



COMMON COUNCIL MEETING
APRIL 5, 2022
City Hall
16 James Street
Middletown, New York 10940

P R E S E N T

Miguel Rodrigues, President of Common Council
Ald. Gerald Kleiner
Ald. Paul Johnson
Ald. Kate Ramkisson
Ald. Sparrow Tobin
Ald. Jude Jean-Francois
Ald. Andrew Green
Ald. Kevin Witt
Ald. Joseph Masi

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1. Pledge of Allegiance

2. Roll Call

PRESIDENT RODRIGUES: Roll.

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

3. Approval of Minutes.

PRESIDENT RODRIGUES: Approval of minutes.

RICHARD MCCORMACK, COUNCIL CLERK: We have the minutes from February 15th, 2022 and March 1st, 2022.

ALD. MASI: So moved.

PRESIDENT RODRIGUES: Motion by Alderman Masi, seconded by Alderman Green. All in favor?

ALDERMANS: Aye.

4. Correspondence, Communications and Reports

PRESIDENT RODRIGUES: Correspondence.

RICHARD MCCORMACK, COUNCIL CLERK: A report from agricultural markets on the Municipal Shelter report inspection report from March 10th.

PRESIDENT RODRIGUES: Received and filed.

RICHARD MCCORMACK, COUNCIL CLERK: And a standard notice of form providing a third day advanced notice to a local municipality or community board for a liquor license.

PRESIDENT RODRIGUES: Received and filed.

5. For the Good of the City

PRESIDENT RODRIGUES: For the Good of the City.

I would like to call the Mayor up for a special presentation.

JOSEPH DESTEFANO, MAYOR: Good evening, everyone. We're honored this evening. We have a full house. And we have a full house for a very great reason for our community. First I'd like to welcome our Superintendent Amy Creeden and Bishop -- Bishop Williams from the Middletown School Board, the president of the Middletown School Board along with the other members, Mr. Perrino, Ms. Tobiassen -- and I'm not sure if I missed anyone else -- who are members of the Middletown School Board here along with the parents and a group from the Presidential Park School.

If you're not familiar with it and you should be, a short while ago we welcomed back to Middletown a group of young ladies from a competition for the New York State Odyssey of the Mind. And not just that they participated in the competition, but they are the New York State champs. So we wanted to acknowledge -- so we have a little recognition certificates and other gifts for them to be acknowledged tonight. But before we do that, I'd like to

just have them all stand one by one at their seats as I call their name. Alana Newsome (phonetic), Heather Checko (phonetic), Zoe Lola (phonetic), Juliana Galdamez (phonetic), I apologize if I didn't say that right, Camilia Chileto (phonetic). The next one I better get right because her mother works for us, Alexa Ocazio. And last, but not least Julia Grogan (phonetic).

Now, I would like to invite up Julie Nolan who is the head of this beautiful team. And she'll introduce her -- her team of people that worked on it and also explain to everyone and people watching on our access channel what Odyssey of the Mind is. So go ahead, Julie.

MS. NOLAN: Thank you, Mayor. Hi, I'm Julie Nolan. This is my partner Mel Sylva.

MS. SYLVA: Mel Sylva.

MS. NOLAN: We've been doing this together for a couple years now, about six or seven years. I actually started with Mr. Witts' wife when the program just came back to Middletown. And I just want to explain what the program is. It's a creative problem solving. The girls get a problem that's five pages long and they have to solve it in an eight-minute skit. And in that problem there are lines and lines and lines of things they have to do. It took seven months. And you can't spend money, just under -

- although this year it went up, it was \$125, so we recycle everything and build beautiful sets out of it.

MS. SYLVA: We're garbage pickers.

MS. NOLAN: Yes, we made our kids -- I said recycle, it sounds a little nicer.

This year was very special, first of all, because we won first place which was huge. And we also won Ranatra Fusca Award which is the highest award you can win on Odyssey of the Mind for being creative which was huge. And now we're onto worlds.

And it's also very unique because this year they had to create a musical over basically think of like Hamilton, somebody who was famous, but not really famous and should be remembered better. And they chose someone right here from Middletown, Lydia Sayer Hasbrouck. I don't know if anybody knows, but after you see their performance and if you want to talk to them, you're going to know all about her.

JOSEPH DESTEFANO, MAYOR: (Inaudible).

MS. NOLAN: Yes, that's how it all started. It started with the historical sign and we made that as one of our props. So you'll see that. You're going to play the -

-

JOSEPH DESTEFANO, MAYOR: Yes, we are. Yes.

MS. NOLAN: So, yeah, if you want to after you see it and talk to the girls and see how they found out about her and, you know, she might need a bigger plaque here in City Hall now that she's better remembered.

All right. Thank you. Enjoy.

JOSEPH DESTEFANO, MAYOR: Thank you. And now we're going to have a little video. We were hoping that they would perform, but the props and transferring everything was just too much, so they are providing us with the video. Eileen, you want to start it up. It's a about seven, eight minutes long, so enjoy the tape.

(Video played.)

JOSEPH DESTEFANO, MAYOR: We might have to put that on Broadway, it would be a nice story to tell. There's a lot of talent there. I'd also like to bring up the school superintendent, our new superintendent, Amy Creeden. And I'm sure she has a few nice words to say about her proud moments.

AMY CREEDEN, SUPERINTENDENT: Thank you, Common Council, President Rodriguez, and Mayor DeStefano. Really exciting night for our community and the district. This is certainly something that's shared by all of us. Not only did this all female team win, but they won in Women's History Month. And so what we've been saying in school is

that we don't want to talk necessarily just about women's history, but we want to talk about women right now and what they're doing. And so it's really exciting for them.

And also just to note that each year that the Odyssey of the Mind has the competition, it is up to the judges to decide if a team receives the Fusco Award. And they don't give it out every year. And they only give it out to teams who demonstrate just overall incredible awesomeness, outstanding performance. And so that's something to note that all of the judges in addition to the team winning have to then make a determination and come to an unanimous agreement about a team if they're going to acknowledge a team with this award. So truly something spectacular for this team. And when we had an opportunity to receive some feedback from some of the judges, they said that it wasn't even close. This team blew them away and is certainly a team to watch when they head to Iowa. So thank you very much for honoring them tonight.

JOSEPH DESTEFANO, MAYOR: And you've already accomplished something because we're going to fix that sign, that marker too because I think it's a little faded, so.

So what we're going to do next is we're going to have you come up. We're going to present you with our

certificates and we have a little gift for you to take home with you, so we're going to call you up one by one. Okay.

RICHARD MCCORMACK, COUNCIL CLERK: Julia Grogan. Alexa Ocasio. Camilia Chileto. Juliana Galdamez. Zoe Lola. Heather Checko. Alina Newsome.

JOSEPH DESTEFANO, MAYOR: Now in those boxes was a key to the City. It doesn't work really for the front door of City Hall, but it is the key to the City. So thank you all. And I want to take a couple minute break and then we can find out a little bit more about Lydia. Thank you.

(Recess taken.)

PRESIDENT RODRIGUES: If anyone would like to address the Council, please step forward.

SUSAN DEPEW: Good evening. Susan DePew from Middletown Pride Cleanup Committee. I just would like to ask the Alderman to do a favor for the group. We're trying to gather information. Would you please give us the streets and the community areas that need to be really cleaned up in your Wards, so -- so that it makes a difference? We have so many people who are interested in helping to make Middletown better. And that is a great example of Middletown being at the premium spot it can be seeing kids like that. It just brings -- brings me to being a great grandma. I just -- anyway, so I'm asking you

please to just go through the streets that are bothersome in your Wards and let me know and let Rich know. Thank you.

PRESIDENT RODRIGUES: Thank you.

Anyone else?

Eileen, we have somebody online?

EILEEN: Yes, we do. I have Juan. You're unmuted on our end. Feel free to go ahead. You have three minutes.

JUAN AIELLO: Hello. My name is Juan Aiello. And before I start, I want to quickly send out my congratulations to Alderman Sparrow and Alderman Jean-Francois on their reelection.

Anyway, I wanted to address Council on an issue concerning the Heritage Trail as coming -- cutting through the City of Middletown. Personally, I can't wait for it, I think it is a an awesome idea. And, but, as you know, when I was a candidate for Alderman at the last election cycle and I went around knocking on doors of our wonderful neighbors. And several safety issues have been brought to my attention. One of the residents actually invited me over to her home to witness how close the trail is to her backyard. Now, she stated to me that she's reached out to the City of Middletown and the County. The County

responded back to her. It's a long letter. She didn't take it really positively. But I did see it with my own eyes how close this trail runs from her property. Now, (inaudible) I'm aware because it used to be a railroad trail that there's quite a bit of space, but where she is, she's literally two feet away from the trail. The trail also sits about 3 feet above her backyard, so she actually has no privacy.

And she was sort of hoping that either the City or the County would sort of step up and provide like a privacy fence. And, apparently, as I said before, the City of Middletown didn't respond back to her, but the County did. And I want to quickly pull up the letter here. But, basically, one second, the County replied -- suggested that they -- that she plant either Evergreen trees along her property which and/or the City might be able to do it for her or get a privacy fence on her property. But, to be honest, she would need to get something like 12 feet to have any kind of privacy. So I will post these photos on my Facebook page, Juan4freedom.com. That's the Number 4, and so you could see for yourselves. But that's one particular issue that was brought to my attention. And I - - I totally agree with her. I mean, I can't wait for the trail to come through, but if I was living there, I would

be very upset about what's going to happen. And I don't understand why the County can't put up a 6 foot privacy fence on their -- on the trail. It would probably be much cheaper than trying to plant several trees on her property.

The other issue brought to my attention brought by two other residents also, they just wanted to know if the City of Middletown will is going to provide any kind of patrol on the trail or any security cameras because, you know, again, I didn't think about this, but I would be a little concerned if I had strangers, hundreds of strangers passing through my backyard and, you know, so those -- those thing I wanted to address to the Council. I hope they address it. I know the Mayor is a big fan of quality of life issues. And that's all I have for today. Thank you, guys.

PRESIDENT RODRIGUES: Thank you. All right.

6. Remarks of the Mayor.

PRESIDENT RODRIGUES: Remarks of the Mayor.

JOSEPH DESTEFANO, MAYOR: I'm glad the candidate for office this past November has decided to share with us recently this. This trail has been in the works for 21 years. And every person who has brought an issue to the City has been addressed including some privacy issues. I don't know who the person is because he didn't identify

them. But I believe that he probably should convey to them that the appropriate people to contact would be the City Officials. I don't know if they contacted Sparrow or Jude. They're both shaking their head no. I know they didn't contact my office. I don't know why they would contact the losing candidate in a race rather than a winning candidate in a race. But we certainly will have -- entertain their phone call and meet with them and address it like we've addressed other issues along the trail.

As for the security issue, it's kind of insulting for a candidate for office to raise a concern on a 30-mile trail that because it's coming into Middletown all of a sudden we need security of some type along the trail, security devices. But I'll just ignore that part for now. But we certainly would be willing to examine the options for privacy. Although I'm assuming it's along Sprague Avenue because that's where some of the other people have raised the issue and we'll -- we'll look at it when the homeowner calls us. But I'm not going to respond to look at Mr. Aiello's Freedom website and probably see a picture of Donald Trump on there and then I don't want to see that either so.

So I'll move onto the next issues which was the event that we had tonight was fantastic. The kids are just

so happy. I was fortunate to be there when the -- I took my grandson and my daughter was there for the bus trip back. And you can just see the pride. And Kevin -- Kevin was there also. Andrew might have been there, I'm not sure.

But the -- this is what we're selling here in Middletown. You know, the school district, the -- the community, the community events, the trails, the recreation, the downtown, that's all what we're selling quality of life. And we certainly want to address the quality of life for any person who has a concern especially if it's a legitimate concern, so we'll -- we'll do that.

On -- on the other side, we -- you've seen a lot of activity downtown with construction. They're doing the saw cuts for the balance of the curb and sidewalk program. But this is not just downtown. This will be almost every, every signalized intersection in the City will be getting the sidewalk work, new pedestrian crossings, ADA compliant crossings, at least 250 feet from each intersection of sidewalk and some areas more because we're connecting the gaps. You know, if we're doing a traffic light and are 500 feet or 1,000 feet apart and we're 250 in each way, then we're filling in the other 500 feet in between it.

The total project is \$26 million. The minimum

funding will be 80 percent. The maximum funding will be 95. We're very hopeful it's going to be the 95. But previous, we've, you know, you've appropriated the money. And we're hoping that we don't hit any -- any problems. But this is going to be a massive project. It's going to be realigning some streets, the corner of Canal and James where we tore down the building is being realigned. The intersection at Wickham and Highlight is going to be realigned with I believe a turning lane. The light at Lake, for example, will have a turning arrow, so you're not backed up to down to Monhagen Avenue in certain times of the day when someone wants to make a left turn onto Lake.

So all those things are being taken into consideration. Jacob is in charge of the project. And we're hopefully -- hoping for a successful project. The schedule is up on our website. It's been on Facebook. We've shared it with our business community. There will be some inconvenience in the areas that when construction is under way, but the contractor will have to put, you know, steel plates over your driveway or if it's a business, they'll have to do that. So if anyone is having any problems or complications with the contractor and with the work you should call the Department of Public Works and we will address it immediately. Don't call Mr. Aiello, call

the Department of Public Works.

So the other issue that -- well, I can wait for the next meeting. I know we've been here a while. We have something to go. But I just wanted to address those points tonight and let people know that construction is happening. And there is a resolution tonight for a funding of using 50,000, the ARPA funding for planning for -- that money will be applied to, some in-fill planning and possibly psychiatric center planning. Drapkin Strategies is -- we're all familiar with him from Pattern for Progress. He retired from that and has started his own consulting firm. And we met with him today, Maria and myself. We had a nice tour of what we're hoping that he will be able to work on for us. And I think it will be very beneficial for the City as we move forward in the next year or to.

So if you have any questions, I'll be more than happy to address them either tonight or, you know, at a future date. So thank you so much.

PRESIDENT RODRIGUES: Any questions for the Mayor? Thank you, Mayor.

7. Remarks of Department Heads

PRESIDENT RODRIGUES: Remarks of the Department Heads, Economic Development.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Good evening,

everyone. Just -- just to update you that we're moving forward with our summer concert series events. And the Paramount has been hosting concerts. We have one this Saturday, April 9th, the Association. Hope to see folks come out for that.

And as -- as I'm speaking about events, the Run for Downtown also coming back full force this year. And we're looking for your support tonight. As you know, the City hosts along with the business improvement district -- the Run for Downtown Committee hosts the annual run. And they've contributed \$60,000 towards that pavilion in Erie Way Park. And, overall, over around 120,000 since the inception of the race towards the downtown and downtown projects. So we are going to be doing a kickoff event. And we're looking for your support tonight on the resolution. And the kickoff event is to thank the contributors because they are also major sponsors that have been involved in this -- in this run. And looking forward to that.

And that's all I have for tonight. If anyone has any questions.

PRESIDENT RODRIGUES: Any questions for Maria?
Alderman Kleiner.

ALD. KLEINER: Thank you. I saw that the

Paramount postponed or cancelled the movies this past weekend as it said for technical difficulties. Has that been resolved?

MARIA BRUNI, ECONOMIC DEVELOPMENT: It's being resolved. It's a projector issue that we have to send back the -- there's a board in the projector and we have to send it back and it's got to get fixed. And -- and hopefully it will be resolved this week or early next week so.

ALD. KLEINER: Okay. And I know you had a Thursday movie scheduled. Is that off the schedule now too?

MARIA BRUNI, ECONOMIC DEVELOPMENT: We're going to see if we can reshow -- oh, for this Thursday?

ALD. KLEINER: Yeah.

MARIA BRUNI, ECONOMIC DEVELOPMENT: I believe, yeah, we won't be able to pull it off for this Thursday. But if by any chance we'll be posting and updating if we do. But it is, you know, we have one -- one projector. We're not six screens, so these things happen. And, like I said, the board is getting mailed to the company. They're going to fix it and send it back and then we'll be -- we'll be back to the movies soon.

ALD. KLEINER: Okay. Thank you.

MARIA BRUNI, ECONOMIC DEVELOPMENT: Yep.

PRESIDENT RODRIGUES: Thank you, Maria.

DPW Commissioner.

JACOB TAWIL, DPW COMMISSIONER: Good afternoon.

I had a special request to move fast, so I'll move fast tonight from Alderwoman Ramkissoo because she's tired. She's been watching the games and so on.

The reservoirs, Alderman Masi, full 100 percent. We're happy about that.

The flushing for our water distribution system, we have completed the 2nd and 3rd Ward and now we're going to be starting on Monday the 1st and 4th Wards. So please be on the lookout for discolored water. 2nd and 3rd Ward, they can start using the water comfortably because any discolored water would have passed by now. It will take us three weeks hopefully less to finish the first and fourth ward for water system flushing.

Tomorrow will be, again, we're meeting with DOT and the contractor for the water line on Monhagen Avenue, Route 211 in there to scope out the extent of paving and milling on 211. So and hopefully getting the contractor back to work to finish the project because we do have some issues there. So hopefully we can resolve some of them at least tomorrow.

Traffic operation, the Mayor, he spoke about it

in great details. Please be careful when you walk by the workers. They're working for us, so, you know, we want them to go home safely. Be patient. Find alternate routes if you have to, if you're not comfortable with one-lane traffic. But we -- we expect to keep the traffic moving. Just be patient, please, and look out for the safety of the workers that they are doing this work for us and they want to go home safely to their families that they're doing the work to support them.

The Wesleyan Field, Parks and Recs and the Water Department, they've been doing the excavation for the electrician to do all the electric work in there and the lighting. And that is almost completed. We also installed today the water line to supply the future concession stand and the irrigation system. There's going to be some portable irrigation system that will be used. After that, the contractor will come back and finish the final coat on top of the track and that will be the end of the project. So I think it's -- it's a nice successful project.

We've been talking for a couple of years about the zombie poles and the double poles and all that stuff. We have 60 of them that they have to be removed totally because of the traffic operation studies and traffic operation project. And -- and, really, it's -- they're an

eyesore and some of them I don't know how safe they are. But make a long story short, Brian Smith, our deputy commissioner, he's really working hard on this coordinating this effort with Frontier and with Spectrum and all the internet providers, the fiber optic providers. There are three of them in the city. And Orange and Rockland really is out of it because they moved right away. What remains is Spectrum and Frontier. And now they have two teams in there working. They're going to be working nonstop to try to eliminate all the double poles in the city starting with the 60 poles that are required for the traffic operations and the signalized intersection.

So I just want to call out Brian because he did the -- he really took special interest in this and kept pursuing it. And I want to thank Frontier, Spectrum, and all the other companies for cooperating with us and really making this eyesore disappear hopefully very soon.

Yard waste officially started yesterday. Remember, please go to our website. No leaves to be pushed on the street or in the gutter. Everything has to be canned in a container, so we can come and pick it up. No loose branches. It's got to be cut certain length. It's got to be bound with a string. So look at our website DPW at the City of Middletown website and you'll find the exact

specifications for it.

Reminder also the spring cleanup is going to be starting on April 25th. It's going to be the 2nd Ward. May -- May 2nd will be the 1st Ward; May 9th, 4th Ward; and May 16th, is the 3rd Ward. That starts on Monday. Make sure everything is out, please, by Sunday. Do not put it out too early. Our Code Enforcement has been going around the City and they're sending people friendly reminders, if possible, otherwise issuing a violation for people to take their junk back in until the time for their Ward to be put out otherwise the City would look like a landfill. So please help up out keep our City clean. And hopefully we'll have no names to be submitted for Ms. Sue DePew for cleanup, if everybody cleans up after themselves in -- in the their front yard. And the streets, leave them to us we will clean them. We have the sweepers going on non-stop basically.

Also, beyond the lookout, please, for illegal dumping meaning people coming from the outside to dump their junk and whatever they have into our streets, in front of your house at night, please call the police department immediately at night. You can take a picture. We will not share your information. It will be confidential. We just want to catch these people and

discourage them from coming because it costs us a lot of money to get rid of all this junk and -- and picking it up and trucking it all the way to Pennsylvania, a landfill in Pennsylvania. So please be vigilant and take pictures, report it during the day to the DPW and the police department, after hours to the police department. Let's keep our city clean and let's do this operation economically.

And with that, I will conclude for now. If you have any questions for me.

PRESIDENT RODRIGUES: Alderman Green.

ALD. GREEN: Yeah, real quick and the Mayor may have covered this, so I apologize if I'm doubling up. But I did have someone ask me with the traffic operations, I know originally there was a plan across from the -- the armory to cut out that little pass-through section where you have Liberty Street and Wickham --

JACOB TAWIL, DPW COMMISSIONER: Yes.

ALD. GREEN: -- is that still something that's going to happen?

JACOB TAWIL, DPW COMMISSIONER: Yes. Yes.

ALD. GREEN: Okay, great.

JACOB TAWIL, DPW COMMISSIONER: That -- that short cut in there, the dangerous shortcut --

ALD. GREEN: Yeah.

JACOB TAWIL, DPW COMMISSIONER: -- the extension of Liberty Street is going to be eliminated. There's going to be park -- it's going to be park area in there, just an extension of it. And from Highland, you'll be able to turn left on -- on Wickham Avenue with the traffic lights and everything. And WSP they had -- they were flying a drone today. WSP is the engineering firm that designed the project, so that they can show pictures before and after with the drone. So we're all very excited. It's going to be state of the art technology for all this signalized intersections. They're going to be synchronized. They're going to be coordinated. It's going to take some, you know, we're going to have to work at the beginning, but eventually it will work.

ALD. GREEN: Awesome, thank you.

JACOB TAWIL, DPW COMMISSIONER: Yes, sir.

PRESIDENT RODRIGUES: Anyone else? Alderman Tobin.

ALD. TOBIN: Commissioner, could you just share what you share with us about Amchir and the draining of the or what you guys did cutting down the vegetation, the plan to go back --

JACOB TAWIL, DPW COMMISSIONER: Yes. So -- so,

basically --

ALD. TOBIN: -- for the folks up there? So, basically, some people were complaining about Amchir's -- in the 4th Ward there's not -- well, not some people, one person, is not -- is not being paid attention to by the City of Middletown and so on which is far, far, from the truth. Most of Amchir Village has just been recently milled and repaved. As an example, I'll get to the drainage. We have -- we have put sidewalks that they never had sidewalks in certain locations such as on Dolson Avenue in there to encourage walkers, business, encourage to promoting life really for walkers and getting life into that section of the city. So we've been paying more -- more attention than anything. The roundabout in there, you know, \$2 million investment in the roundabout and paving and James P. Kelly Way and all these. So we've been paying as much as attention as -- as we pay to the rest of the City. They have not been ignored. They've been somewhat argue that they have been favored somewhat, but they needed that.

So regarding the drainage, we have we have already one there and we cut out all the growth as much as we can reach right now because it's the wet season. We've done like that a month ago. I know you got the complaint

after we already cut it out. There are still some sections remaining in there, but it's too wet. We have to drive over the railroad track to get to it. That railroad track is not dead. It can -- it is used. It's owned by a company. We can't get on it without permission from them.

City took owner -- not ownership, City -- City started maintaining those ditches along the railroad tracks. Those ditches they drain entire Amchir Village right into them. That's where all the drainage, all the runoff, it ends up on those ditches along the railroad track. So we have been maintaining it. Now once it dries up in the summer, we will go in there with our big machines and we will literally dredge those ditches around the railroad tracks as much as possible and remove the vegetation entirely.

Alderman Sparrow and I and Alderman Jude and I, we went there. We checked all the culverts after you got that complaint because we usually drive around because he's DPW Chairman for the Council, so we drive around different projects him and I. So we stopped in there. I said, well, let's go see it. And all the culverts, none of them were plugged, water was running. You know, and there is standing water, there has always been standing water except if there's a drought condition. Water, I mean, standing,

but still moving. It's not just sitting there. But that's -- that's how it is. We have not ignored it. We took it over. It should be the responsibility of the railroad. We tried that for years, they would not maintain it, so we took it over. We're maintaining it by directions from the Mayor. And -- and that's where we are. We're not ignoring it.

PRESIDENT RODRIGUES: Anyone else?

Thank you for being quick.

Fire Chief.

NICK BARBER, FIRE CHIEF: Good evening. First I just want congratulate the kids for the Odyssey of the Mind. That was -- that's very great that they did that.

But for the month -- month of March, we did 84 calls. Right now we're on schedule we're on about 1,000 calls for a year if it keeps up.

We did participate in the Little League parade. And we also participated -- we sent fire trucks up for Odyssey of the Mind when they came back, so that was nice.

Maria brought up Run for Downtown. This year Run for Downtown and the fire department are teaming up. We're teaming up to save Fireman Joe downtown which is leaning, getting ready to fall over. And I'm working with Jacob to get the bids out in the papers, so people can bid it and

hopefully get it down this year.

But like Maria said, August 20th, Run for Downtown, the fire department, we are having our -- putting together a first responder challenge for this Run for Downtown. If you didn't know, Middletown -- Middletown were the champions last year because we competed against ourselves, so we won. But this year we're offering it up to 52 other departments in Orange County. And hopefully once the word gets out, all the flyers get out, we get 52 responses back from other departments to take us on. We do hold the trophy.

MALE SPEAKER: How many on a team?

NICK BARBER, FIRE CHIEF: As many as you want to bring. So I figure you, the Mayor, and Miquel.

MALE SPEAKER: That's what we were thinking.

NICK BARBER, FIRE CHIEF: Yes.

JOSEPH DESTEFANO, MAYOR: I'll be in the electric cart.

NICK BARBER, FIRE CHIEF: But other than that, that's all I have for tonight. Anything else?

PRESIDENT RODRIGUES: Any questions for the fire chief? Thank you, Chief.

PRESIDENT RODRIGUES: City Treasurer. He was quick.

KELLY ANN KELLY, CITY TREASURER: Good evening, everybody. There is a Resolution tonight requesting authorization for the refunding of some bonds. And Alderman Witt wanted me to speak a little bit about it. Basically, the City contracts with a company called Capital Market Advisors and they actually look out for savings for the City. They look at the interest rates. Basically, it's like refinancing your mortgage. So it was a 30-year bond issuance. And at this point in time, you know, with the cost of the -- their fees and the legal fees, they felt it was worth us for us to refinance the bonds. In cash value, it's going to save us \$325,000 over the next couple of years. They do a whole net present value thing and they're saying it's about 256. But, you know, they tell us this is a really good thing to do right now. No problem. Any other questions?

PRESIDENT RODRIGUES: Any questions for Kelly?
Thank you, Kelly.

KELLY ANN KELLY, CITY TREASURER: No problem.

PRESIDENT RODRIGUES: Police Chief.

JOHN EWANCIW, POLICE CHIEF: Good evening. Just a couple of things this evening. First this past Wednesday, one of my staff, a longtime member of the police station, Detective Sergeant Jason Jennings retired. I just

want to wish him well and acknowledge his achievements with the department. He will definitely be missed. And I wish him well as he enters into the next chapter of his life's journey.

Additionally, last week we had the first graduation of our Youth Leadership Academy. We had 18 participants. Very successful program. And I'd like to thank Sergeant Welch who ran it. Did an amazing job. And all the support from our, you know, elected officials and our community members that made that all happen. So thank you for that.

Other than that, I have nothing unless you have questions for me.

PRESIDENT RODRIGUES: Any questions for the police chief.

ALD. KLEINER: Hi, Chief. One -- one quick question. We -- we have a resolution. I see a lot of material supporting it for the -- buying the simulator.

NICK BARBER, FIRE CHIEF: Yes.

ALD. KLEINER: My question is what is a simulator.

NICK BARBER, FIRE CHIEF: Okay. So the simulator, it's a driving simulator that would be housed at the police academy which is on the Parks and Rec property

off of County Route 78. And it is an electronic driving instrument that we could put police officers into a controlled environment where they will drive through EVOC courses, emergency vehicle operations courses in that controlled environment. It's computer animated, automated. And it's really state of the art. It's a lot safer and we could put them through a lot more challenges and tests.

ALD. KLEINER: Very good. Thank you.

NICK BARBER, FIRE CHIEF: You're welcome.

PRESIDENT RODRIGUES: Anyone else? Thank you, Chief.

Recreation. I know you're here. Trying to hide in the back.

RAELYNN BERTHOLF, SUPERINTENDENT RECREATION:

Trying. Good evening, everyone. Spring is upon us, trying to be here. Our maintenance department is very busy right now, Little League fields, getting our reservoir trails back in shape, and working on the Wolf's Lair Field project as well.

Once in a while we always here there's nothing for the youth to do in Middletown and there's only -- we only offer free -- paid programming. But just want to make it known that we do offer a lot of free programming for the kids. And this Sunday, April 10th at 1:00 p.m. we're even

starting to bring -- go into neighborhoods, so we're offering this Sunday in Summit Field Housing Authority we're doing a free Zumba class for all families, all levels, all ages. And we're going to be rotating once a month trying to hit different neighborhoods doing family Zumba classes.

We also have our Easter egg hunt on Saturday, April 16th at our facility. We have Story Time Come Alive for toddlers. We also have youth fitness and basketball open gym. And we have teen boxing on Friday nights and teen basketball open gym. And, again, those are all free programming for our community.

Paid programs for the spring. We have our spring break program coming up April 11th through the 15th. We have the Let's Play gym time for toddlers, lacrosse clinics, martial arts, break dancing, adult youth and teen art classes, soccer clinics, foundations of dance, cheerleading clinic, cooking classes, Kitchen for Kids, and a crocheting clinic for all ages.

So we're always busy. And I'm sure like a lot of you you hate when someone says there's nothing to do in Middletown. There is, you just have to look.

Transportation, I mentioned it last meeting. We did start it. The first two weeks unfortunately we didn't

have anyone take it. But numbers are starting to pick up now, so it is successful for Wednesday nights. We had about 10 kids use the transportation and even more kids when they got the ride to the facility, they got on the bus to get home. So it is working.

Summer sports camp, we have the permits into Monhagen. We're just waiting for final approval from the school district. They have a lot of programming going on this summer, so they're trying to get themselves situated. And then hopefully very soon we'll hear back and get final confirmation to be in one of the schools to have our summer sports camp. Any questions?

PRESIDENT RODRIGUES: Any questions? All right. Thank you. Great job.

Corporation counsel.

ALEX SMITH, CORPORATION COUNSEL: Evening. I don't have anything unless anyone has any questions for me.

PRESIDENT RODRIGUES: Any questions for the corporation counsel? Thank you.

City Clerk.

RICHARD MCCORMACK, CITY CLERK: Just a reminder we have our citywide Pride Cleanup taking place on April 23rd. You can sign up online through the City's website, www.middleton-ny.com. We're using Signup Genius. There's

a whole list of streets and areas that need to have some attention paid to them. And if there's anything missing, feel free to email me or get a hold of us at the City Clerk's Office and we'll add them to the list as well.

PRESIDENT RODRIGUES: Okay. Any questions? All right.

8. Public Hearings and Grievances.

RICHARD MCCORMACK, CITY CLERK: Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, April 5th, 2022, on or as near to 7:30 p.m. as possible in the Common Council Chambers, Second Floor, 16 James Street at 7:30 to hear any and all persons wishing to be heard on the recently passed local Number 3 of 2022, a local law updating the notice provisions in the enforcement of delinquent property taxes. Full text of the local law Number 3 of 2022 is available in the Office of the Common Council Clerk, City Hall, 16 James Street, Room Number 12 and on the City website.

PRESIDENT RODRIGUES: Okay. At this time, the public hearing is open. Anyone from the public who'd like to speak? Anyone on line?

EILEEN: Not at this time.

PRESIDENT RODRIGUES: Okay. Any council member? Do I have a motion to close?

ALD. MASI: So moved.

PRESIDENT RODRIGUES: Alderman Masi. Seconded by Alderman Witt. All in favor?

ALDERMANS: Aye.

PRESIDENT RODRIGUES: Remarks of the Alderman. Alderman Masi. You have another one?

RICHARD MCCORMACK, CITY CLERK: Yeah, the second one.

ALD. MASI: First thing I'd like to do --

PRESIDENT RODRIGUES: Wait, wait, wait. I got to go back to the public hearing --

ALD. MASI: That's okay.

PRESIDENT RODRIGUES: -- on the second one. I'm sorry.

RICHARD MCCORMACK, CITY CLERK: Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, April 5th, 2022, on or as near to 7:30 p.m. as possible in the Common Council Chambers, Second Floor, 16 James Street at 7:30 to hear any and all persons wishing to be heard on a proposed change to the definition of retail business in the DMU downtown mixed use district to exclude onsite consumables. Any person or persons wishing to be heard will be given an opportunity to speak either for or against the proposed change in the definition

of retail business. Complete proposed change is available in the Office of the Common Council Clerk, City Hall, 16 James Street, Room Number 12 and on the City website.

PRESIDENT RODRIGUES: All right. At this time, the public hearing is now open. Again, anyone from the public? And any council member? Alderman Tobin.

MALE SPEAKER: Any question, Tobin?

ALDERMAN TOBIN: Just so the general public knows what we're talking about.

ALD. TOBIN: Well, the issue is is that we -- we've gotten word that some retail stores are, in effect, morphing into eating and drinking places where people are hanging out eating or drinking what they -- what they buy at retail. And we could bring violations against the owner because the owner got permission or was in a zoning district where you could operate a retail store, he or she. And they're, in effect, violating their permit or violating the zoning district by becoming an eating and drinking establishment. Instead of doing that, I think we felt that the smarter thing to do would be to make it clear up front that if you apply to become a retail store or you have permission from the zoning district to be a retail store that you're going to sell at retail, you're not going to be selling to people who are then going to be eating and

drinking at your place. If -- if you want that, you have to apply to the Planning Board for permission to do that, so the Planning Board can examine your premises and see that everything fits into, you know, running an eating and drinking establishment and set rules.

ALDERMAN TOBIN: Thank you.

PRESIDENT RODRIGUES: Anyone else? Do I got a motion to close?

ALD. MASI: So moved.

PRESIDENT RODRIGUES: Masi seconded by Alderman Witt. Roll. I mean, all in favor?

ALDERMANS: Aye.

9. Petitions and Complaints

(None this evening.)

10. Remarks of the Alderman.

PRESIDENT RODRIGUES: Now remarks of the Alderman. Alderman Masi.

ALD. MASI: All right. I'd like to open with once again congratulating the young ladies from Presidential Park Odyssey of the Mind Team. You watch the news enough and you see so many negative things about the youth and then, unfortunately, you don't see more of this. And it's a wonderful thing. And I'm very proud of them, very proud of the school system. And this was very nice.

Two, Sue, thank you very much for the cleanup. I do have some streets in 1st Ward. I'm sure Kevin will have some other streets. I'll -- I'll give them to Rick.

And then my last thing quickly just an advertisement. Unfortunately, the -- because of the weather, the first of this year Kiwanis Pancake Breakfast was cancelled. It's rescheduled for this Saturday -- this Saturday at the high school, excuse me, April 9th. If you need tickets, I happen to have them. If not, tickets are available at the -- at the door. If you've already got them, obviously, they're good for the 9th. Thank you very much.

PRESIDENT RODRIGUES: Okay. Alderman Witt.

ALD. WITT: Thank you very much. Quickly, we have -- we're going to have our first 1st Ward meeting on April 13th from 6 to 7 here. We hope you can make it.

And the second part is just to sort of expand on the greatness of tonight with these girls and this performance. What we saw tonight was actually taped before they did their regional competition and because they did not allow spectators at that time. So they went out and did that performance at Goshen and won the regional competition to qualify for states. I happen to speak with the director of that for something else. And the way that

works is they have an elementary level, a middle school level, and a high school level. And she told me that that performance that those girls put on was the best that they had seen at any level in years. So it was amazing how -- and they wrote all of that. They built the sets. They did the music. I mean, obviously, they borrowed some stuff. But it was -- they -- they did all of that.

So then they take it on the road up to Albany and they went up against 15 teams. And the way this works is this is a two-part deal actually. The first is that performance which they did very well and won that performance with that performance. But there's also a part of this called spontaneous where they have five of seven are taken into a room and given an open-ended question where they have to within a certain timeframe give answers that would be logically that could fill into these -- these -- fill in the blank for what it's worth. And they also -- you have about two or three minutes to do this and they're judged by how many make sense and how many don't and on their creativity. They also won that too out of 15 teams. So it's -- it's unheard of how at -- for this competition like how much this team dominated. And it was great to see probably 200 people including the Mayor who were there for the -- the welcome home. And as Chief Barber said, it was

nice to have the police there and -- and the fire trucks. So thank you for listening to that story.

PRESIDENT RODRIGUES: Alderman Green.

ALD. GREEN: Thank you very much. Yeah, it was a fantastic couple of weeks, I guess, for the youth in the City. Always proud of them. You know, of course, the Odyssey of the Mind Team, the police Youth Leadership Academy. It was phenomenal to really see those 18 -- I believe it was 18, yeah, young adults all come together, all different walks of life it seemed, all different backgrounds. And just the transformation and the learning back and forth between the police department and the youth that was amazing.

Little League parade was wonderful. A little bit chilly. The Mayor and I we're -- we're up there walking. I know Coach Kate was out with her team. And then, you know, we all == we all joined together on the stage where it was like a wind tunnel. But it was amazing to see, you know, all of the teams out there. They put a lot of heart and work and soul into their -- their banners. And they get out there and really show, you know, how proud they were to be playing their different levels. And what a fantastic job. So thank you to everyone who put that together.

We will be having our contingents meeting in this room on Monday the 11th at 7:00 p.m. The Mayor will be joining us. And I did find out thanks to Alderman Kleiner we will have COVID testing kits available in case anyone does need them. So, again, that will be here Monday the 11th at 7 p.m.

And just to follow up, I am excited to hear that there will be an arrow at that left onto Lake Avenue because sometimes people get a little impatient and I get honked at a lot because I do take that light. So thank you very much.

PRESIDENT RODRIGUES: Alderman Kleiner.

ALD. KLEINER: Thank you. I'm going to speak first as president of the Middletown Historical Society. I want to thank the Odyssey kids. What a great job on Lydia Sayer Hasbrouck. Of course, her husband, John Hasbrouck was -- did the first Middletown City directory and was editor and publisher of the Wig Press throughout the Civil War. And then what a great team they were. And she would write letters surreptitiously to the paper. She's -- we will hopefully get the -- get the historic marker restored, so it's a little easier to read. But she's -- she's somebody you should know about. And I congratulate the kids for taking her story and really running with it.

The Little League parade, I want to -- I made a little shout out for the Asylum 9 which was Middletown's first baseball team at the state hospital. And baseball has been a big deal in Middletown ever since. And remembering Thomas Watts who donated the land for Watts Park. I mean, people in Middletown have always stepped up. The parade was terrific this year. The kids -- the banners were great. Everyone was so enthusiastic. So I thank the coaches and the sponsors, but I also want to recognize Darren and Rosanna because they -- as they mentioned, they didn't miss a Little League season even through the pandemic. They managed by hook or by crook to make it work. And I remind people that in 1952 half the season was cancelled including the playoffs because of the Polio pandemic. So it's -- it's quite an accomplishment and I give them credit for it.

Next -- before we meet again, we will -- we will have Easter Sunday. I wish everyone a happy Easter. We will have Passover. I wish everyone a happy Passover.

I -- I just want to mention that we are up to 982,000 deaths in this country. At the last meeting we were 900 and I believe 965. So we're, you know, 17, 18,000 more people since then. So it's -- it's still a real issue and we do take it seriously.

I want to thank Rick for his support of our -- this will be his first one, but our Pride Cleanup Day. He has -- he has taken it and run with it. And the Signup Genius on the website and I encourage any of the teams or any of the groups of kids to do that and sign up that way. It's -- it's a great program. It's easy to sign up. You pick your area, you pick your streets. And the more we do that ahead of time, the more time we'll have to be out there actually cleaning up. So thank you, Rick, for that.

And I think basically -- and congratulations to -- thank you to Sergeant Welch and the Police Leadership Academy. Those kids were also great. That was a -- that was a wonderful ceremony. And as I said at that meeting, it's all about community. It's a word we've heard a lot tonight. It's the Middletown community and its -- its leaders and sponsors and people who -- who all the sponsors for the Run for Downtown and for all the community events we do, they don't get enough credit. Thank you.

PRESIDENT RODRIGUES: Thank you. Alderman Ramkisson.

ALD. RAMKISSOON: At the risk of repeating anything, I will try not to. Just the Odyssey of the Mind team, those are my kids. They're all Presidential Park, I see them every day. I'm their Miss Katie. They put in a

lot of time in this, lunches, recesses, after school. And, obviously, it paid off. They're amazing, brilliant little kids. We've got a whole school of them over them and I'm just really proud of them. So that was cool.

Little League opening day was a beautiful day. We had sunshine in a bunch of days of rain. And I love being Coach Katie and being around the kids. And it's a good time. I don't think we speak enough about the amount of volunteerism in this community. The members of the Little League Board, the members of all of our sports that we run in town, they're all volunteers. No one is paid for this. These are parents taking their time out to have these opportunities for our kids. And it's amazing. Our parents are coaches. Our umpires are our kids. And it's a really cool thing that we do here. And I was at that park until 5:00 at night on Saturday and it all was amazing. And I just -- it's just another one examples when we go out together as Middletown we're from every walk of life and everywhere you can imagine and we all have a really great time together and it was a great day. That's it.

PRESIDENT RODRIGUES: Alderman Johnson.

ALD. JOHNSON: Thank you. Congrats to Odyssey of the Mind. Back in the day when my kids were of that age bracket, I briefly looked at the qualifications and the

expectations for the coach and I saw it was way more than I could possible do. So, yes, it is about the kids, but I think we also need to remember the coaches put in a tremendous amount of time as well to make it all happen, so I thank them as well.

I try to stick mostly to local when I have this opportunity, but I find it difficult tonight. I think in the last few days looking at the news, there's a saying that history repeats itself. And as we read about mass executions, infiltration camps, I think the parallels to Nazi Germany are becoming increasingly difficult to ignore. So where's it going to end? It's not clear. And I know there's a long, long respected concept of separation of church and state, but I would offer tonight we should pray for Ukraine. Thank you.

PRESIDENT RODRIGUES: Thank you. Alderman Jean-Francois.

ALD. JEAN-FRANCOIS: Yes. Good evening. First I would like to thank Alderman Masi for conducting our 4th Ward meeting this past Saturday. Sparrow and I had other attention, we had other things to do, so we couldn't attend the meeting, so he stepped right in and take care of business for us. And he was pretty proud, you know, to step in and -- and get involved even if it was only an

hour, but he did the right thing. I appreciate that a lot because we definitely couldn't make it that day.

And, also, Commissioner, I've got to say that one negative feedback that we received from Amchir thank you for clearing that up because that -- the week prior, Sparrow and I was in that area. We collected signatures. We must have at least knock on 20 doors and all positive feedback. And I was shocked to hear that one person had an issue. And you and I canvass that area. And that particular day it was raining pretty hard and the water was flowing with no issues. So like I say, you can't make everyone happy. Thank you.

Also, kudos to the Odyssey of Mind young ladies, they were great. Great job. Thank you.

PRESIDENT RODRIGUES: Alderman Tobin.

ALD. TOBIN: Yeah, I'd like to thank Alderman Masi for pitching in for us when we couldn't make it. I was up in Albany for the weekend.

I'd like to offer my congratulations to Coach Nolan and Sylva and the Odyssey of the Mind state championship team. I wish them good luck in worlds. It was such -- watching the video, such a great blend of talent. You could see some were dancing, some were singing, some were playing the orchestra. And I agree with

the superintendent, there was an overall awesomeness of the group. And it was really nice to see especially the history teacher and the difference that people can make, like, individuals in the suffrage movement. And the pride that they had for Orange County and Middletown, really put us on the map there.

And all of these events I've been seeing recently, whether it's the police program, the leadership academy, I couldn't make the -- the Little League thing, but the parade, I wish I could. And the Odyssey of the Mind, there's so many talented students and children in our -- in our City and it's great to see them shine especially an all-female team.

Also, the person that spoke before that called in, you know, Jude and I handle probably over 100 constituent concerns a year. Each week we're probably handling one or two. We work with a team with the Mayor, the Council president, the Department Heads to try to solve as many problems as we can, get questions answered. We might not always have the answer that you want, but we do work our hardest to get you -- to try to solve the problems that you bring to us. We are available. You can reach out to us on the website. We do have a constituents meeting on Saturday mornings, first Saturday of each month at 10 a.m.

You just got to make sure you're here by 10 because when we come upstairs, the door locks behind us.

And so and it doesn't matter whether you're a Republican or Democrat, we help everybody and we're here to serve you guys and so -- and we try to do our best with the City. So please if you have any issue or concern, please reach out to us. Our phone numbers and emails are on the website. And we handle everything from up near High Barney Road all the way down to East Main Street. Thank you.

PRESIDENT RODRIGUES: Thank you.

11. Unfinished Business.

(None this evening.)

12. New Business.

PRESIDENT RODRIGUES: New Business.

RICHARD MCCORMACK, COUNCIL CLERK: This evening we have a Resolution sponsored by Alderman Masi authorizing a DASNY Grant application to purchase a simulator for the Middletown Police Department.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Masi, seconded by Alderman Green. Any discussion? Roll.

Roll Call: Ayes: Tobin, Jean-Francois, Johnson, Ramkisson, Kleiner, Green, Witt, Masi, Rodrigues. Motion carries.

RICHARD MCCORMACK, COUNCIL CLERK: A resolution sponsored by Alderman Witt authorizing the retirement of the K9 Ares from Middletown Police Department.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Witt, seconded by Alderman Masi. Any discussion? Roll.

Roll Call: Ayes: Tobin, Jean-Francois, Johnson, Ramkissoo, Kleiner, Green, Witt, Masi, President Rodrigues. Motion carries.

RICHARD MCCORMACK, COUNCIL CLERK: A Resolution sponsored by Alderman Green authorizing, excuse me, adopting a credit card policy for the City of Middletown.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Green, seconded by Alderman Tobin. Any discussion? Roll.

Roll Call: Ayes: Tobin, Jean-Francois, Johnson, Ramkissoo, Kleiner, Green, Witt, Masi, President Rodrigues. Carries.

RICHARD MCCORMACK, COUNCIL CLERK: A Resolution sponsored by Alderman Kleiner authorizing the refunding of 2014 bonds.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Kleiner, seconded by Alderman Green. Any discussion? Roll.

Roll Call: Ayes: Tobin, Jean-Francois, Johnson,

Ramkissoon, Kleiner, Green, Witt, Masi, President

Rodrigues. Carries.

RICHARD MCCORMACK, COUNCIL CLERK: A Resolution sponsored by Alderman Ramkissoon approving the revised 2022 salary schedule for part-time employees.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Ramkissoon, seconded by Alderman Tobin. Any discussion? Roll.

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

RICHARD MCCORMACK, COUNCIL CLERK: A Resolution sponsored by Alderman Johnson authorizing three agreements with Troy and Banks for audits.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Johnson, seconded by Alderman Masi. Any discussion? Roll.

Roll Call: Ayes: Tobin, Jean-Francois, Johnson, Ramkissoon, Kleiner, Green, Witt, Masi, Rodrigues. Motion carries.

RICHARD MCCORMACK, COUNCIL CLERK: Resolution sponsored by Alderman Jean-Francois authorizing a budget transfer in the amount of \$4,465.

PRESIDENT RODRIGUES: Resolution sponsored by

Alderman Jean-Francois, seconded by Alderman Johnson. Any discussion? Roll.

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

RICHARD MCCORMACK, COUNCIL CLERK: Resolution sponsored by Alderman Tobin authorizing a budget transfer in the amount of \$496.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Tobin, seconded by Alderman Green. Any discussion? Roll.

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

RICHARD MCCORMACK, COUNCIL CLERK: Resolution sponsored by Alderman Masi authorizing the Run for Downtown Committee to host an event at Erie Way Park.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Masi, seconded by Alderman Kleiner. Any discussion? Roll.

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

RICHARD MCCORMACK, COUNCIL CLERK: Resolution

sponsored by Alderman Witt approving Z-3 Consultants as City of Middletown Electrical Underwriters.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Witt, seconded by Alderman Green. Any discussion? Roll.

Roll Call: Ayes: Tobin, Jean-Francois, Johnson, Ramkissoo, Kleiner, Green, Witt, Masi, President Rodrigues. Carries.

RICHARD MCCORMACK, COUNCIL CLERK: A Resolution sponsored by Alderman Green authorizing an agreement with Drapkin Strategies.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Green, seconded by Alderman Kleiner. Any discussion? Roll.

Roll Call: Ayes: Tobin, Jean-Francois, Johnson, Ramkissoo, Kleiner, Green, Witt, Masi, President Rodrigues. Carries.

14. Audit of Claims and Accounts

ALD. MASI: Mr. President, I move the accounts be audited, the claims be adjusted and the City Treasurer be authorized to issue warrants for the payment.

PRESIDENT RODRIGUES: Sponsored by Alderman Masi, seconded by Ramkissoo. Any discussion?

Roll Call: Ayes: Tobin, Jean-Francois, Johnson,

Ramkissoon, Kleiner, Green, Witt, Masi, President

Rodrigues. Carries.

15. Adjournment

PRESIDENT RODRIGUES: Motion for adjournment.

ALDERMAN: So moved.

(PROCEEDING CONCLUDED)

CERTIFICATE

I, LISA KANE, certify the foregoing transcript of proceedings of the April 5, 2022 Middletown City Council meeting was prepared using the required electronic equipment and is a true and accurate record of the proceedings.

Signature: *LISA KANE*

Date: April 28, 2022

Agency: American Legal Transcription

11 Market Street, Suite 215

Poughkeepsie, New York 12601

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

 Sec'd by Ald. Green

 Date of Adoption 04.05.22

 Index No: 65-22

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	9			

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign all necessary documents for submission pertaining to DASNY grant #24878. These funds have been secured by Assemblywoman Aileen Gunther.

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the creation of a budget line for this grant in the amount of \$125,000 for the requisition and purchase of the simulator.

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

THE FOLLOWING WAS PRESENTED

By Ald. Witt

 Sec'd by Ald. Masi

 Date of Adoption 04.05.22

 Index No: 66-22

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	9			

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the retirement of K9 Ares from the Middletown Police Department.

LET IT BE FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes that K9 Ares from the Middletown Police Department continues to live with Lieutenant Cunningham and his family through the remainder of his life.

LET IT BE FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment that the Cunningham family will incur all future costs associated with K9 Ares with the K9 unit deferring some of the costs through donations from the Middletown K9 Association, and that Lieutenant Cunningham cannot transfer K9 Ares to any other party.

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

THE FOLLOWING WAS PRESENTED

By Ald. Green

 Sec'd by Ald. Tobin

 Date of Adoption 04.05.22

 Index No: 67-22

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	9			

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and establishes a credit card policy.

CREDIT CARD POLICY

1) **Purpose:** The purpose of this policy is to set forth the procedures and requirements for the proper use of the City’s credit cards. This policy applies to all City Officials and Employees who are permitted to use the City’s credit cards to pay for actual and necessary expenses incurred in the performance of work-related duties for the City.

2) **Authorization:**

- A. Only Authorized employees shall be permitted to use City credit cards and have signing authority.
- B. The following Department Heads have been authorized to possess and use City credit cards with the applicable limits:
 - i. Mayor of City \$5,000
 - ii. DPW Superintendent \$3,000
 - iii. Chief of Police \$6,000
 - iv. Director of Economic & Community Development \$2,000
 - v. City Treasurer \$2,000
 - vi. City Clerk \$2,000

3) Credit Card Usage:

- A. City credit cards shall only be used for legitimate City business expenses.
- B. All credit card purchases must comply with General Municipal Law section 103 and the City's procurement policy.

4) Documentation of Credit Card Purchases:

- A. All credit card purchases shall be supported by a vendor invoice or itemized purchase receipt that identifies what was purchased.
- B. Cardholders shall submit receipts with their monthly statement from the credit cards company via the Accounting software in a timely manner so the monthly bill may be paid on time.

5) Restrictions on Credit Card Usage:

- A. City credit cards shall not be used for cash advances, cash withdrawals, or payment of any personal or unauthorized expenses.
- B. City credit cards shall not be used in those businesses and locations at which the City has an open account.
- C. Any individual who makes an unauthorized purchase with a City credit card shall be required to reimburse the City for the purchase. The amount of such unauthorized purchases may be recovered from an employee's paychecks.

6) Safekeeping and Monitoring of Credit Cards:

- A. City credit cards shall be kept in a secure location when not in use.
- B. Cardholders must take proper care of City credit cards and shall take all reasonable precautions against damage, loss or theft. Any damage, loss or theft must be reported immediately to the Mayor or City reasurer and the appropriate financial institution. Failure to take proper care of credit cards or failure to report damages, loss or theft may be subject to the employee to financial liability.

7) Fraud and Abuse Reporting: Any employee that discovers potentially fraudulent, abusive or otherwise questionable credit card activity shall report activity to the Mayor. These types of transaction will be investigated upon notice and the cardholder's account may be suspended during that investigation period.

**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 04.05.22

Index No: 68-22

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	9			

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the attached 2014 Bond Refunding resolution in the amount of \$4,945,000 which will save the City approximately \$325,000 over the life of the Bond.

REFUNDING BOND RESOLUTION DATED APRIL 5, 2022.

A RESOLUTION AUTHORIZING THE ISSUANCE PURSUANT TO SECTION 90.00 OR SECTION 90.10 OF THE LOCAL FINANCE LAW OF REFUNDING BONDS OF THE CITY OF MIDDLETOWN, ORANGE COUNTY, NEW YORK, TO BE DESIGNATED SUBSTANTIALLY "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BONDS", AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO AND THE PAYMENT OF THE BONDS TO BE REFUNDED THEREBY.

WHEREAS, the City of Middletown, Orange County, New York (hereinafter, the "City") heretofore issued \$6,292,900 Public Improvement (Serial) Bonds, 2014, dated February 20, 2014, pursuant to separate bond resolutions to pay the cost of various capital purposes in and for said City as further described in the bond determinations certificate of the City Treasurer dated February 20, 2014 (hereinafter

referred to as the “Refunded Bond Determinations Certificate”), such Public Improvement (Serial) Bonds, 2014, being dated February 20, 2014 with remaining maturities on February 15 in the years 2023 through 2039, both inclusive, as more fully described in the Refunded Bond Determinations Certificate (the “Refunded Bonds”); and

WHEREAS, it would be in the public interest to refund all or a portion of the \$4,850,000 outstanding principal balance of said bonds maturing in the years 2023 to 2039, both inclusive (the “Refunded Bonds”) by the issuance of refunding bonds pursuant to Section 90.00 or Section 90.10 of the Local Finance Law; and

WHEREAS, such refunding will result in present value savings in debt service as so required by Section 90.10 of the Local Finance Law; NOW, THEREFORE, BE IT

RESOLVED, by the Common Council of the City of Middletown, Orange County, New York, as follows:

Section 1. For the object or purpose of refunding the \$4,850,000 outstanding principal balance of the Refunded Bonds, including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of the Refunded Bonds, (ii) the aggregate amount of unmatured interest payable on the Refunded Bonds to and including the date on which the Refunded Bonds which are callable are to be called prior to their respective maturities in accordance with the refunding financial plan, as hereinafter defined, (iii) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including the development of the refunding financial plan, as hereinafter defined, compensation to the underwriter or underwriters, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the escrow contract or contracts, as hereinafter defined, and fees and charges of the escrow holder or holders, as hereinafter mentioned, (iv) the redemption premium payable on the Refunded Bonds, and (v) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities, for the refunding bonds herein authorized, or any

portion thereof, there are hereby authorized to be issued not exceeding \$5,100,000 refunding serial bonds of the City pursuant to the provisions of Section 90.00 or Section 90.10 of the Local Finance Law (the "Public Improvement Refunding Bonds" or the "Refunding Bonds"), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$4,945,000, as provided in Section 4 hereof. The City Refunding Bonds shall each be designated substantially "PUBLIC IMPROVEMENT REFUNDING (SERIAL) BOND" together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of \$5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be numbered with the prefix R-22 (or R with the last two digits of the year in which the Refunding Bonds are issued as appropriate) followed by a dash and then from 1 upward, shall be dated on such dates, and shall mature annually on such dates in such years, bearing interest semi-annually on such dates, at the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the City Treasurer pursuant to Section 4 hereof. It is hereby further determined that (a) such Refunding Bonds may be issued in series, (b) such Refunding Bonds may be sold at a discount in the manner authorized by paragraph e of Section 57.00 of the Local Finance Law and pursuant to subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, and (c) such Refunding Bonds may be issued as a single consolidated issue. It is hereby further determined that such Refunding Bonds may be issued to refund all, or any portion of, the Refunded Bonds, subject to the limitation hereinafter described in Section 10 hereof relating to approval by the State Comptroller.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the City Treasurer shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the City by lot in any customary manner of selection as determined by the City Treasurer.

The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York (“DTC”), which will act as securities depository for the bonds in accordance with the Book-Entry-Only system of DTC. In the event that either DTC shall discontinue the Book-Entry-Only system or the City shall terminate its participation in such Book-Entry-Only system, such bonds shall thereafter be issued in certificated form of the denomination of \$5,000 each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to The Depository Trust Company, New York, New York, or to its nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such Book-Entry-Only System. Principal shall only be payable upon surrender of the bonds at the principal corporate trust office of such Fiscal Agent (or at the office of the City Clerk as Fiscal Agent as hereinafter provided).

In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the registered owners of the Refunding Bonds as shown on the registration books of the City maintained by the Fiscal Agent (as hereinafter defined), as of the close of business on the fifteenth day of the calendar month or last business day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the City Treasurer providing for the details of the Refunding Bonds. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the City Treasurer as fiscal agent of the City for the Refunding Bonds (collectively the “Fiscal Agent”).

Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount.

Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.

The City Treasurer, as chief fiscal officer of the City, is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as he or she shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act, in connection with the Refunding Bonds, as the Fiscal Agent for said City, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the City, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form; provided, however, that the City Treasurer is also hereby authorized to name the City Clerk as the Fiscal Agent in connection with the Refunding Bonds.

The City Treasurer is hereby further delegated all powers of this Common Council with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

The Refunding Bonds shall be executed in the name of the City by the manual or facsimile signature of the City Treasurer, and a facsimile of its corporate seal shall be imprinted thereon. In the event of facsimile signature, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain the recital required by subdivision 4 of paragraph g of Section 90.00 of the Local Finance Law or subdivision 4 of paragraph j of Section 90.10 of the Local Finance Law, as applicable, and the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the City Treasurer shall determine.

It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.

Section 3. It is hereby determined that:

(a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph b of Section 90.10 of the Local Finance Law;

(b) the maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds, for the objects or purposes financed by the Refunded Bonds, pursuant to paragraph a of Section 11.00 of the Local Finance Law, is as described in Exhibit A attached hereto and hereby made a part hereof;

(c) the last installment of the Refunding Bonds will mature not later than the expiration of the period of probable usefulness of the objects or purposes for which said Refunded Bonds were issued in accordance with the provisions of subdivision 1 of paragraph a of Section 90.00 of the Local Finance Law and subdivision 1 of paragraph c of Section 90.10 of the Local Finance Law, as applicable;

(d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, if any, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law, is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the aggregate of the refundings authorized by this resolution (collectively, the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refundings, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, are set forth in Exhibit

B attached hereto and hereby made a part hereof. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in one series to refund all of the Refunded Bonds in the principal amount of \$4,945,000, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth in said Exhibit B. This Common Council recognizes that the Refunding Bonds may be issued in one or more series, and for all of the Refunded Bonds, or portions thereof, that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the City will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit B. The City Treasurer is hereby authorized and directed to determine which of the Refunded Bonds will be refunded and at what time, the amount of the Refunding Bonds to be issued, the date or dates of such bonds and the date or dates of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph e of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds and all powers in connection therewith are hereby delegated to the City Treasurer; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.00 or Section 90.10 of the Local Finance Law as applicable. The City Treasurer shall file a copy of his certificate determining the details of the Refunding Bonds and the final Refunding Financial Plan with the City Clerk not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The City Treasurer is hereby authorized and directed to enter into an escrow contract or contracts (collectively the “Escrow Contract”) with a bank or trust company, or with banks or

trust companies, located and authorized to do business in this State as said City Treasurer shall designate (collectively the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law.

Section 6. The faith and credit of said City of Middletown, Orange County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall be annually levied on all the taxable real property in said City a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Accrued interest on the Refunding Bonds shall be paid to the City to be expended to pay interest on the Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with Section 90.10 of the Local Finance Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the City irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the City shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds to be an “arbitrage bond” as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the Regulations promulgated by the United States Treasury Department thereunder.

Section 9. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Local Finance Law, in the event such bonds are refunded, the City hereby elects to call in and redeem each of the Refunded Bonds which the City Treasurer shall determine to be refunded in accordance with the provisions of Section 4 hereof and with regard to which the right of early redemption exists. The sum to be paid therefor on such redemption date shall be the par value thereof, and the accrued interest to such redemption date. The Escrow Agent for the Refunding Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the City in the manner and within the times provided in the Refunded Bond Certificate. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded Bonds and the direction to the Escrow Agent to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 10. The Refunding Bonds shall be sold at public competitive sale or at private sale to an underwriter as shall be determined by the City Treasurer for purchase prices to be determined by the City Treasurer, plus accrued interest from the date or dates of the Refunding Bonds to the date or dates of the delivery of and payment for the Refunding Bonds. Subject to the approval of the terms and conditions of such private sale by the State Comptroller as may be required by subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, the City Treasurer is hereby authorized to execute and deliver a purchase contract for the Refunding Bonds in the name and on behalf of the City providing the terms and conditions

for the sale and delivery of the Refunding Bonds to the Underwriter if sold at private sale. After the Refunding Bonds have been duly executed, they shall be delivered by the City Treasurer to the purchaser or to the underwriter in accordance with said purchase contract upon the receipt by the City of said the purchase price, including accrued interest.

Section 11. The City Treasurer and all other officers, employees and agents of the City are hereby authorized and directed for and on behalf of the City to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 12. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the City Treasurer and all powers in connection thereof are hereby delegated to the City Treasurer. The City Treasurer shall be further authorized to issue said Refunding Bonds pursuant to Section 90.00 or Section 90.10 of the Local Finance Law as said officer shall determine necessary.

Section 13. The validity of the Refunding Bonds may be contested only if:

1. Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3. Such obligations are authorized in violation of the provisions of the Constitution.

Section 14. A summary of this resolution, which takes effect immediately, shall be published in the official newspapers of said City, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Dated: April 5, 2022.

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

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoon

 Sec'd by Ald. Tobin

 Date of Adoption 04.05.22

 Index No: 69-22

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	9			

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and approves a revised 2022 salary schedule for Part Time employees.

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

 Sec'd by Ald. Masi

 Date of Adoption 04.05.22

 Index No: 70-22

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	9			

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment approving three separate agreements with Troy and Banks, Inc. to perform the following audits and authorizing the Mayor to sign said agreements.

- Municipal Franchise Fee Audit
- Gross Receipts Fee Audit
- Utility/Telecom Audit

The Fee for these audits will be 35% of any recoveries to the City as a result of these audits.

**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 04.05.22

 Index No: 71-22

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	9			

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$4,465.00 in the following manner to close out the James P. Kelly Roundabout Project and receive our remaining reimbursement of \$94,431.36 from the D.O.T.

The D.O.T has requested an audit report "Agreed Upon Procedures Report" from our accountants RBT. The audit report cost was \$4,465.00.

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
H.0890.01 Sterling Street Phase II	\$ 4,465.00	H.0950.900 CR 108/78 Roundabout

**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 04.05.22

 Index No: 72-22

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	9			

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$496.00 in the following manner to cover a 2021 USA Blue Book Invoice that was recently received for materials & supplies for the Water Treatment Plant. \$250 is remaining in last year budget and \$496.00 is needed to cover the Invoice totaling \$745.42.

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
F.8330.400	\$496.00	F.8330.450
Contractual Services		Materials & Supplies

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

 Sec'd by Ald. Kleiner

 Date of Adoption 04.05.22

 Index No: 73-22

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	9			

RESOLVED; that the Common Council of the City of Middletown hereby grants the Run 4 Downtown organization’s application to provide beer and wine, on May 12, 2022 at Erie Way Park from 5PM to 8PM for a Run 4 Downtown kick off / event sponsor recognition event.

Further resolved the approval is conditioned upon the execution of the attached agreement by the applicant and the fulfillment of all requirements set forth in the agreement by the applicant and to supply the City with the proper insurance documents and authorize the Mayor to sign the application from the SLA for the provision of beer and wine and temporarily lift the requirements of the City’s open container ordinance for this application.

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

THE FOLLOWING WAS PRESENTED

By Ald. Witt

 Sec'd by Ald. Green

 Date of Adoption 04.05.22

 Index No: 74-22

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	9			

Resolved that the Common Council of the City of Middletown approves Z-3 Consultants to be added to the list of authorized City of Middletown Electrical Underwriters.

**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 04.05.22

 Index No: 75-22

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	9			

RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign an agreement with Drapkin Strategies for Project Management Services in the amount of \$50,000.

BE IT FURTHER RESOLVED that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$50,000 in the following manner:

<u>FROM</u>	<u>AMOUNT</u>	<u>TO</u>
A.4785	\$50,000	A.1210.400
ARPA		Mayor. Contractual Services

Funding for these services will come from the ARPA funds.