

**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
SEPTEMBER 21, 2021**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL (COUNCIL CLERK)
3. APPROVAL OF MINUTES (NOTHING THIS EVENING)
4. CORRESPONDENCE, COMMUNICATIONS AND REPORTS (COUNCIL CLERK)
5. FOR THE GOOD OF THE CITY (PUBLIC PARTICIPATION)
6. REMARKS OF THE MAYOR
7. REMARKS OF DEPARTMENT HEADS
8. PUBLIC HEARINGS AND GRIEVANCES
 - PH for a proposed revising to Chapter 475, Zoning, that bottle redemption centers be added as a use permitted in the Light Industrial Zoning District.
9. PETITIONS AND COMPLAINTS (NOTHING THIS EVENING)
10. REMARKS OF THE ALDERMAN AND REPORTS OF COMMITTEES
11. UNFINISHED BUSINESS (NOTHING THIS EVENING)
12. NEW BUSINESS (RESOLUTIONS)
 - Resolution to authorize the Treasurer to transfer \$23,400.00 within the 2021 budget of the Middletown Recreation & Parks Department to cover insufficient funds due to Reservoir upkeep.
 - Resolution to amend the City Code to add bottle redemption centers as a use permitted in the Light Industrial Zoning District, subject to Planning Board approval.
 - Resolution to amend the Fee Schedule, Chapter A490-1 Section F. Parks and Recreation Fees to increase Camp Fees.
 - Resolution to accept a \$525.20 donation from the Middletown Little League for Park Improvements.
 - Resolution to authorize the Treasurer to transfer \$11,000.00 within the 2021 operating budget of the Middletown Recreation & Parks Department to cover insufficient funds due to increase in gas prices.
 - Resolution to authorize the Treasurer to transfer \$176.00 within the 2021 budget to cover additional cost for the GASB #75 statement required for the Audited Financial Statements.



**CITY OF MIDDLETOWN
COMMON COUNCIL MEETING AGENDA
SEPTEMBER 21, 2021**

- Resolution to authorize the Treasurer to transfer \$50,000.00 to cover the costs associated with the transition of the Treasurer and Deputy Treasurer and consulting of the former Treasurer and Deputy Treasurer.
- Resolution to rename Festival Square, John F. Degnan Square.

13. LOCAL LAWS

- Local Law #2 of 2021: INCREASING THE TERMS OF THE DEPUTY COMMISSIONERS OF PUBLIC WORKS

14. AUDIT OF CLAIMS AND ACCOUNTS (FINANCE COMMITTEE CHAIR)

15. ADJOURNMENT

The agenda is tentative and established on all accessible information at this time. Items may be eliminated at any time. Resolutions are added on an emergency basis.



**CITY OF MIDDLETOWN
NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, September 21, 2021 on or as near to 8:00 p.m. as possible, Common Council Chambers, 2nd floor, 16 James Street, to hear any and all persons wishing to be heard on the proposed revising to Chapter 475, Zoning, that bottle redemption centers be added as a use permitted in the Light Industrial Zoning District, subject to Planning Board approval.

Any and all persons wishing to be heard will be given an opportunity to speak either for or against the proposed revising of the Zoning Code.

The complete proposed revising of the Zoning code is available in the office of the Common Council Clerk, City Hall, 16 James Street, room 12 and on the City Website.

The Public Hearing will also be conducted via video/tele-conference and live on Channel 20 for viewing. To register for the video/tele-conference please use the link below:

<https://middletown-ny.digitaltownhall.com/>

For any person unable to participate at the time of the public hearing, email comments may be submitted in advance to jnaumchik@middletown-ny.com

By the order of the Common Council.

John C. Naumchik
Clerk of the Common Council

Publish: 9/10/21 & 9/11/21
City Website

WHEREAS, the Common Council has received requests and recommendations that bottle redemption centers be added as a use permitted in the Light Industrial Zoning District, subject to Planning Board approval.

Resolved, and be it Ordained, by the Common Council of the City of Middletown, New York, as follows:

Section 1 - The Code of the City of Middletown, N.Y., Chapter 475, Zoning, be and is hereby amended by adding a Paragraph (30) to Subsection B of Section 475.23 (I-1 Light Industrial District) to read as follows:

(30) Bottle Redemption Centers which are defined as commercial establishments that accept empty beverage containers for redemption from the public and pay the refund value. Bottle Redemption Centers shall be open to any person offering to pay the refund value of an empty beverage container, or to any person who contracts with one or more dealers or distributors to collect, sort and obtain the refund value and handling fee of empty beverage containers for, or on behalf of, such dealer or distributor. Approval of such centers must be conditioned upon:

(a) the Applicant must obtain registration for such Center with New York State pursuant to 6 NYCRR Part 367;

(b) the Center must post a "Redemption Warning" sign, pursuant to Environmental Conservation Law Section 27-1015(4), which states that there is a penalty for returning containers on which a deposit was never paid in New York State. The sign must be at least 8 inches by 10 inches, with print at least 1 inch in size; and

(c) the Center shall not, pursuant to Environmental Conservation Law Section 27-1007(10), knowingly redeem an empty beverage container on which a deposit was never paid in New York State.

Section 2 - This ordinance shall take effect immediately.

RECEIVED
AUG 30 2021
City Clerk
City of Middletown

TIMES HERALD-RECORD

90 Crystal Run Road, Ste 310, Middletown, NY 10941

State of New York:

County of Orange: ss:

Tricia Crowe

Being duly sworn deposes and says that the Local Media Group, Inc. is organized under the last of the State of New York and is, at all the times hereinafter mentioned, was the printer and publisher of the Times Herald-Record, a daily newspaper distributed in the Orange, Ulster, Rockland, Dutchess, Pike, PA, Delaware and Sullivan, Counties, published in the English language in the City of Middletown, County of Orange, State of New York, that deponent is the

Legal Advertising Rep.

of said The Times Herald-Record acquainted with the facts hereinafter stated, and duly authorized by said Corporation to make this affidavit; that the

Public Notice

a true printed copy of which is attached, has been duly and regularly published in the manner require by law in said The Times Herald-Record in each of its issues published upon each of the following dates, to with: In its issues of:

09/09/2021

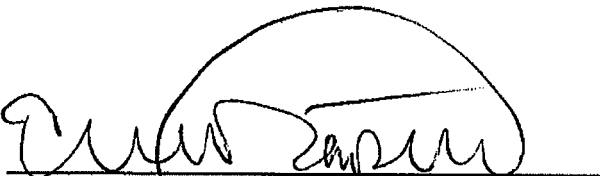
09/10/2021



Signature of Representative:

Tricia Crowe

Sworn to before me this 13 Day of Sept 20 21



Notary Public, Orange County

ELIZABETH MARTHA RAPALO
Notary Public - State of New York
No. 01RA6344907
Qualified in Orange County
My Commission Expires 07/11/2024

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By the order of the Common Council,

John C. Naumchik
Clerk of the Common Council

RECEIVED
SEP 14 2021
City Clerk
City of Middletown

**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. _____
 Sec'd by Ald. _____
 Date of Adoption 09-21-21

 Index No: 188-21

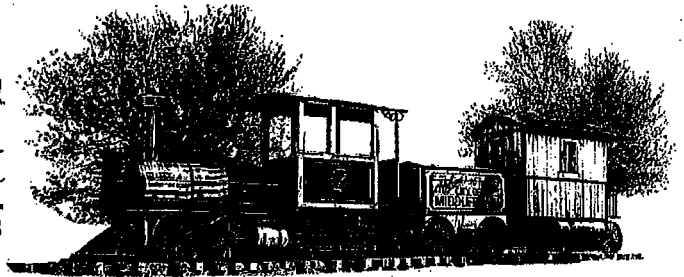
NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon				
Ald. Tobin				
Ald. Kleiner				
Ald. Johnson				
Ald. Jean-Francois				
Ald. Burr				
Ald. Green				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$23,400.00 within the 2021 operating budget of the Middletown Recreation & Parks Department to cover insufficient funds to account #A.7140.100 due to Reservoir upkeep and need to keep seasonal laborers on longer to assist with park maintenance in the following manner:

FROM	AMOUNT	TO
A.7180.100	\$23,400.00	A.7140.100
Pools: Personal Services		Playgrounds: Personal Services

Middletown Recreation and Parks Department

898 CR-78, Middletown, New York 10940 Tel: (845)346-4180 Fax: (845)344-2918



Thursday, September 9, 2021

RE: 2021 Operating Budget Transfer

Dear President Rodrigues & Council Members:

Please authorize the Treasurer to make the following transfers within the 2021 operating budget of the Middletown Recreation & Parks Department:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
A.7180.100 Pools: Personal Services	\$23,400.00	A.7140.100 Playgrounds: Personal Services

Transfer of funds is to cover insufficient funds to account #A.7140.100 due to Reservoir upkeep and need to keep seasonal laborers on longer to assist with park maintenance.

Sincerely,


Raelynn Bertholf, Assistant Superintendent
Middletown Recreation Department

RECEIVED
SEP 09 2021
City Clerk
City of Middletown

**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. _____
 Sec'd by Ald. _____
 Date of Adoption 09-21-21

 Index No:

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon				
Ald. Tobin				
Ald. Kleiner				
Ald. Johnson				
Ald. Jean-Francois				
Ald. Burr				
Ald. Green				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

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(a) the Applicant must obtain registration for such Center with New York State pursuant to 6 NYCRR Part 367;

(b) the Center must post a “Redemption Warning” sign, pursuant to Environmental Conservation Law Section 27-1015(4), which states that there is a penalty for returning containers on which a deposit was never paid in New York State. The sign must be at least 8 inches by 10 inches, with print at least 1 inch in size; and

(c) the Center shall not, pursuant to Environmental Conservation Law Section 27-1007(10), knowingly redeem an empty beverage container on which a deposit was never paid in New York State.

Section 2 - This ordinance shall take effect immediately.

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By the order of the Common Council.

John C. Naumchik
Clerk of the Common Council

Publish: 9/10/21 & 9/11/21
City Website

**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. _____
 Sec'd by Ald. _____
 Date of Adoption 09-21-21

 Index No:

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon				
Ald. Tobin				
Ald. Kleiner				
Ald. Johnson				
Ald. Jean-Francois				
Ald. Burr				
Ald. Green				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to amend the Fee Schedule, Chapter A490-1 Section F. Parks and Recreation Fees to the following:

<u>Programs/Facility Usage</u>	<u>Resident Fee</u>	<u>Non-Resident Fee</u>
All Camps	Change from \$90.00 to \$110.00	Change from \$110.00 to \$130.00
<ul style="list-style-type: none"> • Sports Camp • Cheerleading Camp • Adventure Program • Spring Break Camp • Winter Break Camp 		

Middletown Recreation and Parks Department

393 CR-78, Middletown, New York 10940 Tel: (845)346-4180 Fax: (845)344-2918



Thursday, September 9, 2021

Dear President Rodrigues & Council Members:

Please allow the below Amendments to the City's Fee Schedule Chapter A490-1 Section F. Parks and Recreation Fees:

<u>Programs/Facility Usage</u>	<u>Resident Fee</u>	<u>Non-Resident Fee</u>
All Camps	Change from \$90.00 to \$110.00	Change from \$110.00 to \$130.00
<ul style="list-style-type: none">• Sports Camp• Cheerleading Camp• Adventure Program• Spring Break Camp• Winter Break Camp		

Sincerely,

Raelynn Berthoff, Assistant Superintendent
Middletown Recreation & Parks Dept.

RECEIVED
SEP 09 2021
City Clerk
City of Middletown

**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

Date of Adoption 09-21-21

Index No: _____

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon				
Ald. Tobin				
Ald. Kleiner				
Ald. Johnson				
Ald. Jean-Francois				
Ald. Burr				
Ald. Green				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

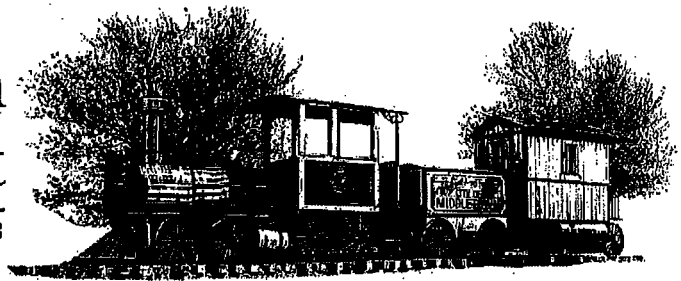
WHEREAS; The Middletown Recreation & Parks Department was given a donation in the amount of \$525.20 from the Middletown Little League; and,

WHEREAS; The Middletown Recreation & Parks Department is requesting that the Common Council accept this donation and authorize the Treasurer to deposit the donation into our Park Improvements Account (7110.478); and,

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Middletown, NY, does hereby authorize the Treasurer to accept the donation and deposit it into our Park Improvement account for the amount of \$525.20.

Middletown Recreation and Parks Department

898 CR-78, Middletown, New York 10940 Tel: (845)846-4180 Fax: (845)844-2918



Thursday, September 9, 2021

Dear Board of Estimates & Council Members:

The Middletown Recreation & Parks Department was given a donation from the Middletown Little League in the amount of \$525.20 to pay for a pallet of Diamond Dry for infield surfaces. In order to accept this donation, please authorize the following resolution:

WHEREAS; The Middletown Recreation & Parks Department was given a donation in the amount of \$525.20 from the Middletown Little League; and,

WHEREAS; The Middletown Recreation & Parks Department is requesting that the Common Council accept this donation and authorize the Treasurer to deposit the donation into our Park Improvements Account (7110.478); and,

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Middletown, NY, does hereby authorize the Treasurer to accept the donation and deposit it into our Park Improvement account for the amount of \$525.20.

Thank you for your continued assistance and support.

Sincerely,

Raelynn Berthoff, Assistant Superintendent
Middletown Recreation & Parks Dept.

RECEIVED

SEP 09 2021

City Clerk
City of Middletown

**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. _____
 Sec'd by Ald. _____
 Date of Adoption 09-21-21

 Index No: _____

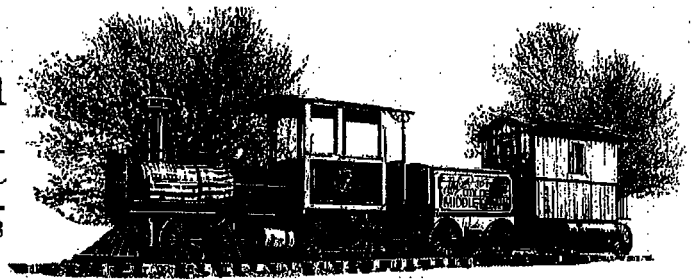
NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon				
Ald. Tobin				
Ald. Kleiner				
Ald. Johnson				
Ald. Jean-Francois				
Ald. Burr				
Ald. Green				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$11,000.00 within the 2021 operating budget of the Middletown Recreation & Parks Department to cover insufficient funds to account #A.7110.417 due to increase in gas prices, additional motorized equipment in fleet and daily travel to additional properties we now maintain in the following manner:

FROM	AMOUNT	TO
A.7180.100	\$11,000.00	A.7110.417
Pools: Personal Services		Parks: Gas & Oil

Middletown Recreation and Parks Department

893 CR-78, Middletown, New York 10940 Tel: (845)846-4180 Fax: (845)844-2918



Wednesday, September 15, 2021

RE: 2021 Operating Budget Transfer

Dear President Rodrigues & Council Members:

Please authorize the Treasurer to make the following transfers within the **2021** operating budget of the Middletown Recreation & Parks Department:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
A.7180.100 Pools: Personal Services	\$11,000.00	A.7110.417 Parks: Gas & Oil

Transfer of funds is to cover insufficient funds to account #A.7110.417 due to increase in gas prices, additional motorized equipment in fleet and daily travel to additional properties we now maintain.

Sincerely,

Christine Brinckerhoff, Superintendent
Middletown Recreation Department

RECEIVED

SEP 15 2021

City Clerk
City of Middletown

**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. _____

Sec'd by Ald. _____

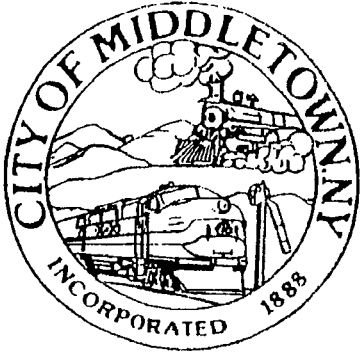
Date of Adoption 09-21-21

Index No: _____

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon				
Ald. Tobin				
Ald. Kleiner				
Ald. Johnson				
Ald. Jean-Francois				
Ald. Burr				
Ald. Green				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$176.00 in the 2021 budget to cover additional cost for Actuarial Study for the GASB #75 statement required for the Audited Financial Statements in the following manner:

From	Amount	To
A.1325.401	\$176.00	A.1325.400
Treasurer. Travel Expense		Treasurer Contractual Services



FROM THE OFFICE OF THE
CITY TREASURER
CITY OF MIDDLETOWN NY
WWW.MIDDLETOWN-NY.COM

RECEIVED

MEMO TO: Board of Estimate & Apportionment
FROM: Kelly A. Kelly, City Treasurer
DATE: September 15, 2021
SUBJECT: Budget Transfers

SEP 15 2021
City Clerk
City of Middletown

The Finance Office is requesting the following budget transfers:

- To cover the costs associated with the payout of Janet Gallo at retirement, overlap during transition in Treasurer and Deputy Treasurer and consulting for Don Paris and Janet Gallo:

<u>From</u>	<u>Amount</u>	<u>To</u>
A.9000.860 Health Insurance	\$50,000.00	A.1325.100 Treasurer: Personal Services

- To cover additional cost for Actuarial Study for the GASB # 75 statement required for the Audited Financial Statements:

<u>From</u>	<u>Amount</u>	<u>To</u>
A.1325.401 Treasurer. Travel Expense	\$176.00	A.1325.400 Treasurer. Contractual Services

**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. _____
 Sec'd by Ald. _____
 Date of Adoption 09-21-21

 Index No:

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon				
Ald. Tobin				
Ald. Kleiner				
Ald. Johnson				
Ald. Jean-Francois				
Ald. Burr				
Ald. Green				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$50,000.00 to cover the costs associated with the payout of the Deputy Treasurer at retirement, overlap during transition of the Treasurer and Deputy Treasurer and consulting for the former Treasurer and Deputy Treasurer in the following manner:

From	Amount	To
A.9000.860	\$50,000.00	A.1325.100
Health Insurance		Treasurer: Personal Services



*FROM THE OFFICE OF THE
CITY TREASURER
CITY OF MIDDLETOWN NY
WWW.MIDDLETOWN-NY.COM*

RECEIVED

MEMO TO: Board of Estimate & Apportionment
FROM: Kelly A. Kelly, City Treasurer
DATE: September 15, 2021
SUBJECT: Budget Transfers

**SEP 15 2021
City Clerk
City of Middletown**

The Finance Office is requesting the following budget transfers:

- To cover the costs associated with the payout of Janet Gallo at retirement, overlap during transition in Treasurer and Deputy Treasurer and consulting for Don Paris and Janet Gallo:

<u>From</u>	<u>Amount</u>	<u>To</u>
A.9000.860 Health Insurance	\$50,000.00	A.1325.100 Treasurer: Personal Services

- To cover additional cost for Actuarial Study for the GASB # 75 statement required for the Audited Financial Statements:

<u>From</u>	<u>Amount</u>	<u>To</u>
A.1325.401 Treasurer. Travel Expense	\$176.00	A.1325.400 Treasurer. Contractual Services

**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. _____
 Sec'd by Ald. _____
 Date of Adoption 09-21-21

 Index No: 195-21

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon				
Ald. Tobin				
Ald. Kleiner				
Ald. Johnson				
Ald. Jean-Francois				
Ald. Burr				
Ald. Green				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

WHEREAS; John F. Degnan found time for public service as a City of Middletown Alderman for the 3rd Ward, and eventually ran for mayor in 1983. While he did not win his bid for mayor, he has certainly become the man most people think of when they talk about Middletown, and

WHEREAS; Currently, John is the Executive Director of the Downtown Middletown Business Improvement District (BID), a position he's held since 1997 and will continue to hold for the foreseeable future. He has been instrumental in attracting new businesses into the downtown and addressing any questions or concerns for current ones. For many, John is most recognizable for zipping around downtown in the BID cart, stopping to talk to residents, business owners, even visitors, and

WHEREAS; As a beloved citizen of the City of Middletown, renaming Festival Square in John's honor is just a small way to show the City's appreciation for all he has done for this community. He is truly the face of Downtown Middletown and has worked hard to make it what it is today.

SO LET IT BE RESOLVED; As John F. Degnan is affectionately referred to as "the heart and soul of Middletown" the Common Council of the City of Middletown hereby renames Festival Square, John F. Degnan Square.

LET IT BE FURTHER RESOLVED; the Common Council of the City of Middletown hereby amends the City Code to change Festival Square to John F. Degnan Square.

**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. _____
 Sec'd by Ald. _____
 Date of Adoption 09-21-21

 Index No: Local Law #2 of 2021

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Ramkissoon				
Ald. Tobin				
Ald. Kleiner				
Ald. Johnson				
Ald. Jean-Francois				
Ald. Burr				
Ald. Green				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

A LOCAL LAW INCREASING THE TERMS OF THE DEPUTY COMMISSIONERS OF PUBLIC WORKS

BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN AS FOLLOWS:

Section 1. Purpose of this Enactment. The purpose of this enactment is to increase the terms of office for the Deputy Commissioners of Public Works from one (1) year to three (3) years.

Section 2. The first sentence of Section 11 of the Charter of the City of Middletown is hereby amended to read as follows:

§ 11. All officers elected or appointed under this Charter, except Mayor, Aldermen, City Judge, Chief of Police, Corporation Counsel, Commissioner of Public Works, Deputy Commissioners of Public Works, City Clerk, Registrar and Clerk of the Common Council, Treasurer, Members of the Board of Health and Civil Service employees, shall hold offices for one (1) year, and until their successors shall qualify.

Section 3. A new Section 68-D is added to the Charter of the City of Middletown to read in its entirety as follows:

68-D. The Deputy Commissioners of public works shall be full-time employees of the City of Middletown and shall serve three (3) year terms, commencing from the time of appointment.

Section 4. Severability.

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Local Law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law.

Section 5. Effective Date.

This Local Law shall be effective upon filing with the office of the Secretary of State

**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois _____

Sec'd by Ald. XXXXXXXX _____

Date of Adoption 09-07-21 _____

Index No: Introduction of LL #2 of 2021 _____

NAMES AYES NOES ABSTAIN ABSENT

Ald. Ramkissoon				
Ald. Tobin				
Ald. Kleiner				
Ald. Johnson				
Ald. Jean-Francois				
Ald. Burr				
Ald. Green				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

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Section 1. Purpose of this Enactment. The purpose of this enactment is to increase the terms of office for the Deputy Commissioners of Public Works from one (1) year to three (3) years.

Section 2. The first sentence of Section 11 of the Charter of the City of Middletown is hereby amended to read as follows:

§ 11. All officers elected or appointed under this Charter, except Mayor, Aldermen, City Judge, Chief of Police, Corporation Counsel, Commissioner of Public Works, Deputy Commissioners of Public Works, City Clerk, Registrar and Clerk of the Common Council, Treasurer, Members of the Board of Health and Civil Service employees, shall hold offices for one (1) year, and until their successors shall qualify.

Section 3. A new Section 68-D is added to the Charter of the City of Middletown to read in its entirety as follows:

68-D. The Deputy Commissioners of public works shall be full-time employees of the City of Middletown and shall serve three (3) year terms, commencing from the time of appointment.

Section 4. Severability.

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Local Law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law.

Section 5. Effective Date.

This Local Law shall be effective upon filing with the office of the Secretary of State

LOCAL LAW #2 OF 2021

A LOCAL LAW INCREASING THE TERMS OF THE DEPUTY COMMISSIONERS OF PUBLIC WORKS

BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN AS FOLLOWS:

Section 1. Purpose of this Enactment. The purpose of this enactment is to increase the terms of office for the Deputy Commissioners of Public Works from one (1) year to three (3) years.

Section 2. The first sentence of Section 11 of the Charter of the City of Middletown is hereby amended to read as follows:

§ 11. All officers elected or appointed under this Charter, except Mayor, Aldermen, City Judge, Chief of Police, Corporation Counsel, Commissioner of Public Works, Deputy Commissioners of Public Works, City Clerk, Registrar and Clerk of the Common Council, Treasurer, Members of the Board of Health and Civil Service employees, shall hold offices for one (1) year, and until their successors shall qualify.

Section 3. A new Section 68-D is added to the Charter of the City of Middletown to read in its entirety as follows:

68-D. The Deputy Commissioners of public works shall be full-time employees of the City of Middletown and shall serve three (3) year terms, commencing from the time of appointment.

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If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Local Law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law.

Section 5. Effective Date.

This Local Law shall be effective upon filing with the office of the Secretary of State.

**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
RECORD OF VOTE**

THE AUDIT OF THE COMMON COUNCIL

By Alderman Masi

Sec'd by Alderman

Date of Adoption: 09-21-21

NAMES AYES NOES ABSTAIN ABSENT

Ald. Ramkissoon				
Ald. Tobin				
Ald. Kleiner				
Ald. Johnson				
Ald. Jean-Francois				
Ald. Burr				
Ald. Green				
Ald. Masi				
Pres. Rodrigues				
TOTAL				

**I MOVE THE ACCOUNTS BE AUDITED, THE CLAIMS ADJUSTED AND THE
TREASURER BE AUTHORIZED TO ISSUE WARRENTS FOR THEIR PAYMENTS**