

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, August 25, 2014 at 7:00 p.m.

Regular Meeting

Mayor Decker and all members of the Common Council were present. Recreation Director John Faggione, Acting Director of Public Works John Farr, Fire Chief Jeffrey Rhoades, City Clerk-Treasurer Robin Waizenegger, Police Chief William Worden, and Corporation Counsel William Bavoso were also present.

Attendance

Mayor Decker and Nicholas Rutkowski of Scout troop 173 led all present in the Pledge of Allegiance to the Flag.

Pledge of Allegiance

The Youth Report, given by Mr. Michael Conklin, included school begins September 4, 2014, and the Recreation Department’s Fall Schedule will be available soon.

Youth Report given

The Orange-Ulster Summer Youth Employment Program employed twenty (20) youth from Port Jervis, Middletown, and Newburgh. Last year, youth in the program worked in the City’s community garden and on the fence in Laurel Grove Cemetery. This year, participants cleared the tow path from the canal to West Main Street. Mr. Larry Gotham thanked Mayor Decker for his support and showed the Council a video presentation of all those who participated.

Orange-Ulster Summer Youth Employment Program presentation given

Mayor Decker expressed his pride in those who took part in the program and presented awards to those who were present.

Mr. Dennis Aumick asked if the Council had any additional questions concerning the Port Jervis Volunteer Ambulance Corps. He also commented about the work done by emergency personnel during a recent automobile accident.

Public Comment given

Motion by Mr. Cunningham, seconded by Mr. Bavoso, to accept the minutes of the August 11, 2014 regular meeting.

Minutes of the 08/11/2014 Regular meeting approved

AYE: 7 ABSENT: 0 NAY: 0 ABSTAIN: 1 (WALIGROSKI) CARRIED

Motion by Mr. Bell, seconded by Mr. Waligroski, to approve the unpaid bills in the following amounts for payment: General Fund - \$188,107.68, Water Fund - \$33,822.09, and Capital Fund - \$12,169.92.

Committee Reports given—Finance Committee

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

The next Finance Committee meeting is August 28, 2014 at 6:00 p.m.

Motion by Mr. Waligroski, seconded by Mr. Bell, to approve Aaron Aumick as a driver for Excelsior Engine Company #5 of the Port Jervis Fire Department.

Fire and Emergency Management (FEM) Committee

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Mr. Waligroski applauded the Fire Department for their work during last week’s storm.

The next FEM Committee meeting will be September 15, 2014 after the DPW Committee meeting.

The next Code Committee meeting will be September 3, 2014 at 5:30 p.m.

Code Committee

The DPW Committee had discussed upcoming milling and paving projects, the clarifier project, control of the algae at the reservoir, the new bridge lights on Port Jervis-Matamoras bridge, and increasing salt prices. Garbage & recycling will be on a normal schedule this week; next week, due to the Labor Day holiday, garbage pick-up will be one (1) day later in each ward. Paper and cardboard recycling pickup in the First Ward will be September 5, 2014. Paving projects are estimated to begin on September 3, 2014.

Department of Public Works (DPW) Committee

The next DPW Committee meeting will be September 15, 2014 at 6:00 p.m.

<b>Police Committee</b>	<p>Motion by Mr. Hendrick, seconded by Mr. Ritchie, to accept the Police Committee's August minutes.</p> <p><b>AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED</b></p> <p>The Police Department asked parents to provide their children with safety tips as students return to school.</p> <p>Mr. Hendrick noted that police officers will be out with the opening of school next week.</p> <p>The next Police Committee meeting will be September 15, 2014 at 6:00 p.m. in the City Hall conference room.</p>
<b>Liaison Reports given— Community Development Agency (CDA)</b>	<p>The CDA will be submitting a full application for a micro enterprise grant.</p> <p>The next CDA meeting will be August 27, 2014 at 7:00 p.m. in the Recreation building.</p>
<b>Industrial Development Agency (IDA)</b>	<p>The IDA Committee discussed Future Homes Technology's default of the PILOT agreement.</p> <p>The next IDA meeting is tentatively scheduled for September 10, 2014 at 7:00 p.m.</p>
<b>ADA</b>	<p>The next ADA meeting is tentatively scheduled for September 18, 2014 at 6:00 p.m.</p>
<b>Housing Authority</b>	<p>The next Housing Authority meeting will be September 17, 2014 at 7:00 p.m. at Hillside Terrace.</p>
<b>Recreation Commission</b>	<p>The Recreation Update was given and included the following:</p> <ul style="list-style-type: none"> <li>▪ ACME Downhill skateboard races will be on Skyline Drive August 29, August 30, and August 31, 2014. Skyline Drive and Point Peter Park will be closed for the weekend.</li> <li>▪ Youth Center and Teen Night hours were given.</li> <li>▪ Rotary Skateboard Park weekend hours will remain in effect until the end of September.</li> <li>▪ The final concert in the Summer Concert Series at Riverside Park will be August 28, 2014 at 7:00 p.m.</li> <li>▪ A New York Jets football game is scheduled for November 9, 2014. Cost is \$120 per person.</li> </ul> <p>The next Recreation Commission meeting will be September 24, 2014 at 7:00 p.m. at the Youth Center.</p>
<b>Tourism Board</b>	<p>Motion by Mr. Bavoso, seconded by Mr. Cunningham, to authorize the display a banner to advertise the Fall Foliage Festival event on the Dubies' fence in Tri-States.</p> <p>The Dubies have authorized the use of their fence for the banner display.</p> <p><b>AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED</b></p>
<b>Zoning Board of Appeals (ZBA) and Planning Board</b>	<p>The next ZBA meeting will be September 2, 2014 at 7:00. There will be a pre-submission for 50 Fowler Street.</p> <p>The Planning Board held a public hearing for 74-76 Kingston Avenue and 5 Cross Street. Both applications were approved. There was also a pre-submission for 15 Orchard Street. That application was set for a public hearing at the next meeting September 16, 2014 at 7:00 p.m.</p>
<b>Plumbing and Electrical Boards</b>	<p>The next Plumbing and Electrical Boards' meetings will be September 3, 2014 beginning at 6:30 p.m.</p>
<b>Senior Advisory</b>	<p>There are no issues to report. Mr. Siegel stated that residents at Water's Edge will miss Ms. French.</p>
<b>Access 23 TV</b>	<p>There was no Access 23 TV report given.</p>
<b>Mayor's Correspondence reviewed</b>	<p>Mayor Decker gave a brief description of a Payment in Lieu of Taxes (PILOT) agreement and the history of the Future Homes Technology, Inc. PILOT.</p>

Motion by Mr. Ritchie, seconded by Mr. Bell, to declare the 1988, 1999, and 2011 Future Home Technology, Inc. PILOT agreements null and void, to pursue and enforce any tax foreclosure proceedings against Future Home Technology, Inc., and to cancel and terminate the 1988, 1999, and 2011 PILOT agreements with Future Home Technology, Inc. due to the default and failure of Future Home Technology, Inc. to abide by its obligations under these agreements.

Mayor's  
Correspondence  
reviewed  
(continued)

Mayor Decker noted that there had been past conversations with the company and their attorneys, and Mrs. Waizenegger stated that the amount owed was approximately \$131,000. Mayor Decker stated that it would be a misuse of public funds to offer another PILOT agreement or reduce any penalties and interest charged and added that there has been no resolution to prior attempts by the City to work with the company. Corporation Counsel also added that the Council passed a resolution on June 9, 2014 declaring them in default and put them on notice. Although the City offered an option of reverting to the 1999 PILOT levels, the company did not respond.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Mayor Decker spoke about information contained in an article seen in the Mid-Hudson News.com in which a physician recommended designating Port Jervis as health care deficient and a high risk health area. Mayor Decker will be meeting Bon Secours to discuss, in part, information in this article. He also commented on the availability of health insurance in the area and the lack of availability of physicians in Port Jervis.

Resident and business contact information lists have been created, and forms to complete are on the City's website and at the City Clerk-Treasurer's office. Participation is voluntary. Information and statistics obtained from participants will be used to solicit businesses and physicians to our City.

Motion by Mr. Waligroski, seconded by Mr. Bavoso, to approve the closure of portions of Grandview Avenue for the Acme Downhill Races.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Community Service Saturday participants worked on 169 Front Street. The next Community Service Saturday will be September 6, 2014.

Residents who are planning any modifications or additions on the main structure of their homes should contact the Assessor's office concerning possible reductions on the property's tax assessment.

Mayor Decker spoke about the August 21, 2014 storm. He thanked all those who helped during the emergency.

Motion by Mr. Cunningham, seconded by Mr. Ritchie, to authorize payment to the Upper Delaware Scenic Byway dues.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Siegel, seconded by Mr. Waligroski, to approve the payment of \$5,000 to Legion Fireworks for the Dinner on Delaware event on July 3, 2015.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

The Town of Deepark extended an invitation for everyone to attend the town's 13<sup>th</sup> anniversary ceremony of the September 11, 2014 tragedy.

Safe Homes of Orange County will be holding the Clothesline Project on October 9, 2014 from 10:00 a.m. to 4:00 p.m. in Veteran's Square Park.

The CROP Walk will be held October 19, 2014 beginning in Airport Park in Matamoras, Pennsylvania.

Motion by Mr. Ritchie, seconded by Mr. Waligroski, to authorize the Chamber of Commerce's 19<sup>th</sup> Tri-State Classic Race on October 26, 2014.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

**City Clerk-Treasurer's Report given** A liquor license renewal has been received from the Roosa Fleming VFW post. Anyone having objections should contact the City Clerk-Treasurer's office.

A free rabies clinic will be held September 27, 2014 at 10:00 a.m. in Newburgh, New York.

**Old Business discussed** Mr. Siegel spoke about removing yard sale signs, reporting code violations and criminal activity, and walking in City streets. He commented on the audio difficulties with the Tri-23 broadcast and reminded everyone about the Veteran's Pavers' project in Sparrowbush, New York. He also commended those who helped with the motor vehicle accident on August 24, 2014.

Mr. Ritchie reminded motorists of the situation on Interstate 84 and spoke about jaywalking.

Mr. Bavoso noted that the CROP Walk will also accept can food stuffs in addition to monetary donations.

Motion by Mr. Cunningham, seconded by Mr. Hendrick, to accept the DPW Committee minutes.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Mr. Cunningham thanked all those who helped clean up after last week's storm.

**New Business discussed** Mr. Waligroski, Mr. Ritchie, Mr. Oney, and Mr. Siegel expressed condolences for the Fuller family at the passing of Maggie Fuller.

Mr. Waligroski reminded motorists use caution with the additional pedestrian traffic with the opening of school.

Mr. Hendrick again noted that police officers will be out when school begins.

**Executive Session set** Motion by Mr. Hendrick, seconded by Mr. Bell, to set Executive Session to discuss Water collections, Future Homes Technology PILOT, and DPW contractual.

An invitation was extended to Special Counsel Michael Fox and Mr. Farr to attend.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

**Public Comment given** Mrs. Laura Myer, of the Tourism Board, reminded everyone to submit their Fall Foliage applications by the deadline date. She also asked for sponsors for the Santa Express at the *Christkindlemarkt*.

**Council Enters Executive Session** Motion by Mr. Cunningham, seconded by Mr. Ritchie, to enter into Executive Session at 8:27 p.m.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

**Meeting reconvened** The meeting was reconvened at 9:37 p.m.

**Meeting adjourned** Motion by Mr. Cunningham, seconded by Mr. Hendrick, to adjourn the meeting at 9:38 p.m.

AYE: 7 ABSENT: 1 (WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

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Robin Waizenegger  
City Clerk-Treasurer