



Common Council Meeting

City of Middletown

December 1, 2015

1. Pledge of Allegiance: Pres. Rodrigues asked all to rise for the Pledge.
2. Roll Call: Present Ald. Kleiner, Witt, Johnson, Ramkissoon, Jean-Francois, Burr, Sommers Masi, Pres. Rodrigues-9
3. Approval of Minutes
Nothing this evening.
4. Correspondence
Correspondence from Mayor DeStefano regarding Bucky Simpson returning from Washington, DC-Received & Filed
5. For the Good of the City
No one came forward
6. Remarks of Dept. Heads

Fire Chief Barone-Nothing this evening.

Chris Brinkerhoff/Recreation Dept.

Increase with camp fees. Our Sports Camp has been at \$70.00 a week which is \$100 cheaper than anyone else a week. Our Rec. Commission has approved a \$20.00 increase. This will make camp \$90.00 a week.

Transfer of money. We are looking at some of the money that we did not use for repairs to pools to actually start to replace some of our swing sets that were put in in the 1970's. That is what those transfers are for.

I think we will have enough money to put in 3. One being Davidge that has no swings at all right now.

Another I would like to put 2 non-voting youth delegates on the Rec. Commission. What that does is giving the youth a voice is a great for funding opportunities. They really look for that. Not to mention positive youth development and empowering our kids. We have a lot of teenagers who are doing a lot of great things. I think they should have a little bit of input and let them run the government process. We can have people introduce you to them and get a couple of members to be on the Commission.

We received the 2016 Funding –the Orange County Youth Bureau. We will be receiving \$44,000. There is a resolution on there for \$49,000 the Police Dept. also wrote a grant. Officer Jackie Welch and they are receiving \$5,000 to start a new program To Good for Violence and Too Good for Drugs. That will also be working together with Middletown Care.

Letters to the North Pole started on the 23rd. Holy Cow-letters coming in. Compliments on the mailboxes. We have to give a shout out to Shawn Reissert and the guys in the Parks Dept. who built those wonderful things. Great time delivering and Santa Claus even helped deliver.

Dec- special events. Friday, Dec. 18th at 6pm in Festival Square there will be caroling.

Saturday, December 19th from 11-1 at the Recreation Center will be Santa's workshop where kids will have the opportunity to do crafts. I think there will be a special guest coming as well.

Dec. 21st at 6pm at the Paramount Theatre there will be the showing of Polar Express. No school the next day. Great opportunity for the kids to start vacation break with the Polar Express. Tickets will be \$5. Doors open at 5pm. The only people that can pre-buy tickets is a group of over 10. Sales at door. Recreation number 346-4180.

First annual Turkey Trot. It was a success. Thanked the High School Track team for their donation of their time and knowledge and ShopRite for their donation of all the turkeys that went out to all the winners.

Tomorrow night the OC Youth Bureau holds a Youth Summit. There is going to be a lot of Middletown kids there. You have to be invited to this. We will have representatives from the Mayor's Youth Council, SADD (Students Against Destructive Decisions) which if funded by the Middletown Cares, students from the Teen Center, they have been asked to come to share because our numbers were so big there. Students from our Summer Leadership Academy talking about their experiences. Middletown is on the map and the County.

Ald. Kleiner- With the Youth delegates the Rec. Commission its not just the youth delegates that will benefit, it is the Commission, because they I think their opinions would be really valuable to have. Sometimes they think of things that we don't think of.

Ald. Witt- I appreciate you bringing to us the increase in the program prices. I do think that it is warranted. But for people who may have a problem with it or may not understand exactly what they are getting for that. Can you speak on the quality of instruction and the coaches we have.

Chris Brinkerhoff- Our coaches at the Sports Camp; they are all High School coaches. They are certified by NYS, also all train in CPR and first aid. We had a medical emergency there a few years ago where we actually had a child stopped breathing from a seizure. That child is fine and the Health Dept. when they came to do the report they said they can only think of one other camp that child would have been alive today. Also the counselors that work with these coaches, they are Middletown students or alumni. They are usually college athlete or college bound athlete. You are really getting great programming. The kids get to choose what they want to do. It's not that they have to do something; it is a very popular camp.

Also raise the fees with Spring Break as well as Little People. They will less, only \$15.00

Don Paris/Treasurer- I know you are going to be voting on the budget tonight I hope you are going to support it.

Pres. Rodrigues- Great job.

John Naumchik/City Clerk-To remind the public about how we sell EZ-Pass at the Clerk's Office. We are doing a phenomenal job and we sold over 200 thus far. All the information is on the website and that has over 1500 hits just for that.

Website hits-number 1 is the garbage and recycling schedule which had over 61,000 hits. 2nd on is the directions to City Hall which had 37,000 hits, 3rd State of the City which had 15,000 hits. Yard waste over 10,000 hits.

Middletown-ny.com website.

Pres. Rodrigues- We have County Legislator Jeff Berkman here.

Quick report with what is going on with the County budget. Budget approval process which is going to take place on Thursday. It is approximately \$725 million budget which is about \$10 million less reduced from last year. The good news is the sales tax rate stayed the same and Middletown as you all know the 3 cities get a favorable distribution in sales tax. Not because the County is particularly generous; but because the State gives cities the option of doing it on your own if you wanted to. That

strengthens the Mayor hand in negotiations. Happily we have an agreement which is favorable to Middletown and Newburgh.

On the property tax component if the budget passes as the County Executive has submitted and we have done some moderate changes. Middletown actually gets a small property tax cut of 2.79%. Because of the equalization rate.

Heritage Trail-a lot of talk about the Heritage Trail that seems to be moving along in a favorable direction as well. The entire project is funded in the Capital budget which is certainly good news. I have a long standing record of voting against the Capital budget; this may be the incentive for me to have a more positive... We are looking forward to have that moving forward and the County Executive seems to be an advocate of fully funding it and then seeking reimbursement from State grants. In the future which is outstanding let's just hope this happens on the local front. I believe the Mayor is about done with Corp. Counsel and the rest of the Counties attorney's about getting the Inter-Municipal Agreement set about the small issues of easements and couple of technicalities along the path of the trail that has to be resolved.

Sparkling Devices-we went through quite an episode last 4th of July. Middletown and New Windsor seem to be the two communities that had many problems we will say. People had the wrong idea I think about what was legal and what wasn't. Lead to confusion and abuse and I put forward 2 resolutions; first to rescind that which the County approved. I kind of went in knowing it was a long shot and it didn't pass. It didn't have a lot of support even New Windsor for some reason wanted to give this current law more of an opportunity to see if it could straighten itself out. The next best option was calling for a State Law which would give us that which we thought we had in the first place which was opt out provision for the small cities. That passed in 2 committees. I authored it and happy it is moving forward and that will be voted on Thursday as well.

Additional \$50,000 allocation was put it, actually some of you, the Mayor and I, Jerry of course was the guy who initially set up the committee to talk about Homeless Services/Warming Station. Various issues that correspond with that issue. I put in a resolution in for- budget amendment actually for \$50,000 to do additional work and it is Countywide to do some assisting and help for other communities that want to set up warming stations. Also get a data base of those people that are most in need in our community so we can find out exactly who they are and what they need that might help all policy makers in the future determining on how we can integrate some of these people into existing programs and improvement for Quality of Life for certainly those people in need and for the rest of us as well.

I was very happy that \$50,000 was added and that gives enough money hopefully at least for a part time worker to befriend those in need and to try to some positive work for our community.

It was an honor to serve the people in Middletown yet for one more year in the County Legislature. This year was a bit easier than last year. Last year was a huge financial crunch; not that things are solved completely, not quite the pressure that there was last year. So that is why we could have some additional movement on the budget for \$50,000.

Today I went to reactivated foreign FTZ. Foreign Trade Zone, which we had and the County Executive reestablished. I met with him a few weeks ago asking for him to do that so happily he did just that. Now we are trying to get business in the international arena to Orange County and of course Middletown will be in my heart and my mind as it will be with all of you.

Ald. Kleiner-I thank you for working for Middletown and particularly for that \$50,000.

I have a question on the sparkling opt out. The County is passing that saying they are asking the State to allow them to do that? They are giving us permission to do it. If the State allows it? Is that how it works?

Legislator Berkman-Initially when it came to a vote there was some confusion. The confusion was right after the vote. We were informed that if the County were to have passed the resolution which did pass that there was a pre-existing authority of the 3 cities in Orange County to opt out. It was on that basis that it was voted upon. That was what we were under the impression. After speaking with the Mayor and I remember going back and forth with him, his impression was otherwise and as it turns out he was right. Legislative Counsel for City was right. Then we were left with a situation that there was not an opt out for the city. Ok, what do we do about it? I went first to try to rescind the entire resolution and start all over again. There wasn't support for that. The next best thing is to encourage our representatives in Albany to give Middletown, Newburgh and Port Jervis the authority and any other small city in the State if it helps in passing this resolution. Copies of the resolution and I think I e-mailed to Mr. Rodrigues and the Mayor in the past and I will make sure that Mr. Naumchik gets a copy of all this and perhaps your committees would go over it, write a letter of support for it.

Ald. Johnson- Could you reiterate with the Heritage Trail. What is the real dollar expenditure?

Legislator Berkman- There is an additional \$2million somehow came in. It went from 10-12 I believe. When I asked about that I got a discussion happened about the price of blacktop. So that is the current estimate-12. However, we won't really know the actual cost until it goes out for bidding and it's actually sorted out. We don't have the pressure of the moment to have the exact figure. It is a budgeted estimate and at that point we can determine whether that holds or whether it is a reduced amount. Also the authority by the way for the bonding as with all bonding with the Office of County Executive. Once it passes the ball would be in his court to determine how

much would be bonded if he feels he could do it for a substantial less amount of money no doubt he would bond less money. That would be in the best interest of all the taxpayers in Orange County.

Ald. Johnson-The County is anticipating covering what percent of that cost?

Legislator Berkman-The County the way I understand it, the County Executive is offered along with others in County government to front the money basically.

Ald. Johnson-100%, 90%.

Legislator Berkman- No I'm just saying... the entire project is contemplating being handled and the County then would look to be reimbursed for this State and Federal funds.

80-20.

Mayor DeStefano-80-20. Then the IDA. There is more involved with IDA FUNDS.

Legislator Berkman- The exact cost will happen when they get the bidding and quite frankly alderman it is... better situation more receptivity towards cooperation from the County for the funding of the project than I initially thought would actually happen. I can tell you what I thought could of happen but didn't. Still a good victory but not as good as this one appears to be shaping up to be.

Ald. Masi-Do you know how much money has been expended on that project already?

Legislator Berkman-I don't know exactly and it is difficult to determine because there has been monies that have been expended by the County, money expended by Trail Advocates that were actually in charge of the project at one point. Some of the money went for other segments of the Trail that have not been distinguished from our segment of the Trail. I don't have an exact amount of how much was spent on behave of our portion of the Trail to go forward.

Ald. Masi-Would a \$1million seem like a lot? I understand that amount of money has been for this portion. If by some chance the County doesn't approve it and we don't get it, then that million is lost. That is my believe and I think the Commissioner of Public Works is shaking his head up and down, yes and no. Yes rather than no. I guess what I want people to understand that we are hoping obviously from Middletown standpoint we want it and we just don't understand why we would not get especially if up to a million dollars is going to be lost; and it is only going to cost another million.

Legislator Berkman-It is going to be multiple millions to complete the project.

Ald. Masi-It is going to be reimbursed.

Legislator Berkman- A lot of it.

Ald. Masi- We stand to lose a million dollars. Not Middletown, but the project stands to lose a million dollars if it goes down the tubes.

Legislator Berkman-I am not envisioning this not happening, I am envisioning this happening. Let me say I was kind of blunt about it at the Committee meetings when I repeated, I really didn't think I had to do this for you we are on the same team here. But I was reminded in polite but forceful way that they have made commitments to the people of Middletown and Wallkill to make sure that the Trail would continue from Hartley Rd. to Middletown through Middletown and out to Howells. That has been the pledge, the promise that has been made to us repeatedly and it is our, not only our duty but our job and commitment to make sure the County does just that. I believe the right recipe is there for this to move forward.

Ald. Masi-I appreciate your being there for us and helping us out. But we have heard this story a long time and we get a little concerned. Skip the emotions of it, now it becomes a financial. Million dollars is out there that stands to be lost if they don't do it when it will take another million to do it.

Legislator Berkman-It's not going to take another million to do it. Multiple million.

Ald. Masi-Reimbursed the other millions. We stand to lose a million dollars from what I understand. We have a man behind you ...to know more.

Legislator Berkman-You're assuming that they are not going to go forward...

Ald. Masi-No I want it to go forward.

Legislator Berkman-I don't want to forecast what would happen if we don't go for it.

Pres. Rodrigues- We are all on the same page and we are all for it and hopefully it will pass with flying colors.

Legislator Berkman-I think it is a positive direction we are going in, I don't want to anything...

Ald. Masi-Jinx it.

Legislator Berkman- I don't want to be anything other than positive.

Ald. Masi-20 yrs.

Legislator Berkman-There's other stuff the fact that its been. See part of the Trail is on County owned property. This segment of the Trail is on City owned property so that makes a distinct difference. Also brings up questions of liability, brings up questions of underground piping, brings into questions of...

Ald. Masi-Is there anything that Middletown can do to help you?

Legislator Berkman- I have talked to the Mayor about it. You can pass your Inter-Municipal agreement. That would be helpful.

Mayor DeStefano-I think you're going into an area that... by passing you're implying that there is some reluctance on the City to pass it.

Legislator Berkman-Not at all. I think the City has been totally supportive of this and I have too.

Mayor DeStefano-I think I can clarify from the City's point.

Ald. Kleiner- I just want to say the County did pass that \$1.2 million a few years back and a lot of that has been for the design and engineering. Its not that nothing has been done, there has been a lot of work that has been done. Originally through Planning and now it is now through Rich Rosen and Parks. But they are spending money and so that monies you can say its lost if it gets designed and doesn't get built. It's not that the money is not being used and we have great faith it is going to get built.

Legislator Berkman-I think it would be unconscionable for the County to renege on its word to us. I think we will mobilize to avoid that possibility. I have an optimistic feeling that we are moving together, the County and the City and the Town for that matter to get this important job done.

7. Public Hearings & Grievances

John Naumchik-Nothing this evening.

8. Petitions & Complaints

John Naumchik-Nothing this evening.

9. Remarks of the Mayor

Mayor DeStefano-I want to begin by thanking Jeff for the report and also thank him for his work that he has done on the Heritage Trail. I know he is being a little caution with his words because there was a lot doubt last year on whether this project would move forward. When the County Executive was in town for the Clemson opening as you know he reinforced his support for the project, he has also made many statements and public statements in support of. Myself and Maria had the opportunity to attend the Orange County IDA meeting a few weeks back in which the County Executive

was there making a pitch on behalf of the County for the Middletown project to have some of that 20% of County funding funded by the IDA.

Mr. Neuhaus is on board. I believe as Jeff has stated that the feeling on the Legislature is much more positive and we are really moving ahead on it. It also affects Wawayanda by the way; it comes in from Goshen, Wawayanda, Wallkill, Middletown and back out to Wallkill. It is a great project, we are all on the same page, I think the adjustments from the \$10 million to \$12 million are because of possible design requirements by whether it is going to be year round trail or required to have a deeper base and deeper asphalt. Whatever it is, the most positive news I think that Jeff reported and the County Exec. told me at the IDA meeting was that he would be putting it into his budget, into the Capital budget for the entire amount. The County would then seek reimbursements, 80% is funded through the Transportation Council. Myself and Jacob attended a meeting about a week or so ago, the Orange County Transportation Council, County Exec. was there again we enforced his support for the project and the Transportation Council did fund it's in the 3-4 yr. plan, the funding mechanisms how the money is going to be drawn. All the stars are lining up correctly for the Heritage Trail to happen and I want to thank not only Jeff but also the County Exec. for his leadership on this because it did hit a little rough road. Apparently the vote is straight and let's keep it straight.

Sparkling device issue-The County can opt out. I know Jeff introduced the resolution that didn't pass. I don't understand the reluctance of the Legislature to do it. It is their call. Each individual municipality can opt in. We are requesting the State allow us to opt out, hopefully that will happen, if it doesn't we are going to have a repeat probably July 4th 2015. Also be aware that this year, this coming New Year people are allowed to do the same thing for that last week of the year. Maybe not so much of a concern during the winter months but we can anticipate it. We will have to do what Jeff has suggested is lobby our State Legislators allowing for that local opt out, if the County opted in.

We had our annual Christmas Tree Lighting this past Friday. Probably the best turnout that we've ever had. I would be remiss in mentioning that Miguel Rodrigues, Council President out of his own pocket purchased all 1,000 candy canes that were handed out. Out of the goodness of his heart, his wife Wendy delivered them. The event was a great event we had about 5,000 people that was estimated to attend. Our first honorary chairman Andrew Stevens. As you know many of you saw him that night, he was out of the hospital I think the day before suffering from a serious rare muscle cancer sarcoma. Andrew was able to make it and the next day he went back into the hospital for treatment. Between the weather and Andrew it probably made it the best event that we've ever had. Best wishes go out to Andrew and his family for the holiday season.

Also want to thank the Levi family for the donation of the tree. This is our 2nd tree off of Amy Lane in the Town of Wallkill. We want to let Dan Depuy know that we are going to come out and raid him again. May be next year for another tree. I think

everyone had a great time, I want to thank the BID, John Degnan and the Economic Development Director, Maria Bruni and all the staff, volunteers for making that happen.

Tonight I also want to let you know the Capital budget requests are in. We will try distributing them soon. We are going to go through the same process that we did with the General budget, the General Fund budget, discussion at the Board of Estimate. We will be making recommendations to the Full Council.

Another important note is that we have been advised a few months back by the Board of Elections that we need to do re-districting in the City of Middletown. Ald. Masi, myself and Pres. Rodrigues have been working on some preliminary plans, but they have asked us now to move the date of presentation from January up till mid-December. We are going to start moving very quickly. It is going to affect 3rd and 4th Wards and 1st Ward. The 4th Ward as you know is huge, in distribution to ward boundaries are set by population of registered voters. It is not by population, by the registered voters for voting purposes. We are going to be looking at hopefully this week some different options and it is going to require movement from the 4th Ward of voters and putting them into the 1st Ward and into the 3rd Ward in some parts because they are contiguous with the 4th Ward being sandwiched by the 2 of them. If we don't do it and fairly soon, the Board of Elections will do it for us and I think we would rather have the input of doing it rather than having the Board of Elections make those decisions. We are going to hopefully set up a meeting I will let everyone know and we will certainly get your input on some of the decisions that will be recommended.

Tonight we will be voting on the City budget. You see on the screen. Budget highlights. We had our public hearing at 6pm. No one from the public showed. We had Chief Barone and Chief Luis from the Fire Dept., reporter Dick Bayne from the Times Herald Record. Hopefully it is a sign that people are happy with the budget as being presented. We did have several weeks of work with our Treasurer, Don Paris working with the Board of Estimate and the Dept. Heads. We are happy to announce we are staying within the tax cap once again which will make Middletown residents eligible for the tax refund.

The Mayor gave highlights of the 2016 budget

What it shows is the 2015 spending and the 2016 recommended budget. This is in 1,000.

General Operations in 2015- \$6.594 million
2016- \$6.774 million

Special Items Line-liability insurance, claims, tax certiorari slight decline in that line down to \$1.082 million

Personal services which includes payroll for all different depts. we had \$15.471 million, 2016 \$15.659 million

Employee benefits line health care, pensions, very large part of our budget is going up much significant \$12.661 million to \$13.014.

Debt service payment is actually going down which is a result of some of the Debt Service Fund Balance.

Selective Fixed Cost- Insurance up from \$846,000 and this is all General Fund not Water/Sewer to \$854,000.

Street Lighting Cost-\$438,000 in 2015 almost half a million dollars in 2016. \$486,000. This is being addressed in our Shared Services and our discussions with ESG where the State has recently passed a law allowing municipalities to take over street lighting operations. We are projecting between street lighting and water meters and this is a whole separate project \$15.4 million savings over a 15 year period. You will be getting all that information for that is all guaranteed savings by the way through this program of NYS.

You will start seeing this number come down significantly in the years. When I tell people we spend almost a half million dollars just for street lights they don't believe it. As you can see it is a real number

Our gas and oil went down from \$452- to \$385. Primarily the cost of gas.

Repairs and Equipment-We had a slight increase from \$533,000 to \$584,000.

Landfill-is going up, landfill costs for dumping your garbage. \$1.068 just to put the garbage to the landfill and pay for the trucking to \$1.143.

As you saw my comment in the paper this year, focus on a few areas in the budget that need to be cut. I have touched on the lighting and ESG project. Landfill is another area that we need to do something. Our recycling rates are horrible. I have been saying it a few years, maintaining about 6%. Part of our plan for sanitation and we are looking at every possibility, I know Mr. Masi is a supporter of privatization. Potentially a significant savings. I have talked about the use of the automatic arm. Regardless, any component that we do is going to require us to do a better job at recycling. If we don't that number is going to continue to climb; no matter what we do and how we pick up the garbage. We do have a lot of work to do on sanitation issue for 2016.

Employee Benefits-Cost of operating a small city of 28,000 people. As you can see the breakdowns are the pension costs, Workmen's Comp., Health insurance and payroll taxes and other miscellaneous cost related to payroll.

34.18% of our budget is employee benefits. We want to make sure our employees have all the benefits that they deserve. It is not an issue of employees of receiving the benefits, just the cost of the benefits. We need to highlight that as we move forward is a large portion of this budget goes towards this one specific fixed cost and nothing we can do about that. We are fixed and tied in on our Health Insurance. We have talked about looking at Workmen's Comp. going self-insurance; so far the experts that we've had have not been able to figure out a viable pathway to self-insurance that would make it profitable for us. We are still looking at different options with that. Pension costs are set by the State. It is a big number for a small community like Middletown. 2016 over \$13million.

Non-Repetitive Revenues-This is the danger that communities can get in and I have been cautioning for a couple of years now. We need to have a healthy fund balance in all of our accounts. Fund Balance being our savings, we've also had the beneficiary of many projects that have come in under budget over the years; projects that have been bonded. We are going to be using \$600,000 of that savings for the Debt Service Fund Balance. These are projects that money was borrowed from that the projects primarily came in under budget.

Sale of Real Property- We have identified at least one major piece of property that we will be selling and we are setting a minimum bid actually higher than the budgeted amount to be conservative. Hopefully the minimum bid will go through.

Fund Balance Transfer-Which rounded up to \$299,000. That is \$1.4million; almost \$1.5 million in Non-Repetitive Revenue that we need to address and that is going to be addressed through the ESG program that I talked about. On the short term and along with some changes in sanitation.

That is our budget for the General Fund 2016.

Ald. Masi-If we did not have those 3 items, what do you envision I think we actually have a dollar amount.

Mayor DeStefano-We do. The Non-Repetitive Revenue represent 8.3% in taxes. If we were going to raise taxes to cover that amount it would result in 8.3% tax increase additional. You see the significance of having to make some structural change on how we do business.

A lot of people talk about the tax cap. We are not required by law to stay within the tax cap, we are required by our conscience and our desire to do what is right for the community. I actually am one of the few Mayors' in the State that agree with Governor Cuomo regarding the tax cap. I think it saved us and made us think about different ways of providing services. The best example and the example I gave to the State was the change from the Hook N Ladder Truck that required 2 people to operate to the single axle truck which requires 1 fireman to operate and drive. That one decision alone and it was made because of the tax cap coming in, saving Middletown

residents between \$400,000-500,000 a year in spending. Just that one decision alone. I think that is what the Governor is trying to do; he is getting us to look how we do sanitation, trying to get us to do Shared Services. We did hire Pattern for Progress to meet with the local School District and some of the surrounding communities we are not having a lot of success in Shared Services; we are having some. The State Government and Gov. Cuomo's intent was to make communities make hard decisions. That is what we are doing in this budget.

10. Remarks of Aldermen

Ald. Masi- Commissioner Tawil is back now. I know he didn't have an opportunity to speak. I am going to speak on one item and Jacob- it is the final resolution tonight. I know there was quite a bit of discussion on it at the last meeting and it is the last transfer from General Fund Balance for \$35,000. We fought back and forth on this; you know my initial feeling I don't want to fool with the Fund Balance at all. You all know the importance of it I'm not going to reiterate that. What I will say is that being two professionals the Commissioner and I met with the Mayor today and I think we have come up with a solution that I know I can live with and Commissioner can live with. There was never ever an idea that we weren't going to get the salt. We always felt that, it was a just a matter of where we were going to get it from. I have agreed to go along and I'm hoping everyone else will go along with this resolution, the Commissioner has agreed that and he can obviously speak for himself that in the next week or so we will look through the budget. I think I found some area; obviously we want to speak with the Commissioner to make a transfer within the budget to put the money back in the General Fund that we take out tonight, the \$35,000. It really won't be a hit on the General Fund if we can find the funds; I really believe they are in there and once Jacob and I and the Mayor look at it. I feel comfortable going along with this resolution and I hope everyone else will also. Jacob, if I misspoke please.

Commissioner Tawil-I sincerely want to thank you for this support. We will do everything we can in the next couple of weeks before the year is over to find fund in my balance to transfer it back. I appreciate your support.

Ald. Burr- I like to thank Maria, John for a great night out with the Christmas tree. Well attended.

Parks & Rec.-I appreciate all your support. Chris you are doing a great job and we have a couple of resolutions and appreciate your support tonight.

Ald. Ramkissoo-Hope everyone had a safe and Happy Thanksgiving. I just want to speak briefly on the Tree Lighting. It was fantastic, perfect weather. Great kick off to the holiday season. Brink went over the holiday events that are coming up and I just want to say as a mom of 4 to the other families in the community; we have so much to offer your kids, families.

Ald. Johnson-Remind you on the Planning and Economic Committee you will receive information that was gathered by Mr. Naumchik and Mr. Smith. We will schedule at the next meeting and bring that to some type of closure. Obviously quite an intricate story that preceded this decision.

Thank Leg. Berkman, for representing us as he does. I said it before and I will say it again, small cities do heavy lifting and the County and State should recognize our residents. We all chip in together with our tax dollars to make it all work.

With respect to a cap- it seems to be the obvious end to the discussion. Are you going to raise my taxes every year for the rest of my life? I get that part. We also understand that health care in the form of hospitals, schools and government are the major employers in any community especially a small city. The important benefits drive that engine. So it's not sustainable...at this time to say to have all those benefits increase exponentially and have spending decrease exponentially. The rubber will meet the road eventually and we will see how it all turns out. It is not an easy task and we employ many of the people who pay the taxes, so it gets to be a very sedulous path that we run around trying to spend our money.

Ald. Witt- I would like to thank and congratulate those who are involved with putting on that Christmas tree lighting event. It was a wonderful night and certainly a lot of pictures around with people and the tree in the background.

Thank you to the Levi family for providing that.

Ald. Kleiner- 60 degrees really help. It was a great crowd; but mostly you note there were so many kids and families having fun. I also want to recognize former Alderman Ed Cummings, 3rd Ward Alderman; he finally stepped down in his role in helping to bring Santa Claus to the festivities. For many, many years he did a great job, very popular. I noticed this year somehow the Grinch was a lot more popular then it was.

We will have a combined 2nd and 4th Ward meeting on Monday, December 14th. Now the 2nd Monday of the month.

It is only fair that we transfer some money and buy that salt. Because for years we have been using salt and ice, snow and ice as a slush fund for everything else that needed funding. I am sure it will all work out.

We do need someone on the Ethics Board. Since the unfortunate passing of Wyletta Barbee. Not been able to meet and still have not gone over this year's declaration and statements of non-conflict of interest. What the Ethics Board needs is a City employee to volunteer to be on the Board. If anyone thinks they would be willing to do that please come forward. Please contact the Mayor. Barring that any citizen. We are required by law to do that, if not we should be having the County do it for us. I think we need to step up to the plate and look hard to try to find someone.

As always there are still about 10 spots in December that need one person for the Warming Station to volunteer. It is 342-0209. Nancy.

Still 2 training session stations left for volunteers. Dec. 3rd and Dec. 15th. It has been going well, really does need volunteers to step up.

Ald. Jean-Francois-What a difference a year makes. Last year for the Tree Lighting it was so cold. This year we picked the right time, right date, right temperature. Kudos to all those involved.

Public Committee met this evening which resulted into a formative discussion about traffic concerning the City. More discussion will further follow.

Ald. Sommers- Reiterate Ald. Kleiner's announcement for the 2nd and 4th Ward meeting. Dec. 14th here.

11. Unfinished Business
John Naumchik-Nothing this evening.

12. New Business

371.15 Resolution to increase fees of camps implemented by the Middletown Recreation Dept. to cover rising costs in minimum wage, insurance and busing of campers

On motion of Ald. Burr seconded by Ald. Witt

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to increase fees of camps implemented by the Middletown Recreation Department to cover rising costs in minimum wage, insurance and busing of campers as per the following:

Sport Camp & Spring Break Program

- \$70.00 resident fee per session increased to \$90.00 per session
- \$80.00 non-resident fee increased to \$110.00 per session

Little People Playtime/Counselor-In-Training & Specialty Camps

- \$60.00 resident fee per session increased to \$75.00 per session
- \$70.00 non-resident fee per session increased to \$95.00 per session

LET IT BE FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to amend the Fee Chapter of the City Code to add the new fees.

Roll Call: Ayes: Ald. Kleiner, Witt, Johnson, Ramkissoon, Sommers, Jean-Francois, Burr, Masi, Pres. Rodrigues- 9

372.15 Resolution for the Treasurer to transfer a total of \$6,700.00 within the 2015 operating budget of the Middletown Rec. Dept. for unused funds in pool repairs to park improvement

On motion of Ald. Burr seconded by Ald. Ramkissoon

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment for the Treasurer to transfer a total of \$6,700.00 within the 2015 operating budget of the Middletown Recreation & Parks Department for unused funds in pool repairs to park improvements will be used to purchase and install new swings at Sproat St. Park and Fancher Davidge Park in the following manner:

FROM	AMOUNT	TO
7180.440	\$3,100.00	7110.478
Pools: Repairs to Equipment		Parks: Park Improvements
7180.441	\$3,600.00	7110.478
Pools: Repairs to Pools		Parks: Park Improvements

Roll Call: Ayes: Ald. Kleiner, Witt, Johnson, Ramkissoon, Sommers, Jean-Francois, Burr, Masi, Pres. Rodrigues- 9

373.15 Resolution for the Treasurer to transfer a total of \$3,000 within the MPD 2015 budget to cover unexpected shortages for the year

On motion of Ald. Ramkissoon seconded by Ald. Johnson

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment for the Treasurer to transfer a total of \$3,000.00 within the MPD 2015 budget to cover unexpected shortages for the year in the following manner:

From	Amount	To
A.3120.100	\$3,000	A.3120.433
Personal Services		Training

Roll Call: Ayes: Ald. Kleiner, Witt, Johnson, Ramkissoon, Sommers, Jean-Francois, Burr, Masi, Pres. Rodrigues- 9

374.15 Resolution to apply for County AAA Transportation funding for the Senior Center and for the Mayor sign related documents for the funding

On motion of Ald. Sommers seconded by Ald. Jean-Francois

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to apply for County AAA transportation funding for the Senior Center and for the Mayor to sign related documents for the funding.

Roll Call: Ayes: Ald. Kleiner, Witt, Johnson, Ramkissoon, Sommers, Jean-Francois, Burr, Masi, Pres. Rodrigues- 9

375.15 Resolution to add two non-voting youth delegate seats to the Middletown Recreation Commission, subject to appointment of the Mayor

On motion of Ald. Burr seconded by Ald. Kleiner

WHEREAS; on Thursday, November 12, 2015 the Middletown Recreation Commission voted unanimously to accept having two non-voting Youth Delegate seats on the Middletown Recreation Commission, and

WHEREAS; youth delegate seats is another step forward in empowering youth to become involved in their community while promoting positive youth development and funding sources support and promote youth being involved in an advisory position within an agency.

SO LET IT BE RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment for authorization to add two non-voting youth delegate seats to the Middletown Recreation Commission, subject to appointment of the Mayor.

Roll Call: Ayes: Ald. Kleiner, Witt, Johnson, Ramkissoon, Sommers, Jean-Francois, Burr, Masi, Pres. Rodrigues- 9

376.15 Resolution for the Mayor to sign the Workers Compensation Contract with Marshall & Sterling for 2016

On motion of Ald. Johnson seconded by Ald. Ramkissoon

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment for the Mayor to sign the attached Workers Compensation Contract with Marshall & Sterling for 2016.

Roll Call: Ayes: Ald. Kleiner, Witt, Johnson, Ramkissoon, Sommers, Jean-Francois, Burr, Masi, Pres. Rodrigues- 9

377.15 Resolution for the Treasurer to transfer a total of \$2,790.94 within the 2015 budget to cover DPW Commissioner's contractual obligation not budgeted

On motion of Ald. Jean-Francois seconded by Ald. Johnson

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment for the Treasurer to transfer a total of \$2,790.94 within the 2015 budget to cover DPW Commissioner's contractual obligation not budgeted in the following manner:

From	Amount	T0
A.8160.200 Sanitation-Equipment	\$1,380.94	A.1490.400 DPW- Contractual Exp.
F.8310.100 Water Admin.-Personal Services	\$705.00	F.8310.400 Water Admin.-Contractual
G.8110.100 Sewer Admin.-Personal Services	\$ 705.00	G.8110.400 Sewer Admin.-Contractual

Roll Call: Ayes: Ald. Kleiner, Witt, Johnson, Ramkissoon, Sommers, Jean-Francois, Burr, Masi, Pres. Rodrigues- 9

378.15 Resolution for the Treasurer to transfer a total of \$50,161.00 within the 2015 budget to cover claims submitted to date and anticipated through year end

On motion of Ald. Masi seconded by Ald. Johnson

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment for the Treasurer to transfer a total of \$50,161.00 within the 2015 budget to cover claims submitted to date and anticipated through year end in the following manner:

From	Amount	T0
A.1900.910 Liability Ins.-Premiums	\$25,359.00	A.1900.915 Liability Ins.-Claims
A.1900.964 Refund & Cancellation Tax	\$ 24,802.00	A.1900.915 Liability Ins.-Claims

Roll Call: Ayes: Ald. Kleiner, Witt, Johnson, Ramkissoon, Sommers, Jean-Francois, Burr, Masi, Pres. Rodrigues- 9

379.15 Resolution for the Mayor to execute upon Corp. Counsel review all rental and related agreements for use of the Paramount Theatre for the 2016-17 season

On motion of Ald. Kleiner seconded by Ald. Johnson

Whereas, authorization to approve rental and other agreements for use of the Paramount Theatre has been transferred to the City of Middletown as per Resolution # 237-09 on October 26, 2009, and

Whereas, the yearly number of such agreements varies from 30 to 75 agreements, and

Whereas, the Corporation Counsel reviews all such agreements prior to execution, and

Whereas, the negotiation and execution of these documents, by necessity, occurs within a short timeframe,

Now, therefore, be it resolved by the Common Council of the City of Middletown that the Mayor is hereby authorized to execute, upon Corporation Counsel review, all rental and related agreements for use of the Paramount Theatre for the 2016-2017 which will be January 1, 2016 through December 31, 2017.

Roll Call: Ayes: Ald. Kleiner, Witt, Johnson, Ramkissoon, Sommers, Jean-Francois, Burr, Masi, Pres. Rodrigues- 9

380.15 Resolution to authorize the Mayor to sign the Assessment Collector's Warrant for 2016

On motion of Ald. Sommers seconded by Ald. Masi

RESOLVED, that the Common Council of the City of Middletown does hereby authorize the Mayor to sign the attached Assessment Collector's Warrant for 2016.

ASSESSMENT
COLLECTOR'S WARRANT
FOR 2016

STATE OF NEW YORK)
COUNTY OF ORANGE) SS.:
CITY OF MIDDLETOWN)

THE PEOPLE OF THE STATE OF NEW YORK TO **DONALD J. PARIS,**
COLLECTOR OF THE CITY OF MIDDLETOWN, IN SAID COUNTY, GREETING:

YOU ARE HEREBY REQUIRED AND COMMANDED TO COLLECT from the several persons named in the assessment roll, to which this warrant is annexed, the several sums mentioned in the total \$18,452,270.00 column thereof opposite their respective name, together with your fees thereon as herein provided.

On all sums of taxes or assessments received or collected within thirty days after giving the notice required by law you are to collect no fees. After the expiration of thirty days, you are hereby authorized to add and collect two per centum on every dollar for collecting the same as your fees thereon.

YOU ARE FURTHER REQUIRED AND COMMANDED to pay over all monies so collected by you, (exclusive of your fees for collection), to the proper officer daily and return this warrant to me within ninety days from date.

If any person shall neglect or refuse to pay any tax imposed upon him, or the fees herein allowed, after giving the notice required by law and waiting the time specified in the statute, you are hereby authorized to levy the same by distress and sale upon any personal property in said County belonging to, or in possession of, such person and cause the same to be sold, at public auction or otherwise in accordance with the City Charter, for the payment of such tax and the fees and expenses of collection, and no claim of property to be made by any other person thereto shall be available to prevent such sale and for so doing this shall be your sufficient warrant.

IN WITNESS THEREOF, the Common Council of said City, at a regular session, held on 12/01/15 has authorized this warrant to be signed by the Mayor of said City, and the Seal of the City to be affixed thereto, by a resolution duly passed by a majority vote of

said Council, and I, in pursuance of such authorization, have this 2nd day of December in the year of our Lord Two Thousand Fifteen hereunto set my hand and caused the Corporate Seal of the City of Middletown to be affixed.

MAYOR

Roll Call: Ayes: Ald. Kleiner, Witt, Johnson, Ramkissoon, Sommers, Jean-Francois, Burr, Masi, Pres. Rodrigues- 9

381.15 Resolution to approve the 2016 Annual Budget

On motion of Ald. Masi seconded by Ald. Ramkissoon

Whereas, the Board of Estimate and Apportionment has approved and submitted an itemized statement in writing of the estimated revenues and expenditures of the General City Government, the Water Department and the Sewer Department other than amounts to be raised by taxation for County purposes, for the fiscal year January 1, 2016 through December 31, 2016, and,

Whereas, the estimates are entered in full in the minutes as attached to this resolution, and

Now, therefore, be it resolved and ordained that the Common Council of Middletown, NY does hereby approve and adopt the aforesaid amended annual budget presented as follows:

<u>Description:</u>	<u>General Fund:</u>	<u>Water Fund:</u>	<u>Sewer Fund:</u>	<u>Debt Service</u>
Revenue	\$19,334,598	\$6,734,160	\$4,813,307	
Expense	\$38,085,379	\$6,734,160	\$4,813,307	
Fund Balance	\$298,511	-	-	\$600,000
Appropriation:				
Estimated Revenue:	\$19,334,598			
Tax Levy – General City Purposes	\$18,452,270			

Roll Call: Ayes: Ald. Kleiner, Witt, Johnson, Ramkissoon, Sommers, Jean-Francois, Burr, Masi, Pres. Rodrigues- 9

382.15 Resolution for the Treasurer to transfer a total of \$35,000 within the DPW 2015 budget to cover the cost of repairs to street/decorative lighting

On motion of Ald. Jean-Francois seconded by Ald. Ramkissoon

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment for the Treasurer to transfer a total of \$35,000.00 within the DPW 2015 budget to cover the cost of repairs to street/decorative lighting by Rotolo, Hadco assemblies, Victorian lights, and globes for decorative lighting by Kandel Bros in the following manner:

FROM	AMOUNT	TO
A.5110.417 Street Dept. gas & oil	\$20,000.00	A.5182.900 General Svcs - Str. Lighting
A.8160.417 Sanitation - gas & oil	\$15,000.00	A.5182.900 General Svcs - Str. Lighting

Roll Call: Ayes: Ald. Kleiner, Witt, Johnson, Ramkissoon, Sommers, Jean-Francois, Burr, Masi, Pres. Rodrigues- 9

383.15 Resolution to authorize the Mayor to accept 2016 “Solutions” funding from the OC Youth Bureau and following approval to sign any and all necessary contracts on behalf of the City of Middletown

On motion of Ald. Witt seconded by Ald. Burr

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Mayor to accept 2016 “Solutions” funding from the Orange County Youth Bureau and, following approval, to sign any and all necessary contracts on behalf of the City of Middletown.

Roll Call: Ayes: Ald. Kleiner, Witt, Johnson, Ramkissoon, Sommers, Jean-Francois, Burr, Masi, Pres. Rodrigues- 9

384.15 Resolution to authorize the Treasurer to transfer \$1,000 within the Mulberry House Seniors 2015 budget to cover additional expenditures for remainder of budget year

On motion of Ald. Sommers seconded by Ald. Jean-Francois

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$1,000.00 within the Mulberry House Senior 2015 budget to cover additional expenditures for remainder of budget year.

From	Amount	TO
6772.481	\$1,000.00	6772.480
Telephone Exp.		Office Exp.

Roll Call: Ayes: Ald. Kleiner, Witt, Johnson, Ramkissoon, Sommers, Jean-Francois, Burr, Masi, Pres. Rodrigues- 9

385.15 Resolution to approve the selling of 14-14 ½ Union St. for \$1.00 including demolition of the two properties

On motion of Ald. Johnson seconded by Ald. Ramkissoon

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to approve the selling of 14-14 1/2 Union Street for \$1.00 including demolition of the two properties.

Roll Call: Ayes: Ald. Kleiner, Witt, Johnson, Ramkissoon, Sommers, Jean-Francois, Burr, Masi, Pres. Rodrigues- 9

386.15 Resolution for the Treasurer to transfer \$6,000 within the 2015 DPW budget to cover the cost of repairs to the Water/Sewer Dept. backhoe

On motion of Ald. Jean-Francois seconded by Ald. Johnson

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment for the Treasurer to transfer \$6,000.00 within the 2015 DPW budget to cover the cost of repairs to the Water/Sewer Department's Backhoe in the following manner:

FROM	AMOUNT	TO
G.8120.450	\$6,000.	G.8120.440
Sewer Materials/Supplies		Sewer Repairs Equip.

Roll Call: Ayes: Ald. Kleiner, Witt, Johnson, Ramkissoon, Sommers, Jean-Francois, Burr, Masi, Pres. Rodrigues- 9

387.15 Resolution for the Treasurer to transfer from the General Fund Balance \$35,450.00 for 500 tons of salt at the State bid price of \$70.90 per ton to fill the salt barn to full capacity for the coming winter

On motion of Ald. Jean-Francois seconded by Ald. Johnson

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment for the Treasurer to transfer from the General Fund Balance \$35,450.00 for 500 tons of salt at the State Bid price of \$70.90 per ton to fill the salt barn to full capacity for the coming winter season in the following manner:

From	Amount	To
General Fund	\$35,450.	A.5142.450

Ald. Kleiner-I just want to make note. Provision in the Charter-Charter Title 5, Section 71(A) This law was passed in 1945 and it kicked in gradually for 5 yrs. At the end of the 5 yr. period it says “there shall be included in the annual budget for the cost of removal of snow and ice in the amount equal to at least the average of all expenditures for such purpose during each of the 5 proceeding years.” Now I think we usually have done that, I don’t think we every gone down and budgeted less. It is something in the budget process that I think we should be aware of. I don’t know if it would affect the resolution like this and how much money is actually there for snow and salt and ice. It includes laborers, overtime, etc. as well as materials. Just so people know where that specific requirement is.

Pres. Rodrigues- We understand that and we use that formula.

Roll Call: Ayes: Ald. Kleiner, Witt, Johnson, Ramkissoon, Sommers, Jean-Francois, Burr, Masi, Pres. Rodrigues- 9

13. Local Laws

John Naumchik-Nothing this evening.

14. Audit

On motion of Ald. Masi seconded by Ald. Burr

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

Roll Call: Ayes: Ald. Kleiner, Witt, Johnson, Ramkissoon, Sommers, Jean-Francois, Burr, Masi, Pres. Rodrigues- 9

15. Adjournment

There being no further business meeting adjourned at 9:05 pm

Respectfully submitted,

Karen Sisco