



Common Council
City of Middletown
May 4, 2021

1. Pledge of Allegiance - Alderman Masi asked all to stand for the pledge.
2. Roll Call: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi - 8. In the absence of President Rodrigues, Ald. Masi presided.
3. Approval of Minutes

Motion of Ald. Johnson seconded by Ald. Green to accept the minutes of April 6, 2021.

All in favor.

4. Correspondence

Nothing this evening

5. For the Good of the City

Ald. Masi: Eileen, you said there's no one online?

Eileen, Channel 20: That's correct sir.

Ald. Masi: Please, sir. Thank you.

Clay Wilson: Hi, good evening. This is my first time actually speaking here. I've been here twice in the past when I first moved here. My name is Clay Wilson, C-L-A-Y, last name W-I-L-S-O-N. I live on Amchir Avenue, house 15.

OK, I take care of my lawn very much, spend a lot of money on it, fertilizing it, making sure everything is nice, good, no weeds. Now, today driving home from the hospital, I see right on the curb just — the tractor, today was bulk

pick-up day; I have pictures, I have video of that tractor just going up on my lawn. Now it looks disgusting. That's upsetting. Now, I realized that OK, during the winter time you have snow, and you can't differentiate from the street and anybody's property lawn, so there can be some mistakes, plus there's a lot of salt that goes down that ruins the grass. Fine. I have pictures of that also, but that's repairable. You know, that right there, I can't complain.

I totally took care of it, OK, but this; you have green grass, you have fresh pavement that you can see. There's no reason why they should just come up on the lawn and ruin somebody's lawn like that. Now, I know everybody here is known, so that probably won't happen to you guys, but if it did I'm sure it would offend you. But I'm sure those people that drive those cars will not do that on your lawns because of who you are. So I'm here. This is my grievance. My remedy? I don't want it to sound funny, but \$15 for some EZ Seed, go right over that, repair it, and for them not to do that again.

I can't speak for anybody else, but 15 Amchir, my property, my good lawn, they should not be driving up on that. Now, from what I heard and please someone tell me if it's true or not; does the City own 6-feet into everybody's lawn? Is that true?

Mayor DeStefano: No.

Clay Wilson: That is not true. OK.

Mayor DeStefano: And whether we owned it or not, we shouldn't be driving on your lawn.

Clay Wilson: I agree. So yes, that is my grievance. I have video, I have pictures, and my remedy? Whoever was driving that tractor, please do not drive on my lawn; and if the city can remedy it, because I will definitely pay for it myself, but I don't see, with the money that I already put down, I don't think I should be paying for that spot. It's pretty ugly. \$15 for some EZ Seed, go right over that. I'm sure it will repair that. Once again, my name is Clay Wilson. C-L-A-Y W-I-L-S-O-N. I left four messages today. Mayor, I also left one for your office. I'm here tonight because somebody told me that this is open, it is not on Zoom, but if someone can please reach out to me tomorrow, I left my number. My remedies are on file, and I thank you all for listening.

Ald. Masi: Mr. Wilson, I'm sorry that you went through that, and I'm sure that someone either from DPW or the Mayor's office will be in contact with you tomorrow.

Clay Wilson: Thank you.

Ald. Masi: Anyone else from the public? And Eileen, no one else came online?

Eileen, Channel 20: That's correct.

Mayor DeStefano: Good evening. That was a depressing way to start the meeting, and, and we will address the, hopefully get the video, and I guess the, and make the corrections obviously. But I hope, I hope it wasn't a deliberate act is what I'm saying, it's accidental or just... But we don't get a lot of complaints like that, but we will look into the matter and Mr. Tawil will address it.

As you know, yesterday Governor Cuomo issued a statement that New York, along with Connecticut and New Jersey, the governors got together, and they are turning against, the tide is turning against the COVID-19 in New York, and because of our increasing vaccination rates, as well as other successful efforts by mask mandates and things of that nature, they are backing off on a lot of the, a lot of the regulations. So here in Middletown, you know we do have the the mask mandate also local, for out-in-public, within 6 feet. So we're going to direct Mr. Naumchik tomorrow to rescind the local, uh, the local law, the local state of emergency regarding the mask mandate and whatever else we've put in locally in addition to the State guidelines.

Along with that, one of the most frequent calls we get is about basketball hoops. As of May 19th, the date that the governor is doing all of these, we will be replacing - uh, not replacing; we will be putting up the basketball hoops. As we explained to several people who called, that the basketball programs or basketball hoops in the park were a high-risk, under the state guidelines, activity. So, you know, they compared it to skateboarding. Why do we open the skateboard park? Well, we opened recreational facilities as the state gave us some guidance on the risk factor; so now that the risk factors are being reduced, we will be putting them up effective May 19th also. And, in discussions with the Economic Development department's Maria Bruni, we're also getting calls about our concert series; and we will be doing a modified, some form of a concert series.

Tomorrow the sod will be laid down in Festival Square. We're going to have to do some — you know, along with all these changes, come issues of capacity that hasn't been reduced. Are there still capacity issues? Even in businesses, you still have to social distance.

Once we get all of the new guidance, we'll be able to give better guidance to the public on what we're going to do, how we're going to do it, and where we're going to do it. But for now, people can, who are interested in the concert series, we will be doing it in some form.

We also plan on doing other activities throughout the City, but again, within the guidelines of the CDC, so COVID didn't end, doesn't end on May 19th, and some of the feedback we're getting from people is that they believe that, since the governor has made these decisions...

They haven't looked at part 2, and part 2 is that there is still guidance involved in how you have a huge activity. We're not going to be doing any new runs, or any new (inaudible) run has been approved, their safety plan has been ap-

proved by the Chief and by the County Health Department. The Run 4 Downtown has submitted their plan, we're going to be reviewing that. So all those requirements are still there, but for those who want to do new things; we're not in a position at this point to take on any new activities and reviewing of the safety plans that are still required, from my understanding.

So, fireworks: We are planning. We did contact our firework company. We are hoping to have a date around the 4th of July obviously, and the money was budgeted, and we're hoping that we can provide that opportunity, or that activity up at Davidge park. There will not be any associated activities; no bands, no cookouts and those things, but we're hoping to be able to provide the fireworks. And again, we're waiting for more of the guidelines from the, from the state; and the date will be announced as we, as we move forward.

If you caught the article in the paper today about the Paramount Theater facelift, you know that we appreciate the funding that you put into it, along with the several hundred thousand dollars of grants that we received, going back to Senator Bonacic and Assemblywoman Aileen Gunther and others, along with some City funds. The sound system is fantastic, and we are doing the doors and the facade, so we've, some... It will be painted, the fire escapes, and we're hoping and were assured by the contractor that they will be done by July 1st and we're hoping to resume movies sometime in the month of July. In regards to the live concerts and other activities that we have in the Paramount: we are also looking to resume that schedule again in conjunction with the acts that we had booked, and possibly some other acts with their availability; and understand that a lot of those people are now going to be very busy, as the, as we get into the summer and into the fall, because there'll be a huge demand for all these. But we do have also capacity restrictions regarding the Paramount Theater, the end of our capacity restrictions, so it has to make sense financially, if we're going from an 1100-seat theater to a 400-seat theater. We have to, for some shows, that's got to pay for itself, so it's not just a matter of opening the door and selling seats.

Soon as the construction is done at the Paramount, we will resume movies and we will be providing the Council and the public with a public schedule for the other activities.

Tonight I believe you have a resolution for the Community Campus. Believe it or not this, basically this project has been along, um, around longer than some of you guys have been on the council. The the project began in 2014 believe it or not, and it's 33.23 acres. It's 13 buildings with the approximate square footage of 485000 square feet of buildings. That includes Tuckerman, the Kleiner building, the 54 building, the building on Emma Drive, some of the garages, and it's a total of 13 buildings. Not all in the best of shape, but we do have a plan, working with Northern Academy, the future Northern Academy, former Fei-Tian. They had some good news when we met and we had lunch with them, last week or two weeks ago, Marie and I. They are going to become the main campus, a separate campus from Fei-Tian; they will no longer be a satellite campus, and they're forming a new school. So as soon as that is

through they will be called the Northern Academy College or Northern College. They will also operate Northern Academy of the Arts. They are interested in a couple of those buildings, including Tuckerman; and if you've looked at the work that they did on Woodman — these buildings have a negative value, it's, it's a good move for us. But we will be presenting that plan to you as we move forward. First thing we need to do is close on it with the state. Alex, myself and Maria had a conference call with the state, the dormitory authority and others involved with the project, and we're expecting the closure — closing to happen hopefully sometime this month or in early, in early June.

So it began back in 2014, as I said, we actually did the phase one environmental in 2015, we had a proposal that was submitted in 2016 and what we wanted to do with the property, The state did the appraisal, the, we had our intended uses sent to them as recently as this March, we upgraded that or updated that, and as I said, we're waiting for the closing date. Once that happens, you will see a lot of activity at this campus.

Street Paving: we've spoken to some of you I want to thank you, especially Alderwoman Ramkissoon and Alderman Johnson for your very active concerns about your streets in your, in your ward; and all of you have an input on it and we, we do plan on presenting for the next meeting a paving list. I believe, Jacob, the number we have from last year and this year in the budget from CHIPS money was about 1.3 million. We will be asking as part of the six million dollars, we'll be presenting to you an additional hopefully million dollars in paving out of the six million dollars of federal money that will be coming down. That money, as I said at the committee meetings, will be coming in soon, and I hope you've been thinking about the different projects that were, that we're proposing to do, because at the next meeting I hope to present to you what we think, and hopefully if you have more, any more specific input, you'll send it to us between now and then, so we can finalize and have a vote at least on appropriating some of this money.

We don't have to do it all at once, but we want to make sure that we document what is necessary for the government in order to qualify for the spending. But then, so, we will be doing a lot of paving if we do uh, Jacob, do I have the numbers right?

Jacob Tawil, Commissioner of DPW: Yes.

Mayor DeStefano: We're going to be doing 2.3 million dollars of paving this year. That's that's a lot of paving so, well, we're looking forward to that from there'll be a lot of activity around the city.

Cannabis law: if you read the article in the newspaper a few weeks ago, the decision is going to be yours as a body to opt out. If we do not opt out, then that means we have opted in; and we have to the end of the year to do so. We are getting calls from people who have been inquiring about both the distribution and on-site consumption retail, plus almost like a hookah lounge type of activities. I stated in the newspaper when it first came out, that I'm opposed

to it. I'm hoping that you folks will opt out of that. We're also looking at what other restrictions we can put into place, meaning that basically the uh, forget all of the statewide things, expunging records and, and how much people can have on their possession. That's, that's statewide stuff.

What concerns me is people just walking or standing next to the skateboard park or up at Davidge Park. Walking through the streets and, or standing on a street corner downtown, by open businesses for where they have outdoor seating, for example, in the end imposing that smoke or whatever residual you want to call it on others. And so Alex is looking at what we can do in regards to restricting smoking, and that would be all types of smoking because it looks like we can't, that wherever smoking is allowed, you can smoke pot, and I just don't think it's the right thing for our community. I don't want us to, I don't want to see us opening up pot shops or people just go in and smoke pot. It's my personal view, I know it might not be your personal view, but we need to take a public policy position at some point and hopefully it will be very soon, so we can let people know that the investment is not welcome here.

And we do have people that are, at least probably two or three businesses have said that they're making plans to do this, and and I told them, don't make plans because I don't support it, and I don't know what the common council is going to do.

So at some point I'd like to get your feedback individually, and if you'd like to give me feedback on it: you think I'm right, you think I'm wrong; but at some point in the very near future we should have a resolution. I would least have a vote, like to see a vote on it. Whether it's up or down, if it fails, it fails and we deal with it, but I don't think it's a good message for us to send here in the city.

Tomorrow you'll probably be reading about this but I think many of you are familiar with it. We did submit quite a few projects to Congressman Maloney. The earmark projects, the uh, whatever it's called on the federal level, the appropriate uh, the appropriations that's it; and it's called an earmark when they earmark it for different communities. And we were asked to submit projects, one of the projects that Jacob did submit on our behalf was a water main project. I don't have the exact numbers in front of me, but thousands of feet of water mains both 12, 24, uh, 20. High pressure, low pressure, but basically it's 11 thou- 11 million, eight hundred thousand dollars worth of work that we will be getting under this program. We also, this is the same program that we submitted the O&W. Did not make the cut, but we're going to try again. And another program is being announced, but for now we just wanted to thank Congressman Maloney for his efforts in getting this earmark for us. According to the Times Herald Record reporter today, Chris McKenna, he advised me that in the congressman's district that this was THE largest award for any municipality in the district. So, we did a lot of work on it, Jacob did a lot of work on it and his staff, so I want to thank them for all their hard work. I also want to thank the person who made it happen for us and that's Congressman Sean Patrick Maloney.

This will, the system is, the mains that it's replacing are from the late 1800s. The project, we've already started, this is Phase 2 of that project, and Jacob can set out the details for all of you, where these mains will be replaced. We're going to obviously have to reconsider maybe some of the streets that we were looking at paving. Obviously, we won't pave them if we're going to digging them up. The key on this is, the money has to be spent by the end of 2022, so this project is going to move very quickly. The sidewalk project is going to be out to bid I think by the end of, Jacob, by September, October, correct? Before October.

So what, you're going to see a lot of construction around the city, a lot of, a lot of street work, a lot of digging. And I know we're getting some complaints now from people on Dolson Avenue, but, jeez, I mean, we're doing sidewalks, guys, so I can't help you. So we're doing a lot of, a lot of work; and I think it's in the end by the, you know, by the end of 2021, you're going to see huge improvements. Look around downtown, you can see it, what it's going to look like, and possibly some of the neighborhoods also.

I mentioned in the committee meeting about the proposed downtown parking plan, and that includes the parking and sanitation plan. We're hoping, and I don't know if I forwarded it to you yet, but we are also hoping to have this adopted. It's basically identifying all the lots that will be short-term parking, long-term parking, on-street parking. Most of the lots are 4-hours, the overnight parking and specific lots, we will be creating a permit system for overnight parking, where you have to be a downtown resident; the very low fee, \$10 a month, we'll be doing it through John. John has been authorized, he's been looking into software packages for the parking permit system. It will be designated by lot, as I said we, we did have a meeting with, we've met with individual business owners. Myself, Maria, and the chief will then, we did at least one walk around downtown and I know Maria and the chief have done others. We have Scott Gallagher, our downtown officer who has met with businesses also, and again we're going to do this in a kind way. We, we're preparing the maps and the brochure is, once you adopt it; we don't want to obviously prepare everything and then have you make a change and then we're out of luck on it so, once you adopt we will send to the printer. We will make special deliveries to the people so that they understand the program about long-term parking, where they can park overnight and, and again it will take some getting used to.

On the sanitation side, that's going to be a bigger project for downtown. My understanding is everyone in the city outside of the downtown area or outside of the DMU, our business improvement district, should have received garbage cans already, and, but, within the downtown we're going to be distributing them out of the Paramount Theater as soon as the smaller cans come in, because we think a lot of people are going to take advantage of the smaller can downtown because of the limited space that they have, along with the fact that we do pick up 7-days-a-week downtown.

Also part of the legislation is requiring restaurants with food and materials to bring it to the garbage depots. We're looking at the possibility of one or two

more depot sites. And again these may have to have the camera so we don't have abusers, people who are not in the downtown business district, using them. But we did take some of the feedback from the public at the meeting and I think we're, we're going to have, to present you with a good plan, but we'd appreciate your feedback on it too.

These are the cans I mentioned. Everyone did receive a 95-gallon can, and we understand that for some households that'd take you 3 weeks to fill it up. They are all on wheels. But as we get the program up and running, we're going to give you the opportunity to swap it for the 65-gallons or the 35-gallons if you like. 35-gallons are much easier to handle for elderly people or people with disabilities. And that'll be the judgement, that's the reason for this period. It's to see how much you generate, what your needs are going to be, your individual homeowner needs are going to be. As you can see, the guy in the picture is 5 feet 11 so the cans are, what, maybe 3, 3.5, 4 ft high? Maybe, maybe not even that. May be that, but whatever. Oh, they do say how tall they are. 43 inches, so 3 and 1/2 ft.

In regards to COVID, we have almost 16% of our population has had, tested positive. And I don't know if that's a good number or a bad number, but it seems to me to be a bad number, so we need to do, to continue with the vaccinations. We are second in the county in regards to the number of positive cases since the beginning, so we still have hard work to do. We are asking people to, again, May 19th is not COVID-Over Day. We'd like you to continue to wear the mask and continue to do what's necessary to keep your friends, family, and neighbors safe. And that's why we're asking you to, although we're removing the mask mandate, to continue as much as possible to wear the mask, especially indoors if you can, or when you are within 6 feet of people.

And for a finale, tonight is Karen Sisco night! Because Karen is, this is her last Common Council meeting, so we wanted to say thank you to Karen, and bring her up maybe.

Ald. Masi: Mary, Mary, you want to come forward, please?

Mayor DeStefano: I'll put my mask on. She's already crying!

[General laughter]

Ald. Masi: And maybe John wants to say something? You're on the spot, John.

Mayor DeStefano: You can give her the flowers, how's that? Oh, you want to say something first, you can. You were prepared to say something.

John Naumchik, City Clerk: It's been my pleasure to work with Karen, Karen Sisco for eleven years now. And as you know, I don't know if you do know, she was here for twenty-eight years serving the Council, serving the City of Middletown, working in the City Clerk's office for a few clerks, and a few Aldermen, and Mayors and Council presidents. In the 11 years that I worked with her, she's been a tremendous, tremendous piece of the city

clerk's office. I'm sure that without her I couldn't probably do my job, of the 11 years that I've been there. She is the most, kindest person that you know, she is helpful with everybody that comes in and on the phone, and I'm sure everybody who has dealt with her would agree with me. So, I now I'll ask, speak, for everybody to say, we want to congratulate Karen. She's going to be at home with work helping her mom, and her new grandchild, who is very cute, and she will be a great grandmother, not a good grandmother! We all congratulate her on her retirement and thank her for the 28 years of service. Mayor?

[Applause]

Mayor DeStefano: You want to say a few words?

Ald. Masi: You want to say a few...

Karen Sisco: No, no, thank you!

Ald. Masi: Thank you for all your service.

Mayor DeStefano: Any questions for me?

Ald, Masi: Any questions for the Mayor?

John Naumchik, City Clerk: Any questions for Karen?

Ald. Masi: Mayor, I do have one or two, and I know we discussed it earlier on another meeting, and it and it may seem not that overly important, but two things. One, you brought up, many people with the cans, I think you said in your neighborhood there were like 50% leaving the lids open for, thinking they're helping out Sanitation but, if you would address that; and if you'd also address the people that have obviously the small cans now, now that we have the new ones, if they want to get rid of what they have, what you plan.

Mayor DeStefano: The plan, this is for the for the old cans that you have, if you have some. One, if you need them for yard waste we still, you can still use them for yard waste. But two, if you want to get rid of the can, you can either put it out with your garbage with a note on it saying, you know, pick it up, or take it away. Or we're going to plan a day where we go around and just pick up garbage cans. We'll announce it, though. The other part is where we're going to be doing a brochure that's going to outline this program. People who are not compliant, and I don't know if I said that in my presentation earlier, that we're going to try to bring them into compliance so they understand it. I took a tour around the second ward last night. Half the people had the cans open, the lids, and half had them closed; and I approached one neighbor and I said, why did you keep your lid open so that the animals could get into it? He said, well I thought I was helping out the sanitation guys, so they don't have to open it. No, the purpose of the cans is to keep the lids closed, so that animals don't get into it, and the lids will automatically open, especially when the one-armed truck comes in. Those, they're designed to just flop open. So just put them in the can, put the garbage in the can, close the lid, and everything will be much better. But we'll have all the rules and all the guidelines. We'll have people going into the neighborhoods explaining

things, so if you have any questions you can call my office, you can call DPW, and we'll be more than happy to try to give you some guidance.

Ald. Masi: Should they be using them now, immediately?

Mayor DeStefano: They can use them now, the blue cans also for garbage now during this interim period, but once we, we cut the date, we, we go through our ambassador work with people, then you're going to be required to use only the green can on garbage night and the blue can for recycling. Right now, we would prefer you put everything into a can, find out what your needs are, determine what size can you need. We're going to have extra pickup on holidays. We don't want you putting, leaving garbage out. When the plan is fully implemented, you will not be able to leave garbage alongside the can. Only the cans will be picked up, because it's going to be picked up by a mechanical arm and the driver will not be getting out of the truck to, in order to pick up the garbage bags. But, we'll be doing this, we're going to have weeks of education, and weeks of guidance, and we'll get there.

Ald. Masi: Thank you. Economic Development. Maria Bruni, please.

7. Remarks of Dept. Heads

Maria Bruni, Economic Development: I don't have anything this evening unless you have any questions for me.

Ald. Masi: Anyone have any questions for Maria? Thank you Maria.

Maria Bruni, Economic Development: Thank you.

Ald. Masi: Fire Chief. Chief Barber please.

Nick Barber, Fire Chief: Good evening everyone. Just for the month of April, we responded to 68 emergencies, nothing too serious; and we also did participate in the Little League Day Parade. Great day for kids, kids had a lot of fun. We will be hosting our Mother's Day flower sale, the 6th through the 9th. Obviously all CDC guidelines will be in effect. If you're looking to support, support us with the Mother's Day sale, it will be at North Street and Central Fire Houses. And we did just currently start up our recruitment for volunteers again. The last year was tough, with the pandemic and stuff, so we just started up. We just interviewed 4 out of 6 of the applications, and hopefully we'll get a bunch more.

Ald. Masi: Thank you. Any questions for the Chief? Chief, thank you very much. Chief of Police, Chief Ewanciw.

John Ewanciw, Chief of Police: Good evening. Just a couple things this evening. Just this past week we did start up the walking post again throughout the community. Since the 28th, when it went into effect, we've had 53 different details, were they've been walking within the community, so you will see them out there again. Please, I encourage people to approach them, have a conversation with the officers, discuss concerns, issues, ideas, anything like that. The more we engage each other, the better off we are as a

community.

I just want to piggyback a little bit on what the mayor said in regards to cannabis. I'm open for conversation on this. On the public safety end, I have a lot of concerns, specifically with the driving aspects of it. I've already received some inquiries in regards to the second-hand smoke and why do certain people have to deal with the second-hand smoke, if that's not something they enjoy. So there are some, some, some concerns that need to be addressed, as the Mayor said, and we have to look at some of the local laws to try to address some of that. But I am available for conversation, or comment, or discussion, whatever you would like, in regards to that. And lastly, I'd just like to congratulate Karen and thank her for all of her years of service. So, thank you, it's been a pleasure. Other than that, if you have any questions?

Ald. Masi: Any questions for the Chief? Alderman Tobin.

Ald. Tobin: Is there any news on like, testing for driving, are there, do you hear anything statewide about that?

John Ewanciw, Chief of Police: No, there's really no current news. The legislation does include some funding for DRE which are, DRE training which is a Drug Recognition Expert training. It is a very intensive training. Currently right now there are very few people that are trained in it, and that is really the key to enforcement. Also, as it, as I've said, what I've read is that there is money that will be available for that training. I just don't know when and where, and it's not going to be something that's immediate — it's going to take some time, it's a very lengthy, in-depth training.

Ald. Masi: Any other questions? Thank you very much. City Clerk, John?

John Naumchik, City Clerk: One thing that I did want, to introduce Celines Rodriguez who will be taking over for Karen's position. She started last Monday about a week and a half, and she's doing a great job. Congratulations, and welcome to the City Hall. Thank you.

Ald. Masi: Welcome and thank you. Any questions for John? And the best for last... What are you getting up for, Jacob?

[General laughter]

Ald. Masi: DPW Commissioner. C'mon, after what you did to me last night!

Jacob Tawil, DPW Commissioner: I was ready for you, I looked over my shoulder.

Ald. Masi: And by the way the council president did ask me to ask you for comments concerning Wolslayer Field

Jacob Tawil, DPW Commissioner: Absolutely, absolutely. Good evening all. So, we'll start off with: Karen, it's been a pleasure. I never heard any bad thing, not even a word from anybody, about you. She's always there, very pleasant, very cheerful, very professional, and you will be missed very much. Thank you for everything.

So, we'll start off with where the mayor left off, which is, we'll start off with the expansion of Davidge Park. There was an issue with the under-drain system that, as we have been reporting, the Mayor and I have been reporting to the Council about it. Now the designer, the architect chose an alternate system that will fit better with the existing soil conditions. There is an additional change order that was approved today by the board of estimate, and it's before you tonight at one of the last items on the agenda, to appropriate about \$201,000. Our actual needs at this time is \$170,000 to address the, basically importing all new topsoil. The existing, existing topsoil is clay, it's got more clay in it. It will hold water it will not allow it to penetrate through the topsoil and the grass, and it's a different under drain system that the architect has chosen now so the cost is about \$201,000, less than \$30,000 in there, because we were able to eliminate some options that the contractor provided, so we're down to \$170,000. However, the resolution, the cost of the money is going to remain a hundred and- \$201,000 in there and that money would be left there as a cushion in case we come into unusual circumstances that it would be needed.

Um, so that's where we are. The contractor's working, they mobilized last week, they're getting ready, they're importing soil from outside and, and once we sign, once you approve it, should you approve it tonight, and the Mayor signs that tomorrow, then I expect to have really, real construction taking place over there. Because then we would have hired on that, everything, we will still have some issues, but we'll work it, would work through it. So hopefully that answers that. So hopefully you'll vote on it, approving it tonight.

A reminder again about the grass. Please everyone, keep I want to extend my apologies to the gentleman who appeared; the Mayor addressed but I just want to touch on it. I assure you that our men would not have done that on purpose, to drive over your grass. And it does happen, and we apologize for that. I know how hurtful it is, the post office does that to my grass, and then it's all... you know. But it is what it is, I know how, I know how bad it feels, and we'll take care of it, and we'll find out, will investigate it too. But I assure you, it's nothing, nothing done on purpose, and we'll get to the bottom of it and we'll make a good like the Mayor said.

The fourth ward spring clean up: that concludes this week, and thank God that's the end of it because we, I mean, we wish to, not waste it, it's time well spent. We spend the whole month cleaning the city for the spring cleanup. It takes all kinds of, all of the street department, a lot of people from sanitation department, a lot of people in from water and sewer; to help out. So once we're done with this, please do not put any more junk outside, because we're done in in the fourth ward. Once Friday comes it's all over. And once we pass by you, don't put any more out please by your house.

So, with that being said, we want to start, the street department will jump right on the preparation for the paving, for milling and paving for all roads. The Mayor has spoken about it extensively, so I don't want to repeat it, and he'll be sending out a list of the streets. The Mayor and I we went through different — uh, we went through and inspected the streets on the list, and we thank

many of you who called us and contributed too with your ideas, and many of them are worthwhile, cause we can't be everywhere. So whatever help you give us on locations, I think most of them are going to be included, and we appreciate that. This year we're going to introduce, cause money, you don't go doing that so much, almost like three times; three or about 4 times as much as we do every year, because usually we get about \$500,000 in CHIPS money. And so last year we didn't do anything, this year we have this money and the Mayor is going to contribute more in there, because, understanding the need for our roads. And so it's going to be a massive redo, a big massive operation that we're going to be taking.

We expect the milling to start on May 24th, and then after that, a couple of weeks after that, we'll start paving. Again, the street department will start working on repairing the catch basins, water department will start adjusting the height of the valves and manholes, and that's almost a full-time job.

Also I want to, I want to thank our with water department, and Brian Smith, the Deputy Commissioner. They highlighted locations found during the flushing operation of our water system, they highlighted all the bad areas in our water distribution system, such as inoperable valves that you cannot operate, broken valves, so on and so forth, and last night they came in at night and they replaced a valve that was not operational. We had to shut partially, part of the Highland high pressure water system, a partial shutdown in order to be able to do it, so we have to do it at night. For that, I appreciate it very much, and I thank Brian Smith and the entire water department for doing that. I don't want to leave out Mark and his crew, Mark Pengel, because they're doing it a tremendous job with sanitation, and the street department, picking up the spring cleanup.

Moving forward, we'll jump to the 11.8 million dollars that the Mayor mentioned, and just to give you an idea, the 24-inch water main that the Mayor mentioned, the low pressure, that supplies 2/3 — like I've been advising you for over the years now — I've been... That's my dying wish, is to replace that line because we go sleepless at night thinking about what would happen if we going to lose, if we have a major break in this 24-inch water line. Its massive line supplies 2/3 of the water to the City of Middletown, including Amy's in the future is going to go through it, and everything like that. So we're committing Water, we're expanding, we're improving, so that; you know, thank God for the Mayor's support, cause he wrote a nice nice letter to support the project. And just as important is Congressman Maloney, and it's tremendous, we're very excited about it. So that line is going to be replaced from the water treatment plant all the way down to Fulton, Fulton, Fulton Avenue, Fulton Street, and and that's, that's a huge, huge relief for us once it's replaced.

Also we're going to be replacing, and that's, the length of the pipe was 12400 feet of 20, of 24-inch line, that we'll be replacing 4420 inch high pressure main and that would be Phase 2 like the Mayor explained, and then 6000 of the 12 inch main that goes through Lake Avenue. So Lake Avenue is going to be ripped up in there to replace that line. And it's going to be, it's going to be

a major operation like the Mayor said, it's going to take us, it's got to, the money has to be spent in in the next year, so it's going to be a massive operation. I don't know if we're going to include more than one engineering firm, most likely we'll divide it into smaller contracts, and they have to make sure that it can be all done by next year because that's the condition of the funding. At this time unfortunately we can't start anything until we get the approval. Right now, Congressman Maloney like the Mayor said pushed the project over to the appropriate Congress appropriation committee for their consideration. Most likely we're going to get it but, who knows, but so we're going to be on standby ready to move as soon as we get the green light from the Congressman.

Municipal Solid Waste ordinance: the Mayor spoke about it and new cans and everything like that. We urge you to consider the ordinance as revised by Alex Smith and, and comment on it, make comments on it, and hopefully we get, you, you can vote on it next Council session. That would be great so people would know where they stand.

And, uh, I want to thank the people especially if you recycle. Our men have been complaining about too much recycling now, we cannot finish the job in 8 hours like we used to do it. We used to do it sometimes in 4 hours, just zip through the City, and there's nothing there. Now with the new cans in there, everybody's recycling, thank you very much. It's costing us a little bit more at this time to get rid of recyclables, but the market is going to change sooner or later. All the prices are extremely, jumping sky-high right now with ductile iron pipe, with with, with all kinds of stuff. So recyclables, I'm sure they're going to come, it's just a matter of time, going to start generating money off it. It's the green solution, it's the proper solution for our waste, and it's going to minimize the impact on our landfills. So we thank you very much for recycling, and continuing to do so, and increasing your recycling.

We're preparing again to apply for more grants. We applied for 40 million dollars, we got to 11.8 million dollars. So we're applying to, we're preparing to apply for much larger projects, so that when the infrastructure bill comes from President Biden, whatever it is in there we'll be able to produce projects ready, ready to go. So this is what we are thinking about non-stop, to try to get our city back in shape infrastructure-wise, which is the infrastructure that we don't see by our eyes. Dolson Avenue construction is moving along, the sidewalks, curbs and sidewalks. It's looking beautiful over there, if you want to take a drive over there by the Mazda dealership and all that, and it's shaping up and we like what, what's being done over there.

And the reservoirs, Alderman Masi, welcome back from California. I have the note, I didn't... Welcome back. And the reservoirs are in good shape. We were low by 1-inch, but I'm sure with the recent rain, by next week when I get the reading it's going to be 100% full our reservoirs.

So with that I will stop. If you have any questions for me?

Ald. Masi: I reluctantly ask, anyone have any questions?

Ald. Burr: I have a question. Jacob, on the tire pickups in the City of Middletown, is there a limit, or are we going to start picking up the tires?

Jacob Tawil, DPW Commissioner: No, we're picking up the tires. There are limits in there, I don't have the brochure in front of me, it's on the website, it's all in our our circulation of them.

Ald. Burr: Put out about 20 of them.

Jacob Tawil, DPW Commissioner: No, we can't pick up 20. I know your neighbors did, we picked up like...

Ald. Burr: Yeah, he had about 20 tires out there.

Jacob Tawil, DPW Commissioner: That's the house we demolished.

Ald. Burr: That you took out 6 truck loads, and I want to thank your guys for doing a great job on that clean up, on 47 Sproat Street. Thank you.

Jacob Tawil, DPW Commissioner: Thank you, yes, but there's limits on how many tires you can, you can do.

Ald. Masi: Any other questions? Thank you Jacob, and I am going to give you a compliment, you and your department. I was just out in California, as you know, and their water is absolutely terrible, you can't even hardly drink it, and here, I couldn't wait to get back to drink water here.

8. Public Hearings & Grievances

Nothing this evening

9. Petitions & Complaints

Nothing this evening

10. Remarks of Aldermen and reports of committees

Ald. Burr: I just want to thank Karen for 28-years of service. You were very helpful for any time that I needed you. Thank you very much, and enjoy your retirement

Ald. Jean-Francois: Yes. Good Evening. In addition to what the Mayor mentioned about the garbage cans information; we will have our first meeting here on 11th at 7:00 in this chamber. Mayor, that's open to the public, right? 7:00 in this chamber, on the 11th of this month. And also I like to, on behalf of the fourth ward constituents and Alderman Sparrow and I: Everyone who was involved in the spring cleanup did a wonderful job. It was a lot of work, there was a lot of stuff out there, but it's been picked up; and I thank these guys, everyone that's involved. And I think it's good to see, this is an exciting time for the city. We're doing our best with the garbage can, everyone said the city looks more uniform with the garbage cans, and that's a plus.

Karen, you're surely going to be missed. I miss your smile, since COVID I haven't been able to see it, but I know what's behind that mask. Thank you for

all your hard work.

Ald. Kleiner: Thank you. I also want to thank the, Jacob's department, and the spring clean up, the bulk clean up. It's amazing how much stuff has been out there, and they're doing a great job. So we, we did, we don't take it for granted; we really do appreciate it, we know what a lot of work it is.

Our 2nd Ward meeting will be next Monday. Last time I said it was on Tuesday and I misspoke, but it will be next Monday the 10th, and it will be in Davidge Park at the pavilion closest to the basketball courts. So, the Lions pavilion was booked, so we're the one, you know, the next one down the road. So we will, we will be there. Hope to see people next Monday at, I think we have it at 6:30.

The weather is getting better. The Post Office is a mess. If you're going to the Post Office parking lot and I don't, I don't know what you can do. I mean, I know what was done to really disable the Post Office, and it's been very effective, but they keep promising to re-stripe that lot, and and you know, the line when you're turning in, so that the exiting traffic stays on their side, and so you know whether you're going to the mailbox, and you know whether it's one way, or it's, it's not anymore, cause you can't tell. So, they've been promising they'll fix it. I hope people, every time everyone goes in, will complain about the parking lot. Maybe we'll get some action, I don't know.

Karen, you've just been wonderful, anytime we had any question or anything. You're just going to be sorely missed. I don't want to put too much burden on your replacement, now that we've already set such a high bar for her, and we're expecting she'll do great, but Karen, we will miss you and good luck in everything you do.

And finally, tomorrow for a big part of our community, Cinco de Mayo, so I wish everyone a happy Cinco de Mayo. It's more a Mexican-American holiday than Mexican, but that victory at the Battle of Puebla of 1862, it may have helped us a lot in our course in the Civil War. So it's, you know, something to look up and see what it's about. But it also sells a lot of beer so, enjoy. Thank you.

Ald. Ramkissoon: Good evening. I just want to say to Karen, it's been a wonderful time working with you these last years, and we are going to miss you. You're knowledgeable, and helpful, and always smiling, and positive. You make us all a lot better, and you make us all look really good. So all the best to you and I hope you really enjoy your retirement. I know you've got wonderful plans, so enjoy it. Celines, welcome to the team, good luck dealing with all of us. I will apologize in advance.

Happy Mother's Day to all the moms, that's this Sunday, and I just wanted to wish everyone out there a happy Mother's Day. And if you haven't gotten Mom a gift, go to the Fire Department and buy her some flowers. Have a good night.

Ald. Johnson: Thank you. So, John has kind of indirectly become in charge

of keeping me out of trouble, but Karen has been second-in-charge of that project, so I want to thank you so much. You're solicitous, you're cordial, you answer requests to you within ten seconds of my calling to ask it, and I really appreciate that.

I want to congratulate the dormitory, I mean the community campus with the dormitory project. I was involved with the project with Cornell Cooperative Extension, we had a \$50,000 grant from DASNY, but we got the money a year after we finished the project, and we paid about 6 grand in interest a month for that, so that was kind of disillusioning. So, congratulations on your 7 year plan to move that forward.

The cannabis will be an interesting conversation. [inaudible] has also been involved with hemp, and there were some prototypic farms that were established in New York State 3 years ago. And I actually sat in, cause I don't have much of a life, I sat in on the webinar that discussed the MRTA, which is the Marijuana Regulation and Taxation Act, and it's going to be very complicated. Each product is going to be calculated in milligrams, and sales tax is going to be calculated depending on the milligrams. The distributors will need licenses that are separate from their other licenses. As is often the case, the rule will come in place, the implementation we'll worry about, you know, somewhere down the road. So I wish us all luck, and let's see what we decide to do here in Middletown. We put the [inaudible] on fireworks, so maybe we'll, maybe we'll go with cannabis.

The garbage cans, we've had a lot of trials and tribulations, but I'm sure we'll move forward and yeah it was an unexpected pleasure that people commented that the street looks nice cause we all have the same garbage cans. Who would have thunk it?

The Mayor talked about opening up an COVID, and it's a mixed message. The veterinarians, on a separate note, are getting very frustrated. We're still under directive for curbside. My state society is talking to the governor on a regular basis, that if everything else is opening up, why we still under the directive. So far it's like, that's the way it is. But we're all patiently waiting for that. On the note of COVID, I was noticing what's happening in India, which is a dire emergency. Now that we no longer have the cacophony of the previous president, it may be easier to listen to, listen to science. And on listening to the news, I have heard some reports that the scientists told them several months ago that the mutants were going to be a prob- that mutations are going to be a problem. They had \$10,000- 10,000-people gatherings, and they know they don't have enough oxygen. People are actually suffocating, so I think, as the mayor said, we need to proceed with caution. Masks, distancing, vaccines are not the panacea to all the problems of COVID and we'll take it one step at a time.

I'm excited about the Paramount; I've kind of watched the project over the last two years. The facelift will make us feel like we're on Broadway, it will be a beautiful thing. I'd also discuss with you and the Mayor that I had a constituent call me or ask me the other day, do we have any regulations for Airbnb.

And he's excited, because they're apparently, at least more than one that I know of, that with Legoland, that they can maybe check into the Super 8, and lease out their house for \$1,000 a week. And so the Mayor and Alex are going to take a look and shore up whatever rules and codes we need to have in place. Because obviously Legoland is in the news, that it's opening up shortly.

And with respect to the change order tonight, you know I was on the school board for a while and change orders are your nemesis. I understand it's necessary, but it's an 18% increase in the cost of the project for this change order. So, it's disheartening, but I'm sure we'll move forward, but they say that? It's disheartening. Thank you very much.

Ald. Green: Thank you very much. I would ask, please do come support the Fire Department at both North Street and Central firehouses the 6th through the 9th for the Mother's Day sale.

Also, Karen, I mean, thank you so much for certainly the time I've been here, and all your help along the way. Every time I get a phone call from, from your office, I know that there's going to be a really kind voice on the other end of the line; and regardless of how hard your day is, it's really nice to have some kind words that come your way. Unfortunately, Karen, you are stuck living next door to me, so you know, you're not, you're not completely avoiding my, my issues. But we will leave that for another day, and I certainly look forward to all of, all the good times ahead for you, and wish you the best of luck.

A lot of good things really are going on in in the city, of a lot of great reports tonight, so it's just very exciting time and and certainly as we've seen with the sidewalk construction, and with milling and paving, coming there's going to be a lot of, you know, slowdowns in some traffic areas and that. But bear with us, because the end result is going to be absolutely amazing, so thank you very much.

Ald. Tobin: Yes, I'm excited to see the sidewalks on Dolson coming to fruition; it's going to make the street much safer. I'm enjoying the Spring weather, I think everybody else is. Alderman Francois and I have been going through and visiting our neighbors, and they love the garbage cans. They can't talk enough about them. The streets are clean now, there's no garbage like flying down the streets, there's, animals aren't getting into the garbage cans. So all in all, I don't think anybody's complained about the garbage cans. All, everybody loves them.

Karen, congratulations, I hope you, hope you enjoy all this time you'll spend with your friends and family and your grandchildren; and you know it's been a pleasure working with you for the short time I've been on the council. You've handled everything that we've thrown at you with grace, and always had a smile on your face, and you will be missed.

Ald. Masi: Karen, thank you. I really appreciate you, and I, obviously, I'm here with you everyday in City Hall, for the last seventeen years. So, you've really been an asset, and I truly appreciate it.

And happy Mother's Day to everyone out there.

11. Unfinished Business

Nothing this evening

12. New Business

93.21 - Resolution to amend the City Code to extend the trial period to allow live music at outdoor cafés only from May 18, 2021 to October 15, 2021.

On motion of Ald. Tobin, seconded by Ald. Green.

WHEREAS, Section 475-28 (G) (4) of the Code of the City of Middletown prohibits live music and live music performances in outdoor and sidewalk cafes, and

WHEREAS, the Common Council in 2020 passed a resolution allowing live music and live music performances in outdoor and sidewalk cafes on a trial basis from May 18, 2020 until and including October 15, 2020, and

WHEREAS, the Legislative Committee of the Common Council has recommended that live music and live music performances in outdoor and sidewalk cafes be allowed for another one year trial period under the same terms as conditions as existed from May 18, 2021 until and including October 15, 2021.

NOW, THEREFORE, be it resolved by the Common Council of the City of Middletown that Section 475-28 (G) (4) of the Code of the City of Middletown is hereby repealed and replaced in its entirety by the following:

Section 475-28 (G). Miscellaneous provisions.

...

(4) Outdoor and sidewalk cafes may be allowed to provide music, so long as such music does not violate or does not conflict with any applicable law or ordinance such as the City's noise ordinance (except as may otherwise be provided below), or does not create a nuisance to surrounding residents or properties. Live music or live music performances are not permitted in or at sidewalk cafes. With respect to outdoor cafes only (and only within the geographic area described below), live music or live music performances will be permitted from May 18, 2021 until and including October 15, 2021 during the hours of 12:00 noon until 10:00 p.m. on Thursday, Friday and Saturday, and 1:00 p.m. until 9:00 p.m. on Sunday, in such a manner as to generate an instantaneous sound pressure level not to exceed 90 decibels (DBA) as measured from any point along the boundary line of the real property on which the outdoor café is located and from which the sound pressure is generated.

For purposes of this subsection (4), live music or live music performances will be allowed in or at outdoor cafes only within the area contained within the City's Business Improvement District (except not in or on properties located south of Fulton Street) and in or on properties on either side of East Main Street from Academy Avenue to the west side of Railroad Avenue.

Live music or live music performances will be allowed in or at outdoor cafes as described above during a trial period lasting only until October 21, 2021, unless the ability and permission to have live music or live music performances in or at outdoor cafes is extended by action of the Common Council of the City. If the time period is not extended by action of the Common Council, then live music or live music performances will not be permitted after October 21, 2021 in or at outdoor cafes.

Lighting in outdoor and sidewalk cafes shall be minimal and shall not be allowed to disturb surrounding residents or properties. No outdoor cooking of any type is permitted in outdoor and sidewalk cafes.

Be it further resolved that Section 475-28 (H) of the Code of the City of Middletown is amended by adding the following as a second paragraph in Section 475-28 (H):

Notwithstanding the previous paragraph and in addition to any penalties imposed under the previous paragraph of this Section 475-28 (H), violations of Section 475-28 (G) (4) of the Code of the City of Middletown may be enforced by the Police Department, any code enforcement officer of the Department of Public Works or the Fire Inspector and disposed of as follows:

1. For the first violation of Section 475-28 (G) (4) of the Code of the City of Middletown by an outdoor café's operation, the owner and/or operator of the outdoor café shall be issued a verbal or written warning informing the owner and/or operator of the violation and directing that it be ceased immediately.
2. For the second violation and subsequent violations of Section 475-28 (G) (4) of the Code of the City of Middletown by an outdoor café's operation, the owner and/or operator of the outdoor café shall be issued a written violation notice and/or an appearance ticket ordering the owner and/or operator to appear in Middletown City Court to answer the violation(s).
3. At any time, the Police Department of the City, upon inspection and discovery of a violation of Section 475-28 (G) (4) of the Code of the City of Middletown by an outdoor café's operation, may immediately cause the offending outdoor cafe to be cleared of patrons, if such action is reasonably necessary to protect the public health, safety, welfare or convenience.

4. If the operation of an outdoor cafe is alleged to be in violation of Section 475-28 (G) (4) of the Code of the City of Middletown a second time, the outdoor café permit issued to the owner and/or operator of the outdoor café shall be revoked by the City Clerk.
5. Any person found guilty of violating Section 475-28 (G) (4) of the Code of the City of Middletown shall be guilty of a violation and shall be liable for a fine of not less than \$250.00 nor more than \$2,000.00 for the first occurrence, and such fines shall be increased to a fine of not less than \$500.00 nor more than \$4,000.00 for any subsequent occurrence(s).

Be it further resolved that this resolution shall take effect immediately.

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

94.21 - Resolution to declare two vehicles from DPW surplus.

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 declare the following two vehicles from DPW surplus and no use to the City and authorize the Commissioner of Public Works or his designee to dispose of the surplus vehicles the best value to the City.

1998 Massey Ferguson MF 1020 Farm Trailer, Serial #42795. Unit has 2076hrs and has many mechanical and safety issues. It does not operate.

1998 Kawasaki Mule model 2510 Utility Vehicle. Unit has 3727 hrs. and has many mechanical and safety issues. It does not operate.

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

95.21 - Resolution to authorize the Mayor to sign a letter from RBT to comply with 2020 and forward (GASB 84) that the City will have to rely on RBT for guidance.

On motion of Ald. Johnson, seconded by Ald. Ramkissoon

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Mayor to sign the attached letter of agreement from RBT to comply with the 2020 and for-

ward (GASB 84) that the City will have to rely on RBT for guidance to complete which is beyond the scope of our standard audit agreement to be billed at their standard rates.

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

96.21 - Resolution to authorize the Mayor to sign amendment #2 with B&L for the Middletown Community Campus Redevelopment.

On motion of Ald. Ramkissoon, seconded by Ald. Kleiner

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Mayor to sign the attached amendment #2 with B&L for the Middletown Community Campus Redevelopment Water System Infrastructure Improvements Additional Construction Administration & Observation Services in the amount not to exceed \$85,000.00.

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

97.21 - Resolution to authorize the Treasurer to transfer \$104,724.58 within the MPD 2021 budget to cover the cost of two new Ford Interceptor Marked Patrol SUV vehicles.

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer within the MPD 2021 budget \$104,724.58 cover the cost of two new Ford Interceptor Marked Patrol SUV vehicles and the necessary equipment to replace aging vehicles within the fleet in the following manner:

From	Amount	To
TC.0736	\$104,724.58	A.3120.201
Police Cases		Vehicles

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

98.21 - Resolution to determine that the 7 lot subdivision is an Unlisted Action under SEQRA for 32 Davidge Road & 67 Highland View Place.

On motion of Ald. Jean-Francois, seconded by Ald. Burr

WHEREAS, the City of Middletown Common Council has been presented with a proposal for a 7-lot subdivision for property located at 32 Davidge Road & 67 Highland View Place, Middletown, New York, known as Middletown tax parcels Section 55, Block 1, Lots 88, 89.2, and 106.22.

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

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

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

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

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

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

FURTHER RESOLVED that the Common Council hereby declares that the proposed action will not result in a significant adverse impact on the environment, and an environmental impact statement will not be prepared, and be it

FURTHER RESOLVED that this Negative Declaration is made pursuant to Article 8 of the Environmental Conservation Law.

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

99.21 - Resolution to approve the 7 lot subdivision at 32 Davidge Road & 67 Highland View Place.

On motion of Ald. Burr, seconded by Ald. Tobin

WHEREAS, the applicant, J&G Builders, has submitted a proposal for a 7-lot subdivision for property located at 32 Davidge Road and 67 Highland View

Place, Middletown, New York, known as Middletown tax parcels Section 55, Block 1, Lots 88, 89.2, and 106.22, and

WHEREAS, the purpose of this subdivision is to create five single family lots in the subject zoning district, and

WHEREAS, the Planning Board has issued a resolution recommending approval of this application, and

WHEREAS, this Council has issued a Negative Declaration for SEQRA purposes, and

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

WHEREAS, a public hearing was held on April 20, 2021.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Middletown that final subdivision approval be and hereby is granted to the application to subdivide the property located at Section 55, Block 1, Lots 88, 89.2, and 106.22 as shown on a map entitled "Subdivision For Country Club Estates Phase II" prepared by Lanc & Tully, last revised on September 23, 2020, and filed in the Office of the Middletown Common Council Clerk, and

BE IT FURTHER RESOLVED by the Common Council that the final plan and all conveyances contain, adhere to and continue all deed restrictions contained in any parent lot, and

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

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

100.21 - Resolution to determine that the 2 lot subdivision is an Unlisted Action under SEQRA at 15 Houston Avenue Extension and 2-6 La Grange Street.

On motion of Ald. Tobin, seconded by Ald. Green

WHEREAS, the City of Middletown Common Council has been presented with a proposal for a 2-lot subdivision for property located at 15 Houston Avenue Extension and 2-6 La Grange Street, Middletown, New York, known as Middletown tax parcels Section 43, Block 7, Lots 13 & 14, and

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

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

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

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

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

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

FURTHER RESOLVED that the Common Council hereby declares that the proposed action will not result in a significant adverse impact on the environment, and an environmental impact statement will not be prepared, and be it

FURTHER RESOLVED that this Negative Declaration is made pursuant to Article 8 of the Environmental Conservation Law.

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

101.21 - Resolution to approve a 2 lot subdivision at 15 Houston Avenue Extension and 2-6 La Grange Street.

On motion of Ald. Green, seconded by Ald. Johnson

Ald. Kleiner: I just want to mention for people watching, these subdivisions and these resolutions were all thoroughly discussed in committee meetings and they were the subject of public hearings so we're not just all voting yes they've been thoroughly vetted. Thank you.

WHEREAS, the applicant, MBS Realty LLC, has submitted a proposal for a 2-lot subdivision for property located at 15 Houston Avenue Extension and

2-6 La Grange Street, Middletown, New York, known as Middletown tax parcels Section 43, Block 7, Lots 13 & 14, and

WHEREAS, the purpose of this subdivision is to create two buildable single family lots in the subject zoning district, and

WHEREAS, this Council has issued a Negative Declaration for SEQRA purposes, and

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

WHEREAS, a public hearing was held on April 20, 2021.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Middletown that final subdivision approval be and hereby is granted to the application to subdivide the property located at Section 43, Block 7, Lots 13 & 14 as shown on a map entitled "MBJ Realty LLC Lot Line Change" prepared by Fusco Engineering, last revised on March 25, 2021, and filed in the Office of the Middletown Common Council Clerk, and

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

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

102.21 - Resolution to authorize the Treasurer to transfer \$4,000.00 within the 2021 Recreation & Parks budget to cover insufficient funds to pay for portable toilets at the Reservoir for the 2021.

On motion of Ald. Ramkissoon, seconded by Ald. Kleiner

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$4,000.00 within the 2021 Recreation & Parks budget to cover insufficient funds to account #A.7110.471 to pay for portable toilets at the Reservoir for the 2021 year since permanent bathrooms will not be completed in the following manner:

FROM	AMOUNT	TO
A.7200.495	\$4,000	A.7110.471
Summer Camps: Misc. Rentals		Parks: Toilet

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

103.21 - Resolution to accept a donation in the amount of \$500.00 from Orange County Land Trust for the Recreation Department.

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

WHEREAS; The Middletown Recreation Department was given a donation in the amount of \$500.00 from Orange County Land Trust.

WHEREAS; The Middletown Recreation & Parks Department is requesting that the Common Council accept this donation and authorize the Treasurer to deposit the donation into trust account #0043.

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

104.21 - Resolution to authorize the Mayor to sign contracts and other related documents necessary to accomplish the purchase of lands in the former Psychiatric Center.

On motion of Ald. Jean-Francois, seconded by Ald. Burr

WHEREAS, the City intends to purchase approximately 33 acres, including 13 buildings, in the former Middletown Psychiatric Center from the State of New York, and

WHEREAS, this Council recently approved a subdivision to facilitate this purchase.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Middletown that it hereby authorizes the Mayor to sign contracts and other related documents necessary to accomplish the purchase of the aforementioned lands in the former Psychiatric Center.

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

105.21 - Resolution to approve a change order from Turco Golf for the re-design of the drainage system proposal for Fancher-Davidge Park.

On motion of Ald. Burr, seconded by Ald. Tobin

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to approve a change order from Turco Golf for the re-design of the drainage system proposal for Fancher-Davidge Park and to authorize the Mayor to sign related documents and authorize the Treasurer to transfer \$201,922.00 from the General Fund Balance in the following manner:

From	Amount	To
General Fund Balance	\$201,922.80	H.963.900 Monhagen/Davidge Expansion

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

106.21 - Resolution to purchase 10 acres of land adjacent to the WTP and authorize the Mayor to execute related documents and to authorize the Treasurer to transfer \$10,000 to lock in the deal followed by future grant money.

On motion of Ald. Tobin, seconded by Ald. Green

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to purchase 10 acres of land adjacent to the WTP along with authorizing the Mayor to execute related documents and to authorize the Treasurer to transfer \$10,000 to lock in the deal followed by future grant money in the following manner:

From	Amount	To
Water Fund Balance	\$10,000.00	F.1940.900 Purchase of Land

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

13. Local Laws

Nothing this evening.

14. Audit of claims and accounts

On motion of Ald. Johnson seconded by Ald. Green

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

Roll Call: Ayes: Ramkisson, Tobin, Kleiner, Johnson, Jean-Francois, Burr,
Green, Masi - 8
Absent: Pres. Rodrigues - 1

15. Adjournment

There being no further business, meeting adjourned at 9:08 PM

Respectfully submitted,

Andrea Greco