



**Common Council
Meeting
City of Middletown
Re-Organizational Meeting
January 2, 2019**

1. Pledge of Allegiance- Pres. Rodrigues asked all to rise for the pledge.
2. Roll Call: Present: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Pres. Rodrigues-8 Absent: Ald. Masi-1
3. Approval of Minutes

On motion of Ald. Green seconded by Ald. Johnson to accept the November 20, 2018 minutes as submitted

All in favor

4. Remarks of Mayor

Mayor DeStefano-I know it is the Re-Organizational meeting. I want to wish the Council, everyone a Happy Holiday Season. Merry Christmas and Happy New Year. Off to work for 2019.

This evening the City hosted the swearing in of our incoming Sen. Metzger and our long time Assemblywoman Aileen Gunther at the Senior Center. The place was packed well over 300 people. Majority of the Council was there. I want to thank Julisa for the Senior Center and Maria Bruni and her staff. Along with Chief Ewanciw, I know I am forgetting somebody, John Naumchik for all the work they did and working with the Senators Office and Assemblywoman Gunther's' office in organizing the event.

Thanked the MPD the Color Guard was asked to Present the Colors. It was a very nice event. We had the new Majority Leader of the NYS Senate Andrea Stewart Cousins was there to make a speech on behalf of Sen. Metzger and talk about her days of working with Aileen Gunther. I think we have a lot of friends in Albany. A lot of hard working people that will be working on behalf of the City and District.

I want to wish you all a Happy New Year and we are ready to go to work.

5. Remarks of Aldermen

Ald. Tobin-Nothing this evening.

Ald. Green-Nothing this evening. Happy New Year.

Ald. Johnson-Mayor it was a great event. You're a great MC. Aileen has always been a good friend of the City and it looks like Sen. Metzger is going to follow in suit. Looking forward to that.

Ald. Ramkissoo- It was a pleasure to see Jen Metzger to see her take the Oath of Office. My best wishes to her and her new role.

Happy New Year.

Ald. Kleiner-Thanked Sen. Metzger and Aileen for coming to Middletown and being sworn in here. It was a great event for the City. I think everyone who helped and made it possible and a lot of hard work went into that. I thought it was extremely successful.

Thanked all to the Boards and volunteer positions. There is a lot of work involved from these folks. I thank everyone who is willing to do and serve the City.

Ald. Jean-Francois- I also like to wish everyone a Happy New Year and look forward to working with everyone.

Ald. Burr- Wish everyone Happy New Year and look forward to working with everyone and our committees.

6. New Business

1.19 Resolution establishing Standing Committees and membership

On motion of Ald. Tobin seconded by Ald. Johnson

Resolved, that the Common Council of the City of Middletown hereby establishes the following committees and their membership as Standing Committees of the City of Middletown Common Council:

Finance	Legislative
Planning & Economic Development	Public Works, Traffic & Code Enforcement
Public Safety	Revenue
Recreation & Parks	Recycling
Community Communication & Historical Society	

And be it further resolved, that the Common Council declares that the Treasurer, Donald Paris, and the Chairman of the Finance Committee, Joseph Masi, are hereby authorized and directed to sign all checks, drafts, acceptances, undertakings or other orders on bank accounts of the City of Middletown by personal or by facsimile signature.

**CITY OF MIDDLETOWN COMMON COUNCIL
COMMITTEE ASSIGNMENTS
2019**

FINANCE COMMITTEE Masi, Chairperson Johnson, Vice-Chair Burr Jean-Francois Green	LEGISLATIVE COMMITTEE Johnson, Chairperson Masi, Vice-Chair Burr Tobin Ramkissoon
PLANNING AND ECONOMIC DEVELOPMENT Green, Chairperson Johnson Vice-Chair Jean-Francois Ramkissoon Burr	PUBLIC WORKS/TRAFFIC/CODE ENFORCEMENT Jean-Francois, Chairperson Burr, Vice-Chair Green Ramkissoon Kleiner
RECREATION & PARKS Burr, Chairperson Tobin, Vice-Chair Ramkissoon Kleiner Masi	PUBLIC SAFETY Tobin, Chairperson Masi, Vice-Chair Ramkissoon Jean-Francois Burr
REVENUE	RECYLING

Ramkissoon, Chairperson Masi, Vice-Chair Jean-Francois Burr Green	Jean-Francois, Chairperson Green, Vice-Chair Kleiner Tobin Johnson
COMMUNITY COMMUNICATION AND HISTIOICAL SOCIETY Kleiner, Chairperson Tobin, Vice-Chair Burr Green Jean-Francois	

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

2.19 Resolution adopting Procurement policies and procedures

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

Whereas, New York State General Municipal Law, Section 104-b, states that a municipality should annually adopt a Procurement Policy, and

Whereas, the Corporation Counsel of the City of Middletown has advised the Council that it must look at, revise, if necessary, and adopt the Procurement Policy on an annual basis in accordance with New York State statute,

Now, therefore, be it resolved, that the Common Council of the City of Middletown does hereby adopt the attached written policies and procedures for procurement of goods and services for the City of Middletown.

CHAPTER 104 PROCUREMENT POLICY

§ 104-1 Adoption of procedures.

The following procedures are adopted for procurement of goods and services.

§ 104-2 Purchases.

For purchases, the following procedures are to be followed:

A.

For purchases of items costing over \$20,000, competitive bidding in accordance with applicable laws and regulations is required.

B.

For purchases of items costing between \$5,000 and \$19,999.99, three or more written price quotes from suppliers are required.

C.

For purchases of items costing between \$2,000 and \$4,999.99, three or more verbal quotes from suppliers are required.

D.

For purchases of items costing between \$0 and \$1,999.99, appropriate verbal quotes from suppliers, in the discretion of the department head undertaking the purchasing, are required.

§ 104-3 Public works contracts.

For public works contracts, the following procedures are to be followed:

A.

For contracts over \$35,000, competitive bidding in accordance with applicable laws and regulations is required.

B.

For contracts between \$5,000 and \$34,999.99, three or more written quotes from qualified contractors are required.

C.

For contracts between \$2,000 and \$4,999.99, three or more verbal quotes from qualified contractors are required.

D.

For contracts between \$0 and \$1,999.99, appropriate verbal quotes from qualified contractors, in the discretion of the department head who wishes to enter into the contracts, are required.

§ 104-4 Other services.

In the event it can be anticipated that a particular service (e.g., painting services) may be required by the City for various projects which, in total, are expected to exceed \$35,000 for the year, then the procurement of those services will be subject to competitive bidding.

§ 104-5 Verbal quotes.

Whenever this policy allows for verbal quotes, the department head must maintain a written log which lists appropriate information from each supplier or contractor supplying such verbal quotes.

§ 104-6 Exceptions.

[Amended 4-23-2007 by L.L. No. 1-2007]

Exceptions to the above procurement processes are to be allowed in purchases or public work contracts which involves emergencies, true leases, and sole source purchases. In such events, the responsible department head must document the circumstances allowing the exception to the above procurement processes and should, whenever possible, attempt to make purchases and secure public works contracts at the lowest possible cost and should obtain at least three verbal quotes, to the extent possible under the circumstances.

§ 104-7 Requests for proposals.

Whenever possible, professional services are to be obtained through requests for proposals (RFPs) issued by the Board of Estimate and Apportionment. All responses to RFPs are to be reviewed by the Board of Estimate, which must make a recommendation to the Common Council for final approval.

§ 104-8 Award to other than lowest bidder.

Whenever any contract is awarded to other than the lowest bidder or proposer, the reasons are to be set forth in writing and filed with the appropriate department or board.

§ 104-9 Effect on other procedures.

Nothing in these procurement processes changes any administrative procedures required by the Charter of the City of Middletown, such as the approval of the Board of Estimate and Apportionment for purchases and contracts.

§ 104-10 Contracts Awarded Based on a “Best Value” Analysis.

Notwithstanding anything else contained in this Chapter to the contrary, the Common Council, after approval of the Board of Estimate and Apportionment, may award purchase contracts and service contracts that have been procured pursuant to competitive bidding or otherwise under New York General Municipal Law Section 103(1) or this Chapter by either the lowest responsible bidder standard or the “best value” standard.

(A) “Best value” is defined in State Finance Law Section 163 to mean “the basis for awarding contracts for services to the offerer which optimizes quality, cost and efficiency, among responsive and responsible offerers. Such basis shall reflect, wherever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for offerers that are small businesses or certified

minority- or women-owned business enterprises as defined in subdivisions one, seven, fifteen and twenty of section three hundred ten of the [New York] Executive Law to be used in evaluation of offers for awarding of contracts for services.” For purposes of this § 104-10, the Common Council adopts the above definition of “best value,” as the same may be modified from time to time by the State Legislature.

(B) Pursuant to New York General Municipal Law Section 103(1), the “best value” standard may be used for purchase contracts, including contracts for service work, but it excludes and may not be used for any purchase contracts necessary for the completion of public works contracts pursuant to New York Labor Law Article 8.

(C) If the monetary thresholds of New York General Municipal Law Section 103 are increased or decreased in the future by the State Legislature, the monetary thresholds set forth herein will be deemed simultaneously amended to match the new General Municipal Law thresholds.

(D) Whenever any contract is awarded by the Common Council (after approval of the Board of Estimate and Apportionment) on the basis of “best value” instead of the lowest responsible bidder, the basis for determining “best value” will be thoroughly and accurately documented. Such documentation may include, but is not necessarily limited to, the cost of maintenance; durability; availability of replacement parts or maintenance contractors; longer product life; product performance criteria; quality of craftsmanship; or compatibility with existing City buildings or property.

Section 4. Severability of Provisions.

Should any section or provision of this Local Law be declared, ordered or adjudged null, void, voidable or invalid by a court of competent jurisdiction, such finding of invalidity shall not affect the validity of the remaining portions of this Local Law.

§ 104-11 Standards for federal CDBG-DR Procurement Actions

Notwithstanding anything else contained in this chapter to the contrary, eligible Community Development Block Grant – Disaster Recovery (CDBG-DR) expenditures and procurement actions undertaken on or after January 1, 2017, shall comply with the procurement standards as set forth in 2 CFR Parts 200.317 through 200.326, as the same may be amended from time to time. In the event of a conflict between State or local laws and regulations and the procurement requirements of 2 CFR Part 200, the more stringent requirements will apply

Revised 11/16

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

3.19 Resolution adopting Investment Police

On motion of Ald. Johnson seconded by Ald. Ramkissoon

CHAPTER 65 INVESTMENT POLICY

§ 65-1 SCOPE

This investment policy applies to all monies and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

§ 65.2 OBJECTIVES

The primary objectives of the city of Middletown's investment activities are, in priority order,

- ✓ **Legal:** to conform with all applicable federal, state and other local requirements;
- ✓ **Safety:** to adequately safeguard principal;
- ✓ **Liquidity:** to provide sufficient liquidity to meet all operating requirements; and
- ✓ **Yield:** to obtain reasonable rate of return.

§ 65.3 DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Treasurer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

§ 65.4 PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the City of Middletown to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

§ 65.5 DIVERSIFICATION

It is the policy of the City of Middletown to diversify its deposits and investments by financial institutions, by investment, and by maturity scheduling.

§ 65.6 INTERNAL CONTROLS

It is the policy of the City of Middletown for all monies collected by any officer or employee of the government to transfer those funds to the Treasurer within one day of deposit, or within the time specified in law, whichever is shorter.

The Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

§ 65.7 DESIGNATION OF DEPOSITORIES

The bank and trust companies authorized for the deposit of monies up to the maximum amounts are:

Depository Name	Maximum Amount
TD Banknorth	\$18,000,000
Sterling Bank	\$18,000,000
Orange Bank & Trust Co.	\$ 5,250,000

§ 65.8 COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, §10, all deposits of the City of Middletown, including certificates of deposits and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

- 1) By a pledge of "eligible securities" with an aggregate "market value" as provided by GML §10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
- 2) By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of the deposits and the agreed upon interest, if any or 100% in the case of an irrevocable letter of credit issued in favor of the local government by certain Federal Home Loan Banks. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
- 3) By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of the deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims - paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

§ 65.9 SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by a third party or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses rising out of collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with the City of Middletown, or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall also

describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution or release of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

§ 65.10 PERMITTED INVESTMENTS

As authorized by General Municipal Law, §11, the City of Middletown authorizes the Treasurer to invest monies not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- ✓ Special time deposit accounts authorized to do business in New York State;
- ✓ Certificates of deposit;
- ✓ Obligations of the United States of America;
- ✓ Obligations guaranteed by the agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- ✓ Obligations of the State of New York;
- ✓ Obligations issued pursuant to LFL §24.00 or 25.00 (with the approval of the State Comptroller) by any municipality, school district or district corporation other than the City of Middletown;
- ✓ Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments.
- ✓ Certificates of Participation (COPs) issued pursuant to GML §109-b.
- ✓ Obligations of this local government, but only with any monies in a reserve fund established pursuant to GML §6-c, 6-d, 6-g, 6-h, g-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the City of Middletown within such times as the proceeds will be needed to meet expenditures for purposes for which the monies were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the City of Middletown within two years of the date of purchase. The designated depository will confirm all purchases and transactions in writing to the City of Middletown.

§ 65.11 AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The City of Middletown shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments, which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credited worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the City of Middletown. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank as primary dealers. The Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

§ 65.12 PURCHASE OF INVESTMENTS

The Treasurer is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative program with another authorized governmental entity pursuant to Article 5G of the General Municipal

Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.

3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the City of Middletown by the bank or trust company. Any obligations held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, §10.

The custodial agreement shall provide the securities held by the bank or trust company, as agent and of custodian for, the City of Middletown, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the City of Middletown a perfected interest in the securities.

§ 65.13 REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- No substitution of security will be allowed.
- The custodian shall be a party other than the trading partner.

§ 65.14 OPERATIONS, AUDIT AND REPORTING

The Treasurer, having custody of money, shall authorize the purchase and sale of all securities and execute contracts on behalf of the City of Middletown. Oral directions concerning the purchase, transaction, or sale of securities shall be confirmed in writing. The City of Middletown shall pay for purchased securities upon delivery.

The City of Middletown will encourage the purchase and sale of securities through a competitive or negotiated process involving solicitations of at least three bids for each transaction.

At the time independent auditors conduct the annual financial audit of the accounts and affairs of the City of Middletown, the auditors shall audit compliance with the Investment Guidelines.

The legislative body of the City of Middletown shall review and approve the annual investment report at its Annual reorganization meeting.

The provisions of these Investment Guidelines and any amendments hereto, shall take effect prospectively, and shall not invalidate the prior selection of any custodial bank or prior investment.

APPENDIX A
Schedule of Eligible Securities

- i. Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or United States Government sponsored corporation.
- ii. Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.

Revised 01/19

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

4.19 Resolution adopting Fee Schedule

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

RESOLVED; that the Common Council of the City of Middletown does hereby adopt the attached Fee Schedule for services for the City of Middletown.

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

5.19 Resolution to concur with the Mayor's re-appointments to the IDA Board terms ending December 31, 2019

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Mayor's re-appointments the IDA Board following members term ending December 31, 2019:

ANTHONY T. AMELIO, Chairman
JOHN DEGNAN, Vice Chairman
JUDY GREEN
JOSEPH M. DESTEFANO
WAYNE HAWKINS
DAVE MADDEN
ANDREW BRITTO

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

6.19 Resolution to concur with the Mayor's re-appointment of Andrew Britto to the Planning Board

On motion of Ald. Burr seconded by Ald. Tobin

RESOLVED; that the Common Council of the City of Middletown concurs with the Mayor's re-appointment of Andrew Britto to the Planning Board term expiring 12/31/25.

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

7.19 Resolution to concur with the Mayor's re-appointment of David Green to the Board of Ethics terms to expire 12/3/21

On motion of Ald. Green seconded by Ald. Johnson

RESOLVED; that the Common Council of the City of Middletown concurs with the Mayor's re-appointment of David Green to the Board of Ethics term expiring 12/31/21.

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

8.19 Resolution to concur with the Mayor's re-appointment of members to the Electrical Board terms to expire 12/31/2019

On motion of Ald. Tobin seconded by Ald. Green

RESOLVED; that the Common Council of the City of Middletown concurs with the Mayor's re-appointment of the members of the Electrical Licensing Board Terms to expire 12/31/19.

Jerry Caliendo
Thomas Murtaugh, Chairman
Walter Welch
Robert Metz
Jeffrey Spiro
Mark Fellenzer, Engineer

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

9.19 Resolution to concur with the Mayor's re-appointment of Shawn Sullivan to the Board of Police Commission term expiring 12/31/2022

On motion of Ald. Johnson seconded by Ald. Burr

RESOLVED; that the Common Council of the City of Middletown concurs with the Mayor's re-appointment of Shawn Sullivan to the Board of Police Commission term expiring 12/31/2022.

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

10.19 Resolution to concur with the Mayor's re-appointment of Bobby Lerz to the ARB to the Board term expiring 12/31/2021

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Mayor's re-appointment of Bobby Lerz to the Architectural Review Board term expiring December 31, 2021.

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

11.19 Resolution to concur with the Mayor's re-appointment of Don Paris to City Treasurer expiring 12/31/2021

On motion of Ald. Kleiner seconded by Ald. Tobin

RESOLVED; that the Common Council of the City of Middletown concurs with the Mayor's re-appointment of Don Paris to City Treasurer term expiring December 31, 2021.

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

12.19 Resolution to concur with the Mayor's re-appointment of Richard Croughan to Assistant Corp. Counsel term expiring 12/31/2019

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Mayor's re-appointment of Richard Croughan to Assistant Corporation Counsel term expiring December 31, 2019.

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

13.19 Resolution to concur with the Mayor's re-appointment of Maria Bruni to Director of Economic & Community Development term expiring 12/31/2019

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Mayor's re-appointment of Maria Bruni to Director of Economic & Community Development term expiring December 31, 2019.

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

14.19 Resolution to concur with the Mayor's re-appointments of Mark Pengal and Christopher Gross to Deputy Commissioners of DPW term expiring 12/31/2019

On motion of Ald. Burr seconded by Ald. Kleiner

RESOLVED; that the Common Council of the City of Middletown concurs with the Mayor's re-appointments of Mark Pengal and Christopher Gross to Deputy Commissioners DPW term expiring December 31, 2019.

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

15.19 Resolution to concur with the Mayor's re-appointment of Peter Laskaris to City Historian term expiring 12/31/2019

On motion of Ald. Tobin seconded by Ald. Green

RESOLVED; that the Common Council of the City of Middletown concurs with the Mayor's re-appointment of Peter Laskaris to City Historian term expiring December 31, 2019.

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

16.19 Resolution to authorize the treasurer to transfer \$209.00 within the Corp. Counsel 2018 budget to cover Pro to type invoice

On motion of Ald. Green seconded by Ald. Johnson

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$209.00 within the Corporation Counsel 2018 budget to cover a Pro to type invoice in the following manner:

From	Amount	To
A.8020.433 Personnel Training	\$209.00	A.8020.900 General Exp.

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

17.19 Resolution to approve a B&L proposal to develop architectural plans for the replacement of the Skylight located between City Hall and City Court in the amount of \$9,800 and authorize the Mayor to sign the proposal

On motion of Ald. Johnson seconded by Ald. Kleiner

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to accept the attached B&L proposal to develop Architectural plans for the replacement of the Skylight located between City Hall and City Court in the amount of \$9,800.00, reviewed by the Commissioner of Public Works and authorize the Mayor to sign the proposal.

LET IT BE FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to charge \$9,800.00 for the proposal to capital project H.091.470 "City Hall Rear Vestibule Repair".

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

18.19 Resolution to approve change order #5 for the Sterling St. Phase 2 project in the amount of \$14,817.50

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to approve the #5 change order as per the attached sheets for the Sterling Street Phase 2 project from Sun Up in the amount of \$14,815.50 and authorize the Mayor to sign all paperwork related to this change order.

LET IT BE FURTHER RESOVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to transfer the amount of \$14,815.50 from the Sewer Fund Balance in the following manner:

Sewer Fund Balance	AMOUNT	TO
	\$14,817.50	H.890.01
		Sterling St Phase 2

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

19.19 Resolution to approve the quote for the purchase of equipment and accessories for the Municipal IDs for the residents of the City of Middletown and employees

On motion of Ald. Kleiner seconded by Ald. Green

WHEREAS; the Common Council approved to establish a municipal ID program for the residents of the City of Middletown which will be administered by the City Clerk's Office, and

WHEREAS; the City Clerk has collected quotes for the production of the ID cards according to the procurement policy in the City Code.

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 quote from Idesco Corp ID Badging Solutions in the amount of \$11,197.92 for the production of the ID cards within the \$15,000.00 2019 City Clerk budget and approve the purchase of a computer, camera and accessories which will be purchased at New York State contract prices.

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 all documents for this project.

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

20.19 Resolution to approve a MOA from the MPD starting January 1, 2019 through December 31, 2022

On motion of Ald. Burr seconded by Ald. Green

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to approve the attached MOA from the Middletown Police Department starting January 1, 2019 through December 31, 2022.

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

21.19 Resolution to approve the updated Sexual Harassment prevention policy for the City of Middletown

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

WHEREAS, the State of New York has updated the laws on sexual harassment in the workplace which impact all employees, contractors, volunteers and others who in some capacity are employees, (paid or unpaid) or conduct business with all employers, including cities; and

WHEREAS, accordingly, the City of Middletown (“City”) will update its sexual harassment policy in compliance with said laws.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Middletown hereby approves and adopts the attached sexual harassment policy and reporting form which shall both be inserted into the City Employee Handbook replacing the current policy in its entirety; and

BE IT FURTHER RESOLVED, that all City employees, whether paid or unpaid elected, appointed or hired shall receive and sign for, a copy of the new sexual harassment policy and form, and receive training on said policy; and

BE IT FURTHER RESOLVED, that all bids, requests for proposals, purchase orders, contracts, agreements, and other documents that secure services to be provided to the City shall include the following notice: “The Contractor and/or Vendor whose personnel may enter onto City property or interact with City personnel during the course of business with the City are required to notify their personnel of the following: ‘Per New York State Law, the City has a sexual harassment prevention policy in place that protects all non-employees in the City’s workplace, regardless of the individual’s immigration status. If you believe that you have been subjected to or witnessed sexual harassment while in the City workplace, you are to report the incident to your supervisor, who shall then report the incident to the City Mayor so that the City can take appropriate action. The City’s complete policy is available in the City Clerk’s and the City Mayor’s Office.’ ”

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

7. Audit

On motion of Ald. Johnson seconded by Ald. Burr

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, Pres. Rodrigues-8

8. Adjournment

There being no further business meeting adjourned at 8:42pm

Respectfully submitted,

Karen Sisco