

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, February 25, 2013 at 7:00 p.m.

Regular Meeting

Mayor Potter and all members of the Common Council were present. Assistant Director of Public Works John Farr, 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 February 11, 2013 meeting.

Minutes of the 2/11/2013

Motion by Mr. Belcher, seconded by Mr. Siegel, to accept the minutes of the February 11, 2013 meeting.

Regular and 2/20/2013

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

Emergency Meetings read

Mrs. Waizenegger summarized the minutes from the February 20, 2013 special, emergency meeting concerning the sewer main break on Jersey Avenue.

Motion by Mr. Belcher, seconded by Mr. Ritchie, to accept the minutes of the February 20, 2013 special, emergency meeting.

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

The Finance Committee reviewed 2013 Capital Note requests submitted by department heads. To maintain equalization of debt, requests must be reduced by \$45,754.00. Department heads will be prioritizing their requests and resubmitting the revisions at the next Finance Committee meeting on March 18, 2013.

Committee Reports given

The Finance Committee also discussed debt retirement of \$89,000.00 for 2013 and \$90,000.00 for 2014 and the fourth quarter supplementary payments from Orange County.

Motion by Mr. Bell, seconded by Mr. Belcher, to approve the unpaid bills in the following amounts for payment: General Fund - \$270,268.48, Water Fund - \$39,742.00 and Capital Fund - \$17,365.15.

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

The next Finance Committee meeting will be March 18, 2013 after the Department of Public Works (DPW) and Fire and Emergency Management Committee meetings.

Motion by Mr. Siegel, seconded by Mr. Ritchie, to approve Howard Wheat Engine Company #4 and Delaware Engine Company #2 to attend a Firefighter One Training Session on March 2, 2013 and March 5, 2013 respectively.

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

Motion by Mr. Siegel, seconded by Mr. McCarthy, to approve Manda McKeon, of Howard Wheat Engine Company #4, and Justin Brewster, junior member of Neversink Engine Company #1, for active membership into the Port Jervis Fire Department.

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

The EVR audit is ongoing, and Chief Rhoades provided the Fire and Emergency Management Committee with the department's 2013 Capital Note requests.

The next Fire and Emergency Management Committee's meeting will be March 18, 2013 after the DPW Committee meeting.

The next Code Committee will be March 6, 2013 at 7:00 p.m.

The next DPW Committee meeting will be March 18, 2013 at 6:00 p.m.

Garbage and recycling will be on normal schedule for the next few weeks.

February 25, 2013

Mr. Oney gave a brief synopsis of the recent sewer line emergency on Jersey Avenue, which included steps taken to identify the problem, clear the blockage, bypass the collapsed portion of pipe, and make the necessary repairs. He noted that Jersey Avenue was reopened this afternoon.

Mr. Oney added that help from Department of Environmental Protection (DEP) staff and Fire Department volunteers was instrumental in preventing the emergency from being much worse. He also recommended the Council, DPW, and Finance Committee discuss purchasing a pump that could be used in the future. Having a spare pump on hand, he noted, would save time and have multiple uses.

Mayor Potter complimented the Fire Department volunteers and DPW staff for their work during this emergency. He noted that after performing the bypass pumping, the decontamination of the fire truck took approximately one and one-half days. He thanked local businesses in that area for their cooperation, especially Dollar General for opening portions of their parking lot for traffic. Mayor Potter stated that he appreciated the work done by everyone involved in this emergency situation.

The next Police Committee meeting will be March 4, 2013 at 6:30 p.m.

Mr. McCarthy announced the following three (3) retirements in the Police Department:  
Sergeant Michael Hockenberry, 20 years of service, to be effective February 25, 2013  
Detective John Barbarino, 23½ years of service, to be effective February 28, 2013  
Officer Richard O'Connell, 26 years of service, to be effective February 23, 2013

Mr. McCarthy congratulated Mr. Thomas Vicchiarriello for being this year's recipient of the Police Benevolent Association's John L. MacKechnie Recognition Award for his over forty-eight (48) years of service to the community and his commitment to the safety and well-being to the residents of the City.

Chief Worden introduced and welcomed newly-hired Police Officer Daniel Mioglionico, who joined the department February 18, 2013. Officer Mioglionico thanked everyone for putting their trust and faith in him and stated he looks forward to working with the Police Department.

Chief Worden briefly spoke about General Order 341-13 concerning the CED deployment policy. He commented that tasers are a less-than-lethal force weapon. The City's insurance company and Corporation Counsel have reviewed and approved the policy.

Motion by Mr. McCarthy, seconded by Mr. Belcher, to approve the enactment of General Order 341-13.

Mr. Bell thanked Chief Worden for his work in developing this policy.

Mr. Decker stated that he feels the use of this device will be a great deterrent.

Mr. Belcher added that this policy could minimize the City's liability.

Mayor Potter commented that use of this device may aid in the reduction of resisting arrests and injuries.

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

Mr. McCarthy spoke about the dangerous crosswalk by Bon Secours Community Hospital, noting the Police Department is working with the hospital to make the crosswalk more visible. He encouraged motorists to drive slowly when approaching this area.

Liaison  
Reports given

The next Community Development Agency (CDA) meeting will be February 27, 2013 at 7:00 p.m. The meeting will be in the Recreation Building in the CDA offices on the second floor.

The next ADA meeting will be March 7, 2013 at 4:00 p.m.

The Housing Authority update included the adoption of a pet policy and signing a contract for new entry doors. The next meeting will be March 20, 2013 at 7:00 p.m. at Hillside Terrace.

The Recreation Update was given and included the Snow Tubing Trip on February 28, 2013 to Bushkill, Pennsylvania, 5<sup>th</sup> Annual Cops vs. Kids basketball game on March 2, 2013, and Easter Candy Dash on March 30, 2013.

The next Recreation Commission meeting will be March 20, 2013 at 7:00 p.m. at the Youth Center.

The Tourism Board discussed the Fall Foliage Festival and City-wide Yard Sale. Applications for the City-wide Yard Sale on May 4, 2013 are available on the Tourism Board’s website and from the Mayor’s office.

The next Zoning Board of Appeals (ZBA) meeting is tentatively scheduled for April 2, 2013 at 7:00 p.m.

The Planning Board held a public hearing for 144 Pike Street and approved the application. A pre-submission for a conditional use permit for 116-122 Franklin Street was set for public hearing at the Board’s next on March 19, 2013. Representatives from Ellicott Development did not attend the February meeting, and that application’s pre-submission will be continued at the March meeting. The next Planning Board meeting will be March 19, 2013 at 7:00 p.m.

There were no items on the agenda for the February Plumbing and Electrical Board’s meeting. The next Plumbing and Electrical Board will meet on March 6, 2013 beginning at 6:30 p.m.

The next Senior Advisory meeting date has not yet been set.

The Access 23 TV report was given and included the television station seeking to obtain a 503(c) status, CDA grants, and insulating the ceiling for energy conservation. Mr. Siegel thanked Neversink Lumber for donating the insulation and DPW for installing it.

Motion by Mr. McCarthy, seconded by Mr. Belcher, to authorize the Mayor to sign the agreement with Quality Bus for the senior shuttle bus service in the amount of \$5,980.00 for a 12-month term.

Mayor’s  
Correspondence  
given

Mayor Potter detailed hours of operation, cost, eligibility restrictions, and areas of service.

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

Mayor Potter thanked Dollar General for their help during the sewer main break on Jersey Avenue.

Motion by Mr. Decker, seconded by Mr. Waligroski, to authorize the use of Sussex Street all day on June 9, 2013 for the 14<sup>th</sup> Annual Soap Box Derby and Jersey Avenue from 5:00 p.m. to 7:30 p.m. on dates detailed on the attached schedule.

A fundraising event will be April 13, 2013 at 6:00 p.m. at the Erie Trackside Manor; this year’s theme is “USO: A tribute to our troops”. Everyone was invited to attend.

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

Ms. Celia Ow updated the Council on her brother-in-law’s arrest in China. He is out of prison and home safe. Ms. Ow thanked those who supported her, those who signed her petition, the Port Jervis Free Library, and Ms. Jessica Cohen. She commented that she is proud to live in Port Jervis.

Public  
Comment given

The City Clerk-Treasurer’s office continues preparations for this year’s audit.

City Clerk-  
Treasurer’s  
Report given

Mr. Siegel, Mr. Ritchie, and Mayor Potter, and Mr. Decker extended their condolences to Belcher and Bell families at the passing of Mr. Belcher’s mother.

Old Business  
discussed

Mr. Siegel, Mr. Oney, Mr. Ritchie, and Mr. Decker thanked DPW staff, Fire Department volunteers, and businesses on Jersey Avenue for their cooperation during the sewer main emergency.

Mr. Siegel thanked Mr. Tim Simmons and the participants of the recent Ice Water Rescue training classes.

Everyone was encouraged to attend the meeting February 26, 2013 at 7:00 p.m. for an update on the Tri-State Bridge Project.

The Substance Abuse Task Force meeting was well-attended, and committees were appointed. The next meeting will be March 21, 2013 at 7:00 p.m. in the Council Chambers.

February 25, 2013

Mr. Ritchie expressed his appreciation to the participants and supporters of the Port Jervis-Deepark Humane Society's recent lasagna fundraiser.

Mr. Decker congratulated Sergeant Hockenberry, Detective Barbarino, and Officer O'Connell on their retirement from the Port Jervis Police Department.

Mr. Decker stated that Mr. Vicchiariello's receipt of the John L. MacKechnie Recognition Award was well-deserved.

Mr. Decker encouraged residents to support Bon Secours Community Hospital's facilities. He also reminded expectant mothers of the transportation vouchers available from Middletown Community Center, Orange Regional Medical Center, and Bon Secours.

Mr. Decker congratulated the High School wrestlers, Travis Edwards, Dan DeCarlo, and Dylan Booth, on their participation in the state finals.

Mr. Belcher and Mr. Bell extended their thanks and appreciation to the Council and all those who expressed condolences at the passing of Mrs. Belcher. Mr. Bell also thanked the Naval Ship and Roadside Grill.

**New Business discussed**

Motion by Mr. Belcher, seconded by Mr. Oney, to authorize the Mayor to sign the natural gas contract with Metromedia Energy.

Mr. Belcher reviewed the rates in the contract.

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

Motion by Mr. Belcher, seconded by Mr. Bell, to authorize Mr. Belcher to renew the City's electricity contract when the current one expires March 31, 2013.

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

Mr. Hendrick stated Orange and Rockland will be working on a natural gas line. He suggested residents having questions call the company.

A Drug Task Force Coalition training will be March 14, 2013 at 7:00 p.m. at the Youth Center.

Registration for the Port Jervis Youth Football League will be March 2 through March 9, 2013.

Two (2) upcoming school plays are *Cinderella, Jr.* from March 1 through March 3, 2013 and *Little Shop of Horrors* from March 15 through March 17, 2013.

Mr. Decker and Mr. Oney discussed the stabilization of the football statue being displayed on East Main Street. Mr. Oney recommended giving the artist a deadline of March 11, 2013 to comply with the City's request to stabilize the statue or request that he remove it.

**Executive Session set**

Motion by Mr. Oney, seconded by Mr. Ritchie, to set Executive Session for sale of City-owned property, contractual, DPW personnel, and litigation.

An invitation was extended to Mr. Lopez to attend.

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

Mr. Siegel reminded firefighters of tax credits they may be able to take.

Mr. Siegel spoke about the City of Newburgh using CDBG funds to repair or replace sidewalks. He will research the issue further and contact the CDA.

**Public Comment on Agenda Items given**

No comment given.

The Council entered Executive Session at 8:07 p.m.

The meeting was reconvened at 8:52 p.m.

Meeting  
reconvened

Motion by Mr. Oney, seconded by Mr. Bell, to authorize Mr. Lopez, along with Ms. Carole Gallagher, to attend a meeting with the Department of Environmental Conservation on February 28, 2013 in New Paltz, New York and to send a letter authorizing him to represent the City at this meeting.

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

Motion by Mr. Siegel, seconded by Mr. Bell, to authorize Corporation Counsel to review the County Mutual Aid contract and, if acceptable, authorize the Mayor to sign the contract.

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

Motion by Mr. Waligowski, seconded by Mr. Siegel, to adjourn the meeting at 8:53 p.m.

Meeting  
adjourned

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

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Robin Waizenegger  
City Clerk-Treasurer

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