



**Common Council
Meeting
City of Middletown
October 2, 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. Johnson seconded by Ald. Green to accept September 4, 2018 minutes as submitted

All in favor

4. Correspondence

2 lot sub-division for 5-9 Lafayette Ave.-Planning

5. For the Good of the City

Lizette Aguirre- My main concern is if someone has a municipal ID they are like targeted. Why do you have a municipal ID and not a regular ID? You completely categorize yourself as perhaps not being documented. If there was a way to make it incentive for all City of Middletown residents to have ID, everybody. How do you prove you are a resident, I don't have to show you anything but my ID, City of Middletown municipal ID. Benefits maybe offer discounts to local restaurants, businesses, it is an incentive to try to get people to have an ID. I know they do this in NYC it is a big thing; people can get access to museums, libraries, everything at no cost because they are NYC residents. Also including tuition that is discounted for students who live in the city. I was hoping that was an idea as an incentive. I think 30,000 residents in the City of Middletown, there is no question who is legal or not

everyone has it. There is no way that any officer would believe they are not legal or not. I am hoping to throw that idea out would help.

Also in celebration in of being Latino/Spanish heritage month couple of events going on. I know at the Paramount Theatre October 4th they are having a big event. Also Element Square we are an art gallery at 21 North St. we are also having opening reception for celebrating Spanish heritage month with art from different Latino artist and other artists who are inspired by Latino heritage.

I hope this works out this municipal ID's.

Shannon Wong-I was here at the last meeting looking to get information of what Middletown is doing to ensure immigrants feel safe in their community. Since then we have been uptick in ICE activity and the display of hateful stickers throughout the City. We are here today to stand up for immigrants. We understand that the City has a commitment to building trust with the community and the desire to ensure that all officers understand that they should not be sharing information regarding a person's custodial status or release date, address without a judicial warrant. At the last meeting I had the opportunity to talk with the Chief about policies that could be adopted to ensure that officers understand the responsibility as it relates to warrants. It is my sincere hope that our communication will continue and we can ensure all people especially immigrants are not denied their liberty without due process.

Why is this important? Because the police know and we all know from experience that trust between immigrant community and the police is undermined when the police is working for the Federal Immigration official. Which is not the case here in Middletown? But we are here also to ensure that the people who fill out those stickers know that this is a community that will not tolerate hate. A community that remembers that we are a nation of immigrants and that we will not support the current administration deportation machine. We will work with the city to ensure that everyone knows their rights. Everyone knows that they don't have to open the door unless there is a warrant signed by a judge. A community where people feel they can call the police if someone claims to be the police at their door. Not to say if ICE comes knocking at your door ask for a warrant, look for a judges signature, ask to see their badge, ask their name, then call the Middletown Police Dept. to see if it is one of their officers. I wouldn't normally wear a t-shirt to a City Council meeting but I feel very committed to making sure that everybody gets the message that there needs to be a warrant in order to let somebody into your home. ICE must have a judicial warrant to come to your home. I brought with me information, we've handed some out and they are underneath the chairs over here. I am happy to leave some, happy to send some. I need help to spread the word, I like to work with community groups and city officials to ensure that people know their rights. I noticed when I came in that you have a Channel 20 and we have videos that show people their rights and they are in Spanish. If you want to review those and you can run them on Ch. 20 they can be in Spanish and it explains to people what to do if ICE comes to the door. I do believe that together we can stand for immigrants and now that I said my peace it is my

sincere hope that tonight the Mayor and members of the Council will share their efforts on what they are doing to ensure that immigrants feel safe and municipal ID is in the right direction. I will continue to work with the Police Dept. to ensure their policies reflect their disentanglement from doing the work of the Federal Immigration authority.

Alfredo-I am here tonight in support of municipal ids. I have been working on this for so long, every day now people are calling me telling me their husband is being deported. I go see them, the pain that this is causing. I knock on the door they are afraid to open the door. The first thing I see is people...crying don't know what to do. Little kids calling me poppi, when I'm not their poppi. I live here for 27 yrs. and this is the worst that I have seen in deportation, very bad out there. We need something to protect our community unless you stand together, and we need to resist, it is happening. They come very early in the morning, nobody knows, nobody sees. They are here and we are the ones that know first because they call us. We need everybody's support.

Pastor John Williams-I do agree with everything that has been said tonight. I am confident without question the City will do everything it can to ensure that our entire community feels safe. It has been said that our country is a country that is a melting pot but I tend to look at it and you probably heard it before that it's not a melting pot it is more of a salad with distinct flavors. Those flavors makes us stronger so I am confident you all are doing everything you can to ensure and I offer my assistance to help in any way that I can to ensure that everything goes along smoothly.

I came tonight to express my sincere gratitude to Mayor DeStefano and the City of Middletown, Chief Ewanciw, Middletown Police Dept. for their help with us yesterday. Yesterday we funeralized my father, Bishop Leon Williams's the 52 yr. pastor of the Greater Upper Room Apostolic Faith Church. Pastor in this City longer than any single pastor and now has gone on to be with the Lord. In the mist of that we were in a little bit of a quandary because we knew our church would not be able to house the number of people that would be coming into the City in order to pay their respects to him. Mayor DeStefano graciously and very expeditiously allowed us to step in and use the Paramount Theatre. I want to thank Maria and all the Paramount staff for everything they've done, they were outstanding. My heart is heavy; of course my heart because I loved my father. I needed to be here tonight to thank you all for so much for what you have done. I said this many times I love this City. I have been offered congregations all over this country, but I stay here because I love this City. My father served 52 yrs. I am third generation Middletown, my mother was a 1949 graduate of Middletown High School. So my father served this City for many years just as I try to serve my entire adult life. On behalf of my family, the Williams family and the Greater Upper Room Church family as well as another ministry we have started up in the area which we are serving the City we want to express our sincere gratitude.

Thank you for opening the door for us. Thank you for allowing us to have the room to celebrate. Police Dept. served with distinction they opened the road I haven't seen anything like that since I was down south watching a funeral go through. They opened the road all the way to Veteran's cemetery in Goshen. Goshen Police jumped in and helped us. My heart is filled with gratitude for everything you have done for us and I pledge to continue to serve this community in any fashion that I can. I do believe as I've said this community even though we might have our differences, ideas, when we do come together we can do great things. We might come to a couple of bumps in the road but the truth of the matter is bumps happen and you are going to have to deal with it.

I am a pastor, with good and bad we become stronger. There is a scripture that says "all things to work together for good to those who love God, to those who are called according to His purpose. That doesn't mean all things feel good but at the end of the day they all work together for the good.

Thank you again. I am not going to stay I have to get back to my family I just needed to come by and say that.

Rose Mary Tobiassen- This case involves a resident of Middletown who was advised by Counsel to return to her native country to enter.

Rose read the letter that she sent to Sen. Gillibrand, Sen. Schumer and Assemblyman Maloney; as well as the President. I'm not too sure where these will go although I do have to say I did receive a phone this afternoon from Sen. Gillibrand's Office.

I also have to tell everyone about Carmel Wilson in Assemblywoman's Gunther's Office. That woman is a true asset to any of our immigrants in the City of Middletown.

(Rose read the letter) have permission from the parents to mention her name.

Thank you for this opportunity. I don't know how many folks were aware of the situation; I just want others to be aware of what some people have to go through. I stress again she went back under advice of Counsel.

Rick-Currently a student at SUNY Orange College. I think it is not fair for me and my community. I am here to express from the heart. I think the only risk we are going to face is the risk of no ids; because when we came to this country a lot of us came in the hot sun walking in the desert with immigration behind us. So it is not an easy experience, not a happy experience you want to remember. It is really hard, it is difficult. Remember those experience and being here right now is absolutely unbelievable like unbelievable; if we could get over those situations I think we can get over this one as well. A lot of people are struggling, having fear including me when we are driving when we are getting out of our houses. When I drive to my school I don't know what is going to happen, I am nervous, I have fear of the police. Even police here in Middletown I have to behave really well and try not to act different. It's not that we are doing wrong stuff it's just because we don't have

anything to support us; we don't have something that we can show. They put us in that situation; we don't want to feel like that, we don't want to change the culture. We don't want to do bad stuff. We came here because of a necessity not because we want to, we have family over there we have to support. ... we came here ...strictly for necessity and that is why we are standing here, the ids are a necessity. We want them yes, but most because it is a necessity. I am just hoping that you guys approve it because as I said it is a necessity. Don't worry we are strong and hopefully we can get it soon.

Thank you.

Ignacio Acevero the organizer, thank you for your time. My coming up here is to ask for a date. We want a date. I heard a couple of people ask when is this going to happen. I heard someone say 2 meetings from now. Are we talking about November 6th? Is this when this is going to happen? Is that the date? A lot of people are asking for a date. Give us a number, month because going next month, next month it's already been a year. Right now my community members are ...here, literally I don't know if you literally in your house night and day shaking. Every knock at your door means you could be gone. I don't know if any of you experience that but that is torture. Like my friends are saying you can't even walk on the streets because you show a Mexican passport not in the English language; right away it points you out you are not from here. You are a target right away. If you show something with an English language it kind of gives you a little confidence to get out. So I am here to ask again what is the date you guys can give us because we will keep coming to every meeting. We need a date.

Martine (gentleman) ...many of them good. I have 3 daughters, nephews. One is in the Navy, my niece is in the Marines, and my daughter is serving in the Army. We are many good people there and probably many of you guys know somebody who cuts your grass, clean your cars and if we don't feel protected from you guys which the ones be responsible to take of this town we don't feel comfortable for this town to keep growing. Many of the members say when we show with something that is not from this country we are already targeted. It happens, many times, everywhere; even a simple thing like changing coins. ShopRite it makes it difficult because sometimes people who don't like people like me...they ask you for id because they know you don't have one. We just want to hear nor to force you to give us something or improve us to make this town grow. This is our town, I come from Middletown, I have been here for 25 yrs. Many good people up there. We are afraid because we are targets and if we don't feel protected from you guys ...we don't want to live in the dark, we want to come...

Angel Gonzalez- Nobody Leaves Mid-Hudson my dad too. "I want to say that we want our country to be nice and not bad, because we want everyone to be together and live with everyone, so nobody can be alone." "So we want everyone to be together, and we're a family and our country wants to be nice". All of us have to be nice not bad, everyone should be nice to everyone for everyone can be nicer to you.

6. Remarks of Dept. Heads

Maria Bruni/Economic Development-We had a Community Development Agency meeting this evening and we are moving forward on one our rehabs for the homeownership program on Ridge St. construction and rehab begin shortly on that. The bids for the façade program for the downtown. The bids for the façade programs are going to be going out for the 8 awarded buildings sometime next week. That will be posted on our website; legal ads and we are hoping for numerous contractors to come out and bid on these projects. Also as was mentioned before the OC Partnership and Business Improvement District and the City are teaming up for a Latino Business mixer and it is this Thursday night.

Jacob Tawil/DPW Commissioner-The roundabout is open for traffic. We are very proud of it, I think it is very efficient means of controlling traffic, traffic calming device. Started this morning and we have I would say minimum hiccups which are expected. Final striping is not completed, contractor still working in the street and DPW guys helping out as well putting more permanent markings. The rules for the roundabout is very simple, however, we have put them on our website, Ch. 20, social media outlets showing what you need to do in order to navigate your way through the roundabout. The most important thing is you have to remain calm and slow down as you are approaching the roundabout. Traffic calming device. Also if you see any cars in the roundabout please allow them the right of way. You cannot cut them off, allow the car in the roundabout to come out and continue; once you have a chance to get into the roundabout you can enter. Slow down please.

The Police Dept. is there I want to thank the Chief for sending his men over there to monitor the traffic and control any situation that needs to be controlled. So far nothing major knock on wood. Weather permitting we are going to finish the striping.

The Elm St. project is moving along. We are expecting by the end of this month it should be completed the whole road, water line, sidewalk, and asphalt and we are sticking with this schedule.

38 W. Conkling I know Ald. Ramkissoon and Ald. Johnson, Council Pres. Rodrigues and the Mayor and rest of the Council have been pushing very hard to get this building down. Finally it is coming down as the entire building contains asbestos material and we have the funds for it. Thank you for providing the funds for taking it down. It should be done by the end of this week or early next week. After that the contractor will move to 99 Wickham Ave. asbestos abatement has been done, it is right next to the Townsend building across from Thrall Park. That will be demolished end of next week. All the asbestos have been done, it is going to be conventional demolishing.

Major milestone has been completed with Monhagen Brook. West Main St. drainage project the pre-cast sidewalls of stream have been established. Another milestone we face 12 inch concrete slab at the bottom of the stream has been done. It has been taking the flows very nicely so far so good.

TD Bank as you know the City has sold TD Bank it was underground fuel storage tank. The City is working with the contractor to remove it. They started today and unfortunately they found some minimal contaminated soil around it they pushed the project back. Which means we are going to have remove that contaminated soil.

NY Rising, the Mayor and I had a meeting with the technical engineers in there taking West Main St. as the primary project for NY Rising. Repairs to Monhagen Brook and the Draper Brook structures as need basis and as much as we can afford to come up with a \$3million that we need to spend on this project. We applied for about 7 different grants for NY Bridge in order to get more grants hopefully to repair more sections of the culvert such as Grant St. crossing. We are working with NY Rising, waiting for instructions for NY Rising regarding the public hearing/public information whatever is needed for the grant and we will do.

Continue to focus on minimizing the infiltration and inflow into our sanitary sewer collection system, all this rain is overwhelming. Luckily we are seeing less impact because we have been more successful in finding more cross connections between storm sewer and sanitary sewer. The reason why I am updating you is to urge the public please if you have any down spouts connected to your sanitary sewer or sub pumps connected to the sanitary sewer it is against the law. You will penalized by the DEC and us, fined and taken to court. We are spending countless hours of finding the source of infiltration; so help us out.

There is a resolution tonight before you for Lead Water Services and basically it's a grant from the State of NYDOH in the amount of \$533,000 to go around and replace lead services. That will establish the line to draw money from this account and the bids are out already they are due in a couple of weeks I believe.

Don Luis/Fire Chief – Surprising how many people watch this on the news because last month I gave no report and people came in to my job and said how can you not have any report? So tonight I will have a report.

Open House on Sunday, October 7th at Central Firehouse along with our recruiting committee will be there as well.

Participated in a couple of community events this past month. Touch-A-Truck, Farmers Market, rib eating contest at Texas Roadhouse- proceeds for the veterans. We competed against Circleville and Mechanicstown. We came in 2nd place.

94 calls for the month, 1 structure fire. 2 recruits graduating from the Academy in Montour Falls this Thursday, they will then go through the break in at the Fire House. Should be placed on apparatus probably around the first of the year.

One recruit that started at the Westchester Academy on Sept. 17th that is a 17 week program.

We will be out on Halloween, will be at different locations in the City handing out candy.

Round about as DPW Commissioner mentioned open today and we took apparatus through there today, it was a breeze everything went well; ladder trucks and pumpers.

Resolution on the agenda for tonight for additional funding for the apparatus that is being ordered for this dept. Truck 3 being replaced and Engine 2.

Don Paris/City Treasurer-The budget process is underway, good start. Credit card system is now up and running for paying water/sewer taxes both on line and at the window. We've had auditors here, outside auditors here the first part of the year and then the State Comptroller and expected to here for 2-3 more weeks.

Chris Brinkerhoff/Superintendent Parks –Update on unfinished business about the closing on Highland Ave.

October 27th the YMCA, Elks Club and the City combining for a Halloween block party. All those agencies have taken on something different. The reason for closing the road is for safety. Also a Trunk or Treat agencies will be able to put their cars for Trunk or Treat registration stops October 19th. Expecting about 40 cars lines on Highland Ave. expecting a big crowd dealing with those agencies.

Foreman Bianchi and myself did meet with the architect for the Davidage Park Expansion that is something that is very needed in this town with all the youth sports. Multi-purpose field, it will have a 5 lane walking track, concession stand, and bathrooms. The support we got from this Council, Bonacic, Gunther is wonderful, much needed. Thank you everybody for the support.

Ald. Johnson-Davidage Park Extension, as far as I understand they were going to work on the façade, plantings for the fall and break ground in the spring; is that still the timeframe?

Chris Brinkerhoff-We are still waiting with the architect. We are hoping to actually to have that pretty much done by July, 2019.

John Naumchik/City Clerk- 2 resolutions tonight. One we do every year for moving the Council meeting for Election Day on that Tuesday will be moving to Monday. Resolution to approve the Halloween curfew that will be going on the website, newspaper and also to school. The Police Chief did ok that.

7. Public Hearings & Grievances
John Naumchik-Nothing this evening.
8. Petitions & Complaints
John Naumchik-Nothing this evening.
9. Remarks of the Mayor

Mayor DeStefano-Thanking all members of the Common Council, all the employees of the City of Middletown, residents of the City, family and friends their support and their kindness during the passing of my dad which was on Sept. 14th. The good words and support that my family and myself received from everyone from City Hall and community. My dad was a good man; he lived to be almost 90 yrs. old, lived a good life and had a good run. He is looking down upon us tonight as we discuss many of these issues; he was a major advocate for the immigration considering that his mom and dad were Italian immigrants. Experienced some of the same things, not all of them, some of the experiences the community behind me has laid out here.

Thank Bishop Williams for the kind words about his dad. His dad met many years ago, was an icon in the community also. 52 yrs. at 1 Linden Ave. the Greater Upper Room Church. I've never heard a bad word said about his dad, we did open the doors at the Paramount Theater for the family. It was necessary because of the size of the crowd; we don't do that for everyone. It is a sign of the appreciation of this community toward Bishop Williams and his family. It was an outpouring of love and concern from our community towards Bishop Williams and his 52 yrs. of service. I wanted to acknowledge all of his fine deeds here in the City of Middletown.

The id program as I said during the committee meeting it is going on way too long. I introduced it probably close to a year ago with the help of some of the folks behind me. I have tried approach it from both sides whether you are pro-immigrant or anti-immigrant. I think it is a good idea for our community. You've heard from the people themselves why they think it is good idea for them, why they are willing to take the risk which I think is minimal. During the committee meeting I mentioned the concern that many people have when they walk out their front door. If you didn't want to help those folks think of it this way there is a benefit to the community by them coming out the front door, economic benefit if you have a store, there are community benefits. So there always is 2 sides, driver's license I am an advocate of giving driver's license to undocumented people. My advocacy might be my personal reason but if you are opposed to it just think you had a gentleman up here who

obviously was undocumented, fearful of driving but he is unlicensed with no insurance. Now would you want that person to have a driver's license and to have insurance in case he was involved in an accident with a family member of yours? You're not going to get rid of everybody at the same time, I try to encourage people and there is some strong push back from certain members of the community; but I think there is an overwhelming support in general for it. There is a second way of looking at it if you are opposed to the local issue of how we are addressing undocumented people. That is by looking at it for selfish reasons that you would that person to have a driver license and insurance. I support it, I introduced it, I think it is time to vote on it. I think we are making it overcomplicated with the amounts of what ifs, one lady was talking about plans for businesses and that was part of the whole presentation that we made. It is something different to everyone and to a business community it may be an opportunity to offer incentives for someone with a resident id card; not a driver's license. We are going to mandate all city officers, all city Planning Board members, Zoning Board members; any city board or commission will have to have a city id card and some of them do now. We do it through the Police Dept. so we are going to change that mechanism of doing it through the Police now to the Common Council Office. It makes sense whether you are for or against; I think the poster incident last week really demonstrates why we should be doing more. We need to send a strong message to whatever group that was, was it in Europa I don't remember the name of it; they are an active white supremacist group in this country. We don't want that in Middletown, we are a community that was formed of German immigrants, Irish immigrants and of course the best group the Italian immigrants. We are a community that is changed over many, many years and our progress and our future lie like in any small city in the northeast is with the growth of your immigrant community. That is not only here, you can look at Oklahoma, some of the reddest states in the Country where I think in southern PA. where communities; Eagleton I think it is are being rebuilt by immigrant communities. You can look at North St. from Park Circle down to 90 North St. I don't believe there is a vacancy, a store vacancy. People are doing business, doing commerce, we are trying to work with that community more in order to engage in some cross marketing and things of that nature. When you go to a city you look for Chinatown, Little Italy or things of that nature and that is what we are trying to develop here in the City of Middletown. The investment is not only our businesses, in our neighborhoods and we need to allow them to come out of their houses.

The other issue which is what Shannon from the ACLU addressed and that is the issue of one specific incident and what is going on in the community. The specific incident that she is referring to is Mr. Cervante-Garcia. Long-time resident of the area, employed, thought he was here legal I believe from what I read in the police reports. We did not share information with ICE; let me get through publically. We do not... there are 2 different types of warrants. One Shannon touched on is a judicial warrant. That is a warrant when someone has committed a crime somewhere and a judge issues a warrant for their arrest. We enforce judicial warrants on anyone

legal or illegal. Police run their names in the system and you have a warrant you will be arrested if it is a judicial warrant. In this case the gentleman was pulled over for a traffic violation, he had a valid NYS Driver's license but a warrant came up, apparently an ICE warrant came up. There was some confusion at the time because even the gentleman himself from what I understand from what I read in the reports believed that it wasn't a problem with immigration because he had a valid NYS Driver's license. Apparently at some point he was able to obtain a valid NYS Driver's license. He went to the Police station voluntarily, once police did some more research and determined that it was an ICE warrant they advised Mr. Cervante-Garcia and he was free to feel to leave. He was free not to come and free to leave and he did. He was not picked up by ICE for about another 3 months, that appears to be the problem. So let me reaffirm the position of the Middletown Police Dept. We abide by what was then Eric Schneiderman, the Attorney General NYS continued policy of the State; is a guidance concerning local authority participation immigration enforcement. The City of Middletown Police Dept. will only enforce judicial warrants and will not enforce detainee warrants. The City of Middletown Police Dept. does not assist ICE in enforcing detainee warrants; we only assist any law enforcement agency in enforcing judicial warrants. So hopefully that will make people relax a little bit more, but what is happening and I think Ignacio touched on it. There is a greater presence in the Hudson Valley of ICE and what we have noticed is that when a name goes into the system this is a national system that is identifying the location of the person and identifying whether there is a detainee warrant and ICE is acting on those types of things. If someone is picked up for drinking in the park we do not notify ICE, but if you go into court and sent to OCJ there is a potential that you will be detained by ICE. Those are big issues, those are federal issues, state issues, I know our Governor is approaching many of these things on what protection can be put into place. Obviously the Attorney General's Office addressed some of it; but it is not our policy to work with ICE. We are busy enough our PD we are not a federal enforcement agency and we do not enforce detainee warrants but we will enforce judicial warrants.

On the driver's license issue- when I met with some of the members I cautioned them against driving without a license. That is something you can be arrested for and...very quickly. There was some discussion about possibly but I might be overstating this where police could turn the other way when it comes to an undocumented person who is unlicensed that is not going to happen. We want our streets to be safe, we want people to be licensed I am an advocate for you getting your license; you cannot drive on the streets of the City of Middletown without a legal driver's license. The community has to develop a plan of transportation within, possibly getting back and forth to work. We are meeting tomorrow or Thursday with OC Transportation Board regarding increasing public transportation; we have limited public transportation within the City but there really there isn't a lot of transportation back and forth with jobs. That is something the County is lacking, we are hoping the County will start looking at it as LEGOLAND comes in and other large employers,

Amy's that there is a need for not only undocumented people to go to their job. For any person who can't afford a vehicle to get back and forth to their employment. Keep in mind I know some of them who put up the posters are looking and saying they don't pay taxes, they do pay taxes. There are ways people work that are undocumented that you pay taxes through EIN numbers, there are mechanisms in the system for people do pay taxes. That is not the argument here; that is a federal issue and not open for discussion. I want to as much as I can reassure people that we do not enforce detainee warrants. Chief Ewanciw was hoping to be here this evening but he went home sick today but we will be issuing more direct policy and procedures within the Dept. the only case that we know of where the Middletown Police were involved directly was the Cervante-Garcia case in which the gentleman came to the police dept. voluntarily and left on his own. We are going to continue to work with Shannon and try to develop, see what policies she has and forward to us and we are hoping to get more reassurance to impact the community. Also resident ids we are looking to load up a lot of people to come in and get those ids.

The roundabout, Jacob touched on it. If you are following it on social media it is really kind of crazy. They were complaining about the roundabout before it was open. It did open this morning, it is going to be confusing for a little while. Traffic will flow very nicely through this, the one legitimate concern that I saw or at least my perspective on line the traffic light by Sterling Parc if that traffic light was red the traffic may back up. That traffic light will be put on blinking as it was before; traffic will flow right through that light. The light is there in case the other side of street is developed; very few cars come out and make a left there.

Don touched on our budget, it looks good. We will be meeting as a full Board of Estimate in the very near future. Council members are invited to attend those meetings, those are actual meetings for the public to attend these are preliminary for Dept. Heads. We will be making a presentation to the Board of Estimate and follow the guidelines as laid out in our Charter to meet the deadlines for budget adoption.

Chris talked about the Rodrigues fields on Monhagen Ave. Mr. Tucci has been hired. We do hope to have this opened up by next summer. It will be a multi-use field that will have the plans... bleachers attached to the Heritage Trail, nothing but a positive thing for our community.

CPV- today they are not producing power. I met with the Fire Chief today to get the reassurances that Middletown Fire Dept. will have adequate training and have adequate training on how to respond to any incident there. Our understanding of Council Pres. Rodrigues is that it is mostly self-contained but we still have to make sure the New Hampton Fire Co., County and Hazardous Waste have been working with our people. Jacob does have their Emergency Management Plan we are prepared but we think there is more all could be doing. We are prepared in case there is an incident there to respond as a Middletown Fire Dept. and to assist. I don't say

that as if there is danger there I don't want anyone to be scared. That was one of the comments that was brought up during many of the meetings.

Ald. Kleiner-Do you have pen in hand to sign the Heritage Trail agreement?

Mayor DeStefano-We have pen in hand ready to sign. I believe they are voting Thursday the County Legislature. We are ready.

10. Reports of Aldermen

Ald. Burr-Nothing this evening.

Ald. Jean-Francois-Nothing this evening.

Ald. Kleiner-I just wanted to thank everyone who came out in support of the id program and we will be moving that along.

Ald. Ramkissoo- On behalf of the people who live up on W. Conkling many, many thanks for getting that property taken down.

Thank you.

On behalf of the people on Elm St. the progress our thanks to them for their patience with us.

Neighborhood Watch next week.

Ald. Johnson-With respect for deportation I had a client of mine and he was being deported. I was at a horse farm a couple of years ago and the person who was assisting me was from Ecuador and he lead the horse out, we struck up a conversation and I asked him where was he from? He said Ecuador for about a year or so. I said why did you come here? He said I came here to work with horses and support my family back in South America. Where you bilingual when you got here? He said no. I said what do you do with your money? Some of it I keep and some of it I keep and send back to my family. I articulated to him that I think for many of the people that I know who were born in this Country if I asked them if they went to a different country and learn a new language and split their income between their daily living and their families; they would find it extremely difficult. I think there are people in various areas in the walk of life who appreciate these experiences. A place of business who was owned by a friend of mine was near closing and he said are you leaving now? I said sure, would you mind taking this employee home? I said sure. Well if you do he will save the money for a cab and that young man was from Columbia. We struck up another conversation I asked how long have you been here? He said about a year. Where did you come to be? He said I came by myself. Part of the conversation he was using his phone to translate because he was not articulate in English at this time. He was trying to figure it out. A lot of people come here and try to figure it out. I don't think there is anybody on this Council that is opposed to the id card initiative. But we do have to do our due diligence and work out the details. We

do understand you are frustrated. But this conversation has taken a lot of different turns in the last few months and sometimes as an individual alderman I am feeling you come to say some well ...I don't know of anybody sitting on this Council that is opposed to this initiative. But we are trying to work out the details.

With respect to the issue of foailability, I think the bottom line is every person who is eligible regardless of your background makes their own individual decision as to whether benefits or potential risk.

I did leave in the Councils mailboxes power-point presentation about capital projects. The Board of Education presented that at their last meeting. \$35million project, it will be voted on in December. Superintendent DelMauro made it extremely clear there would be no cost, no cost to the taxpayer.

Legislative/ there was a letter from a resident regarding the noise ordinance. This person wanted to broaden its employment and also was not sure if it was actually being enforced. I saved you all a meeting I spoke to Council Alex Smith and he generated this letter.

The complainant has responded to this, I won't go into that. My point this evening to remind everyone that it is being addressed and does not appear it has to come before the Legislative Committee.

Alex Smith, Esq.
Corporation Counsel of the City of Middletown
Middletown City Hall
16 James Street
Middletown, New York 10940
(845) 346-4140

RECEIVED

September 24, 2018

Michael Coffey
Via email to Michael.c.coffey@gmail.com

SEP 25 2018
City Clerk
City of Middletown

Re: *Noise Ordinance*

Dear Mr. Coffey:

Dr. Paul Johnson, the Chair of the Common Council's Legislative Committee, asked me to respond to your email regarding enforcement of the City's noise ordinances.

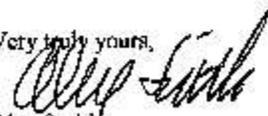
Please be assured that these ordinances are enforced. In 2016, the Middletown police arrested 420 persons for noise violations; in 2017, 202 such arrests were made. I prosecute these violations in City Court, and the vast majority of noise arrests involve noise from vehicles.

I do not believe that 60 feet is an unreasonable distance. 60 feet represents only about 6 car lengths. On the other hand, almost *any* noise can be heard 15-20 feet away. The ordinances you cite using 15-20 feet inject a subjective component not present in the Middletown ordinances: the noise must be *excessive*. Thus, at a trial a police officer would have to describe why the noise is excessive. In Middletown, on the other hand, an officer need *only* testify that he/she was 60 feet away and heard noise from a vehicle's sound system. A fair number of people charged with noise violations request a trial because, typically, they believe they were not making that much noise.

In addition to noise violations, the Middletown police charge persons driving with faulty mufflers under the State Vehicle and Traffic Code.

I hope this answers your concerns.

Very truly yours,


Alex Smith

AS:mt

Cc: Mayor Joseph DeStefano
Alderman Paul Johnson
Police Chief John Ewanciw

With Ald. Ramkissoon, Dept. Public Works Elm St. is happier and they all appreciate all levels of communication.

Ald. Green-Monday the 8th Columbus Day we will still have our constituents meeting at 7pm here in the Council Chambers.

I attended the Touch a Truck this weekend; it was nice seeing everyone out. Great Farmers Market.

Ald. Tobin-I like to briefly address the hateful stickers and flyers at the Community College. A hate group is a cowardly act and I think this community is doing the right thing as far as the municipal ids. We are sending a message-Neo-Nazi whatever manifestation they have these days. Hate is not welcome here in Middletown.

Ald. Masi-It is nice to see so many people here at a Council meeting. Shannon I do have that documentation at the end of the meeting I would be happy to give it to you. I am sorry Pastor Williams had to leave, I was at that celebration yesterday, it was a celebration of life not of the death of his father. He was a stalwart in the City for a long time.

Pres. Rodrigues-I am going to break a cardinal rule of mine since I have been on the Council and Council President. First I applaud you, you brought out the secret weapon and that was the kid. It was the kid. In December 1983 a 7 yr. old kid, handsome, strong, he crossed Canada the border. It was snowing, ice, I remember somebody falling into the river. In 1988 that person got his visa, 1996 I graduated from High School. 2001 college went out to be the first one to graduate from a 4 yr. college in the family. Tonight we need to pass this today. The cardinal rule of mine is we are not going to move forward until we move forward with the municipal id. What makes someone American isn't blood or birth but the allegiance to the founding principal of faith in the idea that anyone from anywhere can write the next chapter of our country? When I say new business I want a resolution from the floor.

11. Unfinished Business

244.18 Resolution to close the corner of Highland, at the YMCA Liberty Street location to the corner of Cantrell from 12:30pm to 4:30pm for the Harvest Festival in conjunction with the YMCA and Middletown Elks Lodge on Saturday, October 27th.

On motion of Ald. Burr seconded by Ald. Masi

Ald. Kleiner- I tabled this resolution. I did talk with Nicole to find out where exactly it is being closed. Always concerned for the people in that neighborhood they get cutoff and trapped; also for the people at the Seventh Day Adventist Church along with the temple have their services on Saturday. I am going to ask that we be sure if there is a pastor there; I know they have called and tried to reach him but have been unable to reach him. I want to be sure that he gets notified. The resolution says 12:30 – 4:30 the event is actually from 2-4 so that people who hear this if they are in the parking lot off of Highland Ave. they will be able to get their cars

out. People parked along Highland Ave. after services will be allowed to go, Cantrell and Linden Place will be open. If you need to get around you can go to Liberty or Lennox. They made every attempt to make everyone know. That is why we tabled this that is why we needed more information.

Pres. Rodrigues-Who is doing the notification?

Ald. Kleiner-Nicole from the Rec. Dept. has really been the one who is organizing this. I did speak with Sgt. Welch in the traffic control, she won't be here then but the Police Dept. will be well informed. I am hoping that she or someone will write a letter if they can't get him by phone. I want them to be aware.

RESOLVED; that the Common Council of the City of Middletown hereby authorizes that the corner of Highland, at the YMCA Liberty Street location to the corner of Cantrell be closed from 12:30pm to 4:30pm for the City of Middletown Harvest Festival in conjunction with the YMCA and Middletown Elks Lodge this year on Saturday, October 27th.

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

12. New Business

245.18 Resolution to approve the additional funding of \$87,923 for the new fire truck and authorize the Treasurer to add the additional funds to the borrowing in 2019 when the truck is expected to be delivered.

On motion of Ald. Tobin seconded by Ald. Green

WHEREAS; the Common Council on July 17, 2018, Resolution #184-18 approved the City's 2018-19 Capital Budget and within that budget was \$1.5 million for a new Fire Engine and Ladder Truck, and

WHEREAS; Chief Luis advises that the new units for the new truck will cost \$1,587,923 or an additional \$87,923 more than budgeted in the capital budget and the Chief is requesting the additional funding be approved and add to the borrowing in 2019 when the truck is expected to be delivered.

SO LET IT BE RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to approve the additional funding of \$87,923 for the new fire truck and authorize the Treasurer to add the additional funds to the borrowing in 2019 when the truck is expected to be delivered.

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

246.18 Resolution to re-schedule the Common Council Meeting from Tuesday, November 6, 2018 to Monday, November 5, 2018 not to coincide with Election Day.

On motion of Ald. Johnson seconded by Ald. Kleiner

RESOLVED; that the Common Council of the City of Middletown re-schedules the Common Council Meeting from Tuesday, November 6, 2018 to Monday, November 5, 2018 not to coincide with Election Day.

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

247.18 Resolution to approve a Halloween curfew for 2018.

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

WHEREAS, the Common Council of the City of Middletown desires to assure the safety of the public both on the streets and in their homes during the celebration of Halloween, and,

WHEREAS, the Common Council of the City of Middletown has determined that it is in the best interest of the City of Middletown to adopt a juvenile curfew during the Halloween period and to encourage parents and guardians to supervise, control and know the whereabouts of their children during such period,

NOW THEREFORE BE IT RESOLVED AND ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN, that during the period of October 27, 2018 through November 1, 2018 between the hours of 9:00 pm through 6:00 am on each day, commencing on October 27, 2018, it shall be unlawful for any person under the age of eighteen (18) years (hereafter referred to as "minor") to be in any public place (including but not limited to, any street, alley, highway or other public thoroughfare, sidewalk, park, playground, store, shop, restaurant, tavern, café, theater, shopping center and any other place devoted to amusement or open to the general public) or on private property other than such minor's home or usual place of abode, within the City of Middletown, New York, either on foot or in a vehicle, except:

1. When accompanied by a parent or guardian; or
2. When the minor is on an emergency errand; or
3. When the minor is on a specific business or activity directed by his or her parent or guardian, in writing, identifying the minor, the specific business or activity, the location or locations of such business or activity and the time when such business or activity shall end, and signed by such parent or guardian; or
4. When the presence of such minor is required in connection with some legitimate employment, trade, profession or occupation.

AND BE IT FURTHER RESOLVED AND ORDAINED, that it shall be unlawful for any person, operating or having charge of any public place to knowingly permit or suffer the presence of minors between the hours set for above,

AND BE IT FURTHER RESOLVED AND ORDAINED, that the following procedures shall be followed in the event of any violations of the above curfew:

1. Any Police or Peace Officer, upon finding a minor in violation of the prohibitions set forth above shall ascertain the name and the address of the minor and warn the minor that he or she is in violation of curfew and shall direct the minor to proceed at once to his or her home or usual place of abode. The police or peace officer shall report such action to the parents or guardian of the minor.

2. If such minor refuses to heed the warning or direction given by any police or peace officer or refuses to give the police or peace officer his or her correct name and address, or if the minor has been warned on a previous occasion that he or she was in violation of curfew, such minor shall be taken to the City of Middletown Police Station and the parent or guardian of the minor shall be notified to come and take charge of such minor and return such minor to the minor's home or usual place of abode. Such minor, in the discretion of the Chief of Police, may also be issued an appearance ticket to appear in the Middletown City Court to answer charges of violation of the curfew, and any operator of any public place who has suffered the presence of such minor or minors may also be issued an appearance ticket to appear in the Middletown City Court to answer charges of violation of the curfew.

AND BE IT FURTHER RESOLVED AND ORDAINED, that any person violating the provisions of this Ordinance and found guilty of the same shall be fined not more than Two Hundred fifty dollars (\$250.00) and/or sentenced to not more than fifteen (15) days in jail for each offense.

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

248.18 Resolution to approve the leaf pick-up for 2018.

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

RESOLVED; that from November 5, 2018 to December 7, 2018 the City of Middletown will hold its general city wide clean up period for leaves in the street. (Set out no further than four (4) feet from the curb.) All other times during the year leaves must be placed in receptacles. Department of Public Works crews will pick up leaves in the street during this time period only, no exceptions.

The **initial** Leaves Pick up schedule will be as follows:

1. Second Ward
2. Third Ward
3. Fourth Ward
4. First Ward

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

249.18 Resolution to add to Chapter 460 Vehicles and Traffic Section 460-28 Handicapped permits one spot each at 5 School Street and 230 East Main Street.

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

RESOLVED; that the Common Council of the City of Middletown hereby amends the City Code to add to Chapter 460 Vehicles and Traffic Section 460-28 Handicapped permits the following:

(67) One Spot directly in front of 5 School Street

(68) One Spot directly in front of 230 East Main Street

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

250.18 Resolution to approve a contract amendment from CDM Smith for the Mill Pond permanent skimming project for the Amy's Kitchen project.

On motion of Ald. Masi seconded by Ald. Tobin

WHEREAS; on April, 04, 2017 resolution # 87-17, the Common Council approved professional engineering services from CDM Smith to support the water withdrawal permit application for Mill Pond permanent skimming project for the Amy's Kitchen project, and

WHEREAS; CDM Smith is offering the attached amendment to the project in the amount of \$34,450.00 for out-of-scope services related to the Mill Pond Permanent Skimming Project.

SO LET IT BE RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to approve the attached contract amendment from CDM Smith covering Design and Permitting of Permanent "In-Water" Intake, Design and Permitting of a New Mill Pond Discharge Pipe and NYSDEC Permit Coordination, Services and Meeting Attendance in the amount of \$34,450.00 and to fund the out-of-scope services in the following manner:

FROM	AMOUNT	TO
Water Fund Balance	\$34,450.00	F.8340.400 Water Contractual

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

251.18 Resolution to authorize the Treasurer to transfer \$800.00 within the DPW 2018 budget to cover the cost of gas & oil for the remainder of 2018 for the WWTP.

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$800.00 within the DPW 2018 budget to cover the cost of gas & oil for the remainder of 2018 for the WWTP in the following manner:

FROM	AMOUNT	TO
G 8130.433 Personnel Training	\$800.00	G.8130.417 Gas & Oil

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

252.18 Resolution to authorize the Treasurer to establish a capital budget line for the Screw Pumps at the WWTP in the 2018 budget.

On motion of Ald. Masi 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 Treasurer to establish a capital budget line for the Screw Pumps at the WWTP in the 2018 budget.

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

253.18 Resolution to authorize the Treasurer to transfer a total of \$24,500.00 within the 2018 Paramount Budget due to increase activities and to replace old dimmer packs and lighting at the Paramount Theatre.

On motion of Ald. Green 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 a total of \$24,500.00 within the 2018 Paramount Budget due to increase activities and to replace old dimmer packs and lighting at the Paramount Theatre in the following manner:

From	Amount	To
A.7010.448 Promoters & Sponsors	\$5,000.00	A.7010.800 City Sponsored Events
A.7010.920 Dues & Membership	\$2,000.00	A.7010.800 City Sponsored Events
A.7010.442 Concession Expense	\$3,000.00	A.7010.800 City Sponsored Events
A.7010.100 Personal	\$8,000.00	A.7010.800 City Sponsored Events
A.7010.440 Repairs to Equipment	\$5,000.00	A.7010.200 Equipment
A.7010.440 Repairs to Equipment	\$1,500.00	A.7010.400 Contractual

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

254.18 Resolution to authorize the Treasurer to accept a donation of \$5,000.00 from ShopRite Supermarkets, to be applied towards the Stars & Stripes Celebration Weekend increase the expense line and add \$5,000.00 to the revenue account within the 2018 budget.

On motion of Ald. Kleiner 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 accept a donation of \$5,000.00 from ShopRite Supermarkets, to be applied towards the Stars & Stripes Celebration Weekend.

LET IT FURTHER BE RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to increase the expense line of Fund A.7010.800 and add \$5,000.00 to the revenue account # A.2705 within the 2018 budget.

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

255.18 Resolution to authorize the Treasurer to transfer \$5,000.00 within the DPW 2018 budget to cover the cost of Type 6, 7 and 3 blacktop for repairing potholes and ditches for the year 2018

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

WHEREAS; Budget line A.5110.450, materials and supplies, for blacktop for repairing potholes and ditches is depleted DPW has requested a transfer.

SO LET IT BE 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 DPW 2018 budget to cover the cost of Type 6, 7 and 3 blacktop for repairing potholes and ditches for the year 2018 in the following manner:

From	Amount	To
A 5110.200	\$5,000.00	A.5110.450
Street Equipment		Street Mat. /Supplies

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

256.18 Resolution to determine that the application for the zone change for 53-63 Anthony Street is an unlisted action under SEQRA.

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

WHEREAS, the City of Middletown Common Council has been presented with a proposal to rezone 3 lots at 53-63 Anthony Street from R-1 single family zoning district to a UR-3A multiple residence parkland district, and

WHEREAS, the lots are in single ownership and owned by the applicant, Szilard Dibble and are described on the City of Middletown tax map as Section 37, Block 6, Lot 8, Section 37, Block 6, Lot 9, and Section 37, Block 6, Lot 10, and

WHEREAS, the proposed rezoning constitutes an Unlisted Action pursuant to the State Environmental Quality Review Act (“SEQRA”) regulations, and

WHEREAS, the Common Council is the only involved agency under SEQRA for this rezoning request, and therefore would be the Lead Agency for the SEQRA review of this action, and

WHEREAS, the Common Council has received a Short Environmental Assessment Form describing this action, and

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

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

FURTHER RESOLVED that the Common Council, after reviewing the application materials, including the Short EAF, hereby determines that the application is an Unlisted Action under SEQRA.

FURTHER RESOLVED that the 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.

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

257.18 Resolution to approve the zoning change for 53-63 Anthony Street to UR-3A.

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

WHEREAS, the City of Middletown Common Council has been presented with a proposal to rezone 3 lots at 53-63 Anthony Street from R-1 single family zoning district to a UR-3A multiple residence parkland district, and

WHEREAS, the lots are in single ownership and owned by the applicant, Szilard Dibble and are described on the City of Middletown tax map as Section 37, Block 6, Lot 8, Section 37, Block 6, Lot 9, and Section 37, Block 6, Lot 10, and

WHEREAS, the Common Council has issued a Negative Declaration for this proposed action pursuant to the State Environmental Quality Review Act (“SEQRA”) regulations, and

WHEREAS, the Common Council has received a response pursuant to General Municipal Law Section 239-m from the Orange County Planning Department recommending that this action is appropriate for determination by this Council, and

WHEREAS, the Common Council has received advice from the Corporation Counsel that this proposed rezoning is a legitimate use of the Council’s zoning authority.

NOW, THEREFORE, BE IT RESOLVED, AND BE IT ORDAINED, by the Common Council of the City of Middletown, as follows:

Section 1. The Code of the City of Middletown, N.Y., Chapter 123, Zoning, as adopted March 27, 1967 and amended, and in particular Section 475-6, Zoning Map, be and is hereby further amended by rezoning the following parcels located at 53-63 Anthony Street from R-1 single family zoning district to a UR-3A multiple residence parkland district, to be governed henceforth by the provisions of Section 475-13:

Tax Map

- 37-6-8
- 37-6-9
- 37-6-10

Section 2. This Ordinance shall take effect immediately.

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

258.18 Resolution to authorize the Treasurer to accept the grant offered by NYSDOH in the amount of \$544,745.00 for the Lead Service Line Replacement Service Program.

On motion of Ald. Johnson seconded by Ald. Burr

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to accept the grant offered by NYSDOH in the amount of \$544,745.00 for the Lead Service Line Replacement Service Program and authorize the Treasurer to establish Water Fund

budget lines for both the grant revenue and appropriations. The Grant is reimbursable as the money is spent.

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

Pres. Rodrigues asked for a motion from the floor.

Ald. Kleiner-A little direction.

Pres. Rodrigues- I would like a motion from the floor passing the municipal ids.

Ald. Kleiner- I'm not sure I really understand.

Pres. Rodrigues- What we talked about for a year, move forward. Pass it tonight, committee and everyone else in this room. The Mayor's Office, my Clerks Office who is going to take the burden of everything. Move forward and work together and not at night during the day. We can pass it and work together.

Ald. Masi-With all due respect I don't know what we are passing. I have no problems passing the idea but there is no substance. We don't have the information, we talked about it. I understand you want to fast track it; I am 110% with that. How about saying that at the next meeting we will pass the documentation sometime between now and the next meeting so we actually know what we are voting on. The concept is an id; I have no problem with the concept. 2 more weeks so that we can digest what it is in...

Ald. Kleiner- I have an idea, let's do a motion that we resolve, we do a motion affirming the creation of a municipal id program and we can pass that resolution that we are definitely agreeing as a council to create a municipal id program based on specific legislation to be presented. Let's say within the month, hopefully the next meeting if not by November 2nd. The parameters have to be agreed upon.

Ald. Masi-Absolutely I have no problems.

Pres. Rodrigues-I agree.

259.18 Resolution going forward with municipal id program

On motion of Ald. Kleiner seconded by Ald. Masi

MOTION FROM THE FLOOR

WHEREAS; the Community Communications Committee voted to approve a City of Middletown Municipal ID Program at their meeting on Tuesday, October 02, 2018.

RESOLVED; that the Common Council of the City of Middletown hereby approves a creation of a Municipal ID Program in the City of Middletown pending legislation for

final approval and that all parameters agreed upon by the Common Council on October 16, 2018 or November 02, 2018 and the Board of Estimate.

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 by Ald. Jean-Francis

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 9:28pm.

Respectfully submitted,

Karen Sisco