



**Common Council  
Meeting  
City of Middletown  
March 5, 2019**

1. Pledge of Allegiance- Acting Pres. Masi asked all to rise for the pledge.

Acting Pres. Masi asked all to remain standing for a moment of silence for Patsy Foti a 40 yr. employee of the City of Middletown.

2. Roll Call: Present: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi-8 Absent: Pres. Rodrigues-1

3. Approval of Minutes

On motion of Ald. Johnson seconded by Ald. Ramkissoon to accept the Feb. 5 and Feb. 19, 2019 minutes as submitted

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/Community Development- This evening we had our meeting of Community Development Agency and our audit committee. We had a presentation of our audit reports that all went fine, looking to submit it to the State.

Also on Friday we closed on the TD Bank building, 2 South St. to Equilibrium Brewery that is going to be their second location we are excited to see their plan to come to fruition.

A lot of upcoming events at the Paramount. This Friday we have Andy Cooney Irish Cabaret, tickets are available.

A great tribute band in April, Almost Queen. Middletown Fire Police Oldie Show in May and then a comedy night in May.

We show movies 7 days a week.

Our 2019 Spring Classic series has been released. You can go on our website and see all the great things coming up at the theatre.

Planning our Summer Concert series time and all those things are getting planned as we speak, that announcement and listing will be out very shortly.

Jacob Tawil/DPW Commissioner-Of course our guys continue to do very well with the snowstorms with plowing our city streets, water main breaks and other duties that we have. Then we will start attending to potholes. If you see something drastic please give us a call at DPW 343-3169, for any potholes, it will be a temporary fix until the blacktop plants open up.

Before you tonight we have the screw pump bid awards. We moved very fast in order to put this before you tonight, the project has been funded already and we have a grant from the State as well to help funding it.

There are 5 screw pumps altogether and the materials supplying the screw pumps is about \$1.6 million and that is going to Evoqua if you concur with it. Installation of the screw pump is going to be by Boyce Excavation for alternate bid.

Don Luis/Fire Chief-We do have a resolution on the agenda. Although Engine 1 that we currently have that is on the agenda is isn't in service yet. We might need an amendment to this resolution.

Acting Pres. Masi-Would you explain it?

Chief Luis- The new Engine 1 is in; we are still doing training on it. Spartan is coming back on the 13<sup>th</sup> and 14<sup>th</sup> for training. Then it goes to Campbell the week following for mounting of the tools and then back by the end of the month. That is when we take the old one out of service and the new one in service. So if the resolution would read something to the fact when it is deemed surplus that we donate it to Hancock which is a very small dept. upstate NY. They heard about our truck by

word of mouth, they were down twice, they looked at it and said they were definitely interested. Resale on firetrucks are extremely hard. Truck 3 is still sitting rather see it go for scrap we would like to see another dept. use it.

Don Paris/Treasurer- Nothing this evening.

Chief Ewanciw/Police Chief- The Police Dept. just recently signed on with corporate organization Hope Not Handcuffs. It was brought to our attention by Ald. Tobin, we did a little research and found that it was a very good non for profit organization.

Chief read an overview which is attached

As of tomorrow afternoon the entire department will be trained.

(Attached to minutes)

After sitting down with the representatives from the organization I felt it was a no brainer for us to open our doors to extend our resources to members of our community that are suffering with other substance addiction. This isn't a substitute for someone that has been arrested, this is for people who are willingly seeking help with their addiction. It is not a substitute to get them out of trouble.

Chris Brinkerhoff/Superintendent- The Hope Not Handcuffs is a wonderful program we are very familiar with it and I think that will be great here in Middletown.

For the public we are totally doing online registration at this point, so far going pretty smoothly. We have to thank George, Finance Office and Don, BAS, John for getting us up and running. The public is liking it, you can also come to our office and we would help you make a profile and set it up. We have chrome books there to do that. We make it very accessible to the public even if they don't have the proper materials at home. You will hear a lot more on that.

Our spring registration is open and so is summer registration for all our summer programs.

Let's hope nice weather this spring, we have a lot of projects that you are going to see get done that we couldn't get done in the fall.

I just want to wish our boys varsity basketball good luck tomorrow, playing Section 9 championship against Kingston up in New Paltz. Wish Jim Kelly, John Merchant and all their boys a really good time, good luck representing Middletown.

John Naumchik/City Clerk-Municipal ID program is ready to start. We are going to start in our office on March 13<sup>th</sup> at 9am. We are all set, everything is put together, and everything has been practiced. I think we are ready to go, it is on the website. Applications on the website and ready to start on the 13<sup>th</sup> of March.

## 7. Public Hearings and Grievances

John Naumchik-Public hearing for a 2 lot subdivision for 10-22 Railroad Ave.

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, March 5, 2019 on or as near to 8:00 pm as possible, Common Council Chambers, 2<sup>nd</sup> floor, 16 James St., to hear any and all persons wishing to be heard on the proposed 2 lot subdivision for 10-22 Railroad Ave, Section 31, Block 2, Lots 18.2, 20.2.

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

The complete proposed map of the property for the 2 lot subdivision is available in the office of the City Clerk, City Hall, 16 James St., room 12.

By order of the Common Council,

John C. Naumchik

Clerk of the Common Council

Publish: 2/25/19 & 2/26/19

Website

John asked for the mailings- handed in.

Acting Pres. Masi opened the public hearing 8:10 pm

Amador Laput/Fellenzer -Engineer

Here with Mark Fellenzer and Zane ....

Representing Hudson Transit doing business as CoachUSA. This is part of the project that has been going on for a decade or so. Middletown Transfer Station project. Received site plan approval last year and it would renovate the Coach area where the busses are now, develop that into a multi bus depot. Renovate the parking areas as well. So tonight we are here to subdivide the Daskalis property which is home to Coney Island and the CoachUSA ticket office, smoke shop and there is a taxi office there. The Daskalis family would retain ownership of the property where the restaurant and building located. They gratuitously dedicating the remainder of the lot to the east of the building where the ticket office door is that side of the building to the City of Middletown to facilitate the rest of the project. One important reason for that is that with the Middletown Transportation Center being federal funded. One requirement is that all the improvements be done on the municipal property. So all the improvements including a new canopy will be going over the existing door at the Coach ticket office would be a part of that project and ...municipal property.

(Showing on map) lot line it is not a straight line because of the nature where the improvements are taking place. We also show an easement to the side of the building where an area where both passengers and customers could walk from Railroad Ave. to the ticket office, ticket office out to the parking lot. So that is the easement area on that side.

Also shown a sub-license agreement in the back of the building to allow the Daskalis family to maintain the back of the building. It is handled not as an easement but as a sub-license. The license would be between the City of Middletown and licensor and Hudson Transit as the licensee. That hasn't been signed yet but those agreements are in the process.

After the approval hopefully there will be a subdivision will go along with the building process and bidding and we hope to do that this summer.

Acting Pres. Masi asked the Council if they had any questions, none being.

Ald. Kleiner- I have no questions but just want to mention in Ald. Green's planning committee we did go over this lot line change we had questions about the maintenance of the sidewalks and such. That is going to be reflected in the resolution. It was well discussed in committee.

Acting Pres. Masi asked if any public had comments none being.

Public hearings closed at 8:13 PM

8. Petitions & Complaints

John Naumchik-Nothing this evening.

9. Remarks of the Mayor

Mayor DeStefano-One thing Amador did not touch on also is with CoachUSA portion of the project will also have the Heritage Trail coming in from one end and out through the back end; across Orchard St. So it is a very important component of the Heritage Trail. All the more reason why to approve the project.

Mr. Masi asked for a moment of silence for Patsy Foti also known as Foti to many of us who grew up in the 1<sup>st</sup> Ward and as I told his wife and daughter-in-law Rosemary he was quite the character. Many of you who watch meetings knew he was quite the character and he took with him a lot of knowledge about the city water system, he surely will be missed. He was part of that generation of characters as I told Rosemary. He did have in his heart the best interest of Middletown and our thoughts and prayers go out to his family.

Also wanted to touch on tonight which is a very exciting project regarding the Parks & Rec. program.

(Mayor showing presentation) New Parks & Rec. campus. As you know we have been focusing a lot on recreation programs throughout the City; but we work very closely with the State of NY and Gov. Cuomo's office and the ability to expand recreation programming to our community and to the greater Middletown community.

Former NYS Star Center on the screen- this is a 15.4 acre campus. It has several buildings on it including the main building which I will get to in a second. It borders

California Ave. on top of photo and Cty. Rte. 78 to the front and Mt. Hope Rd. on lower section.

Ball field, soccer field and baseball field that was present there.

Main building, brick building and is in excellent condition about 11,000 sq. feet. We are proposing that this will be the new home of the Rec. Dept. I met with the Recreation staff today, I have kept Chris informed as we kept you informed of different options. As you know we were looking for different options for this property that for reasons that did not happen. We were looking at the Kleiner Center on the Community Campus as an opportunity to expand recreational services to a more campus like setting. The preliminary numbers on that were pretty huge. When I get to the end of this I will tell you what all these good things we are doing up here is going to cost the Middletown taxpayers.

So this is about 11,000 sq. ft.

Showed on map-Single story office building that is going to require some work. We are planning on doing some cooperative work with both the police agency, Middletown Police Dept., working with kids. As you know the program has expanded, the Chief really focused a lot on pop up bar-b-ques and things of that nature. Also other city recreational offices could be into this building.

Gymnasium on the property and a little community room adjacent to the gymnasium. Along with some garages, 4 bay which currently we don't have adequate space for indoor storage for a lot of our equipment. Along with another garage and generator for the entire property.

The idea is that we would focus our energy and resources and relocating the Middletown Rec. program to this location. It is directly across from Maple Hill Park so it is contiguous to Maple Hill Park. Absolute beautiful campus for what we are proposing to do and all of this will cost us \$1.00. That is part of the beauty. That is why we had to shift our attention away from the Kleiner project on the Psychiatric Center to this campus here once it became available.

I want to thank the Gov. and his staff for listening for the last year as it went through the process. This community has been a major focus of my administration and you as a council has been to expand opportunities for not only young children but this is a place that all can enjoy.

Chris Brinkerhoff and her staff will be taking a walk through the building with us. We have plans that we are going to review about other opportunities to expand programs. I think we offer so much now and opportunity to offer so much more.

One question that keeps coming up is what are we going to do with the old school on Academy Ave.? That is a big question.

Preference 1 would be to sell it. As you know it needs a lot of work and we have had estimates on certain portions of it. It is in the million dollars in renovations that is

needed in order to maintain that building. It is not entirely handicap accessible, we have known that for years, if we are going to use upper floors in that building it is going to require elevators, gym floor needs to be replaced. It is an old building and we do have people interested in that.

So we currently have the ABCD Headstart program as a tenant and both people who we are talking to are interested in retaining them as tenants in the building. There would be some continuity and protection for them in the building also. That will be an important part of having to proceed in disposing of that property.

The opportunities here are as you can see are tremendous and we have a resolution tonight that is authorizing me to apply to the State of NY Office of General Services for transfer and conveyance of this property. Actually located in the Town of Wallkill across from the city line, if Town of Wallkill was interested we would certainly welcome the opportunity to annex the property in if they were concerned about providing any services as we normally do. In conjunction with our reservoir walking, hiking and cross country skiing, expansion of Davidge Park and the improvements at Maple Hill Park which should be ready by June really will keep Chris and her staff kind of busy for the next several years.

I am open to questions on the project, I have tried to keep you informed as we moved along. We didn't know when it was going to happen, I can only give the ideas what we were going through making the arguments, making our case up in Albany. Obviously we did ok and they've accepted the city's proposal to make this a major focus recreation & parks program within the City of Middletown.

Tomorrow myself and Maria will be going to Albany will be joining a contingent from OC on the widening of Rte.17 and looking to expedite monies for that program. We are giving testimony to a committee I don't know which one, when I read through this tonight I will know which committee it is.

Acting Pres. Masi-Mr. Mayor I like to say thank you to Maria, I'm not sure the people in the City of Middletown realize what an accomplishment this is. It is a \$1 price tag and it is just going to enhance our recreation program and other things in cooperation with the PD. I know the Mayor makes trips, he is constantly in contact with the Governors' Office and this is the proof of those labors and Maria and your staff thank you very much.

Ald. Tobin-Great deal, possibilities are endless. You said Middletown water/sewer?

Mayor DeStefano-Yes. Including the property behind it already had water/sewer from Middletown. Also the CP Center, as a matter of fact I believe the water/sewer go right through the property.

Asked Commissioner Tawil.

Commissioner Tawil-Yes.

Mayor DeStefano-The corner property. It's like a L shape.

Ald. Green-Thank you Mayor, Maria this is an amazing purchase for \$1. I do know the current building I believe the Fire Police have a room.

Mayor DeStefano-Yes.

Ald. Green- Would we be looking to relocate that?

Mayor DeStefano-Yes. We are looking to do community room/s somewhere. They also have, they requested other rooms by the way. They are one of the groups on the 3<sup>rd</sup> floor including the retired firemen who was very difficult to walk up 3 floors. The retired firemen will certainly... The longer building that we did have some uses for plan, that can't be announced at this time but part of it will be for community room purposes.

One of the other options for the old school is if we are unable to sell we would entertain and we are talking with one organization now related to a school we would have another tenant that would, if we lease out the entire building but maintain the gym area for the different programs. We would have additional gym space. The rental revenue would more than offset the capital cost that would go into putting an elevator into the building for example, replacing the roof, replacing the gym floor. We have 2 vile options on the old building. One is to maintain/improve with additional rental revenue and the other is outright sale. Which to me is my preference because it is one less burden. Opportunity also to remove ourselves from being landlords which we are not very good at.

Ald. Johnson- Is this property going to be on the tax rolls for the Town of Wallkill?

Mayor DeStefano-No. It's been exempt as a State agency and the City would be exempt for this use.

Ald. Ramkissoo- The property is amazing and the campus on the whole and the ability getting it for a \$1, my only question I have is that ...teen center being ripped out a lot of kids walk, would we be able ...

Mayor DeStefano-One thing is we try to encourage the kids not to walk to the Teen Center. We try to get families involved. We've had problems with certain programs in the City where you have 40-50 kids at a function and they all empty out into a neighborhood and that has created a problem. We had a Teen Center at the old Mt. Carmel Church, we actually stopped teen dances for that specific reason and we changed the rules that would require any teen to attend a dance had to be accompanied by a parent, guardian or someone who is signing them in and picking them up. So that way we would prevent that mass exodus of kids out into the street late at night. Conversations that we have had with Chris and her department it is similar the older members of the board might remember the old days of Middletown when the farms use to pick up at designated spot of kids and bring them out to the farms for work. We can do something similar with our bus system where we can say here is the designated spot, whether it be City Hall or whether not City Hall and would require a round trip that if you sign on to be brought you have to come out.

Safety of kids primarily just not access but safety so we want to make sure that ...to address all those issues. On the other hand if we do lease the Academy Ave. building there is an opportunity to run a program there also because it would be a separate entrance that is currently used in the back of the property? Those plans will be developed, safety first and convenience second.

Ald. Burr-Do you have any timeframe from a-b for the Rec. Dept. going in first before we do any other development.

Mayor DeStefano-Yes. This will be done incremental stages. We are hoping to get to the property as soon as the closing takes place, subject to an environmental review. We do know the property is a pretty clean property asbestos wise for most of the buildings. This was a housing unit for 25-30 kids. The State has maintained the building well. There is a possibility and hopefully we will be able to use the ball field and lease the gymnasium by summer for certain programs.

Chris Brinkerhoff- Tons of opportunities.

Ald. Kleiner- This was all state property, I mean the Town of Wallkill is really not involved in this at all.

Mayor DeStefano-No this was state property, has been state property for years. The city has always provided water/sewer service to it because it is state property. It is currently owned by the state and will be transferred like a lease. We will actually be getting ownership of the property, with restrictions on use. We can't sell it to a developer to build condos.

Ald. Kleiner-That is a good thing.

Mayor DeStefano-Yes.

Chris Brinkerhoff-This facility obviously gives us tons of potential opportunities to do so many things with all age groups. It's a great thing.

When our conversations first started of course when you think of safety and getting the kids in their right spots. There is a lot of things we can do like the Mayor said with dances. Kids can only come if they got picked up at the end. We can even set up something like that the campus is set up where we can monitor that with the staff we have. We have a bus it was donated to us by Mid-City we can make the old center a pick up and drop off spot. It will be slowly getting programs over there, we might put a camp right in there this year. We have a venture camp that we do where we are using the park, Little League, Playtime and cheerleading, sports camp. We need facilities our programs are getting bigger and this is not going to need a whole lot of maintenance. The fact of the matter that we can share this with the Police Dept. that is another incredible asset just with public relations and safety. We are on board with it, we think it is going to be great opportunities. Our staff, Rec. Commission all will be discussing it and will stay in communication with you what our plans are. To me

it is very exciting another great thing that is happening to this community. Just amazing to what is happening.

Mayor DeStefano-We are looking to expand some of the parking obviously on the campus. There is nothing but good that is going to come out of this.

I think it was for Engine 1, I think the Chief was asking for an amendment to it.

#### 10. Remarks of Aldermen

Ald. Burr-My condolences to the Foti family. A good friend of mine also and a great employee for the City for over 40 yrs.

A dollar for that kind of facility is unbelievable and I think it is just great for our community.

Ald. Jean-Francois-I also agree this is a great job Mayor on this purchase. I also like to send my thoughts and prayers to the Foti family.

Ald. Kleiner-Patsy was a character, he was unbelievable in what, now there is no one who knows where all the valves are. What the Mayor said he always had the best interest of Middletown at heart. He will really be missed. My condolences to the family.

If you go to the Middletown website and select community you will find municipal id. That is where the specifics on the program, that is where the forms are. It will start 9am on Wednesday, March 13<sup>th</sup>. Thank you John.

Also on Monday went to the meeting that Maria Ingrassia from Congressman Maloney had arranged. This is the United States postal inspection service they are the enforcement arm of the post office. I want to thank Maria and Jen from Congressman Maloney office, they had a meeting with the Middletown Postmaster, Newburgh Postmaster and their supervisor, I spoke to the Postmaster today. They were explaining about that new mailbox and they are very proud of that box because it has really proven to be theft proof. You watch and get educated, we are going to try to put on the Neighborhood Watch page, (showing brochure). What they explained is the mail theft has become such a sophisticated operation and it was spreading from the Bronx, across NYC and the counties and spreading into OC. Yes they have had mail theft from that box. So they designed a lot of failsafe things where people can't be fishing out checks and apparently what they have is they take the check and then have a solution that washes off the ink. It washes off the date and the amount but it leaves everything else. So then they fill it out for themselves. What we have asked a lot of people to ask them and the postmaster will ask to design a curbside box, they call it a snorkel box where the chute is more convenient. They may design a box like that, that is also theft proof. They are working on that, but in the meantime that box is there to stay; they may remove the cement posts because people have been running into them trying to get close to that box. They are working on it

and the people really have a problem mailing a letter they can always call the 1-800-...they are working on it. I had no idea how sophisticated those operations were.

Ald. Ramkisson- My tenure here on the board I got to interact with Mr. Foti a number of times. Whether it be at the podium, he would stop me after a meeting, his letters in my mailbox; I agree he will be missed. He was a character for his feedback, everything he did here, his knowledge of the city it will be missed. My condolences to the family.

This rec. campus this is amazing. We have a rec. dept. that is expanding exponentially on a day to day basis. Our programs, how you have been able to do that confined at Academy School is nothing short than miraculous. This is a huge opportunity for our kids, it is exciting. Great job Mayor in making all that happen.

Ald. Johnson- I want to thank Ald. Kleiner for clarifying the post office situation nothing like firsthand information.

Hope Not Handcuffs sounds like a great initiative. Thank you Ald. Tobin for bringing that to our attention.

I came late for to the party for Mr. Foti. I was certainly enamored with his unorthodox style in presenting information. I did take a chance to meet with him privately and get in-service tour of things. I agree with the Mayor as unorthodox as he was, he always had the best interest of the city at heart.

As far as this initiative of this land acquisition. I think between the state and the city and this incident is proof that the Mayor has remarkable intuitive sense to identify initiatives and bring them to fruition. This is no poor example of that and we thank you.

Chris will take the ball and run with it, no doubt. Watch what happens. Thank you both.

Ald. Green- First off growing up I have memories of Pat Foti especially I remember he was quite involved when we did car shows down at the parking lot over here. My condolences definitely to the Foti family.

Monday, March 11<sup>th</sup> we will have a 2<sup>nd</sup> Ward constituents meeting here in the Council Chambers at 7pm. We hope you can attend both Jerry and I will be here.

We want to thank DPW for the work in the last snowstorm. I woke up, drove out like it didn't happen. I heard wonderful things from our constituents. I want to thank you and your staff for all the hard work.

If you haven't seen the new Engine#1 and it is sitting out at Central Firehouse it is an amazing machine. We wish the department well. We wish the old engine well it is going to Hancock Fire Dept.

Ald. Johnson I just want to basically echo what you said between the State of the City and between this tonight with the acquisition of land there is so many opportunities

coming to Middletown. These next few years will be amazing. The parks gaining more ballfields, so much opportunity coming.

Also Hope Not Handcuff programs is a great thing in terms of outreach to those who really need the help.

Ald. Tobin- I am excited to get my municipal id.

DPW great job on the roads. Compared to other communities I have driven around, Middletown streets are clean. Great job, hats off to them.

My condolences to the Foti family.

If you are hungry this weekend the community service clubs a lot going on. Kiwanis Club pancake breakfast, Lions Club which I am part of we have a spaghetti dinner, the Mason Lodge I believe is a corn beef dinner.

Thanks to the Chief for the Hope Not Handcuffs. I am glad we are doing our part in Middletown to address the opioid epidemic that is ravishing the nation.

Good luck to the basketball team.

Ald. Masi- The Kiwanis is the 66<sup>th</sup> annual pancake breakfast it is from 7am-12 noon at the High School.

Patsy Foti and I go back probably over 50 yrs. We had our ups, we had our downs. He will certainly be missed. I doubt that anyone has any more knowledge than Patsy.

Just for your information, Tony Capozella who use to sit here was an alderman at one time is now the Chairman of the Planning Board. Patsy was his father-in-law.

#### 11. Unfinished Business

John Naumchik-Nothing this evening.

#### 12. New Business

46.19 Resolution to accept an award in the amount of \$11,792 given to us by the New York State Governor's Traffic Safety Committee for the use in the "Police Traffic Services".

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to accept an award in the amount of \$11,792 given to us by the New York State Governor's Traffic Safety Committee for the use in the "Police Traffic Services" program effective October 1, 2018 through September 30, 2019 and that the funding be added to our existing Police Traffic Services budget line A.3124.103.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi-8

47.19 Resolution to accept an award in the amount of \$3,800.00 to participate in the statewide “Child Passenger Safety” program.

On motion of Ald. Burr seconded by Ald. Kleiner

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to accept an award in the amount of \$3800 to participate in the statewide “Child Passenger Safety” program effective October 1, 2018 through September 30, 2019 and the funding is to be added to the Child Passenger Safety budget line A.3189.450.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi-8

48.19 Resolution that when Engine One is declared surplus and is no longer any use to the City, Engine One will be donated to the Hancock Fire Department.

On motion of Ald. Johnson seconded by Ald. Green

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment that when Engine One is declared surplus and is no longer any use to the City, Engine One will be donated to the Hancock Fire Department subject to approval of Corporation Counsel.

Ald. Kleiner-I had a few questions and I thank Chief Luis for his explanation. It is true when we’ve had surplus fire trucks it basically had gone for scrap or less and if we have a small city that is willing to us it, I think it is a much better thing for Engine 1. I will support it.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi-8

49.19 Resolution to approve a proposal from Lehman & Getz for the preparation of final plans and engineering details for the design of the Henry/Union Street Park and parking lot and approve funds for the project.

On motion of Ald. Tobin seconded by Ald. Ramkissoon

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to approve the attached proposal from Lehman & Getz for the preparation of final plans and engineering details for the design of the Henry/Union Street park and parking lot and authorize the Mayor to sign all documents for this project.

LET IT BE 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 fund the project through the DRI grant.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi-8

50.19 Resolution to authorize payment to CPL for the sum of \$55,000.00 for services described under preliminary-planning in a previous authorized proposal from resolution 280-15.

On motion of Ald. Kleiner seconded by Ald. Burr

WHEREAS; the Common Council approved an engineering proposal from Clark Patterson Lee on September 15, 2015 resolution # 280-15 and,

WHEREAS; this resolution needs to be supplemented.

NOW THEREFORE LET IT BE RESOLVED by the Common Council of the City of Middletown that resolution #280-15 is hereby supplemented by authorizing the payment to CPL the sum of \$55,000.00 for services described under preliminary-planning in the previous authorized proposal.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi-8

51.19 Resolution to approve SEQRA for a 2-lot subdivision at 10-22 Railroad Avenue.

On motion of Ald. Green seconded by Ald. Johnson

WHEREAS, the City of Middletown Common Council has been presented with a proposal for a 2-lot subdivision for property located at 10-22 Railroad Avenue, Middletown, New York, known as Middletown tax parcels Section 31, Block 2, Lot 18.2 and Section 31, Block 2, Lot 20.2, and

WHEREAS, the proposed subdivision 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 subdivision 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 subdivision 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-8

52.19 Resolution to approve a 2-lot subdivision for 10-22 Railroad Avenue.

On motion of Ald. Johnson seconded by Ald. Green

WHEREAS, the applicant, Hudson Transit Lines Inc. – Newel Scoon submitted a proposal for a 2-lot subdivision for property located at 10-22 Railroad Avenue, Middletown, New York, known as Middletown tax parcels Section 31, Block 2, Lot 18.2, and Section 31, Block 2, Lot 20.2, and

WHEREAS, the purpose of this subdivision is to facilitate the bus terminal operations at that site, and

WHEREAS, the applicant has complied with all applicable requirements for final subdivision approval, and

WHEREAS, a public hearing was held on March 5, 2019.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Middletown that final subdivision approval be and hereby is granted to the application to subdivide the property located at Section 31, Block 2, Lot 18.2 and Section 31, Block 2, Lot 20.2, as shown on a map entitled “Middletown Transportation Center” prepared by

Fellenzer Engineering, dated March 5, 2019, and filed in the Office of the Middletown Common Council Clerk, and

BE IT FURTHER RESOLVED that this approval is conditioned upon Hudson Transit accepting the obligation to plow, shovel and maintain the easement area on the east side of the ticket building from Railroad Avenue parallel to the building to the City property line for the duration of the license, whether or not Hudson Transit continues to be reimbursed under the capital cost of reimbursement or similar agreement, and

BE IT FURTHER RESOLVED that this approval is conditioned upon Hudson Transit accepting the obligation to indemnify the City and its officers, employees, agents to the fullest extent permitted by law from and against any and all liability, obligations, losses, claims and damages whatsoever with respect to the aforesaid easement, and

BE IT FURTHER RESOLVED by the Common Council that the applicant is directed to submit all necessary documents to the Office of the Orange County Clerk to file and record this subdivision within 60 days of this Resolution.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi-8

53.19 Resolution to amend the City Code Chapter 25 City Property, Sale of to authorize the Mayor to enter into agreements with third parties to conduct auctions of City property.

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

Be it Resolved, and Ordained, by the Common Council that Section 25-2 of the Code of the City of Middletown shall be amended to add a new subsection 25-2-1 to read as follows:

25-2-1. The Common Council in its discretion may authorize the Mayor to enter into agreements with third parties to conduct auctions of City property. These agreements may contain provisions different than those contained in Section 25-2.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi-8

54.19 Resolution to declare a negative declaration notice of determination of non-significance for the Heritage Trail Culvert.

On motion of Ald. Kleiner seconded by Ald. Burr

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The City of Middletown Common Council, as Lead Agency, has determined the Proposed Action described below and the Environmental Assessment Form, consistent with the procedures and criteria set forth in 6 NYCRR 617.7, analyzed the relevant areas of environmental concern using the SEQRA standards and determined the Proposed Action will not have a significant adverse impact on the environment and a Draft Environmental Impact Statement will not be required.

**SEQRA Status:** Unlisted

**Conditioned Negative Declaration:** No

**Description of Action:** Installation of an 80 linear foot, concrete box culvert at a stream crossing under an unimproved section of the Orange County Heritage Trail to replace existing twin 2' by 2' culverts that are getting clogged due to beaver activities causing flooding.

**Location(s):** Stream crossing at the Orange County Heritage Trail approximately 1,000 feet northwest of Dolsontown Road.

**For Further Information, Contact:**

Jacob Tawil, PE, Public Works Commissioner  
16 James Street  
Middletown, New York 10940  
845-343-3169

**Reasons Supporting This Determination:**

The proposed action is not anticipated to result in any adverse environmental impacts based on the following reasons:

1. The Proposed Action requires minimal ground disturbance; approximately 0.05 acres of land and replaces an existing, undersized structure.
2. No disturbance will occur within adjacent state wetlands. Wetland 100-foot regulated adjacent area will be disturbed for the project. This will require a permit from the NYSDEC. Silt fencing and slope stabilization matting will be installed to mitigate soil and stormwater impacts. Disturbance within this area is the least possible area necessary for the Project and no alternative was feasible.
3. The Project is intended to alleviate flooding of areas on the north side of the Heritage Trail.
4. The project is located within an unimproved section of the Heritage Trail and all work will be completed during winter months to avoid impacts to the recreational aspect of the trail.
5. The nature and character of the Proposed Project is consistent with the surrounding built environment.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi-8

55.19 Resolution to accept bids for the installation and furnishing of the screw pumps for the WWTP

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

WHEREAS, bids were opened by the Board of Estimate and Apportionment on Thursday, February 28, 2019, for the installation and furnishing of the screw pumps for the WWTP, and

WHEREAS, the Board of Estimate and Apportionment referred the bids to the Commissioner of Public Works for his review and recommendation to the Common Council of the City of Middletown.

NOW THEREFORE BE IT RESOLVED; that the Common Council of the City of Middletown concurs with the Commissioner of Public Works recommendations and awards the bid for the installation and finishing of the screw pumps for the WWTP to the following:

**Evoqua Water Technologies, 1828 Metcalf Ave., Thomasville, GA 31792:**

Furnish and deliver primary Archimedes Screw Pumps, furnish and deliver secondary Archimedes Screw Pumps, Warranty, Spare Parts, Services of Manufacturer's representative, start-up testing, owner training, and shipping in the amount of \$1,564,639.00.

**Boyce Excavating Co. Inc., P.O. Box 367, 2817 Rte.6, Slate Hill, NY 10973:**

Removal and demolition existing Screw Pumps, Offloading and installing replacement Screw Pumps, and Anchor Bolt modification allowance in the amount of \$149,160.00.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi-8

56.19 Resolution authorizing the Mayor to apply to the State of New York of General Services for transfer of conveyance of a certain parcel of state land known as 393 County Rt. 78 located in the town of Wallkill in Orange County.

On motion of Ald. Burr seconded by Ald. Johnson

**WHEREAS**, the State of New York ("State") is the owner of a parcel of property located at 393 County Rt. 78, Middletown, New York, in the Town of Wallkill, New York, Orange County, New York consisting of approximately 15.4 acres, SBL 69-1-64.66 referred to as the "Premises," and

**WHEREAS**, the State is authorized to convey its right, title and interest in the Premises to the City of Middletown, pursuant to Section 34 of the Public Lands Law for the purpose set forth in the statute; and

**WHEREAS**, it is the desire of the City of Middletown to apply for a transfer and conveyance of the Premises for the purposes of park and recreation; and

**WHEREAS**, the consideration for the transfer and conveyance of the Premises as set forth in Section 34 is One Dollar (\$1.00).

**NOW, THEREFORE**, it is hereby

**RESOLVED**, that the Mayor is hereby authorized to apply to the State of New York, Office of General Services, for the transfer and conveyance of the Premises for the purposes of park and recreation pursuant to Section 34 of the Public Lands Law; and it is further

**RESOLVED**, that the Mayor is authorized to execute all documents necessary to effectuate said use and transfer and conveyance of the Premises and that such documents shall be subject to the review thereof by the City Attorney as to form and substance; and it is further

**RESOLVED**, that title shall be transferred after such environmental reviews as may be required by the State Environmental Quality Review Act have been completed.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi-8

LOCAL LAWS  
John Naumchik-Nothing this evening.

14. AUDIT OF CLAIMS AND ACCOUNTS

On motion of Ald. Johnson seconded by Ald. Tobin

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-8

15. ADJOURNMENT

There being no further business meeting adjourned at 8:58 PM

All in favor

Respectfully submitted,

Karen Sisco