

April 8, 2013

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The regular meeting of the City of Port Jervis Common Council was held in the Council Chambers, 20 Hammond Street, Port Jervis, New York on Monday, April 8, 2013 at 7:05 p.m.

Regular Meeting

Mayor Potter and all members of the Common Council were present. City Assessor Yvonne Duryea, Director of Public Works Vincent Lopez, Fire Chief Jeffrey Rhoades, City Clerk-Treasurer Robin Waizenegger, and Corporation Counsel Damian Brady were also present.

Attendance

Mayor Potter led all present in the Pledge of Allegiance to the Flag.

Pledge of Allegiance

Mrs. Waizenegger read the public hearing notice.

Proposed Local Law #3-2013 Public Hearing held

There was no comment given.

Motion by Mr. Bell, seconded by Mr. Hendrick, to close the public hearing for proposed Local Law #3-2013 at 7:06 p.m.

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

City Assessor Yvonne Duryea gave the Council and property owners an update on the STAR program. The September 2013 savings for Enhanced STAR recipients will be \$1,992.00 and for Basic STAR recipients will be \$995.00. Mrs. Duryea gave a brief history of the program, which began in 1998. For 2013, changes include a loss of the exemption for those who owe a debt to the New York State Department of Taxation in excess for \$4,500.00 and Basic STAR recipients' annual recertification. Information is available on the City's website and through the Assessor's office.

STAR Program Update given

Mrs. Waizenegger summarized the minutes from the March 25, 2013 regular meeting.

Minutes of the 3/25/2013 Regular Meeting summarized and approved

Motion by Mr. Decker, seconded by Mr. Siegel, to accept the minutes of the March 25, 2013 meeting.

AYE: 7 ABSENT: 0 NAY: 0 ABSTAIN: 2 (BELL, WALIGROSKI) CARRIED

Mayor Potter proclaimed March 16, 2013 as Jordan Little Day to commemorate Jordan's achievement of obtaining Eagle Scout. Mr. Little thanked the Council.

Eagle Scout Proclamation read

Motion by Mr. Bell, seconded by Mr. Waligroski, to approve the unpaid bills in the following amounts for payment: General Fund - \$173,917.24, Water Fund - \$12,896.18 and Capital Fund - \$8,308.90.

Committee Reports given

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Mr. Bell thanked Mr. Ritchie for providing the Council with the Finance report in his absence at the last Council meeting.

Mr. Bell thanked department heads for reducing their Capital Note requests by \$45,000.00

The next Finance Committee meeting will be April 15, 2013 after the Department of Public Works (DPW) and Fire and Emergency Management Committee meetings.

Chief Rhoades requested the Council set a date for the ladder truck referendum of either April 30, 2013 or May 7, 2013. He briefly detailed the work to date by the truck committee and EVR and commended their efforts. He thanked the Council for their support. The costs consist of \$795,133 for the 109 KME ladder truck and \$8,900 for EVR's services, totaling \$804,033.

Mr. Decker had spoken with members of the "Hooks" and stated their concerns had been addressed.

Mr. Brady detailed the requirements for the referendum per the City charter, stating that May 7, 2013 meets the requirements.

Mr. McCarthy supported the May 7, 2013 date and encouraged everyone to vote on this important piece of Fire Department equipment.

Mr. Belcher reminded everyone that passing the referendum will not increase property taxes due to the retirement of debt.

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A formal motion was read by Mr. Siegel, seconded by Mr. Decker, to authorize holding the Fire Department's ladder truck referendum on May 7, 2013.

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Mr. Brady noted that voters must vote in person; there will be no absentee ballots.

Mr. Waligroski commended the truck committee and Fire Chief for taking the time to present the best product to the City.

Mr. Bell added that the cost of the truck is \$65,000 less than anticipated.

Mayor Potter encouraged everyone to vote in favor of the referendum.

Motion by Mr. Siegel, seconded by Mr. Decker, to approve Nicholas Kinman, of Tri-States Hose Company #6, as a probationary driver for the Port Jervis Fire Department.

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Siegel, seconded by Mr. Waligroski, to authorize the following events for the Port Jervis Fire Department:

Fowler Rescue and Salvage Company #3—Parade, Pawling New York on August 9, 2013 and in Highland, New York on September 28, 2013

Fire Department—Coin toss, May 27, 2013 and September 7, 2013

Fire Department events the week of July 8, 2013 through July 13, 2013, including the 163<sup>rd</sup> Port Jervis Fire Department Parade on July 13, 2013

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Mr. Siegel reviewed recent fire calls. He also thanked the department for their work on the Myrtle Avenue fire and Tri-States Bridge accident.

The next Fire and Emergency Management meeting will be April 15, 2013 after the DPW meeting.

Motion by Mr. Decker, seconded by Mr. Siegel, to approve Local Law #3-2013.

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

The Code Committee reviewed the Building Official's report and discussed the following: Wine bars, multi-kitchen dwellings, peddler's permits, dumpster enclosures, ACO carrying a weapon, multi-family tenant conversions, underground utilities, specifying "animals" in the City code, sidewalk replacement program, fire lane in back of buildings along Front Street, central business district rezoning, and dilapidated buildings.

The next Code Committee will be May 1, 2013 at 7:00 p.m.

Garbage and recycling will be on a normal schedule for the next two (2) weeks.

Yard waste will continue to be collected on Mondays in all wards until further notice.

Annual fire hydrant flushing will take place over the next four (4) weeks from 10:00 p.m. to 5:00 a.m. Residents were asked to check their water prior to using.

Motion by Mr. Oney, seconded by Mr. Belcher, to authorize the use of a \$34,305.72 rebate received for the installation of solar panels to rehabilitate the raw water pumps for the Water Filtration Plant.

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

The next DPW Committee will be April 15, 2013 at 6:00 p.m.

Motion by Mr. McCarthy, seconded by Mr. Decker, to accept the Police Department's February, March, and April minutes.

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. McCarthy, seconded by Mr. Ritchie, to accept the Police Department's March report.

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

There will be a Crime Outreach Seminar on April 25, 2013 at 7:00 p.m. at the Drew Methodist Church.

A variety of local entities will be participating in a youth Bicycle Safety Day will be held on May 18, 2013 in the Sav-A-Lot parking lot.

The next Police Committee meeting will be May 6, 2013 at 6:30 p.m.

There was a special Community Development Agency (CDA) meeting held on April 2, 2013 to authorize the submission of a NYS DEC grant for the Community Garden.

Liaison Reports given

The next CDA meeting will be April 24, 2013 at 7:00 p.m. at the Recreation building, 2<sup>nd</sup> Floor.

The next ADA meeting will be May 2, 2013 at 4:00 p.m.

The next Housing Authority meeting will be April 17, 2013 at 7:00 p.m. at Hillside Terrace.

Motion by Mr. Belcher, seconded by Mr. Oney, to authorize the use of the municipal lot on May 4, 2013 by the Tourism Board for the City-wide Yard Sale.

The space will be used for non-City residents wishing to participate in the yard sale.

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

The Recreation Update was given and included the following:

- Rotary Skateboard Park, Point Peter, and Church Street Park hours were given.
- The Recreation Department thanked all the volunteers who helped with the Spring Clean-up on April 7, 2013.
- The Recreation Department thanked all those who helped with the Easter Candy Dash on March 30, 2013.
- Teen Night will host guest speaker Wade Young from "Right Choices".
- The 20<sup>th</sup> Annual Delaware River Run will be held on May 5, 2013 at 9:00 p.m.

The next Recreation Commission meeting will be April 17, 2013 at 7:00 p.m. at the Youth Center.

The next Zoning Board of Appeals meeting will be May 7, 2013 at 7:00 p.m.

The next Planning Board meeting will be April 16, 2013 at 7:00 p.m.

The Plumbing Board had no agenda, and no meeting was held.

The Electrical Board approved one (1) applicant for testing.

The next Plumbing and Electrical Boards will meet May 1, 2013 beginning at 6:30 p.m.

No date has been set for the next Senior Advisory meeting.

There was no Access 23 TV report given.

Motion by Mr. McCarthy, seconded by Mr. Siegel, to appoint Ms. Joyce Klimkiewicz to the Board of Assessment Review, with a term to expire September 30, 2017.

Mayor's Correspondence given

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

An Arbor Day celebration will be held April 27, 2013 at 10:00 a.m. at the Farnum House.

Motion by Mr. Oney, seconded by Mr. Ritchie, to authorize the use of the City sweeper and one (1) DPW employee by the Borough of Matamoras in Airport Park.

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

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Motion by Mr. Decker, seconded by Mr. Waligroski, to authorize the Tri-State Chamber of Commerce's Summer Street Fair, to be held in conjunction with the Arts Walk, on July 20, 2013. The rain date will be July 21, 2013. Authorization includes the use of Front Street from Pike Street to Fowler Street and displaying two (2) banners to advertise the event.

Authorization is pending DPW and Police Department review.

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

**Public Comment given**

Mrs. Anne Horsham and Ms. Sue Keller spoke about the Voice United for Change's mission to reduce the stigma of mental health challenges. A fundraiser will be held April 17, 2013 from 5:00 p.m. to 8:00 p.m. at Burger King restaurant, and a Children's Mental Health Awareness 5K Walk will be held on May 4, 2013.

Mrs. Robin Waizenegger, Rotary President-elect, announced the April 17, 2013 Ross Decker Memorial Blood Drive from noon to 6:00 p.m. at the Port Jervis Elks Lodge.

**City Clerk-Treasurer's Report given**

Mrs. Waizenegger spoke about a mailing from American Water Resources. This company is not connected with the City in any way, and the City does not endorse their product or services.

The 2012 in-house audit is ongoing. Mrs. Waizenegger stated that the audit field work went well.

The 2013 City tax and 2<sup>nd</sup> quarter water bills are due by April 30, 2013 without penalty.

**Old Business discussed**

Pedestrians were reminded to obey electronic traffic signals when crossing intersections controlled by a traffic light.

Mr. Siegel thanked the Italian Ice vendor for providing free Italian Ice at the Easter Candy Dash, those who helped with the Spring Clean-up, and those who recently donated food and money to the Humane Society.

Mr. Oney spoke about an alternate energy supplier's telephone call he received in an attempt to get him to change suppliers.

Mr. Ritchie encouraged people to continue to donate food to the Humane Society.

Mr. Decker commented on an upcoming presentation by the Tree Commission, community support at the Spring Clean-up and Candy Dash, and the grand opening of the 3<sup>rd</sup> floor unit of Bon Secours Community Hospital. He also thanked the Fire Chief and volunteers for their work at the Myrtle Avenue fire and Tri-State bridge accident.

Mr. Hendrick encouraged everyone to vote in favor of the referendum on May 7, 2013.

Mr. Belcher noted that the Humane Society is still in need of food. He also asked that the community vote in support of the ladder truck.

Mr. Waligroski commented about his full support for the purchase of a new ladder truck and spoke about importance of this vital piece of equipment.

Mr. Bell reminded everyone that the ladder truck purchase will have no effect on taxes due to retired debt. He commended the truck committee for getting the lowest cost for the most effective piece of equipment.

**New Business discussed**

Mr. Waligroski asked motorists to avoid barricades and emergency cones used during the Soap Box Derby practices on Jersey Avenue during April and May and to be cautious when driving in work areas.

Mr. Belcher noted the City's new electric and natural gas contracts are now in effect and reviewed the rates and current savings.

Mr. Decker noted the following activities happening in the community: Teen Night with guest speaker Wade Young, Soap Box Derby fundraiser on April 13, 2013, Ross Decker Memorial Blood Drive on April 17, 2013, health fair at the Port Jervis High School on May 7, 2013 from 10:00 a.m. to 1:00 p.m., City-wide Yard Sale, open forum on May 16, 2013 from 3:30 p.m. to 5:30 p.m. at Good Samaritan Hospital for Bon Secours Community Hospital, and Middletown's 125<sup>th</sup> Anniversary Parade on June 29, 2013.

Mr. Decker encouraged everyone to vote in favor of the fire truck referendum. He, Mr. Siegel, and the Mayor's office offered to arrange and/or provide transportation to the polling place.

Mr. Decker and Mr. Bell spoke about World War II veterans who will be participating in the Honor Flight.

Mr. Decker commented that developers who are interested in Front Street businesses is a positive thing for the community.

Mayor Potter asked that everyone support the ladder truck referendum.

Motion by Mr. Decker, seconded by Mr. Oney, to set Executive Session for attorney/client privilege discussion and litigation.

Executive Session set

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Mr. Belcher spoke about the 23 year old ladder truck and asked everyone to vote "yes" for the purchase of a new ladder truck.

Mr. Oney asked voters to support the ladder truck referendum. He thanked the Finance Committee and City Clerk-Treasurer for their work with the debt retirement.

Mr. Siegel congratulated the new fire department volunteers on their work with the Myrtle Avenue fire and welcomed them to the department.

A reminder was given that City parks are now open. Dogs and smoking are not permitted in City parks.

There will be a spaghetti dinner fundraiser, hosted by the Port Jarvis American Legion Post 685, Matamoras American Legion Post 486, and the Port Jarvis Elks Lodge 645, to benefit the Honor Flight program on June 12, 2013 from 5:30 p.m. to 7:30 p.m.

Mr. Siegel thanked the truck committee for bringing a responsible bid by a respectable vendor to the community.

Mrs. Anne Horsham suggested adding the Teen Night and blood drive to facebook.

Public Comment on Agenda Items given

Mr. Rob Worden, 3<sup>rd</sup> Ward resident, thanked the Council, truck committee, and community for their support with the ladder truck.

Ms. Judith Oppelt, 4<sup>th</sup> Ward resident, congratulated the Fire Department for their diligent work on the truck referendum and suggested the information be added to Access 23 TV.

The Council entered Executive Session at 8:49 p.m.

Meeting reconvened at 9:41 p.m.

Meeting reconvened and adjourned

Motion by Mr. Hendrick, seconded by Mr. Decker, to adjourn the meeting at 9:41 p.m.

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

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Robin Waizenegger  
City Clerk-Treasurer