



**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
JUNE 18, 2024**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
 - 3.1. Nothing this evening.
4. CORRESPONDENCE, COMMUNICATION AND REPORTS
5. FOR THE GOOD OF THE CITY
 - 5.1. Recognition of Orange County Youth Bureau Award Recipients
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
 - 111- Standard Work Day Reporting for Elected and Appointed Officials
24
 - 112- Authorization to Increase the Revenue Line of Senior Trips to Cover Additional
24 2024 Trip Costs
 - 113- Authorization to transfer within the 2024 Water Budget to cover the cost of training
24 expenses

- 114- Authorization to accept an Amendment to License Issuing Agent Agreement with
24 the New York State Department of Environmental Conservation
- 115- Authorization to Use Unspent Capital Project Funding to Pay Back the 2024 BAN
24 Borrowing and Close Completed Projects
- 116- Authorization to Accept a Donation from Garden Lovers Club of Middletown for
24 \$2,792.47
- 117- Authorization to Award Bid for the O&W Air Monitoring Services for Building
24 Debris cleanup to Environmental Management Solutions of NY Inc.
- 118- Authorization to Amend City Code as It Pertains to Efficiency Apartments
24
- 119- Resolution to Amend City Code as it Pertains to Scooters
24
- 120- Authorization to Award Bids for Surplus Vehicles Auctioned off through Auctions
24 International
- 121- Authorization to Award the Bid for a Surplus 1996 Pierce Fire Truck to TAM
24 Enterprises

13. LOCAL LAWS

14. AUDIT OF CLAIMS AND ACCOUNTS

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

15. ADJOURNMENT



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderman Witt
Date of Adoption: June 18, 2024
Index No: 111-24

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

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Standard Work Day Reporting for Elected and Appointed Officials

BE IT RESOLVED, that the City of Middletown, location code 20030 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees Retirement System based on the timekeeping system records or the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Social Security # (Last 4 Digits)	Registration Number	Standard Workday hrs/day	Term Begins/Ends	Participates in Employer's Time Keeping System (YIN)	Days	Tier 1 Check only if the member is in Tier 1	Not Submitted
Elected Officials									
Mayor	Joseph M. DeStefano			36101137	8	1/1/2022-12/31/2025	N	26.36	
Alderman at Large	Joao Rodrigues			39022629	6	1/1/2022-12/31/2025	N	8.98	
Alderwoman	Kate Wray			50377282	6	1/1/2024-12/31/2025	N	6.67	
Alderman	Joseph Masi			11676392	6	1/1/2024-12/31/2025	N		X
Alderman	Andrew Green				6	1/1/2024-12/31/2025	N	4.35	
Alderman	Jude Jean-Francois			60745379	6	1/1/2024-12/31/2025	N	5.06	
Appointed Officials									
Assistant Corporation Counsel	Richard Croughan			43611342	6	1/1/2024-12/31/2024	N	2.40	

Prepared by:
Rick McCormack, City Clerk

Attachments:

None



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Witt
Seconded by: Alderman Green
Date of Adoption: June 18, 2024
Index No: 112-24

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

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Increase the Revenue Line of Senior Trips to Cover Additional 2024 Trip Costs

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to increase the Senior Trips Activities Revenue Line A.2351 and Expense Line (A.6772.467) from \$87,917.27 to 99,722.77 to cover the cost of senior trips for the remainder of the year.

Prepared by:
Julisa Sierra, Senior Center Dir

Attachments:

1.	2024 Trips Ledger
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Trip Date		1/9	1/31	2/27	3/20	4/2	4/28-5/3	5/8	6/6	7/3	7/17	8/7	8/13	8/22	9/5	9/28-10/6	10/18	11/6	12/2	12/11	Iceland	3/9-3/15	5/11
Deposit	Amount	Beauty &	Ain't	Cher	King Kong	Take Me	Windsor, CA	Bodyguard	Over the	Me & My	Shake, Rattle	Ain't Too	Moments	Moulin	Mambo	Lisbon	Presley...	Tina	3 Scrooges	Xmas	Commision	2020 Trips	
Date		Beast	Misbehavin			Away			River	Girl	& Roll	Proud		Rouge	Italiano			Turner		Spect.	Earned	Ocean City	
2019																							
1/9	2,692.00	67.00	220.00	90.00			2,290.00		25.00														
1/10	2,687.34	235.00	110.00	60.00	30.00	185.00	1,373.34	251.00	205.00		88.00				25.00		100.00		25.00				
1/17	1,971.00	84.00	80.00		304.00	130.00	1,099.00				25.00		25.00		55.00		25.00		144.00				
1/27	727.00		275.00		187.00	150.00		20.00			10.00		25.00		10.00		25.00		25.00				
1/30	1,295.00			30.00		260.00	930.00				25.00						25.00		25.00				
2/8	5,648.50		75.00	349.00		445.00	3,650.00	50.00	265.00	411.50	75.00		144.00				184.00						
2/20	4,232.00					490.00	399.00	106.00		285.50		2,574.00	139.50				25.00		213.00				
2/28	8,392.00			139.00		130.00	4,805.00	126.00	180.00	120.50		2,461.50	138.00				292.00						
3/7	6,043.00				137.00	482.00	4,214.00	196.00	185.00	236.00	44.00	386.00	113.00				50.00						
3/19	2,291.00					155.00	999.00	126.00	400.00	191.00		315.00			55.00		25.00		25.00				
3/28	1,453.50				137.00	25.50		64.00	205.00	50.00	35.00	640.00	63.00		25.00		184.00		25.00				
4/1																					5,751.40		
4/5	576.00					155.00			255.00	166.00													
4/12	677.50					65.00		109.00	25.00	50.00	25.00	25.50	25.00				234.00		119.00				
4/18	401.00							134.00	85.00		138.00		44.00										
5/9	5,441.50							369.00	360.00	548.50	413.00	476.00	251.00		135.00		25.00	2,864.00					
5/23	4,806.50								615.00	115.50	270.00		132.00	2,374.50	165.00		92.00	1,042.50					
5/30	3,076.50									181.50	44.00		44.00	2,460.00	55.00		67.00	106.00	119.00				
6/19	3,791.50								145.00	467.00	226.00	296.00		2,021.50	55.00		167.00	414.00					
6/28	1,306.50									196.50		364.00	132.00	410.00	20.00		184.00						
7/2	366.00												69.00	205.00			92.00						
7/19	1,328.00										115.00		461.50	28.50	275.00		134.00	126.00	188.00				
7/31	1,974.50												69.00		585.00		134.00	57.50	94.00	1,035.00			
8/8	4,301.50											286.00	69.00		395.00		67.00	28.50	67.00	720.00		2,699.00	
8/16	3,194.00													495.00			92.00		75.00	620.00		1,912.00	
8/23	1,104.00														80.00		228.00	11.00	20.00	315.00		450.00	
9/18	2,195.00														240.00		946.00		414.00	595.00			
																	(92.00)					92.00	
		386.00	760.00	668.00	795.00	2,672.50	19,759.34	1,551.00	2,950.00	3,019.50	1,533.00	7,824.00	1,944.00	7,994.50	2,175.00		3,305.00	4,649.50	1,578.00	3,285.00	5,751.40	5,153.00	

[illegible]

[illegible]



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Green
Seconded by: Alderman Tobin
Date of Adoption: June 18, 2024
Index No: 113-24

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

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to transfer within the 2024 Water Budget to cover the cost of training expenses

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$671.10, in the following manner, to cover a shortage of funds for training expenses for Patrick Rowley's NY Rural Water Associations training workshop from 5/20/24 to 5/22/24.

From	Amount	To
F.8330.400	\$671.10	F.8330.433
WTP Contractual Services		WTP Training

Prepared by:

Attachments:

1.	Transfer of Funds 6-06-24-WTP training
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2.	Transfer of Funds 6-06-24-WTP training
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DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: June 6, 2024
To: Honorable Members of the Board of Estimate
And Apportionment
Cc: Leonora Liz-Treasurer
Richard McCormack- City Clerk
From: Jacob Tawil-Commissioner of Public Works
Re: Transfer of Funds

I respectfully request a transfer from 2024 WTP Contractual to 2024 Training to cover shortage of funds for training expenses for Patrick Rowley's NY Rural Water Associations training workshop 5/20/24 to 5/22/24

	FROM	AMOUNT	TO
1.	F.8330.400 WTP Contractual	\$671.10	F.83303.433 WTP Training

Thank you.

MC

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: June 6, 2024
To: Honorable Members of the Board of Estimate
And Apportionment
Cc: Leonora Liz-Treasurer
Richard McCormack- City Clerk
From: Jacob Tawil-Commissioner of Public Works
Re: Transfer of Funds

I respectfully request a transfer from 2024 WTP Contractual to 2024 Training to cover shortage of funds for training expenses for Patrick Rowley's NY Rural Water Associations training workshop 5/20/24 to 5/22/24

	FROM	AMOUNT	TO
1.	F.8330.400 WTP Contractual	\$671.10	F.83303.433 WTP Training

Thank you.

MC



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Kleiner
Seconded by: Alderman Green
Date of Adoption: June 18, 2024
Index No: 114-24

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

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to accept an Amendment to License Issuing Agent Agreement with the New York State Department of Environmental Conservation

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes an amendment to the License Issuing Agent Agreement with the New York State Department of Environmental Conservation as it pertains to issuing hunting and fishing licenses.

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

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	DEC Contract Amendment RE Hunting Lic
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2.	DEC Agreement Amendment
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Richard P. McCormack
City Clerk, Registrar

CITY OF MIDDLETOWN

Office of the City Clerk, Registrar & Common Council Clerk

16 James Street, Middletown, NY 10940

Tel: (845) 346-4166 Fax: (845) 344-5428 www.middletown-ny.com

To: Mayor DeStefano, Council President Rodrigues, Members of the Board of Estimate and Members of the Common Council

From: Rick McCormack, City Clerk

CC: Leonora Liz, City Treasurer

RE: Authorization to enter into an amended agreement with NYS DEC

Attached please find an amended agreement from the New York State Department of Environmental Conservation as it pertains to printing hunting licenses. Effective August 1, 2024, Hunting & Fishing Licenses will no longer be printed on the special license paper. ALL licenses will be printed on plain white 8.5x11 paper. This agreement will memorialize that change.

I am respectfully requesting the Board of Estimate approve the contract amendment and authorize the Mayor to sign the amendment.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, License Sales

625 Broadway, First Floor, Albany, New York 12233-4790

P: (518) 402-8843 | F: (518) 402-9025

www.dec.ny.gov

May 29, 2024

Dear License Issuing Agent,

As you are aware the DEC will be moving away from printing sporting licenses on special license paper (valeron) and moving to printing on 8 ½" x 11", plain white paper. This change is scheduled to occur between July 15, 2024, and August 1, 2024. Due to this, we have amended the License Issuing Agreement. In order to keep your DECALS account active, you will need to complete the enclosed amendment and return it the Revenue Accounting Unit no later than July 15, 2024. If we do not receive your location's amendment by July 15, 2024, your DECALS account will be disabled prior to August 1, 2024, and will remain disabled until a completed amendment is received.

The easiest and preferred method for returning your amendment is to scan and email the completed amendment to decalscredit@dec.ny.gov. Amendments may also be mailed to NYS Department of Environmental Conservation, 625 Broadway, Albany NY 12233-4900, Attn: Revenue and Accounting Unit.

With the shift to plain paper printing there will no longer be a need for the Zebra license printers that all locations have. DEC's licensing system vendor, Gordon-Darby, will be reaching out to each license issuing location to make arrangements to email you a prepaid return shipping label. Be sure to read your DECALS messages and GovDelivery messages for further direction on returning the Zebra printers as well as other information on the transition to plain paper printing. If you have questions regarding this transition please be sure to read the DEC's February 2, 2024, press release as well as the Plain Paper Transition Q&A" found in the Agent Help Center under the General Topics header. If you have questions about the transition to plain paper printing please call the License Sales office at 1-(800)-622-0280 (for agents only, Monday-Friday, 8:00am-4:00pm). If you have any questions about how to complete the amendment, please contact the Revenue and Account Unit at 1-800-962-5622 (Monday-Friday, 8:00am – 4:30pm).

Sincerely,



Elizabeth Sammons
License Sales Supervisor



Department of
Environmental
Conservation

AMENDMENT TO LICENSE ISSUING AGENT AGREEMENT

This Amendment, effective upon notification of the transition to plain paper licenses, entered into between the New York State Department of Environmental Conservation (hereinafter referred to as the "Department"), with offices at 625 Broadway, Albany, New York 12233, and

Name
as the ☐ owner ☐ municipal clerk ☐ manager of

Business/Municipality Name Street Address

City/Town/Village State Zip Code

(hereinafter collectively referred to as the "License Issuing Agent") is hereby attached to and becomes incorporated into the above referenced agreement.

WITNESSETH:

WHEREAS, the parties entered into a prior License Issuing Agent Agreement which said License Issuing Agent Agreement the parties now desire to amend; and

WHEREAS, both parties originally agreed that the License Issuing Agent was qualified and approved to issue sporting licenses on behalf of the Department; and

WHEREAS, a change in Department laws, rules, or regulations is anticipated that will change the format and delivery of sporting licenses that will obviate the need for Department provided license issuing equipment and the associated support and supplies; and

WHEREAS, the License Issuing Agent Agreement provides for amending the License Issuing Agent Agreement in Article 14. Contract Amendment.

NOW THEREFORE, the parties hereto agree as follows:

1. Article 3. Department Representations is hereby replaced as follows:

3. **DEPARTMENT REPRESENTATIONS**

The Department hereby agrees that it will:

- A. Allow the License Issuing Agent to retain a portion of each license sold as prescribed in Department laws, rules, and regulations.

B. Provide appropriate training and training materials to the Assistant License Issuing Agent, including a toll-free telephone "help desk" service to answer questions and assist with problems.

C. Provide informational materials, in a hard copy or electronic format, for use at the approved location for the License Issuing Agent and their authorized employees to distribute to hunters, anglers, trappers, etc. regarding regulatory requirements for all authorized licenses issued.

2. Article 4. Agent Representations is hereby replaced as follows:

4. AGENT REPRESENTATIONS

The Agent hereby agrees that it will:

A. Provide authorization attached hereto as Attachment "A" for the Department to access a bank account for electronic fund transfers to pay for all licenses sold. Fund transfers shall be scheduled on a regular basis as determined by the Department.

B. Pay all amounts due to the Department. Failure to maintain an adequate balance in the License Issuing Agent's account may result in immediate termination of this Agreement.

C. Provide a compatible computer system including a plain paper printer and access to the internet at no charge to the Department.

D. Indemnify and save harmless the Department and the State of New York from and against all losses from claims, demands, payments, suits, actions, recoveries, and judgments of every nature and description brought or recovered against it in a court of competent jurisdiction, to the extent such loss is attributable to a negligent omission or tortious act of the License Issuing Agent, its agents, or employees, in the performance of this Agreement.

E. Be solely responsible for the supervision and direction of the performance of this Agreement by the Assistant License Issuing Agent and other authorized license issuing employees other than as specifically provided herein.

F. Alert the Department if the License Issuing Agent, Assistant License Issuing Agent, or other person issuing licenses is convicted of a misdemeanor or felony level criminal offense.

G. Not allow a person convicted of a misdemeanor or felony level criminal offense to issue licenses or have access to the license system, unless the person's conviction has been reviewed by the Department.

3. Article 6. License Issuing Conditions is hereby replaced as follows:

6. LICENSE ISSUING CONDITIONS

A. All licenses authorized to be sold pursuant to this Agreement may only be sold by the

License Issuing Agent, the Assistant License Issuing Agent, or authorized employees of the License Issuing Agent at the approved location set forth in this Agreement.

B. All employees authorized to issue licenses by the License Issuing Agent pursuant to paragraph "A" of this section, shall be appropriately trained in the use of the license issuing system and the business rules associated with the sale of sporting licenses and the entire DECALS sales catalog by the Assistant License Issuing Agent prior to using the issuance system.

C. At the Department's discretion, the Assistant License Issuing Agent will be required to take Department sponsored DECALS training as well as take and pass tests associated with training.

D. The License Issuing Agent and his/her employees who are authorized to issue licenses pursuant to this Agreement must abide by New York State Regulations 6 NYCRR Part 177 and 6 NYCRR Part 183.

E. All funds received from the sale of licenses, less any fees established by the Department, will be held in trust for the Department. Monies collected from the sale of licenses are Department funds and any other use of such funds is prohibited. The License Issuing Agent accepts the responsibility and duties of trustee for all funds collected for the benefit of the Department under this Agreement.

F. No license may be sold for a fee in excess of or less than the amount established by the Department.

G. The complete catalog of sporting licenses must be available for sale to the public at the License Issuing Agent's approved location as designated in this Agreement.

4. Article 7. Change in Ownership is hereby replaced as follows:

7. CHANGE IN OWNERSHIP

In the event of a change in ownership of the License Issuing Agent's business, the Department must be notified 30 days in advance of any such change, and this Agreement becomes immediately terminated at the time of such change in ownership. This License Issuing Agent's appointment is not transferable and shall apply only to the License Issuing Agent's appointment to sell sporting licenses.

5. Article 10. Termination is hereby replaced as follows:

10. TERMINATION

In addition to any termination event appearing elsewhere in this Agreement, or provided in the applicable Department regulations, the following shall apply:

A. This Agreement may be terminated for cause if the Department determines that any false statements or omissions were made on the License Issuing Agent's application.

B. This Agreement may be terminated for cause for failure to comply with the terms of this Agreement at any or all approved locations at any time by the Department.

C. Either party may terminate this Agreement for convenience by 15 days written notice to the other party. Per ECL § 11-0713 municipalities must request authorization from the Department to terminate the agreement and cease selling sporting licenses.

D. In the event of termination of this Agreement, the License Issuing Agent shall pay for all licenses sold and not previously paid for within 30 days of such termination.

E. Termination for Non- Responsibility: Upon written notice to the License Issuing Agent, and a reasonable opportunity to be heard with appropriate Department officials or staff, the Agreement may be terminated by the Commissioner or his or her designee at the License Issuing Agent's expense where the License Issuing Agent is determined by the Commissioner or his or her designee to be non-responsible. In such event, the Commissioner or his or her designee may complete the contractual requirements in any manner he or she may deem advisable and pursue available legal or equitable remedies for breach.

F. In the event of a change in the appointment of the Assistant License Issuing Agent, the License Issuing Agent shall notify the Department of such change within 15 business days by submitting to the Department a completed revised License Issuing Agent Application Form attached hereto as Attachment "B," which shall provide, among other things, the name and title of the newly appointed Assistant Licensing Issuing Agent. In the Department's sole discretion, this agreement may be suspended or terminated in the event the Department is not notified of any change in appointment of the Assistant License Issuing Agent as provided herein.

6. Article 15. Confidentiality of Personal Data is added as follows:

15. CONFIDENTIALITY OF PERSONAL DATA

A. All personal data provided by customers shall be kept confidential to the extent required by Law.

B. The License Issuing Agent will ensure that access to the Departments sporting license system is limited to the License Issuing Agent, Assistant License Issuing Agent, and staff at their location who they have authorized to use the system and who have been trained by the License Issuing Agent or Assistant License Issuing Agent, in the business rules regarding the sale of sporting licenses as well as system functionality.

C. Use of the sporting license system is limited to official business as it pertains to sporting licenses and the entire DECALS sales catalog.

7. All other terms and conditions of the License Issuing Agent Agreement as amended will remain in full force and effect.

SIGNATURE PAGE

IN WITNESS WHEREOF, this Amendment has been duly executed by the parties hereto on the day and year appearing following their respective signatures.

LICENSE ISSUING AGENT SIGNATURE	DEPARTMENT SIGNATURE
By:	By:
Print Name:	Print Name:
Title:	Title:
Dated:	Dated:

License Issuing Agent Acknowledgement

State of _____)
County of _____) ss.:

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

Notary Public

Completed amendments with original signatures can be scanned and submitted electronically to decalscredit@dec.ny.gov or mailed in their original form to:

Attn: Revenue and Accounting Unit
New York State Department of Environmental Conservation
625 Broadway, 10th Floor
Albany, New York 12233-4900



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderwoman Wray
Seconded by: Alderman Jean-Francois
Date of Adoption: June 18, 2024
Index No: 115-24

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

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Use Unspent Capital Project Funding to Pay Back the 2024 BAN Borrowing and Close Completed Projects

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer unspent proceeds of completed projects to pay off 2024 BAN borrowing in August.

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer the funds in the following manner:

FROM	Amount	TO
Various Accounts (See Attachment)	\$1,190,671	H.0995.495
		Unspent Proceed for Debt Expense

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 Treasurer to close out all completed projects.

Prepared by:
Leonora Liz, Treasurer

Attachments:

1.	2024 Unspent Proceeds BOE Request
2.	2024 BAN Payment

ACCOUNT NO	ACCOUNT DESCRIPTION	ADJUSTED BUDGET	YTD ACTUAL EXPENDED	YTD UNEXPENDED BALANCE	YTD ENCUMBERED	YTD AVAILABLE BALANCE	PERCENT REM BALANCE	project status	GRANT	YEAR	BORROWED	NOTES
H.0731.200	A 2021 FIRE-SELF CONTAINED BREATHING APPARATUS.EQUIP._COMPLETE	-	-	-	-	-	100	complete				
H.0743.201	G 2021 SEWER 2022 FORD F250_COMPLETED	5,219.60	-	5,219.60	-	5,219.60	100	complete		2021	BAN borrowed	to pay back 2024 BAN
H.0744.470	G 2021 SEWER PLANT DOOR_COMPLETED	2,824.50	-	2,824.50	-	2,824.50	100	complete		2021	BAN borrowed	to pay back 2024 BAN
H.0748.200	A 2021 PAINT MACHINE STREET_COMPLETED	-	-	-	-	-	100	complete		2021	BAN borrow	
H.0751.453	A 2022 PAVING OF CITY STREETS_ARPA_COMPLETE	-	-	-	-	-	100	complete	grant			
H.0760.201	F 2021 WATER DEPT TRUCK-DODGE RAM 3500.VEHICLES	3,424.86	-	3,424.86	-	3,424.86	100	complete		2021	BAN borrowed	to pay back 2024 BAN
H.0763.200	A 2021 DAVIDGE PLAYGROUND EQUIPMENT.OTHER EQUIPMENT-COMPLE	-	-	-	-	-	100	complete				
H.0764.900	A_RESERVOIR RESTROOMS.GENERAL EXPENSE	-	-	-	-	-	100	complete				
H.0797.900	FIRE OPERATIONS & SAFETY.EQUIPMENT	-	-	-	-	-	100	complete				
H.0803.200	A 2012 POLICE/FIRE GENERATOR.OTHER EQUIPMENT_COMPLETE	-	-	-	-	-	100	complete				
H.0810.900	F 2012WATER DEPT GARAGE REHAB_COMPLETED	4,438.00	-	4,438.00	-	4,438.00	100	complete				To reimburse water fund for Bond payment
H.0890.01	STERLING STREET PHASE II EFC	427.49	-	427.49	-	427.49	100	complete	grant		EFC Borrowed	close out project
H.0890.900	STERLING STREET.GENERAL EXPENSE EFC	73.65	-	73.65	-	73.65	100	complete	grant		EFC Borrowed	close out project
H.0892.966	TD BANK.PURCHASE OF PROPERTY	0.40	-	0.40	-	0.40	100	complete				
H.0901.470	A 2012 CITY HALL REAR VESTIBULE PROJECT.REPAIRS TO BUILDING-COMPL	-	-	-	-	-	100	complete				
H.0904.900	BLACK DIRT SEWER PROJECT EFC	10,000.58	-	10,000.58	-	10,000.58	100	complete				Close out Project
H.0906.900	LARGE FEMA PROJECTS	0.34	-	0.34	-	0.34	100	complete				
H.0925.900	SKATE PARK	0.49	-	0.49	-	0.49	100	complete				
H.0939.900	A 2017 ADA SIDEWALKS PLANNING & DESIGN DOT GRANT	-	-	-	-	-	100	complete	grant	2020	BAN borrowed	
H.0944.900	A 2017 PARKING AND GREENSPACE IMPROV_DRI GRANT	350.00	-	350.00	-	350.00	100	complete	grant			close out project
H.0946.900	F 2018 NYS RISING GRANT (MONHAGEN BROOK)	-	-	-	-	-	100	complete	grant			
H.0950.900	A 2018 CR 108/78 ROUND-A-BOUT_COMPLETED	-	-	-	-	-	100	complete	grant			
H.0952.201	POLICE UNMARKED/PATROL.VEHICLES	660.00	-	660.00	-	660.00	100	complete		2018	BAN Borrowed	to reimburse general
H.0956.900	A 2018 SIDEWALKS-MIDLAND AVE.GENERAL EXPENSE	11,400.00	-	11,400.00	-	11,400.00	100	complete		2018	BAN Borrowed	to reimburse general
H.0966.900	A 2018 RESTORE NY GRANT 2018_COMPLETE	-	-	-	-	-	100	complete				
H.0969.201	A 2019 FIRE ENGINE & LADDER TRUCKS_COMPLETE	-	-	-	-	-	100	complete				
H.0970.201	A 2019 POLICE VEHICLES_COMPLETE	-	-	-	-	-	100	complete				
H.0972.201	RECREATION DODGE RAM	644.00	-	644.00	-	644.00	100	complete		2019	BAN borrowed	to reimburse general
H.0973.200	PLAYGROUND EQUIPMENT	0.45	-	0.45	-	0.45	100	complete				close out project
H.0975.900	A 2019 CITY WELCOME SIGNAGE_COMPLETE	-	-	-	-	-	100	complete				
H.0976.200	A 2019 PARAMOUNT SOUND/FIRE ALARM SYSTEMS	-	-	-	-	-	100	complete				
H.0977.900	A 2017 E MAIN TO ORCHARD PATHWAY.GEN EXP	-	-	-	-	-	100	complete				
H.0979.201	ASSESSOR JEEP CHEROKEE	-	-	-	-	-	100	complete				
H.0987.200	FIRE SCBA AIR UNITS	0.04	-	0.04	-	0.04	100	complete				close out project
H.0988.201	A 2023_SANITATION 2 TRUCKS_DODGE RAM 3500 + PLOW	112,456.97	112,456.97	-	-	-	0	complete		2023	BAN Borrowed	
H.0988.450	A 2023_SANITATION 2 TRUCKS DODGE RAM_3500. REPLACE 2000 JCD LC	-	-	-	-	-	100	complete				
H.1940.201	PURCHASE OF LAND.11-25 HARDING - HERITAGE TRAIL	-	115,150.00	-	-	-	100	complete				
H.3120.205	A 2023 POLICE FARO FOCUS SCENE SCANNER_EQUIP	7.02	74,992.98	7.02	-	7.02	100	complete		2023	BAN Borrowing	to pay back 2024 BAN
H.3120.207	A 2023 REPLACEMENT ONE CANINE_NONE ASSET	12,000.00	9,500.00	2,500.00	-	2,500.00	20.83	complete	yes	2023	BAN Borrowing	to pay back 2024 BAN
H.3190.200	A 2023 DRIVING SIMULATOR.OTHER EQUIPMENT	-	123,950.00	-	-	1,050.00	100	complete				to pay back 2024 BAN
H.7110.201	A 2023 P & R DODGE HEAVY DUTY 3500 - PICK UP TRUCK; REPLAC. 2005 F	-	61,000.00	-	-	-	100	complete		2023	BAN Borrowing	
H.7110.202	A 2023 P&R KUBOTA BACK HOSE REPLACEMENT EQUIP	1,923.54	73,076.46	1,923.54	-	1,923.54	100	complete		2023	BAN Borrowing	to pay back 2024 BAN
H.7110.203	A 2023 P&R WORKMAN FIELD GROOMER - BALL CART REPLACEMENT EQU	-	32,000.00	-	-	-	100	complete		2023	BAN Borrowing	
H.7110.204	A 2023 P&R SPROUT STREET POOL PLAYGROUND (METAL PIECE) EQUIP	70,000.00	69,870.00	130.00	-	130.00	0.19	complete		2023	BAN Borrowing	to pay back 2024 BAN
H.7110.205	A 2023 P&R 24 BENCH REPLACEMENT/ INSTALLATION IN VARIOUS PARKS &	20.20	23,979.80	20.20	-	20.20	100	complete		2023	BAN Borrowing	to pay back 2024 BAN
H.7110.210	A 2023 P&R ADDITIONAL STAND-UP BLOWER EQUIP	-	12,500.00	-	-	-	100	complete		2023	BAN Borrowing	
H.7110.213	A 2023 WOLSLAYER FIELD FOOTBALL SCOREBOARD_EQUIP	-	29,972.50	-	-	-	100	complete		2023	BAN Borrowing	
H.7192.206	A 2023 P&R GYM BOILER REPLACEMENT_BI	-	75,120.00	-	-	-	100	complete		2023	BAN Borrowing	
H.8170.208	A 2023 STREET MILLING HEAD FOR SKID STEER_EQUIP	26,428.27	26,428.27	-	-	-	0	complete		2023	BAN Borrowing	
H.8797.201	A 2023 SANITATION CATERPILLAR LOAD REPLACE. 2000 JCB LOADER EQUIP	350,000.00	350,000.00	-	-	-	0	complete		2023	BAN Borrowing	
	subtotal	612,300.40	1,189,996.98	44,045.16	-	45,095.16						
H.0746.900	A 2021STP POLE BARN GARAGE	65,920.00	-	65,920.00	-	65,920.00	100	cancelled		2021	BAN borrowed	return to ban proceeds
H.0933.210	A 2017 IT EQUIPMENT.OFFICE EQUIPMENT	27,227.69	-	27,227.69	-	27,227.69	100	cancelled		2017	BAN Borrowed	for security upgrade
H.0971.900	A POLICE DEPT_COMPUTER BACK UP PROJECT	30,000.00	-	30,000.00	-	30,000.00	100	cancelled				for security upgrade
H.0996.900	A 2022 INFILL DEVELOPMENT PROJECT.GENERAL EXPENSE	1,999,977.50	-	1,999,977.50	-	1,999,977.50	100	cancelled	grant		City Fund Balance	will be reallocated to Courthouse
H.1997.201	A 2023_ASBESTOS - 11 KING STREET-NONASSET	150,000.00	-	150,000.00	-	150,000.00	100	cancelled		2023	BAN borrowed	
	subtotal	2,273,125.19	-	2,273,125.19	-	2,273,125.19						
	ADA Side Walk					992,273.00						to pay back 2024 BAN
	Total Completed and Cancelled	2,885,425.59	1,189,996.98	2,317,170.35	-	3,310,493.35	-					

City of Middletown

Minimum Principal Paydowns

2024

BANs Dated: 8/22/2024

2023								2024		Projected 2024
	Fund	Project Number	Original Issue Date	PPU Start Date	PPU	Remaining PPU	Amount to Notes	Remaining Proceed	Minimum Principal Payment	Amount to Notes
BAN Projects Outstanding										
1 Purchase of Property for Watershed Expansion	F	957.9	8/27/2019	8/27/2019	30	25.01	56,929		1,114	55,815
2 Land Acquisition for Water Source Protection	F	967	10/22/2019	10/22/2019	30	25.16	1,265,712		24,763	1,240,949
3 Police Body Cameras	A	991	8/26/2020	8/26/2020	5	1.01	52,438		25,580	26,858
4 Paramount Parking Lot - 10 Washington St Ext	A	986	8/26/2020	8/26/2020	10	6.01	81,409		9,999	71,410
5 Additional DRI	A	944	8/26/2020	8/26/2020	5	1.01	0		0	0
6 South Street Parking	A	992	8/26/2020	8/26/2020	10	6.01	50,036		6,145	43,891
7 Fire SCBA Air Units	A	987	8/26/2020	8/26/2020	20	16.01	247,212		9,567	237,645
8 Inter Municipal Water Distribution System	F	985	8/26/2020	8/26/2020	40	36.01	292,860		2,882	289,978
9 Parks and Recreation Campus	A	7021	8/26/2020	8/26/2020	15	11.01	1,683		1,683	0
10 Sanitation	A	988.45	8/26/2020	8/26/2020	5	1.01	393,282		191,845	201,437
11 Flow Meter Project	F	989	8/26/2020	8/26/2020	40	36.01	687,423		6,764	680,659
12 Demolition	A	993	8/26/2020	8/26/2020	10	6.01	976,902		119,983	856,919
13 Sanitation	A	988.201	8/26/2020	8/26/2020	15	11.01	1,119,251		70,317	1,048,934
14 ADA Sidewalks	A	939	8/26/2020	8/26/2020	10	6.01	2,068,992	992,273	2,068,992	0
15 Water System Improvements	F	947	8/26/2020	8/26/2020	40	36.01	2,488,033		500,000	1,988,033
16 CR 108/78 Round-a-Bout	A	950	8/26/2020	8/28/2018	15	9.01	276,120		21,953	254,167
17 Acquisition of Land for Water Source Protection (2020 Series B BANs)	F	957	12/10/2020	12/10/2020	30	26.30	2,155,139		39,422	2,115,717
18 Front Door	G	744	8/25/2021	8/25/2021	5	2.01	5,643	2,825	2,825	2,818
19 Paint Machine	A	748	8/25/2021	8/25/2021	5	2.01	7,342	0	2,329	5,013
20 2021 Jeep Cherokee Latitude	A	747	8/25/2021	8/25/2021	3	0.01	17,082	0	17,082	0
21 Truck (2022 Ford F-150)	G	743	8/25/2021	8/25/2021	3	0.01	22,434	5,220	22,434	0
22 Truck (2022 Dodge Ram 3500) 3	F	760	8/25/2021	8/25/2021	3	0.01	23,067	3,425	23,067	0
23 Truck (2022 Dodge Ram 3500)	A	747	8/25/2021	8/25/2021	3	0.01	25,628	0	25,628	0
24 Truck (2022 Dodge Ram 3500) (2)	A	747	8/25/2021	8/25/2021	3	0.01	25,628	0	25,628	0
25 Screen for Septage Receiving Machine	G	745	8/25/2021	8/25/2021	15	12.01	30,626		1,729	28,897
26 Pole Barn/Garage	A	746	8/25/2021	8/25/2021	15	12.01	31,278	31,278	31,278	0
27 Permanent Restrooms - Reservoir	A	764	8/25/2021	8/25/2021	15	12.01	47,449		2,679	44,770
28 Skid Steer	F	759	8/25/2021	8/25/2021	15	12.01	65,479	0	3,697	61,782
29 Playground Equipment - Davidge Park	A	763	8/25/2021	8/25/2021	15	12.01	75,918	0	4,286	71,632
30 Self Contained Breathing Apparatus	A	731	8/25/2021	8/25/2021	20	17.01	152,309	0	5,414	146,895
31 Roof	F	761	8/25/2021	8/25/2021	25	22.01	219,944		5,309	214,635
32 Purchase of stand-up blower	A	7110.21	8/23/2023	8/23/2023	5	4.00	12,500		0	12,500
33 Hand ball court improvements - Mapiil Hill Park	A	7110.211	8/23/2023	8/23/2023	15	14.00	20,000		0	20,000
34 Purchase of a milling head for skid steer	A	8170.208	8/23/2023	8/23/2023	10	9.00	26,428		0	26,428
35 War Memorial Pool House flooring equipment	A	7110.207	8/23/2023	8/23/2023	25	24.00	40,000		0	40,000
36 Bleachers purchase and installation	A	7110.209	8/23/2023	8/23/2023	15	14.00	40,000		0	40,000
37 Purchase of equipment for the Fire Dept.	A	3410.201/203/ 204/205	8/23/2023	8/23/2023	5	4.00	74,000		0	74,000
38 Gym boiler replacement	A	7192.206	8/23/2023	8/23/2023	10	9.00	75,120		0	75,120
39 Bench replacements and playground equipment	A	7110.205	8/23/2023	8/23/2023	15	14.00	94,000	20	20	93,980
40 Asbestos removal project at City facilities	A	1997.201	8/23/2023	8/23/2023	5	4.00	150,000	150,000	150,000	0
41 Construction of new athletic field at Monhagen Avenue	A	963	8/23/2023	8/23/2023	15	14.00	167,803		0	167,803
Purchase of police equipment	A	3120.204/205/ 207	8/23/2023	8/23/2023	5	4.00	172,000	2,507	7,500	164,500
42 Replacement of heating and cooling system at Police Dept.	A	3120.206	8/23/2023	8/23/2023	10	9.00	195,000		0	195,000
44 Reconstruction of Sanitation Department facilities	A	8797.203/204	8/23/2023	8/23/2023	25	24.00	210,733		0	210,733
45 Purchase of vehicles and equipment for construction and maintenance for Parks and Recreation Dept.	A	7110.201/202/ 203/208	8/23/2023	8/23/2023	15	14.00	295,380	3,124	3,124	292,256
46 Purchase of DPW Street Department facilities	A	8170.209/210	8/23/2023	8/23/2023	25	24.00	395,826		0	395,826
47 Maple Hill pool splash pad construction	A	7110.212	8/23/2023	8/23/2023	20	19.00	440,281		0	440,281
Purchase of police vehicles	A	3120.201/202/ 203	8/23/2023	8/23/2023	3	2.00	478,200		0	478,200
48 Purchase of sewer screw pumps	G	965	8/23/2023	8/23/2023	40	39.00	600,000		0	600,000
Purchase of vehicles and equipment for DPW	A	8797.201/202/ 203/204 and 8170.201/202/ 203/204/205/2	8/23/2023	8/23/2023	15	14.00	2,138,463		0	2,138,463
50 Traffic Operations Project	A	908	8/23/2023	8/23/2023	15	14.00	3,000,000		0	3,000,000
52 Improvements to water system dams	F	961/997	8/23/2023	8/23/2023	40	39.00	3,605,000		0	3,605,000
							\$ 25,193,982	\$ 1,190,671	\$ 3,435,038	\$ 21,758,944

* Amounts in red indicate mandatory conversion from BANs to Bonds



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Johnson
Seconded by: Alderman Tobin
Date of Adoption: June 18, 2024
Index No: 116-24

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

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Accept a Donation from Garden Lovers Club of Middletown for \$2,792.47

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and accepts a donation from Garden Lovers Club of Middletown in the amount of \$2,792.47 to be deposited in line A.2705.04 Misc Donations, for the purchase of a bench at Erie Way Park.

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to deposit these funds into line A.2705.04 Misc Donations and to increase to A.6200.04 Use of Donation - Economic Development for the purchase of the bench.

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

Attachments:

1.	Downtown Bench Donation
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**City of Middletown – New York
Bench Sponsorship Invoice**

Model #	Description	Lbs	Quantity	Unit Price	Unit Total
PC6	Classique 6' Bench With Steel Slats Gloss Jet Black	250	1	\$1,529.00	\$1,529.00
112-800	Center Armrest For Premiere Series Steel Benches	10	1	\$147.00	\$147.00
Subtotal		260		Subtotal	\$1,676.00
				0.0000% Tax	\$0.00
				Freight - S&H	\$976.47
				Total	\$2,652.47
				Plaque	\$140.00
				Grand Total	\$2,792.47

Please make check payable to:

The City of Middletown

Submit check to:

**The City of Middletown
Office of Economic & Community Development
16 James Street
Middletown, New York 10940
845-346-4170**

*Garden Lovers Club - Middletown NY
Tina Walls Treasurer
19 Miller Hk Rd
Middletown NY 10940*



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Jean-Francois
Seconded by: Alderman Tobin
Date of Adoption: June 18, 2024
Index No: 117-24

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

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Award Bid for the O&W Air Monitoring Services for Building Debris cleanup to Environmental Management Solutions of NY Inc.

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and awards the bid for the O&W Air Monitoring Services for Building Debris cleanup to Environmental Management Solutions of NY Inc.

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 any paperwork related to this work.

Prepared by:
Jacob Tawil

Attachments:

1.	Tawil O&W Bids 5-17-24
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233 East Main Street
Middletown, NY 10940

Phone: (845)344-5863
Fax: (845)956-5865

Consulting Engineers

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

Alfred A. Fusco, III
General Manager

May 17, 2024

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

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

Dear Commissioner Tawil,

We have reviewed the Bids for the O&W Rehabilitation Asbestos Abatement and Selective Interior Demolition as well as the O&W Rehabilitation Asbestos Air Monitoring Services. We have also vetted the bidders by calling their references. We recommend the award of the O&W Rehabilitation bids as follows:

Asbestos Abatement Selective Interior Demolition and Structural Shoring to
Apex Development
358 Broadway
Newark, New Jersey 07104

In the amount of

A. Base Bid Asbestos Remediation Structural Shoring Selective Demolition	\$1,825,300.00
B. Base Bid Cleaning Exterior	\$22,000.00
C. Alternative Demolition Northend	\$150,000.00
D. Unit Rate per lineal foot of non-friable asbestos per insulation	\$25/LF
E. Unit price for per sq ft for no friable asbestos floor tile and Mastic	\$15/SF

Air Monitoring Services for Building Debris cleanup to Environmental Management Solutions of NY Inc.

EMS NY
3 Forester Ave #49
Warwick, New York 10990

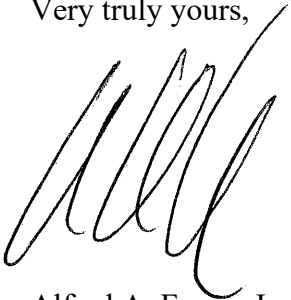
In the amount of as follows:

A. Daily Maintenance 9hr shift	\$629.00 / 9hr shift
B. Overtime Rate After 9hr shift	\$84 / hr.
C. Asbestos Air Sampling Analysis 24hr turn around time	\$12.30 / sample
D. Asbestos Air Sampling Rush Turn around time	\$4.85 / sample
E. Friable Bulk Sample Analysis 24 hr. turn around	\$13.50 / sample
F. Non Friable Bulk Sample Analysis 24 hr. turnaround	\$38.50 / sample
G. Project and Air Monitoring Summary Report	\$0.00

We have also included Bid Tabulations for your information. We have received copies of their MWBE certifications for both of the above contracts. Upon award we will develop contracts.

Please advise if you have any questions.

Very truly yours,



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

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

[illegible]

[illegible]



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Johnson
Seconded by: Alderman Green
Date of Adoption: June 18, 2024
Index No: 118-24

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

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Amend City Code as It Pertains to Efficiency Apartments

WHEREAS, there are references in footnotes to the Bulk Table Regulations attached to the City of Middletown Zoning Code to an “efficiency apartment”, and

WHEREAS, the Zoning Code itself contains no definition of efficiency apartments and makes no references to efficiency apartments, and

WHEREAS, efficiency apartments are not listed in the Zoning Code as a permissible use in any zoning district in the City of Middletown, and

WHEREAS, as a result efficiency apartments are not a permissible use in any zoning district in the City of Middletown.

NOW, THEREFORE, BE IT RESOLVED, AND BE IT ORDAINED, by the Common Council

of the City of Middletown, as follows:

Section 1. The four (4) Bulk Table Regulation attachments to the Zoning Code of the City of Middletown, N.Y., Chapter 475, Zoning, be and are hereby modified by deleting all references to “efficiency apartment” in such Bulk Tables.

Section 2. The aforementioned four (4) Bulk Table attachments are therefore modified to read as follows in the four (4) tables attached to -- and made a part of – this Resolution.

Section 3. This Ordinance shall take effect immediately.

Prepared by:
Alex Smith, Corporation Counsel

Attachments:

1.	MI0232-475b Table 2 SR-3 Bulk Reg REV
2.	MI0232-475d Table 4 SR-3b Bulk Reg REV
3.	MI0232-475c Table 3 SR-3A Bulk Reg REV
4.	MI0232-475a Table 1 UR-3 Bulk Reg REVISED

ZONING

475 Attachment 2

City of Middletown

Table 2

Bulk and Parking Regulations for SR-3 Multiple-Residence Low-Density District

Number of Habitable Rooms* in the Dwelling Unit (DU)	Single-Family Dwellings	Multiple Dwellings			Attached Dwellings		
		2 (1 bedroom)	3 (2 bedrooms)	4 (3 or more bedrooms)	2 (1 bedroom)	3 (2 bedrooms)	4 (3 or more bedrooms)
Minimum Required							
Lot area, total	15,000 sq. ft.	5 acres	5 acres	5 acres	5 acres	5 acres	5 acres
Lot area, per DU (square feet)**	—	3,600	5,400	7,200	3,600	5,400	7,200
Lot width (feet)	100	150	150	150	22 (a)	22 (a)	22 (a)
Lot depth (feet)	125	150	150	150	100	100	100
Front yard (feet)	30	40	40	40	30	30	30
One side yard (feet)	20	30	30	30	(a)	(a)	(a)
Both side yards (feet)	50	60	60	60	—	—	—
Rear yard (feet)	30	30	30	30	35	35	35
Livable floor area per DU (square feet)***	900	600	800	1,000	600	800	1,000
Off-street parking spaces per DU	—	1.75	2.0	2.5	1.75	2.0	2.5
Play lot area per DU (square feet)	—	250	350	400	100	125	175
Usable open space per DU (square feet)	—	950	1,125	1,250	950	1,125	1,250
Maximum Permitted							
Lot coverage	—	20%	20%	20%	20%	20%	20%
Building height							
Number of stories	2½	3	3	3	3	3	3
Feet	35	35	35	35	35	35	35

NOTES:

* A habitable room is to be defined as a "living room," as specified in § 4 of the New York State Multiple Dwelling Law, within a dwelling unit, except that for the purpose of determining lot area requirements, a habitable room shall not include any of the following:

A. Kitchen.

B. Foyer, bathroom, toilet, public or private hall, corridor or passageway.

C. Dining alcove, dinette or other dining space (without limit as to size) when not separated by walls, doors from other habitable rooms or cooking spaces.

As a guide, a one-bedroom apartment, has two habitable rooms; a two-bedroom apartment, three habitable rooms; and a three-bedroom apartment, four habitable rooms.

** To derive the acreage used in computing the allowable number of units on a given property, use the gross acreage minus the acreage allotted to bodies of water and areas which have a slope of over 20%.

*** "Livable floor area" is defined in § 475-4 hereof.

(a) All end row or attached dwellings shall have a minimum lot width of 37 feet and a side yard of at least 15 feet. All attached dwellings have a minimum building width of 22 feet.

ZONING
475 Attachment 4

**City of Middletown
Table 4**

Bulk and Parking Regulations for SR-3B Multiple-Residence Low-Density District with Bonus Density Capability

Number of Habitable Rooms* in the Dwelling Unit (DU)	Single-Family Dwellings	Multiple Dwellings				Attached Dwellings		
		2 (1 bedroom)	3 (2 bedrooms)	4 (3 or more bedrooms)		2 (1 bedroom)	3 (2 bedrooms)	4 (3 or more bedrooms)
Minimum Required								
Lot area, total	15,000 sq. ft.	5 acres	5 acres	5 acres		5 acres	5 acres	5 acres
Lot area, per DU (square feet)**	—	7,000	10,000	15,000		7,000	10,000	15,000
Lot width (feet)	100	150	150	150		20 (a)	22 (a)	22 (a)
Lot depth (feet)	125	150	150	150		100	100	100
Front yard (feet)	30	40	40	40		30	30	30
One side yard (feet)	20	30	30	30		(a)	(a)	(a)
Both side yards (feet)	50	60	60	60		—	—	—
Rear yard (feet)	30	30	30	30		35	35	35
Livable floor area per DU (square feet)***	900	600	800	1,000		600	800	1,000
Off-street parking spaces per DU	—	1.75	2.0	2.5		1.75	2.0	2.5
Play lot area per DU (square feet)	—	250	350	400		100	125	175
Usable open space per DU (square feet)	—	950	1,125	1,250		950	1,125	1,250
Maximum Permitted								
Lot coverage	—	20%	20%	20 %		25%	25%	25%
Building height								
Number of stories	2.5	3	3	3		3	3	3
Feet	35	35	35	35		35	35	35

NOTES:

* A habitable room is to be defined as a "living room," as specified in § 4 of the New York State Multiple Dwelling Law, within a dwelling unit, except that for the purpose of determining lot area requirements, a habitable room shall not include any of the following:

A. Kitchen.

B. Foyer, bathroom, toilet, public or private hall, corridor or passageways.

C. Dining alcove, dinette or other dining space (without limit as to size) when not separated by walls, doors from other habitable rooms or cooking spaces.

As a guide a one-bedroom apartment has two habitable rooms; a two-bedroom apartment, three habitable rooms; and a three-bedroom apartment, four habitable rooms.

** To derive the acreage used in computing the allowable number of units on a given property, use the gross acreage minus the acreage allotted to bodies of water and areas which have a slope of over 20%. Also subject to bonus density as per this chapter.

*** "Livable floor area" is defined in § 475-4 hereof.

(a) All end row or attached dwellings shall have a minimum lot width of 35 feet and a side yard of at least 15 feet. All attached dwellings have a minimum building width of 20 feet.

ZONING
475 Attachment 3

City of Middletown
Table 3
Bulk and Parking Regulations for SR-3A Multiple-Residence Low-Density Conservation District

Number of Habitable Rooms* in the Dwelling Unit (DU)	Single-Family Dwellings	Multiple Dwellings		
		2 (1 bedroom)	3 (2 bedrooms)	4 (3 or more bedrooms)
Minimum Required				
Lot area, total	1 acre	5 acres	5 acres	5 acres
Lot area, per DU (square feet)**	—	9,000	13,000	18,000
Lot width (feet)	200	200	200	200
Lot depth (feet)	125	150	150	150
Front yard (feet)	50	50	50	50
One side yard (feet)	25	25	25	25
Both side yards (feet)	60	60	60	60
Rear yard (feet)	50	50	50	50
Livable floor area per DU (square feet)***	2,000	1,500	1,600	1,800
Off-street parking spaces per DU	—	1.75	2.0	2.5
Play lot area, per DU (square feet)	—	250	350	400
Usable open space, per DU (square feet)	—	950	1,125	1,250
Maximum Permitted				
Lot coverage (percent)	—	20	20	20
Building height				
Number of stories	2½	3	3	3
Feet	35	35	35	35

NOTES:

* A habitable room is to be defined as a "living room," as specified in § 4 of the New York State Multiple Dwelling Law, within a dwelling unit, except that for the purpose of determining lot area requirements, a habitable room shall not include any of the following:

- A. Kitchen.
- B. Foyer, bathroom, toilet, public or private hall, corridor or passageway.
- C. For this zone, dining alcove, dinette or other dining space (without limit as to size).

As a guide, a one-bedroom apartment has two habitable rooms; a two-bedroom apartment, three habitable rooms; and a three-bedroom apartment, four habitable rooms.

** To derive the acreage used in computing the allowable number of units on a given property, use the gross acreage minus the acreage allotted to bodies of water and areas which have a slope of over 20%.

*** "Livable floor area" is defined in § 475-4 hereof.

ZONING
475 Attachment 1

**City of Middletown
Table 1
Bulk and Parking Regulations for UR-3 Multiple-Residence High-Density District**

Number of Habitable Rooms* in the Dwelling Unit (DU)	Multiple Dwellings			Attached Dwellings		
	2 (1 bedroom)	3 (2 bedrooms)	4 (3 or more bedrooms)	2 (1 bedroom)	3 (2 bedrooms)	4 (3 or more bedrooms)
Minimum Required						
Lot area, total	1 acre	1 acre	1 acre	1 acre	1 acre	1 acre
Lot area, per DU (square feet)**	2,700	3,000	3,600	3,000	4,000	5,000
Lot width (feet)	150	150	150	20 (a)	20 (a)	20 (a)
Lot depth (feet)	150	150	150	100	100	100
Front yard (feet)	40	40	40	30	30	30
One side yard (feet)	25	25	25	(a)	(a)	(a)
Both side yards (feet)	50	50	50	—	—	—
Rear yard (feet)	30	30	30	35	35	35
Livable floor area per DU (square feet)***	600	700	750	600	700	850
Off-street parking spaces per DU	1.75	2.0	2.5	1.75	2.0	2.5
Play lot area per DU (square feet)	250	350	400	100	125	175
Usable open space per DU (square feet)	950	1,125	1,250	950	1,125	1,250
Maximum Permitted						
Lot coverage	20%	20%	20%	25%	25%	25%
Building height						
Number of stories	3	3	3	3	3	3
Feet	35	35	35	35	35	35

NOTES:

* A habitable room is to be defined as a "living room," as specified in § 4 of the New York State Multiple Dwelling Law, within a dwelling unit, except that for the purpose of determining lot area requirements, a habitable room shall not include any of the following:

- A. Kitchen.
- B. Foyer, bathroom, toilet, public or private hall, corridor or passageways.
- C. Dining alcove, dinette or other dining space (without limit as to size) when not separated by walls, doors from other habitable rooms or cooking spaces.

As a guide; a one-bedroom apartment has two habitable rooms; a two-bedroom apartment, three habitable rooms; and a three-bedroom apartment, four habitable rooms.

** To derive the acreage used in computing the allowable number of units on a given property, use the gross acreage minus the acreage allotted to bodies of water and areas which have a slope of over 20%.

*** "Livable floor area" is defined in § 475-4 hereof.

(a) All end row or attached dwellings shall have a minimum lot width of 35 feet and a side yard of at least 15 feet. All attached dwellings have a minimum building width of 20 feet.



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Tobin
Seconded by: Alderman Kleiner
Date of Adoption: June 18, 2024
Index No: 119-24

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

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Resolution to Amend City Code as it Pertains to Scooters

WHEREAS, the Police Chief is recommending that the Common Council add scooters and electric scooters to the list of vehicles prohibited on sidewalks or parks.

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

Section 1 – The Code of the City of Middletown, N.Y., Chapter 460, Vehicles and Traffic, is hereby amended by replacing the first sentence of Subsection A of Section 460-35, Bicycles and motorcycles, to read as follows:

§ 460-35. Bicycles and motorcycles.

A.

No person or persons shall ride any bicycle, tricycle, motorcycle, scooter, electric scooter, motor bicycle or motor tricycle over or upon any sidewalk intended for the use of pedestrians within the limits of the City.

Section 2 - This resolution and ordinance shall take effect immediately.

Prepared by:
Rick McCormack, City Clerk

Attachments:

None



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderman Jean-Francois
Date of Adoption: June 18, 2024
Index No: 120-24

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

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Award Bids for Surplus Vehicles Auctioned off through Auctions International

BE IT RESOLVED; that the Common Council of the City of Middletown, NY, awards bids for the following vehicles auctioned off through Auctions International:

2006 Hyundai Excavator (VIN# N60410541) - \$20,100.00
1992 Mitsubishi Box Truck (VIN# JW6AJE1H3NL002639) - \$710.00
2005 Chevy Silverado (VIN# 1GCHK24U45E283163) - \$3,200.00
1995 Mack Dump Truck (VIN# 1M2B221C4SM017284) - \$3,750.00
2003 Chevy Silverado (VIN# 1GCHK25U83E137510) - \$1,825.00
New Holland Tractor - \$3,400.00
2007 Chevy Tahoe (VIN# 1GNFK03087R405178) - \$1,925.00
2014 Ford Taurus (VIN# 1FAHP2MKXEG101152) - \$1,625.00
2007 Ford F250 Extended Cab Utility Truck (VIN# 1FDSX21597EA68624) - \$1,900.00
Total= \$38,435

Prepared by:
Jacob Tawil

Attachments:

1.	MEMO- AUCTION INTERNATIONAL MEMO FOR VEHICLES JUNE 2024
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Department of Public Works

Memorandum

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

CC: Richard McCormack-City Clerk and Leonora Liz- Treasurer

From: Jacob Tawil, P.E. Commissioner of Public Works

Date: June 18, 2024

Re: Resolution needed to award bids for surplus vehicles auctioned off through Auctions International

I respectfully request a resolution to award the following bids for surplus vehicles auctioned off through Auctions International:

2006 Hyundai Excavator (VIN# N60410541) - \$20,100.00

1992 Mitsubishi Box Truck (VIN# JW6AJE1H3NL002639) - \$710.00

2005 Chevy Silverado (VIN# 1GCHK24U45E283163) - \$3,200.00

1995 Mack Dump Truck (VIN# 1M2B221C4SM017284) - \$3,750.00

2003 Chevy Silverado (VIN# 1GCHK25U83E137510) - \$1,825.00

1996 Pierce Fire Truck (VIN# 4P1CT0288TA000515) - \$6,200.00

New Holland Tractor - \$3,400.00

2007 Chevy Tahoe (VIN# 1GNFK03087R405178) - \$1,925.00

2014 Ford Taurus (VIN# 1FAHP2MKXEG101152) - \$1,625.00

2007 Ford F250 Extended Cab Utility Truck (VIN# 1FDSX21597EA68624) - \$1,900.00

Total= \$44,635.00



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: June 18, 2024
Index No: 121-24

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

Richard P. McCormack
Clerk to the Common Council

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

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

Authorization to Award the Bid for a Surplus 1996 Pierce Fire Truck to TAM Enterprises

BE IT RESOLVED; that the Common Council of the City of Middletown, NY award the following bid for the surplus 1996 Pierce Fire Truck to TAM Enterprises (114 Hartley Rd, Goshen, NY 10924) as follows: 1996 Pierce Fire Truck (VIN# 4P1CT0288TA000515) - \$7,000
Total= \$7,000

Prepared by:
Jacob Tawil

Attachments:

1.	Middletown Ladder Truck REV
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114 Hartley Road
Goshen, NY 10924



Phone: (845) 294-8882
www.tamenterprises.com

June 18, 2024

To: Jacob Tawil

C/O: City of Middletown

Please be advised that TAM Enterprises Inc. will purchase ladder truck for \$8,500.00.

Andy McGinnis



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

THE FOLLOWING WAS PRESENTED

By: Alderman Masi
Seconded by: Alderman Johnson
Date of Adoption: June 18, 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	9			

I hereby approve the attached Resolution/Local Law.

Joseph M. DeStefano, Mayor

Date

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

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

Prepared by:

Attachments:

None