



**Common Council
Meeting
City of Middletown
November 20, 2018**

1. Pledge of Allegiance- Pres. Rodrigues asked all to rise for the pledge.
2. Roll Call: Present: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9
3. Minutes
On motion of Ald. Masi seconded by Ald. Johnson to accept the minutes of October 16, November 5, 2018
All in favor
4. Correspondence
John Naumchik-Nothing this evening.
5. For the Good of the City
No one came forward
6. Remarks of Dept. Heads
Maria Bruni- Remind everyone the tree lighting this Friday. Special guest, Santa will arrive.

This past Saturday Harry Rotolo, IBEW Local 363 decorated the tree with approximately 2700 LED lights. Thank everyone who worked on that last Saturday. Event kicks off at 6pm, parade at 6:30. We capped at 30 participants in the parade. 300-400 people in the parade. Right after the tree lighting we have a free showing of A Wonderful Life at the Paramount Theatre. A lot going on in this weekend.

At the Paramount we will be showing Bohemian Rhapsody.

Jacob Tawil/DPW Commissioner-All construction projects are moving along well with exception of the weather that has been holding us back. We have \$10 million worth of construction that is taking place in the City as we speak.

The Waste Water Treatment Plant we have an emergency situation with the screw pumps. They are primary pumps for the WWTP, they are over 30 yrs. old, time for them to be replaced. Thankfully the Mayor, Common Council agreed to funding to for us to replace; in the meantime there is some emergency work taking place where we have to order emergency pumps to be incorporated into...they will be used...so nothing is wasted. We appreciate the support of the Mayor and Common Council, Council Pres.

However, the WWTP in spite of all these issues it continues to generate revenue for the City of Middletown. Last month we generated over \$50,000 from septage haulers, highest in September since we started generating revenue in the WWTP since we started in 2006. Of course we have to continue to spend money there around screw pumps around \$3million; like the Mayor he continues to updating you we have other sources of revenue now.

The Black Dirt Sewer that is a major project approximately \$4million. We are getting to a conclusion there except for change orders which is basically additional work that we found during the construction of the Black Dirt Sewer line. Needed to be upgraded and replaced from Ashley Ave. The majority of the work is done, Lake Ave. was paved today and is open for traffic. The bulk of the work is completed, you will see some activity now and then into spring. Boyce Excavation did a very good job and Clark Patterson Lee consultant on the project.

The Mayor has updated you when he went to Albany regarding a grant for \$2.96million. That is a huge achievement for the Mayor and Common Council to get this money. We have been applying for this grant the City of Middletown to upgrade our water storage tanks which they are in a real need for upgrade and replacement. We have been applying for many years. The Mayor went to Albany and they gave him the good news before the press release going to be awarded \$2.96 million. This money has already been budgeted as part of our capital improvements, we have a 4 inch water main that was installed in the 1800's that goes under the park at Pilgrim Estate. The park is going to be renovated so we have to abandon that 12 inch line which is very old and subject to failure at any given minute. We have contacted with the blessing of the Mayor, we contacted the consultant. The money was appropriated

in the capital budget for water storage tank but maybe we can grab some of it and reallocate it for the 12 inch water main.

Irene and Lee back in August 2011 finally we are getting to a conclusion with FEMA; they just sent the Mayor last week about change order approving it for about \$230,000 which is basically DPW will continue to fight and push until we get everything we deserve out of FEMA. Finally they approved the last one for \$230,000. We started in 2011 and now its 2018.

Pres. Rodrigues-Maple Hill Park the retention pond?

Commissioner Tawil-Obviously the weather has been an extreme problem for us. Both West Main St., Monhagen Brook realignment and Maple Hill project. 2 different projects. Maple Hill is supposed to be concluded the end of September; tomorrow we are going to be taking Maple Ave. weather permitting it is going to be paved. However there is a big issue there which is dredging of Maple Hill Pond. It has to be dredged; it is very shallow there. The cost for dredging it is about \$100,000-130,000 quite a bit of money, we would like to do it under the ongoing project. That will be delayed, the Army Corp. of Engineer will approve only one method which is a clam shell which is a big crane. They have a big clam shell and dredge the pond. This is ancient technology but that is what they will approve only without a permit. Otherwise we will have to put through pond disturbance permit and that will take months and months to get approved by Army Corp. of Engineers. We approached Army Corp. of Engineers we said how about if we use specialty long arm excavators and they are going to consider it, we doubt it, we contacted the contractor and told him to try and get a clam shell around. Probably not going to be done by the end of this year. We are pushing as hard as we can. Maple Hill their back yards were restored months ago and residents are very happy.

Ald. Masi-Quickly give us the schedule of garbage and recycling due to holiday.

Commissioner Tawil- No pick up on Thursday, Thanksgiving Day. Will pick up the 1st Ward Friday morning, recycling Saturday.

Fire Chief Don Luis- We will be participating in the tree lighting as well.

Thanks to a couple of dept. heads that worked with the FD to help us out. We had some transportation issues with recruits that went to the academy. Thank you to Chief Ewanciw, thank you Jacob for repairs at Central.

The recruits finish up their training around the end of Dec., they go on the trucks the first of January. The 1st of January we should have every group will be filled with 7 drivers except for I think Group 1. We have one more recruit that is in the Academy and he finishes in Feb. He graduates, then goes into 3 months of training; May, June every group will have a driver for every shift.

A group of us just got back from a trip to the factory for the new truck. We went to a plant for the engines, we saw a lot of the new Engine 1 how far it is coming along it's

about 50% complete. Will be working on the body of that next. We finished the specs. for Engine 2 and did the specs. for Truck 3.

Police Chief Ewanciw-Overnight parking goes into effect November 15th. Remind everybody that from 2am-6am there is no parking on the streets. We did have an early snow storm this year and remind everyone that we need to have all the cars off the street. We don't want to tow anybody but that is what it is going to come down to when we have to have access.

With the holiday season we are going to step up our enforcement Stop DWI. Remind everyone as you indulge during the holiday season drink responsible.

Wish everyone on behalf of the Middletown Police Dept. a safe and Happy, healthy Thanksgiving.

Chris Brinkerhoff/Superintendent Rec.-Dog Park. Drainage issue at the dog park. We are very well aware of that issue. In the summer manpower and equipment was an issue and now the weather is not cooperating with us at. We did have a resident try to take it into their own hands, made it worst and made it dangerous for the public. We did put pee stone, but we want the public to know that is not the fix. The project will be done properly as soon as the weather permits we are hoping this fall; if not early spring. Also working with the Shade Tree Committee to make a nice walkway, have trees and shade. Next meeting I will have a report ...we will have the dog park fixed. We are well aware of it.

You will see in your resolutions tonight the 10K Classic donated \$500 to the Mayor's Youth Council. Also donated \$500 to the Middletown Cares Coalition. United Way gave a reimbursement Middletown Cares mini-grant to accept the \$500 and that money went towards helping the pop up parties for Cops & Kids Day.

Thanked everyone.

Transfer money with our budget. Our operating budget we have equipment that needs replaced.

Check out our website. All holiday programs on website. Call our department. Mailboxes are out.

Have a great Thanksgiving.

John Naumchik/City Clerk-Repeating again what Chris said about the website a lot going on we update as soon as we can. All the events on the calendar.

Update on the id's. Still working on the specs. , couple of more quotes. I figure we should be ready by Feb. 1st.

Wished everyone a Happy Thanksgiving.

7. Public Hearings & Grievances

John Naumchik-2 lot sub-division for 5-9 Lafayette Ave.

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, November 20, 2018 on or as near to 8:00pm as possible, Common Council Chambers, 2nd floor, 16 James St. to hear any and all persons wishing to be heard on the proposed 2 lot subdivision for 5-9 Lafayette Ave. for the City of Middletown, Section 42, Block 2, Lot 8.

Any and all persons wishing to be heard will be given an opportunity to speak either for or against the proposed 2 lot subdivision.

A full copy of the 2 lot subdivision plan is available in the City Clerk Office, Room 12 at City Hall, 16 James St.

By the Order of the Common Council,

John C. Naumchik

Clerk of the Common Council

City of Middletown

Publish: THR 11/12/18 & 11/13/18

City Website

Pres. Rodrigues opened the public hearing at 8:19 pm

Todd Lyons- mailings handed in

Basically I have a 180 ft. lot that I am looking to split into 2 lots. 94 ft. frontage on each one.

The houses pushed towards the center. Will have little impact on the existing houses there. My center side yard will be designed at 15 ft. and that allows 35 ft. between neighbor's house the neighbor's property line actually it is going to be almost 50 ft. on both sides from current residences. It is a pretty wooded lot so when we clear it ...buffer.

Pres. Rodrigues asked the public for comments-No

Anyone from the Council-No

Patricia Liggio

Lafayette Ave.

Asked if it was single family homes.

Todd Lyons-Yes

Pres. Rodrigues closed public hearing motion by Ald. Masi seconded by Ald. Green

Closed 8:21pm

Sewer 5.6 million

Debt Service 4.1 million

Community Development 1 million

Golden Area Senior Bus Transportation \$115,000

Total spending package \$58,835,498.00

Total Revenue offset by all the different revenue items such as sales tax which had a significant increase

Tax levy for 2019 \$19,634,971.00 which is under the 2% cap

Once again which qualifies Middletown residents once again for the tax rebate check.

There is a slight use of Fund Balance in the budget- we have a Sewer Fund Balance transfer of \$275,000.

From debt service into sewer other than that the budget is pretty much balanced.

Highlight of the budget for this year and we will be making another presentation on the night of the vote for the public to see the lines is the Operations which basically has gone down from \$6.58 million to \$5.6 million

Special Items has gone up slightly

Personal services have gone up from \$16.7 million to \$18.100 million which is payroll for the City of Middletown. The reason for that big jump is we are moving that 5 yr. CSEA increases all into 1 yr.

Employee benefits are down slightly

Debt service is up slightly

Pension cost as a percent of budget pension cost is 8% of our budget for 2019

Workman Comps cost is almost 5%

Health ins. Cost almost 17%

Payroll taxes about 5%

As you can see the significant of cost that goes to having a large employee workforce.

Property tax per thousand for 2018-\$83.333

2019- \$84.45

Increase of \$1.33

Estimated household of the \$30,000 is about \$33.00 impact on the budget

Water/Sewer rates also included in that number

Total tax levy is slightly under the cap for 2019 as set by the State of NY

Any questions we are available for review.

Congratulate Don and thank Don for his hard work on preparing the budget. Ald. Masi and Council Pres. for their participation also.

Thursday the Middletown School District is doing a Thanksgiving lunch at the Monhagen Middle School. I was there today with the Governor's staff Soup Kitchen is doing something Jerry from noon, Jerry advised me also that he will be opening the Senior Center anticipated to be a cold day for the daytime warming center. Anyone who is need of a warm place to stay the Senior Center will have accessibility to it.

Maria had mentioned the Christmas Tree Parade coming up. We also have first time this year the Celebration of Festival of Lights. Which will be at Something Sweet Park, Dec. 5th. Run4Downtown Park next to Something Sweet. I believe it is set for 4:30, there will be refreshments served at Something Sweet. Menorah Lighting, this is the first one we are doing, last year we participated with Temple Sinai, this year we will be doing it downtown. Looking forward to a nice crowd at Festival of Lights in celebration of Hanukah.

Jacob touched on the 12 inch water line. I did have a discussion today, we are checking with our bond council to see if we can re-appropriate some of the money that was set aside for the water tank borrowing for the purposes of the 12 inch water line. As you know that line is from the late 1800's and needs to be replaced. We have an opportunity now with the grant money to do the replacing of the water line. Hopefully it will be easier to do it that way rather than go through another process of borrowing or emergency break throughout the winter. We will keep you up to date on that.

As you know there is a survey on line about alternate side of the street parking. Some people think it is a conspiracy, it's not a conspiracy, not designing questions to...result. We've had almost 400 people participate already and it is good. The Chief touched on some of the problems that we did have Thursday night with people leaving their cars on the roads. Police Dept. does not want to tow but we have received quite a few complaints about people leaving their cars on the road and the long term impact on their neighborhoods such as going around the cars, not getting plowed curb to curb. Only so many times you can come back and do plowing if people leave their cars out on the street. I think to take the one that when ...get your car off the road, do not park on the lawn, hoping the Council once the survey is closed will look at some form of long term solution for multiple cars on small lots. I don't think the solution is to allow parking on front lawns. Some of the comments from people, resident parking doesn't take care of snow removal or parking on lawns. We are looking at the problem for the first time in a long time and as you can see it is getting worse and worse because kids are all getting cars at 16, it is becoming much more of a problem. We are going to start ticketing and towing when we have cars

parked in the street during a snowstorm especially overnight. There is absolutely no excuse for it. We are trying to look for an area that we can at least have you bring your car too, your extra car too; park it there in some of the public lots. Canal St. is one of them, it is an empty lot; I would recommend people if you don't have a room to park your car go down on Canal St. and park it. There is time limit on the parking lot down there and you will have to make some arrangements to shuttle back and forth if necessary. Please do not park on the street, do not park on the lawn and based on the comments and survey questions it is really annoying a lot of people. When they go out the door and see someone parked on the sidewalk or parked on their front lawn and they do believe it impacts their property values. We are asking for cooperation in that area.

Ald. Jean-Francois-The survey ends this month?

Mayor DeStefano- I think it goes through November, end of November. As of yesterday we had 394 responses. It is still continuing. November 30th.

It is on our website, Facebook and shared. It is getting out to people. The more people that take it the better idea we will have. We also asked to identify the streets where they live and exactly what the problem is. Some of the streets we are not going to be able to do it on and others you will be able to do it.

10. Reports of Aldermen

Ald. Masi- As a military veteran and a member of American Legion Post #151 I would like to thank Presidential Park Elementary Park School and especially Mrs. O'Boyle's 3rd Grade class. Mrs. O'Boyle by the way her mother use to be and still is Ann Reilly who use to be 4th Ward Alderwoman. They did a tremendous job that one morning at the school, 12-13 of us up there. All these 3rd graders getting up and doing the Pledge of Allegiance. It was very emotional, very nice and I certainly appreciated it.

Also would like to thank Middletown Elks Lodge for putting on a celebration on Veteran's Day. It was well done. The Mayor was there, spoke and thank you to the Elks Club.

Thirdly, I have ... Professional Firefighters Assoc. there 125th Celebration was the 11th. That evening there was a dinner and I was invited and I certainly appreciate it. They did a nice job and like I say I certainly appreciate the invitation.

Finally I want to thank the Dept. of Public Works and all involved in the tremendous job they did last Thursday during the terrible snowstorm. Thank you each and every one of you.

Happy Thanksgiving.

Ald. Tobin-Went to the Elks Club too, great celebration. Thank them for putting it on.

Can't forget to honor our vets who defended our country.

Also wish everyone Happy Thanksgiving.

Ald. Green- I do want to thank Darrin Cross and the Middletown Little League for last night. There was a large candlelight vigil in honor of Jennifer Parisella. She though she lost her life in a tragic accident in the city this past week. The out pouring of support she and family and friends was amazing. What an amazing group. My condolences sent to them.

Very excited about the tree lighting this Friday. Always packed, get there early. When that tree lights up it is always very special.

Happy Thanksgiving.

Ald. Johnson-I had the opportunity to attend the Orange Classic Dinner 2 weeks ago, Brink was there as well. I was asked by Mr. Giannino to make a few remarks on behalf of the City. So since it was a physical fitness theme I talked about Fancher Davidge Park Extension and I did mention the Heritage Trail was about to be completed. I also mentioned that we are also trying to have our parkland at the reservoir. So the word is out on that. It was well received.

One of the recipients of one of the checks that was given out that evening was for the Homeless Shelter; they mentioned the fact the real challenge of all the shelters is the volunteers. So I went to the orientation meeting last night, it was fortuitous. It is true they cannot open the doors unless they have 1 person who is the Director and 2 people as volunteers. If they don't have those 2 people there at 9pm people can't go in. The orientation was very educational, it is a really good experience. It is an 8pm-8am shift. A lot of Touro students there, it was nice to see. There was about 8-10 of them, the director was excited about that. It has been in the newspaper that the church is having difficulties with their heating system that they need to pay for. We wish pastor and the church the best of luck in the fund raising efforts.

Ald. Ramkissoon- I want to echo Ald. Green, my thoughts and heart goes to the Parisella family. Her children goes to school with my kids as well. I just hope we as a community rally around the family. Definitely a very difficult time.

Next Tuesday evening marks the 3rd annual 3rd Ward holiday meeting which everyone looks forward to. Features my cheesecake. All are welcome. That will be Tuesday night at 7pm.

Reminder, December 4th is the budget, referendum on Capital improvements for our schools. Tax levy neutral. Go out and vote.

Safe and Happy Thanksgiving weekend.

Ald. Kleiner-The candlelight vigil for Jennifer, there was so much sorrow but so much love. Pastor Williams and everyone else who helped facilitate that. Again it is a Middletown community feeling a loss but feeling a sense of togetherness and

vowing to keep that closeness and keep that love going. We wish the family well. I believe they have a Go fund me page.

I thank Frank Giannino and the people from the Classic 10K they always give back to the community. It is a classic and classy event that they run. Again puts Middletown on the map and it is a great thing. My thanks to them.

Thank all the people who went out and voted. I think Middletown had an excellent turnout. Thank you for participating and I hope that number keeps going up. It is important to participate in your city, democracy and not standing by and watching.

The Warming Station is Middletownwarmingstation.com. Yes, it is a long night of volunteering but they depend on the volunteers, depends on the people who brings the food. It is easy to find, thank you Andrew for the website, Middletownwarmingstation.com. You can sign up for either you can get information there phone numbers or links you need.

I forgot to mention the last time when we voted on the City id's I was thanking people I forgot to thank Alex Smith. Alex has put in a lot of work and he has been our guiding light behind this in making sure it is effective and works well. Thank you Alex.

Happy Thanksgiving, Happy Holidays to everyone and hopefully we will see you Friday night at the tree lighting.

Ald. Jean-Francois-Wish everyone a Happy Thanksgiving. Be safe.

Ald. Burr-Trash will be delayed from Wednesday to Thursday. It is crow season we don't want the garbage all over the street.

Happy Thanksgiving and enjoy.

11. Unfinished Business

John Naumchik-Nothing this evening.

12. New Business

280.18 Resolution to authorize the Corporation Counsel and the City Treasurer to hold a tax lien sale on Saturday, December 29, 2018, at 10 a.m. in the Common Council Chambers to offer for sale all properties which have delinquent taxes, assessments, and/or water and sewer rents as of prior October 1, 2017.

On motion of Ald. Masi seconded by Ald. Tobin

RESOLVED, that the Common Council of the City of Middletown authorizes the Corporation Counsel and the City Treasurer to hold a tax lien sale on Saturday, December 29, 2018, at 10 a.m. in the Common Council Chambers, Second Floor, City Hall, 16 James Street, to offer for sale all properties which have delinquent taxes, assessments, and/or water and sewer rents as of prior October 1, 2017.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

281.18 Resolution to authorize a police escort for the St. Joseph's Procession on the Feast of Our Lady of Guadalupe on Sunday, December 9, 2018 beginning at 12:00 PM and last until 1:00 PM.

On motion of Ald. Burr seconded by Ald. Green

Resolved; that the Common Council of the City of Middletown authorizes a police escort for the St. Joseph's Procession on the Feast of Our Lady of Guadalupe on Sunday, December 9, 2018 beginning at 12:00 PM and last until 1:00 PM.

Route: Leave the Church parking lot a turn left onto Cottage Street, then right onto Wisner, turn right onto Sproat Street and proceed on Wickham Avenue, from there turn left onto North Street, left onto East Main Street, left on Robert Street, and then right on Cottage and continue on Cottage to the Church.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

282.18 Resolution to close streets at 6:00PM for the Annual Tree Lighting Ceremony to be held on Friday, November 23, 2018.

On motion of Ald. Jean-Francois seconded by Ald. Masi

RESOLVED; that the Common Council of the City of Middletown authorizes the Chief of Police and/or his designee or the Commissioner of Public Works and/or his designee to close streets at 6:00PM for the Annual Tree Lighting Ceremony to be held on Friday, November 23, 2018. The parade will start at 6:30PM and will continue down North Street where it intersects with West Main Street. At the West Main Street intersection the parade turns right past Festival Square and turns right into James Street in the James Street Parking Lot.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

283.18 Resolution to authorize the Treasurer to transfer \$2,000.00 within the Senior 2018 budget to cover personnel overtime expense and unemployment insurance expense.

On motion of Ald. Johnson seconded by Ald. Tobin

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$2,000.00 within the Senior 2018 budget to cover personnel overtime expense and to cover unemployment insurance in the following manner:

From	Amount	TO
A.6772.440 Equipment Repairs	\$800.00	A.6772.103 Overtime
GA.5608.100 Personal Services	\$1,200.00	GA.9000.850

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

284.18 Resolution to amend the City Code Chapter 460 Vehicles and Traffic, Section 460-21 Four-Hour parking on Highland Avenue from Cantrell Ave to Prospect Street on the easterly side in front of the YMCA.

On motion of Ald. Kleiner seconded by Ald. Jean-Francois

RESOLVED; that the Common Council of the City of Middletown amends the City Code Chapter 460 Vehicles and Traffic, Section 460-21, Four-Hour parking to add the following:

- K. Highland Avenue from Cantrell Avenue to Prospect Street on the easterly side in front of the YMCA.

LET IT BE FURTHER RESOLVED; that the Common Council of the City of Middletown authorizes the Commissioner of Public Works or his designee to add the appropriate signage for the four-hour parking.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

285.18 Resolution to transfer \$5,000.00 within the 2018 budget needed to cover the cost of repairing a police vehicle reimbursed from Travelers Insurance.

On motion of Ald. Tobin seconded by Ald. Green

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$5,000.00 within the 2018 budget needed to cover the cost of repairing a police vehicle. The City was previously reimbursed from Travelers for this incident and the funds were deposited into the Insurance Recovery Revenue Line in the following manner:

<u>FROM:</u>	<u>AMOUNT:</u>	<u>TO:</u>
A.1900.910 Liability Ins.-Premiums	\$5,000.00	A.1900.915 Liability Ins.-Claims

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

286.18 Resolution to authorize the Treasurer to transfer \$10,000.00 within the 2018 Recreation & Parks Department for repairs to equipment.

On motion of Ald. Burr seconded by Ald. Ramkissoon

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$10,000.00 within the 2018 Recreation & Parks Department to rebuild the ballfield maintenance cart, replace tires on backhoe, and repair axle and tie rods on 2014 F-250 truck in the following manner:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
A.7110.478 Parks: Parks Improvements	\$10,000.00	A.7110.440 Parks: Repairs to Equipment

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

287.18 Resolution to accept the donation and deposit it into the existing trust and agency account for the amount of \$500.00 for the Mayor's Youth Council from the Classic 10K Road Race.

On motion of Ald. Kleiner seconded by Ald. Green

WHEREAS; The Mayor's Youth Council was given a donation in the amount of \$500.00 from The Classic 10K Road Race, Inc.; and,

WHEREAS; The Middletown Recreation & Parks Department is requesting that the Common Council accept this donation and authorize the Treasurer to deposit the donation into the existing trust and agency account T.0043; and,

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Middletown, NY, does hereby authorize the Treasurer to accept the donation and deposit it into the existing trust and agency account T.0043 for the amount of \$500.00 for the Mayor's Youth Council.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

288.18 Resolution to authorize the Treasurer to establish Capital Line funding for the Restore New York \$500,000.00 grant with \$1,000.00 to cover application costs, pay an application fee of \$620.48 and temporarily transfer money from Community Development to be repaid from the Grant in the amount of \$1,000.00.

On motion of Ald. Green seconded by Ald. Masi

WHEREAS; The Middletown Cares Coalition were given donations totaling \$1,000.00 from The Classic 10K Road Race, Inc. and United Way; and,

WHEREAS; The Middletown Recreation & Parks Department is requesting that the Common Council accept these donations and authorize the Treasurer to deposit the donations into the existing trust and agency account T.0094; and,

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Middletown, NY, does hereby authorize the Treasurer to accept the donations and deposit them into the existing trust and agency account T.0094 totaling the amount of \$1,000.00 for the Middletown Cares Coalition.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

289.18 Resolution to authorize the Treasurer to establish Capital Line funding for the Restore New York \$500,000.00 grant with \$1,000.00 to cover application costs, pay an application fee of \$620.48 and temporarily transfer money from Community Development to be repaid from the Grant in the amount of \$1,000.00.

On motion of Ald. Green seconded by Ald. Masi

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to apply for the Restore New York \$500,000.00 grant.

LET IT BE FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to establish a Capital Line funding it with \$1,000.00 to cover application costs, pay an application fee of \$620.48 and temporarily transfer money from Community Development to be repaid from the Grant in the amount of \$1,000.00 in the following manner:

From	Amount	To
A.6200.400	\$1,000.00	Capital Project
CD Contractual Services		H.966.900

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

290.18 Resolution to approve the City of Middletown 2019 annual budget.

THE FOLLOWING WAS PRESENTED

By Ald. MOTION TABLED

 Sec'd by Ald. _____
 Date of Adoption 11-20-18

 Index No: 290-19

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon				
Ald. Tobin				
Ald. Kleiner				
Ald. Johnson				
Ald. Jean-Francois				
Ald. Burr				
Ald. Green				
Ald. Masi				
Pres. Rodrigues				

Whereas, the Board of Estimate and Apportionment has approved and submitted an itemized statement in writing of the estimated revenues and expenditures of the General City Government, the Water Department and the Sewer Department other than amounts to be raised by taxation for County purposes, for the fiscal year January 1, 2019 through December 31, 2019, and,

Whereas, the estimates are entered in full in the minutes as attached to this resolution, and

Now, therefore, be it resolved and ordained that the Common Council of Middletown, NY does hereby approve and adopt the aforesaid amended annual budget presented as follows:

<u>Description:</u>	<u>General Fund:</u>	<u>Water Fund:</u>	<u>Sewer Fund:</u>
Revenue	\$21,044,732	\$7,293,990	\$5,502,776
Expense	\$40,805,052	\$7,433,016	\$5,599,776
Appropriation:			
Estimated Revenue:	\$21,044,732		
Tax Levy – General City Purposes	\$19,634,991		

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

THE FOLLOWING WAS PRESENTED

By Ald. MOTION TABLED

Sec'd by Ald. _____

Date of Adoption 11-20-18

Index No: 290-19

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon				
Ald. Tobin				
Ald. Kleiner				
Ald. Johnson				
Ald. Jean-Francois				
Ald. Burr				
Ald. Green				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

Whereas, the Board of Estimate and Apportionment has approved and submitted an itemized statement in writing of the estimated revenues and expenditures of the General City Government, the Water Department and the Sewer Department other than amounts to be raised by taxation for County purposes, for the fiscal year January 1, 2019 through December 31, 2019, and,

Whereas, the estimates are entered in full in the minutes as attached to this resolution, and

Now, therefore, be it resolved and ordained that the Common Council of Middletown, NY does hereby approve and adopt the aforesaid amended annual budget presented as follows:

<u>Description:</u>	<u>General Fund:</u>	<u>Water Fund:</u>	<u>Sewer Fund:</u>
Revenue	\$21,044,732	\$7,293,990	\$5,502,776
Expense	\$40,805,052	\$7,433,016	\$5,599,776
Appropriation:			
Estimated Revenue:	\$21,044,732		
Tax Levy – General City Purposes	\$19,634,991		

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi _____

Sec'd by Ald. Ramkissoon _____

Date of Adoption 11-20-18 _____

Index No: 290-18 _____

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon	X			
Ald. Tobin	X			
Ald. Kleiner	X			
Ald. Johnson	X			
Ald. Jean-Francois	X			
Ald. Burr	X			
Ald. Green	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

MOTION TO TABLE

The resolution to approve and adopt the aforesaid amended annual budget for 2019.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

291.18 Resolution to authorize the Mayor to sign an amendment of the Solid Waste Processing and Disposal Agreement with TBE-Montgomery, LLC to extend the existing contract to end April 30, 2021

On motion of Ald. Jean-Francois seconded by Ald. Kleiner

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Mayor to sign the attached amendment of the Solid Waste Processing and Disposal Agreement with TBE-Montgomery, LLC to extend the existing contract to end April 30, 2021.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

292.18 Resolution for Fancher-Davidge Park Expansion as an NOTICE OF DETERMINATION OF NON-SIGNIFICANCE and declaring the Common Council lead agency in the SEQRA process.

On motion of Ald. Burr seconded by Ald. Tobin

WHEREAS, the City of Middletown has determined to expand Fancher-Davidge Park (“Park”) to provide recreational opportunities not currently available, and

WHEREAS, the proposed action is described as follows: Developing an 11-acre expansion which will include a 400-meter all-weather running/walking track and a multi-use playing field, with scoreboard, accessory toilets, bleachers, concession stand, storage shed, and parking for approximately 100 cars, and

WHEREAS, the proposed buildings will provide housing and recreational facilities for seniors, veterans and the disabled, and

WHEREAS, the proposed expansion of the Park constitutes a Type 1 Action pursuant to the State Environmental Quality Review Act (“SEQRA”) regulations because the acreage to be physically disturbed consists of just over 10 acres, and

WHEREAS, the City of Middletown Common Council is the only involved agency under SEQRA for this proposed action, and thus there is no need for coordinated review, and

WHEREAS, the Common Council has thoroughly reviewed and considered the expansion and the accompanying Full Environmental Assessment Form (“FEAF”), and

WHEREAS, the Common Council has identified the relevant areas of environmental concern and thoroughly considered the criteria for determining significance set forth at 6NYCRR Part 617.7 (c).

NOW, THEREFORE, BE IT RESOLVED that the City of Middletown Common Council declares itself Lead Agency with respect to this proposed action of expansion of the Park, and be it

BE IT FURTHER RESOLVED that all of the criteria contained in 6 NYCRR Part 617 have been addressed to the satisfaction of the Common Council, and

BE IT FURTHER RESOLVED that based upon the information contained in the FEAF and based on the action itself, the Common Council does not believe an Environmental Impact Statement is necessary and further believes the FEAF satisfactorily describes the fact that there will not be any significant environmental impact (if there is any, at all) from the proposed expansion, and

BE IT FURTHER RESOLVED that the City of Middletown Common Council hereby declares that the proposed action will not result in a significant adverse impact on the environment, and an environmental impact statement will not be prepared, and

BE IT FURTHER RESOLVED that this Negative Declaration is made pursuant to Article 8 of the Environmental Conservation Law (SEQRA), and

BE IT FURTHER RESOLVED that the reasons and findings supporting this determination are as follows:

1. There will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; nor a substantial increase in potential for erosion, flooding, leaching or drainage problems.

2. The proposed residential development is not expected to result in a significant adverse impact on traffic conditions in the immediate area.

3. The expansion is not expected to generate noise above ambient levels except during construction at which time noise will be intermittent and temporary. Although during construction, grading activities can be expected to produce dust, this is a short term impact which will be limited by dust suppression controls.

4. The site does not contain any species of plant or animal that is listed by the federal government or New York State as endangered or threatened, nor does it contain any areas identified as habitat for an endangered or threatened species. Thus, there will not be the removal or destruction of large quantities of vegetation or fauna; nor substantial interference with the movement of any migratory fish or wildlife species; nor impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant; nor the habitat of such species; nor other significant adverse impacts to natural resources. The construction will avoid any protected wetlands and provide open space.

5. There will not be an impairment of the environmental characteristics of a critical environmental area (CEA) as designated pursuant to 6 NYCRR 617.14(G) because the property is not located within a CEA. Nor is there any CEA nearby.

6. There will not be the creation of any conflict with the community's current plans or goals as officially approved or adopted because the expansion is consistent with the City of Middletown Master Plan in that it furthers preservation of the natural environment, provides for additional open space, including adjacent nature trails, bird sanctuary and extension of the Heritage Trail. The expansion will provide new recreational opportunities and improve the quality of life.

7. There will not result a significant impairment of the character or quality of important historical, archaeological, architectural or aesthetic resources or of existing community or neighborhood character. The site is not substantially contiguous to either State or National Historic Places or Natural Landmarks. No significant prehistoric or historic resources have been identified and none are predicted to be located within the expansion. There will be no significant effect upon cultural resources as a result of the expansion of the Park.

8. There will not result a major change in the use of either the quantity or type of energy. Although the project will result in an increase in lighting at certain times, the sport field lighting will be aimed downward to minimize the impact upon surrounding residences.

9. There will not be the creation of a hazard to human health.

10. Although there will likely be increases in attendance of people due to the expansion, nothing associated with the expansion will alter the ongoing use of the Park for recreational purposes.

11. Nothing characteristic of the proposed action would result in a demand for other actions that exhibit the impacts defined in 6 NYCRR Part 617.7(c). The circumstances that necessitate the expansion are unique to the subject property.

12. All potential changes to the environment have been identified in the Full EAF and analyzed cumulatively by the Council. The totality of potential impacts for the actions currently contemplated, are not significant.

13. This development is an independent and unique use. No other related development or similar action is proposed for this area in the City of Middletown.

14. The expansion is not part of any long-range plan for development that has not already been identified, and there are no other actions that will be taken as a result the actions identified herein. Nor are there any unidentified future actions that are dependent on the actions to be undertaken by the Council.

AND BE IT FURTHER RESOLVED that the Common Council further directs the appropriate official to file and circulate a Notice of Determination of Non-Significance as the same may be required by the SEQRA Regulations.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

293.18 Resolution to concur with the Mayor's appointment of Marianne Feely as Commissioner of Assessment from December 17, 2018 to fill the unexpired term of the Commissioner of Assessment expiring on September 30, 2019.

On motion of Ald. Johnson seconded by Ald. Masi

WHEREAS, the Commissioner of Assessment has given notice of her intent to leave her position on December 20, 2018, and

WHEREAS, the Mayor has further decided to appoint Marianne Feely to fill the unexpired term of the Commissioner of Assessment effective December 17, 2018 and expiring on September 30, 2019.

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's appointment of Marianne Feely effective December 17, 2018 to be the Commissioner of Assessment expiring on September 30, 2019.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

13. Local Laws

John Naumchik-Nothing this evening.

14. Audit

On motion of Ald. Masi seconded Ald. Jean-Francois

I move that the accounts be audited the claims be adjusted and the Treasurer be authorized to issue warrants for their payment.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

15. Adjournment

There being no further business meeting adjourned at 8:52 PM

Respectfully submitted,

Karen Sisco

