

COMMON COUNCIL
CITY OF MIDDLETOWN

February 20, 2024 - Minutes
City Hall
16 James Street
Middletown, New York 10940

P R E S E N T

Miguel Rodrigues, President of Common Council
Ald. Gerald Kleiner
Ald. Paul Johnson
Ald. Kevin Witt
Ald. Jude Jean-Francois
Ald. Andrew Green
Ald. Kate Wray
Ald. Joseph Masi

A B S E N T

Ald. Sparrow Tobin

Digitally Recorded Proceeding, transcribed by:
Lisa Kane

Veritext Legal Solutions
330 Old Country Road - Suite 300
Mineola, NY 11501

<u>INDEX</u>	<u>PAGE</u>
Approval of Minutes 12/4/23 and 12/9/23 BY: Richard McCormack, City Clerk	3
Correspondence, Communications and Reports BY: Richard McCormack, City Clerk	3
For the Good of the City BY: Chris Bernard	3
Remarks by the Mayor BY: Richard DeStefano, Mayor	6
Remarks by the Department Heads BY: Maria Bruni, Economic Development	7
BY: Jacob Tawil, DPW Superintendent	8
BY: Ald. Masi	11
BY: Ald. Kleiner	11
BY: Leonora Liz, City Treasurer	13
BY: John Ewanciw, Police Chief	13
BY: Ald. Johnson	14
BY: Marcus Small, Animal Control Officer	14
BY: Richard McCormack	16
Remarks by the Alderman BY: Ald. Masi	18
BY: Ald. Witt	18
BY: Ald. Green	18
BY: Ald. Kleiner	19
BY: Ald. Wray	20
BY: Ald. Johnson	
BY: Ald. Jean-Francois	22
New Business BY: Richard McCormack, City Clerk	23
BY: Ald. Witt	26
BY: Ald. Green	26
Local Laws BY: Richard McCormack, City Clerk	28
Audit of Claims and Accounts BY: Ald. Masi	29
Adjournment BY: Ald. Masi	29

1. Pledge of Allegiance

(Pledge of Allegiance)

2. Roll Call

PRESIDENT RODRIGUES: Roll.

Roll Call: Jean-Francois, Johnson, Wray,
Kleiner, Green, Witt, Masi, President Rodrigues.

3. Approval of Minutes

PRESIDENT RODRIGUES: Approval of minutes.

ALD. MASI: So moved.

ALD. JOHNSON: Second.

RICHARD MCCORMACK, CITY CLERK: Masi, Alderman
Johnson.

All in favor?

ALDERMANS: Aye.

4. Correspondence, Communications and Reports

PRESIDENT RODRIGUES: Correspondence.

RICHARD MCCORMACK, CITY CLERK: Nothing this
evening.

5. For the Good of the City

PRESIDENT RODRIGUES: For the Good of the City,
anyone would like to address the council please step
forward.

CHRIS BERNARD: Good everyone. My name is
Chris Bernard. I'm a resident of 26 Horton Avenue. I'm
a little nervous. This is first -- my first time doing

this, so.

PRESIDENT RODRIGUES: Okay. Take your time.

ALD. KLEINER: (Inaudible), you're amongst friends.

MR. BERNARD: I'm a resident of 26 Horton Avenue. I stand before you today to address a pressing issue that address -- that affects not only myself, but also the safety and well-being of all residents in our community.

The issue at hand is an alarming prevalence of reckless and excessive speeding on and around Horton Avenue. I have evidence in the form of video footage captured on -- by my house, security cameras showing the gravity of the situation on my phone. I am willing to share this footage with you now or after this meeting, so you can witness firsthand the severity of the problem.

I've already started -- I've already shared this video and other videos with the shift lieutenant next door. I implore -- implore upon this Council to conduct a comprehensive traffic survey not limited to Horton Avenue, but encompassing all adjacent streets to ascertain the extent of the speeding epidemic plaguing our city.

It is imperative that we explore viable solutions to mitigate the risk posed by reckless and excessive

speeders, less we suffer unnecessary consequences of property damage or, even worse, loss of life.

Also, keep in mind the proximity of Horton Avenue to our local schools. The -- the safety of the children are at stake as well.

While I understand they -- speed humps have been proposed as a potential solution, I've been informed that the City's reluctance to implement them. However, I firmly believe that this measure holds promise to addressing the issue at its core.

To this end, I am prepared to take proactive steps initiating a petition commencing with my own street to advocate for the installation of speed humps. In fact, I have already taken the initiative to draft letter -- draft letters addressing homeowners of Horton Avenue outlining the urgency of this matter and soliciting their support in the form of a petition. Thirty-five such letters are ready for distribution signaling the grassroots momentum behind this cause.

I urge the Council please recognize the imperative of this -- of the -- the nature of this plea and collaborate with residents in finding a viable solution to curb speeding on our local roadways. By working together we can assure the safety and tranquility of our community. Thank you so much for your attention

and your consideration.

PRESIDENT RODRIGUES: Thank you.

Anyone else who would like to address the Council?

6. Remark of Mayor

PRESIDENT RODRIGUES: Okay. Remarks of the Mayor.

JOSEPH DESTEFANO, MAYOR: I'm not gonna grandstand on the issue, but I'm in agreement with you. We've had this discussion before and I think we need to really give it a look. I know the chief can address the speed trailer. We do do the analysis now as you know. We get the speeding numbers and the percentages, but it is a somewhat mini crisis for neighborhoods. And there are the solutions.

I was in New York City on Sunday going down 44th Street, 46th Street. And guess what's in 44th Street and 46th Street in Manhattan where fire trucks go by, police cars go by --

PRESIDENT RODRIGUES: Police cars, ambulance?

JOSEPH DESTEFANO, MAYOR: Speed humps.

PRESIDENT RODRIGUES: They work?

JOSEPH DESTEFANO, MAYOR: Sure they worked. And ride down yourself. Big place like that can do it, there's no reason why we can't do it.

But I'll move on. I'll address some of these things in my State of the City will be on March 5th and at 7 p.m. So that's for a special meeting to start at 7 -- 7 p.m. on March 5th.

Any questions?

PRESIDENT RODRIGUES: Any questions for the Mayor?

JOSEPH DESTEFANO, MAYOR: All right. Thank you.

7. Remarks of the Department Heads

PRESIDENT RODRIGUES: All right. Department Heads, Economic Development.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Good evening, everyone.

This evening we had a community development agency meeting and the board, you, the board approved us to move on with the rehab of 84 Linden which will begin soon and be part of the program. And -- and we'll get a home buyer there soon.

Also, Wednesday, February 28th at 4 p.m., our consolidated annual performance report, we have a public hearing. That's our HUD keeper. So there's a public hearing on February 28th at 4:00.

The Paramount Theatre, *Bob Marley One Love* continues until February 29th. It's been a hit. It --

check our website for times and show dates.

Also, a new show announcement. It's gonna be going on sale soon. *Let's Sing Taylor*, the ultimate Taylor Swift tribute, so -- so that's coming soon. So, again, check our middletownparamount.com for all the show listings and everything going on. Thank you.

PRESIDENT RODRIGUES: Any questions for Maria?

MARIA BRUNI, ECONOMIC DEVELOPMENT: Any questions?

ALD. MASI: Stay around.

PRESIDENT RODRIGUES: All right.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Thank you.

PRESIDENT RODRIGUES: Thank you, Maria.

DPW Commissioner.

JACOB TAWIL, DPW COMMISSIONER: Good evening, all.

I'll start off with our reservoirs. They are at 100 percent capacity.

Highland Avenue tank, the work has been completed for the tank itself. There are some other items that needs to be done. However, the good news is the tank is back in service. We put that in service on Saturday after doing joint inspection with the health department and after all the required samples were taken and have passed.

There's still a lot of work to be done at the tank site such as (inaudible) protection, full protection for there with the ladder, some other items cleaning up and so on. So that would be done along the next couple of weeks and that will be the end of it.

So, now, Highland Avenue has been back online, so we have adequate storage within our system. We're gonna start taking the High Barney tank offline between tomorrow and the day after tomorrow. They started switching over the telemetry at that tank site. That tank site is very important for us, High Barney, because it's like our junction where all the wireless signal comes from Highland Avenue tank from County Route 78 vault, from Mountain Avenue tank. All these tanks, they report to High Barney and then from High Barney we shoot across to the water treatment plant.

So it's a very important hub for us. So, tomorrow we're gonna be doing the transfer, taking the antennas off the tank, mounting them on a new pole in there, so we could have a good signal in there and communication between our -- among all tanks within the system -- within the water distribution system.

Last Tuesday we had a major snowstorm. We haven't had that much snow for -- for awhile. It was, like, 11-and-a-quarter inches in less than 24 hours. And

-- and the guys did a tremendous job. Our -- our guys in the street department, in the water department, some from the sanitation department, they all pitched in and they drove our plows and our small mason dump trucks and -- and sanders. So, we're very grateful. They done really a good job under the direction of Ross Mastria. He's the deputy commissioner.

Tomorrow we -- we will be getting the black top. You can see, we drive around in the city, everybody is complaining all around about potholes, potholes. If you noticed, we have less potholes this year, if any, to be honest with you because that's because of the hard work of our street department. They stay on top of it.

I reported to you before that we go down to New Jersey to bring in hot asphalt rather than using cold patch. And hot asphalt does last for a long time versus cold -- using the cold patch. I was in a discussion with the state. Some -- some people from the DOT said, oh, my God, we never thought of that. We're gonna start doing that. So, because it's -- it's a lasting solution, it's not just temporary fix for the pothole.

So, tomorrow we're gonna be going down to New Jersey again, the street department is, and, you know, I think they're doing great job for us.

Spring cleanup, before you tonight there's a

resolution for the spring cleanup. Should you approve it and the Mayor signs it, then it's gonna be -- I can read it. You know what, I'm not gonna read it until you approve it. I'm not gonna be presumptuous. Part of it also is electronic drop-off date.

One more item we have a resolution before you for bond reduction for Magnolia Park. That's for the roads that they've been accepted by us, been dedicated. They're not totally taken over by DPW to maintain them yet because of some -- couple of minor items. But the bond reduction is before you tonight for approval. And we appreciate that.

Any questions?

PRESIDENT RODRIGUES: Any questions for Jacob?
Alderman Masi.

ALD. MASI: Commissioner, I'm sorry if I missed it, but how are the reservoirs?

JACOB TAWIL, DPW COMMISSIONER: Alderman Masi, I -- I reported on the reservoirs. I didn't mention you, but, yeah, rest assure they're in good shape.

ALD. MASI: Thank you.

JACOB TAWIL, DPW COMMISSIONER: Yes, sir.

PRESIDENT RODRIGUES: Alderman Kleiner.

ALD. KLEINER: Yes. Commissioner, I got a notice that Wisner Avenue is going to be closed for a

while tomorrow. Can you --

JACOB TAWIL, DPW COMMISSIONER: Yeah. Tomorrow it's -- it's -- we sent -- I believe we send a message out already.

ALD. KLEINER: Yes.

JACOB TAWIL, DPW COMMISSIONER: Yeah, it's because --

ALD. KLEINER: For anyone who didn't --

JACOB TAWIL, DPW COMMISSIONER: -- the plumber -- yeah. A plumber is gonna be installing water service. Before they were gonna go from the curb over to the house and that's the corner house on Wisner and Highland. Unfortunately, it's galvanized water service and it's -- it's really in very bad shape under the road.

ALD. KLEINER: Okay.

JACOB TAWIL, DPW COMMISSIONER: So, they're gonna open up the road tomorrow between 8:00 and 12:00. Thank you for mentioning that, but the people can see it now. But we did send a message. Yes. And that's why.

ALD. KLEINER: Right.

JACOB TAWIL, DPW COMMISSIONER: We're gonna minimize the downtime and we're gonna have detour sign and everything. The plumber is doing it. That's not city work.

ALD. KLEINER: Right.

JACOB TAWIL, DPW COMMISSIONER: It's a private work, yeah.

ALD. KLEINER: Okay. Thank you.

JACOB TAWIL, DPW COMMISSIONER: Yeah, sure.

PRESIDENT RODRIGUES: Anyone else?

All right. Thank you, Jacob.

JACOB TAWIL, DPW COMMISSIONER: Thank you.

PRESIDENT RODRIGUES: City Treasurer.

LEONORA LIZ, CITY TREASURER: Good evening. I have nothing for you this evening.

PRESIDENT RODRIGUES: Any questions for the treasurer?

All right. Thank you.

Police Chief.

JOHN EWANCIW, POLICE CHIEF: Good evening.

On the request of Alderman Kleiner, I actually brought our new animal control officer with me this evening, so I can introduce him to the Council. This is Marcus Small. Marcus has been with the City for four or five years now. Started with us as a dispatcher, as a full-time dispatcher. Worked many years there.

An amazing employee. And this past fall he transitioned to animal control officer. So this is Marcus. He's -- he's a worker by all means. He -- he goes out there and he works. He's personable. He has

flexible hours. We don't keep him a steady, you know, business hours. He does flex his hours to address the needs of the community. So this is the Council and this is our new animal control officer.

ALD. KLEINER: Welcome.

JOHN EWANCIW, POLICE CHIEF: Same telephone as in the past. Email is his first initial, last name@middletownpolice.com. And he's here to help all of us.

PRESIDENT RODRIGUES: Thank you.

ALD. KLEINER: Thank you for coming.

JOHN EWANCIW, POLICE CHIEF: Any questions for Marcus?

PRESIDENT RODRIGUES: Alderman Johnson.

ALD. JOHNSON: Not a question, but comment. It's nice to finally make the name and the face.

MARCUS SMALL, ANIMAL CONTROL OFFICER: Yes, absolutely.

ALD. JOHNSON: So, you know, I do rounds at Middletown Humane Society a couple of times a week. The director is Maureen Hogan. And as recently as seven hours ago, we were both singing your praises. You're very attentive with paying a lot of attention to our needs at the shelter. I think is -- it's a big improvement for the animals in the city. And I wanted to

thank you on behalf of the shelter for the good work you're doing. Thanks.

MARCUS SMALL, ANIMAL CONTROL OFFICER: Thank you very much.

PRESIDENT RODRIGUES: Alderman Kleiner.

ALD. KLEINER: Because I get asked this a lot, you don't deal with feral cats or stray cats. Is that correct?

MARCUS SMALL, ANIMAL CONTROL OFFICER: So -- so the City -- so the City does. We don't have contracts right now, we are working on that. But if there are any feral cat issues, you could definitely give me a call or contact the police department and then they'll notify me, so we can address those issues. So, it's not something that we don't address.

ALD. KLEINER: Okay.

MARCUS SMALL, ANIMAL CONTROL OFFICER: We don't do it directly, but we do have outside companies that work with us to -- to address those issues.

ALD. KLEINER: Right. Okay. Thank you.

MARCUS SMALL, ANIMAL CONTROL OFFICER: Yep.

JOHN EWANCIW, POLICE CHIEF: One of the things that Marcus has been successful in is expanding our contracts. The Council has approved some new contracts this past year. He's also working on additional contract

to deal with the feral cats, so that we have another alternative to the -- the company that we utilize today as well.

PRESIDENT RODRIGUES: All right. Thank you.

JOHN EWANCIW, POLICE CHIEF: Other than that, I just have one comment on one of the agenda items this is is the Cops Technology Grant. That is a grant that was sponsored by Congressman Ryan. That \$3,000 would be to enhance and expand our closed-circuit camera system throughout the city. Our goals are and we're working with our vendor now to get cameras to the Wickham/Wisner area, to the Monhagen/West Main area, and to the Dolson area. So, depending on the buildout of what -- how much money -- how far we could stretch this money will determine how far we get those cameras. But that's our goal with that money.

Other than that, I have nothing unless you have anything for me this evening.

PRESIDENT RODRIGUES: Any question for the police chief? All right, Chief, thank you.

JOHN EWANCIW, POLICE CHIEF: Okay.

PRESIDENT RODRIGUES: City Clerk.

RICHARD MCCORMACK, CITY CLERK: Good evening. As some of you may be aware, I'm the co-chair with Celines Rodriguez of the Mayor's Youth Council. We're

having a recruitment night on February 26th here in the Council's chambers from 6 to 7. If anybody at home wants to get your children involved in service organizations in the city, we invite you to come by. We're excited that the Mayor has agreed to be a guest speaker that night. So, thank you, Mayor.

Also in that line, we're having a blood drive on March 26th from 3 to 7:30 p.m. at the Mulberry Senior Center. You can call my office or Celines at the Rec Center to make an appointment and schedule yourself to come in and donate blood. Supplies are running low and we could definitely use the help.

And, finally, just a reminder, we have stopped using the Nixle emergency alert system. We're now using Civic Mass Notification. If you have not already done so, I encourage you to sign up through the city website middletownny.gov. On the left hand side you'll see a button that says alerts, click there and just fill out the information and you'll be kept up to speed on all the latest events and happenings in the City as well as road closures and any other weather-related emergencies. Thank you.

8. Public Hearings and Grievances

(None this evening)

9. Petitions and Complaints

(None this evening)

10. Remarks of Alderman

PRESIDENT RODRIGUES: Okay. Remarks of Alderman, Alderman Masi.

ALD. MASI: Yes. I just want to thank Commissioner Tawil and the Department of Public Works for the job that they did with the snowplowing. I come in a little after 7 in the morning. And when I left my house, the roads were all clear all the way down to City Hall. So, tell the members thank you.

JACOB TAWIL, DPW COMMISSIONER: Will do. Thank you.

PRESIDENT RODRIGUES: Alderman Witt.

ALD. WITT: I have nothing this evening.

PRESIDENT RODRIGUES: Alderman Green.

ALD. GREEN: Thank you. Excuse me. I just want to commend and -- and say thank you to those who were there at the opening of Gallery Chang on 55 North Street. It was a beautiful opening. Always nice to see new business open up and a new -- a new storefront there on -- on North Street. And some of the art work was absolutely amazing. And -- and I look forward to seeing what comes in there.

Alderman Kleiner and I will be restarting our
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constituents meetings beginning in March, so that will be Monday, March 12th at 7:00 p.m. right here in the Council Chambers, so we look forward to seeing you. Thanks.

PRESIDENT RODRIGUES: Alderman Kleiner.

ALD. KLEINER: Thank you for people who've asked our City Clerk, Mr. McCormack and has been talking with Channel 20 and Spectrum about the issues with some people have not been able to get the Council meetings on TV. So, for those who are, if you can't get it, then you're not hearing this, so. But -- but for those who are and get the word out that we are working on it trying to solve the problems.

I want to thank the Gilissa Cierra (phonetic) and -- and her staff. They had a program for Black History Month this afternoon at the Senior Center and it was more than well attended. They had to set up extra tables. And it was a great event. And Cici Calloway was there. She's the daughter of Cab Calloway. And it -- it was quite a interesting time. I thank James Rollins too who gave a little history of Middletown and NWACP and such. So it was a very nice event.

Our City Pride Cleanup we're hoping is going to be on April 20th. So keep that date in mind for the City wide and the Pride Cleanup.

If the *Record* online, I criticize them a lot.

They did give another update on how gas prices have gone up another 2 cents. Wow, you know, down -- down 80 percent from the summer or 80 cents from the summer. But, nonetheless, they have a really interesting article and it's about the upcoming total solar eclipse that's gonna go through parts of New York State. We'll be in about the 95 percent or so of it. But that's on April 8th. And if you go to *Record* online, they do have the map on there and to show you exactly where it's going to be, so you can plan ahead. And warnings, don't be like Mr. Trump and look directly at it with no protection. You do need solar glasses if you're gonna actually look at it directly. So that will -- that will come up shortly. And I guess that's it. Thank you.

PRESIDENT RODRIGUES: Alderwoman Wray.

ALD. WRAY: Good evening. I don't have any real news for this evening except getting the news about the Taylor Swift tribute. And I have a daughter who I'm almost afraid to tell her. So, cool stuff at our Paramount, like, big names and it's exciting in our little city. So I always get a little excited to hear about what's next. Thanks.

PRESIDENT RODRIGUES: Alderman Johnson.

ALD. JOHNSON: Thank you. With respect to the speeding conversation, the speaker may or may not be

aware that this has kind of been ongoing. I won't grandstand either, Mr. Mayor. We've basically gone through the obvious three solutions. Many people call of us. They want a 20 mile-per-hour speed limit in their neighborhood. Many people their go to is more stop signs. And many people are speed bumps.

I have kind of thought about and advocated for speed bumps. Particularly, there are -- they are now being made where they can be removed. So if you're worried about snow removal, you could take them out for the winter quarter and put them back in the spring.

None of those ideas have really prevailed, but that doesn't mean that we're not thinking about it and that we won't continue to try to address the issue.

Counterintuitively, many times when we put the -- put the speed trailer out, we find out it's not quite as egregious as a particular resident thinks it is. But we have the trailer and we can just aggregate time of day, percent that are above. And so it really gives us good data. What we choose to do with it is the -- is the rub. But thank you for bringing it to our attention again.

I attended the school board meeting last week and they had a building condition survey. And the Twin Towers project appears to be going along well, on time

and on budget. Hold that thought we'll see. And also both the Superintendent, Mr. Tuttle, they -- they presented the administrative form of the budget, a portion I should say. And we were also informed of the fact that in the first read for the Governor's budget, they're having approximately a 2 percent decrease in foundation aid. This is thought to be a problem because it was allegedly promised and the money has already kind of been accounted for. And, so, there may be -- there may be some time for creative thinking in this year's budget. Thank you.

PRESIDENT RODRIGUES: Okay. Alderman Jean-Francois.

ALD. JEAN-FRANCOIS: Yes, good evening. I'd like to agree with Alderman Masi and the Commissioner, the street department did an excellent job in the snow -- last snowstorm that we had. I want to thank them for doing a great job and cleaning and keeping our city safe. Thank you.

11. Unfinished Business

(None this evening)

12. New Business.

PRESIDENT RODRIGUES: New business.

RICHARD MCCORMACK, CITY CLERK: Good evening.

We have a Resolution sponsored by Alderman Jean-Francois

to enter into an agreement with the Orange County -- with Orange County for the fire safety trailer.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Jean-Francois, seconded by Alderman Masi. Any discussion? Roll.

Roll Call: Aye: Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, Masi, President Rodrigues. Carries.

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Masi authorizing the surplus of vehicles in the police department.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Masi, seconded by Alderman Jean-Francois. Any discussion? Roll.

Roll Call: Aye: Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, Masi, President Rodrigues. Carries.

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Johnson to increase the part-time police -- police assistant rate of pay to \$23 an hour.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Johnson, seconded by Alderman Green. Any discussion? Roll.

Roll Call: Aye: Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, Masi, President Rodrigues.

Carries.

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderwoman Wray to amend the 2024 Transportation Program contract to increase the total cost to \$25,635.

PRESIDENT RODRIGUES: Resolution sponsored by Alderwoman Wray, seconded by Alderman Witt. Any discussion? Roll.

Roll Call: Aye: Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, Masi, President Rodrigues.
Carries.

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Kleiner to increase the senior trips' revenue line.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Kleiner, seconded by Alderman Masi. Any discussion? Roll.

Roll Call: Aye: Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, Masi, President Rodrigues.
Carries.

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Green to accept the 2023 Cops Technology Grant in the amount of \$300,000.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Green, seconded by Alderman Kleiner. Any

discussion? Roll.

Roll Call: Aye: Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, Masi, President Rodrigues. Carries.

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Witt authorizing an agreement with H2O for services at the Water Treatment Plant at a rate of \$24,060.50 a month and at the Wastewater Treatment Plant at a rate of \$31,918.75 per month.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Witt, seconded by Alderman Jean-Francois. Any discussion?

Roll Call: Aye: Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, Masi, President Rodrigues. Carries.

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderwoman Jean-Francois authorizing the 2024 Annual Spring Cleanup and Electronic Dropoff Day.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Jean-Francois, seconded by Alderman Johnson. Any discussion? Roll.

Roll Call: Aye: Jean-Francois, Johnson, Wray, Kleiner, Witt, Masi, President Rodrigues.

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Johnson approving the volunteer

firefighters' Length of Service Award Program list for 2023.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Johnson, seconded by Alderman Witt. Any discussion?

Alderman Witt.

ALD. WITT: Thank you. So, I -- I would have asked this of the chief, police chief, but I'm gonna put my next door neighbor on the spot a little bit here. I apologize for that. We have the documentation that will be public that will show everybody who has earned this award and it's based on a point system. And it appears that 50 is the magic number. Can you give some context on what that means, please.

ALD. GREEN: Yeah, absolutely. I will be also abstaining from this vote just to put it out there.

ALD. WITT: No, I apologize.

ALD. GREEN: No, that's all right. So, as you saw in your packets, basically, there are -- there's 94 names on the list of active members of the fire department. Just being on the list does not necessarily mean that you are eligible to receive the LOSAP award which we increased as a Council to \$1,200 per year which is, basically, a retirement-type benefit to the firefighters.

There's different categories in which you accrue points and numbers. So, at that rate, you know, it's based off of call volume, what you make. You know, you can max out certain -- certain categories there; social events you make; meetings; if there's any, you know, kind of hydrant cleanups, things like that that are details that are done, that's where you'll accrue your numbers.

I believe the magic number is a little over 50.

ALD. WITT: Oh, is it? I'm sorry.

ALD. GREEN: Yeah. No, it's okay. But you will see that some people have numbers next to them. That's what they accrued in terms of points for the year. And, you know, those will carry on. You'll see also there's a number I noticed on the sheet. It does tell you how many years in a row you are -- the person has received it. After five years you are vested in the program. So, anyone whose got a five or above is eligible to receive that at age 62 I believe it is.

ALD. WITT: Thank you.

ALD. GREEN: Thank you.

PRESIDENT RODRIGUES: Okay. Anyone else?
Roll.

Roll Call: Aye: Jean-Francois, Johnson, Wray,
Kleiner, Witt, Masi, President Rodrigues. Abstain:

Green. Carries.

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderwoman Wray authorizing amendment to City Code Ordinances to provide for a student transportation medallion.

PRESIDENT RODRIGUES: Resolution sponsored by Alderwoman Wray, seconded by Alderman Johnson. Any discussion? Roll.

Roll Call: Aye: Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, Masi, President Rodrigues.

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Witt authorizing a reduction in the performance bond for ADC Middletown LLC Magnolia Park to \$197,580.

PRESIDENT RODRIGUES: Resolution sponsored by Alderwoman Witt, seconded by Alderman Kleiner. Any discussion? Roll.

Roll Call: Aye: Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, Masi, President Rodrigues.

13. Local Laws

RICHARD MCCORMACK, CITY CLERK: We have a local law this evening sponsored by Alderman Johnson in its introduction. It's a local law allowing delinquent, overgrown vegetation, snow removal, garbage can, bulk pickup, dead tree removal, and building demolition

charges to be relevied into real property tax bills.

14. Audit of Claims and Accounts

PRESIDENT RODRIGUES: Okay. For the record.
Audit.

ALD. MASI: Mr. President, I move the accounts be audited, the claims be adjusted and the City Treasurer be authorized to issue warrants for their payments.

PRESIDENT RODRIGUES: Motion by Alderman Masi, seconded by Alderman Johnson. Roll.

Roll Call: Ayes: Jean-Francois, Johnson, Wray, Kleiner, Green, Witt, Masi, President Rodrigues.
Carries.

15. Adjournment

PRESIDENT RODRIGUES: Move for adjournment.

ALD. MASI: So moved.

(PROCEEDING CONCLUDED)

CERTIFICATION

I, LISA KANE, certify the foregoing transcript of proceedings of the February 20, 2024 Middletown City Council meeting was prepared using the required electronic equipment and is a true and accurate record of the proceedings.

Signature: *Lisa Kane*

Date: April 10, 2024

Agency: Veritext Legal Solutions
330 Old County Road - Suite 300
Mineola, NY 11501



**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
FEBRUARY 20, 2024**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
 - 3.1. Accept the Minutes of January 16, 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
 - 34-24 Authorization to enter into an agreement with the County Of Orange for the Fire Safety Trailer for National Night Out
 - 35-24 Authorization to Surplus Vehicles in the Police Department
 - 36-24 Authorization to increase the Part Time Police Assistant rate increase to \$23/hr
 - 37-24 Authorization to Amend the 2024 Transportation Program Contract to Increase the Total Cost to \$25,635.00

38-24 Authorization to Increase Senior Trips Revenue Line

39-24 Authorization to Accept the 2023 COPS Technology Grant in the amount of \$300,000

40-24 Authorizes an Agreement with H2O for services at the Water Treatment Plant at a rate of \$24,062.50 per month and at the Waste Water Treatment Plant at a rate of \$31,918.75, per month

41-24 Authorization for 2024 Annual Spring Clean Up and Electronic Drop Off Day

42-24 Approval of the Volunteer Firefighters Length of Service Award Program (LOSAP) List for 2023

43-24 Authorization to Amend City Code ordinances to Provide for a Student Transport Medallion

44-24 Authorization for a Reduction in the Performance Bond for ADC Middletown LLC, (Magnolia Park) to \$197,580

13. LOCAL LAWS

Introduction of Local Law #1 of 2024: A Local Law Allowing Delinquent Overgrown Vegetation, Snow Removal, Garbage Can, Bulk Pick-Up, Dead Tree Removal, And Building Demolition Charges To Be Releved Into Real Property Tax Bills

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



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderman Johnson
Date of Adoption: February 20, 2024
Index No:

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Accept the Minutes of January 16, 2024

Accept the Minutes of January 16, 2024

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	01.16.24 CC Minutes
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CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Jean-Francois
Seconded by: Alderman Masi
Date of Adoption: February 20, 2024
Index No: 34-24

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to enter into an agreement with the County Of Orange for the Fire Safety Trailer for National Night Out

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the attached agreement with the County Of Orange for the use of the Fire Safety Trailer for the National Night Out Against Crime event.

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:
John Ewanciw, Chief of Police

Attachments:

1.	smoke trailer contract
----	------------------------



Steven M. Neuhaus
County Executive

ORANGE COUNTY
DEPARTMENT OF EMERGENCY SERVICES
DIVISION OF FIRE SERVICES



Peter J. Cirigliano II
Commissioner

Vini Tankasali
Deputy Commissioner
Orange County Fire Services
9 Training Center Lane
New Hampton, New York 10958
TEL: (845) 374-1900 FAX: (845) 374-1906
www.orangecountygov.com

January 26, 2024

City of Middletown
16 James Street
Middletown, NY 10940

I have completed the preliminary paperwork to start the contract process with the County of Orange for the Safety Trailer. Please complete the following:

1. Please fill out Page 5 under the User Contact Info on the right hand side of the document and sign, print, title and date under User. **Please note whomever calls to set up this agreement is the person who needs to be duly authorized to sign this paperwork and show proof of a resolution. THE NAMES MUST MATCH.**
2. We also need insurance certificates attached to the contract showing General Liability insurance in accordance with Article 13 of the contract. This General Liability insurance must list the County of Orange, 255-275 Main Street, Goshen, NY 10924, as additional insured. Please make sure that the liability coverage shows the value of the Fire Safety trailer being at a maximum of \$55,000. You must also present proof of **Workers Compensation (C-105.2) and Disability Benefits insurance (DB-120.1)**. If you are exempt from workers' compensation and/or disability benefits insurance coverage requirements, then a **CE-200** is required by the Worker's Compensation Board.
3. E-Mail everything back to me at:
sgillespie@orangecountygov.com
4. When the contract is approved Shannon Gillespie will call to let you know and you may contact Jim McCann at 845-374-1900 to set up the pickup of the Fire Safety trailer.

The process for having a contract approved in Orange County can sometimes take a while. It has several departments it proceeds through prior to final approval by the County Executive. **Please be advised that you should not proceed with your obligation towards this contract until you have received the contract signed by the County Executive. There is no contract with Orange County until it is signed by the County Executive.** As soon as the contract is signed and the process completed by the County Executive a copy of the contract will be forward to you.

If you have any questions, please feel free to call me at (845) 374-1900.

Sincerely,

Shannon Gillespie
Administrative Secretary
Enclosure

USE AGREEMENT

FOR COUNTY OF ORANGE FIRE SAFETY TRAILER

THIS AGREEMENT, effective as of the last date entered below, is entered into between the **COUNTY OF ORANGE**, by and through its Department of Emergency Services, Division of Fire Services, located at 9 Fire Training Lane, New Hampton, NY 10958, ("County") and the City of Middletown ("Department") by and through Joseph DeStefano, in his official capacity as Mayor of City of Middletown ("User"). The County agrees to allow the User use of the County Fire Safety Trailer subject to the terms and conditions of this Agreement.

I. TERM OF THIS AGREEMENT

This Agreement commences on August 2, 2024 and expires on August 7, 2024. The County may elect to terminate this Agreement at any time with written notice to the other party, effective in accordance with the terms of the notice provision in Section XVIII of this Agreement.

II. PURPOSE OF THIS AGREEMENT

The purpose of this Agreement is to share a resource that will support and stimulate fire safety awareness in the general public. The resource is the County Fire Safety Trailer—a mobile 2-story trailer equipped with various fire safety and prevention features. This Agreement will establish a method for communities to promote fire safety with the following goals at its core.

- A. Reduce loss of life and property due to fire.
- B. Reduce injuries due to fire.
- C. Reduce occurrence of fire in homes.
- D. Improve maintenance of smoke detectors in homes.
- E. Improve understanding of importance of home fire drills and escape plans.
- F. Improve understanding of how and when to use E-911 to summon assistance during emergencies.

III. RENT

There shall be no rent charged for use of the Fire Safety Trailer.

IV. RESPONSIBILITIES OF THE PARTIES

The County and the User agree to the following responsibilities and will exert all reasonable efforts to fulfill the responsibilities stated below.

A. County's Responsibilities

- 1. Housing and general maintenance of the Fire Safety Trailer.
- 2. Scheduling use of the Fire Safety Trailer.

3. Revisions of the Fire Safety Trailer procedure manual.

4. Providing orientation to User on safe transportation and use of the Fire Safety Trailer.

B. User's Responsibilities

1. Orientation of support personnel for safe transportation and operation of the Fire Safety Trailer.

2. Safe transportation of the Fire Safety Trailer.

3. Safe operation of the Fire Safety Trailer.

4. Cleaning the Fire Safety Trailer and re-stocking consumed supplies before returning it to the County.

5. Absorbing costs for repair of damages to the fire Trailer that may occur while in Users possession.

6. Provide liability coverage for injuries or death that may occur to visitors of the Fire Safety Trailer while in User's possession. User shall provide County with a certificate of insurance naming the County as an additional insured. The coverage shall be:

i. A minimum of one million dollars (\$1,000,000.00) per occurrence for death or injury to visitors.

ii. Maximum of fifty-five thousand dollars (\$55,000.00) for repair or replacement of the Fire Safety Trailer and its contents.

7. Costs relating to insuring, transporting and operating the Fire Safety Trailer shall be the responsibility of the User.

V. COUNTY'S RIGHT TO INSPECT

County shall have the right at any time during normal business hours to enter on the premises where the Fire Safety Trailer is located for the purpose of inspecting it or observing its use, maintenance and operation.

VI. USER'S INSPECTION AND ACCEPTANCE

User acknowledges that it has inspected the Fire Safety Trailer prior to using it pursuant to this Agreement, that it is in good condition, and that User has accepted the Fire Safety Trailer in good condition.

VII. RETURN OF PROPERTY

On the expiration or termination of this Agreement, User agrees to return to County, at User's own expense, the Fire Safety Trailer in as good a condition as it was when delivered to user, ordinary wear and tear resulting from Fire Safety Trailer use alone excepted, and free from all liens and encumbrances, to the County's Fire Training Center, located at 9 Fire Training Lane, New Hampton, NY 10958.

VIII. WARRANTIES

County does not make any warranties, express or implied, nor shall any warranties arise by operation of law, as to the Fire Safety Trailer, including fitness for any particular use, merchantability, design, capacity, or performance.

IX. USE, CARE AND OPERATION OF PROPERTY

User shall use the Fire Safety Trailer in a careful and proper manner, and shall comply with all laws and regulations prescribed by governmental authority and with the County's instructions relating to the possession, use, maintenance, repair, and operation of the Fire Safety Trailer.

X. AUTHORITY OF COUNTY REPRESENTATIVES

1. This Agreement must be executed by the County Executive, or his or her designee, in order to bind the County.
2. The Deputy Commissioner of the Division of Fire Services, or his or her designee, shall serve as the County's authorized representative for the administration of this Agreement.
2. The Deputy Commissioner of the Division of Fire Services, shall have the authority to issue written procedures for use of the Fire Safety Trailer under this Agreement.
3. The Deputy Commissioner of the Division of Fire Services, or his or her designee, shall have the authority to approve or disapprove use of the Fire Safety Trailer by any User.
4. The Deputy Commissioner of the Division of Fire Services, or his or her designee, is authorized to require Users to undergo any orientation or refresher orientation he or she may deem necessary for safe transportation and operation of the Fire Safety Trailer.

XI. ALTERATIONS

User shall not make any alterations, additions or improvements to the Fire Safety Trailer without the prior written consent of County. All such additions and improvements shall immediately become the property of County and subject to the terms of this Agreement.

XII. LOSS OR DAMAGE

User assumes all risks of loss of or damage to the Fire Safety Trailer from any cause and shall reimburse the County for any loss or damages to the property. This provision shall survive any expiration or termination of this Agreement.

XIII. INDEMNIFICATION AND HOLD HARMLESS

User agrees to indemnify, defend and hold the County harmless from all actions, suits, liabilities or damages resulting from, or arising out of, any acts or omissions by the User, its agents, employees, customers, or invitees in the occupation or use of the Fire Safety Trailer, and to pay all costs, including but not limited to litigation expenses and reasonable attorneys fees, connected therewith. This provision shall survive any expiration or termination of this Agreement.

XIV. ASSIGNMENT OR SUBLEASING BY USER

User shall not assign, sublet or transfer any of its rights under this Agreement without the prior written consent of County. User shall not lend or allow the Fire Safety Trailer to be used by any person other than User's employees, without the prior written consent of County.

XV. WAIVER

No delay or omission to exercise any right of County under this Agreement shall be construed as a waiver of any such right or as impairing any such right. Any waiver by County of a single breach or default shall not be construed as a waiver of any prior or subsequent breach or default.

XVI. SEVERABILITY

If a court of competent jurisdiction holds any provision of this Agreement invalid, it shall be considered deleted from this Agreement, but such invalidity shall not affect the other provisions that can be given effect in the absence of the invalid provisions.

XVII. GOVERNING LAW

This Agreement shall be governed by and construed in accordance with the laws of the State of New York, regardless of any conflicts of laws or rules that would require the application of another jurisdiction's laws.

XVIII. NOTICE

All notices as required in this Agreement shall be in writing. Except as otherwise provided herein, all notices may be given by certified mail, by personal delivery, by nationally recognized overnight courier service or by facsimile. Notice by certified mail will be effective upon sending provided such notice is simultaneously transmitted by facsimile, subject to the confirmation requirements contained herein. Notice by personal delivery will be effective upon delivery to the other party. Notice by nationally recognized overnight courier service shall be effective one (1) day after delivery of notice to such overnight courier service. Notice by facsimile will be effective upon receipt by the other party. If notice is given by facsimile, the sender thereof shall,

immediately after sending such notice, confirm by telephone, addressee's receipt of such notice. Notices to the County and the User must be addressed to the address or addresses of the respective party as set forth above. All reference to "days" in this Section XVIII shall be deemed to mean calendar days.

County Contact:

Name: James McCann
Title: Training Center Manager
Address: 9 Training Center Lane,
New Hampton, NY 10958

Phone No.: 845-374-1900

User Contact:

Name: Joseph DeStefano
Title: Mayor
Address: 16 James St.
Middletown, NY 10940

Phone No.: 845-346-4100

Fax No.: N/A

Email: pgalli@middletownpolice.com

XVIX. ENTIRE AGREEMENT

This Agreement constitutes the entire Agreement between the parties. This Agreement shall not be amended except by written Agreement signed by both parties.

XX. HEADINGS

Headings or titles to sections or paragraphs of this Agreement are solely for the convenience of the parties and shall have no affect whatsoever on the interpretation of the provisions of this Agreement.

COUNTY

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

Date: _____

USER

By: _____ (Signature)

Joseph DeStefano (Printed)

Mayor (Title)

Date: _____



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderman Jean-Francois
Date of Adoption: February 20, 2024
Index No: 35-24

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Surplus Vehicles in the Police Department

WHEREAS, the following vehicles are in disrepair, needing work that would cost more than the value of the vehicles;

NOW THEREFORE BE IT RESOLVED; that the Common Council concurs with the Board of Estimate and Apportionment and declares the following vehicles as surplus property and authorizes their disposal at a vehicle auction.

Year	Make	VIN Number	Vehicle number	Color	Issue(s)
2014	Ford	1FAHP2MKXEG101152	33	Marked patrol	Engine, exhaust, frame
2007	Chevrolet	1GNFK03087R405178	31	TAC	Various electrical issues
2009	Chevrolet	2G1WT57N691292859	29	Parking	Electrical issues

Prepared by:
John Ewanciw, Chief of Police

Attachments:

1.	2024 VEHICLES SURPLUS- AUCTION
----	--------------------------------

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

February 9, 2024

Honorable Joseph M. DeStefano &
City of Middletown Common Council
16 James Street
Middletown, NY 10940

Dear Mayor DeStefano and Members of the Common Council:

Please accept this letter as my request to declare the following vehicles as surplus property:

year	make	vin number	vehicle number	color	issue(s)
2014	Ford	1FAHP2MKXEG101152	33	marked patrol	engine, exhaust, frame
2007	Chevrolet	1GNFK03087R405178	31	TAC	various electrical issues
2009	Chevrolet	2G1WT57N691292859	29	Parking	Electrical issues

These vehicles are in disrepair needing work that would cost more than the value of the vehicles. They would be disposed of by utilizing a vehicle auction.

If you have any questions please do not hesitate to 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 Green
Date of Adoption: February 20, 2024
Index No: 36-24

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to increase the Part Time Police Assistant rate increase to \$23/hr

BE IT RESOLVED; that the Common Council concurs with the Board of Estimate and Apportionment and authorizes a one-dollar (\$1) an hour change from \$22/hr to \$23/hr for a part-time Police Assistant.

Prepared by:
John Ewanciw, Chief of Police

Attachments:

1.	pt police assistant increase
----	------------------------------

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

February 9, 2024

Honorable Joseph M. DeStefano &
City of Middletown Common Council
16 James Street
Middletown, NY 10940

Dear Mayor DeStefano and Members of the Common Council:

I am requesting consideration for the change of rate for the Part time clerical position as Police Assistant from \$22 per hour to \$23 per hour.

If you have any questions please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Ewanciw". The signature is stylized with a large, looped "J" and "E".

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 Witt
Date of Adoption: February 20, 2024
Index No: 37-24

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Amend the 2024 Transportation Program Contract to Increase the Total Cost to \$25,635.00

BE IT RESOLVED; that the Common Council concurs with the Board of Estimate and Apportionment and authorizes an amendment to an agreement with the County of Orange for Title III-B funding for the Transportation Program, increasing the cost from \$23,200.50 to \$25,635.00.

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

BE IT FURTHER RESOLVED that the Common Council concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to add the additional funding to GA.4089 Other Government Aid.

Prepared by:
Julisa Sierra, Senior Center Dir

Attachments:

1.	Amendment #5 for 2024
2.	City of Middletown Resolution



ORANGE COUNTY AMENDMENT

NO: 5

EFFECTIVE DATE: January 1, 2024

VENDOR: City of Middletown

AGREEMENT FOR: Title III-B Funding for Transportation Services for the Elderly (RFP OFA01-20)

The Agreement for Vendor Services, dated January 1, 2021, between the **COUNTY OF ORANGE** (“County”) and City of Middletown (“Vendor”) as previously amended by Amendment No. 4 dated November 8, 2023, as previously amended and extended by Amendment No. 3 dated January 1, 2023, as previously amended by Amendment No. 2 dated September 1, 2022, as previously amended and extended by Amendment No.1 dated January 1, 2022 (“Agreement”) is hereby further amended and extended as follows:

- 1) **EXTENSION OF TERM.** The County hereby exercises its third option to extend the term of the Agreement for an additional one (1) year period commencing January 1, 2024, and ending December 31, 2024. (Renewal Term #3)
- 2) The annexed Schedule B-4 hereby supersedes and replaces Schedule B-3 (annexed to Amendment #4) in its entirety.
- 3) **NOT-TO-EXCEED COST.** The not-to-exceed cost set forth in Article 3 of the Agreement is increased by \$25,635.00 to \$137,740.50 as more particularly set forth below.
- 4) **SEXUAL HARASSMENT CERTIFICATION.** Pursuant to the New York State Finance Law §139-l, by execution of this Amendment No. 5 the Vendor and the individual signing this Amendment No. 5 on behalf of the Vendor certifies, under penalty of perjury, that the Vendor has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of Section 201-g of the New York State Labor Law. A model policy and training has been created by the New York State Department of Labor and can be found on its website at:

<https://www.ny.gov/programs/combating-sexual-harassment-workplace>

The County’s policy against sexual harassment and other unlawful discrimination and harassment in the workplace can be found on the County’s website at:

<https://www.orangecountygov.com/1137/Human-Resources>

- 5). **INTEGRATION.** Except as modified by this Amendment No. 5, the Agreement shall remain unchanged and in full force and effect. The terms used in this Amendment No. 5, unless otherwise defined in this Amendment No. 5, shall have the meanings as set forth in the Agreement. If there shall be any conflict or inconsistency between the terms and conditions of this Amendment No. 5, and the Agreement, the terms and conditions of this Amendment No. 5, shall control.

6). **SIGNATURES.** A manually signed copy of this Amendment No. 5, delivered by facsimile, email, or other means of electronic transmission shall be deemed to have the same legal force and effect as delivery of an original signed copy of this Amendment No 5.

The foregoing changes result in the following adjustment of Agreement not-to-exceed cost and term as follows:

Agreement Not-to-Exceed Cost Prior to this Amendment	\$112,105.50
Net Increase resulting from this Amendment	\$25,635.00
Agreement Not-to- Exceed Cost including this Amendment	\$137,740.50
Agreement Term Prior to this Amendment	1/1/2021 – 12/31/2023
Agreement Term including this Amendment	1/1/2021 – 12/31/2024.

COUNTY

VENDOR

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

SCHEDULE B-4

FEES AND EXPENSES

UNITS OF SERVICE	UNIT COST	TOTAL BUDGET/ COST OF SERVICE
6,344 units of Transportation	\$20.77 (per one way trip per person)	\$131,764.00

The COUNTY and VENDOR agree that the sources utilized to fund the Total Cost of Service of \$131,764.00 shall be as follows:

(a) Area Agency Funds – For the satisfactory provision of the SERVICES, the COUNTY will reimburse VENDOR in a total amount not to exceed \$25,635.00;

(b) Anticipated Income – Voluntary contributions in the amount of \$6,315.00 anticipated to be received during the term of this Agreement from those individuals who receive the SERVICES from VENDOR pursuant to this Agreement, which shall be retained by VENDOR and used to expand the SERVICES; and

(c) Subcontractor Funds – VENDOR shall contribute the sum of \$99,814.00.
to the cost of the SERVICES after application of those voluntary contributions received from those individuals who receive the SERVICES.

Please Note - Vendor acknowledges and understands that the risk that the voluntary contributions actually received may be less than the \$6,315.00 projected on Schedule B-4 to the Agreement shall be borne by Vendor.



Senior Transportation: (845) 346-4070
Senior Activities: (845) 346-4071
Fax: (845) 346-4072

City of Middletown, New York
Mulberry House Senior Center
62-70 West Main St
Middletown, NY 10940

Center Information: (845) 346-4073
Senior Travel: (845) 346-4074
Director: (845) 346-4075

December 13, 2023

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

The Senior Citizen Department, Mulberry House Senior Center respectfully requests the Board of Estimate recommend and the Common Council approve a resolution to accept additional funding of \$23,200.50 from 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 for the Aging, within Senior Center, Goldenarea Transportation program as follows.

Also requesting to authorize the Treasurer to add the funding to the Other Govt Aid GA.4089.

Sincerely,

Julisa Sierra

Julisa Sierra

CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

Prepared by:
Julisa Sierra, Senior Center Dir

Attachments:
None



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Green
Seconded by: Alderman Kleiner
Date of Adoption: February 20, 2024
Index No: 39-24

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Accept the 2023 COPS Technology Grant in the amount of \$300,000

BE IT RESOLVED; that the Common Council concurs with the Board of Estimate and Apportionment and accepts a \$300,000 grant to participate in the COPS Technology and Equipment Program effective through December 31, 2024.

BE IT FURTHER RESOLVED; that the Common Council concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to deposit the funds into the COPS grant budget line, A.3134.200

The FY 2023 COPS Office Technology and Equipment Program (TEP) is an invitation only grant program designed to develop and acquire effective equipment, technologies, and interoperable communications that assist in responding to and preventing crime.

Prepared by:
John Ewanciw, Chief of Police

Attachments:

1.	DOJ COPS GRANT 20232024
----	-------------------------

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

February 14, 2024

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

RE: 15JCOPS-23-GG-01692-TECP
FY 2023 COPS Technology and Equipment Program Invitational Solicitation

Dear Mayor DeStefano and Members,

The City of Middletown Police Department has been awarded \$300,000 to participate in the COPS Technology and Equipment Program effective through December 31, 2024.

The FY 2023 COPS Office Technology and Equipment Program (TEP) is an invitation - only grant program designed to develop and acquire effective equipment, technologies, and interoperable communications that assist in responding to and preventing crime.

Upon approval, I am asking that this funding be added to the already created COPS grant budget line, A.3134.200.

Thank you.

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 Witt
Seconded by: Alderman Jean-Francois
Date of Adoption: February 20, 2024
Index No: 40-24

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorizes an Agreement with H2O for services at the Water Treatment Plant at a rate of \$24,062.50 per month and at the Waste Water Treatment Plant at a rate of \$31,918.75, per month

BE IT RESOLVED; that the Common Council concurs with the Board of Estimate and Apportionment and authorizes an agreement with H2O, dated February 8, 2024, for monthly services at the Water Treatment Plant (WTP) and Waste Water Treatment Plan (WWTP). The fee for services at the WTP for 2024 will be a total of \$24,062.50 per month for 12 months. This is currently a budgeted item. The fee for services, plus an additional full-time 3A operator, at the WWTP for 2024 will be a total of \$31,918.75 per month for 12 months. This is currently a budgeted item.

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

Prepared by:
Jacob Tawil

Attachments:

1.	MEMO- BOE H2O-JCO 2024 RENEWAL WTP WWTP
----	---

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: February 9, 2024
To: Honorable Mayor DeStefano, Members of the Board of Estimate
and Apportionment, Members of the Common Council
Cc: Leonora Liz, Treasurer and Richard McCormack, City Clerk
From: Jacob Tawil, Commissioner of Public Works
Re: Approval of Proposal from H2O for Services at the WTP & WWTP

We are hereby requesting you to consider and approve the enclosed proposal from H2O, dated February 8, 2024, requesting renewal of the contracts for monthly services at the WTP and WWTP.

The fee for services at the WTP for 2024 will be a total of \$24,062.50 per month for 12 months. This is currently a budgeted item.

The fee for services, plus an additional full time 3A operator, at the WWTP for 2024 will be a total of \$31,918.75 per month for 12 months. This is currently a budgeted item.

Thank you.

JT/kg



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 20, 2024
Index No: 41-24

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization for 2024 Annual Spring Clean Up and Electronic Drop Off Day

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the 2024 Annual Spring Clean Up and Electronic Drop Off Day based on the following schedule:

Week of April 8, 2024, 4th Ward
Week of April 15, 2024, 3rd Ward
Week of April 22, 2024, 2nd Ward
Week of April 29, 2024, 1st Ward

Saturday, May 11, 2024, Electronic Drop Off Day from 8 AM-3 PM under the same conditions as in previous years with drop off to be located at DPW facilities at 76 Monhagen Ave. DPW employees will be present to assist in the operation.

BE IT FURTHER RESOLVED; that the Common Council concurs with the Board of Estimate and Apportionment and authorizes the Commissioner of Public Works to hire Advanced Recycling at \$1,900 per

day for picking up the electronic recycling.

Prepared by:
Jacob Tawil

Attachments:

1.	MEMO- 2024 SPRING CLEAN UP AND ELECTRONIC PICK UP MEMO
----	--

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: February 13, 2024

To: Honorable Mayor DeStefano, Honorable Members of the Board
of Estimate and Apportionment, Members of the Common Council

Cc: Leonora Liz, Treasurer, Richard McCormack, Clerk

From: Jacob Tawil, Commissioner of Public Works

Re : 2024 Spring Annual Clean Up Week and Electronics Drop Off Event

We are respectfully requesting a resolution approving the attached dates for the City's annual spring clean-up and electronic drop off event.

Spring Clean Up will begin on Monday April 8, 2024 in the Fourth Ward, April 15, 2024 in the Third Ward, April 22, 2024 in the Second Ward and will end the week of April 29, 2024 in the First Ward. The pickup schedule is attached.

Following the Spring Clean Up, an Electronics Drop Off Event for City residents will be scheduled for Saturday May 11, 2024 from 8:00am until 3:00pm, under the same conditions as per previous years with drop off to be located at DPW facilities at 76 Monhagen Ave. DPW employees will be present to assist in the operation. We are requesting authorization that the Commissioner of Public Works be able to hire Advanced Recycling at a price of \$1,900 per day for picking up the electronic recycling.



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Johnson
Seconded by: Alderman Witt
Date of Adoption: February 20, 2024
Index No: 42-24

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	7		1	1

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Approval of the Volunteer Firefighters Length of Service Award Program (LOSAP) List for 2023

BE IT RESOLVED that the Common Council of the City of Middletown hereby approves the attached Volunteer Firefighters Length of Service Award Program (LOSAP) List for 2023.

Prepared by:
Andrew Green, Secretary

Attachments:

1.	LOSAP City Hall Forms
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2023 FIRE DEPARTMENT SERVICE CERTIFICATION FORM

SERVICE AWARD PROGRAM

City of Middletown

Middletown Fire Department

DEADLINE: March 31, 2024

INSTRUCTIONS

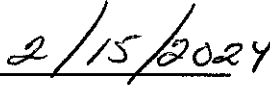
New York State General Municipal Law requires that a list of members of the Fire Department indicating who earned a year of service credit during 2023, those who did not earn a year of service credit during 2023, and those who waived participation must be certified under oath by the President, Secretary, and Chief (or comparable officers). Once complete, the entire 2023 Data Request Package should be sent to the City of Middletown for approval.

CERTIFICATION

We certify under oath that the attached list includes all active members of the Fire Department during the 2023 calendar year and indicates the points earned by each volunteer in accordance with the Service Award Program Point System which will be used to determine who will be credited with a year of service. We further certify that any prior service credit reported on the listing was earned during 2023 in accordance with the provisions of the Service Award Program.



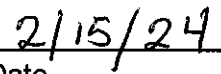
President Signature



Date



Secretary Signature



Date

Fire Company Official Signature

Date

2023 SPONSOR APPROVAL FORM

SERVICE AWARD PROGRAM

City of Middletown

Middletown Fire Department

DEADLINE: May 1, 2024

INSTRUCTIONS

This form is to be signed by either the clerk (along with a copy of the certified resolution) or by all members of the City of Middletown governing board once the certified service listing has been reviewed and approved by the Board. Once this form has been completed, the entire Data Request Package should be returned to the Fire Department so that the list can be posted for at least 30 days as required by New York State Law.

APPROVAL

By resolution of the City of Middletown governing board, the 2023 service listing of all volunteer firefighters of the Middletown Fire Department has been approved. Attached is a certified copy of the resolution.

Clerk Signature

Date

If a copy of the certified resolution is not available, please have all members of the governing board sign below. The City of Middletown herein approves the Service Award Program list of all 2023 active members of the Fire Department.

Governing Board Member Signature

Date

Governing Board Member Signature

Date

Governing Board Member Signature

Date

Governing Board Member Signature

Date

Governing Board Member Signature

Date

2023 SPONSOR AUTHORIZATION FORM

SERVICE AWARD PROGRAM

City of Middletown

Middletown Fire Department

DEADLINE: July 1, 2024

This form is to be signed by the Supervisor of the City of Middletown after the 2023 service listing has been posted for 30 days, as certified by the completion of the 2023 Fire Department Posting Certification Form. Please sign and return the entire Data Request Package to:

Penflex Actuarial Services, LLC
50 Century Hill Drive, Suite 3
Latham, NY 12110

AUTHORIZATION

I hereby authorize Penflex Actuarial Services, LLC to use the data submitted herein for the active volunteer firefighters Service Award Program 2023 records. I understand this data will be used to determine the funding requirements of the Service Award Program, the eligibility of participants to be paid Service Award Program benefits, and the amount of benefits to be paid to such persons. I understand that if any of the 2023 administrative services provided by Penflex Actuarial Services, LLC must be redone due to errors in the data submitted herein, there may be an additional charge payable by the Program Sponsor. I further understand that Penflex Actuarial Services, LLC will not be liable for any errors in the calculation of the amounts due or payable from the Service Award Program Trust Fund which is the direct result of error(s) in the data submitted herein.

Signature
Mayor of the City of Middletown

Date

2023 Service Award Program Firefighter Records
Middletown Fire Department Service Award Program

		Accrued 2023		Service Points		Mailing Address	City, State & Zip Code	Status
Last Name	First Name	MI	Date of Birth	Gender	Credit Earned			
1	Abrue	Simon	12/31/1962	M	0	20 Robertson Drive	Middletown, NY 10940	Active
2	Adams	Keith	12/18/1991	M	1	272 North Stree Apt 2F	Middletown, NY 10940	Active
3	Al-Amin	Abdul	11/9/1968	M	1	58 Brewster	Middletown, NY 10940	Active
4	Alicea	Carlos	3/25/1983	M	1	39 Grand Ave.	Middletown, NY 10940	Active
5	Anzures	Telesforo	1/5/1977	M	5	74 Sheffield Drive	Middletown, NY 10940	Active
6	Barber	Nicholas	1/3/1968	M	9	56 Phillip Street	Middletown, NY 10940	Active
7	Barone	Eric	10/8/1996	M	6	41 Harrison Street	Middletown, NY 10940	Active
8	Barone	Evan	6/17/1994	M	0			Active
9	Barone	Samuel	6/21/1960	M	8	41 Harrison Street	Middletown, NY 10940	Entitled 7/2020
10	Battisti	Arthur	7/21/1955	M	3	14 Ogden Street	Middletown, NY 10940	Entitled 10/2015
11	Baudendistel	Brandon	8/30/1991	M	2	2 Schoonmaker Drive	Middletown, NY 10940	Active
12	Bennet	Robert	3/10/1980	M	9	PO Box 82	Middletown, NY 10940	Active
13	Blakeslee	Archie	11/17/1926	M	6	35 Belmont Avenue	Middletown, NY 10940	Active
14	Boyea	Amber	5/16/1994	F	2	100 Stratford Lane	Middletown, NY 10940	Active
15	Brady	Robert	7/8/1971	M	9	50 Gardner Avenue	Middletown, NY 10940	Active
16	Bromley	George	9/25/1963	M	0			Active
17	Browne	Alexander	11/24/1995	M	1	14 Knapp Avenue	Middletown, NY 10940	Active
18	Browne	Roberto	4/13/1955	M	0			Active
19	Bruno	Lucia	7/10/2001	F	1	22 Rose Crest Court	Middletown, NY 10940	Active
20	Caba	Juan	10/4/1972	M	6	31 Ogden Street	Middletown, NY 10940	Active

Please reference the *Instructions* before completing the listing. All blank entries must be completed prior to certification.

2023 Service Award Program Firefighter Records
Middletown Fire Department Service Award Program

Last Name	First Name	MI	Date of Birth	Gender	Accrued 2023		Mailing Address	City, State & Zip Code	Status
					Service Credit	Points Earned			
21	Catillos	Elliot	7/27/1975	M	0	___	6 Houston Avenue	Middletown, NY 10940	Active
22	Cauchard	Richard	M. 12/20/1966	M	9	88	16 State Street	Cttsville, NY 10963	Entitled 10/2019
23	Concepcion	Clinton	D. 10/30/1985	M	7	___	PO Box 891	Middletown, NY 10940	Active
24	DeGroat Jr.	Stewart	5/29/1967	M	4	75	33 Horton Avenue	Middletown, NY 10940	Active
25	Delgado	Rodolfo	4/23/1990	M	0	___	64 Montgomery Street	Middletown, NY 10940	Active
26	Deillo	Christopher	J. 6/5/1957	M	1	___	580 S. Centerville Road	Middletown, NY 10940	Entitled 4/2022
27	Dineen Jr.	Patrick	2/22/1994	M	0	___	___	___	Active
28	Dineen Sr.	Patrick	8/27/1968	M	1	___	45 Broad Street	Middletown, NY 10940	Active
29	Duggan	Kevin	10/19/1960	M	0	___	___	___	Active
30	Elia Jr.	Dominick	R. 9/26/1970	M	2	105	83 Watkins Avenue	Middletown, NY 10940	Active
31	Flores	Carlos	F. 10/13/1961	M	8	66	230 Highland Avenue	Middletown, NY 10940	Active
32	Flores	Gilbert	J. 3/11/1969	M	5	___	11 Bonnell Street	Middletown, NY 10940	Active
33	Fox	Jay	4/6/1966	M	0	___	___	___	Active
34	Freundlich	Gary	11/21/1984	M	6	___	328 Concord Lane	Middletown, NY 10940	Active
35	Fucci	Bryan	M. 2/26/1991	M	2	___	38 Roosevelt Avenue	Middletown, NY 10940	Active
36	Galarte	Ian	2/4/1973	M	0	___	___	___	Active
37	Garlinghouse	Randie	11/8/1969	M	0	___	___	___	Active
38	Genoval	Eddie	6/6/1982	M	3	___	133 Lake Avenue	Middletown, NY 10940	Active
39	Gerow	Sean	M. 3/25/1971	M	8	___	16 Heather Lane	Middletown, NY 10940	Active
40	Gomez	Jonathan	1/25/1996	M	0	___	___	___	Active

Please reference the *Instructions* before completing the listing. All blank entries must be completed prior to certification.

2023 Service Award Program Firefighter Records

Middletown Fire Department Service Award Program

Last Name		First Name	MI	Date of Birth	Gender	Accrued Service Credit	2023 Points Earned	Mailing Address	City, State & Zip Code	Status
41	Gonzalez	Jose		6/30/1967	M	0				Active
42	Gordon	Kristopher		5/10/1994	M	0				Active
43	Green	Andrew		2/14/1989	M	1	91	Clairmont Court	Middletown, NY 10940	Active
44	Green	Coty	B.	4/15/1996	M	8	62	8 Wirthrop Avenue	Middletown, NY 10940	Active
45	Hagan	Bernard	J.	4/26/1982	M	6	70	54 Sprout Street	Middletown, NY 10940	Active
46	Healy	Joseph		5/4/1991	M	4	73	323 Highland Ave.	Middletown, NY 10940	Active
47	Hussini	Michael		5/3/1975	M	0		161 Wisner Avenue	Middletown, NY 10940	Active
48	Inholz Jr.	William		3/19/1992	M	2				Active
49	Inzarry Jr.	Leonides		11/14/1967	M	0		158 W. Main Street Apt. 2	Middletown, NY 10940	Active
50	Jones	Lillian		5/21/1987	F	1		75 Hudson Street	Port Jervis, NY 12770	Active
51	Kelder	William			M	0				Active
52	Kent	Gerard		2/14/1970	M	2				Active
53	Lewis	Anthony		11/19/1998	M	1		20 Irwin Avenue	Middletown, NY 10940	Active
54	Lewis	Kyle		10/16/1995	M	2				Active
55	Lewis	Maurice		2/16/1984	M	1				Active
56	Lewis Jr.	Gerard	E.	2/11/1989	M	7	75	8 Hickory Terrace	Middletown, NY 10940	Active
57	Luis Jr.	Don	B.	8/17/1961	M	9	84	11 Keystone Park	Middletown, NY 10940	Entitled 10/2021
58	Lybolt	Mark		12/24/1967	M	1				Active
59	Maclean	Randy	A.	10/23/1965	M	9	95	48 Lake Avenue	Middletown, NY 10940	Active
60	Manis	Drew	S.	12/26/1996	M	7	84	11 Thomas Jefferson Place	Middletown, NY 10940	Active

Please reference the *Instructions* before completing the listing. All blank entries must be completed prior to certification.

2023 Service Award Program Firefighter Records

Middletown Fire Department Service Award Program

Last Name		First Name		MI	Date of Birth	Gender	Accrued Service Credit	2023 Points Earned	Mailing Address	City, State & Zip Code	Status
61	Matos Jr.	Wilberto			11/3/1995	M	1	___	27 W. Main Street	Middletown, NY 10940	Active
62	Menard	Christopher	M.		3/1/1971	M	6	___	163 Wickham Avenue	Middletown, NY 10940	Active
63	Mojica	Jose	F.		2/16/1945	M	9	80	6 Westminster Drive	Middletown, NY 10940	Entitled 1/2021
64	Murphy	Joseph			12/22/1983	M	0	___	___	___	Active
65	Ortiz	Cesar			8/29/1995	M	1	___	2 Schindler Court Apt. 3	Middletown, NY 10940	Active
66	Perna	Paul			7/22/1961	M	0	___	___	___	Active
67	Perna Jr.	George	W.		6/11/1956	M	9	73	17 Keystone Park	Middletown, NY 10940	Active
68	Predmore Sr.	Kevin	M.		4/1/1970	M	5	64	98 Grand Ave.	Middletown, NY 10940	Active
69	Prokopchak	Peter	A.		12/11/1956	M	0	___	P.O. Box 2352	Middletown, NY 10940	Active
70	Reyes	Dominic			6/2/1960	M	1	N/A	4 Arden Court	Middletown, NY 10940	Deceased 6/2020
71	Rodrigues	Julio			7/27/1987	M	4	50	260 E. Main Street	Middletown, NY 10940	Active
72	Rowley	Patrick	J.		4/17/1962	M	8	55	79 Beattie Avenue	Middletown, NY 10940	Active
73	Russo	Edmund	J.		8/18/1965	M	2	___	5 Livingston Street	Middletown, NY 10940	Active
74	Ryder	Daniel	K		4/24/1968	M	1	___	279 East Main Street	Middletown, NY 10940	Active
75	Ryder	Dustyn			4/5/1995	M	2	___	279 E Main Street	Middletown, NY 10940	Active
76	Saldana	Jacen			12/30/1995	M	0	___	___	___	Active
77	Shah	Anish			11/29/1978	M	0	___	___	___	Active
78	Silvermail	Heidi	M.		2/7/1980	F	1	___	16 Horton Ave	Middletown, NY 10940	Active
79	Simpson	Dorothy			7/11/1980	F	0	___	___	___	Active
80	Sinclair	Easie			7/11/1980	M	0	___	___	___	Active

Please reference the *Instructions* before completing the listing. All blank entries must be completed prior to certification.

2023 Service Award Program Firefighter Records
Middletown Fire Department Service Award Program

Last Name		First Name	MI	Date of Birth	Gender	Accrued Service Credit	2023 Points Earned	Mailing Address	City, State & Zip Code	Status
81	Slingerland	Ashleigh		3/12/1993	F	1	___	126 Fairfax Ave.	Middletown, NY 10940	Active
82	Soriano	Robert		6/22/1996	M	0	___	___	___	Active
83	Stell	Donna		___	F	0	___	___	___	Active
84	Stephens Jr.	Regan	R.	6/17/1976	M	2	___	80 Tall Oaks Drive	Middletown, NY 10940	Active
85	Stephens Sr.	Regan		10/28/1950	M	5	___	80 Tall Oaks Drive	Middletown, NY 10940	Entitled 10/2015
86	Tiffany	Wayne	D.	8/9/1946	M	9	61	304 Congers Avenue	Northvale, NJ 07647	Active
87	Torres	Steven		5/17/1995	M	2	___	___	___	Active
88	Vazquez	Josh		7/13/1996	M	0	___	___	___	Active
89	Veillard	Edwin		4/18/1981	M	0	___	___	___	Active
90	Waizenegger	Edward	J.	8/18/1956	M	9	59	138 North Beacon Street	Middletown, NY 10940	Entitled 10/2016
91	Waizenegger	Mark		10/27/1983	M	0	___	___	___	Active
92	Walker	Chris		___	M	0	___	___	___	Active
93	Williams	Leighton		6/13/1977	M	4	93	19 Hoover Drive	Middletown, NY 10940	Active

Please reference the *Instructions* before completing the listing. All blank entries must be completed prior to certification.

Middletown Fire Department Service Award Program

Points

[illegible]



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 20, 2024
Index No: 43-24

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Amend City Code ordinances to Provide for a Student Transport Medallion

WHEREAS, at the recommendation of the Police Department, the Common Council wishes to amend the City of Middletown's taxicab ordinances to provide for a student transport medallion, and

NOW, therefore, be it RESOLVED AND ORDAINED by the Common Council of the City of Middletown as follows:

Section 1. Chapter 433 of the Code of the City of Middletown, Taxicabs, is hereby amended by adding a new Subsection F to Section 433-14, License Plate and Card, to read as follows:

F. Student transport taxicab license. Owners of vehicles larger than a four-door sedan or station wagon that are used to lawfully transport children to and from schools must apply for a student transport taxicab license. Such applicants must comply with all of the requirements of this section and chapter, except the auction provisions contained in § 433-24D(3) and the rate card provisions contained in § 433-20B, and except as otherwise provided in this chapter. The fee for a student transport taxicab license shall be \$300. Student transport taxicab licenses shall be limited to 15 and are not transferable. Such licenses shall be

issued as of April 1 in each and every year and shall expire on the March 31 next succeeding, unless sooner suspended or revoked. A student transport taxicab license must be issued for a specific vehicle, and shall not be used for any other vehicle, except by permission of the Chief of Police or his designee. A violation of any provision of this subsection shall result in the revocation of the student transport taxicab license, as well as subject the violator to any of the penalties provided in Section 433-27 of this chapter.

Section 2. Chapter 433 of the Code of the City of Middletown, Taxicabs, is hereby amended by adding a new Paragraph (6) to Subsection C of Section 433-13, Inspection before licensing vehicles; insurance, to read as follows:

(6) Student transport vehicles. Student transport vehicles licensed pursuant to the provisions of § 433-14F of this chapter must be inspected in accordance with all of the provisions of Subsection B and Subsection C(1) through (4), above.

Section 3. Chapter 433 of the Code of the City of Middletown, Taxicabs, is hereby amended by adding a new sentence at the end of Paragraph (1) of Subsection A of Section 433-20, Rates of fare, to read as follows:

The provisions of this Subsection shall also not apply to any provider of student transport services who has received a student transport license pursuant to the provisions of this Chapter.

Section 4. Chapter 433 of the Code of the City of Middletown, Taxicabs, is hereby amended by adding a new sentence at the end of Paragraph (1) of Subsection C of Section 433-20, Rates of fare, to read as follows:

The provisions of this Subsection shall also not apply to any provider of student transport services who has received a student transport license pursuant to the provisions of this Chapter.

Section 5. This ordinance shall take effect immediately.

Prepared by:
Alex Smith, Corporation Counsel

Attachments:

None



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Witt
Seconded by: Alderman Kleiner
Date of Adoption: February 20, 2024
Index No: 44-24

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization for a Reduction in the Performance Bond for ADC Middletown LLC, (Magnolia Park) to \$197,580

BE IT RESOLVED; that the Common Council concurs with the Board of Estimate and Apportionment and authorizes a reduction of the performance bond for ADC Middletown LLC from \$3,440,107.41 to \$197,580 based on the attached recommendation.

Prepared by:
Jacob Tawil

Attachments:

1.	ADC Middletown LLC Bond Reduction Request and Maintenance Bond Ltr. Updated 1.18.24.
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27 November 2023
Updated 15 January 2024

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

Re: **ADC Middletown, LLC – Performance Bond Reduction Request 22 November 2023**
Maintenance Bond for Proposed Dedicated Roads

Dear Mr. Tawil,

Pursuant to the request of ADC Middletown LLC, I have reviewed the work completed to date on the above-referenced project.

I have performed SWPPP (stormwater reviews) and infrastructure oversight since project initiation and I am familiar with the site development work.

Attached is a spreadsheet comparing the original project scope versus the work completed as of 22 November 2023. The original project budget was \$3,637,687.41.

In my professional opinion, the value of the work completed as of 22 November 2023 is \$3,440,107.41. ADC Middletown LLC would like to have their **performance bond reduced to \$197,580.00** reflecting the work remaining to be completed. The work remaining is the installation of the top asphalt course on Anthony Street.

ADC Middletown, LLC has also submitted dedication deeds and associated supporting documentation to dedicate the portion of Magnolia Park Road (Road A) from its intersection with East Main Street, approximately 1,382 feet to Oak Hill Road (Road B) and the entirety of Oak Hill Road (Road B) from Magnolia Park Road (Road A) to Anthony Street, approximately 325 feet. The total length of the roadways proposed to be dedicated is 1,707 feet.

The original bond amount was \$3,637,687.41. The total length of the roadways in the project is approximately 4,625 feet resulting in a construction cost of approximately \$786.53 per foot. The total bond amount included site work, streets, storm water drainage, water supply and sanitary sewer.

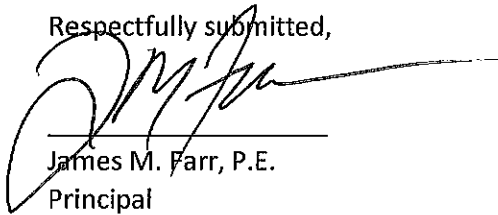
Based on the original bond amount of \$3,637,687.41, the cost per foot for the improvements was \$786.53 per foot, the total length of the roadways to be dedicated is 1,707 feet resulting in a total cost of the improvements to be dedicated of \$1,342,606.71 (1,707 feet of roadway x \$786.53). The City requires a maintenance bond of 10% of the completed improvements for roadways to be dedicated. The calculated **maintenance bond amount is \$134,260.67** (\$1,342,606.71 x 10%).

In summary ADC Middletown, LLC is requesting a **performance bond reduction from \$3,637,687.41 to \$197,580.00.**

ADC Middletown, LLC will also post a **maintenance bond amount is \$134,260.67** in a form acceptable to the City for the portion of the roadways to be dedicated to the City which at this time which includes the portion of Magnolia Park Road (Road A) from its intersection with East Main Street, approximately 1,382 feet to Oak Hill Road (Road B) and the entirety of Oak Hill Road (Road B) from Magnolia Park Road (Road A) to Anthony Street, approximately 325 feet. The total length of the roadways proposed to be dedicated is 1,707 feet.

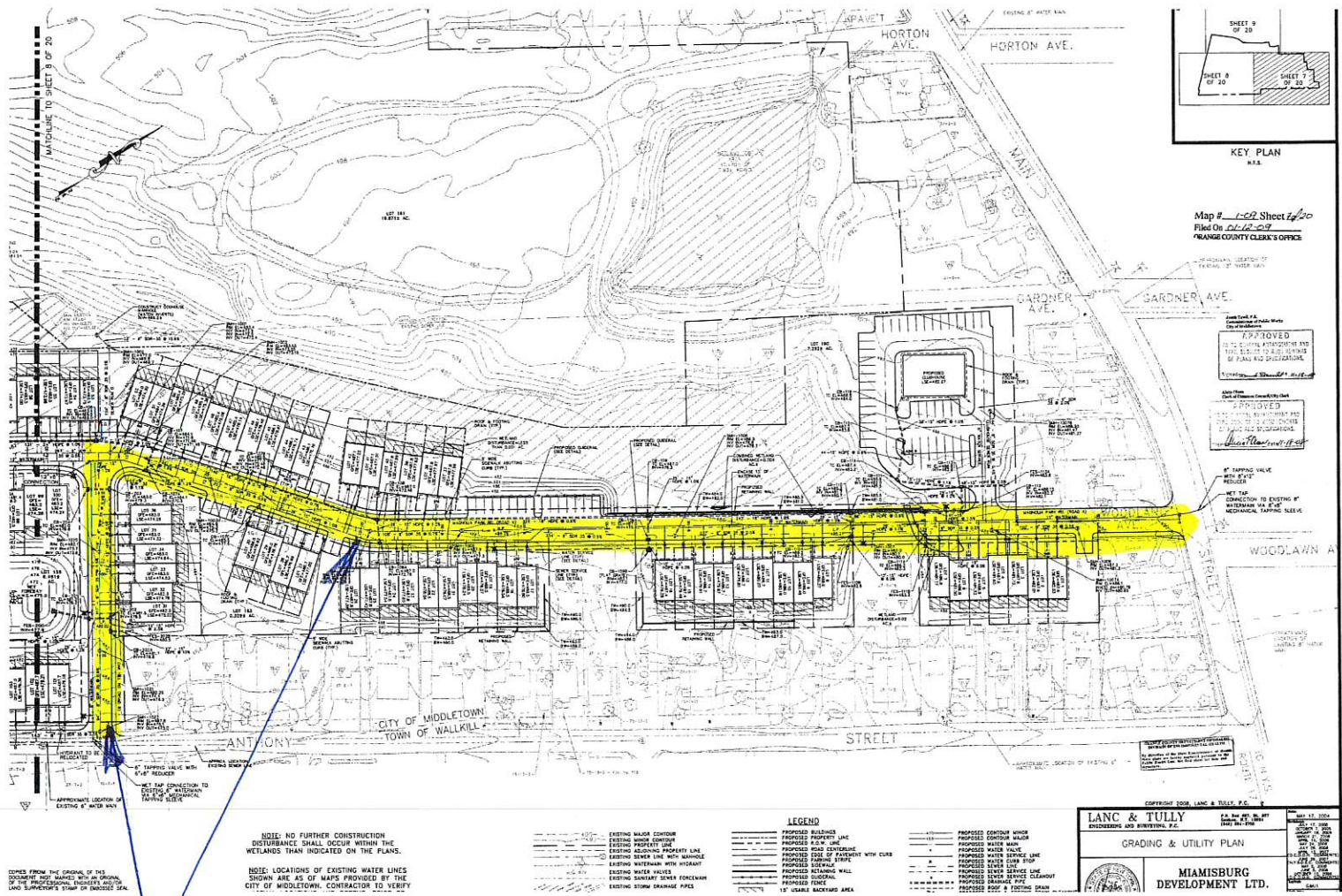
Please review the enclosed project budget spreadsheet. Should you have any questions please call me at (914) 474-1980 or e-mail me at JFarr@Farr-Engineering.com.

Respectfully submitted,



James M. Farr, P.E.
Principal

Cc: Mayor Joseph M. DeStefano and City Council
Mr. Brian Smith., Deputy Commissioner of Public Works
Mr. Dan Gueron, General Manger ADC Middletown, LLC
Mr. David Tondreau, Project Manager, ADC Middletown, LLC



PORTION OFFERED FOR
CURRENT DEDICATION
JAN 2024

PUBLIC IMPROVEMENTS

Magnolia Park
Project: Miamisburg Development
Location: City of Middletown

Prepared on: 04/30/08
Revised on: 3/19/16
Updated: 11/22/2023

[illegible]

Prepared on: 04/30/08
Revised on: 3/19/16
Updated: 11/22/2023

[illegible]

Prepared on: 04/30/08
Revised on: 3/19/16
Updated: 11/22/23

[illegible]

Prepared on: 04/30/08
Revised on: 3/19/16

Updated: 11/22/2023

[illegible]

Project: Miamisburg Development
Magnolia Park

Prepared on: 04/30/08
Revised on: 3/19/16
Updated: 11/22/23

	TOTAL PRICE	PRICE (INSTALLED TO DATE)
SITE WORK	\$ 632,585.49	\$ 632,585.49
STREETS	\$ 965,146.92	\$ 767,566.92
STORM DRAINAGE	\$ 685,370.00	\$ 685,370.00
WATER SUPPLY	\$ 594,460.00	\$ 594,460.00
SANITARY SEWER	\$ 592,225.00	\$ 592,225.00
ACCESSARY	\$ 167,900.00	\$ 167,900.00
TOTAL	\$ 3,637,687.41	\$ 3,440,107.41

VALUE OF WORK REMAINING: \$ 197,580.00



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

THE FOLLOWING WAS PRESENTED

By: Alderman Johnson
Seconded by: None
Date of Adoption: February 20, 2024
Index No:

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				
Ald. Jean-Francois				
Ald. Johnson				
Ald. Wray				
Ald. Kleiner				
Ald. Green				
Ald. Witt				
Ald. Masi				
Pres. Rodrigues				
Total				

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Introduction of Local Law #1 of 2024: A Local Law Allowing Delinquent Overgrown Vegetation, Snow Removal, Garbage Can, Bulk Pick-Up, Dead Tree Removal, And Building Demolition Charges To Be Relevied Into Real Property Tax Bills

LOCAL LAW #1 OF 2024

A LOCAL LAW ALLOWING DELINQUENT OVERGROWN VEGETATION, SNOW REMOVAL, GARBAGE CAN, BULK PICK-UP, DEAD TREE REMOVAL, AND BUILDING DEMOLITION CHARGES TO BE RELEVIED INTO REAL PROPERTY TAX BILLS

BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN AS FOLLOWS:

Section 1. Purpose of this Enactment.

The purpose of this enactment is to allow delinquent overgrown vegetation, snow removal, garbage can, bulk pick-up, dead tree removal, and building demolition charges to be re-levied into real property tax bills.

Section 2. Section 79 of the Charter of the City of Middletown is hereby amended to add a new Paragraph 4, to read in its entirety as follows:

Notwithstanding the provisions of Paragraph 1, above, in this Section, and notwithstanding any other provision in this Charter, any overgrown vegetation, snow removal, garbage can, bulk pick-up, dead tree removal, or building demolition charge not received by the Treasurer by its due date shall be considered delinquent, and shall be levied, together with late-payment fees, into the general city property tax at the time of the next levy. Such amounts shall be indicated in a separate column on the tax roll issued against the subject real property. Such re-levied overgrown vegetation, snow removal, garbage can, bulk pick-up, dead tree removal, and building demolition liens shall be subject to the same penalties imposed for the nonpayment of City taxes, and shall be collected in the same manner as provided in this Charter for the collection and enforcement of delinquent property taxes.

Section 3. Severability.

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Local Law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law.

Section 4. Effective Date.

This Local Law shall be effective upon filing with the Secretary of State.

Prepared by:
Alex Smith, Corporation Counsel

Attachments:

None