

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 25, 2013 at 7:00 p.m.

Regular Meeting

Mayor Potter and all members of the Common Council were present except Mr. Bell and Mr. Waligroski. Recreation Director John Faggione, 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

Mr. Decker briefly described the purpose of proposed Local Law #2-2013.

Proposed Local Law #2-2013 Public Hearing held

Mrs. Waizenegger read the public hearing notice.

There was no comment given.

Motion by Mr. Decker, seconded by Mr. Siegel, to close the public hearing for proposed Local Law #2-2013 at 7:03 p.m.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Mrs. Waizenegger summarized the minutes from the March 11, 2013 regular meeting.

Minutes of the 3/11/2013 Regular and 3/18/2013 and 3/21/2013 Special Meetings summarized and approved

Mrs. Waizenegger noted the following correction: Mr. Lopez and Mrs. Waizenegger met with the USDA.

Motion by Mr. McCarthy, seconded by Mr. Belcher, to accept the minutes of the March 11, 2013 meeting.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Mrs. Waizenegger summarized the minutes of the special meetings on March 18, 2013 and March 21, 2013.

Motion by Mr. McCarthy, seconded by Mr. Ritchie, to accept the minutes of the March 18, 2013 and March 21, 2013 meetings.

AYE: 4 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 3 (HENDRICK, ONEY, SIEGEL) MOTION FAILED

Mr. Brady clarified that Council members, despite being absent from a meeting, can vote to approve minutes from a meeting if he or she believes the minutes to be accurate.

Motion by Mr. Belcher, seconded by Mr. Ritchie, to accept the minutes of the March 18, 2013 meeting.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Mr. Decker, seconded by Mr. McCarthy, to accept the minutes of the March 21, 2013 meeting.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Ritchie, seconded by Mr. Belcher, to approve the unpaid bills in the following amounts for payment: General Fund - \$362,250.69, Water Fund - \$38,031.45 and Capital Fund - \$89,735.54.

Committee Reports given

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

The next Finance Committee meeting will be April 15, 2013 at approximately 7:00 p.m. after the Fire and Emergency Management Committee and Department of Public Works (DPW) meetings.

March 25, 2013

Motion by Mr. Ritchie, seconded by Mr. Oney, to authorize the construction of water treatment plant clarification upgrades totaling \$3,620,000 and to approve the issuance of serial bonds to finance said appropriation until completion wherein it is the intention of the City to accept long-term financing from the USDA.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Ritchie, seconded by Mr. Decker, to authorize the Mayor to enter into contract and agreements and sign any and all necessary documents with the USDA for the purpose of long-term financing for the water treatment clarification upgrades.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Ritchie, seconded by Mr. Belcher, to authorize the Mayor to enter into and sign an agreement with Hawkins, Delafield and Wood LLP for the purpose of preparing all legal proceedings in connection with the financing of the water treatment clarification upgrades up to and including bonds issued and legal opinions in conjunction with any bond issuances and USDA long-term financing.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Ritchie, seconded by Mr. Belcher, to issue a Capital Note for 2013 capital appropriations in the amount of \$160,000, to authorize \$50,484 of prior year's capital note be refinanced through this Capital Note, and to authorize the City Clerk-Treasurer to solicit bids and facilitate the purchase of the Capital Note.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Ritchie, seconded by Mr. Oney, to authorize the use of \$8,102.80 previously appropriated for firehouse heating and alarm systems from the 2009 Serial Bond appropriation for the purpose of heating system improvements at the Water Filtration Plant due to equipment failure.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Siegel, seconded by Mr. Ritchie, to approve the following individuals for active membership into the Port Jervis Fire Department: Jack I. Glick, of Delaware Engine Company #2, George McElroy, of Tri-States Hose Company #6, and Daniel Kurtz, of Howard Wheat Engine Company #4.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Siegel, seconded by Mr. Decker, to approve Harry Galankis, Jr., as a probationary driver for the Port Jervis Fire Department's Howard Wheat Engine Company #4.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Siegel, seconded by Mr. Belcher, to approve the following events for the Port Jervis Fire Department:

Port Jervis Fire Police—Car Wash, July 20, 2013 (rain date July 27, 2013)
 Delaware Engine Company #2—Parade, Ossining, New York, August 2, 2013
 Tricky Tray—July 27, 2013
 Lotto Raffle—June 2013

Excelsior Engine Company #5—Parade, Flanders, Long Island, New York, September 28, 2013
 (firefighters only, no apparatus will be taken)

Motion by Mr. Siegel, seconded by Mr. McCarthy, to authorize the creation of a Ladies Auxiliary within Delaware Engine Company #2.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

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

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

The EVR audit is ongoing, and bids for the ladder truck are still under review.

Motion by Mr. Siegel, seconded by Mr. Belcher, to accept the March 18, 2013 Fire and Emergency Management Committee meeting minutes.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Siegel, seconded by Mr. Ritchie, to accept the Fire Inspector's March report.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

The next Fire and Emergency Management Committee's meeting will be April 15, 2013 after the DPW Committee meeting.

Motion by Mr. Decker, seconded by Mr. McCarthy, to approve Local Law #2-2013.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

The next Code Committee meeting, which will be held April 3, 2013 at 7:00 p.m., will be discussing topics that include multi-kitchens in single-family units, dumpster enclosures, underground utilities, sidewalk replacement project, and wine bars.

Motion by Mr. Decker, seconded by Mr. Belcher, to set a public hearing for April 8, 2013 at 7:00 p.m. for proposed Local Law #3-2013, which will be addressing the conflict in definitions in City code §319-2, 370-1, and 535.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

The Department of Public Works (DPW) Committee update included garbage and recycling on the normal schedule for the next two (2) weeks and yard waste will be picked up each Monday in all wards beginning April 1, 2013.

Motion by Mr. Oney, seconded by Mr. Belcher, to approve the renewal of the vehicle lease for the DPW Director's vehicle with no increase in cost.

The Finance Committee reviewed the request.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Oney, seconded by Mr. Siegel, to authorize to accept the proposal for \$1,500 received from Conrad and Close for topographical surveys for FEMA work at the Canal Street spillway.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Oney, seconded by Mr. Belcher, to accept the low bid of \$49,714 from CRL Electric Corporation to furnish and install the Controls Package for the Beach Road Pump Station project.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Oney, seconded by Mr. Siegel, to award all low bids for the DPW 2013 Materials Bid.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

The next DPW Committee meeting will be April 15, 2013 at 6:00 p.m.

The next Community Development Agency (CDA) meeting will be April 24, 2013 at 7:00 p.m.

Liaison Reports
given

The CDA will be writing a grant for the sidewalk repair/replacement project and has a contingency plan.

The Housing Authority will be renumbering units and changing to separate alarms for emergency response.

The next Housing Authority meeting will be April 17, 2013 at 7:00 p.m. at Hillside Terrace.

March 25, 2013

The Recreation Update was given and included the following:

- Spring Break Youth Center hours were given.
- Easter Candy Dash will be held on March 30, 2013 in Church Street Park.
- Elks-Bronx Park will be opening March 30, 2013, and Skateboard Park will be opening April 1, 2013.
- Tennis court nets, park swings, and park picnic tables to be installed by the first week in April.
- Spring Clean-up will be April 7, 2013 at noon. Volunteers are needed.

The next Recreation Commission meeting will be April 17, 2013 at 7:00 p.m. at the Youth Center.

The Tourism Board discussed the May 4, 2013 yard sale.

Motion by Mr. Belcher, seconded by Mr. Decker, to authorize a temporary waiver of the requirements of Port Jervis City Code §305(b) and 305(c) from May 3, 2013 through May 5, 2013 for the purpose of a City-sponsored event known as the "Port Jervis City-wide Yard Sale" only.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

The Tourism Board also discussed the Fall Foliage Festival on September 22, 2013, the Farmer's Market, a letter to Ellicott Development concerning the façade of their 100 Pike Street building, and the December 1, 2013 *Christkindlmarkt*.

The next Tourism Board meeting will be April 10, 2013 at 6:30 p.m.

Chief Worden introduced four (4) new Police recruits, who are currently attending the Police Academy. The officers are Richard Santini, Stephen O'Donnell, Jr., Michael Muller, and Jesse Clune. He wished them good health and safe careers with the Port Jervis Police Department.

Motion by Mr. McCarthy, seconded by Mr. Siegel, to approve the receipt of funds for 2013 STOP DWI program and authorize the Police Chief to execute all necessary contracts and documentation with regards to available funds for 2013.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. McCarthy, seconded by Mr. Decker, to accept \$5,320 for a "Crackdown Enforcement" Grant from the New York State Governor's Traffic Safety Committee and STOP DWI Foundation and authorize the Police Chief to execute all necessary contracts and documentation with regards to said funds.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. McCarthy, seconded by Mr. Belcher, to authorize the Animal Control Officer Robert Murray to attend the 4th Annual ACO/DCO Training Conference on May 7 and May 8, 2013.

Cost has been budgeted.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

The next Police Committee meeting will be April 1, 2013 at 6:30 p.m.

Mayor Potter commented that the new Police officers have entered the most dangerous and most rewarding of careers and were chosen from over seventy-five (75) applicants.

The next Zoning Board of Appeals (ZBA) meeting is tentatively scheduled for April 2, 2013 at 7:00 p.m. There may be an area variance application for 136 Jersey Avenue before the Board.

The Planning Board approved a conditional use permit for 116-122 Franklin Street with a one (1) year renewal. Ellicott Development did not attend; their pre-submission will be continued in April. The Board also approved the conditional use permit for 136 Jersey Avenue. The City Clerk-Treasurer notified the Board that the Alexa Meadows Senior Housing project was cancelled in a letter dated March 15, 2013. Fire Inspector Michael Reilly recommended modifying the Planning Board approval process, and the Board approved requiring the addition of a signature line on the final site plan for the applicant and requiring the applicant to return a signed copy of the approval letter. The next Planning Board meeting will be April 16, 2013 at 7:00 p.m.

The next Plumbing and Electrical Boards will meet on April 3, 2013 beginning at 6:30 p.m. and 6:45 p.m.

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

No Access 23 TV report was given.

Mr. Adam Gingold and Mr. John Fernandez, owners of Electronic World Depot and RC World Depot, are requesting the use of Skateboard Park in Riverside Park for racing RC cars Fridays, Saturdays, and Sundays from April to October. The organization's participants have insurance, and the group will clean up the area during and after each event. They have also offered to make a donation for use of the park.

Mayor's
Correspondence
given

Motion by Mr. Oney, seconded by Mr. Ritchie, to authorize Cruzin' Port to move its July 16, 2013 date to July 15, 2013 to accommodate a visit from *Street Rodder* magazine.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Mayor Potter authorized the Fire Department to attend a tour of KME factory and to use two (2) department vehicles for the trip.

Hogan Homes requested the display of two (2) banners to advertise a Home and Garden Show being held at the Delaware Valley High School on April 6 and April 7, 2013. The banners, usually displayed in Matamoras, Pennsylvania, cannot be displayed due to utility company policy changes. Mr. Lopez was asked to review the request.

The Mayor authorized Mr. Steven Duryea, DPW employee and member of the Port Jervis Little League Association, the use of the City's roller to be used to prepare the Little League field. Mr. Duryea used the roller and prepared the field during his off time.

Mayor Potter accepted, with regrets, the resignation of Mr. Robert Witherow from the Board of Assessment Review Board.

Bon Secours Community Hospital thanked the Police Department for their assistance and noted that they are an asset to the community.

Motion by Mr. Decker, seconded by Mr. Belcher, to authorize the Tri-State Chamber of Commerce's 18th Annual Tri-State Classic 10K and 5K Race. The authorization includes the use of the roads needed for the race route, Riverside Park restrooms and kitchen area, and the municipal lot between Ball and Front Streets.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Mayor Potter commented that, in the future, the Council will have to be more selective in authorizing events or consider requesting compensation for Police Department and DPW personnel overtime costs incurred by the City.

Mr. John Fernandez, of Electronic World Depot, spoke about the RC car race events he is requesting be held at Riverside Park, including the benefits to the City. Mr. Belcher clarified that the cards are radio-controlled cars and asked about past participation at such events. Mr. Fernandez commented that approximately one hundred (100) people may participate. Mr. Siegel asked about bleachers and a sound system. Mr. Fernandez stated that they will provide the sound system, if necessary. Mr. McCarthy asked about the insurance coverage. Mr. Fernandez stated that individual participants have insurance, but he will work with the City to provide any necessary insurance coverage. Mayor Potter asked Mr. Fernandez to discuss this further during Executive Session.

Public
Comment given

Mr. Peter Tomasi commented that the race is an exciting idea which could showcase the community.

Mr. Ben Hogan asked if the Council any questions prior to their consideration of his request to display banners for the Home and Garden Show event.

The audit of the City's 2012 financials is active and ongoing this week.

The 2013 City tax bills have been mailed. Mrs. Waizenegger thanked the individual who has been the first person to pay for the last five (5) years.

City Clerk-
Treasurer's
Report given

Second quarter water bills will be mailed April 1, 2013.

Old Business discussed

Mr. Siegel reviewed the crosswalk law and encouraged compliance to the law by both motorists and pedestrians.

Mr. Siegel commented that he is glad CDA is pursuing the sidewalk project.

Mr. Siegel reminded everyone of the Candy Dash on March 30, 2013 at Church Street Park.

The Senior Bus is operating Wednesdays from 9:00 a.m. to 2:00 p.m. Riders must telephone one (1) day prior to schedule.

The football sculpture has been removed and will remain in storage until the owner addresses the statue's stability issue.

Mr. Decker encouraged everyone to support the Fire Truck referendum.

Mr. Decker thanked the DPW for removing the football statue.

Openings are still available for the Port Jervis Little League and Soap Box Derby.

Mr. Decker shared experiences about crosswalk law violators at the Rite-Aid and Church Street/East Main Street crosswalks.

Mr. Belcher commended Mr. Siegel, Mr. Ritchie, and Ms. Kathy Hendrickson for their work with the sidewalk project.

New Business discussed

Mr. Belcher spoke about the seriousness of the crosswalk law and enforcement of the law.

Mr. Belcher reminded pet owners that no pets are permitted in City parks. He reviewed fines that can be assessed to violators.

Mr. Decker suggested children needing community service hours contact the Recreation Department to help with the Easter Candy Dash.

Mr. Decker, Mr. Oney, and Mr. Siegel wished everyone a Happy Easter and Happy Passover.

Motion by Mr. Decker, seconded by Mr. Oney, to authorize the display of Hogan Homes banners to advertise the Home and Garden Show.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Mr. Decker commented that the long board and RC car races will be a positive thing for the City. He suggested the owners or organizers contact the City Clerk-Treasurer for the insurance requirements.

Mr. McCarthy noted that the Police Department will be enforcing the crosswalk law and has issued citations for violators.

Mr. Ritchie thanked Mr. Fernandez for bringing events and ideas to the City to encourage people to come to Port Jervis. He also thanked the Tourism Board and Recreation Commission.

Executive Session set

Motion by Mr. McCarthy, seconded by Mr. Decker, to set Executive Session for DPW and Recreation personnel and contractual.

An invitation was extended to Mr. Lopez and Mr. Faggione.

Mayor Potter requested Mr. Fernandez speak to the Council during Executive Session.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Mayor Potter commented the he liked the ideas of the long board and RC car races. Mr. Siegel added that these events could encourage others to host events in Port Jervis.

Mr. Siegel spoke briefly about the Tree Commission and Mr. Jim Blanton’s project of planting one hundred (100) trees in the City. More information will be given at future meetings.

Mr. Peter Tomasi suggested increasing consistent signage to aid compliance to the crosswalk law. Mr. Decker noted that there currently is a bright sign to warn motorists of pedestrians on the crosswalk at Church and East Main Streets. Mr. McCarthy added that a main goal is to also have signs at Bon Secours Community Hospital.

Public Comment
on Agenda Items
given

The Council entered Executive Session at 8:42 p.m.

The meeting was reconvened at 9:18 p.m.

Meeting
reconvened

Motion by Mr. Belcher, seconded by Mr. McCarthy, to hire the following individuals for the Recreation Department:

- Laborers—Ricky Crown—24 weeks beginning April 8, 2013
- Terry Shaffer—18 weeks beginning April 15, 2013
- Joseph Dicarlo—18 weeks beginning April 22, 2013
- Joseph Mallet—18 weeks beginning April 29, 2013
- Recreation Specialist (Skateboard Park)—Time Crown—26 weeks beginning March 27, 2013

All are returning employees.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Belcher, seconded by Mr. Ritchie, to authorize Mr. John Fernandez to meet with Mr. Faggione to make all the necessary arrangements for his company to use Riverside Park for RC car races.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Belcher, seconded by Mr. Oney, to authorize Mr. Tom Barnhart to meet with Mr. Faggione to make all the necessary arrangement for his organization to use Skyline Drive for longboard races.

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Oney, seconded by Mr. McCarthy, to hire Mr. Peter Devoe on a 14-month provisional basis as a Water Plant Operator beginning April 1, 2013 with the stipulation that Mr. Devore obtain his license by June 1, 2014.

AYE: 6 ABSENT: 2 (BELL, WALIGROSKI) NAY: 1 (DECKER) ABSTAIN: 0 CARRIED

Motion by Mr. Decker, seconded by Mr. Siegel, to adjourn the meeting at 9:22 p.m.

Meeting
adjourned

AYE: 7 ABSENT: 2 (BELL, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Robin Waizenegger
City Clerk-Treasurer