

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, September 8, 2014 at 7:00 p.m.

Regular Meeting

Mayor Decker and all members of the Common Council were present except Gerald Oney and Robert Waligroski. Acting Director of Public Works John Farr, Acting Building Official Laurie Powrie, Fire Chief Jeffrey Rhoades, City Clerk-Treasurer Robin Waizenegger, Police Chief William Worden, and Counsel Michael Fox were also present.

Attendance

Mayor Decker 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

- The Port Jervis/Middletown Bell Game will be held September 5, 2014.
- Teen Night for Middle and High School students will be Friday nights at the Recreation Center.
- Judo lessons for Middle and High School students will be Tuesday and Thursday nights beginning September 16, 2014.
- RC World will host a youth clinic for RC racing on September 21, 2014 in Riverside Park.

Mr. Randy Coffill, representing Future Home Technology (FHT), spoke about the company's positive meeting with the City's Industrial Development Agency (IDA) and their willingness to pay their PILOT payment, including interest and penalties, through 2014-15 School taxes in the amount of \$131,031.88. He stated that the IDA has agreed there would be no continuing dispute between parties, and FHT's will reaffirm the commitment that has been set forth. FHT also agrees to pay up to \$6,000 for IDA and City attorneys' fees. Mr. Coffill stated that the IDA has agreed to rescind its previous action in regards to the PILOT and will recommend that the City also rescind action taken on August 25, 2014. He thanked the IDA for scheduling the special meeting to resolve this issue and working towards a beneficial outcome. He respectfully requested and urged the City to follow the action of IDA to rescind its action against FHT.

Public Comment given

Mr. Bell reviewed items discussed at the August Finance Committee meeting, including travel approvals, Revenue Anticipate Note, parking permit program, and Serial Bonds and Capital Note savings.

Committee Reports given—Finance Committee

Motion by Mr. Bell, seconded by Mr. Ritchie, to accept the Finance Committee's July and August minutes.

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Bell, seconded by Mr. Cunningham, to authorize the City Clerk Treasurer to submit the 2014 AIM submission.

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Bell, seconded by Mr. Ritchie, to approve travel expenses for the City Clerk-Treasurer to attend training conferences on September 24, 2014 and October 3, 2014. Costs are budgeted.

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Bell, seconded by Mr. Cunningham, to authorize the City Clerk-Treasurer to close the 2013 Capital Note and move funds for 2014 Capital debt repayment.

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Bell, seconded by Mr. Cunningham, to authorize the transfer of unused Capital appropriations from the 2009 serial Bond to debt repayment as reviewed by the Finance Committee.

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Bell, seconded by Mr. Ritchie, to authorize the use of unused funds from the 2013 Serial Bonds for debt repayment as reviewed by the Finance Committee.

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Bell, seconded by Mr. Bavoso, to authorize the City Clerk-Treasurer to open an account, as required by the USDA, at TDBank for the Water Clarifier project.

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

September 8, 2014

Motion by Mr. Bell, seconded by Mr. Ritchie, to approve the unpaid bills in the following amounts for payment: General Fund – \$171,448.14 Water Fund – \$42,002.28 and Capital Fund – \$1,397.66

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Minutes of the 08/25/2014 Regular meeting accepted

Motion by Mr. Bavoso, seconded by Mr. Siegel, to accept the minutes of the August 25, 2014 regular meeting.

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Fire and Emergency Management (FEM) Committee

Motion by Mr. Siegel, seconded by Mr. Ritchie, to approve the following drivers for Maghogomock Hook and Ladder Company #7 of the Port Jervis Fire Department: Daniel Lewis and Richard Finan.

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Siegel, seconded by Mr. Bell, to approve the following calendar events for the Port Jervis Fire Department:  
Maghogomock Hook and Ladder Company #7—Roast Beef Take-out—October 18, 2014 and Booth at Fall Foliage—September 28, 2014  
Howard Wheat Engine Company #4 Auxiliary—Penny Social, VFW Hall—October 11, 2104

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Code Committee

The next Code Committee meeting will be October 1, 2014 at 5:30 p.m.

Motion by Mr. Siegel, seconded by Mr. Bavoso, to set a public hearing for proposed Local Law #11 to amend the City's zoning map for Section 8 Block 13 Lot 9 from zone RO to zone SC.

The Midas Muffler property reverted to residential office after one (1) year of being vacant.

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Department of Public Works (DPW) Committee

The DPW Update included garbage and recycling being on a normal schedule for the next two (2) weeks, landfill permits being available in the City Clerk's office, and paving beginning September 15, 2014.

The next DPW Committee meeting will be September 15, 2014 at 6:00 p.m.

Police Committee

Motion by Mr. Hendrick, seconded by Mr. Ritchie, to accept the Police Department's August report.

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Mr. Hendrick reviewed items from the report.

A youth bullying seminar will be held September 18, 2014 at 7:00 pm. at the Drew United Methodist Church.

A reminder was given to parents to teach children simple safety tips when traveling to and from school, and the Police Department reminded motorists to obey vehicle traffic safety laws.

The next Police Committee meeting will be September 15, 2014 at 7:00 p.m.

Liaison Reports given—Community Development Agency (CDA)

The CDA Director submitted the Community Development Block Grant for the Jersey Avenue sewer in June for the amount for up to \$600,000. The microenterprise proposal was sent in July, and a full application was submitted in August.

The next CDA meeting will be September 24, 2014 at 7:00 p.m. in the Recreation building.

Industrial Development Agency (IDA)

A special meeting was held prior to the Council meeting concerning Future Home Technology's PILOT agreement.

The next IDA meeting is scheduled for September 10, 2014 at 6:00 p.m.

September 8, 2014

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The next ADA meeting will be September 18, 2014 at 6:00 p.m.

ADA

The next Housing Authority meeting will be September 17, 2014 at 7:00 p.m. at Hillside Terrace.

Housing  
Authority

Motion by Mr. Hendrick, seconded by Mr. Ritchie, to accept the Recreation Commission's August minutes.

Recreation  
Commission

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Hendrick, seconded by Mr. Bell, to accept the Recreation Director's August Report.

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

The Recreation Update was given and included the following:

- RC World will be hosting a youth clinic for RC racing at Riverside Park on September 21, 2014.
- A concert to raise awareness for hunger has been rescheduled October 18, 2014.
- The Halloween Skatejam will be October 25, 2014 on Skyline Drive.
- The Halloween Parade will be held October 26, 2014. Line up begins at 3:00 p.m. at City Hall.
- NY Jets football game field trip will be November 9, 2014.

The next Recreation Commission meeting will be September 24, 2014 at 7:00 p.m. at the Youth Center.

The Fall Foliage Festival will be held September 28, 2014, and everyone was encouraged to attend.

Tourism Board

The next Tourism Board meeting will be September 9, 2014 at 6:30 p.m. in the City Hall Conference Room.

The ZBA held a pre-submission for 50 Fowler Street was set for a public hearing for the next meeting to be held on October 7, 2014 at 7:00 p.m.

Zoning Board of  
Appeals (ZBA)  
and Planning  
Board

The next Planning Board meeting will be September 16, 2014 at 7:00 p.m.

The next Plumbing and Electrical Boards' meetings will be October 1, 2014 beginning at 6:30 p.m.

Plumbing and  
Electrical  
Boards

There are no issues to report.

Senior Advisory

There was no Access 23 TV report given.

Access 23 TV

Community Service Saturday continued with the cleanup of 169 Front Street, and this week will be working along the towpath.

Mayor's  
Correspondence  
reviewed

The Mayor will be attending the First Presbyterian Church on September 6, 2014.

The Assessor's office has the 421F forms for the reduction in taxes for approved home improvements.

New York State's Office of Civil Service has notified the City that it is cleared and the follow-up closed in regards to the 2008 audit.

Resident and business contact information forms are available on City's website, in the City Clerk-Treasurer's office, or in the Mayor's office. The data collected will be used to communicate with businesses who inquire about Port Jervis.

Motion by Mr. Siegel, seconded by Mr. Cunningham, to accept, with regret, the resignation of Robyn Hendershot effective September 30, 2014.

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Mayor Decker encouraged everyone to attend the Port Jervis/Middletown Bell Game on September 5, 2014.

Mayor's  
Correspondence  
continued

Motion by Mr. Bell, seconded by Mr. Ritchie, to authorize the High School's Red and Black Club to place signs the week of September 7 through September 13, 2014 to advertise the Port Jervis/Middletown Bell Game.

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Cunningham, seconded by Mr. Bavoso, to authorize the Democratic Committee's Talent Show on September 14, 2014 from noon to 6:00 p.m. Proceeds will benefit Empowering Port Jervis.

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

The September 11<sup>th</sup> Memorial Service will be held in Deerpark, and everyone is invited to attend.

RC World will host a youth clinic for RC racing on September 21, 2014 from 9:00 a.m. to 1:00 p.m. at Riverside Park.

A public hearing may be held at the next Council meeting concerning the sewer use fee.

The Clothesline Project will be October 9, 2104 from 10:00 a.m. to 4:00 p.m. in Veteran's Park.

Motion by Mr. Hendrick, seconded by Mr. Cunningham, to authorize the use of a portion of the Recreation building on October 14, 2014 at 7:00 p.m. for Narcan training.

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

The CROP Walk will be October 14, 2104.

The Tri-States Chamber of Commerce's 19<sup>th</sup> Annual 5K-10K Race will be October 26, 2014.

City Clerk-  
Treasurer's  
Report given

There was no report given.

Old Business  
discussed

Mr. Siegel spoke about the Town of Deerpark's Pavers Project to honor veterans.

Residents were asked to remove yard sale signs after the sale has concluded.

Mr. Siegel reminded residents to report suspicious activity to the Police Department and code violations to the Building Official's office.

Mr. Seigel cautioned residents on the hazards of walking in City streets, especially at night.

Primary elections will be held September 9, 2014, and everyone was encouraged to vote.

Everyone was also encouraged to attend the September 11<sup>th</sup> ceremony in Deerpark.

New Business  
discussed

The 4<sup>th</sup> Ward Neighborhood Watch will be held September 17, 2014 at 7:00 p.m. at Hose 4's firehouse.

The next Finance Committee will be September 28, 2014 at 7:00 p.m.

Executive  
Session set

A motion was made by Mr. Hendrick, but no second to the motion was made, to set Executive Session to discuss DPW litigation, DPW contractual, DPW personnel, Future Homes Technology litigation, Police Department personnel, and Water Receivable Collection.

An invitation was extended to Mr. Farr, Mr. Fox, and Chief Worden to attend.

No vote was taken.

Mr. Siegel spoke about the law pertaining to making partial payments for taxes in arrears.

Public  
Comment given

There was no public comment given.

Council Enters  
Executive  
Session

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

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

The meeting was reconvened at 9:05 p.m.

Meeting  
reconvened

Motion by Mr. Hendrick, seconded by Mr. Cunningham, to hire Adrianna Soriana as a part-time Police Department clerk. Costs are budgeted.

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Cunningham, seconded by Mr. Bavoso, to hire Ken Peters as a seasonal, part time laborer for the Department of Public Works to assist in the mowing and cleaning of properties requested by the Building Department.

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Cunningham, seconded by Mr. Bavoso, to accept the low bidder, NGS Construction LLC, in the amount of \$78,300.00 for the demolition of 220-220 ½ E Main and 4 Gordon Streets.

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Bell, seconded by Mr. Bavoso, to set a public hearing for proposed Local Law #12, creating a sewer use fee and amending Article 5 of Chapter 445 of the Port Jervis City Code.

Mr. Siegel opposes the institution of a sewer use fee but noted that he feels this fee will have the least impact on taxpayers.

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Ritchie, seconded by Mr. Bell, to authorize the City to rescind the action against Future Home Technology, accept the payment of \$131,031.88 and \$6,000.00 attorneys' fees, and reinstate the 2011 PILOT agreement.

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Cunningham, seconded by Mr. Siegel, to authorize Corporation Council to move forward with legal action against property owners in Deerpark who owe water charges to the City of Port Jervis. The action taken may result in the termination of water service,

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Cunningham, seconded by Mr. Bavoso, to adjourn the meeting at 9:10 p.m.

Meeting  
adjourned

AYE: 6 ABSENT: 2 (ONEY, WALIGROSKI) NAY: 0 ABSTAIN: 0 CARRIED

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Robin Waizenegger  
City Clerk-Treasurer