

CODE COMMITTEE
City of Port Jervis
MINUTES – Wednesday Jun 5, 2013 7:00pm
Common Council Chambers

Kelly B. Decker
 Committee Chairman

Wayne Kidney
 Building Official

Laurie Powrie
 Assistant Building Official

Committee Members
Stan Siegel
Carl Hendrick
Gerald Oney Jr.

- Meeting Called to Order 7:00pm by Mr. Decker
- Pledge of Allegiance
- Present: Councilman Decker, Councilman Siegel, Councilman Hendrick, Councilman Belcher, Mr. Kidney, Mrs. Powrie, and Angela Castellano.
- Approval of the May 2013. Motion Mr. Siegel Second Mr. Hendrick Approved
- Building Officials Report:

Mr. Kidney presented board with the Building Department May 2013 Monthly Report

19	Building permits
18	Certificates of Compliance / Occupancy
7	Searches
5	Social Service Inspections
3	Social Service Re-Inspections
1	Zoning Board Applications
2	Pool Permits
4	Sign Permits
2	Public Assemblies
2	Multiple Dwelling
41	Building Construction Inspections
53	Violations Notices
72	Other Inspections
9	Appearance Tickets

Total amount collected: \$4,694.50

100 Pike Street – The public hearing is tentatively planned for July 2013 in hopes that all plans by Ellicot Development are in order.

36 Sullivan Avenue – moved to final compliance 6/13/13 – there will be a visit to the site before this day.

11 – 13 River Street – Doing what he can do but building department is to take stronger measures soon

Water Street (Former Flo-Jean Restaurant site): Late for court on 5/30. Judges inquest on 6/6. Building Official is going to request \$100 a day sanctions if not rectified.

4 Gorden Street: DPW has cut the grass

Niles Residence: Some of the violations have been cleared. Owner is doing the work himself.

Kal-Port – The company has started working on the removal of debris but the building official is not sure how much.

Port Jervis Tire – Building Official will speak with the mayor about the trailer on the property.

24-32 Front Street: there has been some activity on the building and the upper floor. Building Official will speak with the contractor.

9 Cross Street: Building Official will contact Adult Protective Service to see if owner is need before any further action.

143 East Main Street: Mr. Kidney will talk to Mr. Drew.

131 Hammond Street: 2 violation notices sent, there has been no movement

21 King Street: possibly being bought and torn down by city developer

67 Canal Street: progress has been made but not totally complete. It is hard to interact with the tenant. Tenant owns the truck.

188-192 Pike Street: problems with the dumpster again. It is not being taken out of the alley because there is a lip in the concrete making it difficult for it to be rolled to the curb. The waste removal company will not dump it unless it is at the curb. Building Official to write summons.

- Old Business:

Zoning By Definition for a Wine Bar in the Service Commercial (SC) zone: Plan is still at county planning and awaiting comment. It calls for the definition of an Art Gallery and a Museum for LL #2 of 2013 and LL #3 of 2013 allows the use of a wine and beer bar as a Accessory Use in the Downtown Business District and a conditional use in the Service Commercial District with approval from Planning Board.

Peddlers Permit: Another lengthy discussion regarding what to do with the peddlers permit, this seems to be the closest consensus:

1. Vending and Peddler is by permit only renewable on Jan 1st of each year
2. Vending and Peddler permit is seasonal from the Friday before Memorial Day until the Tuesday after Columbus Day. There will be no peddling or vendors from the Wednesday after Columbus Day to the Thursday before Memorial Day of the following year except for city permitted/sponsored events and only in the events location.
3. Seasonal Vending and Peddler permit is \$1,500. (No exceptions)
4. Vending and Peddler permit for all city sponsored events for 1 year ONLY - \$500 (city brick and mortar businesses are exempt) any additional fees charged by event sponsor must be paid by the vendor.
5. No city charge for Vending and Peddler permit for street fair events ONLY. Additional fees charged by event sponsor, if applicable, must be paid by vendor.
6. Vending/Peddler permit for Fireman's day parade ONLY - \$100 (city brick and mortar businesses are exempt)
7. Permission for location given by the Common Council on 1st come 1st served; but prior year vendor has priority.
8. One seasonal vendor permitted to occupy Observation lookout on Park Avenue must not take up more than 2 parking spaces
9. Seasonal Vendors permitted to occupy Riverside Park parallel to the access road from 4th street to the softball field fence.
10. Seasonal Vendors permitted to occupy the tree line of the West End Beach parking area.
11. Stop and Go Vendors/Peddlers – may not stop at one location more than 10 minutes. (e.g. ice cream truck – door to door sales unless invited into the home)
12. Catering permit – Any business that caters to a business or a resident and uses their own mobile unit must pay a yearly fee of \$1,500 (Any Brick and Mortar business along with any Vender that has paid the Seasonal fee are exempt from paying the catering permit.)
13. Caterers must park their mobile unit on or adjacent to their client's property and may NOT sell to any other individual.

Enclosure for Dumpsters: Mr. Brady to draw up a new local law that states that new businesses must have 3 sided concrete enclosure, 6 ft in height with the front being a privacy swing open fence in which the dumpster is enclosed and no garbage can be seen from the outside. Mr. Kidney suggested that this be written in the screening section of Zoning.

ACO to carry a weapon: No Action has been taken in the last month on this issue. Chief Worden will discuss the matter with cooperation council and the two will decide where and how to proceed.

Underground Utilities: Nothing new to report about putting utilities underground for the Tri-State corridor project. In addition Mr. Brady will continue to look into the viability of making the utility company put all utilities in the city underground when a major project is being completed on a section of roadway.

LL Conflict 215.80 and 535.30 (Animals allowed in the city) Mr. Brady gave the committee a local law proposal to amend this conflict. Although in agreement some members had questions or concerns on the following :

- Define normal pg 15 of 22
- Are snakes allowed?
- Take animals out of zoning and put in LL 215.80 only
- Take kennel out of zoning and prohibit it in the city.

These items will be brought to Mr. Brady for his review.

Sidewalk Replacement Program: The city has designated \$10,000 out of capital funds to repair sidewalks on city property deemed in need of repair and any curb cuts needed. CDA director is still attempting to ascertain on the validity of a program to address this concern on sidewalks.

Establish a Fire Lane: Police Chief is establishing the fire zone behind the buildings on Front Street near the railroad tracks. He is also deciding how to address the parking issue at the dead end of Sussex Street.

Concern for CBD in the area of Hammond/Franklin from Spring to Fowler and Sussex St from Hammond to South Broome : The committee has agreed that this should not wait for a possible change in the Riverside area for zoning. There are at least 6 “useless boarded or vacant residential buildings now” with more on the way. The committee was concerned about how much this would cost the city to rezone this use to RO

- New Business

Dead End of New Ball Street: Mr. Siegel was concerned about the dead end of New Ball Street. Mr. Kidney assured him that the owner is in court

100 Pike Street Plaza: Mr. Siegel mentioned that graffiti is once again getting bad on the mall. Mr. Kidney stated that he would notify the owners.

- Public Input:

- Next Meeting: **Wednesday July 3, 2013 7:00pm**

- Motion to Adjourn: Motion: Mr. Siegel Second: Mr. Hendrick
Meeting adjourned at 8:25 pm