



**Common Council
Meeting
City of Middletown
Sept. 1, 2020**

1. Pledge of Allegiance- Pres. Rodrigues asked all to rise for the pledge.
2. Roll Call: Present: 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 approve July 21st and August 18th as submitted

All in favor

4. Correspondence
Middletown Shade Tree Committee-Tree watering memo to the City-Received & Filed
New Legislation from Corp. Counsel, ATV- Forward to Ald. Johnson
5. For the Good of the City

No one

6. Remarks of the Mayor

Mayor DeStefano-The Mayor asked the Chief to come forward and address the situation over the weekend.

7. Remarks of Dept. Heads

Chief Ewanciw-As you all know this past weekend Middletown Police was involved with an officer involved shooting which one of our police officers was shot in the arm. The officer Evan Barone sustained a gunshot wound to his forearm. I am very happy to say that he underwent surgery today and seems like everything went very well, he is in very good spirits. Not happy that he went into surgery, had surgery that the surgery successful and he is doing well. I spoke with him this afternoon.

The circumstance of the situation- I know we did a press conference today. Officer Barone is currently a member of the Neighborhood Enhancement Unit patrolling his ward, flagged down by a resident of 28 Myrtle Ave. looking for assistance. He exited his vehicle to start information, sort the situation to see what was going on. Shortly thereafter he was actually shot by a person on the porch of 28 Myrtle Ave. Very little if any warning at all, no engagement, no conversation. Evan did an amazing job. His training kicked in, he returned fire. Realizing that he was shot himself, he controlled himself, made notification to our communication staff, requested additional services. Maintained control of the entire scene until he received additional services.

For anybody that has seen the video we aired at the press conference it was pretty chaotic there were people yelling at him during this time. He is not sure what is going on. I cannot say it enough how much of a great job that Evan did and all the officers that responded that day. They came in they provided assistance for Evan, defendant, secured the scene, secured witnesses. They did an amazing job. Helped us to expedite the process. As the DA Hoovler said today the process is going very quickly, grand jury will be this week and he is hoping for a resolution in the very near future. He also indicated today at the press conference that after reviewing all the documents related to this case that he is satisfied that Officer Barone is justified in this incident this past Saturday. For that incident it is actually coming to a more positive end as far Officer Barone being healthy and he is going to recover and we have a very fast moving process.

Ald. Jean-Francois-Was the officer alone?

Chief Ewanciw-Yes he was. He was alone that evening, specifically in the Neighborhood Enhancement Unit. He does ride with a partner but his partner just happened to be off that night.

Ald. Kleiner- Chief congratulations #1 the officer handled the situation. What wasn't clear to me in seeing the video was who kept yelling 'I am a Federal Agent'? Do you

know that? Was that the suspect? I kept hearing after the video someone screaming I am a federal agent was that just a ruse or.

Chief Ewanciw- I wouldn't say it was a ruse. Today at the press conference I 'wasn't 100% sure myself... I heard it to be the defendant yelling it, I heard that it was someone else. A few moments ago I was able to speak with someone else at the scene and they clarified for me that it was the person on the ground that was yelling at Officer Barone.

Ald. Kleiner-I ask this because we see around the country we had right here at City Hall unidentified federal agents. When you know you have that it is a possibility then it to see what might have been the shooter using that as a ruse.

Ald. Green-Chief during the press conference, that the handgun that was recovered from the suspect had 16 rounds remaining.

Chief Ewanciw-Yes that is correct.

Ald. Green-That in itself is a crime ...in NYS.

Chief Ewanciw- I truly believe that the defendant was there to cause ...Officer Barone happened to be driving by that day you don't know what the outcome would have been. We could assume and based on his criminal history and his motives that day we don't know but the fact that the came there unannounced, it was his ex-girlfriends' residence her new boyfriend was there with her we don't know what his true intentions were.

I like to thank the community and all of you, the Mayor for all the support and kind words. I know the Barone family is very appreciative of it as well.

Mayor DeStefano- Jerry I can assure you this guy is not a federal agent. If you look at his rap sheet. Better perspective what happens when a police officer goes to a scene and they don't know what they are dealing with or who they are dealing with. It just complicates the matter for them to do that.

We did have a press conference today and we've had some articles, I wanted the Chief to address it first. As you know Evan, son of Sam Barone and Cathy Barone; Sam is a former Fire Chief. Family is very dedicated to our community, Evan was born here and raised here. Went to Middletown High School, I believe he played football at Middletown High School. On the job less than 3 yrs. What we have been talking about and the Chief mentioned was his instincts, his bravery. Something you get once in a while over my many years here is why we do so much training in Middletown with our police officers. We do a lot of training. That training cost money, cost time and it costs personnel hours out of patrol and overtime and all that. You can see the training paid off here and with ...training that they do. It was a good investment by our city and to all of our police officers and it paid off on Saturday

night. We have heard from many surrounding communities, people, the kindness from our community from his colleagues in the Middletown Police Station and others from the Hudson Valley. Whether it was the County Exec. calling that night or Mayor Rolinson from Poughkeepsie offering help, I understand Poughkeepsie sent down 20 pizza pies to the Police Station. But it is in a time of crisis how the community reacts says a lot about your community. We all think we live in the best place, it is what you make of the community and I think we saw a lot of what Middletown was about the other night and since then the overwhelming support especially on social media for not only Evan and his family but also for the MPD.

Some of the discussion and may be some differences in the room I don't know but was on the national discussion of defund police. We have had the police panel now, we had 4 meetings we are in the process of preparing our report. The panel that we had was 14-15 members pretty diverse community panel and they agreed that defunding and I mentioned at previous meeting Common Council meetings I think it is a foolish term politically and reality and people are seeing what the impacts of those types of national arguments have on a small city like Middletown, NY. Not a lot ...national argument as I said at the police panel meetings and to the press was that as far as Middletown is concerned that defunding the police would be asinine; it would be a foolish move and our police dept. has functioned with different levels of manpower over the years. We have had to hire maybe close to 80 we are in the mid 60's, upper 60's right now personnel wise. You see that change over time depending upon how your crime rates go. You don't hire police officers and then lay them off to hire social workers. In fact when it comes to cities like Middletown or NYS small cities we don't control we don't make the decisions about mental health cases or domestic violence funding. Those are decisions are made on a county level, Mobile Mental Health. So all those things as a national defund argument has put in place don't apply here at all. Regardless we are not doing a defund; I said I would never support it. Prior to this the panel and believe there were some people on the panel that were community activist in the protest. When they sat down with Middletown Police Dept. has in place whether the amount of training that we have. The diversity training, the skilled training and the fact that we have civilian police commission here; they felt very comfortable with the fact that we would not pursue the panel but not recommend to the Common Council a defunding concept. Not to say if they did recommend it and you would accept it or I accept it but I was happy to see that panel said no to defund. Now we are seeing the reasons for it at a local level Aileen is personal, we have been discussing national issue but not the impact directly. But here you can feel the room today the emotions of everybody there because we all know Sam and we've all worked with him as Fire Chief and some of us have grown up with him and then you start thinking about your own kids and then you start thinking about calling 911 or Police Dept. and nobody shows because you don't have enough people. "Defunded" the police dept. I think it brings around the argument on that. Some people have been critical that have been talking about that during this time but I think it is important to personalize that type of issue because the report will be coming to you as Common Council members when it is drafted by myself and the Chief. You folks are going to have to adopt it and not that I am implying to any of you or even

thinking about that. The fact is we need to adopt a policy and some of the changes the panel may recommend. But defund police is not going to be one of them and we are very proud of Evan, the Middletown Police Dept. and the reaction of the whole entire department. From here we will continue to improve where we can and ironically or coincidentally tonight you are voting on the body cam. What you saw today was not body cam footage, what you saw today was a neighbors Ring footage.

I think we see the benefits now and before we saw them because we are doing it. We feel ...years ago and we see it now especially with the new technology that body cameras really tell a story. Maybe not a complete story but in this case the story was quick enough for the OC DA to announce today that after 48 hrs. they already made a determination on something that usually takes much more time than this.

The camera told the story, the story was Officer Evan Barone acted bravely, he acted ...hero. What the Chief didn't mention but was mentioned at the Press Conference I believe was in that van that you see there; there were at least 3 kids where a shot was fired in that direction. There were other people in the house too and with 16 rounds as Andrew had mentioned it was a very dangerous situation. The guy was wanted on parole for parole violation, he had convictions on many, many different crimes. Armed robbery and others that appeared more serious that he was involved in in some way. He wasn't there just to say hello to his ex-girlfriend, he was there to hurt people and as I said today that Officer Barone was injured but he is safe now. That is the idea when our police officers go to work we want them to come home safe, like their families want them to come home safe and we will do everything we can to protect them, provide the necessary funding. Because that is our goal, funding the police commission policy and our idea here is to provide funding and let them do the best job they can do but keep in mind they are people, they go home to families, wives and kids and parents.

I want to thank you ...regarding this, it is important for the community to stay focused on this issue of what happened but also what could of happened. If it wasn't for that one officer standing on the sidewalk with no cover, shot, returning fire and getting the person more than once than we might have had a very different situation.

Thank you Officer Barone, thank you for your bravery and thank you to his family for sending us Officer Barone. I am sure the Chief will be addressing in the very near future some type of additional comment of what he did.

Ald. Kleiner- Sept. is the last month for the census. On line or however as children go back to school. Word needs to get out but this our last month, I don't know how we are doing?

Mayor DeStefano-As of yesterday I believe we were at 56.8% response rate. NYS is 60.8 both below national average which means that NYS will not get its fair share of money, will not have the proper count, not the proper representation, our kids will not

have proper state funding, our police will not get adequate funding from federal government it will have to be made up by local taxpayers and a whole host of things.

...question the Census was extended to the end of September. The Census enumerators which are the federal employees have been going door to door trying to encourage people to sign up, they assist them, we can't. We cannot go help someone fill out the census, the Enumerator can. I don't know if that information comes in all at once like one big dump into the system you cannot get that answer. The response is a little disappointing from our residents right now and hopefully that will change by the end of September.

Maria Bruni/Community Development- I want to wish Officer Barone a speedy recovery and best wishes to him and his family.

Last week the Mayor and Lt. Governor Kathy Hochul were on a tour of downtown and she was here on a Build Back Better Campaign. I think she was quite impressed with how the DRI projects were moving.

Painted Horse Chocolates opened up as well last week. She is open for business when the Rail Trail comes. I can say we have been seeing an influx of small businesses, 5 new businesses are going to be opening on a stretch of North St. from the Square to Orchard St. We have on the Planning Board agenda I think like 4 small businesses on there tomorrow night. Like I said we are working with numerous inquiries with people coming in looking to open the business and some of the businesses that were closed are starting to re-open like the Bowling Alley, Q-Ball.

We have small business loan Covid relief loan through our office. I would encourage people if you haven't inquired or inquired to see if they are eligible.

Also we continue to have our small business loan program as well.

Ald. Kleiner-What is the deadline for the Covid relief application?

Maria Bruni-Until the end of December. We are accepting the applications.

Jacob Tawil/DPW Commissioner-Expressing my sincere appreciation and proud of the police dept. especially Officer Barone for what he has done. Very courageous young man. He grew up with my daughter they are the same age. Like the Mayor said they are a dedicated family. Extremely very proud of him and what he did. How he stood up for himself and he saved his own life and others around him.

The reservoirs is at 96% full. Very good shape. We are expecting rain throughout.

3 buildings advertised for demolition in the City of Middletown including asbestos abatement. Contractors are encouraged to pick them up, bid opening is on the 10th of this month.

Davidge Park Expansion the contracts are ready are almost signed so that construction can get started.

24 in. line, 12 in. line is ready to proceed with construction as well.

Downtown projects the green infrastructure parking lots, ADA sidewalks they are moving very well and we can see the results as you drive by. Very impressive.

Ald. Tobin-I have a question from a resident on Grant St. the mitigation project. Planning Board Cornerstone Health is adding an addition to their existing building.

Commissioner Tawil-Yes.

Ald. Tobin-She is concerned about the construction on her street will they be overlapping?

Commissioner Tawil-This is NY Rising-we have Drapper Brook that runs through Grant St. through the parking lot ...that culvert underground culvert /Drapper Brook is going to be ripped out under NY Rising. So far the condition hopefully the Planning Board will have been coordinating very closely with the Planning Board and timing that will allow until the end of next year for the project for the Drapper Brook to be completed. So whatever they do in there will have to ...we are going to be there replacing that culvert that runs under the parking lot.

Ald. Tobin- Is that first or

Commissioner Tawil-Hopefully our project will happen first but it will have to be closely coordinated. I met with the attorney's for our Planning Board, Planning Board chairman and some members and we are very much coordinated.

Hopefully there will not be too many hiccups in there.

Ald. Kleiner- Heritage Trail do we have any updates? As far as the county is doing.

Commissioner Tawil-Yes it is moving along very well. We had a conference phone call the Mayor and myself with the county and CoachUSA which is Shortline to try to move that acquisition of property or transferring of property from that they own to the City of Middletown. So that the County would jump in and fund it. As you know CoachUSA they were suppose to fund it between reimbursements from the DOT but then they backed off, they don't want to do it because they changed ownership and they were not too happy about the reimbursement from the County or from the DOT. After efforts of the Mayor and the county decided we will take it over, they have a new Commissioner of Planning and he seems very ambitious, he is willing to work with us. He is trying to secure financing on his own through the county to build this project. CoachUSA is very happy with this and they said they would be very happy to cooperate with you guys. Now it is a matter of them reaching out to Alex,

finalizing the agreement to transfer the property to us and it is subject to ...agreement that you already approved CoachUSA between the City and the transportation.

So that ties into the Heritage Trail which is the design of Phase III which is moving along very well.

Segment II which goes up to the Switch which is from the Walkkill River all the way to the Switch Inn and that is moving along very well.

Don Luis/Fire Chief- Our thoughts and prayers are with Officer Evan Barone. As we all know his father was the Fire Chief so it kind of hits home to us as well. Watched Evan growing up and thank you PD for your job.

The parade for October has been canceled although we will have our Inspection Night Oct. 9th tour of all the firehouses. All council members are invited for that tour and walk through.

Also with the parade we are making banners made. Each company will have their own banner. The Chief's will-Officer of the Year, Fireman of the Year and also include Rookie of the Year. We took in a lot of members this year. Pictures will be on the banner. Reach out to Maria or DPW to get help in hanging them.

Pres. Rodrigues-What time?

Don Luis- 6:30- meet here at City Hall.

Also a resolution tonight that was passed by Legislation and passed by Gov. Cuomo for the 4 months of Covid that the volunteers call volume and meeting volume was down. They made a law that the governing body can award up to 5 points a month per member to meet their LOSAP requirements.

Ald. Kleiner-There was a structure fire on Houston Ave. can you tell us. Was it a complete loss? Determination on the cause of the fire?

Chief Luis-It was a room and content fire. Although it did make substantial smoke damage throughout the rest of the house. House is salvageable. Electrical in origin.

Ald. Jean-Francois-Sorry to hear about the parade. You have waited 3 yrs. Even though it was canceled this year. Do you have to wait another 3 yrs.? Or is it next year for sure?

Chief Luis-No I've actually spoken to the incoming Chief Nick Barber and he has agreed to have the parade next year. Rescheduled for October of next year.

Alex Smith/ Corp. Counsel-I also want to wish Evan Barone a very speedy recovery.

Chief Ewanciw/Police Chief- I want to reiterate what the Mayor said about the body cameras I think was highlighted the need for body cameras. I think this really highlights the purpose and need for the body cameras. It is one thing to hear about a situation but actually watch it, it goes so much further. I do hope you support that tonight, resolution just to allow us to sign contract.

One other thing I like to bring up this evening is not a pleasant situation but it is something that I want to bring about only to recognize Det. Slanovec who put tremendous amount of time and effort into this case and came to a resolution today with the arrest of the person responsible.

On February 22, 2020- OC DA David Hoovler announced on Tuesday, Sept. 1, 2020 Kimberly Bennett 43 of Middletown was arraigned for OC Court Judge Craig Stephen Brown on an indictment charging her with crimes including assault in the First Degree in connection with an assault on Bennett's 7 month old granddaughter, for whom Bennett was the primary caregiver. The assault resulted in the child suffering serious physical injuries including damage to her brain and eyes, which resulted in the child being rendered blind. The assault for which that occurred on Feb. 22, 2020 at Bennett's home here in Middletown.

Again awful but the reason I bring it up is I want to publically recognize Det. Slanovec. He worked diligently for months on the case, meeting with doctors, specialists, the DA, so many other people to make sure that this was a solid case and that he brought justice to the 7 month old child.

So I like to thank him and thank everybody that ...including the District Attorney Office, horrific situation.

John Naumchik/City Clerk- My thoughts and prayers are also with the Barone family.

We are going to be starting early voting October 24th through Sunday November 1st, it will be at the Senior Center again.

Also this year has been a little bit of a change that all of the County will be able to vote early at all 7 early voting locations. Last year in the Senior Center there was only I think like 3 Middletown. This year other counties will be able to voting at all 7 locations. I will be posting that on the website and also on the Board of Elections website.

8. Public Hearings & Grievances

John Naumchik- 2 public hearings

Add to the City Code a new Chapter 356 Plumbers & Plumbers Standards

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, September 1, 2020 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 amendment to the City Code to add a new Chapter:

Chapter 356 Plumbers and Plumbing Standards

A full copy of the proposed new Chapter 356 is available in the City Clerk Office, Room 12 at City Hall 16 James St. Middletown, NY and on the City Website.

Any and all persons wishing to be heard will be given an opportunity to speak either for or against the proposed addition to the code.

By the order of the Common Council

John C. Naumchik

Clerk of the Common Council

Publish: 8/24/20 & 8/25/20

City Website

Pres. Rodrigues opened the public hearing 8:40 PM

No one from the public

No one from the Council

On motion of Ald. Masi seconded by Ald. Green to close the public hearing.

All in favor

Public hearing closed 8:42 PM

2nd public hearing

John Naumchik read the 2nd public hearing.

Hearing for a 2 lot subdivision for the former Psychiatric Center

Notice is hereby given that the City of Middletown will hold a public hearing on Tuesday, September 1, 2020 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 the proposed 2 lot subdivision to portion of Lot 7.2, Section 21, Block 2, Lot 7 at the former Middletown Psychiatric Center Campus which one of the lots will be retained by the State, and one which will transferred to the City of Middletown.

Any and all persons wishing to be heard will be given an opportunity to speak either for or against the proposed 2 lot subdivision.

The complete proposed map of the property for the 2 lot subdivision is available in the office of the Common Council Clerk, City Hall, 16 James St. Room 12.

By the order of the Common Council.
John C. Naumchik
Clerk of the Common Council
Publish: 8/26/20 & 8/27/20
City website

Pres. Rodrigues opened the public hearing 9:43PM

No one from the public had any questions.
Council members

Ald. Kleiner- I did ask the Mayor about this because I wasn't sure what was going on and it is basically the state doing some technical adjustments to the lines between Tuckerman Hall and the ..building.

Pres. Rodrigues closed the public hearing 9:48 pm

On motion of Ald. Tobin seconded by Ald. Green
All in favor

9. Petitions & Complaints
John Naumchik-Nothing this evening.

10. Remarks of Aldermen

Ald. Masi- Congratulations to the Police Dept. Great job and speedy recovery for Evan. I've known the Barone Family over 30 yrs. Wished Evan a speedy recovery.

I didn't write this I don't want to take credit for it.

Let's not forget September 11, 2001 (9/11)

A Tuesday morning-when a series of four coordinated terrorist attacks by the Islamic terrorist group Al-Qaeda against the United States.

The attacks resulted in 2,977 fatalities, over 25,000 injuries and substantial long-term health consequences in addition to over \$10billion in infrastructure and property damage. It is the single deadliest terrorist attack in human history and the single deadliest incident for the firefighters and law enforcement officers in the history of the United States with 343 and 72 killed respectively.

LET US NEVER FORGET

So I ask, 10 days from today please remember all the heroes who gave their lives and those who continue to suffer from that terrible day. Whatever religion you believe in please say a prayer for all who lost their lives and now suffering and their courageous families.

Thank you.

Ald. Tobin- I like to echo Ald. Masi's remarks Never Forget people lost their lives in 911. Heroic action of the first responders that day.

I know I saw a child's whose father passed away and he was a fireman. I echo that remark. I think proud traditions carry on here in Middletown.

Thank Officer Barone and the Police Dept. for making us proud. Great job and speedy recovery to him. My thoughts and prayers are with his family.

Ald. Green-Definitely will never forget where we were. I know I will never forget where I was.

Also I do know school opening time and even though it is a little different this year, it doesn't mean that the teachers aren't hard at work already preparing. It certainly is a little bit different than they have in the past as many students preparing to learn a little differently than they have. I just wish a very safe and productive year for everyone.

Also I do want to make mention that we will be holding our 2nd Ward constituent meeting. It will be Monday the 14th at 6:30. Again we are hoping for the Lions Pavilion at Davidge Park. We will solidify that at a later date.

I did look through the contract of the body cameras. I just want to say the Chief is definitely, some people think that we are signing away contracts. This is completely detailed, I was extremely impressed. I am looking forward to this program for the dept.

In regards to Officer Barone being proud is an understatement. His entire family has put heart and soul and dedication into our city and we are very proud. Officer Barone for his actions and all he did within those 25 seconds and all that transpired afterwards.

Thank you Chief for letting us know about the case with Det. Slanovec. It is amazing what goes on and things we don't hear about.

Really proud of our Police Dept. and wish everyone well.

Ald. Johnson- I think tonight we will say very similar things. Nothing wrong with that.

Law enforcement is obviously a high profile conversation in this country. I think the Mayor has brought it home to our town. Said it well and said it all.

It is clear both the Mayor and the Chief working collaboratively we checked all the boxes.

God Bless Officer Barone and God Bless all our men and women in uniform who are doing their job that they do.

This is a stark reminder there is no such thing as a routine patrol.

Ald. Ramkissoo-I echo Ald. Johnson. I am happy to know that Officer Barone is ok and doing well. I like to commend him on his ability to apply his training in spite of being injured and an extremely volatile situation. Just a testament to just the way officers are trained here in Middletown.

Thank you Middletown PD for bringing justice to that child who does not have a voice of their own. I thank you for being that voice.

School starts on Tuesday next week. It is a brave new school year for all of us. I wish everyone the best of luck.

Ald. Kleiner-I just want to mention Neighborhood Watch was on the calendar for next week we are not going to do yet. Come out to our 2nd Ward Constituents meeting or one of the other constituents meeting.

Evan Barone I offer my sincere gratitude for your actions. You exemplify what the police are here for; to serve, to protect. He did a hell of a job and seeing that video it certainly does argue for moving ahead to buy cameras and having that available for transparency. Officer Barone I extend my sincere well wishes and get well wishes. Congratulations on a job well done.

Ald. Jean-Francois- This incident solidify the hard work, dangerous work our police departments and fire departments do on a daily basis. Life is very fragile. We have to enjoy every minute of it. We are here today, gone tomorrow. Officer Barone was actually one of the officers who patrolled the 4th Ward and coming to our meeting.

4th Ward Constituents meeting will be taking place this Saturday at 10 in this chamber. Just to notify everyone there will be forms for you to fill out before you enter the building and please wear your mask to come into the building.

DPW Committee met this evening had a great discussion, discussion will continue at our next meeting.

Ald. Burr- Officer Barone I saw 2 weeks ago, he came into my deli, got his lunch and he told me I really love my job. Till this day he still loves his job. It could have been

a tragedy, training is the most important thing we do. I wish the Barone family, Evan a speedy recovery.

Pres. Rodrigues- Saturday night driving down 211 I hear shots fired, then I get the phone call; it is an officer. That is the hardest thing. The Chief said it today when you get that phone call one of our officers is shot. I am really proud of Evan. The training and how proud we are of him. The Mayor touched on defunding, we had the committee and had to do it, putting the report together.

Wishing Evan a speedy recovery.

11. Unfinished Business

John Naumchik-Nothing this evening.

12. New Business

171.20 Resolution to authorize the Treasurer to transfer \$26,000.00 from the General Fund Balance to the Civil Service 2020 budget for new Computer Software.

On motion of Ald. Johnson seconded by Ald. Ramkissoon

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to authorize the Treasurer to transfer \$26,000.00 from the General Fund Balance to the Civil Service 2020 budget for new Computer Software to replace the one we have that the company has gone out of business, which is a sole source vendor, in the following manner:

FROM	AMOUNT	TO
General Fund Balance	\$26,000.00	A.1430.400 Contractual Services

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

172.20 Resolution to authorize the Fire Department the crediting of up to an additional five points per month for participants in a firefighter LOSAP program.

On motion of Ald. Tobin seconded by Ald. Burr

WHEREAS; the NYS Senate and NYS Assembly passed legislation (Senate Bill -8251-B and Assembly Bill – 10438-A) which will allow Length of Service Award Program (LOSAP) to authorize the crediting of up to an additional five points per month for participants in a firefighter LOSAP program under General Municipal Law Section 217(p), and

WHEREAS; the additional points may be awarded if special emergency rules were in place that:

1. Restricted a firefighter's ability to respond to calls and/or
2. Hold meetings or drills for which points would have been awarded had the state of emergency not prohibited the conducting of such activities.

WHEREAS; in order for additional points to be awarded, the authority having jurisdiction (City of Middletown) must adopt a resolution determining the number of additional LOSAP points the participant is able to receive which the points will then be credited to the participant.

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 City of Middletown Fire Department a total of 5 points per month for participants in the LOSAP program which the points will be for the month of March, April, May and June.

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

173.20 Resolution to authorize the Mayor to sign a 10 year contract with Axon for Body Cameras, software and IT supplies for the Police Department.

On motion of Ald. Tobin seconded by Ald. Kleiner

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 10 year contract with Axon for Body Camera hardware, software and IT supplies for the Police Department which the vendor is a sole source provider.

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 annual cost of \$143,353.00 which 2020 funding will come from \$100,000.00 included in the Capital Budget for the hardware and the balance will be transferred in from the Police operating budget to Police contractual services. The following years the cost will be a standard budgeted item.

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

174.20 Resolution to accept G.I.V.E 2019-2020 (Gun Involved Violence Elimination) grant in the amount of \$15,250.00.

On motion of Ald. Green seconded by Ald. Ramkissoon

WHEREAS; The City of Middletown Police Department has been approved for a grant in the amount of \$15,250 from the New York State Department of Criminal Justice Services under the G.I.V.E 2019-2020 (Gun Involved Violence Elimination) grant for the period of July 1, 2020 through June 30, 2021, and

WHEREAS; this project would be paid in full through the New York State Impact grant administered by the New York State Department of Criminal Justice Services. This grant will bring about reimbursement for accrued expenditures by the New York State Department of Criminal Justice Services, and

WHEREAS; the Police Department is requesting that the City of Middletown authorize acceptance of this grant and to add it to our established G.I.V.E grant budget line.

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to acceptance of this grant and to add it to our established G.I.V.E grant budget line and authorize the Mayor to sign all documents for this grant.

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

175.20 Resolution to accept an award in the amount of \$13,440 given to the City by the New York State Governor's Traffic Safety Committee for the use in the "Police Traffic Services".

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

RESOLVED; that the Common Council of the City of Middletown concurs with the Board of Estimate and Apportionment to accept an award in the amount of \$13,440 given to the City by the New York State Governor's Traffic Safety Committee for the use in the "Police Traffic Services" program effective October 1, 2020 and authorize the mayor to sign the attached contract and that the funding be deposited into our existing Traffic Services budget line A.3124.103.

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

13. Local Laws
John Naumchik-Nothing this evening.

14. Audit

On motion of Ald. Masi seconded by Ald. Green

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. Ramkissoo, Tobin, Kleiner, Johnson, Jean-Francois, Burr, Green, Masi, Pres. Rodrigues-9

15. Adjournment

There being no further business meeting adjourned at 8:53PM

Respectfully submitted,

Karen Sisco