

February 22<sup>nd</sup>, 2016**Regular Meeting-**

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 February 22<sup>nd</sup>, 2016 at 7:00 p.m.

**Attendance-**

Mayor Kelly Decker and all members of the Common Council were present. DPW Director John Farr, CDA Director Valerie Maginsky, Recreation Director John Faggione, Building Official David Rivera, Police Chief William Worden, City Clerk-Treasurer Robin Waizenegger, Mike Fox and Corporation Counsel William Bavoso were also present.

**Pledge of Allegiance-**

Mayor Decker, Julian Jacob and Jackson Ellison from Boy Scout Troop 67 and Nathan and Tyler Jacobs from Boy Scout Troop 68 led all present in the Pledge of Allegiance to the Flag.

**Youth Report given by Mr. Matthew Conklin-**

ASK Elementary School PTA will host a Me and My Gal Dance, Friday February 26<sup>th</sup>, from 6:00pm-8:00pm. Join the ASK PTA for an evening of ice cream, dancing, and fun. Students in HBE 5<sup>th</sup> grades celebrated their DARE graduation with ceremony and song. Students were awarded certificates for their participation in this educational program. Town of Deerpark PO and DARE instructor Frank McGrath was the master of ceremonies. Students presented McGrath with a check for \$137.00 money they raised at a recent bake sale.

Parents and guardians of children who will be 5 years old on/or before December 1<sup>st</sup>, 2016 are invited to register for Kindergarten. Students do not need to attend registration. More information is on the school website.

The Harlem Wizards make their return to Port Jervis, Wednesday, March 2<sup>nd</sup> to challenge the Port Jervis faculty. All proceeds to support SADD and the All-Night Grad Party. For game details and info visit the pjschools.org website.

PJHS Friends of Rachel Club invite the public to a very special event. Join us for the Rachel's Challenge Community Event, Thursday March 3, 7:00pm, in the HS auditorium. Come hear the inspiring story about one girl's dream to change the world.

PJHS sent some of our best and brightest to compete in the 2016 Mid-Hudson Science Olympiad Regionals. The Raiders faced 27 other teams in this contest, held in Stone Ridge, NY. The Science Olympiad is a national competition involving as many as 25 events from Physics, Chemistry, Biology, Environmental Science, Earth Science, Engineering and other general science topics. The Port Jervis Middle School, with assistance from the Port Jervis Educational Foundation, has re-opened the school store. The Market is open for business every day after school and the shelves are stocked with treats, water and sports drinks.

The Port Jervis School District Board of Education Candidate Petitions now available. Three of the nine seats are up for election, May 17<sup>th</sup> 2016. Petitions for those seats are now available at the Central Office, 9 Thompson Street.

The next board of Education Meeting is March 1<sup>st</sup>, 2016 at 7:00pm.

**Senior Report-**

Mr. Siegel is asking for any seniors willing and able to give the council a monthly report on senior living to please contact him or the Mayor's office.

February 22<sup>nd</sup>, 2016**Veterans Report-**

Mr. Siegel reported that they found a Veteran reporter who will start reporting next month.

**Public Hearing-****Local Law#5- Transfer Tax**

Wayne Kidney, 1<sup>st</sup> ward, is against another tax for the people. He states this law will be detrimental to real estate market.

Mr. Siegel and Mr. Bavoso- both in opposition of Local Law #5.

Motion by Mr. Bavoso, Seconded by Mr. Siegel to close the public hearing on Local Law #5.

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

**Local Law #6- Snow & Ice Removal/Sidewalks & Hydrants**

Mayor Decker read a letter from Mr. Rohner stating he was not in favor of putting the responsibility of shoveling out hydrants onto the homeowners but is in favor of having the sidewalks shoveled 36in wide.

Mr. Bavoso & Mr. Siegel- both in agreement that Local Law#6 should be passed.

Motion by Mr. Bavoso, Seconded by Mr. Bell to close the public hearing on Local Law #6.

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

**Local Law #7-Prohibiting Black Top for Yards/Sidewalks**

Wayne Kidney, 1<sup>st</sup> ward, addressed the 3<sup>rd</sup> paragraph of the Local Law and asked if this law covers driveway aprons.

Judy Opelt, 4<sup>th</sup> ward, thinks the City is acting like a dictatorship over the sidewalks. Believes that if the homeowner is responsible for maintenance and repair then they should be able to pick what material is used.

Mr. Bell, Mr. Foster, Mr. Belcher, Mr. Siegel- all in opposition of the sidewalk portion of Local Law #7.

Mr. Ritchie- stated that the law is intended to save the green space on residential properties.

Motion by Mr. Bavoso, Seconded by Mr. Foster to close the public hearing on Local Law #7.

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

**Public Comment-**

Ray, a representative for Karl Brabenec, informed the council he is attending to hear any state issues the council may have.

**Minutes Approved-**

Motion by Mr. Belcher, Seconded by Mr. Bavoso to approve the minutes of the February 8<sup>th</sup>, 2016 regular meeting.

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

February 22<sup>nd</sup>, 2016**Committee Reports:****Finance Committee-**

Discussed Capital Note, sewer fee for Non-Homestead properties, cash flow, insurance renewals and Energize New York

Motion by Mr. Bell, seconded by Mr. Belcher to pay the current bills for General Fund, Water Fund, and Capital Account for a total of \$139,114.14

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

City Clerk Treasurer noted that the health insurance payments will be delayed due to the lack of cash flow.

Motion by Mr. Bell, seconded by Mr. Bavoso to authorize Mayor Decker to sign into an agreement with Orange County, Office of the Aging, to provide the senior dining program to citizens and to accept funding in the amount of \$66,439.00 plus increase for wages and fringe benefits.

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

The next meeting will be held on March 16<sup>th</sup>, at 6:45pm in the council chambers.

**Fire & Emergency Management (FEM) Committee-**

Announced the annual fireman's day parade will be July 9<sup>th</sup>, 2016.

The next meeting will be held on March 21<sup>st</sup> 2016 at 7:00pm in the council chambers.

**Code Committee-**

Motion by Mr. Bavoso, seconded by Mr. Bell to adopt Local Law #5 relating to transfer tax.

AYE: 1(Mr. Bell) ABSENT: 0 NAY: 8 ABSTAIN: 0 DENIED

Motion by Mr. Bavoso, seconded by Mr. Siegel to adopt now Local Law #5 relating to snow & ice removal.

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Informed residents and council that the new sewer fee for non-homestead properties will be discussed at the next code meeting.

Next meeting to be held March 2<sup>nd</sup> at 7:00pm in the council chambers.

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

February 22<sup>nd</sup>, 2016

**UPDATE:**

Garbage pickup will be on its normal schedule for the next two weeks.

Every Saturday from 7:15am-11:30am the dump will be open for residents to use. Dump passes can be purchased at the City Clerk's Office for \$10.00 per pass.

Next meeting will be held March 7<sup>th</sup>, 2016 at 6:00pm

**Police Committee-**

Discussed changes in the Civil Service Police exam and announced a neighborhood watch meeting at the Drew Methodist Church addressing how to survive a mass shooting, new hires, 2016 training and budget overview.

Motion by Mr. Ritchie, seconded by Mr. Bavoso to authorize Chief Worden to execute all necessary contracts with regards to available funds relating to the STOP DWI Program.

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

The next meeting will be March 15<sup>th</sup> at 7:00pm.

**Liaison Reports:**

**Community Development Agency (CDA)-**

Micro-Grant applications are available on the Website and the Clerk's Office.

The next meeting will be February 24<sup>th</sup> at 7:00pm.

**Industrial Development Agency (IDA)-**

Future Home Technology will now be on the tax rolls.

Has requested Ellicott Development Inc to give a presentation on 100 Pike Street in April.

Next Meeting March 16<sup>th</sup> at 6pm.

**American's with Disabilities Act (ADA)-**

Last meeting was February 4<sup>th</sup>, 2015

No report given

Next meeting to be held May 2<sup>nd</sup> at 6:00pm in the council chambers.

**Housing Authority-**

No report to be given.

The next meeting will be February 23<sup>rd</sup>, at 7:00pm at Hillside Terrace in the conference room.

February 22<sup>nd</sup>, 2016**Recreation Commission:**

## Updates:

The Recreation Department is sponsoring a snow tubing field trip to Fernwood Resort in Bushkill, PA this Thursday February 25, 2016. 44 adults and children will be attending and the bus is sold out. 6 children from the Youth Center were awarded free trips for good behavior and helping out at the Youth Center.

Co-Ed Youth Basketball program is winding down. We have three days left in which the public is invited to attend. All these events will take place in the A.S.K. gym.

This Saturday February 27<sup>th</sup> we will hold a skills/competition day. This will be followed by awards and pizza for the kids. 3<sup>rd</sup> & 4<sup>th</sup> grade will compete at 12:00pm followed by 5<sup>th</sup> & 6<sup>th</sup> graders at 1:30pm.

On Thursday March 3<sup>rd</sup> the 5<sup>th</sup> & 6<sup>th</sup> grade league will hold its championship night. Consolation starts at 6pm and the championship game starts at 7pm.

Our 8<sup>th</sup> Annual Tom Chuckan Cops vs. Kids Basketball Game will be held on Saturday, March 5<sup>th</sup> at 10:00am. Cops from the Port Jervis, Deerpark and Eastern Pike Departments will face the 6<sup>th</sup> grade boys and girls from our youth program. This year's game will feature a half time "hot shot" competition for all boys and girls. In lieu of an admission fee we are asking for donations of canned food items or non-perishable items. These items will be donated to a food pantry here in Port Jervis.

The Recreation Department's first special event for 2016 is Snowball's Chance Fat Bike Race on March 19-20, 2016 at the new trails in the watershed property. This race will consist of a cross country race, time trial and kids ride. More information or to register go to [www.bikereg.com/snowballs-chance](http://www.bikereg.com/snowballs-chance)

Annual Easter Candy dash is scheduled for Saturday March 26<sup>th</sup> at 1:30pm.

For any questions on programs or events contact the Recreation Office at (845) 858-4045 or email us at [pjrec@frontier.net](mailto:pjrec@frontier.net).

The next meeting will be February 23<sup>rd</sup>, 2016 at 7:00 at the Youth Center.

**Tourism Board-**

Discussed City Wide Yard- applications are available on the website and April first is the deadline to register.

The next meeting will be on March 8<sup>th</sup> at 6:30 pm in the council chambers.

**Zoning Board of Appeals-**

No report

The next meeting will be held on March 1<sup>st</sup>, at 7pm in the Council Chambers.

**Planning Board-**

Discussed 2 pre-submissions, O&R permit extension and property conversions

The next meeting will be held on March 15<sup>th</sup> at 7:00pm.

**Plumbing Board-**

No report to be given.

The next meeting will be held on March 2<sup>nd</sup> at 6:30pm.

**Electrical Board-**

February 22<sup>nd</sup>, 2016

Discussed electrical applications.

The next meeting will be held March 2<sup>nd</sup> at 6:45pm.

**Senior Advisory-**

No report given

**Access 23 TV-**

Thanked camera man

**Mayor's Correspondence-**

Motion by Mr. Bavoso , seconded by Mr. Ritchie to approve the Soap Box Derby to use Sussex Street on race day June 12<sup>th</sup> with a rain date of June 19<sup>th</sup> and Jersey Ave on May 2<sup>nd</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 9<sup>th</sup>, 11<sup>th</sup>, 16<sup>th</sup>, 19<sup>th</sup>, 23<sup>rd</sup>, 25<sup>th</sup> and June 1<sup>st</sup> for race practice from 5-7:30pm.

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

Appointed Bill Harris and Judy Gumaer-Testa to represent Port Jervis at the Upper Scenic Byway committee meetings in Narrowsburg.

Appointed Lorraine and Mario Marquez to the Tourism Board.

Read a letter of resignation for Mr. Dick Roberts as City Historian. If anyone is interested please contact the Mayor's office.

**City Clerk Treasurer's Report-**

Motion by Mr. Bavoso, seconded by Mr. Bell to approve the corrected December 14<sup>th</sup>, 2015 common council minutes.

AYE: 5 ABSENT: 0 NAY: 0 ABSTAIN: 4(Fitzpatrick, Hendry, Foster, Trovei) CARRIED

Preparations are complete for the 2016 City Taxes; collection will be March 15<sup>th</sup> – May 2<sup>nd</sup> for the 1<sup>st</sup> installment and June 1<sup>st</sup>-30<sup>th</sup> for the second installment. Warns residents that any delinquent water as of December 30<sup>th</sup> has been re-levied onto the City Tax bill. This gives the City a greater chance of collection and also saves on labor during the tax lien process.

**Old Business:**

**Mr. Siegel-**

Thanked congressmen Patrick Maloney for holding his town hall meeting here and wrote a letter asking the congressmen to come back again but give us more time in the future.

Reminded citizens that Time Warner Cable will be switching to all digital in March.

Encouraged people to attend and give input at the code committee meetings.

February 22<sup>nd</sup>, 2016

**Mrs. Trovei-**

Would appreciate if more residents would attend the code committee meetings to give valuable feedback for any proposed local laws.

Announced 3<sup>rd</sup> ward neighborhood meeting will be Wednesday February 24<sup>th</sup>

**Mr. Ritchie-** No old business

**Mr. Foster-** No old business

**Mr. Bavoso-**

Educated the public on how the Code Committee comes up with potential local laws and encouraged everyone to attend the meetings.

**Mrs. Hendry-** No old business

**Mr. Belcher-**

Happy to hear Mr. Bavoso will be addressing the stray cat issue at the next Code Meeting.  
Still pushing Time Warner Cable to fix the issues with Access 23.

**Mrs. Fitzpatrick-** No old business

**Mr. Bell-** No old business

**New Business:**

**Mr. Bell-**

Reiterated that people should attend the committee meetings and are open to the public.

**Mrs. Fitzpatrick-** No new business

**Mr. Belcher-**

Informed council on his progress with providing Energy in the Bank with information they are requesting.

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**Mrs. Hendry-** No new business

**Mr. Bavoso-** No new business

**Mr. Foster-**

Announced 1<sup>st</sup> ward neighborhood watch meeting will be March 9<sup>th</sup> at 6:30pm at engine 5 firehouse.

**Executive Session set-**

Motion by Mr. Foster, seconded by Mr. Bavoso to allow Executive session for proposed contracts for conveyance or lease of real property regarding the Crown Castle request for lease of additional City owned property, Time Warner request for new lease of City owned property and pending PSC claim by the City, potential contract between Orange County and the City, proposed contract changes from Energy in the Bank, update on 24-32 Front Street litigation, potential acquisition or conveyance with the Town of Deerpark with potential litigation for annexation, MTA proposal for Telecom monopole location, CDA Contractual, Police making Grant, pending litigation with Atereth Development, LLC, Goodwill Church claims and to seek advice of council with invitation to William Worden, David Rivera and Valerie Maginsky.

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

**Mr. Ritchie-**

Announced 2<sup>nd</sup> ward neighborhood watch meeting will be held on February 25<sup>th</sup> at 7:00 pm.

**Mrs. Trovei-** No new business

**Mr. Siegel-**

Expressed condolences to the Kahmar family.

Thanked Mr. Rohner for his letter and all that gave input for the proposed local laws.

Apologized for no TV signal.

**Public Comment**

Wayne Kidney, 1<sup>st</sup> ward, asked Mr. Siegel to clarify what Time Warner is now requiring and informed everyone that cable rates are negotiable.

Judy Opelt, 4<sup>th</sup> ward, warns residents that Time Warner is charging to install the converters and anyone receiving Medicaid can receive this new service free for 5 years.

Motion by Mr. Bavoso, seconded by Mr. Foster to enter into executive session at 8:30pm.



February 22<sup>nd</sup>, 2016

AYE: 9 ABSENT: 0 NAY: 0 ABSTAIN: 0 CARRIED

**Meeting Reconvened at 10:15pm**

Motion by Mr. Bell, seconded by Mr. Bavoso to authorize Mayor Decker to sign the agreement with the CDA for \$88,000.00 for 1 year of service.

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

Motion by Mr. Ritchie, seconded by Mr. Bell to approve the hire of Ryan Kevit as a Police Officer effective March 21<sup>st</sup>, 2016 at 1 step above starting level. (Step 2)

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

Motion by Mr. Ritchie, seconded by Mr. Bell to approve the hire of Kyle Mitchell as a Police Officer effective March 28<sup>th</sup>, 2016 at starting salary level.

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

**Meeting Adjourned –**

Motion by Mr. Siegel, seconded by Mr. Bavoso to adjourn the meeting at 10:17 p.m.

AYE: 8 ABSENT: 1(Belcher) NAYS: 0 ABSTAIN: 0 CARRIED

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Robin Waizenegger  
City Clerk Treasurer