



**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
FEBRUARY 6, 2024**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
 - 3.1. Accept the Minutes of January 2, 2024
4. CORRESPONDENCE, COMMUNICATION AND REPORTS
5. FOR THE GOOD OF THE CITY
6. REMARKS OF THE MAYOR
7. REMARKS OF THE DEPARTMENT HEADS
8. PUBLIC HEARINGS AND GRIEVANCES
9. PETITIONS AND COMPLAINTS
10. REMARKS OF THE ALDERMAN AND REPORTS OF THE COMMITTEES
11. UNFINISHED BUSINESS
12. NEW BUSINESS
 - 22-24 Authorization to Declare a Recreation and Parks Vehicle as Surplus
 - 23-24 Authorization to Enter into an Agreement with Young Explosives for the 2024 Fireworks Show
 - 24-24 Authorization to Increase Tipping fees for Interstate Waste Services
 - 25-24 Authorization to Accept a \$73,051 Grant from Division of Criminal Justice Services for the Purchase of Law Enforcement Equipment

- 26-24 Authorization to Accept a \$6,500 Grant from Senator James Skoufis for operating expenses for our National Night Out Against Crime Event
- 27-24 Authorization to Enter into An Agreement with Cherry Road Technologies Inc., for IT Support for 2024
- 28-24 Authorization to allocate ARPA funding for RBT Consultation fees for ARPA administration.
- 29-24 Authorization to Amend an Agreement with Fusco Engineering for Additional Work for the Historical Tax Credit Process on the O&W Station Project
- 30-24 Authorization to Amend Recently Enacted Chapter 438, Tobacco/Hookah/Vaping Establishment Licenses of the City Code
- 31-24 Authorization to Lend Portable Lights to the Otisville Lions Club for the 34th Annual Otisville Country Fair
- 32-24 Authorization to Fund a Three-Year Commitment to Enhance the Enlarged City School District of Middletown's Application to host the NYS Boys Soccer Championship round for 2025, 2026, and 2027
- 33-24 Authorization to Amend Chapter 430 of the Middletown City Code, Taxation, by creating a new Article VII : Volunteer Firefighters Property Tax Exemption.

13. LOCAL LAWS

14. AUDIT OF CLAIMS AND ACCOUNTS

- 14.1. Resolution Authorizing the Accounts be Audited, Claims Adjusted, and the Treasurer be Authorized to Issue Warrants for their Payment

15. ADJOURNMENT



TO: THE HONORABLE MAYOR AND CITY COUNCIL
AGENDA: Common Council Meeting
DATE: February 6, 2024
ITEM #:
SUBJECT: Accept the Minutes of January 2, 2024

Recommendation for Action: Accept the Minutes of January 2, 2024

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	01.02.24 CC Minutes
----	---------------------



COMMON COUNCIL MEETING
CITY OF MIDDLETOWN
January 2, 2024 Minutes
City Hall
16 James Street
Middletown, New York 10940

J. Miguel Rodrigues, President
Ald. Jude Jean-Francois
Ald. Andrew Green
Ald. Paul Johnson
Ald. Gerald
Kleiner Ald.
Sparrow Tobin Ald.
Kevin Witt Ald.
Kate Wray
Ald. Joseph Masi (NOT PRESENT)

ALSO PRESENT:

Richard McCormack, City Clerk
Joseph M. DeStefano, Mayor

Proceedings electronically recorded
Transcript produced by Laurie A. Pellitteri

COMMON COUNCIL MEETING - 01.02.2024

<u>INDEX</u>	<u>PAGE</u>
1	1. PLEDGE OF ALLEGIANCE 4
2	2. OATH OF OFFICE
3	2.1 Oath of Office-Members of the Common Council 5
4	2.2 Oath of Office-Fire Chief and Asst. Chiefs .. 26
5	3. ROLL CALL
6	4. APPROVAL OF MINUTES
8	(None this evening.)
9	5. CORRESPONDENCE, COMMUNICATION AND REPORTS
10	(None this evening.)
11	6. FOR THE GOOD OF THE CITY
12	Unidentified Speaker 6
13	7. REMARKS OF THE MAYOR
14	Joseph DeStefano 10
15	8. REMARKS OF THE DEPARTMENT HEADS
16	Maria Bruni, Economic Development 10
17	Jacob Tawil, DPW Commissioner 10
18	Marianne Feely, Assessor 10
19	Richard McCormack, City Clerk 11
20	Raelynn Bertolf, Parks and Recreation 11
21	9. PUBLIC HEARINGS AND GRIEVANCES
22	9.1 Public Hearing: Retail Tobacco Licenses
23	(Close Public Hearing)
24	 1
25	2
26	10. PETITIONS AND COMPLAINTS
27	(None this evening.)
28	11. REMARKS OF THE ALDERMEN AND REPORTS OF
29	THE COMMITTEES
30	Alderman Tobin 27
31	Alderman Jean-Francois 27
32	Alderman Johnson 27
33	Alderwoman Wray 28
34	Alderman Kleiner 28
35	Alderman Witt 30
36	12. UNFINISHED BUSINESS
37	(None this evening.)

	<u>INDEX</u> (Cont'd.)	
2		
	13. NEW BUSINESS	
3		
	Resolution Establishing Common Council Standing	
4	Committees and Membership for 2024	13
5	Resolution Adopting a Procurement Policy for 2024 ..	14
6	Resolution Adopting an Investment Policy for 2024 ..	15
7	Resolution Adopting a Fee Schedule for 2024	16
8	Resolution Adopting 207A Officer	17
9	Resolution Appointing Jaycee Galdamez to the	
	Recreation Commission	18
10		
	Resolution Reappointing Maria Bruni ad the Director	
11	Economic & Community Development	19
12	Resolution Reappointing Members of the Industrial	
	Development Agency	20
13		
	Resolution Reappointing of Peter Laskaris as City	
14	Historian	21
15	Resolution Authorizing A contract Amendment with	
	the County of Orange for Senior Transportation	
16	Services	22
17	Resolution Reappointing the members of the Electrical	
	Licensing Board	23
18		
	14. LOCAL LAWS	
19	(None this evening)	
20	15. AUDIT OF CLAIMS AND ACCOUNTS	
	15.1 Resolutions Authorizing the Accounts be Audited,	
21	Claims Adjusted, and the Treasurer be Authorized to	
	Issue Warrants for their Payment	24
22		
	16. ADJOURNMENT	

1 **1. Pledge of Allegiance**

2 (Pledge of Allegiance.)

3 **2. Oath of Office**

4 PRESIDENT RODRIGUES: All right. At this
5 time, I will call the Mayor up to do the Oath of Office.
6 Start by first ward. Bring up your family.

7 MAYOR DeSTEFANO: Since Mr. Masi is not here,
8 do we have a volunteer to take his place? Anyway, all
9 right.

10 Well, first, welcome everyone to the bi-annual
11 swearing in of our City Councilmen. We have eight
12 Councilmen to be sworn in tonight, and along with the
13 Middletown professional -- our volunteer firefighters,
14 they're line officers, so be patient. When they get
15 here, we'll swear them in.

16 And we'll start with the First Ward with
17 Alderman Kevin Witt.

18 (Oath of Office administered to Alderman Kevin
19 Witt.)

20 MAYOR DeSTEFANO: Congratulations.

21 ALD. WITT: Thank you, sir.

22 MAYOR DeSTEFANO: Congratulations.

23 Kevin, you have got to sign the book.

24 Next would be Second Ward, Alderman Kleiner
25 and Alderman Green.

1 Welcome, gentlemen and lady.

2 (Oath of Office administered to Alderman
3 Gerald Kleiner and Alderman Andrew Green)

4 MAYOR DeSTEFANO: Congratulations.

5 Welcome back one more time. Sign your names,
6 guys.

7 Next will be Third Ward.

8 (Oath of Office administered to Alderman Paul
9 Johnson and Alderwoman Kate Wray)

10 MAYOR DeSTEFANO: Congratulations.

11 You have got to sign.

12 Next will be Fourth Ward. All set, gentlemen?

13 (Oath of Office administered to Alderman Jude
14 A. Jean-Francois and Alderman Sparrow Tobin)

15 MAYOR DeSTEFANO: Congratulations.

16 When the fire company gets here, we'll do
17 them.

18 PRESIDENT RODRIGUES: Alderman Green, any
19 updates?

20 (Inaudible)

21 **5. CORRESPONDENCE, COMMUNICATION AND REPORTS**

22 PRESIDENT RODRIGUES: All right.
23 Correspondence?

24 MR. MCCORMACK: Nothing this evening.

25 **6. FOR THE GOOD OF THE CITY**

1 PRESIDENT RODRIGUES: For the Good of the
2 City, anyone like to address the Council? Please step
3 forward.

4 Kevin Gomez: Good evening,
5 Mr. President, distinguished members of the Common
6 Council, your Honor, the Mayor. First, I want to
7 congratulate every member of the Common Council on your
8 re-election and sworn in, and this -- of course Happy
9 New Year, this occasion, and for great things to come
10 for our City.

11 I rise on this occasion as a common member of
12 our larger Middletown community in support of the
13 initiative recently unveiled by Mayor DeStefano and
14 State Senator Skoufis allowing -- I believe it was free
15 transit Orange bus service from for Middletown residents
16 up to the month of April through a grant obtained from
17 the state.

18 When we look at our City, we see a Middletown
19 reborn, with visionary leadership alongside a renewed
20 spirit of our entrepreneurship of our people as many new
21 shops and businesses bring renewed life to our downtown
22 and beyond.

23 We see a strong community partnership between
24 our police with our school board and other members of
25 our community united for public safety, while new

1 families continue to move into our wards. Like those of
2 generations old, in love with the idea of calling home a
3 community where you can raise a family, worship God,
4 work and play.

5 Despite the many challenges New York State
6 faces, our Middletown does stand out as a bright spot
7 for leadership and a partnership with residents in the
8 right direction. If we are to continue this, I do
9 believe, and I think all of you will agree with me, that
10 a regional mass transit system is a must.

11 Today, Westchester, Dutchess and Rockland
12 Counties have established bus systems allowing residents
13 to travel to school, work, medical appointments, or for
14 recreational purposes in safe, low-cost and
15 environmentally friendly and efficient manners from one
16 end of the respective counties to the other end.
17 However, the same cannot be said of Orange County where
18 some of our residents must board, when a car is not
19 available, a cab paying \$40 to \$80 round trip or more to
20 get to their place of destination.

21 With so many families moving into our City, I
22 think a transit system of the likes of Westchester or
23 Rockland is not only past due, I think it's about time.
24 And this is why I'm hopeful that the initiative put
25 forward by our Mayor and State Senator for improving bus

1 service within the City will serve as a catalyst or a
2 lightening rod for greater things down the road. With a
3 a model bus system within our City, we can set division
4 for one that will connect all the different towns and
5 villages of Orange County, and with our downtown serving
6 as a transit hub, which I know it's an issue the Mayor
7 has addressed or a vision put forward on many prior
8 occasions. And not only do I see a bus system in our
9 County's future as a must, but I do -- and maybe I'm a
10 little too idealistic -- see in the future, we can have
11 a light rail system connecting the major cities of the
12 Hudson Valley, from Middletown to Port Jervis to
13 Kingston to New Paltz and beyond. Okay.

14 I do believe that the initiative put forward
15 sets us in the right direction as a foundation for
16 greater opportunities for the future. And I do believe
17 for -- it will be something worthy of our residents that
18 we move forward continuing to expand mass bus service.
19 This is an issue not just for cities like New York, but
20 also important for the Hudson Valley. And in the words
21 of President Franklin Roosevelt: It can be done. It
22 must be done. And it will be done.

23 Thank you.

24 PRESIDENT RODRIGUES: Thank you.

25 Anyone else who like to address the Council?

1 Okay.

2 **7. REMARKS OF THE MAYOR**

3 PRESIDENT RODRIGUES: Remarks of the Mayor.

4 MAYOR DeSTEFANO: Pass.

5 (Inaudible)

6 **8. REMARKS OF THE DEPARTMENT HEADS**

7 PRESIDENT RODRIGUES: All right, I will go
8 over the departments. Economic Development.

9 MS. BRUNI: I just want to wish everyone a
10 Happy New Year, and congratulations to you all. And I
11 don't have anything this evening.

12 PRESIDENT RODRIGUES: All right. Any
13 questions? Thank you, Maria.

14 MS. BRUNI: Thank you.

15 PRESIDENT RODRIGUES: DPW Commissioner.

16 MR. TAWIL: Good evening. I just want to wish
17 everybody a Happy New Year, and if you have any
18 questions for me.

19 PRESIDENT RODRIGUES: No questions.

20 MR. TAWIL: Thank you.

21 (Inaudible)

22 PRESIDENT RODRIGUES: We have our assessor.

23 MS. FEELY: Good evening. I don't have
24 anything tonight, but I wanted to congratulate you all
25 on your new terms, and Happy New Year.

1 PRESIDENT RODRIGUES: All right. Thank you.
2 City Clerk.

3 MR. MCCORMACK: Congratulations to everybody
4 and welcome back. Happy New Year.

5 PRESIDENT RODRIGUES: Superintendent of
6 Recreation.

7 MS. BERTOLF: Hello. Congratulations to
8 everyone and Happy New Year. I'm looking forward to
9 your support of our new Recreation Commission member,
10 Jaycee Galdamez. She's going to be a wonderful
11 addition. She's very big into the community and to her
12 kids' lives, and her children are a part of many of our
13 programs. And we're looking forward to your support in
14 passing the resolution to get her on to our Recreation
15 Commission. Nothing else to report.

16 (Inaudible)

17 MS. BERTOLF: Jaycee?

18 This is Jaycee Galdamez. I first met her a
19 few years ago. One of her -- four kids, one of them
20 was in our program. Her kids are very involved in the
21 community, Boy Scouts, Girl Scouts. She's involved --
22 any program that her kids are in, she's highly involved
23 in, on PTO's, the Diversity Committee with the school
24 district.

25 Any time we're looking for someone to join the

1 Recreation Commission, it's someone's who's involved,
2 who's a supportive parent, and who's able to get our
3 information out to the community. And being Jaycee is
4 a part of numerous committees and volunteers everywhere
5 that she can, she would be a great asset to our
6 Recreation Commission in giving us feedback from the
7 parent point of view and from her children's point of
8 view as well.

9 Thank you.

10 PRESIDENT RODRIGUES: Awesome. Welcome.

11 MS. GALDAMEZ: Thank you.

12 MS. BERTOLF: Any questions?

13 PRESIDENT RODRIGUES: All right. Thank you.

14 MS. BERTOLF: Happy New Year.

15 PRESIDENT RODRIGUES: All right, Mayor. I
16 think the Fire Department showed up.

17 Still missing one.

18 **9. PUBLIC HEARINGS**

19 PRESIDENT RODRIGUES: All right. Let's go to
20 Public Hearings.

21 MR. MCCORMACK: We just need to close the
22 public hearing that was opened on December 19th for the
23 Tobacco License, Retail Tobacco License.

24 PRESIDENT RODRIGUES: Do I have a motion to
25 close the Public Hearing?

1 ALD. JOHNSON: So moved.

2 ALD. WITT: Second.

3 PRESIDENT RODRIGUES: Alderman Johnson,
4 seconded by Alderman Witt. All in favor?

5 (Chorus of aye.)

6 PRESIDENT RODRIGUES: Aye. All right.

7 Let's do remarks -- no, we'll do -- I'll wait.
8 Give it a couple of minutes. How far is he out?

9 UNIDENTIFIED SPEAKER: He doesn't live far.
10 He can walk.

11 (Inaudible)

12 **13. NEW BUSINESS**

13 PRESIDENT RODRIGUES: All right. We'll do new
14 business, then we'll go back to remarks of Aldermen.

15 All right. New business.

16 MR. MCCORMACK: Good evening. We have a
17 resolution sponsored by Alderman Tobin establishing
18 committees and membership for the 2024 year.

19 PRESIDENT RODRIGUES: Resolution sponsored by
20 Alderman Tobin, seconded by Alderman Johnson. Any
21 discussion?

22 Roll.

23 MR. MCCORMACK: Tobin?

24 ALD. TOBIN: Aye.

25 MR. MCCORMACK: Jean-Francois?

1 ALD. JEAN-FRANCOIS: Aye.
2 MR. MCCORMACK: Johnson?
3 ALD. JOHNSON: Aye.
4 MR. MCCORMACK: Wray?
5 ALD. WRAY: Aye.
6 MR. MCCORMACK: Kleiner?
7 ALD. KLEINER: Aye.
8 MR. MCCORMACK: Green?
9 ALD. GREEN: Aye.
10 MR. MCCORMACK: Witt?
11 ALD. WITT: Aye.
12 MR. MCCORMACK: President Rodrigues?
13 PRESIDENT RODRIGUES: Aye.
14 MR. MCCORMACK: Carries.
15 A Resolution sponsored by Alderman Johnson
16 adopting a procurement policy.
17 PRESIDENT RODRIGUES: Resolution sponsored by
18 Alderman Johnson, seconded by Alderman Wray. Any
19 discussion?
20 Roll.
21 MR. MCCORMACK: Tobin?
22 ALD. TOBIN: Aye.
23 MR. MCCORMACK: Jean-Francois?
24 ALD. JEAN-FRANCOIS: Aye.
25 MR. MCCORMACK: Johnson?

1 ALD. JOHNSON: Aye.
2 MR. MCCORMACK: Wray?
3 ALD. WRAY: Aye.
4 MR. MCCORMACK: Kleiner?
5 ALD. KLEINER: Aye.
6 MR. MCCORMACK: Green?
7 ALD. GREEN: Aye.
8 MR. MCCORMACK: Witt?
9 ALD. WITT: Aye.
10 MR. MCCORMACK: President Rodrigues?
11 PRESIDENT RODRIGUES: Aye.
12 MR. MCCORMACK: Carries.
13 A Resolution sponsored by Alderman Johnson
14 adopting an investment policy.
15 PRESIDENT RODRIGUES: Resolution sponsored by
16 Alderman Johnson, seconded by Alderman Jean-Francois.
17 Any discussion?
18 Roll.
19 MR. MCCORMACK: Tobin?
20 ALD. TOBIN: Aye.
21 MR. MCCORMACK: Jean-Francois?
22 ALD. JEAN-FRANCOIS: Aye.
23 MR. MCCORMACK: Johnson?
24 ALD. JOHNSON: Aye.
25 MR. MCCORMACK: Wray?

1 ALD. WRAY: Aye.
2 MR. MCCORMACK: Kleiner?
3 ALD. KLEINER: Aye.
4 MR. MCCORMACK: Green?
5 ALD. GREEN: Aye.
6 MR. MCCORMACK: Witt?
7 ALD. WITT: Aye.
8 MR. MCCORMACK: President Rodrigues?
9 PRESIDENT RODRIGUES: Aye.
10 MR. MCCORMACK: Carries.
11 Resolution sponsored by Alderman Johnson
12 adopting a fee schedule.
13 PRESIDENT RODRIGUES: Resolution sponsored by
14 Alderman Johnson, seconded by Alderman Green. Any
15 discussion?
16 Roll.
17 MR. MCCORMACK: Tobin?
18 ALD. TOBIN: Aye.
19 MR. MCCORMACK: Jean-Francois?
20 ALD. JEAN-FRANCOIS: Aye.
21 MR. MCCORMACK: Johnson?
22 ALD. JOHNSON: Aye.
23 MR. MCCORMACK: Wray?
24 ALD. WRAY: Aye.
25 MR. MCCORMACK: Kleiner?

1 ALD. KLEINER: Aye.

2 MR. MCCORMACK: Green?

3 ALD. GREEN: Aye.

4 MR. MCCORMACK: Witt?

5 ALD. WITT: Aye.

6 MR. MCCORMACK: President Rodrigues?

7 PRESIDENT RODRIGUES: Aye.

8 MR. MCCORMACK: Carries.

9 Resolution sponsored by Alderwoman Wray

10 appointing a 207A Officer.

11 PRESIDENT RODRIGUES: Resolution sponsored by

12 Alderwoman Wray, seconded by Alderman Johnson. Any

13 discussion?

14 Roll.

15 MR. MCCORMACK: Tobin?

16 ALD. TOBIN: Aye.

17 MR. MCCORMACK: Jean-Francois?

18 ALD. JEAN-FRANCOIS: Aye.

19 MR. MCCORMACK: Johnson?

20 ALD. JOHNSON: Aye.

21 MR. MCCORMACK: Wray?

22 ALD. WRAY: Aye.

23 MR. MCCORMACK: Kleiner?

24 ALD. KLEINER: Aye.

25 MR. MCCORMACK: Green?

1 ALD. GREEN: Aye.

2 MR. MCCORMACK: Witt?

3 ALD. WITT: Aye.

4 MR. MCCORMACK: President Rodrigues?

5 PRESIDENT RODRIGUES: Aye.

6 MR. MCCORMACK: Carries.

7 A Resolution sponsored by Alderman Witt
8 appointing Jaycee Galdamez to the Recreation
9 Commission.

10 PRESIDENT RODRIGUES: Resolution sponsored by
11 Alderman Witt, seconded by Alderman Kleiner. Any
12 discussion?

13 Roll.

14 MR. MCCORMACK: Tobin?

15 ALD. TOBIN: Aye.

16 MR. MCCORMACK: Jean-Francois?

17 ALD. JEAN-FRANCOIS: Aye.

18 MR. MCCORMACK: Johnson?

19 ALD. JOHNSON: Aye.

20 MR. MCCORMACK: Wray?

21 ALD. WRAY: Aye.

22 MR. MCCORMACK: Kleiner?

23 ALD. KLEINER: Aye.

24 MR. MCCORMACK: Green?

25 ALD. GREEN: Aye.

1 MR. MCCORMACK: Witt?

2 ALD. WITT: Aye.

3 MR. MCCORMACK: President Rodrigues?

4 PRESIDENT RODRIGUES: Aye.

5 MR. MCCORMACK: Carries.

6 A Resolution sponsored by Alderman Wray
7 reappointing Maria Bruni as the Director of Economic and
8 Community Development.

9 PRESIDENT RODRIGUES: Resolution sponsored by
10 Alderman Wray, seconded by Alderman Kleiner. Any
11 discussion?

12 Roll.

13 MR. MCCORMACK: Tobin?

14 ALD. TOBIN: Aye.

15 MR. MCCORMACK: Jean-Francois?

16 ALD. JEAN-FRANCOIS: Aye.

17 MR. MCCORMACK: Johnson?

18 ALD. JOHNSON: Aye.

19 MR. MCCORMACK: Wray?

20 ALD. WRAY: Aye.

21 MR. MCCORMACK: Kleiner?

22 ALD. KLEINER: Aye.

23 MR. MCCORMACK: Green?

24 ALD. GREEN: Aye.

25 MR. MCCORMACK: Witt?

1 ALD. WITT: Aye.

2 MR. MCCORMACK: President Rodrigues?

3 PRESIDENT RODRIGUES: Aye.

4 MR. MCCORMACK: Carries.

5 Resolution sponsored by Alderman Green re-
6 appointing the members of the Industrial Development
7 Agency as follows: Joseph M. DeStefano, Andrew Britto,
8 Anthony Cantoli, David Madden, Wayne Hawkins, Elizabeth
9 Nemeth and Brian Seigerman.

10 PRESIDENT RODRIGUES: Resolution sponsored by
11 Alderman Green, seconded by Alderman Johnson. Any
12 discussion?

13 Roll.

14 MR. MCCORMACK: Tobin?

15 ALD. TOBIN: Aye.

16 MR. MCCORMACK: Jean-Francois?

17 ALD. JEAN-FRANCOIS: Aye.

18 MR. MCCORMACK: Johnson?

19 ALD. JOHNSON: Aye.

20 MR. MCCORMACK: Wray?

21 ALD. WRAY: Aye.

22 MR. MCCORMACK: Kleiner?

23 ALD. KLEINER: Aye.

24 MR. MCCORMACK: Green?

25 ALD. GREEN: Aye.

1 MR. MCCORMACK: Witt?

2 ALD. WITT: Aye.

3 MR. MCCORMACK: President Rodrigues?

4 PRESIDENT RODRIGUES: Aye.

5 MR. MCCORMACK: Carries.

6 Resolution sponsored by Alderman Kleiner
7 reappointing of Peter Laskaris as the City Historian.

8 PRESIDENT RODRIGUES: Resolution sponsored by
9 Alderman Kleiner, seconded by Alderman Green. Any
10 discussion?

11 Roll.

12 MR. MCCORMACK: Tobin?

13 ALD. TOBIN: Aye.

14 MR. MCCORMACK: Jean-Francois?

15 ALD. JEAN-FRANCOIS: Aye.

16 MR. MCCORMACK: Johnson?

17 ALD. JOHNSON: Aye.

18 MR. MCCORMACK: Wray?

19 ALD. WRAY: Aye.

20 MR. MCCORMACK: Kleiner?

21 ALD. KLEINER: Aye.

22 MR. MCCORMACK: Green?

23 ALD. GREEN: Aye.

24 MR. MCCORMACK: Witt?

25 ALD. WITT: Aye.

1 MR. MCCORMACK: President Rodrigues?

2 PRESIDENT RODRIGUES: Aye.

3 MR. MCCORMACK: Carries.

4 A Resolution sponsored by Alderman

5 Jean-Francois authorizing a contract amendment with the
6 County of Orange for the Senior Transportation Services.

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

10 Roll.

11 MR. MCCORMACK: Tobin?

12 ALD. TOBIN: Aye.

13 MR. MCCORMACK: Jean-Francois?

14 ALD. JEAN-FRANCOIS: Aye.

15 MR. MCCORMACK: Johnson?

16 ALD. JOHNSON: Aye.

17 MR. MCCORMACK: Wray?

18 ALD. WRAY: Aye.

19 MR. MCCORMACK: Kleiner?

20 ALD. KLEINER: Aye.

21 MR. MCCORMACK: Green?

22 ALD. GREEN: Aye.

23 MR. MCCORMACK: Witt?

24 ALD. WITT: Aye.

25 MR. MCCORMACK: President Rodrigues?

1 PRESIDENT RODRIGUES: Aye.

2 MR. MCCORMACK: Carries.

3 Resolution sponsored by Alderman Jean-Francois
4 reappointing the members of the Electrical Licensing
5 Board as follows: Jerry Caliendo, Tom Murtaugh, Walter
6 Welch, Bob Metz and Mark Fellenzer.

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

10 Roll.

11 MR. MCCORMACK: Tobin?

12 ALD. TOBIN: Aye.

13 MR. MCCORMACK: Jean-Francois?

14 ALD. JEAN-FRANCOIS: Aye.

15 MR. MCCORMACK: Johnson?

16 ALD. JOHNSON: Aye.

17 MR. MCCORMACK: Wray?

18 ALD. WRAY: Aye.

19 MR. MCCORMACK: Kleiner?

20 ALD. KLEINER: Aye.

21 MR. MCCORMACK: Green?

22 ALD. GREEN: Aye.

23 MR. MCCORMACK: Witt?

24 ALD. WITT: Aye.

25 MR. MCCORMACK: President Rodrigues?

1 PRESIDENT RODRIGUES: Aye.

2 MR. MCCORMACK: Carries.

3 **15. AUDIT OF CLAIMS AND ACCOUNTS**

4 PRESIDENT RODRIGUES: Alderman Johnson, can
5 you do the audit?

6 ALD. JOHNSON: Yes, sir. Mr. President, I
7 move the accounts be audited, the claims be adjusted and
8 the City Treasurer be authorized to issue warrants for
9 their payment.

10 PRESIDENT RODRIGUES: Resolution sponsored by
11 Alderman Johnson, seconded by Alderman Witt.

12 Roll.

13 MR. MCCORMACK: Tobin?

14 ALD. TOBIN: Aye.

15 MR. MCCORMACK: Jean-Francois?

16 ALD. JEAN-FRANCOIS: Aye.

17 MR. MCCORMACK: Johnson?

18 ALD. JOHNSON: Aye.

19 MR. MCCORMACK: Wray?

20 ALD. WRAY: Aye.

21 MR. MCCORMACK: Kleiner?

22 ALD. KLEINER: Aye.

23 MR. MCCORMACK: Green?

24 ALD. GREEN: Aye.

25 MR. MCCORMACK: Witt?

1 ALD. WITT: Aye.

2 MR. MCCORMACK: President Rodrigues?

3 PRESIDENT RODRIGUES: Aye.

4 MR. MCCORMACK: Carries.

5 (Inaudible)

6 PRESIDENT RODRIGUES: That was the first
7 resolution.

8 UNIDENTIFIED SPEAKER: Who's going to appear?

9 PRESIDENT RODRIGUES: (Inaudible) Randy.

10 UNIDENTIFIED SPEAKER: It's not snowing yet.
11 He lives on Lake Avenue.

12 UNIDENTIFIED SPEAKER: Here he is.

13 PRESIDENT RODRIGUES: All right. Let's bring
14 up the Fire Chief.

15 Do they want to bring up their family?

16 MAYOR DeSTEFANO: Yeah, they got their
17 families here.

18 Do you want your families up here with you?

19 PRESIDENT RODRIGUES: Do them as a group.

20 You have got to bring up the secretary, too.

21 MAYOR DeSTEFANO: Do you want to go first or
22 last, Chief?

23 FIRE CHIEF: Whatever you want, Mayor.

24 MAYOR DeSTEFANO: We'll do them one at a time.

25 And the two sons come up, stand by your dad.

1 (Oath of Office administered to the Fire
2 Chief.)

3 MAYOR DeSTEFANO: Congratulations.

4 (Inaudible)

5 UNIDENTIFIED SPEAKER: First Ward, he does
6 live in the first ward.

7 MAYOR DeSTEFANO: Okay, Chief, raise your
8 right hand.

9 (Oath of Office administered to First
10 Assistant Fire Chief.)

11 MAYOR DeSTEFANO: Congratulations.

12 Whose next? All right. You guys all have to
13 sign too after, okay.

14 Welcome.

15 (Oath of Office administered to Second
16 Assistant Fire Chief.)

17 MAYOR DeSTEFANO: Congratulations.

18 There's the newbie, right? Welcome.

19 (Oath of Office administered to Third
20 Assistant Fire Chief.)

21 MAYOR DeSTEFANO: Congratulations.

22 Again. You get two signatures today.

23 (Oath of Office administered to Secretary of
24 the City of Middletown Fire Department.)

25 PRESIDENT RODRIGUES: We need you all to sign

1 the book.

2 MAYOR DeSTEFANO: Miguel, while we're waiting,
3 can we just acknowledge the former chiefs that are here
4 tonight, Chief Duggin, I think Chief Barone came in.
5 Who else? Chief Winter. I didn't see you here, Chief.
6 When did you come in? And also acknowledge the presence
7 of our County Legislator Mike Paduch here with us this
8 evening.

9 **11. REMARKS OF THE ALDERMEN**

10 PRESIDENT RODRIGUES: All right. Remarks of
11 Alderman. We'll start with Alderman Tobin.

12 ALD. TOBIN: I'd just like to thank the people
13 for electing Jude and I another two years to serve on
14 the Council. It's an honor to serve the people and work
15 for, you know, our constituents in the Fourth Ward, and
16 help be part of this great team to move the City
17 forward. Thank you.

18 PRESIDENT RODRIGUES: Alderman Jean-Francois.

19 ALD. JEAN-FRANCOIS: Good evening. Happy New
20 Year to everyone. We had an exciting year this year.
21 Looking forward to another exciting year coming up.
22 Looking forward to work with every one of us, you guys.
23 Looking forward to. Thank you.

24 PRESIDENT RODRIGUES: Alderman Johnson.

25 ALD. JOHNSON: Thank you. Congratulations to

1 all new leadership. As they say: Let the good times
2 roll.

3 Thank you.

4 PRESIDENT RODRIGUES: Alderman Wray?

5 ALD. WRAY: Good evening. I just want to
6 congratulate everyone on their successful elections.
7 Congratulations to our new Chiefs. I look forward to
8 working with you all again for the next two years.
9 Onward and upward.

10 PRESIDENT RODRIGUES: Alderman Kleiner?

11 ALD. KLEINER: Yes. Good evening and Happy
12 New Year to everyone. And I thank you to all the board
13 members that we have appointed and will appoint, our
14 City Historian, our I.D.A. Board and others. We
15 couldn't function as a City without them. So we really
16 owe them a measure debt.

17 Two little commercials quickly. At the Orange
18 Hall Gallery, there is a -- and it didn't get the
19 publicity it should have, but there is the students --
20 this is the 75th year, the anniversary, 75th year
21 anniversary of the U.N. Declaration of Human Rights, and
22 that was on December 10th. But there is a show at
23 Orange Hall Gallery, and it's by a lot of the Orange
24 County students and it's their reaction. And some of
25 the artwork is amazing, and some of the things and the

1 problems they know we face, it's really great to see.
2 So that's only through Friday, January 5th. So if you
3 get a chance to see it.

4 Tonight we're all sworn in for the next two
5 years. Hopefully we don't get sworn at too much, but
6 that's -- that's -- you know, we're open to any
7 suggestions, any criticisms. Again, we're not going to
8 have our Second Ward Constituent Meeting in January and
9 February. We do expect some snow. So we'll start up
10 again in March.

11 One quick commercial for the Historical
12 Society. We have -- too late for Christmas, but this is
13 our new yearbook this year, written by our just
14 reappointed City Historian Peter Laskaris. And it's a
15 lot of photos that we have never published before. So
16 they will be available every Wednesday from 1:00 to 4:00
17 at the Historical Society.

18 I take my oath to the Constitution very
19 seriously, of the United States and the State of New
20 York. And so Happy New Year.

21 Thank you.

22 PRESIDENT RODRIGUES: Alderman Green?

23 ALD. GREEN: Yes. Thank you. Happy New Year
24 to everyone and congratulations everyone who was sworn
25 in and on their reelections, and I look forward to

1 working with you all again.

2 Thank you.

3 PRESIDENT RODRIGUES: Alderman Witt?

4 ALD WITT: Thank you very much.

5 Congratulations to all our new chiefs, good luck with
6 everything you do. And certainly, you know, you are now
7 another chapter in the history of this great city of the
8 people who have served in your offices. And it means
9 something because there is three former chiefs who are
10 here, and it meant something to them. So think about
11 that sometimes. And good luck with what you guys do.

12 Thank you for the opportunity to do this again
13 for another two years. I really enjoy it. I enjoy this
14 team. And I just want to acknowledge my family here, my
15 wife Gretchen, my daughter Madison.

16 I think everyone who was sworn in today
17 understands the impact that our families have on all of
18 this. This is not just our gig. You know, it sort of
19 affects everybody. And so thank you to my family and
20 all the other families who are here supporting your
21 people.

22 Thank you.

23 PRESIDENT RODRIGUES: Thank you. I just want
24 to congratulate everyone. I look forward to working
25 with everyone. Rick and his team put refreshments out

1 there, so after we close we'll have some refreshments.
2 That's all I have.

3 **16. ADJOURNMENT**

4 PRESIDENT RODRIGUES: Move for adjournment?

5 UNIDENTIFIED SPEAKER: So moved.

6 PRESIDENT RODRIGUES: So moved.

7 (Meeting adjourned.)

8 C E R T I F I C A T I O N

9 I, LAURIE A. PELLITTERI, certify that the foregoing
10 transcript of the January 2, 2024 Middletown City Council
11 meeting was prepared using the required transcript equipment
12 and is a true and accurate transcript of the recording.

13

14 Signature: Laurie A. Pellitteri (Electronically signed.)

15

16 AMERICAN LEGAL TRANSCRIPTION

17 11 Market Street, Suite 215

18 Poughkeepsie, New York 12601

19 Dated: January 22, 2024

CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Tobin

Sec'd by Ald. Johnson

Date of Adoption 01.02.24

Index No: 1-24

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

Resolution Establishing Committees and Membership for 2024

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

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

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

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

**CITY OF MIDDLETOWN COMMON COUNCIL
COMMITTEE ASSIGNMENTS
2024**

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

Updated: 12/29/2023

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Wray

Date of Adoption 01.02.24

Index No: 2-24

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

Resolution Adopting a Procurement Policy

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

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

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Jean-Francois

Date of Adoption 01.02.24

Index No: 3-24

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

Resolution Adopting an Investment Policy

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Green

Date of Adoption 01.02.24

Index No: 4-22

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

Resolution Adopting a Fee Schedule

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Wray

Sec'd by Ald. Johnson

Date of Adoption 01.02.24

Index No: 5-22

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

Resolution Appointing 207A Officer

WHEREAS. for the purpose of both efficiency, and experience in administering General Municipal Law 207-a and 207-c claims, the Mayor recommends that the Common Council confirm the appoint and terms of said appointment of Marshall & Sterling and its representative Gregory Townsend to assist the City in managing, supervising and determining the eligibility of General Municipal Law 207-a and 207-c claims.

NOW, THEREFORE BE IT RESOLVED; that the Common Council of the City of Middletown, concurs with the recommendation of the Mayor to appoint Marshall & Sterling and its representative Gregory Townsend to determine and or recommend to the City whether a firefighter is eligible to receive GML 207-a benefits in accordance with Appendix B, the Procedure of the Administration of Section 207-a of General Municipal Law for Paid Firefighters for the City of Middletown included in the collective bargaining agreement between the City of Middletown and the Middletown Professional Firefighters, Inc.; and

BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown, concurs with the recommendation of the Mayor to appoint Marshall & Sterling and its representative Gregory Townsend as the Claims Manager with the responsibility of administering the GML 207-c procedures for City Police officers in accordance with Article 29, General Municipal Law Section 207-c Procedure negotiated in the collective bargaining agreement between the City of Middletown and the City of Middletown Police Benevolent Association, Inc.; and

BE IT FURTHER RESOLVED, that the Common Council of the City of Middletown determines that said appointment is effective retroactive to January 1, 2023, and said appointment can be rescinded at any time by the Common Council.

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

THE FOLLOWING WAS PRESENTED

By Ald. Witt

Sec'd by Ald. Kleiner

Date of Adoption 01.02.24

Index No: 6-24

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

Resolution Appointing Jaycee Galdamez to the Recreation Commission

BE IT RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's appointment of Jaycee Galdamez to the Recreation Commission to fill the unexpired term of Wayne Hawkins, expiring on December 31, 2025.

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

THE FOLLOWING WAS PRESENTED

By Ald. Wray

Sec'd by Ald. Kleiner

Date of Adoption 01.02.24

Index No: 7-24

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

**Resolution Reappointing of Maria Bruni as the Director of
Economic & Community Development**

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of Maria Bruni as the Director of Economic & Community Development for a 1 year term, expiring on December 31, 2024.

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

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Johnson

Date of Adoption 01.02.24

Index No: 8-24

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

Resolution Reappointing Members of the Industrial Development Agency

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of the following individuals to the Industrial Development Agency for a 1 year term expiring on December 31, 2024:

Joseph M. DeStefano
Andrew Britto
Anthony Cantoli
David Madden
Wayne Hawkins
Elizabeth Nemeth
Brian Seigerman

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

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner

Sec'd by Ald. Green

Date of Adoption 01.02.24

Index No: 9-24

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

Resolution Reappointing of Peter Laskaris as City Historian

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of Peter Laskaris as city historian, for a December 31, 2024.

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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Tobin

Date of Adoption 01.02.24

Index No: 10-24

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

**Resolution Authorizing A Contract Amendment with the County of Orange for
Senior Transportation Services**

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and accepts additional funding of \$23,200.50 from the Orange County Office for the Aging for 2023 Goldenarea Transportation within Senior Department Operating Budget and also review and accept amendments to accept funding for 2024 Fiscal year toward Golden Area transportation from Orange County Office and authorization for the Mayor to sign it.

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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Tobin

Date of Adoption 01.02.24

Index No: 11-24

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

Resolution reappointing Members of the Electrical Licensing Board

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of members of the electrical licensing board for a term expiring on December 31, 2024.

Jerry Caliendo
Tom Murtaugh
Walter Welch
Robert Metz
Mark Fellenzer

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Witt

Date of Adoption 01.02.24

Index No: 11-24

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray+	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

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



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: February 6, 2024
Index No: 22-24

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			1

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Declare a Recreation and Parks Vehicle as Surplus

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and declares the following Department of Recreation and Parks vehicle as Surplus:

Dodge 2008 Ram 3500 Mason Dump
Vin: 3D6WH46A68G214616
Reason: Needs a new transmission

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

None



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderman Kleiner
Date of Adoption: February 6, 2024
Index No: 23-24

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			1

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Enter into an Agreement with Young Explosives for the 2024 Fireworks Show

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes an agreement with Young Explosives for the 2024 Fireworks Show.

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

The 2024 fireworks display will be held on Wednesday, July 3, 2024, at Fancher Davidge Park. This is a budgeted item.

Upon consultation with Corporation Counsel, Mr. Smith, has deemed this service a professional service.

Prepared by:

Maria Bruni, Director of Economic and Community Development

Attachments:

1.	Middletown 2024 contract (002)FIREWORKS
2.	Board of Estimate Fireworks 2024

YOUNG EXPLOSIVES CORPORATION

Fireworks Exhibition Agreement

This agreement made this _____ day of _____, 20 ____ by and between Young Explosives Corporation of Rochester, NY, hereafter designated **Young**, and

hereafter designated the **customer**, providing for the sale of and an exhibition of fireworks to be located at

on the date of _____, 20 ____ in a location to be designated by the customer and approved by Young.

The parties hereto mutually agree, one with the other, as follows:

1. Guaranteed Exhibition of Fireworks

Young agrees to furnish an exhibition of fireworks substantially in accordance with the program submitted and that it shall be of first quality and properly made. Young shall supply a sufficient number of technicians to execute the display in a safe and artistic manner. Young guarantees that the display will be performed to any specifications outlined in this contract or in any approved addendums.

2. Spectator Control

The customer agrees to furnish sufficient protection, by either barricades, rope lines, or other dividers, at all points from the discharge area to prevent and keep spectators from entering the area and agrees to furnish ample police protection to Young's property and for the assembly, firing and dismantling of the exhibition without interference from the public. The customer shall defend, indemnify and hold Young harmless for any liability because of the customer's negligent breach of this Section 2.

3. Permits

The customer agrees to procure and pay for all necessary permits and licenses which may be required by the municipal authorities. Young will apply for and obtain necessary permits and licenses on behalf of the customer if noted on page 2 of the contract or if notified by written notice from the customer. In that event, customer will pay in advance to Young the amount needed to pay for the permits and licenses. Permit and licensing fees are non-refundable unless refunded by the licensing authority. Customer assumes the responsibility for seeking a refund when applicable.

4. Insurance

- a) Young agrees to procure liability insurance for \$ _____ coverage and zero deductibility on behalf of the customer. The insurance cost is included in the payable sum shown on this agreement.
- b) Young will provide Workers' Compensation and Disability for the fireworks technicians.

5. Postponement or Cancellation

- a) Young agrees that in the event of rain or inclement weather, a reasonable postponement may be made with **no extra charge**.
- b) If the customer cancels the exhibition, Young reserves the right to bill the customer for travel expenses incurred, labor performed, and for the cost of the insurance.
- c) If the customer cancels the exhibition before Young's technicians have been dispatched to the site, there will be **no charge**. However, customer is responsible for the actual expenses incurred by Young for special work and for nonrefundable fees outlined in this contract. Young may retain from any deposit or invoice the customer the amount necessary to reimburse it for expenses incurred on behalf of the customer when applicable.

6. Terms of Payment

- a) Check box that applies: ☐ Young requires no down payment. ☐ Young requires a down payment of \$ _____, due by _____ 20 _____. If the exhibition is canceled the deposit will be refunded, less the expenses for which Young is entitled to reimbursement under Paragraph 5 above.
- b) The customer agrees to pay Young, or his agent, the total sum of _____ Dollars for an exhibition of fireworks, which will include fireworks, insurance and technicians and expenses incurred by Young, forthwith at the end of said exhibition.
- c) In the event of customer's failure to pay when due all sums due Young under this contract, Young shall be entitled to collect from customer its reasonable cost of collection, including interest and reasonable attorney's fees.

7. Counterpart Execution; Electronic Signatures

This Agreement may be executed in any number of counterparts with the same effect as if all the Parties had signed the same document. All counterparts shall be construed together and shall constitute one agreement. Facsimile and electronic signatures shall be deemed original signatures for all purposes of this Agreement.

Total sum _____ Dollars

Young Explosives Corp.
Display Fireworks

(800) 747-1781
(585) 394-1783
(585) 396-2663 Fax
P.O. Box 18653
Rochester, NY 14618

YoungExplosives.com

E-Mail: fireworks@youngexplosives.com

The parties sign below:

Young Explosives Corp.

Title

(Print Name)

Customer Signature

Title

(Print Customer Name)

8. Headings

Section and other headings contained in this Agreement are for reference purposes only and are not intended to describe, interpret, define or limit the scope, extent or intent of this Agreement or any provision hereof.

9. Entire Agreement

This Agreement for the fireworks Display constitutes the entire agreement between the Parties with respect to the subject matter here, of and there are no other understandings, whether oral or written, regarding the subject matter hereof.

Customer Contact Name(s)

Send Invoice to:

☐ Address on front OR ☐ Name/Address below

Additional Contact Name/Information

Telephone (with Area Code)

Work:

Fax:

Home:

Cell:

Email:

Work:

Fax:

Home:

Cell:

Email:

Insurance Information: Please list all parties to be listed as additional insured. Young will extend coverage to the entities listed below as additional insured. **Customer is responsible for providing all information needed for full insurance coverage.**

Customer Requests

Time of show:

 ☐ AM ☐ PM

List special requests, such as ground pieces, shells, finale, quantity or time requirements. List any other special requests such as salutes at certain times (i.e., if the show is a surprise for someone), etc.

Permits

☐ Customer to apply for the Permit(s) and provide Young with a copy 14 days prior to event

☐ Young to apply for the Permit(s) on your behalf:

Customer to pay the amount of \$

. Includes permit cost and fees. (Permit costs subject to change by the municipality)

☐ ADD the above permit costs to the show price on the front of the contract.

☐ INCLUDE the above permit costs in the show price on the front of the contract.

CITY OF MIDDLETOWN
Office of Economic & Community Development

January 16, 2024

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

RE: 2024 Fireworks Display

Dear Members:

I am requesting the approval of Young Explosives Fireworks Exhibition agreement and to authorize the Mayor to sign the 2024 agreement.

The 2024 fireworks display will be held on Wednesday, July 3, 2024 at Fancher Davidge Park. This is a budgeted item.

Upon consultation with our corporation counsel Mr. Smith this service is deemed as a professional service.

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: Alderman Jean-Francois
Seconded by: Alderman Johnson
Date of Adoption: February 6, 2024
Index No: 24-24

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			1

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Increase Tipping fees for Interstate Waste Services

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes an increase in Tipping fees for Interstate Waste Services based on the attached documentation.

Prepared by:
Jacob Tawil

Attachments:

1.	IWS 2024 RATES
----	----------------



INTERSTATE

WASTE SERVICES

December 19, 2023

City of Middletown
Department of Public Works
Jacob Tawil, Commissioner of Public Works
16 James St
Middletown, NY 10940-5724

Re: Municipal Waste Haul and Disposal Per Ton December 31, 2023 to December 31, 2024

Mr. Tawil:

Orange County has opted to exercise the second of two renewal options to extend the end date of the Agreement for an additional (1) one year from **December 31, 2023 - December 31, 2024**.

Pursuant to the Price Adjustment section in the RFB of the Agreement, **effective January 1, 2024**, the bid price for Lot 1.a. Municipal Waste haul and Disposal per Ton will be increased by 3.241% as supported by the Consumer Price Index in the attached and incorporated Exhibit A. **The bid price for Lot 1.a. Municipal Waste Haul and Disposal per Ton will now be \$87.54.**

The City of Middletown Rate Per Ton will be adjusted as follows:

2023 Rate Per Ton: \$84.79

2024 Rate Per Ton: \$87.54

Sincerely,

Marisa Kellerhouse
Market Area Sales Manager

300 Frank W. Burr Boulevard, Suite 39 • Teaneck, New Jersey 07666 • Toll Free: 1-866-DIAL IWS • www.InterstateWaste.com



Interstate Waste Services, Inc.



**AMENDMENT NO. 1 (MODIFICATION NO. 2) TO
AGREEMENT FOR VENDOR SERVICES**

This Amendment modifies an Agreement for Vendor Services ("Agreement"), dated January 1, 2023, by and between the County of Orange, a municipal corporation and a county of the State of New York, with principal offices at 255-275 Main Street, Goshen, New York 10924 ("County"), and Interstate Waste Services, Inc., a firm with principal offices at 300 Frank W. Burr Boulevard, Suite 39, Teaneck, NJ 07666 ("Vendor").

Pursuant to **Article 23** of the **Agreement**, the parties agree to the following modifications:

1. Pursuant to the **TERM** section on page **22** of the RFB in Schedule A of the Agreement, the County is exercising the **second of two (2) renewal options** to extend the end date in Article 2 of the Agreement for an **additional (1) year** from **December 31, 2023**, to **December 31, 2024**.

2. Pursuant to the **Price Adjustment** section on **page 24** of the **RFB** in Schedule A of the Agreement, effective January 1, 2024, the bid price for Lot 1.a. Municipal Waste Haul and Disposal per Ton will be **increased by 3.241%** as supported by the Consumer Price Index in the attached and incorporated Exhibit A. The bid price for Lot 1.a. Municipal Waste Haul and Disposal per Ton **will now be \$87.54**.

3. Continuing Iran Divestment Act Compliance:

- a. Vendor certifies in accordance with State of New York's State Finance Law §165-a that it is not on the "Entities Determined to be Non-Responsive Bidders/Offerers pursuant to the New York State Iran Divestment Act of 2012" ("Prohibited Entities List") posted at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf>
- b. Vendor agrees that should it seek to further renew or extend this Agreement, it must provide the same certification at the time this Agreement is renewed or extended. Vendor also agrees that any proposed assignee of this Agreement will be required to certify that it is not on the Prohibited Entities List before the assignment will be approved by County.
- c. During the term of this Agreement, should County receive information that Vendor is in violation of the above-referenced certifications, County will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment activity which is in violation of the Iran Divestment Act (State of New York's State Finance Law §165-a) within ninety (90) days after the determination of such violation, then County shall take such action as may be appropriate and provided for by law, rule, or contract, including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring Vendor in default and terminating this Agreement in accordance with applicable provisions of this Agreement. These remedies, if effected, shall not constitute the sole or exclusive remedies afforded the County, nor shall it constitute a waiver of that the County's right

to claim damages or otherwise refuse payment or to take any other action provided for by law, in equity, or pursuant to this Agreement.

- d. County reserves the right to reject any request for assignment, renewal or extension for an entity that appears on the Prohibited Entities List prior to the assignment, renewal or extension of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities list after contract award.
4. All other terms of the Agreement, except as specifically modified herein, shall remain in full force and effect.
5. The parties have duly executed this Amendment, effective as of January 1, 2024.

COUNTY OF ORANGE

**VENDOR:
INTERSTATE WASTE SERVICES, INC.**

By: _____
Stefan (Steven) M. Neuhaus
County Executive

By: _____
Name:
Title:

EXHIBIT A

NEWS RELEASE

BUREAU OF LABOR STATISTICS

U. S. D E P A R T M E N T O F L A B O R



**Transmission of material in this release is embargoed until
8:30 a.m. (ET) Tuesday, November 14, 2023**

USDL-23-2421

Technical information: (202) 691-7000 • cpi_info@bls.gov • www.bls.gov/cpi

Media contact: (202) 691-5902 • PressOffice@bls.gov

CONSUMER PRICE INDEX – OCTOBER 2023

The Consumer Price Index for All Urban Consumers (CPI-U) was unchanged in October on a seasonally adjusted basis, after increasing 0.4 percent in September, the U.S. Bureau of Labor Statistics reported today. Over the last 12 months, the all items index increased 3.2 percent before seasonal adjustment.

The index for shelter continued to rise in October, offsetting a decline in the gasoline index and resulting in the seasonally adjusted index being unchanged over the month. The energy index fell 2.5 percent over the month as a 5.0-percent decline in the gasoline index more than offset increases in other energy component indexes. The food index increased 0.3 percent in October, after rising 0.2 percent in September. The index for food at home increased 0.3 percent over the month while the index for food away from home rose 0.4 percent.

The index for all items less food and energy rose 0.2 percent in October, after rising 0.3 percent in September. Indexes which increased in October include rent, owners' equivalent rent, motor vehicle insurance, medical care, recreation, and personal care. The indexes for lodging away from home, used cars and trucks, communication, and airline fares were among those that decreased over the month.

The all items index rose 3.2 percent for the 12 months ending October, a smaller increase than the 3.7-percent increase for the 12 months ending September. The all items less food and energy index rose 4.0 percent over the last 12 months, its smallest 12-month change since the period ending in September 2021. The energy index decreased 4.5 percent for the 12 months ending October, and the food index increased 3.3 percent over the last year.

Chart 1. One-month percent change in CPI for All Urban Consumers (CPI-U), seasonally adjusted, Oct. 2022 - Oct. 2023
Percent change

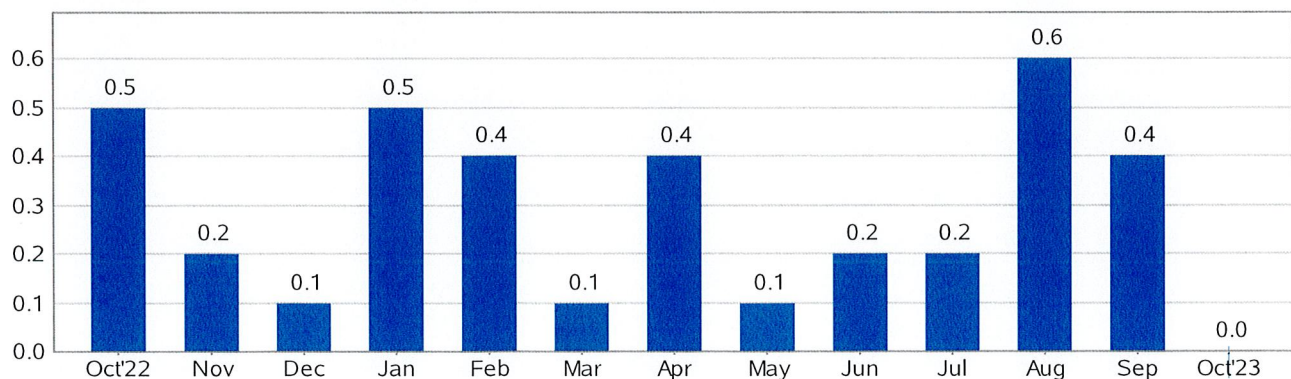


Chart 2. 12-month percent change in CPI for All Urban Consumers (CPI-U), not seasonally adjusted, Oct. 2022 - Oct. 2023

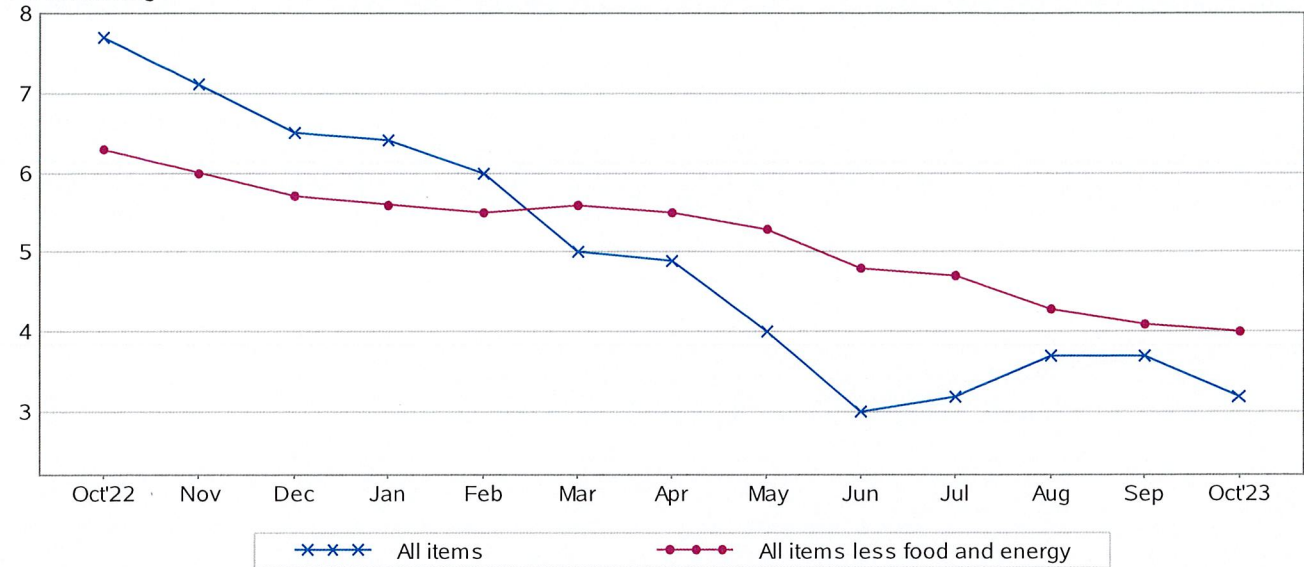


Table A. Percent changes in CPI for All Urban Consumers (CPI-U): U.S. city average

	Seasonally adjusted changes from preceding month							Un-adjusted 12-mos. ended Oct. 2023
	Apr. 2023	May 2023	Jun. 2023	Jul. 2023	Aug. 2023	Sep. 2023	Oct. 2023	
All items.....	0.4	0.1	0.2	0.2	0.6	0.4	0.0	3.2
Food.....	0.0	0.2	0.1	0.2	0.2	0.2	0.3	3.3
Food at home.....	-0.2	0.1	0.0	0.3	0.2	0.1	0.3	2.1
Food away from home ¹	0.4	0.5	0.4	0.2	0.3	0.4	0.4	5.4
Energy.....	0.6	-3.6	0.6	0.1	5.6	1.5	-2.5	-4.5
Energy commodities.....	2.7	-5.6	0.8	0.3	10.5	2.3	-4.9	-6.2
Gasoline (all types).....	3.0	-5.6	1.0	0.2	10.6	2.1	-5.0	-5.3
Fuel oil ¹	-4.5	-7.7	-0.4	3.0	9.1	8.5	-0.8	-21.4
Energy services.....	-1.7	-1.4	0.4	-0.1	0.2	0.6	0.5	-2.3
Electricity.....	-0.7	-1.0	0.9	-0.7	0.2	1.3	0.3	2.4
Utility (piped) gas service.....	-4.9	-2.6	-1.7	2.0	0.1	-1.9	1.2	-15.8
All items less food and energy.....	0.4	0.4	0.2	0.2	0.3	0.3	0.2	4.0
Commodities less food and energy commodities.....	0.6	0.6	-0.1	-0.3	-0.1	-0.4	-0.1	0.1
New vehicles.....	-0.2	-0.1	0.0	-0.1	0.3	0.3	-0.1	1.9
Used cars and trucks.....	4.4	4.4	-0.5	-1.3	-1.2	-2.5	-0.8	-7.1
Apparel.....	0.3	0.3	0.3	0.0	0.2	-0.8	0.1	2.6
Medical care commodities ¹	0.5	0.6	0.2	0.5	0.6	-0.3	0.4	4.7
Services less energy services.....	0.4	0.4	0.3	0.4	0.4	0.6	0.3	5.5
Shelter.....	0.4	0.6	0.4	0.4	0.3	0.6	0.3	6.7
Transportation services.....	-0.2	0.8	0.1	0.3	2.0	0.7	0.8	9.2
Medical care services.....	-0.1	-0.1	0.0	-0.4	0.1	0.3	0.3	-2.0

¹ Not seasonally adjusted.

Food

The food index rose 0.3 percent in October, after rising 0.2 percent in each of the last 3 months. The index for food at home increased 0.3 percent over the month, after rising 0.1 percent in September. Four of the six major grocery store food group indexes increased over the month. The index for meats, poultry, fish, and eggs rose 0.7 percent in October as the index for beef increased 1.2 percent and the index for pork rose 1.3 percent. The other food at home index increased 0.3 percent over the month, as did the dairy and related products index. The index for cereals and bakery products rose 0.2 percent in October, after falling 0.4 percent in September.

The index for nonalcoholic beverages decreased 0.1 percent in October, after being unchanged in September. The fruits and vegetables index was unchanged over the month, as it was in September.

The food away from home index rose 0.4 percent in October, as it did in September. The index for limited service meals increased 0.5 percent and the index for full service meals rose 0.3 percent over the month.

The food at home index rose 2.1 percent over the last 12 months. The index for cereals and bakery products rose 4.2 percent over the 12 months ending in October. The dairy and related products index decreased 0.4 percent over the year. The remaining major grocery store food group indexes posted increases ranging from 0.4 percent (meat, poultry, fish, and eggs) to 3.6 percent (other food at home).

The index for food away from home rose 5.4 percent over the last year. The index for limited service meals rose 6.2 percent over the last 12 months, and the index for full service meals rose 4.3 percent over the same period.

Energy

The energy index fell 2.5 percent in October after increasing 1.5 percent in September. The gasoline index decreased 5.0 percent in October, following a 2.1-percent increase in the previous month. (Before seasonal adjustment, gasoline prices fell 5.3 percent in October.)

The index for fuel oil fell in October, decreasing 0.8 percent. The natural gas index rose 1.2 percent over the month after falling 1.9 percent the previous month. The index for electricity rose 0.3 percent in October, after increasing 1.3 percent in September.

The energy index fell 4.5 percent over the past 12 months, as its components were mixed over the year. The gasoline index decreased 5.3 percent, the natural gas index declined 15.8 percent, and the fuel oil index fell 21.4 percent over the span. In contrast, the index for electricity rose 2.4 percent over the last year.

All items less food and energy

The index for all items less food and energy rose 0.2 percent in October, after rising 0.3 percent in September. The shelter index increased 0.3 percent in October, after rising 0.6 percent the previous month. The index for rent rose 0.5 percent in October, and the index for owners' equivalent rent increased 0.4 percent over the month. The lodging away from home index decreased 2.5 percent in October.

The shelter index was the largest factor in the monthly increase in the index for all items less food and energy. Among the other indexes that rose in October was the index for motor vehicle insurance, which increased 1.9 percent after rising 1.3 percent the preceding month. The indexes for recreation, personal care, and apparel also increased in October.

The medical care index rose 0.3 percent in October, after rising 0.2 percent in September. The index for hospital services increased 1.1 percent over the month, and the index for prescription drugs rose 0.8 percent. In contrast, the physicians' services index fell 1.0 percent in October.

The index for used cars and trucks fell 0.8 percent in October, after decreasing 2.5 percent in September. The communication index fell 0.3 percent over the month, and the index for airline fares declined 0.9 percent. The index for household furnishings and operations and the index for new vehicles both declined 0.1 percent over the month.

The index for all items less food and energy rose 4.0 percent over the past 12 months. The shelter index increased 6.7 percent over the last year, accounting for over 70 percent of the total increase in the all items less food and energy index. Other indexes with notable increases over the last year include motor vehicle insurance (+19.2 percent), recreation (+3.2 percent), personal care (+6.0 percent), and household furnishings and operations (+1.7 percent).

Not seasonally adjusted CPI measures

The Consumer Price Index for All Urban Consumers (CPI-U) increased 3.2 percent over the last 12 months to an index level of 307.671 (1982-84=100). For the month, the index was unchanged prior to seasonal adjustment.

The Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) increased 3.1 percent over the last 12 months to an index level of 302.071 (1982-84=100). For the month, the index decreased 0.1 percent prior to seasonal adjustment.

The Chained Consumer Price Index for All Urban Consumers (C-CPI-U) increased 3.1 percent over the last 12 months. For the month, the index was unchanged on a not seasonally adjusted basis. Please note that the indexes for the past 10 to 12 months are subject to revision.

The Consumer Price Index for November 2023 is scheduled to be released on Tuesday, December 12, 2023, at 8:30 a.m. (ET).

Changes to Health Insurance Methodology

Following recommendations from the National Academies of Science, Engineering, and Medicine's Committee on National Statistics (CNSTAT), the BLS is improving the methodology used to calculate retained earnings in the CPI health insurance index. Under the pre-October 2023 method, retained earnings were updated annually without any smoothing of the data. Under the new method, the BLS will update retained earnings every 6 months using half-year data and will calculate a 2-year moving average to smooth the changes in retained earnings. Beginning with the publication of October 2023 data, there will be a 6-month transition using annual data that has been averaged (smoothed) over 2 years. In May 2024 (publication of April 2024 data), we will begin to incorporate half-year, rather than annual, retained earnings. After this date, the retained earnings will be updated every 6 months with April and October data which will be released in May and November, respectively. This change in methodology will reduce the time lag associated with the health insurance index by 6 months.

A more detailed explanation of these changes is available in Improvements to the CPI Health Insurance Index (www.bls.gov/cpi/additional-resources/improvements-cpi-health-insurance-index.htm).

Technical Note

Brief Explanation of the CPI

The Consumer Price Index (CPI) measures the change in prices paid by consumers for goods and services. The CPI reflects spending patterns for each of two population groups: all urban consumers and urban wage earners and clerical workers. The all urban consumer group represents over 90 percent of the total U.S. population. It is based on the expenditures of almost all residents of urban or metropolitan areas, including professionals, the self-employed, the poor, the unemployed, and retired people, as well as urban wage earners and clerical workers. Not included in the CPI are the spending patterns of people living in rural nonmetropolitan areas, farming families, people in the Armed Forces, and those in institutions, such as prisons and mental hospitals. Consumer inflation for all urban consumers is measured by two indexes, namely, the Consumer Price Index for All Urban Consumers (CPI-U) and the Chained Consumer Price Index for All Urban Consumers (C-CPI-U).

The Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) is based on the expenditures of households included in the CPI-U definition that meet two requirements: more than one-half of the household's income must come from clerical or wage occupations, and at least one of the household's earners must have been employed for at least 37 weeks during the previous 12 months. The CPI-W population represents approximately 30 percent of the total U.S. population and is a subset of the CPI-U population.

The CPIs are based on prices of food, clothing, shelter, fuels, transportation, doctors' and dentists' services, drugs, and other goods and services that people buy for day-to-day living. Prices are collected each month in 75 urban areas across the country from about 6,000 housing units and approximately 22,000 retail establishments (department stores, supermarkets, hospitals, filling stations, and other types of stores and service establishments). All taxes directly associated with the purchase and use of items are included in the index. Prices of fuels and a few other items are obtained every month in all 75 locations. Prices of most other commodities and services are collected every month in the three largest geographic areas and every other month in other areas. Prices of most goods and services are obtained by personal visit, telephone call, web, or app collection by the Bureau's trained representatives.

In calculating the index, price changes for the various items in each location are aggregated using weights, which represent their importance in the spending of the appropriate population group. Local data are then combined to obtain a U.S. city average. For the CPI-U and CPI-W, separate indexes are also published by size of city, by region of the country, for cross-classifications of regions and population-size classes, and for 23 selected local areas. Area indexes do not measure differences in the level of prices among cities; they only measure the average change in prices for each area since the base period. For the C-CPI-U, data are issued only at the national level. The CPI-U and CPI-W are considered final when released, but the C-CPI-U is issued in preliminary form and subject to three subsequent quarterly revisions.

The index measures price change from a designed reference date. For most of the CPI-U and the CPI-W, the reference base is 1982-84 equals 100. The reference base for the C-CPI-U is December 1999 equals 100. An increase of 7 percent from the reference base, for example, is shown as 107.000. Alternatively, that relationship can also be expressed as the price of a base period market basket of goods and services rising from \$100 to \$107.

Sampling Error in the CPI

The CPI is a statistical estimate that is subject to sampling error because it is based upon a sample of retail prices and not the complete universe of all prices. BLS calculates and publishes estimates of the 1-month, 2-month, 6-month, and 12-month percent change standard errors annually for the CPI-U. These standard error estimates can be used to construct confidence intervals for hypothesis testing. For example, the estimated standard error of the 1-month percent change is 0.03 percent for the U.S. all items CPI. This means that if we repeatedly sample from the universe of all retail prices using the same methodology, and estimate a percentage change for each sample, then 95 percent of these estimates will be within 0.06 percent of the 1-month percentage change based on all retail prices. For example, for a 1-month change of 0.2 percent in the all items CPI-U, we are 95 percent confident that the actual percent change based on all retail prices would fall between 0.14 and 0.26 percent. For the latest data, including information on how to use the estimates of standard error, see www.bls.gov/cpi/tables/variance-estimates/home.htm.

Calculating Index Changes

Movements of the indexes from 1 month to another are usually expressed as percent changes rather than changes in index points, because index point changes are affected by the level of the index in relation to its base period, while percent changes are not. The following table shows an example of using index values to calculate percent changes:

	Item A	Item B	Item C
Year I	112.500	225.000	110.000
Year II	121.500	243.000	128.000
Change in index points	9.000	18.000	18.000
Percent change	$9.0/112.500 \times 100 = 8.0$	$18.0/225.000 \times 100 = 8.0$	$18.0/110.000 \times 100 = 16.4$

Use of Seasonally Adjusted and Unadjusted Data

The Consumer Price Index (CPI) program produces both unadjusted and seasonally adjusted data. Seasonally adjusted data are computed using seasonal factors derived by the X-13ARIMA-SEATS seasonal adjustment method. These factors are updated each February, and the new factors are used to revise the previous 5 years of seasonally adjusted data. The factors are available at www.bls.gov/cpi/tables/seasonal-adjustment/seasonal-factors-2023.xlsx. For more information on data revision scheduling, please see the Factsheet on Seasonal Adjustment at www.bls.gov/cpi/seasonal-adjustment/questions-and-answers.htm and the Timeline of Seasonal Adjustment Methodological Changes at www.bls.gov/cpi/seasonal-adjustment/timeline-seasonal-adjustment-methodology-changes.htm.

How to Use Seasonally Adjusted and Unadjusted Data

For analyzing short-term price trends in the economy, seasonally adjusted changes are usually preferred since they eliminate the effect of changes that normally occur at the same time and in about the same magnitude every year—such as price movements resulting from weather events, production cycles, model changeovers, holidays, and sales. This allows data users to focus on changes that are not typical for the time of year.

The unadjusted data are of primary interest to consumers concerned about the prices they actually pay. Unadjusted data are also used extensively for escalation purposes. Many collective bargaining contract agreements and pension plans, for example, tie compensation changes to the Consumer Price Index before adjustment for seasonal variation. BLS advises against the use of seasonally adjusted data in escalation agreements because seasonally adjusted series are revised annually.

Intervention Analysis

The Bureau of Labor Statistics uses intervention analysis seasonal adjustment (IASA) for some CPI series. Sometimes extreme values or sharp movements can distort the underlying seasonal pattern of price change. Intervention analysis seasonal adjustment is a process by which the distortions caused by such unusual events are estimated and removed from the data prior to calculation of seasonal factors. The resulting seasonal factors, which more accurately represent the seasonal pattern, are then applied to the unadjusted data.

For example, this procedure was used for the motor fuel series to offset the effects of the 2009 return to normal pricing after the worldwide economic downturn in 2008. Retaining this outlier data during seasonal factor calculation would distort the computation of the seasonal portion of the time series data for motor fuel, so it was estimated and removed from the data prior to seasonal adjustment. Following that, seasonal factors were calculated based on this “prior adjusted” data. These seasonal factors represent a clearer picture of the seasonal pattern in the data. The last step is for motor fuel seasonal factors to be applied to the unadjusted data.

For the seasonal factors introduced for January 2023, BLS adjusted 57 series using intervention analysis seasonal adjustment, including selected food and beverage items, motor fuels and vehicles.

Revision of Seasonally Adjusted Indexes

Seasonally adjusted data, including the U.S. city average all items index levels, are subject to revision for up to 5 years after their original release. Every year, economists in the CPI calculate new seasonal factors for seasonally adjusted series and apply them to the last 5 years of data. Seasonally adjusted indexes beyond the last 5 years of data are considered to be final and not subject to revision. For January 2023, revised seasonal factors and seasonally adjusted indexes for 2018 to 2022 were calculated and published. For series which are directly adjusted using the Census X-13ARIMA-SEATS seasonal adjustment software, the seasonal factors for 2022 will be applied to data for 2023 to produce the

seasonally adjusted 2023 indexes. Series which are indirectly seasonally adjusted by summing seasonally adjusted component series have seasonal factors which are derived and are therefore not available in advance.

Determining Seasonal Status

Each year the seasonal status of every series is reevaluated based upon certain statistical criteria. Using these criteria, BLS economists determine whether a series should change its status from "not seasonally adjusted" to "seasonally adjusted", or vice versa. If any of the 81 components of the U.S. city average all items index change their seasonal adjustment status from seasonally adjusted to not seasonally adjusted, not seasonally adjusted data will be used in the aggregation of the dependent series for the last 5 years, but the seasonally adjusted indexes before that period will not be changed. For 2023, 37 of the 81 components of the U.S. city average all items index are not seasonally adjusted.

Contact Information

For additional information about the CPI visit www.bls.gov/cpi or contact the CPI Information and Analysis Section at 202-691-7000 or cpi_info@bls.gov.

For additional information on seasonal adjustment in the CPI visit www.bls.gov/cpi/seasonal-adjustment/home.htm

If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

Table 1. Consumer Price Index for All Urban Consumers (CPI-U): U.S. city average, by expenditure category, October 2023
[1982-84=100, unless otherwise noted]

Expenditure category	Relative importance Sep. 2023	Unadjusted indexes			Unadjusted percent change		Seasonally adjusted percent change		
		Oct. 2022	Sep. 2023	Oct. 2023	Oct. 2022- Oct. 2023	Sep. 2023- Oct. 2023	Jul. 2023- Aug. 2023	Aug. 2023- Sep. 2023	Sep. 2023- Oct. 2023
All items.....	100.000	298.012	307.789	307.671	3.2	0.0	0.6	0.4	0.0
Food.....	13.372	315.323	324.704	325.731	3.3	0.3	0.2	0.2	0.3
Food at home.....	8.552	298.401	303.925	304.788	2.1	0.3	0.2	0.1	0.3
Cereals and bakery products.....	1.157	341.492	355.576	355.752	4.2	0.0	0.5	-0.4	0.2
Meats, poultry, fish, and eggs.....	1.780	321.271	320.140	322.536	0.4	0.7	0.8	0.5	0.7
Dairy and related products.....	0.780	269.355	268.377	268.326	-0.4	0.0	-0.4	0.1	0.3
Fruits and vegetables.....	1.466	348.021	351.020	351.952	1.1	0.3	-0.2	0.0	0.0
Nonalcoholic beverages and beverage materials.....	1.033	210.121	216.736	216.952	3.3	0.1	-0.2	0.0	-0.1
Other food at home.....	2.337	262.814	271.561	272.215	3.6	0.2	0.2	0.3	0.3
Food away from home ¹	4.820	340.532	357.488	358.824	5.4	0.4	0.3	0.4	0.4
Energy.....	7.185	300.359	296.004	286.754	-4.5	-3.1	5.6	1.5	-2.5
Energy commodities.....	3.915	351.065	346.212	329.191	-6.2	-4.9	10.5	2.3	-4.9
Fuel oil ¹	0.136	543.915	431.201	427.572	-21.4	-0.8	9.1	8.5	-0.8
Motor fuel.....	3.722	341.954	340.600	322.975	-5.6	-5.2	10.7	2.2	-4.9
Gasoline (all types).....	3.628	339.017	338.893	320.999	-5.3	-5.3	10.6	2.1	-5.0
Energy services.....	3.270	264.188	260.791	258.236	-2.3	-1.0	0.2	0.6	0.5
Electricity.....	2.562	262.100	272.401	268.342	2.4	-1.5	0.2	1.3	0.3
Utility (piped) gas service.....	0.709	264.774	221.045	222.955	-15.8	0.9	0.1	-1.9	1.2
All items less food and energy.....	79.443	299.315	310.817	311.380	4.0	0.2	0.3	0.3	0.2
Commodities less food and energy commodities.....	20.954	166.601	167.141	166.759	0.1	-0.2	-0.1	-0.4	-0.1
Apparel.....	2.555	129.414	133.157	132.786	2.6	-0.3	0.2	-0.8	0.1
New vehicles.....	4.237	176.157	179.750	179.446	1.9	-0.2	0.3	0.3	-0.1
Used cars and trucks.....	2.556	199.176	187.587	184.961	-7.1	-1.4	-1.2	-2.5	-0.8
Medical care commodities ¹	1.458	390.614	407.250	408.965	4.7	0.4	0.6	-0.3	0.4
Alcoholic beverages.....	0.834	278.009	287.496	288.303	3.7	0.3	0.0	0.8	0.2
Tobacco and smoking products ¹	0.498	1,371.864	1,443.712	1,471.019	7.2	1.9	0.6	0.2	1.9
Services less energy services.....	58.489	381.580	401.234	402.549	5.5	0.3	0.4	0.6	0.3
Shelter.....	34.863	362.093	385.433	386.435	6.7	0.3	0.3	0.6	0.3
Rent of primary residence.....	7.614	379.436	404.487	406.683	7.2	0.5	0.5	0.5	0.5
Owners' equivalent rent of residences ²	25.696	371.450	395.039	396.881	6.8	0.5	0.4	0.6	0.4
Medical care services.....	6.324	606.839	593.777	594.974	-2.0	0.2	0.1	0.3	0.3
Physicians' services ¹	1.782	414.897	413.966	409.755	-1.2	-1.0	0.1	0.0	-1.0
Hospital services ^{1, 3}	1.941		397.531	401.752		1.1	0.7	1.5	1.1
Transportation services.....	5.966	373.098	402.021	407.526	9.2	1.4	2.0	0.7	0.8
Motor vehicle maintenance and repair ¹	1.138	358.597	392.222	392.861	9.6	0.2	1.1	0.2	0.2
Motor vehicle insurance.....	2.770	637.103	742.292	759.704	19.2	2.3	2.4	1.3	1.9
Airline fares.....	0.519	294.340	246.151	255.480	-13.2	3.8	4.9	0.3	-0.9

¹ Not seasonally adjusted.

² Indexes on a December 1982=100 base.

³ Indexes on a December 1996=100 base.

CPI Calculation
Orange County
Based on US Dept of Labor Statistics

Index rate for current period (Oct 2023)	307.671
less index rate for previous period (Oct 2022)	298.012
Equals index point change	9.659
Divided by previous period index (Oct 2022)	298.012
Equals	0.032411
Result multiplied by 100	100
Equals percentage change	3.241%

Example:

August 2022 to August 2022. Index percentage change calculations should be made as in the following example:

Index rate for current period (August 2022)	185.2
Less index rate for previous period (August 2022)	181.7
Equals index point change	3.5
Divided by previous period index (August 2022)	181.7
Equals	0.0192
Result multiplied by 100	<u>0.019 x 100</u>
Equal percent change	1.9%

Historical Consumer Price Index for All Urban Consumers (CPI-U): U.S. city average, all items, by month — Continued

[1982-84=100, unless otherwise noted]

Year	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.
1971.....	39.8	39.9	40.0	40.1	40.3	40.6	40.7	40.8	40.8	40.9	40.9	41.1
1972.....	41.1	41.3	41.4	41.5	41.6	41.7	41.9	42.0	42.1	42.3	42.4	42.5
1973.....	42.6	42.9	43.3	43.6	43.9	44.2	44.3	45.1	45.2	45.6	45.9	46.2
1974.....	46.6	47.2	47.8	48.0	48.6	49.0	49.4	50.0	50.6	51.1	51.5	51.9
1975.....	52.1	52.5	52.7	52.9	53.2	53.6	54.2	54.3	54.6	54.9	55.3	55.6
1976.....	55.6	55.8	55.9	56.1	56.5	56.8	57.1	57.4	57.6	57.9	58.0	58.2
1977.....	58.5	59.1	59.5	60.0	60.3	60.7	61.0	61.2	61.4	61.6	61.9	62.1
1978.....	62.5	62.9	63.4	63.9	64.5	65.2	65.7	66.0	66.5	67.1	67.4	67.7
1979.....	68.3	69.1	69.8	70.6	71.5	72.3	73.1	73.8	74.6	75.2	75.9	76.7
1980.....	77.8	78.9	80.1	81.0	81.8	82.7	82.7	83.3	84.0	84.8	85.5	86.3
1981.....	87.0	87.9	88.5	89.1	89.8	90.6	91.6	92.3	93.2	93.4	93.7	94.0
1982.....	94.3	94.6	94.5	94.9	95.8	97.0	97.5	97.7	97.9	98.2	98.0	97.6
1983.....	97.8	97.9	97.9	98.6	99.2	99.5	99.9	100.2	100.7	101.0	101.2	101.3
1984.....	101.9	102.4	102.6	103.1	103.4	103.7	104.1	104.5	105.0	105.3	105.3	105.3
1985.....	105.5	106.0	106.4	106.9	107.3	107.6	107.8	108.0	108.3	108.7	109.0	109.3
1986.....	109.6	109.3	108.8	108.6	108.9	109.5	109.5	109.7	110.2	110.3	110.4	110.5
1987.....	111.2	111.6	112.1	112.7	113.1	113.5	113.8	114.4	115.0	115.3	115.4	115.4
1988.....	115.7	116.0	116.5	117.1	117.5	118.0	118.5	119.0	119.8	120.2	120.3	120.5
1989.....	121.1	121.6	122.3	123.1	123.8	124.1	124.4	124.6	125.0	125.6	125.9	126.1
1990.....	127.4	128.0	128.7	128.9	129.2	129.9	130.4	131.6	132.7	133.5	133.8	133.8
1991.....	134.6	134.8	135.0	135.2	135.6	136.0	136.2	136.6	137.2	137.4	137.8	137.9
1992.....	138.1	138.6	139.3	139.5	139.7	140.2	140.5	140.9	141.3	141.8	142.0	141.9
1993.....	142.6	143.1	143.6	144.0	144.2	144.4	144.4	144.8	145.1	145.7	145.8	145.8
1994.....	146.2	146.7	147.2	147.4	147.5	148.0	148.4	149.0	149.4	149.5	149.7	149.7
1995.....	150.3	150.9	151.4	151.9	152.2	152.5	152.5	152.9	153.2	153.7	153.6	153.5
1996.....	154.4	154.9	155.7	156.3	156.6	156.7	157.0	157.3	157.8	158.3	158.6	158.6
1997.....	159.1	159.6	160.0	160.2	160.1	160.3	160.5	160.8	161.2	161.6	161.5	161.3
1998.....	161.6	161.9	162.2	162.5	162.8	163.0	163.2	163.4	163.6	164.0	164.0	163.9
1999.....	164.3	164.5	165.0	166.2	166.2	166.2	166.7	167.1	167.9	168.2	168.3	168.3
2000.....	168.8	169.8	171.2	171.3	171.5	172.4	172.8	172.8	173.7	174.0	174.1	174.0
2001.....	175.1	175.8	176.2	176.9	177.7	178.0	177.5	177.5	178.3	177.7	177.4	176.7
2002.....	177.1	177.8	178.8	179.8	179.8	179.9	180.1	180.7	181.0	181.3	181.3	180.9
2003.....	181.7	183.1	184.2	183.8	183.5	183.7	183.9	184.6	185.2	185.0	184.5	184.3
2004.....	185.2	186.2	187.4	188.0	189.1	189.7	189.4	189.5	189.9	190.9	191.0	190.3
2005.....	190.7	191.8	193.3	194.6	194.4	194.5	195.4	196.4	198.8	199.2	197.6	196.8
2006.....	198.3	198.7	199.8	201.5	202.5	202.9	203.5	203.9	202.9	201.8	201.5	201.8
2007.....	202.416	203.499	205.352	206.686	207.949	208.352	208.299	207.917	208.490	208.936	210.177	210.036
2008.....	211.080	211.693	213.528	214.823	216.632	218.815	219.964	219.086	218.783	216.573	212.425	210.228
2009.....	211.143	212.193	212.709	213.240	213.856	215.693	215.351	215.834	215.969	216.177	216.330	215.949
2010.....	216.687	216.741	217.631	218.009	218.178	217.965	218.011	218.312	218.439	218.711	218.803	219.179
2011.....	220.223	221.309	223.467	224.906	225.964	225.722	225.922	226.545	226.889	226.421	226.230	225.672
2012.....	226.665	227.663	229.392	230.085	229.815	229.478	229.104	230.379	231.407	231.317	230.221	229.601
2013.....	230.280	232.166	232.773	232.531	232.945	233.504	233.596	233.877	234.149	233.546	233.069	233.049
2014.....	233.916	234.781	236.293	237.072	237.900	238.343	238.250	237.852	238.031	237.433	236.151	234.812
2015.....	233.707	234.722	236.119	236.599	237.805	238.638	238.654	238.316	237.945	237.838	237.336	236.525
2016.....	236.916	237.111	238.132	239.261	240.229	241.018	240.628	240.849	241.428	241.729	241.353	241.432
2017.....	242.839	243.603	243.801	244.524	244.733	244.955	244.786	245.519	246.819	246.663	246.669	246.524
2018.....	247.867	248.991	249.554	250.546	251.588	251.989	252.006	252.146	252.439	252.885	252.038	251.233
2019.....	251.712	252.776	254.202	255.548	256.092	256.143	256.571	256.558	256.759	257.346	257.208	256.974
2020.....	257.971	258.678	258.115	256.389	256.394	257.797	259.101	259.918	260.280	260.388	260.229	260.474
2021.....	261.582	263.014	264.877	267.054	269.195	271.696	273.003	273.567	274.310	276.589	277.948	278.802
2022.....	281.148	283.716	287.504	289.109	292.296	296.311	296.276	296.171	296.808	298.012	297.711	296.797
2023.....	299.170	300.840	301.836	303.363	304.127	305.109	305.691	307.026	307.789	307.671	-	-



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Tobin
Seconded by: Alderman Jean-Francois
Date of Adoption: February 6, 2024
Index No: 25-24

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			1

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Accept a \$73,051 Grant from Division of Criminal Justice Services for the Purchase of Law Enforcement Equipment

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and accepts a \$73,051 Grant from the Division of Criminal Justice Services for the purchase of law enforcement equipment such as portable and vehicle radios, police bicycles, and staffing evaluations for the department.

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to deposit the funds in a separate budget.

Prepared by:
Christine Dugan , Confidential Secretary

Attachments:

1.	dcjs equipment grant
----	----------------------

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

January 23, 2024

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

Dear Mayor DeStefano and members of the BOE,

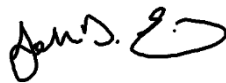
The City of Middletown

The City of Middletown Police Department has been awarded \$73,051 from Division of Criminal Justice Services for a Law Enforcement Equipment grant. The funding for these grants will be used to support the purchase of portable and vehicle radios, police bicycles and staffing evaluations for the department.

I am requesting to have a resolution prepared allowing us to accept this funding, and for this funding to be placed in a separate budget line.

If you have any questions, please contact me.

Very truly yours,



John Ewanciw
Chief of Police

JE:ccd



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderwoman Wray
Seconded by: Alderman Johnson
Date of Adoption: February 6, 2024
Index No: 26-24

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			1

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Accept a \$6,500 Grant from Senator James Skoufis for operating expenses for our National Night Out Against Crime Event

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and accepts a \$6,500 Grant from Senator James Skoufis for operating expenses for our National Night Out Against Crime Event.

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to deposit the funds in the previous DCJS/Skoufis grant line, A.2705.06.

Prepared by:
Christine Dugan , Confidential Secretary

Attachments:

1.	SKOUFIS GRANT FOR 6500 NNO
----	----------------------------

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

January 23, 2024

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

Dear Mayor DeStefano and members of the BOE,

The City of Middletown Police Department has been awarded \$6,500 sponsored by Senator Skoufis' office. The funding will be used for operating expenses for our National Night Out Against Crime event.

I am requesting to have a resolution prepared allowing us to accept this funding, and be added to the previous DCJS/Skoufis grant line A.2705.06

If you have any questions, please contact me.

Very truly yours,

John Ewanciw
Chief of Police

JE:ccd



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Johnson
Seconded by: Alderman Tobin
Date of Adoption: February 6, 2024
Index No: 27-24

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			1

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Enter into An Agreement with Cherry Road Technologies Inc., for IT Support for 2024

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes an agreement with Cherry Road Technologies Inc., for IT Support for 2024.

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

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	2024 City of Middletown AMENDMENT 8
----	-------------------------------------

AMENDMENT 8
To THE AGREEMENT BETWEEN
CITY OF MIDDLETOWN, NY AND
CHERRYROAD TECHNOLOGIES INC.

This Amendment (“Amendment”) with an effective date of March 1, 2024, will amend the Agreement between CherryRoad Technologies Inc. ("CherryRoad") and the City of Middletown, NY ("City"), dated April 6, 2016 (“Agreement”).

Whereas, the parties agree that it is necessary to modify the Agreement;

Now, therefore, in exchange for valuable consideration, the parties do hereby agree to amend the Agreement as follows:

1. The Agreement is hereby amended to include an updated Statement of Work, Exhibit D. Exhibit D shall be governed by the terms of the Agreement.
2. Except as specifically revised herein, all terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by their authorized representatives.

City of Middletown, NY

CherryRoad Technologies Inc.

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

EXHIBIT D



Statement of Work

Information Technology Support Services

City of Middletown

January 2, 2024

Executive Summary/Approach

The City of Middletown ("City") has requested that CherryRoad Technologies Inc. ("CherryRoad") provide support for their Information Technology ("IT") department to continue to support the implement of the 2017 Strategic recommendations.

To accomplish these initiatives CherryRoad will staff a resource onsite at the City Monday through Friday, for all of 2024 along with providing additional support resources upon execution of this Statement of Work ("SOW). In addition, CherryRoad will assign a Service Delivery Manager who will provide oversight to ensure the initiatives are progressing for the City.

This SOW is based upon CherryRoad's understanding of the City's requirements and approval of the Strategic recommendations included in the Section- Scope of Services of this SOW.

Scope of Services

The table below represents a subset of the IT initiatives from the City's IT Strategic Plan for 2024.

Item #	Initiative	Initiative Description	Cost	Monthly Cost
1	IT Support	Continued onsite support	\$ 177,000	\$ 14,750
2	IT Support	Help Desk	\$ 18,000	\$ 1,500
		Totals	\$ 195,000	\$ 16,250

Line item 1, Continued onsite support, and any other active initiatives will continue to be billed on a monthly basis and is subject to renewal annually. Billing for any additional help desk support will be billed as services are rendered.

As part of the above services, CherryRoad will manage the efforts for the following initiatives:

Initiative	Description
Desktops	Replace Desktops on a rotating 5-year plan
Server Upgrades	Preform server migrations with vendors.

Project Roles and Responsibilities

CherryRoad

Service Delivery Manager

The Service Delivery Manager (“SDM”) is an experienced manager who has worked and managed IT departments. The SDM’s role is to provide advice, counsel, and direction to our IT Specialist. It is this individual’s responsibility to:

- Assist in identifying current policies, procedures, and workflows to implement.
- Work with the City to develop the 2024 IT Plan.
- Monitor support activities and monthly status reports.

IT Specialist

The IT Specialist will provide general IT support to all departments and employees at the City. Their responsibilities include but are not limited to:

- Support and Manage VMware servers that support approximately 20 VM’s.
- Support Windows 2016 and 2019 servers.
- Support Linux VM.
- Support multiple installations of MS SQL Server.
- Support Oracle DB.
- Set up and support ISPs and Ubiquity wireless network.
- Manage Sonic Wall firewall units.
- Manage SSL VPN for remote access.
- Manage network switches.
- Set up and manage backup systems/ vendors.
- Support Active Directory and DNS operations.
- Support Office365 hosted email.
- Provide desktop support.

Assumptions

Project Dependencies

- The monthly charge is based on information provided by the City via interviews with key City resources. Should any new requirements or clarification/change of requirements occur during the engagement, CherryRoad and the City will work towards a solution. This may include the use of City resources and/or additional costs.
- The City will provide management and oversight of CherryRoad's Service Delivery Manager and IT Specialist.
- CherryRoad will ensure that any resources having access to police related systems will meet the necessary Criminal Justice Information Services related criteria.



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Kleiner
Seconded by: Alderman Jean-Francois
Date of Adoption: February 6, 2024
Index No: 28-24

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			1

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to allocate ARPA funding for RBT Consultation fees for ARPA administration.

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$1,0000 in the following manner, for RBT Consultation fees for ARPA administration.

FROM	AMOUNT	TO
A.4785	\$1,000	AFG.888.900

Prepared by:
Leonora Liz, Treasurer

Attachments:

None



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderman Tobin
Date of Adoption: February 6, 2024
Index No: 29-24

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			1

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Amend an Agreement with Fusco Engineering for Additional Work for the Historical Tax Credit Process on the O&W Station Project

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes an amendment to an agreement with Fusco Engineering for additional work required for the Historical Tax Credit work processing in the amount of \$75,000.

BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign the agreement and any necessary documents required pertaining to the amendment agreement.

Prepared by:
Maria Bruni, Director of Economic and Community Development

Attachments:

1.	O and W Grant Extension Request Cover Memo
----	--

2.	O and W Grant Extension Proposal
----	----------------------------------

CITY OF MIDDLETOWN
Office of Economic & Community Development

January 30, 2024

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

RE: O&W Rehabilitation Agreement Amendment

Dear Members:

I am requesting authorization to amend the agreement with Fusco Engineering for additional work required for the Historical Tax Credit process. Also, for the Mayor to sign, any and all necessary documents required pertaining to the amendment agreement. The amended agreement includes the increase tax credit work required in the amount of \$75,000.00.

See attached proposal and breakdown from Fusco Engineering.

Thank you for your attention to this matter.

Maria Bruni, Director
Economic & Community Development

Cc: Caitlin McNamara, Assistant Director



Consulting Engineers

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

Alfred A. Fusco, III
General Manager

January 29, 2024

Jacob Tawil, Commissioner DPW
City of Middletown
16 James Street
Middletown, New York 10940

Re: O&W Station Rehabilitation
Historical Tax Credit
Our File #21-088

Dear Commissioner Tawil,

Enclosed please find the revised executed agreement for the O&W Station Rehabilitation. The amended agreement includes the increase for the Tax Credit Work required in the amount of \$75,000. Attached you will find a projection of the breakdown of the work to be performed associated with the historical tax credit for approximately \$69,440, and \$5,560 of the amendment is for Fusco Engineering for coordination and facilitation. Should the requests and efforts required by SHPO/NPS/Funders push us to exceed the NTE number, we will seek authorization for additional services prior to commencing any work.

Once the resolution has been passed and the amended agreement is signed, please return a copy to me.

Please advise if you have any questions.

Very truly yours,

Alfred A. Fusco, Jr., P.E.
FUSCO ENGINEERING
& LAND SURVEYING, D.P.C.

Cc: Honorable Mayor Joseph DeStefano, City of Middletown
Caitlin McNamara, Assistant Director, Office of Economic and Community Development
Alfred A. Fusco, Jr., P.E., FE&LS, DPC

O&W Middletown

CONSULTANT FEE PROPOSAL WORKSHEET

Project Description: <i>(Project Title, Facility Name and Address)</i>	Consultant Name and Address:	Date:
Project #	C&S Engineers Inc	Phase:
	499 Col Eileen Collins Blvd	Agency:
	Syracuse NY 13212	Prepared By: KMC

Breakdown of Tasks (Provide a task breakdown corresponding to the Scope of Services).

Task Description	Employee Hours per Task										
	Employee Title	Sr Principal A/E	Principal A/E (Kristen)	Principal A/E (Brian)	Project A/E	Engineer	Engineer	Project Designer	Senior Designer	Designer	Total Hours
model creation			2.00							8.00	10.00
point cloud integration with model			2.00							24.00	26.00
coordination meeting with city and consultants			30.00	4.00							34.00
Part 1 application			8.00								8.00
Part 2 application - narrative & specifications			80.00	8.00						8.00	96.00
Part 2 application - photo documentation			8.00							24.00	32.00
Part 2 application SHPO / NPS consultation											0.00
North Tower structural report				16.00							16.00
Part 3 documentation			50.00	8.00						16.00	74.00
Part 3 submission			24.00								24.00
Closeout submission - final CRIS upload			16.00							8.00	24.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00
											0.00

SUBCONSULTANTS: (provide separate fee worksheet for each sub)

SUBCONSULTANTS: (provide separate fee worksheet for each sub)		Fee	Markup	Total
			5%	\$0.00
			5%	\$0.00
			5%	\$0.00
Total Subconsultant Fees (round to nearest whole dollar)				\$0

REIMBURSABLE EXPENSES: (included in LS fee UNO)

REIMBURSABLE EXPENSES:	(included in LS fee UNO)	Qty.	Contract Rate	Total
Mileage: Estimate miles at Contract rate (over 35 miles one way).	0	miles @	\$0.00	\$0
Lodging: At Contract per diem rates for the location of the facility.	0	night(s) @	\$0.00	\$0
Meals: At Contract per diem rates for the location of the facility.	0	overnight(s) @	\$0.00	\$0
OTHER ALLOWABLE EXPENSES: Identify expenses below.				
A.				
B.				\$0
Total Reimbursable Expenses (round to nearest whole dollar)				\$0

TOTAL FEE (round to nearest whole dollar)	\$69,440
--	-----------------



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Johnson
Seconded by: Alderman Masi
Date of Adoption: February 6, 2024
Index No: 30-24

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			1

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Amend Recently Enacted Chapter 438, Tobacco/Hookah/Vaping Establishment Licenses of the City Code

WHEREAS, the Mayor, Police Chief, Commissioner of Public Works, and Corporation Counsel have recommended the amendment of the recently enacted Chapter 438, Tobacco/Hookah/Vaping Establishment Licenses.

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

Section 1 - The Code of the City of Middletown, N.Y., Section 438-1, Tobacco/Hookah/Vaping Establishment License Required, is hereby amended by adding a second Sentence to Paragraph A thereof, to read as follows:

Section 438-1. Tobacco/Hookah/Vaping Establishment License Required.

A. Effective immediately, no person shall own or operate a Tobacco/Hookah/Vaping establishment, unless a license is first obtained from the City of Middletown Commissioner of Public Works (“Commissioner”). A Tobacco/Hookah/Vaping Establishment is defined as any commercial premises or usage which sells any tobacco, hookah or vaping products.

Section 2 - The Code of the City of Middletown, N.Y., Section 438-5, Conditions for Operation, is hereby amending by replacing Paragraph A thereof, to read as follows:

Section 438-5. Conditions For Operation.

A. Hours of operation. The hours of operation for each establishment shall be set either by the City of Middletown or by the Middletown Planning Board, and must further comply with all relevant New York State statutes and regulations.

Section 3. Severability. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional or illegal by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

Section 4. This Ordinance shall take effect immediately.

Prepared by:
Rick McCormack, City Clerk

Attachments:

None



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

THE FOLLOWING WAS PRESENTED

By: Alderman Tobin
Seconded by: Alderman Johnson
Date of Adoption: February 6, 2024
Index No: 31-24

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			1

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

**Authorization to Lend Portable Lights to the Otisville Lions Club for the 34th Annual
Otisville Country Fair**

BE IT RESOLVED that the Common Council of the City of Middletown authorizes the Otisville Lions Club to use a portable light from July 24 through July 29, 2024, for the 34th Annual Otisville Country Fair.

BE IT FURTHER RESOLVED that the Otisville Lions Club/Country Fair will be responsible for any damage incurred during the use of the light and will make any necessary repairs at their expense.

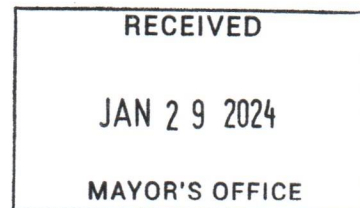
Prepared by:

Attachments:

1.	Otisville Country Fair Light Request
----	--------------------------------------

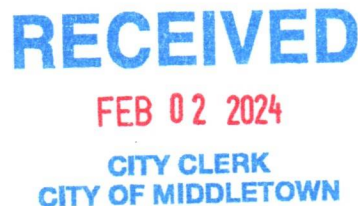


Fairgrounds Address:
Education Center & 4-H Park
300 Finchville Turnpike, Otisville, NY 10963
July 25, 26, 27, & 28, 2024



Otisville Lions Club
P.O. Box 24
Otisville, NY 10963
January 8, 2024

City of Middletown
Mayor Joseph DeStefano
16 James Street
Middletown, NY 10940



Dear Mayor DeStefano,

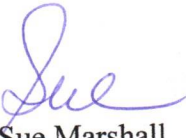
This is a request for the use of ^{ONE} three of your portable light towers for the 34th Annual Fair. We will need them from Wednesday, July 24th through Monday, July 29th. They can be dropped off anytime that is convenient for you on Wednesday and picked up at your convenience on Monday.

The Otisville Lions Club/Country Fair will be responsible for any damage incurred during the use of the ^{ONE} two portable lights and will make any necessary repairs at our expense.

If you can help with this request, please contact Sue at smarshall2330@yahoo.com or 845-283-0635. Thank you in advance for your consideration.

Sincerely,


Jim Jennings
Chairman


Sue Marshall
Chairman

RECEIVED
JAN 11 1964
U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C.

RECEIVED
JAN 11 1964
U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C.

RECEIVED
JAN 11 1964
U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C.

RECEIVED
JAN 11 1964
U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C.

RECEIVED
JAN 11 1964
U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C.



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderwoman Wray
Seconded by: Alderman Johnson
Date of Adoption: February 6, 2024
Index No: 32-24

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt			X	
Ald. Masi	X			
Pres. Rodrigues	X			
Total	8		1	1

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Fund a Three-Year Commitment to Enhance the Enlarged City School District of Middletown's Application to host the NYS Boys Soccer Championship round for 2025, 2026, and 2027

WHEREAS, The City of Middletown partnered with the Enlarged City School District of Middletown School on their submissions to New York State to host New York State High School sporting events at the Middletown facility; and

WHEREAS, this partnership requires a financial plan along with adequate facilities and is a competition with other school districts throughout New York State; and

WHEREAS, hosting these championship events has a positive economic impact on the greater Middletown area when hosting these championship events.

NOW THEREFORE BE IT RESOLVED that the Board of Estimate and Apportionment

authorizes funding for a three-year commitment to enhance the District's application to host the New York State Boys Soccer Championship round for 2025, 2026, and 2027 for \$5,000 per year, for a total of \$15,000 over the three years.

BE IT FURTHER RESOLVED; that the Board of Estimate and Apportionment authorizes the Treasurer to transfer \$5000, in the following manner, to fund the first year of this commitment.

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

FROM	AMOUNT	TO
Fund Balance	\$5000	Contractual Services

Prepared by:
Josepeh DeStefano, Mayor

Attachments:

None



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderman Kleiner
Date of Adoption: February 6, 2024
Index No: 33-24

I hereby certify that the attached is a true copy of a Resolution and/or Local Law adopted by the City of Middletown Common Council.

Richard P. McCormack
Clerk to the Common Council

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Wray	X			
Ald. Kleiner	X			
Ald. Green				X
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	9			1

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Amend Chapter 430 of the Middletown City Code, Taxation, by creating a new Article VII : Volunteer Firefighters Property Tax Exemption.

WHEREAS, the Common Council of the City of Middletown wishes to provide the City's volunteer firefighters and their spouses with the property tax exemption recently enacted in Section 466-a of the Real Property Tax Law.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Middletown that Chapter 430 of the Middletown City Code, Taxation, is hereby amended by creating a new Article VII therein, to read as follows:

ARTICLE VII. Volunteer Firefighters Property Tax Exemption.

Section 430-24. Grant of Exemption. Real property owned by an active volunteer member of any volunteer fire company in the City of Middletown Fire Department residing

within the City of Middletown shall be exempt from taxation to the extent of ten percent (10%) of the assessed value of such property for City purposes, exclusive of special assessments.

Section 430-25. Qualifications for Exemption. The aforesaid exemption shall not be granted to any volunteer firefighter unless:

- A. The applicant resides in the City of Middletown and is a member of a volunteer fire company of the City of Middletown Fire Department;
- B. The real property which is the subject of such exemption is the primary residence of the applicant;
- C. The property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this Article; and
- D.
 - (1). The applicant has obtained and displayed a certificate issued by the authority having jurisdiction for the volunteer fire company indicating that the applicant has been an active member of such company for at least two (2) years; or
 - (2). The applicant has been certified by the authority having jurisdiction for the volunteer fire company as an active member of such company for at least two (2) years.
- E. The applicant has been certified by the authority having jurisdiction for the volunteer fire company as eligible to receive Length of Service Award Program (LOSAP) credit in the tax year prior to the tax year for which the exemption is sought.

Section 430.26. Continuation of eligibility requirements. The applicant shall maintain continual eligibility for the exemption by being a continuously active member of the volunteer fire company. An active member shall meet the requirements for active service as defined by each company. Annual attestation by such company is required to maintain this exemption.

Section 430.27. Grant of lifetime exemption. Any active member of a volunteer fire company who accrues more than twenty (20) years of active service, may apply to the highest ranking company officer to be granted the ten (10) percent exemption for the remainder of his or her life. Such officer shall make a recommendation to the Board of Engineers which shall render a decision. If the Board of Engineer denies the application, the member may appeal to the Common Council, which shall render the final decision. This lifetime exemption applies only if the member's primary residence is located within the City of Middletown. This twenty-year requirement applies to any year of active service, and need not be consecutive years.

Section 430.28. Un-remarried Surviving Spouses of Volunteers Killed in the Line of Duty. An un-remarried surviving spouse of volunteer firefighters killed in the line of duty shall be entitled to continue the partial exemption granted hereunder, provided that:

- A. Such un-remarried spouse is certified by the authority having jurisdiction of the relevant volunteer fire company as an un-remarried spouse of an active

member if such company who was killed in the line of duty;

B. Such deceased volunteer had been an active member for at least five (5) years; and

C. Such deceased volunteer had been receiving the exemption for such property authorized by this Article prior to his or her death.

Section 430.29. Un-remarried Surviving Spouses of Volunteers With at Least Twenty (20) Years of Service. An un-remarried surviving spouse of volunteer firefighters granted the lifetime exemption under Section 430.27 shall be entitled to continue such exemption, provided that:

A. Such un-remarried spouse is certified by the highest ranking company officer of the relevant volunteer fire company as an un-remarried spouse of a deceased member of such company;

B. This exemption continues as long as the un-remarried spouse's primary residence is located within the City of Middletown.

Section 430.30. The provisions of Sections 430.26, 430.27, 430.28, and 430.29 of this Article shall apply to volunteer firefighters who are certified members of more than one (1) volunteer fire company in the City of Middletown Fire Department.

Section 430.31. Application Process.

A. To obtain the initial exemption, a volunteer firefighter must, on or before the applicable taxable status date, file an application for the partial real property tax exemption authorized by this Article with the Assessor of the City of Middletown, on a form as prescribed by the New York State Commissioner of Taxation and Finance and acceptable to the City of Middletown.

B. Once the exemption is granted, the exemption may continue for the authorized period provided that the eligibility requirements of Section 430.25 continue to be satisfied. It is not necessary to reapply after the initial year for the exemption for it to continue. However, proof of continued eligibility under the provisions of Section 430.25 would be required after the initial application.

AND BE IT FURTHER RESOLVED by the Common Council of the City of Middletown that the sections, paragraphs, sentences, clauses, and phrases of this Article are severable, and if any phrase, clause, sentence, paragraph, or section of this Article shall be declared unconstitutional or illegal by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Article.

AND BE IT FURTHER RESOLVED by the Common Council of the City of Middletown that this Article shall take effect immediately.

Prepared by:
Paul Johnson, Alderman

Attachments:

None