



**Common Council
Meeting
City of Middletown
April 21, 2020**

1. Pledge of Allegiance- Pres. Rodrigues asked all to rise for the pledge.
2. Roll Call: Present: Ald. Ramkisson, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9
3. Approval of Minutes

On motion of Ald. Masi seconded by Ald. Green to accept the minutes of March 3, March 17, 2020 minutes as submitted

All in favor

4. Correspondence
John Naumchik-Nothing this evening.

Mayor DeStefano-At City Hall we do have a new process now where people are stationary, they don't have to wear the mask, they have a desk...as long as others are 6 ft. away. But if they are moving around the building whether they are going to the rest room or going from desk to desk they have to wear the mask. I am going to attempt to wear it throughout my presentation, but if I stop it's because I can't breathe.

First to address what we are doing tonight. As you know the public is not allowed into our building; so our IT Company Cherry Road has offered a free service for the next 90 days it is called Virtual Town Hall meeting. We are considering also to keep

it going to committee meetings and other meetings and the Virtual Town Hall registration is on line, by phone. I would go to our website, city website and click on and they will walk you through it. What is interesting is we have 30 people signed up tonight and it will open up the city government more transparent, right now during this crisis and as we move forward. Go to the website, check out the process, if you need to make a comment under the public part of the meeting you will have an opportunity to do so. Your phone will be muted until the moderator unmutes you and will let you know and introduce you. You do need to register your name. For tonight this is our first bite of the apple so if we have any problems make sure you don't blame me.

What I want to do tonight is address our residents once again. We are working very hard all of us to protect our families and yours. We have taken many precautions, some that people strongly disagree with and some that many people do disagree with. But the bottom line is that we are making the decisions here at City Hall that we believe are the best interest of not only the public but our families and your families.

Tonight I plan on outlining what actions the City has taken and our path forward for the next several weeks. It is important to note that while we address the current pandemic with the State of Emergency, regulations and rules that we put in place that we also started thinking about tomorrow. That is our motto on the Economic Development side. Even after the economy begins to reopen the coronavirus will continue to shape the recovery in consumer confidence. How like past recoveries the anticipated recovery in consumer confidence will be contingent on progress in both fronts of health and financial. We may not be doing everything correct with economic policy in NYS and people can have disagreements on that Gov. Cuomo has been a tremendous leader throughout this crisis both in NYS and nationally. We elected leaders in the Mid-Hudson region have daily conference calls with the County Executive and the Governor's staff 7 days a week. I also speak several times a day with the County Executive Steve Neuhaus and his staff regarding progress and concerns of our residents. We are following the guidance of the state, Gov. Cuomo and Dr. Fauci on the federal level. After all we consider the greatest risk would be if there was a resurgence of Covid-19 following the reopening of the economy or following some easing of restrictions and some social distancing or travel regulations. It may only take one resurgence in one locality to prompt consumers from other areas or nationwide to believe that relaxation occurred too soon. That would be a major miscalculation on the state part and on our federal government part and would certainly reduce consumer confidence.

A second shutdown of the economy locally or nationally would be extremely expensive in terms of loss of lives and our economy would be shattered for many years. For those reasons I have been very supportive of Gov. Cuomo's efforts on a national level and the state level.

Let me express we are very grateful to the front line heroes who are helping us safely respond to this pandemic. If you see them, thank them; we have asked of that before

and many of you are. Our thanks go out to healthcare workers, emt's, police officers, firefighters, grocery clerks, correction officers, store clerks, mail carriers, take out cooks, hospital and building cleaners, teachers, childcare workers, mental health and professionals and countless others. You are stepping up and our city and state are very grateful.

(Mayor showing picture(s)) DPW thanking tour. We toured Orange Regional in conjunction with the Town of Wallkill DPW; coordinated between Jacob Tawil and Commissioner Lou Ingrassia. What it was, was a tour of these facilities in which we were able to say thank you to the emergency repair workers at Orange Regional, Middletown Medical, at a nursery school and some other facilities even including Highland Manor and the old Southwinds on Fulton St.

The efforts that we have taken under NY Pause and NY Pause is exactly what it says. The state has put everything on Pause. The policy is ensuring uniformed safety for everyone, the Governor signed the Executive Order mandating so 100% of the workforce must stay home, excluding essential services. The City did follow this policy for several weeks now; we had some employees working from home, others furloughed not many furloughed but some were. We have reduced during that period of time our workforce of non-essential workers by at least 50%.

All non-essential gatherings of individuals of any sign or any reason are temporarily banned. Acting Matilda law which is to protect New Yorkers aged 70+ and for those with compromised immune systems very important. We are asking that people remain indoors as much as possible, they can go outside for solidarity exercise, prescreen all visitors into your home or into your business and wear a mask in the company of others. That is policy I just described here at City Hall. You need to social distance by staying at least 6 ft. from others and do not take public transportation unless urgent and absolutely necessary.

All City board meetings and commission meetings have been canceled now until May 15th. We are following the Governor on that if he extends the deadline beyond May 15th we will of course extend it beyond May 15th also in our local State of Emergency.

The Common Council meetings will be viewed live once again on Ch. 20. The Virtual Town Hall Meeting will continue not only for our Council meetings but we are hoping to extend to all Commission meetings, Planning Board meetings, IDA meetings and whatever public meetings here at City Hall we hope to have the same approach so that the public can participate or at least view what is happening.

The Board of Estimate and Apportionment meetings which consist of myself, Council Pres. Rodrigues and Ald. Masi will continue to take place but will also be closed to the public.

Some of the things we are doing with some of the City depts. is we are very concerned about the specific population within the City. First and foremost are the seniors. We have a hotline at our Senior Center all our senior employees are working they are doing outreach to the seniors that belong or registered with our senior program. They are calling them, offering their assistance, giving friendship on the phone, letting them know that the community is here. Also a county hotline if you call, if you need something like heat, utilities, transportation or medical needs. All of this information was posted on our website.

We have had quite a few calls about price gouging in our community. That needs to be reported to the OC Consumer Affair Office and they do have a hotline and they are taking notes 24 hrs. a day 7 days a week.

The criteria for gouging is if the person has purchased the supplier of the store raised the price through the store owner and they can prove it and that is not gouging. If something that cost the storeowner \$5 before and they were selling it for \$10 and now they are selling it for \$15 that is not gouging by the retail establishment. They are handling lots of calls and there have been some violations and the violations are quite expensive. I would recommend you call in if you have a complaint, they will look into it and the property will be violated.

OC also has set up a hotline for businesses that are negatively impacted as a result of the mandatory closures. Business owners can call the county hotline and they can go to an intake process to apply for certain available benefits. The County Executive has announced some IDA programs that will be administered through the County making small business owners eligible and within OC. Within our City limits we also have a program that we are in the process of developing. You can call Maria Bruni's office at 346-4170.

We have a outline of not only local programs, state, county and federal programs outline on our website and for any small business; please give us a call and we will try to help you not only with the application or give you direction on what programs are available.

We created a business guide for the City of Middletown businesses and it can be accessed by our City of Middletown homepage, scroll down to the latest news and updates. Again, just another mechanism as we look forward as to what is going to happen when the city and state and our federal government starts to reopening businesses.

Most people have received the \$1200 stimulus. A lot of people don't recognize and realize is that if you did not file taxes in 2018 or 2019 you are still eligible. If you did file taxes and they had your bank information you probably have already received your stimulus check. If they don't have your bank information you will be receiving it by mail hopefully very shortly. If you did not file taxes and that includes a lot of people, people I believe with incomes I believe under \$12,000; some people on

disability. Whatever the reason if you did not file you were still eligible for the stimulus check. From what we have been told there are millions and millions of dollars waiting for people to collect under that stimulus program. You can go on line to [irs.gov](https://www.irs.gov) and look for the economic impact payment and fill out that form and you will receive your money as soon as that is processed. You will not receive it unless you fill out this form if you did not file taxes in 2018 or 2019. We have a large elderly population and our demographic fits this very well for people to get on here and look for their money.

As we said all government buildings in the City of Middletown are closed to the public and will continue to be closed until at least May 15th. We will continue to operate with the door between City Hall and the Police Station that is the public entrance door. We are putting in secure systems for the rest of the doors, each employee will have limited access to the building. Some 24/7, some will have business hours access into City Hall, the public will have to use the main entrance which is now off of James St. between the Police Station and City Hall. The door is monitored by a city employee during the business hours; most of your business that you are looking to conduct can be done on line. John Naumchik has most of the forms on the website for many of the departments. If you can't do some city business on line and you need to come to City Hall call first and maybe we then can arrange to have documents dropped off at the desk for you. There is also an intercom for the Police Station and the police will come out and discuss whatever issues you have.

You cannot get into the police station lobby or City Hall. You must report that doorway between the two and I advise you to call ahead so that there are no delays.

I mentioned before some of the regulations that we put into effect from the state and we are enforcing them. All non-essential gatherings of individuals of any size for any reason are temporarily banned. We have recommended to people if you see something say something. You can call the Middletown Police Dept. first at 343-3151 or OC Health Dept. and file a complaint with them. Keep in mind everything you see may not be illegal. For example in construction a company is allowed to have one worker on a job site. Not one worker for each trade it is one worker total. So you will some properties are being maintained, somebody might be painting, as long as it is one worker they are allowed to do that under the state guidelines. Any questions please call them because the police will respond as of now, today I can tell you that Chief Ewanciw advised me that most people and we were both very surprised by this almost all people are complying. People are scared, they know the dangers of not complying and they are. We do have a little issue once in a while with kids in the park, or gathering in certain areas people are complying and warned by the police they do go.

Probably one of the most controversial things of the past couple of weeks I'm sure the aldermen have heard it; the postponing of the bulk pick up. We are not canceling it. We did postpone it for the safety of our employees. We will give at least a 30 day notice, after consulting with Commissioner Tawil reinforced what I thought myself

also that it could be very dangerous for our employees being out there doing the bulk pick up. It is not like the normal garbage pick-up which is necessary it is something that we can do July, August or whenever it comes about. We will give a 30 day notice. For this and other things I recommend you go to our website again and sign up for Nixel. You will get notices, text messages, you will get e-mails of all happenings in the city including when garbage pick-up will be happening or bulk pick-up will be happening.

Some cancellations of course, Classic Weekend has been canceled this year. It was scheduled for June 6, 7 that weekend; unfortunately this is a big year for them their 40th anniversary but also for the safety of the runners and participants. We are not even sure if June 6th if the community is going to be open. They decided to cancel it, they are going to have their 40th and 41st year come 2021.

Another question we get is why is Motor Vehicle closed? And what do I do? Motor Vehicle is a County office, actually a State office run through the County. They are doing on line transactions, doing license renewals on line, I believe there is an extension on most licenses, registrations that have expired. I recommend you go on the DMV website. It is not a city agency and we have no control over it. They are doing the same thing as we are with government offices restricting the flow of people into the building.

If you haven't heard both the IRS and NYS income tax filing date has been moved to July 15th. From what I am hearing that is going to be a firm date, they are not looking to move it again. Both the federal and state government especially state government needs to operate with money. Without money you can't pay the salary of police, fire, and all the other essential services.

In relation to that we have had our water bills going out. We have had quite a few questions about water bills. One which we can't do anything about. Now that we have to wash our hands so much are we going to get a reduction in our water bills? I guess it is good logic. Our water system is paid on a user basis. So what you use you need to pay for. What we can do and I discussed this with our Treasurer Don Paris and we will be presenting to the Board of Estimate, Common Council I may have the authority under the Executive Emergency Order to do it and we are trying to verify that. If so I will do it the next payment is due May 31st we will going to allow you to split it up into 3 payments over a 4 month period. We will come up with a firm plan; I will at the very minimum introduce it to the Board of Estimate and I am assuming Mr. Masi and Council Pres. Rodrigues will agree that if we can ease that financial burden over the next 4 months then we should do it. That will be done without penalty or interest just a small thing we can do in regards to some cash flow.

We do get a daily update on the Governor's call that this the number one issue state wide and that is the slow process of getting your unemployment insurance. They did about a week and half ago switch over I think 2 weeks or so partnership with Google. Many people did get their unemployment and are now getting their additional \$600.

We did hear some horror stories on line. I would contact your Assemblyperson in our case Assemblywoman Aileen Gunther or Senator Jen Metzger. I can assure you they are just as frustrated but they can open up a case for you on a state level. We don't have that ability here other than call them and tell them so and so didn't get their unemployment they want to know what is happening, they would have to contact you and get a release privacy so they can inquire on your behalf. So you need to call them directly Sen. Metzger and Assemblywoman Gunther.

This was a request from the community I talked earlier about some of the things we are doing in the community to pump up peoples spirit and one was the tour around to the facilities with DPW. Another is this came out from the public it didn't come from me what they are doing nationwide and especially down in the lower part of NYS at 7pm acknowledge, applause to the emergency workers, emergency workers clapping.

Another thing we are doing again with a 99.9 % favorable rating is the drive by birthday parade. If you see a lot of police cars coming down your neighborhood no it is not something that should be a concern. Go out on your porch, applaud your neighbor it is someone's birthday. We are doing it primarily for young kids but also for some elderly folks also. The Fire Dept. did one today for a long time member on Horton Ave. Mr. Maxwell. If you have access to Facebook go on and watch the video and probably bring tears to your eyes how happy this guy was. His daughter taped the whole thing including after the trucks went by. It is bringing some happiness to people, we did get a couple of calls or complaints it is worth it for the community believe me.

We mentioned social distancing earlier and that is going to be a key to preventing the transmission of the disease. The virus is able to survive in the air for up to 3 hrs. and for hard surfaces up to 3 days. The incubation period is from exposure averages about 5 days could be shorter or longer and up to 14 days. We have had 6 city employees who contracted the virus none hospitalized but one guy I've spoken to said it is one of the most horrible experience they ever have had in their life. We have been fortunate, we have had several employees go out for testing but I think it is 6 it could be more. Again that is one of the reasons why we stopped doing the bulk pick up and we are taking some measures that we are taking.

One of the areas that we do have a problem with incremental throughout this process is the youth. It appears that many of them have not taken the state directive seriously in the beginning that resulted in us closing down basketball courts and removing the basketball hoops resulted in us closing Amchir Park, resulted us in taking other measures like closing the skate park, dog park so all of these things are a result of people not following the social distancing requirements.

Here is a big shout out to the Middletown School District and partnership with the City of Middletown we are providing people. Their staff at the School District is providing lots of meals, Mid-City Transit is distributing those meals with the help of our City Parks & Rec. Dept. and our Middletown Police Dept. I think Chris

Brinkerhoff told me today that as of the other day they had distributed more than 110,000 meals throughout this process. Any child 18 or under that is in the Middletown School District is eligible not just for Middletown resident it is any child in the Middletown School District. There is a schedule on line at the School District, I believe we may have it posted also. We do have the bus routes, they go to certain spots I think they have 5 routes now that they are doing. So I would encourage you to participate or at least have your child participate in it.

In relation to additional closings barber shops, hair salons, tattoos, piercing all things that Georgia is opening and Middletown is keeping close. Georgia is very stupid for opening all those facilities.

We have had calls from tenants about evictions. You are entitled to a 90 day moratorium on rent payment if you are impacted by covid. So it is not an excuse to pay the rent but if you did lose your job you don't have to pay your rent right now but you will have to pay it later. I would recommend that you don't abuse it, you won't get evicted because of it. But I think if you went in front of a judge and you were working and you did lose your income and just decided you don't want to pay my rent because I want to go on vacation when this is all over that is not going to happen. If you have a hardship you have a 90 day for both commercial and residential properties.

If you feel you need a test you have to call, call your provider, your health provider, County hotline, State hotline if you need certain criteria you will be given a test for Covid-19 but you need to demonstrate certain symptoms, emergency responder during the criteria. You just can't walk in and get a test. Call if you are experiencing something that is critical you should call 911 immediately, heavy breathing and other types of symptoms you need to pay attention to the criteria they do not want you walking into the Emergency Room or showing up at your doctor's office. Call first, if an emergency call 911.

This is in regards to the Senior Center. As I mentioned we did close the Senior Center on March 10th, they are a very vulnerable population and we want to make sure we do everything we can to protect them. The bus service continues onward and it is on its regular schedule, regular phone calls in. Staff remains at the Senior Center and they are calling people, asking about conditions, need assistance whatever their needs are or trying to direct them to a program or offer assistance that we can give them. We have picked up prescriptions, we have delivered food which I will get into a little bit. I think the program itself sometimes someone who is home alone in isolation that phone call really picks them up a little bit. We are doing an awful lot of that and we will continue to do so.

We did have to cancel a couple of upcoming activities. The Annual Volunteer Recognition Breakfast at Kuhl's scheduled on April 28th and the Craft Fair Bazaar scheduled for May 9th has been canceled.

Some volunteers not many but volunteers normally associated with the facility have offered to assist seniors with shopping, transportation and other needs. I don't know how accurate that portion of the program is we want to limit contact; but any need you may have if you are senior and you don't have to be a member of the Mulberry Senior, if you are a senior just call 346-4073.

As of today we delivered over 100 of these packages (on slide) to seniors in the City of Middletown. We want to thank Garcia's Market they did donate. Getting supplies is also a problem, Associated Markets donated bags, ShopRite has been a good partner with us on the supply chain making sure they accommodated us when we need fresh products. (showing Raelynn and Nicole) putting together some of the bags for distribution and I must add the bags are delivered by the Middletown Police Dept. on a need basis. This partnership between all these different agencies are working really well and different city departments.

On a sad run but a positive also at the same time we have been in close communication with St. Margaret's Soup Kitchen. We have been able to provide them with some PPE limited but what we could do when we had a surplus. They are not doing food inside of the facility; they are doing all orders to go. They are working with us making sure the area is cleaned up afterwards and most of the people are not only very thankful but are following directions. We don't see a lot of mess.

Prior to Covid-19 they were doing about 3,000 meals a month that was their average. They are currently and this is 4 or 5 days old at that time 5100 meals per month and climbing. Through our Community Development Office, Maria's program we have arranged to have a \$10,000 grant provided to them directly for expenses. Where we came up with the number we asked them to provide us their budget for the next 3 months and what their needs would be and their deficit projections are \$3300 a month over the next 3 months. We came up with the \$10,000.

During that period of time we are going to look to access some of the County money out there possibly for Soup Kitchens and pantries and look to increase the \$10,000 grant. We also received a \$292,000 from the Cares program of Community Development block grant through the federal government. We are going to use some of that money hopefully...down the line or other food programs and that program is the program I discussed a few minutes ago. We are going to create a pantry setting at the Rec. Center; we are going to stock up with some dry good inventory, essential items. We are now expanding the program to go from seniors to disabled to seniors disabled and families with financial hardship. As of today we have a list of 95 families that made a request and this is not seniors this is separate from the senior program we have a list of 95 families that we will be assisting.

In addition to our funding we are starting to receive contributions from our residents in our community. Without the permission of the person I won't announce the name but I will in the future. A long time Middletown resident sent a \$500 gift card for ShopRite, yesterday we received \$150 check from 2 sisters whose mother received a

care package last week. They just wanted to say thank you and we know other people in the community also need help. So this is what we are seeing from our residents, we will; Nicole will and Chris will be putting up the guidelines for donations. We have to get them in we have to let them sit for 2-3 days, spray them down take all the precautions and then we will create a pantry at the Rec. Center. We are bagging up things based on family needs. We are talking suppliers for getting us baby wipes for example we buy them in bulk that is one of the big complaints hearing from families they need baby wipes. Each package has orange juice, milk, eggs, toilet paper all things that are essential and some of them very hard to get for people in our community.

All city playgrounds remain closed. Playground equipment is closed, parks remain open what we are seeing people are complying with the social distancing, we have had a few complaints about people not wearing masks. If you are walking by yourself you don't need to have a mask on but if you are going to pass somebody else you need to put mask on. Basic simple common sense and common courtesy. That is basically the only complaint we had there.

We did close the Dog Park for the same reasons. City sanitation and recycling services are continuing on normal schedule.

Paramount Theatre has been closed now for a few weeks. All the events at the Paramount have been canceled we had 2 shows that was scheduled Marshall Tucker and the Association. People are being offered refunds, both groups have agreed to reschedule early 2021 we are offering customers a choice either take a refund now or hold your ticket until the show in 2021. The shows have been canceled. The June ballets have been canceled for the month of June pending. We are not at the belief that people are going to want to go to a concert with a 100 people gathered around them downtown. At the Paramount that is the marquee now. Stay Healthy and Stay Safe and we will see you soon.

As we move forward the talk about the move forward and I talked about it at previous meetings; the Census. NYS is averaging about 43-44% response rate, Middletown is just under 41%. We have taken a pretty good increase a pretty significant jump since our last meeting when I reported to you that we were in the low 30's but we need a lot more work to do. If you don't have access to a computer you can call it in the number is on the board and website. English, Spanish and Chinese. All you have to do is call that number, it only takes a few minutes to do. It is important for many reasons; everyone counts. All federal, state and county aide are dependent upon census data. Our number 2 source of revenue is sales tax revenue; changes every 10 yrs. based on the census. If we don't respond and count every person you will see in the next 10 yrs. will be a horrible time financially for our city. If you combine with what is happening today and moving 10 yrs. forward with less revenue. It is important to respond it doesn't get changed on the local level, in other words the federal government at times every few years will release an adjustment. I don't know how they factor that into their aide formulas but locally in regards to our number 2

revenue sales tax that is with us contracts is for 5 yrs. and it is renewed. Those numbers are with us for the next 10 yrs. We can take a big hit and revenue will be forwarded and what does mean? That means less police, less firemen, less city workers, less government, less activity done, recreation programs, senior programs all are at stake. What does it mean if you have kids in the school district? It means less school funding. If you don't respond to the census, but we need you to respond now and pick up the community better get our fair share of education, health and all these other funding sources that NY'ers need.

As of April 20th, NY State cases 251,690 cases in NYS as of April 20th. Those are positive cases. Tested people were 649, 325 which means a 3.9% positive rate of people being tested. Today they had 4,178 new positive cases. So this thing is not over, 4,178 new cases in NYS over the last over the 24 hrs.

Over the past 24 hrs. we had 481 additional deaths. As the governor said significantly down from the 700+ that we were experiencing over the last few weeks. Still a huge number, huge loss of life. They are now breaking those deaths down to two categories: one is hospital and one is nursing homes. Out of those 481, 29 were nursing home deaths and 452 were hospital deaths. I was told today and I am trying to verify but I think it is accurate the nursing home deaths may be a little misleading. If a person is transferred from the nursing home to a hospital they are not calculated as a nursing home death they are counted as a hospital death. We are hoping, some of us that made the request because we do have some nursing facilities in our community and in our county. Valley View, Highland Manor, Promenade these are all facilities that we would like to know if there is a high mortality rate within those facilities. Whether they break it down for us that way or not I don't know we don't have direct access to that data. One good piece of news today was intubations are down 127 statewide and in hospital codes are down 27%. In Orange County we had 19,075 people tested and 7,029 have been positive for a positive rate 3.7% slightly below the state rate. Today they tested over the last 24 hrs. they tested 298 people, 79 were positive in Orange County and up to date we had 231 deaths.

In Middletown as of April 20th, 715 positive cases. The newspaper asked me today what do you attribute that to. We are number #2 behind Newburgh in the county. What we attribute to we are middle class community. Our people are working, working in hospitals, medical corridors, doctors' offices, grocery stores, essential services is what the city is built around. And that is the people that are getting sick therefore our numbers are higher. The people are complying, we are asking people if there is anything we can do to help them. I think we are on the right path. I don't want anyone to think that we are not doing our residents, like a police officer, firemen they are getting these things whether at work. One firemen I know his wife is a nurse or mother is a nurse and they contracted the disease. Family interaction, people working are going to spread even more. So you have to know your symptoms I'm sure you've heard it a million times we have some of that information on line. Hand wash, elbow cough, face don't touch it I probably touched it 10 times during this, keep your distance and stay home if you can.

The Governor also issued the Executive Order which I referenced before about the wearing of face mask in public and what we are doing here at City Hall. You need to comply with that, if you don't the police can give you a ticket.

One of the bigger issues is properly disposing of gloves and masks. Go into any supermarket parking lot at certain periods of times it is a disgrace, dangerous, not healthy and I just wish we could tape it and watch people do and give them tickets right on site. It is so disrespectful, both to workers and they are having big problems in supermarkets they are like the new heroes. They are out there picking up gloves and masks off the ground and some of them are getting sick. So please be responsible.

If you need help, emotional support there are hotlines on NYS hotline, County also has numbers you can go on our website also. Some of our city information and local officials will be available on our social media and website and Ch. 20.

I did address the water bill, addition to census you might have received a card today with my pretty picture on it encouraging you to do the census. Please that is our pathway forward is getting yourself counted in the census.

Ald. Johnson- With respect to mandate to more and more stores are saying if you don't have masks you can't enter the store?

Mayor DeStefano-Correct.

Ald. Johnson- Is local law enforcement ready to, where does local law enforcement or government interact with that policy.

Mayor DeStefano-My understanding is we have the authority under the State of Emergency. We amended ours including additional penalties that Middletown Police Dept. will enforce. I don't think they will enforce it on private property. But if you were at ShopRite and you refuse to put on a mask and we are called and I am hoping in that kind of case that is not a case of warning. At the entrance of the every supermarket you are told you need to wear a mask. So if someone is deliberately doing that I would hope they would they get a ticket and I think the Chief would probably agree with that.

Ald. Kleiner-Have you heard anything about local or state funding is being considered in the stimulus?

Mayor DeStefano-Yes. The NYS Conference of Mayors has sent out a memo to all members which are most members of the Mayors in the State and we are a member of the organization. There is a bill that is being discussed in Congress that will distribute funds through the Community Development Process. We are in a Community Development ...city. So the bill they are asking everyone to support. We don't have a problem here in Middletown because both of our Senators are

Democrats and Congressman Maloney is Democrat. In this organization is apolitical they don't get into politics at all. The Governor is down in Washington today advocating for state and local aid as one of the future stimulus packages and aid package. Recognizing without the money from the federal government local government is going to have to cut services. Governor Cuomo already said without federal help you can expect a 50% cut in state aid. So these stimulus package that is being considered and they are asking people throughout NYS to call a member of the Republican Congressional Delegation in NYS asking them to support it is very significant for us. Under the formula that was distributed City of Middletown will receive \$5.4 million. How that money can be used we don't know, not explained. But it is a pretty solid number for us because as you know at previous meetings the projections from our Treasurer was that we will have a shortfall in 2020 of \$5.1 million based on sales tax revenue primarily. We are estimating \$4million loss of sales tax this year. Money already budgeted as I mentioned that we have no plan to layoff this year. We are going to get through this and we are going to move forward with this. We are pretty strong financial shape.

Thanks to all of our workers over the last few years. But moving forward if that number stays low and doesn't bounce back up you can anticipate 2-3 yrs. down the road we have to look at city services. We had active Fund Balance. Could it slow down projects, we are not slowing down projects we are moving forward with our projects. Most of them were grants.

The \$5.1 deficit is a actual real number that we will probably be facing as we go through this year. Looking for Fund Balance transfers.

5. For the Good of the City

Rachel Goldner

Hi I am a homeowner I have an order of eviction to remove a tenant for non-payment. Dated Feb. 25th, it expires April 25th as you stated there is a 90 day moratorium. I would like to know how and when I can get to Civil Court to extend my eviction judgement so when the moratorium is lifted the Sheriff Dept. can proceed with removing the tenant.

I want to thank you for this forum and thank you for taking my question.

Mayor DeStefano- The City is not involved in the court system. The court is operated by NYS. Hopefully you contacted court in Goshen. I don't believe any civil trials are going on now or any civil evictions.

The Sheriff's Office would be doing those evictions but you should probably contact both the Sheriff and the court system in Goshen. The court locally in Middletown is not even open; so we wouldn't be able to help you by walking you down by the hall and getting you the information.

I would call Goshen and I would also call the Sheriff's Office and talk about you already have the order, how they would handle the order when the time when the time comes up.

6. Remarks of Dept. Head

Maria Bruni/Economic Development-The Community Development Agency. Looks like the Prince St. property is still on track for closing. Still working with the homeowner.

Also the Wickham Ave. project is continuing. We are following the NYS guidelines with social distancing and so forth.

Tonight on your agenda you see 2 properties Halcott/ Pine St. looking for your support on this. Will be transferred to the CDA and right into our homeownership program.

On the DRI façade program still continuing, again following NYS guidelines, social distancing and so forth.

The Mayor did mention our Community Development Block Grant Covid Relief Fund in the area of \$292,000 we are working on a plan. Have to go through the normal comment period and look forward to getting that in. Will be coming to the Council for authorization as well.

Things are moving in our department. Everybody has been great working on various projects that have come up. Social media helped with refunds at the theatre as well, proud of my department and all the work they are putting in during this time.

Jacob Tawil/DPW Commissioner- Tremendous presentation by the Mayor, strong leadership that he is providing for us on a daily basis. We are meeting with him, Police Chief and myself 7 days a week, conference phone calls and planning. He has been a leader in the forefront of all this tremendous, sad situation.

I will start with the headline of the first page in today's paper which is Back at You which is basically the healthcare providers, nurses, doctors, janitors, administrative staff, Orange Regional, Crystal Run and everywhere else they were thrilled by the parade that we had organized through DPW, City of Middletown. City of Middletown starting it and Town of Wallkill jumped in, State Police jumped in as well and they toured all the medical facilities like the Mayor said.

What impressed me the most how people, the heroes, the medical heroes; the nurses, doctors they are recording us as DPW was driving thru. They are the garbage men that collect garbage every day, street guys in there that fix the pot holes and take care of collapsed infrastructure, they are the ones who repair the water mains. Our sanitation guys would be out at midnight because we had some issues in there and

they are out at 3am, to make sure the garbage is collected. So they are as much first responders DPW as anybody else. We appreciate the Police Chief being with us in the parade and of course hosted by our Mayor and Ald. Masi, Fire Chief as well. Huge success and put tears in everybody's eyes including our men. The next day they were all talking about it, all impressed and they were happy to do anything they can to help our heroes.

We still have 2 bid openings, this is for contractors one is for Davidge Park Expansion and that is May 14th that is when the bid is going to be open. Any contractor still has time to go and pick up the plans.

Also we have the 24 inch high pressure main and the 12 inch high pressure main replacement project and that bid is at the end of this month. You still have time, any contractors out there pick up the plans and bid the project.

The Mayor and I had a long meeting with the low bidder and the engineers for the parking lots improvement in the City of Middletown. Which is DRI funding which Maria worked very hard to get the funding for it and with the Mayor. We had a meeting there where we can hopefully get this project moving relatively soon. Trying to iron out some ...very optimistic that it will move forward.

Before you tonight there is \$20,000 request for Jacobs Engineering. Jacobs Engineering has been doing our safe yield analysis since 2010. The DEC we have been going back and forth non-stop with the DEC very disappointing for me but they are still asking for more stuff, more documentation, different analysis so this one before you tonight is to conduct some dynamic analysis of stream flows and the water level in the streams. Not using the conventional method of using static ...or mass balance method of analyzing/coming up with a safe yield analysis. Which is cumulative over a number of years, flood is worst drought conditions City of Middletown can be under and how much water can use at that time.

This proposal before you tonight is to approve Jacobs Engineering to do additional analysis not all of it. The DEC could potentially ask for much more which is for now only some base analysis, dynamic analysis for \$20,000.

We just collected a check from Amy's Kitchen for hookup fees into our water/sewer system in the amount of \$225,000. Our infrastructure is still generated revenue for us and that is only the beginning. Amy's Kitchen is building as fast as they can, they are putting the water line in, sewer line in, we are expecting to do the connection for our water system next week. You will see that by the Waste Water Treatment Plant entrance on Dolson Ave. that is where the connection will be.

Heritage Trail is moving along. Dolsontown Rd. will be closed off there the Heritage Trail is going to go through it and will be constructing the box culvert there. So that the pedestrians or users of the trail will be moved under Dolsontown Rd. through the box culvert. That will be happening next week or following week.

You will see construction today at Orchard St. which is a...that is city project. Deemed essential project in there we have to connect our storm sewer and that is the project the walkway project between East Main St. to Orchard St. That is the Mayor's vision to connect East Main St. to Orchard for the walkway and lights and that will connect the corridor there. Construction started, any contractor who is working on our infrastructure would have coronavirus compliance program that has to be reviewed and approved by us. Which is social separation, masks. Program that any contractor that works for us and the infrastructure project must submit coronavirus plan.

Ald. Kleiner-I see a few places where the street has been dug up, patches put in. Is that a specific project or random?

Commissioner Tawil- Are you talking about Wickham Ave.? O&R they are doing major gas main upgrade really ideal time. Qualified as essential in there, ideal time as traffic is minimum. You will see sidewalks on Wickham Ave. that are blacktop right now, O&R is going to come in and break them out and replace them with concrete after the project is complete. Just like they did on Academy Ave., if you recall they came almost 6 months later after they allow settlement. They did a very good job. Gas main is going under the sidewalk not into the street.

Pres. Rodrigues-Will we have to wait 6 months for the sidewalks.

Commissioner Tawil-You already have safe sidewalks to walk on. They are just blacktopped. Already safe, nothing wrong with them. Hopefully by the end of summer we are going to do our own curbs and sidewalks. We are doing the final evaluation right now award our curbs and sidewalks \$3.6million, most of it grant to replace all our curbs and sidewalks. Wickham Ave., Grove St. all over downtown, Dolson Ave. That is going to be awarded hopefully at the next Council meeting we are trying to iron out things with DOT.

John Naumchik/City Clerk- Reminder our dept. is issuing birth, death and marriage certificates by mail. Check the website. Office number 346-4166.

7. Public Hearings & Grievances

John Naumchik-Nothing this evening.

8. Petitions & Complaints

John Naumchik-Nothing this evening.

9. Remarks of the Mayor

10. Remarks of the Aldermen

Ald. Masi-Civil Service/just in case anyone for the firefighter test scheduled for this Saturday obviously postpone. Not sure when it will be given again the State will tell us,

give us the guidelines and at that point we will put it on the website. John will post when we learn of the date.

I had the opportunity yesterday and pleasure of riding with the Mayor in the parade. I know Jacob mentioned it and I have been thinking about it when we came back here we were out there Orange Regional, Crystal Run, Middletown Medical and several other places and we are there thanking them, waving to them, giving them the thumbs up because those are the people on the front line. Saying thank you to them and we could see the mouthing back to us thank you for coming down. Wow, that brought tears to my eyes we were there for them and they appreciated it so much and they turned around and thanked us.

I thank everyone who has to be out there doing their job whether you are police, fire, emt, grocery, sanitation whatever thank you for doing it and keeping us afloat.

Ald. Tobin- Everybody is watching the news I think, I'm not a doctor ...they are saying the vaccine may not be available for 18 months; until there is a vaccine there is an adjustment period. We still have restrictions. I think as a history teacher every generation faces crisis and challenges whether it is war, depression, this is our crisis...come together and support each other. I think in Middletown we have.

I did see nationally...you do have rights but you never have the right the Bill of Rights...

Also the Food Pantry there is a stigma sometimes I hope that people who need that help ...it is not your fault it is a national pandemic.

I like to thank specifically Margot Gordon Sepulveda. I want to thank the front line heroes and I pray for the residents that are ill, sick.

Ald. Green-I echo that sentiment. For those who we lost, those who are sick wish them a speedy recovery. Front line workers thank you.

We talk about large death numbers I guess today's number worldwide is estimated at 177,000 people have died from this disease which is a terrible astronomical number.

I know there are many today who are observing Yom HaShoah which is a day of Holocaust Remembrance over 6 million plus perished during this darkest day of unfortunately our last century. I just want to say certainly I remember and I will take the time to reflect on those terrible events and hope we don't have to experience loss or ...racism every again.

Ald. Johnson-With respect to healthcare providers there was something on the internet somewhere we are all sitting here with our masks on for an hour, adjusting them, taking them off to talk and putting back on this particular nurse was saying people who work at home try a shift where you have to wear that mask the whole shift because you can't break sterility and that means you can't take a drink of water, you can't do anything

except wear the mask, take care of people who are terminally ill, hope you don't bring it home to your families and hope you don't get sick.

I am going to wear my veterinary hat for a moment- there is a lot of conversation in the world and on the various media about animals we address questions all the time. I am going to give you 3 facts: we all understand what you know today may be totally different what you are told tomorrow. As of April 19th the AVA President, American Veterinary Association put out a statement to clear up a misconception and the statement read there is no evidence that dogs or cats can spread the novel coronavirus to people nor is there evidence that dogs, cats or live stocks becoming infected by their owners and spreading the virus to other animals or people.

Fact #2 NYS Veterinary Society came out early in the pandemic and said you are a covid positive human you should try to maintain social distance from your pets, family members of your household.

Fact #3 a diagnostic lab called ... and they just put out a press release yesterday that behind the scenes starting in February they were running tests on symptomatic dogs, cats, horses, and cows. They ran 5,000 tests between February in 17 countries and have not come up with any positive animals carrying the virus.

So those are 3 facts, they change next week I will let you know.

Pres. Rodrigues- There was a tiger in the Bronx Zoo.

Ald. Johnson-USDA has a statement on that. There were 5 tigers and 3 lions, they did not test all the animals because they have to be put under general anesthesia to do a tracheal wash. That is a PCR test. Chain reaction, a very sensitive test it picks up DNA particles.

Yes that tiger tested positive. Whether that tiger had the symptoms or whether that tiger could transmit that virus to others is not clear. Only thing that is fact is that the handlers of those animals was a covid positive ...

Ald. Ramkissoon-Mayor I like to thank you for the very informative information you gave everyone tonight.

I hope everyone follows the guidelines, stay safe and healthy and families stay well.

Ald. Kleiner- I just want comment on Ald. Green's bringing up the Holocaust. Remember when you think of those people out there refusing to obey and we still have people who are Holocaust deniers. They think the whole thing never happened.

Last meeting I thanked a lot of people certainly all the healthcare workers, all the people on the front lines who work hard. I neglected to thank our Mayor I think he has done an

amazing job he is very proactive, very early. I think Middletown has been well served by his leadership so thank you Mayor for that.

I want to mention if you are not scared enough just google science magazine coronavirus. What you will come up with there is an article called; how does Coronavirus kill? If you think this is just like the flu you need to read that article. Most up to date study and everything it does and it is everything it does it is frightening. Even so, I recommend you read it, because well informed you will make the best decisions.

Tomorrow, Wednesday I see Record actually has a story about this for tomorrow. It is the 50th anniversary of the first Earth Day. That is what we would be talking about in normal times the Earth Day celebration and on Friday Arbor Day. Remembering this we still do have an existential crisis we are dealing with beyond this one. It is saving this planet. One of my favorite songs is Steve Forbert's Good Planets Are Hard to Find. Check it out on You Tube if you never heard it. We see scientist were so excited this past week because they found another very earth like planet nearby. Well their nearby is 300 life years, that is 300 yrs. traveling at the speed of light to get there. That is theoretically impossible suppose you can travel half the speed of one and just set your alarm clock for 600 yrs. and wake up and see what you find. We need to save this plant and I think we should be aware tomorrow in spite of everything going on, Earth Day still matters, it matters in a big way we know how said the Green new Deal how could we possibly pay for it. So far we managed to print about \$5trillion worth of money that we don't have. Of course we are dealing with exponential crisis, it is something to keep in mind. If you are talking to your representatives, your congressional representatives remember the Post Office because the President is still refusing to consider any help for the Post Office. Like everyone else they are suffering and if they run out of funds and you need people voting by mail. I would encourage you to tell your representatives keep working on funds for the Post Office because they need it, we need it. It is certainly an essential service.

I want to particularly want to thank all the people who immediately put up the program Meals for School Kids. People in the school, Parks & Rec. people, Police Dept. and everybody who has come around to help. That is every day that is almost a full day schedule serving meals and it is so important, very well done. Thank you.

The money to the Soup Kitchen they have been here for over 50 yrs. that is a great thing we are doing.

We lost John Prine my favorite singer/entertainer period all time.

I just want to send out get well wishes to Dave Bechtle and Gary Texter and Rollin Lybolt.

Ald. Jean-Francois- I echo what Ald. Kleiner had to say.

I want to thank the Mayor for your leadership. Regardless of what is going on right now there is a lot of chaos going on in this world. As our leader you stepped up to the plate many times. When I saw the e-mail come across the Soup Kitchen having a crisis you stepped up and gave the \$10,000 and more to come. I was very proud of that.

Mayor you are doing a great job.

Ald. Burr- I want to thank the Mayor on a very detailed coronavirus presentation.

I did see the DPW parade it was quite impressive. I couldn't believe that there were that many.

Easter Sunday the Fire Dept. was out with the Easter Bunny.

On the School District-my daughter is a part of that serving 7,000 meals a day. Parks & Rec. being involved and Resource Office....

11. Unfinished Business

John Naumchik-Nothing this evening.

12. New Business

74.20 Resolution regarding the enforcement of Article 17 of the Labor Law

On motion of Ald. Johnson seconded by Ald. Green

WHEREAS, Section 472 of the Labor Law of the State of New York allows the City of Middletown Common Council to adopt a Resolution regarding the enforcement of Article 17 of the Labor Law, and

WHEREAS, as set forth below, the Middletown City Code contains various local laws and ordinances permitting and requiring the enforcement of New York State uniform building, fire and property maintenance codes, including fire safety and property maintenance inspections in all places of public assembly on an annual basis, and

WHEREAS, the City of Middletown Department of Public Works and Fire Department are trained and obligated to enforce said local laws and ordinances, and

WHEREAS, the Department of Public Works and Fire Department have adopted procedures for the regular inspection of residential, commercial and industrial buildings and properties to ensure compliance with said local laws and ordinances, and

WHEREAS, the City of Middletown, through its Department of Public Works and Fire Department, has the capability to effectively enforce the provisions of said local laws

and ordinances, as well as the provisions of Article 17 of the Labor Law and its implementing rules and regulations, and

WHEREAS, such local laws and ordinances include the following:

Chapter 193. Building Construction – Adopted 1966

§ 193-2. Purpose. The purpose of this code is to provide basic and uniform regulations in terms of performance objectives, establishing reasonable safeguards for the safety, health and welfare of the occupants and users of buildings and their accessory structures and making adequate performance the test of acceptability. The Building Code of the City of Middletown, New York, shall be identical with the New York State Uniform Fire Prevention and Building Code promulgated pursuant to Article 18 of the Executive Law of the State of New York, as enacted by Chapter 707 of the Laws of the 1981, effective January 1, 1984, and as may be revised from time to time. [Amended 4-9-1984]

§ 193-3. Application. New work to conform to code requirements.

A. New buildings and/or structures shall not be constructed except in conformity with the provisions of this code.

B. Additions, alterations, repairs and changes of use or occupancy in all buildings shall comply with the requirements specified under § 193-4.

§§ 193-32. Check for compliance. The Commissioner of Public Works or his representative shall make such inspections as will be necessary to determine compliance with this code.

§ 193-50. Penalties for offenses.

A. A person who shall violate a provision of this chapter or of the New York State Uniform Fire Prevention and Building Code or fail to comply therewith or with any of the requirements thereof or any order issued by the Commissioner of Public Works or who shall erect, construct, alter or repair, or has erected, constructed, altered or repaired, a building or structure in violation of a detailed statement or plan submitted and approved thereunder, or of a permit or certificate issued thereunder, shall be guilty, upon conviction, of an offense punishable by 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.

B. The owner of a building, structure or premises where anything in violation of this chapter or of the New York State Uniform Fire Prevention and Building Code shall be placed or shall exist, and an architect, builder, contractor, agent, person or corporation employed in connection therewith and who may have

assisted in the commission of such violation, shall each be guilty, upon conviction, of a separate offense and shall be punished as herein provided.
[Amended 10-13-1992; 2-8-1999; 1-23-2006]

Chapter 261. Fire Prevention – Adopted 1975

§ 261-2. Violations prohibited. It shall be unlawful for any person or corporation, partnership or association to violate this chapter, to permit or maintain such violation, to refuse to obey any provision thereof or to fail or refuse to comply with any such provision, correcting order of the Fire Chief or his designated representatives or agents or regulation except as variation may be allowed by action of the Chief of the Fire Department or the Commissioner of Public Works in writing. Proof of such unlawful act or failure to comply with any correcting order within the required time or failure to act shall be deemed prima facie evidence that such act is that of the owner. Prosecution or lack thereof of either the owner or the occupant shall not be deemed to relieve the other.
[Amended 10-13-1992]

§ 261-3. Application of provisions. These provisions shall apply equally to both public and private property. They shall apply to all new structures and their occupancies, including buildings, structures, equipment, etc., and, except as otherwise specified, to existing structures and their occupancies, including buildings, structures, equipment, etc., which constitute a clear and present hazard to life or property.

§ 261-4. Conformance with other regulations. This chapter shall be in accordance with the laws and regulations covering fire prevention of the City of Middletown, New York, and the United States of America.

§ 261-6. Administration. The provisions of this chapter shall be administered by the Chief of the Middletown, New York, Fire Department and the Commissioner of Public Works of the City of Middletown, New York.

§ 261-7. Standards adopted by reference. The standards contained in the New York State Uniform Fire Prevention and Building Code are hereby incorporated into this chapter by reference.
[Amended 1-23-2006]

§ 261-8. Penalties for offenses.

A. Any person who shall violate any of the provisions of the New York State Uniform Fire Prevention and Building Code or the provisions of this chapter or fail to comply therewith; or who shall violate or fail to comply with any order made thereunder; or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder shall, upon conviction, be guilty of an offense punishable by 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.

[Amended 10-13-1992; 3-8-1999; 1-23-2006]

Chapter 296. Housing – Adopted 1959

§ 296-1. Purpose. The Common Council hereby recognizes the obligation to enforce the New York Uniform Fire Prevention and Building and Property Maintenance Codes for the purpose of protecting the public health, safety, and welfare of the people of the City of Middletown.

§ 296-2. Notice of violation.

A. Notice. Whenever the Commissioner of Public Works or his designee determines that there has been a violation or that there are reasonable grounds to believe that there has been a violation of any provision of the New York Uniform Fire Prevention and Building and Property Maintenance Codes, he or she shall give notice of such violation to the person or persons responsible for such violation. Such notice shall be in writing and shall specify the alleged violation and shall provide a stated time for compliance and shall be served upon the owner, agent, operator or occupant, as the case may require. Such notice may contain an outline of remedial action which, if taken, will effect compliance with the Uniform Codes. Such notice shall be deemed to be properly served upon such owner, agent, operator or occupant if:

- (1) A copy thereof is served upon him or her personally; or
- (2) A copy thereof is sent by regular mail to the last known address of such person; or
- (3) In the event an address is not available, a copy thereof is posted in a conspicuous place in or about the building affected by the notice by the notice.

B. Notice not required. The aforesaid notice shall not be required if:

- (1) The owner, agent, operator or occupant caused or allowed the subject violation to exist; or
- (2) The owner, agent, operator or occupant has verbal or other actual notice from the Department of Public Works or any other source of the subject violation; or
- (3) The owner, agent, operator or occupant has constructive notice of the alleged violation; or
- (4) The alleged violation constitutes an imminent threat to the health, safety or welfare of the occupants of the subject premises or the occupants of nearby premises or the general public.

§ 296-3. Penalties for offenses. Any person who violates or assists in the violation of the New York Uniform Fire Prevention and Building and Property Maintenance Codes or any person who fails to comply with a notice of violation issued pursuant to § 296-2A shall, upon conviction, be guilty of an offense punishable by 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. The term "person," as used in this section, shall include the owner, occupant, mortgagee, vendee in possession, assignee of rents, receiver, executor, trustee, lessee, agent, or any other person, firm or corporation directly or indirectly in control of a premises or part thereof.

§ 296-4. Duties of Commissioner.

A. The New York Uniform Fire Prevention and Building and Property Maintenance Codes shall be enforced by the Department of Public Works, under the supervision of the Commissioner of Public Works.

Chapter 359. Property Maintenance – Adopted 1993

§ 359-4. Minimum standards; conflict with other provisions.

A. This chapter establishes certain minimum standards for the initial and continued occupancy and use of all commercial, industrial, mixed occupancy or retail structures and does not replace or modify standards otherwise established for the construction, repair, alteration or use of the structure, the premises or the equipment of facilities contained therein, as are required by the New York State Uniform Fire Prevention and Building Code and which apply primarily to residential structures.

§ 359-8. Penalties for offenses. A violation of any provision of this chapter or of the New York State Uniform Fire Prevention and Building Code is an offense punishable, upon conviction, by a fine of not less than \$100 nor more than \$500 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.

[Amended 4-29-1996; 3-8-1999; 1-23-2006]

Chapter 475. Zoning – Adopted 1967

§ 475-45. Enforcing officer; compliance required. This chapter shall be enforced by the Commissioner of Public Works or his or her authorized representatives. No building permit or certificate of occupancy shall be issued by said Commissioner, or his or her authorized representatives, except where all the provisions of this chapter have been complied with.

§ 475-47. Certificate of occupancy.

A. No land shall be used or occupied, and no building hereafter erected, altered or extended shall be used or changed in use, until a certificate of occupancy shall have been issued by the Commissioner of Public Works, or his or her authorized representative, in accordance with the provisions of the Building Code, and, in the cases of boardinghouses and theaters or other places of public assembly, only after inspection and approval of the Fire Inspector. See Chapter 193, Building Construction. A fee of \$100 (\$25 if construction is under \$10,000) shall accompany the application for a certificate of occupancy, in addition to any other fees imposed by any other code or law. [Amended 12-27-2005]

§ 475-50. Penalties for offenses. A violation of any provision of this chapter is an offense punishable by 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. [Amended 4-4-2017]

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Middletown that the City of Middletown shall assume full responsibility for enforcing the provisions of Article 17 of the Labor Law, entitled Public Safety, and the rules and regulations adopted thereunder, and it is further

RESOLVED that the Department of Public Works and Fire Department and their designees shall continue to conduct annual fire safety and property maintenance inspections of all public assemblies to ascertain whether or not said places of assembly comply with the provisions of Article 17 and the rules and regulations promulgated thereunder along with the provisions of the New York State Uniform Fire Prevention and Building Code, and it is further

RESOLVED that the Clerk of the Council is hereby directed to send a certified copy of this Resolution to the Commissioner of Labor within fifteen (15) days of the effective date of this Resolution, and it is further

RESOLVED that this Resolution is effective 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, Burr,
Green, Masi, Pres. Rodrigues-9

75.20 Resolution to approve a proposal from Jacobs Engineering to provide additional services as required by the DEC related to the Safe Yield and Amy's Kitchen Water Taking Permit

On motion of Ald. Masi seconded by Ald. Burr

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to approve the attached proposal from Jacobs Engineering to provide additional services as required by the DEC related to the Safe Yield and Amy's Kitchen Water Taking Permit in the amount of \$20,000.

LET IT BE FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to approve the funding for this proposal from Jacobs Engineering with a transfer from the Water Fund Balance in the following manner:

FROM	AMOUNT	TO
Water Fund Balance	\$20,000.00	F.8310.400 Contractual Services

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

76.20 Resolution to approve the purchase/take back of two properties 21 Pine St. and 8 Talcott Place for transfer into the CDA

On motion of Ald. Green seconded by Ald. Johnson

WHEREAS; the City wants to purchase/take back two properties 21 Pine Street and 8 Talcott for transfer into the CDA from Cheswold, the City's bulk lien provider, which are quality houses in good neighborhoods which the following purchase price is the amount that the owners owe Cheswold to release their lien:

21 Pine Street	\$34,273.10
8 Talcott	\$16,637.15
Unknown Closing Costs	\$200.00

WHEREAS; this transaction will need a temporary General Fund balance transfer of \$51,110.25 and when the houses pass to CDA they will reimburse the City for the payment restoring the General Fund Balance.

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 purchase/take back of two properties 21 Pine Street and 8 Talcott for transfer into the CDA, authorize the temporary budget transfer in the following manner and for the Mayor to be able to sign documents related to the purchase/take back.

From	Amount	To
General Fund Balance	\$51,110.25	A.1940.900 Purchase of Land

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

77.20 Resolution to re-appoint Timothy Welch to the Civil Service Commission

On motion of Ald. Burr seconded by Ald. Klein

RESOLVED; that the Common Council of the City of Middletown concurs with the Mayor's re-appointment of Timothy Welch to the Civil Service Commission term to expire May 31, 2026.

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

13. Local Laws
John Naumchik-Nothing this evening.

14. Audit of Claims and Accounts

On motion of Ald. Masi seconded by Ald. Tobin

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

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

15. Adjournment

There being no further business meeting adjourned at 9:25PM

Respectfully submitted,

Karen Sisco

