



**Common Council  
City of Middletown  
April 6, 2021**

1. Pledge - Pres. Rodrigues asked all to stand for the pledge.
2. Roll Call: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues - 9
3. Approval of Minutes

On motion of Ald. Masi seconded by Ald. Green to accept the minutes of December 15, 2020.

All in favor.

4. Correspondence

Nothing this evening

5. For the Good of the City

No one on line

6. Remarks of the Mayor

Mayor DeStefano- Good evening. The first order of business on my agenda is as we witness nationally the violence against the Asian community and the, let me just get my notes here, where many communities are taking a stand against the violence, and so we've issued, I've issued a proclamation that I'm asking the Council's support on. I did send it to you about a week or so ago and it appeared that most, if not all — I didn't hear from everyone — really were supportive of it. So I'd like to just read it into the record and

then under New Business you'll have an opportunity to vote on it.

Recently as a nation we have witnessed a dramatic increase in hate crimes against Asian Americans. This increase is due to vilification and false statements blaming the Asian population for the worldwide pandemic. Here in the United States, Asians have a long history of dedicated service to our nation including fields such as healthcare, politics, law enforcement, entertainment, academia, business and honorably serving within our armed forces.

And whereas Asian Americans from all walks of life have and continue to make positive contributions to our City and to our Country, now therefore be it resolved that I Joseph M. DeStefano, Mayor of the City of Middletown, New York, do hereby wholeheartedly condemn discrimination in all of its forms and I specifically condemn these recent attacks of aggression and hate crimes against Asian Americans and ask the Common Council of the City of Middletown to unanimously adopt this resolution denouncing these crimes.

Let it further be resolved that on behalf of the residents of the City of Middletown we hereby applaud our Asian American residents and all Asian Americans and thank them for their day-to-day contributions to the betterment of our city and our nation; and signed by myself on this day.

So I would hope for support and hopefully there'd be some comments made by the members of the board.

Moving on to COVID, and the issues that are still facing the city and the county. It's still of a serious nature, we do have a very active site at SUNY Orange, a vaccination site.

The numbers for Middletown are still very high. For Orange County I believe at one point within the last few weeks and it may still be the case we were probably the highest county in the state in regards to positivity, and Rockland also. So as of today I believe there is a notice that went to, will be going to Albany to extend the mask mandate, the local mask mandate that I issued a few months back in response to our high numbers.

For the most part we do believe people are cooperating. We also recognize that many of our people that live here work in industries that are very much susceptible to getting the virus: healthcare, supermarkets and warehouse workers and things of that nature, but we still have to do more in order to bring this virus down.

The "more" is getting the vaccine; Orange County is announcing or has announced that the Johnson & Johnson vaccine will be accessible to them. There is if people go online, it's accessible now to register for that. SUNY Orange is doing them, the local

pharmacies have contacted us and say they are also doing vaccines, some local doctors I believe are doing vaccines, so all we can do is encourage everyone to please, maybe if you're not thinking about yourself, think about your mother, your child. The only way we're going to really be able to reopen schools is if we get this under control. Just continually saying, "No because I don't want to get it" is not going to be helpful and is going to prolong the economic problems that we've had as a nation. So, the only way out is the vaccine and masking and social distancing.

So, we're asking for Middletowners to cooperate and hopefully they will.

As you know, or at least, everyone knew at the last meeting, April 1st we reopened City Hall. I was happy that Dr. Johnson asked me that question today by text message, "When is City Hall reopening?" And I thanked him for listening at the last meeting when I put up the same slide and said that City Hall was reopening on April 1st. I'm going to thank you Doctor, for paying attention when I was speaking at the last meeting. You can defend yourself later.

Ald. Johnson: (laughing) Wow, Mayor, are you happy?

Mayor: I'm very happy. I'm very happy. So, we are open for business, but we do still have controlled access. So you must enter the building from the entry between City Hall and the Police station. There's a front and a rear entrance. When you come up the ramp into City Hall, there will be a young man there that will be able to allow you into the building, and we do ask people of course that are symptomatic, with any type of symptoms, not to come. You can drop off payments at the door or you can do a lot of business online; you can call the City Clerk's Office, they can assist you. And we're by the way looking into doing more business online too as we move forward. That's one of the positive things that have come out of COVID, if you can say that anything positive has come out of it, is that it's a new way for local government to do business also, and we are doing, making more access to the public online.

I've mentioned the mask mandate, that expires on April 12th, and we are filing with the state another 30-day extension, an extension of the executive order.

And this coming April 12th will be the first day for our new garbage can distribution. As you know, the Council did pass the, and we have funded the new way of doing business with sanitation in the city, sanitation and recyclables. This will be phased in over a period of time. Our current trucks have been adapted with the rear-end tippers.

So we will begin as soon as these cans are distributed throughout the City, to start picking up. All employees would be, in Sanitation will

be directed that they are no longer authorized to attempt to lift the cans. At one point we did have 50-percent of our Workman's Comp claims came out of Sanitation so not only is this a safety proposal for our, for our employees, but it is also, over the life of this will be a pretty significant money-saving opportunity for Middletown taxpayers.

We'll be able to reduce almost all routes from three people on a truck down to one route, or one person on a truck. We'll be using mechanical arm, those trucks will be coming in in October. And so, we're going to ask for a lot of patience by people, by the public as we get accustomed to this. Every unit will, one- and two-family homes I believe even three-family homes, we're finalizing the law as I think I sent out a draft to you folks. We still have some decisions to make on how we're going to handle multi-family housing but in the beginning we just want everyone to be relaxed to the point until we get an idea of how much is actually used by each homeowner and each property.

In the beginning we're going to allow you to use both cans for sanitation so, don't get nervous that, we're going to get one 95 gallon can, which is basically three gallons, uh, three garbage cans, three 33-gallon cans almost, and one 95-gallon recycling bin. You will be able to use on your garbage night both cans if necessary, in the beginning, until we make adjustments as we move forward. As we monitor things we'll be able to tell what kind of flow we have and how we'll modify the plan as we move forward.

So, we're going to pick up everyone's trash, we are also going to have inspectors out to make sure people are using it properly. This includes in our downtown business district, you must put the garbage in the trash cans that are issued by the City. They are the ones that can be picked up by the mechanical arm and you can, as I said, if you have an overflow use the recycling can for now.

Our long-range plan is, when we do finalize the entire plan, we'll be on the holidays, we'll be using the recycling can for overflow on holidays possibly. But we do have a vision on how to implement this, but it is new to us, it's going to be new to our residents. We do have smaller cans available for people who have trouble manipu- uh, maneuvering the large 95-gallon cans. We will have a 35-gallon can and a 65-gallon can.

We're finalizing how we're handling downtown. The proposal that I have is that we would give, that in mixed use properties there would be two sets of cans that would be given to each property. So a store with an apartment above it would be given two sanitation, two MSW cans and two recycling bins.

And again, there will be an opportunity for someone to contract with

us for additional, if they need it — my house, I have multiple people in my home so I would probably have to pay the additional hundred-dollar fee to have an additional can because of the flow that I'm anticipating. But most people don't have that many people in their house so that, you know, a couple will probably even with one or two children, will probably be able to get away with just one large can and one small can. We're hoping that recycling will increase. As you know, you've heard every year from me that our recycling numbers are horrible, we hover around 6-percent and that's terrible numbers. Although now it doesn't have a huge financial impact on us because it is costing us about the same to get rid of recycling as it is to get rid of municipal solid waste. We expect those markets at some point possibly to turn around again plus it is environmentally sound for us to do it. So there are environmental benefits, if not financial benefits.

So that's where we are now, we'll be distributing April 12th. The cans will have a number on them that will be scanned in, they are not transferrable, they are owned by the City of Middletown, not by the property owner. The Council, as I said, has the draft proposal and we're hoping to adopt that at the April 19th meeting, and we'll move forward from there.

We also have the Downtown Parking Plan that's in the final draft stage. We are planning a meeting April 19th at the Senior Center with both building owners, merchants and tenants of downtown. The plan will have a combination of overnight parking permits, long term parking for employees, multiple day parking for tenants who want to leave their cars downtown. We think it's a pretty good plan, myself, Chief Ewanciw and Maria Bruni have been working on it, Jacob calls it myself and the two junior engineers, are working on the plan and at this point we think it is pretty reasonable. I'm sure there will be people that have some opposition to it because of some of the feedback that we get as we walk around, and we also received some good ideas from folks to maybe long term incorporate into the plan.

I'll give you an example of why we need to have that kind of plan in place. Today we paved the Equilibrium/Paramount parking lot, A couple of days ago we put up signs advising people that this lot will be paved, your cars cannot be here after 6:00 am on April 6. Um, so, we signed it, we gave plenty of warning, you know there are limits, time limits, in the parking lot anyway. Last night I went by at 8:30 at night, there were eleven cars still in the parking lot, although every other space had a cone and a sign telling people you can't park here overnight. The police then started reaching out to the car owners, they ran the plates, they got contact information, advising them that another hundred feet down the road there is another lot where you can park your car. Well, by 3:30 in the morning, that eleven cars, rather than going to three, four or zero, became 25 cars.

Now, we had a crew coming I think at 6:00 or 7:00 o'clock or 8:00

o'clock, whatever it was, to blacktop, and now we have 25 cars on the lot. So again the police have to do the same thing, we got it down to five, and they did tow five vehicles.

We did get one call from a student, Touro student who lives downtown, who admits he hasn't been to his car for three days. Well, he left his car in a prime spot, that does not allow multiple-day parking, especially Mondays and Tuesdays, and he admits it. I just had no need to go to my car, so I didn't go to my car, I didn't know what was going on.

We did Nixle, so we encouraged people to do Nixle, we do notifications on Facebook, we do notifications on social media, and he admitted that he did get a call at 6:00 o'clock this morning from the Middletown Police Department but just ignored it. And he didn't want to pay for the tow, which was \$190. So, there's nothing I can do, I mean there's...

But the point is, there's two things, one, you get a call from the Police Department, answer it, especially at 6:00 in the morning, and two, it just shows you that as our occupancy downtown just grows, the housing market is, is, is huge right now. People want to live downtown, especially younger people. The parking spots, the short-term spots need to be turned over. Both for business purposes and employees can't park outside their businesses for six, seven or eight hours, so that customers can come in and businesses can thrive.

The fact that he was parked there for at least three days indicates that we need to have some modification of our parking ordinances. So keep that in mind as we examine the parking plan.

The American Rescue Plan. As you know, the City of Middletown will be receiving \$12-million in Federal funds. We're being told that the first \$6-million will come in in May of this year, and an additional \$6-million next year. We are currently reading the guidelines on how to allocate and spend the funds, how, what are the potential uses that we can use them for. We do know that we can do some to offset the revenue losses and replenish our fund balance. We can also use it for some COVID-related expenses over the last couple of years and I'm just going on some projects that we are working on in City Hall. And some of them will make people happy I think too. And keep in mind that this money cannot be refunded to the taxpayers, it's not a tax refund, these are monies that have to be spent on program, capital programs, or other programs that will be eligible under the guidelines.

So, the O&W Station, a long-time eyesore in our community, we're estimating it's probably going to be between a million to a million and a half dollars to demolish it. What we have done; we have retained an engineer that has worked on the project for other businesses, that

were potential businesses locating there, and we're asking him what will a million and a half buy us regarding that building. Can we stabilize the roof, can we bring the building up to a certain standard that will enable us to do a business incubator, similar to what we did at Woolworth's.

You know with the Woolworth's building we did that out of the box, we brought it up to a certain level and then the tenants, in exchange for very low rent, did the build-out. And is it possible? I have no idea, but I think this is possibly the last shot for the O&W. If this Council and the community really is interested in saving that building. It's an iconic structure in our community, I think it's worth a shot, so we're going to get some reports and see what that million and a half dollars would buy us. One can argue, it's what will \$3-million buy us, we can throw a million and a half here from this money and then a million and a half that we'll save on the demolition, but let's just get some numbers and we'll discuss it further, not just here with the Council but with the community.

We're revisiting not a parking garage but a parking deck in the downtown area. We talked about sidewalk grants, which are very popular with people in the neighborhoods, allocating some of that money either to grants for replacement, some of the discussions was a matching grant of 75-percent and 25-percent to individual homeowners, we're discussing some of this new technology of sidewalks that have been put in maybe in the last 15-or-so years that are in pretty good shape but need to be lifted or adjusted and refurbishing some of the sidewalks in some neighborhoods. But um, weigh out the options.

Our sewer and water infrastructure, it appears that's going to be in a separate bill out of Congress, the Infrastructure Bill, of \$1.9-trillion so it's something we may not address in this bill but will wait for the next federal grant monies to come forward. We are ready to go, we've been ready on many, many projects of water and sewer infrastructure.

Police and Fire Emergency operations: we're discussing one of the properties that we're acquiring at the Psychiatric Center, the former Psychiatric Center for a new location for the Middletown Fire Police, who right now, after we sold the Academy Avenue School have no place. It would actually be a better place for them, a better location. Some of the buildings that we're acquiring are old garages that need renovation, so we can dedicate some of that money there.

City Court expansion: We're planning, we're very close to, we have reached an agreement with the Office of Court Administration for a new consolidated courts. We're under a mandate to consolidate the Courts over on South Street, in the old Federal Court building. They wanted us to do a \$7- or \$8-million expansion, and renovation, we've

fought that for five years now, un, again out of COVID, the court system has redefined itself, they are doing business a different way, they're doing smaller courtrooms now, they're doing some online, virtual, virtual arraignments, so they've agreed to our layout from our consultant and we're hoping to have a nice, big announcement on that. So the project cost is going to go down from eight mill-, from \$7- or \$8-million down to under \$3-million. And that may include the renovation of the former court for expansion of City Hall. As you know we have employees in our basement, the Police have employees in their basement, and so we can expand both the City Hall operation and the Police Department operation into the existing court.

We have the lighting improvements in our downtown, with the bids on the DOI project we backed off on the street lights, they're about 20-years old and they're showing it, but we had to pull that out of the project. We're, um, you see the new lighting that we've put into the parks and onto the, um, behind us, the black lights, they're very nice, so we're looking at what it would cost to expend that throughout the whole district.

Looking at a broadband proposal, we've asked CherryRoad to take a look at it, to see what they can do and what it would cost. And also parking lot monitoring for Long Term parking so, we're, um, those are our ideas. You folks in the public, if you have ideas, please forward them to us. They'll all be discussed, and Council members' also. And that's all I have, if you have any questions I'll be more than happy to...

Ald. Masi: What color are the garbage cans?

Mayor: The um, I think they're backwards, in my opinion, because Jacob disagrees; the garbage can is green and the recycling can is blue. I thought that the recycling can should be green, for recycling, and the garbage can a different color.

Ald. Masi: Those are the colors, Mr. Mayor, that they are in different communities.

Mayor: I think so, but Jacob [inaudible, overlapping]. I'm sure he can come up here and defend himself.

Ald. Masi: I've got pictures.

Mayor: Oh, you got pictures (chuckles). So that's where we're at with garbage cans. But they'll be clearly marked though.

Pres. Rodrigues: Any questions for the Mayor?

Mayor: All right, thank you.

## 7. Remarks of Dept. Heads

Maria Bruni/Economic Development: Good evening everyone. I have on the Council agenda tonight a resolution looking for your support to authorize the Mayor to sign documents and certifications regarding our 2021 action plan. That's the yearly plan the we submit to HUD, Housing and Urban Development for our annual grant, and also for you to authorize us to submit the action plan to HUD. And that's all I have for tonight, unless anyone has any questions.

Pres. Rodrigues: Any questions for Maria? Thank you Maria.

Jacob Tawil/DPW Commissioner: Good evening all. We'll start off with a report to Alderman Masi about the reservoirs, and the level in the reservoirs is 100-percent capacity right now. Although we're having a very dry period and expecting some rain on Friday. But our reservoir's at full capacity, 100-percent right now. Also, reminding the residents that we are flushing the water system and we're going to be doing, we started Monday, as had been advertised, first ward and the fourth ward. First and fourth. So please, before you do any laundry, just check your water, to make sure, look outside, just make sure they're not flushing outside in your neighborhood and the water is not dirty or discolored. So please keep an eye on that.

The Mayor did mention the cooperation between Equilibrium and Todd Lyons Paving and the City of Middletown. Before you tonight is a resolution requesting the transfer of funds to cover the cost of asphalt required for paving the parking lot across from the Paramount Theater. Basically the City bought the asphalt and Todd Lyons is there providing the labor and equipment and the paving to pave it, which we think is a great deal for us. DPW did some of the prep work and they're going to be doing the striping for it, and it should look very nice. Which is much needed.

The Mayor spoke quickly about, about the projects that we have. We are planning for, I mean, tens of millions of dollars in infrastructure, much needed infrastructure, work that is needed for us in terms of water, especially water lines, raw water lines, they're very old since the dams were established over a hundred years ago. And some of them they go through a 30-foot cut underground, very hard to get to, and they are literally our lifeline to provide water for City of Middletown residents, parts of Walkill, parts of Wawayanda, even Amy's Kitchen, even CPV, so a lot of communities and our own residents are counting on us so we need to upgrade and replace those water lines. Also possibly a proposal to explore the development, which the Mayor spoke about that, of [inaudible] as a water

source. And that would require, again, you know, millions of dollars in there. So, hopefully that's something that we can do with all this infrastructure money that is coming.

Also, we need to go for Phase Two and Three for the 24-inch line and the 20-inch line that supplies the city with water from the water treatment plan. Right now we're constructing a couple of water lines, we want to extend them all the way to the heart of the city, because they're very old, some of them, they were built in 18- 1880, 1889, some of the old cast-iron pipes on Lake Avenue. And also we want to replace the only low-pressure 24-inch water main that supplies the city with water, two thirds of the city with water, that is really in a serious need for replacement.

So this is when they talk about infrastructure, infrastructure. We really feel it, we live it, and we worry about it day and night and I'm glad that the federal government is doing what they're doing in giving us funding for infrastructure. Like the Mayor said we have projects that are ready to go, have been approved by DEC such as updating our dams at Shawangunk Reservoir. There are about \$3-million or so for Shawangunk, and the others, we have to do the same thing for other dams, to widen the [inaudible], to comply with the current regulations, and that will take millions of dollars so, we're holding off on starting the construction, hopefully we can get some of the funding from the federal government and utilize the American Recovery or Reinvestment or whatever name they're going to give it, for our own benefit to upgrade our infrastructure which is in very bad need for funding and investment.

Yesterday the Mayor signed the contract for New York Rising, which is a \$3.5-million grant from the Governor and from the State of New York, and with that we will be starting on the construction on West Main Street to replace the culvert or bridge, slash bridge, West Main right by Maple Hill Park, and we then will start the construction on Grant St. culvert replacement which is in very bad shape, partially collapsed, we've been babysitting it for a long time. And now we're going to be replacing it and we got the funding in place, the Mayor signed the contract with two contractors, RJ Cruz and Boyce Excavation. Each one will be doing separate projects so that we can expedite it and get done. By February next year the projects must be completed.

So, [inaudible]. yard waste started on Monday. A reminder for the residents, you have to put everything, all your yard waste, grass clippings in cans please, and if you have branches, they have to be bound with string, to a length of about three feet so we can handle it, we can pick it up and put it in the garbage

truck. So please work with us, do not put anything on the sidewalk, or loose leaves in the street, they become dangerous and a hazard to the pedestrians and the vehicles. Please work with us.

We do have every year, if you have biodegradable bags, by all means, just leave whatever you need in the biodegradable, biodegradable bags and we'll pick the whole thing up and you don't have to worry about it.

Spring cleanup, I know Alderman Jude as the chairman of DPW Committee you'll be talking about that. Coming up for the Spring cleanup which will start April 12th, the Mayor, he talked about the garbage, and I just want to dedicate a little bit of time to talk about it, because it is extremely important. He spoke about the advantage, advantage of having those trash cans, and they're going to be very heavy. We cannot manhandle them to pick them up and dump them, so we modified our garbage trucks with rear tippers, so we can, our guys will not be suffering any kind of physical strain or harm because of lifting them. They're going to be too heavy to lift, so, point is, please do not leave anything outside those garbage cans, the 95-gallon garbage cans. If you do, unfortunately, it's going to be left on the sidewalk and then the Code Enforcement Officer's going to be coming back, as soon as, obviously, the Common Council approves it and the Mayor signs off on it, the new ordinance. Code Enforcement is going to be driving down the road out there, after the garbage truck has picked up, and garbage left that is remaining in front of that house, we're going to take pictures and you're going to be issued a ticket to appear before the judge. So, it's not a threat, it's just that we have to clean up our city, we have to come up with more efficient ways of handling our garbage in there, and that is safe for our people, our men, and that is more economical for the city, for the taxpayers. That's why we're doing what we're doing.

The garbage trucks are going to be delivered in October, like the Mayor said, with the mechanical arm. So, there isn't going to be two guys chasing the truck every day like we're doing right now whether it is 40 or 20 degrees below zero, whether it is freezing, or rain or ice storm or 100-degrees outside or 80-degrees outside in the heart of the summer. It's going to be a whole different thing so what we need is that cooperation, please, I'm emphasizing this. Cooperate with us, do not leave a mountain of small ShopRite bags on the outside of those cans. Everything has to be inside the can. The Mayor explained that. If you have too much garbage in one week, you can have an overflow, use the recyclable blue can, right, Alderman Rodrigues? Blue, eh, the blue? The blue one, you

can use it as an overflow can, and out there your garbage and we will pick it up, because the arm is going to come in and pick it up, grab the can and dump it, and grab the recyclable can that is filled with municipal solid waste and we're going to dump it for you. But no more on the outside, we just, we can't, we can't go ahead and chase those small ShopRite bags and pick them up.

Like the Mayor said, and it's very important, there is a proposal of the Mayor before the Council, is, single family will get two cans, two family and over will get four cans. Meaning, two municipal solid waste and two recyclables. Anything more than that, up to a certain number of cans, you can come in and apply for cans, and the proposal of the Mayor and myself too, I take ownership of it, I think it's a fair proposal, is to charge \$100 per additional can only, otherwise there will not be any charge for the first two cans if you're single family, for the first four cans if you're two-family. So you can, you can, you can buy more, not buy more, you can, you can, you can, anyway, you can get another can if you want for \$100.

And that will be my, I will conclude my remarks with this, we're going to start April 12, again, like the Mayor said, dispatching them, and the minute you get these cans please use them, do not put any more overflow outside them, please. That's very important, so our guys will come in and roll it, back it into the truck with the tipper and that will be the end of it. Thank you.

Pres. Rodrigues: Any word on Wolslayer Park?

Jacob Tawil/DPW Commissioner: Yes. We've done the, we have the geotechnical reports from the soil engineer in there, and now we're exploring ways to — we, meaning, the architect and the geotechnical engineer and the contractor, and I'm watching them — to see what's the best way if they can find an alternate for the... They have an elaborate under-drain system, elaborate one, expensive one, under-drain system. Everything feeds, you have a lateral that's dumped into the center in there and so on and so forth. So we're trying to find the most efficient way of installing it without becoming hit with a large amount of change or-, costly change orders because of downtime. Because if you have like a Ditch Witch or some kind of a machine in there that will dig the small trench, it might get hit with a slab, concrete slab or a large boulder or whatever it is that's there so you can't drag it, you're going to slow down, you're going to get shift material off the site, or bring material on-site so, we're trying to find the most economical way of approaching it right now.

The water and sewer services to a future concession stand,

the City will be doing that. The City also is looking into, the Mayor and I are getting email, just up to a few minutes ago about potentially adding an irrigation system to this elaborate field in there, because right now there's no irrigation system, so we're going to consider. We're discussing it with the Mayor if we should consider it or due to cost, or how much it's going to be in light of the infrastructure, but the point is, things are moving. And we're making progress and I'm sorry it's not as fast as you would want it to be or I would want it to be or the Mayor would want it to be, but we have to deal with these obstacles.

Pres. Rodrigues: Do we have a timeline?

Jacob Tawil/DPW Commissioner: The timeline is as soon as we have a resolution for it, we'll proceed, 100-percent. I mean, the contractor is willing, I don't have a timeline yet because we're trying to figure out what's the best way, the most economical way of approaching it. But, we're on it. It's priority and we're just going to keep pursuing it. Unfortunately it is going to take some time.

Pres. Rodrigues: Orange & Rockland is putting new water, uh, gas mains on West Main, now going up Monhagen Avenue, they're tearing up sidewalks, they're paving the sidewalks with blacktop, do we have a timeline when they're going to start repairing, cause there's some potholes, that are, that are very bumpy.

Jacob Tawil/DPW Commissioner: Yes. They are, our roads definitely they need some attention. If you recall, last year we did not pave, last year because of the COVID. So this year we're waiting for the new appropriation from the federal- from the State. Once the State budget is passed, within a couple of days, by the end of the month, this month or early next month, we'll find out how much [inaudible] money we'll have, because remember, we don't spend our money in repaving our roads. We get all the money from the State. Other communities, they budget their own funds, to do additional paving, we uh, we never did that. We just rely on the State funding for it. So hopefully we'll have quite a bit of money accumulated over last year, which we did not use, and this year, and then you will have the \$21-million, remember, the traffic operations in there, that's going to be a huge amount. All signalized intersections, they're going to be all ripped up. All the intersections up to 150-feet in each direction.

Pres. Rodrigues: That's Chip's money, that's our money. We're talking about Orange and Rockland.

Jacob Tawil/DPW Commissioner: I understand.

Pres. Rodrigues: They're digging up our streets, our sidewalks.

Jacob Tawil/DPW Commissioner: So, Orange & Rockland. We made a deal with them, we're approaching a deal with them, we're just trying to finalize the money in there, and how much; they want to use our contractor, Sun Up Enterprises, or Sun Up Construction, they changed their name, the ones who are doing our ADA curbs in sidewalks, to go and rip out the asphalt, and replace it with concrete sidewalks. So the asphalt sidewalks that you're looking at, that's temporary to allow some... Then Orange & Rockland they're going to pull it in order to use our contractor to replace all these asphalt sidewalks, the temporary ones, with concrete ones.

The question before the Mayor, and us, and you guys is, do we want to pay additional money in there to replace, or rip out the remaining curb and install granite curbs. And this is what the Mayor and I were talking about, and there we want to see what the cost is, and hopefully we can get some funding from one of these, \$12-million or \$2-trillion, one of them is going to give us some money to do the granite curb. So that's where we are. So, Orange & Rockland, we're not forgetting about them, Orange & Rockland, really, they jumped through hoops like I said at the previous Council meeting, in order to finish working on the signalized intersections, upgrade all the gas mains, and we coordinate that very closely with them, so that once we do that \$21-million, which is federal funding, and the signalized intersections upgrade, they're not going to come in a couple of years later and say, oh, we're going to replace this gas line now, a couple of years after we got done, redone the whole intersection all over again. That's again, that's \$21-million of federal, federal funding. That's a lot of money. So that's where we are.

Pres. Rodrigues: All right, thank you.

Jacob Tawil/DPW Commissioner: Yes, sir.

Pres. Rodrigues: Alderman Kleiner?

Ald. Kleiner: Commissioner, if you're going to start distributing the new garbage cans, how is that going to be done, or if, I mean, if people want a smaller can, or something, are you just going to be leaving them at houses, are you going to be contacting people, are they going to sign up? How is that going to work?

Jacob Tawil/DPW Commissioner: Excellent question. So, the way it's going to be is, we're going to do it to make it easy, it's an outside firm, that's going to come and we give them the list, say, Jerry Kleiner, it's a single family, it's going to get two cans,

of the same size. Now, Jerry Kleiner, he says, hey guys, I don't have a need for 95-gallon container. I want to have the 65-gallon container, or the 35-gallon container. So you'll call, you call DPW, we'll come over there, pick up the 95-gallon after the original dispatch. After everything because we can't make you know, people want this and that and we have a company coming in, as part of the deal with them is to come and distribute those cans to everybody so we're making it simple. Everybody is getting the 95-gallon container, one of each, if you're single family. If you're two family or above, you're going to get four of them, two municipal solid waste, two recyclable, at the very beginning like the Mayor said, you can use them for municipal solid waste. If you don't like it you call us back and say, hey guys, I need an additional can. Then we can give you an additional can for the fees, once you guys decide on the fees and everything, the Common Council.

And if you say, well, I don't need the 95- give me the 35-, then we will come and replace it, we do it in-house. Does that answer the question?

Ald, Kleiner: Yes, that's it, thank you.

Jacob Tawil/DPW Commissioner: Yep.

Pres. Rodrigues: Anyone else? Thank you Jacob.

Jacob Tawil/DPW Commissioner: Yes, Sir.

Pres. Rodrigues: Fire Chief.

Nick Barber/Fire Chief: I'm not going to be as long as them two. Good evening. For the month of March we had a total of 71 calls. There is no major incidences. This Saturday we did go down to Suffern with our ladder truck to stand by while Rockland County units did their final farewell to Jared Lloyd, the firefighter that died fighting that nursing home fire. Um, good news is, we're looking at our parade for October 2nd. Invites have gone out. Um, got a few back already. They're all on board so far. I think changing the date actually kinda helped. Um, and we have two cadets up at Montour Falls, they just finished up their third week, which is supposed to be their roughest week. And John Jonas, he has a 90-percent average score up there, and Trevor [inaudible] has an 89. So they're doing very well. And that's all I have. Any questions?

Pres. Rodrigues: Any questions for the Fire Chief? Thank you Chief.

Nick Barber/Fire Chief: Professionally done.

Pres. Rodrigues: Police Chief.

John Ewanciw/Police Chief: Good evening. I'll even be quicker. I have nothing this evening unless you have questions for myself.

Pres. Rodrigues: Thank you Chief. Superintendent of Recreation?

Chris Brinkerhoff/Supt. Recreation: Unfortunately I can't be a quick because we're getting in summer mode and the public is asking us a whole lot of questions, so I'm going to try to give some answers.

One, April 1st our offices are open like City Hall offices, people can come in and reserve pavilions. Since April 1st we've already had over 20 pavilions paid for and rented so get in quick if you have reunions or things coming up this summer because it's filling up.

This Spring, programming-wise, we're going to be running a soccer clinic right at the new facility on County Route 78. It's going to be for 3- and 4-year-olds, and 5- and 6-year-olds. There is now the Soccer Club of Middletown, they will soon be holding a registration, as soon as we get information, they're finalizing their permits, we'll help them get information out to the public. They will be running just like Little League is run, just like Youth Football is run. It is a board of residents that are running a league, they're doing a very good job, very organized. So ages 7- and up will actually be in the Soccer League of Middletown.

We're running computer science programs, we're running art classes for young kids and adults, our Teen Center will now be starting up again. Not traditional, how we had it at the other, at Academy Avenue, for two reasons. The facility is different, and COVID. So what we will be doing is, there will be youth fitness; for kids, younger kids under 8; there will be Teen fitness. We're also doing adaptive fitness, that's with people who have physical challenges. That's a program. On Wednesdays we will have open gym, for ages 12 to 18. There will only be 13 kids allowed in per hour. All of this is free, the fitness program is too. But they must register online on our BAS system. That will be our tracking, our tracking. So thirteen kids an hour can come in for the open gym. It will be staffed, masks worn and all the other safety protocols. We'll have 15-minutes between every hour for sanitizing and cleaning. So that's some of our Spring programs right now.

This summer, this is a big one for the public: There will not be Sports Camp. The school district, between COVID and construction, we cannot use the school building. We also will not be able to run a traditional sports camp and meet COVID guidelines the way our sports camp is implemented. However, we will be having camp programs. And you'll actually have more offered to you. We are going to have our Little People Playtime, for ages 4 and 6-year olds at the new facility. There will be seven weeks worth of that programs, every week being a session.

We will have an adventure program in the back of Davidge. There will be two age groups, one ages 6 to 9, and one ages 9 to 13. Forty kids can sign up per group. And then they'll be put in teams of 10, with a counselor, and they'll stay with that team all week long. So now if

there's an issue with COVID, it's just that team that has already been isolated would have to go. So, we have, so the Adventure program alone will be 80 kids up there. Forty in one big pavilion, forty in the other. We're working on all the programming.

There will be a sports program in the front of Davidge. Same thing, ages 6 to 9, probably meeting in the Lions shelter, ages 9 to 14 probably meeting in the small shelter, various sports will be played. We have lots to use there, between swimming pools and a basketball court and the ball field, and we can put up a net and we have [inaudible]. And we can get very creative. Seven weeks' worth, so it's more.

We're going to have a Spirit program at Maple Hill. Younger kids in the Maple shelter, older kids in the [inaudible] shelter. Again 40 in each group. So you're getting the picture. That Spirit program will be your performing arts, your dance, your crafts. So we're trying to break everything up.

Anybody that has questions, please call the Recreating Department, any of you that have questions please reach out to us.

Those registrations, we were hoping to have them out, probably by the beginning of not next week, the following week. We're finishing up some RFP Grants that have to go out, and then we'll have registration out. But you can call at any time with any questions.

Our pools right now, the plan is to have our pools open, we have to sit down and really make a plan cause social distancing, it's not about capacity, it's about social distancing. So if you leave 6-feet between a lot of people, even Davidge Park pool can't have a lot. So we have to make it safe where there's not a line. If you can have only 70 people in the pool, what am I doing with the other 200 in line on a hot day. That can't happen.

Raelynn, Nicole, myself, along with, actually, we're talking to Sgt. Welch too because we're probably going to need a little help from the Police Department, we're trying to put a very good, safe plan together. Once we have that, we will share that with you and with the public.

The last thing you'll see, there's a resolution tonight, the Little League Parade, I like the Mayor's email, is more kind of like a Little League March version, no band or anything. They're not going to have opening ceremonies, I spoke a lot to the Little League representatives about, OK, you're going to drop them off at Presidential Elementary, alright. The parents can't like usually walk with them where there's a cluster walking down, it will be just the coaches, parents can be along the parade route. My big concern, they had to give me a plan on how they were going to pick up the kids, because we know what that would look like on the bottom of Watkins Avenue. So a lot of the teams will go and play in a game, those teams will march with their coaches straight to the fields in which they play. Which then the parents can go and set up their

chair, two people per athlete. What they'll have is that the T-ball will go to the Soccer 1 field, the Minor League will go to the, march right to the Soccer 2 field, they all will, Major League will go to the Babe Ruth Field, where they'll be all spread-out. These parents are being notified in a letter ahead of time in email, they know that's where they go to pick up their child, so you're not seeing them coming from every angle of Watts park, everybody at the gate.

So I think they have a good plan. There's no floats, there's no bands, it's just them walking that traditional walk to Watts Park, no opening ceremonies, where everybody's clustered together. If there's any questions, I'll be here to answer them when you get to New Business. And that's all I have this evening.

Pres. Rodrigues: Any questions for Chris? Chris, I see in NYC July 6th they're opening up the basketball courts. Are we going to follow suit?

Chris Brinkerhoff/Supt. Recreation: We have been talking closely with the Mayor, the concern is our high numbers, he has been checking with the governor's office, he's been checking with other... you want to?

Mayor DeStefano: Chris has been calling several times and the public, I think in one of the previous meetings I did update the Council. But basketball courts are still considered high-risk under New York State guidelines. So we're taking the cautious approach and we're not opening the basketball courts at this time, as long as they remain high-risk. The activities that Chris is referencing, even the gym is limited to 13 people in the gym. There are activities that we're offering but they're in a controlled setting. To just put the hoops back up in the basketball courts would, I believe be irresponsible. And although many people including people in the Rec Department would love to see it, we all want to see it, including myself, it's not practical at this time to do so, as long as that activity is considered high-risk under New York State guidelines.

Chris Brinkerhoff/Supt. Recreation: Any other questions for me?

Pres. Rodrigues: No questions, thank you Chris. City Clerk?

John Naumchik/City Clerk: As we've already reported, we're trying to do more things electronically, especially in our department, and on the agenda tonight we have an agreement with Edmunds Govtech, that was formerly BAS, for a new digital FOIL system. This will be all electronic. It will be on our website, where the public will be able to go in and fill out the FOIL form on the website, it would automatically be emailed to my department and then we would send it out to the departments that would have to do the reports. They would scan those results, put them, send them back to us and we would email them right back to the public. So it's going to make, save a lot of time cause right now everything is done just copying paper, calling them to come in, and whatever. So, since we're doing it electronically, they will not have to pay for it. If we print it, then they'll have to pay \$.25 a page, but usually

they're two or three pages, it's not worth it, it's better just to email it to them, it's going to be, they don't even have to come in to City Hall to do this.

Last year, 2020, we did 1137 FOILs, so I'm hoping this will save a lot of time. Even \$.25 a page it still doesn't come up to that much as the time that we're going to be saving, I think, with this system, so I hope that you will all vote for it. And if anyone has any questions, I'll be willing to ask. That's all I have for tonight.

Pres. Rodrigues: Any questions for John? Thank you John. Public hearings and grievances.

#### 8. Public Hearings & Grievances

John Naumchik - Tonight we have a public hearing for the proposed rezoning of a strip of five parcels on North Street. Notice hereby is given that the City of Middletown will hold a public hearing on Tuesday, April 6th, on or as near to 8:00 pm as possible, Common Council chambers, 2nd Floor, 16 James St. to hear any and all persons wishing to be heard on a proposed rezoning of a strip of five parcels on North Street, including the subject parcel from C1 - Neighborhood Business District to the contiguous C2 - Limited Business District. And they are 302 North Street, 304, 306, 306 1/2, and 308 to 310. Any and all persons wishing to be heard will be given an opportunity to speak either for or against the proposed change of zoning. The complete proposed zoning change was available on the in the Common Council Clerk's office, City Hall, James St., Room 12 and also on the City website. The public hearing should be conducted in person and also via teleconference and live on Channel 20 for viewing. And the link was there for anybody to sign up to call in, for any person unable to participate at the time of the public hearing, email comments may be submitted in advance to my email. And this was published in the Times Herald Record on March 25th and March 26th, and also on the City website.

Pres. Rodrigues: OK, a this time the public hearing is now open. Anyone from the public have any comments? Anyone online?

Clerk: Not at this time

Pres. Rodrigues: Any Council members have any comments? Do I have a motion to close?

Ald. Masi: So moved.

Pres. Rodrigues: Alderman Masi, seconded by? Alderman Johnson. All in favor to close the public hearing?

Council members: Aye.

## 9. Petitions & Complaints

Nothing this evening.

## 10. Remarks of Aldermen

Ald. Masi - Nothing this evening

Ald. Tobin - Nothing this evening

Ald. Green - Thank you, yes. Alderman Kleiner and I will be having a second ward constituents' meeting on Monday the 12th, at Davidge Park at 6:00 pm. at the Lions Pavillion. So it's Monday the 12th, 6:00 pm at the Lions Pavillion. It is good news about the garbage cans' arrival, I'm very happy to see that come through, and there will be growing pains there, I'm sure, but I think it's going to be a big win for everyone in the city. As well, you know I know that there is some opposition to getting vaccines but I can tell you that they work from personal experience, and it is very worth getting. So, definitely keep doing that, and just making a note: Middletown is no place for any form of hate, regardless of race, color, sex, creed, you know, especially with our Asian community and our growing Asian population here. It's very disheartening to see what's going on in some areas of the country and I'm very happy to support this resolution today. Thank you very much.

Ald. Johnson - So, I guess in my older age I've come to realize that everything is simple until you go to do it. And with respect to the O&W I still have a lot of reservations about the project. I was on the school board for many years where we retrofitted buildings and there was always a complication, a change order, like the wall didn't have the supporting structure that we thought was there. Um, I'm currently the president of the Cornell Cooperative extension program, we started a project ten years ago that was going to cost \$7-million and now is costing us \$12-million due to setbacks. I sat on the school board when the library project was done, and we wanted to have an addition that would look like the original, and we found a guy that did historic recreations and that worked out well. There's a method to my madness.

The Mayor has cited the Woolworth's building and the Vanilla Box, I get that. I've walked through O&W, I don't see a Vanilla Box coming out of that building, and I know the estimate to start the project so, 1.8 I think could turn into \$10-million long before or long long after I'm alive.

I threw out the idea with the library, of, what about the idea of razing the building and then recreating the building to look like the original building. I know it won't be the exact same building, and that may get some people upset, but it may be another option.

With respect to the Asian American proclamation, I think this all,

the situation speaks for itself. We're now in a culture where "Jim Crow on steroids" is a term that we're using to talk about things. Now, we can think about Japanese internment camps, and we can think about all the people in our culture who say, if you don't look like me, it's not really going to work out very well for me. You're stuck in your box, but try not to let the box leak out into the rest of us. Thank you.

Ald. Ramkissoon - Good evening. I just have three things this evening. As for the new cans and the essential roll-out of this garbage plan, all I have to say is, hallelujah. As for this proclamation, obviously I fully support it and I guess I'm just finally reaching that level of frustration that we have to keep having this conversation again, and again, and again; and I don't know how many different ways you say, enough. You know, one race, human race. It's got to stop. And that's where I'm at, obviously in full support.

Spring clean-up — Third ward, it starts next week. And I just want to say, for the people who do this for us every year, and it's a huge service to us as residents, please follow the rules. Please look, and please be respectful of the people who are cleaning up your mess. It should not be scattered all over your lawn, in front of your property. Sometimes the things I see make me very, very frustrated. So that is all I ask of our residents to be respectful of the people who are doing this for us and to be respectful of the timeframes, and to stay within the guidelines of your ward so our city doesn't become a disaster. And that is all I have tonight.

Ald. Kleiner - Thank you. It's exactly two weeks today from when Barbara and I got our second COVID vaccines. So I actually feel comfortable taking the mask off to talk. I will put it back on out of an abundance of caution, but, you know, for anyone who ever traveled internationally, have to have your vaccine record with you, it wasn't a question, you didn't have it, you didn't go. It's so much a part of our history and so much common sense. And Barbara looked at Saturday's paper and she goes, slow news day? I thought that was an appropriate comment. It's not that I don't have many short sleeve shirts, it's that I don't have any. Not a single one, and it was February, so I have a lot of ratty old flannel shirts, and off came the sleeves. So that's the whole story. But I encourage everyone to get vaccinated, that's how we're going to get out of the pandemic, and no other way. So, I hope people do it.

I thank the Mayor for his proclamation and I hope we're going to endorse it by acclamation, unanimously. And for people who don't understand, that originally only white male property owners could vote. We're changing as a country. And we need to change. And I encourage people to Google the Chinese Exclusion Act, starting in 1882, when we simply stopped any Chinese laborers from entering the country. We had the 1917 Immigration Act that extended the ban,

and did the same thing. 1924 Immigration Act that set quotas, except for Asian Pacific people, the quota was zero. The 1952 Immigration Act, Truman vetoed it but Congress overrode it and it had the same restrictions so what we're talking about, not until the 60s and 70s that we really took any action to correct this so, this is not new and it rears its ugly head every now and then so, absolutely we should all support this declaration by acclamation.

Andrew did mention our, and Chris said the pavilions have been renting out quickly, but I did call and ask for the Lions Club so I will double check to make sure that that's it. It will be nice to have a Constituents' meeting again, yeah, OK, and that will be next Tuesday from, we said, from 6:00 to 7:00, because it'll be warmer, it's staying light longer, and it seems like a safe way to do it so, we hope to see you then. Thank you.

Ald. Jean-Francois - Yes, good evening. It's an exciting time, spring cleaning, I mean, we all have junk in the garage that we want to get rid of. I mean, it's a good time for the city, it's good to see. But the issue we have every year is illegal dumping. It costs a lot of money. And I can see especially this year with COVID, a lot of people are staying home a lot of projects are going on, they're waiting for an opportunity to do a lot of illegal dumping. I'm going to ask our residents to be vigilant. If you see anything, please, call our police officers. Because it's costing us a lot of money. And it's uncalled for. And what Alderman, Alderwoman Ramkissoon mentioned, a lot of times, the mess comes from the pickers. It's not really the homeowners. They'll come around, you'll set your stuff outside in the front lawn, nice and neat, but they come at night, pick out everything, they take what they want and they leave a mess. And they leave that for us. And you have people coming from other towns and dumping stuff on us, and our men are allowed to pick up, what's the amount we have, Commissioner?

Jacob Tawil, DPW Commissioner: Twelve items.

Ald. Jean-Francois: Twelve pieces. A lot of times we have a lot more, but you have to be vigilant, because if our men don't pick the rest of it, it's up to us to pay for someone to pick it up. So please be vigilant, and try to put a stop to it, because it's costing us too much money every year. There's not need for that. Thank you.

Ald. Burr - Nothing this evening

#### 11. Unfinished Business

John Naumchik-Nothing this evening.

#### 12. New Business

66.21 - Resolution to renew an Inter-Municipal Agreement between the City of Middletown and the City of Port Jervis for a shared use of the City of Port Jervis Range Training Facility.

On motion of Ald. Masi, seconded by Ald. Green.

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to renew an Inter-Municipal Agreement between the City of Middletown and the City of Port Jervis to set forth the terms between the two parties for a shared use of the City of Port Jervis Range Training Facility and authorize the Mayor to sign the attached agreement.

Roll call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues - 9

67.21 - Resolution to authorize the Treasurer to record budget transfers within the 2020 budget to clear up overages payroll related expenses.

On motion of Ald. Tobin, seconded by Ald. Masi.

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to record the attached budget transfers within the 2020 budget to clear up overages payroll related expenses that must be paid with or without budget balances.

Roll call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues - 9

68.21 - Resolution to approve a replacement of the City's Municipality Code Enforcement software with Edmunds Govtech-BAS

On motion of Ald. Green, seconded by Ald. Kleiner

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to approve a replacement of the City's Municipality Code Enforcement software with Edmunds Govtech-BAS and authorize the Treasurer to transfer \$38,302.00 from the general fund balance to fund the new software program in the following manner:

From	Amount	To
Gen. Fund Bal.	\$38,302.00	A.1400.400
		Contractual Services

Roll call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues - 9

69.21 - Resolution to authorize the Mayor to sign an agreement with Edmunds Govtech-BAS for a new digital FOIL system.

On motion of Ald. Johnson, seconded by Ald Tobin.

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Mayor to sign the attached agreement with Edmunds Govtech-BAS for a new digital FOIL system for a one-time fee of \$3,400.00 and annual support of \$900.00.

LET IT BE FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to fund the new software from the 2021 City Clerk budget.

Roll call: Ayes: Ald. Ramkisson, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues - 9

70.21 - Resolution to approve a Fire Department Policy and Procedure for the Fire Department Video Surveillance System.

On motion of Ald. Ramkisson, seconded by Ald. Burr

RESOLVED; that the Common Council of the City of Middletown hereby approves the attached Fire Department Policy and Procedure for the Fire Department Video Surveillance System.

Roll call: Ayes: Ald. Ramkisson, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues - 9

71.21 - Resolution to hereby reaffirm the Negative Declaration determination of significance for SEQRA for the replacement of a water tank at Mountain Avenue and the addition of a second water tank at Pilgrims Corner.

On motion of Ald. Kleiner, seconded by Ald. Ramkisson.

WHEREAS, the City of Middletown (“the City”) proposed the replacement of a water tank at Mountain Avenue (1 MG tank) and the addition of a second water tank at Pilgrims Corner (2 MG tank), in 2015 (“original Proposed Action”);

WHEREAS, the City had updated and revised the original Proposed Action to the following: upsizing the new Mountain Avenue tank from 1 MG to 2 MG, whereby a new tank will be constructed next to the existing tank and the old tank demolished; replacing the High Barney tank (0.75 MG) in kind; and removing the new Pilgrims Corner tank (2 MG) from the project (“revision one Proposed Action”); and

WHEREAS, the City had updated and revised the revision one Proposed Action to the following: downsizing the new Mountain Avenue tank from 2 MG to 1 MG, whereby a new tank will be constructed next to the existing tank and the old tank demolished; replacing the High Barney tank (0.75 MG) in kind; and adding the painting and rehabilitation of the existing Highland Avenue Tank (0.5 MG) from the project (“Proposed Action”); and

WHEREAS, the City has engaged the services of CPL as the City’s consulting engineers to prepare a revised Full Environmental Assessment Form (“EAF”) pursuant to the New York State Environmental Quality Review Act (“SEQRA”) and the Regulations of the Commissioner of the Department of Environmental Conservation at 6 NYCRR Part 617, and an attachment to the EAF describes the Action in detail and addresses the potential environmental impacts, if any, of the Proposed Action; and

WHEREAS, the Common Council of the City by resolution adopted on 07/07/20 declared itself as Lead Agency for the original Proposed Action, classified as an Unlisted Action and following a Coordinated Review process pursuant to SEQRA, and maintains that role for the revised project and Proposed Action as outlined above.

NOW, THEREFORE, BE IT RESOLVED that the Common Council, after a review of the revised EAF for the Proposed Action, hereby reaffirms the Negative Declaration determination of significance made on 04/06/21 based on the following findings with respect to the Proposed Action:

1. The construction of the 1 MG water storage tank near Mountain Avenue will be at the same site as the existing 1 MG water storage tank, which will be demolished; the 0.75 MG High Barney water storage tank will be a replacement in kind, at the same location; and the 0.50 MG Highland Avenue water storage tank will be rehabilitated in place.
2. The revised EAF regarding the Proposed Action has been filed with the Common Council.
3. The Action is an Unlisted Action pursuant to SEQRA.
4. The Common Council maintains their status as Lead Agency for the Proposed Action and the Coordinated Review that was utilized for the process remains valid for the Proposed Action; no other Involved Agencies objected to the Common Council assuming Lead Agency.
5. Approval of the Proposed Action will enhance the City’s water distribution system and allow the City to ensure that appropriate water supplies are delivered to all City residents and others who use the City’s water system.
6. The Proposed Action will continue to not have a significant negative impact on air or water quality, traffic or noise levels or erosion or drainage conditions, and if there is any impact, it will be limited and temporary in connection with construction activities.

7. There will be no traffic impacts from the Proposed Action.
8. There will be no effect on surface or subsurface water.
9. There is no evidence that the Proposed Action will pose a threat to any threatened or endangered species of plants or animals or the habitats of such species or have any adverse effect on migratory fish or wildlife species.
10. The Proposed Action does not appear to impair the character of any historical area or aesthetic resource or negatively impact the character of the neighborhood.
11. No change in energy use will occur other than normal increases associated with any proposed construction and renovation work as a result of the Proposed Action.
12. The Proposed Action will not create any hazard to human health but will improve the delivery of treated water to City residents and others who use the City's water system.
13. The use of the land will not be substantially changed by the Proposed Action.
14. The Proposed Action will not result in demand for other actions that exhibits the impacts addressed by the Regulations.
15. There will be no changes to multiple elements of the environment that cumulatively would result in substantial adverse impacts.
16. There are no projects which have been approved by the Common Council or which are seeking approval from the Common Council which, when taken together with the Proposed Action, would cause a significant effect on the environment. In fact, approval of the Action would increase the overall efficiency of the City's water distribution system.
17. All of the criteria contained in 6 NYCRR Part 617 have been addressed to the satisfaction of the Common Council.

The Common Council, as the Lead Agency, further directs the Commissioner of Public Works to notify the Involved Agencies of the Proposed Action, the revised EAF, and the reaffirmation of the Negative Declaration to and circulate a Notice of Determination as may be required by the Regulations.

Roll call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues - 9

72.21 - Resolution to approve a reverse transfer of \$240,000.00 for the resent Guymard purchase to replenish the Sewer Fund Balance because the money is available in the capital accounts.

On motion of Ald. Jean-Francois, seconded by Ald. Kleiner.  
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WHEREAS; the Treasurer is requesting a reverse transfer of \$240,000.00 for the recent Guymard purchase to replenish the Sewer Fund Balance because the money is available in the capital accounts.

SO LET IT BE RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer that the subject recent Guymard purchase be charged to H.0967.966 and reverse the \$240,000 transfer to replenish the Sewer Fund Balance because the money is available in the capital accounts in the following manner:

From	Amount	To
F.1940.900 Purchase of Land (Sewer Fund)	\$240,000.00	Sewer Fund Balance

Roll call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues - 9

73.21 - Resolution to approve a transfer of \$25,125.00 for the asphalt only of the upper parking lot between the Washington St, South St and the Equilibrium Brewery.

On motion of Ald. Burr, seconded by Ald. Tobin.

WHEREAS; the City made an arrangement with Todd Lyons Paving (Todd is also General Manager/Owner of Equilibrium Brewery) to pave the entire parking lot owned mostly by the City of Middletown and partially by the Equilibrium Brewery which encompasses the upper parking lot between the Washington St, South St and the Equilibrium Brewery, and

WHEREAS; the agreement is that Todd Lyons will provide Labor, equipment and tack coat and the City will deliver and pay for the asphalt only. Estimated cost of asphalt for 375 tons top course at \$67/ton is \$25,125.

SO LET IT BE RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$25,125.00 from the General Fund Balance for the City share of the agreement to fund the asphalt only of the project in the following manner:

FROM	AMOUNT	TO
General Fund	\$25,125.00	A.5110.450 Street Department

Roll call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues - 9

74.21 - Resolution authorizing the closing of streets for the Middletown Little League Parade on Saturday, April 17, 2021 subject to the approval of the NYS required COVID Safety Plan.

On motion of Ald. Masi, seconded by Ald. Jean-Francois

RESOLVED; that the Common Council of the City of Middletown authorizes the closing of streets for the Middletown Little League Parade on Saturday, April 17, 2021 at 10:30 AM, lining up at the Presidential Park Elementary School at 10:00 AM, walk up Sunset Street, make left onto Watkins and into Watts Park where we will send teams off to different locations to ensure social distancing.

LET IT BE FURTHER RESOLVED; that the Common Council of the City of Middletown authorizes this parade subject to the approval of a COVID Safety Plan, required by the State of New York and approved by the Chief of Police and the Superintendent of Recreation and Parks.

Roll call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues - 9

75.21 - Resolution to condemn discrimination in all its forms and specifically condemn recent attacks of aggression and hate crimes perpetrated against Asian Americans.

On motion of Ald. Tobin, seconded by Ald. Kleiner.

- WHEREAS:** Recently, as a Nation we have witnessed a dramatic increase in Hate Crimes against Asian Americans; and,
- WHEREAS:** This increase is due to vilification and false statements blaming the Asian Population for the Worldwide Pandemic; and,
- WHEREAS:** Here in the United States, Asians have a long history of dedicated service to our Nation, including fields such as Healthcare, Politics, the Law, Entertainment, Academia, Business and honorably serving within our Armed Forces; and,
- WHEREAS:** Asian Americans from all walks of life have and continue to make positive contributions to our City and our Country;

**NOW THEREFORE BE IT RESOLVED** that I, Joseph M. DeStefano, Mayor of the City of Middletown, NY, do hereby wholeheartedly condemn discrimination in all its forms and I specifically condemn these recent attacks of aggression and hate crimes perpetrated against Asian Americans and ask the Common Council of the City of Middletown to unanimously adopt this Resolution denouncing these crimes; and

**LET IT BE FURTHER RESOLVED** that on behalf of the Residents of the City of Middletown, we hereby applaud our Asian American Residents and all Asian Americans and thank them for their day-to-day contributions to the betterment of our City and our Nation.

Roll call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues - 9

76.21 - Resolution to authorize the Mayor to sign all necessary documents and certifications regarding the 2021 CDGB Action Plan and authorize the submission of the 2021 Action Plan.

On motion of Ald. Green, seconded by Ald. Masi.

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Mayor to sign all necessary documents and certifications regarding the 2021 CDGB Action Plan and authorize the submission of the 2021 Action Plan to the Office of Housing and Urban Development.

Roll call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues - 9

77.21 - Resolution to approve an easement for 7 King Street.

On motion of Ald. Johnson, seconded by Ald. Green.

WHEREAS; the City intends to seek proposal to sell 7 King Street, and

WHEREAS; two contiguous lots, 28 North Street and 30 North Street, do not have the ability to acquire new electric service from Orange & Rockland because their only exterior wall frontage abuts North Street, and

WHEREAS; the northern exterior wall of 7 King Street is a suitable location to emplace electric meters and running the wires through the basement of 7 King Street should not cause any problems for future owners.

NOW THEREFORE BE IT RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment that the Mayor is authorized to execute and record the attached easement.

Roll call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues - 9

78.21 - Resolution for the Mayor to sign an Inter-municipal Agreement with the County of Orange for maintenance and operation of signage at the intersection of Monhagen Avenue and Seward Avenue.

On motion of Ald. Ramkissoon, seconded by Ald. Johnson.

WHEREAS; the City will be replacing the “Welcome To Middletown” sign with a new version, and

WHEREAS; the City requests the Mayor to sign an Inter-municipal Agreement with the County of Orange for the defense indemnity concerning construction, maintenance and operation of signage to be emplaced at the intersection of Monhagen Avenue and Seward Avenue

SO LET IT BE RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Mayor to sign the attached Inter-municipal Agreement between the City and the County of Orange.

Pres. Rodrigues: Any discussion? Alderman Kleiner.

Ald. Kleiner: Thank you, I had a conversation with Maria and the Mayor that, as the county wrote the agreement, and it’s been a long time coming for the sign, but just because it the language says, at the intersection of Monhagen Avenue and Seward Avenue, that’s because, where the sign is, the section, block and lot number on Seward Avenue, but the sign is actually at the intersection of Monhagen and Emma Avenue. Just if people are concerned of it there’s any confusion about it, we know that’s Emma Avenue, the legal language says Seward Avenue, so you know where it’s going. Thank you.

Pres. Rodrigues: Anyone else?

Roll call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues - 9

79.21 - Resolution to rezone a strip of five (5) parcels on North Street from C-1 Neighborhood Business District to the contiguous C-2 Limited Business District.

On motion of Ald. Kleiner, seconded by Ald. Johnson

WHEREAS, the City of Middletown has been presented with a proposal for a light manufacturing use at 308-310 North Street, and

WHEREAS, the Mayor and Economic Development are recommending to rezone a strip of five (5) parcels on North Street, including the subject parcel, from C-1 Neighborhood Business District to the contiguous C-2 Limited Business District, and

WHEREAS, the lots are described as follows on the City of Middletown tax map:

302 North Street	SBL 17-2-16
304 North Street	SBL 17-2-15
306 North Street	SBL 17-2-14
306½ North Street	SBL 17-2-13.1
308-310 North Street	SBL 17-2-12.1

WHEREAS, the Common Council has issued a Negative Declaration for this proposed action pursuant to the State Environmental Quality Review Act ("SEQRA") regulations, and

NOW, THEREFORE, BE IT RESOLVED, AND BE IT ORDAINED, by the Common Council of the City of Middletown, as follows:

Section 1. The Code of the City of Middletown, N.Y., Chapter 123, Zoning, as adopted March 27, 1967 and amended, and in particular Section 475-6, Zoning Map, be and is hereby further amended by rezoning the following parcels from C-1 Neighborhood Business District to C-2 Limited Business District, to be governed henceforth by the provisions of Section 475-20:

Tax Map

302 North Street	SBL 17-2-16
304 North Street	SBL 17-2-15
306 North Street	SBL 17-2-14
306½ North Street	SBL 17-2-13.1
308-310 North Street	SBL 17-2-12.1

Section 2. This Ordinance shall take effect immediately.

Roll call: Ayes: Ald. Ramkisson, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues - 9

80.21 - Resolution to approve a purchase of a new dump truck for the department of public works and approve a transfer to fund the purchase.

On motion of Ald. Jean-Francois, seconded by Ald. Burr.

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment approve the purchase of a new Dump Truck to replace a 2008 Ford Dump Truck with 91,000 miles which is in need of replacement due to the numerous repairs needed that would be required to keep this vehicle in working condition.

LET IT BE FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer a total of \$75,000.00 to fund the purchase in the following manner:

<b>From</b>	<b>Amount</b>	<b>To</b>
Water Fund Balance	\$37,500.00	F.8340.200 Other Equipment
Sewer Fund Balance	\$37,500.00	G.8120.200

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## Other Equipment

Roll call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues - 9

81.21 - Resolution to approve the 2021 Electronics Drop Off on September 18, 2021.

On motion of Ald. Burr, seconded by Ald. Jean-Francois.

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to hereby authorize an Electronics Drop Off at 76 Monhagen Ave on Saturday, September 18, 2021 from 8:00AM to 3:00PM with a limit of 5 items per household with proof of City of Middletown residency to be presented at drop off.

LET IT BE FURTHER RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Commissioner of Public Works to hire Advanced Recycling of Port Jervis at a price for picking up the electronic recycling at \$1,800.00 per day, or any other recycling contractor that may be more economical for the City, as determined by the Commissioner of Public Works.

Roll call: Ayes: Ald. Ramkissoon, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues - 9

### 13. Local Laws

John Naumchik-Nothing this evening.

### 14. Audit

On motion of Ald. Masi seconded by Ald. Johnson

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

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

### 15. Adjournment

There being no further business meeting adjourned at 8:54 PM

Respectfully submitted,

Andrea Greco