



**Reorganization Meeting  
January 3, 2022  
City Hall  
16 James Street  
Middletown, New York 10940**

PRESENT:

J. Miguel Rodrigues, President  
Ald. Kevin Witt  
Ald. Gerald Kleiner  
Ald. Andrew Green  
Ald. Paul Johnson  
Ald. Kate Ramkissoo  
Ald. Sparrow Tobin  
Ald. Jude Jean-Francois

ABSENT:

Ald. Joseph Masi

ALSO PRESENT:

Richard McCormack, Clerk  
Joseph M. DeStefano, Mayor

*Proceedings electronically recorded.  
Transcript produced by Kimberly J. Zogby*

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**1. Pledge of Allegiance**

(Pledge of Allegiance.)

**2. Roll Call**

PRESIDENT RODRIGUES: Roll.

MR. MCCORMACK: Alderman Tobin.

ALD. TOBIN: Here.

MR. MCCORMACK: Alderman Jean-Francois.

ALD. JEAN-FRANCOIS: Here.

MR. MCCORMACK: Alderman Johnson.

ALD. JOHNSON: Here.

MR. MCCORMACK: Alderwoman Ramkissoon.

ALD. RAMKISSOON: Here.

MR. MCCORMACK: Alderman Kleiner.

ALD. KLEINER: Here.

MR. MCCORMACK: Alderman Green.

ALD. GREEN: Here.

MR. MCCORMACK: Alderman Witt.

ALD. WITT: Here.

MR. MCCORMACK: Alderman Masi.

PRESIDENT RODRIGUES: Absent.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Here.

MR. MCCORMACK: A quorum is present.

**3. Oath of Office for the Mayor and President of the Common Council.**

PRESIDENT RODRIGUES: Okay, at this time, we will do the oath of office. I call the mayor and myself up.

MR. MCCORMACK: Please raise your right hand and repeat after me.

(Oath of Office.)

MR. MCCORMACK: Congratulations.

**4. Oath of Office for Aldermen**

PRESIDENT RODRIGUES: First Ward.

ALD. WITT: Can I have my family with me?

PRESIDENT RODRIGUES: Yeah, of course.

MR. MCCORMACK: Please raise your right hand and repeat after me.

(Oath of Office First Ward Alderman Witt.)

MR. MCCORMACK: Alderman Green and Alderman Kleiner.

(Oath of Office Second Ward Aldermen Green and Kleiner.)

MR. MCCORMACK: Congratulations.

Raise your hands and repeat after me.

(Oath of Office Third Ward Aldermen Ramkissoon and Johnson.)

MR. MCCORMACK: Congratulations.

All right, raise your hands and repeat after me.

(Oath of Office Fourth Ward Aldermen Jean-Francois and Tobin.)

MR. MCCORMACK: Congratulations.

**5. Remarks of the Mayor**

PRESIDENT RODRIGUES: Okay, remarks of the mayor.

MAYOR DESTEFANO: I just wanted to wish everyone a Happy New Year.

Congratulations to all. Welcome back, Alderman Witt, and a fond farewell to Alderman Burr.

But really no new business, other than we're requesting, once again, a state of emergency regarding COVID so that we can implement some purchasing authorization. It doesn't go directly to the Council. It's filed with Albany. We'll probably be filing it tomorrow. But that's the only news fit to report this evening.

So, congratulations all.

PRESIDENT RODRIGUES: Thank you.

**6. Remarks of the Aldermen**

PRESIDENT RODRIGUES: Remarks of the aldermen. Alderman Tobin.

ALD. TOBIN: I'm looking forward to a new year, hopefully ride this wave out and get back to business.

I hope everybody has a healthy and happy New Year.

PRESIDENT RODRIGUES: Alderman Jean-Francois.

ALD. JEAN-FRANCOIS: Happy New Year, everyone. I also am looking forward to an exciting new year. Let's keep it going.

Thank you.

PRESIDENT RODRIGUES: Alderman Johnson.

ALD. JOHNSON: Thank you, sir. Happy New Year. Onward and upward.

Mr. Witt, welcome back.

PRESIDENT RODRIGUES: Alderman Ramkissoon.

ALD. RAMKISSOON: Good evening. Happy New Year.

I just want to congratulate everyone who has returned to the Board.

And Kevin, welcome back. It's always been a pleasure working with you. So, I'm looking forward to doing it again.

Here we go, Middletown.

PRESIDENT RODRIGUES: Alderman Kleiner.

ALD. KLEINER: Thank you. Happy New Year to everyone. We hope it's a better one than last year.

Welcome back Alderman Witt. We worked together before and a great addition to the Council.

And again, I thank Tom Burr for his many, many years of service on the Council.

We are not going to have a Second Ward constituents meeting. It would have been on January 10th and, out of -- with the numbers just skyrocketing up, we think the less time we spend here the better right now. So, we're going to cancel it. We'll see what February brings.

The Warming Station has two more training sessions, January 4th and January 19th -- that's a Tuesday and a Wednesday -- for volunteers. And if you can volunteer at the [middletownwarmingstation.com](http://middletownwarmingstation.com).

I want to thank, publicly, the students at Touro College because they've just been amazing at volunteering this year.

And I want to -- since our next meeting will be January 18th, that Monday will be Martin Luther King holiday. So, I want to remind everyone of that and remind everyone of the first fierce urgency of now, as we are three days away from the anniversary of the attack on the Capitol.

Thank you.

PRESIDENT RODRIGUES: Alderman Green.

ALD. GREEN: Thank you.

Yes, Happy New Year and a healthy new year to everyone.

Congratulations to all here, Mayor, Council President.

Alderman Witt, it's a pleasure to be able to serve with you. I sit in the seat you once held and now it's nice to sit next to you. So, I look forward to working with you.

I did just want to bring up one thing I saw this morning that got published on Spectrum News was a short article and video on the Veltri family, who won our holiday light contest. They are a Second Ward family on Eisenhower Drive. The last I drove by, the lights were still active. So, if you haven't had a chance to go down, take a look quickly before they put them away for the year. But it's a great thing to have and nice of Spectrum News to pick it up.

So, Happy New Year, again.

PRESIDENT RODRIGUES: Alderman Witt.

ALD. WITT: Thank you very much.

I'm just so grateful for this opportunity, again, and for the support that I receive from my family, friends, and our community. I know I have big shoes to fill but I'm looking forward to the challenge.

I'm also looking forward to working with this group of hardworking people to keep Middletown moving forward.

Thank you.

PRESIDENT RODRIGUES: All right. New business.

(Proceeding concluded.)

CERTIFICATION

I, KIMBERLY J. ZOGBY, certify that the foregoing transcript of proceedings prior to New Business of the January 3, 2022 Middletown City Council Reorganization meeting was prepared using the required transcription equipment and is a true and accurate transcript of the recording.



Kimberly J. Zogby

AMERICAN LEGAL TRANSCRIPTION

11 Market Street, Suite 215

Poughkeepsie, New York 12601

Dated January 8, 2022



**12. New Business**

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

THE FOLLOWING WAS PRESENTED

By Ald. Tobin  
 \_\_\_\_\_  
 Sec'd by Ald. Green  
 \_\_\_\_\_  
 Date of Adoption 01.03.22  
 \_\_\_\_\_  
 Index No: 1-22  
 \_\_\_\_\_

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

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

Finance  
 Planning & Economic Development  
 Public Safety  
 Recreation & Parks  
 Community Communication &  
 Historical Society

Legislative  
 Public Works, Traffic  
 Revenue  
 Recycling  
 Quality of Life/Code Enforcement City Wide

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

**CITY OF MIDDLETOWN COMMON COUNCIL  
COMMITTEE ASSIGNMENTS  
2022**

<b>FINANCE COMMITTEE</b> Masi, Chairperson Johnson, Vice-Chair Jean-Francois Green Ramkissoon	<b>LEGISLATIVE COMMITTEE</b> Johnson, Chairperson Masi, Vice-Chair Green Tobin Ramkissoon
<b>PLANNING AND ECONOMIC DEVELOPMENT</b> Green, Chairperson Johnson, Vice-Chair Jean-Francois Witt Ramkissoon	<b>PUBLIC WORKS/TRAFFIC</b> Jean-Francois, Chairperson Kleiner, Vice-Chair Green Ramkissoon Witt
<b>RECREATION &amp; PARKS</b> Witt, Chairperson Tobin, Vice-Chair Ramkissoon Kleiner Masi	<b>PUBLIC SAFETY</b> Tobin, Chairperson Masi, Vice-Chair Ramkissoon Jean-Francois Johnson
<b>REVENUE</b> Ramkissoon, Chairperson Masi, Vice-Chair Jean-Francois Johnson Green	<b>RECYLING</b> Jean-Francois, Chairperson Green, Vice-Chair Kleiner Tobin Johnson
<b>COMMUNITY COMMUNICATION AND HISTIOICAL SOCIETY</b> Kleiner, Chairperson Tobin, Vice-Chair Witt Green Jean-Francois	<b>QUALITY OF LIFE/CODE ENFORCEMENT ENTIRE CITY</b> Entire Council on Committee

Updated: 12/27/2021

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

THE FOLLOWING WAS PRESENTED

By Ald. Green  
 \_\_\_\_\_  
 Sec'd by Ald. Johnson  
 \_\_\_\_\_  
 Date of Adoption 01.03.22  
 \_\_\_\_\_  
 Index No: 2-22  
 \_\_\_\_\_

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

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

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

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

## Procurement Policy

### § 104-1. Adoption of procedures.

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

### § 104-2. Purchases.

For purchases, the following procedures are to be followed:

A.

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

B.

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

C.

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

D.

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

### § 104-3. Public works contracts.

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

A.

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

B.

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

C.

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

D.

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

### § 104-4. Other services.

[Amended 2-5-2013]

A.

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

B.

There are, however, certain types of services provided to the City that may be considered routine and delivered in the ordinary course of business that are not capable of precise cumulative monetary calculation but are necessary to be incurred promptly and/or locally to protect the health, welfare or

safety of the residents of the City, employees of the City or structures and equipment owned by the City. Such services include, but are not limited to, repairs to City vehicles such as sanitation trucks or trucks used in snowplowing or street repairs; repairs to City buildings and processes, such as electrical or plumbing work in or on the City's sewage treatment plant or water treatment plant; or assistance from outside companies for snow or garbage removal. In such cases, the cumulative payment to those companies may total more than \$35,000 per year, but it is impossible to know from year to year whether such costs will exceed \$35,000. In such cases, and in accordance with § 104-b, Subdivision 2g, of the New York General Municipal Law, it is the determination of the Common Council of the City of Middletown that the best interests of the City will not be served by competitive bidding in such cases but that the department head charged with such purchases may obtain such routine services as needed by the City in the ordinary course of business from time to time.

C.

Notwithstanding the foregoing, if the department head charged with such purchase determines that the anticipated service covered by that one purchase likely will exceed the cost of \$35,000 and such service is not the subject of any exception under this procurement policy (such as an emergency purchase or the purchase from a sole source supplier), then the procurement of such service will be subject to competitive bidding as set forth elsewhere in this chapter.

### § 104-5. Verbal quotes.

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

### § 104-6. Exceptions.

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

### § 104-7. Requests for proposals.

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

### § 104-8. Award to other than lowest bidder.

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

### § 104-9. Effect on other procedures.

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

## § 104-10. Contracts awarded based on best-value analysis.

[Added 6-3-2014 by L.L. No. 2-2014]

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

A.

"Best value" is defined in State Finance Law § 163 to mean "the basis for awarding contracts for services to the offerer which optimizes quality, cost and efficiency, among responsive and responsible offerers. Such basis shall reflect, wherever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for offerers that are small businesses or certified minority- or women-owned business enterprises as defined in subdivisions one, seven, fifteen and twenty of section three hundred ten of the [New York] Executive Law to be used in evaluation of offers for awarding of contracts for services." For purposes of this section, the Common Council adopts the above definition of "best value," as the same may be modified from time to time by the State Legislature.

B.

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

C.

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

D.

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

## § 104-11. Standards for federal CDBG-DR procurement actions.

[Added 11-15-2016]

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson  
\_\_\_\_\_

Sec'd by Ald. Tobin  
\_\_\_\_\_

Date of Adoption 01.03.22  
\_\_\_\_\_

Index No: 3-22  
\_\_\_\_\_

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

RESOLVED; that the Common Council of the City of Middletown does hereby adopt the attached Investment Policy for the City of Middletown.

## CHAPTER 65 INVESTMENT POLICY

## § 65-1 SCOPE

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

## § 65.2 OBJECTIVES

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

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

## § 65.3 DELEGATION OF AUTHORITY

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

## § 65.4 PRUDENCE

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

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

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

## § 65.5 DIVERSIFICATION

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



### § 65.6 INTERNAL CONTROLS

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

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

### § 65.7 DESIGNATION OF DEPOSITORIES

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

Depository Name	Maximum Amount
JP Morgan Chase	\$18,000,000
TD Bank	\$18,000,000
Sterling National Bank	\$18,000,000
Orange Trust Bank	\$12,500,000
Key Bank	\$ 5,250,000

### § 65.8 COLLATERALIZING OF DEPOSITS

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

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

an insurance company authorized to do business in New York State, whose claims - paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

#### § 65.9 SAFEKEEPING AND COLLATERALIZATION

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

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

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution or release of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

#### § 65.10 PERMITTED INVESTMENTS

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

- Special time deposit accounts authorized to do business in New York State:
- Certificates of deposit;
- Obligations of the United States of America;
- Obligations guaranteed by the agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America:
- Obligations of the State of New York;
- Obligations issued pursuant to LFL §24.00 or 25.00 (with the approval of the State Comptroller) by any municipality, school district or district corporation other than the City of Middletown;
- Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments.
- Certificates of Participation (COPs) issued pursuant to GML §109-b.

□ Obligations of this local government, but only with any monies in a reserve fund established pursuant to GML §6-c, 6-d, 6-g, 6-h, g-j, 6-k, 6-l, 6-m, or 6-n.

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

#### § 65.11 AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

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

#### § 65.12 PURCHASE OF INVESTMENTS

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

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.
3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

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

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

§ 65.13 REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

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

§ 65.14 OPERATIONS, AUDIT AND REPORTING

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

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

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

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

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

APPENDIX A  
Schedule of Eligible Securities

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

Revised 01/22

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

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoon  
\_\_\_\_\_

Sec'd by Ald. Jean-Francois  
\_\_\_\_\_

Date of Adoption 01.03.22  
\_\_\_\_\_

Index No: 4-22  
\_\_\_\_\_

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

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

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson  
 \_\_\_\_\_  
 Sec'd by Ald. Green  
 \_\_\_\_\_  
 Date of Adoption 01.03.22  
 \_\_\_\_\_  
 Index No: 5-22  
 \_\_\_\_\_

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoo	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the following amendment to Resolution 96-21 which authorized amendment #2 with B&L for the Middletown Community Campus Redevelopment Water System Infrastructure Improvements Additional Construction Administration & Observation Services.

The Resolution approved the Mayor to sign the amendment and now a transfer in the amount not to exceed \$85,000 is needed to fund the project.

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
F.8341.900 Water General Expense	\$85,000	H.0947.900 Water System Improvements

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

THE FOLLOWING WAS PRESENTED

By Ald. Green  
\_\_\_\_\_

Sec'd by Ald. Kleiner  
\_\_\_\_\_

Date of Adoption 01.03.22  
\_\_\_\_\_

Index No: 6-22  
\_\_\_\_\_

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to approve and authorize the Mayor to sign the attached proposal from Clark Patterson Lee for a Building Condition Survey for 11 King Street Basic Services in the amount of \$13,000 with several optional services totaling \$12,700 for a potential total project cost of \$25,700, not all the options presented may be selected and funded.

Funding for this to come from A.8160.400 which has sufficient funds to cover all options should they be needed.



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

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoon

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Sec'd by Ald. Johnson

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Date of Adoption 01.03.22

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Index No: 7-22

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NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to approve the Treasurer to make the following transfers with the 2021 Economic & Community Development Budget totaling \$16,898.02 These adjustments are needed due to change in personal/retirement and buyouts.

<b>From</b>	<b>Amount</b>	<b>To</b>
A.6200.400 Contractual	\$7,358.02	A.6200.100 Personal Services
CD.8686.860 State Health Insurance	\$3,711.94	CD.8686.100 Personal Services
CD.8686.860 State Health Insurance	\$5,828.06	CD.8686.456 CD Program Related Expenses

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

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner  
 \_\_\_\_\_  
 Sec'd by Ald. Green  
 \_\_\_\_\_  
 Date of Adoption 01.03.22  
 \_\_\_\_\_  
 Index No: 8-22  
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NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to approve the Treasurer to make the following transfer from within the 2021 Paramount Budget.

<b>From</b>	<b>Amount</b>	<b>To</b>
A.7010.490 Printing	\$25.00	A.7010.480 Office Supplies

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

THE FOLLOWING WAS PRESENTED

By Ald. Witt  
 \_\_\_\_\_  
 Sec'd by Ald. Ramkissoon  
 \_\_\_\_\_  
 Date of Adoption 01.03.22  
 \_\_\_\_\_  
 Index No: 9-22  
 \_\_\_\_\_

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Mayor to purchase 2000 Covid tests from Orange County in the amount of \$20,000, four Police Vehicles in the amount of \$220,000 and authorizes the Mayor to sign an agreement with Lexipol System in the amount of \$50,000.

LET IT FURTHER BE RESOLVED that Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer a total of \$290,000 from within the 2022 budget in the following manner to fund the above

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
A.4785	\$20,000	A.1210.907
ARPA		Mayor. Covid Related Exp.
	\$220,000	A.3120.201 Police. Vehicles
	\$50,000	A.3120.400 Police. Contractual

Funding for this will be made out of the ARPA money.

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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois  
 \_\_\_\_\_  
 Sec'd by Ald. Johnson  
 \_\_\_\_\_  
 Date of Adoption 01.03.22  
 \_\_\_\_\_  
 Index No: 10-22  
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NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of Tracy Racine to the Board of Assessment Review for a five (5) year term, expiring on September 30, 2026.

**COMMON COUNCIL  
CITY OF MIDDLETOWN  
CERTIFICATION OF RESOLUTION**

I, Richard P. McCormack, City Clerk and Common Council Clerk of the City of Middletown, do hereby certify that I have compared the foregoing copy of this resolution with the original on file in my office, and that the same is a true and correct transcript of said original resolution and of the whole thereof, as duly adopted by said Common Council at a meeting duly called and held at City Hall on January 3, 2022 by the required and necessary vote of the members to approve the resolution.

WITNESS My Hand and the Official Seal of the City of Middletown, New York, this 4th day of January, 2022.

\_\_\_\_\_  
 Richard P. McCormack  
 City Clerk  
 Clerk of the Common Council  
 City of Middletown, NY

Seal

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

THE FOLLOWING WAS PRESENTED

By Ald. Tobin \_\_\_\_\_

Sec'd by Ald. Kleiner \_\_\_\_\_

Date of Adoption 01.03.22 \_\_\_\_\_

Index No: 11-22 \_\_\_\_\_

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of Anthony Capozella as Planning Board Chairman for a seven year term, expiring on December 31, 2028.

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

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner  
 \_\_\_\_\_  
 Sec'd by Ald. Tobin  
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 Date of Adoption 01.03.22  
 \_\_\_\_\_  
 Index No: 12-22  
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NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of Robert Deitrich as Chairman of the Board of Ethics for a two year term expiring on December 31, 2023.

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson  
 \_\_\_\_\_  
 Sec'd by Ald. Kleiner  
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 Date of Adoption 01.03.22  
 \_\_\_\_\_  
 Index No: 13-22  
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NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green			X	
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	7		1	1

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of David Green to the Board of Ethics for a three year term, expiring on December 31, 2024.

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

THE FOLLOWING WAS PRESENTED

By Ald. Tobin  
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Sec'd by Ald. Jean-Francois  
\_\_\_\_\_

Date of Adoption 01.03.22  
\_\_\_\_\_

Index No: 14-22  
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NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of the following individuals to the Industrial Development Agency for a 1 year term expiring on December 31, 2022:

- Joseph M. DeStefano
- Andrew Britto
- Anthony Cantoli
- David Madden
- Wayne Hawkins



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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

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Sec'd by Ald. Johnson

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Date of Adoption 01.03.22

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Index No: 15-22

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NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues			X	
TOTAL	7		1	1

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment J. Miguel Rodrigues to the Police Commission for a 4 year term expiring on December 31, 2025.

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

THE FOLLOWING WAS PRESENTED

By Ald. Green  
 \_\_\_\_\_  
 Sec'd by Ald. Ramkissoon  
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 Date of Adoption 01.03.22  
 \_\_\_\_\_  
 Index No: 16-22  
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NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of Bobby Lerz to the Architectural Review Board for a three year term expiring on December 31, 2024.

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

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner  
\_\_\_\_\_

Sec'd by Ald. Green  
\_\_\_\_\_

Date of Adoption 01.03.22  
\_\_\_\_\_

Index No: 17-22  
\_\_\_\_\_

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's appointment of Brian Smith as a Deputy Commissioner of Public Works for a 3 year term expiring on December 31, 2024.

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

THE FOLLOWING WAS PRESENTED

By Ald. Tobin  
\_\_\_\_\_

Sec'd by Ald. Johnson  
\_\_\_\_\_

Date of Adoption 01.03.22  
\_\_\_\_\_

Index No: 18-22  
\_\_\_\_\_

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's appointment of Rosario Mastria as a Deputy Commissioner of Public Works for a 3 year term expiring on December 31, 2024.

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

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoon  
\_\_\_\_\_

Sec'd by Ald. Johnson  
\_\_\_\_\_

Date of Adoption 01.03.22  
\_\_\_\_\_

Index No: 19-22  
\_\_\_\_\_

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of Maria Bruni as the Director of Economic & Community Development for a 1 year term, expiring on December 31, 2022.

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson  
\_\_\_\_\_

Sec'd by Ald. Kleiner  
\_\_\_\_\_

Date of Adoption 01.03.22  
\_\_\_\_\_

Index No: 20-22  
\_\_\_\_\_

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's reappointment of Kelly Ann Kelly as City Treasurer for a 3 year term expiring on December 31, 2024.

13. Local Laws

Council Clerk-Nothing this evening.

14. Audit

On motion of Ald. Johnson seconded by Ald. Tobin

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

Roll Call: Ayes: Ald. Tobin, Jean-Francois, Johnson, Ramkissoon, Kleiner, Green, Witt, President Rodrigues

15. Adjournment

There being no further business meeting adjourned at 6:51 PM