

July 14, 2014

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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, July 14, 2014 at 7:00 p.m.

Regular Meeting

Mayor Decker and all members of the Common Council were present. Recreation Director John Faggione, Acting Director of Public Works John Farr, Fire Chief Jeffrey Rhoades, Police Chief William Worden, City Clerk-Treasurer Robin Waizenegger, and Corporation Counsel William Bavoso were also present.

Attendance

Mayor Decker and Scouts Ricky and Courtney Bedford of Venture Crew 268 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

- Port Jervis playgrounds and West End Beach are now open, and field trips are being planned.
- The Summer Concert Series will be held each Thursday at 7:00 p.m. at Riverside Park.
- There will be a free movie night at Riverside Park at July 16, 2014 beginning at 7:30 p.m.
- The school district's summer reading program is held for children in grades K through 6 from 9:00 a.m. to 11:00 a.m.
- The Library's summer reading program has begun.
- The Tri-State Youth Soccer program has begun.
- National Night Out will be August 5, 2014. Anyone wishing to help can contact the Police Department.
- Fall Foliage Festival volunteers are needed.

Mrs. Waizenegger read the public hearing notice for proposed Local Law #9-2014.

Public Hearing held—Local Law #9-2014 and Local Law #10-2014

There was no public comment given.

Mayor Decker stated that this law sets the times and fee schedule for parking in City parking lots.

Motion by Mr. Bell, seconded by Mr. Ritchie, to close the public hearing.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Mrs. Waizenegger read the public hearing notice for proposed Local Law #10-2014.

Mr. Peter Tomasi, Second Ward resident, expressed his concerns about the Council passing this local law, which permits exceeding the tax cap, and requested the Council make efforts to keep taxes down.

Mr. Bell explained the proposed local law, which will permit the Council to exceed the tax cap only if it is necessary.

Motion by Mr. Bell, seconded by Mr. Ritchie, to close the public hearing.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Mr. Peter Tomasi, Second Ward resident, spoke about his concerns of the Council's support of the proposal for building casinos in Orange County rather than in Sullivan County.

Public Comment given

Motion by Mr. Bavoso, seconded by Mr. Siegel, to accept the minutes of the June 23, 2014 regular meeting.

Minutes of the 6/23/2014 Regular meeting approved

AYE: 8 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 - \$216,500.74, Water Fund - \$31,682.88, and Capital Fund - \$7,285.50.

Committee Reports given—Finance Committee

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Bell, seconded by Mr. Cunningham, to amend the Bond resolution of March 25, 2104 by increasing the Bond Issuance to \$4,363,000 for the Water Clarifier Project.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

The next Finance Committee meeting is July 24, 2014 at 6:00 p.m.

**Fire and  
Emergency  
Management  
(FEM)  
Committee**

Motion by Mr. Waligroski, seconded by Mr. Cunningham, to approve the Inter-department transfer of Jason Ward from Howard Wheat Engine Company #4 to Neversink Engine Company #1.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

The Firemen's Inspection Day Parade included sixty-five (65) departments from throughout the County. On behalf of the Fire Department, Mr. Waligroski, thanked all those who worked, volunteered, and attended the parade.

The next FEM Committee meeting will be July 21, 2014 after DPW.

**Code  
Committee**

The next Code Committee meeting will be August 7, 2014 at 7:00 p.m.

Motion by Mr. Siegel, seconded by Mr. Bavoso, to approve Local Law #9-2014.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Siegel, seconded by Mr. Bell, to approve Local Law #10-2014.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

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

The DPW update included the following:

- Garbage and recycling will be on a normal schedule for the next two (2) weeks.
- Pothole repairs continue.
- Crews are preparing for the Arts Walk.

The next DPW Committee meeting will be at 6:00 p.m. on July 21, 2014.

**Police  
Committee**

Motion by Mr. Hendrick, seconded by Mr. Ritchie, to accept the Police Department's June minutes.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Hendrick, seconded by Mr. Bell, to authorize the emergency expenditure of existing funds from the proceeds of the 2013 Serial Bond to purchase and install the necessary equipment to rectify the public safety issue of non-coverage areas for portable radio coverage in various locations throughout the City. Goosetown Communication will be the vendor used for the purchase and installation.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Hendrick, seconded by Mr. Oney, to authorize the Police Department to provide a certified officer to teach hunter safety courses offered by Orange County on August 14, August 15, September 16, and September 18, 2014.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

The next Police Committee meeting will be August 4, 2014 at 6:30 p.m.

**Liaison Reports  
given—  
Community  
Development  
Agency (CDA)**

The CDA discussed applying for funds for the new Recreation building, the environmental review of the Port Jervis Housing Authority, the lead-based paint plan, and the 2013 Micro-Enterprise submission to the New York State HRC.

The next CDA meeting will be July 16, 2014 at 7:00 p.m. in the Recreation building.

**Industrial  
Development  
Agency (IDA)**

The IDA attorney gave an update concerning the 100 River Road LLC and Future Homes.

Rite-Aid has been issued a temporary certificate of occupancy and will open in mid-July.

The next IDA meeting is tentatively scheduled for August 6, 2014 at 6:00.

**ADA**

The next ADA is tentatively scheduled for September 2014.

**Housing  
Authority**

The next Housing Authority meeting will be July 16, 2014 at 7:00 p.m. at Hillside Terrace.

The Recreation Update was given and included the following:

- Playground hours were given.
- West End Beach is open daily from 11 a.m. to 7:00 p.m.
- Skateboard Park hours were given.
- The Summer Concert Series will continue on July 17, 2014 with a performance by Rich Wilson.
- Free Movie Night will be held at Riverside Park on July 16, 2014.
- Broome Street Wind Ensemble Band will be performing at Farnum Park July 21, 2014 and August 4, 2014 at 7:00 p.m.

Recreation  
Commission

The next Recreation Commission meeting will be August 20, 2104 at 7:00 p.m. at the Youth Center.

Fall Foliage Festival and *Christkindlmarkt* plans continue.

Tourism Board

The next Tourism Board meeting will be August 12, 2014 at 6:30 p.m.

The ZBA granted a variance for 5 Cross and 17 Orange Streets. The next meeting will be August 5, 2014.

Zoning Board of  
Appeals (ZBA)  
and Planning  
Board

The Planning Board will hold a public hearing for Rea Trust at 74-76 Kingston Avenue and a pre-submission for 5 Cross Street. The next Planning Board meeting will be July 15, 2014 at 7:00 p.m.

Mr. Siegel met with residents, and there are no issues.

Senior Advisory

There was no Access 23 TV report.

Access 23 TV

Mayor Decker commented on the Firemen's Day Parade.

Mayor's  
Correspondence  
reviewed

The Farmer's Market will be held from 9:00 a.m. to 2:00 p.m., beginning on July 19, 2014.

The Arts Walk will be held July 19, 2014.

The Summer Concert Series, featuring Rich Wilson, will be held at the Riverside Park on July 17, 2014.

Rite-Aid will have a "soft" opening on July 16, 2014. A temporary flashing light has been installed on Pike Street; there will also be signage installed to indicate to motorists that there will be no left turn onto Hammond Street when driving down Pike Street. The property owners will be providing the City with plans for the main plaza soon.

Mayor Decker thanked the DPW, Police Department, and Fire Department for their work at various events over past two (2) weeks.

Easter Seals will be opening a food pantry at 88 East Main Street on July 21, 2014. Tickets will be available beginning at 10:30 a.m.

Mayor Decker thanked Mr. Faggione and all those who participated and volunteered with the *Dinner Along the Delaware* on July 5, 2014.

The CROP Walk will be held October 19, 2014 beginning at Airport Park.

Motion by Mr. Siegel, seconded by Mr. Ritchie, to authorize payment of the fee for Councilmen to attend the July 29, 2014 Orange County Association of Towns, Villages, and Cities meeting to be at the Erie Trackside Manor.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Water bills have been mailed to property owners and are due by July 31, 2014 without penalty.

City Clerk-  
Treasurer's  
Report given

Tax lien letters were also mailed. Mr. Waizenegger will be posting letters on those properties where the owners have not responded to the certified mailings or have moved with no forwarding address.

Mr. Siegel, Mr. Ritchie, Mr. Hendrick, Mr. Bavoso, Mr. Cunningham, and Mr. Bell thanked all those involved with the *Dinner Along the Delaware*, the fireworks, and Firemen's Parade.

Old Business  
discussed

Mr. Siegel spoke about pedestrians walking in the streets and about having casinos in Orange County.

**Old Business  
(continued)**

The 4<sup>th</sup> Ward Neighborhood Watch meeting will be held July 16, 2014 at 7:00 p.m. at Engine 4's firehouse. Anyone can attend.

Mr. Oney commended Acting Building Official Laurie Powrie for her work with the recent issuance of numerous violations. Residents on Hornbeck Avenue contacted Mr. Oney to express their thanks in cleaning up a property in that area. Mayor Decker also spoke about authorizing the cleanup and the owners' non-compliance with the City's request to remedy the situation on that parcel.

Mr. Ritchie again warned motorists about the traffic on Interstate 84 due to construction.

Mr. Bavoso noted that information for participating in the Fall Foliage Festival will soon be advertised on the radio and in print media.

The next Finance Committee meeting will be July 24, 2014 at 7:00 p.m.

**New Business  
discussed**

Mr. Waligroski commented on the new lights on the bridge.

Motion by Mr. Waligroski, seconded by Mr. Bavoso, to authorize sending a letter to Congressman Maloney requesting the assurance of federal funds to complete the New York State bridge project on Interstate 84.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Mr. Cunningham congratulated his daughter on her marriage and his father-in-law on his birthday.

**Executive  
Session set**

Motion by Mr. Hendrick, seconded by Mr. Waligroski, to set Executive Session to discuss DPW contractual, litigation, and City contractual matters.

An invitation to attend was extended to Mr. Farr, if needed, and the IDA attorney.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Residents were again asked to refrain from posting yard sale signs on utility poles in the City and to remove any signs after a yard sale was over.

**Public  
Comment given**

Ms. Tamara Morse, of Middletown, New York, inquired about a peddler's permit so she could have a hot dog cart in Port Jervis. Mayor Decker recommended she speak to the City Clerk-Treasurer.

**Council Enters  
Executive  
Session**

Motion by Mr. Cunningham, seconded by Mr. Bavoso, to enter into Executive Session at 8:04 p.m.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

**Meeting  
reconvened**

The meeting was reconvened at 9:44 p.m.

Motion by Mr. Cunningham, seconded by Mr. Bell, to authorize the sale of a Fire Department vehicle, currently at Engine 4's firehouse, determined to be surplus equipment and no longer needed by the Fire Department.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Cunningham, seconded by Mr. Ritchie, to authorize a change to the contract for the Clarifier.

AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Waligroski, seconded by Mr. Bell, to authorize the support of any and all applications for funding to construct and maintain a new Recreation Center to be located at the City's Church Street Park.

Mr. Siegel commented that he will abstain and recommended the Council provide more information about this project before continuing.

Mayor Decker noted that the project's plans will be paid through grant funds.

Mr. Hendrick stated that this authorization is required for the release of funds.

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

**Motion by Mr. Bell, seconded by Mr. Cunningham, to permit the installation of the Railroad museum sign on the Pike Street Recreation building.**

**AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED**

**Motion by Mr. Bell, seconded by Mr. Hendrick, to authorize the Mayor to sign an agreement between the City of Port Jervis and Mr. James Roach for grant research and writing for a period of six (6) months in the amount of \$3,500, with the amount of \$1,750 to be paid at the date of signing of the agreement and \$350 per month beginning August 2014.**

**AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED**

**Motion by Mr. Hendrick, seconded by Mr. Siegel, to terminate the license agreement between the City of Port Jervis and Mr. John Fernandez, owner of RC World, for failure to pay the agreed upon fees five (5) days prior to an event and for any and all other violated terms of the agreement.**

**AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED**

**Motion by Mr. Hendrick, seconded by Mr. Oney, to authorize the use of coastal water funds grant monies for the permitting process of the Whitewater Park.**

**There will a meeting within the next two (2) weeks.**

**AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED**

**Motion by Mr. Cunningham, seconded by Mr. Bell, to adjourn the meeting at 9:50 p.m.**

**Meeting  
adjourned**

**AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED**

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**Robin Waizenegger  
City Clerk-Treasurer**