

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

 Sec'd by Ald. Johnson

 Date of Adoption 10.03.22

 Index No: 221-22

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoo	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

**Resolution authorizing a \$15,000 Budget transfer from within the
Fire Department's Budget**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$15,000, in the following manner, to cover gasoline & diesel fuel thru December 2022 for the Middletown Fire Department.

<u>From:</u>	<u>Amount</u>	<u>To:</u>
A.3410.202 Coats & Boots	\$ 5,000.	A.3410.417 Gas & Oil
A.3410.207 Hose	\$ 5,000.	A.3410.417 Gas & Oil
A.3410.496 Personnel Training-Volunteers	\$ 5,000.	A.3410.417 Gas & Oil

**CITY OF MIDDLETOWN, NEW YORK
COMMON COUNCIL
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THE FOLLOWING WAS PRESENTED

By Ald. Witt

 Sec'd by Ald. Kleiner

 Date of Adoption 10.03.22

 Index No: 222-22

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

Resolution authorizing a Budget transfer for \$500.00 from within the Recreation and Parks Department

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer \$500.00 from account A.2705.00 Gifts and Donations to account A.7020.00 . This money was a donation from the Orange Runners Club and it will be used to purchase candy for our Halloween Events.

FROM	AMOUNT	TO
A.0899.00 General Recreation Donation	\$500	A.7020.00 Use of Recreation Donations

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

THE FOLLOWING WAS PRESENTED

By Ald. Green

Sec'd by Ald. Johnson

Date of Adoption 10.03.22

Index No: 223-22

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

Resolution authorizing a Budget transfer for \$5,200 from within the Goldenarea Budget

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer funds within the Goldenarea Budget, in the following manner, and authorizes the use of Donations in the General Fund to cover the cost of fuel for the shuttle bus due to an increase in cost for the remainder of 2022.

FROM	AMOUNT	TO
GA.5680.495 Miscellaneous	\$500	GA.5680.417 Gas and Oil
GA.5680.481 Telephone Request	\$700	GA.5680.417 Gas and Oil
A.0899.05 Senior Citizen Donations	\$4,000	A.6772.05 Senior Citizen Programs

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

THE FOLLOWING WAS PRESENTED

By Ald. Witt

 Sec'd by Ald. Masi

 Date of Adoption 10.03.22

 Index No: 224-22

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

**Resolution authorizing a \$75,296.71 Budget transfer from within the
Recreation and Parks Department.**

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to add \$75,296.71 received from the Community Development CDBG Grant to the general revenue line A.2029 Special Programs and increase budget line A.7321.450 Special Programs – Material & Supplies. This donation will go towards the cost of ice-skate rentals, ice-skate storage rack, storage shed and other materials and supplies to operate the ice-skating rink.

Increase A.7029 – Special Program Revenue	\$75,296.71
Increase A.7321.450 Special Program Material and Supplies	\$75,296.71

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

THE FOLLOWING WAS PRESENTED

By Ald. Kleiner

 Sec'd by Ald. Johnson

 Date of Adoption 10.03.22

 Index No: 225-22

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

Resolution authorizing a \$1,250 Budget transfer from within the General Budget

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to funds, in the following manner, to cover the cost of unforeseen exam expenses to be administered for the school district and the City of Middletown.

FROM	AMOUNT	TO
A.1900.991	\$1,250	A.1430.400
Appraisal of Property		Contractual Services

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

THE FOLLOWING WAS PRESENTED

By Ald. Ramkissoon

 Sec'd by Ald. Jean-Francois

 Date of Adoption 10.03.22

 Index No: 226-22

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

Resolution authorizing a \$71,962.03 Budget transfer from within the General Budget

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment and authorizes the Treasurer to transfer funds, in the following manner, to cover overdrafts.

FROM	AMOUNT	TO
GA.9000.830 Social Security Payments	\$1,359	GA.9000.810 Retirement Fund
GA.9000.850 Unemployment Insurance	\$177.41	GA.9000.889 Dental Insurance
A.1325.433 Personnel Training	\$425.62	A.1325.401 Travel Expense
A.9000.861 Retiree Health Insurance	\$70,000	A.1900.964 Refund& Cancellation

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

THE FOLLOWING WAS PRESENTED

By Ald. Johnson

 Sec'd by Ald. Kleiner

 Date of Adoption 10.03.22

 Index No: 227-22

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

Resolution to approve an extension of time of six (6) months for two resolutions dated May 04, 2021, #98-21 and #99-21 for the Presidential Heights Realty Subdivision.

RESOLVED; that the Common Council of the City of Middletown approves an extension of time in the amount of six (6) months, as per the date on this resolution, for two resolutions dated May 04, 2021, #98-21 and #99-21 for the Presidential Heights Realty Subdivision due to the need that the project has to obtain outside agency approvals for the NYSDEC and OCDOH for water main and sewer main extensions before the map can be filed.

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

THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

 Sec'd by Ald. Johnson

 Date of Adoption 10.03.22

 Index No: 228-22

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

Resolution Amending City Code to Create a New Section 216-6 Halloween Curfew

WHEREAS, the Common Council of the City of Middletown has annually imposed a Halloween juvenile curfew, and now wishes to formally add this curfew to the City Code, and

WHEREAS, the Common Council desires to assure the safety of the public both on the streets and in their homes during the celebration of Halloween, and,

WHEREAS, the Common Council has determined that it is in the best interest of the City of Middletown to adopt a permanent juvenile curfew during the Halloween period and to encourage parents and guardians to supervise, control and know the whereabouts of their children during such period,

Now therefore be it Resolved and Ordained by the Common Council of the City of Middletown, that Chapter 216, Curfew, of the City Code be and his hereby amended by adding a new Section 216-6 to read as follows:

216-6. Halloween Curfew.

A. Notwithstanding any of the provisions contained in Sections 216-1 through 216-5 of this Chapter, each year during the period of October 29 through November 1 between the hours of 9:00 pm through 6:00 am on each day, it shall be unlawful for any person under the age of eighteen (18) years (hereafter referred to as “minor”) to be in any public place (including but not limited to, any street, alley, highway or other public thoroughfare, sidewalk, park, playground, store, shop, restaurant, tavern, café, theater, shopping center and any other place devoted to amusement or open to the general public) or on private property other than such minor’s home or usual place of abode, within the City of Middletown, New York, either on foot or in a vehicle, except:

1. When accompanied by a parent or guardian; or
2. When the minor is on an emergency errand; or
3. When the minor is on a specific business or activity directed by his or her parent or guardian, in writing, identifying the minor, the specific business or activity, the location or locations of such business or activity and the time when such business or activity shall end, and signed by such parent or guardian; or
4. When the presence of such minor is required in connection with some legitimate employment, trade, profession or occupation.

B. It shall be unlawful for any person, operating or having charge of any public place to knowingly permit or suffer the presence of minors between the hours set forth above in Subsection A.

C. The following procedures shall be followed in the event of any violations of this Halloween curfew:

1. Any police or peace Officer, upon finding a minor in violation of the prohibitions set forth above in Subsection A shall ascertain the name and the address of the minor and warn the minor that he or she is in violation of curfew and shall direct the minor to proceed at once to his or her home or usual place of abode. The police or peace officer shall report such action to the parents or guardian of the minor.

2. If such minor refuses to heed the warning or direction given by any police or peace officer or refuses to give the police or peace officer his or her correct name and address, or if the minor has been warned on a previous occasion that he or she was in violation of this curfew, such minor shall be taken to the City of Middletown Police Station and the parent or guardian of the minor shall be notified to come and take charge of such minor and return such minor to the minor’s home or usual place of abode. Such minor, in the discretion of the Chief of Police, may also be issued an appearance ticket to appear in the Middletown City Court to answer charges of violation of this curfew, and any operator of any

public place who has suffered the presence of such minor or minors may also be issued an appearance ticket to appear in the Middletown City Court to answer charges of violation of this curfew.

D. A violation of this Section by a child aged 16 or 17 years shall constitute an offense within the meaning of the Penal Law of the State of New York and shall be punishable by a fine of not more than \$250 or by 15 days' imprisonment, or by both such fine and imprisonment.

E. A second or subsequent violation of this Section by a child under 16 years of age shall be reported by the police to the juvenile authorities.

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THE FOLLOWING WAS PRESENTED

By Ald. Jean-Francois

 Sec'd by Ald. Green

 Date of Adoption 10.03.22

 Index No: 229-22

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

Resolution Authorizing the General City Wide Clean Up Period for Leaves in the Street

RESOLVED that from November 7, 2022, to December 2, 2022, the City of Middletown will hold its general city wide clean up period for leaves in the street. (Set out no further than four (4) feet from the curb.) All other times during the year leaves must be placed in receptacles. Department of Public Works crews will pick up leaves in the street during this time only, no exceptions.

The initial Leaves pick up schedules will be as follows:

1. Second Ward
2. Third Ward
3. Fourth Ward
4. First Ward

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

THE FOLLOWING WAS PRESENTED

By Ald. Tobin

 Sec'd by Ald. Johnson

 Date of Adoption 10.03.22

 Index No: 230-22

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoo	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

Resolution Authorizing a Grant Application on behalf of Fei Tian College

Whereas The City of Middletown is applying for Round 6 Restore NY funds on behalf of Fei Tian College for their Student Center Project, in the amount of \$2 million; and

Whereas the proposed project will rehabilitate 92 Seward Ave into a student center with dormitories and other amenities/services and

Whereas The City of Middletown finds that the proposed project is consistent with the municipality's local revitalization or urban development plan; and

Whereas that the proposed financing is appropriate for the specific project; and
 Whereas that the project facilitates effective and efficient use of existing and future public resources to promote both economic development and preservation of community resources; and

Whereas the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities where applicable.

Now, therefore, be it resolved that the Common Council of the City of Middletown hereby authorizes the City to submit a grant application on behalf of Fei Tian College and further authorizes the Mayor to sign any document related to the grant application.

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi

Sec'd by Ald. Green

Date of Adoption 10.03.22

Index No: 231-22

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

**Resolution Confirming the Mayor's Appointment of John Bianchi as a
Deputy Commissioner of Public Works**

RESOLVED that the Common Council of the City of Middletown concurs with the Mayor's appointment of John Bianchi as a Deputy Commissioner of Public Works (Part time), beginning August 29, 2022 through December 31, 2024 at a salary of \$36,000/year.

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

THE FOLLOWING WAS PRESENTED

By Ald. Masi _____

Sec'd by Ald. Tobin _____

Date of Adoption 10.03.22 _____

Index No: _____

NAMES	AYES	NOES	ABSTAIN	ABSENT
Ald. Tobin	X			
Ald. Jean-Francois	X			
Ald. Johnson	X			
Ald. Ramkissoon	X			
Ald. Kleiner	X			
Ald. Green	X			
Ald. Witt	X			
Ald. Masi	X			
Pres. Rodrigues	X			
TOTAL	9			

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