are seeking approval from the Common Council which, when taken together with the Proposed Action, would cause a significant effect on the environment. In fact, approval of the Action would increase the overall efficiency of the City's water distribution system.
17. All of the criteria contained in 6 NYCRR Part 617 have been addressed to the satisfaction of the Common Council.

The Common Council, as the Lead Agency, further directs the Commissioner of Public Works to notify the Involved Agencies of the Proposed Action, the revised EAF, and the reaffirmation of the Negative Declaration to and circulate a Notice of Determination as may be required by the Regulations.

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 04-06-21

Index No: _____

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

WHEREAS; the Treasurer is requesting a reverse transfer of \$240,000.00 for the resent Guymard purchase to replenish the Sewer Fund Balance because the money is available in the capital accounts.

SO LET IT BE RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer that the subject recent Guymard purchase be charged to H.0967.966 and reverse the \$240,000 transfer to replenish the Sewer Fund Balance because the money is available in the capital accounts in the following manner:

From	Amount	To
F.1940.900	\$240,000.00	Sewer Fund Balance
Purchase of Land (Sewer Fund)		

Inter-Office Memo

RECEIVED

MAR 26 2021

City Clerk
City of Middletown

March 25, 2021

To: The Board of Estimate

From: Don Paris

5. At a Feb 25, 2021 BOE Estimate meeting a \$240,000 Water Fund balance transfer was made to account F.1940.900 (Purchase of Land) to support a purchase of a \$500,000 piece of land in Guymard adding to the City's water protection projects.

The City also has two capital projects open and funded in support of the water protection project, see below:

Summary of Water Protection Projects as of 3/25/21							
H.0967.966 Land acquisition water protection				H.957.966 Watershed Expansion Purchase of Property			
Set up in 2019 Borrowed			1,500,000.00	Set up in 2018 Borrowed			1,250,000.00
Down Payment on \$500,000 Piece 2019			(37,500.00)	Down Pay Property Rt. 78			(60,000.00)
RJ Smith Appraisal			(4,800.00)	Balance purchase price			(1,155,107.20)
	Bal 2019		1,457,700.00		Bal 2018		34,892.80
RJ Smith Appraisal			(2,200.00)	Added 2020 Borrowed			3,050,000.00
Down Payment on \$50,000 piece			(5,000.00)	McGrath appraisal			(7,500.00)
Eldred Carhart Appraisal			(2,500.00)		Bal 2020		3,077,392.80
Eldred Carhart Appraisal			(2,500.00)	Omega Title Search			(10,000.00)
Down Payment 2% on \$2.5 mil			(50,000.00)	Purchase Guymard			(2,453,127.80)
Eldred Carhart Appraisal			(5,000.00)	Title Insurance			(10,155.63)
McGrath and Co. Appraisal			(1,500.00)	Title Search			(2,572.22)
McGrath and Co. Appraisal			(7,500.00)		Bal 3/25/21		601,537.15
Survey			(11,250.00)				
Survey			(10,625.00)				
Commission 3% on \$2,500,000			(75,000.00)				
	Bal 2020		1,284,625.00				
Engineering			(1,844.90)				
Commission 3% on \$500,000			(15,000.00)				
	Bal 3/25/21		1,267,780.10				
Record recent Guymard Purchase			(464,558.08)	Per this resolution			
	Revised Balance		803,222.02				

I am requesting the recent Guymard purchase be charged to H.0967.966 and reverse the \$240,000 transfer to replenish the Sewer Fund Balance because the money is available in the capital accounts. After the charge there will still be a combined balance of \$1,404,759 in the capital accounts.

From	Amount	To
F.1940.900	\$240,000	Sewer Fund Balance
Purchase of Land (Sewer Fund)		

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 04-06-21

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

WHEREAS; the City made an arrangement with Todd Lyons Paving (Todd is also General Manager/Owner of Equilibrium Brewery) to pave the entire parking lot owned mostly by the City of Middletown and partially by the Equilibrium Brewery which encompasses the upper parking lot between the Washington St, South St and the Equilibrium Brewery, and

WHEREAS; the agreement is that Todd Lyons will provide Labor, equipment and tack coat and the City will deliver and pay for the asphalt only. Estimated cost of asphalt for 375 tons top course at \$67/ton is \$25,125.

SO LET IT BE RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$25,125.00 from the General Fund Balance for the City share of the agreement to fund the asphalt only of the project in the following manner:

FROM	AMOUNT	TO
General Fund	\$25,125.00	A.5110.450 Street Department

John Naumchik

From: J Tawil <jtawil14@yahoo.com>
Sent: Monday, March 29, 2021 2:30 PM
To: Joseph DeStefano; J Miguel Rodrigues; Joseph Masi Yahoo; Donald Paris; Alex Smith; John Naumchik; Katie Gass; Erica Letos
Subject: Request for Funding- South St-Equilibrium Brewery (EB) Parking lot

Greetings,

The City made an arrangement with Todd Lyons Paving (Todd is also General Manager/Owner of EB) to pave the entire parking lot owned mostly by the City of Middletown and partially by the Equilibrium Brewery. It encompasses the upper parking lot between the Washington St, South St and the EB.

The agreement is that Todd Lyons will provide Labor, equipment and tack coat and the City will deliver and pay for the asphalt only. Estimated cost of asphalt for 375 tons top course at \$67/ton is \$25,125.

As such, we respectfully request a transfer of funds in the amount of \$25,125 from General Fund Balance to Street Department account # A5110.450.

With your approval, work can start on 4/6/2021 and will take two days to complete.

Please feel free to call if you have any questions or comments to discuss.

Thank you

Jacob S. Tawil, P.E. | Commissioner

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

 Please consider the environment before printing this email.

RECEIVED
MAR 29 2021
City Clerk
City of Middletown

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 04-06-21

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

RESOLVED; that the Common Council of the City of Middletown authorizes the closing of streets for the Middletown Little League Parade on Saturday, April 17, 2021 at 10:00 AM, lining up at the Presidential Park Elementary School, walk up Sunset Street, make left onto Watkins and into Watts Park where we will send teams off to different locations to ensure social distancing.

LET IT BE FURTHER RESOLVED; that the Common Council of the City of Middletown authorizes this parade subject to the approval of a COVID Safety Plan, required by the State of New York and approved by the Chief of Police and the Superintendent of Recreation and Parks.

John Naumchik

From: City of Middletown <noreply@middletown-ny.com>
Sent: Monday, March 29, 2021 3:05 PM
To: John Naumchik
Subject: City of Middletown: Letter for Middletown Little League Parade

This is an enquiry email via <https://www.middletown-ny.com/> from:
Rosanna Darrell <drosann@yahoo.com>

Middletown Little League
P.O.Box 843
Middletown, NY 10940
845-742-4319

March 29, 2021

Dear Mr. Naumchik,

My name is Rosanna Darrell and I am the President of Middletown Little League. I am writing to ask for permission to hold our Annual Parade on Saturday April 17th 2021. We will be kicking off the parade from Presidential Park Elementary School at 10 am. We will be walking up Sunset Ave, making a left on to Watkins Ave and end at Watts Park where we will send teams off to different locations to ensure social distancing. .

We would also like to take this opportunity to invite Mayor Joseph Destefano, J. Miguel Rodrigues and the Common Counsel members to walk in the Parade with us. We look forward to seeing everyone there.

Sincerely,
Rosanna Darrell
President Middletown Little League

RECEIVED
MAR 29 2021
City Clerk
City of Middletown

Covid Safety Plan

John Naumchik

From: Christine Brinckerhoff
Sent: Monday, March 29, 2021 4:02 PM
To: John Naumchik
Subject: FW: Little League Parade

John,

Below was what Little League wrote up for their parade plan and sent to Mayor, Chief and myself. They also have a safety plan completed through NY Forward for their League.

Christine Brinckerhoff, Superintendent
Middletown Recreation & Parks Department
(845)346-4180

From: Darrin Cross <dcross72@hvc.rr.com>
Sent: Monday, March 15, 2021 10:10 PM
To: Christine Brinckerhoff <cbrinckerhoff@middletown-ny.com>
Cc: Joseph DeStefano (mayordestefano@yahoo.com) <mayordestefano@yahoo.com>; Nicole Psarakis <npsarakis@middletown-ny.com>; John Ewanciw <jewanciw@middletownpolice.com>; John Bianchi <jbianchi@middletown-ny.com>
Subject: Re: Little League Parade

The Middletown Little League parade will be on Saturday, April 17th. Line up will be at 9:30am at Presidential Park Elementary School and will "kick off" at 10:00am. After children are dropped off for line up we ask parents to please head to the parade route. During line up players will be with their coaches and teammates and observe mask and social distance protocols.

The parade route will be as follows:

- March up Sunset Street
- Turn left onto Watkins Avenue (toward Watts Park)

Upon entering Watts Park the teams will meet their families and depart the park at the following fields.

- Tee Ball teams - Soccer 1
- Mini-Minor division - Soccer 2
- Minor division - big field
- Other teams proceed to the fields where they will be playing opening day games.

Unfortunately, we will not be doing our usual opening day ceremonies. We will explain to parents that large groups of people standing together before and after the parade needs to be avoided.

We are currently in communication with the Middletown Marching Middies in hopes to have them lead the parade. We look forward to possibly having them join us.

Thank you for your support of the youth of Middletown. We are grateful for your support.

Sent from my iPhone

On Mar 9, 2021, at 12:10 PM, Christine Brinckerhoff <cbrinckerhoff@middletown-ny.com> wrote:

Darrin,

To open by with, I am glad the Mayor and City is considering allowing Little League to have their parade with some modifications to the traditional opening day events. Our department and other City departments want to assist in giving families and youth the most normalcy we can safely. Volunteers in the Little League organization have worked hard to provide some normalcy and much needed recreational opportunities for our youth during this pandemic.

Nicole and myself asked Little League to present us with what the parade would look like and how Little League Officials and volunteers are going to separate the players, parents and spectators. What plans do you have in place for line-up and the picking up of children after the parade? Viewing the attached I only see that masks will be worn and folks will be socially distant. Before the parade can happen we need to know what plans you will have in place to ensure folks are spread out and how parents will be meeting up again with their child after the parade. Please but in writing the final plan we were discussing in our phone conversation. Teams must be spread out at the conclusion of the parade to prevent everyone in one area of the park.

Thank you for your hard work and constant communication. We are wishing for Little League and all their participants a successful and fun Little League season. Lord knows we all need that!! Please let us know how we can assist you in making your season safe for all during these challenging times. Keep up the great work!

Christine Brinckerhoff, Superintendent
Middletown Recreation & Parks Department
(845)346-4180

From: Joseph DeStefano <mayordestefano@yahoo.com>
Sent: Tuesday, March 9, 2021 8:44 AM
To: Darrin Cross <dcross72@hvc.rr.com>
Cc: Christine Brinckerhoff <cbrinckerhoff@middletown-ny.com>; Chief J.J. Ewanciw <jewanciw@middletownpolice.com>; John Bianchi <jbianchi@middletown-ny.com>
Subject: Re: Little League Parade

Darrin,

Make sure you follow all safety protocols. Connect with Chief Ewanciw for police escort.
Joe

On Monday, March 8, 2021, 09:43:06 PM EST, Darrin Cross <dcross72@hvc.rr.com> wrote:

Sent from my iPhone

<Mayor Destefano Letter 2021-03-08.pdf>

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 04-06-21

Index No: _____

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

WHEREAS: *Recently, as a Nation we have witnessed a dramatic increase in Hate Crimes against Asian Americans; and,*

WHEREAS: *This increase is due to vilification and false statements blaming the Asian Population for the Worldwide Pandemic; and,*

WHEREAS: *Here in the United States, Asians have a long history of dedicated service to our Nation, including fields such as Healthcare, Politics, the Law, Entertainment, Academia, Business and honorably serving within our Armed Forces; and,*

WHEREAS: *Asian Americans from all walks of life have and continue to make positive contributions to our City and our Country;*

NOW THEREFORE BE IT RESOLVED *that I, Joseph M. DeStefano, Mayor of the City of Middletown, NY, do hereby wholeheartedly condemn discrimination in all its forms and I specifically condemn these recent attacks of aggression and hate crimes perpetrated against Asian Americans and ask the Common Council of the City of Middletown to unanimously adopt this Resolution denouncing these crimes; and*

LET IT BE FURTHER RESOLVED *that on behalf of the Residents of the City of Middletown, we hereby applaud our Asian American Residents and all Asian Americans and thank them for their day-to-day contributions to the betterment of our City and our Nation.*

RECEIVED
MAR 30 2021
City Clerk
City of Middletown

WHEREAS: *Recently, as a Nation we have witnessed a dramatic increase in Hate Crimes against Asian Americans; and,*

WHEREAS: *This increase is due to vilification and false statements blaming the Asian Population for the Worldwide Pandemic; and,*

WHEREAS: *Here in the United States, Asians have a long history of dedicated service to our Nation, including fields such as Healthcare, Politics, the Law, Entertainment, Academia, Business and honorably serving within our Armed Forces; and,*

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LET IT BE FURTHER RESOLVED *that on behalf of the Residents of the City of Middletown, we hereby applaud our Asian American Residents and all Asian Americans and thank them for their day-to-day contributions to the betterment of our City and our Nation.*

Given Under My Hand
And the Seal of the City of Middletown
This Sixth Day of April,
Two Thousand and Twenty-One

Joseph M. DeStefano, Mayor

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 04-06-21

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Mayor to sign all necessary documents and certifications regarding the 2021 CDGB Action Plan and authorize the submission of the 2021 Action Plan to the Office of Housing and Urban Development.

CITY OF MIDDLETOWN
Office of Economic & Community Development

RECEIVED

MAR 30 2021

City Clerk
City of Middletown

March 30, 2021

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

RE: Community Development Action Plan 2021

Dear Members:

I am requesting authorization for the Mayor to sign all necessary documents and certifications regarding the 2020 CDGB Action Plan. Also authorization for the submission of the 2021 Action Plan to the Office of Housing and Urban Development.

Thank you for your attention to this matter.

Maria Bruni, Director
Economic & Community Development

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

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Ald. Burr				
Ald. Green				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

WHEREAS; the City intends to seek proposal to sell 7 King Street, and

WHEREAS; two contiguous lots, 28 North Street and 30 North Street, do not have the ability to acquire new electric service from Orange & Rockland because their only exterior wall frontage abuts North Street, and

WHEREAS; the northern exterior wall of 7 King Street is a suitable location to emplace electric meters and running the wires through the basement of 7 King Street should not cause any problems for future owners.

NOW THEREFORE BE IT RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment that the Mayor is authorized to execute and record the attached easement.

EASEMENT

This Easement Indenture is made the ____ day of ____, 2021, by the City of Middletown (“City”), a municipal corporation with its place of business at 16 James Street, Middletown, New York 10940.

WHEREAS, the City owns certain premises in the City of Middletown, County of Orange, State of New York, delineated on the City of Middletown Tax Map as Section 31, Block 8, Lot 15, with a street address of 7 King Street, Middletown, New York 10940 (“City Premises”), being the same land and premises described in a deed from the City of Middletown to the City of Middletown and recorded in the Orange County Clerk’s Office on August 31, 2020 in Book 14795 at Page 986, which is attached hereto and made a part hereof, see Exhibit “A” and

WHEREAS, King North LLC owns certain premises in the City of Middletown, County of Orange, State of New York, delineated on the City of Middletown Tax Map as Section 31, Block 8, Lot 13, with a street address of 28 North Street, Middletown, New York 10940 (“King Premises”), being the same land and premises described in a deed from City of Middletown to King North LLC and recorded in the Orange County Clerk’s Office on December 28, 2017 in Book 14340 at Page 1265, which is attached hereto and made a part hereof, see Exhibit “B” and

WHEREAS, Lianhao Ding owns certain premises in the City of Middletown, County of Orange, State of New York, delineated on the City of

Middletown Tax Map as Section 31, Block 8, Lot 12, with a street address of 30 North Street, Middletown, New York 10940 (“Ding Premises”), being the same land and premises described in a deed from Sweet Air Investment Inc. to Lianhao Ding and recorded in the Orange County Clerk’s Office on April 28, 2016 in Book 14043 at Page 891, which is attached hereto and made a part hereof, see Exhibit “C” and

WHEREAS, the City now intends to seek proposals to sell the City Premises, and

WHEREAS, both the King Premises and the Ding Premises are contiguous to the City Premises, and

WHEREAS, both the King Premises and the Ding Premises have only one exterior wall, and such wall faces/abuts North Street, and

WHEREAS, as a consequence, both the King Premises and the Ding Premises lack the ability to acquire new electric service from Orange & Rockland Utilities since Orange & Rockland will not allow an electric meter to be installed or emplaced on an exterior wall facing/abutting a public street, and

WHEREAS, the City is encouraging development in the downtown area.

NOW, THEREFORE, for good and valuable consideration, the City of Middletown does hereby grant, convey and release the following permanent easement to the King Premises and to the Ding Premises, their heirs, successors and assigns, described as follows: the King Premises and the Ding Premises shall be afforded the permanent right and ability to each emplace/install an electric

meter on the northern exterior wall of the City Premises, and to each connect such meters to their respective Premises by running/emplacing an electric/power line from said exterior wall to and through the basement of the City Premises and thence through the walls of each of their respective Premises.

The purpose of this easement is to afford the ability to the King Premises and the Ding Premises now and in the future to establish electric service in their respective buildings by emplacing/installing a meter on the City Premises even after the City no longer owns said Premises. This permanent easement also grants the right to do the appropriate work necessary to emplace such meters and connect them by wire through the basement of the City Premises to the King Premises and the Ding Premises.

This easement shall be recorded, shall be deemed to be a covenant running with the land, and shall be binding upon the City Premises, and its future owners, successors, heirs and assigns and inure to the benefit of the King Premises and the Ding Premises, and their present and future owners, successors, heirs and assigns.

City of Middletown

By:

Joseph M. DeStefano, Mayor

STATE OF NEW YORK)
) ss.:
COUNTY OF ORANGE)

On the _____ day of _____, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Joseph M. DeStefano, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity and that by his/her/their signature(s) on the instrument the individual(s) or the person upon behalf of which individual(s) acted, executed the instrument.

Notary Public

EXHIBIT A

INSTRUCTIONS(RP-5217-PDF-INS): www.orps.state.ny.us

FOR COUNTY USE ONLY

C1. SWIS Code 330900

C2. Date Deed Recorded 8/31/2020

C3. Book 14795 C4. Page 986

New York State Department of
Taxation and Finance
Office of Real Property Tax Services
RP-5217-PDF
Real Property Transfer Report (8/10)

PROPERTY INFORMATION

1. Property Location 7 King Street
* STREET NUMBER * STREET NAME
Middletown 10940
* CITY OR TOWN * ZIP CODE

2. Buyer Name City of Middletown
* LAST NAME/COMPANY * FIRST NAME
* LAST NAME/COMPANY * FIRST NAME

3. Tax Billing Address City of Middletown
Indicate where future Tax Bills are to be sent if other than buyer address (at bottom of form) * LAST NAME/COMPANY * FIRST NAME
* STREET NUMBER AND NAME * CITY OR TOWN * STATE * ZIP CODE

4. Indicate the number of Assessment 1 # of Parcels OR Part of a Parcel (Only if Part of a Parcel) Check as they apply:
Roll parcels transferred on the deed 4A. Planning Board with Subdivision Authority Exists

5. Deed Property Size 18 X 87 OR 0.00 4B. Subdivision Approval was Required for Transfer
* FRONT FEET * DEPTH * ACRES 4C. Parcel Approved for Subdivision with Map Provided

6. Seller Name City of Middletown
* LAST NAME/COMPANY * FIRST NAME
* LAST NAME/COMPANY * FIRST NAME

*7. Select the description which most accurately describes the use of the property at the time of sale:
F. Commercial

Check the boxes below as they apply:
8. Ownership Type is Condominium
9. New Construction on a Vacant Land
10A. Property Located within an Agricultural District
10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District

SALE INFORMATION

11. Sale Contract Date 8/11/2020

*12. Date of Sale/Transfer 8/11/2020

*13. Full Sale Price 0 51,244.15 00
(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

14. Indicate the value of personal property included in the sale 0.00

15. Check one or more of these conditions as applicable to transfer:
A. Sale Between Relatives or Former Relatives
X B. Sale Between Related Companies or Partners in Business
X C. One of the Buyers is also a Seller
X D. Buyer or Seller is Government Agency or Lending Institution
X E. Deed Type not Warranty or Bargain and Sale (Specify Below)
F. Sale of Fractional or Less than Fee Interest (Specify Below)
G. Significant Change in Property Between Taxable Status and Sale Date
H. Sale of Business is Included in Sale Price
X I. Other Unusual Factors Affecting Sale Price (Specify Below)
J. None

Comment(s) on Condition:
Quitclaim Deed associated with Tax Sale

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken (YY) 20

17. Total Assessed Value 15,600

18. Property Class 481

19. School District Name Middletown SD

20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional Identifier(s))
31-d-15

CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein subject me to the provisions of the general law relative to the making and filing of false instruments.

SELLER SIGNATURE
City of Middletown
Joseph M. DeStefano, Mayor 08-11-2020

BUYER SIGNATURE
City of Middletown
Joseph M. DeStefano, Mayor 08-11-2020

BUYER CONTACT INFORMATION
(Enter information for the buyer. Note: If buyer is LLC, society, association, corporation, joint stock company, estate or entity that is not an individual agent or fiduciary, then a name and contact information of an individual responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.)

City of Middletown
* LAST NAME * FIRST NAME
845 3464140
* AREA CODE * TELEPHONE NUMBER (E.G. 999999)

16 James Street
* STREET NUMBER * STREET NAME
Middletown NY 10940
* CITY OR TOWN * STATE * ZIP CODE

BUYER'S ATTORNEY
Smith Alex
* LAST NAME * FIRST NAME
845 3464140
* AREA CODE * TELEPHONE NUMBER (E.G. 999999)



ORANGE COUNTY - STATE OF NEW YORK

ANN G. RABBITT, COUNTY CLERK

255 MAIN STREET

GOSHEN, NEW YORK 10924

COUNTY CLERK'S RECORDING PAGE

THIS PAGE IS PART OF THE DOCUMENT - DO NOT DETACH



BOOK/PAGE: 14795 / 986
INSTRUMENT #: 20200045380

Receipt#: 2806413
Clerk: JM
Rec Date: 08/31/2020 04:18:49 PM
Doc Grp: D
Descrip: DEED
Num Pgs: 3
Rec'd Frm: MIDDLETOWN CORP COUNSEL (43)

Party1: MIDDLETOWN CITY
Party2: MIDDLETOWN CITY
Town: MIDDLETOWN (CITY)
31-8-15

Recording:

Recording Fee	35.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 All others - State	241.00
RP5217 - County	9.00

Sub Total: 310.00

Transfer Tax
Transfer Tax - State 0.00

Sub Total: 0.00

Total: 310.00
**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
Transfer Tax #: 829
Commercial Transfer Tax
Consideration: 0.00

Total: 0.00

Payment Type: Check _____
Cash _____
Charge _____
No Fee _____

Comment: _____

ORANGE COUNTY OFFICE OF REAL PROPERTY	
SAME AS <u>31-8-15</u>	DATE <u>9/23/20</u>
SEE REVISION SHEET _____	TECH <u>MEM</u>
OTHER _____	

Ann G. Rabbitt

Ann G. Rabbitt
Orange County Clerk

Record and Return To:

MIDDLETOWN CITY
CORPORATION COUNSEL
16 JAMES ST
MIDDLETOWN, NY 10940

City of Middletown Tax Map No.: Section 31, Block 8, Lot 15

QUITCLAIM DEED

THIS INDENTURE, made this 11th day of August, 2020, between the **CITY OF MIDDLETOWN**, a municipal corporation, having its principal place of business at 16 James Street, Middletown, New York 10940, party of the first part, and **CITY OF MIDDLETOWN**, a municipal corporation, having its principal place of business at 16 James Street, Middletown, New York 10940, party of the second part.

WITNESSETH

Whereas, by virtue of and pursuant to Title V of the Charter of the City of Middletown, New York, unpaid taxes, assessments and/or liens owed to the City of Middletown were levied upon property shown on the tax map of the City of Middletown as Section 31, Block 8, Lot 15, and also known as 7 King Street in the City of Middletown, which property is owned by Carmine Arrotta and Maria G. Arrotta pursuant to a deed dated July 1, 1976, from Market Forecasting Publications, Inc., which deed was recorded in the Orange County Clerk's Office on July 2, 1976 in Liber 2039 of Deeds at page 1003; and

Whereas, such unpaid taxes, assessments and/or liens are as follows:

City, County, School Tax
and/or Water Sewer Rents
Totaling \$51,244.13 plus interest and penalties,

Whereas, pursuant to Section 83 of the Charter of the City of Middletown, the redemption period for such unpaid taxes, assessments and/or liens expired July 31, 2020, and such unpaid taxes, assessments and/or liens remain unpaid as of the date first set forth above; and

Whereas, pursuant to Section 93 of the Charter of the City of Middletown, and at least one hundred twenty (120) days prior to the expiration of the redemption period, all owners of the aforesaid property were given at least thirty (30) days' notice by certified mail, return receipt requested and by regular first class mail that the City of Middletown would conduct a title search of the aforesaid property; and

Whereas, pursuant to Section 93 of the Charter of the City of Middletown, all owners of the aforesaid property and all mortgagees and/or lessees and any assignees of either whose mortgages and/or leases have been recorded in the Orange County Clerk's Office were given at least sixty (60) days' notice by certified mail, return receipt requested and by regular first class mail that the City of Middletown would be conveying the aforesaid property to the City of Middletown; and

Whereas, pursuant to Section 93 of the Charter of the City of Middletown, the aforesaid property was posted with notice of such conveyance at least thirty (30) days prior to such conveyance.

Now, therefore, by reason of the expiration of the redemption period for the unpaid taxes, assessments and/or liens levied against the aforesaid property as of July 31, 2020, and in accordance with Title V of the Charter of the City of Middletown and statutes in such cases made and provided, the party of the first part by these presents does remise, release and quitclaim unto the party of the second part, its heirs, successors and assigns, all the right, title and interest of the aforesaid Carmine Arrotta and Maria G. Arrotta, in and to the following premises, to wit:

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Middletown, County of Orange, State of New York and more accurately bounded and described as follows:

All that lot or parcel of land situate, lying and being in the City of Middletown, Orange County, New York, known as 7 King Street in said City and described on the Tax Map of said City as follows: Section 31, Block 8, Lot 15.

Being and intended to be the same premises conveyed to Carmine Arrotta and Maria G. Arrotta by a deed, dated July 1, 1976, which deed was recorded in the Orange County Clerk's Office on July 2, 1976 in Liber 2039 of Deeds at page 1003.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, to have and to hold the above described premises with appurtenances thereunto belonging in and to the party of the second part, its heirs, successors and assigns forever as fully and absolutely as it, the party of the first part, can, may or might convey or dispose of by virtue of the said Charter of the City of Middletown and statutes in such cases made and provided, subject to whatever state of facts an accurate survey and title search may show, subject to Federal and New York State Tax Liens, if any, and subject to covenants, restrictions, easements, rights of way and agreements of record, if any, with respect to the aforesaid property.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed on the day and year first above written.

IN PRESENCE OF

CITY OF MIDDLETOWN

BY: JOSEPH M. DeSTEFANO, MAYOR

STATE OF NEW YORK

SS:

COUNTY OF ORANGE

On the 11 day of August, 2020 before me, the undersigned, a notary public in and for said state, personally appeared **JOSEPH M. DeSTEFANO**, known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

ANNA AGUIRRE
NOTARY PUBLIC STATE OF NEW YORK
No. 01AG6190005

Qual. Exp. in Orange County
My Commission Expires August 04, 2024


Notary Public

Attest:
Middletown City
Corp Counsel
116 James Street
Middletown, NY 10940

EXHIBIT B

New York State Department of
Taxation and Finance

Office of Real Property Tax Services

RP- 5217-PDF

Real Property Transfer Report (8/10)

FOR COUNTY USE ONLY

C1. SWIS Code

330900

C2. Date Deed Recorded

12/28/2017

C3. Book

14340

C4. Page

1265



PROPERTY INFORMATION

1. Property
Location

28

North Street

* STREET NUMBER

* STREET NAME

Middletown

* CITY OR TOWN

VILLAGE

10940

* ZIP CODE

2. Buyer
Name

King North LLC

* LAST NAME/COMPANY

FIRST NAME

LAST NAME/COMPANY

FIRST NAME

3. Tax
Billing
AddressIndicate where future Tax Bills are to be sent
if other than buyer address(at bottom of form) King North LLC

LAST NAME/COMPANY

FIRST NAME

7 Hoover Drive

Middletown

NY

10940

STREET NUMBER AND NAME

CITY OR TOWN

STATE

ZIP CODE

4. Indicate the number of Assessment
Roll parcels transferred on the deed 1 # of Parcels

OR

☐ Part of a Parcel

(Only if Part of a Parcel) Check as they apply:

4A. Planning Board with Subdivision Authority Exists

☐5. Deed
Property
Size

23

* FRONT FEET

X

100

* DEPTH

OR

0.00

* ACRES

4B. Subdivision Approval was Required for Transfer

☐

4C. Parcel Approved for Subdivision with Map Provided

☐6. Seller
Name

City of Middletown

* LAST NAME/COMPANY

FIRST NAME

LAST NAME/COMPANY

FIRST NAME

*7. Select the description which most accurately describes the
use of the property at the time of sale:

F. Commercial

Check the boxes below as they apply:

8. Ownership Type is Condominium

☐

9. New Construction on a Vacant Land

☐

10A. Properly Located within an Agricultural District

☐10B. Buyer received a disclosure notice indicating that the property is in an
Agricultural District☐

SALE INFORMATION

11. Sale Contract Date

12/20/2017

* 12. Date of Sale/Transfer

12/27/2017

*13. Full Sale Price

125,000.00

(Full Sale Price is the total amount paid for the property including personal property.
This payment may be in the form of cash, other property or goods, or the assumption of
mortgages or other obligations.) Please round to the nearest whole dollar amount.

15. Check one or more of these conditions as applicable to transfer:

- ☐ A. Sale Between Relatives or Former Relatives
- ☐ B. Sale between Related Companies or Partners in Business.
- ☐ C. One of the Buyers is also a Seller
- ☒ D. Buyer or Seller is Government Agency or Lending Institution
- ☐ E. Deed Type not Warranty or Bargain and Sale (Specify Below)
- ☐ F. Sale of Fractional or Less than Fee Interest (Specify Below)
- ☐ G. Significant Change in Property Between Taxable Status and Sale Dates
- ☐ H. Sale of Business is Included in Sale Price
- ☐ I. Other Unusual Factors Affecting Sale Price (Specify Below)
- ☐ J. None

Comment(s) on Condition:

14. Indicate the value of personal
property included in the sale

0.00

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which information taken(YY) 17

*17. Total Assessed Value

35,900

*18. Property Class

481

*19. School District Name

Middletown City SD

*20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional identifier(s))

31-8-13

CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful
false statement of material fact herein subject me to the provisions of the penal law relative to the making and filing of false instruments.

SELLER SIGNATURE

BUYER CONTACT INFORMATION

CITY OF MIDDLETOWN

(Enter information for the buyer. Note: If buyer is LLC, society, association, corporation, joint stock company, estate or
entity that is not an individual agent or fiduciary, then a name and contact information of an individual/responsible
party who can answer questions regarding the transfer must be entered. Type or print clearly.)

BY JOSEPH M. DESTEFANO, Mayor

BUYER SIGNATURE

King North LLC

* LAST NAME

FIRST NAME



ORANGE COUNTY – STATE OF NEW YORK
ANN G. RABBITT, COUNTY CLERK
255 MAIN STREET
GOSHEN, NEW YORK 10924

COUNTY CLERK'S RECORDING PAGE
THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



BOOK/PAGE: 14340 / 1265
INSTRUMENT #: 20170092650
Receipt#: 2427176
Clerk: KS
Rec Date: 12/28/2017 11:56:33 AM
Doc Grp: D
Descrip: DEED
Num Pgs: 4
Rec'd Frm: ASSURANCE ABSTRACT & TITLE SERVICES LLC

Party1: MIDDLETOWN CITY
Party2: KING NORTH LLC
Town: MIDDLETOWN (CITY)
31-8-13

Payment Type: Check _____
Cash _____
Charge _____
No Fee _____

Comment: _____

Ann G. Rabbitt

Ann G. Rabbitt
Orange County Clerk

Recording:

Recording Fee	40.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 All others - State	241.00
RP5217 - County	9.00

Sub Total: 315.00

Transfer Tax	
Transfer Tax - State	500.00

Sub Total: 500.00

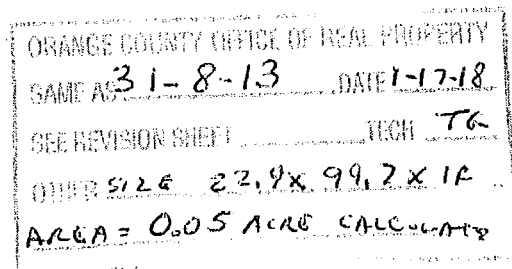
Total: 815.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
Transfer Tax #: 5120
Commercial Transfer Tax
Consideration: 125000.00

Transfer Tax - State	500.00
----------------------	--------

Total: 500.00



Record and Return To:

ASSURANCE ABSTRACT & TITLE SERVICES
9 BERT CRAWFORD ROAD, STE 104
MIDDLETOWN, NY 10940-4747

16-AAT-2660

SECTION 31 BLOCK 8 LOT 13

BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S ACTS

THIS INDENTURE, made this 27th day of December, 2017, between the City of Middletown a municipal corporation, having its principal place of business at 16 James Street, Middletown, New York 10940, party of the first part, and King North LLC, a New York limited liability company, with a principal office located at 7 Hoover Drive, Middletown, New York 10940, party of the second part,

WITNESSETH, that the party of the first part, in consideration of one and no/100 dollar (\$1.00), lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs, successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Middletown, County of Orange and the State of New York, shown on the tax map of the City of Middletown as Section 31 Block 8 Lot 13, with a street address of 28 North Street, Middletown, New York 10940. The property is also described in the attached Schedule A.

Being and intended to be the premises described in a tax sale deed dated January 16, 2015 from the City of Middletown to the City of Middletown, issued pursuant to the Charter of the City of Middletown and recorded on March 16, 2015 in the Orange County Clerk's Office in Liber 13861 page 980.

SUBJECT to rights as in Liber 1948 page 862 and Liber 2039 page 1003; agreement in Liber 2050 page 345; and any other grants, agreements, rights of way, covenants, conditions, restrictions, declarations, notes on filed maps, reservations and easements of record, if any, and any state of facts an accurate survey might show.

This conveyance has been approved by duly adopted resolution of the Common Council of the party of the first part on September 5, 2017.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof.

TOGETHER with the appurtenances and all the estate and rights of the party of the first part, if any, in and to said premises.

TO HAVE AND TO HOLD the premises herein granted and released unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants

31-8-13

Assurance Abstract & Title Services LLC

SCHEDULE A

Section 31 Block 8 Lot 13

ALL those tracts or parcel of land, situate in the city of Middletown, Orange County, New York as follows:

The premises known on the Tabulated Assessment Roll of the City of Middletown, New York as No. 28 North Street, and bounded and described as follows: BEGINNING at a point in the northwesterly line of North Street, said point being in range with the northeasterly face of the northeast wall of the masonry building owned by the First Federal Savings & Loan Association of Middletown, said point being the southwesterly front corner of the lot recorded in Middletown, said point being the southwesterly front corner of the lot recorded in the Orange County Clerk's Office in Book 672 at Page 559, and runs thence along the northeasterly face of the wall of the First Federal Savings & Loan Association building, N. 67 degrees 52 minutes W. 99.55 ft. to a point in the southeasterly face of the southeast wall of the brick building of the lot assessed as No. 7 King Street, thence along said southeast of the wall N. 22 degrees 23 minutes E. 23.44 ft. to a point in the center of the brick wall dividing the property of No. 28 and No. 30 North Street, and running thence along the center of said party wall S. 67 degrees 33 minutes E 99.75 ft. to a point in the northwesterly line of North St., thence along same S. 22 degrees 55 minutes W 22.90 ft. to the point and place of beginning.

TOGETHER with all the right, title and interest of the party of the first part in and to the party wall between No. 28 and No. 30 North Street.

Premises known as 28 North Street, Middletown, NY 10940

Borrower: Mona Lee
Property Address: 28 North Street
Tax Map No: 31-8-13

File No: 16-AAT-2660
County: Orange
Town/City/Village: Middletown

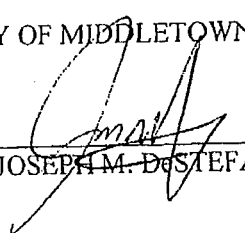
that the party of the first part will receive the consideration of this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvements, if any, to the premises and will apply the same first to the payment of the cost of the improvements, if any, to the premises before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part and the party of the second part have duly executed this deed on the day and year first above written.

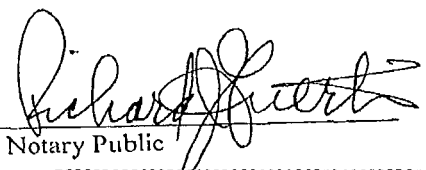
IN PRESENCE OF

CITY OF MIDDLETOWN


By: JOSEPH M. DeSTEFANO, MAYOR

STATE OF NEW YORK)
COUNTY OF ORANGE) ss:

On the 27th day of December, 2017, before me, the undersigned, a notary public in and for said state, personally appeared JOSEPH M. DeSTEFANO, known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

Record and return:

ASSURANCE ABSTRACT & TITLE
9 Bert Crawford Road, Suite 104
Middletown, NY 10940

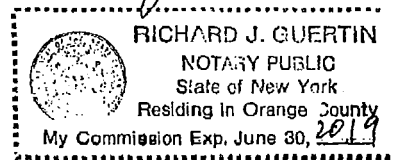


EXHIBIT C

FOR COUNTY USE ONLY

C1. SWIS Code

330900

C2. Date Deed Recorded

4/28/16

C3. Book

14043

C4. Page

00891

New York State Department of
Taxation and Finance

Office of Real Property Tax Services

RP- 5217-PDF

Real Property Transfer Report (8/10)

PROPERTY INFORMATION

1. Property Location

30, 32-34

North Street

* STREET NUMBER

* STREET NAME

Middletown

10940

* CITY OR TOWN

VILLAGE

* ZIP CODE

2. Buyer Name

Ding

Lianhao

* LAST NAME/COMPANY

FIRST NAME

LAST NAME/COMPANY

FIRST NAME

3. Tax Billing Address

Indicate where future Tax Bills are to be sent
if other than buyer address(at bottom of form)

LAST NAME/COMPANY

FIRST NAME

STREET NUMBER AND NAME

CITY OR TOWN

STATE

ZIP CODE

4. Indicate the number of Assessment Roll parcels transferred on the deed

2

of Parcels

OR

☐ Part of a Parcel

(Only if Part of a Parcel) Check as they apply:

4A. Planning Board with Subdivision Authority Exists

☐

5. Deed Property Size

53

X

175

OR

0.00

* FRONT FEET

* DEPTH

* ACRES

4B. Subdivision Approval was Required for Transfer

☐

4C. Parcel Approved for Subdivision with Map Provided

☐

6. Seller Name

Sweet Air Investment, Inc

aka

Sweet Air Investments, Inc

* LAST NAME/COMPANY

FIRST NAME

LAST NAME/COMPANY

FIRST NAME

7. Select the description which most accurately describes the use of the property at the time of sale:

F. Commercial



Check the boxes below as they apply:

8. Ownership Type is Condominium

☐

9. New Construction on a Vacant Land

☐

10A. Property Located within an Agricultural District

☐

10B. Buyer received a disclosure notice indicating that the property is in an Agricultural District

☐

SALE INFORMATION

11. Sale Contract Date

03/23/2016

* 12. Date of Sale/Transfer

04/27/2016

*13. Full Sale Price

220,000.00

(Full Sale Price is the total amount paid for the property including personal property. This payment may be in the form of cash, other property or goods, or the assumption of mortgages or other obligations.) Please round to the nearest whole dollar amount.

15. Check one or more of these conditions as applicable to transfer:

☐ A. Sale Between Relatives or Former Relatives☐ B. Sale between Related Companies or Partners in Business.☐ C. One of the Buyers is also a Seller☐ D. Buyer or Seller is Government Agency or Lending Institution☐ E. Deed Type not Warranty or Bargain and Sale (Specify Below)☐ F. Sale of Fractional or Less than Fee Interest (Specify Below)☐ G. Significant Change in Property Between Taxable Status and Sale Dates☐ H. Sale of Business is Included in Sale Price☐ I. Other Unusual Factors Affecting Sale Price (Specify Below)☒ J. None

*Comment(s) on Condition:

14. Indicate the value of personal property included in the sale

.00

Bargain and Sale Deed

ASSESSMENT INFORMATION - Data should reflect the latest Final Assessment Roll and Tax Bill

16. Year of Assessment Roll from which Information taken(YY)

16

*17. Total Assessed Value

66,600

*18. Property Class

481

*19. School District Name

Middletown

*20. Tax Map Identifier(s)/Roll Identifier(s) (If more than four, attach sheet with additional Identifier(s))

31-8-11

31-8-12

CERTIFICATION

I certify that all of the items of information entered on this form are true and correct (to the best of my knowledge and belief) and I understand that the making of any willful false statement of material fact herein subject me to the provisions of the penal law relative to the making and filing of false instruments.

SELLER SIGNATURE

4-26-16

Joseph S. Stouck, Inc. Sweet Air Investment, Inc.

BUYER SIGNATURE

(Enter information for the buyer. Note: If buyer is LLC, society, association, corporation, joint stock company, estate or entity that is not an individual agent or fiduciary, then a name and contact information of an individual/responsible party who can answer questions regarding the transfer must be entered. Type or print clearly.)

Ding

Lianhao

* LAST NAME

FIRST NAME



ORANGE COUNTY – STATE OF NEW YORK
ANN G. RABBITT, COUNTY CLERK
255 MAIN STREET
GOSHEN, NEW YORK 10924

COUNTY CLERK'S RECORDING PAGE
THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH



BOOK/PAGE: 14043 / 891
INSTRUMENT #: 20160026564

Receipt#: 2118794
Clerk: KP
Rec Date: 04/28/2016 02:18:12 PM
Doc Grp: D
Descrip: DEED
Num Pgs: 4
Rec'd Frm: ASSURANCE ABSTRACT & TITLE
SERVICES LLC

Party1: SWEET AIR INVESTMENT INC
Party2: DING LIANHAO
Town: MIDDLETOWN (CITY)
31-8-11

Payment Type: Check _____
Cash _____
Charge _____
No Fee _____

Comment: _____

Ann G. Rabbitt

Ann G. Rabbitt
Orange County Clerk

Recording:
Recording Fee 40.00
Cultural Ed 14.25
Records Management - Coun 1.00
Records Management - Stat 4.75
TP584 5.00
RP5217 All others - State 241.00
RP5217 - County 9.00

Sub Total: 315.00

Transfer Tax
Transfer Tax - State 880.00

Sub Total: 880.00

Total: 1195.00

**** NOTICE: THIS IS NOT A BILL ****

***** Transfer Tax *****
Transfer Tax #: 7324
Commercial Transfer Tax
Consideration: 220000.00

Transfer Tax - State 880.00

Total: 880.00

ORANGE COUNTY OFFICE OF REAL PROPERTY
SAME AS 31-8-11 DATE 5-11-16
SEE REVISION SHEET TECH TG
OTHER

ORANGE COUNTY OFFICE OF REAL PROPERTY
SAME AS 31-8-12 DATE 5-11-16
SEE REVISION SHEET TECH TG
OTHER

Record and Return To:

TNIA FFASSNACHT
275 ROUTE 17K SUITE 120
NEWBURGH, NY 12550

16-AAT-2550

— Bargain and Sale Deed, with Covenant against Grantor's Acts — Individual or Corporation (Single Sheet)
CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT—THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 26th day of April, in the year 2016
BETWEEN SWEET AIR INVESTMENT, INC., ^{aka Sweet Air Investments, Inc.} having an address c/o Eastern Savings Bank, fsb, 11350 McCormick Road, Hunt Valley, Maryland 21031.

party of the first part, and

LIANHAO DING, an individual having an address of 143-40 Oak Avenue, Flushing, NY 11355

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

\$10.00 dollars

paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Middletown, County of Orange and State of New York, as more particularly described on Schedule "A" annexed hereto and made a part hereof.

Premises located at 32-34 North Street, Middletown, NY 10940 and designated as Section: 31, Block: 8, Lot: 11 as shown on the Tax Map ("Parcel I") and the premises located at 30 North Street, Middletown, NY 10940 and designated as Section: 31, Block: 8, Lot: 12 as shown on the Tax Map ("Parcel II").

BEING AND INTENDED Parcel I to be the same premises as conveyed to the party of the first part by a Referee's Deed from Leonard Kessler, Esq., Referee, dated as of December 12, 2011 and recorded on January 25, 2012 in the Office of the Orange County Clerk in Liber: 13278, Page: 1630; and Parcel II being and intended to be the same premises as conveyed to the party of the first part by a Referee's Deed from Leonard Kessler, Esq., Referee dated as of December 12, 2011 and recorded on January 25, 2012 in the Office of the Orange County Clerk in Liber: 13278, Page: 1636.

This sale does not constitute a sale of all or substantially all of the assets of the Grantor

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Coral Harnel

Joseph J. Slavick III, SVP
Sweet Air Investment, Inc. *
By: Joseph J. Slavick III, Sr. V.P.

* aka Sweet Air Investments, Inc

31-8-11-12

Assurance Abstract & Title Services LLC

SCHEDULE A

Section 31 Block 8 Lot 11

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Middletown, County of Orange and State of New York, bounded and described as follows:

BEGINNING at a point along the westerly side of North Street at the dividing line between Lots 11 & 12;

RUNNING THENCE along said dividing line North 67 degrees 12 minutes 22 seconds West, 76.29 feet and continuing North 67 degrees 30 minutes 42 seconds West, 23.71 feet to a point along the lands now or formerly of Carmine P. Arrotta and Maria G. Arrotta;

THENCE North 22 degrees 46 minutes 12 seconds East, 28.91 feet to a point at the face of a building;

THENCE along the lands now or formerly of Rehoboth Christian Center, Inc., South 67 degrees 30 minutes 42 seconds East, 23.70 feet and continuing South 66 degrees 51 minutes 58 seconds East, 76.30 feet;

THENCE along the westerly side of North Street, South 22 degrees 45 minutes 33 seconds West, 28.46 feet to the point or place of BEGINNING.

Premises known as 32-34 North Street, Middletown, NY 10940

Section 31 Block 8 Lot 12

ALL that certain plot, piece or parcel of land, situated, lying and being in the City of Middletown, County of Orange and State of New York, bounded and described as follows:

BEGINNING at a point at the extreme northeast corner of the lands now or formerly of Carmine P. Arrotta and Maria G. Arrotta;

RUNNING THENCE North 67 degrees 12 minutes 22 seconds West, 99.05 feet;

THENCE North 22 degrees 10 minutes 16 seconds East along the easterly side of lands now or formerly of Carmine P. Arrotta and Maria G. Arrotta, 23.99 feet;

THENCE South 67 degrees 12 minutes 22 seconds East along the lands now or formerly of Guiseppe Arrotta, 76.29 feet;

THENCE South 23 degrees 11 minutes 38 seconds West, 24.07 feet to the point or place of BEGINNING.

Premises known as 30 North Street, Middletown, NY 10940

Borrower: Lalinhao Ding
Property Address: 32-34 North Street & 30 North Street
Tax Map No: 31-8-11 and 12

File No: 16-AAT-2550
County: Orange
Town/City/Village: Middletown

ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of _____

, ss:

On the _____ day of _____ in the year _____, before me, the undersigned, personally appeared

_____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

**ACKNOWLEDGEMENT BY SUBSCRIBING WITNESS
TAKEN IN NEW YORK STATE**

State of New York, County of _____, ss:

On the _____ day of _____ in the year _____, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, the

subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they reside(s) in

(if the place of residence is in a city, include the street and street number if any, thereof); that he/she/they know(s)

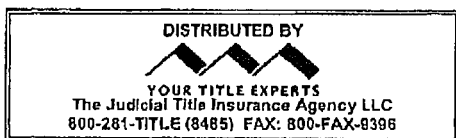
to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said

execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto

**Bargain and Sale Deed
With Covenants**

Title No.

SWEET AIR INVESTMENT, INC.
TO
LIANHAO DING



ACKNOWLEDGEMENT TAKEN IN NEW YORK STATE

State of New York, County of _____, ss:

On the _____ day of _____ in the year _____, before me, the undersigned, personally appeared

_____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

**ACKNOWLEDGEMENT TAKEN OUTSIDE NEW YORK
STATE**

*State of Maryland, County of Baltimore, ss:

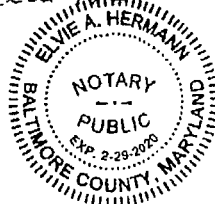
*(Or insert District of Columbia, Territory, Possession or Foreign County)

On the 22nd day of April in the year 2016, before me the undersigned personally appeared Joseph S. Slavick Sp. Vice president

Personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s) or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual make such appearance before the undersigned in the City of Hunt Valley and the State of Maryland.

(add the city or political subdivision and the state or country or other place the acknowledgement was taken).

Elvie A. Hermann



SECTION: 31

BLOCK: 8

LOT: 11 & 12

COUNTY OR TOWN: ORANGE COUNTY

RETURN BY MAIL TO:

Tina M. Fassnacht, Esq.
Law Office of Tina Fassnacht
275 Route 17K, Suite 120
Newburgh, NY 12550

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 04-06-21

Index No: _____

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

WHEREAS; the City will be replacing the “Welcome To Middletown” sign with a new version, and

WHEREAS; the City requests the Mayor to sign an Intermunicipal Agreement with the County of Orange for the defense indemnity concerning construction, maintenance and operation of signage to be emplaced at the intersection of Monhagen Avenue and Seward Avenue

SO LET ITBE RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Mayor to sign the attached Intermunicipal Agreement between the City and the County of Orange.

CITY OF MIDDLETOWN
Office of Economic & Community Development

RECEIVED
MAR 31 2021
City Clerk
City of Middletown

March 30, 2021

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

RE: Intermunicipal Agreement

Dear Members:

I am requesting the approval of and to authorize the Mayor to sign the Intermunicipal Agreement between the City and the County of Orange.

This agreement is for the defense indemnity concerning construction, maintenance and operation of signage to be emplaced at the intersection of Monhagen Avenue and Seward Avenue.

The City will be replacing the "Welcome To Middletown" sign with a new version.

This agreement was reviewed by Corporation Council, Alex Smith.

Thank you for your attention to this matter.

Maria Bruni, Director
Economic & Community Development

**INTERMUNICIPAL AGREEMENT BETWEEN
THE CITY OF MIDDLETOWN AND THE COUNTY OF ORANGE FOR
DEFENSE INDEMNITY CONCERNING CONSTRUCTION, MAINTENANCE
AND OPERATION OF SIGNAGE TO BE EMPLACED AT THE
INTERSECTION OF MONHAGEN AVENUE AND SEWARD AVENUE**

AGREEMENT, made this ____ day of March, 2021 by and between **THE CITY OF MIDDLETOWN**, a municipal corporation of the State of New York, with offices located at 16 James Street, Middletown, New York 10940 ("City") and **THE COUNTY OF ORANGE**, a municipal corporation of the State of New York, with offices located at 255-275 Main Street, Goshen, New York 10924 ("County").

WITNESSETH

WHEREAS, the City seeks to construct, maintain and operate certain signage on County-owned property at the intersection of Monhagen Avenue and Seward Avenue in the City, and

WHEREAS, this signage and location is depicted in the documents annexed to this IMA, and

WHEREAS, the parties hereto wish to enter into an Intermunicipal Agreement ("IMA") in order for the City to provide the County with defense and indemnification protections.

NOW, THEREFORE, in consideration of the foregoing recitals, the mutual agreements, promises and covenants set forth in this IMA and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged the parties hereto agree as follows:

1. The recitals set forth above are incorporated by reference into this Section 1 as material terms of this IMA.

2. The City shall defend and indemnify the County, its agents, officers and employees (collectively "County Parties") from any claim, action, liability or proceeding against the County Parties for any injury or damage caused by the construction, maintenance or operation of the aforesaid signage. The City's obligations under this IMA to defend and indemnify the County Parties shall include, but not be limited to, payment of all court costs and attorneys' fees, all litigation-related costs, and all costs of any judgments or awards against the County, which arise out of the construction, maintenance or operation of the aforesaid signage.

3. The County shall notify the City promptly of any claim, action or proceeding and cooperate fully in the defense. Upon receipt of such notification, the City shall assume the defense of the claim, action, or proceeding, including the employment of counsel reasonably satisfactory to the County and City, and the prompt payment of the attorneys' fees and costs of such counsel. If County reasonably determines that having common counsel would present such counsel with a conflict of interest, or if the City fails to promptly assume the defense of the claim, action, or proceeding or to promptly employ counsel reasonably satisfactory to County, then County may employ separate counsel to represent or defend the County, and the City shall pay the reasonable attorneys' fees and costs of such counsel within 30 days of receiving an itemized billing therefor. At its sole discretion, the County may participate at its own expense in the defense of any claim,

action or proceeding, but such participation shall not relieve the City of any obligation imposed by this IMA.

3. The City's obligations to defend and indemnify under this IMA shall apply whether or not there is concurrent, active, or passive negligence on the part of the County Parties, except that the City's obligation to indemnify shall not apply where the court finds there is gross negligence or willful misconduct by the County Parties.

4. Failure to promptly defend or indemnify County is a material breach which shall entitle the County to all remedies available under law, including but not limited to specific performance and damages.

5. The parties agree to work in good faith to mutually resolve any disputes occurring or arising out of the performance of this IMA. The parties agree to do all things reasonably necessary or appropriate to carry out the terms, provisions, and objectives of this IMA.

6. This IMA shall be governed by the laws of the State of New York. If there is a dispute regarding any of the provisions of this IMA, jurisdiction and venue shall be in the Supreme Court, County of Orange. For breach of the terms of this IMA, the parties may seek any monetary or equitable remedies available under applicable law. Either party that breaches this IMA shall pay all expenses of the non-breaching party, including without limitation, court costs, reasonable attorneys' fees and expert witness fees, in connection with enforcement of this IMA.

7. The County has the right to terminate this agreement upon thirty (30) days written notice to the City.

8. In the event there is any disturbance to the property as a result of constructing or erecting the signate, the City must restore the property to its original condition at the City's sole cost and expense.

9. Any notice or request provided for by this IMA shall be in writing. Notice shall be sent to the addresses set forth below, or to such other address as either party may specify in writing. All notices to Middletown must be addressed as follows:

Corporation Counsel
City of Middletown
16 James Street
Middletown, New York 10940
(845) 346-4146 (facsimile)

All notices to County must be addressed as follows:

Orange County Attorney
255 Main Street
Goshen, New York 10924
(845) 378-2374 (facsimile)

IN WITNESS WHEREOF, the parties have caused this IMA to be executed by their respective representatives, on the dates written below. The effective date of this IMA is the date first written at the beginning of this IMA.

THE COUNTY OF ORANGE

THE CITY OF MIDDLETOWN

By:

By:

_____, County Executive

Joseph DeStefano, Mayor

Date: _____

Date: _____

STATE OF NEW YORK)
)ss:
COUNTY OF ORANGE)

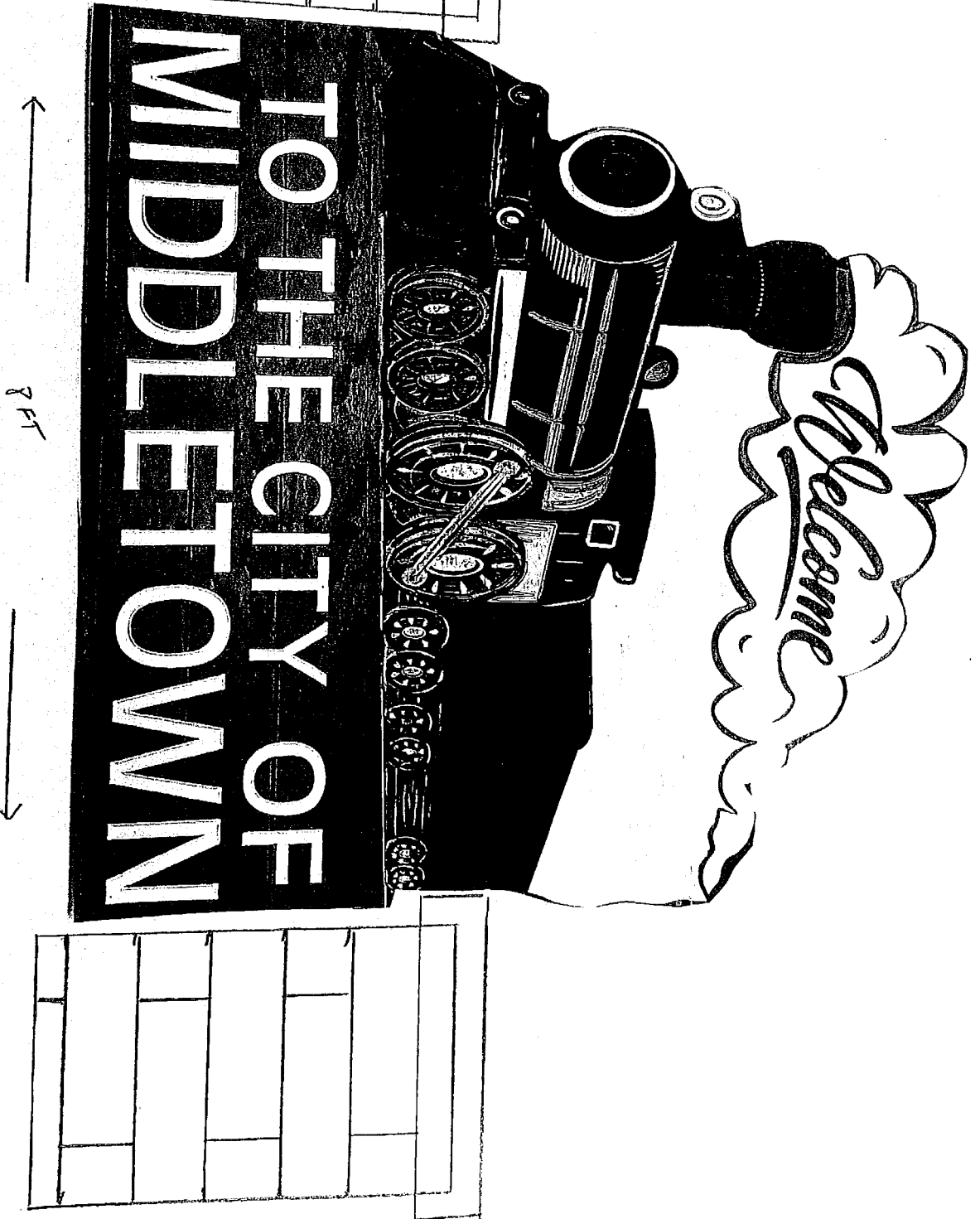
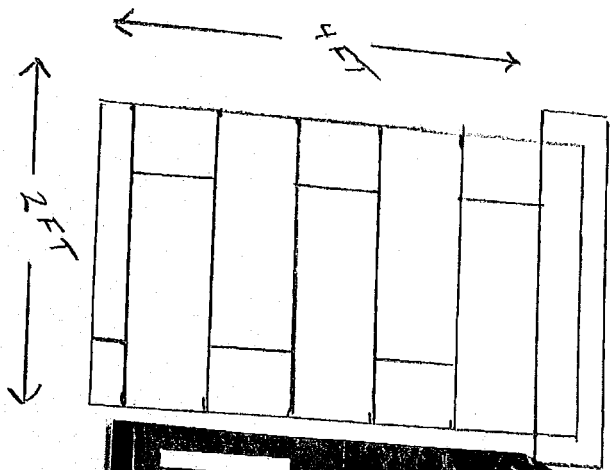
On the _____ day of March, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
)ss:
COUNTY OF ORANGE)

On the _____ day of March, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared **JOSEPH DeSTEFANO**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public



21-2-31.25, 31.2 & P/O 21-2-6.2, 7.2 & 9.2 AMENDED
SIT. RESOLUTIONS 1403/003 & 770 REC. 6/11/2016

STATE OR COUNTY NAME	FEDAL FIRM LOT NO.	FEDAL FIRM BLOCK NO.
CTT DOWN ON WILLOW	10	10
Block of Station Yard	11	11
Block of Station Yard	12	12
Block of Station Yard	13	13
Block of Station Yard	14	14
Block of Station Yard	15	15
Block of Station Yard	16	16
Block of Station Yard	17	17
Block of Station Yard	18	18
Block of Station Yard	19	19
Block of Station Yard	20	20
Block of Station Yard	21	21
Block of Station Yard	22	22
Block of Station Yard	23	23
Block of Station Yard	24	24
Block of Station Yard	25	25
Block of Station Yard	26	26
Block of Station Yard	27	27
Block of Station Yard	28	28
Block of Station Yard	29	29
Block of Station Yard	30	30
Block of Station Yard	31	31
Block of Station Yard	32	32
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Block of Station Yard	34	34
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Block of Station Yard	91	91
Block of Station Yard	92	92
Block of Station Yard	93	93
Block of Station Yard	94	94
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Block of Station Yard	96	96
Block of Station Yard	97	97
Block of Station Yard	98	98
Block of Station Yard	99	99
Block of Station Yard	100	100

ORANGE COUNTY-NEW YORK



CITY OF MIDDLETOWN

Scale 1" = 200'

Section No. 21

5' high 11' wide pre fab monument sign



Severd 20-

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 04-06-21

Index No: _____

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

WHEREAS, the City of Middletown has been presented with a proposal for a light manufacturing use at 308-310 North Street, and

WHEREAS, the Mayor and Economic Development are recommending to rezone a strip of five (5) parcels on North Street, including the subject parcel, from C-1 Neighborhood Business District to the contiguous C-2 Limited Business District, and

WHEREAS, the lots are described as follows on the City of Middletown tax map:

302 North Street	SBL 17-2-16
304 North Street	SBL 17-2-15
306 North Street	SBL 17-2-14
306½ North Street	SBL 17-2-13.1
308-310 North Street	SBL 17-2-12.1

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

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

Section 1. The Code of the City of Middletown, N.Y., Chapter 123, Zoning, as adopted March 27, 1967 and amended, and in particular Section 475-6, Zoning Map, be and is hereby further amended by rezoning the following parcels from C-1 Neighborhood Business District to C-2 Limited Business District, to be governed henceforth by the provisions of Section 475-20:

Tax Map

302 North Street	SBL 17-2-16
304 North Street	SBL 17-2-15
306 North Street	SBL 17-2-14
306½ North Street	SBL 17-2-13.1
308-310 North Street	SBL 17-2-12.1

Section 2. This Ordinance shall take effect immediately.

**CITY OF MIDDLETOWN
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, April 6, 2021, 2021 on or as near to 8:00 .m. as possible, Common Council Chambers, 2nd floor, 16 James Street, to hear any and all persons wishing to be heard on the proposed rezoning a strip of five (5) parcels on North Street, including the subject parcel, from C-1 Neighborhood Business District to the contiguous C-2 Limited Business District, and

302 North Street	SBL 17-2-16
304 North Street	SBL 17-2-15
306 North Street	SBL 17-2-14
306½ North Street	SBL 17-2-13.1
308-310 North Street	SBL 17-2-12.1

Any and all persons wishing to be heard will be given an opportunity to speak either for or against the proposed change of Zoning.

The complete proposed rezoning change is available in the office of the Common Council Clerk, City Hall, 16 James Street, room 12 and on the City Website.

The Public Hearing shall be conducted in person and via video/tele-conference and live on Channel 20 for viewing.

<https://middletown-ny.digitaltownhall.com/>

For any person unable to participate at the time of the public hearing, email comments may be submitted in advance to jnaumchik@middletown-ny.com

By the order of the Common Council.

John C. Naumchik
Clerk of the Common Council

Publish: 03/25/21 & 3/26/21
City Website

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 04-06-21

Index No: _____

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment approve the purchase of a new Dump Truck to replace a 2008 Ford Dump Truck with 91,000 miles which is in need of replacement due to the numerous repairs needed that would be required to keep this vehicle in working condition.

LET IT BE FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer a total of \$75,000.00 to fund the purchase in the following manner:

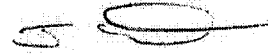
From	Amount	To
Water Fund Balance	\$37,500.00	F.8340.200 Other Equipment
Sewer Fund Balance	\$37,500.00	G.8120.200 Other Equipment

Department of Public Works

Memorandum

TO: Honorable Mayor DeStefano, Honorable Members of the Board of Estimate & Apportionment, Members of the Common Council

FROM: Jacob Tawil, P.E.- Commissioner of Public Works



DATE: March 31, 2021

RE: Resolution Needed to Replace Vehicle

I respectfully request a resolution to replace the Water/Sewer Department Truck #7. This truck is a 2008 Ford Dump with 91,000 miles on it. It is in need of replacement due to the numerous repairs needed that would be required to keep this vehicle in working condition. See attached photo. These repairs would be extremely costly to the City.

A new vehicle can be funded through both the Water and Sewer funds due to the vehicle being used by both departments. See attached quote for the replacement truck at a cost of \$75,000 to include radio communication.

From	Amount	To
Water Fund Balance	\$37,500.00	F.8340.200
		Other Equipment
Sewer Fund Balance	\$37,500.00	G.8120.200
		Other Equipment

kg

Department of Public Works

City of Middletown

Jacob S. Tawil, P.E.
Commissioner of Public Works



16 James Street
Middletown, NY 10940
Phone: 845-343-3169
Fax: 845-343-4014

MEMO

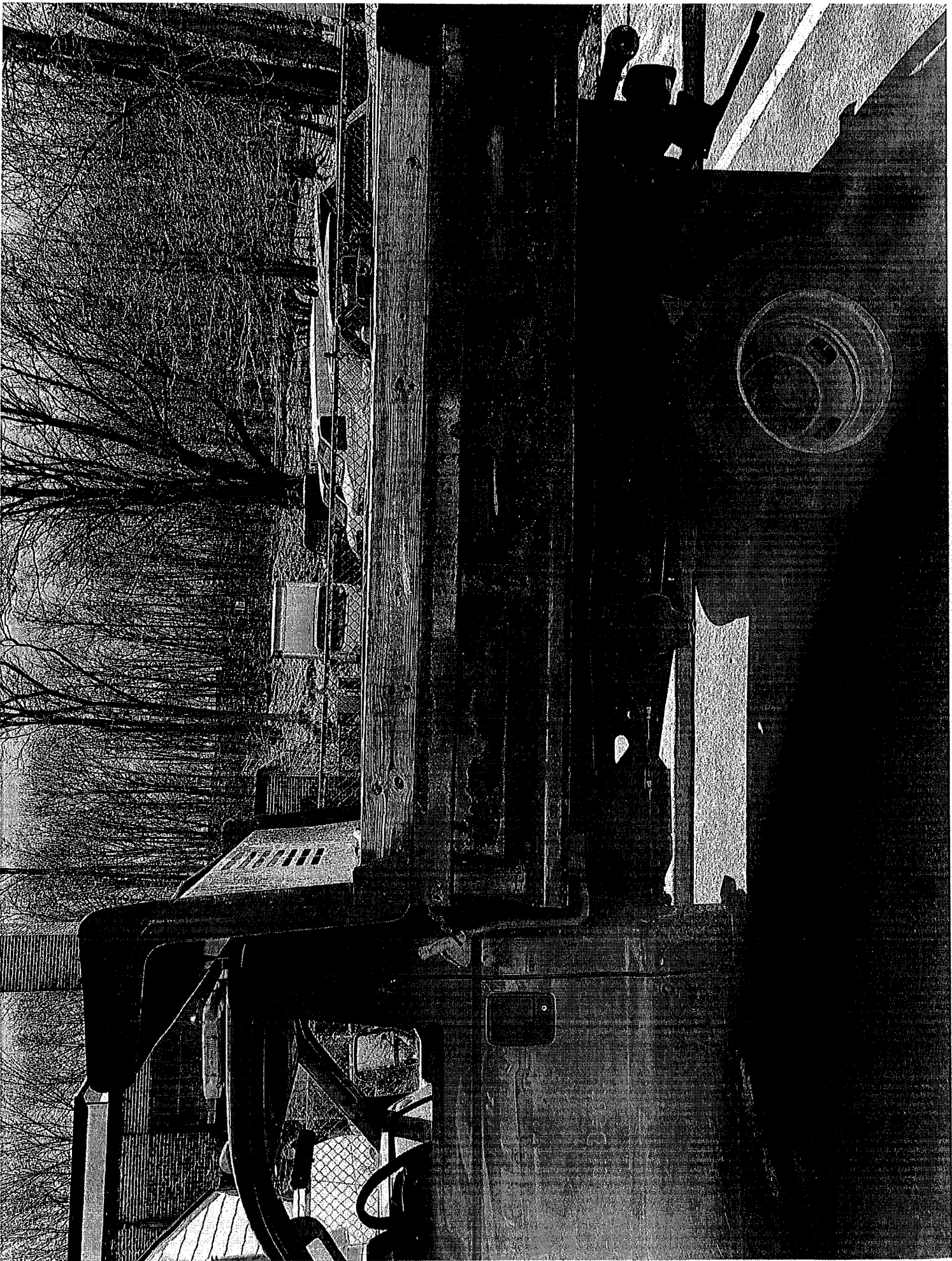
To: Jacob Tawil P.E. Commissioner of Public Works

I would like to request that truck # 7 be replace as soon as possible. This truck was slated for replacement in the 2022 budget, but its age and condition I do not believe will make it through the next year and a half. Truck # 7 is a 2007 with 91,000 miles. It was recently towed for repair and will need several thousand dollars of repairs this year to keep it running. I have attached photos of its current condition along with a quote to replace it for Robert Green. This vehicle can be funded out of both water and sewer funds as it is used in both departments. Any further questions feel free to contact me. Thank you

A handwritten signature in black ink, appearing to read "B. T. Smith", is written over a horizontal line.

Brian T. Smith

Deputy Commissioner Public Works



ROBERT GREEN TRUCK DIVISION
ROUTE 17 EAST EXIT 107, P.O. BOX 8002
ROCK HILL, N.Y. 12775

CITY OF MIDDLETOWN WATER AND SEWER

PHONE 845-794-0300 FAX 845-794-0295

16 JAMES ST

ONONDAGA STATE WIDE BID ONGOV-106-19 AS OF JANUARY 2020

MIDDLETOWN NY 10940

3/31/2021

BRIAN SMITH

BSMITH@MIDDLETOWN-NY.COM

CHASSIS LESS 19%/FACTORY OPTIONS LESS 10%

PH 845-806-7476

FX

VN 1HTKJPVMMOMH639841

ADAM SIMON

ADAM SIMON			
QTY	UNIT PRICE	NET PRICE	TOTAL
1 CK56403-NEW 2021 SILVERADO MEDIUM DUTY 4X4	52,326.64	42,384.57	\$42,384.57
1 G5D- 6500HD/22,500 LB GVWR	5,075.00	4,567.50	\$4,567.50
1 AQQ- REMOTE KEYLESS ENTRY	175.00	157.50	\$157.50
1 A31- POWER WINDOWS	\$290.00	\$261.00	\$261.00
1 DPN- POWER HEATED TRAILER TOW MIRRORS	\$355.00	\$319.50	\$319.50
1 EON-ALUMINUM ASSIST STEPS	\$200.00	\$180.00	\$180.00
1 FNP- PAINTED FRONT FENDER EXTENSION	\$105.00	\$94.50	\$94.50
1 FUT-15,500 LB REAR SUSPENSION	\$50.00	\$45.00	\$45.00
1 G86- LIMITED SLIP REAR AXLE	\$350.00	\$315.00	\$315.00
1 HD1- 15,000LB REAR AXLE	\$675.00	\$607.50	\$607.50
1 IOB-7" COLOR TOUCH SCREEN WITH BLUETOOTH	\$275.00	\$247.50	\$247.50
1 JL1-TRAILER BRAKE CONTROL	\$275.00	\$247.50	\$247.50
1 K14- 110 VOLT A/C POWER OUTLET	\$125.00	\$112.50	\$112.50
1 MBV- 6-SPEED AUTO ALLISON RDS TRANSMISSION	\$1,585.00	\$1,426.50	\$1,426.50
1 PTO- POWER TAKE OFF PREP	\$275.00	\$247.50	\$247.50
1 PVW-19.5" ALUMINUM WHEELS	\$1,050.00	\$945.00	\$945.00
1 UE1- ONSTAR SERVICES WITH WIFI	\$175.00	\$157.50	\$157.50
1 UGE- REAR LED TAIL LAMPS	240.00	\$216	\$216.00
1 UVC- REAR VISION CAMERA	\$200.00	\$180.00	\$180.00
1 UY7-TRAILER WIRE PROVISIONS	\$30.00	\$27.00	\$27.00
1 U05- DUAL NOT HORN	\$35.00	\$31.50	\$31.50
1 U2K- SIRIUS XM RADIO WITH FREE TRIAL	\$200.00	\$180.00	\$180.00
1 VYU- SNOW PLOW PREP	\$340.00	\$306.00	\$306.00

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

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 04-06-21

Index No: _____

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to hereby authorize an Electronics Drop Off at 76 Monhagan Ave on Saturday, September 18, 2021 from 8:00AM to 3:00PM with a limit of 5 items per household with proof of City of Middletown residency to be presented at drop off.

LET IT BE FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Commissioner of Public Works to hire Advanced Recycling of Port Jervis at a price for picking up the electronic recycling at \$1,800 per day, or any other recycling contractor that may be more economical for the City, as determined by the Commissioner of Public Works.

DEPARTMENT OF PUBLIC WORKS

RECEIVED

MEMORANDUM

APR 01 2021

City Clerk
City of Middletown

Date: March 26, 2021
To: Honorable Mayor DeStefano, Honorable Members of the Board
of Estimate and Apportionment, Members of the Common Council,
Don Paris, Treasurer
From: Jacob Tawil, Commissioner of Public Works
Re : Electronics Drop Off Event

We are requesting to set up an Electronics Drop Off date for City residents on Saturday, September 18, 2021, under same conditions as per previous years with drop off to be located at DPW facilities at 76 Monhagen Ave, DPW Employees will be present to assist in the operation.

SO LET IT BE RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to hereby authorize an Electronics Drop Off at 76 Monhagan Ave on Saturday, September 18, 2021 from 8:00AM to 3:00PM with a limit of 5 items per household with proof of City of Middletown residency to be presented at drop off.

LET IT BE FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Commissioner of Public Works to hire Advanced Recycling of Port Jervis at a price for picking up the electronic recycling at \$1,800 per day, or any other recycling contractor that may be more economical for the City, as determined by the Commissioner of Public Works.

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

THE AUDIT OF THE COMMON COUNCIL

By Alderman Masi

Sec'd by Alderman

Date of Adoption: 04-06-21

NAMES AYES NOES ABSTAIN ABSENT

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

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