

March 11, 2013

28

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, March 11, 2013 at 7:00 p.m.

Regular Meeting

Mayor Potter and all members of the Common Council were present. Director of Public Works Vincent Lopez, Fire Chief Jeffrey Rhoades, 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 25, 2013 meeting.

Minutes of the 2/25/2013

Motion by Mr. Decker, seconded by Mr. Bell, to accept the minutes of the February 25, 2013 meeting.

Regular Meeting read

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

Mr. Bell reminded residents of the \$89,000.00 debt being retired for 2013, which will be more than adequate for the purchase of a new ladder truck for the Fire Department.

Committee Reports given

Long-term financing for the Water Treatment Plant Clarifier will be \$3.6 million over thirty-eight years at 1.85%.

Motion by Mr. Bell, seconded by Mr. Waligroski, to authorize the 2013 City Tax Warrant in the amount of \$4,338,889.75.

Collection will begin March 15, 2013.

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

Motion by Mr. Bell, seconded by Mr. Belcher, to accept proposed funding in the amount of \$8,442.00 and authorize the Mayor to execute an agreement with respect to any Solutions to Teen Violence funding for 2013.

The agreement will be forwarded to the Orange County Youth Bureau.

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

Motion by Mr. Bell, seconded by Mr. Decker, to accept proposed funding in the amount of \$2,009.00 and authorize the Mayor to execute an agreement with respect to any Juvenile Aid funding for 2013.

The agreement will be forwarded to the Orange County Youth Bureau.

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

Motion by Mr. Bell, seconded by Mr. Belcher, to authorize the City Clerk-Treasurer to make changes to consolidate or change the type of account used for official depositories in order to minimize the impact of recent banking fee structure changes imposed on the City of Port Jervis.

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

Motion by Mr. Bell, seconded by Mr. Ritchie, to approve the unpaid bills in the following amounts for payment: General Fund - \$39,588.95, Water Fund - \$11,456.39 and Capital Fund - \$-0-.

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.

The Fire Department's EVR audit continues, and bids are being reviewed. The Fire Department is awaiting a recommendation from EVR.

Motion by Mr. Siegel, seconded by Mr. Ritchie, to accept the Fire and Emergency Management Committee's February minutes.

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

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

March 11, 2013

The Code Committee reviewed the Building Official's monthly report and discussed the wine bar and multi-kitchens issues.

Motion by Mr. Decker, seconded by Mr. Siegel, to set a public hearing for proposed Local Law #3-2012 for March 25, 2013 at 7:00 p.m.

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

Proposed Local Law #4-2013 is being reviewed by the Assessor and Building Official's offices. This proposed law will simplify how dwellings are defined.

Peddler's Permits will be issued only for three (3) locations in the City—Park Avenue Observatory, West End Beach, and Riverside Park.

The Code Committee also discussed dumpster enclosures, the Animal Control Officer carrying a weapon, multi-family tenant conversion, placing utilities underground, local law definitions for animals/domestic animals, and sidewalk replacement or restoration.

The next Code Committee will be April 3, 2013 at 7:00 p.m.

Garbage and recycling will be on normal schedule for the next few weeks, and DPW crews are performing routine maintenance throughout the City.

The Beach Road Pump Station (Controls Package) bids are being reviewed; work will begin shortly.

Mr. Lopez and Mrs. Waizenegger met with a representative from the Department of Environmental Conservation to discuss the City's application for the Water Treatment Plant Clarifier.

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

Motion by Mr. Oney, seconded by Mr. Siegel, to authorize the Mayor to enter into an agreement with Orange County entitled "Bus Operator Agreement" for the City's Dial-A-Bus program.

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

Motion by Mr. McCarthy, seconded by Mr. Belcher, to accept the Police Department's February report.

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

The next Police Committee meeting will be April 1, 2013 at 6:30 p.m. The Police Committee meetings will be the first Monday of each month.

Mr. McCarthy spoke about an incident involving his wife attempting to cross Front Street near Rite-Aid. He warned pedestrians to be cautious when crossing City streets and reminded motorists that the Police Department will be enforcing the crosswalk law.

Liaison
Reports given

The Community Development Agency (CDA) approved bills for payment and discussed a sidewalk restoration/replacement project and a grant for community gardens and the Shade Tree Commission.

The next meeting will be April 24, 2013 at 7:00 p.m. The meeting will be in the Recreation Building in the CDA offices on the second floor. If any issues arise prior to the April meeting, a special meeting may be called.

Mayor Potter spoke about the need for fairness in the distribution of funds that may be used for the sidewalk project.

The ADA Committee was notified that the City is being released from being monitored by the National Park Service in regards to past issues.

The ADA Committee meeting included an update on items yet to be completed by DPW staff, the Bon Secours Community Hospital's crosswalk, ground-floor housing for those individuals with disabilities who are living in Housing Authority facilities.

The ADA Committee accepted, with regrets, the resignation of Ms. Michele Smith.

The next ADA Committee meeting will be May 2, 2013 at 4:00 p.m.

Mr. Siegel noted that there are handicap accessible units within Housing Authority facilities and preference is given to those with disabilities when the requests can be accommodated.

The next Housing Authority meeting will be March 20, 2013 at 7:00 p.m. at Hillside Terrace.

The Recreation Update was given and included the following:

- Easter Candy Dash will be held on March 30, 2013 in Church Street Park.
- Spring Break Youth Center hours were given.
- A teen dinner will be held on March 15, 2013 at the Youth Center.
- Church Street Park basketball court is open.
- Tennis court nets, park swings, and park picnic tables to be installed soon.
- Elks-Bronx Park and Skateboard Park will be opening soon.
- Event flyers are available at the Youth Center.

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

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

The next Planning Board meeting will be March 19, 2013 at 7:00 p.m.

The Electrical Board denied one (1) one-time license for non-compliance.

The next Plumbing and Electrical Boards will meet on March 6, 2013 beginning at 6:30 p.m.

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

Access 23 TV will be hosting their annual telethon, and monies raised will be used to purchase insulation for the building.

Motion by Mr. Siegel, seconded by Mr. Ritchie, to accept, with regrets, the resignation of Mr. H. Robert Eccleston as chairman for the Industrial Development Agency.

Mayor's
Correspondence
given

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

Mayor Potter read the letter of resignation from Ms. Michele Smith and thanked her for her years of service on the ADA Committee.

Mayor Potter stated that he authorized two (2) Fire Department vehicles to be used to attend a conference at the Fire Academy in Montour Falls, New York from March 7 through March 10, 2013.

Motion by Mr. Decker, seconded by Mr. Belcher, to authorize Angelina and Adrianna's Italian Ices to use their food cart at Riverside Park and West End Beach only. They do not have exclusive use of either location. The owners will also attend the Easter Candy Dash and distribute free Italian ice to participants.

Mr. Bell noted that the Code Committee created a reasonable compromise for peddler's permits, and he thanked Mr. Decker and members of the Code Committee.

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

The Tri-State Chamber of Commerce is requesting the use of City streets, the City municipal lot, and Riverside Park to hold its 18th Annual Tri-State Classic 5K and 10K race on October 13, 2013. The matter will be referred to DPW, Fire, and Police for review and recommendation prior to Council approval.

Mr. Tom Barnhart spoke about hosting a downhill long-board race event and requested the use of Elks-Bronx Park one weekend in the spring. He has insurance and EMS personnel. He briefly detailed the event and noted other locations where races have been held. Mayor Potter requested Mr. Barnhart schedule an appointment to discuss this further so that the Council can take action at the next meeting on March 25, 2013. Corporation Counsel will also review the request, and the City Clerk-Treasurer will contact the insurance company to review Mr. Barnhart's insurance coverage.

Public
Comment given

City Clerk-
Treasurer's
Report given

Motion by Mr. Waligroski, seconded by Mr. Belcher, to permit Occupations, Inc. to see raffle tickets in the City.

The organization makes this request annually.

Mr. Brady and Mrs. Waizenegger clarified the legality and necessity for the request.

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

Anyone wanting more information on the Honor Flight program for World War II veterans, which transports veterans to Washington DC free of charge, can visit www.hvhonorflight.com, call 845-667-2949, or contact Orange County Legislator Dennis Simmons. The next flight will be April 20, 2013.

The 2013 City Tax bills will be mailed March 15, 2013.

Old Business
discussed

Mr. Siegel thanked all those who attended the Tri-States Bridge project meeting on February 26, 2013.

The next Substance Abuse Task Force meeting will be March 21, 2013.

The Senior Bus is now operating.

Mr. Siegel commented on the sidewalk repair/replacement program and noted that the program should be available City-wide and have no restrictions, such as income.

Mr. Siegel reminded dog owners to pick up after their dogs.

Election inspectors are needed by the Orange County Board of Elections. Mr. Ritchie detailed the requirements for anyone interested in the position.

Mr. Ritchie will ensure that information about the sidewalk project gets forwarded to the CDA and Council.

Chief Worden continues to work on the Police Department's end of year report.

Motion by Mr. Decker, seconded by Mr. Belcher, to authorize the removal and storage of the football statue.

The owner did not comply with the City's request to stabilize the statue.

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

Mr. Decker commented on the Middle School's performance of *Cinderella* and this weekend's High School performance of *Little Shop of Horrors*.

Sign-ups continue for the Soap Box Derby, Port Jervis Little League, and Port Jervis Youth Football League.

Mr. Decker encouraged the public to support the purchase of a new ladder truck for the Fire Department and to continue to support Bon Secours Hospital. He reminded expectant mothers of the availability of transportation vouchers.

Mayor Potter noted that a special Council meeting may be called to address the Fire Department's new truck.

Mr. Hendrick, Mr. Belcher, Mr. Waligroski, and Mr. Bell also encouraged residents to support the ladder truck referendum. Mr. Bell added that professionals were hired to review the bids, and they will take time to provide the Council with a recommendation.

Mr. Waligroski shared an incident he had with a taxicab while trying to cross Front Street near the old Carmine's bakery.

Mr. Bell named and congratulated the six (6) new recipients for the High School's Hall of Fame.

New Business discussed

Mr. Waligroski stated that Time Warner Cable representatives were going door-to-door and do not have a permit. He asked residents to call the Police Department immediately if anyone from the company attempts to solicit services.

Mr. Belcher and Mr. Oney also requested dog owners pick up after their pets.

Mr. Belcher and Mr. Siegel asked motorists to stop for pedestrians in crosswalks.

Mr. Decker suggested teens wishing to do community service contact the Recreation Department to help with the Candy Dash or contact Mr. Wayne Addy to help during the Soap Box Derby.

Mr. Decker shared information he received from Bon Secours Hospital concerning restructuring offices and possible layoffs.

Mr. Decker wished Stanley Busczek well as he heads to the Class A finals for Burke school.

Motion by Mr. McCarthy, seconded by Mr. Ritchie, to set Executive Session for sale of contractual, DPW personnel, and litigation.

Executive Session set

An invitation was extended to Mr. Lopez and Ms. Carole Gallagher to attend.

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

Mr. Siegel congratulated the new and previous inductees to the Port Jervis High School's Hall of Fame.

Mr. Siegel recommended mobile restaurants/carts be required to obtain a conditional use permit, rather than a vendor's permit, to ensure the vehicle meets fire codes. The issue will be addressed at the next Fire and Emergency Management Committee meeting.

Mr. Siegel thanked the DPW for repairing a sink hole in Church Street Park. He reminded residents to contact the department if any other sink holes need to be repaired.

Mr. Dan VanKleeck spoke about those who may be impacted by the hospital's restructuring, noting that up to twenty (20) people may be impacted.

Public Comment on Agenda Items given

Ms. Anne Horsham commented on the transportation vouchers for expectant mothers and their families. She also stated her opinion on the difficulties of supporting the hospital after closing the maternity ward.

Mr. Decker shared contact information for obtaining the transportation vouchers. Mr. Bell and Mr. Hendrick also commented on how to obtain the vouchers.

Mr. Decker reminded residents of the importance of supporting the hospital, who employs local residents.

The Council entered Executive Session at 8:38 p.m.

The meeting was reconvened at 9:45 p.m.

Meeting reconvened

Motion by Mr. McCarthy, seconded by Mr. Hendrick, to authorize a contract between the City of Port Jervis and the Police Benevolent Association (PBA) to permit the PBA to rent space on Orchard Street owned by the City for \$1.00 a year.

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

Motion by Mr. Oney, seconded by Mr. Ritchie, to authorize the Mayor to sign a lease option with TMobile USA to conduct work on their equipment which is located on City property.

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

March 11, 2013

The informational meeting with Mr. Barnhart to discuss the long-board race event will be March 13, 2013 at 7:00 p.m.

Meeting
adjourned

Motion by Mr. Waligoski, seconded by Mr. Oney, to adjourn the meeting at 9:47 p.m.

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

Robin Waizenegger
City Clerk-Treasurer