

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, June 24, 2013 at 7:00 p.m.

Regular Meeting

Mayor Potter and all members of the Common Council were present. Recreation Director John Faggione, Building Official Wayne Kidney, Director of Public Works Vincent Lopez, Fire Chief Jeffrey Rhoades, Police Chief William Worden, 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 summarized the minutes from the June 10, 2013 regular meeting, noting one (1) correction of the vote missing from the Adopt-A-Tree motion on page 65.

Minutes of the 6/10/2013

Motion by Mr. Belcher, seconded by Mr. Siegel, to accept the minutes of the June 10, 2013 meeting.

Regular Meeting summarized and approved

Mr. Waligroski asked if the additional dates were included in the motion to approve the RC World's use of Riverside Park. Mrs. Waizenegger stated that only the June 22 and 23 dates were authorized in the motion and were correctly stated in the minutes; although additional dates were requested, no other dates were to be included in the motion to approve.

Mr. Waligroski asked if the Farmer's Market motion stated that the market was to be identified as WIC-approved. Mrs. Waizenegger stated that the minutes correctly state the market is to be WIC-approved.

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

Mayor Potter presented Mr. John Bell, Mr. Robert Bell, and Recreation Director John Faggione with certificates of recognition for their work with the Delaware River Run. Mr. John Bell began the event twenty years ago, and Mr. Robert Bell and Mr. Faggione joined later. Mayor Potter commented that the Bell family has always been active and is a positive influence in the community.

Special Presentation— Delaware River Run

Mr. Faggione thanked the Council for the recognition and the Bell and McCarthy families' support of the event. He commented that he was honored and proud to be a part of the Delaware River Run and spoke about the increase in participants over the years.

Mr. John Bell thanked the McCarthy family, Ms. Cathy Michalenicz, Mr. Faggione, and Ms. Amy Ross for their work and support of the Run. He also commented on how the event has grown over the past twenty (20) years.

Motion by Mr. Bell, seconded by Mr. Belcher, to approve Local Law #6-2013.

Committee Reports given—Finance Committee

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

Motion by Mr. Bell, seconded by Mr. Ritchie, to approve the unpaid bills in the following amounts for payment: General Fund - \$333,988.00, Water Fund - \$38,881.24 and Capital Fund - \$82,203.03.

Mr. Waligroski inquired about the Magnum pump payment. Mr. Bell noted that the pump purchase had been previously authorized by the Council.

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

The Finance Committee discussed cash flow, the change in water billing for some commercial properties, and the upcoming 2013 tax sale.

Motion by Mr. Bell, seconded by Mr. Belcher, to authorize the City Clerk-Treasurer to proceed with the 2013 Tax Lien Sale to be held November 19, 2012 in the Common Council Chambers for those properties owing taxes and/or water arrears from 2012 as of July 1, 2013.

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

Any Fire Department member needing a blue light card can contact the Fire Chief or Mr. Siegel.

Fire and Emergency Management (FEM) Committee

The Fire Department Parade will be held July 13, 2013 beginning at 2:00 p.m.

	<b>The Fire Department's Officer's Appreciation Night will be held July 1, 2013.</b>
	<b>The next Fire and Emergency Management meeting will be July 15, 2013.</b>
<b>2013 Tax Lien Sale Motion amended</b>	<b>Motion by Mr. McCarthy, seconded by Mr. Belcher, to amend the motion for the 2013 Tax Lien Sale which is to be held on November 19, 2013.</b>
	<b>AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED</b>
<b>Code Committee</b>	<b>The Code Committee discussed the Building Official's monthly report, zoning for wine bars, peddler's permits, dumpster enclosure, underground utilities, sidewalk replacement program, Front Street building fire lane, and upcoming changes proposed in the CBD zone.</b>
	<b>The next Code Committee meeting will be July 3, 2013 at 7:00 p.m.</b>
<b>DPW Committee</b>	<b>The July 4<sup>th</sup> holiday schedule for trash and recycling pick-up was given.</b>
	<b>DPW crews are completing line striping and placing sand at West End Beach.</b>
<b>Executive Session set</b>	<b>Motion by Mr. Oney, seconded by Mr. Bell, to set Executive Session for the following topics of discussion: personnel, contractual, and litigation.</b>
	<b>An invitation was extended to Mr. Faggione to attend.</b>
	<b>AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED</b>
	<b>The next DPW Committee meeting will be July 15, 2013 at 6:00 p.m.</b>
<b>Police Committee</b>	<b>Due to a conflict, the next Police Committee meeting has to be rescheduled, and the date will be announced.</b>
<b>Liaison Reports given—Community Development Agency</b>	<b>The next Community Development Agency (CDA) meeting will be June 26, 2013 at 7:00 p.m. on the second floor of the Recreation Department building.</b>
	<b>Mr. Ritchie continues to work with the CDA Board, CDA Director, Mayor Potter, City Clerk-Treasurer Robin Waizenegger, and Councilmen to schedule a meeting to discuss CDA processes in regards to paying bills, grants, etc.</b>
	<b>Motion by Mr. Ritchie, seconded by Mr. Bell, to authorize Ms. Kathy Hendrickson, CDA director, to attend the July 8, 2013 Council meeting and speak about funding grants she would like to pursue on the City's behalf.</b>
	<b>AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED</b>
<b>ADA</b>	<b>The next ADA Committee will be September 5, 2013 at 4:00 p.m.</b>
<b>Housing Authority</b>	<b>The next Housing Authority meeting will be July 17, 2013 at 7:00 p.m. at Hillside Terrace.</b>
<b>Tourism Board</b>	<b>The Tourism Board discussed the progress of the Fall Foliage Festival, which will be September 22, 2013, and scarecrow contest sponsorship. The Tourism Board is seeking sponsors and vendors for the event.</b>
	<b>Brochures to highlight several City attractions have been purchased and distributed.</b>
	<b>The next Tourism Board meeting will be June 12, 2013 at 6:30 p.m.</b>
<b>Recreation Commission</b>	<b>The Recreation Update was given and included the following:</b>
	<ul style="list-style-type: none"> <li>▪ <b>West End Beach opened June 15, 2013. There will be a \$5.00 per car parking fee for non-residents.</b></li> <li>▪ <b>The Summer program will begin on July 1, 2013. Free lunch will be served.</b></li> <li>▪ <b>Rotary Skateboard Park is open. There will be a skateboard competition on June 29, 2013.</b></li> <li>▪ <b>Upcoming field trips are to New York Mets game, New York Yankees game, and Dorney Park.</b></li> <li>▪ <b>The free Summer Concert Series begins July 11, 2013 in Riverside Park.</b></li> </ul>

The Planning Board approved a 6-month extension for Orange and Rockland Utilities and set a public hearing for 100 Pike Street (Rite-Aid) for the next meeting on July 16, 2013.

Zoning Board of Appeals and Planning Board

The Zoning Board of Appeals set a public hearing for 165 Jersey Avenue for July 2, 2013 at 7:00 p.m.

The Plumbing and Electrical Boards are now on summer hiatus. The next meeting will be in September 2013.

Plumbing and Electrical Boards

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

Senior Advisory

The next Crusin' Port night will be July 2, 2013.

Mayor's Correspondence reviewed

The Orange County Community Health Assessment is available in the Mayor's office.

National Night Out will be August 6, 2013. Organizations and/or businesses wanting to participate can contact Ms. Ellen Waugh at 845-858-5101 or the Mayor's office at 845-858-4017.

Ms. Rita Rose, of Orange County Health Services, thanked the Council for approving the WIC-approved Farmer's Market.

Motion by Mr. Decker, seconded by Mr. Bell, to approve a time change for the Tri-States Chamber of Commerce's Arts Walk on July 20, 2013 to end at midnight to accommodate for the outdoor movie to be shown after conclusion of the Arts Walk and to authorize the display of banners at the entrances to the City to advertise the event. The rain date for the event will be July 21, 2013.

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

Motion by Mr. Decker, seconded by Mr. Siegel, to approve a date change for the First Assembly of God's Community Day to August 24, 2013 with a rain date of August 25, 2013.

Mr. Faggione has approved the date change.

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

Mayor Potter had previously authorized the Fire Chief to take the Chief's vehicle to the KME factory.

The Crop Walk will be October 20, 2013 beginning at Matamoras' Airport Park at 2:00 p.m.

Mayor Potter extended the Council condolences to the McCarthy family at the loss of Mrs. McCarthy's brother.

No public comment was given.

Public Comment given

The second half of the 2013 City tax is due by July 1, 2013 without penalty.

The 2013 Tax Lien Sale currently contains 339 parcels for the total amount due of \$767,624.43.

City Clerk-Treasurer's Report given

Volunteers are needed to assist with filming the Council meetings. Mr. Siegel thanked his wife, Sharon, for helping film tonight's Council meeting.

Od Business discussed

Mr. Siegel and Mr. Decker congratulated local High School graduates.

Mr. Siegel and Mr. Decker congratulated Mr. John Faggione and Mr. Tom Faggione for being awarded the Port Pride Award.

The Fire Department's golf tournament was a successful event.

Mr. Siegel and Mr. Decker thanked the participants who attended the Flag Day ceremonies in Riverside Park.

Mr. Siegel thanked those who helped in getting the fire lane marked behind the businesses on Jersey Avenue.

Mr. Siegel commented that the new crosswalk markings will aid in making motorists more aware of pedestrians in the City's crosswalks.

June 24, 2013

Mr. Siegel encouraged everyone to attend the Arts Walk outdoor movie on July 20, 2013.

**Executive Session  
Motion amended**

Motion by Mr. Oney, seconded by Mr. Bell, to amend the Executive Session motion to extend an invitation to all department heads present and the engineer to attend.

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

Motion by Mr. McCarthy, seconded by Mr. Decker, to accept the Police Committee's May and June minutes.

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

Mr. McCarthy encouraged residents to report any suspicious or unusual activity to the Police Department.

Mayor Potter reviewed the 12-month progress of the Tourism Board. He encouraged City residents and guests to visit City attractions. He thanked the Board for their work in making City events so successful.

Mr. Decker thanked the Council for passing the Farmer's Market and Adopt-A-Tree motions at the last meeting.

Mr. Decker noted the importance of the Orange County Health Assessment Survey.

Mr. Decker thanked Mr. Nelson Paige, of Middletown, for allowing the 7<sup>th</sup> graders to view *Lincoln* for free.

Mr. Decker commended 10 year old Mr. Joey Amato for making a donation towards the burial of Mr. Joe Kraycer.

Mr. Hendrick asked for confirmation of the 1<sup>st</sup> Ward pick-up of yard waste for the July 4<sup>th</sup> holiday week, which will be July 8, 2013.

The next Finance Committee meeting will be July 15, 2013 following DPW and FEM meetings.

**New Business  
discussed**

A 3<sup>rd</sup> Ward Neighborhood Watch meeting will be June 25, 2013 at 7:00 p.m. at the Maghogomock Hook and Ladder firehouse.

A 2<sup>nd</sup> Ward meeting will be in the Council chambers at 7:00 p.m. on June 25, 2013.

Mr. Decker reminded residents that fireworks are illegal in New York and asked graduates to be cautious while celebrating graduation.

The Lady of Mount Carmel Society of Port Jervis will be holding their 90<sup>th</sup> Annual Procession on July 14, 2013.

Mr. Ritchie clarified that Ms. Hendrickson will be speaking at the beginning of the next Council meeting.

**Public Comment  
on Agenda Items  
given**

No comment was given.

The Council entered Executive Session at 8:11 p.m.

**Meeting  
reconvened**

The Council reconvened at 9:25 p.m.

Motion by Mr. Decker, seconded by Mr. Belcher, to deny the request by Reverend Dr. Paugh William Shadow to waive the \$115 fee for a maintenance invoice for 126 Front Street.

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

Motion by Mr. Decker, seconded by Mr. Hendrick, to authorize waiving the yearly peddler’s permit fee of \$500 for the Riverside Creamery until the end of the calendar year.

Mr. Bell asked if there were any other “brick and mortar” businesses using a peddler’s permit. Mr. Decker replied that there are no other businesses that hold a peddler’s permit.

AYE: 6 ABSENT: 0 NAY: 3 (BELCHER, MCCARTHY,SIEGEL) ABSTAIN: 0 CARRIED

Motion by Mr. McCarthy, seconded by Mr. Siegel, to authorize the Police Chief, in conjunction with Corporation Counsel, to enter into a practical critical experience agreement with intern Giovanna Steinhaus to perform intern services with the Port Jervis Police Department from June 24, 2013 to August 30, 2013. In accordance to the agreement, the intern will be permitted to perform all regular intern duties throughout the department, including activities, events, and training details sponsored by the Police Department and held throughout the week at various times. The intern will also be permitted to perform interior work in the department throughout the day and night; however, authorized ride-a-longs with other officers in the field will be Monday through Sunday between the hours of 8:00 a.m. and 5:00 p.m. only.

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

Motion by Mr. Belcher, seconded by Mr. Ritchie, to accept the resignation of Mr. Jordan Drew, a Senior Recreation Leader with the Recreation Department, to be effective June 10, 2013 and authorize hiring Mr. John Bright as Senior Recreation Leader to replace Mr. Drew.

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

Motion by Mr. Oney, seconded by Mr. Decker, to authorize a Change Order for Pioneer Construction for the Beach Road Pump Station project with the amount to be up to \$55,000.

Three (3) emergency bids had been received to implement the installation of wells to drain water off the site. Pioneer Construction was the lowest bidder. The bids had been solicited by City Engineers McGoey, Hauser, and Edsall Consulting Engineers.

To clarify his “Nay” vote, Mr. Waligroski stated that he feels that this does not warrant an emergency situation. Mr. Brady commented that if the City does not complete the project the grant will not be funded and the City would be responsible for the cost of the project thus far. Mr. Oney added that if the City chose to discontinue the project the pump station repairs would still be necessary. Although he is in favor of the project moving forward, Mr. Waligroski shared his concerns about how items were purchased with CDA grant monies. Mr. Brady clarified Mr. Lopez’ and the Council’s determination of the situation to be deemed as an emergency.

AYE: 8 ABSENT: 0 NAY: 1 (WALIGROSKI) ABSTAIN: 0 CARRIED

Motion by Mr. Oney, seconded by Mr. Siegel, to authorize hiring Gifford Engineering LLC for geo technical and geo environmental services.

The City’s engineer recommended hiring this company to confirm the findings of Pioneer Construction, on how to proceed with the project, and to make recommendations if necessary.

AYE: 9 ABSENT: 0 NAY: 1 (WALIGROSKI) ABSTAIN: 0 CARRIED

Motion by Mr. Decker, seconded by Mr. Waligroski, to adjourn the meeting at 9:39 p.m.

Meeting adjourned

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

Robin Waizenegger  
City Clerk-Treasurer