

October 15, 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 Tuesday October 15th, 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 Bobbie Jo Muller and Corporation Counsel William Bavoso.
Meeting opened at 7:00 pm by Mayor Kelly Decker.

Pledge of Allegiance-

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

Youth Report- None

Senior and Veterans Report- Councilman Siegel advised seniors of the current Open enrollment period for Medicare coverage options. He reminded both seniors and veterans about the importance and availability of flu shots.

Public Hearing Proposed Local law #11 – Motion was made by Lisa Randazzo and seconded by George Belcher to open the public hearing on Local law #11.

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

Ms. Randazzo gave an over view of the law.

The Mayor noted that this public hearing will be held open until at least the next Council meeting due to a delay in the response from Orange County Planning Department.

Ms. Carol Zaleck questioned if there are any plans to do a housing development on the affected parcels. The Mayor indicated that is unknown but that for any use the owners would have to go through the planning board. Mrs. Randazzo noted that the change to light industry would not permit housing. Ms. Zaleck brought forth her concerns about emergency access onto Ryan Street. The mayor noted that she should express her wishes during any subsequent planning process.

Motion was made by Lisa Randazzo and seconded by George Belcher to leave open the public hearing on Local law #11 through the next Council Meeting.

The Mayor noted that this public hearing will be held open until at least the next Council meeting due to a delay in the response from Orange County Planning Department

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

A motion was made by Regis Foster and seconded by George Belcher for an executive session to discuss a contractual issue with the Police Dept., Building Dept., and DPW as well as to seek advice from legal counsel. The mayor noted that this executive session may take some time.

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

Meeting adjourned to executive session at 7:05 pm.

Meeting reconvened from executive session at 8:22pm

Minutes Approved-Motion by George Belcher seconded by Lisa Randazzo to approve the minutes of the September 23rd, 2019 regular meeting.

AYE: 6 ABSENT: 0 NAYS: 0 ABSTAIN: 2 (Bavoso, Santini) CARRIED

For the Good of the City – Laura Myer expressed her thanks to everyone who participated in Monsters on the Mountain this weekend. She especially thanked the City Tourism members, Outdoor Club of Port Jervis and the Salvation Army.

She noted the Halloween lighting contest and asked residents to sign up for judging by October 23rd for great prizes.

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She also noted that there will be a Downtown Spooktacular after the City Halloween parade on October 26th with a rain date of October 27th

Mr. DeGroat expressed his frustration with the FOIL process and redacted documents.

Ms. Carol Zaleck expressed her frustration with traffic associated with the transfer station on Canal Street. She noted that the hours of operation signs have been changed on Saturdays from 8-12 to 7-12 and that trucks are coming in prior to those hours.

Mr. Belcher noted that the city has installed a camera at the gate and there are not at this point unauthorized vehicles passing through with only 1 exception of a county truck going through before posted hours.

Mrs. Trovei suggested that Ms. Zaleck could also voice her complaint about the County's usage to the County legislator as the City has no control over their operations.

Mr. Siegel voiced his opinion and sided with the complainant regarding early usage and noise ordinances. Mr. Belcher will continue the monitoring of the camera.

Mr. John Beasley thanked the Mayor and Council for their service and the blossoming of the City in recent years. He expressed his concern that the Code committee did not meet in October and he wants them to work on ethics law improvements for the City. He expressed his concerns regarding conflicts of interest and the Council noted that they must sign conflict of interest statements as part of the audit.

Mr. Peter Grech expressed his concerns for LGBT rights and needed protections for anonymity.

Business:

Ms. Randazzo- She noted that there was no Code Committee held due to scheduling issues of its members. The next Code meeting will be 11/6 at 6pm. The next Plumbing and Electrical Board meetings will be 11/6 at 5:30 and 5:45 respectively.

Ms. Randazzo expressed condolences to the Fitzpatrick and Prestimonaco families.

Mr. Belcher- Mr. Belcher also expressed his condolences to the Fitzpatrick and Prestimonaco families.

Mr. Belcher started to motion for a contract change for CHA however the Mayor informed him that this issue is being referred to the finance committee before approval by the Council as it represents a large increase in costs on the bridge project.

Garbage pickup will be one day late due to the Columbus Day holiday this week. 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. Bagged yard debris will be picked up on Mondays. Hydrant flushing will continue throughout October. If you experience discolored water, please clear by running your cold water until clear. Nixel alerts will be sent out with specific sites when that information is available. He encouraged all residents to sign up for Nixel alerts through the City website.

The safe walk to school sidewalk project is continuing through next week along with the paving of the road alongside. The culvert work will be done the week of November 2nd and may require road closures.

The next DPW meeting will be 11/4/2019 at 6pm in the Council room.

The City Xmas light tours will be scheduled for 12/10-11 and 12/17-18 from 5:30-7pm and reservations can be scheduled with the Dial-A-Bus staff.

A motion was made by George Belcher and seconded by Staley Siegel to approve the use of the Dial-A-Bus for the Xmas light tours.

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

Mr. Santini –He noted that at the 10/1 zoning meeting there was a public hearing on 11 Stoll Street for a variance and there was no decision rendered. The next Zoning meeting is 11/7 at 7pm.

The Planning meeting scheduled for tonight was cancelled and the next meeting Planning meeting will be on 11/21 at 7pm.

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Mr. Foster- A motion was made by Regis Foster and seconded by David Bavoso to permanently appoint the following police officers who have completed their 1-year probation and all required trainings effective 10/8/2019:

Christopher Mehedin Savannah Dooley Thomas Osowick Joseph DiCarlo

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

Mr. Foster noted that October is Domestic Violence Awareness Month noting that 1 in 4 women will experience domestic violence and that there were 330 events of domestic violence of which half were criminal in nature over the past year in Port Jervis. Unfortunately, in Port Jervis domestic violence has resulted in 5 murders in recent years.

He encouraged everyone to attend the Clothesline project in Veterans Square Park this month which subject to weather will be this Thursday with a weather reschedule date of the following week.

A motion was made by Regis Foster and seconded by George Belcher to appoint Matthew Reilly as a P/T School Police Officer effective 10/21/2019

AYE: 7 ABSENT: 0 NAYS: 0 ABSTAIN: 1(Bavoso) CARRIED

A motion was made by Regis Foster and seconded by Maria Mann to allow Police Chief William Worden and Lt. John Fitzpatrick to sell back to the city 14 Holiday & vacations days that will be unused this year.

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

A motion was made by Regis Foster and seconded by Lisa Randazzo to approve the September Police report.

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

Mr. Foster reviewed some highlights of the report.

A motion was made by Regis Foster and seconded by George Belcher to approve the September Police Committee minutes.

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

Mr. Foster reviewed the minutes for the public.

The next police committee meeting will be 11/21/2019 at 6pm there will be no police committee meeting this Thursday.

A motion was made by Regis Foster and seconded by David Bavoso to approve the October ADA Committee minutes.

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

Mr. Foster reviewed the minutes for the public.

The next ADA committee meeting will be 12/2 at 6:30 pm

He also expressed condolences to the Fitzpatrick and Prestimonaco families.

Mrs. Mann- The IDA has not met since the last council meeting and is scheduled to meet next on 10/21/2019.

She congratulated the Tourism Board and Outdoor Club on the success of Monsters on the Mountain. She enjoyed the event thoroughly.

She also expressed condolences to the Fitzpatrick and Prestimonaco families.

Mrs. Trovei – She noted that the CDA met on 9/25 where they received a detailed Section 8 update along with a request that has been made for new funding for youth transitioning out of foster care to independent living. They reviewed the tree inventory and possible financing for fire trucks through the USDA.

She informed the Council that Patterns for Progress is doing a timely and appropriate presentation on 11/1 entitled Blight to Bright regarding the conversion of blighted properties to viable residences in case any member wants to attend in addition to the CDA.

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The CDA adopted a new sexual harassment policy. The next meeting of the CDA will be 10/23 at 7pm.

The finance committee is scheduled to meet tomorrow night at 6pm.

A motion was made by Kristin Trovei and seconded by George Belcher to pay the bills totaling \$1,603,214.25.

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

A motion was made by Kristin Trovei and seconded by Stanley Siegel to a resolution for the County tax exemption as follows: Whereas, the City of Port Jervis is presently exempt from County taxes on its watershed property located in the Town of Deerpark, and

Whereas, these lands are devoted solely to the public use as part of said City of Port Jervis water supply system, and

Whereas, under Section 406-3 of the Real Property Law, the City of Port Jervis can request that the real property listed on Schedule "A" and located in the Town of Deerpark be exempt from these taxes,

Now therefore be it resolved, that the Common Council of the City of Port Jervis requests the County Executive of Orange County enter into an agreement with said City of Port Jervis to exempt this real property located in the Town of Deerpark from County taxes for the year 2021.

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

Mrs. Trovei informed everyone that Operation PJ Pride is going to have a Trunk or treat event at ASK Elementary school on 10/31 from 5 to 6:30 pm. Operation PJ pride will also be sponsoring a new Reality tour in January.

Mrs. Trovei relayed information from the clerk's office warning of a new IRS property lien scam, water bills are due at the end of October, a property auction on 10/30/19, the tax lien sale on 11/19/2019, dog park tags and dog licensing are happening at the clerk's office and overnight parking pass sales will begin 11/1 for the winter.

Mr. Siegel – A motion was made by Stanley Seigel and seconded by George Belcher as follows:

For your consideration and action by the Common Council, Delaware Engine Company No. 2 requests the following member be removed from the rolls for the reason stated: **Robert D. Padgett, Jr. - voluntary resignation**

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

A motion was made by Stanley Seigel and seconded by George Belcher as follows:

For your consideration and action by the Common Council, Neversink Engine Company No. 1 requests the following member be removed from the rolls for the reason stated: **Tyler P. Kinzel - Non-payment of funds due the Company**

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

A motion was made by Stanley Seigel and seconded by George Belcher as follows:

For your consideration and action by the Common Council, Neversink Engine Company No. 1 requests the following member be removed from the rolls for the reason stated: **Christopher M. Outer – removal for non-participation failure to complete probationary period.**

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

A motion was made by Stanley Seigel and seconded by George Belcher as follows:

For your consideration and action by the Common Council, Neversink Engine Company No. 1 requests the following member be removed from the rolls for the reason stated: **Patrick C. Kiesow- voluntary resignation**

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

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A motion was made by Stanley Seigel and seconded by Dominick Santini as follows:

For your consideration and action by the Common Council, Excelsior Engine Company No. 5 requests the following member be removed from the rolls for the reason stated: **Patrick A. Speaker - voluntary resignation**

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

A motion was made by Stanley Seigel and seconded by Lisa Randazzo as follows:

For your consideration and action by the Common Council, the Special Operations Squad requests the following be approved: **Polar Plunge at West End Beach on 01/18/2020 with a bad weather date of 01/25/2020** subject to insurance approval.

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

A motion was made by Stanley Seigel and seconded by David Bavoso as follows:

For your consideration and action by the Common Council, the Port Jervis Fire Department Company No. 1 requests the following be approved:

This is to request that the below sections of the Department By-Laws be changed:

ARTICLE IX, SECTION B, PART 1 as found on Page 25

REMOVE: Must have previously held the office of Second Assistant Chief in the Port Jervis Fire Department for a full two (2) year term at any time prior to taking office of First Assistant Chief;

REPLACE WITH: Must have previously held the office of Captain in the Port Jervis Fire Department for a combined period in excess of one (1) full year at any time prior to taking office of First Assistant Chief;

ARTICLE IX, SECTION C, PART 1 as found on Page 26

CHANGE FROM: Must have previously held the office of Company Captain in the Port Jervis Fire Department for a combined period in excess of one (1) full year at any time prior to taking office of Second Assistant Chief;

CHANGE TO:

Must have previously held the office of Captain in the Port Jervis Fire Department for a combined period in excess of one (1) full year at any time prior to taking office of Second Assistant Chief; (Actual change is the removal of the word "Company").

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

Next Fire and Emergency Management committee meeting will be 10/21 at 7pm

Housing Authority met on 9/24 and their next meeting will be 10/22 7pm at Hillside Terrace.

Mr. Seigel reported that he attended the last landlord association meeting with a guest speaker from NYS Senator Metzger's office. Most of the information given was regarding new tenant rights law and he encouraged landlords to attend these meetings.

He announced that the Salvation Army will be hosting a 3D ladies night event for dinner, dessert and devotion on October 22nd. For more information and reservations call 856-3214.

Mr. Seigel expressed condolences to the Fitzpatrick and Prestimonaco families.

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He encouraged seniors to go to AARP.org for a list of current scams.

He wondered if refuse haulers were violating the laws regarding quiet time in the City and requested the issue referred to the police department.

Mr. Seigel expressed his opinion regarding executive session as a necessary component of City government with assurance that all votes are done in public.

Mr. Siegel requested review of placement of signage on Kingston avenue to ensure they preserve the 36-inch requirement for accessibility.

Mr. Bavoso- He notes that the new zoning law changes are ready for submission for public hearing at our next meeting.

For the Good of the City –

Ed DeGroat – Requested information from Mr. Siegel regarding the sale of Farnum Street.

Carol Zaleck – Passed

Peter Grech – He expressed his opinions regarding FOIL requests, waterboarding of prisoners, anonymity rights, executive session requirements and responsibilities of the city attorney.

Elaine Burns – She thanked Mr. Siegel for his understanding of the refuse hauler issue. She clarified the zoning law changes as not related to Dick's Concrete. She questioned the scheduling of executive session during the meeting. The Mayor indicated that when we had executive session at the end of the meeting some felt left out when decisions were made late in the evening after most of the public left. Also, previously the executive session occurred before the meeting and was problematic regarding attendance, therefore it was shifted to during the meeting.

Ms. Burns also posed other questions about the County trucks. The Mayor referred her to the County authorities.

Mayor Kelly Decker – The Mayor gave the recreation report as follows:

1. This Sunday October 20 PJ Recreation is sponsoring a FREE Lacrosse Clinic at West End Beach. The clinic will be held between 1:30 pm- 3:00 pm. The clinic is for boys and girls in grades 2-6. Come down and learn about this great sport while doing drills, and scrimmaging. No equipment or experience necessary. Please bring water to drink.
2. The 71st City of Port Jervis Halloween Parade is scheduled for Saturday October 26, 2019 at 3:30 pm. Line-up begins at 3:00 pm on Hammond Street in front of City Hall. The parade is for children, adults and pets! Prizes will be awarded to scariest, funniest, prettiest and most original costumes. Prizes are donated by the Elks Club of Port Jervis. Donuts and juice will be served to all at the conclusion of the parade at Farnum Park. Shoprite is sponsoring the refreshments.
3. Church St. Park tennis court lights are now off for the season. The basketball court lights will remain on until November 1. Over the next few weeks picnic tables will be stored away for the winter and swings will come down and stored away for the winter season.
4. The Youth Center recreation room schedule is as follows:
Monday-Thursday 3 pm- 7pm
Friday 3 pm- 6 pm
Teen Night is Friday nights 6 pm- 10 pm
Youth Center will be open 12 pm- 4 pm on Thursday October 31- Halloween
5. The next Recreation Commission meeting is scheduled for tomorrow October 16, 2019 at 7 pm at the Youth Center.

The Mayor reappointed Tom Sexton as an alternate chairman of the Zoning Board for a term to expire 1/31/2023.

He noted a worship service for Veterans and first responders scheduled for 11/3 at 10am at the first Presbyterian Church.

He thanked the Tourism Board and Outdoor Club on the success of Monsters on the Mountain.

The mayor displayed a graph supplied by the Police Chief of Part 1 crimes in the City displaying that this past year was the lowest on record.

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Meeting Adjourned – Motion was made by David Bavoso, seconded by Stanley Siegel to adjourn.

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

Meeting Adjourned at 9:35 pm.

Next Meeting is scheduled for 7 pm Monday October 28th, 2019.

Robin Waizenegger
City Clerk Treasurer