

November 27th, 2017**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 November 27th, 2017 at 6:30 p.m.

Attendance-

Mayor Decker and all members of the Common Council were present except Mr. Bavoso & Mrs. Fitzpatrick.

Meeting opened at 6:30pm by Mr. Decker.

Pledge of Allegiance-

Mayor Decker led all present in the Pledge of Allegiance to the Flag.

Motion by Mr. Foster, seconded by Mrs. Randazzo, to allow Executive session to discuss, concerns regarding 29-31 Front Street and potential legal action, Discuss the City's contract regarding the Soap Box Derby, discuss an update of the proposed sale 35-37 Orchard Street property, Discuss a personnel matter regarding Mayor's Assistant, and invite the Building Official David Rivera, City Engineer and to seek advice of counsel regarding matters involving attorney/client privilege.

AYE: 7 ABSENT: 2 NAY: 0 ABSTAIN: 0 CARRIED

Meeting adjourned to executive session at 6:35pm

Meeting reconvened from executive session at 7:30pm

Attendance-

Mayor Decker and all members of the Common Council were present except Mr. Bavoso. CDA Director Valerie Maginsky, Recreation Director John Faggione, Building Official David Rivera, DPW Director Jack Farr, City Clerk Treasurer Robin Waizenegger and Corporation Counsel were also present.

Youth Report- No report

Senior Report- No report

Veteran Report-

Mr. Siegel reported new identification cards can be completed online through the Veteran Affairs website.

Public Hearing: 2018 Budget

Wayne Kidney, 1st ward, discussed Mayors proposed salary increase and requested the Mayor rescind his request and only be approved for a 2% salary increase.

Linda Vanhorn, 4th ward, echoed Mr. Kidney's suggestions regarding the Mayors proposed salary increase.

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Motion by Mr. Belcher, seconded by Mr. Siegel to keep the public hearing relating to the 2018 budget open.

AYE: 8 ABSENT: 1 NAY: 0 ABSTAIN: 0 CARRIED

Public Comment- No public comment

Minutes Approved-

Motion by Mr. Siegel, seconded by Mrs. Randazzo to approve the minutes of the November 13rd, 2017 regular meeting.

AYE: 7 ABSENT: 1 NAY: 0 ABSTAIN: 1 CARRIED

Committee Reports:

Finance Committee

Mrs. Trovei reviewed the 1st budget workshop and reported that the finance committee discussed the fire insurance bid and the serial bond. She also encouraged all to attend the budget workshops being held on November 30th, 2017 at 6:00pm and December 6th, 2017 at 6:00pm.

Motion by Mrs. Trovei, seconded by Mr. Belcher to pay the current bills for General Fund, Water Fund, and Capital Account for a total of \$524,654.12.

AYE: 8 ABSENT: 1 NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mrs. Trovei, seconded by Mr. Siegel to approve the resolution regarding the 2018 holiday schedule.

AYE: 8 ABSENT: 1 NAY: 0 ABSTAIN: 0 CARRIED

The next finance meeting will be held on December 20th, 2017 at 6:00pm in the Council chambers.

Fire & Emergency Management (FEM) Committee

Mr. Siegel announced the following nominations: Dominic M. Cicalese was nominated for the position of Fire Chief; Thomas M. Snyder was nominated for the position of First Assistant Chief; Anthony W. Fuller was nominated for the position of Second Assistant Chief; William R. Werner was nominated for the position of Department Secretary; and Robert A. Waligroski was nominated for the position of Department Treasurer

Motion by Mr. Siegel, seconded by Mr. Bavoso to approve the suspension of Fire Department election and authorize the Department Secretary to cast one (1) ballot for each of these positions at the next regular meeting of the Board of Officers, scheduled for December 4th, 2017. This action would result in a savings to the City as personnel would then not be needed to oversee and monitor the election.

AYE: 8 ABSENT: 1 NAY: 0 ABSTAIN: 0 CARRIED

Watch our Facebook page: Port Jervis Fire Department and our website www.pjnyfd.com for information about the PJFD.

The next meeting will be held on November 20th, at 7:00pm in the council chambers.

Code Committee-

Next code meeting to be held December 6th, 2017 at 7:00pm in the council chambers.

November 27th, 2017**Comprehensive Plan-**

The next community meeting will be held at Howard Wheat Engine Company No. 4 on December 5th, 2017 at 7:00pm

Department of Public Works (DPW) Committee-

Motion by Mr. Belcher, seconded by Mrs. Randazzo to approve the resignation of John Sanborn from the Dial-A-Bus.

AYE: 8 ABSENT: 1 NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Belcher, seconded by Mrs. Fitzpatrick to approve the resolution affirming the City of Port Jervis commitment to move forward with project known as, Safe Routes to School Replacement, fund local costs and the execution of the project's completion.

AYE: 8 ABSENT: 1 NAY: 0 ABSTAIN: 0 CARRIED

Motion by Mr. Belcher, seconded by Mr. Siegel to approve the resolution affirming the City of Port Jervis commitment to move forward with project known as, the Route 6 Neversink Bridge Replacement and the widening of East Main Street, fund local costs and the execution of the project's completion.

AYE: 8 ABSENT: 1 NAY: 0 ABSTAIN: 0 CARRIED

Update:

Garbage and recycling will be on its normal schedule for the next 2 weeks. The 2018 garbage schedule is now available and will be posted on the city website.

Yard debris in cans of no more than 35 gallons or biodegradable/compostable bags will continue to be picked up city wide until completed.

The compost pile will continue to be open on Saturdays from 7:15am – 11:30 am.

Please remember from December 1st – April 1st on street parking is prohibited from 1:00am-6:00am.

A portion of Hudson Street will be closed for bridge repair for approximately 2 weeks.

The next DPW meeting will take place on Monday December 4th, 2017 at 6:00pm here in the Council Chambers.

Police Committee-

Motion by Mr. Foster, seconded by Mrs. Hendry to approve the Police Department to purchase new parking tickets.

AYE: 8 ABSENT: 1 NAY: 0 ABSTAIN: 0 CARRIED

Mr. Foster noted that the police committee discussed raise the age program, adopt a cop program, parking ticket structure, DARE, training, potential new street lighting in the 4th ward and camera installation.

Motion by Mr. Foster, seconded by Mrs. Randazzo to approve the November 2017 Police Committee minutes.

AYE: 8 ABSENT: 1 NAY: 0 ABSTAIN: 0 CARRIED

The next meeting will be held on November 21st, 2017 at 6:00pm.

Liaison Reports:**Community Development Agency (CDA)-**

Mrs. Trovei reported that the committee reviewed financials, 2018 CDA budget, section 8 updates existing and future grant opportunities.

The next meeting will be December 20th, 2017 at 7:00pm on the second floor of the Youth Center.

November 27th, 2017**Industrial Development Agency (IDA)-**

Next meeting will be December 18th, 2017 at 6:00pm

American's with Disabilities Act (ADA)-

Mr. Foster informed residents that a formal letter was sent to Metro-North addressing the lack of ADA compliance at the Port Jervis Train Station. He also noted that a rally will be held at the Port Jervis Train Station on December 3rd, 2017 at 12:30pm to support an ADA compliance upgrade.

Housing Authority-

The next meeting will be November 28th, 2017 at 7:00pm at Hillside Terrace.

Recreation Commission:

Youth Center hours are: Monday-Thursday 3:00pm- 7:00pm, Friday 3:00 pm- 6:00 pm, Teen Night- Fridays 6:00 pm- 10:00 pm

Note: If school is closed to due weather the Youth Center is open 11:00 am-3:00 pm

This holiday season the Recreation Department will once again be participating in Santa's Toy Box. This is an annual toy drive for children here in the Tri-State area. We are collecting NEW toys beginning Monday November 27. Toys can be dropped off at the Youth Center any weekday between 10 am-6 pm. All toys will go to children in the Tri-State area. Please help us help the kids. Thank you. For more information contact us at 845-858-4045 or email us at pjrec@frontiernet.net.

Our annual winter co-ed Youth Basketball program will start on December 16th, 2017. All games and practices will be at the ASK gym. Registration will take place at the Youth Center on December 2nd 9:00 am-12:00 pm and December 4th, 5th and 6th 6:00pm-8:00 pm. This program is for boys and girls in grades 3-6. Flyers will go out to both elementary schools tomorrow. Information is also available on our Facebook page- Port Jervis Recreation.

There is no Recreation Commission meeting in December. The next meeting is scheduled for Tuesday January 16th, 2018 at 7 pm at the Youth Center.

Motion by Mrs. Fitzpatrick, seconded by Mr. Belcher to approve the hire Mr. Robert Sayers as a PT Laborer at the Youth Center. Mr. Sayers will replace Mr. Glenn Ross (who was appointed at the November 13, 2017 CC meeting but then declined the job). We are asking that Mr. Sayers start on November 28, 2017. We are also asking that Mr. Jim McCooey's resignation date be changed from November 17th to December 1st. This will allow Mr. McCooey to train Mr. Sayers.

AYE: 8 ABSENT: 1 NAY: 0 ABSTAIN: 0 CARRIED

Tourism Board-

The next meeting will be on December 20th, 2017 at 6:30 pm in the Council Chambers.

Zoning Board of Appeals-

The next meeting will be on December 5th, at 6:00pm in the Council Chambers.

Planning Board-

Mrs. Randazzo noted that the Planning Board had a public hearing for 92 Front Street and reviewed 2 pre submissions. The next meeting will be held on December 19th, 2017 at 7:00pm.

Plumbing Board-

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The next meeting will be held as needed.

Electrical Board-

The next meeting will be held as needed.

Senior Advisory-

Mr. Siegel stated that seniors are concerned with the sidewalk obstruction on East Main Street near Saint Mary's Cemetery.

Access 23 TV-

Mr. Belcher thanked the cameraman.

PJV Ambulance Report-

Mr. Ewing stated that the PJVAC is showing a profit for the current year, reduced payroll expense and noted volunteer participation is up from previous years. The annual fundraiser will be held soon, more information can be found on Facebook.

Mayor's Correspondence-

Mr. Decker invited everyone to the annual tree lighting at Bon Secours Community Hospital on November 28th, 2017 at 5:00pm.

Mayor Decker reminded residents that the Rick Drew Tree Lighting will be on December 3rd, 2017 at 6:00pm and the Rick Drew Christmas Parade will be held on December 10th, 2017.

Mr. Decker noted that the City of Port Jervis DPW & Police Department are collecting non-perishable foods for a food drive to help local churches and salvation army anyone interested in donating can drop food off at the DPW, Police Station and the City Clerk's Office. The Recreation Department is hosting an annual toy drive for the children of the Tri-State area. New toys can be dropped off at the youth center from November 27th-December 22nd.

Mayor Decker thanked all involved with the successful Christkindlemarkt event.

Motion by Mr. Belcher, seconded by Mr. Foster to approve the event application for the annual meeting of the New York State Rifle and Pistol Association being held on May 19th, 2018.

AYE: 8 ABSENT: 1 NAY: 0 ABSTAIN: 0 CARRIED

Mayor Decker asked the Council to approve a letter of support for an investment group looking to build hotels and senior complexes within the City.

Mrs. Trovei suggested the Mayor forward the letter to the Council for review.

Motion by Mrs. Randazzo, seconded by Mr. Belcher to approve the resolution naming the promenade at the intersection of Front Street and Jersey Avenue as the Josef Kucher Memorial Promenade.

AYE: 8 ABSENT: 1 NAY: 0 ABSTAIN: 0 CARRIED

Mr. Decker informed residents that the Dial-A-Bus will be conducting City light tours on December 6th -7th and December 13th-14th.

Mayor Decker encouraged all residents to partake in a survey to help the Port Jervis School District select a new Superintendent of Schools. The survey can found on the schools website www.portjervissschools.org

Mr. Decker read the following statement "Facebook readers and writers as well as newspaper reporters can falsely report information or misconstrue comments or twist them in an unintended way which leads to gossiping that makes the non-truths

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even worse.

I wanted to clarify to the public that our city runs on a \$15.1 million dollar budget currently and is a business with about 100 fulltime employees as well as 50 part-time employees, so it is not a club of volunteers.

The city was quite frankly in severe fiscal distress when I became mayor. I of course did not know this but chose to take on the challenge to help correct it. Issues dating back to the late 1980's with the creation of the Homestead/Non-Homestead program backfired years later causing major industry and commercial businesses to leave our city. When businesses pulled out, so did our tax base and owners filed tax grievances for loss of revenue. Some prior budgets over inflated the revenue lines, used fund balance, and cut personnel (police by 5 and DPW by 4). They also negotiated contracts that paid out city funds in the future. Our city infrastructure went unchecked, except for fresh water main replacements and a multi-million dollar water plant with an addition 20 years later that would be become a cost burden for us now.

Can we continue to kick the can down the road? Certainly, but at what cost? Cut DPW and garbage pickup and hope people will take care of their own? Cut recreation programs and hope juvenile delinquency on the street doesn't rise, cut our police and gamble that crime won't increase? I do not agree with any of them. After the last 4 years of serving, with a goal and a plan on how to get the city to begin to prosper and move forward using a combination of tax increases and some alternative revenue, I am happy to say that we are turning in a positive way. Of course, some will disagree and do not like the change of how it is moving forward while others finally see it and appreciate it.

We are now building our fund balance. Our bleak financial future is beginning to improve. I have offered several ideas of creating alternative revenue. Do they cost? Most do, but the only other alternative is raising taxes which I don't quite frankly like either. At least one of the alternative income sources that I suggested should begin saving the city at least \$240,000 a year, this coming year.

As I said, I have several ideas of creating alternative revenue for the city that can certainly help offset future tax increases. Of course, I have to have a council that agrees and works with me and also understands that most ideas cost money to start and won't produce a reduction or add revenue until several years later such as moving forward with the Annexation with Deerpark and creating a new commercial and industrial zones that bring in business and an additional tax base, developing Riverside Park as a recreational destination area that not only provides family fun but also creates seasonal jobs for our youth as well as revenue for the city (with ideas such as rental pavilion areas, an adventure park, zip lines, miniature golf, ball fields, and perhaps an enclosed hall are just some options).

I have heard some say that we should go to a city manager. I want to caution the citizenry to stay away from that form of government as it will be the destruction of our city just like it was to Newburgh and our people will have no control over their local government as residents of Newburgh really have no control today.

As for the Mayor's position, it could be fulltime but I believe, at least for now, it should stay part time. However, in order to get someone to run our city in the future, that might perhaps have a vision but also a solid financial background, will only be done with not a tremendous but at least an acceptable salary. The mayor's position also has many non-reimbursable costs that come with it such as donations, events to attend, and other things that come up throughout the year and are expected from the Mayor. Four years ago, the mayor's office had a full-time assistant that ran the office. It also cost the city in benefits and retirement. I was able to eliminate that by taking on more of the work load. Today that position is part time with no benefits and has saved the city at least \$30,000 per year but of course the work load has increased.

I had asked the council earlier this year to consider putting the mayor's salary increase on a referendum this fall and let the voters decide what should be done. I was told that it was a budgetary item that only the council will address in the next budget. So, I put the increase in this budget. How did I get that number? I thought coming close to matching the salary of the part time Supervisor of Deerpark was a good place to start. (see supervisors or mayors salary chart)

Many say you can't compare Town's to City's and they are correct. The city has much more responsibility of its people than that of a Town. When I compared ourselves to a city of our size, such as the City of Olean, in the southern tier of this state, the mayor there makes \$93,500.00 which of course for us, at this time, is cost prohibitive.

When looking at the Towns, Villages, and City's that I compared ourselves too, many can look back and see that for the last several years they have stayed within the tax cap. But you need to look back further than a few years and also look at their budget lines. Many were able to stay within the tax cap because they didn't go 8 years, like us, without tax increases which

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then compounds each year thereafter. Although many are doing it now and it will catch up to them. Many had very large increases and/or cuts. Take for example the Town of Deerpark with a 40% tax increase, but then had major cuts basically gutting their police and highway departments thus getting their budget to become manageable, but not sustainable. It will catch up, just like it is currently doing in the Town of Warwick. We cannot cut like that and we certainly haven't raised taxes like that either. The City of Olean clearly had their challenges too and several double-digit increases. They corrected themselves by finally having an outside company come in and do a full reassessment putting everyone in line with property tax values that went from a percentage like we do now, to 100%. We could do this too but people get nervous because a few will pay less taxes, some will stay the same, and many will pay more, it is a gamble of who that would be. It will also cost the city at least \$100,000 to do this but it is the best way to make it fair for all. I ask the public; compare services received elsewhere to what citizens receive here in our city and the cost? You will not find it better anywhere else in the area, I've looked.

My request for an additional \$20,000 for the mayor's salary does NOT raise the tax increase by 4% to make it 9.98%, as falsely reported by the Times Herald Record, but in fact it raises it 0.4%. If the mayor's salary increase request was to be cut out totally right now, the budget increase would still be 9.58%. But this raise is now up to the council to see what is reasonable. By the looks of it only a dozen people have complained to their council people while several have been ok or understanding with it. This is not a good cross section of our citizenry. I, of course will accept anything they give me, even if it is no increase at all. I have no intention's on leaving as some suggest and will continue to fulfill my obligation with a smile but this is a can you can't keep kicking down the road.

As for me volunteering for this position and comparing it to the school board? This is by no means a volunteer position. The school district has Superintendents making hundreds of thousands of dollars and getting ridiculous buyouts and increases and no one from the public bats an eye there. They raised your taxes 26% in one shot and now have an unallocated fund balance well over \$10 million dollars and only a handful of people speak out. The Mayor's position, in the city, has a lot of responsibility as well as time needed to do it properly. I balance my life, at a price sometimes for my family and friends, by working my fulltime job and then attending to all the duties as a mayor. Don't get me wrong, I also volunteer my time whether it is with the ambulance corps, the fire department when I can, as well as community service, and the plays at the school.

There have also been comments about the money I make "with all my jobs and retirements." Since I am a public official I do believe that my life should be open for proper review. Yes, I served 22 years in the U.S. Military and when I turn 60, 10 years from now, I will get a small pension. Yes, I worked as a police officer for 22 years and earned a New York State retirement but currently because I am a teacher in New York State they only let me collect 4 months of my pension that I earned each year. As a teacher I currently make the salary that is negotiated as a teacher with 6 years of instructional background. I am NOT eligible to get a retirement from teaching unless I totally forgo my police retirement permanently and opt to take a teacher's retirement. This saves our school district at least \$30,000 a year or more by having me there than someone else as they don't have to pay into the retirement system for me. As for being an elected official? I did have the option to go into another retirement system and collect another pension, that is only for elected officials, but I chose, back in 2011 as I do today, NOT to get a retirement as an elected official in New York. Ask your other elected official who did, see if they tell you?

So, I hope this properly answers the many questions or comments that have been made either at random without fully having any knowledge about the issues first.

It is easier to remember that it is very easy to contact me whether by phone, email, messenger, or the office. Should you have any questions do not hesitate to contact me personally and I will answer them to the best of my ability but I ask... Please don't assume."

City Clerk Treasurer's Report-

Mrs. Waizenegger stated that her office is working on the 2018 budget and reminded residents that County tax and water is due in January.

Old Business:

Mrs. Randazzo- No comment

Mrs. Fitzpatrick- No comment

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Mr. Belcher- No comment

Mrs. Hendry- No comment

Mr. Bavoso- Absent

Mr. Foster-

Mr. Foster thanked all involved with Christkindlemarkt.

Mrs. Mann-

Mrs. Mann thanked all involved with Christkindlemarkt.

Mrs. Trovei-

Mrs. Trovei thanked all involved with Christkindlemarkt.

Mr. Siegel-

Mr. Siegel thanked all involved with Christkindlemarkt.

New Business:

Mr. Siegel-

Mr. Siegel encouraged all to attend the Comprehensive Plan visionary workshop being held at Howard Wheat Engine Company No. 4 on December 5th, 2017 at 7:00pm. He also noted that he visited the Kingston Train Station and noticed they had a wooden handicap accessible ramp that could be easily installed at the Port Jervis Station for a minimal cost to Metro-North. A rally will be held on December 3rd to encourage ADA compliance at the Port Jervis Station. Mr. Siegel announced that volunteers are needed to help with the warming station this season and free training is available on November 28th, 2017 at 7:00pm at Saint Peters Lutheran Church and thanked all who attended the benefit concert.

Mr. Siegel read the following statement, "I suspect that the Budget will be voted on, at the December 11th meeting. Unfortunately, my family and I will be away, during the time of the December 11th meeting. I have asked if I can vote by proxy or phone, but was told NO. So, I would like my opinion, on the record, in the case that I am not here to vote on this budget... My hope is that the budget will not be voted on, until the 2nd meeting in December but that is unlikely, therefore; I would like to say, that if the budget voted on, is similar or the same as to one today, I would have to vote NO. I have received, probably more calls and other communications, on this budget than any other, in all the time that I have served on the Council. Not one person that contacted me indicated that I should vote yes on this budget, at nearly 10% and that includes a 100% salary increase for the Mayor. Most were, however, not opposed to a 2% increase for the Mayor, council members and city employees. The argument that I hear from the Mayor, is that our taxes are the lowest in the area, with the most services. That an increase, for an average home, is around \$10.00 a month and that if people want to keep the services, they currently get, then they have to endure a tax increase. But, those that contacted me say, that they cannot afford a tax increase, and some are having difficulty in keeping their homes, with today's taxes, fees, utilities, food, etc.

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I have a problem with voting for a raise for a sitting Mayor or Council. We should only vote on a raise for a future Council. I have always contended that there should be a modest increase, each year, of around 2%, which would be more affordable to all and potentially prevent a 10%+ future tax increase.

There are only 3 ways that I can see, to prepare a budget; Raise Taxes, Reduce Spending, or a Combination of both. I feel we need to do a combination of both.

It is my hope, that expenses are reviewed further, long term borrowing is reduced, and that we take a hard look at the mandated costs of running our fine city.

It is important that your elected officials know how you, the taxpayer, feel about this budget, pro or con. We are elected to represent our constituents and it is difficult to do that, without input from you. Please continue a dialog with us. Fortunately, many buildings and properties have been, and are being purchased and renovated, which will bring in more revenue, next year. We are looking at increasing some administrative fees, and that will help also. The Solar project will reduce some of our utility costs. Port is definitely on upswing and the future is looking brighter. But, we have to face the reality of today. Thank you for your time."

Mrs. Trovei-

Motion by Mrs. Trovei seconded by Mr. Siegel to approve a resolution adopting a negative declaration for the SEQRA review of the proposed action: a solar project, sponsored by Energy in the Bank Development Partners, LLC and Port Jervis Solar One, LLC to install a solar array on an Approx. 3.94 acre property that is owned by the City of Port Jervis and is located at 250 Canal Street, Tax map ID 23-1-1.

AYE: 8 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED

Mrs. Mann-

Mrs. Mann congratulated and wished good luck to the new business that opened on Pike Street.

Mr. Foster-

Mr. Foster encouraged all to attend budget workshops.

Mr. Bavoso- Absent

Mrs. Hendry- No comment

Mr. Belcher- No comment

Mrs. Fitzpatrick- No comment

Mrs. Randazzo-

Mrs. Randazzo reviewed recent comments she received relating to the budget and potential tax increase.

Mr. Bavoso, Corporation Counsel -

Mr. Bavoso asked the Building Official, Mr. David Rivera and the City Engineer, Mr. Jim Farr a series of questions relating to the building located at 29-31 Front Street, Tax map ID 18-2-4.2.

Mr. Bavoso – David Rivera you are the serving, acting, appointed Building Official for the City of Port Jervis?

Mr. Rivera – Yes, sir.

Mr. Bavoso – Jim you are representing Farr engineering and you are the designated Engineer for the City of Port Jervis?

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Mr. Farr – Correct.

Mr. Bavoso – David with regard to 29-31 Front Street, is this a property that you have visited on several occasions?

Mr. Rivera – Yes, it is.

Mr. Bavoso – it is a property that you have violated and taken to the City court because of various issues regarding structure and the roof on that property, is that correct?

Mr. Rivera – Yes, it is.

Mr. Bavoso – Jim you have also inspected the property with David, is that correct?

Mr. Farr – Yes, it is.

Mr. Bavoso – Now with regards to going to city court, the court fined in August of this year the owner of that property which is We Managed All, LLC is that the name of the owner?

Mr. Rivera – The name of the owner is King Johnson and his LLC is We Manage All.

Mr. Bavoso – The action taken by the city court of the City of Port Jervis was a fine of \$250.00.

Mr. Rivera – Fine was \$1250.00

Mr. Bavoso – To your knowledge, has any of that been paid?

Mr. Rivera – I do not know.

Mr. Bavoso – With regards to the violations that you levied against that property, have any of those been resolved? Has any work been done on those?

Mr. Rivera – To my knowledge, whatever work has been done has been very meager and incorrect and basically what they've done according to building codes is not right. They haven't passed one inspection and they failed on many accounts. Their engineer that they hired for the building, John Fuller, I made it so he had to come on every one of my inspections so that the owner could see not only the City was against what was going on and the work being done but his own engineer was as well.

Mr. Bavoso – When did you last inspect the property, was it November 10th

Mr. Rivera – Actually, the last time I was there was today at 3:00pm.

Mr. Bavoso – Previously was it November 10th?

Mr. Rivera – Yes.

Mr. Bavoso – And after that November 10th inspection, did Jim accompany you on that inspection?

Mr. Rivera – The November 10th inspection, yes.

Mr. Bavoso – Jim, were you there today also?

Mr. Farr – I was not there today, I was there on Saturday.

Mr. Bavoso – This past Saturday?

Mr. Farr – Yes, this past Saturday.

Mr. Bavoso – Would it be correct to say that, in that inspection that the property was open, unlocked, unsecured and as a result of going into the property and it revealed structure members throughout have become decayed, due to rain, lack of maintaining the roof and other areas of the building in securing water tight fashion and how would you evaluate the condition of that property at this moment?

Mr. Rivera – It's in poor condition, there are many structural elements that are comprised or being comprised. If no action is taken very soon, it's only going to worsen.

Mr. Bavoso – Jim, when you were in what did you see?

Mr. Farr – Same thing David saw, there are structural members that are in failure, due to the saturation, due to the age of the building, there are cracked members, there are warped members, there are twisted structural members that are in structural failure.

Mr. Bavoso – And that's aggravated as a result of the fact that the roof is in poor shape and not maintained, is that correct?

Mr. Farr – Correct, it is saturated from the roof all the way down to the basement.

Mr. Bavoso – And it leaks?

Mr. Farr – Yes, and it leaks.

Mr. Bavoso – This is all exasperated by the fact that both walls with regards to the adjacent buildings, on either side are party walls or common walls, is that correct?

Mr. Farr – Correct.

Mr. Bavoso – Would you say that the property is in a condition that it is in jeopardy of collapse or failure?

Mr. Farr – Absolutely.

Mr. Bavoso – David, do you agree on that?

Mr. Rivera – Absolutely.

Mr. Bavoso – Would you both, David first would you say and I know you both are familiar with chapter 234 of the City code which deals with dangerous buildings within the City of Port Jervis. Would you say this is under section 234-13 an emergency situation and a dangerous situation that needs immediate attention?

Mr. Rivera – I would.

Mr. Bavoso – Jim, would you agree with that also?

Mr. Farr – I agree.

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Mr. Bavoso – And you have had numerous conversations with Mr. King Johnson, the property owner with regards to this?

Mr. Rivera – Mr. Johnson has been the property owner for about 2 years now, he pulled the permit over a year and a half ago and the 6 month extension on the permit to structuralize the building expired on the 24th of this month. He has had all the time in the world to make any necessary adjustments and corrections to repair any of the damage that was there prior to and occurring now and he hasn't done anything.

Mr. Bavoso – Did you notify him today that we would be speaking about this property and the emergency situation at tonight's meeting?

Mr. Rivera – When he was personally served Friday he was told then and he was also told again today.

Mr. Bavoso – Did he respond to that? Did he send an email?

Mr. Rivera – No. He said he would try and be there but obviously his letter that was issued to the Council and he emailed me today.

Mr. Bavoso – Today? And he said he would not be able to be here?

Mr. Rivera – Correct.

Mr. Bavoso – Ok so then based upon all of this, is it both of your recommendations, answer separately, that pursuant to section 234-13 of the City Code, which is the emergency provision of the dangerous properties law that you would recommend that the council take immediate action to secure this structure including the roof so it no longer is a danger to person and property?

Mr. Rivera – Yes, I would like to elaborate. Reason being, not only the structure on the inside but also the many things that have come off the roof and landed on Front Street as well as in the rear. Members of the council here and the public I'm sure have seen and witnessed this first hand. There have been 2x4 and 2x6 with nails hanging out; portions of roofing that have flew off into the street, into the sidewalk and is certainly a danger to the public and the public right away.

Mr. Bavoso – Jim do you want to add to that?

Mr. Farr – No, David said it exactly right. It is a dangerous structure and needs to be remediated immediately especially with the impending winter weather.

Mr. Bavoso – So based on those recommendations, the next action by the common council would be a motion to take immediate or as soon as possible emergency action, the city to secure that property so it is no longer a danger to person and property. Need a motion if you are so inclined.

Motion by Mr. Siegel seconded by Mr. Belcher to approve 29-31 Front Street, SBL 18-2-4.2 a dangerous building and to take immediate or as soon as possible emergency action to secure that property so it is no longer a danger to person and property.

AYE: 8 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED

Mr. Bavoso – once again the tax map is 18-2-4.2

Public Comment-

Linda Vanhorn, 4th ward, asked Mayor Decker and Mr. Siegel for copies of their statements and noted she doesn't agree with any salary increase for the Mayors position and would like to start a tax

Laura Meyer, PJ Tourism, thanked all involved with making a Christkindlemarkt a great success and noted she liked the direction the City has been going to the last 4 years.

Wayne Kidney, 1st ward, asked what exactly would be done to secure 29-31 Front Street.

Corporation Counsel stated the City would shore up the structure and patch the roof to prevent future damage.

Meeting Adjourned –

Motion by Mr. Belcher seconded by Mr. Foster to adjourn the meeting at 9:10pm.

AYE: 8 ABSENT: 1 NAYS: 0 ABSTAIN: 0 CARRIED

Robin Waizenegger
Clerk Treasurer