



COMMON COUNCIL MEETING
CITY OF MIDDLETOWN
April 18, 2023 – Minutes
City Hall
16 James Street
Middletown, New York 10940

P R E S E N T

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

Digitally Recorded Proceeding, transcribed by:

Lisa Kane

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1. Pledge of Allegiance

(Pledge of Allegiance)

PRESIDENT RODRIGUES:

2. Roll Call

PRESIDENT RODRIGUES: Roll.

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

3. For the Good of the City

State of the City Address (not recorded)

4. Approval of Minutes

PRESIDENT RODRIGUES: All right. Approval of minutes.

ALD. MASI: So moved.

RICHARD MCCORMACK, CITY CLERK: Oh, I'm sorry. February 7th, '23.

ALD. MASI: So moved.

PRESIDENT RODRIGUES: Mr. Masi, seconded --

ALD. WITT: Second.

PRESIDENT RODRIGUES: -- by Alderman Witt. All in favor?

ALDERMANS: Aye.

5. Correspondence, Communications and Reports

(None this evening)

6. Public Hearings and Grievances

(None this evening)
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7. Remarks of Alderman

PRESIDENT RODRIGUES: All right. Remarks of Alderman. Alderman Tobin.

ALD. TOBIN: Nothing this evening. I just appreciate the Mayor's -- I just want to thank the Mayor for, you know, the excellent State of the Union and thank all the Common Council members as we work as a team. I think that the City has a bright future. And looking around the community of things that we provide, you know, definitely a credit to all of our staff, you know, the excellent programming and top-notch professionals that we have. Thank you.

PRESIDENT RODRIGUES: Alderman Jean-Francois.

ALD. JEAN-FRANCOIS: Yes, piggyback to what Alderman Tobin has said, congratulations, Mayor, that was a great overview. And it's good to see our City is moving forward. It's in good hand. Thank you.

PRESIDENT RODRIGUES: Alderman Johnson.

ALD. JOHNSON: The Mayor's a tough act to follow, so I won't. Thank you.

PRESIDENT RODRIGUES: Wray.

ALD. WRAY: Agreed. All I can say is onward and upward, we love your vision, Mayor and Council President Rodrigues.

PRESIDENT RODRIGUES: Alderman Kleiner.
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ALD. KLEINER: Thank you. Thank you, Mayor and your staff. It's a great presentation and it's amazing to see how much is going on in the City and has gone on and will go on.

The main thing we want to mention is that we will have a constituents meeting next Monday, April 10th and the Police Chief Ewanciw is going to be there to answer questions, so please come out for that. Thank you.

PRESIDENT RODRIGUES: Alderman Green.

ALD. GREEN: Thank you very much. Yes, we do hope to see you on the 10th for our constituents meeting. Thank you to the Chief for agreeing to -- to come to everyone and speak.

Also, congratulations, Mayor, thank you for a wonderful State of the City Address. You touched on some very, very important key points, you know, both on the county, state, and definitely the local level. Exciting stuff to come. It's a pleasure to work with you and -- and glad to see what's going forward. Thank you.

PRESIDENT RODRIGUES: Alderman Witt.

ALD. WITT: I have nothing this evening. Thank you.

PRESIDENT RODRIGUES: Alderman Masi.

ALD. MASI: I certainly have nothing.
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8. Petitions and Complaints

(None this evening)

9. Unfinished Business

(None this evening)

10. New Business.

PRESIDENT RODRIGUES: New business.

RICHARD MCCORMACK, CITY CLERK: Good evening.

We have a Resolution sponsored by Alderman Masi to accept a \$17,000 grant from the Orange County Youth Bureau.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Jean-Francois authorization to amend City Code as it pertained to a three hour parking in the business improvement zone.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Jean-Francois to amend City Code to extend the definition of commercial vehicles as it relates to the regulation and control of municipal parking lots.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Johnson to amend City Code to prohibit overnight parking permits in the DMU Downtown Mixed Use Zoning District.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Tobin accepting a \$450,000 from a Dormitory Authority of the State of New York for the purchase and installation of surveillance cameras and

supported infrastructure.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Tobin, seconded by Alderman Wray. Any discussion?

Alderman Kleiner.

ALD. KLEINER: I just want to mention that if you go on the City website and the -- the plan for this is amazing. And you can get all the details there on where they'll be and -- and what's involved. Thank you.

PRESIDENT RODRIGUES: Anyone else? Roll.

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Masi authorizing a \$145,000 budget transfer from the Debt Service Fund balance to the Water System Improvement Fund.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Masi authorizing a \$6,699.74 budget

transfer to cover the shortage of funds in the 2022 repairs to truck number 22 and 23.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Witt authorizing the renaming of the Babe Ruth Field to the Daniel Miller Field.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Kleiner authorizing the use of portable lights by the Otisville Country Fair.

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

Alderman Kleiner.

ALD. KLEINER: I just want to mention that this AMERICAN LEGAL TRANSCRIPTION (845) 452-3090

is at the end of July. And if you look they're coordinating with and combining with Cornell Cooperative. So it's gonna be quite an event this year. I think it's worth looking up. Thank you.

PRESIDENT RODRIGUES: Anyone else? Roll.

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Wray authorizing the Run for Downtown Committee to host an event at Erie Way Park.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Green declaring the Common Council as the SEQRA lead agency for a zoning change to prohibit short-term rentals.

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

Roll Call: Aye: Tobin, Jean-Francois,
AMERICAN LEGAL TRANSCRIPTION (845) 452-3090

Johnson, Wray, Kleiner, Green, Witt, Masi, President Rodrigues. Carries.

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Witt accepting a \$3,500 donation from the Middletown Little League to offset field improvement costs.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Kleiner authorizing a city-wide yard sale.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Green authorizing street closures for the Middletown Little League Parade on Saturday,

April 15th

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Masi authorizing an agreement with the County of Orange for the use of the fire safety trailer.

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

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

RICHARD MCCORMACK, CITY CLERK: Resolution sponsored by Alderman Johnson to amend the City Code to prohibit unreasonable noise from a motor vehicle.

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

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

11. Local Laws

(Nothing this evening)

12. Audit of Claims and Accounts

PRESIDENT RODRIGUES: Audit.

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

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Masi, seconded by Alderman Wray. Roll.

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

13. Adjournment

PRESIDENT RODRIGUES: Move for adjournment.

ALD. MASI: So moved.

(PROCEEDING CONCLUDED)

I, LISA KANE, certify the foregoing transcript of proceedings of the April 4, 2023 Middletown City Council meeting was prepared using the required electronic equipment and is a true and accurate record of the proceedings.

Signature: *Lisa Kane*

Date: April 24, 2023

Agency: American Legal Transcription
11 Market Street, Suite 215
Poughkeepsie, New York 12601



Item Cover Page

COMMON COUNCIL AGENDA ITEM REPORT

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Johnson

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			

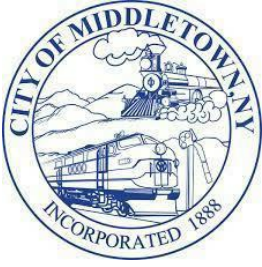
DATE OF ADOPTION: April 4, 2023

SUBJECT: **Resolution to Accept a \$17,000 Grant from the Orange County Youth Bureau**

SUGGESTED ACTION: **RESOLVED;** that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment accepts a \$17,000 Grant from the Orange County Youth Bureau Grant to help fund the Too Good program, youth outreach, and the Youth Leadership Academy.

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the funds be deposited in the following accounts:

- A. 3120.501 Youth Leadership Academy \$7,000
- A. 3120.468 Too Good Programs- Youth Police Academy \$5,000
- A. 3120.468 Too Good Programs- Youth Community Outreach \$5,000



Item Cover Page

COMMON COUNCIL AGENDA ITEM REPORT

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Green

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			

DATE OF ADOPTION:

April 4, 2023

SUBJECT:

Authorization to Amend City Code as it Pertains to Three-Hour Parking in the Business Improvement Zone

SUGGESTED ACTION:

WHEREAS, the Police Chief has proposed certain deletions from the three-hour parking limitations in the Business Improvement Zone.

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 Section 460.20.1 to read in its entirety as follows:

- 460.20.1. Except as otherwise provided in this Article and in Subsection A, below, all streets in the Business Improvement District, as defined in Chapter 203 of this Code, shall be three-hour parking zones. No vehicle shall stand or be parked or be left standing or parked for more than 3 hours between the hours of 8:00 a.m. to 11:00 p.m., Sunday through Saturday.

1. Excluded from this Section shall be:

1. East Main Street, on both sides between Williams Street, and East

Avenue.

2. East Avenue on both sides between East Main Street and Fulton

Street.

3. Roberts Street on both sides from North Street to East Main

Street.

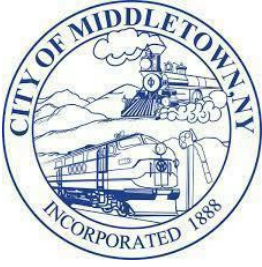
Section 2 - This resolution and ordinance shall take effect immediately.

ATTACHMENTS:

[PH Notice Parking Regulations.pdf](#)

[PH Parking Regulations Minutes.pdf](#)

[PH Notice Parking Regulations Affidavit of Publication.pdf](#)



Item Cover Page

COMMON COUNCIL AGENDA ITEM REPORT

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Wray

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			

DATE OF ADOPTION: April 4, 2023

SUBJECT: **Authorization to Amend City Code to Extend the Definition of Commercial Vehicles as it relates to the regulation and control of municipal parking lots.**

SUGGESTED ACTION: **WHEREAS**, the Police Chief is proposing an extension of the definition of “commercial vehicle” as it relates to the regulation and control of municipal parking lots.

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 paragraph of Section 460-9, Regulation and

control of municipal parking lots, to read as follows:

- 460-9. Regulation and control of municipal parking lots. No motorcycle, motor vehicle or vehicle shall stand, be left standing or park at any time in any parking lot described in this Section outside the time periods listed. With respect to timed parking spaces, moving from one parking space to another in the same parking lot does not extend the time limitations of such restriction. For the purpose of this Section, a “commercial vehicle” shall be any vehicle that has more than six (6) wheels or is longer than twenty- five (25) feet. The Department of Public Works shall install appropriate signage to implement the provisions and restrictions contained in this Section.

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



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COMMON COUNCIL AGENDA ITEM REPORT

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Jean-Francois

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			

DATE OF ADOPTION: April 4, 2023

SUBJECT: **Authorization to Amend City Code to Prohibit Overnight Parking Permits in the DMU Downtown Mixed-Use zoning district**

SUGGESTED ACTION: WHEREAS, the Mayor and Commissioner of Public Works are proposing that winter season overnight parking permits should not be issued in the DMU Downtown Mixed-Use zoning district, and the Mayor and Commissioner are further proposing that the Board of Estimate be given the authority to set fees for winter season overnight parking permits.

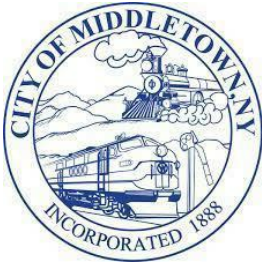
NOW THEREFORE BE IT Resolved, and be it Ordained, by the Common Council of the City of Middletown, New York, as follows:

Section 1 – The Code of the City of Middletown, N.Y., Chapter 460, Vehicles and Traffic, is hereby amended by adding new Subsections C and D to Section 460-14, Night parking, to read as follows:

B. The provisions of Subsection B, above, shall not apply to residences located in the DMU Downtown Mixed-Use zoning district, and no winter season overnight parking permits shall be issued for any location in the DMU zoning district.

B. The City of Middletown Board of Estimate is hereby given the authority to set reasonable fees for the issuance of any winter season overnight parking permits pursuant to Subsection B, above.

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



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COMMON COUNCIL AGENDA ITEM REPORT

THE FOLLOWING WAS PRESENTED

By Ald. Tobin

Sec'd by Ald. Wray

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			

DATE OF ADOPTION: April 4, 2023

SUBJECT: **Resolution accepting a \$450,000 Grant from the Dormitory Authority of the State of New York (DASNY) for the Purchase and Installation of Surveillance Cameras and the Supporting Infrastructure**

SUGGESTED ACTION: **RESOLVED;** that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes accepting a \$450,000 Grant from the Dormitory Authority of the State of New York (DASNY) for the Purchase and Installation of Surveillance Cameras and the Supporting Infrastructure.

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the creation of a separate budget line for these funds.

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes a **temporary borrowing** from the General fund for the amount of \$450,000. The General Fund will be reimbursed once the City receives reimbursement from DASNY. See below:

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$490,000, in the following manner:

From	Amount	To
General Fund Balance	\$450,000	H.0776.200
		Police -City Wide Surveillance camera

Budget Adjustment Request

Increase	Amount	Increase
H.5031	\$40,000	H.0776.200
Interfund Transfer from Community Dev Wide Surveillance camera		Police – City

ATTACHMENTS:

[DASNY.pdf](#)



Item Cover Page

COMMON COUNCIL AGENDA ITEM REPORT

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Johnson

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			

DATE OF ADOPTION:

April 4, 2023

SUBJECT:

Resolution authorizing a \$145,000 Budget Transfer from the Debt Service Fund Balance to the Water System Improvement Fund

SUGGESTED ACTION:

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer transfer \$145,000 from the Debt Service Fund Balance to the Water System Improvement fund, H.0947.900, to cover Resolution 254-22 dated 11/1/2022.

Resolution states to amend B&L Contract for services related to 20” HP Watermain Replacement project.

FROM	Amount	To
Debt Service Fund Bal.	\$145,000.00	Water System Imp H.0947.900

ATTACHMENTS:

[water fund.pdf](#)



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COMMON COUNCIL AGENDA ITEM REPORT

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Wray

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			

DATE OF ADOPTION: April 4, 2023

SUBJECT: Resolution authorizing a \$6699.74 Budget Transfer to cover the shortage of funds to cover 2022 Repairs to Truck #22 and #23

SUGGESTED ACTION: RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$6699.74, in the following manner, to cover the shortage of funds to cover 2022 Repairs to Truck #22 and #23.

FROM	AMOUNT	TO
A.5110.473 Lot Crew Material & Supplies	\$2,046.86	A.5110.440 Other Equipment
A.5110.479 Equipment Rental	\$4,652.88	

ATTACHMENTS:

[Repairs.pdf](#)



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COMMON COUNCIL AGENDA ITEM REPORT

THE FOLLOWING WAS PRESENTED

By Ald. Witt

Sec'd by Ald. Green

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			

DATE:

April 4, 2023

SUBJECT:

Resolution authorizing the Renaming of the Babe Ruth Field to the Daniel Miller Field

SUGGESTED ACTION:

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes that Babe Ruth Field be renamed the Daniel Miller Field.

FURTHER RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and authorizes Middletown Little League to purchase a sign commemorating Daniel Miller.

The sign will be approved by the Superintendent of Parks Raelynn Bertholf and Deputy Commissioner of Parks John Bianchi and will be mounted for display at the field.

ATTACHMENTS:

[Babe Ruth.pdf](#)



Item Cover Page

COMMON COUNCIL AGENDA ITEM REPORT

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner

Sec'd by Ald. Jean-Francois

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			

DATE OF ADOPTION: April 4, 2023

SUBJECT: Resolution Authorizing the Use of Portable Lights by the Otisville Country Fair

SUGGESTED ACTION: **BE IT RESOLVED;** that the Common Council of the City of Middletown authorizes the use of three portable lights by the Otisville Lions/Country Fair during the 33rd Annual Otisville Country Fair from Wednesday, July 26, 2023 through Monday, July 31st.

The Otisville Lions Club/Country Fair will be responsible for any damages incurred during the use of the lights and will make any necessary repairs at their expense.

ATTACHMENTS:
[Otisville Country Fair Request.pdf](#)



Item Cover Page

COMMON COUNCIL AGENDA ITEM REPORT

THE FOLLOWING WAS PRESENTED

By Ald. Wray

Sec'd by Ald. Jean-Francois

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			

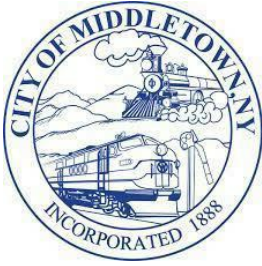
DATE OF ADOPTION: April 4, 2023

SUBJECT: Resolution authorizing the Run 4 Downtown Committee to host an event at Erie Way Park

SUGGESTED ACTION: RESOLVED; that the Common Council of the City of Middletown hereby grants the Run 4 Downtown organization’s application to provide beer and wine, on May 11, 2023, at Erie Way Park from 5 PM to 8 PM for a Run 4 Downtown kick-off/event sponsor recognition event.

FURTHER RESOLVED; the approval is conditioned upon the execution of the attached agreement by the applicant and the fulfillment of all requirements set forth in the agreement by the applicant to supply the City with the proper insurance documents and authorize the Mayor to sign the application from the SLA for the provision of beer and wine and temporarily lift the requirements of the City’s open container ordinance for this application.

ATTACHMENTS:
[R4DT SLA.pdf](#)



Item Cover Page

COMMON COUNCIL AGENDA ITEM REPORT

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Kleiner

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			

DATE OF ADOPTION: April 4, 2023

SUBJECT: Resolution Declaring the Common Council as SEQRA Lead Agency For a Zoning Change to Prohibit Short-Term Rentals

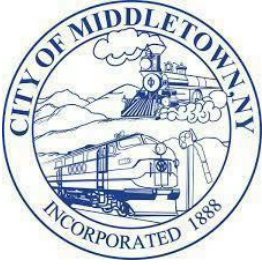
SUGGESTED ACTION: WHEREAS, the City of Middletown Common Council has been presented with a proposal for Citywide prohibition on short-terms rentals, and

WHEREAS, the proposed zoning amendment constitutes a Type I action pursuant to 6 NYCRR 617.4(b)(2), and

WHEREAS, the Common Council is the only involved agency under SEQRA for this proposed zoning

amendment.

NOW, THEREFORE, BE IT RESOLVED that the City of Middletown Common Council declares itself Lead Agency with respect to this zoning amendment request pursuant to 6 NYCRR § 617.6(b)(1).



Item Cover Page

COMMON COUNCIL AGENDA ITEM REPORT

THE FOLLOWING WAS PRESENTED

By Ald. Witt

Sec'd by Ald. Masi

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			

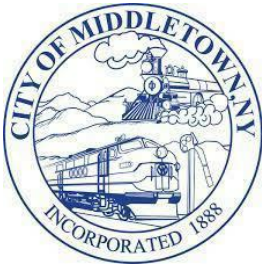
DATE OF ADOPTION: April 4, 2023

SUBJECT: **Resolution accepting a \$3,500 Donation from Middletown Little League to Offset Field Improvement Costs**

SUGGESTED ACTION: RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and accepts a \$3,500 donation from Middletown Little League to Offset the costs of a better clay to help with the drainage issues.

FURTHER RESOLVED RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the Treasurer to deposit the donation into account A.2705.00 Gifts & Donations and increase budget line A.7110.478 Park Improvements.

ATTACHMENTS:
[Little League Donation.pdf](#)



Item Cover Page

COMMON COUNCIL AGENDA ITEM REPORT

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner

Sec'd by Ald. Green

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			

DATE OF ADOPTION: April 4, 2023

SUBJECT: Resolution Authorizing a City Wide Yard Sale

SUGGESTED ACTION: **BE IT RESOLVED;** that the Common Council of the City of Middletown concurs with the Board of Apportionment and Estimate to establish a Citywide Yard Sale on Saturday, June 3, and Sunday, June 4, 2023, and hereby waives all fees, including the deposit for said sales.

ATTACHMENTS:
[City Wide Yard Sale Waiver.pdf](#)



Item Cover Page

COMMON COUNCIL AGENDA ITEM REPORT

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Masi

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			

DATE OF ADOPTION:

April 4, 2023

SUBJECT:

Resolution Authorizing Street Closures for the Middletown Little League Parade on Saturday, April 15, 2023

SUGGESTED ACTION:

RESOLVED; that the Common Council of the City of Middletown authorizes the closing of streets for the Middletown Little League Parade on Saturday, April 15, 2023, beginning at 11 AM along the following route: Leaving Presidential Park Elementary School, walk up Sunset Street, make left onto Watkins and into Watts Park.

ATTACHMENTS:

[Little League Parade Request](#)



Item Cover Page

COMMON COUNCIL AGENDA ITEM REPORT

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Wray

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			

DATE OF ADOPTION: April 4, 2023

SUBJECT: Resolution authorizing an agreement with the County of Orange for use of the Fire Safety Trailer

SUGGESTED ACTION: RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes an agreement with the County of Orange to secure the County Fire Safety Trailer for the National Night Out Against Crime and the Kids Celebration events this summer.

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign the contract.

ATTACHMENTS:
[County Fire Safety Trailer Contract 2023.pdf](#)



Item Cover Page

COMMON COUNCIL AGENDA ITEM REPORT

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Kleiner

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			

DATE OF ADOPTION: April 4, 2023

SUBJECT: Resolution to Amend City Code to Prohibit Unreasonable Noise from a Motor Vehicle

SUGGESTED ACTION: WHEREAS, the increased unreasonable noise generated by the exhaust systems of motor vehicles has resulted in increased public nuisance and alarm in the City of Middletown.

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

Section 1. Section 332-2 of the Code of the City of Middletown, Unreasonable noise, is hereby amended by modifying Subparagraph B (8) thereof to read as follows:

1. (8). The making of unreasonable noise or disturbance during the operation of a motor vehicle, including but not limited to, generating excessive or unreasonable noise from the vehicle's exhaust system, or operating the vehicle in such a manner as to cause excessive squealing or other excessive noise of the tires.

Section 2. Severability.

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

Section 3. Effective Date.

This Resolution and Ordinance shall take effect immediately.

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Wray

Date of Adoption 04.04.23

Index No:

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