

September 22, 2014

100

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 22, 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, Acting Building Official Laurie Powrie, Fire Chief Jeffrey Rhoades, City Clerk-Treasurer Robin Waizenegger, Police Chief William Worden, and Corporation Counsel Michael Fox were also present.

Attendance

Mayor Decker and Scouts Delani Ennis, Joey Ennis, Lynnlee Ennis, and William Ennis of Venture Crew 268, Boy Scout Troop 68, Girl Scout Troop 229, and Cub Scout Pack 67 Den 1 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

- School sports are doing well, and sign ups have begun.
- High school open house will be held September 25, 2014.
- Due to an Orange County drill, school will be dismissing early on September 24, 2014.
- The next school board meeting will be October 7, 2014 at 7:30 in the high school cafeteria.
- The Hudson Valley Honor Flight will be departing soon; Mr. Conklin will be collecting blankets for the attendees.
- The Fall Foliage Festival will be September 28, 2014.

Senior Club members attended a river cruise on the Hudson and held a barbeque in September. The club thanked all those who helped make these activities a success. The meetings are held on the second and fourth Wednesdays each month, and seniors are welcome to attend.

Senior Report given

Mr. Michael Lamoreaux, of McGoey, Hauser, and Edsall Consulting Engineers, stated the City suffered weather event in late August 2014, causing damage to the building at 29-31 Front Street. Notice was sent to the owner, who has made no attempt to repair the damage. Debris on roof remains loose, and a portion of the roof remains unattached. On September 12, 2014, Mr. Lamoreaux issued a letter strongly suggesting the issue be immediately addressed due to the potential hazard to motorists and pedestrians.

29-31 Front Street Hearing held

Matthew Scarborough, REO asset manager with Eastern Savings Bank, was present. Mr. Lamoreaux asked if there had been any action taken by bank. Mr. Scarborough stated that the property is in foreclosure, and the bank is attempting to legally intercede. Mayor Decker summarized concerns about the building's stability and loose debris.

Mr. Siegel commented on this situation and the impact on Mr. Howard Kuperman's adjoining property. Mr. Lamoreaux spoke about the current condition of the property and possible remedies to temporarily stabilize the building. Mayor Decker noted that, at this time, no price could be set to make the necessary repairs. Mr. Lamoreaux noted that the "sounding" with respect to loose bricks would need to be done by hand and also spoke about the charred portions of the structure. Mr. Waligroski stated that the Council should do what is necessary to stabilize the building. Mrs. Powrie stated that she has been in contact with the bank, and the bank has been contacted by their engineers and insurance company.

Mr. Howard Kuperman, owner 34-40 Front Street, spoke about his inability to lease this property due to the order of vacancy. He urged the Council to establish a time table for a remedy or declare an emergency order to resolve this problem.

Motion by Mr. Waligroski, seconded by Mr. Siegel, to require the removal of roof debris from the property located at 24-32 Front Street, to set a response date for Eastern Savings Bank of September 26, 2014 at 3:00 p.m., to send the required letters to all necessary parties, to authorize the engineer reevaluate the building in two (2) weeks from September 22, 2014, and to take any steps necessary to stabilize the building.

Mrs. Waizenegger read a portion of the minutes from the special meeting on September 15, 2014.

Mr. Lamoreaux urged the Council to move forward prior to the winter months. Mr. Fox clarified the motion made at the September 15, 2014 special meeting and noted the motion made tonight augments the September 15, 2014 motion.

Mr. Bavoso asked if the interior of the building could support the material from the roof. Mr. Lamoreaux stated that he has concerns about the structure's ability to support the material.

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

Public Hearing—
Proposed Local
Law #11—held
open

Mrs. Waizenegger read the public hearing notice.

Mr. Coffill, on behalf of the property owner of 29 East Main Street, gave a brief background of the parcel, which included the parcel's location near a service commercial zone and the traditional use of the facility. He requested the Council give its consideration of proposed Local Law #11. He and Mr. Bavoso noted that the Council has not received a response from Orange County Planning concerning this property.

Motion by Mr. Waligroski, seconded by Mr. Cunningham, to hold open the public hearing for proposed Local Law #11-2014.

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

Public Hearing—
Proposed Local
Law #12

Mrs. Waizenegger read the public hearing notice.

Mayor Decker read a prepared statement (attached). Residents having concerns, questions, or comments can contact the Mayor's office. Mayor Decker reviewed comments found on Facebook about this proposed fee, paving of Sussex Street, the Planning Board's approval of a laundromat, the City's gross utility tax refund, raising property taxes, and cutting services and/or jobs. He and Mr. Siegel recommended the Council postpone a decision for two (2) weeks to provide residents with adequate time to respond.

Mr. Bavoso stated he believes this is a necessary measure that is in the best interest for the City.

Mr. Bell spoke about the low fund balance and a new clarifier being installed to address the brown water problem.

Mr. Hendrick commented on the sewer fee, cuts to services and consequences of those cuts, increase in taxes, and the diminishing fund balance.

Mr. Waligroski spoke the condition of the City's water, costs for water in surrounding cities, and the purpose of the sewer fee.

Mrs. Lorraine Marquez, third ward resident, noted that the City's residents are fortunate to not have large water bills. She asked that the funding be designated for the purpose of the sewer system only.

Mr. Howard Vobis, a property owner, stated that he realizes the Council is burdened with this problem. His has concern about the City charging a flat fee rather than a fee based on usage. He recommended the fee be based on water intake and usage. He also is opposed to a fee being charged for vacant lots.

Mr. Bob Susharah, a resident on Jersey Avenue, spoke about the City's flat rate for water charges, issues concerning garbage pick-up for his rental property, and this fee.

Mr. William Onofry, third ward resident, spoke about the fee versus a tax and tax lien and/or foreclosure consequences. He recommended the Council research a type of preservation tax as an alternate way to generate revenue.

Mrs. Lynn Hendershot, fourth ward resident, suggested the Council provide residents and business owners with more information concerning the fee so they can provide input to the local law.

Mr. Raymond Bowley, a property owner, thanked the Council for listening to the public and spoke about the difficulties senior citizens and landlords may have paying this additional fee.

Mr. Roger Godell, fourth ward resident, commented on the financial difficulties people are having.

Mrs. Joanne Bowley, property owner, commented on the tenants' inability to pay the current rents and the elderly's inability to pay additional taxes.

Mr. Rich Johnson, fourth ward resident, asked the Council to consider cutting their salaries.

Mr. Tim Gottlieb, first ward resident, commented on the fee being based on usage.

Mayor Decker stated that the City's budget will be in the negative for 2014, and he will set the amount of the fee when he has received 2015 proposed budgets from department heads.

September 22, 2014

102

Motion by Mr. Bell, seconded by Mr. Cunningham, to hold open the public hearing for proposed Local Law #12-2014.

Public Hearing—
Proposed Local Law #12 held open

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

Mayor Decker spoke about recent comments he made concerning the proposed relocation of the Department of Motor Vehicle (DMV). He added that he is opposed to moving the office out of Port Jervis and noted that he suggested the DMV office move into the City-owned building on Hill Street.

Public Comment given

Mrs. Lorraine Marquez spoke about Bon Secours Community Hospital's cuts. Mayor Decker met with members of the hospital's board to discuss the necessity of obstetrics services and expanding the emergency room.

Ms. Merlinda Craig, third ward resident, spoke about Bon Secours' fees and the necessity of physicians and services.

Mr. Howard Kuperman, fourth ward resident, spoke about his property on Front Street which he cannot rent due to the condition of the neighboring damaged property. He thanked the Mayor for his action on the DMV issue.

Motion by Mr. Bavoso, seconded by Mr. Bell, to accept the minutes of the September 8, 2014 regular meeting.

Minutes of the 9/8/2014 Regular and 9/15/2014 Special meetings approved

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

Motion by Mr. Ritchie, seconded by Mr. Bavoso, to accept the minutes of the September 15, 2014 special meeting.

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

Motion by Mr. Bell, seconded by Mr. Bavoso, to approve the unpaid bills in the following amounts for payment: General Fund – \$270,711.39 Water Fund – \$30,196.27 and Capital Fund – \$73,706.50

Committee Reports given—Finance Committee

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

Motion by Mr. Bell, seconded by Mr. Ritchie, to authorize the use of funds originally designated for a shredder to purchase a typewriter in the City Clerk's office.

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

The next Finance Committee meeting is September 25, 2014 at 7:00 p.m.

Motion by Mr. Waligroski, seconded by Mr. Cunningham, to approve Vincent Artese and Amanda DeGroat, of Howard Wheat Engine Company #4, and Jennifer Snyder, of Delaware Engine Company #2, for active membership into the Port Jervis Fire Department.

Fire and Emergency Management (FEM) Committee

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

The next FEM Committee meeting will be October 20, 2014 after the Department of Public Works (DPW) Committee meeting.

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

Code Committee

Motion by Mr. Cunningham, seconded by Mr. Bell, to accept the DPW Committee's September minutes.

Department of Public Works Committee

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

The DPW Update included the following:

- Garbage and recycling will be on normal schedule. Pick-up during the week of Columbus Day will be one (1) day later in all wards.
- The burning pit, compost pile, and transfer station will be open the first full week of October 6, 2014.
- Hydrant flushing will begin September 28, 2014 and last five (5) to six (6) weeks.

Police Committee	<p>The Police Committee discussed the Humane Society's inspection, monthly car shows, and a school district drug presentation.</p> <p>On September 27, 2014, the Police Department will collect unneeded and unused prescription drugs for disposal at drop off points at Police Department headquarters, Hillside Terrace, Maghogomock Village, and Water's Edge.</p> <p>The next Police Committee meeting will be October 6, 2014 at 6:00 p.m.</p>
Liaison Reports given—Community Development Agency (CDA)	<p>The City was not awarded grant funds for a Jersey Avenue project.</p> <p>Ruby Group will be holding a press conference for the revitalization of their 29-31 Front Street property.</p> <p>The next CDA meeting will be September 24, 2014 at 7:00 p.m. in the Recreation building.</p>
Industrial Development Agency (IDA)	<p>The next IDA meeting is scheduled for October 8, 2014 at 6:00 p.m.</p>
ADA	<p>The ADA meeting discussed curb cuts, completed transition plan actions, and mailbox relocation.</p> <p>The next ADA meeting will be announced at a future Council meeting.</p>
Housing Authority	<p>The Housing Authority discussed house numbering and community room renovations.</p> <p>The next Housing Authority meeting will be October 15, 2014 at 7:00 p.m. at Hillside Terrace.</p>
Recreation Commission	<p>Motion by Mr. Waligroski, seconded by Mr. Bavoso, to authorize the 68th Annual Halloween Parade on October 26, 2014, with a rain date of October 27, 2014.</p> <p>AYE: 8 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED</p> <p>The Recreation Update was given and included the following:</p> <ul style="list-style-type: none"> ▪ Youth Center house were given. ▪ Teen Night for Middle and High School students only is Friday nights from 6:00 p.m. to 10:00 p.m. ▪ Events this fall and winter include Canned Food Drive Concert on October 18, 2014, arts and craft classes beginning October 18, 2014, 68th Annual Halloween Parade on October 26, 2014, NY Jets football game on November 9, 2014, PORT Pride Day on November 15, 2014, and Youth basketball in December. <p>The next Recreation Commission meeting will be September 24, 2014 at 7:00 p.m. at the Youth Center.</p>
Tourism Board	<p>Mr. Bavoso encourages everyone to attend the Fall Foliage Festival on September 28, 2014. Mrs. Laura Myer detailed the day's event.</p> <p>The next Tourism Board meeting will be October 14, 2014 at 6:30 p.m. in the City Hall Conference Room.</p>
Zoning Board of Appeals (ZBA) and Planning Board	<p>The next ZBA meeting will be October 7, 2014 at 7:00. The Board will be holding a continuance of a public hearing for a use variance for 50 Fowler Street.</p> <p>The next Planning Board meeting will be October 21, 2014 at 7:00 p.m. At the September 18, 2014 meeting, the Board approved an application for a subdivision for 15 Orchard Street and approved a one-year conditional use permit for Ellicott Development.</p>
Plumbing and Electrical Boards	<p>The next Plumbing and Electrical Boards' meetings will be October 1, 2104 beginning at 6:30 p.m.</p>

There are no issues to report.

Senior Advisory

There was no Access 23 TV report given.

Access 23 TV

Mayor Decker congratulated Middletown on winning the bell during the Port Jervis-Middletown football game.

Mayor's
Correspondence
reviewed

Motion by Mr. Bell, seconded by Mr. Siegel, to accept, with regrets, the resignation of Cody Scales as Administrative Assistant to the Mayor effective October 2, 2014.

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

Mayor Decker reappointed Rosemarie Kuycera to a 5-year term to the Board of Assessment Review to expire September 30, 2019.

Motion by Mr. Ritchie, seconded by Mr. Cunningham, to accept, with regret, the resignation of Edward Keys on the Housing Authority.

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

Mayor Decker appointed Betty Collins to the Housing Authority with a term to expire in January 31, 2019.

Motion by Mr. Bell, seconded by Mr. Bavoso, to authorize the use of the Farnum House from October 24 through October 26, 2014 by the Port Jervis High School for their annual Halloween Haunted House.

Insurance was submitted.

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

Residents and businesses are asked to participate in a voluntary contact program. Forms are available on the City's website and in the Mayor's office.

Motion by Mr. Siegel, seconded by Mr. Bell, to approve the 43rd Annual Rick Drew Holiday Parade on December 14, 2014.

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

The Holiday Skate Jam had to be cancelled.

The Clothesline Project will be October 9, 2014 from 10:00 a.m. to 4:00 p.m. in Veteran's Park.

Free Narcan training will be held October 14, 2014 at the Youth Center. Registration is required.

The CROP Walk will be held October 19, 2014.

The Tax Lien will be held in November and advertising will begin in early October.

City Clerk-
Treasurer's
Report given

Mr. Siegel commented on a bullying presentation he recently attended and thanked all those who were involved. He encouraged everyone to attend future presentations on the subject.

Old Business
discussed

Motion by Mr. Bavoso, seconded by Mr. Cunningham, to assign the City of Port Jervis as lead agency for the SEQR for Local Law #11-2014 in regards to the property located at 29 East Main Street, Section 8 Block 13 Lot 9.

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

Motion by Mr. Bavoso, seconded by Mr. Bell to adopt a negative declaration in pursuant to SEQR.

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

Mr. Bavoso and Mr. Cunningham wished Mr. Scales well in his future career.

Executive Session set **Motion by Mr. Hendrick, seconded by Mr. Ritchie, to set Executive Session to discuss Recreation personnel, Water litigation, DPW personnel, Police Contractual, and City Clerk-Treasurer's office personnel.**

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

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

New Business discussed **Mr. Siegel thanked all those who spoke during the public hearings at tonight's meeting.**

Mr. Siegel spoke about the time frame for action to be taken on the Front Street property.

Mr. Siegel wished Mr. Scales good luck.

Motion by Mr. Bell, seconded by Mr. Waligroski, to approve moving the next Common Council meeting to October 14, 2014 at 6:00 p.m. due to the Columbus Day holiday.

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

Public Comment given **Mrs. Lorriane Marquez noted that the Third Ward Neighborhood Watch meeting will be September 24, 2014 at 7:00 p.m. at the Neversink firehouse.**

Council Enters Executive Session **Motion by Mr. Bavoso, seconded by Mr. Cunningham, to enter into Executive Session at 9:42 p.m.**

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

Meeting reconvened **The meeting was reconvened at 11:16 p.m.**

Motion by Mr. Waligroski, seconded by Mr. Bavoso, to approve the permanent hire of Nicole Stellato as Youth Center Leader.

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

Motion by Mr. Cunningham, seconded by Mr. Bavoso, to approve moving Ricky Crown and Terry Schaefer to Seasonal DPW effective September 29, 2014.

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

Motion by Mr. Hendrick, seconded by Mr. Bavoso, to approve the hire of Ronnie Goia as a Matron for the Port Jervis Police Department.

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

Motion by Mr. Bell, seconded by Mr. Bavoso, to authorize the hiring of two (2) provisional and probationary Account Clerk-Typists for the City Clerk-Treasurer's office.

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

Motion by Mr. Hendrick, seconded by Mr. Bavoso, to approve the hire MaryAnn Schultes as a part-time administrative assistant for the Mayor's office effective September 24, 2014.

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

Meeting adjourned **Motion by Mr. Cunningham, seconded by Mr. Bavoso, to adjourn the meeting at 11:20 p.m.**

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