

May 13, 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 May 13th, 2019 at 7:00 p.m.

**Attendance-**

All members of the Common Council were present. Also present were City Clerk Treasurer Robin Waizenegger, Deputy City Clerk Treasurer BobbieJo Muller and Recreation Director John Faggione.

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 telephone scams. He also explained that Memorial Day is a day to honor military service people who died in the service of our country versus Veterans Day which is to honor all those who currently serve or who have served in the military.

**Public Hearing for Proposed Local Law #4 of 2019:**

Motion was made to open the public hearing by Stanley Siegel and seconded by Maria Mann.

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

Councilwoman Randazzo stated that the law update is 14 pages long and is basically a revision to the definition of agent and changes the verbiage and spelling of the original law.

A member of the public, Peter Grech, said that the law should not pass unless it contains a clause that on the door of all vacant property that all 1<sup>st</sup> amendment rights of the Citizens are not necessarily valid.

Stanley Siegel stated that the law is very important to locate owners through the local agent registration process for police and fire emergencies.

Motion to close the public hearing was made by George Belcher and seconded by David Bavoso.

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

**Presentation** - A presentation of the Port Jervis School Budget for the 2019-2020 school year was made by Superintendent Mike Rydell and Asst. Superintendent for Business Mr. Joseph Lenz. Highlighting the education concepts they are trying to put forth and the associated financial changes. The budget will be voted on by the public on May 21<sup>st</sup> from 7am -6pm.

Motion for executive session made by Regis Foster, seconded by David Bavoso for personnel matters involving the police and recreation departments, with invitation to John Faggione to attend.

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

Meeting Adjourned at 7:25 pm

Meeting Reconvened at 7:33 pm

**Minutes Approved-**Motion by George Belcher seconded by Regis Foster to approve the minutes of the April 22nd, 2019 regular meeting.

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

Motion was made by Lisa Randazzo, seconded by David Bavoso to approve the minutes of the April 24th, 2019 regular meeting.

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

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**For the Good of the City –**

Mr. Ed DeGroat, 3<sup>rd</sup> ward commented that he is here for Fake news. He noted that he foiled information on 29-31 Front and that he is concerned because that property owner did not pay for water and sewer. He complained of possible ethics problems with David Bavoso regarding real estate transactions. He questioned if the parking lot restructure was for the new hotel or if the new hotel was leasing spaces from the City.

The Mayor polled the Council for a response, who all indicated that Mr.DeGroat's assumptions are false with respect to parking.

Mr. Van Orden inquired as to why the City has not hired a replacement building inspector instead of the engineer and if the previous building inspector was on paid leave. The Mayor indicated that there is a hiring procedure that must be followed and the current situation is a temporary measure. The Mayor also indicated that the Council is following advice of their labor attorney in this matter.

Mayor Decker, as he answered questions for Mr. Van Orden, decided to answer questions for Mr. DeGroat. The sewer and water installation work done was preliminary and has not been hooked up for operations. When done payment will be expected. With respect to the hotel parking he understands that the hotel owner is working with a private land owner not the City. He also indicated that he has no knowledge of ethics problems with Mr. Bavoso.

**Business:**

**Ms. Randazzo-** She noted that the plumbing, electrical and code committees will meet on May 15<sup>th</sup> 5:30 and 5:45. The code committee will meet at 7pm on the same date after the finance committee meeting. They did not meet on May 1<sup>st</sup> and 2<sup>nd</sup> due to lack of quorum.

Motion was requested by Lisa Randazzo to approve Local Law #4 of 2019. Motion was made by Stanley Siegel and seconded by George Belcher.

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

Motion made by Lisa Randazzo and seconded by George Belcher to approve the summer lunch program with the City of Port Jervis School district and execute contractual documents as necessary.

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

**Mrs. Fitzpatrick-** Gave the Recreation update as follows:

1. The Youth Center Recreation Room for Memorial Weekend will be as follows:
  - Thursday May 23, Friday May 24 and Tuesday May 28- 11:00 am-3:00 pm
  - CLOSED Monday May 27
2. The Summer Recreation Program is set to start on Monday July 1, 2019. The program will run through Friday August 16. West End Beach is scheduled to open Friday June 14, 2019. More information on our complete summer program will be available at the end of the week. Please contact the Recreation office for more information.
3. The 26<sup>th</sup> Annual Delaware River 5K Run was held on a chilly, rainy morning this past May 5. Despite the weather 201 participants crossed the finish line! Overall winner was Christian Deal- a Port Jervis High School senior with a time of 16 minutes and 40 seconds. The overall female winner was Hannah Schmitt with a time of 20 minutes and 38 seconds. Congratulations to All the participants. Thank you to all the student and adult volunteers- we had close to 50 volunteers- as well as the Police Dept., DPW and Volunteer Ambulance Corp.

The next Recreation Commission meeting is scheduled for Wednesday May 22 at 7:30 pm at the Youth Center

A motion was made by Gina Fitzpatrick and seconded by George belcher to hire the following individuals for the summer recreation program:

Seasonal Laborer with the Recreation Department:

Rory Matz- to start May 14, 2019

Greg Conklin- to start May 14, 2019

Kobie Lane- to start May 20, 2019

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Mike Piscitelli- to start June 4, 2019

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

**Mr. Belcher-**

Garbage pickup will be on the normal schedule for the next two weeks and then one day late during the week of Memorial Day. No paper pickup will be done on 5/31 as it is the 5<sup>th</sup> Friday in the month. Yard debris pickup will be on Mondays. Bulk waste is available from 7:15 to 11:30 on Saturdays with a dump pass. The brush pile and compost pile is also available on Saturday mornings.

Mr. Belcher indicated that he thought the City Wide Yard Sale was a success with the community asking for a fall yard sale which has been added for October 5<sup>th</sup> and he listed all of the future events that the Tourism Board is working on for the year.

He noted that there is a primary election on June 25 which will be held at Excelsior fire House in West End and that the Soap Box Derby will be on June 9<sup>th</sup>.

**Mr. Santini.** He stated that there has been no planning or zoning meetings since the last Council meeting. The next meeting of the Zoning Board will be June 4<sup>th</sup> at 7pm and the planning board will meet on 5/21 at 7pm.

**Mr. Foster-** A motion was made by Mr. Foster and seconded by Lisa Randazzo to approve the Police Committee report.

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

Mr. Foster read from the report.

The next meeting of the Police Committee will be 5/16 at 7pm.

Wednesday 5/15 is Peace Officer Memorial Day and there will be a Ceremony at 3pm in the St. Mary's Cemetery.

A motion was made by Mr. Foster and seconded by David Bavoso to approve the April 2019 Police Committee report.

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

Mr. Foster read from the report.

A motion was made by Mr. Foster and seconded by David Bavoso to terminate employee # 339 per Section 30 of the public Officers law as the position was vacated due to a felony conviction on 5/13/2019.

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

Mr. Foster indicated that the City Police force will be participating in an Expanded Traffic Safety Enforcement initiative with the Pike County PA and Sussex County police forces aimed at safety belt enforcement and traffic accident prevention.

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

**Mrs. Mann-** She indicated that the plans for the VA Clinic at 100 Pike Plaza are out to bid.

The next IDA meeting is scheduled for 5/20 at 6pm.

**Mrs. Trovei-** She reported that the CDA met on April 24<sup>th</sup> and reviewed grants, financial statements, Section 8 housing. A special meeting was held on May 6<sup>th</sup> for the sole purpose of hiring a part-time bookkeeper. The CDA is also seeking a part-time clerk.

The next CDA meeting will be 5/22 at 7pm.

Mrs. Trovei noted that the finance Committee met on April 24<sup>th</sup> and reviewed the minutes of that meeting.

A motion was made by Kristin Trovei, seconded by David Bavoso to approve the minutes of the 4/24 finance meeting.

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

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Motion was made by Kristin Trovei seconded by George Belcher to approve the payment of bills in the total amount of \$778,318.40.

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

Motion was made by Kristin Trovei seconded by Dominick Santini as below:

**WHEREAS**, the City of Port Jervis Common Council is doing a demolition project of 6 houses owned by the City through a grant project and

**WHEREAS**, Yanuzzi Construction was the successful bidder for all removal services and

**WHEREAS**, by law the air quality survey during demolition has to be performed by a separate contractor

**NOW, THEREFORE**, be it resolved that the Common Council of the City of Port Jervis hereby approves the Mayor to execute a contract for air-monitoring during demolition with DVD Environmental at the rate of \$600 per day as necessary during the demolition work to meet NYS requirements. Costs will be claimed under the AHC Grant for this project.

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

Motion was made by Kristin Trovei seconded by Lisa Randazzo as below:

**WHEREAS**, the City of Port Jervis Common Council is evaluating the bids for the City's insurance coverage to begin effective 5/22/2019 and

**WHEREAS**, the finance committee will be meeting with the broker representing the bidding companies on Wednesday 5/15/2019

**NOW, THEREFORE**, be it resolved that the Common Council of the City of Port Jervis hereby empowers the Finance committee to make the final selection of and insurance carrier at their meeting.

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

Motion was made by Kristin Trovei seconded by George Belcher to allow Music for Humanity to sell raffle tickets in our jurisdiction per NYS gaming regulations. It was noted that they are requesting this permission in every Orange County community.

There was short discussion regarding the work of Music for Humanity.

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

She noted that Outdoor Club sponsored track at Riverside Park is opening May 25th and she thanked them and all of the volunteers and donors to their organization. She also encouraged membership in the organization.

Mrs. Trovei noted that PJ Pride conducted a very successful reality tour event again and their next event is called Be a Community Hero and will be at Stop, hop and Roll on 6/8 from 4pm to 630pm and will give you the opportunity to meet all kinds of heroes. You are also encouraged to dress as your favorite super hero or community hero.

**Mr. Siegel**—Motion was made by Staley Siegel and seconded by George Belcher as follows:

For your consideration and action by the Common Council, Neversink Engine Company No. 1 requests the following be approved:

**Attend a Wet Down in Franklin, New Jersey on 06/08/2019**

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

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Motion was made by Staley Siegel and seconded by David Bavoso as follows:

For your consideration and action by the Common Council, Howard Wheat Engine Company No. 4 requests the following be approved:

**Sell pickles during the month of June; and**

**Host a low cost spay and neuter clinic on 08/03/2019 and 08/04/2019 from 8:00 a.m. to 5:00 p.m. at their firehouse.**

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

Motion was made by Staley Siegel and seconded by David Bavoso as follows:

For your consideration and action by the Common Council, Excelsior Engine Company No. 5 requests the following be approved:

**Attend a steak bake in Liberty on 07/19/2019**

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

Motion was made by Staley Siegel and seconded by Lisa Randazzo as follows:

For your consideration and action by the Common Council, Tri States Hose Company No. 6 requests the following be approved:

**Attend a Wet Down in Franklin, New Jersey on 06/08/2019**

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

Motion was made by Staley Siegel and seconded by George Belcher as follows:

For your consideration and action by the Common Council, Neversink Engine Company No. 1 requests the following be approved for Active membership:

**Timothy K. Schadt**

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

Motion was made by Staley Siegel and seconded by David Bavoso as follows:

For your consideration and action by the Common Council, Tri States Hose Company No. 6 requests the following member be removed from the rolls for the reason stated:

**David C. DeGroat – deceased 4/18/2019**

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

The next meeting of the Fire and Emergency Management Committee will be 5/20 at 7pm.

Mr. Siegel gave a listing of parades and events for Memorial Day and Veterans Day. He noted that the lineup for the Memorial Day Parade is 9:30am at the Middle School with step-off at 10:30am.

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Mr. Siegel stated that at the last meeting he was given the task of revising the resolution regarding Public Comment and meeting rules. He stated that he forwarded a revision to all of the council members and that he made minor changes which he would now like to have approved.

A motion was made by Stanley Siegel and seconded by Maria Mann to change the previous resolution to his modified versions forwarded to the Council.

Mrs. Trovei objected to the passage of the resolution as she questioned what he actually discussed or what was in his written copy. She believes that the changes as a whole are not appropriate as his version allows comments from the public and political flyers during meeting and therefore she cannot approve it as written.

Mr. Siegel stated that he then would like the Council to give the resolution more consideration, thought and internal debate. Mr. Siegel withdrew his motion and Ms. Mann withdrew her second.

Motion Rescinded

**Mr. Bavoso-** He addressed the accusations made during the public comment period by stating that they are false and that as the Council has to vote on the sale of City owned property. He questioned if at any time had he represented a sale of city owned property to a client of his. Council indicated no.

Mr. Bavoso also asked the Mayor as the person who is required to sign documents at closings for the sale of City owned properties if he has attended a closing with a client represented by himself. The Mayor stated he has not.

Mr. Bavoso stated that he wished people would make sure of the facts before making accusations.

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

**For the Good of the City** – Mr. Ed DeGroat questioned Mr. Bavoso regarding his recusing of himself during a vote. Mr. Bavoso provided an explanation.

Pat Murray questioned the estoppel notice for the Capital Note. Mayor Decker indicated that the process for the City to purchase small equipment is to do an annual capital note as opposed to putting it in the budget like the school district to spread the cost over multiple years. There is a goal to incorporate this into the budget but we have not reached that point yet. Mr. Murray clarified that this is a borrowing.

**Mayor Kelly Decker** – The Mayor announced that a representative of the office of Jen Metzger will be at the Library on every 4<sup>th</sup> Thursday of the month from 12-5pm for all citizens.

He announced the Annual Sportsman's Expo which will occur on Saturday June 15<sup>th</sup> giving credit to Maris Mann as the organizer.

The Mayor extended congratulations to the students of the Port Jervis Middle School students and Bill Harris for their production of the Sound of Music.

**Meeting Adjourned –**

Motion was made by Kristin Trovei, seconded by Stanley Siegel to adjourn.

AYE: 9 ABSENT: 0 NAYS: 0 ABSTAIN: 0 CARRIED

Meeting Adjourned at 8:32 pm.

Next Meeting is scheduled for 7 pm Tuesday May 28th, 2019.

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Robin Waizenegger  
City Clerk Treasurer