

**Minutes of Meeting
Board of Estimate and Apportionment**

The Board of Estimate and Apportionment met in the Common Council Chambers on October 27, 2022 at 3:00 PM.

Members

Mayor DeStefano
President Rodrigues(A)
Ald. Masi

Others Present

L.Liz	R.Berthoff
J. Tawil	M. Bruni
R. McCormack	Ald. Johnson
Chief Ewanciw	A. Smith

1. The Recreation & Parks Department was given a donation in the amount of \$169.15 from the Kiwanis Club of Middletown. This donation was given to pay for the tree planted at the Warming Station in honor of Pastor Peter Rustico. Requesting from the Board of Estimate to accept this donation and authorize the Treasurer to deposit the donation into revenue budget line A.2705.00 Gifts & Donations and increase budget line A.7020.00 Use of Recreation Donations.

Upon a motion duly made by Chairman Masi and seconded by Mayor DeStefano, the above action was approved.

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- 2 Alex Smith is requesting from the Board of Estimate the approval of the following resolution and authorization of the mayor's signature:

WHEREAS, the property owner at 6 Manhattan Avenue (SBL 33-3-39) is requesting that the City, by quitclaim deed without consideration, convey an approximately 50-foot strip of land so that the owner's property connects with Manhattan Avenue, and

WHEREAS, the City conveyed a similar quitclaim deed without consideration to the adjoining property at 4 Manhattan Avenue by Resolution dated April 14, 2003, and

WHEREAS, the 2003 Resolution was supported by paperwork indicating that the City had previously conveyed similar small strips of land to nearby properties because it was apparent that the original subdivider did not convey a strip of land between Manhattan Avenue and the individual lots adjoining the street, and

WHEREAS, the owner of 6 Manhattan has provided a survey and metes and bound description of the strip of land to be conveyed to the City, and

WHEREAS, the Department of Public Works has confirmed that there are no water lines in the small strip of land to be conveyed.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Middletown that the Council concurs with the Board of Estimate and Apportionment to declare the subject strip of land to be surplus property with no public use or value, and be it further

RESOLVED that the Common Council concurs with the Board of Estimate to authorize the Mayor to sign a quitclaim deed, without consideration, and necessary recording documents to convey the subject parcel owned by the City as per the attached survey and metes and bounds to the owner of 6 Manhattan Avenue, SBL 33-3-39.

Upon a motion duly made by Chairman Masi and seconded by Mayor DeStefano, the above Action was approved.

AYES	NAYS
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- 3 Alex Smith is requesting from the Board of Estimate an increase in rate from \$150/hr to \$200/hr for City litigation, effective

Last month, Travelers Insurance Co. suggested raising his litigation rate from \$150.00 per hour to \$200.00 per hour. He agreed, and the Company approved the raise. This means he will receive the increased rate for all City cases covered by Travelers.

He believes it is also appropriate to raise the rate to \$200.00 per hour for the City litigation not covered by Travelers. This rate is also \$150.00 per hour, and has been at that figure for about 20 years. It is certainly below the rates being charged these days by lawyers handling municipal litigation.

He has calculated that even if the rate is raised to \$200 per hour, it will still result in the Counsel's Office *combined* salary/litigation totals remaining *below* what they were when the Corporation Counsel was a full-time position prior to 2018.

Upon a motion duly made by Mayor DeStefano and seconded by Chairman Masi, the above action was approved.

AYES	NAYS
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4. Senior Center is requesting permission from the Board of Estimate to authorize the Treasurer to: transfer within the General Fund Budget the following to cover the increase cost of energy expenses for the remaining of the 2022 fiscal year

FROM	AMOUNT	TO
A.6772.100	\$10,000	A.6772.415
Personal Services		Light & Heat

Upon a motion duly made by Chairman Masi and seconded by Mayor DeStefano, the above action was approved.

AYES 2 NAYS 0

- 5. Leonora Liz requesting from the Board of Estimate the approval of the attached agreement with NYCLASS (New York Cooperative Liquid Assets Securities System) and authorization for the Mayor to sign it. NYCLASS is a short-term, liquid investment fund designed specifically for the public sector. Funds that are not immediately needed to cover expenditure and over the maximum limit with the City’s current obligations will be invested for short term and may easily be withdrawn at any time. Currently, over 830 organizations are part of the investment pool, including municipalities and school districts in NY.

Upon a motion duly made by Chairman Masi and seconded by Mayor DeStefano, the above action was approved.

AYES 2 NAYS 0

- 6. Leonora Liz is requesting from the Board of Estimate to approve the posting of the Proposed 2023 General, Water and Sewer Budget and setting a public hearing for November 9th, 2022 at 4:30pm.

Description: General Fund Water Fund Sewer Funds
Revenue \$23,206,767 7,263,594 \$5,768,935
Expense \$45,517,734 7,263,594 \$5,768,935

Appropriation:
Estimated Revenue: \$23,206,767
Tax Levy – General City Purpose: \$22,310,967

Upon a motion duly made by Mayor DeStefano and seconded by Chairman Masi, the above action was approved.

AYES 2 NAYS 0

- 7. Mari Bruni is requesting from the Board of Estimate the approval to waive the Building permit fee and hook up fee for 52 Broad Street. This is initially in reference to resolution 54-20; the Sky Mendoza Supplemental Needs Trust purchase of the property.

Upon a motion duly made by Mayor DeStefano and seconded by chairman Masi, the above action was approved.

AYES 2 NAYS 0

- 8. Chief Ewanciw is requesting that the City of Middletown Common Council approve the following transfers within our 2022 budget lines:

FROM	AMOUNT	TO
A.3120.400 Contractual Services	\$25,000	A.3120.417 Gas & oil

To cover unexpected shortages in fuel costs due to rising prices.

A.3120.400 Contractual Services	\$979.98	A.3120.200 Other Equipment
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For the increase in cost for a new ballistic shield.

A.3120.400 Contractual Services	\$461.73	A.3120.200 Other Equipment
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For the increase in budgeted cost for the network switch cable run in to JAB.

A.3120.400 Contractual Services	\$3,983.91	A. 3120.200 Other Equipment
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For the increase in budgeted cost for the Record Hardware replacement.

FROM	AMOUNT	TO
A.3120.400 Contractual Services	\$7,600	A. 3120.200 Other Equipment

To cover the cost to trade-in and upgrade our outdated M4 Patrol Rifles.

The above transfer requests are being covered by the balance of the budgeted FUSUS money that is no longer being utilized.

A.3120.100 Personnel Services	\$5,500	A.3120.200 Other Equipment
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For the purchase of 5 new body worn cameras to be distributed as below.

- 1- New hire officer
- 2- Parking Enforcement officers
- 2- Spare

A.3120.100	\$9,000	A.3120.200
Personnel Services		Other Equipment

For the purchase of gently used office furniture and the moving costs associated with acquiring it. This furniture will replace old and broken furniture throughout the police department.

Upon a motion duly made by Chairman Masi and seconded by Mayor DeStefano, the above above action was approved.

AYES	NAYS
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- 9. Chief Ewanciw is requesting approval from the Board of Estimate to add 5 new body cameras and a docking station to our contract. This is a cost of \$5,500 and will be covered within our 2022 budget.

However, by adding these 5 cameras our annual cost to Axon will need to be increased by \$7,300. Therefore, our 2023 budget proposal reflects this increase.

Upon a motion duly made by Chairman Masi and seconded by Mayor DeStefano, the above action was approved.

AYES	NAYS
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- 10. Please find the enclosed Amendment 4 to B&L Contract with the City for additional Construction Administration and Construction Observation Services as it relates to the 20" HP Watermain Replacement project in the amount of \$145,000. This will cover additional services due to length of construction, legal consultation with City special Counsel as further explained in the enclosed B&L letter dated 10/26/2022.

Jacob Tawil is requesting approval and authorization for the Mayor to sign the enclosed amendment #4.

Jacob Tawil will be requesting additional funding for this project to account for Change Orders or other expenses, if needed, once we finalize all outstanding Construction issues with Contractor, except for the legal issues.

Upon a motion duly made by Mayor DeStefano and seconded by Chairman Masi, the above action was approved.

AYES	NAYS
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11. Jacob Tawil was informed by DOT of the availability of grants for intelligent/smart traffic control signal, potentially incorporating adaptive control system. It will simply monitor the traffic adjust signals operations and timing in a coordinated manner with other signalized intersections, throughout the day to minimize traffic congestion. Other intelligent control systems will be evaluated

NYS DOT is implementing similar system at Rt 211 by the shopping areas to minimize traffic congestion.

They are requesting applying for the two grants and :

1. ATTAIN, Advanced Transportation Technology and Innovation. This grant has the potential of large award but requires 20% local match.
2. SMART, Strengthening Mobility and Revolutionizing Transportation Program. This grant does not require a local match but is segmented into two potential awards, design phase and construction phase.

They have been working with WSP on this and believe that the City would be an excellent candidate for receiving either of the grants, due to the massive modernization and upgrade to our signalized intersections.

WSP has prepared the enclosed proposal for assisting us in applying for the grants at a cost of \$46,864.00. WSP has requested authorization to proceed by tomorrow in order to meet the grants submission deadline of November 18, 2022.

FROM	AMOUNT	TO
General Fund Balance	\$46,864	H.0908.03
		Traffic Smart Signal Control Sys Project

Upon a motion duly made by Chairman Masi and seconded by Mayor DeStefano, the above action was approved.

AYES	NAYS
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12. Jacob Tawil is respectfully requesting a transfer of funds from the Personal Service line, F.8330.100, into the WTP Overtime account, F.8330.103, which has been recently overdrawn due to an increase in overtime at the Filter Plant to cover for retired staff

FROM	AMOUNT	TO
F.8330.100	\$20,000.00	F.8330.103
Pers. Svcs. – Purification		Overtime - WWTP

He is respectfully requesting a transfer of funds from the Personal Service line, G.8120.100, into the WWTP Overtime account, G.8130.103. This transfer is needed due to the amount of overtime required for necessary operations at the WWTP and cover for retired staff.

FROM	AMOUNT	TO
G.8120.100	\$20,000.00	G.8130.103
Pers. Svcs. – Storm & Sanitary Sewer		Overtime - WWTP

Upon a motion duly made by Mayor DeStefano and seconded by Chairman Masi, the above action was approved.

AYES	NAYS
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13. We are requesting a fund transfer needed for the Paving of the Entrance Aprons at Wolslayer Athletic Field. Attached is a proposal in the amount of \$44,875.00 in which Sullivan County Paving & Construction Inc. is using NYS OGS contract Bid pricing.

Also attached is a proposal from Ketcham Fencing in the amount of \$91,540.00 for the installation fencing around the field per the plans. Total amount required to complete both projects is \$136,415.00.

A transfer of funds is necessary as follows:

FROM	AMOUNT	TO
1. H.0751.453	\$136,415.00	H.0963.900
Paving of City Streets - ARPA		Monhagen/Davidge Expansion

Entered Executive Session@ 3:15

Upon a motion duly made by Mayor DeStefano and seconded by Chairman Masi, the above action was approved.

AYES	NAYS
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Exited executive Session @ 3:23

Upon a motion duly made by Chairman Masi and seconded by Mayor DeStefano, the above action was approved.

AYES	NAYS
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Motion to adjourn @ 3:26 PM

Upon a motion duly made by Chairman Masi and seconded by Mayor DeStefano, the above action was approved.

AYES	NAYS
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Respectfully submitted,

Leonora Liz
Secretary