

CODE COMMITTEE
City of Port Jervis
MINUTES – Wednesday March 5, 2014 7:00pm
Common Council Chambers

Stan Siegel
Committee Chairman

Laurie Powrie
Building Official

Committee Members
David Bavoso
Carl Hendrick
Gerald Oney Jr.

Michael Reilly
Fire Inspector

- Meeting Called to Order 7:04pm by Mr. Siegel
- Pledge of Allegiance
- Present: Mayor Decker, Councilman Oney, Councilman Siegel, Councilman Hendrick, Mrs. Powrie, Mr. Reilly, Mrs. Waizenegger (City Clerk-Treasurer) in attendance
- Public Comment: No Public Comments Made.
- Reading of the Minutes- Mr. Siegel; Motion by Mr. Hendrick to approve the February 11, 2014 Minutes, 2nd by Mr. Oney
- Building Officials Report:

Mrs. Powrie presented board with the Building Department February 2014 Monthly Report

5	Building permits
1	Planning Board Application – for Dunkin Donuts

Total amount collected: \$4,541 (month of February 2014)

Total amount collected: \$4,561 (month of February 2013)

Mrs. Powrie has spoken with the Ruby Group and should have their Planning Board Application on Friday for 29 Front Street.

Mrs. Powrie has spoken with a Design Professional on behalf of John Fernandez for RC World Hobbies.

Mrs. Powrie has issued one stop work order at 17 Orange Street. She received an application by a Plumber in town to install 2 new heating systems, in what was previously a 2 family home. Mrs. Powrie could not approve the permit because the home has been vacant for more than a year, which means that the home has lost its 2 family status. Mrs. Powrie suggested that the owner applies to the Zoning Board for variance to reapply for 2 family status.

- Fire Inspector's Report:

Kolmar: continuing to monitor, project ongoing.

Taste of Sicily: Officially opened and operating.

Rite Aid: continuing to monitor, been in contact with Fire Alarm Company.

174 Pike Street: concern with studio apartments on 2nd & 3rd floor. Code requires smoke detector in each sleeping space, asked for interpretations of state and awaiting answer on using battery powered smoke detector and a heat detector. Mr. Reilly made an inquiry to the state and was told it will be addressed. Mr. Reilly is continuing to follow up on the issue.

Dunkin Donuts: progressing.

Sahara Project (KFC Property): has been entirely withdrawn.

Mad Dog Liquor: Mr. Reilly spoke with John Fuller's Office on 03/05/2014 at approximately 4 pm. Mr. Fuller has been in contact with the alarm company and expects to have a package forthcoming by the end of the week/beginning of next week.

Call boxes: (911 Boxes on each Firehouse) not done this month; will be done at some point, eventually need to start looking to budget replacement call boxes. If replaced, look into building roof (enclosure) over call box to protect from elements.

Fire Hydrants: Need to decide on a plan to address issue. Mr. Reilly recommended looking into the Adopt a Fire Hydrant Program that is currently being used at West Point. Mr. Reilly recommends preparing a plan to implement in September/October of this year.

- Updates on Following Locations Reported Last Month:

100 Pike Street: Rite Aid, still in special inspection stage, work progressing.

4 Gordon Street: Needs to be rebid by the Common Counsel.

Niles Residence: (tax sale) redeemed.

Kolmar Laboratories Renovation: Mrs. Powrie has not been called for any inspections.

291 East Main Street: Mad Dog Liquors – Mrs. Powrie is waiting for the submittal of the fire alarm plans.

33-39 East Main Street: Zara Realty Project (KFC Property), Planning Board and Zoning Board Applications have been withdrawn.

29 Front Street: Ruby Group; Mrs. Powrie reports that they are expected to submit a Planning Board Application on Friday, March 7, 2014.

29 East Main Street: (Midas Property) Mrs. Powrie reports that the owners are still performing work inside the building.

74 Kingston Avenue: Rea Used Car Property- (Laundromat) Mrs. Powrie has not heard anything new from the perspective buyer.

Dunkin Donuts: Mrs. Powrie issued permits for their interior renovations. Mrs. Powrie reports that the contractor for the project picked up the permits today and mentioned that they would probably start work in the beginning of April.

92 Front Street: Mrs. Powrie stated that she has heard nothing new from Owner of Fort Knox who was interested in opening up a Pawn Shop there.

143 East Main Street: Demo permit for garage issued. Mrs. Powrie stated that their court date for compliance is 03/06/2014, and the garage has been torn down.

131 Hammond Street: Nothing new to report.

- Old Business:

Zoning By Definition for a Wine Bar in the Service Commercial (SC) zone: Mr. Siegel will follow up with Corporation Counsel on this matter.

Film Industry Local Law: Corporation Counsel has sent out draft of the Law. Committee will review the draft and report back with comments at next meeting.

Vacant Property Assessment Fee: Mr. Siegel is awaiting a call back from the State. Mr. Siegel will have Corporation Counsel proceed with drafting this and it will be looked at during the next meeting.

Discussion of Revisions to Codes; Section 464: Mayor Decker advised that a person in a motorized wheelchair is considered a pedestrian. As a pedestrian you are required to use the sidewalk, unless it is unpassable. In this case, the pedestrian should proceed on the edge of the road facing traffic. Mayor Decker stated that revision of this section pertaining to motorized wheelchairs should not be investigated further. Mr. Hendrick presented a request from an ADA Committee member to change Sec 464-43 A&B of the Code. This section of code is in regards to shoveling walkways. The current requirements are 24" wide. Mr. Hendrick suggested that this requirement is not wide enough to accommodate wheelchairs. Mr. Hendrick suggested changing this requirement for shoveling sidewalks to be a minimum of 3 feet wide.

Changing Water Fee to "Water Tax": Corporation Counsel has drafted this change and this will be presented for approval at the next Common Council Meeting.

Flat Roof Construction: Mrs. Powrie stated that this is allowed under New York State Code, so for this change to stop flat roof construction, a more restrictive local standard law may have to be filed. Mrs. Powrie suggested forwarding the matter for applying for a more restrictive local standard to Corporation Counsel.

- New Business

New Construction: Underground Utilities Requirement: Mayor Decker stated that he will be discussing the issue with the Orange and Rockland President at his meeting on Wednesday March 12, 2014.

Satellite Television Antennas: Mr. Siegel suggested constructing a law that would require Satellite Television Providers to remove antennas from buildings immediately after services are terminated. The Committee advised Mr. Siegel that the antenna is the property of the individual with the contract not the Provider. The Committee decided that this issue will be revisited at a future meeting.

Property Managers for Property (City of Buffalo Law): Mayor Decker presented a copy of a City of Buffalo law regarding having licensed property managers for rental properties in the City. Mr. Bavoso elaborated on the law. Mr. Bavoso stated that the proposed law would require that if you live outside the City and have rentals in the City, you would need a licensed person by the

City to maintain the property. This would be in place of allowing a tenant to perform this maintenance. By having a licensed person responsible, the City would have their contact information for violations or issues. Mr. Siegel stated that he will follow up with Corporation Counsel on drafting a proposed law.

Tax Lien Situation: Mrs. Waizenegger stated that in order to change the tax lien process to a tax foreclosure process, there would need to be a review of the tax lien process within the City Charter. The Tax Foreclosure Process would not deal with selling the lean, but performing a tax foreclosure and then a sale of the property. Mrs. Waizenegger noted that there is still a time period involved with this process and that a recent case in Pennsylvania took approximately two years. Mrs. Waizenegger also stated that current leans would have to ride out the current structure in place, before the new structure could be implemented.

Peddler’s Law: Mrs. Waizenegger stated that she had two instances involving Peddler’s Law earlier in the day. She stated that one issue involved the sale of advertisements and the other dealt with the sale of cable television services. Mrs. Waizenegger reviewed the current Peddler’s Law and forwarded her concerns to Corporation Counsel. Corporation Counsel agreed with her that these two issues would be subject to the Peddler’s Law. Mrs. Waizenegger stated that she is awaiting a call back from Time Warner Cable to inform them of her answer regarding being subject to the Peddler’s Law and needing a Peddler’s Permit.

- Public Input:

Mr. Siegel stated that he has received numerous complaints regarding garbage left at the clothing bin at the Port Jervis Diner. Mrs. Powrie stated that she has issued a violation to the owner and that the violation will be on file when they reapply next year. Mrs. Powrie stated that she will continue to monitor the situation and issue violations as necessary.

- Next Meeting: **Wednesday April 2, 2014 7:00pm**

- Motion to Adjourn: Motion: Mr. Hendrick Second: Mr. Oney
Meeting adjourned at 8:22 pm: Mr. Siegel