

April 22, 2019

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 April 22nd, 2019 at 7:00 p.m.

Attendance-

All members of the Common Council were present. Also present were City Attorney William Bavoso, Deputy City Clerk Treasurer Bobbie Jo Muller, Recreation Director John Faggione, and DPW Director Jack Farr

Meeting opened at 7:00pm by Mayor Kelly Decker.

Pledge of Allegiance-

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

Youth Report- None

Senior and Veterans Report- Mr. Siegel reminded everyone to beware of home scams, beware of unknown contractors who offer discounted prices for blacktop, gutters, chimneys, lawn work, etc., check references, get a written contract, pay in installments and hold the last payment until the job is complete.

FREE TUITION FOR DISABLED VETERANS FAMILIES

The MERIT Scholarship covered 111 students who received \$1.8 million.

Under the expansion, the children, spouses and other financial dependents of service members who died, were declared MIA or severely disabled during any performance of duty, in country, will be covered.

The maximum grant this year was \$24,250, which included room and board.

FREE TUITION FOR OTHER VETERANS...

The Veterans Tuition Awards are for full-time and part-time study for eligible veterans at an undergraduate or graduate degree-granting institution or in an approved vocational training program in New York State.

Eligible students are those who are NY State residents discharged under honorable conditions from the U.S. Armed forces and who are one of the following:

Vietnam Veterans who served between February 28, 1961 and May 7, 1975.

Persian Gulf Veterans who served on or after August 2, 1990.

Afghanistan Veterans who served on or after September 11, 2001.

Presentation by John Faggione, Recreation Director-Mr. Faggione reported that the basketball backboards were temporarily removed on April 16th from the Farnum House Park due to bad behavior. Park is left a mess on a daily basis. Our DPW Employees spend 30 to 45 minutes every day cleaning up trash and garbage, when garbage cans are readily available and not used. Disrespect of the property and other individuals is unacceptable. Bad language, broken windows, broken playground equipment and numerous police calls will no longer be tolerated. The park needs to be safe and fun for everyone.

Motion for executive session made by Regis Foster, seconded by David Bavoso for personnel matters involving the city clerk treasurer's office, the DPW and the Building Dept., with invitation to Jack Farr, Bobbie Jo Muller and Steven Banks to attend.

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

Meeting Adjourned at 7:10 pm

Meeting Reconvened at 7:45 pm

Minutes Approved-Motion by Dominick Santini, seconded by George Belcher to approve the minutes of the April 8th, 2019 regular meeting.

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

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For the Good of the City –

Pastor Peter Gable expressed progress with Empowering Port Jervis, Inquired about where a restaurant could drop off leftover food and was advised the Salvation Army. He requested if anyone else has any other drop off places for food to let him know, Community strong, that's what it's all about.

Mr. Ed DeGroat, 3rd ward commented that he was hoping it would be a full house, rehashed complaint about motor cycle shop and guy killing bees with fire.

Mayor Decker attempted to get Mr. DeGroat to stop talking about the motorcycle shop because it's over and in the past and to discuss something on the agenda.

Mr. DeGroat insisted that it was his 5 minutes and that he should be able to talk about anything he wants.

John Beasley wants to thank who ever got the agenda on the website so the public can address the issues that you will be talking about. He also asked if some key issues or topics that were discussed by the committees be added. He applauded the Recreation Director for reacting and trying to correct the issue at the Farnum Park.

Business:

Ms. Randazzo- She said that they will be moving the next meetings of the plumbing, electrical and code committees to May 2nd at 5:30, 5:45 and 6:00pm respectively due to a conflict with the reality tour taking place on May 1st.

Motion made by Lisa Randazzo and seconded by George Belcher to set a Public Hearing on May 13th at 7:02 p.m. in the Common Council Room in the Port Jervis Municipal Building at 20 Hammond Street, Port Jervis, New York for proposed Local Law #4 of the Year 2019, entitled "AMENDMENT TO LOCAL LAW #4 OF 2014-DEALING WITH ABANDONED, VACANT AND BOARDED PROPERTIES AND PROPERTIES WHICH ARE IN THE PROCESS OF FORECLOSURE; SPECIFICALLY PROVIDING FOR THE REGISTRATION OF ALL SUCH PROPERTIES WITH THE CITY OF PORT JERVIS; AND PROVIDING FOR THE MAINTENANCE AND SECURITY OF ALL SUCH PROPERTIES"

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

Information on the Proposed Local Law #4 can be obtained in the clerk's office and any questions can be emailed to lisarandazzo22@gmail.com or call 914-850-6142.

Port Jervis Little League opening ceremonies are this Saturday at 10:00 am and Sunday at 1:00 pm

Mrs. Fitzpatrick- Gave the Recreation update as follows:

1. The Recreation Department held its annual Easter Egg Races this past Saturday April 20 at 11:00 am. Due to the rain the festivities were moved to the Youth Center. Thank you to all the kids that participated and for the volunteers that assisted in the event.
2. The 26th Annual Delaware River 5K Run will take place on Sunday May 5, 2019 at Riverside Park. The race starts at 9:00 am. This is a family fun run- we encourage moms, dads, kids and dogs to all come out and run or walk the race. You can get your application on-line at www.delawareriver5krun.com. You can also contact the Recreation office and we will send one to you. Call us at 858-4045 or email us at pjrec@frontiernet.net. Applications are due by Monday April 29. On-line continues through May 3.
3. Our Little Chefs Cooking Class and Junior Picasso's Art Class are both scheduled to start this Saturday April 27 at the Youth Center. Little Chefs is held from 10:00 am- 12:00 pm and Junior Picasso's is held from 12:30 pm- 2:00 pm. We still have room left in both classes. Contact the Recreation office for more information.
4. Our Spring Soccer program is scheduled to start on Sunday May 5 at West End Beach. This program is for children ages 4-6 and 7-11. You can register on-line at www.forwarduksoccer.com. There are open spots remaining.
5. Reminding everyone The Youth Center Rec Room schedule is Monday-Thursday 3:00 pm- 7:00 pm and Friday 3:00 pm- 6:00 pm. Teen Night is held Friday evenings from 6:00 pm- 10:00 pm. Teen Night is for students in grades 7-12.
6. The next Recreation Commission meeting is scheduled for this Wednesday April 24, 2019 at 7:00 pm on the 2nd floor of the Youth Center.

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Mr. Belcher- Mr. Belcher made a motion seconded by David Bavoso to approve the Stipulation of Agreement with employee #446 on 4/22/19.

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

Mr. Belcher made a motion seconded by Dominick Santini to approve the April DPW meeting minutes that were emailed to everyone and approved by the DPW Director.

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

Mr. Belcher made a motion seconded by David Bavoso to approve the 2019 Material Bids for the DPW, Corporation Counsel has reviewed and approved the Bid Documents and prepared separate contracts for each item.

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

Garbage pickup will be on the normal schedule for the next two weeks. Yard debris pickup will be on Mondays. Bulk waste is available from 7:15 to 11:30 on Saturdays with a dump pass. Hydrant flushing is continuing throughout the City.

The next DPW meeting is 5/6/2019 at 6pm in the council chambers.

The tourism board met on 4/10, the city wide yard sale is Saturday 5/3 from 9 to 4, more than 75 residents have signed up to participate in the yard sale, maps will be available shortly and can be printed from the city's website.

Art in the Park is being held June 15th at Orange Square Veterans Park.

Port Jervis Family Fun Fair is being held July 11-14 at Riverside Park.

The 27th Annual Fall Foliage Festival is being held September 22nd in down town Port Jervis.

The next tourism meeting is scheduled for 5/8 at 7pm

Mr. Santini. The next meeting of the Zoning Board will be May 7th at 7pm

He indicated that the Planning Board met April 16th, 61 Front Street had their Pre-Submission and set a Public Hearing for 5/21 and Recap Head Start had an amended site plan approved.

The next Planning Board meeting will be 5/21 at 7 pm.

Mr. Foster- Stated that public comment is the opportunity for the people to present concerns to the Council for further consideration. Also and wanted to thank everyone for all the emails. He encouraged everyone to come to committee meetings.

The next police committee meeting is scheduled for 4/25 at 6pm.

The next ADA meeting is scheduled for 6/3 at 6:30pm.

Mrs. Mann- noted that the IDA has not met due to a lack of agenda items. Project Manager Mark Horte of 100 Pike Plaza has informed us that the plans are out to bid.

The next IDA meeting is scheduled for 5/13 at 6pm.

Beware of Scammers that create fake emergencies of family members to try to get you to send money. They may claim to be an authority figure; such as an attorney or police officer. Recently 2 people tried to overnight large amounts of cash from my business. I was suspicious and called the police who investigated the receivers of the package; which in fact was a scam. She thanked the Port Jervis Police Department, Detective Mioglionico and Officer McGowan for their thorough investigation and catching them in the act. She also would like to extend her condolences to the Holley Family for their loss.

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Mrs. Trovei- noted that the finance committee will meet next on 4/24 at 6pm and is expected to go into executive session to discuss the hiring of vacancy positions in the Clerk's Office.

Mayor Decker intervened to set a Special Common Council Meeting on Wednesday 4/24 at 7 pm for the purpose of hiring of a clerk or clerks for the Clerk's office.

Motion was made by Kristin Trovei seconded by Lisa Randazzo to approve the payment of bills in the total amount of \$650,035.15.

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

The next CDA meeting will be 4/24 at 7pm at the Youth Center. We received information from the CDA today the NYS Community Development Block Grant had some uncommitted funds that must be returned.

Motion was made by Kristin Trovei seconded by Stanley Siegel to return \$23,604.14 to the Housing Trust Fund Corp.

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

Mr. Siegel- there is no fire department secretary correspondence and the April 15th meeting was cancelled. The next fire emergency meeting is 5/20 at 7 pm. Reminders from Chief Cicalese, AED CPR Class is 4/23 at 7 pm at the FD Museum, it is required for all special apparatus firefighters but all firefighters are invited to attend and Chief Terry Ahlers from the City of Newburgh FD will be giving his Verla Fire Presentation at the PJFD Fire Museum on Thursday, 4/25/19 at 7pm. All firefighters are encouraged to attend. Mr. Siegel extended his condolences to the Family of Sherrill Holley. Mr. Siegel read the following statement:

After many conversations with constituents, my colleagues and others and much consideration to what I have heard and been told, I feel that we have gone to far with the Public Comment resolution 2 weeks ago.

I feel, strongly, that we are restricting the opportunity for the public to express their feelings and concerns, whether it is positive, negative or just informational.

While we are not obligated by state law to allow "Public Comment" at our council meetings... I ask, who are we to restrict freedom of speech especially when we encourage people to attend our council meetings.

Several of us served in our military to preserve that right and it is constitutionally protected, so why would we want to deny that right to those who want to speak to us?

We were elected to listen to our residents, in any forum that they choose. Not everyone has the time to attend several meetings to speak their mind so if coming to our council meeting is the best that they can do, I feel that we should take the time to listen to them.

I would like to suggest and request that we allow, all the people, an opportunity to express themselves at the podium, speaking directly to the mayor and council members, as long as they do not use profane, vulgar, inflammatory, slanderous or threatening language, make racial or ethnic slurs and their presentation is not political in nature.

I am comfortable in making a motion to change our previous resolution.

Motion was made by Stanley Siegel and 2nd by George Belcher to change the previous resolution regarding public comment.

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During discussion Ms. Randazzo asked specifically what it is that needs to be changed. Mr. Siegel stated that he thinks that the original resolution needs to be reviewed by our attorney and re-written to be less restrictive. He claims that in discussion with his constituents we are being too restrictive.

Mr. Bavoso asked Mr. Siegel if the discussions he has had with constituents happened at meetings or outside of meetings. Mr. Siegel stated that his discussions have occurred outside the meetings. Mr. Bavoso indicated that he then sees no restrictions placed on the public to contact their representatives to voice opinions.

Ms. Randazzo discussed the fact that the council met, discussed and agreed upon the previous resolution and she is troubled by the fact that now there are members who now are flip-flopping on issues rather than being honest and postponing some actions to collect more facts. She feels that the flip-flopping in decisions is wasting time at the Council table. She has a preference to send this issue back to a committee, preferably code, and take into account public opinion.

The Mayor interjected to try and clarify the nature of the motion as a change or a rescinding of the previous motions.

Discussion continued with attorney Bavoso asking what needs to be changed specifically as there are only 4 paragraphs that deal with topics.

Mrs. Trovei added her commentary that it may not be the resolution itself that requires changing but rather the enforcement of same. She and others had received emails and people were being threatened after the meeting; which were referred to the Police Department which she felt were unreasonable and had to be stopped. She considers this a matter of enforcement not a change of the rules.

The Mayor indicated that the resolution was reviewed by the Chairman of the Committee on Open Government, Robert Freeman, who felt that the resolution was not only reasonable but kind. The only comment Mr. Freeman made was the removal of the contact information.

A member of the public interjected and was informed that he needs to restrain his comment until the public comment period.

Mr. Siegel stated that he wants his motion made to revise the resolution rather than rescind. It was noted that without the revisions the Council has nothing to vote on. Therefore Mr. Siegel rescinded his motion until such a time as he can develop the changes and or new resolution at the next meeting.

The next Port Jervis Housing meeting will be 4/23 at 7 pm

There will be a meteor shower this month and the best time to view it will be 4/22 and 4/23

People are dumping garbage at 169 Front Street and the neighbors are complaining

The Zac Pierce Report will be held Friday 4/26 at 7 pm at the Drew Methodist Church

Mr. Bavoso- made a motion seconded by Stanley Siegel that employee #211 be placed on indefinite paid administrative leave pending ongoing criminal investigation.

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

Mr. Bavoso made a motion seconded by Lisa Randazzo to appoint James Farr of Farr Engineering as acting interim Building Inspector.

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

The next comprehensive plan meeting will be 5/21 at 6pm at the rec center.

For the Good of the City –

Pastor Peter Gable is here to offer help, the community needs to heal

Mayor Kelly Decker –A May council meeting falls on a Holiday and he would like a motion to move the meeting.

Motion by Gina Fitzpatrick seconded by Maria Mann to move the 5/27 Council meeting to Tuesday 5/28 at 7 pm.

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

The Mayor spoke about the Reality Tour taking place on 5/1 from 5 pm to 9 pm and urged residents to attend and that it is a very emotional and moving experience that deals with drug overdose and its effects on the family and community

The office of Senator Jen Metzger will be here 4/25 all day in the Council room

Motion to by Regis Foster seconded by David Bavoso to approve the Tourism minutes of the 4/10 meeting.

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

Motion was made by Regis Foster, seconded by David Bavoso to go into a 2nd executive session to discuss matters of attorney client privilege, a contract concerning the Carbon Forestry Contract and CSEA negotiations with an invitation to Dave Chapman and Valerie Maginsky.

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

Meeting Adjourned at 8:41 pm
Meeting Reconvened at 9:00 pm

Motion by Stanley Siegel, seconded by Dominick Santini to accept the contractual terms, for the working woodland control for carbon credits.

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

Motion by Kristin Trovei seconded by George Belcher to remove the \$243.43 snow removal charge on 3 Court Helaine due to the fact that we do not have the documentation necessary to prove the work was done.

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

Meeting Adjourned –

Motion was made by Kristin Trovei, seconded by Regis Foster to adjourn.

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

Meeting Adjourned at 9:05 pm.

Next Special Meeting scheduled for 7 pm Wednesday April 24th, 2019.

Bobbie Jo Muller
Deputy City Clerk Treasurer