



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

PRESENT:

J. Miguel Rodrigues, President
Ald. Jude Jean-Francois
Ald. Andrew Green
Ald. Paul Johnson
Ald. Gerald Kleiner
Ald. Joseph Masi
Ald. Sparrow Tobin
Ald. Kevin Witt

ABSENT:

Ald. Kate Wray

ALSO PRESENT:

Richard McCormack, City Clerk
Joseph M. DeStefano, Mayor
Alex Smith, Esq., Corporation Counsel

*Proceedings electronically recorded.
Transcript produced by Kimberly J. Zogby*

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1. Pledge of Allegiance

(Pledge of Allegiance.)

2. Roll Call

PRESIDENT RODRIGUES: Roll.

MR. MCCORMACK: Alderman Tobin.

ALD. TOBIN: Here.

MR. MCCORMACK: Alderman Jean-Francois.

ALD. JEAN-FRANCOIS: Here.

MR. MCCORMACK: Alderman Johnson.

ALD. JOHNSON: Here.

MR. MCCORMACK: Alderwoman Wray.

(No audible response.)

MR. MCCORMACK: Alderman Kleiner.

ALD. KLEINER: Here.

MR. MCCORMACK: Alderman Green.

ALD. GREEN: Here.

MR. MCCORMACK: Alderman Witt.

ALD. WITT: Here.

MR. MCCORMACK: Alderman Masi.

ALD. MASI: Here.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Here.

MR. MCCORMACK: A quorum is present.

3. Approval of Minutes

(None this evening.)

4. Correspondence, Communications, and Reports

(None this evening.)

5. For the Good of the City

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

MR. GOMEZ: Good evening, everyone. Kevin Gomez, member of the Middletown School Board.

I just want to share, on behalf of our School Board, some of the events that have occurred recently and upcoming events.

We had, on April 11th, Elementary Humanities Night at Presidential Park Elementary School. It was a wonderful activity, where parents, along with teachers and administrators got together to see the wonderful different -- wonderful work our kids are doing in humanities.

And we had a guest speaker, Charles Smith, a poet and author, who shared some of his works, among them, I Am the World and another one called I Am an American, emphasizing to our children the importance of appreciating each other's diversity and, of course, feeling proud of being an American.

Odessey of the Mind. This past weekend, our teams went out and did great. And in the words of our Superintendent, Mrs. Creeden: Our Middies are living our

motto: legacy makers. We had three teams travel to the New York State Championship for Odessey of the Mind this weekend, both elementary and middle school teams took first place at New York State Championship -- that's first place. Both of these teams will travel to the OM World in Michigan over the Memorial Day Weekend.

And for the very first time, we sent a high school team and they placed fifth at the New York State Championship. And this is part of our legacy, again, in the words of our Superintendent: An amazing accomplishment.

Okay, we also have upcoming, I believe it will be this Friday, Multicultural Night. That will be in Middletown High School, where there will be a variety of activities, food, music, dancing, guest speakers celebrating, again, the diversity of the culture and ethnic backgrounds of our Middletown School District or City of Middletown Town of Wallkill communities.

And then, also -- the excitement continues -- On May 9th, we will be having the Candidates' Night that will be moderated, I just learned today, by our distinguished Honorable Alderman, the Honorable Paul Johnson.

ALD. JOHNSON: Maybe reconsidered, at this point, but, we'll see how it goes.

MR. GOMEZ: Well, you have the chance to meet the candidates, including myself, or as Michael Jackson or The Jackson 5 used to sing, as long as it takes, I'll be there.

And, as well as -- and then May 16th -- March -- yeah, May 16 will be Election Night. The community will, also, in addition to electing Board members, will be able to vote on the district budget.

So, these are the events that are coming up and I know there is a list of more events, and I want to thank -- and again, our distinguished Alderman, a member of our district, Kevin Witt, for preparing it, and I will be sharing them, as time goes along. Thank you very much.

And finally, as a member of the community, and also as a Board member, I do want to thank the Mayor for his comments at the State of the City, where he acknowledged the importance of comprehensive bail reform. I do believe that that is something we need to revisit to make sure that our jurists have the discretion to ensure that, if a defendant is a risk of flight, and that also includes someone who, because of their past record, may pose a danger, reasonable bail could be set.

There are a lot of offenses that involve children, everything from selling drugs near school grounds, or possession of a weapon by a juvenile that are

not bail offenses now.

So, I think it's good that we take comprehensive action and we ensure not only that defendants' due process rights are defended but public safety, at large, as well.

So, I'm going to thank the Mayor for the being the conscience when it comes to the public safety of our community.

Thanks all. Thank you very much.

PRESIDENT RODRIGUES: Thank you. Thanks for coming.

MS. PIERCE: Good evening.

My name is Marilyn Pierce. I'm the co-chair of the Middletown Warming Station. And thanks to all of you, we have a wonderful spot that we are able to use during the coldest months of the year in our new Mulberry Street home. So, thank you so much.

I'd like to give a little bit of information about our season. We opened on November 20, 2022 and our last night was April 6, 2023.

We have paid staff members, three leaders, and we have five services. We have Terry, Torchia (phonetic), and Jen, who come and work on rehousing and have been able to find, hopefully, permanent housing for some of our guests; Downtown Laundry, which does a phenomenal job for us at a discounted rate; Carmine's Bakery, which gives us

bagels, and rolls, and breads, and all kinds of things for our guests to enjoy; and Hector Rivera from St. Paul's Church, who comes when we need a translator because I tried to learn Spanish in the last year but my Latin and French kind of got in the way -- it really didn't work.

We had a total of 149 volunteers. That includes our two-hour volunteers who come from 8:00 to 10:00 at night, our overnight volunteers who come from 8:00 at night until 8:00 in the morning; and also, volunteers who fix dinners and brought food at 8:30 at night and breakfast bags for our guests.

Because the soup kitchen is not opening for breakfast, we want to make sure that our guests have something to eat. So, we've been having people bring breakfast bags with a drink, and muffins, and so forth for our guests.

One hundred sixty-four different guests stayed at the Warming Station this season -- this is up 36 percent from last season -- 118 of them were men and 26 were women. Our average number of beds used per night was 25.

I mean at the beginning of the year, we had like just a few people come when we first started and then, there were nights when we had to turn people away because 30 was our maximum. Even up to the last night we were

open, we were still getting new guests, homeless guests.

Total number of beds, which was our total stay for the season, was 3,470; up 27 percent from last season. The ages of our guests were from 18 to 70 but, most of our guests were between 31 and 40 years of age. We had seven veterans and we were open 138 nights.

There were 4,140 dinners served and over a ton of laundry done, which is sheets, pillowcases, and blankets. We don't do personal laundry for any of the guests.

During that very cold snap we had in December around Christmas, The Warm Place at the Salvation was not yet open. They opened January first. So, the Warming Station stayed open all day and night on Friday, Saturday, and Sunday December 23rd, 24th, and 25th because we could not imagine or send anybody out into that cold. There were some very dedicated volunteers, who came, even on Christmas Day, so that we could remain open in that frigid weather.

We would like to thank Mike -- I hope I say his name right -- Zahorchak, who comes to the warming station every day to check to make sure everything is working well. He was always there, if we had a problem. He came right away.

Our Touro Medical students not only put on two

health fairs for the whole Middletown community, but they were the majority of our volunteers again this season. So, a super thank you to Touro and their students, without whom there were some nights we would not have been able to open.

Last, but certainly not least, a huge thank you goes to Jerry Kleiner. Jerry comes to our Coordinating Committee meetings, he listens carefully, and gives his input on some of the issues that we have. I guess we could say he's our liaison between the Warming Station and the City. Jerry, we thank you very much and we'd like to present you with this certificate.

There were times and some Thanksgiving in years' past when Jerry would open up Mulberry House on Thanksgiving Day and go down so that our homeless guests had a place to go.

It takes an entire community to accomplish the things that we manage to end up doing at the Warming Station. Our guests have become like a family, most of them.

We've had very few problems but, when we have a problem, we thank Chief Ewanciw, the Police Department. They have been very cooperative with the Warming Station.

Community members volunteer their time. They're always ready to donate items, monetary donations, and any

of the items that our guests need. Our time is the most valuable; that's what we need more than anything else. We did lose quite a few of our volunteers after COVID.

So, we just want you to know our heartfelt thanks go out to everyone and anyone who did anything, or had anything at all to do with the Warming Station this season. And we thank you from the bottom of our hearts.

Thank you so much.

PRESIDENT RODRIGUES: Thank you.

MR. CROSS: Good evening, everyone. Darrin Cross from the Middletown Little League.

And Mrs. Pierce, thank you. It's heartbreaking to hear those numbers.

I just want to give an update on the 2023 Little League season. We opened on Saturday. This is our 70th season as the Middletown Little League. We had the parade and we finally got the call right and we canceled games because it stormed like crazy about an hour after we were done.

This year, we are up to 300 players and we will host a little over 300 games at Watts Park between April and October. We wish we could take more kids but we have a problem with registration. Parents like to try to sign up late and we are lacking volunteers. I've been doing this for ten years and this is our hardest year of

volunteers. We're getting more kids and less volunteers and that's a problem. So, if anybody's out listening, parents, please get involved.

We're asking the public, now that we're open, please use caution on Wisner and Watkins Avenue. Every year, there seems to be cars driving down that road, and motorcycles, at 60-70 miles per hour. It's not a matter of if but it's a matter of when it's going to happen; and I hope it never happens.

Also, this year, we dedicated what everybody called the Big Field as now Daniel Miller Field. Daniel was an umpire for our league. He was very influential in the Little League community and he is missed by many of us. And I want to thank everybody for the support that made it happen.

I want to thank the Parks Department employees, John Bianchi; Matt Lybolt, the new supervisor and his crew; Raelynn and Nicole, and their entire staff; and all the City officials that continually support Middletown Little League.

I'd also like to thank the Middletown Police Department, the Middletown Fire Department, Elks Lodge, and all of our sponsors.

And I'd also like to thank all the City employees that take pride in their community because

putting a parade together, there's a lot of moving parts. You know they were out cleaning the streets; they were out with the roadblocks. There was a lot happening to make it successful.

And most importantly, I just want to thank the parents, the players, the volunteers that we do have that continue to make our league a success.

Thank you.

PRESIDENT RODRIGUES: Thank you.

Anyone else who would like to address the Council?

6. Remarks of the Mayor

PRESIDENT RODRIGUES: Okay, remarks of the Mayor.

MAYOR DeSTEFANO: We have a lot of thank yous this week. Also, the Kiwanis Club celebrated 100 years this weekend. I was unable to make it Friday night but it's quite an honor. I know, Mr. Masi, I believe you are still a member of the Kiwanis.

ALD. MASI: I am.

MAYOR DeSTEFANO: Yes, and they had a 100-year anniversary.

ALD. MASI: Ninety years.

MAYOR DeSTEFANO: What's that?

ALD. MASI: I've been there 90 years.

MAYOR DeSTEFANO: Oh, 90 years. I didn't say it.

But I also want to thank Marilyn and the volunteers with the Warming Center. Jerry, job well done. You really have been the conscience of the Council regarding the housing situation and the Warming Center; an honor well-deserved and we appreciate all your guidance and your opinions on matters related to that over the years. And you certainly have helped influence policy here in the City.

Odessey of the Mind, just a great accomplishment. I know the Superintendent sent me a text that night and said you had better get more keys to the City because not only did one team win, but we had two teams that won, and the high school team, for the first time, came in fifth, as Mr. Gomez said. So, I'm assuming that the Council will be inviting the two teams, probably after the World's because we may have a World Champion there, after the Michigan, and Mr. McCormack will be handling that.

But other than that, I don't think I have anything else to add. If you have any questions, I'll be more than happy to address them.

PRESIDENT RODRIGUES: Any questions for the Mayor?

Thank you, Mayor.

7. Remarks of Department Heads

PRESIDENT RODRIGUES: Remarks of Department Heads.

Economic Development.

MS. BRUNI: Good evening, everyone.

The Business Improvement District has been working with downtown merchants on a Cinco de Mayo event. So, this year, we're presenting a Cinco de Mayo promotion and event, starting Friday, May 5th, all weekend, and Saturday May 6th and May 7th.

We're going to have merchants participating in specials. We're going to have musicians in various areas of the downtown, and strolling mariachi groups, and so forth.

Your support tonight, there is a resolution waiving fees for the sidewalk sale for the downtown, is much appreciated because it will help with getting the merchants onboard with the sidewalk sale for that weekend and promotions.

Also, we've been working with Because It Matters 24/7! on the Juneteenth celebration. So, Juneteenth, June 19th, it will be held at John F. Degnan Square. So, everything will start getting posted in events schedule and so forth regarding that event.

As well, Summer Concert Series are starting June 2nd. Everything has been programmed. June 3rd, the Farmers Market starts. So, we've been actively busy with all -- programming our events and getting things ready for the summer season.

This weekend, we have a big show at the Paramount, The Orchestra, featuring former members of ELO. So, that's this Saturday. Tickets -- you can purchase tickets on MiddletownParamount.com or at the door Saturday night.

And also, I'm looking for your support on the resolution tonight regarding BFJ for Master Plan for the Transportation site in our downtown.

And that's all I have for tonight.

PRESIDENT RODRIGUES: Any questions for Maria?

MS. BRUNI: Thank you.

PRESIDENT RODRIGUES: Thank you, Maria.

DPW Commissioner.

MR. TAWIL: Good evening, all.

So, we'll start off with the Alderman Masi, the reservoirs 93 percent full. We have stopped the flow coming in the Shawangunk Reservoirs so that we can work on the dams. It's about two and a half feet low, right now, the Shawangunk Reservoir, and we're trying to get it lower yet.

Orange and Rockland have been working on restoring and repairing the streets in the City of Middletown, where they have installed gas mains.

Fairlawn Avenue, Claremont, Ashley, West Main Street, Monhagen, and all the cross trenches that will go across Wickham Avenue, they are going to start working on that on Thursday and, possibly, on Friday. There's going to be some detour on Wickham Avenue in there, so that they can expedite the work. Otherwise, they can stay there for days trying to do it one half of the street at a time.

So, for Thursday and, possibly, Friday, this Thursday and Friday, please try to find alternate routes. We will be sending out Nixle advising people. And so that's Orange and Rockland is doing the work. It's not the City of Middletown but this is work that's much needed to restore all the ditches that they have done and making sure that you don't have those bumps on the road when you drive across Wickham Avenue or any of the work that they have done.

The work Thursday will be between 9:00 and 2:30, 9:00 in the morning until 2:30 in the afternoon. If they don't finish Thursday, they'll come back Friday. And the idea is to try to absorb the peak travel time to cause less inconvenience to the public.

They're going to be working also on Robertson

Drive and Vincent Drive, as well. And I know, Alderman, you're going to be discussing that later.

And in construction for the Traffic Operation Phase II just started on Monday. So, you'll see Boyce Excavation there, the GC, the contractor, Ray Pantel is the electrical contractor. You'll see them running around downtown and everywhere else. We're going to be expanding into Phase 2. Phase 2 is shown on our website, the work area and the intersections that are going to be impacted this year. Phase 2 is this year. Phase 1 was last year. And 2024 will be Phase 3 of the construction.

So, just, again, just be careful. Bear with us in here because that's a major improvement to our city.

The dam project for Shawangunk dams, it's moving along. There's going to be some extra material coming out of the dams that we remove. The Parks and Recreation, they want to use it to flatten some area in Maple -- in Maple Hill Park. So, if you see some activities in Maple Hill, it's because we're placing some of the extra soil in there so that it can be flattened -- the area can be flattened and then Parks, they will have more use to it -- more use for that area of Maple Hill.

Spring cleanup is moving along very well. By Thursday, we will be done with the 1st Ward and then we will go to the 4th Ward, and then 3rd, and then 2nd Ward.

We notice that there is less amount of bulk pickup or garbage out there for us to pick up for the spring cleanup, which is a good thing.

Water flushing system, we're done. So, you don't have to watch out for discolor of water, except if you hear about water main break or we are working on the system to maintain it. That's the time when you watch for your water, and observe it, and make sure that we are not -- the water is not discolored.

The grass started. This is the season now where the grass is going to start growing higher and higher. So, we have started issuing violations and -- letters, really, not violation, saying if you don't cut it within five days, we'll cut it. We already cut people some certain areas in there and they will be charged for it, obviously. And we don't want to do that. So, please keep an eye on your own lawn and cut it when you think it's appropriate but no more than six inches, it's got to be cut, please.

The plumbing test was given and six people took it. Three passed it. So, we're going to have three more licensed plumbers in the City of Middletown.

The DPW Annual Report is on our -- the 2022 Annual Report has been posted on our website. We usually do it after the Mayor's State of the City. And please

feel free to read through it and, if you have any questions, review it, we'll be happy to discuss any item that we listed in there with you, when you are ready or if you have any comments.

Our Annual Water Quality Report will be also published very soon. It's under final review and that's something we take pride of with the water that we provide to our City. And I know one of the operators, he does a good job for us, he is sitting here today, representing the Little League.

Now, I'm going to go back to recycling again. You know every week -- every other week, which is every meeting, I've been mentioning recycling, recycling. Please pay attention to recycling. Visit our website; the brochure is right there. Very soon, we are going to start imposing penalties in there and fines and the Council will be considering adding those fines to our Code so that people who are just, they are chronic people and there are chronic people who are watching which letter goes to where, how often the letter has been going, and there are some people just repeat offenders, time after time. Please pay attention to it. We appreciate the idea that you want to recycle but you recycle appropriately, please.

Look at the brochure that we have on our website. Call us if you have any questions. That's what

we're here for. I had a person from Vincent Drive come to me with a letter. He said he wants to see Jacob. So, I met with him and he said what did I do wrong in here? Here is a picture. So, the gentleman, he was very honest. He was very truthful. I said here it is, it's a plastic bag; because we provide pictures along with the letter of warning that we send over to people who are not complying with the recycling. He said, oh, my gosh, now I understand.

So, we discussed it a little bit more. Now he is understanding. I appreciate him very much, the person from Vincent Drive, coming over, taking time to understand, and we appreciate that.

So, we urge everybody to comply with the recycling ordinance, please.

With that, I will conclude, Council President.

PRESIDENT RODRIGUES: Is that why Vincent Drive was picked up first?

MR. TAWIL: I'm sorry?

PRESIDENT RODRIGUES: The garbage today.

MR. TAWIL: Spring cleanup?

PRESIDENT RODRIGUES: Yeah. Is that why you picked up Vincent Drive first?

Any questions for Jacob?

Alderman Jean-Francois.

ALD. JEAN-FRANCOIS: Commissioner --

MR. TAWIL: Yes, sir?

ALD. JEAN-FRANCOIS: -- I received a DPW Annual Report and I was very pleased, looking at the report. I know over the years, you and I spent time to visit some of the sites and I've got to say, not only is it hard work, it's also dangerous work that these men do, and I appreciate that. Thank you for you and your Department, everyone that's involved with these projects.

MR. TAWIL: Thank you.

ALD. JEAN-FRANCOIS: Thank you very much.

MR. TAWIL: Thank you. And you were going to talk about the -- okay.

PRESIDENT RODRIGUES: Alderman Kleiner.

ALD. KLEINER: Thank you. Commissioner, can you remind people that yard waste needs to be put in containers, cans or paper bags? But we've seen these out-of-town landscaping companies come and just blow the leaves and such out into the street like it was leaf pickup in the fall. And also, I've seen yard waste put in plastic bags. So, if we could tell people you can't do that.

MR. TAWIL: Absolutely. Absolutely. You heard it from the Alderman. Absolutely. Thank you very much. You always remind us of this and it's extremely important.

So, if you put it in a plastic bag, what we're going to do is we're going to rip the plastic bag, dump the contents in our truck and then leave the plastic bag, unfortunately. So, if you have a can in there, well, put it in the can. Otherwise, you know, most likely the plastic bags, we'll try to pick them up but the Alderman is absolutely right. Do not leave them in a plastic bag. Make it in biodegradable bags or put it in a container but not plastic bags.

And if you have branches --

ALD. KLEINER: Not out loose in the street.

MR. TAWIL: Exactly, and not out loose in the street. And if you have branches, the branches must be wrapped with a string, 30 inches long, and that's it. This is not leaves pickup time, where you're allowed to put the yard waste in the street.

ALD. KLEINER: I have one other question. I don't know when we'll get to milling and such later on but a lot of our crosswalks are just kind of disappearing and I wondered if we're going -- and I think you know a particularly dangerous crosswalk is that one on Monhagen Avenue, where Oliver Avenue comes out. There's no handicapped entrance on either side and it's such a busy street and people go by so quickly.

We used to have a sign in the middle of the

street about slowing down for pedestrians in a crosswalk but the little sign on the side, people are going too fast to see it. So, it's -- I think we need to restripe a bunch of the crosswalks and particularly that, we need to figure out something where there's -- I don't know. It didn't fit in with any of our programs for handicapped access.

MR. TAWIL: What is the location, Alderman, again? I'm sorry.

ALD. KLEINER: Monhagen Avenue where Oliver comes out.

MR. TAWIL: Oh, yeah. No, no, we have a big project for that. That's coming in -- that's part of our Traffic Operations.

ALD. KLEINER: But it --

MR. TAWIL: Go ahead.

ALD. KLEINER: Okay, if that is part of the Traffic because I didn't see it. I knew that intersection didn't qualify for a traffic light.

MR. TAWIL: No, we have a blinking --

ALD. KLEINER: And if we wait for the Heritage Trail to get there, who knows?

MR. TAWIL: No, no. No, no. It's part of our Traffic Operation --

ALD. KLEINER: Okay.

MR. TAWIL: -- that intersection. That intersection total will be what?

MAYOR DeSTEFANO: It's going to be a blinking light, not a traffic light.

MR. TAWIL: Yeah, it's a blinking -- yes.

MAYOR DeSTEFANO: Plus, a pedestrian crossing.

MR. TAWIL: Yeah, and there's going to be a blinking light right in the middle. So, you can't miss it.

ALD. KLEINER: Okay. That'll certainly help, yeah.

MR. TAWIL: Yes, we did the study. We did the evaluation. You're going to have ADA accessible in there. You're going to have a small section of the Heritage -- well, you're not going to have the Heritage Trail but it will be planned for.

PRESIDENT RODRIGUES: In about 20-30 years, right?

MR. TAWIL: What?

PRESIDENT RODRIGUES: Twenty or thirty years?

MR. TAWIL: No, actually, we're meeting tomorrow, the Mayor and I, with the Orange County and their engineers about the Heritage Trail Phase 2, which is from the Switch and from East Main Street, all the way through Davidge Park, through Ingrassia Road. Yeah,

tomorrow we're meeting.

PRESIDENT RODRIGUES: All right, Alderman Witt.

ALD. WITT: Yeah, thank you, Commissioner.

MR. TAWIL: So, thank you very much.

ALD. KLEINER: Thank you.

ALD. WITT: Thank you. Regarding the Orange and Rockland repairs, is there a timetable for when the yard -- lawn and yard repairs and property damage is going to get taken care of? Because people's yards were just torn up during this whole thing and I'm getting questions and I'm sure Alderman Masi is, as well, about when this is going to happen.

MR. TAWIL: Yes, as you know, we try to contact our biggest person who is in charge and he did not get back to us yet. But Vincent Drive, the contractor, he is -- the repair and the asphalt, it's going to be done I mean within -- I can't tell you when but within a month. But the topsoil and seed, I'm going to owe you an answer on that. We tried to get an answer from the higher up and it did not work. We'll try to apply pressure to get you an answer. My apologies for being late with the answer but you were copied on the emails.

ALD. WITT: Yes.

MR. TAWIL: And he apologized. He said, I don't have an answer for you yet; I'll get back to you soon.

And he did not get back to us yet. So, we'll do our best to get you an answer. I appreciate that very much.

ALD. WITT: I had a second question.

MR. TAWIL: Yes, sir.

ALD. WITT: Maybe this is a history lesson. So, we're not -- at one point, I thought -- this was a few years ago, when I was on the last time, that we were not happy with the work that somebody had done blacktopping the roads and that we were now doing it and billing them for like half of it. Did we get away from that?

MR. TAWIL: Yes.

ALD. WITT: Okay.

MR. TAWIL: Yes, we are because Orange and Rockland, right now, they are doing it --

ALD. WITT: Okay.

MR. TAWIL: -- which is paving from the curb to the centerline of the road.

ALD. WITT: Right, right.

MR. TAWIL: They're doing it and they're using a contractor that we like, which is All County Asphalt. And before they (inaudible) some other people. And so, this guy, he knows what he's doing.

ALD. WITT: Okay.

MR. TAWIL: And they used him the last few years and he seems to be doing a good job.

ALD. WITT: Okay, thank you very much.

MR. TAWIL: I just want to go back to Alderman Kleiner for one second.

Alderman Kleiner, we do repave and restripe all the crosswalk every year. So, you know. I know they fade by this time but we're going to start very soon repainting all --

PRESIDENT RODRIGUES: Alderman Jean-Francois has another question.

ALD. JEAN-FRANCOIS: Yeah, one more question that I have, Commissioner.

MR. TAWIL: Yes, sir.

ALD. JEAN-FRANCOIS: Driving around, I see a lot of televisions being put with the bulk pickup. Are we addressing that? Because it's way too early. We do have, what's that, May 1st, electronic drop-off.

MR. TAWIL: May 20th.

ALD. JEAN-FRANCOIS: Yes.

MR. TAWIL: May 20th.

ALD. JEAN-FRANCOIS: But folks is dropping off a lot of televisions. So, are we addressing that? Are we warning them?

MR. TAWIL: Yeah, absolutely we do. We go knock at the door. We have the happy police in there goes knock at the door, tell them, hey, you got to take it -- versus

the serious police in here with the guns. What we call is happy police part of our Codes Enforcement, which they go knock at the doors, please remind them that this is not the drop off time.

So, that's, yes, we are. And remind everybody, we're not going to pick them up. It's illegal for us to pick them up. It's a New York State law that we have to drop them off at our yard, where we have a recycling -- specialty recycling company in electronics and they will come and pick up everything from us and they will receive it from our residents. That's going to be on Saturday, I believe it's May 20th, at the DPW Garage.

ALD. JEAN-FRANCOIS: Thank you, Commissioner.

MR. TAWIL: Yes, sir.

PRESIDENT RODRIGUES: Thank you, Jacob.

MR. TAWIL: Yes, sir.

PRESIDENT RODRIGUES: Police Chief. Happy
Police Chief.

CHIEF EWANCIW: I guess I'm the not happy police today.

Good evening. I actually have nothing, unless you have questions for me.

PRESIDENT RODRIGUES: Any questions for the Police Chief?

Thank you, Chief.

CHIEF EWANCIW: Thank you.

PRESIDENT RODRIGUES: Superintendent of Recreation.

MS. BERTHOLF: Good evening.

Quick, tonight, the resolution you have before you to transfer that money is for the much-needed restrooms in the back of Davidge. We hold several special events back there, with two porta-potties. And every year, we're at risk of having to do our camps in the back of Davidge and, with 150 kids and porta-potties, it doesn't really work out too well.

And also, if you could just help support us and share our Facebook posts with the Lifeguarding Class. The registration ends for that on the 21st of April and the class is going to be held on the 28th and 29th. It's a free class for anyone 15 and over, that they can take that class, pass it, and guaranteed job with us over the summer, as long as they pass a class. And the class will also be free.

Again, we are hurting for lifeguards and our last resort is, with approval of the Council, to increase the hourly rate for the lifeguards, to try and get more guards in. But again, we are advertising. We are pushing out to the schools, the phys ed departments, to the athletes, to everyone we can think of and we are still

struggling to get the guards applying.

So, if you could help us in any way on sharing that post and trying to get some people to take the class, that would be greatly appreciated.

Any questions?

PRESIDENT RODRIGUES: Any questions?

UNIDENTIFIED SPEAKER: What is the current rate?

MS. BERTHOLF: Starting, minimum wage is at \$4.20 and we start a 15-year-old at \$15.25 -- \$15.20.

UNIDENTIFIED SPEAKER: Thank you.

MS. BERTHOLF: Which sounds great but, when the Legoland they're starting at \$17 an hour.

UNIDENTIFIED SPEAKER: Maybe we'll bump it up to \$20, but we'll see.

MS. BERTHOLF: Yeah.

UNIDENTIFIED SPEAKER: How many hours are you --

MS. BERTHOLF: It's -- they have to -- to take the class for free?

UNIDENTIFIED SPEAKER: To get a job, how many hours a week is somebody --

MS. BERTHOLF: Oh, five days a week, with rotating weekends. But to do the class for free, you'd have to work seven of the nine weeks over the summer and then be on that five-day a week rotating schedule.

And we're also -- if people are certified, we'll

also take subs. And at this point, we would even certify you if you were willing to work two days a week because we are in need.

PRESIDENT RODRIGUES: All right. I appreciate it. Thank you.

Corporation Counsel.

MR. SMITH: I don't have anything tonight, unless somebody's got any questions.

PRESIDENT RODRIGUES: Questions for the Corporation Counsel?

City Clerk.

MR. MCCORMACK: Good evening, everybody. I just wanted to call your attention. There's a resolution before you this evening to engage Civic Plus for a new city website. Our city website is pretty old, at this point, and it's time for some updating. I'm looking for your support on that.

We have the Citywide Clean-up this Saturday, April 22nd, at Erie Way Park. If you haven't already signed up, you still can through SignUp Genius on our website.

And last, but not least, we also -- I want to thank the Council for your support on the Citywide Yard Sale at our last Council meeting. We've had a really strong outpouring of people interested in signing up

already. Please sign up. It also will coincide with our opening weekend for the Middletown Farmers Market. Hopefully, it will draw some people into town.

PRESIDENT RODRIGUES: Okay, any questions for Rick?

8. Public Hearings and Grievances

PRESIDENT RODRIGUES: Okay, Rick, Public Hearings and Grievances.

MR. MCCORMACK: Good evening.

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, April 18, 2023 on or as near 7:30 p.m. as possible in the Common Council Chambers, Second Floor, at 16 James Street, to hear any and all persons wishing to be heard on a proposed zoning amendment to Section 475 by adding a new section, 475-35-1, Short-Term Rentals, to read as follows:

Short-Term Rentals. The short-term rental of a residential property or a portion thereof for a period of less than 30 days is prohibited in all zoning districts in the City of Middletown, subject to certain exemptions available on the website in the Office of the City Clerk.

Any and all persons wishing to be heard will be given an opportunity to speak either for or against the proposed zoning amendment.

The complete proposed zoning amendment is

available on the City website and the office of the Common Council Clerk.

Any person unable to participate at the time of the public hearing can email comments to rmccormack@middletown-ny.com.

By the order of the Common Council.

PRESIDENT RODRIGUES: Okay, at this time, the public hearing is now open. Anyone from the public?

Okay. Anyone from the Council?

Do I have a motion to close?

ALD. MASI: So moved.

PRESIDENT RODRIGUES: Alderman Masi. Do I have a second?

ALD. JOHNSON: Second.

PRESIDENT RODRIGUES: Alderman Johnson. All in favor?

(Chorus of aye.)

PRESIDENT RODRIGUES: Public hearing is closed.

9. Petitions and Complaints (None this evening.)

10. Remarks of the Aldermen and Reports of Committees

PRESIDENT RODRIGUES: Okay, remarks of aldermen.
Alderman Masi.

ALD. MASI: Just a couple of quick things. On the Warming Station, I thought it was really a great report and everyone that works on it, congratulations to

them.

And Jerry, a special congratulations to you and thank you for everything you do with that.

The Odessey of the Mind, that's fantastic. It just goes to show what the Middletown School System is all about. It's a big strength for them and I'm really happy for the kids and the coaches.

And then, finally, I was happy that I was able to take part in the Little League parade on Saturday. Thank you to all the volunteers, all the coaches, and Raelynn and her crew did a fantastic job, again.

Thank you.

PRESIDENT RODRIGUES: Alderman Witt.

ALD. WITT: Thank you very much.

First of all, just to follow along with the contributions of the Middletown School District and the community, between the faculty, staff, scholars, teachers, clubs, associates. I know myself and Mr. McCormack have been going back and forth and there is going to be a commitment of about 200, at least, from the School District. And I was at a meeting tonight, actually, somewhere else, and Ms. Bertholf was there as well, with Mr. Coates, saying that there could be some more sports teams participating as well. So, I wouldn't be surprised if that number gets closer to 250 or 300.

So, it's a great day and I don't think anyone expects anybody to clean for four hours but, come on out. And it's a good time.

The Warming Station, Marilyn Pierce was very kind with her praise of other people and I can just tell you that she's amazing how much time and effort that she's put into this whole thing. And I'm not even doing it justice by just saying that or whatever. So, thank you.

Thank you, Jerry, for what you do but Marilyn has been the glue and the heartbeat of that for years -- many, many years. So, thank you very much.

Thank you.

PRESIDENT RODRIGUES: Alderman Green.

ALD. GREEN: Thank you.

I will echo that quickly; Marilyn is truly an asset to the city and to the homeless population. And she gives without any thought of selfishness to herself as does Jerry with this as well. I know, between the two of them, they put more hours that you can even imagine into helping out those in need. So, it's very much appreciated.

Of course, congratulations to the Odyssey of the Mind teams. To have three that go to states, two that place first, I mean that's just -- if that doesn't say that we're giving an amazing education and an amazing

opportunity to students, it would be such a shame to not be able to say that because, I mean, we're just so lucky and so fortunate to have some wonderful talented kids.

I know, Alderman Tobin, I believe you had -- your daughter was in the play this weekend, Annie, at Monhagen Middle School. My niece was in it. And the entire cast -- we're just so fortunate and so lucky to have great facilities and talented students in our city. So, congratulations to all of them.

As well, I did fail to mention at our last meeting, because it was the State of the City, that we did have a great turnout for the Fire Department versus Twin Towers Faculty basketball game. I will not mention the score because Twin Towers had a homefield advantage. So, we'll see. Next time, maybe we'll do it somewhere else. Maybe we'll look at the Rec Center and maybe we'll have the homefield advantage but we'll see how that is.

But thank you to them for opening that up and everyone who came for that.

It's unfortunate, I did have a prior event, I wasn't able to attend the Little League parade but my son loves to go by and he sees all the teams playing. So, I know I'll be out there marching with him and, hopefully, volunteering and helping out as soon as he's of age.

We did attend, also, the Rec Center's egg hunt,

which was a phenomenal event. I mean my little guy had a great time and I know there was an older crew I heard great things about. So, our Rec Center is second to none, of course.

Chief Ewanciw, I do want to thank you for coming to our constituents' meeting. You had a lot of questions. You spent -- you know, no rush to get out of there and we really appreciate it and I know our constituents appreciated you being there as well.

We did talk about you know a lot of this cannabis code, which we brought up again tonight in the Legislative Committee. And I had two quick experiences with that being an issue over the last week.

One was, kids blatantly in our parks, just sitting there, smoking cannabis. Again, just because it's legal to use in-home, does not mean you can use it in our parks, does not mean you can use it in your car.

I was at the car wash and in the line next to me, a gentleman was using a full-on bong; not smoking a joint, which you still cannot do but full-on just doing that.

You know certainly, it's driving while impaired. It's just an equal offense, I believe, to driving while intoxicated. You know it's really serious stuff. It's not a joke. You know, follow the State law. I understand

that there's some question about it and I hope that we can clarify it here on our end and hope that Albany can clarify it and get to work on that enforcement as well.

Thank you.

PRESIDENT RODRIGUES: Alderman Kleiner.

ALD. KLEINER: Thank you. I also want to thank Chief Ewanciw for coming to our constituents' meeting and staying for the whole time. I thought he did a really terrific job.

The Warming Station, it's what Marilyn does -- Marilyn, and Michelle, and Matt Airall, who are the head of the Warming Station. They are just amazing.

And Andrew, thank you for your work on the website and everything you do. And Touro, I don't know what we would do without Touro students volunteering. So, they really have been terrific.

Hopefully, there will be some improvements for next season. It's still a work in progress. So, the best, hopefully, the best we can do.

The cleanup is going to be this Saturday, April 22nd, Earth Day. And I just remind people that probably what you would call -- these days, you would call that very woke year of 1970, when we figured out that it was not a good idea to just be burning anything you wanted, or dumping anything in the water you wanted, and people

became aware. There was a real movement. There were people out in the streets saying, rivers on fire are not a good idea. And we got the Clean Water Act. Shortly later, we got the Clean Air Act. You know there was no EPA that was established in 1970, there was no OSHA, all these regulations, but the regulations to protect public health and safety and try and save the planet. So, we're living with the benefits of that movement and people were trying to go backwards. So, we hope we keep going forward.

So, our contribution to Earth Day is a simple one, it's just try and go out and clean up the City, pick up the litter, and keep in the spirit of it.

The Little League parade was terrific. I want to thank Darrin and all the Little League people. It was -- the field was dedicated. The Babe Ruth Field was dedicated to Daniel Miller. That was a very popular dedication. His mom was there and people were very moved by that.

But also, it was Jackie Robinson Day and, again, lest we forget, in 1947, Jackie Robinson, that was the day he played his first game at Ebbets Field and broke the color barrier in major league baseball. So, it was quite an historic day and it's great to see Middletown carrying on.

I spoke with Bob Hayward because he had asked me about Memorial Day this year. So far, the plan is for Middletown to do a Memorial Day ceremony at Thrall Park and the Town of Wallkill will do one at their park across from Maddy's. And I'm hoping, maybe, the Town of Wallkill will do theirs at 10:00 and Middletown will do theirs at 11:00. That hasn't been set in stone yet but that way, people could go to one and then go down to Thrall Park for the other ceremony. That would be very nice.

I also want to thank our City clerk, Mr. McCormack, who has taken over for the Citywide Clean-up and doing an amazing job. I know the Citywide Yard Sale was his idea and I think it's a great idea. A lot of people have been asking for that for a long time.

And updating the website, people who know me know that that's why I agreed to be on the Council way back when, because we had a website that talked about a council meeting on some day in February but it wasn't actually going to be at City Hall; it didn't mention that. And the meeting, I brought that up, it was in May. So, in May, we were talking about a February Council meeting.

So, the idea of having a funded website, these days with social media, it's not as critical but I still think it's very important to have it and have all the information so that it's all there, available to the

public.

And I guess that's all I see. Thank you.

PRESIDENT RODRIGUES: Thank you.

Alderman Johnson.

ALD. JOHNSON: Thank you. I share my colleagues' sentiments regarding the Warming Station. All appreciated.

I did mention, at the opening of the Legislative Committee earlier this evening, that Alderwoman Wray wanted everyone to know that she was not feeling well this evening and not able to attend but, she extends her regrets.

Thank you.

PRESIDENT RODRIGUES: Alderman Jean-Francois.

ALD. JEAN-FRANCOIS: Thank you.

Good evening. We start our annual spring cleaning. I would like everyone to be vigilant because, over the years, we do have people that does illegal dumping, which is costing the City a lot of money. If you do see something, say something. Don't approach anyone. Don't engage with anyone. If you could take a picture of the plate or call the Police Department to let them know what is going on, that would be appreciated. Because over the years, it cost the City a lot of money. If that continues, eventually, that cost is going to pass on to

us.

So, we do not want that to happen. Please, whatever you could do to help the situation, please do so.

And also, if you haven't had a chance to view the DPW Annual Report online, please do so. It's a great work, hard work, and the Department is doing a wonderful job keeping the City safe and keeping the City functioning. Thank you very much.

PRESIDENT RODRIGUES: Thank you.

Alderman Tobin.

ALD. TOBIN: Yeah, I echo what Alderman Green said about cannabis. I'm glad we're putting in some enforcement provisions. I support adult-use cannabis and adult-use alcohol but the way it's been rolled out by the State is that it's kind of a free-for-all, with kids using cannabis, OD'ing on it. It should be licensed. I mean it's like a liquor store. You shouldn't be able to sell it unless you have a license. So, it's being sold everywhere, apparently.

And I do, like Alderman Green, we walked around the 4th Ward and we'll see someone sitting in car smoking. And I'm like all right, he's listening to music. Then, we'll get down the street and see the guy take off in the car; they drove away.

So, you know you should not be driving impaired.

That's dangerous.

I'm proud of the school, the Odessey of the Mind. That's amazing news.

I'd like to thank Marilyn and the Warming Station for all they do to help out the City and you know the least of us that need all that help.

And Little League, Darrin Cross -- I went to the Little League parade -- 70 years. Congratulations. Ten years of volunteerism; thank you. I know it's a lot and it's like herding cats, I imagine, trying to get all the volunteers to do what they need to do but, you know, when you look at the faces of those kids on opening day, you know it makes it worth it. That's totally the spirit of America there. You can't get anymore American than that. They're all happy to play baseball, and maybe get a hotdog afterwards, and you know run around with their teammates. So, that was a great experience.

I'm looking forward to the Cinco de Mayo event.

And I know like a lot of people watching, they think that we disagree on everything but a lot of the work is on the committees. Tonight's committee went a little long but, it was an example that we work out all the kind of things we are concerned about. By the time it reaches the floor, a lot of those things have all been ironed out and we agree on that a good piece of legislation is being

passed.

And then tonight, there's a CSEA. Is it a contract or memorandum of agreement? Contract. Just so there's not appearance of a conflict, I'm president of the Labor Federation for CSEA's affiliates. So, I'm going to be abstaining.

PRESIDENT RODRIGUES: Okay, thank you.

11. Unfinished Business (None This Evening)

12. New Business

PRESIDENT RODRIGUES: New business.

MR. MCCORMACK: Good evening. We have a resolution sponsored by Alderman Masi, authorizing a \$35,133.59 budget transfer for a permanent restroom at Davidge Park.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Masi, seconded by Alderman Witt.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

A resolution sponsored by Alderman Green,
authorizing a proposal from BFJ Planning for a Master Plan
for the Middletown Transportation Center.

PRESIDENT RODRIGUES: Resolution sponsored by
Alderman Green, seconded by Alderman Tobin.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

A resolution sponsored by Alderman Kleiner accepting a donation from the Olde Erie Brewpub and Grille for the City for the Citywide Clean-Up.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Kleiner, seconded by Alderman Johnson.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

A resolution sponsored by Alderman Witt,
authorizing an agreement with Civic Plus for a new city
website.

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

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

A resolution sponsored by Alderman Johnson approving the Memorandum of Agreement between the Middletown Civil Service Association (CSEA) and the City of Middletown.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Johnson, seconded by Alderman Masi.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Abstain.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

A resolution sponsored by Alderman Jean-Francois waiving fees for sidewalk sales in the Business Improvement District from Friday, May 5, 2023, through Sunday, May 7, 2023.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman JeanFrancois, seconded by Alderman Kleiner.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

A resolution sponsored by Alderman Tobin confirming the Mayor's Appointment of Ray Pantel to the Electrical Board.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Tobin, seconded by Alderman Green.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Masi amending Resolution 67-23, dated April 4, 2023, to increase Funding Award to \$17,000.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Masi, seconded by Alderman Kleiner.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored Alderman Witt, approving the Volunteer Firefighters Length of Service Award Program List for 2022.

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

Any discussion?

Alderman Green.

ALD. GREEN: First off, I will be abstaining. My name does appear on the list. And second of all, there is an issue next to my name on the list that does have my address that is not in the 2nd Ward. We did address that. That will be changed on the final. I do not live on Claremont Court.

So, I just wanted to mention that but I will be abstaining because I am on the list. Thank you.

PRESIDENT RODRIGUES: Anyone else?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Abstain.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored Alderman Jean-Francois
awarding the 2023 Street Materials and Asphalt Materials
Bid.

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

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

13. Local Laws

PRESIDENT RODRIGUES: Alex.

MR. SMITH: I just have a brief suggestion regarding the Short-Term Rentals resolution. I spoke with the Mayor and the Commissioner about it just now.

Since no one spoke at the public hearing, I see no reason why the Council, if you see fit, someone make a motion to vote on it tonight, the resolution.

ALD. MASI: I'll make that motion.

ALD. JOHNSON: Second.

MR. SMITH: If you need a copy of it, Rick, I have one here.

MR. MCCORMACK: No, I've got it.

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

Do you have the resolution?

MR. MCCORMACK: I don't but --

MR. SMITH: You don't? Here it is.

PRESIDENT RODRIGUES: Approach the bench. Go
ahead. We're used to that.

MR. MCCORMACK: Who made the motion? I'm sorry.
It was Masi and?

PRESIDENT RODRIGUES: Masi and seconded by
Alderman Johnson.

MR. MCCORMACK: Okay. All right.

PRESIDENT RODRIGUES: Any discussion on the
motion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

PRESIDENT RODRIGUES: Alderman Johnson.

ALD. JOHNSON: Following in the spirit of the evening, earlier today we had a discussion at Legislative Committee regarding a code for cannabis dispensaries. As a result of that conversation and passing it, I would like to offer the following resolution:

WHEREAS, by Local Law No. 1 of the Year 2021, adopted July 20, 2021, the City of Middletown opted out of the establishment of cannabis retail dispensary licenses within the City of Middletown pursuant to Section 131 of the New York Cannabis Law; and

WHEREAS, the Mayor is recommending a change to the Zoning Code, establishing a new section, 475-28A, Cannabis Sales.

NOW, THEREFORE, be it Resolved that the Common Council of the City of Middletown will hold a public hearing on the proposed change to the Zoning Code on

Tuesday, May 2, 2023, at or as near to 7:30 p.m. as possible, in the Common Council Chambers, 16 James Street, Second Floor, Middletown, New York.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Johnson.

Do I have a second?

Alderman Masi.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

14. 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 their payment.

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

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Masi.

ALD. MASI: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

15. ADJOURNMENT

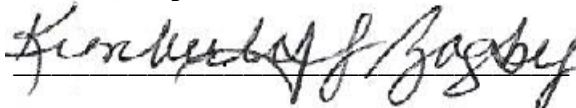
PRESIDENT RODRIGUES: Motion for adjournment?

UNIDENTIFIED SPEAKER: So moved.

(Proceeding concluded.)

CERTIFICATION

I, KIMBERLY J. ZOGBY, certify that the foregoing transcript of the April 18, 2023 Middletown City Council meeting was prepared using the required transcription equipment and is a true and accurate transcript of the recording.

A handwritten signature in black ink, appearing to read "Kimberly J. Zogby", is written over a horizontal line.

AMERICAN LEGAL TRANSCRIPTION

11 Market Street, Suite 215

Poughkeepsie, New York 12601

Dated: May 1, 2023



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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Witt

Date of Adoption: April 18, 2023

Index No: 84-23

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

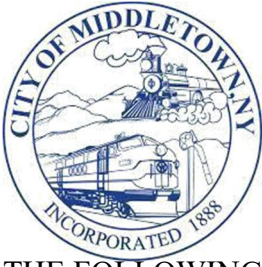
Resolution authorizing a \$35,133.59 Budget Transfer for a Permanent Restroom at Davidge Park

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer the remainder of the money in the Reservoir Restroom Capital Project H.0764.900 to a new Capital Project line allowing them to put a much-needed permanent restroom in the back of Davidge Park near shelters 1 & 2.

FROM	AMOUNT	TO
H.0764.900 Reservoir Restroom General Expense	\$35,133.59	H.0764.01 Parks and Rec- Davidge Park Restrooms

ATTACHMENTS:

[Transfer of Capital \\$.pdf](#)



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

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Tobin

Date of Adoption: April 18, 2023

Index No: 85-23

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

Resolution authorizing a proposal from BFJ Planning for a Master Plan for the Middletown Transportation Center site.

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes a proposal by BFJ regarding the preparation of a Master Plan for the Middletown Transportation Center site and vicinity.

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

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the use of \$55,000.00 of ARPA funds to pay BFJ for their work as presented in the proposal.

FROM	AMOUNT	TO
A.4785-ARPA Project	\$55,000	H.0996.900- INFILL DEVELOPMENT PROJECT

ATTACHMENTS:

- [BFJ_Middletown TOD Plan proposal _REVISED-03_29_23.pdf](#)
- [Downtown Infill Project Master Plan Proposal.pdf](#)



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner

Sec'd by Ald. Johnson

Date of Adoption: April 18, 2023

Index No: 86-23

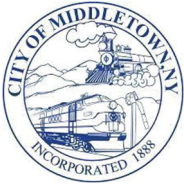
Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald Jean-Francois	X			
Ald. Johnson	x			
Ald. Wray				X
Ald. Kleiner	x			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	8			1

Resolution accepting a donation from the Olde Erie Brewpub and Grille for the City-wide Clean-Up

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and accepts a donation of \$50 from DeStefano's Olde Erie Brewpub & Grille, LLC for the City's Annual Clean-Up Day and authorizes the Treasurer to deposit the funds to line A.2705.01 City Wide Pride -Gift and Donations.

ATTACHMENTS:

[Accept a Donation from Olde Erie.pdf](#)



CITY OF MIDDLETOWN, NEW YORK COMMON COUNCIL RECORD OF VOTE

THE FOLLOWING WAS PRESENTED

By Ald. Witt

Sec'd by Ald. Johnson

Date of Adoption: April 18, 2023

Index No: 87-23

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

Resolution Authorizing an Agreement with Civic Plus for a New City Website

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes an agreement with Civic Plus, for 37,500, for a new City website. The new website will incorporate the current Police Department site and the Middletown Business Improvement District website.

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 said agreement.

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the use of \$37,500 in ARPA funds*to cover the unanticipated expense.

FROM	AMOUNT	TO
ARPA FUNDS	\$37,500	A.1010.400 Common Council Clerk – Contractual Services

*The Middletown Business Improvement District will reimburse the City \$4,560 (\$3,700 One-time and \$860/yr, annual maintenance fee), which is the cost of migrating and hosting their webpages. The BID will continue to reimburse the City for the annual maintenance fee moving forward.)

ATTACHMENTS:

[Middletown NY - Engage Premium Contract v3.pdf](#)
[Civic Plus Website REVISED.pdf](#) [Civic Plus Memo REVISED.pdf](#)



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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Masi

Date of Adoption: April 18, 2023

Index No: 88-23

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin			X	
Ald Jean-Francois	X			
Ald. Johnson	x			
Ald. Wray				X
Ald. Kleiner	x			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	7		1	1

Resolution approving the Memorandum of Agreement between the Middletown Civil Service Association (CSEA) and the City of Middletown

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and approves the Memorandum of Agreement (MOA) between the **Middletown Civil Service Association (CSEA)** and the City of Middletown, effective January 1, 2022 through December 31, 2026

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 agreement.

ATTACHMENTS:

[Final MOA CSEA 2022 - 2026 032023.pdf](#)



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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Kleiner

Date of Adoption: April 18, 2023

Index No: 89-23

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

Resolution Waiving Fees Side Walk Sales in the Business Improvement District from Friday, May 5, 2023, through Sunday, May 7, 2023

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and hereby waives the fees and application process associated with applying for Side-Walk Sales for the weekend of Friday, May 5 through Sunday, May 7, 2023, as part of the City's Cinco De Mayo Celebration.

FURTHER RESOLVED that all rules and regulations currently governing sidewalk sales will remain in full effect for the duration of the weekend.



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

THE FOLLOWING WAS PRESENTED

By Ald. Tobin

Sec'd by Ald. Green

Date of Adoption: April 18, 2023

Index No: 90-23

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

Resolution Confirming the Mayor's Appointment of Ray Pantel to the Electrical Board

RESOLVED that the Common Council of the City of Middletown confirms the Mayor's appointment of Ray Pantel to the Electrical Board, replacing Jeff Spiro, for a term expiring on December 31, 2023.



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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Kleiner

Date of Adoption: April 18, 2023

Index No: 91-23

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

**Resolution amending Resolution 67-23, dated April 4, 2023,
to Increase the Funding Award to \$21,000**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and amends resolution 67-23, adopted on April 4, 2023 to increase the funding awards for the Too Good Programs- Youth Police Academy and Too Good Programs-Youth Community Outreach.

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment accepts a ~~\$17,000~~ \$21,000 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~~ \$7,000
- A. 3120.468 Too Good Programs- Youth Community Outreach ~~\$5,000~~ \$7,000

ATTACHMENTS: [OC Police Grant.pdf](#) [OC ADD'L FUNDING FOR TOO GOOD update.pdf](#)



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

THE FOLLOWING WAS PRESENTED

By Ald. Witt

Sec'd by Ald. Jean-Francois

Date of Adoption: April 18, 2023

Index No: 92-23

Names	Ayes	Noes	Abstain	Absent
Ald. Tobin	X			
Ald Jean-Francois	X			
Ald. Johnson	x			
Ald. Wray				X
Ald. Kleiner	x			
Ald. Green			X	
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
Total	7		1	1

**Resolution Approving the Volunteer Firefighters Length of Service Award Program (LOSAP)
List for 2022**

RESOLVED that the Common Council of the City of Middletown approves the attached Volunteer Firefighters Length of Service Award Program (LOSAP) List for 2022.

ATTACHMENTS:

[Losap 2022-City Hall.pdf](#)



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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

Sec'd by Ald. Kleiner

Date of Adoption: April 18, 2023

Index No: 93-23

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

Resolution awarding the 2023 Street Materials & Asphalt Materials Bid

RESOLVED that the Common Council of the City of Middletown awards the 2023 Street Materials & Asphalt Materials Bid to the

to the lowest qualified bidder(s) as follows. (Copy of the bid tabulation sheet is attached).

Please note, that a recommendation of the award is not based on the unit bid price alone, but also on the close proximity of the source to the City.

-

Dick's Concrete Co., Inc., 1053 County Route 37, New Hampton, NY 10958:

NYS Item 304-2.02: Stockpile @ \$18.00/ton

Crushed Stone: #2 Stockpile @ \$22.00/ton

Run of Bank Gravel delivered to various locations @ \$16.70/cu. yd.

Run of Bank Gravel loaded into City Trucks @ \$13.70/ton

Callanan Industries 93 Sullivan Rd, Monticello NY 12701:

NYS Item 304-2.02: Plant @ \$12.00/ton

Crushed Stone: #2 Plant @\$15.20/ton

Crushed Stone: #3 Stockpile @ \$24.20/ton; Plant @ \$15.20/ton

Rip Rap: Plant @ \$15.75/ton

NYS Item 403.16 T.C. Type 6: F.O.B. @ \$73.00/ton *full tandem truck (±20 tons per load)

NYS Item 403.18 T.C. Type 7: F.O.B. @ \$75.50/ton*full tandem truck (±20 tons per load)

NYS Item 403.13 A.C.B.C. Type 3: F.O.B @ \$71.50/ton*full tandem truck (±20 tons per load)

NYS Item 403.11 B.C. Type 1: F.O.B @ \$66.25/ton*full tandem truck (±20 tons per load)

NYS Item 403.12 B.C. Type 2: F.O.B @ \$66.25/ton*full tandem truck (±20 tons per load)

Asphalt Pre-Mix for Cold Patching: Delivery @ \$139.50/ton; \$130.50/ton F.O.B Plant

Tetz & Sons, Inc. /Tetz Asphalt 63 Cemetery Rd., Middletown, NY 10941:

Screened & Washed Sand: Stockpile @ \$28.50/ton; Plant @ \$25.00/ton

Screened Gravel: Stockpile @ \$21.25/ton; Plant @ \$17.26/ton

NYS Item 403.14 A.C.B.C. Type 4: F.O.B @ \$81.00/ton

NYS Item 403.16 T.C. Type 6: F.O.B. @ \$83.00/ton *less than 20 tons per load

NYS Item 403.18 T.C. Type 7: F.O.B. @ \$85.00/ton*less than 20 tons per load

NYS Item 403.13 A.C.B.C. Type 3: F.O.B @ \$80.00/ton*less than 20 tons per load

NYS Item 403.11 B.C. Type 1: F.O.B @ \$80.00/ton*less than 20 tons per load

NYS Item 403.12 B.C. Type 2: F.O.B @ \$80.00/ton*less than 20 tons per load

Rip Rap: Stockpile @ \$26.00/ton; Plant @ \$22.00/ton (Rte. 6 Slate Hill)

ATTACHMENTS:

[2023 STREET MATERIAL AND ASPHALT BID TAB AND RECOMMENDATION OF AWARD LETTER.pdf](#)

CITY OF MIDDLETOWN, NEW YORK

**COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. Masi _____

Sec'd by Ald. Johnson _____

Date of Adoption 04.18.223 _____

Index No: 94-23 _____

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

Resolution Amending City Code to Prohibit Short Terms Rentals

WHEREAS, various complaints are being received by the City regarding short-term rentals in residential dwellings.

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 475, Zoning, is hereby amended by adding a new Section 475-35-1, Short-Term Rentals, to read as follows:

475-35-1. Short-Term Rentals. The short-term rental of a residential property or a portion thereof for a period of less than thirty (30) days is prohibited in all zoning districts in the City of Middletown, subject to the following exemptions:

A. A legally operating commercial hotel/motel is not subject to this prohibition;

B. Short-term rentals of property during emergencies affecting the City of Middletown declared by any federal, state, county or City authority shall not be subject to this

prohibition, provided that the owner of the property obtains permission for the rental from the Commissioner of Public Works; and

C. Family members who are granted the use of premises without charge shall not be subject to this prohibition.

Nothing in this Section shall be construed as amending or excusing compliance with the provisions of Section 475-35 of the Zoning Code.

Section 2 - The Code of the City of Middletown, N.Y., Chapter 296, Housing, is hereby amended by adding a Subsection C, Short-Term Rentals, to Section 296-18, Term of permit; renewal, to read as follows:

C. Short -Term Rentals. No permit may be issued for short-term rentals of less than thirty (30) days, except as provided in Section 475-35-1 of the Zoning Code.

Section 3 - The Code of the City of Middletown, N.Y., Chapter 296, Housing, is hereby amended by adding a Subsection C, Short-Term Rentals, to Section 296-36, Term of rental permit; renewal, to read as follows:

C. Short -Term Rentals. No permit may be issued for short-term rentals of less than thirty (30) days, except as provided in Section 475-35-1 of the Zoning Code.

Section 4 - This ordinance shall take effect immediately.

CITY OF MIDDLETOWN, NEW YORK

**COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

Sec'd by Ald. Masi

Date of Adoption 04.18.223

Index No: 95-23

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

Resolution Authorizing a Public Hearings on Proposed Changes to the Zoning Code as it Pertains To Cannabis Dispensaries

WHERAS, by Local Law #1 of the Year 2021, adopted July 20, 2021, the City of Middletown opted out of the establishment of cannabis retail dispensary licenses within the City of Middletown pursuant to Section 131 of the New York Cannabis Law and

WHEREAS, the Mayor is recommending a change to the Zoning Code establishing a new section 475-28A Cannabis Sales.

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Middletown will hold a public hearing on the proposed change to the Zoning Code on Tuesday, May 2, 2023, at or as near to 7:30 PM as possible in the Common Council Chambers, 16 James Street, 2nd Floor, Middletown, NY.



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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Johnson

Date of Adoption: April 18, 2023

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			

Resolution Directing the Audit of Claims and Accounts

I MOVE THE ACCOUNTS BE AUDITED, THE CLAIMS ADJUSTED AND THE

TREASURER BE AUTHORIZED TO ISSUE WARRANTS FOR THEIR PAYMENTS