



**Common Council
Meeting
City of Middletown
June 4, 2019**

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

Pres. Rodrigues asked all to remain standing for a moment of silence to pay respect for the 75th D Day anniversary this Thursday.

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

3. Approval of Minutes

On the motion of Ald. Masi seconded by Ald. Green to accept the minutes of April 16th 2019 as submitted

All in favor

4. Correspondence
John Naumchik-Nothing this evening.

5. For the Good of the City

Pres. Rodrigues- We have the Dept. of Planning from OC presentation

Mayor DeStefano- With us tonight is Bob Dietrich who we all know. He is here on a regular basis, he is the Director of the OC Health Dept. Healthy Orange Community Outreach and with him is Jessica Ridgeway. She is from the OC Planning Dept. I think planner and they are here to make a presentation regarding complete streets.

Complete streets is a program basically what we have been following.

Bob Dietrich, as Joe said Jessica is a planner from our Planning Dept. She works closely with the Health Dept. Independently we have a complete street workings group; which consists of 3 members from the Health Dept., 4 members from the Planning Dept.

We are out there trying to get municipalities and the county to adopt complete streets policy. Which will make municipalities eligible for funding opportunities in the future, but it is much more than that.

One of the things I want to say is we think about complete streets and think about walkability in the city. I was looking today at my statistics for last weekend. I walked 29.85 miles in the City of Middletown.

Jessica Ridgeway went through power point presentation.

Middletown is so unique. Middletown is already doing a lot of complete streets components.

Basically these streets are for everyone.

Safe, convenient, affordable access to the roadway.

Benefits of complete streets, sidewalks, bike lanes accessible pedestrian infrastructure.

(Information on file)

Middletown statistics- Incomplete streets in general are dangerous for people who are living with a disability. Especially low income communities who might not have access to a vehicle and they provide barriers to things that we need every day. Like groceries, education, healthcare.

The reason we work so closely with Bob's Public Health Dept. is because non-motorized transportation or promoting walkability and bike ability is so closely tied with improved public health outcome.

Just in general the CDC recommends 150 mins. per week physical activity.

Included in the packet are some crash statistics for the City of Middletown.

We are here today to recommend that the City adopt a Complete Street Policy. Smart Growth America which is really the best agency out there for complete street recommendations and design guidelines they put out each year a best complete street policy guide. In 2017 they put out a best implementation guide.

Opportunity for funding, a lot of different grants and nonprofit funding sources ask for complete street policy; just as a way to show that communities are dedicated to doing this type of work. Again its not once you sign this policy not all the streets have to change. This is just guidance for future development to start building out a network as walkable and bike able and also as a way for the Planning Board to ask developers coming in recognize that the city has this policy.

Part of the implementation at the County level for our complete street policy is helping municipalities adopt complete streets; as well as technical assistance.

Ald. Johnson- Visiting in Cambridge, MA. they have a lot of bike lanes there. My son-in-law was pointing out that some of the streets have a bike lane and a lane to allow parked cars to open their doors. Is there a problem with that? My son-in-law happened to witness a girl going at a pretty good clip, woman parked, she's not looking at her side view mirror and she opens the door. The biker was pretty seriously injured because she did not expect that. Does that ever manifest itself in complete street planning?

Jessica Ridgeway-In the policy the recommended policy we do have a section for implementation and design guidance. They are design guides from ... and other national agencies that you have recommendation for bike infrastructure. As well as pedestrian infrastructure. A lot of them do recommend a buffer zone for doors; but unfortunately there is not room to add to that. I have heard an important component of complete streets is education. I have heard of the concept of a dutch opening, so it is more education on the drivers part because you are encroaching on he bike lane by opening your door. You are suppose to open it with your right hand, the driver's side door. Forces you to turn to look towards the back.

Ald. Johnson- If I had a public hearing for this this, who would speak against it?

Jessica Ridgeway-....

Bob Dietrich-Hopefully no one.

Ald. Johnson- I can't imagine. I imagine somebody would find some reason not to like this idea, but I can't imagine.

Bob Dietrich- You are saying with the bike lanes there are many different designs for bike lanes. You could also haveNYC, 8th Ave. I think in Manhattan they have the lane inside ...so it's just not just dedicated.

Mayor DeStefano- They also have protected bike lanes too. Which we are looking at as we are trying to get off the street. Like where the Post Office when we make that connection with SUNY Orange, we are going to try; Post Office. Use as little street as possible. If we have the width then we can do a protected bike lane.

Bob Dietrich-Alternative as I said if you don't have a bike lane at all, ...

Ald. Tobin- I would love to have a bike lane especially now that we have the Rail Trail coming in. Is there a minimum width, I tried to look around, where could we put these? Some roads are really narrow. You need to have a bike lane in both directions, correct?

Bob Dietrich-It is up to your design.

Ald. Tobin-Is there a minimum width?

Bob Dietrich-I don't think so. I am thinking coming down West Main St. you only have parking on one side of the street. You would have room there for a bike lane.

Ald. Tobin- North St. a lot of people don't use the crosswalk.

Jessica Ridgeway- Even crossing guards seem to be vaulting back and forth. I think it doesn't contact sensitive so it depends on the land use on both sides and it depends on the width of right of way. If there is an opportunity if there is parallel parking usually you can remove one space and allow for a bump out. In the situation where you are talking about where people seems to be darting out between parked cars that helps bring the pedestrians closer to the field of vision for the driver so they can see them before they plan to cross. It is often more comfortable for the pedestrian as well because you can see easier your further out into the roadway but still protected by the curb bump out.

Ald. Tobin-Like in the middle of the street?

Jessica Ridgeway- Yes you can do that ...crossings and also a signal lights.

Bob Dietrich- It depends on how you move along, the policy is first and then how much it would move. Some say you have like bike boxes at major intersections. Also with the crosswalks I think we have already done some of the stuff in Middletown where you have pedestrian activated crossing lights.

Mayor DeStefano-All our signalized intersections will have that. ADA compliant, part of this project that we are doing. That is why we are looking at the complete street. The timed ones yes.

Ald. Green- Who would say no against this. Part of what you see that we are ...everything it is only what we doing. Is it really this formal policy declaration? Is that sort... I understand that would be our first step technically in ...complete street program. Knowing how much we are doing would you say that there is 70% of the way, would you put any kind of percentage knowing what we are doing and what you expect to see out of a complete street city. What would you consider us to be along the way?

Bob Dietrich-In the Planning that they are doing downtown (DRI) I think ... that is a step and as you move along the implementation starts. The policy.

Mayor DeStefano-We are doing it. The traffic plans that is being implemented throughout the city, not just the downtown. Every signalized intersection will be designed with complete streets program in mind. Whether it is ADA accessible, most if not all are going to have pedestrian crossing button that are accessible for the handicap; what you see in larger cities. There are talks about islands and pedestrians across Dolson Ave. putting in sidewalks on Dolson Ave. make it more walkable. Those things are in the works. The intelligent traffic systems where the talk to each other, the flow of traffic where people aren't rushing to beat the light. These are all part of the redesign. That program went from \$7.5 million to \$17 million, we have gone to the Transportation Council for additional funding. It is a multi-year funding but it is being combined with the DRI money and \$3.6 million from Senator Schumer with the leftover HUD money. The sidewalks, intersections everything is being redesigned. We had Mark Fenton he is a famous biker guy, he had given us an analysis. For example his recommendation was the OC Trust intersection is not very friendly for people walking because it is so long. Some of the things we can't implement it may be good for biking not good the movement of traffic. For example when our engineers looked at it, you get tractor trailers down here in making that turn. You need a wider intersection. We look at things from a complete street perspective, can't always implement them but passage of this will also help us on additional grants as we move forward.

We are going to make all those connections to the Heritage Trail, we have plans to do Oliver and Monhagen a controlled intersection to get on the Psych. Center grounds to get over on to the reservoir grounds. We are already talking to the Post Office about a right away over their lawn to get us up South St. which is a wide street to the college. And up Canal which is a wide street, possibility a protected bike lane, Syracuse, right around Syracuse University has a lot of success in doing the protected bike lanes. The fact even in the areas we only paint has a habit of slowing people down making people aware. Of course there is some responsibility on the biker also. Nothing is fool proof, even a protected bike lane is not fool proof. These are all incremental steps that lead to more feet on the street. That is our goal downtown to make people feel safe, walkable and bike able.

Our plan is to try to connect the schools with the trail and have spurs off of. Touro it is not a big run, it is right down the hill. For SUNY Orange it's not a big run, Fei Tein it is going to be right there on the community campus. We are looking how to cross over 78 so all these discussions are in mind. But this program here might be a resource for funding as we move forward. Not the specific program but adopting the program can be helpful as we move forward.

Dave Madden-I am a member of the organized committee for Run4Downtown. It is on your agenda tonight to close the streets on August 17th the morning of the 14th annual running of the Run4Downtown.

Our proceeds are being pooled with last years and we will hopefully go to help you all build a pavilion in the Erie Way Park. Future home of Middletown Farmers Market.

I am inviting all of you and the public to please come out August 17th it is a great, great community event. It is a 4 mile run/walk. If you are not up for a 4 mile run or walk. If you are not up to a 4 mile run/walk you have to come downtown, you got to see what this is all about. We have live music, a lot of food, beverages that keeps everybody happy. It is a great community event. August 17th, Saturday morning.

6. Remarks of Dept. Heads

Maria Bruni/Economic Development- Dave was a little remiss in mentioning this Thursday night is our Thursday night at the Run4Downtown Park. The major sponsor of the race, Marshall & Sterling Ins. Is going to be presenting a check to the organization. The Mayor will be there and you are also invited Thursday night. Looks like we are going to do it between 5:45- 6pm.

The Farmers Market started last weekend. Good turnout. Every Saturday morning from 8am-1pm join us on Railroad Ave.

Also the BID initiated their flower program, pop up on the poles throughout the downtown. All the concerts have begun.

DRI front 6 more facades are out to bid, the bids are going to be opened next Thursday, June 13th.

Rail Trail Woolworths building the tenants have gotten their building permits, starting their build outs. We had conversations today about their signage and everyone is excited and it is moving forward.

This Thursday Touro's graduation at the Paramount Theatre.

Also today we had a meeting of the CDA. We discussed 2 houses that will be getting homeowners and another project is underway.

Economic Development Caitlin is working hard on 2 CFA, Consolidated Funding Applications they are due in July.

Don Luis/Fire Chief- Call volume 57 calls. Busy month for the community, a lot of community events. Fire Prevention and Recruitment, Touch A Truck, YMCA, the Middle Pride, Memorial Day Parade, involved with the Ruthie Dino Run, Run4Downtown we have the engine there wetting down the runners.

We have a resolution in front of you tonight to bring the rules up to date last time done in 1987.

Ald. Kleiner- The rules and regulations are extensive. They seem pretty straight forward is there anything we should know, anything controversial?

Chief Luis-Well they did go to Alex first, our Corp. Counsel to review. He recommended they go to the Mayor to recommend a resolution. Probably the biggest changes is like they don't have to bring the coal up out of the basement, don't have to put harness on the horses. Outdated things are taken out and brought up to the 21st Century.

June 13th NYS Fire Chief's Assoc. is having a memorial service for fallen past chiefs. Deceased chiefs and they are going to be recognizing Past Chief Vic Lomascola and Past Chief Dan Snyder up in Syracuse. About 6 of us going up for the memorial service.

Don Paris/City Treasurer-Financial audit was scheduled to finish in May and they will leave in the middle of May. We expect statements in 30 days or so, so far there's no problems.

Chief Ewanciw/Police Chief- I want to thank the community for their support for the Classic 10K Race. I know it was inconveniencing to several people. We do our best to open up the streets as quickly as we can and to accommodate as many residents as we can. Apologize to those that were inconvenience, I thank the residents that supported us.

This coming Sunday we will have another race. Ruthie Dino Race June 9th. This does impact mainly the 2nd Ward. Again please check the City's website, Police Dept. website and we will be putting out information as to the route and street closings.

In an effort to put this out to as many people as we can for the closing of the streets of the Classic 10K we utilized a feature in the Nixel program that we haven't used before and it did not go as well as we anticipated. I like to apologize to the residents that were inconvenienced as well. Calls went out to 18,000 people and it didn't put all the information out on the first round. It caused quite a bit of alarm and annoyance and overwhelmed our call center for several hours. We are working through that. We apologize for any inconvenience that may have caused.

This past Friday we were invited by the Little League to participate in a bar-b-que for the All Star Game. We served 100's of hot dogs and juice boxes; several of my officers had the joy of playing baseball with several of the Little League All Star Players. It was a great turnout.

Chris Brinkerhoff/Superintendent Parks & Rec.-When you hear Maria talk and the Chief talk and I will be adding some. There is always something going on in the City of Middletown. Usually multiple things at a time.

Friday night you could have been at Watts Park, Paramount, High School, Festival Square and people say there is nothing to do in this town; they have to give us a call and we will let them know what is going on.

This is for the public, we are still in the need of lifeguards. People that are interested in the lifeguard position, or interested in becoming a lifeguard call the Recreation Dept. we can set up training if they have the skills to do so.

We open July 1st people have been calling about the pools. July 1st we always open on a Monday following High School graduation.

June 15th we have a lot of things going on in town as well. The Fishing Derby, Lions Club Fishing Derby will be at Fancher Davidge Park. Soon as the kids and families leave the Fishing Derby you can go to Thrall Park where there is the kid's celebration that is run by the Middletown Police Dept. and Too Good For Drugs Program as it closes out the school year. That is quite celebration, I know that Officer Beebe puts a lot of time into it.

Playground equipment is all in. Mulch is going around, you will see new playground equipment in Bennett Hill, Jerome Neil Park on Linden Ave., Sproat St. Park and new swings at Beattie. The swingsets at Beattie was probably 35 yrs. -40 yrs. old.

The only other thing that we have to finish up is the Maple Hill project. Once that contractor is out of there that pond has been dredged, it is now a good 6-7 ft. deep. We have this week or beginning of next week the fountain will go back in.

June 29th I am getting a delivery of fish we will restock that because the fish that were there we did have to move into the Monhagen Brook and follow the DEC rules. That park should be up and running hopefully very shortly. We get calls on that every day.

If you are going to enroll in our camps, the Health Dept. has with the measles this year we must have the child's immunization records on file. It must come into the Rec. Dept. before your child can attend camp. They come to camp without it, we have to turn them away. It also goes for our staff. We are actually having to...find immunizations... adding a new work load to us and we appreciate the publics cooperation.

John Naumchik-The road closures for the Ruthie Run and Run4Downtown will be on the city website and road closures on the home page. The maps are there. I uploaded all of them.

7. Public Hearings & Grievances
John Naumchik-Nothing this evening.
8. Petitions & Complaints
John Naumchik-Nothing this evening.

9. Remarks of the Mayor

Mayor DeStefano- We had a committee meeting this evening with Chairman Jude Jean-Francois. I want to once again reinforce to the public that we are looking at the sanitation program eventually moving to the automated arm. The chairman agreed that we need to have a public hearing sometime in July. Begin the public hearing process in which we will have an information sheet. We can also do the survey monkey to get some public input on it. A lot of questions I am sure the public will be very well informed and we would appreciate your feedback on this. It is a big move for us both financially and from the cleanliness point and from the workers safety point. Mr. Jude will be scheduling the public hearings and we will be providing fact sheets for the Council and for the public.

If you haven't had the opportunity to ride by Woolworth's, please do so. The board is down in the front and the back, chain link fence temporarily up. You get a good view now of the work that is being done all 3 tenants have received their building permits and are working on it. It really is a beautiful looking project.

Across the street we have a façade program that Maria says is moving forward and the DRI program is being very helpful to our downtown, to our city.

In conjunction to that we will be doing a consolidated funding application, there is a resolution on the floor tonight. We had a meeting with consultants, myself, Maria and Caitlin and we believe that it is a viable application. So we will be submitting a CFA application along with the application submissions is some engineering that needs to be done along with submission. There is a transfer of \$10,000 to do the consulting work it requires part of the application and it is on the schedule tonight.

Heritage Trail, Mr. Brooks I spoke with him this morning they are paving now 6 ½ Station Rd. to Hartley. They will begin the major part of the trail for us early August, I believe August 2nd. June 13th we are having a meeting with the County for Section 3 which is East Main St. through the City and out the other side. The project is moving forward, you have a resolution or two resolutions tonight dealing with the culvert project. This is allowing us to put money upfront in order to do the culvert that is park trail that is part of our work on the trail. We will then be reimbursed up to \$500,000 for that project.

Ald. Tobin-The parking garage, ...across the Paramount.

Mayor DeStefano-No the one we are looking at is the, that was the one that was rejected last year. We attempted a DOT form down in Tarrytown in which we presented a concept and it appeared to get a positive feedback from the Dept. of State and that is the Canal St. project. Where we are removing the corner building to straighten out the intersection and then we have parking on each side and it is a pretty wide lot. We feel and the engineer feels it is a viable spot to have the Canal St. go through some commercial on the first floor, upper floor parking. Makes it attractive

as we are doing the pro forma now, the financial pro forma. If the decision, we are going to have to move forward with it, how much is the city willing on an annual basis potentially subsidize the parking structure? If we don't meet our revenue goals of course the city is responsible for the debt. Just like if you're constructing a parking lot and charging for it. We feel the reasons that we were rejected the last time no longer there the state liked the concept of not locating the garage directly across from the theatre forcing people to...a) having some theatre area parking for early people, but the majority of parking would be another part of downtown where people where people literally have to walk a few hundred feet but they are also walking in a commercial sector. The dept. state that people acclimating the engineers.... liked the concept so we decided to go with that concept since the other one was already rejected once. That is what we are moving forward with.

Ald. Johnson- Would you do ...Cty. 78 and ...how would we interact with the County, to get across 78.

Mayor DeStefano-I guess there is a few possibilities. One we own right now the City of Middletown is right up to Cty. Rte.78. One is intersection of Egerton Rd. where it may make a logical stop for a light, it is a straight forward road. The other is further down where we are trying to acquire some additional property and it would take a lot more signage little bit on a bend. We would hire some experts to make a recommendation, petition the County for a traffic signal there. But Cty. Rte. 78 as we all know is the most highly developed part of the city, the most dense part, it is getting more and more action, more and more traffic on it and they need to have more traffic controls especially around the school area, regardless of what we do. I anticipate that will we will be making a recommendation to the traffic committee of the county to put a light up there at some point.

Egerton Rd. is a private road at this point coming into campus grounds.

Ald. Johnson-Both sides.

Mayor DeStefano-I think the other side it is public. But on the campus side it is a private road.

Ald. Johnson-Could you comment on your thoughts of the status of the O&W building.

Mayor DeStefano-Most people who respond on that want it to be saved in some form. We do get a lot of inquiries probably more so than any property in the city, social media inquiries why we are not doing something with it. Well doing something is a lot of money, it millions of millions dollars and we spoke before about having a grant for the Middletown Community Health Center. They were not able to do the project it moved from \$8-10 million project for them to an \$18 million project. We have had since then quite a few inquiries from people. We had one which I consider better than others is and get an access to it, they viewed the outside of the building not the

inside it is for a different type of use. Not a housing use it will be a commercial use; once people get into it they normally become afraid especially restoring to historic standards. What we have thrown out at to people now is any attempt to save as much of the building especially the façade onto Wickham as possible. This is something they do up in Albany saving the facades of the building and then rebuilding behind it and if we were able to pursue jointly. The problem with that there is no state historic preservation money attached to those types, that we have been able to find. We are not giving up only because the public doesn't want us to give up but eventually the building is fenced off, eventually we are going to have to make a decision. We are doing a \$1.1 million rubbish removal now for a building that we own up on the Psych. Center grounds. These buildings become expensive to remove, that will be ashamed but we are going to keep going till we exhaust all of our efforts.

Ald. Johnson- Many of us probably don't even see it anymore because we go by it so often. It is conspicuous.

Mayor DeStefano-Yes you could see what it once was and what we would want it to be, but the question is whether we have that kind of money to give there.

Ald. Kleiner- Update on the Reservoir Trail. Is there going to be a presentation?

Mayor DeStefano-Yes. June 17th, 2 weeks from today. Carter Strickland and his company will be here. Did we forward the draft reports to you guys? We will have it in plenty of time for you to review and then available to the public. Phase 1 as you know we are looking for additional funding for Phase 2 and Phase 3 through the CFA it is another one of our application. Phase 1 will not be hard to implement. The public will get a thorough presentation on the 18th.

Ald. Kleiner- 12 Rock Development that is going up behind the school might influence where the trail goes and that.

Mayor DeStefano-If that happens you will definitely have to see a light up there somewhere. I think there entrance is off Egerton, I don't know if Wallkill Planning has figured that out, that is a Wallkill Planning Board issue. I don't know what the status is but I know Paul has been involved with that a little bit and he can probably give you an update on that. We certainly would recognize from what I understand the volume of people that would be going to that clearly will require some kind of control intersection there.

Ald. Johnson- The eventual entrance will be off of Mt. Hope Rd. Egerton will be a service emergency access.

Mayor DeStefano-So no public access off Egerton.

Ald. Johnson-The long range plan no.

Mayor DeStefano- Okay good.

10. Reports of Aldermen

Ald. Masi-I see Pastor Williams in the audience, congratulations on your re-election to the School Board.

I also see Bob Dietrich is in the audience, Bob I want to thank you for the invitation from the OC Health Summit a collaborative approach to community health planning. I was up there today at OCCC my alma mater, the program was an extensive program. A lot of great information I have here, if anyone has any questions whatsoever at any time just let me know.

Ald. Tobin- Just to plug The Fishing Derby June 15th at Fancher Davidge Park at 8:30. All ages it starts 5-7 up to 13-15. No fishing experience needed. Great family activity, young and old, the smiles on the kids' faces when they pull the fish out of the pond is awesome. They get a hot dog and soda, great time. I believe in a couple of weeks there is a police one in the Town of Wallkill.

Chief Ewanciw-The same day actually.

Ald. Green- First I want to thank Chief Ewanciw and his staff for the Town Hall. It was a rainy night so it was nice that we were able to televise it.

What wasn't a rainy day last Saturday with the Jr. Classic and Farmers Market? I did stop by the Jr. Classic in the morning and it was amazing to see many of the kids out there enjoying the fresh air and really makes you feel good about how we are cleaning up the trails. Heritage Trail and new parks. It is good to get out there and move, the kid's marathon did their final mile. They ran a full marathon and I think that was absolutely amazing. Really encouraging to see the parents and kids out there that day.

Thank the Police Dept. for the Classic 10K for the road closures and openings everything went smooth.

Talk about smooth roads, road paving is going on. Many of the roads in the 2nd Ward that were paved before the 10K came out beautifully. Thank you to DPW and everyone with that.

Ruthie Run is this weekend, roads closures.

June 10th at 7Pm in the Council room will be our 2nd Ward Constituents meeting. Special guest will be the Mayor and Police Chief. Please bring your questions.

One of Woolworth's businesses was there, Oak & Reed. If what they have there was just a taste of what we are to expect the lines will be down the entire trail to get there. Very exciting, glad to see them there.

Ald. Johnson-Nothing this evening.

Ald. Ramkissoon- Just wanted to congratulate the students at Presidential Park Elementary who recently had their Too Good for Drugs, Too Good for Alcohol graduation this week. It is a great program that Officer Beebe has been running for 2 yrs. Good program, nice collaboration between the city and school as always. When they work together great things happen.

Ald. Kleiner-I wanted to thank the American Legion both Middletown and Town of Wallkill and everyone who makes that possible. Ald. Joe Masi did an excellent job. It was a beautiful day.

Again I thank Council Pres. Rodrigues for a moment of silence June 6th. It is the 75th anniversary of D day and they still do not have a good idea on how many people died that day. The total is very high, not as high as they feared because brilliant planners and amazing operation.

June 14th is Flag Day. Just remembering that was the 2nd Continental Congress in 1777, adopted our flag on June 14th. We salute it every time we come here and start our meeting and it is something to keep in mind that people of course the Legion will be disposing the flags in a proper way.

Classic 10K it takes so many people to put that on to make it work. The PD is amazing, Fire Police, Town of Wallkill FD, all the sponsors, Parks & Rec., DPW going around doing clean up, all the volunteers. The public that comes out to watch the race and after the race at the High School grounds you have Chief Winner out recruiting for the Fire Dept. I thank him for that and always on the job.

Thank Frank Giannino and Frank Shorter who is always very gracious and comes back and gives everyone as much time as they want. Great community event. I hope it continues.

Constituents meeting I will say it is important, last time we had issues raised at the meeting, brought issues to Commissioner Tawil and the Mayor looked at Watkins Ave. along Watts Park what a mess it was. They did a gorgeous job that needed to be added to the list. I thank our constituents for bringing that up.

City Wide Watch will be on June 17th at 7pm. Another way to get involved and bring your ideas.

I will remind people on Saturday June 15th Fishing Derby is also sponsored by the Lions Club. Saturday, June 15th is electronics drop off. Please don't leave them out on the curb, it is Saturday, June 15th from 8am-3pm.

Ald. Jean-Francois- I would like to congratulate Pastor Williams on the election. As the Mayor mentioned this evening DPW Committee met this evening. Our goal is to keep the City of Middletown cleaner than it already is and we try to get the public to recycle. Providing recycle bins and garbage I think that is going to help the City of Middletown.

11. Unfinished Business

John Naumchik-Nothing this evening.

12. New Business

114.19 Resolution to approve amendment No. 1 to for engineering services for the 31-34 Bolles Avenue, Middletown Community Campus project from Barton & Loguidice.

On motion of Ald. Johnson seconded by Ald. Masi

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to approve the attached amendment No. 1 to for engineering services for the 31-34 Bolles Avenue, Middletown Community Campus project from Barton & Loguidice with an increase of \$26,000.00.

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 Mayor to sign the attached amendment with the \$26,000.00 being paid within the project line in the budget.

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

115.19 Resolution to authorize a change order and authorize the Mayor to sign a contract with Barton and Loguidice for the removal of a rubble pile at 31-34 Bolles Avenue to include a WBE Trucking company to cart the rubble for disposal to comply with Restore NY Grant requirements.

On motion of Ald. Johnson seconded by Ald. Tobin

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize a change order and authorize the Mayor to sign a contract with Barton and Loguidice for the removal of a rubble pile at 31-34 Bolles Avenue to include a WBE Trucking company to cart the rubble for disposal to comply with Restore NY Grant requirements preserving a \$500,000 grant to help pay for the project totaling \$1.5 million.

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 fund the change order in the amount of \$30,000 will be funded within the project line as approved.

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

116.19 Resolution to amend the City Code to prohibit the placement of materials in and upon streets, sidewalks and yards in connection with eviction proceedings.

On motion of Ald. Johnson seconded by Ald. Green

Whereas, there have been numerous instances in the City in which a warrant of eviction has resulted in the placement of furniture, boxes, papers, litter, rubbish and garbage and other materials on streets, sidewalks and yards, and

Whereas, such placements often have unsightly, unhealthy and unsafe consequences, creating an adverse effect upon the immediate neighborhood and, in some instances, causing damage to sidewalks, and

Whereas, New York case law requires landlords during eviction proceedings to secure the property of tenants for a reasonable period of time, and

Whereas, the City should not be placed in the position of interfering with the tenants' ability to retrieve such property, and

Whereas, landlords have the ability to cause items and goods required to be held on behalf of tenants to be stored in secure facilities.

Now, therefore, be it Resolved and Ordained by the Common Council of the City of Middletown:

Section 1. Section 416-11(B) is hereby repealed and removed from the Code of the City of Middletown.

Section 2. There is to be added to the Code of the City of Middletown a new Chapter 248, entitled "Evictions" to read in its entirety as follows:

CHAPTER 248. EVICTIONS

Section 248-1 Purpose of this Chapter.

The purpose of this Chapter 248 is to prohibit the placement of materials in and upon streets, sidewalks and yards in connection with eviction proceedings.

Section 248-2 Definitions.

“Garbage” is putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

“Litter” is garbage, refuse and rubbish as defined herein, and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety and welfare.

“Person” is any person, firm, partnership, association, corporation, company or organization of any kind.

“Private premises” is any dwelling, house, building or other structure designed or used either wholly or in part for private residential, commercial or industrial purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

“Public place” is any and all streets, sidewalks, boulevards, alleys or other public ways, and any and all public parks, squares, spaces, grounds and buildings.

“Refuse” is all putrescible and nonputrescible solid wastes (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, automobile parts and solid market and industrial wastes.

“Rubbish” is nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, discarded household furniture, appliances or other items, and similar materials.

Section 248-3 Prohibited Acts.

No person shall in connection with any eviction proceeding or warrant for eviction place any litter, garbage, rubbish, boxes, paper, furniture and household items, appliances or tools, personal belongings or other materials in or upon any public places or the exterior of any private premises in the City of Middletown.

Section 248-4 Penalties for offenses.

Any person who violates any provisions of this Chapter shall, upon conviction thereof, be subject to a fine of not less than \$250 nor more than \$1,000 or by imprisonment for a period not exceeding 15 days, or by both such fine and

imprisonment. Each day that a violation is permitted to exist shall constitute a separate offense.

Section 3. This ordinance shall take effect immediately.

COMMON COUNCIL
CITY OF MIDDLETOWN
CERTIFICATION OF RESOLUTION

I, John C. Naumchik, Common Council Clerk of the City of Middletown, hereby certify that I have compared the attached resolution with the original on file in my office and adopted by the Common Council on _____ and that the same is a true copy thereof and the whole of such original resolution.

John C. Naumchik
Clerk of the Common Council
City of Middletown, NY

Date

Ald. Johnson- I just want to clarify this came through Legislative Committee and any of the landlords who anticipate evictions I think they need to read the law closely.

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

117.19 Resolution to close any and all streets and intersections necessary and at their discretion, for the Run 4 Downtown, Saturday, August 17, 2019 beginning at 8:00 a.m. and to close North Street from Franklin Square to Orchard Street on Friday, August 16, 2019 for the pre-race activities from 4:30 PM to 9:30 PM.

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

RESOLVED, that the Common Council of the City of Middletown hereby authorizes the Commissioner of Public Works, and/or his designee, and the Chief of Police, and/or his designee, to close any and all streets and intersections necessary and at their discretion, for the Run 4 Downtown, Saturday, August 17, 2019 beginning at 8:00 a.m. and lasting until such time as it is no longer needed.

BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown hereby authorizes the Commissioner of Public Works, and/or his designee, and the Chief of Police, and/or his designee, to close North Street from Franklin Square to Orchard Street until 2:00pm and East Main Street at Franklin Square to Williams Street till 11:00am for after the race activities.

LET IT BE IT FURTHER RESOLVED; that the Common Council of the City of Middletown hereby grants the Annual Run 4 Downtown application to sell beer and wine, conditioned upon the execution of the attached agreement by the applicant and the

fulfillment of all requirements set forth in the agreement by the applicant and to supply the City with the proper insurance documents.

ROUTE: Map attached to this Resolution.

LET IT BE FURTHER RESOLVED; that the Common Council of the City of Middletown hereby authorizes the Commissioner of Public Works, and/or his designee, and the Chief of Police, and/or his designee, to close North Street from Franklin Square to Orchard Street on Friday, August 16, 2019 for the pre-race activities from 4:30 PM to 9:30 PM

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

118.19 Resolution to approve the grant application and authorize the Mayor to sign as the sole signatory, any and all necessary documents required pertaining to the Consolidated Funding Application for Parks, Preservation and Heritage Grants; and the Recreational Trails Program.

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

WHEREAS; the City of Middletown desires to apply for financial assistance through the 2019 Consolidated Funding Application (CFA) under the Environmental Protection Fund: Parks, Preservation and Heritage Grants; and the Recreational Trails Program, and

WHEREAS; the City will be requesting funding for two projects: the Davidge Athletic Park Project on Monhagen Ave. and the Reservoir Trail project. The proposed funding would be allocated to Phase 2 of both projects, with the City financing Phase 1 for both projects.

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 grant application and authorize the Mayor to sign as the sole signatory, any and all necessary documents required pertaining to the Consolidated Funding Application and for approval of the submission for grant.

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

119.19 Resolution to approve the grant application and authorize the Mayor to sign as the sole signatory, any and all necessary documents required pertaining to the Consolidated Funding Application for the Proposed Parking Garage Project.

On motion of Ald. Green seconded by Ald. Kleiner

WHEREAS; the City of Middletown desires to apply for financial assistance through the 2019 Consolidated Funding Application (CFA) under Empire State Development Grant Funds, and

WHEREAS; the City will be seeking funding for the Proposed Parking Garage Project that would be located on Canal Street, near the intersection of West Main Street and James Street.

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 grant application and authorize the Mayor to sign as the sole signatory, any and all necessary documents required pertaining to the Consolidated Funding Application and for approval of the submission for grant.

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

120.19 Resolution to approve an emergency repair to the gate at the WWTP from a truck hitting the gate and creating an unsafe environment.

On motion of Ald. Masi seconded by Ald. Tobin

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to approve an emergency repair by Ketchum Fencing for a total of \$11,439.00 to the gate at the WWTP from a truck hitting the gate and creating an unsafe environment.

LET IT BE FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer a total of \$11,436.00 from the Sewer Fund Balance to fund the repair in the following manner:

From	Amount	To
Sewer Fund Balance	\$11,439.00	G.8110.400 Contractual Services

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

121.19 Resolution authorizing the implementation, and funding in the first instance of the State Multi-Modal Program-aid [and State administered federal program-aid] eligible costs, of the Culvert Replacement Project 1,000 feet northwest of Dolsontown Road, and appropriating funds for the project.

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

WHEREAS, a Project for the Culvert Replacement 1,000 feet northwest of Dolsontown Road, in the City of Middletown, Orange County, P.I.N. 8MA406.30A (the Project") is eligible for funding [under Title 23 U.S. Code, as amended, and] New York State's Multi-Modal Program administered by the NYS Department of Transportation (NYSDOT); and

WHEREAS, the City of Middletown desires to advance the Project by making a commitment of advance funding of the non-local share and funding of the full local share of the costs of the Project; and

NOW, THEREFORE, the Middletown City Council, duly convened does hereby

RESOLVE, that the Middletown City Council hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Middletown City Council hereby authorizes the City of Middletown to pay in the first instance 100% of the federal and non-federal share of the cost of design, right-of-way, and construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of **\$200,000** is hereby appropriated from the General Fund Balance and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Middletown City Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Mayor thereof, and it is further

RESOLVED, that the Mayor of the City of Middletown be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Multi-Modal Program Funding on behalf of the City of Middletown with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and all Project costs that are not so eligible, and it is further

RESOLVED, that a Certified Copy of this Resolution be filed with the Commissioner of Transportation of the State of New York by attaching it to any required and/or appropriate Agreements executed in connection with the project between City of Middletown and the State of New York; and it is further

RESOLVED, that this Resolution shall take effect immediately.

COMMON COUNCIL
CITY OF MIDDLETOWN
CERTIFICATION OF RESOLUTION

I, John C. Naumchik, Common Council Clerk of the City of Middletown, hereby certify that I have compared the attached resolution with the original on file in my office and adopted by the Common Council on _____ and that the same is a true copy thereof and the whole of such original resolution.

John C. Naumchik
Clerk of the Common Council
City of Middletown, NY

Date

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

122.19 Resolution authorizing the implementation, and funding in the first instance of the State-aid Program eligible costs, of the Heritage Trail Culvert Replacement Project, and appropriating funds therefore.

On motion of Ald. Masi seconded by Ald. Kleiner

WHEREAS, a Project for the Heritage Trail Culvert Replacement in the City of Middletown, Orange County, PIN 8762.57 (the Project") is eligible for funding under a New York State Program administered by the New York State Department of Transportation (NYSDOT); and

WHEREAS, a sum not to exceed \$300,000 in Program Funding is available to progress the project.

WHEREAS, the City of Middletown desires to advance the Project by making a commitment of 100% of the State share of the costs of the preliminary engineering, right-of-way incidentals, right-of-way acquisition, and construction phases

NOW, THEREFORE, the Middletown City Council, duly convened does hereby

RESOLVE, that the Middletown City Council hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Middletown City Council hereby authorizes the City of Middletown to pay in the first instance 100% of the cost of preliminary engineering, right-of-way incidental, right-of-way acquisition, construction, and construction inspection work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$300,000 is hereby appropriated from the General Fund Balance and made available to cover the cost of participation in the above phase(s) of the Project; and it is further

RESOLVED, that in the event the full state share costs of the project exceeds the amount appropriated above, the Middletown City Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Mayor thereof, and it is further

RESOLVED, that the Mayor of the City of Middletown be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for State Aid on behalf of the City of Middletown with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's/Sponsor's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a Certified Copy of this resolution be filed with the New York State Commissioner of Transportation of the State of New York by attaching it to any necessary Agreement in connection with the Project between the City of Middletown and the State of New York; and it is further

RESOLVED, this Resolution shall take effect immediately.

COMMON COUNCIL
CITY OF MIDDLETOWN
CERTIFICATION OF RESOLUTION

I, John C. Naumchik, Common Council Clerk of the City of Middletown, hereby certify that I have compared the attached resolution with the original on file in my office and adopted by the Common Council on _____ and that the same is a true copy thereof and the whole of such original resolution.

____ John C. Naumchik
Clerk of the Common Council
City of Middletown, NY

Date

Roll Call: Ayes: Ald. Ramkissoo, Tobin, Kleiner, Johnson, Jean-Francois, Green, Masi,
Pres. Rodrigues-8

123.19 Resolution to approve Fusco Engineering to assist in the CFA documentation for the proposed parking garage in the amount of \$10,000.00.

On motion of Ald. Green seconded by Ald. Ramkissoon

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to approve Fusco Engineering to assist in the CFA documentation for the proposed parking garage in the amount of \$10,000.00 and fund the \$10,000.00 in the following manner:

FROM	AMOUNT	TO
General Fund Balance	\$10,000.00	A.1490.400 Contractual Services

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

124.19 Resolution to approve the City of Middletown Fire Departments updated General Orders to be effective immediately and supersede all other orders previously.

On motion of Ald. Tobin seconded by Ald. Green

RESOLVED; that the Common Council of the City of Middletown hereby approves the attached City of Middletown Fire Department updated General Orders to be effective immediately and supersede all other orders previously.

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

125.19 Resolution to support the approval of A.6751 and S.5438 by the New York State Assembly and Senate regarding the proposed legislation that would limit the applicability of plumbing and drainage provisions to the City of Middletown.

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

Whereas, Assemblywoman Gunther and Senator Metzger have introduced legislation in the New York State Assembly and the New York State Senate that would limit the applicability of plumbing and drainage provisions to the City of Middletown.

Whereas, the Assembly bill is listed as bill number A.6751, and the Senate bill is listed as bill number S.5438.

Now, therefore, be it resolved by the Common Council of the City of Middletown that the Common Council supports the approval of A.6751 and S.5438 by the New York State Assembly and Senate and authorizes the appropriate City officials to sign, seal and transmit to the Assembly and the Senate the necessary home rule request forms regarding the proposed legislation.

COMMON COUNCIL
CITY OF MIDDLETOWN
CERTIFICATION OF RESOLUTION

I, John C. Naumchik, Common Council Clerk of the City of Middletown, hereby certify that I have compared the attached resolution with the original on file in my office and adopted by the Common Council on _____ and that the same is a true copy thereof and the whole of such original resolution.

John C. Naumchik
Clerk of the Common Council
City of Middletown, NY

Date

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

126.19 Resolution to approve a purchase a pick-up truck that is no longer repairable for the BID and transfer monies to fund the purchase.

On motion of Ald. Masi seconded by Ald. Tobin

WHEREAS; the BID is requesting the purchase of a replacement BID vehicle for their maintenance pick-up truck that is no longer repairable, and

WHEREAS; the Bid is requesting the purchases of the vehicle from Healy Ford at a price totaling \$25,880.00 which three quotes were obtained and Healy Ford was the lowest.

SO LET IT BE RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to approve and fund the purchase from three sources to re-purpose Capital account H.600.200 which has a balance of \$6,095.00 that was under spent in the purchase of a Parks vehicle and authorize to accept a \$5,000.00 payment from the BID to be credited to H.600.200 plus the Fund Balance transfer of \$14,785.00 totaling \$25,880.00.

LET IT BE FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Mayor to sign documents relating to the transaction and transfer \$14,875.00 in the following manner:

From	Amount	To
General Fund Balance	\$14,875.00	H.806.200 Vehicle Capital

Ald. Green-I will be abstaining from this vote I do work for the parent company of the company that was awarded this.

Roll Call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Masi, Pres. Rodrigues-7 Abstain: Ald. Green-1

13. Local Laws

John Naumchik-Nothing this evening.

14. Audit

On motion of Ald. Masi seconded by

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, Green, Masi, Pres. Rodrigues-8

15. Adjournment

There being no further business meeting adjourned at 9:06PM

Respectfully submitted,

Karen Sisco