

CODE COMMITTEE
City of Port Jervis
MINUTES – Wednesday August 7, 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 7:11pm by Mr. Decker
- Pledge of Allegiance
- Present: Councilman Decker, Councilman Oney, Councilman Hendrick, Councilman Belcher, Mr. Kidney, Mrs. Powrie, David Bavoso, and Angela Castellano.
- Approval of the May 2013. Motion Mr. Hendrick Second Mr. Oney Approved
- Building Officials Report:

Mr. Kidney presented board with the Building Department July 2013 Monthly Report

24	Building permits
8	Certificates of Compliance / Occupancy
10	Searches
7	Social Service Inspections
2	Social Service Re-Inspections
4	Pool Permits
2	Sign Permits
1	Public Assembly
2	Multiple Dwelling
39	Building Construction Inspections
67	Violations Notices
67	Other Inspections
2	Appearance Tickets

Total amount collected: \$6745.00

100 Pike Street – Free of Graffiti and awaiting final drawings

11 – 13 River Street – Sidewalk nicely repaired on Ferry Street. Some cleanup has been made and the building department is monitoring the situation

4 Gordon Street: The building is secured but in very poor condition. The building department will be moving forward with a condemnation order that will need a public hearing but they would also like to perhaps try one last chance and travel to where the violator lives in upstate New York and have them address the multiple violations as well as take responsibility and payment for tearing the building down.

Niles Residence: Mr. Niles sent the building department a hand written note that he has purchased paint for the building and with the assistance of another he will begin painting the house by August 10th. Mr. Decker stated that was great and that with all violations compliance is what is pursued. Mr. Kidney is in hopes this compliance action will be taken but if not he will issue a summons.

Kal-Port – Most of the pile has been removed and the building department will be keeping a close eye on the property for compliance.

Port Jervis Tire – Since the last meeting Mr. Siegel sent an email regarding Mr. Dobbs assertion that Schields Tire was probably grandfather met acceptable agreement from Mr. Kidney. Mr. Decker will speak with Mr. Dobbs as he stated he and the city would like to work with Mr. Dobbs in getting something in place of the trailer if he needs storage but that the trailer is an eyesore and needs to go.

24-32 Front Street: A new roof has been put on the building and the owners of the new Spanish restaurant cleaned up the garbage in the back. This building will be removed from the list.

9 Cross Street: Pest control treatment by Technician Joseph O'Reilly of Pest Tech was done on 7/22/2013 and work is being done on the shed roof.

143 East Main Street: Mr. Kidney cited Mr. Drew with 2 violations (1 on the house and 1 on the garage) and will receive a summons if not completed by 8/16. Mr. Kidney was advised by Mrs. Duryea that Mr. Drew has a clear title to the house.

131 Hammond Street: Siding is going up on the house. Its slow but going up.

67 Canal Street: The white truck is fully registered but needs an inspection.

Canal Street (fence dispute): Mr. Kidney believes the fence has been moved and the issue is over

41 Mechanic Street: The business has been given a 6 month ACD as long as they cease any illegal site plan business. Mr. Kidney has been in receipt of a recent photo showing bulk non-approved material being hauled away. After conferring with Corporation Council it was agreed that this issue would be waived this one time in hopes that all non-approved material would be out of the building.

Oak Street (pool permit): The pool has been drained.

Fowler Street (Former Palace Theatre): Graffiti cleaned up and hatch repaired.

- Old Business:

Zoning By Definition for a Wine Bar in the Service Commercial (SC) zone: City Attorney Damien Brady reduced the long form and received help from City Engineer Scott Quinn. The report is in the hands of Orange County planning.

Peddlers Permit: Mr. Decker stated that he went over each point of the following changes with Mr. Brady and requested that ***a Local Law be presented on or prior to the 1st November 2013 Council Meeting.***

1. Vending and Peddler is by permit only renewable on Jan 1st of each year
2. Vending and Peddler permit is seasonal from the Friday before Memorial Day until the Tuesday after Columbus Day. There will be no peddling or vendors from the Wednesday after Columbus Day to the Thursday before Memorial Day of the following year except for city permitted/sponsored events and only in the events location.
3. Seasonal Vending and Peddler permit is \$1,500. (No exceptions)
4. Vending and Peddler permit for all city sponsored events for 1 year ONLY - \$500 (city brick and mortar businesses are exempt) any additional fees charged by event sponsor must be paid by the vendor.
5. No city charge for Vending and Peddler permit for street fair events ONLY. Additional fees charged by event sponsor, if applicable, must be paid by vendor.
6. Vending/Peddler permit for Fireman's day parade ONLY - \$100 (city brick and mortar businesses are exempt)
7. Permission for location given by the Common Council on 1st come 1st served; but prior year vendor has priority.
8. One seasonal vendor permitted to occupy Observation lookout on Park Avenue must not take up more than 2 parking spaces
9. Seasonal Vendors permitted to occupy Riverside Park parallel to the access road from 4th street to the softball field fence.
10. Seasonal Vendors permitted to occupy the tree line of the West End Beach parking area.
11. Stop and Go Vendors/Peddlers – may not stop at one location more than 10 minutes. (e.g. ice cream truck – door to door sales unless invited into the home)
12. Catering permit – Any business that caters to a business or a resident and uses their own mobile unit must pay a yearly fee of \$1,500 (Any Brick and Mortar business along with any Vender that has paid the Seasonal fee are exempt from paying the catering permit.)
13. Caterers must park their mobile unit on or adjacent to their client's property and may NOT sell to any other individual.

Enclosure for Dumpsters: Mr. Decker stated that he spoke with Mr. Brady and that Mr. Brady will have this ***local law drawn up by the 1st September 2013 Council Meeting*** 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. Mr. Kidney suggested that this be written in the screening section of Zoning. Mr. Kidney did address the fact that RSG2 is expanding its new brick and mortar business at 58 Ball Street and taking over 56 Ball Street. He discussed the dumpster issue and the added expense. Once he figures the property lines and will address with planning how to deal with the dumpster enclosure at this location as they have been pursuing the 3 sided block and privacy gate front.

Underground Utilities: Nothing new to report.

LL Conflict 215.80 and 535.30 (Animals allowed in the city) The committee did discuss Mr. Brady's drafted version of the LL which would put all animal issues in the 215.80 except for definitions of kennels. The only issue to be discussed with Mr. Brady and possibly added to this new local law before it goes to planning for 45 days would be to Section 215.12 A – 3 to also allow service dogs for those with handicaps. After this change the committee is in agreement that this should be sent to planning and will come back to the full council for public comment and passage in September.

Sidewalk Replacement Program: The CDA director along with the police chief is working on a grant for new sidewalks on East Main Street (both sides) from Jersey Avenue to Kingston Avenue and on Kingston Avenue from East Main Street to the Auto Mall. This grant request is to the NYS Department of Transportation.

Concern for CBD in the area of Hammond/Franklin from Spring to Fowler and Sussex St from Hammond to South Broome : The committee is in agreement that this area needs to go from CBD to RO and Mr. Decker has been asked to send Mayor Potter a letter asking him for the Building Inspector to speak at the next council meeting during the code section on why he and Mrs. Duryea, the Assessor, believe this change is necessary. The next step after the council's wishes would be for Corporation Council to contact Garling Associates for their input and then it would go to County and City Planning for comments.

Rat Concerns in the 3rd Ward: Mr. Oney asked of the status of the resident who was complaining that she had rats in her yard. Mr. Kidney stated that he has received no further complaints since everything was cleaned up.

Residence on corner of Kingston Avenue and Neversink Avenue: Mr. Belcher inquired about the status. He was told by Mr. Kidney that the house is suppose to be sided before the end of summer. Apparently the property owner was taken, when her garage contractor pocketed a large deposit and never returned.

- New Business

Elizabeth Street code concerns: Mr. Decker was addressing concerns from the neighbors of 20 Elizabeth Street. Mr. Kidney stated that some work has been done. He said he has also spoke with the property owner Marie Cain and addressed the issue of multiple people/families living in the one family house. Mr. Kidney stated that he inspected and approved that the second kitchen had been taken out and that the only one kitchen remains. He will speak with the landlord again and was also concerned that the truck in the backyard that was having junk from cleaning out the house put in it had a blown engine.

- Public Input: Mr. Bavoso asked Mr. Kidney if that essentially putting the kennel variance in the local law Section 215 would eliminate any variance option for kennel in zoning. Mr. Kidney agreed.
- Next Meeting: **Wednesday September 4, 2013 7:00pm**
- Motion to Adjourn: Motion: Mr. Hendrick Second: Mr. Oney
Meeting adjourned at 8:10 pm