

August 26, 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 August 26th, 2019 at 7:00 p.m.

Attendance-

All members of the Common Council were present except Regis Foster. Also present were Corporation Counsel William Bavoso, City Clerk Treasurer Robin Waizenegger and Deputy City Clerk Treasurer Bobbie Jo Muller.

Meeting opened at 7:00 pm by Councilman at Large David Bavoso.

Pledge of Allegiance-

David Bavoso led all present in the Pledge of Allegiance to the Flag.

Youth Report- No Report

Senior and Veterans Report- Mr. Siegel reported that he will be continuing with scam alerts. Beware of using automated smart devices in obtaining telephone numbers as they are more likely to point you to scams. Also note that it is safer to use credit cards for transactions rather than debit or prepaid debit cards.

Public Hearing:

Motion by Lisa Randazzo seconded by George Belcher to open the public hearing on Local Law #10 of 2019 regarding small cellular operations.

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

Ms. Randazzo gave an overview of the law by reading excerpts from the law. There were no comments from the council or the public.

Motion by Lisa Randazzo seconded by George Belcher to close the public hearing on proposed Local Law #10.

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

Minutes Approved-Motion by George Belcher seconded by Gina Fitzpatrick to approve the minutes of the July 22nd, 2019 regular meeting.

AYE: 7 ABSENT: 0 NAYS: 0 ABSTAIN: 2 (Siegel, Trovei) CARRIED

Motion by George Belcher seconded by Regis Foster to approve the minutes of the July 29th, 2019 special meeting.

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

For the Good of the City –

John Beasley – He gave compliments to staff member Wayne Addy of the recreation department for a positive experience while doing park maintenance.

He also reinforced his opinion regarding the need for control of noise and associated enforcement.

Ed DeGroat – He expressed his desire to acquire property near his home and indicated that all litigation regarding neighboring property by him has been settled. Mr. DeGroat also sought information regarding 24 Front Street and the status of the certificate of occupancy.

Linda Van Horn – Stated she was not here as a representative of the school district. Ms. Van Horn indicated that she does appreciate all the hours the Council puts in volunteering and working on City issues. She referred to the question posed by Mrs. Randazzo at the last meeting of what is wanted from the Council by stating that she wants more transparency, consistent enforcement of rules, standardized procedure for sale of city property, fair policies, knowledge of all policies and application of open government rules.

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Patrick Murray – Mr. Murray expressed that he is concerned about goings on behind closed doors while he empathized that the council must sometimes make unpopular decisions. He recognized the council job is hard. He stated that in his opinion the David Rivera was not handled well. He also expressed a desire to talk through issues with the Mayor.

Peter Grech – He stressed the rights of liberty and justice for all and that the council needs to follow the rules of open government. Mr. Grech expressed his concern for the rights of free speech and that the council should read the US Constitution.

Business:

Ms. Randazzo- The next code committee meeting will be on 9/4/19 at 6pm preceded by the plumbing and Electrical Board meetings at 5:30 and 5:45 respectively.

A motion was made by Lisa Randazzo and seconded by George Belcher to approve the minutes of the code meeting of August 27th, 2019.

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

A motion was made by Lisa Randazzo and seconded by David Bavoso to approve Local Law #10 regarding small cell towers.

Mr. Seigel expressed that he is upset about the proliferation of 5G towers. Ms. Trovei indicated that the FCC regulates cell towers and that the issue of additional cell tower construction is in litigation and that this local law in her opinion is needed to protect the City's interests as much as possible.

AYE: 7 ABSENT: 1(Foster) NAYS: 1(Fitzpatrick) ABSTAIN: 0 CARRIED

Mrs. Fitzpatrick- Gave the Recreation update as follows:

1. The youth center will be open this week everyday from 11am-6pm. The center will be closed on September 2nd and 3rd. the center will begin its fall hours next week and be open from 3pm to 7pm Monday through Thursday and 3pm -6pm on Fridays. Teen night will begin on Friday September 6th from the hours of 6pm to 10 pm.
2. The 1st Annual Color Run event scheduled for Sunday, September 8th has been cancelled.
3. The Fall Foliage Festival will be on Sunday 9/22/2019.
4. The next Recreation Commission meeting is scheduled for next Tuesday September 18 at 6:00 pm at the Youth Center.

Mr. Belcher- Garbage pickup will be on the regular schedule this week and one day late during the week beginning 9/2 due to the Labor Day holiday, Paper pickup will be on the normal schedule for 9/6. Bulk waste is available from 7:15 to 11:30 on Saturdays with a dump pass. The brush pile and compost pile are also available on Saturday mornings. Milling and profiling will begin the week of 9/9 on west main street with paving one-week later weather permitting.

The next DPW meeting will be 9/3/2019 at 6pm in the Council room.

The tourism board met on 8/14 with discussion regarding the Fall City Wide Yard Sale, Monsters on the Mountain and Fall Foliage events. It was noted that so far there are 98 vendor slots filled out of 125 available. It was noted that there are very few signups for the yard sale. The next meeting will be 9/11 at 7pm all interested parties are welcome to attend.

Mr. Santini. Zoning has not met since the last council meeting. The next zoning meeting is 9/3 at 7pm.

At the recent planning meeting the was 1 pre-submission for 17-21 Ridge Street for a sub-division which is going to public hearing at their next meeting. In addition, Orange & Rockland received a 6-month extension for the sub-station work. The next planning board meeting is 9/17 at 7pm.

Mr. Foster- Absent

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Mrs. Mann- Reporting on behalf of Mr. Foster she reported that as schools are opening driver safety is stressed. The police departments also stress teaching children safety tips for walking to school. She detailed the locations of all crossing guards in the City and urged all motorists to drive carefully and to yield right of way to pedestrians. The police will be doing increased enforcement especially in school zone areas. The next police committee meeting is 9/19 at 6pm.

The IDA meeting on 8/16 was not held due to a lack of quorum. She noted that she recently met with the new building manager for 100 Pike Plaza. The next IDA Meeting is scheduled for 9/16 at 6pm.

Mrs. Trovei – She noted that the Finance committee and CDA Board have not met since the last council meeting. The next meeting date for both is 9/28 at 6pm and 7pm respectively.

A motion was made by Kristin Trovei and seconded by George Belcher to pay the bills totaling \$2,057,245.62.

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

A motion was made by Kristin Trovei and seconded by Stanley Siegel as follows:

WHEREAS, the City of Port Jervis Common Council recognizes that Suzanne McBride has successfully completed her 6-month probationary period on 08/01/2019 and her supervisor has recommended her for permanent appointment.

NOW, THEREFORE, be it resolved that the Common Council of the City of Port Jervis permanently appoints Suzanne McBride to the position of Account Clerk.

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

Mr. Siegel – He noted that the minutes from the Fire Emergency Meeting on 8/19 are in process. The next meeting is 9/16/2019 at 7pm.

Mr. Siegel reminded all interior firefighters that the annual physicals will be on 10/1 and 10/5 @ Engine 4 by Partners in Safety.

The next meeting of the Port Jervis Housing Authority will be 7pm on 8/27 at Hillside Terrace.

Mr. Siegel encouraged residents to review the Comprehensive Plan as posted on the City Website and noted his thanks to those who worked on the project as it is an important piece of work.

Mr. Siegel informed the Council that he attended some informational sessions on the advancement of battery storage for solar power and will be forwarding information to all council members.

Mr. Bavoso- Mr. Bavoso noted that the Comprehensive Code Committee is moving on now to drafting zoning changes. The next meeting will be 9/26 at 6pm at the Youth Center. He will be extending invitation to both the planning and zoning board members.

For the Good of the City –

Ed DeGroat – He stated that he attended the last Code meeting and requested again the City assist in his obtaining the property adjacent to his noting that all litigation has been settled.

Ed Degroat made accusations of improprieties and unethical legal actions toward David Bavoso which Mr. David Bavoso vehemently denied. The City Corporation Counsel also denied any improprieties.

He than discussed paperwork received via the FOIL process.

Linda Van Horn – Stated she was not here as a representative of the school district. She stated that she is glad to have a new hotel coming to Port Jervis and that she is not against new business. She expressed her opinion that the City should find private investors to complete the water park as she has concerns about the City's ability to run it long-term as the City has not been able to keep the beach open for a full summer along with the financial burden.

Mr. Fitzpatrick countered that the intention is to run the beach 7 days a week next year.

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Barbara Marszalek – She stated that she will be opening, soon, a Community Based Center for Behavioral Health and is doing a community appreciation day on 9/8 at 67 Ball Street for awareness and to create positive community interaction. Kamelot will be a center focusing on children’s behavioral health issues. She feels fully qualified as an RN certified in medicine and psychiatric practitioner specializing in addictions.

Again, she extended an open invitation to her Community appreciation day and thanked the Creamery for their assistance at National Night Out.

Mrs. Fitzpatrick asked if she will be prescribing drugs from that site as part of her practice at 67 Ball Street. Ms. Marszalek stated that she would be prescribing but the center is not open yet.

Peter Grech – He expressed his favorable opinion of dark sky ordinances. Expressed concern that the replacements of the sidewalks on East Main Street seems wasteful as they are displacing sidewalks that are only 2 years old. He encourages the Council to listen to dissenters to do a better job.

John Beasley – He warned the Council of the appearance of favoritism. While communities should work together there should not be a sense of entitlement which must be kept in check by procedures and studies being conducted. He stated that no one should be ignored, and the City is functioning politically correct. He also warned against allowing influence of negative forces in the police department.

Patrick Murray – He detailed his background in fire safety, building codes and locksmithing. He noted that Kamelot is in one of his properties and feels that the clinical work is important to save the lost generation of children.

Mayor Kelly Decker – The Mayor attempted to address issues brought up in public comment. He indicated that he ran and has tried to be as open as possible on issues. He stressed that communication of questions to him and council people are very important to ensure that they can know what issues are important to the public

Mayor Decker stressed the importance of moving the City more into business as the options for financial growth are needed to preserve services in the wake of shrinking government resources from New York State with the only other option being to increase taxes. He also referenced the DRI grant competition for a 10 million dollar grant to try and move the City forward in the tourism industry. Mayor Decker also indicated that there needs to be forward motion on annexation to increase revenues.

The Mayor indicated that it is now mandated for every employee trained on sexual harassment which the City will have completed by October 9th through on-line training and in person training.

Mayor Decker indicated that all sales of City property are currently suspended with negotiations being conducted with the same auction company that is used by Orange County.

The Mayor informed everyone that the 2-year-old sidewalks were installed by a utility company that was replacing gas lines. While doing the new road work it is necessary to replace the curbing which ripped up the old sidewalks which will be replaced and improved to meet the new curbing,

The Mayor apologized for having to leave for a short while at the beginning of the meeting for a family emergency.

It was noted that one section of the flowerboxes on East Main is being dismantled with the flowers relocated to butterfly park for the remainder of the year. This is being done to facilitate the replacement of the traffic control devices at the intersection of East Main, Pike and Orange.

The Mayor congratulated Mr. and Mrs. Bavoso on their 50th wedding anniversary and Mr. And Mrs. George Belcher on their 50th wedding anniversary.

The Mayor extended to all an invitation to the 9/11 ceremonies in the Town of Deerpark on behalf of Deerpark Town Clerk Flo Santini.

The Mayor requested motions to approve several event applications.

A motion was made by George Belcher and seconded by Dominick Santini to approve the Whoville Holiday Celebration on December 8th.

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

The Mayor informed everyone that the DRI grant has been awarded to Peekskill.

A motion was made by George Belcher and seconded by Maria Mann to approve the Farnum Haunting Event October 18, 19, 20, 25 and 26th with assurance that there will be no conflict between the event and the early voting at the Farnum House.

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

A motion was made by Stanley Siegel and seconded by George Belcher to approve the ECCC (Eastern Collegiate Cycling Conference) Cycling Event on September 14th, 2019.

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

Mayor Decker informed the public that the new cell tower that was just erected in the downtown area was done by the MTA despite objections by the City and the presentations of possible alternative sites. He has protested the tower with other higher-ranking politicians but the only way a tower has been removed has been by an outcry of the people.

Kelly noted that Maria Mann has printed event cards to promote city events.

The Mayor also stated that if anyone feels that we have not been open enough on any topic then he would appreciate the feedback through himself or any council member.

Meeting Adjourned – Motion was made by Maria Mann, seconded by Gina Fitzpatrick to adjourn.

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

Meeting Adjourned at 8:33 pm.

Next Meeting is scheduled for 7 pm Monday September 9, 2019.

Robin Waizenegger
City Clerk Treasurer