

January 25<sup>th</sup>, 2016

### **Regular Meeting-**

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 January 25<sup>th</sup>, 2016 at 7:00 p.m.

### **Attendance-**

Mayor Kelly Decker and all members of the Common Council were present. DPW Director John Farr, CDA Director Valerie Maginsky, Recreation Director John Faggione, Building Official David Rivera, Police Chief William Worden, Fire Chief Frank Fuller III, City Clerk-Treasurer Robin Waizenegger, and Special City Counsel Michael Fox and Corporation Counsel William Bavoso were also present.

### **Pledge of Allegiance-**

Mayor Decker & Julian Jacob, Tyler Jacob and Nathan from Boy Scout Troop 67 & 68 led all present in the Pledge of Allegiance to the Flag.

### **Youth Report given by Mr. Matthew Conklin-**

Orange County Executive Steve Neuhaus was the special guest at the PJHS Excellence Series. Students described him as informative, funny and left a positive impression on them.

It is regents' week at the High School, students only need to attend if they have an exam.

Nine students in Mrs. Horst's high school art class submitted artwork as part of the 2016 Safe Homes of Orange County Poster Contest. The theme was "Safe Love is Cyber Respect". The poster contest is part of the agency's goal to help raise awareness as February is Teen Dating Violence Awareness Month. Winners will be announced at the end of February.

Urges all Middle School students that were nominated for the National Junior Honor Society to make sure they hand in all completed paperwork by Friday, January 29<sup>th</sup> to be considered.

ASK's production of the "The Little Mermaid" was a success, congratulated all involved.

Parents/guardians of children who will be 5 years old on or before December 1, 2016 are invited to register for Kindergarten on the following days;

March 3<sup>rd</sup> & 16<sup>th</sup> at HBE 3:30-5:00pm

March 10<sup>th</sup>, March 31<sup>st</sup> & April 13<sup>th</sup> at ASK 3:30-5:00pm

Required Documents; Proof of birth, proof of immunization, two proofs of residency in the Port Jervis School District. If applicable, please bring custody documents & I.E.P. for special needs students. Registration forms are posted on the district website [www.pjschools.org](http://www.pjschools.org) Forms can be downloaded and completed in advance.

The next board of Education Meeting is February 2<sup>nd</sup>.

### **Senior Report-**

Mr. Siegel is asking for any seniors willing and able to give the council a monthly report on senior living to please contact him or the Mayor's office.

### **Veterans Report-**

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Mr. Siegel is asking for any Veterans willing to give the council a monthly report on Veteran activity to please contact him or the Mayor's office.

**Public Comment-**

Peter Tomasi, 2<sup>nd</sup> ward, asking the council to place a 15 Ft. sidewalk from the overpass to connect to the train station platform.

**Minutes Approved-**

Motion by Mr. Siegel, Seconded by Mr. Bavoso to approve the minutes of the January 11<sup>th</sup>, 2016 regular meeting.

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

**Committee Reports:**

**Finance Committee-**

Motion by Mr. Bell, seconded by Mr. Bavoso to pay the current bills for General Fund, Water Fund, and Capital Account for a total of \$454,792.78

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

Informed council that the routine audit testing was conducted on January 7<sup>th</sup> & 8<sup>th</sup> and field work will be done April 11<sup>th</sup>-15<sup>th</sup>. Mr. Bell explained the Committee spoke about flood insurance renewal, the Capital Fund, cash flow, 2016 bond

Motion by Mr. Bell, seconded by Mr. Belcher to approve the resolution regarding the 2016 Revenue Anticipation Note.

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

From the Assessor's office Mr. Bell announced the certificate of base percentages and current base proportions pursuant to Article 19, RPTL, for the levy of the taxes on the 2016 assessment roll.

Motion by Mr. Bell, seconded by Mr. Foster to authorize Mrs. Waizenegger to sign and send assessment report to New York State Dept. of Taxation and Finance Office of Real Property Services in Albany NY.

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

Motion by Mr. Bell, seconded by Mr. Bavoso to approve the resolution regarding the training and travel requests for the Assessor's Office, cost not to exceed the amount in the 2016 budget.

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

The next meeting will be held on February 17<sup>th</sup>, at 6:45pm in the council chambers.

**Fire & Emergency Management (FEM) Committee-**

January 25<sup>th</sup>, 2016

Mr. Siegel apologizes and suggests audience to call Time Warner Cable about the poor audio quality on Access 23.

Motion by Mr. Siegel, seconded by Mr. Bell to approve the January Fire & Emergency meeting minutes.

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

Announced all 25 & 50 year members.

Mr. Siegel informed the council that the Fire Dept. is in the final stages of getting internet hookup in each fire house.

The next meeting will be held on February 15<sup>th</sup>, 2016 at 7:00pm.

#### **Code Committee-**

Last meeting was January 6<sup>th</sup>.

Motion by Mr. Bavoso, seconded by Mr. Belcher to hold a public hearing on Local Law #1 to override the tax levy limit on February 8<sup>th</sup> at 7:00pm.

Mrs. Trovei- asked when the deadline to pass this Local Law was.

Mr. Bavoso- replied July 1<sup>st</sup> but typically it is done early, so it's not forgotten.

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

Motion by Mr. Bavoso, seconded by Mr. Ritchie to hold a public hearing on Local Law #2 relating to fees charged by engineers/inspectors on February 8<sup>th</sup> at 7:01pm.

Mr. Bell- asked if unpaid fees will be re-levied onto taxes.

Mayor Decker- responded yes they would be.

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

Motion by Mr. Bavoso, seconded by Mr. Belcher to hold a public hearing on Local Law #3 relating to unpaid building fees to be added to City tax bills for collection on February 8<sup>th</sup> at 7:02pm.

Mr. Siegel added that many municipalities already have this law in place.

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

Motion by Mr. Bavoso, seconded by Mr. Foster to hold a public hearing on Local Law #4 relating to adding definitions to the Zoning Law on February 8<sup>th</sup> at 7:03pm.

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

Motion by Mr. Bavoso, seconded by Mr. Siegel to hold a public hearing on Local Law #5 relating to hours for auctions conducted in the City on February 8<sup>th</sup> at 7:04pm.

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

Motion by Mr. Bavoso, seconded by Mr. Bell to hold a public hearing on Local Law #6 to allow the City to deny or shut off water services to properties on February 8<sup>th</sup> at 7:05pm.

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

The next meeting will be February 3<sup>rd</sup>, 2016 at 7:00pm.

#### **Department of Public Works (DPW) Committee-**

**UPDATE:**

January 25<sup>th</sup>, 2016

Garbage pickup will be on its normal schedule for the next two weeks.

Please call the DPW office 845-858-4001 if you need your Christmas tree to be picked up.

Every Saturday from 7:15am-11:30am the dump will be open for residents to use. Dump passes can be purchased at the City Clerk's Office for \$10.00 per pass.

Advised citizens to now snow blow into the roads.

Next meeting will be held February 1<sup>st</sup>, 2016 at 6:00pm

#### **Police Committee-**

Mr. Ritchie stated that the Chief is working on a presentation for the next meeting. Explained that it will be an informational presentation to give newly elected council members insight on to what goes on within the Police Department.

Reminded citizens if you see something, say something.

The next meeting will be January 28<sup>th</sup> at 7:00pm.

Motion by Mr. Ritchie, seconded by Mr. Siegel to approve the December 2015 monthly police report.

AYE: 5 ABSENT: 0 NAY: 0 ABSTAIN: 4 CARRIED

#### **Liaison Reports:**

#### **Community Development Agency (CDA)-**

Held a special meeting on personnel and the next meeting will be a reorganizational meeting.

The next meeting will be February 1<sup>st</sup> at 7:00pm.

#### **Industrial Development Agency (IDA)-**

Mr. Ritchie explained that Tim O'brien give a brief update on 100 Pike Street. Mr. O'brien shared with the IDA members the unexpected repairs that have held up the progress at the site however that they have potential renters including a grocery chain, a regional bank, pizzeria and laundry mat.

Next Meeting February 17<sup>th</sup> at 6pm.

#### **American's with Disabilities Act (ADA)-**

Last meeting was October 1<sup>st</sup>, 2015

Next meeting to be held February 4<sup>th</sup> at 6:00pm in the council chambers.

#### **Housing Authority-**

No report to be given.

The next meeting will be February 23<sup>rd</sup>, at 7:00pm at Hillside Terrace in the conference room.

January 25<sup>th</sup>, 2016**Recreation Commission:**

## Updates:

Help wanted at the Youth Center. We have a PT position open as a Recreation Specialist working in the Recreation Room at the Youth Center. Job description, applicant requirements and applications can be picked up at the Youth Center or the City Clerk's office. Please call the Recreation office at 845-858-4016 for more information. You can also email us at [pjrec@frontiernet.net](mailto:pjrec@frontiernet.net). Deadline to apply is February 12<sup>th</sup>.

The Sleigh Riding Hill at West End Park and Beach is all set up and ready to go. Children and adults can sled from sunrise to sunset. Please remember sleds only-no skis or snowboards.

The Recreation Department is sponsoring a snow tubing field trip to Fernwood Resort on Thursday February 18, 2016. Cost for transportation and snow tubing is only \$25.00 per person. Participants must be at least 40" tall to snow tube. Bus will leave Port Jervis at 5:00pm and return approximately 9:30pm.

A reminder that the Youth Center is open 11:00am-3:00pm when school is closed due to inclement weather. Regular Youth Center hours are Mon-Thurs 3-7pm, Friday 3-6pm, Saturday 11-3pm, Friday night Teen night is 6-10pm.

Planning is underway for the Snowball's Chance Fat Bike Race on March 19-20, 2016 at the new trails. More information to come in February.

Motion by Mr. Ritchie, seconded by Mr. Bavoso to approve the 2015 end of year report.

AYE: 5 ABSENT: 0 NAY: 0 ABSTAIN: 4(Fitzpatrick,Hendry,Foster,Trovei) CARRIED

For any questions on programs or events contact the Recreation Office at (845) 858-4045 or email us at [pjrec@frontier.net](mailto:pjrec@frontier.net). The next meeting will be February 23<sup>rd</sup>, 2016 at 7:00 at the Youth Center.

**Tourism Board-**

Motion by Mr. Ritchie, seconded by Mr. Bavoso to approve the following 2016 events;

City Wide Yard sale-May 7<sup>th</sup>

Art and history in the Park-June 18<sup>th</sup>

Dinner along the Delaware-July 1<sup>st</sup>

Fall Foliage Festival-September 25<sup>th</sup>

Christmas tree Lighting-November 26<sup>th</sup>

Christkindlemarkt-November 27<sup>th</sup>

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

The next meeting will be on February 10<sup>th</sup> at 6:30 pm in the council chambers.

**Zoning Board of Appeals-**

The next meeting will be held on February 2<sup>nd</sup>, at 7pm in the Council Chambers.

**Planning Board-**

No report to be given.

The next meeting will be held on February 16<sup>th</sup> at 7:00pm.

January 25<sup>th</sup>, 2016**Plumbing Board-**

No report to be given.

The next meeting will be held on February 3<sup>rd</sup> at 6:30pm.

**Electrical Board-**

No report to be given.

The next meeting will be held February 3<sup>rd</sup> at 6:45pm.

**Senior Advisory-**

No report given

**Access 23 TV-**

No report given

**Mayor's Correspondence-**

Mayor Decker will be giving his State of the City Address on Wednesday January 27<sup>th</sup> at 6:00pm

Motion by Mr. Bell, seconded by Mr. Bavoso to allow Drew Methodist Church to hold its annual Easter Sunday sunrise service on March 27<sup>th</sup> at Point Peter.

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

Motion by Mr. Bavoso, seconded by Mr. Siegel to allow The First Baptist Church to hold its annual Easter Sunday sunrise service on March 27<sup>th</sup> at Point Peter.

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

Motion by Mr. Siegel, seconded by Mrs. Trovei to allow The First Assembly of God Church to hold the following 2016 events  
A Clothing giveaway at the Rec center 10-12pm on April 9<sup>th</sup>, May 14<sup>th</sup>, June 11<sup>th</sup>, July 9<sup>th</sup>, August 14<sup>th</sup>, September 10<sup>th</sup>, and October 8<sup>th</sup>.

Movie night at Riverside Park from 7-11pm on June 15<sup>th</sup>, July 13<sup>th</sup> & Aug 17<sup>th</sup>

Wants to work together with the Police Department to hold their annual back to school day during National Night Out.

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

The Fat Tire Bike Race happening March 19<sup>th</sup> which will kick off the opening of the walking and biking trails at Elks Bronx Park. Mid-Atlantic Cup Challenge will be held June 17<sup>th</sup>, 18<sup>th</sup> & 19<sup>th</sup> and could potentially bring 2,500 people into the City for the event.

Announced that Energize New York will be giving a presentation at the February 8<sup>th</sup> council meeting.

Motion by Mr. Siegel, seconded by Mr. Ritchie to approve the become part of the cost free organization "Let's Move City"

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

Motion by Mr. Bell, seconded by Mr. Bavoso to approve the letter of support for Cliff Robinson to expand the Heritage Trail.

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

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Mayor Decker briefed the council on his meeting with RC Racers. They went over a lot of information regarding what needs to happen for Mr. Fernandez and his team to be successful here in Port Jervis. RC Racers would have to have become members of ROAR (International Organization of Racing) and the Orange County Remote Car Association and insurance would have to be in place prior to operation. Scholarships were discussed along with several other conditions.

Motion by Mr. Siegel, seconded by Mrs. Trovei to approve a contract to be written between RC Racers and the City of Port Jervis.

Mr. Siegel- he attended the meeting with the Mayor and the members of RC Racers and suggests that they approach is different this time around. Mr. Siegel suggests putting in safe guards to protect the City from what happened last time. He believes Mr. Fernandez has a clear idea of what they want to do and think it fits into our Recreational theme here in the City. Hopes the council will have an open mind when discussing this matter.

Mr. Bavoso- will be voting no to move any further with RC Racers, saying that even though the approach may be different the principle is still the same. He says from being at the events and seeing what happened last time and doesn't believe the City should jump back into the situation.

Mr. Belcher- agrees with Mr. Bavoso

Mr. Siegel- responded that Mr. Fernandez brought different people in so he could be in the background. Thinks he achieved that by bringing in two experienced people to run the program. Mr. Siegel doesn't think the City will run into the same problems but hopes the contract will have an escape clause just in case.

Mr. Ritchie- asked if the track would have open time for the public.

Mayor Decker- responded that yes that open time for the public would be in the contract.

Mr. Siegel- responded to Mr. Ritchie's comment by saying that RC Racers wouldn't be opposed to open time but that open time would have to be supervised.

Corporation Council- suggested that he draw up a contact and submit it to the council for review before moving forward.

Mr. Siegel- thinks that's a good idea.

#### MOTION WITHDRAWN

Mayor Decker is looking for a representative to step forward to attend an Upper Delaware Scenic Byway Committee Meeting in Narrowsburg.

Announced appointments for all City committees;

Motion by Mr. Bavoso, seconded by Mr. Belcher to approve the reappointment of McGoey, Hauser & Edsall as the City's prime engineer.

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

Motion by Mr. Bavoso, seconded by Mr. Belcher to approve the reappointment of William Bavoso as Corporation Council.

Mrs. Hendry- asked the council why there isn't an interview process for the position of Corporation Council, as it's a substantial salary.

Mayor Decker- Explains that his appointments must be made within 30 days of inauguration.

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AYE: 7 ABSENT: 0 NAY: 0 ABSTAIN: 2 (Hendry & Bavoso) CARRIED

**City Clerk Treasurer's Report-**

Mrs. Waizenegger explained that the Paris reporting system was filed immediately upon request. Warns citizens about an IRS alert relating to phone scammers. The IRS does not make phone calls demanding money they always will do written requests. Explains the City Clerk's Office is finishing up County Tax and water collection. County taxes are due by Feb 1<sup>st</sup> and water by January 29<sup>th</sup>, 2016.

Motion by Mr. Bell, seconded by Mr. Belcher to approve the Mayor to sign the Orange County Youth Bureau Funding Agreement in the amount of \$25,400.00

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

**Old Business:**

**Mr. Siegel-**

Motion by Mr. Siegel, seconded by Mr. Bavoso to approve the December 15<sup>th</sup>, 2015 Code Minutes.

AYE: 5 ABSENT: 0 NAY: 0 ABSTAIN: 4(Fitzpatrick,Hendry,Foster,Trovei) CARRIED

Asked if anyone looked into getting the DAB to run a little earlier for seniors to be able to catch the early train to NYC.

Mayor Decker-responded that no not as of yet.

Warns citizens about social security hackers, he suggests getting an IRS pin number.

**Mrs. Trovei-** No old business

**Mr. Ritchie-**

Will confirm the 2<sup>nd</sup> ward meeting at the next council meeting.

**Mr. Foster-** No old business

**Mr. Bavoso-** No old business

**Mrs. Hendry-** No old business

**Mr. Belcher-**

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Told Mr. Tomasi that he won't let anyone forget about his sidewalk request.

**Mrs. Fitzpatrick-** No old business

**Mr. Bell-** No old business

**New Business:**

**Mr. Bell-**

Announced the 4<sup>th</sup> ward neighborhood watch meeting will be February 17<sup>th</sup> at Hose #4 Firehouse

**Mrs. Fitzpatrick-** No new business

**Mr. Belcher-**

Thanked the DPW for the snow clean up.

Will be re-airing the council meeting after the state of the City address on Wednesday at 7:00pm.

**Mrs. Hendry-**

Asked council if they could fill out a survey relating to the Farmers market and encouraged citizens to check out the farmers markets Facebook page.

**Mr. Bavoso-**

Announced that more Local Laws are on the way and encourages residents to dig out fire hydrants for the protection of everyone on the street.

**Mr. Foster-**

Kudos to the DPW for snow clean up.

**Mr. Ritchie-** No new business

**Mrs. Trovei-** No new business

January 25<sup>th</sup>, 2016**Mr. Siegel-**

Thanked the DPW on the snow clean up.

**Public Comment**

No public comment

**Executive Session set-**

Motion by Mr. Foster, seconded by Mr. Ritchie to allow Executive session for regarding personnel and contractual issues and to seek advice of council with invitation to John Farr and Chief Worden.

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

Motion by Mr. Belcher, seconded by Mr. Bavoso to adjourn to executive session at 8:25pm.

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

**Meeting Reconvened at 9:40pm**

Motion by Mr. Bell, seconded by Mr. Bavoso to approve the promotion of John Fitzpatrick to probationary Lieutenant as result of his passage of the Civil Service test.

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

Motion by Mr. Belcher, seconded by Mr. Bavoso to request a letter of retirement from Otto Banghart as per the NYS Retirement notification already received.

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

Motion by Mr. Bell, seconded by Mr. Siegel to approve the retirement of the City's Assessor, Yvonne Duryea, on March 11, 2016 and to advertise the job opening with a 15 day return date.

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

Motion by Mr. Belcher, seconded by Mr. Bavoso to approve a side letter of agreement to transfer Jerry Stellato's title to Laborer at the rate of \$23.56.

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

Motion by Mr. Bavoso, seconded by Mr. Ritchie to authorize the Mayor to enter into an agreement with the attorneys working on the foreclosure of 24-32 Front Street.

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

Motion by Mr. Siegel, seconded by Mr. Trovei to declare pagers for the Fire Department surplus equipment and turn over to

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the Fire Department to sell as recyclable equipment with the proceeds to go to the purchase of updated pagers for the Fire Department.

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

Motion by Mr. Siegel, seconded by Mrs. Fitzpatrick to eliminate the fax lines from the Fire Houses and approve the council to pay for internet services at each Fire House.

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

Motion by Mr. Belcher, seconded by Mr. Bavoso to approve ECG to conduct an audit of our bills and to prepare an agreement to present to the council.

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

**Meeting Adjourned –**

Motion by Mr. Foster, seconded by Mr. Bavoso to adjourn the meeting at 9:36 p.m.

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

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Robin Waizenegger  
City Clerk Treasurer