

May 27, 2014

54

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, May 27, 2014 at 7:00 p.m.

Regular Meeting

Mayor Decker and all members of the Common Council were present except Mr. Bell. Acting Director of Public Works John Farr, Fire Chief Jeffrey Rhoades, Police Chief William Worden, and Corporation Counsel William Bavoso were also present.

Attendance

Mayor Decker and Scouts Justin Neerdink, of Scout Troop 68, and Connor and Matthew Neerdink, of Pack 67, led all present in the Pledge of Allegiance to the Flag.

Pledge of Allegiance

The Youth Report, given by Mr. Michael Conklin, included the following:

Youth Report given

- Several high school sports teams are participating in the Section 9 championships.
- Hamilton Bicentennial Elementary will be holding a Leadership Day on June 6, 2014.
- The next School Board meeting will be June 10, 2014 at 7:30 p.m. at the high school.
- The school district's summer reading program will begin in June.
- The Recreation Department's Summer Schedule is now available.

Ms. Marisol Rivera-Torres and Mr. Robert Deitrich, of the Orange County Department of Health's Community Health Outreach, spoke about the Lead Safe Orange Program and provided the Council with a packet of information. The program's goal is to ensure the health and safety of the community and its children. The program is funded to offer landlords and homeowners assistance with education and remediation of lead hazards. The department also offers a Healthy Homes Initiative to help identify hazards for asthma and lead-based paints. Mayor Decker commented that these programs are tools property owners can use to improve their homes in Port Jervis.

Special Presentations
—Lead Safe Orange Program

Mayor Decker proclaimed June 1, 2014 through June 7, 2014 as Artful Gardeners Week in Port Jervis. The Artful Gardeners plant flowers in the medians on Main Street and at the Port Jervis Free Library. The group welcomes anyone interested in becoming a member and holds meetings on the 4th Thursday each month at the Library. Mayor Decker thanked them for all they do.

Proclamation given

Mr. Siegel read the public hearing notice for proposed Local Law #4-2014, entitled "A Local Law Dealing with Abandoned, Vacant and Boarded Properties and Such Properties within the City of Port Jervis and Providing for the Maintenance and Security of all Such Properties".

Proposed Local Law #4-2014 public hearing held

No public comment was given.

Mr. Siegel commented that this was the most ambitious attempt to revitalize the City, noting there are currently approximately 168 vacant buildings in the City.

Motion by Mr. Bavoso, seconded by Mr. Ritchie, to close the public hearing at 7:25 p.m.

AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED

Mr. Siegel read the public hearing notice for proposed Local Law #5-2014, entitled "A Local Law Repealing Certain Sections of Chapter 394 of the Port Jervis City Code Dealing with Pawnbrokers and Pawnbrokers' Licenses and Enacting a New Section in their place and stead".

Proposed Local Law #5-2014 public hearing held

Mr. Wes Solloway, owner of 92 Front Street LLC, PJ Pawn LLC, and Fort Knox Self Storage, asked for clarification of the proposed law. Mayor Decker stated that the law, in part, would eliminate the necessity of requiring the Mayor to sign the license. Mr. Solloway reviewed several sections of the proposed law, including Section 394 and Section 8, and how he currently complies with these sections. He requested that the Council modify the law in regards to who would have access to the business' records.

Ms. Colleen Hodgens commented that Mr. Solloway's pawn shop business offers residents an opportunity to shop locally.

There were no comments by the Council.

Motion by Mr. Siegel, seconded by Mr. Cunningham, to close the public hearing at 7:36 p.m.

AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED

Proposed Local Law #6-2014 public hearing held	<p>Mr. Siegel read the public hearing notice for proposed Local Law #6-2014, entitled "A Local Law to Amend Chapter 535 of the Code of the City of Port Jervis entitled 'Zoning' to Allow Art Galleries and Museums to be Maintained as Conditional Uses in the Service Commercial District and to allow Wine Bars as an Accessory Use to Art Galleries or Museums in the Service Commercial District or Central Business District".</p> <p>No public comment was given.</p> <p>Mr. Oney commented that the Code Committee and Council have been working on this proposed law for approximately three (3) years.</p> <p>Motion by Mr. Bavoso, seconded by Mr. Ritchie, to close the public hearing at 7:38 p.m.</p> <p>AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED</p>
Proposed Local Law #7-2014 public hearing held	<p>Mr. Siegel read the public hearing notice for proposed Local Law #7-2014, entitled "A Local Law Establishing a Film and Video Productions Procedure in the City of Port Jervis, Orange County, New York."</p> <p>No public comment was given.</p> <p>There were no comments by the Council.</p> <p>Motion by Mr. Waligroski, seconded by Mr. Cunningham, to close the public hearing at 7:40 p.m.</p> <p>AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED</p>
2013 REDC CFA public hearing held	<p>Ms. Robyn Hendershot read the public hearing notice for the New York State Community Development Block Grant 2013 Regional Economic Development Council (REDC) Consolidated Funding Application (CFA) Community Renewal Fund.</p> <p>Ms. Valerie Maginsky, Community Development Agency (CDA) Director, stated that the City has received funds from this grant in the past and any funds awarded will help low to moderate income families. Ms. Maginsky explained the grant requirements. A subset of items to apply for has been chosen.</p> <p>Mr. Hendrick clarified that awards for the 2013 application will be excess monies from last year's funding.</p> <p>Anyone needing more information can contact Ms. Maginsky at the CDA office.</p> <p>Motion by Mr. Hendrick, seconded by Mr. Cunningham, to close the public hearing at 7:45 p.m.</p> <p>AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED</p>
2014 NYS CDBG public hearing held	<p>Ms. Hendershot read the public hearing notice for 2014 the New York State Community Development Block Grant Consolidated Funding Application (CFA).</p> <p>Ms. Maginsky detailed the amounts that can be applied for in various categories of the grant, and Mr. Hendrick explained possible projects for the Public Infrastructure portion of the grant.</p> <p>Motion by Mr. Siegel, seconded by Mr. Cunningham, to close the public hearing at 7:49 p.m.</p>
Public Comment given	<p>There was no public comment given.</p>
Minutes of the 5/12/2014 Regular approved	<p>Motion by Mr. Bavoso, seconded by Mr. Hendrick, to accept the minutes of the May 12, 2014 regular meeting.</p> <p>AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED</p>
Committee Reports given— Finance Committee	<p>Motion by Mr. Cunningham, seconded by Mr. Siegel, to accept the Finance Committee's April minutes.</p> <p>AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED</p>

Motion by Mr. Ritchie, seconded by Mr. Bavoso, to approve the unpaid bills in the following amounts for payment: General Fund - \$401,871.63, Water Fund - \$168,214.31, and Capital Fund - \$4,125.08.

Finance Committee (continued)

AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED

The next Finance Committee meeting is June 16, 2014 after Department of Public Works (DPW) and Fire and Emergency Management meetings.

The next Fire and Emergency Management Committee meeting will be June 16, 2014 after the DPW meeting.

Fire and Emergency Management (FEM) Committee

The next Code Committee meeting, scheduled for June 4, 2014 at 7:00 p.m., will discuss Chapter 505 of the City code pertaining to parking regulations governing public parking lots.

Code Committee

The DPW update included the following:

- Garbage and recycling will be one (1) day later in all wards due to the Memorial Day holiday.
- Bagged yard waste and bundled branches will be picked up beginning the first Friday in June and continue the same Friday as paper recycling for each ward.
- Crews have been painting crosswalks and making pothole repairs.

Department of Public Works (DPW) Committee

The DPW Committee discussed assessments to City dams, Promenade project, Beach Road Pump Station project, Water Treatment Plant Clarifier bid, and banners on Orange and Rockland poles.

The next DPW Committee will be June 16, 2014 at 6:00 p.m.

Motion by Mr. Hendrick, seconded by Mr. Cunningham, to accept the Police Committee's May minutes.

Police Committee

AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Hendrick, seconded by Mr. Siegel, to accept the Police Department's April report.

AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED

The Police Committee discussed training for officers on the use of opiate reversal devices.

The next Police Committee meeting will be June 2, 2014 at 6:30 p.m.

The CDA has been busy with their preparations of the CDBG grants.

Liaison Reports given—Community Development Agency (CDA)

The next CDA meeting will be May 28, 2014 at 7:00 p.m. in the Recreation building.

The IDA discussed the PILOT agreement between the City and Future Homes.

Industrial Development Agency (IDA)

The next IDA meeting will be June 11, 2014 at 6:00 p.m.

There was no quorum of members present for the May ADA meeting. No subsequent meeting date has been scheduled.

ADA

Renumbering of units at Hillside Terrace is in process and will aid emergency responders at that location.

Housing Authority

The next Housing Authority meeting will be June 18, 2014 at 7:00 p.m. at Hillside Terrace.

The last Teen Night for the season will be held May 30, 2014 from 6:00 p.m. to 10:00 p.m. The program will resume in September.

Recreation Commission

Recreation and City Park hours of operation were given.

The Recreation Department's Summer Schedule is now available; the summer schedule will begin in June.

Recreation Commission (continued) West End Beach opens June 14, 2014, and hours of operation were given.
The next Recreation Commission meeting will be June 18, 2014 at 7:00 p.m. at the Youth Center.

Tourism Board Planning for the Fall Foliage Festival continues.
The next Tourism Board meeting will be June 10, 2014 at 6:30 p.m. in the City Hall Conference Room.

Zoning Board of Appeals (ZBA) and Planning Board The ZBA will hold pre-submissions for 5 Cross Street and 17 Orange Street at their June 3, 2014 meeting, beginning at 7:00 p.m.
During the May meeting, the Planning Board approved an application for 29-31 Front Street and referred an application for 5 Cross Street to the ZBA. The next Planning Board meeting will be June 17, 2014 at 7:00 p.m.

Plumbing and Electrical Boards The next Plumbing and Electrical Boards will meet June 4, 2014 beginning at 6:30 p.m.

Senior Advisory The Police Department presented an informative safety program for seniors.
Mr. Siegel met with representatives and residents and noted there were no issues.
The Senior Health and Fitness Day in Montgomery, New York for seniors will be May 28, 2014.

Access 23 TV There was no report given.

Mayor's Correspondence reviewed Mayor Decker will be attending the First Baptist Church on East Main Street on June 1, 2014. Service begins at 11:00 a.m.
Community Service Saturday will be from 9:00 a.m. to noon at the Community Garden on East Main Street.
Mayor Decker commented that the Memorial Day Parade was well-attended.
Mayor Decker wished Mr. and Mrs. Bell a happy 50th wedding anniversary and Mr. and Mrs. Cunningham a happy 40th wedding anniversary.
Orange-Ulster BOCES and Orange County Youth Program will be having youths assist with the City's Community Service Saturdays and shadow City departments and businesses to give them exposure to various trades.
Motion by Mr. Waligroski, seconded by Mr. Bavoso, to reappoint Mrs. Joan Wagner as chairman to the Civil Service Commission for a 5-year term, to expire May 31, 2019.
AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED
Motion by Mr. Waligroski, seconded by Mr. Cunningham, to authorize the Port Jervis High School varsity cheerleading squad and football team to host a car wash and use the fire hydrant at the end of Pike Street on June 14, 2014 from 9:00 a.m. to 1:00 p.m.
AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED
Ms. Debbie Raia requested the Tourism Board contact local businesses prior City events to ensure that business entrances are not blocked the days of the events.
Mayor Decker spoke about an upcoming New York State residential exemption that will reduce a property's assessment if approved improvements or additions are made. The resolution has not been passed, and work completed prior to the passage of the resolution will not be eligible.
The Mayor is actively seeking funding from a municipal facilities grant and a USDA grant for building a new two-story Recreation/Community Center at Church Street Park.

Mayor Decker authorized Nutrition Site Director Kathy Shortell to attend and participate in AHRC and CQL programs May 29, 2014 and May 30, 2014.

Mayor's
Correspondence
(continued)

Although the City was not selected for the 2014 Fresh Connect Program, plans for the Farmer's Market will move forward.

Mayor Decker has contacted the Department of Health concerning the community's need for OB/GYN, immunization, and pediatric services.

Mayor Decker wrote a letter to Community House Innovation after the May 12 Council meeting and has not received a response.

Household Hazardous Waste Collection Events will be held on June 6, 2014 at the Orange County Transfer Station #3 from 9:00 a.m. to 3:00 p.m. and on June 7, 2014 at the Port Jervis High School lower parking lot. Proof of residency will be required. Mayor Decker detailed items that will be approved for collection. Mr. Waligroski noted that cans of dried latex paint can be disposed of in regular household garbage.

The Orange County Sheriff's Department will also be conducting a prescription drug disposal event.

There were no items to report.

City Clerk-
Treasurer's
report given

Mr. Siegel, Mr. Ritchie, and Mr. Bavoso commented on the Memorial Day Parade and thanked Ms. Laura Meyer for providing Council members with boutonnieres for the ceremony.

Old Business
discussed—
Local Laws
passed

Motion by Mr. Siegel, seconded by Mr. Bavoso, to approve Local Law #4-2014.

Mr. Siegel noted that this law will help with the blight condition in the community.

AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Siegel, seconded by Mr. Cunningham, to approve Local Law #5-2014 with modifications to section 394-10(b) to limit the number of people who may review a pawn business' records.

AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Hendrick, seconded by Mr. Ritchie, to declare the City of Port Jervis as lead agency for Local Law #6-2014.

AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Hendrick, seconded by Mr. Cunningham, to declare Local Law #6-2014 constitutes an unlisted action under SEQRA with no adverse environmental impact, and the City of Port Jervis hereby adopts a negative declaration.

AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Siegel, seconded by Mr. Bavoso, to approve Local Law #6-2014.

AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Siegel, seconded by Mr. Ritchie, to approve Local Law #7-2014.

AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED

Corporation Counsel noted that the final determination has been received by Orange County Department of Planning regarding Local Law #3-2014. The County found no objections to that law.

Motion by Mr. Siegel, seconded by Mr. Bavoso, to declare the City of Port Jervis as lead agency for Local Law #3-2014.

AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED

**Old Business
(continued)**

Motion by Mr. Cunningham, seconded by Mr. Ritchie, to declare Local Law #3-2014 constitutes an unlisted action under SEQRA with no adverse environmental impact, and the City of Port Jervis hereby adopts a negative declaration.

AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Siegel, seconded by Mr. Hendrick, to approve Local Law #3-2014.

AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED

Anyone observing code violations can contact the Building Official's office or the Police Department.

Mr. Siegel spoke about continued non-compliance to the City's crosswalk law.

Mr. Siegel thanked Corporation Counsel for his help with the local laws passed at tonight's meeting.

Mr. Oney clarified that Mr. Solloway's pawn license had been approved prior to the approval of Local Law #5-2014 at tonight's meeting.

Mr. Ritchie commented on the Council of the Arts' spring concert held May 17, 2014. He encouraged the Council to host more concerts such as this one. He noted that there will be a free concert in Newburgh in July.

Mr. Ritchie stated that Rock Solid will be installing a webcam to prevent illegal dumping around its clothing donation bin.

**New Business
discussed**

Mr. Waligroski congratulated the girls' varsity teams on their advancement to the Section 9 playoffs.

The Dance Center will be holding its annual spring concert at Delaware Valley High School on June 7, 2014 at 2:00 p.m.

Soap Box Derby preparations on and around Sussex Street will begin June 7, 2014.

The Youth Safety Day will be held June 7, 2014 from 10:00 a.m. to 2:00 p.m. at Sav-A-Lot, 107 Jersey Avenue. The event is sponsored by the Police Department, Fire Department, Family Dollar, Subway, and Neighborhood Watch. A rain date is June 8, 2014.

**Executive Session
set**

Motion by Mr. Hendrick, seconded by Mr. Bavoso, to set Executive Session to discuss Police contractual matters, DPW contractual matters in regards to the document preparation of the CDBG application, DPW personnel, Recreation contractual matters, Fire Department personnel, and IDA matter in regards to a PILOT agreement.

An invitation was extended to Chief Worden, Chief Rhoades, Ms. Maginsky, Mr. Farr, and Mr. Faggione.

AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED

The Fire Department's annual parade will be July 12, 2014.

**Public Comment
given**

There was no public comment given.

**Council Enters
Executive Session**

Motion by Mr. Oney, seconded by Mr. Ritchie, to enter into Executive Session at 8:40 p.m.

AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED

**Meeting
reconvened**

The meeting was reconvened at 10:04 p.m.

Motion by Mr. Ritchie, seconded by Mr. Oney, to authorize a \$100 stipend for Ms. Robyn Hendershot for the week of May 26, 2014 through May 30, 2014 for additional office duties in the City Clerk's office.

AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Cunningham, seconded by Mr. Waligroski, to authorize hiring Harley D. Ganz, Randolph J. Leeper, and Sean P. Riorden as seasonal DPW employees.

AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Hendrick, seconded by Mr. Oney, to approve a contract for \$1,500.00 between the City of Port Jervis and McGoey, Hauser, and Edsall Consulting Engineers to prepare documents for the 2014 Consolidated Funding Application, specifically the New York State Community Development Block Grant.

AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Hendrick, seconded by Mr. Ritchie, to approve a contract for \$56,400 between the City of Port Jervis and Kustom Signals, Inc. for video and audio equipment for the Police Department.

Funds from approved serial bonds and existing budget resources will be used.

AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Cunningham, seconded by Mr. Siegel, to adjourn the meeting at 10:06 p.m.

**Meeting
adjourned**

AYE: 7 ABSENT: 1 (BELL) NAY: 0 ABSTAIN: 0 CARRIED

**Robyn Hendershot
Account Clerk-Typist**