CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
SEPTEMBER 17, 2024

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
   - 3.1. Nothing this evening.
4. CORRESPONDENCE, COMMUNICATION AND REPORTS
   - 4.1. Standardized Notice Form for a Liquor License: Caborcas Pizzeria & Restaurant
5. FOR THE GOOD OF THE CITY
6. REMARKS OF THE MAYOR
7. REMARKS OF THE DEPARTMENT HEADS
8. PUBLIC HEARINGS AND GRIEVANCES
   - 8.1. Public Comment: Proposed Repeal of Winter Street Parking Regulations
9. PETITIONS AND COMPLAINTS
10. REMARKS OF THE ALDERMAN AND REPORTS OF THE COMMITTEES
11. UNFINISHED BUSINESS
12. NEW BUSINESS
    - 178-24 Authorization to Transfer $8,390 within the Senior Center Budget for Additional Attendees for Senior Trrips
    - 179-24 Authorization to Accept a $100,000 Grant from the New York State Department of Criminal Justice Services

180-24 Authorizes a Easement for 48-54 North Street

181-24 Authorization to Accept a $1,455.00 Donation in in Memory of Richard Wolslayer

182-24 Authorization to Accept a $25,000 Legislative Initiative Grant from Assemblywoman Aileen Gunther

183-24 Authorization to Declare a Recreation and Parks Vehicle as Surplus

184-24 Authorizes a $4000 Budget Transfer for the Recreation and Parks Trip to New York City for the Radio City Music Hall Christmas Show

185-24 Authorizes a Proposal from Clark Patterson Lee to Update the City's MS4 Permit

186-24 Authorizes a $11,400 Budget Transfer for Bumpers, Asphalt and ADA Compliance Work at Wolslayer Field

187-24 Authorization to Declare Department of Public Works Equipment as Surplus Equipment

188-24 Authorization to Declare 30 Church Street as Surplus City Property

189-24 Accept the Resignation of MaryAnne Cavallaro from the Zoning Board of Appeals

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

Standardized NOTICE FORM for Providing 30-Day Advance Notice to a Local Municipality or Community Board

1. Date Notice was Sent: 09/04/2024 1a. Delivered by:

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:

◉ New Application ○ Renewal ○ Alteration ○ Corporate Change ○ Removal ○ Class Change ○ Method of Operation Change

RECEIVED
SEP 04 2024
CITY CLERK
CITY OF MIDDLETOWN

For **New** applicants, answer each question below using all information known to date
For **Renewal** applicants, answer all questions
For **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s)
For **Corporate Change** applicants, attach a list of the current and proposed corporate principals
For **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation
For **Class Change** applicants, attach a statement detailing your current license type and your proposed license type
For **Method of Operation Change** applicants, although not required, if you choose to submit, attach an explanation detailing those changes

This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:

3. Name of Municipality or Community Board: MIDDLETOWN

Applicant/Licensee Information:

4. Licensee Serial Number (if applicable): 2227859 Expiration Date (if applicable):

5. Applicant or Licensee Name: CABORCAS PIZZERIA & RESTAURANT 1 INC

6. Trade Name (if any):

7. Street Address of Establishment: 86-90 NORTH ST

8. City, Town or Village: MIDDLETOWN , NY Zip Code: 10940

9. Business Telephone Number of Applicant/Licensee: (845) 342-0023

10. Business E-mail of Applicant/Licensee: tanyamoliterno@gmail.com

11. Type(s) of alcohol sold or to be sold: ○ Beer & Cider ◉ Wine, Beer & Cider ○ Liquor, Wine, Beer & Cider

12. Extent of Food Service:

◉ Full food menu; full kitchen run by a chef or cook ○ Menu meets legal minimum food availability requirements; food prep area at minimum

13. Type of Establishment: Restaurant (full kitchen and full menu required)

14. Method of Operation: (check all that apply)

☐ Seasonal Establishment ☐ Juke Box ☐ Disc Jockey ☑ Recorded Music ☐ Karaoke
☐ Live Music (give details i.e., rock bands, acoustic, jazz, etc.):
☐ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment
☐ Video/Arcade Games ☐ Third Party Promoters ☐ Security Personnel
☐ Other (specify):

15. Licensed Outdoor Area: (check all that apply)

☑ None ☐ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure
☐ Sidewalk Cafe ☐ Other (specify):

OFFICE USE ONLY

⊗ Original ◯ Amended Date _____

16. List the floor(s) of the building that the establishment is located on: 1ST

17. List the room number(s) the establishment is located in within the building, if appropriate: 1

18. Is the premises located within 500 feet of three or more on-premises liquor establishments? ⊙ Yes ◯ No

19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ⊙ Yes ◯ No

20. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee:

Name _____ Serial Number _____

21. Does the applicant or licensee own the building in which the establishment is located? ◯ Yes (if YES, SKIP 23-26) ⊙ No

Owner of the Building in Which the Licensed Establishment is Located

22. Building Owner's Full Name: HOPE OF MIDDLETOWN GARDENS INC

23. Building Owner's Street Address: 1 Maiden Lane, 5th Fl

24. City, Town or Village: MIDDLETOWN State: NY Zip Code: 10038

25. Business Telephone Number of Building Owner:

Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice

26. Representative/Attorney's Full Name: AYMEE MINAYA

27. Representative/Attorney's Street Address: 27 CARPENTER AVE

28. City, Town or Village: MIDDLETOWN State: NY Zip Code: 10940

29. Business Telephone Number of Representative/Attorney: (845) 205-4586

30. Business E-mail Address of Representative/Attorney: AMINAYA@CDRSPROFESSIONAL.COM

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

31. Printed Principal Name: TANYA MOLITERNO Title: PRESIDENT

Principal Signature: _____

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 17, 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

Public Comment: Proposed Repeal of Winter Street Parking Regulations

Prepared by:

Attachments:
None

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 17, 2024
Index No: 178-24

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				
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

Authorization to Transfer $8,390 within the Senior Center Budget for Additional Attendees for Senior Trrips

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 $8,390 in the following manner to cover the cost of additional attendees for upcoming trips.

FROM	TO	AMOUNT
A.2351- Senior Trip Revenue	A.6772.467- Senior Trip Expense	$8,390

Please note that attendees have made payments to assume total expenses for trips, and the City of Middletown does not assume any financial liability for stated expenses.

Prepared by:

Julisa Sierra, Senior Center Dir

Attachments:

1.	BOE letter -Trips August 2024 Amended

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

August 29, 2024

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

The Senior Citizen Department, Mulberry House Senior Center respectfully requests the Mayor, Common Council and Board of Estimates approval to increase Senior trip Line to $8,390 to cover expenses incurred in additional attendees attending trips as follows:

- 9/11 NYC Trip on September 18, 2024 at $189 per person increase from proposed attendees of 50 to 26 additional with an increase of $4,914.
- Playhouse Christmas on November 20, 2024 at $100 per person increase of proposed attendees of 50 to 6 additional with an increase $500
- Soul Cruiser's Trip on December 5, 2024 at $85 per person increase from proposed attendees of 50 to 35 additional with an increase of $2,975

I formally request transfer from Senior Trip Revenue line A.2351 to Senior Trip Expense line A.6772.467 in the sum of $8,390, please note attendees have made payments to assume total expenses for trips and City of Middletown does not assume any financial liability for stated expenses.

Sincerely,

Julisa Sierra

Julisa Sierra

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 17, 2024
Index No: 179-24

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				
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

Authorization to Accept a $100,000 Grant from the New York State Department of Criminal Justice Services

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and accepts a $100,000 grant award from the New York State Department of Criminal Justice Services under the G.I.V.E 2014-2025 (Gun Involved Violence Elimination) grant for the period of July 1, 2024, through June 30, 2025.

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 deposit the funds in the established G.I.V.E grant budget line A.3127.103.

This project would be paid for in full through the New York State Impact grant administered by the New York State Department of Criminal Justice Services. This grant will bring about reimbursement for accrued expenditures by the New York State Department of Criminal Justice

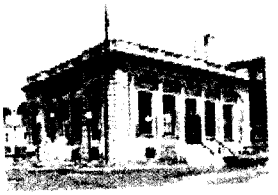
Services.

Prepared by:
John Ewanciw, Chief of Police

Attachments:

1.	Give Grant 07012024

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

September 6, 2024

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

Dear Mayor DeStefano and members of the BOE,

The City of Middletown Police Department has been approved for a grant in the amount of $100,000 from the New York State Department of Criminal Justice Services under the G.I.V.E 2014-2025 (Gun Involved Violence Elimination) grant for the period of July 1, 2024 through June 30, 2025.

I am requesting that the City of Middletown authorize acceptance of this grant and to add it to our established G.I.V.E grant budget line A.3127.103.

This project would be paid in full through the New York State Impact grant administered by the New York State Department of Criminal Justice Services. This grant will bring about reimbursement for accrued expenditures by the New York State Department of Criminal Justice Services.

If you have any questions, please contact me.

Very truly yours,

John Ewanciw
Chief of Police

JE:ccd

NEW YORK STATE | Division of Criminal Justice Services

KATHY HOCHUL
Governor

ROSSANA ROSADO
Commissioner

CILLIAN FLAVIN
Deputy Commissioner

Grant Award Notice

Grantee/Contractor: Middletown City Police Department		Date: June 10, 2024
Program Name: GIVE (2024-25)		Award Amount: $100,000[1]
Signatory Name and Title: Chief of Police John Ewanciw		Term Dates: 7/1/2024-6/30/2025
Email: jewanciw@middletownpolice.com		Contract Number: C485083

Program Description:2024-25 DCJS Gun Involved Violence Elimination (GIVE) Initiative

New York State Division of Criminal Justice Services (DCJS) Commissioner Rossana Rosado is pleased to provide funding to your county and agency to support the Gun Involved Violence Elimination (GIVE) initiative. The GIVE initiative is a critical component of the State's violence prevention and reduction strategy. Thank you for your partnership to help keep New Yorkers safe. Please find attached the approved budget for the funded agencies within your county. If you have any programmatic questions, please contact the DCJS Office of Public Safety (OPS) at LESAU@dcjs.ny.gov

Grant Questions

PRIMARY CONTACT	SECONDARY CONTACT
Rob Frost Public Safety Grants Representative NYS Division of Criminal Justice Services Office of Program Development and Funding Phone:518 485-2979 Email: Robert.Frost@dcjs.ny.gov	**Dave Martin** Public Safety Grants Representative NYS Division of Criminal Justice Services Office of Program Development and Funding Phone:518 485-9607 Email: David.Martin@dcjs.ny.gov

We look forward to working with you in our continued efforts to safeguard the health and safety of all New York residents and visitors.

[1] The award amount listed above is contingent upon the completion and submission (as applicable) of all contractual obligations as well as approval by the NYS Division of Budget and execution of the grant contract by the NYS Office of the State Comptroller.

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 17, 2024
Index No: 180-24

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				
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

Authorizes a Easement for 48-54 North Street

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and authorizes an easement for 48-54 North Street.

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:
Jacob Tawil

Attachments:

1.	48-54 North Easement Agreement
2.	48-54 North Street - Middletown, NY - Proposed Easement Exhibit 1-23-24

3.	48-54 North Street Deed
4.	4356 - Survey Map 48-54 North Street

EASEMENT AGREEMENT

This Agreement is made the ____ day of August, 2024, by the City of Middletown ("City"), a municipal corporation with its place of business at 16 James Street, Middletown, New York 10940, and Middletown Apartments LLC ("LLC"), an entity with a business address at 545 Broadway 4th, Brooklyn, New York 11206.

WHEREAS, LLC owns certain premises in the City of Middletown, County of Orange, State of New York, delineated on the City of Middletown Tax Map as Section 31, Block 8, Lot 6, with a street address of 48-54 North Street, Middletown, New York 10940 ("LLC Premises"), being the same land and premises described in a deed from Middletown North Dev. LLC to LLC and recorded in the Orange County Clerk's Office on August 2, 2019 in Book 14604 of Deeds at Page 102, and more particularly described in Schedule A, which is attached hereto and made a part hereof, and

WHEREAS, the City owns certain premises in the City of Middletown, County of Orange, State of New York, delineated on the City of Middletown Tax Map as Section 31, Block 8, Lot 7, with a street address of 44-46 North Street, Middletown, New York 10940, commonly known as Jerry's Park ("Park"), being the same land and premises described in a deed from Humes Flynn to the City of Middletown and recorded in the Orange County Clerk's Office on January 18, 1968 in Book 1785 of Deeds at Page 86, and more particularly described in

Schedule B, which is attached hereto and made a part hereof, and

WHEREAS, it is necessary that LLC acquire an easement over a certain area of the Park for the purpose of providing ingress and egress to the first floor of the LLC Premises.

NOW, THEREFORE, in consideration of One Dollar ($1.00) and other good and valuable consideration,

1. The above recitals are hereby incorporated as if restated herein at length.

2. The City hereby grants LLC a permanent easement to be exercised in, on and over a certain portion of the premises described in Schedule B for the purposes of (1) providing ingress and egress to the first floor of the LLC Premises. The permanent easement consists of an area described in metes and bounds prepared by Lawrence Torro, P.E. Civil Tec Engineering & Surveying PC, 139 Lafayette Avenue, 2nd Floor, Suffern, New York 10901, which is annexed hereto as Exhibit C and which is made a part hereof.

3. This easement is conditioned upon:

A. The LLC's partial or complete removal of a retaining wall in the easement in compliance with the building permit issued by the City, including, but not limited to, removal or relocation of any impacted utility lines or the existing tree, as approved by the Department of Public Works. This removal must be completed by October 31, 2025; and

B. The LLC's construction of an unobstructed sidewalk in the

easement in conformance with City specifications by December 31, 2025.

C. The LLC must obtain a Certificate of Occupancy for the first floor occupancy by August 31, 2026.

D. No trees shall be removed from the easement area without the prior written approval of the City Mayor.

E. If any of the above conditions are not met, this easement shall be null and void. This shall be conveyed in appropriate recordable documentation to the Orange County Clerk's Office.

4. The City is aware that LLC may in the future seek to emplace seating areas in the easement to be used by the commercial spaces in the first floor of the LLC premises. Such future seating areas are subject to the approval of the Commissioner of Public Works, whose approval will not be unreasonably withheld.

5. The City hereby grants LLC a 15-foot temporary easement to be exercised in, on and over a certain portion of the premises described in Schedule B for the purpose of the construction described in Paragraph 2, above. This temporary easement must be depicted on a survey acceptable to the City. This temporary easement shall expire on August 31, 2025.

6. The cost of all maintenance, repair, improvement and replacement upon said easement shall be the responsibility of LLC.

7. LLC agrees to indemnify and hold harmless the City, its heirs,

successors, distributes and assigns, to the fullest extent allowed by law for any and all claims made against the City, its heirs, successors, distributes and assigns, in connection with LLC's construction, operation and use of the easement provided for herein.

8. This Agreement shall be recorded, shall be deemed to be a covenant running with the land, and shall be binding upon, and inure to the benefit of, the parties hereto, their heirs, distributees, successors, legal representatives and assigns.

City of Middletown
By:

_____
Joseph M. DeStefano, Mayor

Middletown Apartments LLC
By:

_____
Isaac Jacobowitz, Member

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

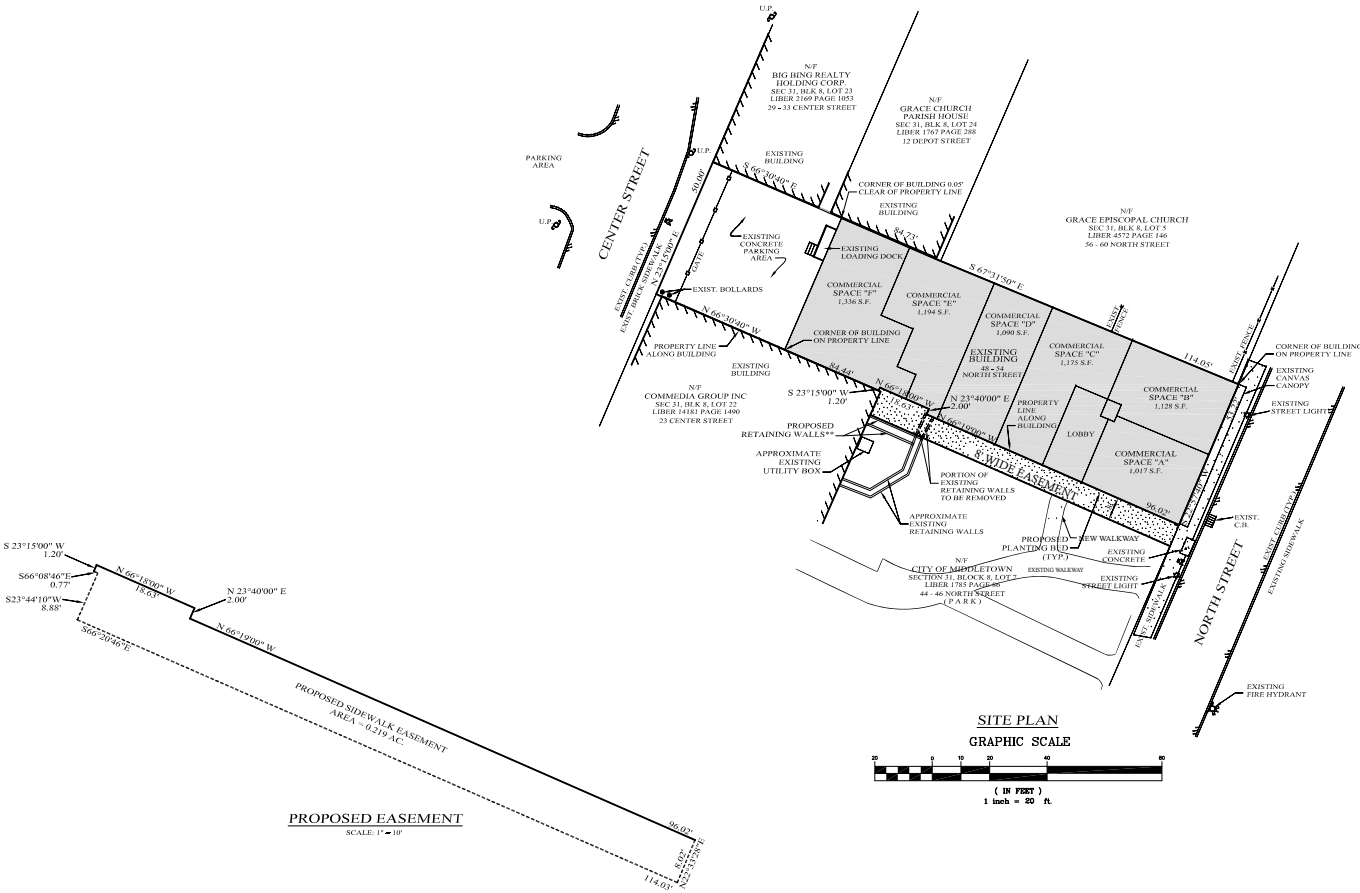
On the _____ day of _____, 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared Joseph M. DeStefano, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity and that by his/her/their signature(s) on the instrument the individual(s) or the person upon behalf of which individual(s) acted, executed the instrument.

_____
Notary Public

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

On the _____ day of _____, 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared Isaac Jacobowitz, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity and that by his/her/their signature(s) on the instrument the individual(s) or the person upon behalf of which individual(s) acted, executed the instrument.

_____
Notary Public



LEGEND

- EXISTING PROJECT PROPERTY LINE
- EXISTING ADJACENT PROPERTY LINE
- PROPOSED EASEMENT LINE
- EXISTING EDGE OF PAVEMENT
- EXISTING STOCKADE FENCE
- EXISTING FENCE
- EXISTING BUILDING
- EXISTING UTILITY POLE
- EXISTING HYDRANT
- EXISTING WATER VALVE

EXISTING UTILITIES NOTE:

EXISTING UTILITIES INFORMATION INCLUDING, AT A MINIMUM, SEWER MAINS, SEWER MANHOLES SEWER LATERAL STUB, SEWER INVERTS, CATCH BASINS, DRAINAGE MANHOLES, DRAINAGE CULVERTS, DRAINAGE INVERTS, WATER MAIN, WATER VALVES AND ANY OTHER UTILITIES SHALL BE VERIFIED IN FIELD BY THE CONTRACTOR PRIOR TO ANY CONSTRUCTION. ANY DISCREPANCIES COULD VOID THE UTILITY DESIGN AND SHALL BE REPORTED TO ENGINEER BEFORE CONSTRUCTION.

RETAINING WALL NOTE:

**ALL RETAINING WALLS SHOWN HEREON ARE TO DEMONSTRATE GRADING WITHIN THE LOT. THIS PLAN IS NOT INTENDED TO DEPICT THE STRUCTURAL DESIGN OF ANY RETAINING WALL AND SHALL NOT BE USED FOR THAT PURPOSE. ALL RETAINING WALLS SHALL BE DESIGNED BY A LICENSED GEOTECHNICAL ENGINEER AND THE DESIGN SUBMITTED TO THE CITY OF MIDDLETOWN BUILDING DEPARTMENT.

ORANGE COUNTY – STATE OF NEW YORK

ANN G. RABBITT, COUNTY CLERK
255 MAIN STREET
GOSHEN, NEW YORK 10924

COUNTY CLERK'S RECORDING PAGE

THIS PAGE IS PART OF THE DOCUMENT – DO NOT DETACH

BOOK/PAGE: 14894 / 1301
INSTRUMENT #: 20210007535

Receipt#: 2861034
Clerk: JM
Rec Date: 02/05/2021 02:17:43 PM
Doc Grp: D
Descrip: DEED
Num Pgs: 4
Rec'd Frm: BETTER RESEARCH LLC NY

Party1: MIDDLETOWN NORTH DEV LLC
Party2: MIDDLETOWN APARTMENTS LLC
Town: MIDDLETOWN (CITY)
31-8-6

Recording:

Recording Fee	40.00
Cultural Ed	14.25
Records Management - Coun	1.00
Records Management - Stat	4.75
TP584	5.00
RP5217 All others - State	241.00
RP5217 - County	9.00
Sub Total:	315.00

Transfer Tax

Transfer Tax - State	5600.00
Sub Total:	5600.00

Total:	5915.00

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

***** Transfer Tax *****
Transfer Tax #: 5874
Commercial Transfer Tax
Consideration: 1400000.00

Transfer Tax - State	5600.00
Total:	5600.00

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

Comment: _____

Ann G. Rabbitt
Orange County Clerk

Record and Return To:

ELECTRONICALLY RECORDED BY SIMPLIFILE

DEED

Bargain and Sale Deed with Covenant against Grantor's Acts

THIS INDENTURE MADE as of 1/22/2021

BETWEEN

MIDDLETOWN NORTH DEV, LLC, a New York Limited Liability Company, **having an address at 25 Robert Pitt Drive, Suite 200A, Monsey, New York 10952**

party of the first part, and

Middletown Apartments LLC, having an address at:
545 Broadway, 4th Floor Brooklyn, N.Y. 11206

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

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

SAID premises being known by the postal address 48-54 North Street, Middletown, New York 10940.

BEING AND INTENDED to be the same premises conveyed to Seller by Deed dated July 24, 2019 and recorded in the Office of the Orange County Clerk on August 2, 2019 in Deed Book 14604 Page 102.

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

TOGETHER with the appurtenances and all the estate rights of the party of the first part in and to said premises;

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

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

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

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

In Presence of:

MIDDLETOWN NORTH DEV LLC

BY: **CHAIM EISENBERG**, Sole member

STATE OF NEW YORK }
} ss:
COUNTY OF ROCKLAND }

On Dec 3, 2020 before me, the undersigned, personally appeared **CHAIM EISENBERG** 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

SARALEA STEINBERG
Notary Public, State of New York
No. 01ST6340150
Qualified in Rockland County
Commission Expires April 11, 2021

MIDDLETOWN NORTH DEV LLC

to

Middletown Apartments LLC

Section 31
Block 8
Lot 6
County ORANGE

RETURN BY MAIL TO:
ABRAHAM LOWY, ESQ.
TREFF & LOWY PLLC
481 Wythe Avenue, 2nd Floor
Brooklyn, New York 11249

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

RIVERSIDE ABSTRACT, LLC
As Agent for
FIDELITY NATIONAL TITLE INSURANCE COMPANY
LEGAL DESCRIPTION

Title No.: **RANY-40823**

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

BEGINNING at a point in the westerly line of North Street, said point also being the northeasterly most corner of lands now or formerly of the City of Middletown (Liber 1785 Page 86);

RUNNING THENCE along said lands now or formerly at the City of Middletown (Liber 1785 Page 86), and along the line of the building on the herein described parcel, the following four courses and distances:
1) North 66 degrees 19 minutes 00 seconds west, 96.02 feet;
2) North 23 degrees 40 minutes 00 seconds east, 2 feet;
3) North 66 degrees 18 minutes 00 seconds west, 18.63 feet;
4) South 23 degrees 15 minutes 00 seconds west, 1.2 feet;

THENCE along lands now or formerly of City of Middletown (Liber 5021 Page 189) and along the line of the buildings on the herein described parcel for a portion of the course, North 66 degrees 30 minutes 40 seconds west, 84.44 feet to the southeasterly line of Center Street;

THENCE along the southeasterly line of Center Street north 23 degrees 15 minutes 00 seconds east, 50.00 feet to a point being 0.05 feet from the adjoining building corner;

THENCE along lands now or formerly of Big Bing Realty Holding Corp. (Liber 2169 Page 1053) and lands now or formerly of the Grace Church Parish House, South 66 degrees 30 minutes 40 seconds East, 84.73 feet;

THENCE along lands now or formerly the Grace Episcopal Church, south 67 degrees 31 minutes 50 seconds east 114.05 feet to a point in the westerly line of North Street and in the corner of the building on there herein described parcel;

THENCE along the westerly line of North Street South 22 degrees 57 minutes 40 seconds west, 53.22 feet to the point or place of BEGINNING.

Note: Address, Block & Lot shown for informational purposes only

Designated as Section 31, Block 8, Lot 6, Orange County and also known as 48-54 North Street, Middletown, NY 10940.

LANDS NOW OR FORMERLY
29-33 CENTER STREET INC
SECTION 31, BLOCK 8, LOT 23
LIBER 15473 PAGE 232
29 - 33 CENTER STREET

LANDS NOW OR FORMERLY
GRACE CHURCH PARISH HOUSE
SECTION 31, BLOCK 8, LOT 24
LIBER 1767 PAGE 288
12 DEPOT STREET

LANDS NOW OR FORMERLY
GRACE EPISCOPAL CHURCH
SECTION 31, BLOCK 8, LOT 5
LIBER 4572 PAGE 146
56 - 60 NORTH STREET

CENTER STREET

NORTH STREET

CURB
BRICK SIDEWALK
BUILDING CORNER 0.05' CLEAR OF PROPERTY CORNER
BUILDING
FENCE
BUILDING CORNER 0.2' CLEAR OF PROPERTY LINE
BUILDING
BUILDING CORNER 0.4' CLEAR OF PROPERTY LINE
METAL FENCE
CORNER OF BUILDING ON PROPERTY CORNER
METAL FENCE
CANOPY
SIDEWALK
CURB
LP

S 66°30'40" E 84.73'
S 67°31'50" E 114.05'
S 22°57'40" W 53.22'

CORNER OF BUILDING 0.05' CLEAR OF PROPERTY LINE
LOADING DOCK
ENTRANCE
ENTRANCE

#48-54
3 STORY
BRICK
BUILDING

SECTION 31, BLOCK 8, LOT 6
LIBER 14894 PAGE 1301
10,138 SQUARE FEET
0.233 ACRES

BRICK
GATE
CONCRETE PARKING AREA
50.00'
N 23°15'00" E

CORNER OF BUILDING ON PROPERTY LINE
S 23°15'00" W 1.20'
N 66°18'00" W 18.63'
N 23°40'00" E 2.00'
PROPERTY LINE ALONG BUILDING LINE
PROPERTY LINE ALONG BUILDING LINE
N 66°30'40" W 84.44'
RETAINING WALLS
N 66°19'00" W 96.02'
PROPOSED SIDEWALK EASEMENT
S 66°20'46" E 114.03'
8.02'
N 22°33'28" E
S 66°08'46" E 0.77'
S 23°44'10" W 8.88'
BUILDING
CURB
BRICK SIDEWALK
BOLLARDS
CURB
SIDEWALK
BUILDING LINE

LANDS NOW OR FORMERLY
COMMEDIA GROUP INC.
SECTION 31, BLOCK 8, LOT 22
LIBER 14181 PAGE 1490
23 CENTER STREET

LANDS NOW OR FORMERLY
CITY OF MIDDLETOWN
SECTION 31, BLOCK 8, LOT 7
LIBER 14773 PAGE 760
44 - 46 NORTH STREET

SURVEY NOTES:

1. IT IS A VIOLATION OF THE STATE EDUCATION LAW SECT 7209 (2) FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED LAND SURVEYOR, TO ALTER AN ITEM IN ANY WAY ONLY COPIES OF THIS SURVEY MARKED WITH THE LAND SURVEYOR'S SIGNATURE AND AN ORIGINAL EMBOSSED SEAL ARE A VALID ORIGINAL PRODUCT OF THE LAND SURVEYOR. THIS SURVEY IS PREPARED ONLY FOR THE PARTIES AND PURPOSE INDICATED HEREON ANY CLAIM FOR LIABILITY SHALL NOT EXCEED THE AMOUNT OF THE AGREEMENT ANY EXTENSION OF USE BEYOND THE PURPOSE AGREED TO BETWEEN THE CLIENT AND THE SURVEYOR EXCEEDS THE SCOPE OF THE ENGAGEMENT HOLDS THE SURVEYOR HARMLESS FOR UNAUTHORIZED USE BY OTHER PARTIES PERSONS OR GOVERNMENTAL APPROVALS AND RENDERS THIS SURVEY MAP NULL & VOID. THIS SURVEY MAP IS SUBJECT TO AN ACCURATE ABSTRACT OF TITLE.
2. THIS SURVEY MAP IS BASED ON AN ACTUAL FIELD SURVEY CONDUCTED FOR A SPECIFIC PURPOSE AND IS BASED ON SPECIFIC CONTRACTUAL REQUIREMENTS FOR THIS TRANSACTION. USE OF THIS MAP FOR SURVEY INSPECTION UPDATES IS STRICTLY PROHIBITED. THIS MAP MAY NOT BE COPIED IN WHOLE OR IN PART. THIS MAP MAY NOT BE USED FOR OTHER PURPOSES OR TRANSACTIONS. THIS MAP MAY NOT BE SOLD, RENTED, LEASED, PHOTOCOPIED, ENLARGED, REDUCED, TRACED OR TRANSFERED IN ANY OTHER WAY WITHOUT THE PRIOR WRITTEN CONSENT OF A CIVIL TEC ENGINEERING & SURVEYING PC REPRESENTATIVE WHO'S SIGNATURE & SEAL APPEAR HEREON.
3. PROPERTY CORNER MARKERS WERE NOT INSTALLED AS PART OF THIS SURVEY.

REFERENCES

1. *BEING SECTION 31, BLOCK 8, LOT 6 OF THE CITY OF MIDDLETOWN TAX MAPPING.*
2. *LOT DESCRIBED BY DEED IN LIBER 14894 AT PAGE 1301 AT THE ORANGE COUNTY CLERKS OFFICE.*
3. *REFERENCING A MAP ENTITLED "MAP OF FRANK M. STRATTON PROPERTY MIDDLETOWN N.Y.", FILED IN THE ORANGE COUNTY CLERK'S OFFICE ON JANUARY 2, 1896 AS MAP NUMBER 222.*
4. *TOTAL AREA = 10,138 SQUARE FEET OR 0.233 ACRES.*

DATE	ISSUE	DESCRIPTION	REVISIONS

S.B.L. 31 - 8 - 5

SURVEY MAP
FOR
48-54 NORTH STREET
CITY OF MIDDLETOWN - ORANGE COUNTY - NEW YORK

CIVIL TEC Engineering & Surveying PC
139 Lafayette Avenue, 2nd Fl.
Suffern, NY 10901
P 845.547.2241 - F 845.547.2243
111 Main Street
Chester, NY 10918
845.610.3621
Civil Engineering & Land Surveying Services that Build Communities
www.Civil-Tec.com

DATE:	06/17/24
DRAWN BY:	LMG
CHKD BY:	SPD
JOB No.	4356
SCALE:	1"=10'
DWG No.	1 OF 1

STEPHEN P. DOLSON, P.L.S.
N.Y. Lic. No. 50554

STATE OF NEW YORK · STEPHEN P. DOLSON · 050554 · LICENSED LAND SURVEYOR

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 17, 2024
Index No: 181-24

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				
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

Authorization to Accept a $1,455.00 Donation in in Memory of Richard Wolslayer

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and accepts a $1,455 donation from several families in memory of Richard Wolslayer. The Wolslayer family would like these funds to purchase additional shoulder pads for Middletown Youth Football.

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 deposit these donations into account A.2705.00 Gifts and Donations and increase budget line A.7321.450 Special Programs Materials and Supplies.

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

1.	Wolslayer Memorial Donations

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 17, 2024
Index No: 182-24

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				
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

Authorization to Accept a $25,000 Legislative Initiative Grant from Assemblywoman Aileen Gunther

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 to receive a $25,000 Legislative Initiative Grant.

WHEREAS, this organization has received a Legislative Initiative grant in the New York State Budget; AND WHEREAS, there are specific requirements and regulations governing the expenditure of these funds;
NOW, THEREFORE, this body resolves the following:
1. Administration of all funds under this grant will be in accordance with all terms and conditions contained in the GUIDELINES for Non-Construction Projects $50,000 and under July 2024 provided by the New York State Office of Parks, Recreation and Historic Preservation;
2. That Joseph M. DeStefano, as Mayor of our organization, is hereby authorized to sign legal documents on behalf of our organization and that such signature is acknowledgment of the

acceptance by this body of compliance with all terms and conditions of the State of New York Contract for Grants Contract Number T24P900, to be executed for the grant.

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

1.	Legislative Initiative Grant

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 17, 2024
Index No: 183-24

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				
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

Authorization to Declare a Recreation and Parks Vehicle as Surplus

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment to declare the following equipment as surplus and authorizes its sale at auction through Auctions International:
Ford F250
Vin: 1FTSX21556ED09629
Plate # L97471
The truck has no heat, a lot of rust and the bed of the truck is rotted. The truck frame is rotted and it barely runs.

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment to rescind the following resolutions:
Index No: 195-23 10/3/23 - Entered with correct plate number but wrong Vin #
Index No: 167-24 9/3/24 - Entered with the correct plate number, wrong Vin # and wrong make

of the vehicle.

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:

1.	Surplus Form

Vehicle Model: F-250

Vin: 1FTSX21556ED09629

Plate: L-97471

Reason for Surplus: NO Heat A lot of rust the bed of the truck Rotted & truck Frame rotted truck barely & runs

* Has been @ WTP for 1.5 years (RB)

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 17, 2024
Index No: 184-24

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				
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

Authorizes a $4000 Budget Transfer for the Recreation and Parks Trip to New York City for the Radio City Music Hall Christmas Show

BE IT RESOLVED that the Board of Estimate and Apportionment authorizes the Treasurer to transfer $4,000, in the following manner, for an additional bus for the trip to the Radio City Musical Hall Christmas Show.

FROM	TO	AMOUNT
A.2029 Special Programs Revenue	A.7321.450 Special Programs Material & Supplies	$4,000

The Radio City Rockettes bus trip, which was not initially budgeted for in 2024, has proven to be a success with high sales and demand for an additional bus. In light of this, we have decided to offer the trip again.
$3,150 for 2 Coach buses.

$8,440 for 112 tickets.
Totaling an expense of $11,590 taken from Special Programs Material & Supplies

We are requesting that the revenue received during May, June, and July ($4,000) from the Radio City Rockettes bus trip be transferred into the Special Programs Material and Supplies account.

Prepared by:
Raelynn Bertholf, Supt of Recreation and Parks

Attachments:
None

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 17, 2024
Index No: 185-24

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				
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

Authorizes a Proposal from Clark Patterson Lee to Update the City's MS4 Permit

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 proposal from Clark Patterson Lee (CPL) to update the City's MS4 permit for $9,800.00.

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.

No funding is needed for this. It will be paid out of the budgeted account line G.8120.400.

Prepared by:
Jacob Tawil

Attachments:

1.	BOE MEMO- CPL PROPOSAL MS4 PERMIT

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: September 11, 2024

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

Cc: Rosa Tumminia, Deputy Treasurer and Richard McCormack, City Clerk

From: Jacob Tawil, Commissioner of Public Works

Re: CPL Proposal- MS4 Permit Update

Enclosed, please find a proposal from CPL to update the City's MS4 permit. We are hereby requesting approval and signature for this proposal in the amount of $9,800.00.

No funding is needed for this. It will be paid out of the budgeted account line G.8120.400.

Thank you.

ARCHITECTURE
ENGINEERING
PLANNING
CPLteam.com

26 IBM Road | Poughkeepsie, NY 12601 | 845.454.3411 | cplteam.com

September 10, 2024

Jacob Tawil, PE
City of Middletown
16 James Street
Middletown, NY 10940

Re: City of Middletown 2024 MS4 Permit Update

Dear Mr. Tawil:

CPL is pleased to submit our proposal to the City of Middletown (Owner) for the 2024 MS4 Program Update. Our Scope of Work and Fee Proposal are listed below.

Scope of Work

We propose to perform the following scope of services relative to the 2024 MS4 Permit GP-0-24-001 Update:

1. Prepare Interim Progress Certification for submission by October 1, 2024.
    a. A Stormwater Program Coordinator must be designated. A separate proposal can be provided if CPL is to fill this role.

2. Prepare new Stormwater Management Program Plan for compliance with the requirements of the new 2024 permit.
    a. To include staff coordination meetings and a final document.
    b. A separate proposal will be provided for any additional responsibility determined for CPL after development of the organizational structure to aid with implementation of the SWMP.

Fee Proposal:

1. CPL will perform the Scope of Work for an estimated hourly not to exceed fee of $9,800. All permitting, application, and similar project fees to be paid by the Owner.

If have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,
CPL ARCHIECTURE ENGINEERING & PLANNING

Tim Moot, PG
Vice President

cc: file

Accepted this _____ day of _____, 2023

By: _____ Title: _____

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 17, 2024
Index No: 186-24

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				
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

Authorizes a $11,400 Budget Transfer for Bumpers, Asphalt and ADA Compliance Work at Wolslayer Field

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 $11,400, in the following manner, for bumpers, asphalt and ADA Compliance work at Wolslayer Field.

FROM	TO	AMOUNT
H.0963.900- Sidewalks-Midland Ave	H.0956.900-Monhagen/Davidge Exp	$11,400

Prepared by:
Jacob Tawil

Attachments:

1.	Transfer of Funds 9-12-24-wolslayer

DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: September 12, 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 H.0956.900, Sidewalks Midland Ave, to H.0963.900, Monhagen/Davidge expansion, to cover needed bumpers and asphalt for Wolslayer Field and other miscellaneous work.

	FROM	AMOUNT	TO
1.	H.0956.900 Sidewalks-Midland Ave	$11,400.00	H.0963.900 Monhagen/Davidge Exp

Thank you.

MC

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 17, 2024
Index No: 187-24

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				
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

Authorization to Declare Department of Public Works Equipment as Surplus Equipment

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment to declare the following equipment as surplus and authorizes its disposal in the most advantageous way to the City, at the discretion of the Commissioner of Public Works, most likely through Auctions International.

1. 2000 JCB Loader (VIN# SLP45600XE0539181). This loader, in a severely deteriorated condition, with a leaking transmission, weak brakes, an extremely worn front bucket, and a non-functional dash. The cab is rusted, and the doors do not stay shut.

2. 2001 Ingersoll Rand Air Compressor (Model #185W). This piece of equipment is rusted, and the doors do not stay open. The hose reels are severely damaged, which causes condensation to be produced. The compressor's axle is bent, and the tires are worn.

3. Approximately 7,800 Badger Water Meters which were removed from service at the time of the ESG grant. The badger meters were replaced with Sensus meters. Therefore, the old badger meters are now surplus and of no use to the City.

Prepared by:
Jacob Tawil

Attachments:

1.	BOE MEMO- SURPLUS EQUIPMENT

Department of Public Works

Memorandum

To:	Honorable Mayor DeStefano, Honorable Members of the Board of Estimate and Apportionment and Members of the Common Council
CC:	Richard McCormack- City Clerk and Rosa Tumminia- Deputy Treasurer
From:	Jacob S. Tawil, P.E. Commissioner of Public Works
Date:	September 12, 2024
RE:	Surplus vehicles

We are requesting that the pieces of equipment listed below be declared surplus and authorize the Commissioner of Public Works to dispose of it in the most advantageous way to the City, based on his opinion, most likely through Auctions International.

1. 2000 JCB Loader (VIN# SLP45600XE0539181). This loader's transmission leaks oil, has weak breaks, has a front bucket that is extremely worn and the dash does not work. The cab is rusted and the doors do not stay shut.

2. 2001 Ingersoll Rand Air Compressor (Model #185W). This piece of equipment is rusted and the doors do not stay open. The hose reels are severely damaged which in turn cause condensation to produce. The axle of the compressor is bent and the tires are worn.

3. Approximately 7,800 Badger Water Meters which were removed from service at the time of the ESG grant. The badger meters were replaced with Sensus meters. Therefore, the old badger meters are no longer needed and of no use to the City.

Thank you.

JT/kg

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 17, 2024
Index No: 188-24

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				
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

Authorization to Declare 30 Church Street as Surplus City Property

BE IT RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment and declares 30 Church Street as surplus.

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown, NY, concurs with the Board of Estimate and Apportionment, and authorizes an appraisal of said property, and authorizes Corporation Counsel to dispose of the property in the best interests of the City of Middletown

Prepared by:
Jacob Tawil

Attachments:

1.	Exterior Pro Builders

Exterior Pro Builders Inc.
Roofing & Siding

20 Fairlawn Ave. Middletown, NY 10940
845-766-3776
exteriorprobuilders@gmail.com

City of Middletown

We are writing you today to express our interest in purchasing the property located at 30 Church St. Middletown, NY. We are the Owners of Lots 27-29 Church St.

We are expressing our concern as to the existing Conditions of 30 Church St. The property has been in unkempt condition for a few years and has been prone to water pooling and public dumping. This causes an unhealthy environment due to bugs and bad odors. Exterior Pro Builders would like to purchase this property to park our vehicles and maintain the property clear of debris and overgrown grass and weeds. This will contribute to the aesthetic of the area and utilize the existing vacant property. We are aware the property cannot be built on and will only use the land as a parking area. The land use has been confirmed by the Building Inspector.

Unfortunately, said property has become an eyesore and we have attempted to keep it clear in the efforts to improve our community.

Please contact us to discuss further and our purchasing options. Thank You for considering our offer.

Alexis Perez
Manager

Exterior Pro Builders Pro Builders, Inc

P: 845-381-7771
C: 845-381-2892

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 17, 2024
Index No: 189-24

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				
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

Accept the Resignation of MaryAnne Cavallaro from the Zoning Board of Appeals

BE IT RESOLVED that the Common Council of the City of Middletown accepts the resignation of MaryAnne Cavallaro from the Zoning Board of Appeals, effective at the close of business on September 30, 2024.

Prepared by:
Rick McCormack, City Clerk

Attachments:

1.	MaryAnne Cavallaro Resignation

Richard McCormack

From: Joseph DeStefano <mayordestefano@yahoo.com>
Sent: Wednesday, August 14, 2024 9:53 PM
To: Richard McCormack
Subject: Fw: Resigning from the Zoning Board

Sent from Yahoo Mail for iPhone

Begin forwarded message:

On Wednesday, August 14, 2024, 8:56 PM, Maryanne Cavallaro <maryannecavallaro@gmail.com> wrote:

Dear Mayor DeStefano,
I am writing with regret to resign from the Zoning Board effective October 2024, due to health concerns. If there is a meeting in September I will attend.
I was honored to have a seat on the board. The Board Members were all helpful welcoming and supportive. I learned a lot. Martina was wonderful to work with as well. My heart and sympathy for the neighborhoods, made it a study for me in the correct formula to vote. I so respect the Common Council and the Zoning Board for decisions made for the City's growth and rehab.
Thank you Mr Mayor for the opportunity.
I wish I was able to continue. I will tune in for the meetings. And will always be proud to have been a small part of Middletown's plans and growth.
Sincerely,
MaryAnne Cavallaro
Sent from my iPhone

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By: None
Seconded by: None
Date of Adoption: September 17, 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

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