



COMMON COUNCIL Meeting  
CITY OF MIDDLETOWN  
August 16, 2022  
City Hall  
16 James Street  
Middletown, New York 10940

PRESENT:

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

ALSO PRESENT:

Richard McCormack, Clerk  
Joseph M. DeStefano, Mayor

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

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**1. Pledge of Allegiance**

(Pledge of Allegiance.)

**2. Roll Call**

PRESIDENT RODRIGUES: Roll.

MR. MCCORMACK: Alderman Tobin.

ALD. TOBIN: Here.

MR. MCCORMACK: Alderman Jean-Francois.

ALD. JEAN-FRANCOIS: Here.

MR. MCCORMACK: Alderman Johnson.

ALD. JOHNSON: Here.

MR. MCCORMACK: Alderwoman Ramkissoon.

ALD. RAMKISSOON: Here.

MR. MCCORMACK: Alderman Kleiner.

ALD. KLEINER: Here.

MR. MCCORMACK: Alderman Green.

ALD. GREEN: Here.

MR. MCCORMACK: Alderman Witt.

ALD. WITT: Here.

MR. MCCORMACK: Alderman Masi.

President Rodrigues.

PRESIDENT RODRIGUES: Here.

MR. MCCORMACK: A quorum is present.

**3. Approval of Minutes**

PRESIDENT RODRIGUES: Okay, approval of minutes.

MR. MCCORMACK: We have the minutes from July 19, 2022.

PRESIDENT RODRIGUES: Motion by Alderman Johnson and seconded by Alderman Witt.

All in favor?

(Chorus of aye.)

**4. Correspondence, Communications, and Reports**

PRESIDENT RODRIGUES: Correspondence.

MR. MCCORMACK: Nothing this evening.

**5. For the Good of the City**

PRESIDENT RODRIGUES: For the Good of the City, the Mayor has a presentation.

MAYOR DESTEFANO: I would like the Boffa family to join me up here, if they would, please. And Anthony, maybe I'll let you introduce your family.

MR. BOFFA: Okay, this is my son, Thomas, my sister, Donna, my nephew, Eric, his wife, Kathleen, and little Antonio.

MAYOR DESTEFANO: Thank you, Anthony.

And tonight is one of those hard to say goodbye nights. I read that in one of the articles. I read several articles that were written about the Boffa family over the last few weeks.

Actually, when the restaurant opened, Harry Truman was President in 1951. And the next slide is, this is 1958. You know we were a -- Middletown has always been an immigrant city; first German, then Irish, then, of course, Italian, which I am more

biased to, that period of time, recently growing a Latino population and growing an Asian population. So, like most small cities or most cities, in general, we've been incubators of the immigrant community and that's what makes cities livable, what populates us, and what generates an interest in people opening businesses. And that's what the Boffa family did way back when they opened 71 years ago. And 1958 happens to be the year I was born. So, that shows you how long ago this was.

And they are located in, as you know, Middletown's Little Italy, just on the outskirts. And most of us in that area, especially in that neighborhood, but throughout the city and throughout the area, grew up knowing Tony's pizza, Tony Boffa's pizza. So, there's a long tradition.

This is a picture of Tony's last Saturday, of people lined up trying to get in. Actually, it's the Diamond Jubilee in 1963 marching by the restaurant. As you can see, the restaurant wasn't expanded out at that time. It was the little restaurant right in the middle, I believe. Right, Tony?

MR. BOFFA: Yes.

MAYOR DESTEFANO: Yup. And so, they've gone through an expansion process. So, as Middletown grew, Tony Boffa's Restaurant grew and we both enjoyed that growth.

And as you know, today, this is Tony Boffa's restaurant.

This slide is just to give you a little background on the restaurant and the family. Seventy-one years ago, Antonio "Tony" Boffa and his wife, Antionette, set up a small Italian restaurant on Railroad Avenue in Middletown, having nothing but, as they said, two tables and two nickels to rub together and their daughter, Donna Boffa -- said

their daughter, Donna Boffa, maybe.

Antoinette ran the restaurant while Tony was in the kitchen preparing homemade meals for hungry patrons. Everything was made from scratch, including the pastas, breads, and sauces. Mabee and her brother, Anthony Boffa, Junior, continued that tradition of homemade meals when they took over the family restaurant. Their parents passed away in 2012 and 2019, respectively. And their children, with families all of their own, have chosen jobs outside the restaurant business but still help out at the restaurant on weekends.

And now, the siblings are getting ready to retire and this is their last month in business here in the City of Middletown.

So, we wanted to acknowledge that and also acknowledge the founders of the restaurant, Mr. and Mrs. Boffa. Mr. Boffa, well known at the YMCA for many, many years, was honored by the YMCA a few years back. And Mrs. Boffa, of course, the hardworking front face of the restaurant for many, many years.

Here, we have the entire Boffa family, or maybe not all of the Boffa family but a good part of them, including their brother, Mario, I think is third from the left. Right?

MR. BOFFA: Yes.

MAYOR DESTEFANO: And Mario, and Tony, and I were all Saint Josephites at Saint Joseph's school, many, many years ago. Donna, I think, is a little older than I am so, we didn't have the shared experience at St. Josephs. But it was all one big neighborhood over there back then.

And this, of course, is the last picture that we have of Tony -- I mean of



Donna and her daughter.

So, we wanted to say goodbye, in a way, from the City of Middletown. And there's a picture of your Dad here, I think, saying goodbye. And we also wanted to present you with a plaque here honoring your years of commitment to our community and all you have done, not only as restauranteurs but, as people in our community and keeping our community a place for people to come, people to enjoy, and a place to get a good meal, and also good socialization.

So, we wanted to thank you. Maria has this.

MR. BOFFA: Oh, isn't that nice?

MAYOR DESTEFANO: I'm going to present it to Donna. It also contains the key to the city.

I don't know if people can see it but it's a picture of Mom and Dad, 71 years, and a picture of the restaurant today, along with a key to the city saying Tony Boffa's Restaurant. So, we wanted to present this.

MR. BOFFA: Isn't that nice? Thank you.

MS. BOFFA-MABEE: Thank you so much. It means the world to us.

MR. BOFFA: The last thing I want to say is thank you to the Mayor and to the Council for recognizing us. We're all extremely tired from the amount of work that we do and we appreciate everything that you guys do.

So, thanks again, and we're going to take a little time to ourselves after we retire.

MS. BOFFA-MABEE: Thank you. Thank you very much.

MAYOR DESTEFANO: Thank you.

MS. BOFFA-MABEE: Thank you all very much. We appreciate you recognizing us. We're going to miss the restaurant, I think. I don't know what I'm going to do. I'm used to go, go, go. I don't know but you'll see us around. I guess we'll go to the Mayor's now for pasta.

Thank you again, everyone.

MR. BOFFA: Thanks again, everybody.

PRESIDENT RODRIGUES: Thank you.

UNIDENTIFIED SPEAKER: Can we just take a minute break?

PRESIDENT RODRIGUES: Sure. We'll take a short five minutes.

(Brief recess.)

## **6. Remarks of the Mayor**

PRESIDENT RODRIGUES: All right, Mayor's remarks.

MAYOR DESTEFANO: Well, the only thing I have this evening is a letter from Garnet Health regarding some changes that they are required to notify both the city, the county, and surrounding communities regarding some change in service at the facility.

So, I'll present it to Rick for the record. I know we've received a few emails on it but I don't know. Obviously, the State representatives are also notified and the County Exec. I don't know that we, as a city, can do but it is a private business. But they do have some regulations regarding what services are being provided.

And I assume they are not eliminating pediatrics, which some people had called. They are just not doing the pediatric service as doctors.

PRESIDENT RODRIGUES: Outpatient.

MAYOR DESTEFANO: They are doing it as outpatient, correct.

So, this might be clearer for people to read, if you can post it online, Rick, and give more clarity to the public on what changes are being proposed. And we can direct people's comments to our state legislators. And we'll also probably be making a comment on it.

So, I'll leave the letter here for you to post online for people to read.

Any questions?

PRESIDENT RODRIGUES: Any questions for the Mayor?

Thank you, Mayor.

**7. Remarks of Department Heads**

PRESIDENT RODRIGUES: Remarks of Department Heads.

Economic Development.

MS. BRUNI: Good evening.

PRESIDENT RODRIGUES: Dave, you want to come up?

MS. BRUNI: Yeah, if you don't mind.

PRESIDENT RODRIGUES: Come on, Dave. I'm sorry.

MS. BRUNI: He's a better spokesman than I am --

PRESIDENT RODRIGUES: Yeah.

MS. BRUNI: -- regarding Run 4 Downtown.

PRESIDENT RODRIGUES: I saw him in the back.

MR. MADDEN: Good evening, Council. Mr. Mayor, if you and Linda don't decide to open on Sundays, my wife and I are going to starve to death.

I want to remind everybody here attending tonight, and the public in

whole, that Saturday morning is the 16th annual Marshall and Sterling Insurance Run 4 Downtown. Most people know that it's a four-mile run and walk, starting and finishing in the heart of our downtown but, what a lot of people don't realize is how, it is so much more than that. You've got to come out. You've got to see what's going on downtown that morning.

We have a fantastic post-race party and a great celebration of our community. If you're not a runner, if you're not a walker, you can come down, with a \$10 donation, we'll give you a bracelet and you can be a part of everything. You have got to see what's going on Saturday morning Run 4 Downtown. And if you want more information, R4dt.org.

Thank you.

PRESIDENT RODRIGUES: Thanks, Dave.

MS. BRUNI: And to piggyback on that, actually, everything begins Thursday evening with in-person registration. And that's going to be at the Run 4 Downtown Park on North Street and there will be music and entertainment by Liza Doolittle Trio from 6:00 to 8:00.

And then Friday, again, registration and music by The Vibe. The Friday night concert is going to be held at Run 4 Downtown Park this Friday from 6:00 to 8:00. And then, at 8:00, Jefferson Starship takes the stage at the Paramount Theatre and we're all excited.

We've been promoting as the Rock, Roll, & Run Weekend and it's been a good co-promotion with the Run 4 Downtown folks. And we're looking forward a spectacular weekend.

We've been posting notices for the downtown businesses, road closures, and you know things of that sort, and where parking can be.

Also, next week, we are going to have another ribbon cutting. It's The Dance Annex on Railroad Avenue. So, check our posts on our Facebook, on the Facebook and city. And that's going to take place, the ribbon cutting, at 3:30 next Tuesday.

Also, on the Community Development front, the CDA project, the Talcott property closed yesterday. So, we have a new homeowner in that newly renovated home. And we're looking forward to a couple more properties that we're doing that will be wrapping up soon, as well.

And that's all I have for this evening.

PRESIDENT RODRIGUES: Any questions for Maria?

Alderman Kleiner.

ALD. KLEINER: Hi, Maria. One quick question on the -- since the Friday music is going to be at the Run 4 Downtown Park, will North Street stay opened during that?

MS. BRUNI: Yes, North Street will stay open, unless there is overcrowding, then work with the PD if anything needs to be shut down.

But if you're going back to 2019, when we had the event, we also had a street art festival that year.

ALD. KLEINER: Right.

MS. BRUNI: And then we were going to continue it but then COVID hit. So, hopefully, we can ramp up next year to do the same. But right now, these are the

plans for this Friday.

ALD. KLEINER: Okay. I was asked that at a constituent meeting. So, I wanted to clear it up.

MS. BRUNI: Yup.

ALD. KLEINER: Thank you.

PRESIDENT RODRIGUES: Okay, anyone else?

Thank you, Maria.

MS. BRUNI: Thanks.

PRESIDENT RODRIGUES: DPW Commissioner.

MR. TAWIL: Good evening, Council, Mayor, City of Middletown residents, whoever is watching.

We'll start reporting to Alderman Masi about the reservoir levels. Obviously, we are having a very dry period in here and we are very concerned. Our reservoirs are still at 86 percent. So, we're still in good shape but the trouble with the drought, you don't know when you are in a drought. So, this thing could continue on, and on, and on, and develop into severe drought.

So, we are watching it very carefully and, hopefully, we will have some rain very soon and that will alleviate our concerns. But it is something to be concerned about. So, we're not doing any restrictions or anything like that but, if you don't have to water the grass, don't water it. You know try to conserve. It is always a good idea to conserve water anyway.

Another project, the construction of a 24-inch high-pressure water main on 211 and Monhagen Avenue. The work is progressing and now we're just almost at the

end of the game in here, just testing compaction and making sure there is no settlement so we can go and pave.

And for the Council President, unfortunately, the paving is schedule for the middle of next month. That's the availability of the contractor, unfortunately. We'll try to push it as much as we can but that's where they are, the schedule, as it stands right now.

Shawangunk reservoir -- Shawangunk dams, one dam in there, has to be upgraded because of certain deficiencies. We have been working on this project for a couple of years for the design and we had to incorporate flow measuring devices to be as part of the project because the DEC required them. So, that has been added. The DEC approved the plans and we are going to be going out for public bid within two weeks.

So, before you tonight, as Council, is a resolution authorizing the Mayor to engage CT Male, which is a design engineer, the consultant on the dam, to conduct the construction inspection because it is very critical when you start building dams, or widening the spillways, or raising dams. That's extremely important in there to test the material, and test compaction, and to make sure everything is done properly.

So, we would appreciate your support for that resolution that is coming up.

Milling and paving I just want to mention. If you recall, the last few weeks, the heat was tremendous in there. It was really in very bad shape. Even private contractors, Boyce, his people would not come back to work you know after that warm spell and he had to get more different people in there.

However, our guys, the DPW guys in the Street Department and the Water Department helping them out, they persevered and they continued to work, along with the

private contract who is doing the paving. And I just want to mention that because now the heat is almost -- the heat spell is gone and I just wanted to remind our guys in the Street Department and Water Department that we appreciate what they're doing. And the private contractors, as well, we appreciate what they are doing and they are doing a tremendous job at the risk of their health. But we appreciate that and they are not forgotten.

Right now, our milling -- our paving program is up to about 70 percent complete. So, there are still some areas we have to bring the milling machine back and we are trying to fit that in the schedule of the milling machine to get that done.

There is a resolution tonight awarding removal of debris for TAM Enterprises. What happened on August 8th, there was a partial collapse of one of the walls for 21 Academy Avenue. So, we had to scramble in there, demolish the building because it was unsafe, and we had to work with the Department of Labor in there in order to get certain variances, in order to remove that debris, as asbestos-containing material.

So, before you tonight, there is a request for a resolution to award the bid to TAM Enterprises, the price per ton, and QEST Environmental to monitor the air, and sampling, and testing.

And by the way, this project, this building was budgeted, if you recall. It was included in our budget. We have about \$900,000 for demolition. This building was targeted by the Mayor and I. We slowed down demolishing because there was a potential buyer for the building, although, we did not see the potential for selling the building. But somebody believed that he could do something with it. That's why we did not demolish it any sooner, because there was a potential buyer for it.



But thank God what happened happened and now the building is down. And now, we have to take it out.

We have request, again, for a million dollars just for, as a cash flow, to sustain the \$27 million project that we have for the traffic operation. So, it's temporary borrowing.

There's going to be long-term borrowing coming soon in there for this project and we will discuss that as a separate note later on. The Mayor will be probably addressing that or the Mayor and I.

So, another resolution before you tonight is approving an agreement with T-Mobile to remove their antennas off our water storage tank on Highland Avenue Extension, put it on a different pole, so that we can get to upgrading our Highland Avenue water storage tank, repainting it, doing all the maintenance that is required for it. And then, they will take the antenna back and they will put them back on Highland Avenue tank after we are done painting it.

So, with that being said, we are getting ready. Once we have all these things lined up, we are going to bid -- put out for bid, public bid, replacing Mountain Avenue tank, replacing Monhagen -- replacing High Barney tank, and repainting Highland Avenue tank.

So, that's coming up very soon, hopefully within a couple of weeks, if we can get it together. We have a couple of easements we have to sign and then, we will be able to be able to put the projects out for public bid.

So, we are very busy, obviously. You have got the \$8.5 million bond coming on the first resolution. That's only to allow us to apply for the grant. Hopefully,

we'll be successful in getting it.

And so, we are very busy. The entire DPW is very busy, as the rest of the city. You can drive around and you can see the construction.

With that being said, I will stop. If there is any questions --

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

MR. TAWIL: Thank you.

PRESIDENT RODRIGUES: Fire Chief.

CHIEF LUIS: Good evening, everyone. We're up to 652 calls for the year, so far. We just had a three-alarm fire over on Dewitt Street. The homeowner did get severely injured but he's still hanging on.

As Dave and Maria brought up, the Run 4 Downtown, the Fire Department is involved. Other departments are involved. It's a first responder challenge. We hold the cup. Middletown holds the cup. If you think you could take it from us, my man Drew over here, he's going to be holding the cup at the end. I didn't say which cup. Right? That's right, the beer cup.

And for everybody, October 21st, 6:00 p.m., inspection night for the firehouses. It doesn't interfere with your game. Okay?

Other than that, any questions?

PRESIDENT RODRIGUES: Any questions for the fire chief?

All right, Chief, thank you.

PRESIDENT RODRIGUES: City Treasurer.

MS. LEONORA: Hi. Good evening, everyone. Buenas noches.

I just wanted a chance to say thank you for my appointment. I didn't have the chance -- I'm sorry that I missed that meeting. So, I just wanted to say muchisimas muchisimas gracias.

And also, there is a resolution. We just created sort of a new payroll position, payroll manager position. This position is confidential and it is exempt. And we got it approved by the State. We are looking to hire as soon as possible. Our current payroll coordinator is retiring at the end of September. So, this is something that we are looking to sort of expedite in the meantime.

The payroll position will entail personnel benefits, payroll budgeting, the payroll process. So, this person will oversee all these different functions. And we are excited about this because this will allow us the opportunity to sort of strengthen our payroll department -- not a department -- a division within the Treasury Department.

So, I just wanted to see if you had any questions about the position.

PRESIDENT RODRIGUES: It will also help the employees, right, throughout the city?

MS. LEONORA: Absolutely. Absolutely. We are looking to serve our city employees and making sure that their information is confidential and also, provide them with the best benefits out there -- their options out there, and making sure that we follow Department of Labor regulations accordingly.

PRESIDENT RODRIGUES: Any questions?

All right, thank you.

MS. LEONORA: Thank you. Good night.

PRESIDENT RODRIGUES: Police Chief.

CHIEF EWANCIW: Good evening.

Just a few things this evening. I do have a couple resolutions being presented this evening. Hopefully, you'll be able to support them.

The last couple of weeks, we've been doing a lot of our outreach, our summer outreach. We've done several barbeque, pop-up barbeques.

August 2nd was the Night Out Against Crime; it was an outstanding turnout. Although I wasn't there, I'm told everything was amazing. Kudos to Sergeant Wells, she did a great job putting that together and organizing everything.

We also just concluded our third class at the Junior Police Academy. Officer Galley (phonetic) did an amazing job hosting all three of those classes. Each one was a different age group. A really great turnout this year. She did an amazing job for us.

Also, last week our police officer exam results came out. The test was given in April. We just received the exams -- or the exam results. So, we will be looking to move forward with the next phase of our hiring process, which will be the agility test and background packets.

So, we are getting a lot of feedback right now from people that did take the exam, a lot of questions and comments on what comes next.

The last thing I have is just for further information on the Police Department, more detailed information, we do have a monthly Police Commission meeting. It is this Thursday at 4:30, right here in this room, if anybody wants additional information on the Police Department.

Other than that, I have no questions, unless you have questions for me.

PRESIDENT RODRIGUES: Questions for the Police Chief?

Thank you, chief.

CHIEF EWANCIW: Thank you.

PRESIDENT RODRIGUES: Superintendent of Recreation.

MS. BERTHOLF: Good evening, everyone.

Before you tonight, we have a donation. We'd like to thank the Animal Health Center for making a \$1,000 donation. We are actually going to put that toward an ice skate sharpener for this winter. We are going to have our first season of the ice-skating rink. And as you can imagine, there are many expenses that come along with having an ice skate -- a refrigerated ice-skating rink. So, that will be very helpful towards a lot of the items that we do need for that.

I'd also like to thank everybody who has made a donation to the Recreation Department for camperships. This summer, we were able to give 13 children one week free of camp to either Sports Camp, Spirit Camp, or Little People Playtime.

I'd also like to thank RECAP, who lightened our load on a lot of the parents applying for scholarships because RECAP was very giving this summer with sending kids to camp for full weeks, as long as they applied and qualified under them with their financial need.

An update on maintenance. Wolslayer Field, if you haven't been by, go by during the week in the evenings. It is very crowded. It's great to see the field up, and in use, and the concession stand going. Kids are out there practicing. It looks great.

We are still watering the field -- sorry, Jacob. We are trying to conserve water but being it's a new field, we do got to keep that grass and let it set. But we are

being conservative with it.

The concession stand is almost complete. They got to install a counter and a few more pieces of metal need to be installed to get the concession stand in.

Bathrooms are functioning but still need dividers in them. So, a little bit more work on the bathrooms but they are functioning. The kids can go to the bathroom and there is running water in there.

Goalposts were actually delivered today. We have had the bleachers. Our Maintenance Department is going to install and assemble them within this week. And then, next week is going to be the installation of both of those.

Davidge Park, if you have noticed the caution tape, we did take out that old piece of playground equipment. There were a lot of pieces missing and it was so dated, we couldn't update and get any of those new pieces in.

So, last year, Christine Brinckerhoff did put in for that new equipment. It's been on back order. So, it's finally in. Our Maintenance Department did what we had. And install, actually, I spoke to them today and it's starting tomorrow on that new piece of equipment at Davidge Park.

If you go by the pool at Frank Shorter Way, you could see the walkway is done. They are just beautifying it now, adding woodchips in it to give it a better look. It's unfortunate. Please get the word out there that have people use that walkway and keep them out of the street. If you see somebody, just let them know that's what it's there for. We are looking into getting a sign for people who are walking, so they can see that sign when they are coming, to use that walkway and avoid the roadway right there.

There was some concern about dead trees at Academy Avenue Park and

the wood line in Davidge Park of the houses. We are scheduled to get those trees down. We don't have a date but we are on the schedule.

Dog Park -- a lot of concerns about the water. Right now, the water on the inside of the park is shut off, thank you to DPW, the Water Department, who put a shutoff valve in there. We right now have to change the spigots that are on the inside so, there's an automatic shutoff to prevent a lot of the puddling, and pooling, and the flooding that has been happening in there.

A lot of complaints, always, on that water but what's happening is people go there, they turn it on, they leave it, it pools, it runs, it runs, it runs, it doesn't get to dry and you have a big muddy mess. But there is water on the outside of the Dog Park. There is a water fountain for people and dogs, a smaller one for dogs. So, you can get the water when you are there visiting.

And just with our maintenance updates, a big thank you to John Bianchi and the Maintenance crew. I have got to be honest. I didn't think Wolslayer Field was going to be ready by this season but, it is ready. So, thank you to John. Thank you for our Maintenance Department. Thank you to Jacob and his guys, also, with their assistance.

Camps wrapped up. Sports Camps, Spirit Camp, Little People Camp are all done. A huge thank you to our staff. It was a great summer.

Jim Kelly, our long-time director, did retire from Sports Camp. We did have a new director coming in this summer who was learning. Hopefully, we'll have him for a few years before he retires. But it was great.

Thank you to Monhagen Middle School, their food services and their

custodians. They were wonderful with assisting us at Sports Camp all summer, giving us the hot meals. That was a great addition to it.

And please pay attention. We are going to be sending out emails to anyone who has registered this past summer with our deadlines changing. I know it's hard. A lot of families are paycheck to paycheck and make the weekly payments. But there is a lot of work on our end on getting the camps, all the registrations, all the immunizations up to date. So, we are going to push that registration deadline up. Instead of that Friday at noon, we are going to push it to the Thursday. So, that is cutting back. We do get those at least ten phone calls of very angry parents that can't get their kids in camp because they missed that deadline but we're going to be giving parents a year's notice on this one. So, be ready.

Playgrounds end Friday. We are going to be revamping our playground program. It is hit and miss. We go to some parks during the day and there is nobody there. But then you go to Maple Hill or Davidge and our counselors are nonstop with the kids. So, we are going to be looking to revamp that program, also, for next summer.

And pools, our last thing, program opened this summer. It closes August -  
- Sunday, August 28th is our last day of pools.

Any questions?

PRESIDENT RODRIGUES: Any questions?

Alderman Witt.

ALD. WITT: It's a shame nothing is going on this summer.

MS. BERTHOLF: Yeah, there's nothing for the kids to do ever.

ALD. WITT: Can you give your best estimate on like total pool



attendance for the summer, if you had to guess?

MS. BERTHOLF: I could -- it's more of a what we're bringing in that I have, on what the money is coming in, rather than attendance.

ALD. WITT: I mean attendance.

MS. BERTHOLF: Attendance, I don't know.

ALD. WITT: Oh, okay.

MS. BERTHOLF: No.

ALD. WITT: Okay.

MS. BERTHOLF: I'm sorry.

ALD. WITT: No, that's all right. I took a shot.

PRESIDENT RODRIGUES: Anyone else?

All right, thank you. Great job.

MS. BERTHOLF: Thank you.

PRESIDENT RODRIGUES: All right, City Clerk.

MR. MCCORMACK: All right, just a quick reminder that there is a primary early voting for the 18th Congressional District primary underway at the Middletown Senior Center. The voting will go through Sunday, August 21st. Take a look at the Orange County Board of Elections website for exact hours. And then, the actual primary date is August 23rd and voting will be throughout Middletown from 6:00 to 9:00 p.m.

PRESIDENT RODRIGUES: All right. Any questions for Rick?

All right.

## **8. Public Hearings and Grievances**

PRESIDENT RODRIGUES: No public hearings.

**9. Petitions and Complaints**

(None this evening.)

**10. Remarks of the Aldermen and Reports of Committees**

PRESIDENT RODRIGUES: Remarks of Aldermen.

Alderman Witt.

ALD. WITT: Thank you.

Just very quickly, wearing my daytime hat, just to remind everybody that the first day of school is Tuesday, September 6th. So, there is information about going back to school on our district website and on our Facebook page. We invite anyone with questions to please call your buildings. Those buildings are staffed all year round and it is better to get the correct and accurate answer, more than one that might be just speculation.

Also, tomorrow night is graduation and I believe the number is 22 more kids who will be earning their diplomas tomorrow. So, congratulations to them.

Thank you.

PRESIDENT RODRIGUES: That's awesome.

Alderman Green.

ALD. GREEN: Thank you.

First off, I want to thank Alderman Kleiner for handling our constituents meeting solo, while I was on vacation, which I always seem to do right before the Run 4 Downtown. So, I always eat way too much lobster and seafood and get nice and round, right before I have to do a four-mile -- four-mile walk will do. Let's call it that this year.

So, I'll be there, nonetheless. We'll see. We'll see. You know, a spirited walk.

No, I really am looking forward to it. It's going to be a great event this Saturday.

And that's all I have for this evening. Thank you.

PRESIDENT RODRIGUES: Alderman Kleiner.

ALD. KLEINER: Thank you. And thank you, Rick. We were headed out for early voting, about 5:00 tonight, and I heard this strange noise. And I look up and there is a blimp over our house that I think was much bigger than the house. It blocked out half the sky. So, I don't know what it was about but the Goodyear blimp was circling through town today.

But people for early voting were excellent. So, I want to thank them for the work they do.

I also want to thank Senator Skoufis, who did a town hall at Tapped I think it was a couple Thursdays ago. But he was really excellent and I'm hoping we will definitely have him as our new State Senator.

And I will see people at the Run 4 Downtown. That's a great event and, really, everybody should get down to party hearty on that day.

And speaking of parties, I just want to mention that today is the 53rd anniversary of Woodstock. It is August 16th. My mom went up and helped at the medical tent. I worked for Michael Lang for almost two months and I didn't go to the festival because I knew what was going to happen. It was just going to be a little too crowded for me but I did take people up and drop them off. So, it was a big Hudson Valley event. And so, I just want to mark the anniversary.

Thank you.

PRESIDENT RODRIGUES: Alderwoman Ramkissoon.

ALD. RAMKISSOON: Good evening.

I'm excited about the Run 4 Downtown. I don't know if I can run. I've run it once and those blisters lasted weeks. But maybe walking this time. My kids are helping out with the water station. So, it should be a fun day and the weather looks fantastic.

Four business for the 3rd Ward, we'll be having our monthly 3rd Ward meeting next Tuesday at 6:30 p.m. at Maple Hill Park. And Alderman Johnson has requested a blueberry cheesecake. So, that's what is on the menu. That's right. Put it on the calendar.

That's really all I have.

As for back to school, according to the stores, that started on July 5th, which was completely out of line. But yeah, we're wrapping up this summer. I hope everyone has an enjoyable last few weeks before we go back to the madness of the school year.

And that's all I have today. Thank you.

PRESIDENT RODRIGUES: There is Halloween candy already at the stores.

Alderman Johnson.

ALD. JOHNSON: Thank you.

Congratulations to the Boffa family. They're moving on but I think they've created a very iconic experience for those of us who have lived here all this time.

With respect to the Wawayanda project, I had the opportunity to review the remarks submitted by Senator Skoufis, as well as Alderman Kleiner, and I found both to be both complete and compelling. So, thanks to you both for representing us the way you did.

That's all I have got.

PRESIDENT RODRIGUES: Alderman Jean-Francois.

ALD. JEAN-FRANCOIS: Yes, good evening.

Yes, I had the opportunity to attend the -- ah, Jesus -- yeah, Night Out Against Crime. So, I want to kudo the Police Department. Not too long ago, folks were talking about defunding the police. And now, to see the community come together, there was a lot of folks out there and everyone had a good time. The kids was having a good time interacting with the Police Department and it was great to see. Hopefully, everyone knows thinking about defunding the police will think twice.

Thank you.

PRESIDENT RODRIGUES: Alderman Sparrow -- Tobin. Sorry.

ALD. TOBIN: I go by anything.

Yeah, the Night Out Against Crime was great. Thanks for everybody who put it on. It was great to see the whole community there, the whole larger regional community out, the kids having fun shooting baskets, interacting. They had the K-9s there. It was very cool. Food, very nice and perfect weather.

I also would like to thank Tony Boffa's. You know the Lions Club; we meet there once a month. We have had many a good meal and conversation. I'm sad to see them go.

And I also would like to thank everyone that has been helping out and all the departments in the city. They haven't skipped a beat, especially during this tremendous heat wave we had recently. I know I haven't mowed my lawn in a month because it's not growing.

And so, I would just like to thank everybody for pitching in.

Hopefully -- I think I'm working a water station for the Run 4 Downtown. So, I'm not going to be running it. Thank you.

PRESIDENT RODRIGUES: Okay, I just wanted to reach out to everyone. Everyone, my sister passed away last week and everyone sent text messages, the Council, everyone. So, I thank everyone for reaching out to me.

She was diagnosed with breast cancer nine years ago and she lived for nine years. They gave her one to two years. So, she was a fighter. She was a fighter right to the end.

And I want to thank everybody for the text messages, calls. Rick came to my house. It was great. Great to see the community come out and reach out to my family.

Tony Boffa's has the best real estate agent in Middletown. I feel like the grim reaper. I sold Lounsbury's. I sold Red Barn.

And now, Tony Boffa's. But they became, when I dealt with them, they are like an icon and a landmark in that building. And everyone is going to say it's the Boffa building forever and ever.

And the new buyers are going in there. They are putting in a restaurant. And they have reached out and said we even want to keep their staff because of how they

work together.

So, we're hoping to connect both of them and, after the closing, have the staff even stay on with the new restaurant.

And that's it.

**11. Unfinished Business**

(None this evening.)

**12. New Business**

PRESIDENT RODRIGUES: New Business.

MR. MCCORMACK: Good evening.

We have a resolution sponsored by Alderman Witt authorizing the issuance of \$8.5 million bonds for the water line replacement.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Witt, seconded by Alderman Green.

Alderman Johnson stepped out.

UNIDENTIFIED SPEAKER: He just walked out (inaudible).

PRESIDENT RODRIGUES: Is he on the phone?

ALD. RAMKISSOON: He's coming back now, I believe.

PRESIDENT RODRIGUES: Okay, I'll wait for him.

Any questions?

ALD. JOHNSON: Sorry about that.

PRESIDENT RODRIGUES: We're just doing the first resolution.

ALD. JOHNSON: Aye.

PRESIDENT RODRIGUES: Roll.

MR. MCCORMACK: Alderman Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Green accepting a \$14,000 grant from the Orange County Youth Bureau.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Green, seconded by Alderman Witt.

Any discussion?

Roll.



MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoo.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Kleiner amending Resolution 174-22  
accepting a donation from the Middletown Elk's Club.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Kleiner,  
seconded by Alderman Green.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoo.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

A resolution sponsored by Alderwoman Ramkissoo accepting a \$250 donation from the Middletown Lions Club to support the Junior Police Academy.

PRESIDENT RODRIGUES: Alderwoman Ramkissoo, seconded by Alderman Tobin.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Johnson authorizing a \$5,377.50  
budget transfer to purchase an employee ID card system.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman  
Johnson, seconded by Alderwoman Ramkissoon.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoo.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Jean-Francois authorizing an agreement Rand Commercial to serve as a broker for the City of Middletown.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Jean-Francois, seconded by Alderman Johnson.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Tobin accepting a \$1,430 donation for the Parks and Recreation Department.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Tobin, seconded by Alderman Witt.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoo.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Witt accepting a \$1,000 donation from the Animal Health Center for an ice skate sharpener.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Witt, seconded by Alderman Johnson.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoo.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Green establishing an account line for the New York State Pave Our Potholes Program.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Green, seconded by Alderman Jean-Francois.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Kleiner creating the position of  
Administrative Educational Finance Research Services.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Kleiner,  
seconded by Alderwoman Ramkissoon.

Any discussion?

Roll.



MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoo.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderwoman Ramkissoo authorizing an agreement with T-Mobile to temporarily relocate antennas.

PRESIDENT RODRIGUES: Resolution sponsored by Alderwoman Ramkissoo, seconded by Alderman Johnson.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Johnson authorizing a \$9,325 budget transfer to purchase an ice machine.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Johnson, seconded by Alderman Tobin.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Jean-Francois authorizing budget transfer to cover unanticipated increases in fuel costs.

PRESIDENT RODRIGUES: Resolution by Alderman Jean-Francois, seconded by Alderman Green.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Tobin awarding TAM Enterprises to remove debris from 21 Academy Avenue.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Tobin, seconded by Alderman Jean-Francois.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Witt authorizing a \$1 million budget transfer to be used as temporary seed money in order to pay current invoices to WSP and future invoices for Boyce Excavating.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Witt, seconded by Alderman Kleiner.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

Resolution sponsored by Alderman Green authorizing an agreement with  
CT Male for construction administration and observation.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Green,  
seconded by Alderman Johnson.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: That's it.

### **13. LOCAL LAWS**

PRESIDENT RODRIGUES: Local laws.

MR. MCCORMACK: We have a local law sponsored by Alderman Johnson updating the Commissioner of Assessment charter provisions.

PRESIDENT RODRIGUES: Motion by Alderman Johnson, seconded by

Alderman Green.

Any discussion on the local law?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

**14. AUDIT OF CLAIMS AND ACCOUNTS**

PRESIDENT RODRIGUES: Audit.

ALD. JOHNSON: Mr. President, I move the accounts be audited, the



claims be adjusted, and the Treasurer be authorized to issue warrants for their payment.

PRESIDENT RODRIGUES: Resolution sponsored by Alderman Johnson, seconded by Alderwoman Ramkissoon.

Any discussion?

Roll.

MR. MCCORMACK: Tobin.

ALD. TOBIN: Aye.

MR. MCCORMACK: Jean-Francois.

ALD. JEAN-FRANCOIS: Aye.

MR. MCCORMACK: Johnson.

ALD. JOHNSON: Aye.

MR. MCCORMACK: Ramkissoon.

ALD. RAMKISSOON: Aye.

MR. MCCORMACK: Kleiner.

ALD. KLEINER: Aye.

MR. MCCORMACK: Green.

ALD. GREEN: Aye.

MR. MCCORMACK: Witt.

ALD. WITT: Aye.

MR. MCCORMACK: President Rodrigues.

PRESIDENT RODRIGUES: Aye.

MR. MCCORMACK: It carries.

## 15. ADJOURNMENT

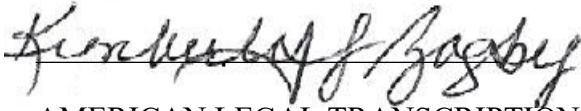
PRESIDENT RODRIGUES: Move for adjournment.

(Chorus of so moved.)

(Proceeding concluded.)

CERTIFICATION

I, KIMBERLY J. ZOGBY, certify that the foregoing transcript of the August 16, 2022 Middletown City Council meeting was prepared using the required transcription equipment and is a true and accurate transcript of the recording.

Handwritten signature of Kimberly J. Zogby in black ink.

AMERICAN LEGAL TRANSCRIPTION

11 Market Street, Suite 215

Poughkeepsie, New York 12601

Dated: September 6, 2022

**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 08.16.22  
 \_\_\_\_\_  
 Index No: 180-22  
 \_\_\_\_\_

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

**Resolution Authorizing the Issuance of \$8.5 Million Bonds For Water Line Replacement**

BOND RESOLUTION DATED AUGUST 16, 2022

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$8,500,000 BONDS OF THE CITY OF MIDDLETOWN, ORANGE COUNTY, NEW YORK, TO PAY THE COST OF THE CONSTRUCTION OF THE RAW WATER LINE REPLACEMENT FROM KINCH RESERVOIR TO SHAWANGUNK RESERVOIR IN AND FOR SAID CITY.

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

Section 1. The construction of the raw water line replacement from Kinch Reservoir to Shawangunk Reservoir, in and for the City of Middletown, Orange County, New York, including incidental improvements and expenses in connection therewith, are hereby authorized at a maximum estimated cost of \$8,500,000; provided, however, that the amount of bonds to be issued shall be reduced to the extent of grants received in connection therewith.

Section 2. The plan for the financing of such maximum estimated cost is by the issuance of \$8,500,000 bonds of said City hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said City of Middletown, Orange County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations 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 obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Middletown, Orange County, New York, by the manual or facsimile signature of the City Treasurer and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest

payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Treasurer. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such serial 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. Such bonds shall contain substantially 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 52.00 of the Local Finance Law, as the City Treasurer shall determine.

Section 8. The City Treasurer is hereby further authorized, at her sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the object or purpose described in Section 1 hereof, or a portion thereof, by a bond or note issue of said City in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The validity of such bonds and bond anticipation notes 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 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This resolution, which takes effect immediately, shall be published in summary form in The Times Herald Record, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

THE FOLLOWING WAS PRESENTED

By Ald. Green  
 \_\_\_\_\_  
 Sec'd by Ald. Witt  
 \_\_\_\_\_  
 Date of Adoption 08.16.22  
 \_\_\_\_\_  
 Index No: 181-22  
 \_\_\_\_\_

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

**Resolution accepting a \$14,000 grant from the Orange County Youth Bureau**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment accepts a \$14,000 grant from the Orange County Youth Bureau for the Too Good Program and the Youth Leadership Academy.

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 deposit the funds in the following manner:

- A.3120.501 - Youth Leadership Academy - \$7000
- A.3120.468 - Too Good Programs - \$7000

**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 08.16.22  
 \_\_\_\_\_  
 Index No: 182-22  
 \_\_\_\_\_

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

**Resolution Amending Resolution 174-22 Accepting a Donation  
from the Middletown Elk's Club**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes an amendment to resolution 174-22 to correct the name of the donor to Middletown Elk's Club.



**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 08.16.22  
 \_\_\_\_\_  
 Index No: 183-22  
 \_\_\_\_\_

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

**Resolution accepting a \$250 donation from the Middletown Lions Club  
to support the Junior Police Academy**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and accepts a \$250 donation from the Middletown Lions Club Animal to support the Junior Police Academy.

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to deposit the funds in the Police Donation Budget Line, A.2705.06 and increase the A.3120.468 Youth Police Academy line by the same amount.

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson  
 \_\_\_\_\_  
 Sec'd by Ald. Ramkissoon  
 \_\_\_\_\_  
 Date of Adoption 08.16.22  
 \_\_\_\_\_  
 Index No: 184-22  
 \_\_\_\_\_

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

**Resolution authorizing a \$5377.50 Budget Transfer to  
purchase an Employee ID Card System**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$5377.50 in the following manner to cover the cost of a new city employee identification card system.

<b>From</b>	<b>Amount</b>	<b>To</b>
A.3120.400 Contractual Services	\$ 5,377.50	A.3120.200 Equipment

The current system is outdated and in disrepair and the funding will be taken from the funding for FUSUS within our Contractual Services budget line.

**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 08.16.22  
 \_\_\_\_\_  
 Index No: 185-22  
 \_\_\_\_\_

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

**Resolution authorizing an Agreement with Rand Commercial  
to serve as a Broker for the City of Middletown**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes an agreement with Rand Commercial to serve as a broker for the City of Middletown with the purpose of obtaining properties.

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign said agreement.

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

THE FOLLOWING WAS PRESENTED

By Ald. Tobin  
 \_\_\_\_\_  
 Sec'd by Ald. Witt  
 \_\_\_\_\_  
 Date of Adoption 08.16.22  
 \_\_\_\_\_  
 Index No: 186-22  
 \_\_\_\_\_

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

**Resolution accepting a \$1430 donation for the Parks and Recreation Department**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$1430 in the Parks and Recreation budget in the following manner:

<b>FROM</b>	<b>AMOUNT</b>	<b>TO</b>
A.2705.07	\$550	A.2029 Special Programs

The funds will be used for Little People Playtime & Spirit Camp

A.2705.07	\$880	A.2027 Day Camp Fees
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The funds will be used for Sports Camp

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

THE FOLLOWING WAS PRESENTED

By Ald. Witt  
 \_\_\_\_\_  
 Sec'd by Ald. Johnson  
 \_\_\_\_\_  
 Date of Adoption 08.16.22  
 \_\_\_\_\_  
 Index No: 187-22  
 \_\_\_\_\_

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

**Resolution accepting a \$1000 donation from the Animal Health Center  
for an Ice Skate Sharpener**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and accepts a \$1000 donation from the Animal Health Center for an ice skate sharpener.

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the Treasurer to deposit the donation into revenue budget line A.2705.00 Gifts & Donations and increase budget line A.7321.450 Special Programs Materials & Supplies.

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

THE FOLLOWING WAS PRESENTED

By Ald. Green  
 \_\_\_\_\_  
 Sec'd by Ald. Jean-Francois  
 \_\_\_\_\_  
 Date of Adoption 08.16.22  
 \_\_\_\_\_  
 Index No: 188-22  
 \_\_\_\_\_

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

**Resolution establishing an account line for the New York State Pave our Potholes Program**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to establish an account for the NYS Pave Our Potholes (POP) Program that the City will receive reimbursement for from the Department of Transportation.

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to place \$114,019.21 awarded on May 11, 2022 into this account. It can be used to resurface and renew the roadway pavements in the city. Reimbursement for repairs can be submitted quarterly and any unused funds will roll over to the next quarter.

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

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner  
 \_\_\_\_\_  
 Sec'd by Ald. Ramkissoon  
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 Date of Adoption 08.16.22  
 \_\_\_\_\_  
 Index No: 189-22  
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NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	x			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

**Resolution creating the Position of Administrative Educational Finance Research Services**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and creates a new payroll position title of Administrative Educational Finance Research Services.

This position is exempt managerial and confidential. It was created purposely with the goal of establishing a new Division of Payroll that reports to the Treasurer. The goal is to further segregate Payroll from Finance and to continue strengthening our internal controls, confidentiality protection, along with personnel functions. The primary functions of the position include, personnel, payroll, budgeting, regulations, contract negotiation analysis and benefits administration.

The proposed salary range is \$50,000 - \$65,000 based on qualified experience. We are pushing for forward thinking improvements within payroll and this will ultimately continue to strengthen our customer service to the city employees.

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

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoon  
 \_\_\_\_\_  
 Sec'd by Ald. Johnson  
 \_\_\_\_\_  
 Date of Adoption 08.16.22  
 \_\_\_\_\_  
 Index No: 190-22  
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NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	x			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi				X
Pres. Rodrigues	X			
TOTAL	8			1

**Resolution authorizing an agreement with T-Mobile to Temporally Relocate Antennas**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes an agreement with T-Mobile to temporally relocate T-Mobile Antenna off the Highland Avenue water storage tank until repairs and repainting is complete.



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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson  
 \_\_\_\_\_  
 Sec'd by Ald. Tobin  
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 Date of Adoption 08.16.22  
 \_\_\_\_\_  
 Index No: 191-22  
 \_\_\_\_\_

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

**Resolution authorizing a \$9325 budget transfer to purchase an ice machine**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the treasurer to transfer \$9325 in the following manner to cover the cost of an ice machine for community events and funding.

<b>From</b>	<b>Amount</b>	<b>To</b>
A.3120.400	\$5,000	A.3120.433
Contractual Services		Training
 A.3120.400		
Contractual Services	\$4,325	A. 3120.200
		Equipment

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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois  
 \_\_\_\_\_  
 Sec'd by Ald. Green  
 \_\_\_\_\_  
 Date of Adoption 08.16.22  
 \_\_\_\_\_  
 Index No: 192-22  
 \_\_\_\_\_

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

**Resolution Authorizing Budget Transfers to Cover Unanticipated Increases in Fuel Costs**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the treasurer to make the following budget transfers to cover unanticipated increases in fuel prices:

1. Gas (T/O Wallkill): We estimate our monthly average usage to be 1,661.1 gallons. At a cost of \$3.87/gal. we will need \$32,142.00 (less current remaining\*) to be transferred in to the noted lines for Aug. – Dec. \*Current remaining (\$13,124.) is inclusive of gas and diesel.
2. Diesel (T/O Wallkill): We estimate our monthly average usage to be 3,648.1 gallons. At a cost of \$4.39/gal. we will need \$80,077.00 (less current remaining\*) to be transferred in to the noted lines for Aug. – Dec. \*Current remaining (\$13,124.) is inclusive of gas and diesel
3. Diesel (Bottini): We estimate our monthly usage to be 1,010.8 gallons. At a cost of \$3.9815/gal. we will need \$20,123.00 for Aug. – Dec to be transferred in to line A.5110.417 (included below) as we have \$0.00 of the original amount budgeted remaining.

<b>From</b>	<b>Amount</b>	<b>To</b>
General Fund	\$39,693.00	A.5110.417 Street Dept./Gas & Oil
General Fund	\$ 4,800.00	A.1620.417 Maint. Dept. Gas & Oil
General Fund	\$64,725.00	A.8160.417 Sanit. Gas & Oil
General Fund	\$10,000.00	F.8340.417 Distrib. Gas & Oil

We are also requesting a transfer for Sewage Plant Utilities (\$26,829.00) in part due to natural gas price increases from 56.50 cents in Jan. to 86.39 cents in Jul. (electric and gas budgeted together).

<b>From</b>	<b>Amount</b>	<b>To</b>
General Fund	\$26,829.00	G.8130.415 Sewage T&D Light & Heat

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

THE FOLLOWING WAS PRESENTED

By Ald. Tobin  
 \_\_\_\_\_  
 Sec'd by Ald. Jean-Francois  
 \_\_\_\_\_  
 Date of Adoption 08.16.22  
 \_\_\_\_\_  
 Index No: 193-22  
 \_\_\_\_\_

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

**Resolution Awarding TAM Enterprises to Remove Debris from 21 Academy Avenue**

**WHEREAS** 21 Academy Avenue, a large multi-story masonry building that is abandoned and recently owned by the city, had a partial structural collapse on August 8, 2022; And

**WHEREAS** this required us due to safety concern to demolish the remaining structure. Local contractors were contacted, but Boyce was most qualified and had equipment ready. Boyce will be billing for services related to the demolition; and

**WHEREAS** QEST Environmental, asbestos remediation consulting Inspection Firm was contacted to assist in getting a variance from D.O.L. for the Demo and removal of the building debris as Asbestos Containing Material (ACM). QEST will be at the site during demolition debris removal for air monitoring & sampling; and

**WHEREAS** Several Asbestos abatement contractors were requested to provide prices per ton for hauling away off and disposal of the debris as ACM. *(Please refer to the attached tabulation).*

**NOW THEREFORE BE IT RESOLVED** that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and awards the work to the lowest qualified bidder, TAM Enterprises, in the amount of \$220 per ton. The work will include site cleanup, loading, hauling and disposing of the ACM debris to an approved location.

**BE IT FURTHER RESOLVED** that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment authorizes the City to continue working with QEST as the environmental consultant providing services used for DOL Variances, Air Sampling, daily inspection and reporting as required by DOL, for this project.

The funds will be paid out of the capital demolition line, H.0993.900.

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

THE FOLLOWING WAS PRESENTED

By Ald. Witt  
 \_\_\_\_\_  
 Sec'd by Ald. Kleiner  
 \_\_\_\_\_  
 Date of Adoption 08.16.22  
 \_\_\_\_\_  
 Index No: 194-22  
 \_\_\_\_\_

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

**Resolution authorizing a \$1,000,000 Budget Transfer to be used as temporary Seed Money in order to pay current invoices to WSP & future invoices for Boyce Excavating due to a back log from D.O.T. reimbursement**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes a temporary borrowing of funds from the General Fund and authorizes the Treasurer to transfer funds in the following manner, to be used as temporary Seed Money in order to pay current invoices to WSP & future invoices for Boyce Excavating due to a back log from D.O.T. reimbursement. This money will be replenished once new borrowings are completed next month.

FROM	AMOUNT	TO
General Fund Balance	\$1,000.000.00	H.0908.900 Middletown Traffic Operations

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

THE FOLLOWING WAS PRESENTED

By Ald. Green  
 \_\_\_\_\_  
 Sec'd by Ald. Johnson  
 \_\_\_\_\_  
 Date of Adoption 08.16.22  
 \_\_\_\_\_  
 Index No: 195-22  
 \_\_\_\_\_

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

**Resolution authorizing an agreement with CT Male for  
Construction Administration and Observation**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes an agreement with CT Male in the amount of \$416,500 for construction administration and construction observation and testing for the Shawangunk Reservoir Rehabilitation project

FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Mayor to sign said agreement

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson  
 \_\_\_\_\_  
 Sec'd by Ald. Green  
 \_\_\_\_\_  
 Date of Adoption 08.16.22  
 \_\_\_\_\_  
 Index No: LL#6 of 2022  
 \_\_\_\_\_

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

**LOCAL LAW #6 OF 2022**

A LOCAL LAW UPDATING THE COMMISSIONER OF ASSESSMENT CHARTER PROVISIONS

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

Section 1. Purpose of this Enactment.

The purpose of this enactment is to update the Charter provisions applicable to the office of the City Commissioner of Assessment and Taxation.

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

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



Section 3. Section 59 of the Charter of the City of Middletown is hereby amended to read as follows:

§ 59. The Commissioner of Assessment and Taxation shall be a full-time employee of the City of Middletown and shall serve a six (6) year term pursuant to the provisions of Section 310 of the New York Real Property Tax Law. The Commissioner shall be the head of the Department of Assessment and Taxation. He or she may appoint and for cause remove such employees as he/she deems necessary for the proper conduct of the business of his/her office, provided that the position has been authorized and the salary thereof fixed by the Board of Estimate and Apportionment. The Commissioner shall possess all the powers conferred upon, be subject to all the obligations imposed upon and perform all the duties pertaining to the office of assessor in the towns of this State, except as otherwise provided by law. He/She shall value all real estate in the City on one common and general principle of valuation which shall apply to all real estate assessed within the City, including improved and unimproved property. In the case of improved property the land shall be valued separately by the Commissioner and such separate valuation and the aggregate valuation of the whole property shall be entered and appear in separate columns upon the assessment roll. When there are two or more houses on one lot, the valuation of each shall be shown. The Commissioner shall keep a record of all transfers of real estate in the city. He/She shall assess the value of personal property in the name of the owner thereof. He/She shall continuously revise and correct the assessment map. He/She shall keep an accurate index of the assessment roll as the same appears from year to year and shall note thereon the changes in the assessments as the same are made with the dates thereof. He/She shall publish and issue prior to grievance day each year in pamphlet form for general distribution the assessment-roll as completed by him/her showing a tabulated comparison with the assessments of the two preceding years. But no error in such pamphlet shall invalidate any assessment or tax levied thereunder.

Section 3. Severability.

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

Section 4. Effective Date.

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

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

THE FOLLOWING WAS PRESENTED

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

Sec'd by Ald. Ramkissoon  
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Date of Adoption 08.16.22  
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Index No:  
\_\_\_\_\_

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

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