

**CODE COMMITTEE**  
**City of Port Jervis**  
**MINUTES – Wednesday April 3, 2013 7:00pm**  
**Common Council Chambers**

**Kelly B. Decker**  
 Committee Chairman

**Wayne Kidney**  
 Building Official

**Laurie Powrie**  
 Assistant Building Official

Committee Members  
**Stan Siegel**  
**Carl Hendrick**  
**Gerald Oney Jr.**

- Meeting Called to Order 7:00pm by Mr. Decker
- Pledge of Allegiance
- Present: Councilman Decker, Councilman Oney, Councilman Hendrick, Councilman Belcher, Mr. Kidney, and Mrs. Powrie
- Approval of the Jan 2013. Motion Mr. Hendrick Second Mr. Oney Approved
- Building Officials Report:

Mr. Kidney presented board with the Building Department December 2012 Monthly Report

16	Building permits
4	Certificates of Compliance / Occupancy
6	Searches
3	Social Service Inspections
1	Electrical License Application
2	Multiple Dwelling
21	Building Construction Inspections
22	Violations Notices
32	Other Inspections

Total amount collected: \$4,370.00

**100 Pike Street** – Waiting for April 2013 Planning Meeting

**36 Sullivan Avenue** – 4/11 for hearing. There will be a visit on Monday 4/8. There has been some progress but 5/30 is the drop dead date and it has been stressed to the owner’s attorney that it must be complete

**11 – 13 River Street** – Nothing new but as weather breaks there will be a push to get the issues addressed. Mr. Hendrick brought up a residents concern on the crumbling or missing sidewalks. This will also be addressed.

**Water Street (Former Flo-Jean Restaurant site):** 4/30/13 for full compliance

**4 Gorden Street:** Was broken into and police were called because a neighbor saw youths going into the house. It has since been boarded up but has really gotten into a beyond repairable condition. Will check with corporation council on next step.,

**188-192 Pike Street:** Fines paid and case is settled

**Niles Residence:** will address when the weather gets better

**Kal-Port** – will address when the weather is better

**Port Jervis Tire** – nothing new but summons was issued

**24-32 Front Street:** The roof is being covered with what appears to be tar paper and shingles. Mr. Kidney reports that there have been buyers who have come into his office regarding this building as well as 20 Front Street.

**9 Cross Street:** will address when the weather is better.

**5 Pennsylvania Avenue:** much progress outside, some work on interior. 2<sup>nd</sup> floor tenant passed away.

**143 East Main Street:** Mr. Kidney had a discussion with co-owner Dick Drew and hopefully he will have a clear title on the building by the end of May and then he sell the house.

**31 Seward Avenue:** Mr. Kidney spoke with the owner last week on the stabilization of the garage and will make contact again shortly.

**131 Hammond Street:** Mr. Kidney spoke with the owner in court and advised him something must get started on the building.

**21 King Street:** Property is in limbo; No owner; BW for arrest

- Old Business:

**Zoning By Definition for a Wine Bar in the Service Commercial (SC) zone:** Plan was submitted to county planning and awaiting comment. It calls for the definition of an Art Gallery and a Museum for LL #2 of 2013 and LL #3 of 2013 allows the use of a wine and beer bar as a Accessory Use in the Downtown Business District and a conditional use in the Service Commercial District with approval from Planning Board.

**Removal of and illegal use of multiple Kitchens from Single Family Units:** Local Law draft 3 of 2013 being adjusted to address some of the concerns that Corporation Council presented. Bill has been presented to the council and a public hearing is set for April 8<sup>th</sup>.

**Peddlers Permit:** Mr. Brady to draw up Peddlers Permit law to allow, by permit and permission only, to allow vendors to sell at the Observatory lookout, West End Beach, and Riverside Park by permission of the common council and to remove Hammond Street extension parking lot and

mini-mall municipal lot for the ordinance. In addition, the section regarding vendors during events will remain in place. Mr. Decker further stated that all brick and mortar businesses would be exempt from any city permits but that they must pay event fees to special events when they attend.

**Enclosure for Dumpsters:** Mr. Brady to draw up a new local law that states that new businesses must have 3 sided concrete enclosure, 6 ft in height with the front being a privacy swing open fence in which the dumpster is enclosed and no garbage can be seen from the outside. This would be added to a site plan approval as a conditional use.

**ACO to carry a weapon:** There was discussion regarding the ACO, who is licensed to carry a firearm, and whether or not he should carry his firearm while on duty even if only acting in the capacity as the ACO and not as a Peace or Police Officer. There will be a discussion with Chief Worden regarding this idea.

**Multifamily tenant conversion:** Mr. Siegel requests that our current local law that addresses multiple family houses to convert back to their original single family status if vacant after 1 year be moved to 6 months. Mr. Siegel sites that the degradation and neglect of the building begins on day one of vacancy and within 6 months most already show signs of destruction.

**Underground Utilities:** Mr. Decker reports that discussion continues with CDA, DPW, and O&R about putting utilities underground for the Tri-State corridor project. This endeavor might be the only good that comes from the delay in the project. Mr. Brady will be looking into the viability of making the utility company put all utilities in the city underground when a major project is being completed on a section of roadway.

**LL Conflict 215.80 and 535.30 (Animals allowed in the city)** The conflict between Section 215.80 and 535.30 and the definition(s) and interpretations regarding a pet and domestic dogs and cats will be addressed by Mr. Brady and Mr. Kidney to set specific animals that would NOT be allowed in the city and would return to next month's meeting with a recommendation .

**Sidewalk Replacement Program:** CDA looking into the sidewalk restoration agreement that the City of Newburgh is advertising to split the cost with the homeowners of the property up to \$1,500.00 per property. There was a brief discussion from members of the code committee regarding who would benefit from the program. The worst sidewalks, first come, would it be limited only to home owner occupied? Mr. Kidney stated that his office requires sidewalk installation with all new construction projects where no sidewalk exist or where they are in need of replacement. This also includes replacement or fixing sidewalks if the property owner is refinancing and gets a title search on the property. Mr. Kidney cautioned having his office look for the worst sidewalks in the city because he would then need to violate a large number of residence and businesses which would not be popular. He suggests having a lay person look to see which sidewalks seem to be the worst in the city and offer those property owners the 50/50 split 1<sup>st</sup> if that becomes available.

- New Business

**Establish a Fire Lane** in the Code for the alley behind the buildings on Front Street near the railroad tracks.

**Concern for CBD in the area of Hammond/Franklin from Spring to Fowler and Sussex St from Hammond to South Broome** – Mr. Kidney stated that he met with Mrs. Duryea and they have a concern in the CBD (Central Business District) as houses in the above stated area are being vacated that the buildings will never be used since they are for business use only. He said this will cause decay of the buildings and thus likely to cause them to be torn down. Mr. Kidney suggested that those two areas be considered RO or R1 when/if the zoning is changed for the Riverside area.

**Dilapidated Buildings** – A discussion regarding how do we get a dilapidated building torn down and possibly working through the state legislature to have fees relaxed through the Asbestos control board as their fees are extremely high as asbestos needs to be removed from most of the old buildings to be torn down.

- Public Input: NONE
- Next Meeting: **Wednesday May 1, 2013 7:00pm**
- Motion to Adjourn: Motion: Mr. Hendrick Second: Mr. Oney  
Meeting adjourned at 8:05 pm